

South Africa: Statement on Agenda Item #9
Article 154 Review Committee Final Report

Thank you Mr President,

We were indeed honoured to have in our midst earlier today the Minister of Foreign Affairs and Foreign Trade (MFAFT) of Jamaica, Senator the Honourable Kamina Johnson Smith. We echo the sentiments expressed by France in extending our appreciation for the time that she was able to afford us, both in delivering Jamaica's statement and also presiding all too briefly over proceedings today. Mr President, while I do not presume to speak officially for the African Group specifically, I know without reservation that our Group is not surprised by your generosity, which in our region we know as Ubuntu – the recognition of the dignity inherent in our shared humanity - in stepping aside to permit the Honourable Minister to assume the presidency while in this august assembly.

Through you, my delegation wishes to thank Ambassador Helmut Tuerk, for his very able leadership in chairing the first Article 154 Review Committee over these past two years. We also note with appreciation the comments of the Secretary-General on the final Review Committee Report. We also thank all the other members of the Review Committee whom, together with South Africa, have participated in the Committee as all member states, stakeholders, observers and other interest groups seek to ensure that the Authority better executes its role in effectively regulating the exploration and exploitation of the resources in the Area.

South Africa aligns itself with the statement delivered on behalf of the African Group, recognizing also that while every effort was made to ensure universal participation in the review process there nonetheless remained concerns that more effective engagement by all roleplayers would have greatly enriched the process. That said, we do also note that this is the first time that such a review has taken place and that many lessons would have been learned. Furthermore, it is also evident that nothing prevents this chamber from facilitating improvements to the functioning of the Authority where these would have been duly considered by the Council and Assembly. The review process is a means to an end, not an end in itself.

It is imperative that the Authority functions effectively. All member states are confronted with growing resource constraints and it is therefore all the more reason that we find the optimal balance in operational effectiveness while moving towards the sustainable exploitation of the resources that will ultimately ensure benefit sharing from the common heritage of mankind. This would require that the mining code, after thorough consideration, is adopted in good time so that the transition from exploration to exploitation is facilitated soonest, and to that end South Africa would participate in all future sessions of the organs of the Authority.

In that regard then, my delegation nonetheless appreciates the valid concerns of delegations regarding how best some recommendations, especially Recommendations 5 and 10, may be implemented. We would support all efforts to effectively address these concerns, even as the Authority seeks to streamline its functioning.

I thank you.