



20 October 2020

Letter from the President of the Council of the International Seabed Authority on the organization of work during the second part of the twenty-sixth session

Excellencies,

In my capacity as President of the Council, I wish to refer to letters 2, 9, 14, 21, 24 and 28 September 2020 and 1 and 5 October 2020 concerning the second part of the twenty-sixth session of the Council.

Following the endorsement by the Council of a proposal of the Acting President of the Council, the second part of the twenty-sixth session resumed on 21 September 2020. On 24 September 2020, the Council adopted a decision enabling the Council to elect the President of the Council and organize its work by silence procedure. On 1 October 2020, I had the honour to be elected President of the Council and wish to express my sincere gratitude for the trust that you have placed on me to steer the meetings of the Council.

I wish to inform the members of the Council as well as the members and observers of the Authority of the proposed organization of work of the Council for the remainder of the twenty-sixth session.

Members of the Council will recall that the second part of the twenty-sixth session of the Council, which was originally scheduled in July, was initially rescheduled to 7-16 October 2020. In light of the evolving situation related to the COVID-19 pandemic, it is not feasible to meet in October and the meetings have been further postponed to late 2020, provisionally in December.

At this moment, it is not clear whether it will be feasible for the Council to meet in December. Even if we are able to meet, it is clear that any meeting in 2020 would need to be in a significantly reduced format, for the purpose of taking action on issues that are time-sensitive, of an essentially administrative nature or to ensure that the critical work of the Authority can proceed. Some of these items require sequential consideration by the Council and the Assembly.

For this reason, it is not envisaged that during the remainder of 2020 the Council will resume its formal consideration of the draft regulations for exploitation of mineral resources in the Area, including the financial terms of contracts.

Following consultation with the bureau, the following items are identified as the priority issues to be considered by the Council before the end of 2020:

(a) The budget of the Authority for the financial period 2021-2022 and the scale of assessment for contributions to the budget (agenda items 14, 15 and 16). The Council will be required to consider the budget and the scale of assessment on the basis of the report and recommendations of the Finance Committee. The Committee completed its work on 8 October 2020 and its report, including a draft decision of the Council on the budget, will be published in due course.

(b) Proposal of a candidate list for the election of the Secretary-General, as required by article 162 paragraph 2 (b) of the United Nations Convention on the Law of the Sea (agenda item 20). The term of office of the Secretary-General ends on 31 December 2020 and consequently this is a time-sensitive issue.

(c) Consideration, with a view to approval, of an application for a plan of work for exploration for polymetallic nodules in a reserved area submitted by Blue Minerals Jamaica Ltd, sponsored by Jamaica (agenda item 10). The Legal and Technical Commission has considered the application by Blue Minerals Jamaica Ltd and has recommended it to the Council for approval. The report and recommendation of the Commission is contained in document ISBA/26/C/22.

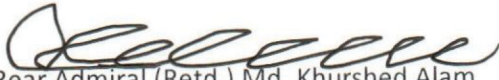
In relation to agenda item 6 (issues relating to the election in 2021 of members of the Legal and Technical Commission) I intend to consult with the Facilitator of the informal working group on this matter, Mr Vladislav Kurbatskiy, to explore before the end of 2020 how best we could advance discussions on this matter.

In light of this, I am pleased to attach a Draft decision on the organization of work which is placed under the silence procedure by virtue of decision of the Council of 24 September 2020 entitled "Procedure for the adoption of decisions by the Council during the second part of the twenty-sixth session of the International Seabed Authority owing to the coronavirus disease (COVID-19) pandemic".

The draft decision will be deemed to be adopted by the Council by the silence procedure pursuant to the above mentioned decision of the Council of 24 September 2020, if no objections are received by the Secretariat by 1 pm Jamaica time on 23 October 2020. Objections to the draft decision should be done in a letter or a note verbale addressed to the President of the Council. Such correspondence should be sent in an email to Council2020@isa.org.jm (cc to: ola@isa.org.jm).

I will convey the outcome on the organization of work by a letter addressed to the Members of the Council.

Please accept, Excellencies, the assurances of my highest consideration.


Rear Admiral (Retd.) Md. Khurshed Alam
President of the Council of the International
Seabed Authority

Draft decision of the Council of the International Seabed Authority concerning the organization of work for the second part of the twenty-sixth session of the Council

The Council of the International Seabed Authority,

Referring to the agenda of the Council for the twenty-sixth session,¹

Recalling its decision of 24 September 2020 entitled “Procedure for the adoption of decisions by the Council during the second part of the twenty-sixth session of the International Seabed Authority owing to the coronavirus disease (COVID-19),”²

Recalling also the letter of the President of the Council dated 20 October 2020,

Noting the time-sensitive items on its agenda concerning the budget of the International Seabed Authority for the financial period 2021-2022 and the election of the Secretary-General of the International Seabed Authority for the four-year term commencing on 1 January 2021,

Noting also the recommendations of the Legal and Technical Commission on the approval of the plan of work for polymetallic nodules in reserved areas submitted by Blue Minerals Jamaica Ltd.,³

1. *Decides* that before the end of 2020 the Council will consider the following three items on its agenda:
 - (a) Budget and scale of assessed contributions to the budget (agenda items 14, 15 and 16);
 - (b) Candidate list for the election of the Secretary-General (agenda item 20); and
 - (c) Application for approval of a plan of work for exploration for polymetallic nodules in a reserved area by Blue Minerals Jamaica Ltd (agenda item 10).
2. *Also decides* that all other outstanding items on its agenda for the twenty-sixth session will be deferred to 2021; and
3. *Further decides* that, if the silence is not broken, the decision shall be considered adopted, and the twenty-sixth session of the Council shall take note of the decision at its first face-to-face meeting convened as soon as circumstances allow.

¹ ISBA/26/C/1.

² <https://isa.org.jm/files/files/documents/letter%20from%20Actg%20President.pdf>

³ ISBA/26/C/22.