

HYDRO INTERNATIONAL INTERVIEWS SECRETARY GENERAL ODUNTON

Equal Sharing of Deep-sea Resources



Deep ocean minerals are the future resources for the common heritage of mankind as other natural resources are becoming depleted. The International Seabed Authority is an autonomous international organisation that administers the exploration for and exploitation of the resources in the international seabed.

As deep-sea mining is coming within reach, regulation and control of deep-sea resources is becoming even more important. Hydro international interviewed Mr Nii Allotey Oduntun, Secretary-General of the International Seabed Authority (ISA) on the involvement of the ISA in deep-sea mining.

In July 2012, you were reappointed as Secretary-General during ISA's 18th Assembly. What does this re-election mean for you?

I am excited to be part of a process whereby the international community formulates rules, regulations and procedures for deep seabed mining (prospecting, exploration and exploitation), recognising that the resources to be found on the seafloor in areas beyond the limits of national jurisdiction, also called the Area, are the common heritage of mankind and are to be developed in an environmentally sustainable manner. I have been a part of this process since 1975, a time when very little was known about these resources, and I am impressed by the technological advancements and the evolving legislative framework required to make available the reserves of the metals contained in the marine minerals in the Area.

ISA is an organisation well-known by all who are involved in the implementation of the United Nations Convention of the Law of the Sea (UNCLOS). In which way does the ISA promote itself visibly to the general public?

Until ISA obtains funding from the proceeds of mining in the Area, or other provisions of the Convention and its Implementation Agreement, the ISA's expenses will be met by contributions by its Member States who are ipso facto parties to the Law of the Sea Convention. In the absence of extra budgetary resources, the ISA's visibility is in the form of seminars and via our website (website 1).

Have all limits of the international seabed area already been defined in our oceans or are there still certain zones where the limits of the Area have not yet been defined because the claims of some nations have not yet been examined by the UN Commission on the limits of Continental Shelf?

The limits of national jurisdiction are yet to be determined in many oceans. They will be set once the work of the UNCLCS has been concluded. The extended continental shelves hold promise to the ISA since those parties that claim and receive such extended continental shelves will be obliged to pay royalties to the ISA should they engage in mining in those areas. Currently no

state has submitted an application for approval to explore for resources near such limits because the resources for which rules, regulations and procedures have been adopted occur in the abyssal plains and on the mid-ocean ridges.

How does the ISA assign the zones of exploration and what nautical information is required to define the zones?

The ISA does not assign zones for exploration itself. Under our regulations for deep-sea minerals, for example, the applicant for an exploration contract has to provide data on the resources in its application area. The applicant is also required to define the boundaries of the area under application by attaching a list of geographical coordinates in accordance with the World Geodetic system WGS 84. In this regard, the applicant also has to attach a chart and a list of the coordinates dividing the total area into two parts of equal estimated commercial value, as well as a map of the physical and geological characteristics, such as seabed topography, bathymetry and bottom currents and the reliability of such data. The data on seabed topography facilitates the estimation of the commercial value in that certain areas are considered unmineable if slopes etc. exceed specified limits.

To what extent does ISA make use of the data and information made available by the Intergovernmental Oceanographic Commission (IOC) of the UNESCO and the IHO for examining the applications?

The data and information required by contractors for assessing the commercial value for the application area could come from the IOC and IHO. In relation to the surveying and charting activities of the IHO, and the ocean mapping activities of both the IOC and IHO, it might prove beneficial to all three parties (ISA, IHO and IOC) if consultation were to take place to determine how best these three entities could work together and perhaps discuss details regarding a MOU between ISA and the two other organisations mentioned.

In what way could exploration and exploitation of the international seabed area assist developing nations in solving their poverty?

Many coastal countries of the world are yet to put in place the structures that are required to enable them to reap the benefits that are promised by the Law of the Sea convention. These include resources in their exclusive economic zones, the extended continental shelves where applicable and in the international seabed area (the Area). Some of the countries are not fully aware of the opportunities offered by the Convention. In most African countries, for example, there is a need for a national plan to incorporate the ocean dimension in a meaningful way. This would facilitate the identification of critical capacity building needs, and provide opportunities for such personnel to return to their countries and participate meaningfully in implementing the plan. Another critical area is the absence of research vessels to provide developing states with data and information on what resources may exist within marine areas under their jurisdiction.

How could developing areas in, for example, Africa take advantage of the deep-sea minerals?

With regard to activities within the international seabed area, three developing states currently have sponsored entities that will undertake exploration for deep-sea minerals such as polymetallic nodules in the Area (Nauru, Tonga and Kiribati). The route that these countries took is a route that could be chosen by African states as well. During exploration, their citizens could receive training that could be useful for exploration in areas within their jurisdiction. Should the sponsored organisation proceed to carry out the exploitation, they could have their citizens work in different facets of the operation, while receiving some form of compensation for their sponsorship.

Finally what is the message that you, as newly re-elected ISA Secretary-General, would like to convey to the Member States and to the general public?

The process of converting the mineral resources to be found in marine areas beyond the limits of national jurisdiction to reserves of the metals that they contain has been a slow process. In the absence of a legal framework to protect the investments required to develop these resources, many potential investors have been challenged to commit the large investments involved. The ISA has managed to approve rules, regulations and procedures for the exploration for sea minerals such as polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crust deposits in the Area. Sufficient confidence has been demonstrated in these regulations to result in seventeen exploration contracts for these minerals. The ISA is embarking on a new voyage to formulate rules, regulations and procedures for the exploitation of polymetallic nodules in the Area. These regulations will confirm whether or not the 'common heritage of mankind' as defined by the United Nations Convention of the Law of the Sea will become a reality in the foreseeable future. Areas beyond the limits of national jurisdiction are a shared responsibility. All Member States have a role to play in protecting the environment and developing the resources of the Area.