



Assembly

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Statement by the President of the Assembly of the International Seabed Authority on the work of the Assembly at its twenty-second session

1. The twenty-second session of the Assembly of the International Seabed Authority was held in Kingston, from 11 to 22 July 2016.

I. Adoption of the agenda

2. At its 155th meeting, on 12 July, the Assembly adopted the agenda of its twenty-second session ([ISBA/22/A/1](#)). A total of 18 agenda items were listed for consideration by the Assembly during the session.

II. Election of the President and Vice-Presidents

3. At the same meeting, the Assembly elected Rear Admiral Mohammad Khurshed Alam (Bangladesh), the nominee of the Asia-Pacific States Group, as President of the Assembly. Following consultations of the regional groups, the Assembly elected the following as Vice-Presidents: Eugénio João Muianga, Mozambique (African States Group), Carlos Alberto Michaelsen Den Hartog, Brazil (Latin American and Caribbean States Group), Kenneth Wong, Canada (Western European and Other States Group) and Branislav Žec, Slovakia (Central and Eastern European States Group).

III. Appointment of the Credentials Committee

4. Also at the 155th meeting, pursuant to rule 24 of the rules of procedure of the Assembly, a Credentials Committee of nine members, namely, Algeria, Argentina, Austria, Cameroon, Germany, Jamaica, Japan, Myanmar and the Russian Federation, was appointed by the Assembly on the proposal of the President.



IV. Consideration of requests for observer status

5. The consideration of applications for observer status was the final item to be considered by the Assembly at its 155th meeting. The following organizations were granted observer status to participate in the work of the Assembly: a Vienna-based non-profit organization, Thyssen-Bornemisza Art Contemporary ([ISBA/22/A/INF/1](#)); the African Minerals Development Centre, based in Addis Ababa ([ISBA/22/A/INF/2](#)); Durham University's Centre for Borders Research, based in the United Kingdom of Great Britain and Northern Ireland ([ISBA/22/A/INF/3](#)); Resolve, based in Washington, D.C.; ([ISBA/22/A/INF/4](#)); The Pew Charitable Trusts, based in Philadelphia, United States ([ISBA/22/A/INF/5](#)); and the Deep-Ocean Stewardship Initiative ([ISBA/22/A/INF/6](#)).

V. Election to fill a vacancy on the Finance Committee

6. At the 155th meeting, on 12 July, the Assembly elected Ahila Sornarajah, First Secretary (Legal Affairs) of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations in New York, to fill a vacancy on the Finance Committee until 31 December 2016. She succeeds Nicola Smith, also of the United Kingdom, who resigned in April 2016.

VI. Annual report of the Secretary-General

7. At its 156th meeting, on 19 July, and again at its 157th meeting, on 20 July, the Assembly considered the annual report of the Secretary-General of the Authority ([ISBA/22/A/2](#)), submitted in compliance with article 166, paragraph 4, of the United Nations Convention on the Law of the Sea.

8. At the 156th meeting, on 19 July, the Secretary-General introduced his report, which covered the period from July 2015 to June 2016. He highlighted, *inter alia*, the cordial nature of the relationship between the Authority and its host country, Jamaica, and urged coastal States to deposit with the Authority charts and geographical coordinates regarding the outer limits of their continental shelves, as required under article 84, paragraph 2, of the Convention. Among the items covered in the report were the membership of the Authority, relations with the host country, the Protocol on the Privileges and Immunities of the International Seabed Authority, financial and administrative matters, the Voluntary Trust Fund and the Endowment Fund for Marine Scientific Research in the Area. The report also contained an account of the latest activities of the Authority and publications available at the Satya N. Nandan Library, information on the venues and subjects of the various seminars and workshops held during the reporting period and a discussion on the progressive development of the regulatory regime for deep-sea mining. The Secretary-General also highlighted the pressing need for members in arrears of their financial contributions to the budget of the Authority for two or more years to settle those arrears.

9. The Minister for Foreign Affairs and Foreign Trade of Jamaica, Kamina Johnson Smith, welcomed the members of the Authority to her country. She commended the Secretary-General and the staff of the Authority secretariat, as well as the Assembly President and his predecessor, for their work. Ms. Johnson Smith

noted that her Government had taken some steps to improve the working environment at the Authority's headquarters, while acknowledging that there was more to be done. She expressed pleasure that Antigua and Barbuda had recently ratified the Convention and called attention to the importance of ratifying the Protocol, as ratification "increases the strength of our Authority". She stated that Jamaica, as a small island State, was committed to the preservation of the marine environment, and added that her country was fully aware that the health of the deep sea was critical for the health of humankind. She was heartened to note that the Legal and Technical Commission had developed guidelines for contractors, which would no doubt allow for a standard reporting methodology and easier monitoring of their contracts. Ms. Johnson Smith thanked the members who had made contributions to the Endowment Fund and the Voluntary Trust Fund. She acknowledged the Authority's efforts to develop the capacity of the Satya N. Nandan Library and encouraged members to make donations to the collection. In closing, Ms. Johnson Smith reaffirmed the commitment of the Government and people of Jamaica to the International Seabed Authority.

10. The delegation of Japan pledged that the country would continue its constructive engagement in the work of the Authority towards the adoption of a code for the sensible regulation of mineral exploitation, with a good balance of considerations for exploitation and the environment. The delegation took the opportunity to encourage the States parties concerned to fulfil their obligations to duly make their financial contributions. The representative of Australia, speaking on behalf of Canada, Australia and New Zealand, stated that exploitation regulations must be in place soon, so that activities in the Area could proceed on an equal footing, guided by clear parameters. The representative stated that the regulations must be underpinned by commercial principles to promote investment on a level playing field and must incorporate best practices in environmental management. The regulations should draw on existing knowledge and best practices, and they must also be able to respond and adapt as the activities change and as more information comes to light about ongoing activities, the representative stated.

11. The representative of South Africa, on behalf of the African States Group, expressed appreciation for the contributions made by members to the funds of the Authority and for the increase in training opportunities from which developing States could benefit, recalling the commitment of Arvid Pardo to the principle of sharing the oceans' wealth for all. The representative of Monaco stated that the twenty-second session of the Authority had emerged against the background of the first meeting of the Preparatory Committee established by General Assembly resolution 69/292, entitled "Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction". The representative encouraged the Authority to play an active role in that process. He applauded the cooperation agreement made with the International Hydrographic Organization (IHO) and adopted by the Council of the Authority on 13 July.

12. The representative of the United Kingdom affirmed that real progress had been made by the Authority during the past year and welcomed the collaboration with international organizations such as IHO. His delegation looked forward to contributing to the work on the draft exploitation regulations, which was of the highest priority to the Authority. The representative of Singapore commended the

Secretary-General for maintaining the momentum of work towards the development of exploitation regulations. She also reiterated the need for the creation of a “fit-for-purpose” data management strategy for the Authority. The representative supported the staging of workshops and sensitization seminars and welcomed the possibility of the exploration contractors offering up to 200 training opportunities over the next five years.

13. The representative of Cameroon stated that the growing interest by contractors, as evidenced by their increasing numbers, should motivate all members. He stressed the importance of a regulatory framework as a definite step towards the goal of sharing the common heritage of mankind with all nations. The representative of India also welcomed the increase in the number of contractors and the efforts of the Authority in conducting sensitization seminars. The representative of Cuba reiterated the need to maintain focus on the preservation and protection of the marine environment. The delegation of Bangladesh stated that the country would support the setting up of an independent inspectorate to discharge the regulatory mandate of the Authority with the onset of exploitation activities and that it looked forward to discussing this further in the context of the article 154 review. The delegation added that Bangladesh welcomed the decision taken by the Authority to enhance transparency and accountability by contractors in relation to their applications for further extensions of exploration contracts. This would allow the membership to gain further confidence in the contractors’ work, create room for the Legal and Technical Commission to share information with the wider membership while maintaining the confidentiality requirements, and enable the contractors to share their respective challenges going forward.

14. The representative of France welcomed the new two-part format for the presentation of the budget of the Authority, covering administrative and programme costs. The representative stated that the format afforded a clearer strategic vision of the work of the Authority and enhanced transparency with regard to the financial governance of the organization. The delegation of Algeria welcomed the role played by the Authority in bolstering its relationship with other organizations whose work impacted the environment. While it praised the Authority’s online presence through its well-organized website, the delegation stated that a version of the site in Arabic would support linguistic diversity. The delegation of Ghana stated that it appreciated the activities of the Authority and contractors in the area of capacity-building. The delegation stated that such an effort made it possible for several trainees, particularly from developing countries, to benefit from training in areas such as deep seabed mining. The delegation of Ghana also welcomed the workshops on taxonomic methods and the standardization of microfauna in the Clarion-Clipperton Fracture Zone, the objective of which, it stated, was to arrive at a standard format for identification, sampling and storage methods.

15. The representative of Senegal commended the Secretary-General on his comprehensive report and called for greater commitment and more active participation at sessions by members of the Authority. The representative also announced that his country had, on 11 July, become party to the Protocol on the Privileges and Immunities of the Authority. The representative of the Philippines stated that the country welcomed the discussions about the expansion of the Legal and Technical Commission. Developing countries were sensitive to the appropriate policies for dealing with deep seabed mining but required training, technology transfer and capacity-building to deal with them. The representative added that the

Philippines strongly supported the work of the Authority on capacity-building and marine scientific research and that the country's scientists had benefitted from the Endowment Fund for marine scientific research in the Area.

16. The delegation of Viet Nam acknowledged the increased workload of the Authority, in particular the Legal and Technical Commission, as evidenced by the progress in formulating draft regulations for exploitation in the Area and an action plan for its future work on the code. It added that the planned training programmes and workshops would play an important role in capacity-building, especially for developing countries. The representative of the State of Palestine declared that his country was honoured to have its flag present in the Assembly room and to be participating at the session as a State party for the first time, having acceded in 2015 to the Convention and the 1994 Agreement relating to the Implementation of Part XI of the Convention on the Law of the Sea. The representative stated that the State of Palestine had a very special history with the Convention on the Law of the Sea, as some 40 years ago the Palestine Liberation Organization had been invited to participate in the meetings on the Convention. He added that the State of Palestine reiterated its pledge to remain committed to its responsibilities in the work of the International Seabed Authority, with a mind to ensure fairness and justice for all of mankind and that no one was left behind.

17. The representative of Argentina, on behalf of the Latin American and Caribbean States Group, remarked that the concept of benefit-sharing, within the scope of article 82, paragraph 4, of the Convention, was of primary importance for the Authority. He affirmed that the Group would work assiduously to ensure that the draft exploitation code was adopted by consensus. With regard to the review process undertaken pursuant to article 154 of the Convention, the representative pledged that Argentina would participate actively so that such an important critical analysis would be successfully concluded. The representative of the Czech Republic urged members with outstanding contributions to pay their arrears to ensure the effective functioning of the organization. Stressing the need for the proper development of the exploitation code, he stated that the Czech Republic would submit, by 2 November, its comments on the working draft regulations and standard contract terms for exploitation for marine minerals issued by the Legal and Technical Commission during the current session. He acknowledged the importance of the Authority's workshops, noting their value as a platform for collaboration with contractors and the international scientific community.

18. The representative of Fiji stated that the development of the exploitation code should be the Authority's primary focus at present. He stated that the code should be in place before the end of the extended exploration contracts. He added that the 2030 Agenda for Sustainable Development planned by the United Nations should be factored into the work programme for the Authority's current and future sessions. The representative pointed out that the Authority was expected to be actively involved in the implementation of Goal 14 of the 2030 Agenda, which covers conservation and sustainable use of the oceans, seas and marine resources. He invited members to participate in the United Nations-mandated conference Fiji would be co-hosting with the Government of Sweden in Fiji from 5-9 June 2017 to support the implementation of Goal 14. The representative of Mozambique encouraged the secretariat to continue to organize sensitization seminars and training programmes, as they were important tools for the dissemination of information on the work of the Authority. They also constituted, the representative

stated, an important means for the promotion of marine scientific research, capacity-building and technology transfer for developing States.

19. The representative of China noted that international seabed activities were now in a crucial period, with exploration and preparation for exploitation proceeding in parallel. While efforts were being made by all the parties to prepare for exploitation, the global economic situation meant that the prospects for realizing commercial exploitation of deep-sea resources in the near future were not good. The representative added that the exploitation regulations would provide a firm guarantee for realizing the principle of the “common heritage of mankind” and voiced his country’s commitment to continuing to fulfil to the letter its responsibilities as a sponsoring State. The representative of Myanmar stated that his Government looked forward to strengthening cooperation with the Authority, as Myanmar had made its submission to the Commission on the Limits of the Continental Shelf. He added that Myanmar would consider becoming a party to the Protocol on the Privileges and Immunities of the Authority in the near future, commensurate with the country’s continued support for the organization. The representative also stated that Myanmar supported the proposed budget for the Authority and commended the Secretary-General for conducting a wide range of activities while maintaining cost-saving measures. He encouraged members of the Authority and other bodies to continue their contributions to the various funds of the Authority as an investment in knowledge.

20. The representative of Antigua and Barbuda applauded the secretariat for its continued efforts to cooperate with other international agencies to ensure the most efficient and effective utilization of scarce resources. He welcomed, in particular, the conclusion of an agreement between the Authority and the International Maritime Organization, which was approved by the Assembly at the twenty-first session. He added that, as the Authority was on the verge of a transition from regulation of exploration to regulation of exploitation of the resources of the Area, it was incumbent upon the Authority, the Legal and Technical Commission, the member States and the contractors to collaborate and cooperate in order to realize the true benefits of the resources of the Area. The delegation of Morocco affirmed that the Authority had an enormous responsibility to preserve the marine environment and, like other delegations, expressed appreciation for the Authority’s efforts at capacity-building, describing it as an essential tool for enhancing human resources skills in developing countries, especially in the field of scientific research. The representative welcomed the cooperation of the Authority with other organizations concerned with marine activities.

21. Statements were also made by representatives of observer organizations. The representatives of Greenpeace International and the Deep Sea Conservation Coalition welcomed the commitment of members of the Authority to transparency, saying it was critical to ensure that seabed mining not become another stressor on the marine environment. They stated that the ocean, the common heritage of mankind, required a system of management involving all the stakeholders who, together, must achieve Sustainable Development Goal 14 to conserve and sustainably use the oceans, seas and marine resources. The representative of the Commonwealth, speaking for a number of delegations, underlined the importance of transparency, accountability and governance effectiveness, which might mean making difficult changes in the immediate future and would entail the Authority balancing its mandate with the forward-looking principle of the common heritage of

mankind. It encouraged the Authority, and all its States parties, to implement the very best international practices possible. The representative of the Fish Reef Project, which launched a system known as the International Marine Mitigation Bank, asked that, for each ton of life impacted in the deep sea, several tons of new life be created in the shallow seas. The Project representative stated that the Bank would make it possible to offset dying coral ecosystems, improve fish stocks, enhance food security for locals and attenuate sea level rise and the effects of ocean acidification.

22. The representative of Thyssen-Bornemisza Art Contemporary, the first art institute to participate in a seabed session, stated that the institute had established a strong reputation for bridging disciplinary gaps in art and marine science. The institute wanted to use art as an innovative approach to the preservation of marine ecosystems and to address Goal 14 from a novel perspective. The representative of the Deep-Ocean Stewardship Initiative commended the Authority for its capacity-building initiatives in marine environmental research and information-sharing among its members. The Stewardship Initiative sought to integrate science, technology, policy, law and economics into advice on the ecosystem-based management of resources used in the deep ocean and strategies to maintain the integrity of deep ocean ecosystems within and beyond national jurisdictions. The representative of WWF International stressed the importance of transparent data management and called on the Authority to encourage environmental impact assessment as a tool to inform workplans and to identify and prevent negative environmental impacts. The representative of The Pew Charitable Trusts stated that the organization sought to support and supplement the work of the Authority through workshops and public participation to ensure that strong, science-based rules were adopted to balance well-regulated mining with the critically important task of protecting biodiversity in the deep ocean.

23. Responding to comments on his report, the Secretary-General noted the intervention from the delegation of Fiji regarding the future work programme of the Authority and pointed to the need for individuals who received specialized training to be given employment upon completion.

VII. Consideration of the interim report of the review committee established to oversee the implementation of the Convention under article 154

24. At its 157th and 158th meetings, on 20 July, the Assembly considered the interim report of the review committee established pursuant to the decision of the Assembly (ISBA/21/A/9/Rev.1) to oversee the periodic review of the international regime of the Area pursuant to article 154 of the United Nations Convention on the Law of the Sea. It concluded its consideration of the item at its 160th meeting during the afternoon session held on 21 July. Introducing the 103-page report, the Chair of the review committee, Helmut Türk (Austria), stated that the committee concurred with the conclusion of the interim report that, despite the significant efforts made to organize and control activities in the Area, there seemed to be a general recognition that more strategic planning was needed by the Authority in order to be able to adequately cope with future tasks and that a vision for the future should be developed. Mr. Türk told the Assembly that the question of control of

seabed activities by sponsoring States needed to be revisited. The review committee agreed with the recommendation that a study on the adequacy of sponsoring States' legislations to control entities with whom they enter into contracts for exploration, should be commissioned, drawing on the advisory opinion of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea. The committee agreed that appropriate mechanisms for directing and supervising staff of inspectors to inspect activities in the Area should be established. The committee also commented on attendance at the Authority's annual meetings and the performance of the Council, the Legal and Technical Commission, the Finance Committee and the secretariat staff. The final report of the review committee is expected to be submitted to the Assembly at the Authority's twenty-third session in 2017.

25. In contributing to the discussion on the interim report of the article 154 review committee, the delegation of Bangladesh stated that the timeline proposed for obtaining responses appeared to be practical. It believed that certain recommendations, including those that could be implemented without having any major legal or financial implications, could be implemented in the short term. The delegation felt it to be a positive aspect of the review that the Assembly itself was entrusted with following up on the work towards its finalization and eventual endorsement. That, the delegation suggested, should create a good precedent for asserting the mandated role of the Assembly vis-à-vis other organs of the Authority. Noting that the authors of the report focused extensively on the work of the Legal and Technical Commission, among other organs, the delegation of Bangladesh stated that if the current election situation for the Commission was any proof, it did make sense for the Assembly to take a serious look at recalibrating the mandates, size and composition of the Commission, including apportioning some responsibilities to other parallel and mutually reinforcing mechanisms to further streamline its increasing workload.

26. The representative of Fiji stated that the review of the Authority's operations was long overdue, as the work of the Authority had expanded in terms of its responsibilities for governing the Area. The review must be expedited to improve the Authority's functionality. The representative stated that Fiji supported the recommendation of a study on the control and monitoring of seabed activities by sponsoring States and added that monitoring should include physical oversight in the Area to ensure environmental protection. The representative also suggested that there was a need to revisit the structure and timing of the work of the Authority's main organs to encourage greater participation and to identify solutions to enable the Legal and Technical Commission to perform most effectively. The representative of Australia welcomed the interim report, while noting the concerns voiced by the Chair of the committee with regard to the methodology used by the authors of the report. The representative encouraged members to submit their written input for the final report within the prescribed time frame. She noted that activities in the Area would intensify, which meant that more meetings of the Legal and Technical Commission might be needed.

27. The delegation of Thailand supported the recommendations outlined in the interim report, which aimed at transparency, improvement on human capacity and enhancement of working method of all organs and subsidiary organs of the Authority. The delegation added that the work of the Authority should be based on a long-term strategy as translated into a clear work programme, with a structured timeline considering the possibility that some contractors might be ready to proceed

to the exploitation stage in five years. The representative of Singapore pointed out that there were useful recommendations in the interim report that could be implemented in the short term. One such was a recommendation that the secretariat prepare a list of decisions taken by the Council, with a timetable for addressing them. This, the representative stated, would enhance transparency and ensure that issues did not “fall by the wayside”. With regard to the next steps to be taken, she stated that the review committee should work together with the consultants responsible for the report to address any concerns.

28. The representative of China noted that the Authority had made good progress over the past two decades in terms of drafting legislation, institution-building and increasing knowledge about the deep sea. The existing seabed regime had proved effective, therefore its basic framework should not be changed or undermined by the periodic review. The representative advocated caution in setting up new organs, which might create an unnecessary burden for States parties. He stated that some recommendations overstepped the terms of reference of the review and should not be included in the report. The delegation of the United Kingdom hailed the fact that all stakeholders were given an opportunity to share their views and had been invited to submit written comments, which demonstrated a participatory approach and an effort towards transparency. Like other delegations, it welcomed the emphasis on strategic planning apparent in the report. The representative warned that any recommendations emerging from the review should reflect the mandate in the Convention with regard to the roles of the various organs of the Authority.

29. The representative of the Netherlands declared that the periodic review was timely, as the Authority was at a juncture to take decisions to reach full growth. The first priority was a work programme for formulating draft regulations for exploitation which, the representative stated, should ideally be completed by 2021. Taking this into account, the Authority might have to prepare itself for more frequent Council sessions if it were to meet its targets. The Norwegian representative observed that the report produced under article 154 would play an important role in determining the way forward for the Authority in the years to come. He underscored the importance of respecting the designated roles of the various subsidiary bodies of the Authority; as a result, any recommendations about financial implications or requiring legal or technical expertise should not be adopted by the Assembly without prior consideration by the Finance Committee or the Legal and Technical Commission, respectively. The delegation of Algeria expressed concern that less than 15 per cent of the members of the Assembly, and even less for the Council, had participated in the survey disseminated by the consultants, which could not be considered representative. The representative suggested that the questionnaire should be published on the official website of the Authority and that it could have been distributed at the current Assembly meeting and the survey revised for the final report. Calling for more meetings of the Legal and Technical Commission to be open to members of the Assembly and observers, the delegation added that Algeria welcomed recommendation 17 of the report, which would limit closed sessions of the Commission to confidential commercial matters only. It further suggested that this should be a concrete recommendation in the final report regarding the serious issue of attendance at the Authority’s annual sessions.

30. The representative of India reminded the Assembly that the States parties were the primary stakeholders in the Authority review process and needed to be vigilant on behalf of mankind against any attempts to undermine the functioning of the

organs of the Authority as established under the Convention. He considered that the representative of China had made valid points in this regard. The delegation of Tonga stated that the country shared the intention behind recommendation 31 of the review, in which an initial draft strategic development framework was proposed, comprising various corporate plans for future consideration. The delegation stated that it was crucial to set out a strategic vision for the Authority, its programme of work or the corporate plans of its various organs, subsidiary organs and committees. It also emphasized the importance of an outline for a “fit-for-purpose” structure or organization and a budget, as well as the need for key performance indicators and deliverables to be provided both on an annual basis and after the strategy expired and was due for renewal.

31. Members of the observer community also made contributions. The representative of Greenpeace International described the review as “forward looking”, as it included best practices and the application of scientific knowledge, the precautionary approach and the ecosystem approach to protect the marine environment. The representative stated that, as the review under article 154 moved forward, the transparency and accountability of all bodies and the protection of the marine environment should serve as guides. The representative of WWF International welcomed the interim report, saying it had already been described as a wake-up call in many respects, particularly in moving the Authority towards being a “fit-for-purpose” structure. The representative added that, in order to keep up with the growing workload and data capacity needs, the storage, use, analysis and communication of data and information needed to be reviewed and addressed with urgency, in particular as the Authority moves towards being a body that governs and regulates potential exploitation of minerals in the Area.

32. The representative of the Deep Sea Conservation Coalition stated that the review under article 154 was a critically important exercise undertaken by the Authority. The representative stated that the coalition could agree with a number of the review committee’s recommendations, including the need to make the work of the Legal and Technical Commission more transparent and to limit closed sessions to those dealing with confidential commercial matters only. According to the representative, one of the biggest gaps the coalition saw, in terms of structure, related to the capacity of the Authority to meet the environmental challenges of the work ahead. The representative of the International Union for Conservation of Nature highlighted several points stemming from the comments of the review committee and the interim report. There was need, the representative stated, for a strategic vision, including an environmental strategy, with clear environmental objectives that could be evaluated and enforced. The Authority would need to have the expertise necessary to ensure effective environmental management, which could possibly include the establishment of an environmental committee. The representative also called for continued improvements in transparency and stakeholder participation and stressed the fundamental importance of securing the financial resources to develop and implement a strategic plan for fulfilling the Authority’s role as a trustee on behalf of humankind. The representative of the Commonwealth stated that the interim report was a good starting point that formed a solid basis for moving forward on the Authority’s first-ever review. The representative stated that the report provided the valuable opportunity to assemble various perspectives into one document, accessible to the Assembly. Aligning itself with views from Australia, Bangladesh, Fiji, India, Singapore, Tonga and the United

Kingdom, the representative of the Commonwealth stated that the review process in the coming year would first need to ensure that all States parties and stakeholders had ample opportunity to submit comments on the interim report.

33. The final segment of the Assembly's consideration of the interim report of the article 154 review was held at its 160th meeting, during the afternoon session held on 21 July. Upon the resumption of the general debate, the Chair of the review committee introduced a draft decision ([ISBA/22/A/L.3](#)), setting out the modalities of the work to be carried out in 2017 by the review committee. The representative of Cameroon voiced his country's concerns about the gaps in the methodology used by the authors of the report, as highlighted by the low number of survey responses and the lack of detailed analysis of the data. The representative nevertheless stated that he could support the draft decision on the report. The representative of Jamaica reiterated her country's support for the review and stated that the Government planned to submit a considered response as soon as possible. The decision of the Assembly in relation to the article 154 review is contained in document [ISBA/22/A/11](#).

VIII. Address by the Prime Minister of Trinidad and Tobago

34. At its 159th meeting, on 21 July, the Assembly heard an address from the Prime Minister of Trinidad and Tobago, Keith Rowley. Addressing the Assembly, Mr. Rowley stated that the mandate of the International Seabed Authority must be expanded to make it responsible for helping States implement their obligations under the future legal instrument on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction. Mr. Rowley, who was on an official visit to Jamaica, stated that his country, like other developing countries, believed that all marine resources in the deep seabed Area beyond national jurisdiction were the common heritage of mankind; that should be a cardinal principle founded in the future convention, he added. Mr. Rowley expressed the commitment of his Government to work with the Authority and all of its member States to achieve their common objective. It was doing so because of Trinidad and Tobago's "distinguished and historical contribution" to the many facets of the Convention on the Law of the Sea, which predated its negotiation, adoption and entry into force. In his address, Mr. Rowley added that the Authority should, as a matter of priority, work on the resolution of important practical issues germane to the uniform implementation of article 82 of the Convention. He noted that a number of States had received favourable recommendations from the Commission on the Limits of the Continental Shelf to establish the outer limits of their own continental shelf. States could ill afford to "sit and wait" until there was exploitation of the mineral resources in those areas.

IX. Report of the Credentials Committee

35. The Credentials Committee held one meeting, on 19 July, and elected Helmut Türk (Austria) as its Chair for the twenty-second session. At the 159th meeting of the Assembly, held on 21 July, the Committee Chair reported that, as at 19 July, the credentials of the representatives of 83 States and the European Union had been received by the Secretariat. The Assembly approved the report of the Credentials

Committee, contained in document [ISBA/22/A/8](#). The decision of the Assembly relating to the credentials of representatives to the twenty-second session is contained in document [ISBA/22/A/9](#).

X. Election of the Secretary-General

36. Article 166, paragraph 2 of the Convention on the Law of the Sea states that the Secretary-General of the Authority shall be elected for four years by the Assembly from among the candidates proposed by the Council and may be re-elected. At its 159th meeting, held on 21 July, the Assembly noted document [ISBA/22/C/27](#), which outlines the decision of the Council of the Authority, taken at its 219th meeting, held on 18 July, and in accordance with article 162, paragraph 2 (b), of the Convention, to propose to the Assembly the following two candidates for the election of the Secretary-General: Michael W. Lodge (United Kingdom) and Nii Allotey Odunton (Ghana).

37. At the commencement of the meeting, the President of the Assembly referred to paragraph 1 of rule 61 of the rules of procedure of the Authority, which states that, as a general rule, decision-making in the Authority should be by consensus. He added that the Authority had, for the most part of its 20-year existence, sought, observed and utilized consensus as a convenient tool in arriving at a decision. To facilitate the achievement of the consensus he had proposed that an informal indicative vote would be carried out with the agreement of the two candidates. The President suspended the meeting to allow the informal indicative vote to take place. The results of the vote were communicated only to the President, who in turn informed each of the candidates of the result.

38. At the formal resumption of its 159th meeting, the President proposed that, by acclamation, the Assembly elect Michael W. Lodge (United Kingdom) as Secretary-General for a four-year term of office commencing on 1 January 2017. The Assembly decision on the election of the Secretary-General of the Authority is contained in document [ISBA/22/A/10](#). Statements were made by the delegations of Brazil, Cameroon, China, the Czech Republic, Fiji, France, Ghana, India, Jamaica, Japan, Kenya, Mexico, Morocco, Nigeria, South Africa and the United Kingdom.

XI. Election of members of the Finance Committee

39. At its 160th meeting, on 21 July, the Assembly considered agenda item 15, election of members of the Finance Committee. The President reminded the Assembly of section 9, paragraph 1 of the annex to the Implementation Agreement, whereby the Finance Committee “shall be composed of 15 members with appropriate qualifications relevant to financial matters”. The President also cited section 9, paragraph 3 of the annex to the Agreement:

The members of the Finance Committee shall be elected by the Assembly and due account shall be taken of the need for equitable geographical distribution and the representation of special interests. Each group of States referred to in section 3, paragraph 15 (a), (b), (c) and (d), of this annex shall be represented on the Committee by at least one member. Until the Authority has sufficient funds other than assessed contributions to meet its administrative expenses,

the membership of the Committee shall include representatives of the five largest financial contributors to the administrative budget of the Authority. Thereafter, the election of one member from each group shall be on the basis of nomination by the members of the respective group, without prejudice to the possibility of further members being elected from each group.

The Assembly also recalled section 9, paragraph 4 of the same annex, whereby the members of the Finance Committee would hold office for a term of five years and be eligible for re-election for a further term.

40. The President also reminded the Assembly of its 2006 decision taken at the twelfth session of the Authority, as reflected in paragraph 32 of document [ISBA/12/A/13](#), whereby for future elections, States parties would indicate their candidates at least two months before the beginning of the session and noted that by 11 May 2016, two months before the commencement of the twenty-second session of the Authority, nominations for candidates to the Finance Committee had been received from 13 States parties. The Assembly also noted that four nominations — from Algeria, Italy, Kenya and Myanmar — had been received after the deadline.

41. Having consulted with the regional groups, the candidates and the outgoing Chair of the Finance Committee, the President proposed that, owing to the nature of the work to be carried out and the history of attendance by members at meetings of the Committee, the Assembly elect all 13 candidates whose nominations were submitted within the prescribed time and that, on a one-time-only basis, without prejudice to future elections and without creating a precedent, the Assembly also approve the election of the nominees of Kenya and Myanmar. The decision of the Assembly on the election of members of the Finance Committee to serve for the period 1 January 2017 to 31 December 2021 is contained in document [ISBA/22/A/14](#).

XII. Election to fill vacancies on the Council

42. At its 160th meeting, on 21 July, the Assembly elected the following States to fill vacancies on the Council of the Authority for a four-year period beginning 1 January 2015, subject to the understandings reached in the regional and interest groups. The decision of the Assembly on the election to fill vacancies on the Council is contained in document [ISBA/22/A/12](#).

Group A

China
Japan

Group B

India

Group C

Canada
South Africa

Group D

Bangladesh
Brazil
Uganda

Group E

Algeria
Argentina
Côte d'Ivoire
Czech Republic
Netherlands
Norway
Panama
Poland
Spain
Trinidad and Tobago
United Kingdom of Great Britain and Northern Island

XIII. Adoption of the budget and scale of assessment

43. At its 161st meeting, on 22 July, the Assembly recalled the verbal presentation of the Chair of the Finance Committee¹ and considered the report of the Committee (ISBA/22/A/7/Rev.1-ISBA/22/C/19/Rev.1), the proposed budget for the Authority for the financial period 2017-2018 (ISBA/22/A/6-ISBA/22/C/9) and the scale of assessment for 2017 and 2018. On the basis of the recommendations of the Council (ISBA/22/C/L.2), the Assembly adopted the decisions contained in document ISBA/22/A/13.

XIV. Dates of the next session of the Assembly

44. The meeting of the Legal and Technical Commission will be held from 20 February to 3 March 2017. The dates for the twenty-third session of the Assembly will be announced in due course. It will be the turn of the African States Group to nominate a candidate for the presidency of the Assembly in 2017.

¹ Owing to flight scheduling, the Chair of the Finance Committee, Olav Myklebust (Norway), presented the report of the Finance Committee to the Assembly at its 158th meeting. Action on the item took place at the 161st meeting.