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SEMINAR/FILM SERIES

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# NATURAL RESOURCES & DEVELOPMENT IN OCEANIA

*Pacific Islands Development Program &  
Center for Pacific Islands Studies, University of Hawai'i at Mānoa presents*

## Deep Seabed Mining in the High Seas in Oceania

**Dr. Sherry P. Broder, Lecturer in Law  
UH Mānoa William S. Richardson School of Law**

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**Monday, 18 April 2016, 12:00 noon  
Burns Hall 3121/25, Third Floor**

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In 1970, the UN General Assembly adopted a Declaration of Principles to reserve the seabed beyond national jurisdiction exclusively for peaceful purposes and declared the mineral resources of the seabed as “the common heritage of mankind.” Today deep seabed mining in areas beyond national jurisdiction is regulated by the International Seabed Authority (ISA), an international organization established by Law of the Sea Convention. The concept behind the ISA regime is that economic benefits from deep seabed mining, possibly in the form of royalty payments, are to be shared for the “benefit of mankind as a whole,” with particular emphasis on the developing countries that lack the technology and capital to carry out seabed mining for themselves. The Reagan Administration rejected the royalty and transfer of technology provisions and even today they provide one of the major reasons the U.S. never ratified Law of the Sea Convention.

ISA has already approved over two dozen contracts for seabed exploration, areas that typically cover 150,000 km. Fourteen of these contracts are for exploration in the Clarion-Clipperton Fracture Zone, approximately 500 miles southeast of Hawaii. In 2011, the Seabed Chamber of the International Tribunal for the Law of the Sea issued an advisory opinion in response to applications from Nauru and Tonga, finding that each state party has obligations to employ the precautionary approach require best environmental practices and environmental impact assessments.

There is opposition to mining in these frontier areas from international scientists and environmental organizations. Very little is known about deep-sea habitats, or the impact that mining operations will have on ecosystems and the wider functioning of our oceans.

**SHERRY P. BRODER** concentrates on complex civil litigation and serves as an international arbitrator and hearings officer for governments. She was the first woman President of the Hawai'i State Bar Association and is President of the Hawai'i Federal Bar Association. She received the American Bar Association Lifetime Achievement Award for Solo Practitioner in 2015. Ms. Broder graduated from Wellesley College and University of California–Berkeley Law School, Order of the Coif. She teaches International Ocean Law at the William S. Richardson School of Law and is Executive Director of the Jon Van Dyke Institute and Adjunct Research Fellow at the East-West Center.

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For more information on this presentation, or the entire seminar series, please contact:  
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