



1 February 2022

Dear EnerGeo Alliance (EA) and African Energy Chamber (AEC) colleagues,

Re: SAGE ADVISORY ON THE USE OF DEEP SEA SEISMIC SURVEYS TO EXPLORE FOR OIL AND GAS DEPOSITS IN SOUTH AFRICAN WATERS

Your correspondence to SAGE on 26 January 2022, refers.

Thank you for requesting to engage with SAGE on the above Advisory. Lively debate is part and parcel of academic discourse, drives scientific progress, and is the basis of defining a research agenda. The SAGE Advisory in question is science-based, takes into account existing knowledge gaps, and highlights the South African government's local and international legal obligations.

Given that seismic surveys are considered crucial to understanding where recoverable oil and gas resources likely exist, and that based on the results thereof, exploration companies will largely decide whether or where to drill for hydrocarbon deposits, SAGE recognizes that the hydrocarbon sector – of which EA and AEC are constituents – views the cessation of seismic surveys in South African waters as an existential threat to downstream hydrocarbon extraction in South Africa's Exclusive Economic Zone. SAGE thus recognises the vested interests implicit in EA and AEC's critique of the Advisory.

SAGE also notes EA and AEC's critique of four peer-reviewed articles and one scientific report the Advisory cited. It is not constructive to engage in a line-by-line retort of your critique of these sources. This is best left to the authors of those works, should they wish to exercise their right of reply to critiques of their works. Rather, we wish to reiterate that there is ample scientific literature that supports the position that seismic surveys can be harmful to marine environments. While your organisations primarily base your arguments on the absence of evidence of harm, we are confident that you will concur that inadequate evidence of harm – based on an acknowledged lack of empirical data in South African waters – neither equates to *no harm* nor "very low likelihood of causing physical injury", as you note in your appraisal of the SAGE Advisory. Further, the mere fact that seismic surveys have previously been conducted in South African waters does not establish irrevocable precedent, nor legitimises such activities in perpetuity.

SAGE looks forward to courts providing legal clarity on whether transitional provisions in South Africa's National Environmental Management Act of 1998 (as amended) obviate the need to obtain environmental authorization for offshore seismic surveys. Regardless of



judicial pronouncements on this issue, SAGE recognises that mere regulatory compliance does not necessarily assure marine ecosystem integrity, especially if our knowledge of such ecosystems is limited.

Given the above, the position of SAGE remains unchanged:

1. Given the relative dearth of knowledge of marine life in South African waters, the potential impact of seismic surveys on marine life remains poorly understood. As such, until we better understand our marine ecosystems, in line with international law, the precautionary principle ought to apply to proposed seismic surveys in South African waters.
2. SAGE reiterates that domestic legislation needs to be updated to reflect South Africa's international obligations. Moreover, environmental experts need to be part of the evaluation of any applications for hydrocarbon exploration and/or exploitation in South African waters. Further, we urge industry and the scientific community to purposefully and proactively collect more data on the country's biodiversity and biotic responses to seismic disturbances, so that we can better characterise potential impacts consequent upon seismic surveys, going forward.
3. SAGE is confident in the integrity of the sources cited in its Advisory. If your organisations are confident in your critique, we trust you will follow scientific convention and publish your position in respectable journals, where it can be subject to robust peer review, as was the case with the published sources you critique. The authors of the critiqued works can then also exercise their right of reply in that forum, should they opt to do so. In pursuing our recommendation to publish your critique of the works cited in the Advisory, in line with publication ethics, we trust you will declare your conflicts of interest in this subject matter.

Thank you for engaging with SAGE's Advisory.

**SAGE Sub-committee on Marine Ecology and Risk Mitigation**