

# International Seabed Authority

**Press Release**



Thirteenth Session  
Kingston, Jamaica  
9 - 20 July 2007

**Round-up of Session**

**SB/13/23  
20 July 2007**

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## **SEABED AUTHORITY CONCLUDES 13TH SESSION IN KINGSTON –**

**First reading of draft code on sulphides provisionally completed;  
Secretary-General to submit report on guidelines for elections of Legal and Technical  
Commission members**

Provisional first reading on the draft regulations that will govern the exploitation and exploration of metallic sulphides in the international deep seabed Area beyond national jurisdictions was completed by the Seabed Council as the International Seabed Authority wrapped up its 13<sup>th</sup> annual session at Kingston on Friday, 20 July.

The Council completed a detailed reading of regulations 1 to 43, agreeing on revisions to some of the provisions. It also agreed to take up the remaining 12 pending provisions at the Authority's next session from 26 May to 6 June 2008 at its headquarters in Kingston.

On another topic on its agenda, the Council, after a protracted debate, adopted a draft decision on the future size and composition of the Legal and Technical Commission, an expert body that advises it on all matters relating to the exploitation and exploration of non-living marine resources. During the debate, the Council agreed that there was a need to streamline the procedures for future elections to the Commission. It was not able to reach a consensus on the size, but agreed to do so before the next election of Commission members in 2011. The Commission currently has 25 members. The 1982 United Nations Convention on the Law of the Sea provides for 15 members.

The Assembly, acting on the recommendations of the Finance Committee, adopted a decision on the terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund contained in the annex to its draft decision (ISBA/13/A/L.2). It also encouraged all members of the Authority, other States, relevant international organizations, academic, scientific and technical institutions, philanthropic organizations, corporations and private persons to make contributions to the Endowment Fund. The Fund was established during the 12<sup>th</sup> session in 2006.

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### **Regulations on sulphides**

The Council began its consideration of the draft regulations on the exploitation and exploration of metallic sulphides in the international seabed Area on 10 July. It had in 2005, at the eleventh session, undertaken a first reading of the draft regulations, and further considered it at the 12<sup>th</sup> session, last year. Since then, at its request, the Secretariat had prepared separate sets of regulations dealing with polymetallic sulphides and cobalt-rich ferromanganese crusts.

The revised draft regulations on prospecting and exploration for polymetallic sulphides (ISBA/13/WP.1), also took into account comments and suggestions made by outgoing members of the Legal and Technical Commission. An expert from the University of Ottawa, Canada, Dr. Mark Hannington, briefed the Council on global exploration models for polymetallic sulphide deposits in the international seabed Area.

The Council undertook a detailed examination of the revised draft regulations, and by the end of the session it had completed reading regulations 1 to 43. The Council agreed that the following pending regulations 1(3); 12; 16; 19(2)(a); 21; 24(2); 27; 28(2); 33(2); 35; 36(2) and (3); and 38(2) – be taken up at the next session, as well as Annexes 1 to 4 to the draft regulations.

At the request of several delegations, the Secretariat will draft a review clause for the regulations in the light of inadequate scientific and technical knowledge relating to polymetallic sulphides.

### **Future size and composition of LTC**

In another development, the Council adopted a draft decision on the future size and composition of the Legal and Technical Commission, an expert body which advises the Council on all matters relating to the exploitation and exploration of non-living marine resources.

The Council was not able to reach a consensus on the future size and composition of the Commission, but agreed on the necessity to do so prior to the election which was due in 2011.

Under article 163 (2) of the 1982 United Nations Convention on the Law of the Sea, the Commission shall be composed of 15 members. However, if necessary, the Council may decide to increase its size, giving due regard to economy and efficiency. The Council made use of that provision by increasing the size of the Commission in all of its three elections to date – in 1996, 2001 and 2006.

The text laid out the procedures for nomination of the candidates for future elections of the Commission as follows: at least six months before the opening of the Authority's session at which the election was to take place, the Secretary-General shall address a written invitation to all members of the Authority to submit their nominations of candidates for election to the Commission.

Each nomination shall be accompanied by a statement of qualifications or curriculum vitae setting out the candidate's qualifications and expertise in fields relevant to the Commission's work. Nominations received later than three months prior to the opening of the relevant session of the Authority would not be accepted. The Secretary-General shall prepare a list in alphabetical order of

the persons nominated for election, which will be circulated to all members of the Authority before the beginning of the session.

The Secretary-General is requested to prepare a report for consideration by the Council in 2010 on the functioning of the Commission. This is expected to assist the Council in its deliberations on the number of members of the Commission to be elected in 2011.

### **Endowment Fund**

The purpose of the International Seabed Authority Endowment Fund is to promote and encourage the conduct of marine scientific research in the international seabed Area for the benefit of mankind as a whole by supporting the participation of qualified scientists and technical personnel from developing countries in marine scientific research programmes.

The Secretariat of the Authority shall administer the Fund. A panel of six to nine eminent persons in the law of the sea and its implementation shall be appointed by the Secretary-General to evaluate applications and make recommendations for the award of assistance from the Fund.

### **Voluntary Trust Fund**

The balance of the Voluntary Trust Fund stood at \$65,537 as at 30 June 2007. The amount of \$135,000 that had been advanced to the Voluntary Trust Fund from the application fees paid by the registered pioneer under resolution II of the Third United Nations Conference on the Law of the Sea since the Fund's establishment is to be considered as a contribution to it.

The Trust Fund was established in 2002 at the request of the Assembly to enhance the participation in the work of the Legal and Technical Commission and the Finance Committee of members from the developing countries. The Fund is made up of voluntary contributions from members of the Authority and others, including individuals. The total amount paid out of the Fund to date was \$120,166.

### **Other issues**

Concern was expressed during the session about the outstanding contributions to the Authority's budget from members for prior periods (1998 to 2006) in the amount of \$302,218. Appeals were made to the Secretary-General to continue his efforts to recover those amounts. The Committee recommended to the Assembly to encourage observers attending and participating in the meetings of the Authority to make voluntary contributions to its budget. It also requested the Secretary-General to approach the European Community about a possible increase in its contributions to the Authority's budget.

Deloitte and Touche, who audited the Authority's accounts for 2006, were reappointed for a further two years to undertake the same job in 2007 and 2008.

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During the session, the Plenary Conference Room, the main chamber of the Jamaica Conference Centre in Kingston which houses the headquarters of the International Seabed Authority was re-named “The Dr. Kenneth Rattray Conference Room” at a ceremony witnessed by senior Jamaican Government officials, members of the Rattray family and officials of the Authority. Tribute was paid by Satya N. Nandan, Secretary-General of the Authority, who referred to Dr. Rattray’s long and active association with the Law of the Sea. He spoke of Dr. Rattray’s preoccupation at the time in ensuring the choice of Jamaica as that headquarters of the Authority. Senator G. Anthony Hylton, Minister of Foreign Affairs and Foreign Trade of Jamaica, said the late Dr. Rattray was an outstanding Jamaican diplomat and jurist whose commitment to the development of international law placed him in a special category.

Mrs. Faith Rattray, widow of Dr. Kenneth Rattray, unveiled a plaque dedicating the Conference Room to his memory.

### **Membership and Attendance**

Of the Authority’s 155 members, 56 were in attendance at this session. The Authority’s membership consists of all parties to the United Nations Convention on the Law of the Sea. The members are listed below, with an asterisk (\*) indicating those who participated in the thirteenth session. All parties to the Law of the Sea Convention are automatically members of the International Seabed Authority.

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, Burkina Faso, 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, Estonia, European Community\*, 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\*, Kiribati, Kuwait, Lao Peoples Democratic Republic, Latvia, Lebanon, Lithuania, Luxembourg, Madagascar, Malaysia\*, Maldives, Mali, Malta\*, Marshall Islands, Mauritania, Mauritius, Mexico\*, Micronesia (Federated States of ), 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\*, Republic of Serbia, Romania\*, Russian Federation\*, Saint Kitts and Nevis\*, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia\*, Senegal\*, Seychelles, Sierra Leone, Singapore, Slovakia\*, Slovenia, Solomon Islands, Somalia, 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.

Observers at the session were Colombia, El Salvador, United States and the United Nations.

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