



ISA-Philippines national capacity development workshop on deep-sea related matters

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STATEMENT

by

H.E. Mr. Michael W. Lodge

Secretary-General of the International Seabed Authority

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Let me begin by expressing my gratitude to the organizers and our hosts for bringing us together for this national capacity development workshop on deep-sea related matters.

It is really a great honour and a privilege to be here for what I think is the first ISA activity specifically to be held physically in the Philippines. It is certainly long overdue and follows up on the series of national consultations on the topic of a sustainable seabed policy that began in 2014 and culminated in an expert consultation in December 2022. We were pleased to support that consultation and even more delighted to be here today in person.

The economic, cultural, social, political, and legal identity of the Philippines is inextricably linked to the ocean that surrounds it.

The Philippines was one of the first countries to advance the concept of the archipelagic State. As far back as 1955, Philippines made a proposal to the International Law Commission pointing out the unitary nature of the Philippines archipelago and arguing for the use of straight baselines to fully enclose the archipelago. The concept of archipelagic States was not widely accepted by UNCLOS I or UNCLOS II and did not find its way into the Geneva Conventions of 1958.

Nonetheless, the Philippines did not give up the fight and during UNCLOS III joined forces with Indonesia, Fiji, Mauritius, and others, including the UK, to develop the regime for archipelagic waters, making such waters subject to the sovereignty of the archipelagic State, subject to the right of innocent passage.

With this important achievement and contribution to the progressive development of international law, Philippines became one of the original signatories to UNCLOS in 1982 and went on to ratify it in 1984.

Since then, Philippines is a party to almost every maritime convention, whether relating to fisheries, shipping, maritime safety, or marine environment protection. I could go on and list them, but basically, if there is a maritime treaty or agreement, I can almost guarantee that Philippines is a party to it. This includes being a party to many regional agreements, including membership of all the major regional fisheries management organizations.

For a country that is so heavily reliant on ocean industries, including fishing and shipping, this robust history of participation in international treaties is not only fixing, but also highly commendable, as it demonstrates Philippines commitment to the rule of law in the ocean and to international cooperation at all levels.

So, I am particularly pleased that this spirit of commitment now extends to learning more about those parts of UNCLOS that Philippines has so far not availed itself of and specifically those provisions dealing with the deep seabed beyond national jurisdiction.

That is not to say that Philippines has been unaware of these issues. The Philippines was an original member of ISA upon the entry into force of UNCLOS in November 1994.

Since then, Philippines has given strong but silent support to ISA and its institutions. Always present. Always ensuring that UNCLOS and the 1994 Agreement are implemented correctly and in the right spirit.

Philippines has never yet become a member of the Council, but is always in attendance at meetings of the Assembly and invariably making a positive contribution to ISA's work.

Over the past several years, we have seen a gradual increase in Philippines' participation, which is demonstrative of the increased interest at the national level. For the past five years, you have a member in the Legal and Technical Commission in the person of Dr. Mario Aurelio.

I do believe that Philippines has also benefited from the capacity development activities of ISA, including under the contractor training programme, which gives the opportunity for young professionals to receive hands-on at-sea training in specialized fields of marine geology and environmental science.

It is therefore highly appropriate that we are here today to take this interest to the next level.

It is in this spirit that I welcome this national capacity development workshop, which will cover all aspects relating to Part XI of UNCLOS and the 1994 Agreement. This includes not only an overview of the highly complex legal regime for mineral exploration and marine scientific research, but also more practical discussion of the importance of marine minerals to society and how the legal regime ensures that every State Party – no matter developed or developing – is given the right and the opportunity to share in the mineral wealth of the deep ocean.

The beauty of this legal regime, developed over many years of multilateral cooperation, is that each State Party may benefit according to its capabilities, capacities and national aspirations. Some States may choose to go to sea or to sponsor activities in the Area. Others may wish to benefit from technical cooperation, technology transfer and capacity development. Some may plan to share in the eventual benefits of mineral development, whether through mineral processing and beneficiation on land, through developing human resources or through the benefit sharing provisions we will discuss in the coming days. What is important is to have the fundamental unbiased knowledge that will enable each State Party to develop its own strategy and to understand how this unique legal regime can contribute to the development of the Blue Economy.

This is what we shall attempt to achieve over the next three days. You will hear from a combination of external experts, including several members of the Legal and Technical Commission, as well as subject matter experts within the Secretariat. Please take advantage of their presence to ask questions and to engage in discussion. The centrepiece of the of the workshop will be the round table discussions that take place on the last day, where you will have the opportunity to share your thoughts and develop ideas as to how Philippines can move ahead strategically to ensure that it can maximize the benefits from participation in the work of the International Seabed Authority.

Thank you.
