



Assembly

Distr.: General
26 July 2011

Original: English

Seventeenth session

Kingston, Jamaica

11-22 July 2011

Statement of the President on the work of the Assembly of the International Seabed Authority at its seventeenth session

1. The seventeenth session of the Assembly of the International Seabed Authority was held at Kingston, from 11 to 22 July 2011. The Assembly held its 131st to 134th meetings.

I. Adoption of the agenda

2. At its 131st meeting, on 12 July 2011, the Assembly adopted its agenda for the seventeenth session (ISBA/17/A/1).

II. Election of the President and Vice-Presidents of the Assembly

3. At the 131st meeting, Peter Thomson (Fiji) was elected President of the Assembly for the seventeenth session. Following consultations in the regional groups, the representatives of Ghana (Group of African States), Chile (Group of Latin American and Caribbean States), Russian Federation (Group of Eastern European and Other States) and Belgium (Group of Western European and Other States) were elected Vice-Presidents.

III. Election to fill a vacancy on the Finance Committee

4. At its 131st meeting, the Assembly elected David Wilkens (Germany) as member of the Finance Committee for the remainder of the term of Michael Hackethal (Germany).

IV. Request by the Center for Oceans Law and Policy, University of Virginia School of Law, for observer status in the Assembly

5. At its 131st meeting, the Assembly considered a request for observer status by the Center for Oceans Law and Policy, University of Virginia School of Law, and decided to invite the Center to participate as an observer in its meetings, pursuant to rule 82 (1) (d) of the rules of procedure of the Assembly.

V. Annual report of the Secretary-General

6. At the 132nd meeting, on 18 July 2011, the Secretary-General introduced his annual report to the Assembly (ISBA/17/A/2), as required by article 166, paragraph 4, of the United Nations Convention on the Law of the Sea. The Secretary-General reviewed the Authority's work since the sixteenth session and outlined the progress that had been made in the implementation of its work programme for the period 2011-2013.

7. He advised the Assembly that a project under consideration was a preliminary study of some of the issues associated with the development of an exploitation code, to be followed by a workshop or seminar in the second quarter of 2012.

8. He indicated that the Secretariat intended to produce a user's guide to the regulatory regime for deep seabed mining, which will describe the system for prospecting, exploration and exploitation, with reference to the Convention, the Agreement relating to the implementation of Part XI of the Convention and the Regulations of the Authority.

9. The report also covered administrative matters, the Authority's budget as well as the Voluntary Trust Fund, and the Endowment Fund for Marine Scientific Research. As at 31 May 2011, there were 162 members of the Authority (161 States and the European Union), and 141 parties to the Agreement. Since the last session, Malawi and Thailand have become parties to the Convention and the Agreement (28 September 2010, 15 May 2011, respectively) and Angola has become party to the Agreement (7 September 2010).

10. He pointed out that private sector interest in the potential for deep seabed mining had increased over the past year, as evidenced by the requests from Nauru Ocean Resources Inc., sponsored by Nauru, and Tonga Offshore Mining Limited, sponsored by Tonga, to reinstate their applications for approval of their plan of work for exploration for polymetallic nodules; and as shown by numerous enquiries about possible applications for contracts for exploration in the Area. In addition, he observed that there had been increased interest on the part of deep ocean technology companies in participating in workshops organized by the Authority, as the global economy continues to recover. With the increased level of commercial interest in seabed mining, the Authority was also under pressure to deliver an appropriate level of environmental protection for the Area. In this regard, the proposals for an environmental management plan for the Clarion-Clipperton Zone and for the management of chemosynthetic environments in the global oceans were measures under urgent consideration.

11. The Secretary-General stated that the completion of a comprehensive exploration code covering the three main types of seabed mineral resources — polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts — would mark an important milestone in the evolution of the Authority.

12. Following the presentation by the Secretary-General, the Minister of State, Ministry of Foreign Affairs and Foreign Trade of Jamaica, Marlene Malahoo Forte, made a statement on behalf of the Government of Jamaica, the host country of the Authority. The Minister said that the National Land Agency, which managed the secretariat building, had been in close dialogue with the Authority on the concerns raised by the Secretary-General in his report concerning the maintenance of the facilities.

13. She stated that Jamaica would introduce a draft resolution during the session to encourage the commemoration of the thirtieth anniversary of the United Nations Convention on the Law of the Sea in 2012 and that it would also submit a similar draft resolution at the United Nations in New York that would seek to have the Organization convene a commemorative meeting on 10 December 2012. The Minister encouraged other Member States to mark the occasion to raise awareness about the Convention, which was opened for signature in Montego Bay, Jamaica, on 10 December 1982.

14. With regard to the annual report of the Secretary-General, statements were also made by the delegations of Argentina, Bangladesh, Brazil, Burkina Faso, Cameroon, Canada (on behalf of Canada, Australia and New Zealand), Chile, China, Cuba, France, Ghana, Japan, Mexico, Netherlands, Nigeria, Norway, Republic of Korea, Russian Federation, Senegal, South Africa, Trinidad and Tobago, Tunisia, Uganda and the United Kingdom of Great Britain and Northern Ireland. The observer delegation of the United Nations Secretariat also made a statement.

15. Members expressed their general satisfaction with the detailed report and indicated their support for the work that had been undertaken during the reporting period by the Authority as part of its programme of work for the period 2011-2013.

16. With regard to the regulatory work of the Authority, delegations urged the Authority to continue work at finalizing regulations for prospecting and exploration for cobalt-rich ferromanganese crusts that occur on seamounts in the deep oceans. The draft regulations were completed by the Legal and Technical Commission in 2009 and recommended to the Council for adoption. Delegations also welcome the proactive position adopted by the Authority to include in its programme of activities for the period 2011-2013 the commissioning of a preliminary study of some of the issues relating to the development of an exploitation code through the hosting of a seminar.

17. Delegations supported the efforts by the secretariat towards the implementation in the near future of article 82 (4) of the Convention with respect to the distribution by the Authority of payments or contributions derived from the possibly imminent exploitation of non-living resources from the continental shelf beyond 200 miles, in view of the number of recommendations already issued by the Commission on the Limits of the Continental Shelf. For that reason, delegations expressed their interest in participating in an expert group meeting to prepare draft recommendations to the Council and the Assembly as proposed in the annual report of the Secretary-General.

18. Welcoming the cooperation between the Authority and OSPAR, delegations encouraged the Authority to pursue further cooperation with relevant institutions having a mandate over activities in the oceans so as to ensure a consistency of approach as well as comprehensive protection of the marine environment within and beyond the national jurisdiction. It was also emphasized that the responsibilities of the Authority should be considered in the broader context of developments within the law of the sea and in particular, within the context of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction.

19. Delegations noted with concern the tardiness of the submission by contractors of their environmental data, which hampers the Authority to discharge the responsibilities entrusted to it by the Convention and the Agreement with respect to the development of mineral resources in a sustainable manner. In order to remediate to that situation, delegations encouraged contractors to share best environmental practices and access to their environmental databases in view of raising environmental reporting standards and of expanding the database of the Authority.

20. With regard to the Voluntary Trust Fund, delegations expressed their appreciation for it, noting that it had helped to ensure the participation of members from developing countries in meetings of the Legal and Technical Commission and the Finance Committee and encouraged contributions in order to avoid the depletion of the Fund.

21. At the 133rd meeting of the Assembly, Japan announced a contribution of \$100,000 to the Endowment Fund stating that building the expertise of scientists from developing States would encourage the expansion of marine research, which could only be to the benefit of mankind. Subsequently, Mexico announced a contribution of \$2,500 and Nigeria announced a contribution of \$10,000 each to the Endowment Fund and the Voluntary Trust Fund.

VI. Report and recommendations of the Finance Committee

22. At its 134th meeting, on 22 July 2011, the Assembly considered the report of the Finance Committee (ISBA/17/A/3-ISBA/17/C/3).

23. On the basis of the recommendations of the Council contained in document ISBA/17/C/18, the Assembly adopted the decision contained in document ISBA/17/A/5.

24. The President of the Assembly also extended appreciation on behalf of the Assembly to the outgoing Chairman of the Finance Committee, Hasjim Djalal (Indonesia) for his contribution to the work of the Authority.

VII. Election of members of the Finance Committee

25. At its 134th meeting, the Assembly elected, by consensus, 15 members of the Finance Committee for the period from 1 January 2012 until 31 December 2016:

Aung, Zaw Minn (Myanmar)
Armas-Pfirter, Frida María (Argentina)
Bakanov, Aleksey P. (Russian Federation)

Choudhary, Pradip K. (India)
Elliott, Trecia (Jamaica)
Graziani, Francesca (Italy)
Kavina, Pavel (Czech Republic)
Laki, Duncan M. (Uganda)
Myklebust, Olav (Norway)
Ségura, Serge (France)
Storani, Reinaldo (Brazil)
Whomersley, Chris (United Kingdom)
Wilkins, David C. M. (Germany)
Yamanaka, Shinichi (Japan)
Yao, Jinsong (China)

VIII. Appointment and report of the Credentials Committee

26. At its 131st meeting, on 12 July 2011, the Assembly appointed its Credentials Committee in accordance with rule 24 of its rules of procedure. The following were elected members of the Credentials Committee: Argentina, Brazil, Germany, Kenya, Namibia, New Zealand, Republic of Korea, Russian Federation and Saudi Arabia. Subsequently, Jaqueline Moseti (Kenya) was elected by the Committee as its Chairman.

27. The Committee held one meeting, on 19 July 2011, during which it examined the credentials of representatives participating in the seventeenth session of the Assembly. The Committee had before it a memorandum by the secretariat dated 19 July 2011 on the status of those credentials. The report of the Committee is contained in document ISBA/17/A/6.

28. At its 134th meeting, on 22 July 2011, the Assembly adopted the report of the Committee. The decision of the Assembly relating to credentials is contained in document ISBA/17/A/7.

IX. Other matters

29. At its 134th meeting, on 22 July, the Group of 77 and China introduced a proposal to commemorate the thirtieth anniversary of the 1982 United Nations Convention on the Law of the Sea.

30. The proposal recalled the historic significance of the Convention and reaffirmed the importance of the codification and designation by the Convention of the seabed and ocean floor and subsoil beyond the limits of national jurisdiction as well as the resources of the Areas, as the common heritage of mankind. In addition to supporting the convening of a commemorative meeting of the United Nations General Assembly on Monday, 10 December 2012 to mark the thirtieth anniversary of the Convention, the proposal called for a special meeting during the eighteenth session of the Authority for the same purpose.

31. The Assembly adopted, with an amendment, the proposal contained in its decision contained in document ISBA/17/A/8, with the understanding that related costs remain within the budget of the Authority for 2012.

32. Also at its 134th meeting, Ghana, the Netherlands, Nigeria and South Africa introduced a proposal referring to the Advisory Opinion of 1 February 2011 delivered by the Seabed Disputes Chamber on the Responsibilities and Obligations of States sponsoring persons and entities with respect to activities in the Area.

33. After discussion and with amendments to the proposal, the Assembly adopted the decision contained in document ISBA/17/A/9.

X. Dates of the next session of the Assembly

34. The next session of the Assembly will be held from 16 to 27 July 2012. It will be the turn of the African Group to nominate a candidate for the presidency of the Assembly in 2012.
