

# International Seabed Authority

## Press Release

Tenth Session  
Kingston, Jamaica  
24 May – 4 June 2004



## Background Press Release

SB/10/1  
24 May 2004

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### INTERNATIONAL SEABED AUTHORITY, CELEBRATING ITS 10<sup>TH</sup> ANNIVERSARY THIS YEAR TO ELECT HALF ITS COUNCIL MEMBERS AND SECRETARY-GENERAL AT ANNUAL KINGSTON SESSION 24 MAY – 4 JUNE

The International Seabed Authority, which marks its tenth anniversary this year, will elect half its executive Council and a Secretary-General to guide it for the next four years when it convenes for its annual session at Kingston, Jamaica, from 24 May to 4 June 2004.

It will also consider the organization's 2005-2006 biennium budget and undertake further work on a regulatory regime for seabed sulphides and cobalt-rich crusts.

Commemoration of the Authority's tenth anniversary, which falls on 16 November, has been brought forward to coincide with its tenth annual session. The Authority, with a current membership of 145, was established on 16 November 1994 following the entry into force of the United Nations Convention on the Law of the Sea. The Convention was opened for signature on 10 December 1982 at Montego Bay, Jamaica.

The Authority's task, as spelt out in the Convention and the Agreement relating to the Implementation of Part XI (seabed provisions) of the Convention, is to organize and control all mineral-related activities in the international seabed area beyond national jurisdiction. This seabed area and its resources have been designated by the Convention as the common heritage of mankind.

Two principal organs establish and govern the work of the Authority: the Assembly, in which all members are represented, and a 36-member Council elected by the Assembly.

As part of the anniversary celebrations, a special session of the Authority's Assembly will be held on 25 and 26 May. There will also be panel discussions on the Authority's achievements and future.

The annual tenth session, beginning formally on 24 May, will have a full agenda including consideration of the report of the Authority's Secretary-General which reviews the inter-governmental organization's work for the last ten years and its future direction.

### Secretary-General's report

In his report to the Assembly (document ISBA/10/A/3), the Secretary-General provides, among other things, a detailed overview of the Authority's efforts to fulfill its mandate, as well as its most significant accomplishments. In the next three years – 2005-2007 - the work programme will continue to be focused on, among others, the Authority's supervisory functions with respect to existing exploration contracts, the preparation of a regulatory regime for future development of the international seabed Area, and the promotion of marine scientific research there.

A key component in the Secretariat's work during 2005-2007 will be the establishment of a geological model for the Clarion-Clipperton Fracture Zone (CCZ) in the north central Pacific Ocean. The Secretariat will also continue its efforts to expand the Authority's Central Data Repository. Contractors for polymetallic nodule exploration would be requested to make their environmental data on contract areas available to the Authority.

Reviewing the activities of the principal organs, the report says the main difficulty the Authority's Assembly has encountered was securing broad participation in its work. Since 1998, there has been great difficulty in securing a quorum - that is, one half of the Authority's membership – at its sessions. The situation remains a matter of grave concern that needs to be addressed, the report observes.

The persistent problem that has confronted both the 24-member Legal and Technical Commission and the 15-member Finance Committee of the Authority was securing the effective participation in their work of elected members from developing countries, according to the report. At its ninth session the Secretary-General was authorized to advance up to \$75,000 from sources of funding under his custody on a one-time basis to fund the participation of members from developing countries in the meetings of the two bodies at the forthcoming session. The session will have to decide on a definitive source of financing for future meetings.

According to the report, as at 31 January 2004, more than 99 per cent of assessed contributions had been received in respect of 1998 and 2001. Ninety-seven per cent had been received for 2002, and 87 per cent for 2003. Only 46 per cent of members had paid their 2003 contributions, the report adds. A total of 52 members of the Authority were in arrears for a period of two years or more as at 31 March 2004, jeopardizing their right to vote.

With the organizational phase now complete, the Authority wants to streamline its administration and to strengthen the technical capabilities of its Secretariat. By 2003, the number of approved posts for the Secretariat was 37. The Secretary-General intends to explore the possibilities for seconding specialized scientific and technical staff from relevant national and international institutions for definite periods to carry out specific projects.

The report observes that the most significant milestones in the Authority's substantive work to date include the adoption in 2000 of the first set of regulations on prospecting and exploration for polymetallic nodules in the deep seabed area beyond national jurisdiction, which

the authority administers on behalf of mankind. Another was the approval of the plans of work for exploration by the former registered pioneer investors, followed by the issuance of 15-year contracts for exploration to each of the pioneer investors, who now number seven.

The report notes that the Authority represents a unique experiment in international relations, noting that it was the only world body with the responsibility of administering a global commons – the resources of the deep seabed – for the benefit of mankind. It states that the Authority is well equipped to deal with new developments relating to the deep ocean and to play a more meaningful role in the international system of oceans governance.

The report further states that neither the Authority nor any single nation or institution has the financial, technological and intellectual capacity to undertake a global programme of scientific research of the magnitude required for the long-term epistemic management of the ocean environment or biosphere. It concludes that to be truly effective, international collaboration on a vast scale is required, involving scientists, researchers, organizations and governments around the world.

#### Legal and Technical Commission

During the tenth session, the Legal and Technical Commission will meet from 17 to 28 May 2004. It will continue developing a set of draft regulations covering polymetallic sulphides and cobalt-rich crusts. Detailed work on the subject began during the Authority's ninth session in 2003 when four informal working groups were established to study specific aspects of the proposed regulations. Key issues identified included a progressive fee rather than a relinquishment system; grid system for licensing and elaboration of the parallel system as it applied to those mineral resources. The informal working groups' report is contained in document ISBA/9/C/4.

A consolidated draft of the regulations, incorporating some of the suggestions of the informal working groups, has been prepared by the Authority's Secretariat. A group of internationally renowned experts have been invited to participate in informal discussions to assist the Commission.

The Commission will also examine the annual reports of the seven entities with contracts with the Authority, and consider a progress report on the establishment of a geological model of polymetallic deposits in the Clarion-Clipperton Fracture Zone. Furthermore, the Commission will examine a report of a workshop on standardization of environmental data and information, which was organized by the Authority. It will also continue its 2003 discussion of the Authority's role in relation to the biodiversity of the deep seabed.

#### Finance Committee

The Finance Committee will review the biennium 2005-2006 budgets of \$10,816,700 proposed by the Secretary-General, and the scale of assessment of the contributions of member States. The Secretary-General recommends a scale based on the one used for the regular budget of the United Nations for the same period as adjusted by the Authority. The Authority's Council

and the Assembly will further consider the budgetary questions.

The Committee is expected to make recommendations on modalities for funding the participation of delegates from developing countries in its work as well as that of the Legal and Technical Commission.

### The Council

The Council will propose to the Assembly – in accordance with article 162, paragraph 2 (b), of the United Nations Convention on the Law of the Sea – a list of candidates for the election of the Secretary-General. The term of office of the incumbent, Satya N. Nandan, expires in June 2004.

The Council will review the draft regulations on polymetallic sulphides and cobalt-rich crusts once the Legal and Technical Commission reach agreement on them.

Another subject on its agenda – and that of the Assembly as well - is the supplementary agreement between the Authority and the Government of Jamaica, which was signed last December by the Secretary-General, on behalf of the Authority, and by Hon. K. D. Knight, Minister of Foreign Affairs and Foreign Trade, on behalf of the Government of Jamaica. The Council will also consider the proposed budget and the scale of assessments, as well as other recommendations of the Finance Committee.

### The Assembly

The Assembly will act on a number of issues during the session, including, the election of the Authority's Secretary-General, in accordance with article 166, paragraph 2, of the Convention, which provides that the Secretary-General shall be elected for four years from among candidates proposed by the Council and may be re-elected.

The Assembly will elect one half of the Council's 36 members in accordance with a formula provided for this in article 161 of the Convention. This is designed to ensure equitable representation of countries from various groups, including those engaged in seabed mineral exploration and the land-based producers of minerals found on the seabed. In 2002, one half of the Council's members were similarly elected. The terms of office of the remaining half who were elected in 2000 will expire on 31 December 2004. New members will therefore have to be elected for the period 1 January 2005 to 31 December 2007.

### Members of the Authority

All parties to the Law of the Sea Convention are automatically members of the Authority. The current membership is 145, up from 143 at the last session in 2003. The newest parties to the Convention are Canada and Lithuania.

The list of members is as follows:

Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Cape Verde, Chile, China, Comoros, Cook Islands, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of Congo, Djibouti, Dominica, Egypt, Equatorial Guinea, European Community, Federated States of Micronesia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lithuania, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Viet Nam, Yemen, Zambia and Zimbabwe.

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