

PROCEEDINGS OF THE COMMEMORATION OF THE INTERNATIONAL SEABED AUTHORITY'S TWENTIETH ANNIVERSARY



Cover Photo: L-R: Mr Baidy Diène, Secrétaire Général Adjoint de l'agence de Cooperation entre la Guinée Bissau et le Sénégal; H.E. Mr Mumba Kapumpa, Ambassador of Zambia to Republic of Korea; Mr Nii A Odunton, Secretary-General, International Seabed Authority (ISA); Judge Vladimir Golitsyn, President of the International Tribunal for the Law of the Sea; H.E. Mr Antonio Francisco Da Costa e Silva Neto, Permanent Representative of Brazil to the International Seabed Authority, President of the ISA Assembly 2014 and Ambassador of Brazil to Jamaica; Mr Stephen Mathias, Assistant Secretary-General, UN Legal Affairs; H.E. Mr Tommo Monthe, Permanent Representative of Cameroon to the International Seabed Authority and Permanent Representative of Cameroon to the United Nations; H.E. Mr Satya N. Nandan, former Secretary-General of the ISA and Special Representative of the UN Secretary-General for the Law of the Sea; Judge José Luis Jesus, International Tribunal for the Law of the Sea; H.E. Mr Tommy Koh, Ambassador-at-large, Ministry of Foreign Affairs, Singapore and Professor Hasjim Djalal, Senior Advisor for the Law of the Sea, Ministry of Foreign Affairs, Indonesia



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THE INTERNATIONAL SEABED AUTHORITY'S
TWENTIETH ANNIVERSARY

Kingston, 22 July 2014

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2014 marked the twentieth anniversary of the establishment of the International Seabed Authority, which came into existence upon the entry into force of the 1982 United Nations Convention on the Law of the Sea on 16 November 1994. The Authority celebrated this event on 22 July 2014 when the Assembly of the Authority met in a special session to commemorate the event.

The session was opened by H.E. Ambassador Antonio Francisco Da Costa e Silva Neto (Brazil), President of the Assembly for 2014, and addressed by Mr Nii Allotey Odunton, the Secretary-General of the Authority; the Most Honourable Portia Simpson Miller, Prime Minister of Jamaica; H.E. Mr. Ban Ki Moon, the Secretary-General of the United Nations through Mr Stephen Mathias, Assistant Secretary-General for Legal Affairs; H.E. Judge Shunji Yanai, President of the International Tribunal for the Law of the Sea through Judge Vladimir Golitsyn, President of the Seabed Disputes Chamber; Ambassador Satya N. Nandan, First Secretary-General of the Authority (1996 - 2008); Ambassador Tommy Koh, Ambassador-at-Large in the Ministry of Foreign Affairs of Singapore and President, Third United Nations Conference on the Law of the Sea (1980 - 1982); Judge José Luis Jesus, member of the International Tribunal for the Law of the Sea and former Chair of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea (1987 - 1994); Ambassador Hasjim Djalal, the first President of the Assembly of the Authority; Ambassador Mumba Kapumpa, Zambia's Ambassador to the Republic of Korea; and Mr. Baïdy Diène of Senegal, former President of the Council of the International Seabed Authority (2004) and member of the Legal and Technical Commission (2002 - 2011).

Statements were also made by the Chairs of the five regional groups; H.E. Olatokunbo Kamson, Permanent Representative of Nigeria to the Authority on behalf of the African Group; H.E. Peter Thomson of Fiji on behalf of the Asia-Pacific Group; H.E. Vladimir Polenov of the Russian Federation on behalf of the Eastern European Group of States; Mr David Wilkens of Germany on behalf of the Western European

and other States Group, and H.E. Mr Gerardo Lozano Arredondo, Permanent Representative of Mexico to the Authority on behalf of the Latin American and the Caribbean States Group.

Statements on behalf of State Parties were made by Dr. Tevita Sukahina Mangisi, Deputy Permanent Representative, Permanent Mission of Tonga to the United Nations, on behalf of the Pacific Small Island Developing States; H.E. Rev. Dr. Iva Gloudon, Permanent Representative of Trinidad and Tobago to the Authority; Mr. Haryo Budi Nugroho, Legal Officer, Ministry of Foreign Affairs of Indonesia; H.E. Mr Gerardo Lozano Arredondo, Permanent Representative of Mexico to the Authority; H.E. Mr. Mahe ‘Uli’uli Sandhurst Tupouniuia, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission of Tonga to the United Nations; H.E. Mathu Joyini, Permanent Representative of South Africa to the Authority; Rear Admiral Md. Khurshed Alam (Rtd), Secretary (Maritime Affairs Unit), Ministry of Foreign Affairs, Representative of Bangladesh to the 20th session; H.E. Mr Peter Thomson, Representative of Fiji to the 20th session; Excmo. Sr Ricardo Tur Novo, Ministro Consejero, Encargado de Negocios a.i. Cuba en Jamaica, Representative of Cuba to the 20th session; Dr. S. K. Das, Scientific Secretary, ESSO & Advisor, Ministry of Earth Sciences, Representative of India to the 20th session; H.E. Irene Susan B. Natividad, Deputy Permanent Representative, Permanent Mission to the United Nations, Representative of the Philippines to the 20th session; M. Mbaba Coura Ndiaye, en Service au Ministere des Affaires Etrangeres et des Senegalais de l’Exterieur, Representative of Senegal to the 20th session; Ms. Indera Persaud, Honorary Consul in Jamaica, Representative of Guyana to the 20th session; Minister Counselor Sylvia Ruschel de Leoni Ramos, Deputy Permanent Representative to the Authority, Representative of Brazil to the 20th session; Mr. Erick Cajar Grimas, Chargé d’Affairs a.i, Third Secretary, Embassy in Jamaica, Representative of Panama to the 20th session; H.E. Mr Cedric Harper, High Commissioner of St Kitts and Nevis to Jamaica, and Permanent Representative to the International Seabed Authority; and Mr Coy Roache, Deputy Permanent Representative of Jamaica to the Authority.

Statements were also made by representatives of some of the entities with Observers status with the Authority, including Greenpeace, the International Union for the Conservation of Nature (IUCN), the World Wildlife Fund (WWF) and the Deep Sea Conservation Coalition.

The statements run through a gamut of subjects ranging from recollections of the Third United Nations Conference on the Law of the Sea, the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea, and the United Nations Secretary-General's Informal Consultations on Outstanding issues Relating to the Deep Seabed mining provisions of the United Nations Convention on the Law of the Sea.

The statements also addressed matters such as the achievements of the International Seabed Authority in its first twenty years, remembrances of deceased stalwarts of the process leading to the establishment of the Authority, the formulation of the first exploitation code for deep seabed mineral resources (polymetallic nodules), the need for the code to ensure that the protection and preservation of the marine environment from the impacts of deep seabed mining of polymetallic nodules is strictly adhered to, and the urgent need for capacity building of developing member state personnel to enable them to reap the benefits from the common heritage of mankind.

List of Acronyms

ACP	The African, Caribbean and Pacific Group of States
CCOP/SOPAC	Committee for Coordinating of Joint Prospecting for Minerals Resources in the South Pacific Offshore Areas
CCZ	Clarion-Clipperton Zone
CLCS	Commission on the Limits of the Continental Shelf
CMI	Caribbean Maritime Institute
EIA	Environmental Impact Assessment
EU	European Union
GRULAC	Group of Latin America and Caribbean States
ISA	International Seabed Authority
ITLOS	International Tribunal for the Law of the Sea
IUCN	International Union for Conservation of Nature
KIOST	Korea Institute of Ocean Science and Technology
LTC	Legal and Technical Commission
NGO	Non-Governmental Organisation
OMI	Ocean Management Incorporated
PSIDS	Pacific Small Island Developing States
SIDS	Small Island Developing States
TOML	Tonga Offshore Mining Ltd
UN-GA	United Nations General Assembly
UNCLOS	United Nations Convention on the Law of the Sea
WWF	World Wildlife Fund

I. Statements

1. His Excellency Mr Antonio Francisco Da Costa e Silva Neto, President of the Assembly

The Most Honourable Mrs. Portia Simpson Miller, Prime Minister of Jamaica, Good Morning. It is an honour to have you at the Authority.

Judges of the International Tribunal of the Law of the Sea, Mr. Stephen Mathias, Assistant Secretary-General for Legal Affairs and representative of the Secretary-General for the United Nations to this commemorative event; notable distinguished and very important invited guests, our keynote speaker, Ambassador Tommy Koh; President of the Council; Chair of the Legal and Technical Commission, Chair of the Finance Committee, Excellencies, distinguished delegates; members of the observer groups, ladies and gentlemen.

We are grateful to have you here for the purpose of commemorating the 20th anniversary of our organization. To mark this special day the Assembly is honoured to have The Most Honourable Portia Simpson Miller gracing us with her presence this morning. We are also honoured to have present among us some of the architects who toiled to lay the foundation for the organization and whose existence we are commemorating. It is their vision, flexibility and unity that we have inherited. We had, over the years, the benefit of their wisdom and counsel. Today, I am happy to confirm that we will again have the pleasure of hearing their views.

May I also acknowledge the presence of Judge Vladimir Golitsyn, President of the Seabed Disputes Chamber. We also have former Chairman of the Preparatory Commission for the International Seabed Authority (ISA), Judge Jose Luis Jesus, Mr Matthias, Assistant Secretary-General for Legal Affairs and the special representative of the UN with us. Also, we have a man who needs no introduction, the first Secretary-General of the Authority, Ambassador Satya Nandan, from Fiji. He, together with our keynote speaker, Ambassador Tommy Koh, require no introduction. Nevertheless I shall be welcoming them separately, on your behalf at the appropriate juncture of our meeting.

Honourable Prime Minister, Madam, on behalf of the Assembly I wish to extend to you a very warm greeting from the Assembly of the Authority. We would like to convey our sincere gratitude that you have deemed it appropriate and necessary to spare a few moments out of your busy schedule to come and say a few words to the Assembly as we celebrate the 20th anniversary of our organization headquartered here in the marvelous capital of Kingston, Jamaica. The government and people of Jamaica have been gracious hosts for the past 20 years.

As we reflect on your efforts and contributions, we the members of the Authority are grateful for the fact that you have spared a piece of prime real estate on the waterfront of this beautiful city of Kingston to be the seat of the Authority. We have benefitted from the use of the conference facilities and our Secretariat has also the benefitted of what we are now calling the home of the Authority.

Jamaica's contribution to the establishment of the Authority, its current work and the future of the Authority cannot be over emphasized. We are grateful for all that has been done and are looking forward to a future of continued warmth and reciprocal relations, always highlighted by the well-known Jamaican hospitality.

It is on this note that once again that we express our sincere gratitude and warmly welcome the Most Honourable Portia Simpson-Miller. We are delighted and honoured to have you Madam and grateful to the lovely people of Jamaica for making us feel welcomed and at home in this beautiful country.

Excellencies, distinguished delegates, before I give the floor to the Secretary-General, I wish to say a few words as it is our intention to gain from the wisdom of our guests. As we pause to commemorate the 20th anniversary of the Authority, as President of this Assembly at this session, and I am very grateful for the honour that Member States have bestowed on me,, particularly my regional group of Latin America and the Caribbean (GRULAC). I want to pose a few simple questions for reflection. I believe that we have arrived at the juncture where we ought to reflect upon what our journey has been us so far and consider what we still need to do.

We should ask ourselves what kind of organization we would like to see the Authority develop into over the next 20 years. Have we been equipping our Authority adequately to meet the challenges of the coming years? Are the laws, regulations and rules governing the

operation of this organization sufficient to meet the demands of its purpose?

This 20th anniversary is an appropriate time to reflect on these issues. Great individuals had a particular vision in mind in setting up this organization. They pursued and overcame their differences and agreed to work out a formula that would ensure the equitable sharing of benefits among all the human inhabitants of this earth from the resources in the Area as the common heritage of mankind. Ours is the task of fulfilling this dream in concrete terms and ensuring that the bond that holds us together continues to be the anchor and united force that guarantees goodwill and cooperation for the next 20 years and beyond. Today, we will hear words of wisdom; some perhaps reminiscent others predictive. Whatever the sentiment might be I urge the Assembly to pay attention to the commemorative sentiments that will be echoed in this hall today. Some of the founders are still around to witness their vision 20 years on and we hope they like what they are seeing.

Excellencies, we will not go wrong if we root our words solidly in the 1982 United Nations Convention of the Law of the Sea (UNCLOS) and the 1994 Agreement. This guiding foundation, together with the decisions and other agreements we have made over the last 20 years continue to provide the blueprint for the success of the organization. The question remains, what should we do, not only what is urgent, but what will give us a new, structured organization for the future. Secretary-General, I wish to thank you and your hard-working staff for the excellent work that you have been doing over the last 20 years, with your allotted resources and bound by your numerical composition you have served the Authority extremely well.

So on this 20th anniversary, on behalf of the members of the Assembly I wish to thank you most warmly. To the members and observers of the Authority, those who have contributed resources, time and expertise to ensure the viability of the organization as a reputable organization, accept our gratitude. I give the floor to the Secretary-General for his 20th anniversary address.

2. Mr. Nii Allotey Odunton, Secretary-General of the International Seabed Authority

The Most Honourable Portia Simpson Miller, Prime Minister of Jamaica, distinguished guests and delegates, ladies and gentlemen, welcome to the commemoration of the 20th anniversary of the establishment of the Authority, an institution founded on the common heritage of mankind with the potential to transform the global minerals industry and open up the last remaining frontier, the international seabed area.

As I look at all of us gathered here today, I see many stalwarts of the process that made this dream possible. A process that was by no means easy, and that will continue to provide us with many challenges.

Our knowledge of the Area is limited but, as a result of the determination of the international community to expand its resource base through the formulation of rules, regulations and procedures to harness these resources, it has brought us to the edge of exciting times ranging from discoveries of incredible new life forms and amazing mineral wealth, that cannot but provide us with many of the products that we utilize and wish to have in the twenty-first century and beyond. Among us, also, are a few of the many consensus builders who have catalyzed the evolution of the Authority. Their work include the formulation of Part XI of UNCLOS, the 1994 Agreement relating to the implementation of this Part, and the framework for the formulation of rules, regulations and procedures governing prospecting, exploration and exploitation of all the marine minerals to be found in the Area. Since its establishment, the Authority has succeeded in adopting rules, regulations and procedures for prospecting and exploration for polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts. The confidence in the framework that has been established has resulted in the Authority approving 26 plans of work for exploration in the Area.

Speaking for myself, if anyone had told me that 20 years after the entry into force of the Convention we would have had 26 plans of work for exploration, I would have thought them very optimistic and a little bit mad. For the past few years the Authority has been engaged in formulating a mining code for polymetallic nodules. The process of developing this code marks a new phase in the work of the Authority. This is the transition from marine scientific research to commercialization of the discovered ore deposits. This phase requires that, among other things, we have to standardize resource assessments

by contractors. Resource assessments refer to how close a particular deposit is to commercialization. In general, the deposits are classified as possible, probable and ore reserves. Ore reserves can be mined at a profit, and it is at that stage that financial institutions become interested. The classification of ore reserves implies that technology is available to mine the deposits and process the material into metals of interest. It should be recalled that, in the past, what was expected of contractors were, e.g. samples. What did the samples contain in relation to the metals that commercial entities were after? There were no references to any protocols that took into account the requirements of financial institutions. As we move forward to this next phase, it would be important that when we sign contracts for exploration, these standards are in place so that contractors know, right at the beginning of their contracts, what is required from them in relation to resource assessments. Otherwise, at the point where exploitation contracts are applied for, we will not have any idea of the mineable ore reserves in situ.

Over the past few years, as word got around that the Authority was in the process of formulating a mining code, many members of the international community expressed concern about what seabed mining would do to the environment. Right from the beginning of establishing its rules and regulations, the Authority through one of its organs the Legal and Technical Commission (LTC), recommended that all contractors should establish baseline data. This included recording the pristine conditions that existed prior to mining so that in the course of exploration and through the monitoring programmes that had to be established, the Authority could gain information on the impacts of such activities on the marine environment. It was the clear understanding that the major impacts would take place during prototype testing in the Area and even more so during commercial mining. As the process went along, it also became quite evident that the Authority needed to start standardizing the names of fauna that were to be found in different exploration areas. Again, this was identical to the problems that have arisen with assessing the mineral resources. There are no standards for use by contractors and, over time it became impossible (a) to compare the fauna from different parts of the world's oceans where the specific mineral resource is likely to be found, and (b) to formulate the necessary policies that would be required to protect these fauna. At the same time, the LTC of the Authority made it clear that the component of the environment that would be most distressed from deep seabed mining would be the fauna.

I am always amazed when I see pictures of the fauna associated with the different mineral resources and I keep shaking my head that all these manifestations of nature are available to us with most of them in the deep seabed, and that we have very little knowledge about them. If we do not begin to ensure that we know where these fauna are to be found and standardize the nomenclature we use to describe them, we will have a problem in the future when deep seabed mining occurs. We need to have this information. The LTC needs to be able to examine this information to be able to provide the necessary policy guidelines to the Council for the Council to let the international community know what we are going to do to protect these fauna when mining takes place.

In terms of how I see our work progressing, this period is when we begin to tighten up work that is being done to get to commercial mining. By the time commercial mining begins, we should, for example, have good knowledge of the fauna to be found in the Area. For commercial production as well, we need to know the category of resources that we have, be it possible, probable or ore reserves. This is not just from the perspective of the States Parties but also from the viewpoint of all the financial institutions which might get engaged in this process. Since 1978, when Ocean Management Incorporated (OMI) conducted a pilot mining test in the Clarion-Clipperton Zone (CCZ), (it tested eight different collectors and raised 800 tonnes of nodules to its mining ship), no such tests have been conducted. In addition to proving their technology, such tests will provide contractors with information on the efficacy of the technologies they have developed, inform them as well as the international community as to whether reserves of nodules can be established and enable them to conduct environmental impact assessments. Such a test would be a significant contribution to the work of contractors and the Authority. It could be a useful collaborative project among contractors and the Authority.

Madam Prime Minister, I wish to thank the Government of Jamaica for all the help it has given to the Authority and prior to that, the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea (ITLOS). We have had some ups and downs but I would say that 90 per cent of the journey has been smooth. We all appreciate the people of Jamaica and the opportunity to see a fabulous island.

Distinguished delegates, ladies and gentlemen, please enjoy the rest of the day. I have known the distinguished guests here for a very long time. You are going to hear some excellent presentations from the world's greatest consensus builders.

I look forward to seeing you all at the reception this evening where we will be graced by one of the world's best bands called Fab 5, courtesy of the Ministry of Foreign Affairs and the Government of Jamaica.

Thank you very much.

3. The Most Honourable Portia Simpson-Miller, O.N.
M.P., Prime Minister of Jamaica

President of the Assembly of the Authority; Secretary General of the Authority; Assistant Secretary-General for Legal Affairs in the United Nations; President, Third United Nations Conference on the Law of the Sea; former Special Representative of the United Nations; Secretary General for the Law of the Sea and first Secretary General of the Authority; Judge Jose Luis Jesus, ITLOS; Professor Hasjim Djalal, former Head of the Indonesian Delegation to the Third United Nations Conference on the Law of the Sea and President of the Council and of the Assembly; President of the Seabed Disputes Chamber; Ambassador of Zambia to Republic of Korea; President of the International Seabed Authority Council – 2004; chairmen of the regional groups; delegates to the 20th Session of the Authority; ladies and gentlemen

I welcome you all, on behalf of the Government of Jamaica to this Twentieth Session of the International Seabed Authority and, in particular, to this commemorative session. It is indeed a pleasure to be here again and I thank the Secretary-General for his gracious invitation.

When I last came here, exactly two years ago, for the Special Session to mark the 30th anniversary of the Opening for Signature of the 1982 UNCLOS, I mentioned the pride and honour Jamaica felt on that occasion.

Today, I am again delighted to be participating in this Special Session to mark the 20th anniversary of the establishment of this august body.

The conclusion of the UNCLOS in 1982 was, undoubtedly, one of the most significant accomplishments for the United Nations and

for mankind in the quest for a just and equitable regime for ocean governance and the sustainable development of our oceans and seas.

The Convention was born out of a “desire to settle, in a spirit of mutual understanding and cooperation, all issues relating to the law of the sea”.

In spite of the doubts expressed during the sixties and seventies, this Convention has become the constitution of the seas and oceans.

Many, then, were unconvinced that there was any truth that the seas and oceans, which make up 71 per cent of our earth’s surface and 97 per cent of this blue planet’s water resources, contained boundless wealth.

Today, even with 95 per cent of the underwater world still unexplored, that doubt has been put to rest.

The concept of the seas and the resources of the seabed and ocean floor as the “common heritage of mankind” is a ‘fathomable’ concept that was put forward by the late visionary of the oceans, Ambassador Dr Arvid Pardo of Malta, and remains a significant breakthrough for international law. I commend his remarkable foresight.

There have been others who, like Ambassador Pardo, crafted the UNCLOS which created the organization we commemorate today, and are inscribed in the United Nations Convention on the Law of the Sea - Hall of Fame.

We are fortunate to have in our midst today; His Excellency Tommy Koh, Professor Hasjim Djalal, and Mr. Jean-Pierre Levy. Let us not forget Jamaica’s own son of the soil the late Dr Kenneth Rattray or Mr Lennox Ballah of Trinidad and Tobago and other representatives from the Caribbean Community who recognized that “rules of right indeed and always ought to be made to triumph over the rule of might”.

The Convention they forged forms the basis for our declaration of status as a state within an archipelago and the delimitation of our boundaries with some of our neighbouring states.

Mr President, the government and people Jamaica are especially proud to be a part of this 20th commemorative anniversary. In the 1990s when the negotiations of Part XI of the UNCLOS covering deep seabed mining were viewed as untenable and too optimistic, Jamaica was among that group of keenly interested developing countries at the time, working towards its adoption in 1994.

Brazil and Indonesia shared our belief in the UNCLOS and also worked tirelessly with Jamaica, alongside developed country partners. Today, 166 States Parties have accepted the UNCLOS as their guide for the conduct of marine activities.

We proudly recall the ceremonial opening of the Authority on 16th November 1994 when, Jamaica's then Prime Minister, the Most Honourable P.J. Patterson shared the platform with Secretary-General Boutros Boutros Ghali and declared the UNCLOS to be the result of "visionary courage and legendary perseverance of the negotiators".

It was a remarkable feat and we were understandably humbled as a relatively young nation to play such an active role in the creative process of designing legislation covering the law of the sea and the seabed. We were even more delighted to be graced with the establishment of the seat of the Authority on the shores of this our island home.

The Authority is the first and only example of a United Nations institution with an explicit mandate covering the last global commons, the oceans and the seabed. This makes the Authority a radical establishment that is as vital today as it was 20 years ago.

Throughout the past 20 years, we have gained significant scientific and technological insight into the value of the seas and oceans and their resources to our existence and well-being. The 20-year mark, therefore, presents an ideal occasion to pause and review the contributions that the institutions, established as a result of the UNCLOS, have made to the evolution, reformation and growth of the law of the sea.

We must also assess how these institutions – the Authority, the ITLOS, and the Commission on the Limits of the Continental Shelf – can best help us face existing and emerging challenges as we aim for sustainable growth and development.

Mr President, the sound management and governance of the mineral resources of the seabed; the sharing of the benefits to be derived from the mining of those minerals; the sustainability of fishery resources; and the development of new techniques for underwater exploitation of oil resources and pollution control are critical issues that we must continue to address.

The Commission on the Limits of the Continental Shelf has considered a large number of submissions from States Parties and provided the necessary recommendations, which will undoubtedly serve to protect

the harmonious relations between and among neighbouring states. The case workload of the ITLOS has also been increasing steadily.

Mr President, developing countries stand to benefit from the specialized expertise the ITLOS offers in helping them solve disputes that arise in interpreting and applying the UNCLOS.

These two bodies along with the Authority, the triumvirate of the seas, assist in simplifying the complex operations many coastal states require to define their space. They have assisted greatly in claims to the economic resources to be found in territorial waters or in settling disputes of a political nature. Over the last 20 years real results have been delivered.

The elaboration and implementation of the Authority's first set of regulations for mining the deep seabed will only add further dimension to the work of the Authority.

I commend the Authority for its strong focus on environmental protection and conservation of the living non-renewable resources in its area of jurisdiction in recognition of the entire seabed as a complex living breathing ecosystem that supports life.

A healthy seabed is necessary and especially important for island states such as ours in the Caribbean which depend on the quality of the natural environment and derive much of their economic growth from the use of natural resources.

In this International Year of Small Island Developing States and in anticipation of the Third International Conference to be held in Samoa in September, it is critical that the governance of the oceans and environmental protection be strengthened.

I would like to place on record once again, commendation and appreciation to the Secretary-General and his staff for their diligence and hard work.

Mr President, the work of this important 20th session builds on the work we have continued to do since 1994 to deliver the long-term plan to build a stronger Authority through the attainment of universal membership of the UNCLOS; one that responds to the needs of Member States as it works towards the protection and utilization of the resources of the seabed for the benefit of the global community.

We meet, therefore, for both celebration and serious reflection as we examine what the next 20 years will bring in terms of growth and positive change in the goals and objectives set for the Authority.

The next few years will be crucial for the Authority which must recognize the critical and important role it can play in supporting the region's and, indeed, that of Small Island Developing States' (SIDS) development objectives, with the oceans being man's final resource-laden frontier.

Diplomacy of the seas, investing in training, especially cross training and capacity building that can open doors and create development opportunities, can make the Authority a strong and unified voice in the wider universe of the policy of the seas.

Mr President, as part of this commitment to training, Jamaica established the Caribbean Maritime Institute (CMI) which began as a partnership with the Norwegian Government 30 years ago and provides maritime education and training at the tertiary level.

The CMI provides a critical service in training prospective workers for the logistics hub, a key plank in Jamaica's growth and development strategy.

Our oceans and seas have, for centuries, borne vessels that have carried both treasures and trials. Since the ancient of days, peoples of our world have followed the currents of the oceans deep and have caused its history to be written.

From aqua to deep azure, the ocean's blues hold secrets and rich resources fathoms deep. It has fallen to mankind to protect, preserve and regulate this shared resource. This is a phenomenal responsibility – one we in Jamaica take seriously. On this, the twentieth anniversary of the Authority I congratulate all who have seen to its formation, preservation and advancement.

Let us continue to work towards our objectives, united through a sense of urgency and purpose, conscious of the mantle that has been passed on to us and looking to the future that must be preserved for generations to come.

I thank you.

4. Message from His Excellency Mr Ban Ki-moon,
Secretary-General, United Nations, delivered by Mr.
Stephen Mathias, Assistant Secretary-General for
Legal Affairs

Mr President, Madam Prime Minister, Secretary-General, Excellencies, honourable judges, distinguished guests, ladies and gentlemen, I am honoured to be with you today in Kingston to represent the United Nations Secretary-General His Excellency Ban Ki-moon and to present his message to the 20th session of the Authority. The Secretary-General's message is as follows.

It gives me great pleasure to greet this important commemoration. I thank Jamaica, the host country of the Authority, for its hospitality and for its commitment to the United Nations.

The Authority was established on the day when the UNCLOS entered into force. This year we also celebrate the twentieth anniversary of the Agreement relating to the Implementation of Part XI of the UNCLOS; 2014 is also the International Year of Small Island Developing States.

These occasions, taken together, offer an opportunity to reflect on the links among the innovative regime set up by the UNCLOS and the Agreement, the forward-looking work of the Authority and the quest for sustainable development.

The concept of the “common heritage of mankind” represented by the seabed, ocean floor and subsoil, beyond the limits of national jurisdiction (the Area) was a major innovation in international law. It replaced uncertainties concerning the future of the seabed with a regime of shared benefits and responsibilities for all States, including land-locked ones.

Today, at a time when ocean-based economic development is at the top of many governments’ agendas, we understand better than ever the far-reaching implications as well as the benefits of the regime contained in the UNCLOS.

I commend the work carried out by the Authority under the able leadership of Ambassador Satya Nandan and now Mr Nii Odunton.

The ongoing development by the Authority of a comprehensive set of rules governing seabed mining will go a long way toward helping States to derive tangible benefits from the Area.

At the same time, the proactive role of the Authority towards the protection and preservation of the marine environment will contribute to the sustainability of mining activities.

As we all know, Member States are deep in discussion about the future development agenda. In this context, States should recommit themselves to implementing the Convention and participating in the work of the Authority.

Only with the unfailing support of all can the concept of the common heritage of mankind be meaningfully put into practice for the benefit of generations to come.

I wish the Authority all the best in continuing the important work that it has carried out since its inception.

5. His Excellency Mr Tommy Koh, Ambassador-at-Large, Ministry of Foreign Affairs, Singapore; President, Third United Nations Conference on the Law of the Sea (1980-1982)

Mr President, Mr Secretary-General, Madam Prime Minister, Mr Stephen Mathias, Ambassador Satya Nandan, Professor Hasjim Djalal, Judge Jose Luis Jesus, Judge Vladimir Golitsyn, President of the Council and chairmen of the Finance Committee and the LTC and regional groups, Your Excellencies, distinguished colleagues, friends from the NGO community, ladies and gentlemen.

I would like to begin by thanking the distinguished Secretary-General, my good friend Nii Odunton, for inviting me to deliver the keynote speech on this auspicious occasion. I feel less deserving of this honour than some of my friends who will be speaking after me. Let me therefore pay a brief tribute to each of them.

My brother from Fiji, Ambassador Satya Nandan has made many outstanding contributions. He played a leadership role in the Third UN Conference on the Law of the Sea. He was instrumental in negotiating the 1994 Agreement relating to the implementation of Part XI of the

Convention. He then served for 12 years as the founding Secretary-General of the Authority. His legacy is both substantial and enduring.

Judge Jose Luis Jesus of the ITLOS made an important contribution as the chairman of the Preparatory Commission for the ISA from 1987 to 1994. A few years ago, I had the pleasure of representing my country in a case before him at ITLOS.

My brother from Indonesia, Professor Hasjim Djalal, an esteemed expert on the law of the sea, was the first president of the Assembly in 1996. He has devoted many years of his life to promoting peace and cooperation in the South China Sea. The Seabed Disputes Chamber of ITLOS has made an important contribution to our work by way of its advisory opinion.

Judge Vladimir Golitsyn is with us in his capacity as the President of the said chamber as well as the representative of the President of ITLOS, Judge Shunji Yanai.

In accordance with my wife's advice to be brief, I shall only make three points.

First, I note that the Authority is one of the three institutions created by the 1982 UNCLOS. The other two institutions are ITLOS and the Commission on the Limits of the Continental Shelf. I am happy to report that all three institutions are working effectively.

In celebrating the 20th anniversary of the Authority, we are also commemorating the 32nd anniversary of the 1982 UNCLOS which is the fulfilment of our quest for an authoritative and comprehensive law to govern all aspects of the ocean. It is the modern law of the sea. Speaking at the final session of the conference, in Montego Bay, in December 1982, I described the UNCLOS as "a constitution for the oceans", a term which has come to be universally accepted.

The UNCLOS enjoys near universal acceptance with 166 States parties. Countries which have not yet become parties to the UNCLOS have nevertheless acknowledged it as the authoritative law. The UNCLOS has promoted cooperation among States. It has replaced legal chaos with legal certainty. It has strengthened the rule of law and the principle of the peaceful settlement of disputes. Conflicts at sea are avoidable if the parties involved would strictly abide by the law and are willing to settle their disputes by peaceful means. The UNCLOS has, therefore, served the world well. It is a good answer to those who denigrate the

UN, dismissing it as a mere talk shop which is incapable of solving the problems of the real world.

Second, I would like to present a bouquet to the Authority on the occasion of its 20th birthday. During the past 20 years, the Authority has methodically developed the rules, regulations and procedures governing contracts for the exploration of the Area. It has taken an evolutionary approach in its work. Regulations have been formulated to deal with polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts. The legal regime governing contracts of exploration has rightly emphasized the protection of the marine environment, the promotion of scientific research, safety and the training of personnel from developing countries.

The success of the Authority's work can be seen in the numbers: 16 contracts of exploration are in force; three are in the process of conclusion; and seven plans of work were approved by the Council yesterday. This brings the total to 26.

I would like to commend the Secretariat for having accomplished so much with so little. I wish to thank the Secretary-General, the Legal Counsel and the other members of their small team for their hard work. The Authority must be one the UN's leanest and most cost-efficient institutions. However, as the workload of the Secretariat continues to increase, we must be fair and enhance its capacity in a commensurate way.

I would like to make one other comment about the Authority. We should help to raise its visibility and inform the world about its important mission. I am told that some Jamaican taxi drivers do not know where the Authority is located. I am afraid that even my wife is not sure where it is and what it does! The Authority should enhance its outreach programme. It should, for example, encourage the leading law schools of the world to teach a module on Part XI of the Convention. It should also reach out to the students and researchers in the fields of oceanography and ocean engineering. It should continue to organize seminars and co-organize workshops in different regions of the world. When financial resources are available, it should proceed to build a museum in order to showcase the results of research on and new discoveries of the flora, fauna and mineral resources of our last frontier, which covers an area of 160 million square kilometres. It is ironic that we seem to know more about outer space than we do about the seabed and ocean floor.

Third, we must prepare now for the next stage of the Authority's work. The first generation of contracts of exploration will be coming to an end in the next few years. Our regulations assume that most, if not all, of the contractors will apply for contracts for exploitation.

We must, therefore, begin formulating the rules, regulations and procedures applicable to contracts of exploitation. One important issue is the financial regime. Our approach should be that we are dealing with an industry at a nascent stage. We should encourage those with contracts for exploration to proceed to the next stage of exploitation.

The industry faces several challenges. It will have to invest substantial funds in order to develop and perfect the technology to mine in very deep waters and to do it without damaging the environment. It would have to cope with the vagaries of the world metal market and competition from land-based sources.

Based on the Authority's track record, I am confident that we will succeed in adopting a legal regime for contracts for exploitation which is both business friendly and, at the same time, fair to all stakeholders. I am also confident that the Authority will succeed in establishing a standardized taxonomy regime on seabed flora, fauna and minerals.

I shall conclude. As a young man, I had a dream. I dreamt of a world ruled by law and not by might. I dreamt of a world in which big countries and small countries, developed countries and developing countries cooperated with one another as equals and with mutual respect. I dreamt that we were good stewards of the oceans which give us life. I dreamt that we would succeed in negotiating a new legal order to govern all activities in the oceans. I dreamt that the mineral wealth of the deep seabed and ocean floor would be shared by all countries, including the landlocked countries, as the common heritage of mankind. I dreamt that one day seabed mining would become a reality. I believe that the time for seabed mining has come. It is now within our power to turn the ideal of the common heritage of mankind into reality. The future is in our hands.

Thank you.

6. His Excellency Mr. Satya Nandan, Special Representative of the UN Secretary-General for the Law of the Sea (1983-1992); former Secretary-General of the ISA (1996-2008)

Mr President, Mr Secretary-General, Honourable Minister, distinguished judges of the ITLOS, Excellencies, distinguished delegates,

I wish to thank the Authority for inviting me to participate in the celebrations to commemorate the twentieth anniversary of its establishment. I wish to congratulate the Authority for reaching this important milestone and wish the Member States and staff success in their future endeavours.

The Authority is, of course, a creation of the 1982 UNCLOS, which is also celebrating this year, on 16 November, its twentieth anniversary of entry into force.

The UNCLOS represents the modern international law of the sea. It is universally accepted as the basis for the peaceful and orderly management and use of the world's oceans and its resources. Its success is not only reflected in the number of parties to it, which currently stands at 166, but, more importantly, in the universal application of its provisions in state practice by parties and non-parties. It is also recognized as the primary source of the international law of the sea by international judicial bodies such as the International Court of Justice, the ITLOS and international arbitral tribunals. It is widely applied globally by international, regional and subregional organizations engaged in ocean-related matters or ocean management activities.

The level of success that the UNCLOS has achieved is beyond the expectations of those of us who were involved in its negotiation. Indeed the UNCLOS has contributed immensely to the strengthening of peace and good order in the oceans. Together with the Charter of the United Nations, it has earned its place as part of the global system for international peace and security.

Mr President, I should mention that the three institutions established under the UNCLOS – the ITLOS, the Commission for the Outer Limits of the Continental Shelf, the Authority – are all fully functioning and contributing to the implementation of its provisions.

Twenty years ago when we set out to establish the Authority and give practical effect to the norms and principles contained in the UNCLOS and the 1994 Implementing Agreement we found the task to be challenging. The Authority is a unique global organization. It is the only organization charged with the responsibility to organize and control activities in the international seabed Area and administer the resources of this part of the global commons. There were no precedents for us to follow in this regard.

The first task was to set up the organs of the Authority. On the face of it this seemed to be a routine exercise, however, it was not so simple. Each of the organs of the Authority has its own peculiarities, in particular its compositions and allocation of seats and their internal rules and decision-making procedures.

Once the organs of the Authority were established, it could then address its substantive mandate. The uniqueness of the Authority is also found in its mandate. It is to organize and control activities in the Area, particularly with a view to administering the resources of the Area. This is important because article 137 of the UNCLOS lays down that all rights in the resources of the Area are vested in mankind as a whole, on whose behalf the Authority shall act. There shall be no claim to sovereignty over any part of the Area and no State or entity shall claim, acquire or exercise rights with respect to minerals from the Area except through the Authority. It is worthy of note that in this context the title to the mineral resources of the Area remains vested in the Authority until they are actually recovered by the contractors.

The Authority is not only an administrative body, but also a legislative body. An essential task of the Authority is to adopt the mining regulations. In order to give effect to the regime set out in Part XI of the Convention and in the provisions of the 1994 Agreement, the basic norms and principles for the exploration and exploitation of the mineral resources of the deep seabed needed elaboration through additional rules and regulations. After extensive discussion of the draft regulations the Council recommended to the Assembly the adoption of regulations covering exploration for polymetallic nodules. The Assembly adopted these regulations on 13 July 2000.

This was a significant development for the Authority in that it enabled the former registered pioneer investors to be brought within the single regime established by the UNCLOS and the 1994 Agreement and brought to a definitive end, the pioneer system under resolution II

of the Third UN Conference of the Law of the Sea. The regulations also enabled the Authority to open the seabed to new applicants and provided it with the mechanism to deal with all applications for plans of work for exploration.

Since 2000, there have been rapid developments, including the adoption of new regulations for exploration for polymetallic sulphides and cobalt crusts, as well as an increased number of applications for exploration by entities from developed and developing States. The pace of activity has far exceeded the initial expectations of many.

Throughout its rule-making, the Authority reached out to the scientific community dealing with ocean research, including the marine environment, in order to obtain the best information and scientific advice for incorporation in its regulations.

Mr President, the next stage of the Authority's work must relate to the priority item of developing a regulatory regime for exploitation of deep seabed minerals. This should be done in a timely manner. I am aware that not everyone may be ready for exploitation or have a target date for exploitation, but this must not be allowed to become an impediment to progress. Others are clearly moving in the direction of exploitation and the development of an acceptable regime which gives certainty and clarifies the terms and conditions for exploitation should not be delayed. The credibility of the Authority depends very much on the confidence it generates among its members as well as among those who are willing to work with the Authority in the development of the common heritage resources.

The regulations of the Authority must be fair to the contractor as well as to the Authority which represents the interests of mankind as a whole. Mankind will only benefit if mining in fact takes place. The object of giving out contracts is to facilitate the development of the resources. It is not the function of the Authority to simply distribute sites to all applicants without a good faith effort by them to develop the resources, because this does not serve the interests of mankind.

Mr President, the Authority, that is, the Assembly, the Council, the LTC, must continue to be objective and fair in their decision-making and, where appropriate, they must use the best available scientific information. It is essential that the Authority maintains its integrity and its reputation for objectivity and fairness.

Mr President, It would be remiss of me if I did not express my gratitude to the host country for its cooperation and support and for facilitating the establishment of the Authority and its operation here in Jamaica over the past 20 years.

As someone who nurtured the Authority at its birth and participated in laying the foundation for its future, I am very satisfied with the progress that the Authority has made in its first 20 years. It is performing the tasks for which it was established in an efficient and cost-effective manner. I am sure that it will continue on this good path. I wish the Authority, its members and staff all the best for the next 20 years.

7. Judge José Luis Jesus, International Tribunal for the Law of the Sea (since 1999); President, ITLOS (2008-2011); Chairman, Preparatory Commission for the ISA (1987-1994)

Mr President, Honourable Prime Minister; Mr Secretary General of the Authority, ladies and gentlemen, I would like to thank Secretary General Odunton for the invitation he kindly addressed to me to be here today. I feel very honoured to participate in this special session of the Assembly in commemoration of the twentieth anniversary of the Authority.

Mr President, as we celebrate the twentieth anniversary of the Authority, our memory goes back to the hectic days of the Third United Nations Conference on the Law of the Sea. Delegates from all over the world were engaged in one of the most important negotiations ever held in the history of treaty making, negotiations that would lead to the establishment of the most comprehensive and complex international regulations for the oceans as embodied in the 1982 UNCLOS and to the creation of three important institutions to secure the effective implementation of such regulations. Among these institutions is the Authority, whose work we celebrate today.

A most exciting and certainly more futuristic concept that captured a great deal of interest of delegations during the negotiations in the Conference was that of the common heritage of mankind as applied to the seabed area, that lies beyond national jurisdiction of Member States, and its resources.

The Conference, in a pioneering endeavour, took considerable effort and time to devise a legal regime that would provide the necessary guidance for the exploration and exploitation of those resources and for the distribution of the proceeds to all States.

To manage this common heritage on behalf of mankind, the Conference created the Authority, whose main role was to ensure the effective implementation of the seabed regime contained in Part XI of the UNCLOS and related annexes, a regime that was later enriched with the New York Agreement on Part XI implementation. For that, the UNCLOS assigned to the Authority a number of tasks, including the adoption of the necessary rules, regulations and procedures for prospecting, exploration and exploitation of seabed mineral resources. These rules, regulations and procedures, in addition to the polymetallic nodules known to exist at the time of the Conference negotiations, have come to also cover the polymetallic sulphides and cobalt-rich ferromanganese crusts, resources in the Area not known during the Conference.

As we celebrate the twentieth anniversary of the Authority it is befitting to take stock of the work done by it in pursuance of that mandate it received from the UNCLOS.

The first obvious observation in this respect is that, notwithstanding the expectations of the past, commercial exploitation of the seabed minerals is yet to take place. During the Conference, many shared the belief that the commercial exploitation of the seabed mineral resources would probably become feasible by the end of the century, that is, the last century.

Now we know that such a belief was totally unrealistic, especially in the absence of relevant technology and favourable economic conditions. The high expectations that delegations to the Conference placed on the seabed mineral operations of the Authority have not materialized as early as envisaged. Hardly any delegation was aware of the full gamut of conditions to be fulfilled and actions to be taken, as well as the extensive work that would have to be done by the Authority before commercial exploitation of the seabed minerals could become a reality. As a matter of fact, the steady and persistent work being done over the last 20 years by the Authority has shown the mammoth tasks required before getting to the exploitation stage.

While reaching the stage of commercial exploitation of the seabed mineral resources may require several more years, we are pleased to note the considerable amount of work that has been done in the last 20 years by the various organs of the Authority involved. Step-by-step, the Authority has carried out its activities. Indeed, there has been considerable progress in its work, preparing the grounds for the exploitation of the seabed resources when the time comes.

The record shows that the Authority has taken advantage of this extended time and put it to good use. Steadily, it has been implementing its mandate. Rules and codes are put in place, exploration contracts are granted and it is now engaged in the consideration and drafting of mining regulations that will make the granting of exploitation contracts possible sometime in the future.

In this context it is worth noting that three codes on prospecting and exploration relating to polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts in the Area have been put in place and that several contracts for exploration have been signed which may soon total 26, as reported by the Secretary General. These are major steps in the process towards the next stage – the stage of commercial exploitation of the seabed mineral resources – though in this respect one is mindful of the fact that the prevailing economic and technological developments still condition this process in a fundamental way. A situation which may probably prevail for several more years.

Having in mind the economic, environmental and technological hurdles posed by the difficult task of extracting mineral resources from deep down the ocean, minerals that are expected to be sold at a cost that would make them competitive with the land-based minerals, many were skeptical in the past, questioning whether such resources could ever be commercially exploited. While technological breakthroughs to make that possible may still be in the pipeline, the work done by the Authority over the last 20 years has been very encouraging.

By putting in place the necessary instruments and steadily developing the regulatory framework, based on which the seabed activities may take place, the Authority has brought us closer to the exploitation phase. This is a major achievement in its work over the last 20 years. To be able to carry on, when many of us were skeptical, and to bring its work to a point where one can see the possibilities of commercial exploitation of the seabed resources becoming much closer, is indeed a good cause to celebrate the 20 years of this institution.

This achievement certainly did not come about by a miracle. It is the result of joint efforts and several contributions from different players: from Member States, which, by maintaining their presence and participating in the work of the various organs of the Authority over the years, have kept the process alive and created the necessary multilateral environment to frame the ongoing developments relating to seabed activities; from the registered pioneer investors and other interested corporations which have maintained a strong interest in seabed mining and have devoted time, research, ingenuity and resources with the aim of one day making seabed resources a viable commercial enterprise; but, also, this achievement is the result of the hard work of dedicated staff members of the Authority. All of them deserve a word of praise for their contribution.

Allow me, Mr President, to single out, on this occasion, the special contribution, as I see it, given to the work of the Authority by its first secretary general, Mr Satya Nandan. Mr Nandan deserves a special word of praise for the dynamics he imprinted on the work of the Authority, especially in its early years, and for the energy he put into the system to make sure it would not stall along the way. Having worked very closely with him during the years of my tenure of office in the Preparatory Commission, I learned to admire his dedication and professional qualities. His vast experience, his resourceful mind and his determination to always find a way out of difficulties proved to be indispensable qualities, in his time, to pull the Authority ahead.

My word of special praise is also for the current Secretary General, Mr Nii Odunton, who has been able to carry on where Mr Nandan left off and has wisely brought the work of the Authority to a new level, a level that allows us today to be more optimistic about the commercial exploitation of the seabed resources. He has also been instrumental in developing a healthy and mutually beneficial cooperation between the Authority and other institutions of the UNCLOS – namely the ITLOS – a cooperation that certainly strengthens the performance and the role of these institutions.

The combined effort of these two high officials is a major contribution to the achievements of the Authority over the last 20 years, for which I congratulate them.

Mr President, celebrating the twentieth anniversary of the Authority is also in a way celebrating the success of the UNCLOS, for the success of the Authority is necessarily the success of the Convention.

As I stated in this hall two years ago, the UNCLOS has had, since its adoption in 1982, a stabilizing effect in international relations due to the solid and well balanced legal framework it provides, acting as a guide in ocean affairs for the actions of Member States and of the international community as a whole.

There has been, over the years, an increasing and overwhelming support for, and strong reliance on, the UNCLOS. This support has come from all quarters, from Member States, international organizations, writers and academia. From this perspective, the UNCLOS is one of the most successful multilateral treaties in history.

The strength of the UNCLOS can also be measured through the operation of the institutional framework it established. The three institutions created by the UNCLOS – the Authority, the ITLOS and the Commission on the Limits of the Continental Shelf – are in full operation and their activities are very important and, in some cases, indispensable to Member States in helping them in the implementation of several important provisions of the UNCLOS. The fact that none of these institutions is inactive or paralyzed demonstrates not only the commitment of States Parties to the full implementation of the Convention's provisions, but also their reliance on these institutions to assist them in protecting and bringing their rights into fruition.

None of this would have been possible if it were not for the great dedication, vast experience and strong sense of mission of those many individuals, especially those that played a leadership role in the Conference.

I pay tribute to all of them in the person of the last President of the Conference, Ambassador Tommy Koh, present here today, whose well-known negotiating skills and strong leadership led us in 1982 in the successful adoption of the UNCLOS.

Thank you for your attention.

8. Professor Hasjim Djalal, former member of the Indonesian delegation to the Third United Nations Conference on the Law of the Sea (1973-1982); first President of the Assembly of the International Seabed Authority (1996)

The attention to seabed mineral resources actually started in the early part of the twentieth century, particularly since scientists and humanity began to look more seriously at the resources of the seabed area. In fact, in 1918 American scientists had found it possible to exploit oil resources in the seabed at about 40 miles off the coast in the Gulf of Mexico. These efforts did not have much consequence at that time until the conclusion of the Anglo-Venezuelan Treaty of 1942 with regard to the exploration and exploitation of oil in the Gulf of Paria in the Venezuelan continental shelf. Three years later, on 28 September 1945, the US proclaimed the famous Truman Declaration which claimed the right to control the resources of the continental shelf of the US. The pertinent part of the Declaration stated that:

... the US regards the natural resources of the subsoil and seabed of the continental shelf beneath the high seas but contiguous to the coasts of the US as appertaining to the US, subject to its jurisdiction and control. The character as high seas of the waters above the continental shelf and the right to their free and unimpeded navigation are in no way thus affected.

This proclamation covered a wide area of seabed under the high seas, although there was no definition given as to the extent and the meaning of the term 'continental shelf.' Some scientists estimated that the area claimed cover about 750,000 square miles, and that the width of the shelf in certain areas could be at 250 miles from the coasts.

The Truman Declaration may be considered a milestone in the development of the law relating to the seabed, and particularly on the natural resources therein. As a result of this declaration, other states hurried to claim 'their' continental shelves. Almost all American states claimed the continental shelf off their coasts. This was followed, later, by other countries, such as Pakistan, Iceland, Iran, Korea, Israel, the Philippines, and British colonies at that time, such as The Bahamas, British Guiana, British Honduras, Brunei, Jamaica, North Borneo, Sarawak, and Falkland Islands. The race to acquire the rights over

the resources of the seabed of the continental shelf gained speed and significance.

Some of these claims exceed the Truman Declaration. If the Truman Declaration did not claim the waters above the continental shelf, some countries did. The Argentine Declaration of 9 October 1946, for instance, declared that the Argentine Epicontinental Sea (meaning the waters above the continental shelf) and continental shelf were subject to the sovereign powers of the nation. Several questions arose as to the various claims.

First, what was a ‘continental shelf’? Originally, the notion of continental shelf was purely geological, geographical, and oceanographical. According to geographers, the continental shelf is “the part of the sea-bottom and the soil underneath, which is covered by shallow waters, up to a depth where the slope of the sea-bottom increases noticeably in steepness, which fringes large parts of the continents, over varying distances from the coasts”. The depth of the water covering the continental shelf and its extension from the coasts are therefore varied. Generally, however, the depth is about 200 metres from the surface, and its extent from the coast varies from 1 to 1000 kilometres.

Several criteria in determining the legal extent of the continental shelf have been suggested.

- (1) Geographical criteria; that is to the depth of 200 metres or 100 fathoms from the surface. As long as the water covering the seabed does not exceed this depth, the seabed may be regarded as continental shelf.
- (2) Distance from the coast, regardless of the depth of the water covering it. The seabed may be regarded as continental shelf if it does not exceed certain distance from the coasts.
- (3) Possibility of exploitation. The seabed may be regarded as continental shelf if the exploitation of the resources on and in that seabed is possible (the ‘exploitability’ criteria).

The Geneva Conference had achieved a legal definition of the continental shelf. By joining together criteria 1 and 3, Article 1 of the Convention on the Continental Shelf, adopted at Geneva on April 29, 1958, stated:

... the term ‘continental shelf’ is used as referring to (a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas; (b) to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands.

Not long after the conclusion of the Geneva Convention in 1958, scientists again discovered the possibility of exploring and exploiting the mineral resources at the bottom of the ocean. It was Ambassador Arvid Pardo of Malta that raised the question in the UN-GA in 1967 as to who owned those resources and what rules governed them. Some opinions stated that the resources were free for all who had the technology and ability to explore and exploit them. Their line of thinking would certainly exclude the developing countries which did not have the technology and the capacity to make use of the resources. After some debates the UN-GA finally adopted a resolution in 1970 that the resources ‘are the common heritage of mankind’, and that an international regime should be established to manage the resources, an international authority should be established and a Preparatory Conference should prepare the new law of the sea regime. The Conference, after being prepared by the Preparatory Commission, and again, after lengthy preparations, adopted the UNCLOS in Montego Bay on 10 December 1982.

The UNCLOS 1982, in Article 76 para 1 extended the legal regime of continental shelf beyond the territorial sea:

... throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend to that distance.

The outer edge of the continental margin beyond 200 miles could extend to where “the thickness of sedimentary rocks is at least one per cent of the distance to the foot of the continental slope or 60 miles from the foot of the continental slope, as long as they do not exceed 350 miles from the baselines of the territorial sea, or not exceed 100 miles from the 2,500 metres isobaths.

The seabed area beyond these limits is regarded as ‘the common heritage of mankind’ (Article 136 of UNCLOS) and would be managed by the Authority, to be seated in Jamaica (Article 156 (4) of UNCLOS), and which today celebrates 20 years of existence, since the entry into force of the Convention in 1994. On this occasion, I would like to remember and express my respect and admiration to Mr Kenneth Rattray and the delegation of Jamaica who worked hard and diplomatically assured that the Authority would be headquartered in Jamaica.

It should be remembered, however, that by 1990, the fear was that the UNCLOS might appear to be the Convention of developing countries since by approaching the number of 60 ratifications, the number required for its entry into force, practically all the ratifiers were developing countries, except for Iceland. This was because of the ‘dislike’ of the developed countries for the provisions of UNCLOS on international seabed mining. For this reason, some of us, including Indonesia, undertook to engage the developed countries to discuss this matter in 1990s. After four years of negotiations, we finally agreed on the ‘Implementing Agreement on Part XI’ in 1994, thus opening the way for the advanced industrialized countries to ratify UNCLOS, except for the USA, which 20 years later still has not ratified the Convention. Indonesia deposited its ratification of the Agreement to the UN on 2 June 2000, No. 98 of 145 countries that had ratified the Agreement by Oct 2013. I still hope, however, that someday the USA and other non-ratifiers will see the benefits of ratifying the Convention rather than continue to stay out of it.

After the entry into force of the UNCLOS, our next efforts were how to establish the Authority as one of the “executive organs”. I was invited to be the pro-temp Chairman in preparing the establishment of the Authority in 1995 and later on as President of the Authority in 1996. Some of the main problems at that time were the composition of the Council and the election of the first Secretary General of the Authority.

After agreeing on the arrangement for the distribution of seats in the Council among the five regional groups – Asia, Africa, Latin America and the Caribbean, Eastern Europe, and Western Europe and others – we struggled with regard to the election of the Secretary General. I had to deal with difficult problems of competition, particularly between two prominent persons and friends, namely Mr Warioba from Tanzania and Ambassador Nandan, both of whom had played major roles in bringing the UNCLOS into force. Both of them had gained

significant support from their respective regional groups. After lengthy and informal discussions and approaches, I suggested that we should do “indicative” voting only, and the one who gained less votes in the indicative voting was recommended to withdraw voluntarily so that the one that received the majority of votes could be elected unanimously. Both Satya and Warioba and the Assembly of the ISA agreed to the suggestion. After the indicative voting, which was counted in front of the candidates only, I informed both of them of the result, upon which Warioba withdrew his candidacy. This mechanism was implemented smoothly and up to now no one knows exactly how the votes in the indicative voting turned out, except Satya Nandan, Warioba and I.

Ambassador Nandan, as Secretary General of the Authority, was later assisted by a number of highly-qualified persons, such as Mr Nii Odunton (now the secretary general of the Authority) and Mr Michael Lodge (now head of the Legal Office at the Authority), contributed significantly to these efforts. They also contributed later on, to formulate and implement various rules on exploration and exploitation of the mineral resources of the international seabed area, particularly rules and regulations on exploration of polymetallic nodules, polymetallic sulphides, and metal crusts on seamounts. On the basis of these rules and regulations, several companies/countries have signed contracts for the exploration of the seabed minerals. They are China, Japan, Republic of Korea, France, Germany, Eastern Europe, Tonga and Nauru for the exploration of nodules in the Pacific Ocean, and India for the exploration of polymetallic nodules in the Central Indian Basin. In addition, China has also obtained a contract for the exploration of metal crusts in the Southwest Indian Ocean Seamount Ridge and Russia for polymetallic sulphides in the Central Atlantic mid-Ocean Ridge. Lately, other countries, such as Singapore, Kiribati and Cook Islands, have indicated interest in participating in seabed mining activities in the Pacific Ocean.

It should also be remembered that the problems of implementing the principle of common heritage of mankind has resulted in the recognition of the rights (and obligations) of the ‘pioneer investors’ in exploring the seabed resources and the rights of ‘developing countries’ to participate in the exploitation of the ‘reserved areas’. At the same time, to facilitate the participation of developing countries in the activities of the LTC and of the Finance Committee (FC) of the Authority, a special fund has been established in the Secretariat.

Finally, I wish to express my respect, admiration as well as appreciation to those academics, experts, government officials and diplomats, as well as the people and Government of Jamaica for having facilitated and welcomed the Authority in Kingston. I hope that more states around the world will ratify the UNCLOS as well as its Implementing Agreement, and to continue to contribute to its implementation through the Authority. I am confident that the UNCLOS 1982 and the Authority have contributed substantially to the development of peace, stability, marine scientific research, and the sustainable use of marine resources in the international seabed area and its environment.

9. Judge Vladimir Golitsyn, President of the Seabed Disputes Chamber (presentation on behalf of the President of the Tribunal)

Mr Secretary-General, ladies and gentlemen, on behalf of the ITLOS, I wish to congratulate the Authority on its 20th anniversary and on the remarkable achievements that it has made in those 20 years. I convey to you, Mr Secretary-General, in particular, the greetings of the president of the Tribunal, Judge Shunji Yanai, who regrets that he is prevented from participating in today's celebration and who has given me the honour to represent him here.

Ladies and gentlemen, the relationship between the Authority and the ITLOS is a very special one and is rooted in the history of modern law of the sea. At the Third Law of the Sea Conference, where the UNCLOS was negotiated, it was initially intended to establish a tribunal for the seabed as an organ of the Authority. Of course, the consequence would have been to create two new tribunals, one dealing with general disputes concerning the law of the sea and the other dealing with disputes relating to the deep seabed.

We all know that, in the end, a decision was made in favour of a single, unified ITLOS which includes, in accordance with the UNCLOS, a special dispute settlement mechanism to deal with disputes concerning seabed related activities, the Seabed Disputes Chamber.

Following their establishment, the Authority and the ITLOS have established a fruitful cooperation. Regular exchanges take place between the Secretary-General of the Authority and the President and the judges of the ITLOS. Equally, the Secretariat of the Authority and the

Registry of the Tribunal cooperate on a regular basis for mutual benefit. Currently, it is also planned to organize a joint regional workshop in Ghana, later this year, to disseminate information on the work of both the Authority and the ITLOS to government officials from the region of West Africa.

As the Seabed Disputes Chamber plays a special role in the context of activities of the Authority, in my presentation, I will briefly explain its jurisdiction and then will give an overview of the Chamber's decision in its first case, the request for an advisory opinion on "Responsibilities and Obligations of the States Sponsoring Persons and Entities with respect to Activities in the Area".

Ladies and gentlemen, let me first address the issue of jurisdiction of the Seabed Disputes Chamber which has jurisdiction both over contentious cases and over requests for advisory opinions. Both are highly relevant for the activities of the Authority.

The contentious jurisdiction of the Chamber ratione personae is not restricted to disputes among States, as is the case in traditional international dispute settlement. The Chamber is also open to other entities, most noteworthy to the Authority and the Enterprise, i.e. the Authority's "operative arm".

Ratione materiae, the Chamber has jurisdiction in disputes "with respect to activities in the Area" that fall within a number of categories specified in article 187 of the UNCLOS. Besides disputes among States Parties concerning the interpretation or application of the Convention's regime for the deep seabed, the Chamber can, in particular, adjudicate disputes between a State Party and the Authority. Those disputes can relate to acts or omissions of the Authority or of the State Party alleged to be in violation of the UNCLOS, of its Annexes or of rules, regulations and procedures adopted by the Authority. A State Party can also challenge, before the Seabed Disputes Chamber, an act of the Authority which it deems flawed owing to a lack of competence or misuse of powers.

Contractual disputes between the parties to a contract, involving the Authority and the Enterprise as well as States Parties, state enterprises and natural or juridical persons may also be referred to the Chamber. Such disputes may concern the interpretation or application of a relevant contract or a plan of work; or acts or omissions of a party to

the contract relating to activities in the Area and directed to the other party or directly affecting its legitimate interests.

It is worthy to note that, while the Chamber has a broad and comprehensive jurisdiction, this jurisdiction is, at the same time, limited in order to protect the necessary discretion of the Authority in conducting its activities. According to article 189 of the UNCLOS, the Chamber shall have no jurisdiction with regard to the exercise by the Authority of its discretionary powers and in no case shall the Chamber substitute its discretion for that of the Authority. Equally, in exercising its contentious jurisdiction, the Chamber shall not pronounce itself on the question of whether any rules, regulations and procedures of the Authority are in conformity with the UNCLOS, nor declare invalid any such rules, regulations and procedures.

Rather, article 189 stipulates that the Chamber's jurisdiction in this regard shall be confined to deciding specific claims. Those include claims that the application of any rules, regulations and procedures of the Authority in individual cases would be in conflict with the contractual obligations of the parties to the dispute or their obligations under the UNCLOS. This also extends to claims concerning excess of jurisdiction or misuse of power. And, finally, this includes claims for damages to be paid or other remedy to be given to the party concerned for the failure of the other party to comply with its contractual obligations or its obligations under the UNCLOS.

The Chamber's jurisdiction is, of course, not restricted to contentious cases but it can also entertain requests for an advisory opinion. In this respect it plays a special role providing the necessary assistance to the activities of the Authority.

According to article 191 of the UNCLOS, the Chamber shall give advisory opinions at the request of the Assembly or the Council of the Authority on legal questions arising within the scope of their activities. In its advisory opinion, which I mentioned earlier, the Chamber has emphasized that by answering such questions it will "assist [the organs] of the Authority in the performance of [their] activities and contribute to the implementation of the Convention's regime."

In addition, pursuant to article 159, paragraph 10 of the UNCLOS, the Assembly of the Authority may request an advisory opinion on whether a proposal on a particular question, which is submitted to the Assembly, conforms to the Convention. In such a case, the Assembly

shall defer voting on that proposal pending receipt of the advisory opinion of the Chamber. Thus, the Chamber has the opportunity to decide whether certain rules, regulations and procedures of the Authority are in compliance with the Convention before their adoption by the Assembly. In such a case, the Chamber's advisory opinion serves "to assist the Authority during its decision-making process."¹ In the exercise of its advisory jurisdiction, the Chamber sees itself as "part of the system in which the Authority's organs operate, but its task within this system is to act as an independent and impartial body."² The "underlying reason" for the advisory jurisdiction is that, "[i]n order to exercise its functions properly in accordance with the Convention, the Authority may require assistance of an independent and impartial judicial body."³

As you are surely aware and, as I mentioned earlier, the advisory function of the Seabed Disputes Chamber was activated by a request from the Council of the Authority.

On 6 May 2010, the Council requested the Chamber to render an advisory opinion on three questions relating to the responsibilities and obligations of Member States sponsoring persons and entities with respect to activities in the Area. In brief, those questions were: What are the legal responsibilities and obligations of States Parties to the Convention with respect to the sponsorship of activities in the Area? What is the extent of liability of a State Party for any failure to comply with the applicable law by an entity whom the State Party has sponsored? And, finally, what are the necessary and appropriate measures that a sponsoring State must take in order to fulfil its responsibility under the applicable law?

On 1 February 2011, the Seabed Disputes Chamber delivered its advisory opinion in which it replied to those three questions.

The Chamber found that States sponsoring activities in the Area have two kinds of obligations:⁴ The first kind is "the obligation (responsibility) of the sponsoring State [...] 'to ensure' that the 'activities in the Area' conducted by the sponsored contractor are 'in conformity' or 'in compliance'" with the applicable law.⁵ The Chamber qualified this as

1 Advisory Opinion, paragraph 27.

2 Advisory Opinion, paragraph 26.

3 Advisory Opinion, paragraph 26.

4 Advisory Opinion, paragraphs 99-120 and 121-140.

5 Advisory Opinion, paragraph 103.

an obligation of “due diligence” which requires the sponsoring State to take measures within its legal system consisting of laws and regulations and administrative measures. Those measures must also be “reasonably appropriate”.⁶

The second kind of obligation identified by the Chamber are “direct” obligations, namely, those which sponsoring States have to comply “independently of their obligation to ensure a certain behaviour by the sponsored contractor”.⁷ Such direct obligations include the requirement to assist the Authority in ensuring that contractors comply with the applicable law, that they conduct environmental impact assessments and that they apply a precautionary approach as reflected in Principle 15 of the Rio Declaration and defined in the Regulations adopted by the Authority.

As regards the extent of liability of a State Party in case an entity which it has sponsored fails to comply with the applicable law, the Chamber declared that “liability arises from the failure of the sponsoring State to carry out its own responsibilities” and that “[t]he sponsoring State is not, however, liable for the failure of the sponsored contractor to meet its obligations”.⁸ In the view of the Chamber, this also rules out the application of a standard of liability based on strict liability, i.e. liability without fault.⁹

The sponsoring State can be absolved from its liability, except as regards liability for failure to carry out its direct obligations.¹⁰ This requires, however, that the State has taken “all necessary and appropriate measures to secure effective compliance” by the sponsored contractor with its obligations.¹¹

In order to fulfil its responsibility, a sponsoring State must adopt, within its legal system, laws and regulations and take administrative measures, providing for instance for “the establishment of enforcement mechanisms for active supervision of the activities of the sponsored contractor.”¹² The laws, regulations and administrative measures

6 Advisory Opinion, paragraph 120.

7 Advisory Opinion, paragraph 121.

8 Advisory Opinion, paragraph 172.

9 Advisory Opinion, paragraph 189.

10 Advisory Opinion, paragraph 207.

11 Advisory Opinion, paragraph 186.

12 Advisory Opinion, paragraph 218.

“should be in force at all times that a contract with the Authority is in force.”¹³

The Chamber “left [it] to the discretion of the sponsoring State” to determine the measures to be taken by it “within the framework of its legal system.”¹⁴ It clarified, however, that this discretion is not absolute as the sponsoring State “must take into account, objectively, the relevant options in a manner that is reasonable, relevant and conducive to the benefit of mankind as a whole” and “[i]t must act in good faith.”¹⁵

Ladies and gentlemen, the system created by the Convention to achieve a consistent interpretation and application of the legal regime pertaining to the deep seabed has proven to be functional and successful. The Authority is the key player in this system and, through its advisory jurisdiction, the Chamber can assist the Authority in the discharge of its responsibilities.

With the increasing activities of the Authority in recent years, further need for advice from the Chamber might arise. It is also to be expected, that as exploration, and ultimately exploitation, of the resources of the deep seabed advances contentious cases might arise requiring adjudication by the Chamber.

I can assure you that the Chamber stands ready to act as an independent and impartial judicial body to meet its responsibilities in this regard.

In concluding, I wish to reiterate my congratulations to the Authority upon its anniversary and also to you, Mr Secretary-General. Under your able leadership, the Authority has indeed come of age and has taken a remarkable development continuously increasing its activities. I wish you and the Authority the best of luck for the coming years.

Thank you for your attention.

13 Advisory Opinion, paragraph 219.

14 Advisory Opinion, paragraph 229.

15 Advisory Opinion, paragraph 230.

10. His Excellency, Mr. Mumba Kapumpa, Ambassador of Zambia to Republic of Korea

Thank you Mr President. I would also like to thank the young musicians for their wonderful renditions of songs by Bob Marley and Michael Jackson. Their song about the fish under the seas was an appropriate song for the Law of the Sea Conference.

This morning, we were feasted with a lot of memories about what went on and the technical aspects of the negotiations and where we came from and where we are and the future. I thought that perhaps I should give a little twist to what has been said and emphasize the human element. I am not a technician, so even during the negotiations, I made a lot of noise, let me not pretend to know the formulae. I joined the negotiations when my dear grey-haired friend Tommy Koh was the chair in 1977 and stayed on until 1982 in Montego Bay. In 1977 I must have been 35 or 36 years old with a lot of energy and enthusiasm because by the time we came to Montego Bay in 1982, I was comparing notes with my friend Jesus as to what to wear; we were still very young. When we joined the Preparatory Commission under the very able leadership of Joe Warioba from Tanzania, we had a lot of concerns but also hope for the future. Ambassador Djalal was in charge of Commission One and I was his vice. Those days, if you recall, you used to come in one week late or leave one week earlier. I, therefore, had the burden of holding the group together at the beginning and at the end.

I recall working with two colleagues from Zimbabwe and Zaire; we called ourselves the “Three Zs”. It was impossible to pass any resolution of the Preparatory Commission, which dealt with land-locked and developing countries if the Three Zs did not agree with it. I apologize straight away to all those people who may have met our wrath.

In 1988 and 1989, my colleagues in the African group asked me to be chair. During that time I chaired the negotiations on Part XI which explored whether the Enterprise was going to be funded and by whom.

In 1989 and 1990, the Group of 77 allowed me to be its chair. That is now where the heavy discussions were held. I recollect very clearly that there were times when we would go to Mr Nandan’s office and we would talk for sometimes close to one and a half hours just for him to impress on us that he agreed with us and our stance was correct

but if we bent it just a little bit, we may just agree with the rest of the Conference. So the negotiations that were held during that period (and this is now for the information of my colleague who came in after the Preparatory Commission), those negotiations were not actually in the halls of Conference nor in the caucus rooms but outside of the conference; inside Mr Nandan's office. What we discovered afterwards was that he was such a great listener that we would talk to him at length and we would go away extremely happy but, in fact, Mr Nandan was a good diplomat. He also talked to the other groups to present our position and they would also go away very happy. So, by the time we convened a meeting in the caucus room it was easy to move on. Negotiations were held in the caucus rooms, outside the caucus rooms during the lunch, dinner and eventually approved when we came to the conference room. Sometimes they were even held outside Jamaica.

I recall when I was Chairman of the Group of 77, I was invited to Kiev in November 1989. It was very cold. Our discussions helped me to understand Russia's position, so when we came back here, it was much easier for me to explain myself to my colleagues. When it was one on one, as opposed to coming in here, in the big conference room, I felt my colleagues put up a wall. But, if we met over tea, we could negotiate and compromise.

The compromises went right through the Preparatory Commission. When we had to choose a chairman for the Preparatory Commission, everybody agreed that it was the African Group's time to provide a candidate. We provided one in Paul Engo, a Cameroonian, a large guy with flowing robes and a big strong voice. Everybody in the African Group agreed. We proposed Paul Engo to the Preparatory Commission and they said yes, but give us another candidate. We went back and forth. We in the African group said there was no one who could dictate to us who we should provide so we met in one of the caucus rooms, all night up to 4:00 a.m. in the morning to come to an agreement and we still had only one candidate. On the second day, someone among us said there was a very strong rumour that if Africa could not provide a candidate, another group would.

Lunch was extended from 1 o'clock to 4 o'clock and anyone who was close to Paul, spoke to him. He agreed that if we could give him any other name who could do the job he would give way. They mentioned former minister and attorney general of Tanzania, Mr Joseph Warioba. Paul was not enthusiastic but agreeable. When we went back into the

meeting and we proposed Joseph Warioba, everyone endorsed him, and that is how he became the first chair of the Preparatory Commission. When Mr Warioba had to go back home and my friend Jesus, the only candidate from the Cape Verde, was chosen to replace him, there was no quarrel.

My last comment refers to another form of negotiations. The Group of 77 chose its subsidiary Group of 16, of which I was a member, to discuss with the other groups all the aspects of UNCLOS, especially Part XI. We were very determined at that time to push an agenda in which the pioneer investors, on being given their licences, would each give \$1 million to help eventually, among other things, all the land-based developing countries like Zambia, Zimbabwe and Indonesia. Most of us were in Commission One. We had been advised by the technicians that once seabed mining began to take place: (i) the minerals that came from the sea would flood the markets and therefore the prices of our copper, cobalt and manganese would go down so we would lose out; and (ii) we would lose the few markets that we had because countries like Japan and the USA would be able to mine as much as they could so they would not come to our countries to buy our minerals. The negotiations were very tough. Fortunately, the methodology I mentioned earlier – negotiations over tea, coffee and dinner – helped. We were able to get together and work out a compromise.

The Convention, itself was never a document intended to satisfy everyone according to what they wanted. It was a document of compromise. Everything that we did was by way of compromise. We compromised at every stage, and that was the only way we were able to accomplish what we did.

So in my final comments, Mr President, What is the Law of the Sea? The law of the sea was intended to provide calmness in turbulent waters. Everybody has talked about the common heritage of mankind. The intention of the law of the sea is to avoid the confusion that would exist if everyone decided to go and do what they wanted to do. We from the land-based developing countries had our concerns and as long our concerns were met we were able to compromise. In hindsight we compromised as much as everyone else did for the purpose of going forward. We compromised because negotiations were the order of the day. Sometimes when there was what we called a non-paper (papers which were floating around with no signature, no authorship, but we

all knew who wrote them) we used them as a basis for discussion. After discussing them and coming to an agreement, the paper suddenly had authorship and signatures.

Twenty years later, is the sea any calmer? Are the oceans still blowing up in the corridors in the law of the sea? I don't think so. First of all 20 years later, this special session I consider to be a handover to the ones who have come after us. It is a justification to them. They may have been hearing stories, some may have thought that there could not have been a Satya Nandan or a Kenneth Rattray. But, this meeting has justified the fact that there were actual human beings who walked the corridors of this particular conference and negotiated. For my colleagues who joined after 1984, you were able to walk fast. When you see us in the next few days do not assume we never walked fast; we ran. For some of us the white in our hair has gone whiter, others have lost hair, others are walking a little slower but we assure you that what we did provided this particular situation where we are.

I would like to pay a final tribute to a brother and friend, Nii Odunton. Nii was always there as far as I could recollect. He was always there in the background providing the information that was required. I think Ambassador Satya Nandan would agree that he made a fantastic assistant. To us who were very impatient and might have bumped into him looking as if we were about to go to war, he would take us to sit and say "I hear this is what is happening in the other camps," and that would calm the situation. I notice his beard has gone grey; he had no beard at that time.

So, Mr President, on behalf of all those other colleagues who could not make it to Jamaica this time around we would like to thank you and thank the Secretary-General for having thought that on this particular anniversary – 20 years later – we needed some people to come here to walk slowly, to talk slowly, to show their grey hair and lack of hair, to show that we were there. We did it.

Thank you.

11. Mr. Bäidy Diène, President of the ISA Council
(2004); member of the Legal and Technical
Commission (2002-2011)

Thank you Mr President. Mr President, Secretary-General of the Authority, Representative of the UN Secretary-General, Judges of ITLOS, Honorable representatives of Member States, Observers, ladies and gentlemen, staff of the Authority.

Mr President, I do have to commend the group that inspired us this afternoon for singing those Jamaican songs. Let me say it is a privilege for me to attend the 20th anniversary of the Authority and to share with you a few ideas that would not just be historical reminders as I came at the end of the UN Conference of the Law of the Sea and I attended the Preparatory Commission.

Our organization has always been able to find the best possible approaches for the Authority. It has done this through joint efforts regardless of geographic distribution. I would like to thank the Secretary-General and all the staff of the Authority who have managed the organization over the past 20 years. We owe this commemorative anniversary to a great extent to the Authority and the enlightened stewardship of the Secretary-General. What does 20 years represent in the evolution in a multi-lateral organization?

I would like to thank the host country Jamaica for its ongoing hospitality from the days of the Preparatory Commission to today in this land of Marcus Garvey. This hospitality has always been important to us and I would also like to thank the Honourable Prime Minister for her presence at the opening of this session.

Today we are celebrating 20 years of the existence of our organization. We can, without hesitation, state that it was established 26 November 1994; one year after the deposit of the 60th instrument of ratification which is actually 12 years after the adoption of UNCLOS. For history's sake, it is appropriate to recall that this entire wonderful adventure that preceded the adoption of the UNCLOS lasted some 15 years, that is since the adoption by the UNGA of the resolution which stated that the bottom of the oceans and seas were the "common heritage of mankind" following the request by the Maltese Ambassador Arvid Pardo on 1 November 1967. All of this led to the Third Conference on the Law of the Sea, that was nine years prior to the Special Commission.

Then there was the Standing Commission from 1970-1973. That is a total of 12 years of existence to the Third UN Conference on the Law of the Sea and then add to that the period of negotiations of the Preparatory Commission; that is 12 years from 1983 to 1994. Today I am still wondering about the issue of what the Authority would have been like if the ratifications of the UNCLOS had entered into effect. If you recall, the first instrument of ratification was proposed on the first day but we had to wait 12 years to have all sixty of those instruments. This is a theoretical question but it has several possible answers. The Preparatory Commission was put to good use to establish a certain number of mechanisms, rules, principles and also ways of correction because it did prove necessary to have these corrections before we were able to reach the adaptation of these principles on which we had all agreed at the outset. At the very beginning, after lengthy and difficult negotiations, we reached an agreement on the appropriate philosophies although their implementation would continue to be difficult but, over time, it did prove possible to make certain sizeable corrections highlighting the principle of universality of the Convention as well as the proper functioning of the Authority. Hence, we had a realistic, pragmatic approach and it was part of the metamorphosis – as they say in geology, tectonic processes – that allowed us to adapt to changes in the world and in the socio-economic realities that we are living in today. Hence the principle of the common heritage of mankind in the seabed – this is a principle that had myriad implications that were difficult to negotiate throughout the UNCLOS and it has proven difficult also to implement throughout some of these phases. It may be understood that this may not be accepted by everyone. One can always admire, though, the practical or even pragmatic approach that has been characteristic during these phases, both during negotiations as well as during the Preparatory Commission and the existence of the Authority. I was pleased to note and underscore that each time that problems have come up with respect to a legal solution, there has always been a practical and pragmatic solution that has been combined with what has led to this practical and pragmatic solution being adopted and being used. This experience has demonstrated that this has always enabled us to move forward.

To illustrate this, I would like to underscore the varying groups that have been established throughout this process. There were advisory groups, groups of experts, friends of the Convention, and friends of the President, the group of the four pioneer investors; the Group of 77 and the Group of 10 countries representing the developing countries,

the “Midnight Group” and the socialist countries. There was a degree of flexibility that has allowed us in a positive fashion to come to these solutions. Even though some might say these groups only had their own opinions, experience has taught us that quite frequently the opinions developed by these groups have then been ultimately the opinion adopted by everyone. By emphasizing this I hope that the Authority, now and in the future, can move forward in the same direction showing flexibility and be practical and pragmatic, a strategy which has helped us to move forward to date.

Sir and dear colleagues, along with these groups I have had the privilege to chair a working group on training. This was during the Preparatory Commission and you would know that one of the obligations of the registered pioneer investors under Resolution 2 was that all pioneer investors had to provide training at all levels for personnel designated by the Commission. At that time there was a question as to how we could put all this into practice. This group that was established was made up of representative of the regional groups but also had representatives from each of the registered pioneer investors. This group represented all the regional groups; Africa, Asia South America, Western and Eastern Europe. We were able to work together in tremendous synergy and we were able to work out general principles as well as guidelines and operational modalities.

We had this set of elements that was adopted by the Preparatory Commission prior to implementation. You know, training is important and any training that is carried out, helps us to move forward. Let me quote Jean Pierre Levy who, in one of his works, said that “this is the only concrete benefit that a developing country could obtain and this is the sole area that they would have their participation to a certain extent in the implementation of the system of management of the common heritage of all humankind”. At any rate, there were some 60 candidates for training from developing countries, the African region, the Asian and Latin American regions. From this a few more than 20 candidates underwent training with the pioneer investors. This high-level training was on sciences of the sea, which included marine biology, marine engineering, electric and electronic systems, geological sciences and sciences relating to processing of minerals. It is true that these individuals were not staff, except for one who came from your country, Sir, but this training was never lost. The others returned to their countries, and were able to serve their countries/continents. We note that today at this 20th anniversary, we can see that this training

continues with the contractors and we are pleased to note that as at yesterday 26 contracts have been concluded with the Authority, demonstrating that opportunities for training will continue.

The Enterprise will always be the operative arm of the Authority. It has been put on hold for the time and its reactivation will be determined by global economic conditions. Twenty years on, today, one needs to talk about the future. The Authority should be able to adapt and adjust to the political and economic positions. This means that all the Members need to work to ensure that the appropriate goals can be established to get all the resources for follow up and growth in this world. With respect to population numbers, the human aspect, we have some seven billion people worldwide and in 10 years we will have 8.3 billion in this world which will be characterized by hunger and water shortages in some areas. The impact will be felt worldwide. The health of the global economy will depend more on developing countries than on industrialized countries, which is to say that the Authority will have to be able to adapt and move forward and be able to continue with its work at all levels. Whatever does happen, it will be up to all of us to ensure that the Authority can continue this wonderful adventure and make it a wonderful reality and to make meaningful advancements and positive contributions to the world.

Thank you.



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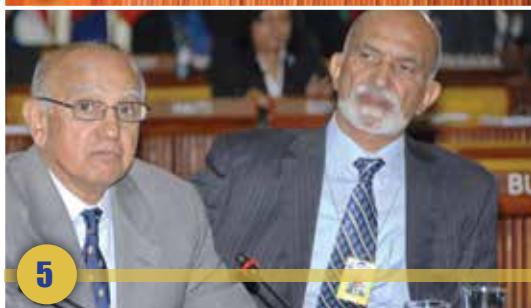
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1. L-R: The Most Honourable Portia Simpson-Miller, Prime Minister of Jamaica and Mr Nii A Odunton, Secretary-General, International Seabed Authority (ISA)

2. L-R: The Most Honourable Portia Simpson-Miller, Prime Minister of Jamaica; Mr Nii A Odunton, ISA Secretary-General; H.E. Mr Antonio Francisco Da Costa e Silva Neto, Permanent Representative of Brazil to the International Seabed Authority, President of the ISA Assembly 2014 and Ambassador of Brazil to Jamaica

3. L-R: Mr Stephen Mathias, Assistant Secretary-General, UN Legal Affairs; H.E. Mr Tommy Koh, Ambassador-at-large, Ministry of Foreign Affairs, Singapore; H.E. Mr Satya N. Nandan, former Secretary-General, ISA and Special Representative of the UN Secretary-General for the Law of the Sea; Judge Jose Luis Jesus, International Tribunal for the Law of the Sea

4. L-R: H.E. Mr Tommy Koh, Ambassador-at-large, Ministry of Foreign Affairs, Singapore; H.E. Mr Satya N. Nandan, former Secretary General of ISA and Special Representative of the UN Secretary-General for the Law of the Sea; Judge Jose Luis Jesus, International Tribunal for the Law of the Sea

5. L-R: H.E. Mr Satya N. Nandan, former Secretary General of ISA and Special Representative of the UN Secretary-General for the Law of the Sea; Judge Jose Luis Jesus, International Tribunal for the Law of the Sea

6. L-R: Professor Hasjim Djalal, Senior Advisor for the Law of the Sea, Ministry of Foreign Affairs, Indonesia; Judge Vladimir Golitsyn, President of the International Tribunal for the Law of the Sea

7. L-R: Judge Vladimir Golitsyn, President of the International Tribunal for the Law of the Sea; H.E. Mr Mumba Kapumpa, Ambassador of Zambia to Republic of Korea; Mr Baidy Diene, Secrétaire Général Adjoint de l'agence de Cooperation entre la Guinée Bissau et le Sénégal

8. L-R: Judge Vladimir Golitsyn, President of the International Tribunal for the Law of the Sea; H.E. Mr Mumba Kapumpa, Ambassador of Zambia to Republic of Korea

II. Statements from the Chairs of the Five Regional Groups

- A. His Excellency Mr Olatokunbo Kamson,
Permanent Representative of Nigeria to the ISA, on
behalf of the African States

Prime Minister of Jamaica the Most Honourable Portia Simpson-Miller; Minister of Foreign Affairs; Senator A. J. Nicholson, H. E. President of the Assembly, Ambassador Luis DaCosta, President of the Council, Ambassador Tommo Monthe, Secretary-General of the Authority, H. E. Mr. Nii Allotey Odunton; Permanent Representatives of States Parties, distinguished delegations; ladies and gentlemen.

I have the honour and privilege of delivering this statement on behalf of the African Group in my capacity as its chair on the occasion of the 20th anniversary of the establishment of the Authority. I want to take this opportunity to thank the Prime Minister for the hospitality accorded us since our arrival. Similarly, I congratulate all States Parties to the UNCLOS on this great occasion.

Mr President, please allow me to congratulate you on your election as President of the 20th Session of the Assembly of the Authority. I would like to assure you of our full cooperation and support for your efforts to guide this session's work to a successful conclusion.

I am also pleased to convey the African Group's appreciation to your predecessor, His Excellency, Ambassador Vladimir Mikhailovich Polenov and his country, the Russian Federation, for his commitment and hard work as President of the 19th Session of the Assembly.

We also take this opportunity, through you Mr President, to thank our host, the Most Honourable Portia Simpson-Miller, the Prime Minister of Jamaica and the government and people of Jamaica for the arrangements that they have put in place for the success of this session.

The African Group is pleased to join the 166 States Parties to the UNCLOS in commemorating the 20th anniversary of the establishment of the Authority.

The African Group has taken note of the opening statement by the President of the Assembly, the Secretary General of the Authority, the Most Honourable Portia Simpson-Miller and all those who spoke after and made important remarks.

We also wish to recognize the contributions of the indefatigable pioneers, both dead and alive, who led the establishment of the Authority and have sustained it to what it is today. We commend their visionary leadership and pledge our unflinching support and contributions to efforts towards facilitating the achievement of the goals of the Authority and ensuring that all humanity benefits from the principle of the common heritage of mankind.

In the same vein, the African Group recognizes the quality leadership provided by the Secretary-General Nii Allotey Odunton, a distinguished African and pride of the continent. We appreciate his personal contributions and the work of all the staff of the Secretariat over the past years in maintaining the Authority as an effective and relevant international organization within the global system. We recognize the fact that the Authority is still a “work in progress” and hope that with the support of all, the Authority will be able to harness the full potential of the seabed for the benefit of mankind without jeopardizing the security of the marine ecosystem and the coastal environment.

The Authority is an autonomous international organization established under the 1982 UNCLOS and the 1994 Agreement relating to the Implementation of Part XI of the UNCLOS. The Authority is the organization through which States Parties to the Convention organize and control activities in the Area, particularly with a view to administering the resources of the Area, in accordance with the regime for the seabed and ocean floor and subsoil thereof beyond the limits of national jurisdiction established in Part XI and the Agreement.

At this auspicious time of transition from the exploration to the exploitation stage, the Group welcomes every effort and all initiatives that will facilitate the development of the mining code for contractors that are ready and willing to progress to the next stage - exploitation. The Group supports and is willing to be a part of all efforts by the Authority to prepare for this inevitability. The Group urges the contractors to carry out their obligations with utmost dedication, and make available all necessary information and data that would aid the work of the Secretariat and the LTC toward rapid progress of the Authority.

In conclusion, Mr President, the Authority came into existence on 16 November 1994, upon the entry into force of the 1982 UNCLOS. The Authority became fully operational as an autonomous international organization in June 1996, when it took over the premises and facilities in Kingston, Jamaica previously used by the United Nations Kingston Office for the Law of the Sea. Alongside the dramatic increase in activity in the Area, the year 2014 marks a significant event in the life of the Authority. The deep seabed beyond national jurisdiction, referred to as the “Area” in the UNCLOS, is governed by Part XI which establishes the deep seabed as the common heritage of mankind. In a nutshell, Part XI establishes a regime, complete with an international organization, the Authority, to ensure that the benefits from the exploitation of the resources on the deep seabed are shared by all humanity and by future generations.

In this regard, we note that in spite of the relevant provision of the 1982 UNCLOS and the 1994 Agreement special provision must be made for developing countries in view of their technological deficiency. Although some Africans have benefitted from training programmes arising from contracts, no African state has been able to participate in the 26 contracts for exploration in the Area. We, therefore, urge our developed partners to assist to ensure that Africa also takes advantage of this process.

I thank you for your attention.

B. His Excellency Mr Peter Thomson, representative of Fiji, on behalf of the Asia-Pacific Group

Secretary-General of the Authority, distinguished guest speakers, distinguished fellow delegates, ladies and gentlemen. It is a great privilege for me to speak on behalf of the Asia-Pacific Group on this auspicious day. I wish to begin by expressing our sincere gratitude to the Authority for holding this special session to commemorate the 20th anniversary of the organization. Thanks also go to the Government of Jamaica for providing such great support for this event. Mr President, we gather here today because of the landmark statement made by the late Ambassador Arvid Pardo of Malta before the General Assembly in 1967. In that memorable address, he spoke of creating the concept of the “common heritage of mankind” which launched the process

of the formulation of the 1982 UNCLOS and eventually led to the establishment of the Authority.

On this joyous occasion, we honour his memory and his contribution. As the representative of the Asia-Pacific Group, please also allow me to make special mention of the late Ambassador Amerasinghe of Sri Lanka who was president of the first through ninth sessions of the Third UN Conference on the Law of the Sea and he made an indelible contribution to the negotiations on the UNCLOS. I should also mention Ambassador Tommy Koh of Singapore who succeeded Ambassador Amerasinghe in presiding over the next stage of the Conference and finally brought the UNCLOS to fruition. I am happy he is with us today. We also honour Ambassador Satya Nandan from Fiji, the first Secretary-General of the Authority, Ambassador Christopher Pinto of Sri Lanka and Ambassador Hasim Djalal of Indonesia, the first President of the Assembly of the Authority, who has taken this long trip from Indonesia to be here with us today. These forefathers all played important roles in bringing the Authority to life. Mr President, established on the basis of the principle of the common heritage of mankind, the Authority is a creation of historic significance in the UNCLOS.

The Authority shoulders important responsibilities in organizing and controlling activities within the Area and, in particular, in managing resources in the Area. Since its founding in 1994, the Authority has made remarkable progress in its work. After promulgating the regulations on prospecting and exploration for polymetallic nodules and polymetallic sulphides, the Authority adopted the regulations for prospecting and exploration of cobalt-rich crusts and started formulation of the regulations on the exploitation of resources in the Area. It has approved 26 plans of work for exploration in the Area and is monitoring the implementation of exploration contracts in an orderly manner. Through extensive cooperation with the contractors and State Parties, the Authority has also continued to develop in-depth regulations for the protection of the deep sea environment. Furthermore, through technical workshops and other means, the Authority has achieved positive results in promoting and encouraging marine scientific research in the Area and in strengthening and coordinating international cooperation in the deep seas. The Authority's highly productive work has increased the vigour of international seabed affairs and added impetus to the translation of the principle of "the common heritage of mankind".

Mr President, for a long time, the states of the Asia-Pacific Group have attached great importance to and taken an active part in international seabed affairs. To date, 44 countries out of the region's total of 53 have become State Parties to the UNCLOS and ipso facto, are members of the Authority. This number includes my own Fiji, which was the first to ratify the UNCLOS in 1982 and Timor Leste which became the newest state party to the Convention in 2013. Ensuring the effective participation of developing countries in international seabed affairs is of great importance in realizing the goal that "activities in the Area shall be carried out for the benefit of mankind as a whole", as set out in the UNCLOS.

We have noted with pleasure that the Authority has established a voluntary trust fund to support developing countries in their participation in the Authority's work as well as an endowment fund to assist these countries in their marine scientific research. Furthermore, some developing countries submitted plans of work for exploration which were subsequently approved. But, on balance, the developing countries need to enhance their capacity building for participation in international seabed affairs and they need more attention and support from the international community. We expect the Authority and the Member States concerned to take further practical steps to ensure the rights and interests of developing countries in international seabed affairs.

Mr President, in conclusion, peace, development and cooperation constitute the theme of our times. The marine order has become part and parcel of the international order and countries' interests in oceans and seas have become intricately intertwined. In this new era, the states of the Asia-Pacific Group are ready to join other parties in increasing communication and coordination so as to push for the rational use and sustainable development of oceans and seas and thereby make greater contributions to the realization of lasting peace and common prosperity in the world.

I thank you.

C. His Excellency Mr. Vladimir Polenov, representative of Russia, on behalf of the Eastern European Group

Mr President, Secretary-General, Judges from the ITLOS, colleagues, friends, at the outset, I would like to express my gratitude for the kind words expressed to me by the Group of African States. It was a tremendous honour and pleasure to be in that post and to work as the President of the Authority during this jubilee year. On behalf of the Eastern European Group, I congratulate everyone on our common achievement, 20 years of the Authority. This is a unique organization and it is designed for the just use of the resources of the Area for the betterment of all humankind. The Authority has become an effective and prestigious international venue for addressing equitably the most pressing issues dealing with the exploitation of the resources in the Area perceived as the common heritage of all mankind, taking into account the interests of all stakeholders, developed and developing nations, contractors as well as the environmental community. We anticipate that this regulatory coordinating body will continue to be strengthened and we endorse all those kind words and positive assessments that we have heard in this chamber of the Authority and also those words of gratitude to the Government of Jamaica for giving us comfortable conditions for the work of the Authority and the work of the delegations.

By way of congratulations on the Russian side, we would like to read the text of a letter from the Minister of Foreign Affairs to the Secretary-General of the Authority.

Dear Mr Odunton,

We congratulate you sincerely on the occasion of the jubilee of the 20th session of the International Seabed Authority and wish its participants successful and productive work. In recent years, the Authority has gained a firm hold as a reputable international organization that effectively ensures implementation of the United Nations Convention on the Law of the Sea of 1982 with the purpose of managing the Area and its resources that form the common heritage of mankind. Being one of the main contractors, the Russian Federation highly values the work done by the Authority in terms of organizing and overseeing the

activities in the Area. We attach special importance to the efforts aimed at formulating and improving the legal basis for cooperation with respect to development of its resources and the rules of exploration and prospecting and also the production of certain mineral resources.

At the same time, we believe that it is very important to take into account the interests and needs of the developing and least-developed states as well as applicable standards in the sphere of environmental safety and protection of the environment. I would like to take this opportunity to assure you of the firm intention of Russia to continue to be actively involved in the work of the Authority, including examination and development of the Area's resources in compliance with international law as well as scientific research in the interest of ensuring sustainable development. Please accept dear Secretary-General the assurances of my highest consideration.

Signed by Sergey Lavrov

With your kind forbearance sir, we will provide this text to the Secretary-General. Thank you for your attention.

Thank you.

D. His Excellency Mr. Gerardo Lozano Arredondo, representative of Mexico, on behalf of the Latin American and Caribbean States

Mr President, on behalf of the Latin America and Caribbean Group (GRULAC), I wish to express our deepest appreciation for this special session, which gives us the opportunity to reflect and honour the great legacy of those who have participated in the creation of the Authority as a relevant institution to guarantee respect for international law and to collaborate in the search of the delicate balance between the preservation of the common heritage of the seabed and the necessity of the development of the Member States.

The institutional seal offered by the UNCLOS, the basic and essential judicial instrument for all the activities of the oceans, and whose

30th anniversary we celebrated two years ago, is part of an integral concept of the oceans. Therefore, the fact that we are celebrating the 20th anniversary of the Authority should stir satisfaction among the membership, as a sign of the health of the judicial regime of the oceans as well as its efficiency.

We must recall on this date that the mandate of the Authority is intimately linked to the origin of the UNCLOS. In fact, the question of resources of the seabed and subsoil beyond the limits of national jurisdiction was the trigger for the meeting at the Third Conference of the United Nations on the Law of the Sea and one of the aims of the UNCLOS was the development of:

the principles embodied in resolution 2749 (XXV) of 17 December 1970 in which the General Assembly of the United Nations solemnly declared, inter alia, that the area of the seabed and ocean floor and the subsoil thereof, beyond the limits of national jurisdiction, as well as its resources, are the common heritage of mankind, the exploration and exploitation of which shall be carried out for the benefit of mankind as a whole.

Created in 1982, with the approval of the UNCLOS and its establishment through the 1994 Agreement, related to the implementation of Part XI, the Authority has consolidated and convinced the world of its potential and benefits offered by this platform for the conciliation of the positions of its member states and of the complexity that the collective force to regulate the exploitation of the resources of the seabed outside of national jurisdiction represents.

With regard to the provision of article 156, paragraph 2, of the UNCLOS, all States that have ratified this are ipso facto members of the Authority. As a result, 20 years after its establishment, we also celebrate that 166 States are part of this institution, making it a multilateral organization that effectively represents a very significant portion of the States globally and consequently has a high legitimacy to act in a zone that is beyond the national jurisdiction of the States, exercising the attributes assigned to it.

The members of GRULAC also wish to express satisfaction with the continued growth in the number of permanent representations to the Authority, most of which belong to Latin American and Caribbean countries. We celebrate, in the same vein, the important and active role that Jamaica has played in the continuity and consolidation of the

Authority, as well as the excellent hospitality that the people of this beautiful country have offered consistently to the delegations that meet in Kingston year after year.

It is, thus, most fitting that on this occasion we should pay a tribute to the people who have contributed to this process. Without a doubt, we cannot forget to mention the important role played by Mr Satya N. Nandan as the first Secretary General, as well as Mr Nii Allotey Odunton, the current Secretary General. Their excellent work in leading this organization has impacted its growth and development.

Last Friday we took the opportunity to honour the memory and achievements of Judge Lennox Fitzroy Ballah and we also have the great privilege of working with Ambassador Tommy Koh, who presided over the Third United Nations Conference on the Law of the Sea. I could nominate many others in this event whose work should be praised, but the truth remains that, if we were to name all those who have helped make the Authority a reality, a whole session might not suffice.

Mr President, it is necessary to preserve the historical memory of the creation of the Authority and of its accomplishments over its two decades of life and this occasion offers the perfect opportunity to do so. The Latin American and Caribbean countries are proud of having performed a decisive role during this process and on this occasion we wish to reiterate our commitment to contribute to the strengthening of its mandate, especially in the areas of science and technology training and of a greater knowledge of the deep ocean.

This 20th anniversary presents us with a momentous opportunity to reflect on how much progress the Authority has achieved towards giving concrete meaning to the concept of the Area as the common heritage of mankind. Evidence of this is the development and consolidation of the exploration codes as formidable achievements, achievements that were the forerunners of a far greater challenge – namely the drafting of an exploitation code that will pave the way for the commercial use of the Area.

It's vital to remember that the exploitation of the resources that make up the common heritage of our peoples requires foresight and a clear component of sustainability. As such, our countries reiterate their firm conviction on the importance of any programme or project of exploration and exploitation of the resources of the seabed to ensuring the protection and conservation of the environment.

Mr President, for Latin America and the Caribbean, the Authority represents a niche of opportunity to achieve economic development, based on the governing principles of the UNCLOS, in particular the common heritage of humanity and the use of continuity of the Authority as the most appropriate institution to organize and control the activities developed in the Zone and in the administration of the resources, in an instant characterized for being closer to the beginning of the activities of exploitation of resources of the seabed.

It is precisely this imminence, possibly one of the main challenges that we have before us, based on the notion that it is necessary to facilitate the activities of exploitation in favour of the development of our countries and to assure ourselves, at the same time, that said activities have a rational character and promote the protection of the marine environment and the conservation of the oceans for the benefit of future generations.

The growing interest in the resources of the Area can be deduced from the increase in the requests for exploration contracts. In the face of new challenges, such as the short-term commencement of the exploitation phase, with the consequent need to regulate and legislate the processes of great complexity, we should always bear in mind the fundamental principles that guide the activities within the Zone, principally that its resources are the common heritage of humanity.

We believe that a better way to acknowledge the contribution of those who have participated in this effort is to reaffirm our readiness and commitment to address the new challenges that lie ahead of us. We need to develop mechanisms to assess and address the environmental impact of mining operations; we must agree on the financial arrangements regarding the benefits derived from exploitation; it is equally important to ensure that the needs of developing countries are catered for in an equitable manner. The challenges are many and the resources are limited. However, the pioneers who helped to establish the Authority are giants on whose shoulders we can stand. Their contribution and selfless commitment will provide us with the inspiration we need to progress and make the next 20 years of the Authority as remarkable as the first 20.

As of this moment, the Authority has initiated its third decade of existence with the certainty that our countries have the capacity to execute in a clear way the mandate that we have granted it. This organization has fulfilled, with creativity and efficiency, its responsibilities. However,

important challenges are present; as the Latin American and Caribbean Group had highlighted on the occasion of the 10th anniversary of the Authority in 2004. The Authority needs to be attentive to the modern concerns relating to the ocean, as it seeks to satisfy the needs of States adequately.

The countries that comprise the Latin American and Caribbean Group are convinced that the Authority will continue to occupy an inspirational place in the development of the international law of the sea, the knowledge of the oceans and in favour of our efforts that allow our societies to reach major levels of development.

Thank you very much.

E. Mr David Wilkens, representative of Germany, on behalf of the Western European and Other States Group

Madame Prime Minister, Mr Secretary General, Excellencies, esteemed delegates to the Authority, distinguished scholars, esteemed judges, esteemed representatives of Jamaica, ladies and gentlemen.

Germany is currently chairing the Group of Western European and other States. It is on behalf of this regional group that I have the honour to address the most distinguished audience convened today here in Kingston, at the seat of the Authority, to celebrate the 20th anniversary of this outstanding institution. I take pride in exercising this task made all the more challenging by the array of distinguished speakers who have taken the floor before me and who have aptly represented and embodied the achievements of the Authority since its inception 20 years ago.

The UNCLOS was opened for signature 32 years ago in Montego Bay, here in Jamaica. The UNCLOS is the radiant result of a great effort undertaken by the international community to conceive a universal legal order for our oceans which cover more than two-thirds of our planet's surface. The UNCLOS is the embodiment of the international law of the sea. It reflects and accommodates legal ideas and convictions which date back to the era of enlightenment. It was conceived as the ocean's constitution, the legal framework within which all the activities in the oceans and seas must be carried out. The UNCLOS, since its

adoption has proven effective and flexible to meet the challenges which ensue from these activities.

In Part XI and its Implementation Agreement of 1994, the UNCLOS sets the framework for the exploration and exploitation of the Area's abounding mineral resources. In doing so, it avails itself of the notion so brilliantly conceived by the Maltese Ambassador Arvid Pardo leading the negotiations of the Third UN Conference on the Law of the Sea, namely that the deep seabed and the resources are the "common heritage of mankind". At the core of the groundbreaking concept stands the conviction that the Area's mineral resources belong to all. Being common to all mankind, they need to be governed commonly, internationally and consensually under the auspices of a neutral international organization. This organization is the Authority whose 20th anniversary we have come together to celebrate today.

Mr President, the governments of the Western European and other States Group were instrumental in advocating Jamaica as the seat of the Authority. We are proud of having contributed to the international community's decision to bring this unique institution to this beautiful island. Our ties with Jamaica are sound and strong.

Twenty years later, we can indeed state and put on record that the Authority has developed impressively and achieved a great deal. The Authority, now encompassing 166 members, has literally come of age. The timing for the celebration is very fitting. Not only to look back but also to throw a glance at the future, just as the Authority is now, full of life and energy, looking ahead to its future. All of us have witnessed the remarkable momentum which mineral exploration activities in the Area, and at its core the Authority, have gained, especially over the last two to three years. The number of contractors is ever increasing. With the Council having approved all seven pending applications, the Authority will have 26 approved exploration contracts after this anniversary session.

Ladies and gentlemen, the Western European and other States Group (WEOG) very much welcomes this development and this success of the Authority. The delegations on whose behalf I have the honour to speak here today have been active members and committed supporters of the Authority throughout its existence. I even dare say that the Authority has grown dear to us. The commitment is also reflected by the fact that seven of the Authority's approved contracts have been sponsored by WEOG member states as well as by cooperation projects

of WEOG members with partners worldwide and in particular, with developing countries.

Mr Secretary-General, please allow me to express and reiterate the WEOG governments' utmost appreciation of the ceaseless efforts which you and your staff have, over so many years, invested in the Authority's work. We value your extensive knowledge and expertise, your diplomatic skill, though you keep denying them, and your humour. Please be assured of our continuous support.

Ladies and gentlemen, as we are approaching the expiry of the first exploration contracts and are now looking forward to the beginning of the exploitation phase, an array of new challenges unfolds before us, challenges we are very willing to meet together. To highlight just a few. First and foremost we need to develop the exploitation regulations and thereby complete the mining code. Aside from that there is the need for greater standardization of the data the Authority receives. The workload of the Authority's organs has been increasing constantly. This particularly relates to the task of reviewing and administering the array of exploration contracts. Directly linked to that, there was and is the increasing need to streamline the Authority's budget and involve contractors in contributing to the Authority's financial resources. During last year's session, we jointly addressed this necessity and introduced the instrument of overhead charges whose implementation is still ongoing.

As to the exploitation regulations, I would like to applaud the Secretary-General for having launched the first stakeholder survey of the Authority. He has thereby begun a process of stakeholder engagement and consultation on this very important matter. Let us all share the knowledge and experience which we have gathered on the deep seabed's ecosystems. We extend our hand to the Authority and to our partners throughout the world. Let us, together, undertake every endeavour to reconcile our common interest in deep seabed mining with the need to protect it.

Thank you very much.



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1. L-R: H.E. Mr Peter Thomson, Permanent Representative of Fiji to the United Nations, H.E. Paola Amadei, Permanent Representative of the Delegation of the European Union, Jamaica, to the International Seabed Authority
2. H.E. Mr Gerardo Lozano Arredondo, Permanent Representative of Mexico to the International Seabed Authority
3. Mr David Wilkens, Deputy Head of Division, Federal Ministry for Economic Affairs and Energy, Germany
4. L-R: H.E. Mr Cedric Harper, Permanent Representative of St Kitts and Nevis to the International Seabed Authority and High Commissioner to Jamaica; H.E. Mr Vladimir Polenov, Ambassador Extraordinary and Plenipotentiary, Embassy of the Russian Federation, Jamaica

III. Country Statements

1. Pacific Small Island Developing States (Tonga, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Papua New Guinea, Samoa, Tuvalu and Vanuatu)

Dr. Tevita Sukahina Mangisi, Deputy Permanent Representative, Permanent Mission of Tonga to the United Nations

Mr President, I have the honour to speak on behalf of the nine Pacific Small Island Developing States (PSIDS) that are historically represented at the Authority's 20th session for the first time together, namely, the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Papua New Guinea, Samoa, Tuvalu, Vanuatu, and my own country Tonga. We also stand together and associate ourselves with the statement delivered by the distinguished Permanent Representative of Fiji to the United Nations, Ambassador Peter Thomson on behalf of the Asia Pacific Group.

Mr President, the oceans and seas have been sources of life since the dawn of humankind. As it is our common history, the oceans and seas and all contained therein are also our common future – indeed our common heritage.

For the PSIDS, our lives, our cultures, our identities are intrinsically intertwined with the oceans. Our livelihood has been sustained for centuries through the oceans, primarily through fisheries. This is the premise as to why all PSIDS are State Parties to the UNCLOS and, in doing so, have committed themselves to that which it represents and stands for.

Mr President, as we celebrate today the twentieth anniversary of the Authority, we are reminded that the UNCLOS, as a historic legal framework, catalyzed the governance of the vast maritime expanses and their living and non-living resources that are so fundamental to humanity. It has enabled many of us today in the global community, including PSIDS, to domesticate it in our national laws as a central pillar and we look up to it to guide the management and sustainable use of the oceans and seas, and through the Authority, the management, sustainable use, and conservation of the seabed and the subsoil thereof

in areas beyond national jurisdiction. The UNCLOS strengthens our potential and has made sense of our ancestral bond with the maritime environment, which long before recognized this intrinsic linkage. But further added sense to the rights of Small Island Developing States (SIDs) to the seabed and subsoil by working through the Authority together with fellow Member States of this august institution. It is not surprising, therefore, that all the PSIDS are parties to the UNCLOS, one of the greatest achievements of the United Nations. It is also a remarkable coincidence that the twentieth anniversary of its entry into force is at a time that the United Nations has declared 2014, as the first-ever International Year for Small Island Developing States.

Mr President, with the obvious limitations of PSIDS sustainable development, in terms of land-based resources, it is natural that these States would again look to the oceans and further to the seabed in its critical role for their development aspirations. The exploration and ultimate exploitation of the natural resources gifted to mankind as a common heritage, or within our collective national jurisdictions, must of course be balanced with the equally important need for environmental protection and conservation. The state of the marine environment is already degrading at an alarming rate. So, as we look forward to another 20 years as State members of the Authority, we must always be cognizant of the implications of uncovering nature's riches on and within the seabed as gifted to us all by God, but also offering the opportunity to nature to also recover and regenerate so that our symbiotic and mutually beneficial relationship with nature is sustained for the future. And, in this moment as we celebrate the 20th anniversary of the Authority, it is an appropriate time to rededicate ourselves to the goals UNCLOS set for us -- the equitable and efficient utilization of marine resources (both living and non-living), the conservation of its living resources, and protection and preservation of the marine environment. Indeed, our sustainable development is intimately premised upon the appropriate management approaches and conservation measures of the ocean and seas and the natural resources contained within it, and the seabed and subsoil over which those oceans cover.

Mr President, as we engage in the preparations for the upcoming Third International Conference for Small Island Developing States in September 2014 in Apia, Samoa, we hope that the Authority may further its partnership with SIDS in a more genuine and durable way so that the PSIDS may find further ways and means to contribute to

the effective, efficient, and economical functioning of the ISA. We understand that an invitation to the ISA has been presented to the Secretary-General from the Under-Secretary-General of the United Nations and the Government of the Independent State of Samoa for the Authority to attend the conference. We hope to see you there in September.

This SIDS conference theme of “genuine and durable partnership” is particularly relevant in the context of exploration, exploitation management and sustainable use of the seabed and the subsoil thereof: achieving our goal of sustainable development in this regard, and the objectives set by the UNCLOS therefore requires our collective participation and cooperation for our mutual benefit for now and the generations to come. We are happy to remind this august assembly of the outcome document of the Open Working Group on the Sustainable Development Goals (SDGs) which concluded its work last Friday, in New York. The proposed SDGs feature a proposed goal to “Conserve and sustainably use the oceans, seas and marine resources for sustainable development”. The goal calls for the full implementation of international law, as reflected in UNCLOS for States Parties, including, where applicable, existing regional and international regimes for the conservation and sustainable use of oceans and their resources by its parties. The goal, therefore, considers and indeed includes the work of the Authority and the States Parties to it.

Mr President, at this anniversary of the second decade of the creation of the Authority, we are heartened that the organization has facilitated international cooperation and indeed promoted both the management of exploration and exploitation of the seabed resources through the appropriate consideration of the environment and the need to care for it at the same time. There is, of course, much room for improvement through the appropriate review of current procedures through possible terms of reference that may be placed before members, in due course, as a way forward. PSIDS certainly look forward to working with others in this regard soon and on all other related matters as we move into another 20 years and beyond.

We, therefore, further urge the international community to consolidate the gains we have worked together to achieve so that the spirit and the letter of the constitution of the ocean and seas can effectively and sustainably deliver to humanity the manifold benefits that the seabed and its subsoil provide.

Last and not least, Mr President, what remains to be said is, Happy 20th birthday, ISA.

Thank you.

2. Republic of Trinidad and Tobago

*H.E. Rev. Dr. Iva Gloudon, High Commissioner to Jamaica,
Permanent Representative to the Authority*

Mr President; Secretary-General Odunton; The Most Honourable Portia Simpson-Miller, Prime Minister of Jamaica, Honourable Ministers, Excellencies; ladies and gentlemen.

Two decades ago, the international community unfolded a new chapter for the rule of law in our oceans and seas with the establishment of the Authority (“the Authority”). The creation of this institution in keeping with the provisions of Part XI of the United Nations Convention on the Law of the Sea (UNCLOS), and the 1994 Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea (“the 1994 Agreement”), has made it possible for all current and future members, as States Parties to the UNCLOS and the Agreement, to benefit from prospecting, exploration and exploitation of the mineral resources in the area beyond national jurisdiction.

Mr President, as we salute all those pioneers who advocated for the modern law of the sea as codified under the UNCLOS, some of whom are present with us today, Trinidad and Tobago also pays homage to the late Arvid Pardo, former Ambassador of Malta to the United Nations, who, in his address to the United Nations General Assembly in 1967, proposed that the seabed and ocean floor beyond national jurisdiction be considered as the common heritage of mankind. These resources are the common heritage of mankind as reflected in the UNCLOS, and are also widely accepted as having such status under customary international law.

At the same time, we also recognize the involvement of those individuals from within the Caribbean Community (CARICOM) who also made seminal contributions to the development of the Law of the Sea including the late Edward Laing of Belize, Kenneth Rattray of Jamaica, Lennox Ballah of Trinidad and Tobago, a former Judge of the International Tribunal for the Law of the Sea (ITLOS) and first

President of the Council of the Authority, as well as Judge Dolliver Nelson of Grenada, who is currently serving his final term as a judge of ITLOS.

Trinidad and Tobago, Mr President, acknowledges the achievements of the Authority over the past 20 years as the organization through which States Parties organize, control and administer activities in the Area. We have witnessed the tremendous strides made by the Authority over the years to discharge this tremendous mandate to ensure that activities in the Area are carried out for the benefit of mankind as a whole. Trinidad and Tobago is pleased that after 20 years, the Authority is not only fully operational, but has concluded legal codes for prospecting and exploration for polymetallic nodules, polymetallic sulphides and ferromanganese cobalt crusts.

These achievements and others have been possible due to the leadership provided by former Secretary-General Satya Nandan and his successor Nii Allotey Odunton, as well as the spirit of compromise displayed by members of the Assembly and the Council. This has been manifested in the decision-making process which led to the adoption of the exploration codes and other important decisions made by the Authority over the period. It is our hope that this spirit of compromise and cooperation will continue to characterize the work of the Authority in the future.

Despite the acknowledged success of the Authority, it must commence the work required to ensure that it continues to meet the demands of all States Parties and at the same time, make sure that the resources within its mandate are utilized in a sustainable manner. The UNCLOS and the 1994 Agreement provide for the sustainable use of the mineral resources while preserving and protecting the marine environment. Consequently, as the Authority moves towards the elaboration of a legal code for the exploitation of deep seabed minerals, member States must require that these codes contain very robust provisions to safeguard the marine environment from anthropogenic activities. In this regard, the Authority must consider developing and approving environmental management plans in other international seabed areas, in particular where there are currently exploration contracts, in addition to those that already exist.

States Parties in the ensuing period should also contemplate a role for the Authority as the governing body to assist with the implementation of the provisions of the agreement currently being considered under

the aegis of the United Nations General Assembly, relating to the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction. It would not be difficult for the Authority to assume such a role given the fact that it has shown its ability to protect the marine environment through provisions in existing legal codes and contractual arrangements with a number of Member States for prospecting and exploration of deep seabed minerals. The Authority has in place an administrative structure which could be adapted to administer biodiversity beyond national jurisdiction, which, like deep seabed minerals, should be conserved and sustainably used in keeping with the principle of the common heritage of mankind.

As it enters the next era, the Authority should, as a matter of priority, mandate the LTC to begin the elaboration of policies to give effect to the provisions of Article 82 of the UNCLOS which, in relevant parts, requires States Parties to make payments or contributions in kind in respect of the exploitation of the non-living resources of the continental shelf beyond 200 nautical miles from which the breadth of the territorial sea is measured. The Authority could distribute these payments or contributions based on an equitable sharing criteria. Trinidad and Tobago is of the view that this dormant provision of the UNCLOS must be implemented as a number of States have already received recommendations under Article 76 from the Commission on the Limits of the Continental Shelf related to the establishment of the outer limits of their continental shelf.

Mr President, the principle of equitable geographical distribution of major UN bodies or those established by treaties has not been observed in the location of these entities. Consequently, Trinidad and Tobago recognizes the efforts of the people and Government of Jamaica in having the headquarters of the Authority, situated here in Kingston. We commend our sister CARICOM State for its contributions over the past two decades, in providing and maintaining the site of the headquarters consistent with its obligations under the UNCLOS and the Headquarters' Agreement with the Authority.

In closing, Trinidad and Tobago, wishes to reiterate its commitment to faithfully discharge its obligations under the UNCLOS and the Agreement to assist the Authority in discharging its mandate on behalf of the international community.

Thank you.

3. Indonesia

Mr. Haryo Budi Nugroho, Legal Officer, Ministry of Foreign Affairs

Mr President; H.E. Mr Nii Allotey Odunton, Secretary-General of the Authority; distinguished guest speakers, distinguished fellow delegates, ladies and gentlemen; at the outset, let me join the previous speakers in congratulating the Authority on its 20th anniversary.

Allow me, also, to thank the Authority for holding this special session, and the Government of Jamaica for the kind hospitality accorded to all delegations to this International Seabed Authority (ISA) session.

My delegation would like to thank Ambassador Thomson from Fiji who previously conveyed the remarks on behalf of the Asia-Pacific Group.

Allow me to take this opportunity to deliver some points on behalf of Indonesia.

Mr President, today we are not only celebrating 20 years, but also decades before that in the endeavour to translate the “common heritage of mankind” from a concept to a tangible reality. The 20th anniversary of the Authority and its accomplishments emphasize that we are moving in the right direction in realizing our common goal.

Today, we are honoured to have the forefathers of the Authority among us, including Ambassador Hasjim Djalal, Ambassador Satya Nandan, Ambassador Tommy Koh, as the guests of honour. We look forward to continuing the advances of the Authority and following the example of our forefathers in the upcoming years.

Mr President, we highly commend the work of the Authority in promoting the fulfillment of the objectives of the UNCLOS. In that connection, we extend our appreciation to the Secretary General Nii Odunton, for his efforts and we look forward to working closely with him in the years to come.

Indonesia welcomes the accomplishment of the Authority in adopting regulations on polymetallic nodules and polymetallic sulphides as well as cobalt-rich crust. Indonesia believes that, in adopting these regulations, the Authority played an important role in ensuring that the marine environment is protected from any harmful effects which may arise

during the exploration and exploitation activities in the Area. This supports the objective of the Authority in protecting and developing the resources of the deep ocean as the “common heritage of mankind”.

Indonesia also welcomes the establishment of the Voluntary Trust Fund and the Endowment Fund to support participation of members from developing states. We trust that in the near future, actions to support developing member states to be involved in international seabed affairs will be increased to ensure their rights to the common heritage.

Mr President, Indonesia has been highly involved with the Authority since its founding. Ambassador Hasjim Djalal of Indonesia was appointed as the first President of the ISA Assembly. Indonesia also served as a member of the Finance Committee and the LTC in the previous administrations. Indonesia has been a member of the Council since 1996, and is committed to ensuring that the Authority is fair and equitable to all countries, especially the developing States. As the activities of the Authority are growing, Indonesia is ready to face this progress as well.

Indonesia is ready to continue its participation as a Council Member to represent the views of net exporter states as well as to ensure geographic representation in the Council. Indonesia appreciates the support of Member States for its re-election in the Council.

Mr President, Indonesia continues to place great importance on the role of the Authority for the implementation of Part XI of the UNCLOS and the 1994 Implementing Agreement. Therefore, we continue to support the activities of the Authority in ensuring equitable distribution of the common heritage for all mankind.

On the other hand, we acknowledge that we still have a number of tasks to be accomplished, and after 20 years of excellent work, it is time to start working for the next 20 years.

I thank you.

4. Mexico

Embajador Gerardo Lozano Arredondo, Representante Permanente de Mexico ante la Autoridad

I must clarify that I am speaking on behalf of Mexico and not the Group of Latin America and Caribbean States (GRULAC) I would like to express the gratitude of my delegation to have the opportunity to participate in this commemorative conference. Sir, I would like to congratulate you on your election to the Presidency. We would like to discuss the cultural and human aspects of the Authority as it allows for the development of people around the world and we all have a responsibility to protect the oceans and use their resources to provide opportunities and hope for a better life for all mankind.

Mr President, more than 20 years ago, the international community observed the opening of this forum based not only on respect for international law, and multi-lateral dialogue but also the responsible zeal to do work that transcends generations, that is the conservation and regulation of marine resources in the Area. These are resources that belong to all of us; resources that are the common heritage of mankind. More than 30 years ago we had the opening for the signature of the UNCLOS. In this respect Mexico confirms the existence of the legal regime of the oceans which has contributed to the promotion of peace, development and cooperation and to this end we would like to reaffirm our commitment to the principles and values that are the very foundation of the UNCLOS.

Twenty years ago the doors of the Authority were opened and Mexico continues to be convinced of the great importance of this body in the legal regime of the oceans. We re-affirm our commitment to ensure that 20 years of cooperation, hard work and dialogue and consultation should be continued and multiplied so it can reach new generations and horizons. We think the success of the Authority is based on the integrated legal vision that we see in the UNCLOS.

Mexico would like to thank Secretary-General, Mr Nii Odunton and his team of officials and the Government of Jamaica for hosting this Authority. We would also like to acknowledge the work done by the Authority to bring about real cooperation between developing and developed countries on marine scientific research in the Area. We hope the Authority will, at each opportunity, continue to ensure that we

abide by the principles of Part XI of the Agreement of 1994 of the UNCLOS.

As we celebrate the 20th anniversary we should also note that the world has shown increasing interest in marine minerals. The regulations and rules for the exploitation of seabed resources affords a legal regime that provides the framework within which the commercial exploitation of seabed minerals is to be conducted. While we acknowledge the challenges that Authority faces, we appreciate and respect that the Authority and ITLOS have incorporated the principle of caution in regulating how the resources of the Area should be exploited. Mexico is convinced that the Authority plays a historic role that is extremely important in ensuring that future generations will have the opportunity to benefit from the work of Ambassador Pardo.

Thank You.

5. Tonga

H.E. Mr. Mahe 'Uli'uli Sandhurst Tupouniuua, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission to the United Nations

Mr President, thank you very much for allowing my delegation to say a few words at this festive occasion and commemoration ceremony. We align ourselves with all statements delivered by regional groups and individual State Parties in wishing the Authority their most sincere and hearty congratulations on reaching two score years in undertaking its important role, pursuant to the UNCLOS, of working with its States Parties, to organize and control activities in the Area, particularly with a view to administering the resources therein.

Mr President, with the coming into force of the UNCLOS and the establishment of the Authority on 16 November 1994, Tonga commenced work towards accession to the treaty and became a State Party on 2 August 1995. In pursuit of its own national interests, Tonga had accepted the obligations and rights conferred under the UNCLOS related to the oceans, the seabed and subsoil, living and non-living resources, maritime boundaries, and so forth. Primarily, the economic driver behind the rationale for Tonga to become a State Party to the UNCLOS was related to our interests in fisheries. Our interests have, naturally, extended to all aspects related to the oceans

including interests in the resources on the seabed and its subsoil and their appropriate management for exploration and exploitation, taking into consideration the need for environmental conservation as well.

As far back as the 1970s, Tonga, together with its neighbouring Pacific Small Island Developing States (PSIDs), had, through UN funding, established the Committee for Coordinating of Joint Prospecting for Minerals Resources in the South Pacific Offshore Areas (CCOP/SOPAC). This marked Tonga's first foray into the deep sea for mineral resources within its national jurisdiction and with it hope that it would become a supporting pillar for Tonga's economic development aspirations. Tonga's first offshore survey took place in 1976 and surveys have been conducted continuously to date. With recent assessments regarding economic drivers for Tonga, the prospects look bleak even with revived agricultural exports and gradual increases in tourist activities, and these will not be sufficient to support the government's budgetary needs, let alone finance the necessary infrastructure development and its maintenance. Seabed mining is now viewed within Tonga's strategic development plans as the sector that will contribute to the economic growth aspirations of the country.

Mr President, establishing the relevant legal infrastructure is a continuing priority for Tonga. Tonga passed its first law relating to mining in the form of its Minerals Act in 1949 to administer relevant terrestrial activity. In 1968, the Minerals Act was amended to include deep seabed activities within its national jurisdiction. In 2007, Tonga used the Minerals Act as amended, to grant its first exploration licence to a new Tongan-registered company, Nautilus Minerals Tonga, to explore for polymetallic sulphides within Tonga's waters. In 2008, two other exploration licences were also granted to the companies, Blue Water Metals Ltd. from Australia, and the Korea Institute of Ocean Science and Technology (KIOST) respectively. All three licencees still maintain their exploration status within Tongan waters with high expectations, and are currently planning their drilling of potential mining sites. Furthermore, in 2008, the government agreed to be a sponsoring state for the Tongan-registered company, the Tonga Offshore Mining Limited (TOML) to explore for polymetallic nodules within the Clarion Clipperton Zone (CCZ). Since its licence was granted in January 2012, TOML has complied with its obligations to the Authority and thus has been progressing well with its activities. Sponsorship activities for Tonga, have become a potential contributor to Tonga's socio-economic development aspirations.

Mr President, the increased realization of the potential of seabed minerals for Tonga, has instilled with much vigour, a greater focus and interest in the area of seabed mining and thus its interests as a State member of the ISA. This is evidenced by the increased participation of Tonga in the annual sessions of the Authority with representation both from our Capital and our Permanent Mission in New York, and for the first time, our delegation is being led at the ambassadorial level. For the first time as well, Tonga is participating in an international election within the UN system – the Council elections to be held this Friday. These indicate that Tonga is taking its State membership in the Authority seriously and is willingness to engage with fellow Member States for the betterment of the common good. Further, Tonga is now renewing its focus on building its own capacity to not only ensure its full participation in the discussions and work as a State member of the Authority in terms of seabed exploration and exploitation, but also to ensure the adequate protection of the natural environment, and the equitable distribution of the benefits derived from the seabed to its citizens. Capacity development has been focused on: firstly, strengthening national laws and regulations. The government had tabled its Seabed Minerals law in Parliament at the current resumed session that started yesterday. The draft law was introduced to the Tongan Parliament yesterday and passed its first reading. The government envisages its passage through Parliament sometime this week. The law, once passed, covers all required issues related to seabed minerals both in the Tongan waters and as well as in the Area.

We would like to acknowledge here, again, the assistance of the EU and its Member States through the Deep Sea Minerals Project under the SOPAC Division of the Secretariat of the Pacific Community. We hope that the EU and its Member States will consider the following positively.

- (i) An extension to this prioritized project with the Pacific ACP Member States, given that the current project duration concludes in the coming year. An extended project mandate should go beyond assisting Pacific ACP states with issues regarding deep sea mining within national jurisdiction to cover deep sea mining in areas beyond national jurisdiction and its incidental issues.

(ii) Training of government workers, members of civil society organizations and the private sector in technical, scientific, legal and financial areas related to deep sea mining. Again, Tonga recognizes the invaluable contribution the EU and its Member States have made through the Deep Sea Minerals Project in partnership with the exploration companies Nautilus Minerals, Bluewater Metals, and KIOST.

(iii) Increasing the human resources of the Ministry of Lands and Natural Resources with relevant background and training to support and cater for the increased responsibilities.

(iv) Engaging communities and expanding awareness programmes to improve public participation in, or supporting the seabed minerals sector.

(v) Developing and establishing a robust fiscal regime, that will ensure a sustainable and long lasting source of finance given the non-renewability of the mineral resource.

The Tonga Government believes that these five foci (i) legal framework; (ii) training; (iii) increased resources and investments; (iv) public engagement and awareness; and (v) robust fiscal regimes) will aid the success of the administration of the seabed minerals sector and the benefits derived therefrom.

Mr President, the foregoing is a précis of Tonga's ongoing and enhanced commitment to the Authority and all that it stands for, which we as a Member State believe and share. It is a short description of the importance of the Authority to Tonga and we look forward to furthering, both as a State member as well as a collective of States, the shared commitment we have for this most important institution. We look forward to another 20 years of challenges and success. Tonga congratulates the Authority on its 20th anniversary with many more blessings for success in the near and far future. Thank you.

6. South Africa

*H.E. Mrs. Mathu Joyini, High Commissioner to Jamaica,
Permanent Representative to the Authority*

Mr President, Secretary-General, members of the distinguished guest panel of speakers, Excellencies, distinguished delegates.

The South African delegation associates itself with the statement made by the Ambassador of Nigeria on behalf of the African group. It is of particular significance that the Authority is celebrating 20 years of existence. It is this significance that brought this special session into being. It is this achievement that has given us the honour and privilege of being addressed by a number of distinguished guests today, including the Prime Minister of Jamaica, the Most Honourable Portia Simpson Miller. Allow me, through you, Mr President, to thank her for not only giving us her time but also for her support of the Authority as a host and for the hospitality of the government and people of Jamaica. The year 2014 marks a significant event in both the life of the Authority and the UNCLOS which also entered into force 20 years ago.

The common heritage of mankind is the most important contribution that the UNCLOS has made to international law perhaps the most enduring quality of the treaty is its constitution-like character. This character does not derive purely from its comprehensiveness but also from the hierarchy it creates. Like a constitution the UNCLOS reserves for itself a place of primacy. Its momentous comprehensiveness is matched only by the tireless efforts of the negotiators during that law of the sea conference. Many Member States and individuals, some of whom have graced this session, contributed immensely to its realization and it is fitting that we pay tribute to them by commemorating the 20th anniversary today. Under the UNCLOS, the Authority is the body established to organize, control and regulate activities in the Area for the benefit of mankind. The deep seabed is governed by Part XI of the UNCLOS which recognizes the deep seabed as the common heritage of mankind. In a nutshell, Part XI established a regime, complete with an international organization – the Authority – to ensure that the benefits from exploitation of the resources in the deep seabed are shared by all humanity and by future generations. The inter-generational provision of the UNCLOS, designed to promote a better life for all, is well known and includes Article 59 and, most important, the concept of the common heritage of mankind in Part XI of the Convention.

Allow me, at this point, to reiterate what my delegation said in 2009. The common heritage of mankind, in principle, is not only about the beneficiaries, it is as much about protection and preservation. The principle is about solidarity in the preservation and conservation of the good that we all share and which, therefore, we should protect, and also express solidarity in ensuring that it benefits us all.

Mr. President as we reflect on the journey we cannot but express our appreciation of the leadership of the Authority by Mr Nii Odunton and previously H.E. Satya Nandan for the work and the progress that has been achieved to date.

My delegation also pays tribute to the contribution made by the Legal and Technical Commission (LTC) and the Finance Committee of the Authority over the past 20 years and applaud the initiatives that have been put in place by the Authority with a view to assisting developing States. As African States we are fully cognizant of the contribution of oceans and seas to our development and in this regard we take this opportunity to acknowledge and appreciate the contributions to the trust funds that have enabled our participation as a developing country in different activities of the Authority. We have no doubt that sensitization seminars are also important and useful and commend the Authority for holding regional sensitization seminars. As we are on the brink of the next phase of commercial mining, we acknowledge that there is much work to do. We are encouraged that the process of developing draft regulations has started. Perhaps the most important element of this process from the point of view of this industry is to establish and implement a fiscal framework for mining that is fair to the industry and investors, and to the Member States who are intended to be the beneficiaries of seabed mining taking responsibility for ensuring that exploitation of nodules does not lead to environmental damage. We have no doubt, Mr President, that the Secretary-General and his team will successfully lead the Authority and its work into the next phase. Thank you for your attention.

7. Bangladesh

Rear Admiral Md. Khurshed Alam (Rtd), Secretary (Maritime Affairs Unit), Ministry of Foreign Affairs

Mr President, Mr Secretary-General, respected invited guests of honour, Your Excellencies, distinguished delegates.

Since we are taking the floor for the first time, I wish to congratulate you, Mr President upon your election as President of the Assembly. I am confident that under your astute guidance the work of the Assembly will be effectively discharged. We will miss your active participation from the lower podium where we are all sitting.

It is known that on the first day of the opening for signature of the UNCLOS on 10 December 1982, a record number of 119 signatures, including that of Bangladesh, were appended to it. But, we know a large number of States, mainly from the industrialized countries, had recorded their objections to certain provisions in Part XI which they indicated would prevent them from becoming a party to the UNCLOS. Eventually, 12 years later in 1990, the problems with seabed mining were resolved through consultations led by the Secretary-General of the United Nations. The consultations resulted in the adoption by the UN General Assembly on 28 July 1994 of the Agreement relating to the implementation of the provisions of Part XI of the UNCLOS. The Agreement resolved all the outstanding issues and opened the door to universal participation in the UNCLOS.

Distinguished delegates, some 32 years after I first attended the signing ceremony of the UNCLOS on 10 December 1982 in Montego Bay, I am very pleased to have been given the privilege of addressing the supreme organ of what might well be, in some respects, the most powerful international organization ever created with 166 parties to the Agreement. I would like to thank you Mr President for allowing me to address the Assembly today, as we commemorate the 20th year of the Agreement relating to the Implementation of Part XI of the UNCLOS of 10 December 1982, the 20th signature anniversary which falls on 28 July 2014, just a few days hence.

Bangladesh, Mr President, acknowledges that the responsibilities of the Authority include:

- (i) promoting scientific knowledge relating to activities in the Area and the transfer of that knowledge so as to benefit States Parties, in particular the developing States among them;
- (ii) the adoption of rules, regulations and procedures for the prevention, reduction and control of pollution and other hazards, in particular from activities in the Area, for the protection and conservation of the natural resources of the Area, including the flora and fauna of the marine environment, for the protection of human life; and
- (iii) deciding upon the equitable sharing of financial and other economic benefits derived from the Area.

Nor should we fail to note that these varied and complex responsibilities thus delegated to the Authority by “mankind as a whole” require that its functions be carried out across some three-fifths of the surface of the planet, an area far greater than that over which any single State has jurisdiction, and possibly more than the area of all the land masses combined.

The Authority which began to function from the date of entry into force of UNCLOS has established itself as an autonomous international organization operating in accordance with the UNCLOS and the 1994 Agreement. Over the past 20 years, the Authority has discharged its functions in an efficient and effective manner with the help of a dedicated Secretariat. An important feature of the Authority is that, as it has evolved, it has become more and more of a technical body discharging its mandate in a fair and objective manner. This, it has been able to do, with the help of its own LTC and through its collaboration with the scientific community involved in marine scientific research both in respect of the mineral resources of the deep ocean and the marine environment. It would be a fair observation to make that the Authority enjoys the confidence and support of all its Member States and those who have established contractual relationship with it for the exploration of marine mineral resources of the Area.

As we celebrate the 20th anniversary of the UNCLOS, I would like to pay special tribute to all the distinguished personalities present here today who participated in the Third UN Conference on the Law of the Sea and who contributed so much to its the successful outcome.

Let me digress a bit from the Authority and take this opportunity to inform the distinguished founding fathers and drafters of the UNCLOS that the Bay of Bengal maritime boundary delimitation among Bangladesh, India and Myanmar has just been settled by institutions like ITLOS and an arbitral tribunal set up by the UNCLOS in 1982. Bangladesh, after reviewing the recent decision of the two tribunals among India, Myanmar and Bangladesh, declared that the awards handed down by these institutions are a victory for all the States, and a win-win situation for the people of Bangladesh, Myanmar and India because it finally resolved, peacefully and according to international law, a problem that had hampered the economic development of all the states for more than three decades. All these countries have welcomed the judgment for having brought about a settlement which can make the Bay of Bengal a zone of peace and tranquility and indicated their willingness to comply with the outcome. Not only that, but the legal experts in the international arena have also opined that the tribunals continue the progressive development of maritime delimitation jurisprudence in a positive direction. With their careful and balanced decision, such awards brought great credit to themselves and showed, once again, the wisdom of the drafters of UNCLOS in providing for a compulsory dispute settlement mechanism. Bangladesh will now be able to review its own ocean policies, legislation and strategies in the light of this achievement and encourage forging a regional sea management plan, and entering into good sea exploration treaty, creation of sea research and ocean governance institutions.

In conclusion, I would like to say that the 20th Anniversary of the adoption of the Agreement for signature is an important milestone. The broad support that the UNCLOS continues to enjoy and its positive impact on the peaceful use of the oceans and its resources must be a matter of great satisfaction to all. No doubt there will be many challenges ahead for the world's oceans driven by the use of its vast resources, increasing pressure from the rapid technological development, increased scientific research and concern for the marine environment, in particular from the potential impact of climate change and the acidification of the ocean.

Bangladesh hopes that all these challenges can be addressed within the framework of the UNCLOS. The Authority is already administering almost 26 contracts for exploration for polymetallic nodules, polymetallic sulphides, and exploration for cobalt-rich ferromanganese crusts, while keeping its current regulations under review. The

Authority has laid a solid foundation in expertise and experience, through sensitization seminars, training programmes, draft regulations governing exploitation of the resources of the Area, and complete its readiness for the crucial next phase of activity-exploitation, perhaps under significantly expanded membership.

We also thank the Government of Jamaica for its continued support and hospitality provided to all these delegations for the last 20 years.

Thank you, Mr President.

8. Fiji

H.E. Mr. Peter Thomson, Permanent Representative of Fiji to the United Nations

Mr President, Secretary General, Excellencies, distinguished guest speakers, distinguished delegates, Fiji is very pleased to be participating in this commemorative event on the 20th anniversary of the Authority. We fully align this statement with the earlier ones made by the Asia-Pacific Group and by the distinguished Ambassador of the Kingdom of Tonga on behalf of the PSIDs.

Mr President, the UNCLOS was a monumental achievement for the governance of the oceans. Please indulge us, Mr President, to once more recall that 32 years ago on 10 December 1982, Fiji was the first State to ratify the UNCLOS. We well remember how, in our country, we saw this as a signal that a just and equitable governance system for oceans could be achieved, one that took into account the interests and needs of mankind as a whole. We have not been disappointed. We thank our distinguished speakers at this special session, we thank them for their service and for setting the high standards that those of us who have come after must strive to maintain.

We believe that the UNCLOS is central to the noble goals of the UN Charter. It provides a legal order for nearly three quarters of the earth's surface, addressing sustainable use of natural resources, peace and security, maritime delimitation, navigation, environmental conservation, scientific research and capacity building, along with the settlement of international marine disputes in a balanced and integrated manner. The UNCLOS has become embedded in the affairs of nations and the health of our planet, providing a guiding example to other areas of law.

Today we celebrate the Authority, one of the three important institutions established by the UNCLOS. Twenty years of hard work at the Authority have flown by. On this day, the Fiji Delegation wishes to pay special tribute to the work of one of Fiji's most distinguished sons, Ambassador Satya Nandan, who as we all know played a key role in the codification and development of the modern law of the sea. We are particularly proud that he served as the founding Secretary-General of the Authority. Vinaka vakalevu, turaga mata.

Mr President, at this commemorative event, the Fiji Delegation wishes to thank the Government of Jamaica, as the host country of the Authority, for its unwavering support in ensuring a permanent home for the Authority. We also take this opportunity to extend our sincere gratitude to Secretary-General Odunton and his dedicated staff, for their steadfast commitment to the interests of the Authority. It is a source of great satisfaction that the Authority is now functioning more actively than ever. It is the only institution through which States Parties can organize and control activities in the Area for exploration and exploitation of seabed mineral resources while taking due care of the environment. As we all know, those resources are, under the UNCLOS, represented as the "common heritage of mankind", and we have faith that the Authority will always strive to that end.

Mr President, we have keenly noted the fact that the Authority has, for the past two decades, taken all its decisions on substantive matters by consensus, as a result of the cooperative and harmonious spirit of its membership. Progress reached to date has been gratifying and gives us cause for optimism in dealing with the tasks ahead. The same spirit of cooperation will be required of the members of the Authority as we address the challenge of calibrating the exploitation regulations for deep seabed minerals pursuant to Article 145 of the UNCLOS.

Mr President, we have stated on numerous occasions just how important the work of this Authority is to the SIDS of the Pacific. In this regard it is most gratifying to see nine delegations from Pacific SIDS present at the 20th Annual Session. When one considers that the collective thread of exclusive economic zones of the Pacific SIDS amounts to more than 30 million square kilometres, part of which directly adjoins the all-important CCZ, it will be clear to all why we rely so heavily upon the work of the Authority.

As the custodian of the "common heritage of mankind", holding firm to the exercise of "duty of care" for our oceans ecosystems for future

generations, we celebrate today with all our distinguished colleagues, the 20th anniversary of the Authority.

I thank you.

9. Cuba

Excmo. Sr. Ricardo Tur Novo, Ministro Consejero, Encargado de Negocios a.i. Cuba en Jamaica

Secretary General, Mr Nii Odunton, Excellency Ambassador Antonio Francisco Da Costa e Silva, President of the Assembly, distinguished guests and delegations.

The States Parties to the UNCLOS are meeting today in this special session of the Assembly to commemorate the entry into force of the Convention, to be marked on 16 November 2014. After having listened to the wise and heartfelt remarks of distinguished personalities, many of whom have made their mark on the various events held during these 20 years, the Cuban Delegation sees in the Authority, established for the implementation of the UNCLOS, an essential instrument for maintaining and strengthening peace, order and sustainable development in the oceans and seas.

The Authority has worked arduously and steadily to uphold the spirit of the UNCLOS which declares that the area of the seabed and ocean floor and its resources are the “common heritage of mankind”. Within that work, one should highlight the issuing of regulations that govern the prospecting and exploration of mineral resources in the Area, especially marine polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts. At the same time, the number of contractors has increased and there are currently 26, demonstrating the growing interest in research aimed at future exploitation of these resources.

In these 20 years, Cuba has made and continues to make huge efforts to implement national strategies for sustainable development and marine environmental protection with a view to the coherent, progressive and effective implementation of the Convention’s provisions. The Cuban state has solid institutionalization and national legislation on the law of the sea and is currently working on updating the legislation with regard to mineral resources. The Government of Cuba takes all

possible measures to successfully combat crimes committed at sea such as the illicit traffic in narcotic drugs and psychotropic substances, the illicit trade in persons and piracy. Cuba reiterates the importance of strengthening international cooperation in the management of marine resources and the care of the oceans and their biodiversity, under the principles of international law, duly respecting the jurisdiction of sovereign States over their territorial sea and on the management of resources in their Exclusive Economic Zones (EEZ) and Continental Shelf.

With the increasing pace of activities in the Area, the Authority still has much to do to fulfill its task of managing the resources of the Area for the benefit of all mankind. This includes the task of establishing fair and reasonable financial provisions for the future exploitation of minerals. It is therefore more important than ever before that all States Parties attend the annual sessions of the Assembly and Council and fully participate in all aspects of the work of the Authority.

Thank you so much.

10. India

Dr. S. K. Das, Scientific Secretary, ESSO & Advisor, Ministry of Earth Sciences

Thank you Mr President. At the outset, the Indian Delegation congratulates you on your election as president of the 20th Session of the Assembly and we assure you of our full support and cooperation during the proceedings of the meeting. I would thank also some of the architects of the UNCLOS for gracing the event.

Mr President, the UNCLOS adopted in 1982 fully covered all issues related to the law of the sea in a single instrument. Its relevance is remarkable and it provides truly revolutionary elements for the legal system of the Area. Part XI of the 1982 UNCLOS is placed within the objective to develop the principles in which the General Assembly of the United Nations solemnly declares that “the area of the seafloor and the subsoil thereof beyond the limits of national jurisdiction are the common heritage of mankind and the exploration and exploitation of which shall be carried out for the benefit of mankind as a whole.”

Mr. President, the other revolutionary aspect of the UNCLOS which reaffirms the comprehensive nature of the entire legal system for oceans and seas was the establishment of the three institutions. The three institutions established by the UNCLOS play an important role in its implementation. They are the ISA, ITLOS and the Commission on the Limits of the Continental Shelf (CLCS). The Authority was established by UNCLOS and the Implementation Agreement for Part XI to organize and control activities on the deep ocean floor in areas beyond the limits of national jurisdiction, particularly with a view to administer the mineral resources of that area.

Mr President, the primary responsibility of the Authority is to establish the quantity of metals of polymetallic nodules in the Area that might become available to the international community should the economic viability of processing them be established. In this regard, the Authority undertook a study of the geological model in the CCZ and the varying degrees of knowledge of the polymetallic nodules found and it was a challenging task to develop such a model to enable the Authority and the international community to benefit over time as these hypotheses are tested. At the same time, all the data that are available for the CCZ, quantitative and qualitative outcomes gave confidence to both contractors and potential contractors. The growing number of States Parties and the applications for the development of areas is the unique testimony of the popularity of the UNCLOS. The interests of States Parties in the UNCLOS is also evident in the increasing number of contracts for the Authority and this shows that the systems established under the UNCLOS in 1982 play a role in its implementation in a coordinated manner. The Authority enjoys a harmonious relationship with the UN, in particular the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs and the Department for General Assembly and Conference Management and ITLOS.

Mr President, the growing number of States Parties pursuing the exploratory developmental work in oceans and seas is a good sign of the implementation of the Convention's provisions. Ultimately, this would go a long way in identifying and harnessing the resources of the Area for mankind. In this context, the role of the Authority has assumed importance particularly in complying with the provisions of the UNCLOS while examining and approving applications for the development of the Area for exploration.

India presents its compliments to the Secretary-General of the Authority which is functioning satisfactorily within its mandate. With the development of technology and growing interest in exploring mineral resources we have seen significant increase in the number of contractors and this has been possible due to regulations on polymetallic nodules, polymetallic sulphides and cobalt crusts which are in place.

On this occasion, we extend our sincere thanks to all those who are associated with the Authority in different capacities for their contribution for ensuring the smooth functioning of this institution. India congratulates the Secretary-General of the Authority and all the experts of the LTC and States Parties for this positive outcome and the increase in exploration for deep sea minerals of the Area. India is committed to the furtherance of the development of the regime for harnessing deep sea minerals in an environmentally sustainable manner. As a part of this commitment, India is pleased to host and organize a workshop of the Authority to consider the application of a resource classification system for polymetallic nodule deposits. This workshop in India, in conjunction with mineral classification experts, scientists and engineers, will assist contractors to be able to prepare estimations of mineable areas within their exploration areas. India places on record its appreciation for the work of the Commission that has continued to fulfill its role including in making recommendations to coastal states and the summaries of recommendations are being made publically available.

Mr President, the substantive work to address the protection and preservation of marine environment in the Area and the technical studies done by the Authority to capture and clarify all policy and financial objectives for a fiscal regime before working on formulation of draft regulation for exploitation of polymetallic nodules in the Area is timely. India would like to commend the Secretary-General for dealing with these issues before stepping into regulations on the exploitation of nodules. Mr President, many developing countries, least-developing countries and Small Island Developing States (SIDS) lack the capacity to benefit fully from the UNCLOS in the conservation and the sustainable use of ocean resources.

India commends the Authority for developing a mechanism through seminars and workshops for scientists from developing countries in addition to imparting practical training by participating in a cruise offered by contractors as a part of their obligations. India also played

an important role, providing training funded by the Authority. India commends the initiative taken by the Authority for capacity building and training over the years. We are also optimistic of the usefulness through standardization workshops relating to the environmental management plan would be useful in future course of action being taken by the Authority. There are many challenges ahead to organize and control the activities in the Area, on the common heritage of mankind, particularly to administer and control the mineral resources in the Area.

We appreciate the function performed by the Secretariat of the Authority and my team commends and thanks the Secretariat on the occasion of the commemoration of the 20th anniversary which is significant for all of us. India pledges its unequivocal support to the Authority and will continue to contribute to furthering the implementation of the work of the UNCLOS through the Authority.

Thank you very much, Mr President.

11. Philippines

*H.E. Irene Susan B. Natividad, Deputy Permanent Representative,
Permanent Mission to the United Nations*

Thank you, Mr President. At the outset, my delegation associates itself with the statement delivered by Fiji on behalf of the Asia-Pacific Group.

I have asked for the floor to briefly speak in my national capacity. First, to thank the Jamaican Government and people, led by the Most Honorable Prime Minister Portia Simpson-Miller, who graced the opening session this morning, for their sustained global leadership on the rule of law, specifically the law of the sea. It goes without saying that without their leadership, we would not be here today.

Second, we would like to pay tribute to the founding fathers of the UNCLOS, led by late Ambassador Arvid Pardo, for bequeathing to us this “constitution for the oceans and the seas” that is guiding us towards the attainment of a just and comprehensive rule for the world’s oceans and its resources.

We are lucky that some of them are with us today – Ambassadors Tommy Koh, Hasjim Djalal, and Satya Nandan; and Judge Jose Luis Jesus. Their collective achievement, an achievement that we share to

this day, continues to inspire the institutions created by the UNCLOS, not the least of which is the Authority under the able leadership of Secretary General Nii Odunton.

Third, to congratulate the Authority for the considerable work it has done culminating in the successive adoptions of the entire regulations on prospecting and exploration of polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts, and the approval of 26 applications for exploration. We commend the Authority for its efforts towards the drafting of regulations for the exploitation of mineral resources in the Area.

On 10 December 2012, we commemorated the 30th anniversary of the opening for signature of the UNCLOS in Montego Bay. On that happy occasion, we adopted a commemorative declaration recalling the universal and unified character of the UNCLOS that sets out the legal framework within which all activities in the oceans and seas must be carried out. On 16 November this year, we will celebrate the 20th anniversary of the coming into force of the UNCLOS, and the birth of the Authority.

The UNCLOS is key in ensuring global and regional peace, cooperation and stability and in the protection and sustainable use and management of marine natural resources, including those of the deep seabed. As such, the UNCLOS has never been more important for the world, and certainly for developing countries like the Philippines.

Then, as now, we affirmed UNCLOS as the international law governing the rights and obligations of States Parties – big as well as small, developed as well as developing – in their sustainable use of the world's oceans and its resources, both within their sovereignty or sovereign rights and those which are the common heritage of mankind. The common heritage principle ensures that no State can be allowed to curtail the interests of mankind as a whole by claiming for itself an area which could legitimately be an international seabed. Then, as now, UNCLOS provides a viable mechanism for the peaceful settlement of disputes to resolve competing claims that could undermine our peace and prosperity. In this day and age, the sea should no longer be a source of conflict, but of respect and of cooperation and, to quote Prime Minister Simpson-Miller, “where the rule of right must prevail over the rule of might”.

Mr President, in our march towards universality of the UNCLOS, we welcome Niger for becoming the latest State Party to the UNCLOS and the 1994 Agreement, bringing our number to 166. As we renew the mandate of the Council of the Authority for the next four years, may we continue to be guided by the rule of law and the doctrine of the common heritage of mankind that UNCLOS enshrines.

Thank you Mr President.

12. Senegal

M. Mbaba Coura Ndiaye, en Service au Ministere des Affaires Etrangeres et des Senegalais de l'Exterieur

Thank you Mr President. First of all, on behalf of the delegation of Senegal, I would like to thank the government and the people of Jamaica and I must say that 20 years is a turning point for anybody.

My government and delegation would like to say that the Authority should open regional offices in geographical regions and sign headquarters agreements with the host countries. We would like to ensure that the privileges and immunities would be extended to others. Together with other countries, such as Cape Verde and Guinea-Bissau, Mauritania and Sierra Leone, we would like to ask the General Assembly of the United Nations for an extension of the continental shelf. We made a joint submission which represents a number of documents that have been presented and prepared by the States that I mentioned along with the Government of Norway which provided technical assistance. The extension of the continental shelf has allowed States to review their baselines in keeping with the rules set down by the UNCLOS. The deposit of this joint request for the extension of the continental shelf will be the outcome of wonderful cooperation in this sub-region as well as the North-South Convention.

In conclusion, Senegal, on behalf of the seven African countries that I mentioned would like once more to solemnly conveys its thanks to the Kingdom of Norway for its constant and steadfast help to those countries for the extension of the continental shelf. I would like to ask the representative of Norway to transmit our thanks to his government.

I would like to wish happy birthday to the Authority and all the governments that are here.

13. Guyana

Ms. Indera Persaud, Honorary Consul in Jamaica

Thank you Mr President. First let me commend you on your election to the presidency to the Assembly and assure you of our commitment to work with you. Secretary-General of the Authority, Mr Nii Odunton, Assistant Secretary-General for Legal Affairs Mr Stephen Matthias, Mr Tommy Koh, Mr Satya Nandan, honourable judges of the ITLOS, Professor Djalal, Mr Mumba Kapumpa and Mr Baidy Diène, Excellencies, distinguished ladies and gentlemen and distinguished delegates. The Guyana delegation stands behind the statement made by our regional group, GRULAC, and it is fitting on this occasion on this 20th anniversary of the establishment of the Authority that Guyana makes a statement.

On this occasion of the celebration of the 20th anniversary of the establishment of the Authority and the creation of the two other very important institutions namely ITLOS and the CLCS, it is important that the Area is effectively managed so that the natural resources of the seabed can be managed on behalf of the international community in an effective manner. The delegation of Guyana wishes to commend the Authority for the considerable amount of work it has carried out over the last two decades. My delegation is truly grateful for the work of the Secretariat under the stewardship of Secretary-General Nii Odunton and also the past Secretary-General, Mr Satya Nandan. Mr President, the delegation of Guyana notes with admiration that the Authority has enacted regulations on prospecting and exploration of polymetallic nodules in the Area, for regulations for prospecting and exploration of polymetallic sulphides and regulations on prospecting and exploration of the cobalt-rich ferromanganese crusts. We look forward to the LTC working on the mining code for the exploitation of minerals in the Area taking into consideration the protection of the marine environment. It is the view of my delegation that by steadily improving the regulatory framework which governs the resources of the Area they can be better exploited for the benefit of all mankind.

Guyana enacted the Maritime Zone Act in 2010 to capture the many new developments in maritime law with respect to the rights and obligations of coastal States Parties under UNCLOS and other international agreements. On September 2011, Guyana made its submission to the CLCS. This submission contains all the relevant data and information with respect to Guyana's claim to an extended

continental shelf pursuant to Article 76 of UNCLOS. The submission was formally submitted in April 2012 and Guyana awaits the decision of the Commission. Guyana has taken action to ensure that its rights are protected in the future.

Mr President, my delegation joins with many other delegations to salute the founding fathers of this august body and to reiterate the commendable work of the Authority over the last two decades. As we celebrate the 20th anniversary, we recognize with admiration and appreciation the unwavering and dedicated efforts of the Government of Jamaica in playing its role as a good host to the Authority as well as to other distinguished delegations. Finally, my delegation wishes to commend the Honourable Prime Minister of Jamaica for taking time out of her busy schedule to address the Assembly this morning on this important occasion. I thank you Mr President.

14. Brazil

Minister Counselor Sylvia Ruschel de Leoni Ramos, Deputy Permanent Representative to the Authority

Thank you Mr President. I would like to seize this opportunity to express my delegation's appreciation to all past and present contributors to the work of the Authority and to all those who contributed to the advancement of the law of the sea regime and thank them for sharing their views, stories and experiences with us today.

This 20th anniversary is a moment of special significance as we look back at how much the Authority has achieved. It is an opportunity to recall how much progress has been made to give concrete meaning of the concept of the Area as the "common heritage of mankind". After the consolidation of the exploration codes we are ready to tackle the challenge of an exploitation code that will pave the way for the commercial use of the Area. This, in itself, will give rise to a number of new challenging issues such as the assessment of environmental impacts of mining operations, the financial arrangements regarding the benefits derived from exploitation, the development of environmental management areas in other international seabed zones, and the importance of addressing the needs of developing countries in an equitable manner. However, given the successful record of the Authority, I am confident we can rise to this challenge. But this is also a moment of special significance to Brazil which, as many of you know, had a plan

of work for the exploration for ferromanganese crusts in an area known as the Rio Grande Rise approved by the Council this week. This is the first submission in the South Atlantic and it stands as proof of Brazil's commitment to the Authority, a commitment that, in fact, pre-dates the Authority. I can recall Brazil's participation in the negotiations of the UNCLOS which would eventually lead to the 1994 Agreement and the establishment of the Authority here in Kingston. Brazil was also one of the first countries to nominate a Permanent Representative to this Authority and we have contributed with experts to the LTC and to the Finance Committee. We have the privilege of presiding over the Assembly of the Authority on this festive occasion.

As I reaffirm our commitment to the growth and consolidation of the Authority, I wish to express our appreciation to all those who have contributed so much to what I could perhaps call the "Age of Exploration" of the Authority and to wish a successful journey to all those who are ready to embark on the Authority's "Age of Exploitation". I should add that even before we can exploit the resources of the seabed, we have here in Kingston an invaluable resource to tap into and this readily available resource consists of the Permanent Representatives to the Authority whose support to the Secretary-General in the intercessional period will surely help advance the Authority's aims. I am confident that the joint efforts of all our countries will give us many reasons to celebrate all the Authority's anniversaries to come. Thank you.

15. Panama

*Mr. Erick Cajar Grimas, Chargé d'Affairs a.i., Third Secretary,
Embassy of Panama in Jamaica*

Excellency Ambassador Antonio Da Costa e Silva, President of this Assembly, Excellency Mr Nii Odunton, Secretary-General of this organization, honourable representative of the Secretary-General of the United Nations, honourable judges and the founding fathers of this organization, special guests, representatives of Member States, ladies and gentlemen, good afternoon.

I have the honour of addressing you on behalf of the Government of the Republic of Panama on this historic occasion. The Republic of Panama as a maritime nation par excellence by virtue of its privileged geographical position and its history, which is very closely linked to seas and oceans would like to hereby renew its commitment to and

confidence in this organization which is the outcome of one of the most far-reaching and important instruments of contemporary international law, that is, the UNCLOS. For that reason, we wish to join those wishes expressed to arrive at the necessary agreements to strengthen this organization and thus, together, face the challenges of the future in a real process of sustainable development for present and future generations on the basis of equality, respect, cooperation and solidarity among all members, giving true meaning to the concept of “common heritage of mankind”.

On behalf of the Government of the Republic of Panama, first of all I would like to express our gratitude and congratulations to the Secretary-General and all of his staff for the commendable work done and carried out at the head of this body. We would also like to convey our congratulations to His Excellency Ambassador Antonio Da Costa e Silva for his well-deserved election as President of this 20th Assembly. He has presided over deliberations in this body with his well-recognized diplomatic skill and interpersonal skills as well. We'd also like to express a sincere thanks and homage to the distinguished judges and fathers of this organization. I had the privilege of benefitting from their wisdom and experience in this commemorative session. Finally, I would like to express our sincere thanks to the government and people of this beautiful island of Jamaica for the cordial hospitality shown to the organization over these last 20 years. We would like to celebrate these first 20 years and renew our commitment as a member of the GRULAC to work together to consolidate this important organization at the global level in keeping with the objectives of this globalized and interdependent world.

Thank you.

16. St Kitts and Nevis

H.E. Mr. Cedric Harper, High Commissioner to Jamaica, and Permanent Representative to the International Seabed Authority

Thank you Mr President, I would like to congratulate you on your election and on your stewardship thus far. Secretary-General, honourable judges, fellow delegates, I should like to thank the founding fathers, our forefathers who are here and who shared reflections and recollections concerning the evolution of this august body and I trust that their projections for the future will prove right.

Seeing old friends and making new acquaintances is always an experience to be wished for. I am glad I came here, I had another option to be in my home country, St Kitts and Nevis, to commemorate the 60th anniversary of a school, a secondary school I started there. But 60 there and 20 here, it evens out, one in three. Let me congratulate you Mr Secretary-General for inviting that youth choir who gave some spirited renditions and reminded us that the past is the present is the future. I should like, along with others who have gone before, to thank this richly endowed, exceedingly beautiful and wonderfully peopled country, so hospitable, Jamaica, and trust they may ever prosper. It was very kind of the Head of Government to be with us and offer those words of encouragement. So I would end by saying that as we explore and exploit the environment, let us do so in a fashion of “tending” not just “mining”, but as “minding”, paying attention to its development and its rich attributes for the benefit of mankind, now and in the future. May the work of the Authority ever prosper.

Thank you Mr President.

17. Jamaica

Mr. Coy Roache, Deputy Permanent Representative of Jamaica to the International Seabed Authority

Thank you Mr President. Distinguished founding members, guest speakers, other distinguished guests and my fellow delegates, as I sat there between this morning and this afternoon, I reflected – I’ve been around from the Preparatory Commission days and on the lighter side of things, I remembered when Mr. Baïdy spoke this afternoon, he mentioned all the groups that were there. There were also the professional groups, the lawyers and those who served as technocrats, engineers, like myself and geologists, and one of the recollections I had is that we formed a group – the Secretary-General remembers, he is a technocrat – called the Drill and Dredge Club. The purpose of that group was to get away from the group of lawyers. I hope I’m not stoned by the lawyers in the end. So, once in the week — that group got away from the lawyers after hearing them all week. I also reflected on Judge Jesus, he was known as the “quick draw judge”, the “quick draw tray man”. He was the quickest on the gavel that I’ve ever seen and that’s something we need to learn from him, that within seconds after a decision is made, he would not allow another person to intervene

and make any other interventions so the gavel would be down within seconds.

All that is left is for the host country to say thank you for the kind words. All the delegates expressed their sincere gratitude for the way we have hosted. I must also say thanks to our founding members here, some of whom are sitting at the front, for the foundation they have laid, that is the foundation we are building on. Without good foundation we would not be here. I mean we are an earthquake country so we know what the meaning of good foundation is.

We in Jamaica, have given of ourselves and of our resources for the 20 years of the existence of the headquarters and in the years of the Preparatory Commission for the ISA and ITLOS. We have given beyond what we promised when we sought to have the headquarters here and we will continue to give of the little that we have, even though we are stretched. We will continue to support the Secretary-General and his staff to make the International Seabed Authority a premier organization.

I thank you sir.



1. L-R: The Honourable Arnaldo Brown, Minister of State, Ministry of Foreign Affairs and Foreign Trade, Jamaica; H.E. Mr Paul Robotham, Permanent Secretary, Ministry of Foreign Affairs and Foreign Trade, Jamaica

2. L-R: Mr Carlos Roberto Leite, LTC member; H.E. Mr Antonio Francisco Da Costa e Silva Neto, Permanent Representative of Brazil to the International Seabed Authority; President of the ISA Assembly 2014 and Ambassador to Jamaica; Mr Nii Odunton, ISA Secretary General; H.E. Mr Satya N Nandan, former Secretary General of the ISA and Special Representative of the UN Secretary-General for the Law of the Sea

3. L-R: Mr Jean-Pierre Levy, Expert, ancien directeur de la division des affaires maritimes et du droit de la mer des Nations Unies and Mr Nii A Odunton, ISA Secretary-General

4. L-R: Mr. Jia Guide, Deputy Director-General, Department of Treaty and Law, Ministry of Foreign Affairs, China; Mr Zhou Yong, Deputy Division Director, Department of Treaty and Law, Ministry of Foreign Affairs, China with Mr Nii Odunton, ISA Secretary General

5. L-R: Ms Frida Maria Armas-Pfirter, member of the Finance Committee and Mr Nii Odunton, ISA Secretary General

6. L-R: The Honourable Patrick Atkinson, Attorney General, Jamaica; Mr. Coy Roache, Deputy Permanent Representative of Jamaica to the International Seabed Authority

7. L-R: Mr. Christian Schulz, Deputy Head of Division, Federal Foreign Office, Germany; Mr. David Wilkens, Deputy Head of Division, Federal Ministry for Economic Affairs and Energy, Germany; M. Olivier Guyonvarc'h, Ministère français des Affaires étrangères et du développement international, Sous-directeur du droit de la mer, du droit fluvial et des pôles, membre de la Commission des Finances de l'Autorité; M. Jean-Michel Despax, Ambassadeur de France en Jamaïque

8. L-R: Ambassador Mahe 'Uli'uli Sandhurst Tupouuniua, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission to the United Nations; Dr Russell Howorth, member of LTC; Ambassador Tommy Koh, Ambassador-at-large, Ministry of Foreign Affairs, Singapore; Michael Lodge, Deputy to the Secretary-General and Legal Counsel, ISA; Paul Taumoepeau, Country Manager, Tonga Offshore Mining Limited

IV. Observer Statements

1. Greenpeace

Mr. Duncan Currie, Political Advisor

Thank you Mr President. Mr President, judges of the ITLOS, distinguished speakers, Members of the Assembly, Observers and other members of civil society.

Greenpeace International welcomes the 20th anniversary of the entry into force of the UNCLOS. Mr President, Arvid Pardo, the Ambassador of Malta, told the UN General Assembly in his famous 1967 speech that the dark oceans were the womb of life. He said that from the protecting dark oceans, life emerged. His historic vision was that the seabed and ocean floor are the common heritage of mankind, and should be used and exploited for peaceful purposes, and for the exclusive benefit of mankind as a whole. This of course is now enshrined in the UNCLOS.

Mr President that speech has stood the test of time, and over 45 years later, we now know that not only that the ocean was the womb of life, but that the ocean still gives us life. Over half the oxygen we breathe is from the ocean, 20 per cent of our protein is from the oceans, the ocean has absorbed over 80 per cent of the heat added to the climate system which, together with ocean acidification, is one of the most serious threats to the ocean - and, has taken up perhaps as much as half of all anthropogenic carbon emissions over the past two centuries. The high seas alone sequester 500 million tonnes of carbon each year. But the ability of marine ecosystems to provide these vital services is diminishing, under the weight of these stressors.

Our ocean is under threat, by climate change, ocean acidification, overfishing, pollution, plastics and many other stressors. Not even 0.5 per cent of the high seas are fully protected, despite Aichi Target 11 of 2010 calling for 10 per cent of the ocean to be protected by 2020. The last 20 years since the entry into force of the UNCLOS have made us aware of the critical importance of biodiversity. That is why Greenpeace and other members of the High Seas Alliance believe that an implementing agreement to protect marine biodiversity, and to

ensure access to and the sharing of benefits of marine genetic resources, is absolutely essential, and that negotiations should start this year.

Mr President, with rights come responsibility, including the obligation in article 192 to protect and preserve the marine environment, and the requirement in article 145 for measures in the Area to ensure effective protection for the marine environment, including the protection and conservation of the natural resources of the Area and the prevention of damage to the flora and fauna of the marine environment. Seabed mining must not become another stressor on the marine environment. Instead, we need to reflect on the past 20 years, and as we move forward, work together to protect the ocean, preserve life in and under the ocean, and ensure that future generations can celebrate that the Convention did, indeed, preserve that womb of life, the oceans.

Arvid Pardo wrote in Freedom for the Seas in the 21st Century – a book which reflects work done in 1993 by the late Professor Jon Van Dyke, together with Greenpeace - that common heritage requires a system of management involving all the stakeholders. He called this one of the revolutionary bases of the common heritage concept. We have heard many states in this session endorse the principle of transparency, and we welcome this. Transparency was not only called for in Principle 10 in the Rio Declaration in 1992, two years before the entry into force of the Convention, but was embraced by all States at Rio+20 in 2012. It is, quite simply, good governance.

Mr President, we look forward to further progress in transparency within the ISA, as well as in implementing modern principles of international environmental governance and good science, as we move together managing the seabed, its resources, the marine environment, biodiversity and, with other institutions, the oceans as a whole, for the 21st Century and future generations. Together with can achieve the recently agreed proposed Sustainable Development Goal 14, to conserve and sustainably use the oceans, seas and marine resources for sustainable development, including through implementing proposed Goal 16 and its targets which call for States to develop effective, accountable and transparent institutions and to ensure responsive, inclusive, participatory and representative decision-making at all levels.

Thank you.

2. World Wildlife Fund (WWF)

Dr. Simon Walmsley, Marine Manager

World Wildlife Fund (WWF) greatly appreciates this opportunity to address the Assembly in this year of the 20th anniversary of the entry into force of the UNCLOS and of course the birth of this organization. We recognize and welcome the progress made in global ocean governance since this historic agreement. We also recognize and highlight that the balance between rights and responsibilities must be applied.

Mr President in view of this, WWF would stress that global oceans are already highly impacted by anthropogenic influence, in particular fisheries activities, pollution and this coupled with the all compelling synergistic global impacts of climate change and the fact that less than 0.5 per cent of the high seas receives any form of protection. This is why the activities governed by the Authority should be managed in such a way as to not add to the impacts our oceans are already suffering from.

In view of this, WWF believes that the Authority's operations should respect and be aligned with efforts to protect the marine ecosystems and processes as agreed in the context of a number of international conventions and fora, for example, marine protected areas, vulnerable marine ecosystems and ecologically or biologically significant marine areas designated through international fora in areas beyond national jurisdiction. The work of the Authority relates to "the common heritage of mankind" not only in the legal sense, but is of great global societal relevance which deserves the utmost transparency.

World Wildlife Fund welcomes the opportunity, as it has been provided by the Authority, to contribute to the development of the first exploitation regulations by way of stakeholder consultation and hopes that this spirit of inclusion/transparency continues in particular the provision of publicly available environmental data in the Area and encouraging further relevant open sessions of the Commission. WWF would like to be able to continue to constructively engage in the ISA's processes and hope our suggestions will be considered as ways of improving civil society engagement, facilitate transparent science-based and objective decision-making regarding resources that are the common heritage of mankind.

Thank you.

3. International Union for Conservation of Nature (IUCN)

Thank you, Mr President. Your excellencies, distinguished guests, speakers, delegates and fellow observers, the International Union for Conservation of Nature (IUCN), is honoured to be here today for this celebration of the 20th anniversary of the Authority.

The UNCLOS gave the Authority the daunting task of translating the norm of “the common heritage of mankind” into an operational structure. The IUCN would like to use this celebratory occasion to make three short points.

First, the international seabed Area benefits humans in many ways. The deep ocean sequesters atmospheric carbon dioxide and recycles major nutrients; holds millions of yet-to-be described species; in addition to storing yet-to-be tapped energy resources, precious metals and minerals. It is an immense biome, critical to the health of the planet and human well-being. Yet, the deep ocean faces multiple challenges. Whilst technological advances greatly improve our access, impacts of climate change are stressing even the ocean deeps. Under these conditions, precaution is paramount. Precaution accompanied by intensified deep ocean research in collaboration with multiple sectors and institutions to ensure the protection and preservation of the marine environment alongside the sustainable use of deep seabed resources.

Second, IUCN congratulates the Authority for the progress it has made, including the environmental management plan for the CCZ for the Central Pacific region. The IUCN would encourage this body to expedite preparations for similar plans for other regions such as the Western Pacific, the Mid-Atlantic Ridge, and the Indian Ocean, and to cooperate in efforts to secure equivalent protections from other activities.

And third, IUCN would like to emphasize the importance of actions within the United Nations General Assembly where States are discussing a possible third implementing agreement to the UNCLOS. Such an agreement on the conservation and sustainable use of marine biodiversity beyond national jurisdiction could complement the efforts of the Authority to foster marine scientific research, conduct comprehensive environmental impact assessments, improve information sharing, promote effective control over activities in areas beyond national jurisdiction, and support transparent, participatory

processes. By building on the firm foundation of UNCLOS, such an implementing agreement could give testimony to the wisdom of the past while acknowledging the increasing threats and challenges we face today. This was emphasized at the UN Conference on Sustainable Development in Rio in 2012, a healthy, productive and resilient ocean is a shared concern of all humanity and is a critical component of “the Future We Want”.

In closing, the IUCN would like to assure you of our full support and cooperation in advancing the noble norm of managing the international seabed Area and its resources on behalf of all humankind for generations to come.

4. Deep Sea Conservation Coalition

Mr. Matthew Gianni, Political and Policy Adviser

Thank you Mr President, Secretary-General, Excellencies, distinguished speakers and delegations.

Many delegates, in particular our colleagues from Greenpeace, the WWF and the IUCN had made points we had intended to raise. I realize I am the last speaker standing before the reception at the Pegasus tonight so I will be brief. I would only like to reiterate the importance of three key issues from our point of view: sound scientific science based comprehensive environmental management of the Area, the application of the precautionary approach and transparency and stakeholder participation in the work of the Authority. And, to conclude, we would like to express our appreciation to the members of the Assembly for approving our application for observer status for the meeting this week, the 20th anniversary of the Authority and we look forward to participating in the work of the Authority and contributing to the work of the Authority, we hope for the next 20 years.

Thank you.

A. Status of the United Nations Convention on the Law of the Sea

The 167 parties to the Convention as at 15 May 2015

Albania	Brazil
Algeria	Brunei Darussalam
Angola	Bulgaria
Antigua and Barbuda	Burkina Faso
Argentina	Cameroon
Armenia	Canada
Australia	Cape Verde
Austria	Chad
Bahamas	Chile
Bahrain	China
Bangladesh	Comoros
Barbados	Congo
Belarus	Cook Islands
Belgium	Costa Rica
Belize	Côte d'Ivoire
Benin	Croatia
Bolivia	Cuba
Bosnia and Herzegovina	Cyprus
Botswana	Czech Republic

Democratic Republic of the Congo	Honduras
	Hungary
Denmark	Iceland
Djibouti	India
Dominica	Indonesia
Dominican Republic	Iraq
Ecuador	Ireland
Egypt	Italy
Equatorial Guinea	Jamaica
Estonia	Japan
European Union	Jordan
Fiji	Kenya
Finland	Kiribati
France	Kuwait
Gabon	Lao People's Democratic Republic
Gambia	
Georgia	Latvia
Germany	Lebanon
Ghana	Lesotho
Greece	Liberia
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Guinea	Madagascar
Guinea-Bissau	Malawi
Guyana	Malaysia
Haiti	Maldives

Mali	Palau
Malta	Panama
Marshall Islands	Papua New Guinea
Mauritania	Paraguay
Mauritius	Philippines
Mexico	Poland
Micronesia (Federated States of)	Portugal
Monaco	Qatar
Mongolia	Republic of Korea
Montenegro	Republic of Moldova
Morocco	Romania
Mozambique	Russian Federation
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Namibia	Saint Lucia
Nauru	Saint Vincent and the Grenadines
Nepal	Samoa
Netherlands	Sao Tome and Principe
New Zealand	Saudi Arabia
Nicaragua	Senegal
Niger	Serbia
Nigeria	Seychelles
Niue	Sierra Leone
Norway	Singapore
Oman	Slovakia
Pakistan	Slovenia

Solomon Islands	Trinidad and Tobago
Somalia	Tunisia
South Africa	Tuvalu
Spain	Uganda
Sri Lanka	Ukraine
State of Palestine	United Kingdom of Great Britain and Northern Ireland
Sudan	United Republic of Tanzania
Suriname	Uruguay
Swaziland	Vanuatu
Sweden	Viet Nam
Switzerland	Yemen
Thailand	Zambia
The former Yugoslav Republic of Macedonia	Zimbabwe
Timor-Leste	
Togo	
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ISBN-13: 978-976-8243-27-6



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