

# International Seabed Authority

Press Release



**Fourteenth Session  
Kingston Jamaica  
26 May - 6 June 2008**

Round-up of Session

**SB/14/21  
6 June 2008**

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## **INTERNATIONAL SEABED AUTHORITY CONCLUDES FOURTEENTH SESSION**

### **New Secretary-General and Twenty Seabed Council Members elected; Progress made on Negotiations on Sulphides and Crusts Regulations**

The policies of the International Seabed Authority on the organization and control of all mineral-related activities in the seabed Area beyond national jurisdiction are not expected to change in the immediate future with the election of a new Secretary-General as the Authority wound up its fourteenth session in Kingston Friday, 6 June.

The Seabed Council's substantive work for this session was the completion of a review of draft regulations for the prospecting and exploration of polymetallic sulphides in the Area, as well as a review of the annexes relating to those regulations. It requested the Secretariat to provide additional background material on the remaining outstanding issues with respect to the draft regulations.

A recommendation for adoption of the draft regulations on prospecting for cobalt-rich ferromanganese crusts, with a number of revisions, was made by the Legal and Technical Commission, the Council's expert body, which met a week prior to the session. The Council is expected to consider those set of regulations next year.

A tentative date for the next session of the Authority was set for 13 to 24 April, 2009 while the Secretariat negotiates with the United Nations conferences services to secure a definite date more suitable to the majority of its members.

The International Seabed Authority came into being on 16 November 1994 with the entry into force that year of the 1982 United Nations Convention on the Law of the Sea supplemented by the Implementing Agreement of 28 July 1994 (seabed mining provisions). The Convention comprises 17 parts and 9 annexes with a total of 436 articles.

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### Election of Secretary-General

Nii Allotey Odunton, a mining engineer from Ghana with long experience in the negotiations leading to the establishment of the institutions under the United Nations Convention on the Law of the Sea, including the Authority, has worked for many years under the shadow of Secretary-General Satya N. Nandan of Fiji who is leaving at the end of the year.

Speaking after his election, Mr. Odunton thanked the members of the Assembly for the trust and confidence they had shown in him by electing him as the second Secretary-General of the Authority. He said that with its support and guidance the Authority would continue to fulfil its mandate of realizing “the full benefits that are obtainable from the common heritage of mankind.”

Secretary-General Satya Nandan congratulated the Assembly on selecting such a capable Secretary-General, describing Mr. Odunton as a dedicated international civil servant who had served meritoriously as a senior member of the Secretariat team. He congratulated his “colleague and friend of long standing” and gave the assurance that he would do everything possible to ensure a smooth transition.

Representatives of the various regional groups in their statements welcoming Mr. Odunton’s election, stressed the importance of continuity in the administration of the Authority’s affairs.

Spain, on behalf of the Western European and Others Group, expressed confidence in the experience and expertise of Mr. Odunton. Senegal, on behalf of the African group, said Mr. Odunton’s election was “a cause of pride for all of Africa”, The representative of Ghana, which sponsored his candidacy, said this was a vote for continuity and the future of the International Seabed Authority,

Fiji recalled that Mr. Odunton was one of those who were instrumental in laying the foundations of the organization, adding that it was fitting that Mr. Odunton had now “emerged from the engine room to assume the helm” and take over the stewardship of the Authority.

France, speaking on behalf of the member States of the European Union, said that Mr. Odunton’s experience, skills and human qualities would ensure that the Authority continued to carry out its mandate under the best conditions possible. The Russian Federation observed that the unanimity of Mr. Odunton’s election was a demonstration of the high regard in which he was held for his expertise.

Jamaica, speaking as the host country, announced that its Ministry of Foreign Affairs and Foreign Trade would formally convey the government’s congratulations on Mr. Odunton’s election. Brazil, Cameroon, Chile, China, Kenya, Nigeria, Trinidad and Tobago, Uganda and Ukraine, also expressed their congratulations to Mr. Odunton and said they looked forward to working closely with him when he takes up his post in January 2009.

## **Finance**

In adopting the Authority's budget for 2009-2010, the Assembly authorized the Secretary-General to establish a scale of assessment for members' contributions to the budget based on the United Nations' 2008-2009 scale. It appealed to members in arrears to pay their outstanding contributions to the Authority's budget from previous years as soon as possible.

The Assembly authorized the Secretary-General to transfer up to \$60,000 from interest accrued from the Authority's Endowment Fund for Marine Scientific Research in the international seabed Area to supplement the Authority's Voluntary Trust Fund in 2009, and eventually to return the advance of \$135,000 made by the then Pioneer Investor Fund to the Endowment Fund.

(The Voluntary Trust Fund was established in 2002 to enhance the participation of members of the Finance Committee and the Legal and Technical Commission from developing countries in those bodies. As at March 2008, the Voluntary Trust Fund stood at \$69,495. The Endowment Fund was established by the Assembly in 2006 to promote and encourage the conduct of marine scientific research in the international seabed Area, in particular by supporting the participation of qualified scientists and technical personnel from developing countries in those activities.)

## **Sulphides and cobalt-rich crusts regulations**

Work continued on the two separate regulations for prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts in the international seabed Area beyond national jurisdictions in the Authority's Council and Legal and Technical Commission respectively.

### **Draft regulations on cobalt-rich crusts**

The Legal and Technical Commission, in its report to the Council at the conclusion of its work, recommended the adoption of the draft regulations for prospecting and exploration for cobalt-rich crusts in the international seabed Area but with a number of revisions which it proposed, together with the inclusion of an anti-monopoly provision.

Based on the draft text contained in document ISBA/13/LTC/WP.1, the Commission said the revisions should include a revised basic unit for defining an exploration area; a progressive fee system; a review clause and a revised accounting system. It requested the Secretariat to prepare a revised text incorporating its recommendations for its review at its next session in 2009.

### **Applications for approval of plans of work**

The Commission deferred action on the applications for approval of plans of work for exploration by Nauru Ocean Resources Inc., and Tonga Offshore Minerals Ltd., sponsored, respectively, by the Governments of the Republic of Nauru and the Kingdom of Tonga.

Topics discussed at the Commission's closed meetings which began on 19 May, a week ahead of the Authority's fourteenth session, included annual reports of contractors exploring for polymetallic nodules in the international seabed Area; selection of candidates for training by Germany on behalf of the German Federal Institute for Geophysics and Natural Resources, one of the contractors; and a report on a workshop organized by the Authority jointly with the Ministry of Earth Sciences of the Government of India in Chennai in February 2008.

### **Regulations on polymetallic sulphides**

During the session, the Council gave an intensive reading to the draft text on regulations for polymetallic sulphides, adopting some revised texts and deferring others to its next session in 2009. The Council completed a review of those draft regulations that had been left pending at the end of the thirteenth session, as well as a review of the informal texts of annexes 1 and 2 (ISBA/14/C/CRP.3) and Annex 4 (ISBA/14/C/CRP.4), aligned with the informal text of regulations 1 to 44. The Secretariat will produce a revised text of the regulations (ISBA/13/C/CRP.1/Rev.1) incorporating all the revisions agreed to by the Council at the thirteenth and fourteenth sessions. Also, for the Authority's 2009 session, the Secretariat will issue a revised text of the entire draft sulphides regulations, harmonized in all official languages and incorporating the revisions agreed to date.

### **Seminar at session**

Two experts addressed a seminar on markets for seabed minerals and metals and current trends and challenges in mining organized by the Secretariat for the benefit of Council members. Professor Phillip Crowson from the Centre for Energy, Petroleum and Mineral Law and Policy at the University of Dundee, Scotland, told the seminar that deep seabed minerals would not substitute for land-based minerals but would help to meet rising global demand alongside new land-based development.

The other expert, Professor Caitlyn L. Antrim, founder and Director of the Center for Leadership in Global Diplomacy, spoke on the workshop organized jointly by the Authority and India at Chennai in February 2008. She said that the main conclusions of the workshop indicated that the financial outlook for deep ocean mining had improved considerably since the projections made fourteen years ago by the expert group convened by the Preparatory Commission.

### **Council elections**

The Authority's Assembly elected 20 States to fill vacancies in its executive Council. The new Council members, who were elected by the adoption of a draft decision (document ISBA/14/A/L.4), will serve a four-year term beginning 1 January 2009, subject to the understandings reached in the regional and interest groups.

The Council membership is drawn from five groups of States members of the Authority, four of which have special interests in aspects of seabed mining and the fifth is a group chosen to ensure equitable geographical balance in the Council as a whole. Today's election, based on lists drawn up by the respective groups, was uncontested.

The new Council members elected today are as follows:

Group A (China and Jap - from among the largest consumers or net importers of minerals to be derived from seabed mining);

Group B (India – belong to States from those with the largest investment in seabed mining);

Group C (Canada and South Africa - from States that are major land-based net exporters of the minerals also found on the deep sea-bed);

Group D (Bangladesh, Brazil and Sudan - developing States representing special interests, including those with large populations, the landlocked or geographically disadvantaged, islands, Major mineral importers or potential producers, and the least developed);

Group E (Angola, Argentina, Czech Republic, Guyana, Kenya, Namibia, Senegal, the Netherlands, Poland, Spain, Trinidad and Tobago and United Kingdom - States included for geographical balance as well as balance between developed and developing States);

According to a Secretariat paper, the agreed allocation of seats on the Council is 10 seats to the African Group, 9 seats to the Asian Group, 8 seats to the Western European and Others Group, 7 seats to the Latin American and Caribbean Group and 3 seats to the Eastern European Group. Since the number of seats allocated according to that formula is 37, it is understood that, in accordance with the understanding reached in 1996 (ISBA/A/L.8), each regional group other than the Eastern European Group, will relinquish a seat in rotation. The regional group which did so will have the right to designate a member of that group to participate in the deliberations of the Council without the right to vote during the period the regional group relinquishes the seat.

The new members elected to the Council are:

Group A (China and Japan – from States among which are the largest consumers or net importers of minerals s to be derived from seabed mining);

Group B (India – from States with the largest investment in seabed mining);

Group C (Canada and South Africa - from States that are major land-based net exporters of the minerals also found on the deep seabed);

Group D (Bangladesh, Brazil, Sudan - from developing States representing special interests, including those with large populations, the landlocked or geographically disadvantaged, islands, Major mineral importers or potential producers, and the least developed);

Group E ( Angola, Argentina, Czech Republic, Guyana, Kenya, Namibia, Senegal, the Netherlands, Poland, Spain, Trinidad and Tobago and the United Kingdom - from States included for geographical balance as well as balance between developed and developing States).

### Other elections

On 29 May, the Assembly elected Ryszard Kotlinski of Poland as its president for the fourteenth session, with Italy, Uganda and Indonesia as vice-presidents, representing Western Europe and Others, Africa and Asia respectively. The Assembly also elected new members to fill three vacancies in the Finance Committee resulting from the resignations of Kyaw Moe Tun (Myanmar), Oleg Alekseevich Safronov (Russian Federation) and Alexander Stedtfeld (Germany). All three outgoing members had four years left of their five-year terms. They were replaced, respectively, by their compatriots, U Soe Lynn Han (Myanmar), Fiedorovna Lubov Revyakina (Russian Federation), and Michael Hackethal (Germany).

The Council elected Liesbeth Lijnzaad of the Netherlands as its president, with Czech Republic, Japan, Kenya, and Mexico as its vice-presidents, representing the Eastern European, Asian, African, and Latin American and the Caribbean States groups respectively. One new member was also elected by the Council to the Legal and Technical Commission. Christian Reichert (Germany), filled the seat left by the resignation of his compatriot, Michael Wiedicke-Hombach.

### Secretary-General's report

The Secretary-General's 26-page report, submitted to the Assembly under article 166, paragraph 4 of the United Nations Convention on the Law of the Sea, notes that the Authority's substantive work programme for the period 2008-2010 continued to focus primarily on the scientific and technical work necessary for the organization to carry out its functions.

The report also refers to the Endowment Fund for Marine Scientific Research in the Area which was established in 2006 to promote and encourage the conduct of marine research in the international seabed area for the benefit of mankind as a whole. The Fund is aimed, in particular, to support the participation of qualified scientists and technical personnel from developing countries in maritime scientific research programmes.

The report states that for six of the seven former registered pioneer investors, 2006 marked the end of the first five-year programme of work since the contracts were first signed between them and the Authority. As at 31 March 2008, six contractors had accepted a revision of the contract proposed by the Secretary-General for the second five-year period.

In fulfilment of its responsibilities under the Convention, the Authority had been promoting and encouraging marine scientific research in the international seabed Area and disseminating the available results. Towards that end, it had been organizing workshops and seminars. The most recent workshop took place in Chennai, India, last February with 48 participants, including representatives of six of the eight current exploration contractors.

The report said the Secretariat proposes to convene two further international workshops – in 2009 and 2010 respectively. The first will review the geological model of polymetallic nodule deposits in the Clarion-Clipperton Zone, while the second will ascertain the modalities for

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scientific collaboration in research on cobalt-rich ferromanganese crusts deposits in the international seabed Area.

Noting that the present report will be his last, Secretary-General observed that twelve years after his election on 21 March 1996, the necessary institutional framework to establish the Authority as an autonomous international organization had been completed. Substantial progress had also been made in implementing the tasks the Authority identified for itself in 1997. The regulatory framework for prospecting and exploration for polymetallic nodules was completed in 2000, while progress was being made in elaborating similar regimes for polymetallic sulphides and cobalt-rich ferromanganese crusts.

The Authority had also developed preliminary environmental guidelines for minerals exploration in the international seabed Area. A resource assessment of the areas reserved for the Authority had been completed. The Authority had made “greater progress than could have been anticipated in 1997” through its technical workshops and seminars.

One of the most important milestones in the life of the Authority, according to the Secretary-General, was the formal recognition given to the claims of the pioneer investors which brought them within the single regime created by the Convention and the 1994 Agreement. It demonstrated that the institutional structure of the new Authority could function effectively, and showed also the confidence that the contractors had in the system. That confidence had been reinforced with the acceptance of an entity sponsored by the Federal Republic of Germany as the eighth contractor.

He adds that it would be particularly important in the coming years for the Council and its members to ensure that “at all times it acts in the best interests of the Authority and with the institutional objective of encouraging the orderly development of the resources of the deep seabed for the benefit of mankind firmly at the forefront”.

### **Tributes to Secretary-General Nandan**

Delegations paid glowing tribute to Mr. Nandan during meetings of the Assembly. Jamaica praised Mr. Nandan for his leadership of the Authority, particularly his work to build a strong and rewarding relationship with the host country. Sudan commended him for “putting the framework in to ensure the activities of the Authority will benefit mankind”. Canada said during his twelve-year tenure, Mr. Nandan focused the Authority on output and environmental management in the Area. Belgium said he made sure the Authority would be ready for the new challenges ahead. The representative of Lebanon praised the Secretary-General for “nurturing the Authority into adulthood”, while Tonga said there was no doubt that Mr. Nandan’s work had advanced that of the Authority.

Norway said Mr. Nandan was leaving an organization entering its teens in solid check and fit to meet the challenges ahead. “There are several founding fathers of the Law of the Sea regime, our Secretary-General, indeed, being one of them. But there’s only been one father of the International Seabed Authority since its birth twelve years ago and Ambassador Satya Nandan has, with his skills, experience and warm Fijian personality, been an excellent father,” the delegate from Norway said.

### **Credentials Committee's report**

The Credentials Committee Report (ISBA14/A/10) was presented to the Assembly by its Chairman, Scott Sheeran (New Zealand). The Committee accepted the credential of 77 States presented at the fourteenth session. The Chairman noted that Austria had presented its credentials after the Committee had concluded its work, increasing the number of States represented to 78.

The Credentials Committee, which was appointed on 3 June, 2008, consisted of the following nine members: Burkina Faso, China, Finland, Japan, Mexico, New Zealand, Russian Federation, Suriname and United Republic of Tanzania

### **Membership and attendance**

All parties to the Law of the Sea Convention are automatically members of the International Seabed Authority.

The list of members is as follows:

Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, 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, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the 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 People's Democratic Republic, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Niue, 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 & Tobago, Tunisia, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Vietnam, Yemen, Zambia, Zimbabwe.