

International Seabed Authority

Press Release



**Fifteenth Session
Kingston, Jamaica
25 May - 5 June 2009**

Assembly (PM)

**SB/15/6
28 May 2009**

SEABED ASSEMBLY HEARS 22 SPEAKERS AS IT CONTINUES DEBATE ON SECRETARY-GENERAL'S REPORT ON WORK OF THE AUTHORITY

The Assembly of the International Seabed Authority, considering the report of Secretary-General Nii Allotey Odunton (Ghana) in Kingston this afternoon, heard 22 presentations on a range of issues, including the status of contributions of members to meet the expenses of the Authority, the need for speedy adoption of the draft sulphides regulations, and concerns over some coastal states' submission for extension of the delimitation of the continental shelf beyond 200 nautical miles.

Other topics covered included the level of voluntary contributions to, and use of both the Voluntary Trust Fund, and the Endowment Fund for Marine Scientific Research in the Area. Delegates also discussed relations with the OSPAR Commission with respect to the protection of the Marine Environment of the North-East Atlantic, and the impact of the current global recession on the metal market and the prospects for seabed mining. The Secretary-General's inaugural report was described as "very rich," and "comprehensive," while Jamaica was praised by many delegations for diligently discharging its responsibilities as host to the headquarters of the Authority.

Trinidad & Tobago, China and Cote d'Ivoire made comments on the work of the Commission on the Limits of the Continental Shelf, established under Article 76 paragraph 8, and Annex II of the United Nations Convention on the Law of the Sea, to consider data and information submitted by coastal States where these limits extend beyond 200 nautical miles. The Commission has so far made recommendation on eight of 50 submissions from States parties seeking to extend their continental shelf beyond the 200 nautical miles.

Discussion of Report

The Permanent Representative of Trinidad & Tobago to the Authority called on all states seeking to establish the outer limits of their continental shelf to “exercise due care and to prevent any encroachment on the Area which legitimately would fall under the jurisdiction of the Authority”. She said coastal states had a right to seek to maximize the marine area enclosed by the outer limits of their continental shelf, and this effort should not lead to the diminution of the maritime area that should fairly be available to the Authority for management and development on behalf of all mankind.

China said some individual coastal states, in making their submissions, had failed to comply with the Convention. “For example, a certain country claims continental shelf within and beyond 200 nautical miles measured from the base point of the rock called ‘Oki-no-Tori’ in the Pacific Ocean,” the representative said. He noted, however, that with the rock “only a dozen centimeters above sea-level and less than 10 square meters in its original size”, at high tide, it could not sustain human habitation or economic life of its own, as specified in Article 121 (3) of the Convention.

China cautioned States parties against undermining the integrity and authority of the Convention, in their claim on continental shelf, by invoking only some of its articles to the prejudice of the overall interest of the international community. This view was endorsed by the Republic of Korea and Cote d’Ivoire, one of the coastal States that have made submissions for continental shelf extension.

Regarding the impact of the global recession on the work of the Authority in the Area, Cote d’Ivoire suggested that activities in the deep seabed were elements of sustainable development and would represent suitable response to world demand for minerals. South Africa called on entities holding contracts for exploration to speed up work to enable early benefits to be realized.

The South African representative took note of the dialogue initiated between the Authority and inter-governmental organizations such as the OSPAR Commission and the North East Atlantic Fisheries Commission. He said such cooperation should recognize and take account of the Authority’s mandate as the primary body responsible for organizing and controlling activities within the Area. The Authority’s responsibility also extended to the adoption of measures to ensure effective protection of the environment in the Area as provided in the United Nations Convention on the Law of the Sea (Article 145).

He said the focus of the session should be on the elaboration of the draft regulations on polymetallic sulphides in the Area. As a member of the Council, South Africa intended to engage fully in the negotiations to ensure that significant progress was made to finalize the text. Cameroon, Cuba, and India were among delegations endorsing the call for speedy adoption of the draft Regulation on Polymetallic Sulphides.

The representative of Fiji said the session would have to deal with the effects of the global financial crisis on the work of the Authority. He noted that the ripple effect of the crisis had already been reflected in the report. Not only had interests of private and commercial institutions in relation to the Authority's work being affected, part of the challenge was the inability of some member States to contribute to the budget, the Voluntary Trust Fund and the Endowment Fund. The situation might also contribute to the problem of poor attendance at meetings of the Assembly. He said the Finance Committee should seriously consider the issue to determine how the Authority could best ensure that the crisis had minimal impact on its activities.

The representative of Indonesia hoped that Observers would voluntarily make contributions to the Authority's budget, its Endowment Fund and Trust Fund. Noting the effects that the current global economic downturn had had on the metal markets and hence the prospects of seabed mining, he urged the Authority to look at the possible impact of seabed production on the economies of land-based producer countries. He recalled that the matter had been discussed some years ago. He expressed the hope that the Council would finalize the draft regulations on prospecting and exploration for polymetallic sulphides in the Area for adoption during the session.

Ghana's representative welcomed the activities undertaken by the secretariat during the reporting period aimed at disseminating information about the Authority's work and mandate, as well as attracting additional funding and increasing its visibility and influence. Ghana supported the interactions of the secretariat with OSPAR (Oslo-Paris Convention for the Protection of the Marine Environment of the North East Atlantic and the International Cable Protection Committee). It proposed a similar contact with the ECOWAS Commission and other interested regional and sub-regional bodies to promote better understanding of the potential environmental impact of deep seabed mining in the areas beyond national jurisdiction.

To encourage greater participation of States in the meetings of the Assembly, Ghana supported the secretariat's initiatives to harmonize the Assembly's meetings with the schedule of major United Nations conferences and non-United Nations meetings. On a separate matter, Ghana endorsed the Committee of Nations' request for Observer Status at the meeting of the Assembly.

Nigeria's delegate expressed appreciation for the Authority's efforts to promote knowledge and understanding of the deep sea ecology through the organization of technical workshops and sensitization seminars. The seminar that took place in his country and a previous one in Brazil presented new possibilities for regional cooperation. The Abuja seminar in Nigeria made far reaching recommendations that would help increase and promote knowledge of the Authority's activities in the African region, and the resources available for the training of African scientists in marine scientific research.

The Nigerian organizers of the seminar had published a report on the seminar on the ISA-Nigeria website www.isanigeria.com@nimasa.gov.ng. A report on the seminar would be submitted to the African Union by the Government of Nigeria. He said the Abuja seminar recommended that the Authority's Secretary-General should address the

Assembly of African Heads of State on the activities of the International Seabed Authority. Senegal called on the Assembly to give its active support to this recommendation.

The representative of New Zealand, speaking on behalf of Canada, Australia and his own country (CANZ), said they agreed with the Secretary-General's suggestion that contractors' reporting of expenditures should be clear and properly itemized. It should be consistent with international accounting standards. It was important that a level playing field and equality of treatment among contractors was ensured. The integrity of the common heritage principles which underpinned the deep-sea mining regime should be maintained. They also agreed with the Secretary-General's suggestion for enhanced cooperation and coordination with other international organizations which had mandates over activities in the oceans.

They stated that it would be valuable for work to be concluded shortly on the regulations on polymetallic sulphides. The goal should be to provide a framework that encouraged exploration and eventually exploitation in a way that was efficient and maximized the returns from the Area as the common heritage of mankind.

Germany pointed to the danger of excessive claims on extended continental shelf. Like other delegations, it supported a strict and narrow interpretation of the provisions of the Convention relating to this matter. While the Authority did not have jurisdiction to address those claims, it still had a role to play as the defender of the principle of the common heritage of mankind. Welcoming the collaboration with OSPAR, it recommended that any proposed memorandum of understanding with the organization should first be submitted to the Assembly for approval.

The United Kingdom also supported the development of appropriate working relationships with international organizations which have relevant functions but stressed that the provisions of the Convention must be respected.

Adding its voice to the call for promoting active participation of developing countries in scientific and marine research, Norway pledged the sum of US\$250,000 to the endowment fund and US\$50,000 for the voluntary trust fund.

Addressing the issue raised by China, Côte d'Ivoire and the Republic of Korea concerning the delimitation of the outer limits of the continental shelf, the representative of Japan said that it had exercised its legitimate rights under the Convention to make a submission to the Commission on the Limits of the Continental Shelf to establish the limits of its continental shelf. Japan said its submission was based on the compilation of scientific information collected over several years and its government was fully confident that its submission was in keeping with all requirements.

The Jamaican representative thanked the members of the Assembly for the warm words expressed towards its government with regard to its efforts to meet its obligations as host country. He added that as part of its efforts to ensure full participation in the

Authority's session, the Ministry of Foreign Affairs and Foreign Trade, in consultation with the Ministry of National Security had made arrangements to facilitate the ease of travel and entry into Jamaica for all delegations.

The representative of the United Nations Division for Ocean Affairs and the Law of the Sea spoke of the importance of the Authority's work in collaborating on many areas concerning the world's oceans, and in particular its contribution to the overall implementation of the Convention.

The speaker explained that the Division carried out the secretariat functions of the Commission on the Limits of the Continental Shelf, which facilitated the implementation of the Convention by making recommendations to coastal States on matters related to their establishing the outer limits of the continental shelf beyond 200 miles. The recommendations were based on the examination of complex scientific and technical data included in the submissions to the Commission by States parties. The Commission will continue with its consideration of the submissions made to date at its 24th session in August, and make appropriate recommendations.

In other action, the Assembly appointed its nine-member Credentials Committee, consisting of Australia, Côte d'Ivoire, Fiji, Germany, Guyana, Haiti, Japan, Mozambique and the Russian Federation.

The Committee will present a report to the Assembly at its next meeting on Thursday, 4 June.

* * * * *