

International Seabed Authority

Press Release



Eleventh Session
Kingston, Jamaica
15 - 26 August 2005

Background Press Release

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12 August 2005**

INTERNATIONAL SEABED AUTHORITY TO HOLD ELEVENTH SESSION (15-26 AUGUST, KINGSTON, JAMAICA) WITH DEVELOPMENT OF REGULATORY REGIME FOR EXPLORING DEEP OCEAN POLYMETALLIC SULPHIDES AND COBALT-RICH CRUSTS HIGH ON AGENDA

Development of a legal regime for exploration of recently discovered rich mineral deposits in the deep oceans beyond national jurisdiction will be one of the main topics at the eleventh two-week session of the International Seabed Authority (15 to 26 August, Kingston, Jamaica) which will also review issues relevant to the Authority's work as well as certain aspects of its three-year work programme (2005-2007).

Another main agenda item is an application by the Federal Institute for Geosciences and Natural Resources, on behalf of the Federal Republic of Germany, for approval of a plan of work for exploration for polymetallic nodules. This will first be considered by the Authority's Legal and Technical Commission before a final decision is taken by the Council and the Assembly.

The policy-making Council will begin a detailed examination of the draft regulations for the prospecting and exploration of polymetallic massive sulphides and cobalt-rich crusts which it first considered last year. Most Council members expressed the need then for time to study the text which had been prepared by the Authority's Legal and Technical Commission, and to consult with their Governments.

Also meeting during the session, are the Authority's supreme body, the Assembly, in which all members are represented, the Finance Committee and the Legal and Technical Commission which was to start its deliberations a week earlier.

The Assembly's agenda items include action on the new draft regulations after their examination by the Council; the annual report of Secretary-General Satya N. Nandan reviewing the Authority's work since the tenth session and elections to fill vacancies on the Finance

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Committee. Mr. Nandan was re-elected to a third four-year term at the tenth session, which also marked the Authority's tenth anniversary.

As at 31 January 2005, following ratifications by Burkina Faso and Denmark and accession by Latvia, the number of States parties to the 1982 United Nations Convention on the Law of the Sea, including the European Community, has risen to 148. Parties to the Convention are *ipso facto* members of the International Seabed Authority. The three countries have expressed their consent to be bound by the 1994 Agreement relating to the implementation of part XI (seabed provisions) of the Convention. In addition, Botswana acceded to this Agreement on 31 January 2005, bringing the number of the parties to 121.

Five more members of the Authority have acceded to its Protocol on Privileges and Immunities which entered into force on 31 May 2003. They are Austria, Oman, Denmark, Mauritius and Chile. As at 30 June 2005, the parties to the Protocol were Austria, Cameroon, Chile, Croatia, the Czech Republic, Denmark, Egypt, Jamaica, Mauritius, the Netherlands, Nigeria, Oman, Slovakia, Spain and the United Kingdom.. The Protocol provides essential protection to representatives of Authority members who attend its meetings or travel to or from those meetings.

The task of the Authority is to organize and control all mineral-related activities in the international seabed area beyond the jurisdiction of any State ("The Area"), an area underlying most of the world's oceans. The Convention defines this deep seabed area and its resources as "the common heritage of mankind". The Authority carries out its functions through contract with private and public corporations and other entities authorizing them to explore, and eventually mine specified areas of the deep seabed for mineral resources.

Draft regulations on polymetallic on exploration for polymetallic sulphides and ferromanganese crusts deposits

Knowledge about the presence of polymetallic sulphides and ferromanganese crusts were insufficient when the Russian Federation delegation to the Authority's fourth session in August 1998 requested the adoption of rules and regulations for mineral resources other than polymetallic nodules, which at that time was the main focus of the Authority's work. In June 2000 a workshop was organized to determine what new mineral resources occurred in seabed areas beyond the limits of national jurisdiction. The Legal and Technical Commission then began work on the set of regulations covering polymetallic sulphides and cobalt-rich crusts – mineral resources that are rich in copper, iron, zinc, silver, gold and cobalt, submitting a draft text last year to the Council (document ISBA/10/C/WPI) for its consideration.

The text, which is in nine parts containing 43 regulations and four annexes, sets out the rules that must be followed in prospecting or exploring for those minerals in the Area. It stipulates that the regime may be supplemented by further rules, regulations and procedures to protect and preserve the marine environment.

Part I of the draft regulations covers the use of terms and scope of the regulations, while Part II explains how prospecting shall be conducted, and the consideration of notification to do so by the Secretary-General. It also deals with submission of annual reports by contractors. Part III contains general provisions on applications for the approval of plans of work for exploration in the form of contracts. The area for exploration shall not be more than 100 blocks.

Under the provisions of Part IV, the Council has to approve any plan of work for exploration. Rights of contractors are protected and their area of operation would not be interfered with. A plan of work for exploration shall be approved for 15 years. There are provisions for the protection and preservation of the marine environment under Part V of the draft text. Contractors, sponsoring States and other interested States or entities shall cooperate with the Authority in the establishment and implementation of programmes for monitoring and evaluating impacts of deep sea mining on the marine environment. Part VI, with its confidentiality provisions, seeks to protect proprietary data as well as information submitted by a contractor.

The draft regulations propose a size of exploration area for both resources of 10,000 square kilometers, consisting of 100 contiguous blocks, each of approximately 10 by 10 kilometers. As regards the scheme of relinquishment, the text provides an option to an applicant either to choose the parallel system, as is the case with polymetallic nodules, or to participate in an equity interest, joint venture or production-sharing arrangement.

It has been agreed that as far as practicable, the text should follow the framework of the regulations for polymetallic nodules adopted in 2000, and should also conform with the provisions of the Convention and the Agreement relating to the implementation of Part XI of the Convention.

Unlike polymetallic nodules which are potato-shaped and are generally found partially buried in areas of the deep seabed, polymetallic sulphides and ferromanganese cobalt crusts are localized in their deposits and are three dimensional. The sulphides have been found around volcanic hot springs, while the crusts occur on oceanic ridges. It is estimated that so far less than 10% of the 60,000 kilometers of oceanic ridges worldwide have been surveyed. Most of the un-investigated areas lie in the international seabed area.

Workshop on sulphides and crusts

The Legal and Technical Commission is expected to begin its consideration of environmental guidelines for future exploration contractors for deposits of the new sea floor minerals, based on the results of a workshop organized by the Authority in Kingston in September 2004. The Secretary-General's report indicates that another workshop will be convened – the eighth – before the end of the 2005-2007 work programme to standardize the environmental data and information required under the regulations for polymetallic sulphides and cobalt-rich ferromanganese crusts and in the guidelines for the establishment of baselines for these two types of mineral resources.

During the session, the Commission will also consider reports on the establishment of a geological model of polymetallic nodule deposits in the Clarion-Clipperton Fracture Zone (CCZ) and the Kaplan project on the marine biodiversity in the CCZ. The purpose of the Kaplan project is the acquisition of information on biodiversity, species ranges and gene flow in the abyssal Pacific nodule-bearing province to predict and manage the impacts of deep sea mining. The project is being undertaken by scientists from the University of Hawaii; the British Natural History Museum; Southampton Oceanography Centre of the United Kingdom; Shizuoka University, Japan; and IFREMER, France. The Kaplan project has so far resulted in three scientific, peer-reviewed, publications and it is expected that there will be more. According to the Secretary-General's report, the first set of detailed results and analysis from the Kaplan project should be available by the end of the summer of 2005.

Research and data collection

One of the substantive tasks being undertaken by the Secretariat during the three-year period (2005-2007) is the continuous development of the Central Data Repository. The collection will facilitate the dissemination of the results of marine scientific research relevant to the future commercialization of deposits of polymetallic nodules, cobalt-rich ferromanganese crusts, seafloor massive sulphides and gas hydrates.

The Secretary-General notes in his report that it was becoming increasingly clear that the role of scientists from developing country members of the Authority in marine scientific research in the deep seabed was limited. He suggests the establishment of a trust fund to improve the situation. Preference will be given to scientists affiliated with universities or research institutions in developing countries. The source of the funding could be the funds accruing to the Authority from the fees paid for processing applications by contractors for the approval of plans of work, the report says.

Financial issues

Among the items on the Finance Committee's agenda are an audit report on the Authority's finances for the period 2003-2004, the appointment of an auditor for the financial year 2005-2006, contributions to the Authority's budget by new members and the use and status of the Voluntary Trust Fund for the participation of members of the Finance Committee and the Legal and Technical Commission at their meetings. At the last session, the Finance Committee decided to give due consideration at the eleventh session to a proposal by Japan that the modalities, terms and conditions for using the Voluntary Trust Fund should be spelt out. An alternative suggestion was that the Voluntary Fund should be financed from funds accruing to the Authority from its Pioneer Investor Fund.

Future work

In his report, the Secretary-General observes that the Authority's immediate priority is the development of a regulatory regime for prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts. The three-year work programme will continue

to focus on, among others, its supervisory functions with respect to existing exploration contracts, the preparation of a regulatory regime for future development of the mineral resources of the international seabed Area, and the promotion and encouragement of marine scientific research. The latter will be done through the ongoing programme of technical workshops, and the dissemination of the results of such research. The other objectives are the ongoing assessment of available data relating to prospecting and exploration for polymetallic nodules in the Clarion-Clipperton Zone, information gathering and the establishment and development of unique databases of scientific and technical information.

The development of a geological model of the polymetallic nodule deposits of the Clarion-Clipperton Zone is one of the major projects in the 2005-2007 programme. According to the Secretary-General's report, a mid-term meeting in 2006 will be convened to review the progress of the project and to decide on the specific methods to be used for completing it.

In the first quarter of 2006, the Authority will convene a workshop in collaboration with the Census on Marine Life (COML) on cobalt-rich ferromanganese crusts and the distribution and patterns of seamount faunas. The objectives of the workshop are:

- i. To review the potential impacts of mining cobalt-rich crusts on seamounts in the Area;
- ii. To assess patterns of diversity, endemism and distribution of seamount faunas;
- iii. To examine the factors that appear to drive these patterns (e.g seamount configuration, depth, overlying productivity and proximity to continents);
- iv. To examine critical gaps in the international community's knowledge that might limit its ability to manage impacts from future exploration and mining, and
- v. To identify and develop collaborative networks and collaborations to implement research proposals identified during the workshop.

The Authority's 2006 workshop will be convened to standardize the environmental data and information required under the regulations for polymetallic sulphides and cobalt-rich ferromanganese crusts deposits in the Area. It will follow consideration by the LTC of the recommendations on environmental guidelines for future contractors for deposits of seafloor polymetallic sulphides and cobalt-rich ferromanganese crusts deposits in the Area.

Members of the Authority

Members of the Authority are 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, Burkina Faso, Bulgaria, Cameroon, Canada, Cape Verde, Chile, China, Comoros, Cook Islands, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of Congo, Denmark, 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, Latvia, 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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