

## New Secretary-General Takes the Helm



Secretary General of the International Seabed Authority; Mr. Nii Allotey Odunton.

Long-time staff member and former Deputy to the Secretary-General, [Nii Allotey Odunton](#), a national of Ghana, was elected as the new Secretary-General of the Authority at the fourteenth session of the Assembly in 2008. Mr. Odunton took up his new position on 1 January 2009 and will serve a four-year term.

Prior to joining the Authority as its Officer-in-Charge, he has held several positions at the United Nations Department of International Economic and Social Affairs as an Economic Affairs Officer (1980-1983) and as Chief of the Mineral Resources Section/Ocean Economics and Technology Branch (1984-1988).

Mr. Odunton has had more than twenty years experience in the International Civil Service with progressively increased responsibility in marine resource policy formulation, particularly marine mineral resources.

Mr. Odunton was adviser to the Minerals Commission of the Government of Ghana (1984-1987), assisting the Government with expert advice on national minerals policy. He also assisted the Government with a mineral development policy, in particular, in revamping the national mining code and in investment promotion in the gold sector. Furthermore, he helped the Government of Ghana in procedural changes in the exploitation and marketing of gold and diamond.

He has a Bachelor of Science degree in Mining Engineering and Master of Science degree in Mineral Economics and Mine Finance from Henry Krumb School of Mines of Columbia University, New York, United States (1972-1974). He is a member of the American Institute of Mining, Metallurgical and Petroleum Engineers (AIME) and the Ghana Institute of Engineers. He is a recipient of the African Scholarship Programme of American Universities Award (ASPAU) 1969 and 1969-1972.; the Henry Krumb Research Fellow (1972) and the Henry Krumb Fellow (1974-1975).§

## Sensitization Seminars: Indonesia, Brazil & Nigeria



Participants attending the Sensitization Seminars: (above) the seminar in Indonesia in 2007; and (below) in Brazil in 2008.

In 2007, ISA began a new programme of regional sensitization seminars on issues associated with the 1982 United Nations Convention on the Law of the Sea, the work of the Authority and on marine mineral resources. The first seminar was held in Manado, *Indonesia* in conjunction with the Governments of Indonesia. The second seminar took place in Rio de

Janeiro, *Brazil* in November 2008.

The aim of the seminars was to bring together experts from the international legal and scientific community with national and regional government officials, scientists, researchers and academics to discuss scientific research on marine minerals and propose mechanisms for improving regional cooperation in scientific research and marine mineral development. Topics covered at the seminars include the status of the legal regimes established for recovery of minerals, types of minerals found in the Area, resource evaluation, protection and preservation of marine environment from prospecting, exploration and mining and the Authority's endowment fund for the promotion and encouragement of marine scientific research in the Area.

The most recent seminar, held at the Hotel Pestanta, Rio de Janeiro in November 2008 included representatives from Brazil, China, Cote d'Ivoire, France, Germany, Ghana, Nigeria, Japan, Poland, Republic of Korea, Russian Federation

and Uruguay.

In recent years, Brazil has been the leader of several regional initiatives to study the South West Atlantic, such as the regional component (Brazil, Uruguay and Argentina) of the Programme on Ocean Science in relation to Non Living Resources (OSNLR), a global study shared with the Intergovernmental Oceanographic Commission (IOC UNESCO) and the Division of Ocean Affairs and Law of the Sea (UNDOALOS). As a result of the seminar in Brazil, participants developed a proposal for collaboration by the states bordering the South and Equatorial Atlantic Ocean for increased research on the mineral resources in that particular part of the Area.

On the 24-26 March this year, the third of the series of seminars will be convened in Abuja, *Nigeria* to introduce the proposal from the seminar in Brazil to the states of the African region as well as initiate discussions on possible collaborations.

The seminar will also address the current state of development of deep seabed mineral resources with a focus on the mineral resources of the Equatorial and South Atlantic Ocean. §

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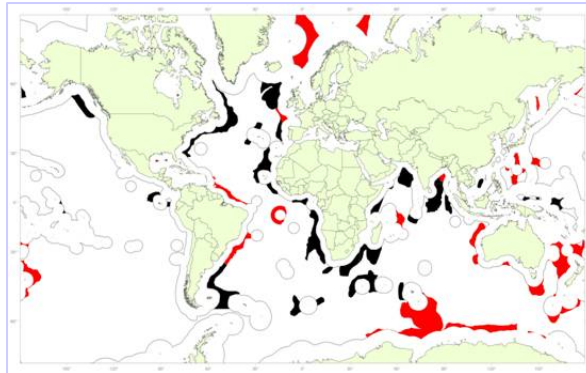
## Article 82

Payments and contributions with respect to the exploitation of the continental shelf beyond 200 nautical miles.

1. The coastal State shall 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 the baselines from which the breadth of the territorial sea is measured.
2. The payments and contributions shall be made annually with respect to all production at a site after the first five years of production at that site. For the sixth year, the rate of payment or contribution shall be 1 per cent of the value or volume of production at the site. The rate shall increase by 1 per cent for each subsequent year until the twelfth year and shall remain at 7 per cent thereafter. Production does not include resources used in connection with exploitation.
3. A developing State which is a net importer of a mineral resource produced from its continental shelf is exempt from making such payments or contributions in respect of that mineral resource.
4. The payments or contributions shall be made through the Authority, which shall distribute them to States Parties to this Convention, on the basis of equitable sharing criteria, taking into account the interests and needs of developing States, particularly the least developed and the land-locked among them.



## Implementation of Article 82 of the UN Convention



*Mercator projection of the world's oceans (in white) superimposed with the estimated areas of continental shelf beyond 200M. In red, areas already included in cases made to the CLCS. In black, likely areas of future cases. Source: National Oceanography Centre, Southampton, UK.*

organisations as well as experts on mineral and hydrocarbon exploitation, international law, oceanography and other relevant fields.

Because the Convention is continuously developing, there are many gaps and untested areas of marine governance. One of these is in its provisions relating to the exploitation of the outer continental shelf, and particularly Article 82, in which are set down principles for the sharing of revenues by the international community as a whole from mineral exploitation (including oil and gas) on the outer continental shelf extending beyond the 200-nautical-mile limit. Under the Convention, a Commission on the Limits of the Continental Shelf is established to review the data and information submitted by coastal states and make recommendations to them in accordance with article 76 of the Convention on the delineation of the outer limits of the continental shelf in areas where the shelf extends beyond 200 nautical miles from the baseline from which the territorial sea is drawn.

Under Article 82, states are required to contribute a proportion of the revenues they generate from exploiting the outer continental shelf beyond the 200-mile limit for the benefit of the international community as a whole.

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## New Permanent Representatives to the ISA



HE Mr. Tommo Monthe presented his credentials on 19 December 2008 as the new permanent representative of Cameroon to the International Seabed Authority. He replaces HE Mr. Martin Belinga Eboutou



Also presenting his credentials on the 19 January 2009 was HE Mr. Frédéric Meurice as the new permanent representative for Belgium. He replaces HE Mr. Herman Portocarero.



On the 27 February 2009, HE Mr. Marc-Olivier Gendry presented his credentials as the new permanent representative of France to the International Seabed Authority. He replaces HE Mr. Francis Hurtut.

Twenty-two States and the European Community presently maintain permanent missions to the Authority.

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This proportion is defined as one percent of the value or volume of production at the site rising by one percent annually until it reaches seven percent, at which level it remains. The amount of revenues that could be generated from this provision is uncertain but – given the likely wealth of deep-sea mineral and hydrocarbon resources on the ocean bed – it could potentially reach an annual sum of many millions of dollars.

Responsibility for collecting these revenues and distributing them has been given to the International Seabed Authority with revenues to be distributed 'on the basis of equitable sharing criteria, taking into account the interests and needs of developing countries, particularly the least developed and the land-locked amongst them'.

Article 82 leaves many unanswered questions, including, for example, the question of who is responsible for making the payment (eg.

investors or governments?), the method of calculating the payment, the nature of the powers granted to the Authority to manage the payments received, the mechanism for resolving disputes over the interpretation of the Article, and the ultimate destination of the payments gathered. There have been several novel suggestions for the use of the payments, such as linking it to an international fund for adaptation to climate change, but these options need to be explored in more detail.

The three-day seminar was intended to provide an opportunity for discussion of the issues involved in a neutral space and on the basis of detailed background papers exploring the various issues involved where participants were able to use the opportunity to develop impartial and constructive recommendations that could assist future international debate on the implementation of Article 82. §

## InterRidge/ISA Endowment Fund Fellowships

InterRidge (IR) a non-profit organisation concerned with promoting all aspects of mid-ocean ridge research (their study, use and protection) and the Authority recently announced their new partnership with the International Seabed Authority Endowment Fund for the InterRidge Student and Postdoctoral Fellowship Program for 2009-2011.

Three fellowships are being offered for 2009 - one funded by InterRidge, is open to a grad student or postdoc from any nation. The remaining two fellowships are funded by the International Seabed Authority (ISA) Endowment Fund, with the requirement that the fellows are either from a developing country or will assist in training those of a developing country.

The InterRidge fellowship was designed to encourage international collaboration on any aspect of ridge-crest science fostering long-standing partnerships and can be used for any field of ridge-crest science. The ISA endowment fund fellowships are to support participation of qualified scientists and technical personnel from developing countries in marine research activities and to provide opportunities for collaboration by the awardees.

Applications for these fellowships close March 31 with final selections expected to be made in May/June of this year and can be downloaded from the [InterRidge](#) and [ISA](#) websites.

A formal note soliciting applications has been sent to all members of the Authority. Shortlisted applications will be reviewed by the ISA Endowment Fund Advisory Panel who are scheduled to meet during the Authority's 15th Session in Kingston. §

## MEMBER STATE UPDATES

The following member States have become party to the Protocol on Privileges and Immunities of the ISA: Mozambique (12 January 2009) and Bulgaria (10 February 2009) bringing the total number of parties to 31.

## 15th Annual Session

The Authority's [15th Session](#) gets underway at its headquarters in Kingston from 25 May to 5 June 2009.

The Legal and Technical Commission however, meets the week before from the 18-22 May.

It will be the turn of the Latin American and Caribbean States Group to nominate a candidate for the Presidency of the Assembly and the turn of the African Group to nominate a candidate for the Presidency of the Council,

Substantial matters for

consideration at the 15th Session by the various organs of the Authority include the audit report for 2008 as well as the reports on the status of the voluntary trust fund and the endowment funds by the Finance Committee (FC), the review of the exploration contractors' annual reports and consideration of two applications for approval for plans of work for exploration made by Nauru Ocean Resources and Tonga Offshore Mining by the Legal and Technical Commission (LTC).

The LTC will also consider the report and

recommendations of a working group of its members relating to the proposal to establish a network of ecologically related areas in the Clarion-Clipperton Zone of the Central Pacific Ocean.

At its last meeting, the LTC also made further progress on the draft regulations on prospecting and exploration for cobalt-rich ferromanganese crusts. A revised text of the draft regulations has been prepared by the Secretariat for consideration by the LTC at the 15th Session before being submitted to the Council for adoption.

The main item of business for the Council will be consideration of the revised draft regulations which it had commenced at the 13th Session in 2007 and any other matters referred to it by the LTC.

As has been done in previous sessions, the Council will be provided with open briefing presentations by experts on matters relevant to the Authority and its mandate.

The Assembly will consider the annual report of the Secretary-General and any other proposals referred to it by the other organs. §



## CALENDAR OF EVENTS

### March 2009

*Exploration and Exploitation of Deep Seabed Mineral Resources in the Area: Challenges for Africa and Opportunities for Collaborative Research in the South Atlantic Ocean, Abuja, Nigeria.* 24-26 March



### April 2009

*Deep-Sea Mining of Seafloor Massive Sulfides: A Reality for Science and Society in the 21st Century Woods Hole Oceanographic Institution* 1-3 April



*Clockwise from bottom left: New staff member - Errol Evans; centre left: Driver, Derval Clark accepts his farewell gift from Dawn Butters; top left - Michelle Bond presents outgoing Secretary-General, Ambassador Satya Nandan with a plaque in acknowledgement of his work; top - ISA staff at the farewell function. Both Ambassador Nandan and Mr. Clark retired in December 2008.*

*International Cable Protection Comm., 21-23 April, Miami, Florida*

### May 2009

*LTC Meeting, 18-22 May, Kingston, Jamaica  
ISA 15th Session, 25 May—5 June, Kingston, Jamaica*

### June 2009

*UNICPOLOS, 15-19 June, New York  
States Parties, 22-26 June, New York*

The Secretariat ushered in the year 2009 with several changes.

It farewelled its first Secretary-General, Ambassador Satya N. Nandan of Fiji after being head of the Authority for three consecutive terms from 1996-2008. Ambassador Nandan is a long-time diplomat and lawyer specializing in ocean affairs who has been involved with UNCLOS since 1973. He is currently the Chairman of the Western and Central Pacific Fisheries Commission

The Secretariat also welcomed

its new Secretary-General, Mr. Nii A. Odunton of Ghana. Mr. Odunton served as Deputy to the Secretary-General prior to being elected Secretary-General at the Authority's last annual session.

Speaking after his election, Secretary-General Odunton affirmed to member states that there would be continuity in the work and policies established by Ambassador Nandan.

He said the Authority hoped to complete its work on exploration codes for sulphides and crusts and

that it hoped to enter into collaboration with leading international institutions to ascertain the biodiversity, species ranges and gene flow in the Clarion-Clipperton Zone, the results of which could help the Authority better manage impacts for nodule mining in the future

In other staff news, Errol Evans has joined the Secretariat as a driver, replacing Derval Clark who has retired. §

## ISA Endowment Fund

The International Seabed Authority Endowment Fund for Marine Scientific Research in the Area was established in 2006 to promote and encourage the conduct of marine scientific research in the Area.

Since the launch of the [ISA Endowment Fund](#) in 2008, six applications for assistance have been received and reviewed by the Advisory Panel. The first project to receive funding from the Endowment Fund is a collaboration between the Authority and InterRidge (see [Page 3 story](#)). The other was a proposal from the Rhodes Academy which has since been approved by the Advisory Panel and is in the process of being finalised.

The Rhodes proposal supports 1 lecturer and 5 students for the 2009 training programme. Details will be uploaded to the ISA website and will also be in the upcoming July newsletter.

As of 1 March 2009, in addition to the starting capital, contributions to the Fund had been made by the governments of Mexico (\$2,500), Spain (\$25,514) and the United Kingdom (\$29,800). In order to increase the success of the Endowment Fund, additional funds are sought from members of the Authority, other States, relevant international organizations, academic, scientific and technical institutions, philanthropic organizations, corporations and private individuals.

**Did you know that in the Clarion-Clipperton Zone, the east-west extent of the reserved areas along the east-west direction is approximately 4,000 kilometres and the north-south extent is somewhat over 1,000 kilometres. By comparison, to fly over the entire area with an Airbus 340-300 airplane flying at its maximum speed of 900 km/h would take a little less than five hours. Travelling by sea on an oceanographic ship, such as the *Ronald H. Brown* of the National Oceanic and Atmospheric Administration (NOAA), cruising at a speed of 12 knots, it would take nine days to cross the reserved areas from west to east !**

## NEW & FORTHCOMING PUBLICATIONS:

- Establishment of a Geological Model of Polymetallic Nodule Deposits in the Clarion-Clipperton Fracture Zone of the Equatorial North Pacific Ocean.
- Selected Decisions of the 14th Session [\[En|Fr|Es\]](#) - [Handbook 2009](#)