INTERNATIONAL SEABED AUTHORITY CONCLUDES NINETEENTH SESSION

Assembly adopts decision on fees; approves amendments to nodules regulations; hears from host country’s official; sets date for next session

The nineteenth session of the International Seabed Authority ended a day early in Kingston this afternoon after its Assembly completed debate on the Secretary-General’s annual report and acted on four decisions. It also set 14-25 July 2014 as the date for the Authority’s twentieth anniversary session next year.

The Assembly adopted a draft decision concerning overhead charges for administration and supervision of exploration contracts. It approved amendments to the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area, and appointed KPMG as independent auditor for 2013 and 2014. Regarding other financial and budgetary matters, the Assembly urged its members to pay their assessed contributions to the budget on time and in full, pay all outstanding contributions, and to make voluntary contributions to the Endowment Fund and Voluntary Trust Fund of the Authority.

The 165-member Assembly also approved the report of the Credentials Committee for the nineteenth session, and placed on record its appreciation for the dedicated service to the Authority and its member States of the late Mr. Vijay Kodagali. A geologist and long-serving member of the secretariat, Mr. Kodagali passed away in India on 14 February 2013.

At the start of the meeting the president of the Assembly, Mr. Vladimir Mikhailovich Polenov (Russian Federation), invited delegations to observe a minute of silence to honour the victims of the rail disaster in Spain on 24 July.

Discussion resumed on the report of the Secretary-General, Nii Allotey Odunton (Ghana) which he delivered to the Assembly yesterday. The 26-page document (ISBA/19/A/2) covered the work of the Authority, relations with the host government as well as matters relating to the administration, budget, and finances of the Authority, and matters concerning the international seabed Area.

The Minister of Foreign Affairs and Foreign Trade of Jamaica, the Honourable Arnold J. Nicholson, addressing the members of the Assembly, said Jamaica was committed to fulfilling its host country obligations regarding the maintenance of the infrastructure of the Headquarters building. “Our

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aim is to ensure a pleasant working environment for the staff of the Authority, befitting an international organization”, the minister said.

The Secretary-General’s report drew attention to long-standing problems about the age and poor condition of the air-conditioning unit, elevators and windows of the Headquarters buildings. Despite renovation and repair work carried out by the Government, the report observed that the long-standing problems of the headquarters building remained unresolved as at May 2013. The minister said the Government of Jamaica had been working to ensure the proper functioning of the Jamaica Conference Centre in which the Authority holds its annual meetings.

Mr. Nicholson said the 2014 session, which will mark the twentieth anniversary of the entry into force of the Convention and the establishment of the Authority, will provide an opportunity for the Host country and the secretariat to continue the process of sensitization and awareness of the work of the Authority.

Guyana joined other delegations in endorsing the Authority’s plan to establish an ocean mining museum to be housed on the ground floor of the headquarters premises as soon as it is approved by the Finance Committee. Tonga said although there would be cost implications in establishing a museum, it would provide visibility on the history and future work of the Authority. The Cook Islands’ delegation announced its donation of a nodule cube exhibit to the proposed museum. The representative said the Cook Islands had, by its attendance at the nineteenth session as an observer, commenced its national plan to fully engage with the ISA and its activities.

Delegations continued to extend their welcome to new members - Swaziland, which ratified the Convention (24 September 2012) and Ecuador and Timor-Leste which acceded to it (on 24 September 2012 and 8 January 2013, respectively).

Cuba called for a gradual and cautious approach to the elaboration of regulations to cover exploitation of polymetallic nodules in light of the limited knowledge about mining technology and its possible effects on the marine environment. With the first exploration contracts due to mature in 2016, the Authority, France declared, was on the eve of a new era in its history. As such, the speaker expressed satisfaction that the Authority had begun to give thought to a future regulatory regime for the exploitation of polymetallic nodules.

The Russian Federation, pledging continued support to the Authority, said the session had highlighted issues resulting from the increased workload of the Authority, particularly the inability of the Legal and Technical Commission to complete its review of applications for approval of plans of work for exploration in the Area. Commenting on the decision on overhead charges the delegation said fees paid by contractors would result in more funds for use in other areas.

China said it was generally satisfied with the annual report of the Secretary-General and encouraged by the vigour in the work of the Authority led by Mr. Odunton. The delegation said it supported the Legal and Technical Commission’s review of the existing regulations in respect of the anti-monopoly provisions and suggested that variables such as differences in minerals, their location, and national economic systems should be taken into account in the study.

Ecuador, speaking to the Assembly for the first time as a member of the Authority, declared that its accession to the Convention was the culmination of a process which had begun with the pioneering vision set forth in the 1952 Santiago Declaration - (The first international instrument to proclaim a 200-mile limit). The accession represented a valuable opportunity for sustainable social, economic and

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cultural development for present and future generations of Ecuadorians. The representative informed the Assembly that work was currently being undertaken to define the outer limits of his country’s continental shelf.

Referring to section XV of the Secretary-General’s report relating to capacity development and training, Nigeria noted that the African group was the regional group with the largest number of developing countries. It expressed the hope that the 20 training opportunities that would become available in 2013 to 2015 period would be more equitably awarded in Africa’s favour, without compromising qualifications requirements.

Tonga said there was a need for increased capacity-building in areas of environmental science and geology; to this end, the country had established two scholarships for Tongan nationals. Indonesia stressed the importance of capacity building for developing countries, particularly in marine scientific research, saying this would allow States to acquire the means to reap the benefits from the oceans while also preserving its resources for future generations.

The Commonwealth Secretariat, which became an observer to the International Seabed Authority in 2010, was attending the meetings for the first time. Ms. Rosemarie Cadogan, Legal Adviser in the Secretariat’s Economic and Legal Section (ELS), said that her organization had been very active in the delivery of legal and technical assistance to member States concerning seabed resources, including in the preparation, lodgement and defence of submissions to the Commission on the Limits of Continental Shelf (CLCS). The ELS had worked with the Cook Islands to establish the first comprehensive seabed mining legislation in the Pacific. It was hoped, the representative added, that the regulatory model would serve as a template that could be tailored to the specific needs of individual countries.

The Permanent Commission for the South Pacific, Dr Maria del Carmen González-Cabel, informed the Assembly that over the past year, the Commission had conducted a number of workshops geared towards helping decision-makers of its member countries (Colombia, Chile, Ecuador and Peru) to draft legislation relating to the law of the sea.

Fiji spoke of the value of sensitization seminars and requested that one be held in the South Pacific small island developing States to promote increased awareness of ocean affairs and the deep seabed in that part of the world.

Responding to the comments from members, Secretary-General Odunton, expressed his gratitude for the support shown for the establishment of a museum at the Authority’s headquarters and said he would take the suggestions into account in his proposal to be submitted next year. He also welcomed the ideas on using the website to share information with schools and universities. Expanding the website to cover all six languages of the authority, he explained, had cost implications. With regard to the number of internships to be offered at the Authority, he pointed out that staffing issues had to be considered, as interns needed assistance and guidance.

Speaking about the dates of the Authority’s sessions, the Secretary-General explained that it was difficult to secure a time slot in the United Nations calendar of meetings, especially because the Authority depended on the UN’s conference services division to provide documentation and interpreting services. Furthermore, he pointed out that the end of the Authority’s financial year was March 31, and the session could not take place before the accounts were duly audited and submitted to the Finance Committee. The Secretary-General added that there was no evidence to suggest that the dates of the annual sessions had any effect on attendance levels.

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The Assembly President then gave the floor to the vice-Chairman of the Finance Committee, Duncan Laki (Uganda) to introduce the report and recommendations of the Finance Committee (ISBA/19/A/7 – ISBA/19/C/11).

Jamaica took the floor to make a statement on the issue of the employment of spouses of the Authority’s staff in the host country. The representative said that administrative arrangements were in place to allow for such employment in conformity with the domestic laws of Jamaica. These arrangements allowed, upon request, for the waiver of the work permit requirement, subject to the waiver of diplomatic immunity with regard to job functions. The relevant government Ministries in this process were the Ministry of Foreign Affairs and Foreign Trade and the Ministry of Labour.

Brazil reiterated a call made previously for documents referred to in the Finance Committee report to be circulated in the conference hall or on the website.

The Assembly adopted the draft decision relating to financial and budgetary matter as contained in ISBA/19/A/L.2, and the draft decision concerning overhead charges for administration and supervision of exploration contracts (ISBA/19/A/L.4).

Moving on to agenda item 9, the Assembly adopted, without discussion, the decision regarding the amendments to the regulations on prospecting and exploration for polymetallic nodules in the Area (ISBA/19/A/9).

In other action, the Assembly approved the report of the Credentials Committee (ISBA/18 A/10), which was presented by its Chair, Indera Persaud (Guyana). She reported that of the Authority’s 165 members, the credentials of 57 had been received by the secretariat. At the nineteenth session, the Credentials Committee comprised Australia, Guyana, Jamaica, Myanmar, Namibia, Nigeria, New Zealand, Philippines and the Russian Federation.

The Assembly also adopted a decision expressing condolences on the passing of Vijay Kodagali, a long-serving member of the Secretariat, on 14 February 2013.

Delegations praised the President of the Assembly on leading its meetings to an early and successful conclusion. Mr. Polenov echoed the appreciation of members of the Authority for the hospitality shown by the host country during the session.

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