

Selected Decisions and Documents of the  
Thirteenth Session \* Sélection de Décisions  
et de Documents de la Treizième Session \*  
Selección de Decisiones y Documentos del  
Decimotercero Periodo de Sesiones \*

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(9-20 July 2007)

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**ISBA/13/A/2 Report of the Secretary-General of the International Seabed Authority under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea**

Date: 29 May 2007

I. INTRODUCTION

1. The present report of the Secretary-General of the International Seabed Authority is submitted to the Assembly of the Authority under article 166, paragraph 4, of the 1982 United Nations Convention on the Law of the Sea. While providing the usual account of the work of the Authority over the past 12 months, it also contains a review of the 2005-2007 programme of work and a presentation of the proposed programme of work for 2008-2010.

II. MEMBERSHIP OF THE AUTHORITY

2. In accordance with article 156, paragraph 2, of the Convention, all States parties to the Convention are ipso facto members of the Authority. Since the twelfth session of the Authority (Belarus, Lesotho, Moldova, Montenegro, Morocco and Niue) have become members of the Authority. As at 31 May 2007, there were 155 members of the Authority (154 States and the European Community).

3. The Authority is the organization through which States parties to the Convention shall, in accordance with part XI of the Convention, organize and control activities in the Area, particularly with a view to administering the resources of the Area. This is to be done in accordance with the regime for deep seabed mining established in Part XI of the Convention and in the Agreement relating to the implementation of part XI of the United Nations Convention on the Law of the Sea adopted by the General Assembly of the United Nations under the terms of its resolution 48/263 of 28 July 1994. As provided by resolution 48/263 and the Agreement itself, the provisions of the Agreement and part XI of the Convention are to be interpreted and applied together as a single instrument. In the event of any inconsistency between the Agreement and part XI, the provisions of the Agreement prevail. In addition, the Authority has a number of other, specific, responsibilities, such as the responsibility to distribute to States Parties to the Convention payments or contributions in kind derived from exploitation of the resources of the continental shelf beyond 200 nautical miles pursuant to article 82, paragraph 4, of the Convention.

4. As at 1 May 2007, there were 127 parties to the 1994 Agreement. The following 26 members of the Authority that became parties to the Convention prior to the adoption of the 1994 Agreement have not yet become parties to the 1994 Agreement: Angola, Antigua and Barbuda, Bahrain, Bosnia and Herzegovina, Brazil, Cape Verde, Comoros, Democratic Republic of the Congo, Djibouti, Dominica, Egypt, Gambia, Ghana, Guinea-Bissau, Guyana, Iraq, Mali, Marshall Islands, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Somalia, Sudan, Uruguay and Yemen. Although members of the Authority which are not parties to the Agreement necessarily participate in the work of the Authority under arrangements based on the Agreement, becoming a party to the Agreement would remove an incongruity that currently exists for those States. For this reason, each year since 1998, at the request of the Assembly, the Secretary-General has circulated a note verbale to all members in this position urging them to consider

becoming parties to the 1994 Agreement. In the last such note, circulated on 21 February 2007, attention was drawn to the relevant paragraphs of the report of the Secretary-General for 2006 (ISBA/12/A/2) and to paragraph 3 of General Assembly resolution 61/222 calling upon all States to become parties to both the Convention and the Agreement in order to achieve the goal of universal participation in the two instruments.

5. Membership of the Authority entails participation in the work of the Authority. The Assembly is considered to be the supreme organ of the Authority, to which the other principal organs are accountable as specifically provided for in the Convention. However, a recurrent problem for the Authority is poor attendance at the Assembly. Although there are relatively few meetings of the Assembly, the debate on the annual report of the Secretary-General provides an important opportunity for general statements about the Authority's work. The Assembly also adopts the budget of the Authority and elects the Secretary-General, the members of the Council and the members of the Finance Committee. It is possible that the absence of a quorum (which is a majority of members) at meetings of the Assembly may hamper decision-making within the Authority if this situation continues.

6. This is an important matter for the credibility and legitimacy of the Authority. The Secretary-General has highlighted the problem of poor attendance at the Assembly at every opportunity, most recently in his statement to the General Assembly on 8 December 2006 (see A/61/PV.71, pp. 6 and 7). In its resolution 61/222 of 20 December 2006, the General Assembly urged all States parties to the Convention to attend the sessions of the Authority, and called upon the Authority to continue to pursue all options, including the issue of dates, in order to improve attendance at Kingston and to ensure global participation. This issue is discussed further in paragraph 85 below.

### III. PERMANENT MISSIONS TO THE AUTHORITY

7. As at 13 April 2007, Argentina, Belgium, Brazil, Cameroon, Chile, China, Costa Rica, Cuba, France, Gabon, Germany, Haiti, Honduras, Italy, Jamaica, Mexico, Nigeria, the Republic of Korea, Saint Kitts and Nevis, South Africa, Spain, Trinidad and Tobago and the European Union had established permanent missions to the Authority.

### IV. PREVIOUS SESSION OF THE AUTHORITY

8. The twelfth session of the Authority was held from 7 to 18 August 2006. Sainivalati S. Navoti (Fiji) was elected President of the Assembly for the twelfth session. Mariusz-Orion Jedrysek (Poland) was elected President of the Council.

9. The work of the Assembly during the twelfth session included the election of one half of the members of the Council for the period from 1 January 2007 to 31 December 2010. A debate was held on the annual report of the Secretary-General and the Assembly adopted the budget of the Authority for the financial period 2007-2008. The Assembly also elected 15 members of the Finance Committee for a five-year term commencing 1 January 2007. The Assembly adopted, on the recommendation of the Finance Committee, a resolution establishing an endowment fund for marine scientific research in the Area (ISBA/12/A/11).

10. The Council continued its consideration of the draft regulations on prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts ("cobalt crusts") in the Area. In the light of its discussions and the outcome of a workshop on the technical and economic considerations relating to mining for these resources that had

been convened immediately prior to the twelfth session, the Council decided to prepare separate sets of regulations dealing with polymetallic sulphides and cobalt crusts. The Council would consider draft regulations on polymetallic sulphides at the thirteenth session, while the draft regulations on cobalt crusts would be referred to the Legal and Technical Commission for further consideration in 2007.

11. The Council elected 25 members of the Legal and Technical Commission for a five-year term starting on 1 January 2007. In the light of its decision to increase the size of the Legal and Technical Commission to 25 members without prejudice to future elections, the Council requested the Secretary-General to prepare for its consideration a report on the future size and composition of the Legal and Technical Commission and the process for future elections. A note by the Secretary-General has been prepared in response to this request (ISBA/13/C/2). The next election of all members of the Commission will be held in 2011.

#### V. PROTOCOL ON PRIVILEGES AND IMMUNITIES OF THE AUTHORITY

12. The Protocol on Privileges and Immunities of the International Seabed Authority entered into force on 31 May 2003. Since the twelfth session of the Authority, three further members of the Authority (Argentina, Germany and Italy) have become parties to the Protocol. As at 13 June 2007, the following 23 members of the Authority were parties to the Protocol: Argentina, Austria, Cameroon, Chile, Croatia, Czech Republic, Denmark, Egypt, Germany, India, Italy, Jamaica, Mauritius, Netherlands, Nigeria, Norway, Oman, Portugal, Slovakia, Spain, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland and Uruguay. The Secretary-General urges other members of the Authority to consider becoming parties to the Protocol which, inter alia, provides essential protection to representatives of members of the Authority who attend meetings of the Authority or who travel to or from those meetings. It also accords to experts on missions for the Authority such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions and the time spent on journeys in connection with their missions.

#### VI. RELATIONS WITH THE UNITED NATIONS AND OTHER BODIES

13. The Authority maintained a good working relationship with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations. Along with other international organizations and bodies concerned with ocean-related activities, the Authority is a participant in the Oceans and Coastal Areas Network (UN-Oceans). The Secretary-General attended the 5th meeting of UN-Oceans, held in Paris in May 2007. The Authority has also participated in the development of the United Nations Atlas of the Oceans, both by contributing data and information relating to the Area to the online databases and by making a small financial contribution of \$5,000 towards the project.

14. In April 2007, the International Tribunal for the Law of the Sea held its second regional workshop on the role of the Tribunal in the settlement of disputes relating to the law of the sea. The workshop was held at the premises of the Authority. The programme of the workshop included an information session on the legal and technical aspects of the work of the Authority.



## VII. SECRETARIAT

15. During the period under review, the structure of the secretariat continued to evolve in line with the proposals presented in the programme of work for the period 2005-2007. This included a review of internal administration and updating of job descriptions for administrative staff.

## VIII. BUDGET AND FINANCE

### A. Budget

16. For the financial period 2007-2008, the Authority adopted a budget of \$11,782,400.

### B. Status of contributions

17. In accordance with the Convention and the 1994 Agreement, the administrative expenses of the Authority shall be met by assessed contributions of its members until the Authority has sufficient funds from other sources to meet those expenses. The scale of assessments shall be based on the scale used for the regular budget of the United Nations, adjusted for differences in membership. As at 1 May 2007, 79 per cent of the value of contributions to the 2007 budget due from member States and the European Community had been received from 34 per cent of the Authority's membership.

18. Contributions outstanding from member States for prior periods (1998-2006) totalled \$384,253. Notices are regularly sent to member States reminding them of the arrears. In accordance with article 184 of the Convention and rule 80 of the rules of procedure of the Assembly, a member of the Authority that is in arrears in the payment of its financial contribution shall have no vote if the amount of its arrears equals or exceeds the amount of financial contribution due from it for the preceding two years. As at 1 May 2007, 54 members of the Authority were in arrears for a period of two years or more. They were: Albania, Argentina, Bahrain, Belize, Benin, Bolivia, Burkina Faso, Cape Verde, Comoros, Cook Islands, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Djibouti, Dominica, Equatorial Guinea, Gambia, Grenada, Guinea, Guinea-Bissau, Haiti, Honduras, Iraq, Kenya, Luxembourg, Maldives, Mali, Marshall Islands, Mauritania, Micronesia (Federated States of), Mozambique, Nauru, Panama, Papua New Guinea, Paraguay, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Solomon Islands, Somalia, Suriname, the former Yugoslav Republic of Macedonia, Togo, Tuvalu, Uganda, United Republic of Tanzania, Uruguay, Vanuatu, Yemen, Zambia and Zimbabwe.

19. Also as at 1 May 2007, the balance of the Working Capital Fund stood at the approved level of \$438,000.

### C. Voluntary trust fund

20. A voluntary trust fund for the participation of members of the Finance Committee and the Legal and Technical Commission from developing countries was established in 2002, following a request by the Assembly to enhance the participation of members from developing countries in those bodies. Prior to the establishment of the fund, attendance at meetings of the two bodies by members from developing countries had been generally poor, ostensibly for financial reasons. That situation has improved since the fund was established. Provisional terms and conditions for the use of the fund were adopted by the

Assembly, on the recommendation of the Finance Committee, in 2003 and amended in 2004 (see ISBA/9/A/9, para. 14, and ISBA/9/A/5-ISBA/9/C/5).

21. The fund is made up of voluntary contributions from members of the Authority and others. Over the life of the fund, contributions totalling \$62,800 have been received from Angola (\$300), Brazil (\$10,000), Indonesia (\$1,000), Namibia (\$1,300), Nigeria (\$5,000), Norway (\$25,000), Oman (\$10,000), Trinidad and Tobago (\$10,000) and Dr. Y. Kazmin (\$200). Furthermore, the Government of Spain has pledged to contribute €15,000 to the fund.

22. In 2003, to supplement the voluntary contributions, the Assembly, on the recommendation of the Finance Committee, authorized an advance of \$75,000 to be paid into the fund from the interest from the fund for application fees paid by former registered pioneer investors (see ISBA/9/A/5-ISBA/9/C/5). At the eleventh session, the Assembly, on the recommendation of the Finance Committee, authorized the Secretary-General to advance a further \$60,000 from the same source (see ISBA/11/A/8). In 2006, however, at the twelfth session, in the light of the existing balance in the fund, the Finance Committee decided not to recommend any further advances to the fund for 2007.

23. As at 1 May 2007, the balance of the fund stood at \$79,770, including interest income of \$256. The total amount paid out of the fund to date is \$120,166.

#### D. Endowment Fund

24. In 2006, the Assembly decided to establish the International Seabed Authority Endowment Fund for Marine Scientific Research in the Area (ISBA/12/A/11). The purpose of the Fund is to promote and encourage the conduct of marine scientific research in the Area for the benefit of mankind as a whole, in particular by supporting the participation of qualified scientists and technical personnel from developing countries in marine scientific research programmes and by providing them with opportunities to participate in international technical and scientific cooperation, including through training, technical assistance and scientific cooperation programmes.

25. In accordance with the decision of the Assembly, the initial capital of the Fund consisted of the balance remaining as at 18 August 2006 from the application fees paid by the registered pioneer investors, under resolution II of the Third United Nations Conference on the Law of the Sea, to the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea, pursuant to paragraph 7 (a) of resolution II, together with interest accrued thereon.

26. The Assembly had also requested the Secretary-General to prepare for consideration by the Council and Assembly in 2007 detailed rules and procedures for the administration and utilization of the Fund. Pending the elaboration of such rules and procedures, the Fund is not to be utilized. In accordance with that request, the Secretary-General has prepared draft terms of reference, guidelines and procedures for the use of the Fund (ISBA/13/FC/1). These will be considered by the Finance Committee prior to their submission to the Council and Assembly for approval. The Finance Committee will also receive a report on the status of the Fund.

#### IX. LIBRARY, PUBLICATIONS AND WEBSITE

27. The library manages the Authority's specialized collection of reference and research materials focusing on matters relating to the law of the sea, ocean affairs and

deep seabed mining. The library serves the needs of members of the Authority, permanent missions and researchers interested in information on the law of the sea and ocean affairs, as well as providing essential reference and research assistance to support the work of the staff of the secretariat. In addition, the library is responsible for the archiving and distribution of the official documents of the Authority and assists with the publications programme.

28. The library facilities include a reading room with access to the collection for reference purposes only and computer terminals for e-mail and Internet access. The specialized research capability of the existing collection continues to improve through an acquisitions programme which is aimed at building upon and strengthening the library's comprehensive collection of reference materials. During the reporting period, approximately 130 books, various CD-ROMs and over 450 journal issues were acquired. A generous donation of 24 publications was made by the China Ocean Mineral Resources Research and Development Association (COMRA) of the People's Republic of China. Donations were also received from institutions and libraries, including from the Division for Ocean Affairs and the Law of the Sea of the United Nations, the International Tribunal for the Law of the Sea, the United Nations Educational and Scientific Organization, the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, and the United States Institute of Peace. Over the next three years, the library will conduct an outreach programme through which it will invite relevant academic, research and related institutions to participate in an exchange of their publications for those of the Authority. This should contribute to the further development of the collection. In addition, the content of the library's web page will be further developed to include information on using the catalogue, search guides and information on the collection and services available.

29. During the period under review, in addition to the increasing number of requests for copies of the publications and documents of the Authority, requests were processed for information on a number of subject areas related to the activities of the Authority, including bioprospecting of genetic resources of the deep seabed; the development of technologies for deep seabed mining; bilateral and multilateral maritime delimitation agreements of selected countries; the United Nations Convention on the Law of the Sea, the status of implementation of the provisions on the marine environment and Jamaica's progress in implementing provisions of the Convention; deep seabed mining and the protection of the marine environment; continental shelf limits; and the exploitation of marine resources. Most requests are received electronically. The requests came from individuals and a variety of academic and research institutions, including the Caribbean Maritime Institute; the central library of Mosul University, Iraq; the Commonwealth Secretariat; the Ministry of Foreign Affairs of South Africa; the permanent mission of China to the Authority; the international law programme of Kobe University Graduate School of International Cooperation Studies, Japan; the Law of the Sea Unit, Ministry of External Relations, Cameroon; the National Center of Fisheries Sciences of Boussoura, Guinea; the Ministry of Fisheries and Aquaculture of Guinea; the National Environment and Planning Agency of Jamaica; the National Oceanographic Centre, QinetiQ Environmental Unit, United Kingdom; the Permanent Mission of Jamaica to the United Nations; the United States Department of Commerce; General Counsel for International Law, National Oceanographic and Atmospheric Administration, United States; YBP Library Services, New Hampshire, United States; and the Department of Government of the University of the West Indies.

30. The regular publications of the Authority include an annual compendium of selected decisions and documents of the Authority (published in English, French and

Spanish) and a handbook containing details of the membership of the Assembly and the Council, the names and addresses of permanent representatives and the names of the members of the Legal and Technical Commission and the Finance Committee. A complete list of all the current publications issued by the Authority can be found on the Authority's website ([www.isa.org.jm](http://www.isa.org.jm)).

31. The Authority's website, first developed in 1999, had long outgrown its original architecture by 2006. In that year the Authority undertook a major upgrade of the website in order to provide greater functionality and ease of access to users. The restructured website uses various online interactive techniques to enable the secretariat to provide user-friendly information to member States, members of the Legal and Technical Commission and Finance Committee and academic and scientific researchers on the work of the Authority, including its documentation and sessions, on marine scientific research of relevance to its work and on the development of marine mineral resources of the Area. The website is also the main point of access to the Authority's central data repository.

#### X. REVIEW OF THE SUBSTANTIVE WORK PROGRAMME OF THE AUTHORITY FOR 2005-2007 AND PROPOSED WORK PROGRAMME FOR 2008-2010

32. In his annual report to the tenth session in 2004 (ISBA/A/10/3), the Secretary-General for the first time presented the substantive work programme of the Authority in the form of a three-year programme of work covering the period 2005-2007. In the same report, it was noted that, prior to 2004, the work programme of the Authority had been driven by the need to make progress on matters of an organizational nature or on the implementation of the recommendations of the Preparatory Commission relating to the registered pioneer investors.

33. The substantive functions of the Authority are set out in the Convention and in the 1994 Agreement. Pending the approval of the first plan of work for exploitation the Authority is to concentrate on the eleven areas of work listed in paragraph 5 of section 1 of the annex to the 1994 Agreement. Given the limited resources available to the Authority, the relative priority to be given to each of those areas of work is dependent upon the pace of development of commercial interest in deep seabed mining. Thus, the 2005-2007 programme of work was based on the implementation of subparagraphs (c), (d), (f), (g), (h), (i) and (j) of paragraph 5 of section 1, in particular the following main areas:

- (a) The supervisory functions of the Authority with respect to existing contracts for exploration for polymetallic nodules;
- (b) The development of an appropriate regulatory framework for the future development of the mineral resources of the Area, particularly hydrothermal polymetallic sulphides and cobalt-rich ferromanganese crusts, including standards for the protection and preservation of the marine environment during their development;
- (c) Ongoing assessment of available data relating to prospecting and exploration for polymetallic nodules in the Clarion-Clipperton zone;
- (d) The promotion and encouragement of marine scientific research in the Area through, inter alia, an ongoing programme of technical workshops, the dissemination of the results of such research and collaboration with Kaplan, the Chemosynthetic Ecosystem Group and the Seamounts Group;

- (e) Information-gathering and the establishment and development of unique databases of scientific and technical information with a view to obtaining a better understanding of the deep ocean environment.

34. It is proposed that the 2008-2010 programme of work will continue to focus on these main areas of work and will build on the progress made during the period 2005-2007. In addition, however, in the light of developments within the marine minerals sector, the Authority will begin to monitor more closely trends and developments relating to deep seabed mining activities, including world metal market conditions and metal prices, trends and prospects (subparagraph (d) of paragraph 5 of section 1 of the annex to the 1994 Agreement).

35. It is notable that in recent years there has been a rapid and significant growth in demand and prices for the metals of commercial interest in polymetallic nodules (copper, nickel, cobalt and manganese). Similar growth has been recorded for the metals of commercial interest in hydrothermal polymetallic sulphides (gold, copper, silver and zinc) and cobalt-rich ferromanganese crusts (cobalt). For example, according to the United States Geological Survey and *Mining Journal*, between 2000 and 2007, the price of copper rose over 400 per cent, the price of cobalt by over 230 per cent, the price of nickel by over 570 per cent, the price of zinc by over 300 per cent and the price of lead by over 200 per cent. One reason for this growth is increased demand for these metals in the developing economies of China, the Russian Federation, India and Brazil. These developments have helped to invigorate the marine minerals sector and to call positive attention to the work of the Authority.

36. In 2006, Nautilus Minerals Inc., which is the first company to commercially explore the ocean floor for high-grade gold-copper-zinc-silver sea floor massive sulphide deposits announced that following a geological targeting programme it had lodged 47 exploration licence applications covering prospective areas of 108,295 km<sup>2</sup> of the Bismarck Sea in Papua New Guinea. In January 2007, the company announced that it has lodged 18 prospecting license applications within the exclusive economic zone of Tonga and a further two special prospecting licenses within the Fiji exclusive economic zone. The company also succeeded in attracting investment from three major traditional land-based mining companies (Barrick Gold Corporation, Anglo American PLC and Teck Cominco). Its 2007 exploration and development programme at the Solwara 1 project in the territorial waters of Papua New Guinea involves environmental, mining and metallurgical studies using a 141-metre exploration vessel and is described on the company's website ([www.nautilusminerals.com](http://www.nautilusminerals.com)) as the "world's largest-ever exploration and development programme for high-grade sea floor massive sulphide systems". At the same time, the company has entered into an agreement with Jan De Nul of Belgium, one of the world's leading international dredging companies, to construct a specialized deep-sea mining vessel. The 191-metre vessel, to be named the *Jules Verne*, is expected to be completed by the end of 2009 to meet Nautilus's target date for commencing mining operations. Although the deposits under exploration in Papua New Guinea waters occur at ocean depths significantly less than the depths of the polymetallic nodule deposits in the Area, the production costs for mining massive sulphide deposits at Solwara 1 (assuming the mining technology can be proven) will help to provide some indication of the possible viability of polymetallic nodule and sulphide resources in the Area.

37. Another exploration company, Neptune Minerals PLC, which is registered in the United Kingdom and listed on the AIM market of the London Stock Exchange, has an active exploration programme for sea floor massive sulphides within the exclusive economic zone of New Zealand. In May 2007 the company was granted exploration

licences in the territorial waters of Papua New Guinea (in an area adjacent to that under exploration by Nautilus Minerals Inc.) and a foreign investment permit to explore for and develop sea floor massive sulphides in the exclusive economic zone of the Federated States of Micronesia, focusing on the Yap Arc and Yap Back-Arc structures located north and west of the Yap Island group.

A. Supervisory functions with respect to existing contracts

38. One of the key functions of the Legal and Technical Commission is to review and evaluate the annual reports by contractors. There are presently eight contractors for exploration for polymetallic nodules in the Area. These are Yuzhmorgeologiya (Russian Federation), Interoceanmetal Joint Organization (IOM) (Bulgaria, Cuba, Slovakia, Czech Republic, Poland and Russian Federation), the Government of the Republic of Korea, COMRA (China), Deep Ocean Resources Development Company (DORD) (Japan), Institut français de recherche pour l'exploitation de la mer (IFREMER) (France), the Government of India and the Federal Institute for Geosciences and Natural Resources of Germany. Each contractor is under an obligation to submit an annual activity report by the end of March each year.

39. The objective of the reporting requirement is to establish a mechanism whereby the Commission is properly informed of the contractors' activities so as to be able to exercise its functions under the Convention, particularly those relating to the protection of the marine environment from the harmful effects of activities in the Area. To facilitate reporting, the Commission in 2002 recommended a format and structure for annual reports (ISBA/8/LTC/2, annex), including a standardized contents list (general, exploration work, mining tests and mining technology, training, environmental monitoring and assessment, financial statement, proposed adjustment to the programme of work, conclusions and recommendations) which is based on the standard clauses set out in annex 4 to the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area (ISBA/6/A/18, annex). Additional assistance for contractors in preparing their annual reports appears in the recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for polymetallic nodules in the Area issued by the Commission in 2001 pursuant to regulation 38 of the Regulations (ISBA/7/LTC/1/Rev.1).

40. Although the contents of the annual reports are confidential, any relevant findings and recommendations of the Commission on the annual reports are presented in a report to the Secretary-General including, as appropriate, requests for clarification or further information. The Secretary-General conveys any such requests to the contractors by letter. Comments of a general nature with respect to the evaluation of the annual reports of the contractors may also be included in the report on the work of the Commission that the Chairman of the Commission presents to the Council.

41. The Regulations also provide for periodic review of the implementation of plans of work for exploration at intervals of five years. This is to be achieved through consultations between contractors and the Secretary-General. As part of the review, the contractor shall indicate its programme of activities for the following five years, making such adjustments to its previous programme of activities as are necessary. The Secretary-General may request the contractor to submit such additional data and information as may be necessary for the purposes of the review. The Secretary-General is required to report on the review to the Commission and the Council.

42. For the seven former registered pioneer investors, 2006 marked the end of the first five-year programme of work since the contracts were issued. This provided an opportunity for the contractors to provide a comprehensive account of the work carried out, the results obtained and the expenditure incurred during the five-year programme. Comprehensive five-year reports were submitted by the Government of India, DORD, the Republic of Korea, IOM, Yuzhmorgeologiya, IFREMER and COMRA. Between August 2006 and May 2007, the Secretary-General met with DORD, the Republic of Korea, IOM, COMRA and the Government of India to discuss their proposed programmes of activities for the next five years. Information on the detailed programmes of work will be submitted to the Legal and Technical Commission and the Council in due course.

B. Regulations on prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts

43. The Assembly will recall that in 1998 the delegation of the Russian Federation formally requested the Authority to develop regulations for prospecting and exploration for polymetallic sulphides and cobalt crusts. A workshop on these resources was held in June 2000, and in 2001 a document was placed before the Council (ISBA/7/C/2) summarizing the discussion at the workshop and indicating the considerations to be borne in mind in elaborating regulations. After extensive discussions, the Council decided to ask the Legal and Technical Commission to prepare draft regulations. The Legal and Technical Commission, with assistance from the Secretariat, did a great deal of work on a first draft in 2003 and 2004. During the eleventh session in 2005, the Council completed a first reading of the draft Regulations on Prospecting and Exploration for Polymetallic Sulphides and Cobalt-rich Crusts, prepared by the Secretariat and the Legal and Technical Commission.

44. The Council then asked the Secretariat for clarification of certain points, and the Secretariat submitted two technical information papers to the Council in 2006 (ISBA/12/C/2 and ISBA/12/C/3). At the 106th meeting, on 8 August 2006, the Council was provided with an oral briefing on the technical issues dealt with in those papers. The briefing was given by the Secretariat with the assistance of two technical experts, James Hein and Charles Morgan. In addition, Mr. Morgan presented to the Council a report on the preliminary outcomes of a workshop on the technical and economic considerations relating to mining of polymetallic sulphides and cobalt-rich crusts, held from 31 July to 4 August 2006. At the request of the Council, a summary of the workshop recommendations was issued in the form of a document (ISBA/12/C/7). The delegation of the Russian Federation also submitted a draft proposal relating to the draft regulations (ISBA/12/C/6).

45. Following extensive discussion of the way in which the Council would address the outstanding technical issues with respect to the draft regulations, it was agreed that the Secretariat should attempt to revise the draft regulations further in the light of the outcomes of the technical workshop and the presentations, proposals and discussions in the Council during the twelfth session. In revising the draft, it was agreed that separate sets of regulations would be prepared for polymetallic sulphides and cobalt crusts. In considering the revised draft regulations, the Council recommended that the Legal and Technical Commission should give priority to the regulations relating to polymetallic sulphides, so that the Council could be in a position to give substantive consideration to the regulations for polymetallic sulphides in 2007. In order to expedite this process, it was agreed that a revised draft of the draft sulphides regulations would be circulated to the outgoing members of the Legal and Technical Commission before 31 December 2006 for comment, following which the draft would be made available to member States. The

incoming Legal and Technical Commission would then review the draft regulations for cobalt crusts and submit them for consideration by the Council in 2008.

46. In accordance with the Council's request, the Secretariat prepared a set of draft sulphides regulations in October 2006. The draft was circulated to outgoing members of the Legal and Technical Commission, who were asked to submit their comments by 31 December 2006. Comments were received from three members of the Commission. In the light of those comments, the Secretariat has prepared an explanatory note, annexing the revised draft sulphides regulations, for consideration by the Council in 2007 (ISBA/13/C/WP.1).

47. Also in accordance with the Council's request, the Secretariat has prepared revised draft regulations relating to cobalt-rich ferromanganese crusts (ISBA/13/LTC/WP.1). The revised draft is based on document ISBA/10/C/WP.1/Rev.1 with technical adjustments consistent with the recommendations that emerged from the discussions during the 2006 workshop on technical and economic considerations relating to these resources.

48. As noted in paragraph 39 above, in 2001, the Legal and Technical Commission issued recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for polymetallic nodules in the Area. The recommendations were developed from the outcomes of an international workshop held in 1998. Their purpose is to describe the procedures to be followed in the acquisition of baseline data by contractors, including the monitoring to be performed during or after any activities having the potential to cause serious harm to the environment. The recommendations also emphasize the importance of standardized approaches to the reporting and analysis of data.

49. In 2001, the Authority held an international workshop on standardization of environmental data and information. The recommendations of the workshop included the establishment of a common database by the Authority linking contractor and non-contractor databases and its publication on the Internet; the taxonomic standardization of species identification to ensure that species are identified similarly during taxonomic analyses of samples that may have been taken by different contractors, in different locations and at different times; the exchange of seagoing scientists, to enable them to compare and standardize field procedures; and cooperative cruises to allow for the exchange of samples, technologies and protocols. The outcomes of the workshop were considered by the Legal and Technical Commission at the tenth session in 2004, with a view to issuing a further set of recommendations to contractors relating to the standards to be used for environmental data collection and submission. The Commission considered that, since the proceedings of the workshop were available in the public domain, and in the light of the work being undertaken by contractors, it was premature to issue further recommendations at that time. The Commission would, however, keep the question of standardization of data under review as necessary.

C. Ongoing assessment of available data relating to prospecting and exploration for polymetallic nodules

50. Two of the main features of the 2005-2007 work programme were the development of a central data repository for the Authority and the establishment of a geological model of polymetallic nodule deposits in the Clarion-Clipperton fracture zone.



## 1. Central data repository

51. The objective of the central data repository is to collect and centralize all public and private data and information on marine mineral resources available to the Authority. This will enable the Authority to reconcile available data and information from different sources using uniform data formats, evaluate those data and draw conclusions from them. Work on the repository commenced in 2000. The work carried out in the developmental phase is described in the report of the Secretary-General to the tenth session (ISBA/10/A/3, paras. 139-141).

52. Although good progress has been made over the past three years in developing the parameters for the repository, its success in the long term will depend upon the acquisition of suitable and appropriate data. A key difficulty is that suitable data in the public domain are sparse. In particular, there is a dearth of data relating to the ecosystems associated with deep seabed mineral resources. Associated problems include the need for a standard taxonomy and the standardization of certain types of environmental and geological data. These problems highlight the need for the Authority to enter into collaborations with scientists and research institutions with a view to informing them of the basic scientific needs of the Authority. Such outreach activities also assist scientists by introducing new areas of research and catalyzing efforts in the areas where standardization is required.

53. During the 2008-2010 work programme, the Secretariat will continue to expand the central data repository by augmenting the data already contained in it, generating products that provide a better indication of the possible resources of the Area and reflect the process underway in the Authority to establish reserves of metals in the mineral resources of the Area. In this regard, the structure of the database will be adjusted to cluster data and information by resource type, i.e., polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts. In the case of polymetallic nodules, additional environmental data will be sought from contractors, in particular from their annual reports and their reports on relinquished areas. Efforts will also be made to obtain information on data maintained in their archives. Ultimately, it is intended that the central data repository will have the capacity to provide spatial information and thematic maps utilizing available resource data, data on the bathymetry, seamounts, fracture zones, ridges, trenches, hydrothermal vent systems, biological and environmental data in areas of commercial interest for each of the three resources in the Area.

54. The task of compiling environmental databases for polymetallic nodules is made somewhat easier by the existence of an extensive knowledge base accumulated over a number of years of prospecting. However, this may be contrasted with the situation for polymetallic sulphides and cobalt crusts, where a critical lack of detailed sampling and surveying means not only that there is presently a very limited understanding of the physical, geochemical and biological conditions at potential sites for exploration, but there is a very poor background database to begin with. It is expected that it will take time to establish meaningful environmental databases for these resources and that cooperation with relevant international marine research institutions will be essential. During the 2008-2010 period, the Secretariat proposes to begin creating biological databases for polymetallic sulphides and cobalt crusts for regions of commercial interest utilizing available public domain data and through collaborations. In particular it is proposed to

convene a meeting with the ChEss project<sup>1</sup> and the InterRidge Group<sup>2</sup> to examine potential collaboration with these two organizations to obtain some of the data and information required to establish or add to the databases. The databases will, to the extent possible, include information on species occurrence and genetic resources augmented with other relevant environmental data as appropriate.

## 2. Geological model of the Clarion-Clipperton zone

55. The objectives of the project to establish a geological model of the Clarion-Clipperton zone are to develop a model of the polymetallic nodule deposits in the zone and an associated prospector's guide that will attempt to reduce the uncertainty associated with resource assessment for these deposits. The background to the project is described in the report of the Secretary-General to the tenth session (ISBA/10/A/3, paras. 116-122). The parameters of the project and a three- to four-year work programme were elaborated at a workshop held at Nadi, Fiji, in May 2003. Work on the project commenced shortly thereafter. This involved the compilation of available data and the use of consultants to assist the Secretariat in developing and testing the various components of the model, including proxy datasets and mathematical algorithms to generate predictions of nodule abundance and grade for any location within the zone.

56. At the twelfth session in 2006, the Legal and Technical Commission was provided with an update of progress with the geological model. The Commission was informed that work with regard to resource evaluation of polymetallic nodule resources had been completed. The results of the use of chlorophyll as a proxy for nodule abundance were encouraging. In addition, preliminary reports from consultants on bathymetry, tectonics and volcanism, carbonate compensation depth and the oxygen minimum zone had been received.

57. A midterm meeting on the geological model was convened at the East-West Centre in Hawaii, United States, in October 2006. It was found that, owing to a delay in assimilating data from different sources, there had been a slight delay in completing some of the tasks associated with the project, in particular with regard to the proxy sediment type. It was decided to convene a joint workshop exclusively to address the question of the proxy sediment type, to be attended by consultants from France, the Republic of Korea, COMRA and IOM. Notwithstanding the delay in the project, it was agreed that all work products would be submitted for peer review by September 2007. A final draft of the model, reflecting the suggestions from peer reviewers and internal reviews, will be available by the end of 2007. It is proposed to present the final outputs of the project (including the prospector's guide and the geological model) at an international workshop which will be convened for the purpose prior to the fourteenth session of the Authority in 2008.

58. As part of the 2008-2010 work programme, the Secretariat proposes to initiate development of a similar model for polymetallic nodule deposits in the Central Indian Ocean basin. As an initial step, the Secretariat will convene a meeting of experts on the resources of the Central Indian Ocean basin and model developers to consider various

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<sup>1</sup> ChEss is a global study of the distribution, abundance and diversity of species in deep-water hydrothermal vents, cold seeps and other chemosynthetic ecosystems for the Census of Marine Life initiative and is directed from the National Oceanography Centre, Southampton, United Kingdom.

<sup>2</sup> See <http://interridge.who.edu/>.

elements to be included in model development, and to devise a programme of work for model development. Following this meeting, the Secretariat will prepare a draft project plan and detailed terms of reference for implementation of the programme of work.

#### D. Promotion and encouragement of marine scientific research in the Area

59. Under articles 143 and 145 of the Convention, the Authority has a general responsibility to promote and encourage the conduct of marine scientific research in the Area and to disseminate the results of such research. It also has a duty to ensure effective protection of the marine environment from harmful effects which may arise from activities in the Area. A key factor for the Authority is that, although a significant amount of basic and applied research has been done in the past or is still in progress, it is broadly accepted that the current level of knowledge and understanding of deep sea ecology is not yet sufficient to allow conclusive risk assessment of the effects of large-scale commercial seabed mining. This is particularly so in relation to polymetallic sulphides and cobalt crusts. Effective administration of the Area requires knowledge of the Area. The only mechanisms available to the Authority to obtain better knowledge of the Area are through the results of general and applied marine scientific research, or through active prospecting and exploration for minerals.

60. Much knowledge has been gained by the present contractors through their prospecting and exploration for polymetallic nodules. However, it must be borne in mind that the majority of their work is not a broad pursuit of science to help the international community to manage the impact of exploration and mining, but has been primarily directed towards commercial extraction of polymetallic nodules from the abyssal depths of the oceans. In order to be able in future to manage the impact of mineral development in the Area in such a way as to prevent serious harm to the marine environment, it will be essential for the Authority to have better knowledge of the state and vulnerability of the marine environment in mineral-bearing provinces. This includes, *inter alia*, knowledge of baseline conditions in these areas, the natural variability of these baseline conditions and the relationship with impacts related to exploration and mining.

61. The most immediate and practical way in which the Authority has begun to implement its responsibilities under the Convention and to fulfil its various mandates under paragraph 5 of section 1 of the annex to the Agreement, particularly under subparagraphs (f) to (j), has been the establishment of a series of expert workshops, seminars and meetings. In all its workshops, the Authority has focused on obtaining a better understanding of the mineral resources to be found in the international seabed area and the environment in which they are found in order to better prepare itself to manage the impact of exploration and mining on the environment. At all of the workshops, the need for cooperation between scientists and coordination of their efforts has been raised repeatedly; hence the second major element in the Authority's efforts to promote marine scientific research has been to act as a catalyst for international collaboration in projects which will help to manage the impact of deep seabed mining and related activities.

62. There has also developed a practice of arranging technical briefings for the representatives of members of the Authority present in Kingston on matters relevant to the work of the Council and the Assembly. For example, there was a one-day seminar by invited experts on the status and prospects for polymetallic sulphides and cobalt crusts during the eighth session in 2002. A similar briefing session took place at the twelfth session in 2006, primarily designed to help the Council better address the question of the size of areas to be allocated for exploration for polymetallic sulphides and cobalt crusts.

Such briefings enable delegates to gain greater understanding of highly technical matters that are important for the work of the Authority, and are much appreciated.

1. Technical workshops

63. Since 1998, the Authority has established a pattern of workshops and seminars on specific issues related to deep seabed mining, with participation by internationally recognized scientists, experts, researchers and members of the Legal and Technical Commission as well as representatives of contractors, the offshore mining industry and member States. Through these technical workshops, the Authority is able to obtain the views of recognized experts in the protection of the marine environment and other specific subjects under consideration and to obtain the most recent marine scientific research results pertinent to the subject matter. Since 1998, nine such workshops have been held on the following themes:

- (a) Development of guidelines for the assessment of the environmental impacts from exploration for polymetallic nodules (Sanya, China, 1998);
- (b) Proposed technologies for deep seabed mining of polymetallic nodules (Kingston, Jamaica, 1999);
- (c) Mineral resources of the Area other than polymetallic nodules (Kingston, 2000);
- (d) Standardization of environmental data and information (Kingston, 2001);
- (e) Prospects for international collaboration in marine scientific research to enhance understanding of the deep sea environment (Kingston, 2002);
- (f) Development of a geological model for the CCZ (Nadi, Fiji, 2003);
- (g) Establishment of environmental baselines at deep seabed cobalt-rich ferromanganese crust and polymetallic sulphide mine sites in the Area for the purpose of evaluating the likely effects of exploration and exploitation on the marine environment (Kingston, 2004);
- (h) Cobalt crusts and the diversity and distribution patterns of seamount fauna (Kingston, 2006);
- (i) Mining of cobalt crust and polymetallic sulphide deposits: technological and economic considerations (Kingston, 2006).

64. The proceedings of these workshops are published in book format and on the Authority's website. They are increasingly recognized by the international scientific and research community as important and authoritative contributions to the specialized scientific literature on deep seabed mining.

65. In recent years, several contractors have expressed the desire for a workshop to enable an exchange of ideas to take place between them and developers of technology in the marine sector. For this reason, in 2008, it is proposed to convene a workshop on the progress that has been made in the development of mining and processing technologies for polymetallic nodules.

66. During the 2008-2010 work programme, three further international workshops will be convened. The first of these will review the outcomes of the project to establish a geological model of polymetallic nodule deposits in the Clarion-Clipperton zone. The second will be intended to ascertain the modalities for scientific collaboration on research

into polymetallic sulphide deposits in the Area and potential sources of financing for such collaborations. The third will address the standardization of the environmental data contained in the exploration code for polymetallic sulphides and will aim to develop guidelines for the establishment of environmental baselines for these resources. The objective is to facilitate the acquisition of comparable environmental data from potential contractors that would contribute to the establishment of a cohesive monitoring programme by the Authority.

## 2. International cooperation in marine scientific research

67. Scientific research into the deep sea environment is essential, but it is also extremely expensive and beyond the capacity of many individual States. From the outset, the Authority has recognized that the most effective means of gaining better knowledge of the deep ocean environment is to encourage cooperation among States, national scientific institutions and contractors in areas of environmental study and research. To rely solely on contractors to gather comprehensive data is largely impractical and, at the least, a significant disincentive to potential contractors to engage in exploration programmes for seabed mineral resources. Thus, one of the core recommendations of the Authority's 1998 workshop was for the Authority to work with the international scientific community, and contractors, to identify critical issues suitable for international collaboration. Such common studies would encourage cooperation and economy and would be cost-effective for all concerned. This was followed up in 2002 with a workshop specifically aimed at identifying the prospects for international collaboration in marine scientific research. That workshop led to the development of the Kaplan project (described below) as well as efforts to establish other avenues for international collaboration.

### **The Kaplan project**

68. To date, the most successful example of a collaborative project between a group of international scientists and institutions and the Authority is the Kaplan project, which was initiated in January 2002 and will conclude on 30 June 2007. The project was funded mainly by the J. M. Kaplan Fund with additional contributions from the Authority. The objectives of the project were:

- (a) To estimate, using modern molecular methods, the number of polychaete, nematode and foraminifera species at two to three stations spaced at intervals of approximately 1,500 km across the Pacific nodule province;
- (b) To evaluate, using state-of-the-art molecular and morphological techniques, levels of species overlap and, if possible, rates of gene flow, over scales of 1,000 to 3,000 km for key components of the polychaete, nematode and foraminifera fauna;
- (c) To communicate the findings of the project broadly to the scientific and mining communities, and make specific recommendations to the Authority on minimizing risks to biodiversity resulting from mining.

69. The principal investigators for the project were Craig R. Smith of the University of Hawaii at Manoa; Gordon Paterson, John Lambshead and Adrian Glover of the Natural History Museum of London; Alex Rogers of the Zoological Society of London; Andy Gooday of the Southampton Oceanography Centre, United Kingdom; Hiroshi Katazato of the Japan Agency for Marine-Earth Science and Technology; and Myriam Sibuet, Joëlle Galeron and Lenaïck Menot of IFREMER. The final report of the project will be published.

70. In their report, the investigators responded to the following questions:

- (a) What are the diversity levels of foraminifera, nematodes and polychaetes at the Kaplan sites E, C and W (eastern, central and western) spanning the Clarion-Clipperton zone?
- (b) Is there evidence of a characteristic abyssal fauna in this region?
- (c) What are the levels of species overlap (and rates of gene flow) across the Kaplan sites?
- (d) What are the resulting ramifications and recommendations for the Authority for managing nodule mining and designing marine protected areas?

71. With regard to diversity levels at the three sites, the group reported that their results indicated high, unanticipated levels of species diversity for all three sediment-dwelling faunal components studied at the individual sites. The foraminifera contain at least 252 species (based on morphological analyses) at the eastern site and at least 180 species at the central site. Many of these species are new to science and appear not to have been collected elsewhere. In addition, the report speculated that, even based on the relatively limited number of samples it had been able to analyse thus far, the total species richness of sediment-dwelling foraminifera, nematodes and polychaetes (a subset of the total fauna) at a single site in the Clarion-Clipperton zone could easily exceed 1,000 species.

72. On the question of whether there is evidence of a characteristic abyssal fauna in this region, the group's results on all faunal components suggest that there is a characteristic fauna of the abyss, i.e., the abyss is not merely a sink of non-reproducing individuals transported from the continental margins. Also, many of the hundreds of species of foraminifera identified in samples from the project appear to be restricted to, or at least characteristic of, the abyss. The group concluded that the abyss harbours a specially adapted diverse fauna distinct from the fauna of the continental margins. It therefore seems very unlikely that most, or even many, species found in the Clarion-Clipperton zone abyss are protected from extinction by populations residing many thousands of kilometres away at much shallower depths on the continental margins.

73. In relation to the question of the levels of species overlap (and rates of gene flow) across the Kaplan sites, the group reported that its data concerning species distributions and gene flow were still limited by relatively small sample sizes and incomplete intercomparisons. It therefore recommended that any conclusions be drawn with caution. Nonetheless, the group stated that there was significant evidence that the community structure of the foraminifera and polychaetes differed substantially on scales of 1,000 to 3,000 km across the zone.

74. With regard to the ramifications and recommendations for the Authority for managing nodule mining and the design of marine protected areas, the group stated the following:

Any recommendations made to the International Seabed Authority at this point must be considered preliminary and used with the precautionary principle (i.e., our understanding of biodiversity levels, species ranges and gene flow in the Clarion-Clipperton zone is still so limited that we must err on the side of over-protection of the environment). It is clear that novel taxa, and evolutionary novelty, occur in the abyss so we cannot assume that protection of only the ocean margins will preserve abyssal biodiversity. There is also substantial evidence from our studies that the Clarion-Clipperton zone is not one continuous habitat harbouring a single biotic

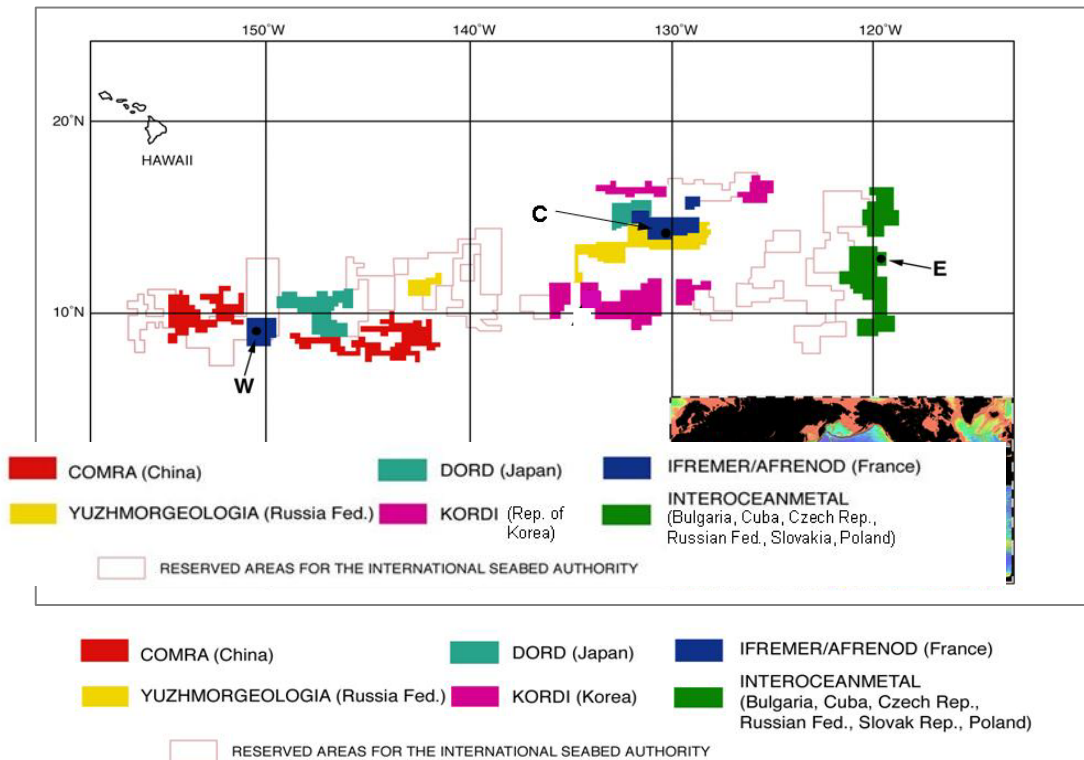
assemblage; species appear to turn over, and community structure varies substantially, over spatial scales of 1,000 km or less (i.e., of scales less than the distance between our Kaplan sites E and C; see figure 1). This suggests that marine protected areas designed to safeguard biodiversity in the Clarion-Clipperton zone in the face of nodule mining should be set up as follows:

- Marine protected areas should be placed at multiple locations across the Clarion-Clipperton zone. At the very least, major areas should be established in the regions of our sites E, C, and W.
- Because of the steep latitudinal gradients in productivity and community structure within the equatorial Pacific (Smith et al., 1997; Smith and Demopoulos, 2003; Hannides and Smith, 2003), the marine protected areas should span the entire width of the Clarion-Clipperton zone, i.e., from 7° to 17° N latitude.
- The marine protected areas should be large enough to encompass major areas of the known benthic habitat types in the Clarion-Clipperton zone, including abyssal hills with and without nodules, rocky ridges, and multiple seamounts of various elevations above the sea floor.
- Each marine protected area must be large enough for most of its area to be buffered from the direct and indirect impacts of nodule mining activities, including influences from sediment plumes in the water column and at the sea floor.

Because benthic processes and community structure in the Clarion-Clipperton zone (including biomass, growth rates, biodiversity and species composition) are strongly influenced by processes in the water column above (e.g., primary production and organic carbon export), it would be ideal if each marine protected area included control of substantial human activities (mining, energy exploitation, waste disposal and commercial fishing) from the abyssal sea floor to the ocean surface.

75. Finally, the group pointed out that its recommendations were based on a limited (albeit rapidly growing) database on biodiversity and species ranges in the Clarion-Clipperton zone, and should be applied in a precautionary manner.

**Figure 1 : Pioneer investors' allocated areas for exploration of polymetallic nodules in the Pacific Ocean**



The region of maximum commercial interest in the Pacific nodule province (box in inset) and claim areas licensed to exploration contractors. The sites at which samples were collected for this project are indicated by E, C and W (the Kaplan eastern, central and western sites, respectively). Site E is located in the IOM claim area at  $\sim 15^{\circ}$  N,  $119^{\circ}$  W (water depth = 3,990-4,096 m), site C is located in the eastern IFREMER claim area at  $\sim 14^{\circ}$  5' N,  $130^{\circ}$  5' W (water depth 4,997-5,054 m) and site W is located in the western IFREMER claim area at  $9^{\circ}$  33' N,  $150^{\circ}$  0.5' W (water depth 5,043-5,059 m).

### Future collaboration

76. As a result of the Authority's workshops, and based on the experience gained with the Kaplan project, a number of other potential collaborations have been identified. These include collaboration with the Census for Marine Life on study and analysis of hydrothermal vent fauna and collaboration on inactive sulphides deposits with scientists involved in the exploration programme by Nautilus Minerals Inc. in the waters of Papua New Guinea. These and other potential collaborations will be explored during the 2008-2010 period. In the event that interest and commitment to a possible collaboration is identified, the Authority will convene a workshop to ascertain the modalities of the collaboration and sources of financing.

#### E. Information and data

77. Information gathering and the establishment and development of unique databases of scientific and technical information continue to be among the most important functions of the Authority. The role of the central data repository has already been mentioned in conjunction with its role in the assessment of available data relating to



prospecting and exploration for polymetallic nodules (see paras. 51-54 above). This section reports on the status of some of the specific databases established by the Secretariat as part of the central data repository.

78. In the 2005-2007 programme of work, it was indicated that the Secretariat would establish environmental databases of the best-known nodule-bearing provinces in the Clarion-Clipperton fracture zone and the Central Indian Ocean basin. The purpose of these databases is to assist the Authority in regulating the activities of contractors in respect of environmental requirements and to manage the environmental impacts of deep seabed polymetallic nodule mining when it occurs. The databases would include benthic/biological databases of the Clarion-Clipperton zone and Central Indian Ocean basin, as well as the carbonate compensation depth, oxygen minimum zone, organic carbon, sedimentation, bioturbation and ocean currents.

79. Between 2005 and 2007, a map of the Clarion-Clipperton zone nodule province that provides the locations of all benthic/biological sampling sites available in the public domain was completed. In addition, as part of the project to establish a geologic model of polymetallic nodule resources in the Clarion-Clipperton zone (see paras. 55-58 above), data and information required to compile a database on the carbonate compensation depth and oxygen minimum zone in the Clarion-Clipperton zone were acquired. A sediment map based on data available in the public domain, as well as data and expertise provided by experts from the contractors, was also produced. In addition, the Authority convened international workshops related to the environment of deposition of cobalt crusts and polymetallic sulphides in 2004 (on the establishment of environmental baselines at deep sea floor cobalt crust and polymetallic sulphide mine sites) and in 2006 (on the diversity and distribution patterns of seamount fauna at cobalt crust sites). The latter workshop was organized in conjunction with a number of international research programmes and organizations active in this field (see para. 63 above).

80. The Secretariat has also largely completed work on a bibliographic database on polymetallic nodule resources. The database contains articles from 456 journals. The oldest article is from 1878 and the most recent from 2005. The database also contains an analysis of the trends in publications, most published scientists and their subject areas. Most of the publications in the database are on geology and geochemistry. Since it was placed on the central data repository, the bibliographic database has been accessed by individuals from, inter alia, Australia, China, the Czech Republic, France, Kenya, Jamaica, the United Kingdom and the United States.

81. During the period 2008-2010, the Secretariat will continue to develop its environmental databases to cover the three mineral resources currently under consideration by the Authority: polymetallic nodules, polymetallic sulphides and cobalt crusts. In relation to polymetallic nodules, the Secretariat will continue to work with contractors and experts to assemble available public and private data and introduce them into the selected databases. Some of the methods to be utilized will include meetings of experts in the relevant fields and the establishment of cooperative arrangements with contractors and other private institutions for data exchange and for the establishment of data protocols. Efforts will be primarily geared to the Clarion-Clipperton zone and the Central Indian Ocean basin. However, public domain data will also be sought for other areas such as the Peru basin. Outputs will include web-enabled bibliographic databases, a web-enabled environmental database linked to contractor and non-contractor databases, information notes on databases and periodic reports to the Authority and its organs on the status of these databases.

82. The Secretariat's ability to deliver many of the products foreseen in its previous and current work programme has been significantly enhanced by the recruitment of a dedicated geographic information specialist. Since the recruitment of the specialist, an online Geographic Information System (GIS) has been selected and the software application has been transferred onto the Authority's web server following acceptance testing of system functions and design. In addition, enhanced map layout and analysis capabilities have been made available by introducing a new software module, ArcGIS. The ArcGIS software is state-of-the-art desktop software for digital map production and is recommended as a standard by the United Nations working group on geospatial information. These architectural and infrastructural developments will make it possible to undertake many of the mapping and GIS applications such as the digital atlas envisioned in the 2005-2007 programme of work.

## XI. CONCLUSIONS

83. As in the previous three years, the primary focus of the substantive work of the Authority over the next three years will be on the scientific and technical work necessary to carry out its functions under the Convention and the 1994 Agreement and in particular to promote a better understanding of the potential environmental impact of deep seabed mining, when it takes place. The Secretariat will build upon the success of the Authority's international scientific workshops and seminars and aim to expand the possibilities for international collaboration in marine scientific research. Greater efforts will also be made to disseminate the results of scientific research through the ongoing development of the central data repository and the Authority's website. The Secretariat will also continue to study developments relating to the exploration and exploitation of mineral resources of the continental shelf beyond 200 nautical miles in the light of the provisions of article 82, paragraph 4, of the Convention.

84. Article 154 of the Convention provides that the Assembly shall undertake every five years a general and systematic review of the manner in which the international regime of the Area has operated in practice, and that in the light of the review the Assembly may take, or recommend that other organs take, measures in accordance with the provisions and procedures of Part XI and the annexes related thereto which will lead to the improvement of the operation of the regime. The first such review was conducted at the sixth session in July 2000, on the basis of a report prepared by the Secretary-General (ISBA/6/A/8) and in conjunction with the consideration by the Assembly of the Secretary-General's annual report. In the report, the Secretary-General proposed that in the light of the very short experience that the Authority had had in implementing the regime, it would be premature for the Assembly to take or recommend any measures. The Assembly agreed. The second five-year review was done in 2005. Again, the Secretary-General's comprehensive report (ISBA/10/A/3) provided necessary background material and again, the Assembly did not consider it necessary to take or recommend any measures. The third such review is to be conducted in 2010, which will also mark the completion of the 2008-2010 work programme.

85. In the year commemorating the twenty-fifth anniversary of the opening for signature of the Convention, with more than three quarters of the members of the United Nations being also members of the Authority, the goal of universal participation is within reach. However, as noted in paragraph 5 above, a recurring problem for the Authority is poor attendance at the Assembly. This is a serious problem. It is not good for the Authority's standing and undermines the credibility of the Authority. Over the past few years considerable efforts have been made to rationalize the meetings of the Assembly and reduce their length and frequency, but these efforts have not had the effect of

increasing the level of participation, which remains constant. As the number of members of the Authority grows, the required quorum becomes more difficult to achieve.

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## **ISBA/13/A/3- Report of the Finance Committee ISBA/13/C/5**

Date: 16 July 2007

1. During the thirteenth session of the International Seabed Authority, the Finance Committee held three meetings, on 12 and 13 July 2007. Neeru Chadha took the chair to complete agenda item 1, and then Hasjim Djalal chaired the rest of meetings of the Committee. Ambassador Djalal and Mrs. Neeru Chadha were Chairperson and Vice-Chairperson respectively of the meetings of the Committee during the thirteenth session.

### **I. AGENDA**

2. The Committee adopted its agenda contained in document ISBA/13/FC/L.1, noting that under the item "Other matters" there would be a discussion of the contribution of new members to the administrative budget of the Authority, the terms and conditions of service for the Secretary-General, the estimated cost of an intersessional meeting of the Legal and Technical Commission and the adoption of the International Public Sector Accounting Standards by the Authority in keeping with their proposed adoption by the United Nations system in 2010.

### **II. TERMS OF REFERENCE, GUIDELINES AND PROCEDURES FOR THE USE OF THE INTERNATIONAL SEABED AUTHORITY ENDOWMENT FUND**

3. The Committee examined document ISBA/13/FC/1, entitled "International Seabed Authority Endowment Fund: terms of reference, guidelines and procedures", that was prepared by the secretariat in response to a request by the Assembly at the twelfth session following the adoption of resolution ISBA/12/A/11 of 16 August 2006. After examining the document, the Committee made recommendations for adjustments to it. The Secretary-General provided the Committee with a revised document containing the requested adjustments.

4. The Committee decided to recommend to the Assembly the approval of the terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund as contained in the annex to the present report.

### **III. STATUS OF THE INTERNATIONAL SEABED AUTHORITY ENDOWMENT FUND**

5. The Committee took note of the balance of the Endowment Fund of US\$ 2,750,523 as at 30 June 2007.

### **IV. STATUS OF THE VOLUNTARY TRUST FUND**

6. The Committee took note of the balance of the Voluntary Trust Fund of US\$ 65,537 as at 30 June 2007.

7. The Committee recommended that the amount of US\$ 135,000 that had been advanced to the Voluntary Trust Fund from the application fees paid by the registered pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea since the Fund's establishment, should be considered as a contribution to the fund.

#### V. AUDIT REPORT ON THE FINANCES OF THE INTERNATIONAL SEABED AUTHORITY FOR 2006

8. The Committee considered the report of Deloitte and Touche on the audit of the accounts of the Authority for the year 2006. The view was expressed that audit reports should be in the format prescribed in paragraph 5 of the annex to the Authority's Financial Regulations. The Committee took note of the report and the opinion of the auditors that the financial statements of the Authority presented fairly, in all material aspects, the financial position of the Authority, as at 31 December 2006, and of its financial performance, and that the cash flows for the year had ended in accordance with generally accepted accounting standards.

#### VI. APPOINTMENT OF AN INDEPENDENT AUDITOR

9. The Committee considered the appointment of an auditor for 2007 and 2008. It examined the bids from Ernst and Young, KPMG, Deloitte and Touche and Pricewaterhouse Coopers to undertake the audit for the 2007 and 2008 period. After discussions about the merits of the four bids, including the similarity in the fees being requested, the Committee decided that Deloitte and Touche should be reappointed for two years to audit the 2007 and 2008 accounts.

#### VII. OTHER MATTERS

##### A. New members

10. The Committee considered document ISBA/13/FC/3, entitled "New members for 2007".

11. The Committee recommended that Belarus, Lesotho, Moldova, Montenegro, Morocco and Niue, which had become members of the Authority during 2006 and 2007, pay the amounts shown below towards contributions to the general administrative budget of the Authority for 2006 and 2007 as well as advances to the Working Capital Fund. Such contributions should be credited as miscellaneous income in accordance with regulation 7 of the Authority's Financial Regulations.

<i>New member States</i>	<i>Date of membership</i>	<i>United Nations scale of assessment (percentage)</i>		<i>Adjusted International Seabed Authority scale (percentage)</i>		<i>Contributions to the general administrative budget</i>		<i>Advances to the Working Capital Fund</i>
		<i>2006</i>	<i>2007</i>	<i>2006</i>	<i>2007</i>	<i>2006</i>	<i>2007</i>	
Belarus	1 October 2006	018	020	0.025	028	253	1 574	31
Lesotho	1 July 2007		001		010		280	22
Moldova	6 February 2007		001		010		503	39
Montenegro	24 November 2006	001	001	0.010	010	41	559	4
Morocco	1 July 2007		042		059		1 653	130
Niue	12 November 2006			0.010	010	55	559	6
<b>Totals</b>						<b>349</b>	<b>5 128</b>	<b>232</b>

12. The Committee expressed its concern at the outstanding contributions from members for prior periods (1998 to 2006) in the amount of US\$ 302,218 and requested the Secretary-General in his discretion to continue his efforts to recover these amounts. The Committee recommended to the Assembly to encourage observers attending and participating in the meetings of the Authority to make voluntary contributions to the budget of the Authority. It also requested the Secretary-General to approach the European Commission about a possible increase in its contributions to the budget of the Authority.

B. Terms and conditions of service for the Secretary-General

13. The Committee reviewed the terms and conditions of service for the Secretary-General. It recommended that the four-year term of office commence on 1 January in the year following election and end on 31 December of the fourth year, in order to bring the term of office of the Secretary-General into line with other elected positions within the Authority.

C. Estimated cost of an intersessional meeting of the Legal and Technical Commission

14. The Committee considered the financial implications of the request by the Legal and Technical Commission to hold an intersessional meeting in 2008. It was noted that additional meeting time had been requested in order to enable the Commission to complete its work on the draft regulations on prospecting and exploration for cobalt-rich crusts. Considering the cost involved, the Committee thought that it would be more prudent at this stage to have an extended session for the Legal and Technical Commission immediately prior to the fourteenth session rather than a separate meeting.

D. International Public Sector Accounting Standards

15. The Committee noted that all of the entities of the United Nations system planned to adopt the International Public Sector Accounting Standards effective no later than 2010.

16. The Committee requested the Secretary-General to follow the development of the Standards and to report on their implementation when appropriate.

ANNEX

[International Seabed Authority Endowment Fund: terms of reference, guidelines and procedures]

[not reproduced here: see ISBA/13/A/6 Annex]

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**ISBA/13/A/6 Decision of the Assembly of the International Seabed Authority relating to the terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund**

Date: 19 July 2007

*The Assembly of the International Seabed Authority, acting on the recommendation of the Finance Committee,*

*Adopts* the terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund contained in the annex to the present decision,

*Encourages* 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.

112th meeting  
19 July 2007

## **ANNEX**

### **Terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund**

#### **I. REASONS FOR ESTABLISHING THE FUND**

1. Article 143, paragraph 2, of the United Nations Convention on the Law of the Sea provides that the International Seabed Authority shall promote and encourage the conduct of marine scientific research in the Area.
2. Article 143, paragraph 3, of the Convention provides that States parties shall promote international cooperation in marine scientific research in the Area by, *inter alia*, ensuring that programmes are developed through the Authority or other international organizations as appropriate for the benefit of developing States and technologically less developed States with a view to (a) strengthening their research capabilities; (b) training their personnel in the techniques and applications of research; and (c) fostering the employment of their qualified personnel in research in the Area.

#### **II. OBJECT AND PURPOSES OF THE FUND**

3. The International Seabed Authority Endowment Fund ("the Fund") is established as a special account by the Secretary-General pursuant to the resolution of the Assembly of the International Seabed Authority of 16 August 2006 (ISBA/12/A/11) and in accordance with the Financial Regulations of the Authority. Only the income from the Fund shall be used for the purposes of the Fund.
4. The purposes of the Fund are to promote and encourage the conduct of marine scientific research in the 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 and by providing them with opportunities to participate in international technical and scientific cooperation, including through training, technical assistance and scientific cooperation programmes.

#### **III. CONTRIBUTIONS TO THE FUND**

5. Contributions to the Fund may be made by the Authority, members of the Authority, other States, relevant international organizations, academic, scientific and technical institutions, philanthropic organizations, corporations and private persons.
6. The initial capital of the Fund shall consist of sums transferred in accordance with paragraph 3 of resolution ISBA/12/A/11 of 16 August 2006.

#### IV. APPLICATIONS FOR ASSISTANCE

7. An application for assistance from the Fund shall normally be submitted by a developing country that is a member of the Authority, but the Secretary-General may accept an application from any other country provided that the Secretary-General is satisfied that the application will benefit scientists from developing countries.

8. The purpose of the financial assistance applied for should be specified. Financial assistance may be sought for the following purposes:

- (a) Participation of qualified scientists and technical personnel from developing countries in marine scientific research programmes or scientific cooperation
- (b) Training programmes;
- (c) Technical assistance.

9. Detailed information under each of these purposes should be provided as follows:

*(a) Participation in marine scientific research programmes or scientific cooperation*

The application shall be accompanied by:

- (i) A specification of the nature and objectives of the marine scientific research programme;
- (ii) An outline of the method and means to be used;
- (iii) The name of any sponsoring or participating institution(s) and the person(s) in charge of the project;
- (iv) A statement on the extent to which it is considered that individuals from developing countries will be able to participate in and benefit from the project;
- (v) The curricula vitae of all developing country personnel who are proposed to benefit from assistance from the Fund;
- (vi) Information on the duration and location of the marine scientific research programme or scientific cooperation;
- (vii) An itemized statement of the estimated costs for which assistance is requested;
- (viii) A statement on the extent to which the proposed activity is consistent with the purposes and objectives of the Fund.

*(b) Training programmes*

The application shall be accompanied by:

- (i) A specification of the goal of the training and the positions the trainees are intended to fill afterwards;
- (ii) Information on the training institute(s) or entity in question;
- (iii) A copy of the training course(s);
- (iv) A schedule for the training programme;
- (v) The curricula vitae of the trainees;

- (vi) An itemized statement of the estimated costs for which assistance is requested;
- (vii) A statement from the candidate as to how he or she expects to benefit from the training programme and how it would assist in the development of his or her career or vocation;
- (viii) A statement on the extent to which the proposed activity is consistent with the purposes and objectives of the Fund.

(c) *Technical assistance*

The application shall be accompanied by:

- (i) A specification of the nature and objectives of the technical assistance and the benefits to be derived therefrom;
- (ii) An outline of the technical assistance programme;
- (iii) The name of any sponsoring or participating institution(s) and the person(s) in charge of the project;
- (iv) The curricula vitae of all consultants who are proposed to provide the technical assistance;
- (v) An itemized statement of the estimated costs for which assistance is requested;
- (vi) A statement on the extent to which the proposed activity is consistent with the purposes and objectives of the Fund.

## V. GENERAL

10. The secretariat of the Authority will act as the secretariat of the Fund.

11. The secretariat shall endeavour to make arrangements with universities, scientific institutions, contractors and other entities for opportunities for scientists from developing countries to participate in marine scientific research activities in the Area. Such arrangements shall include arrangements for the reduction or waiver of fees for training. The secretariat shall publish a list of such institutions from time to time for the information of members.

## VI. ADVISORY PANEL

12. An Advisory Panel of six to nine eminent persons in the law of the sea and its implementation shall be appointed by the Secretary-General of the Authority for periods of three years for the purpose of evaluating applications and making recommendations for the award of assistance from the Fund. The members of the Panel shall be appointed with due regard to equitable geographic representation. The Panel shall be composed of:

- (a) Permanent representatives to the Authority;
- (b) Representatives of educational institutions or organizations of an international character;
- (c) Individuals closely associated with the work of the Authority.

The Secretary-General shall on an annual basis provide a list of the members of the Advisory Panel as an annex to the annual report of the Secretary-General.



13. On the basis of the applications received, a shortlist of eligible candidates and proposals will be established by the secretariat of the Authority and will be submitted to the Advisory Panel for evaluation. The Advisory Panel will be provided with a summary of each application and, where relevant, the qualifications of each candidate for assistance; the sponsorship, if any, by any Government or governmental agency or other institution or entity; where relevant, information concerning the means or absence thereof for the advancement of the candidate's career or vocation or for acquiring specialized training or experience; a summary of the nature and objectives of the marine scientific research programme, scientific cooperation or technical assistance; and a statement of the expected benefits to the individual or developing country concerned.

#### VII. GRANTING OF ASSISTANCE

14. The Secretary-General will provide financial assistance from the Fund on the basis of the recommendations of the Advisory Panel. Assistance shall be provided subject to the availability of funds.

#### VIII. SPECIAL PROVISIONS FOR TRAINING PROGRAMMES

15. An award from the Fund for the purposes of training or a fellowship may cover course fees, unless such fees are waived by the partner institution or entity, as well as travel, maintenance and accommodation allowances, and medical insurance. Payments for maintenance are intended to cover only normal living expenses and shall be made in accordance with the policies and practices governing the administration of United Nations fellowships and training.

16. Awards will not, in principle, be granted for the pursuit of academic studies leading to degrees or diplomas. Training programmes may incorporate, when appropriate, instruction that is both general and specialized, and theoretical and practical.

17. A candidate who is awarded a traineeship or fellowship shall submit a brief report on the usefulness of the training programme at the end of the programme. The supervisor should also provide a report to the Authority on the participant's performance. The developing country which proposed the trainee shall also provide a brief report on the extent to which the training benefited the trainee and the developing country concerned.

18. The secretariat could also develop a register of qualified candidates from developing countries who may be proposed for training by scientific institutions or entities engaged directly or indirectly in marine scientific research. For this purpose, the secretariat will periodically circulate notices to governments and scientific institutions in developing countries inviting them to nominate suitable candidates who may benefit from opportunities for training.

#### IX. DISSEMINATION AND REPORTING OF THE OUTCOMES OF THE PROVISION OF FINANCIAL ASSISTANCE FOR MARINE SCIENTIFIC RESEARCH PROGRAMMES, SCIENTIFIC COOPERATION AND TECHNICAL ASSISTANCE

19. Where financial assistance is provided for the purposes of participation in marine scientific research programmes, scientific cooperation or technical assistance, the recipient of such assistance shall report to the secretariat on the use of the funds provided, the outcomes of the assistance provided and, subject to the need to maintain confidentiality

on any aspect of the research programme, scientific cooperation or technical assistance concerned that may be requested by the institution or entity concerned, on the results obtained.

20. The secretariat shall disseminate information on the outcomes of marine scientific research programmes, scientific cooperation and technical assistance for the benefit of the members of the Authority, subject to the need to maintain confidentiality on any aspect of the results that may be requested by the institution or entity concerned.

#### X. REPORTING

21. The Secretary-General shall provide an annual report on the activities of the Fund, including details of the contributions to and the disbursements from the Fund, and the extent to which the activities of the Fund are consistent with its objective. The report shall be submitted to the Finance Committee and the Assembly.

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### **ISBA/13/A/7 Statement of the President on the work of the Assembly at the thirteenth session**

Date: 19 July 2007

1. The thirteenth session of the Assembly of the International Seabed Authority, comprising its 108th to 113th meetings, was held in Kingston from 9 to 20 July 2007.

#### I. ADOPTION OF THE AGENDA

2. At its 108th meeting, on 9 July 2007, the Assembly adopted its agenda for the thirteenth session (ISBA/13/A/1).

#### II. ELECTION OF THE PRESIDENT AND VICE-PRESIDENTS OF THE ASSEMBLY

3. At the 108th meeting, Olufolajimi Modupe Akintola (Nigeria) was elected President of the Assembly for the thirteenth session. Following consultations in the regional groups, the representatives of Honduras (Latin American and Caribbean States), Romania (Eastern European States), Republic of Korea (Asia) and the Netherlands (Western European and Other States) were elected as Vice-Presidents.

#### III. APPOINTMENT AND REPORT OF THE CREDENTIALS COMMITTEE

4. The Assembly elected a Credentials Committee in accordance with rule 24 of its rules of procedure. The Committee was composed of Australia, China, Guyana, Japan, Kenya, Malta, Panama, Poland and South Africa. Dean Bialek (Australia) was elected by the Committee as its Chairman. The Committee held one meeting on 17 July 2007.

5. The Committee examined the credentials of representatives participating in the thirteenth session of the Assembly. The Committee had before it a memorandum by the secretariat dated 17 July 2007 on the status of those credentials. The report of the Committee is contained in document ISBA/13/A/4. At its 113th meeting, on 20 July 2007, the Assembly adopted the report of the Committee. The decision of the Assembly relating to credentials is contained in document ISBA/13/A/5.

#### IV. ANNUAL REPORT OF THE SECRETARY-GENERAL

6. At the 109th meeting, on 12 July 2007, the Secretary-General introduced his annual report to the Assembly (ISBA/13/A/2), as required by article 166, paragraph 4, of the United Nations Convention on the Law of the Sea. While providing the usual account of work of the Authority, over the past 12 months, the Secretary-General also reviewed the 2005-2007 programme of work and presented the Authority's proposed work programme for the period 2008-2010.

7. The Secretary-General said that as at 1 May 2007, there were 153 parties to the Convention and 127 parties to the 1994 Agreement relating to the implementation of part XI of the Convention. He urged the 26 members of the Authority who were parties to the Convention but not yet parties to the 1994 Agreement to ratify the 1994 Agreement and urged all members to ratify the two instruments in order to achieve universal participation.

8. The Secretary-General stressed the importance of the participation of members of the Authority in the work of the Authority, noting that the recurring problem of poor attendance and lack of a quorum at meetings of the Authority meant that anyone could challenge the various decisions of the bodies of the Authority, even though the decisions were by consensus. In that regard, he urged the chairman of the regional groups to raise the matter in their respective groups.

9. With regard to the substantive work of the Authority, the Secretary-General stated that as in previous periods, the substantive work of the Authority during the 2008-2010 period would focus on the scientific and technical work necessary to carry out its functions under the Convention and the 1994 Agreement, and in particular to promote a better understanding of the potential environmental impact of deep seabed mining.

10. The Secretary-General said that the secretariat would build upon the success of the Authority's international scientific workshops to expand international collaboration in marine scientific research. In the light of developments within the marine minerals sector, the Authority would closely monitor trends relating to deep seabed mineral development.

11. The Secretary-General said that the Authority would continue to discharge its supervisory functions with regard to the eight contractors and that his report on the five-year review would be presented to the Council. The Authority would continue to provide as much assistance as possible to the Legal and Technical Commission, such as the experts it had provided in the past two years to assist the Commission with the draft regulations currently being considered. On considerations relating to the future size and composition of the Legal and Technical Commission and the process for future elections, the Secretary-General added that he would like to see a system introduced where the election of the Commission's members could be staggered to provide for continuity. He asked members to consider making the adjustments mentioned in his note dated 4 June 2007 (ISBA/13/C/2).

12. The Secretary-General said that two of the main features of the Authority's work were the ongoing development of the central data repository and the establishment of a geologic model of polymetallic nodule deposits in the Clarion-Clipperton fracture zone (CCZ). The secretariat would study developments relating to the exploration and exploitation of resources of the continental shelf beyond 200 nautical miles in accordance with the provisions of article 82, paragraph 4, of the Convention.

13. The Secretary-General said that three international workshops would be convened by the Authority in the next three years: one to review the outcomes of the geologic model project, another on collaboration in marine scientific research, and the third on standardization of environmental data relating to polymetallic sulphides deposits in the Area.

14. The Secretary-General stated that the Authority would continue to work with the international scientific community and contractors to identify issues for international collaboration. As a result of its workshops, the Authority was exploring the possibility of collaboration with the Census for Marine Life.

15. The Authority would continue to gather information and to establish and develop unique databases of a scientific and technical nature, including environmental databases to cover the three mineral resources currently under consideration.

16. The Secretary-General informed the Assembly that as at 13 April 2007, 23 member States had established permanent missions to the Authority. With regard to the Protocol on the Privileges and Immunities of the Authority, as at 13 June 2007, 23 members had become parties to the Protocol. The Secretary-General emphasized the importance of the Protocol for representatives of member States attending meetings as it provided protection in respect of work and travel status.

17. The Secretary-General stated that the Authority maintained a good working relationship with the Division for Ocean Affairs and the Law of the Sea and with its fellow participants in activities such as the Oceans and Coastal Areas Network (UN-Oceans) and the United Nations Atlas of the Oceans. In April 2007, the International Tribunal for the Law of the Sea had held its second regional workshop on the role of the Tribunal in the settlement of disputes relating to the law of the sea at the premises of the Authority, including an information session on the legal and technical aspects of the Authority's work.

18. The Secretary-General reminded the Assembly that in 2006, the Authority had adopted a budget of US\$ 11,782,000 for the financial period 2007-2008. As at 30 June 2007, the Authority had received 82 per cent of assessed contributions. The Secretary-General urged the 40 States that had not yet sent in their contributions to do so. He also informed the Assembly that for the period 1998-2006 the arrears in contributions were US\$ 302,218. He reminded member States that according to article 184 of the Convention and rule 80 of the rules of procedure of the Assembly, member States in arrears for two years or more had no voting rights.

19. The Secretary-General thanked the various contributors to the voluntary trust fund including Spain, which had recently contributed US\$ 20,018, and urged other members to consider making contributions. With regard to the International Seabed Authority Endowment Fund, the Secretary-General recalled that it had been established in 2006 for the purpose of promoting and encouraging marine scientific research in the Area and creating training opportunities for qualified scientists from developing countries. The terms of reference and procedures for the fund had been submitted to the Finance Committee for its review during the current session, and following consideration by the Council would be put forward to the Assembly for its consideration.

20. The Secretary-General said that the Authority had a good reference library and website for member States and others seeking information and that requests for various types of information were growing by the year. The Authority also put out regular publications including the compendium of selected decisions, the handbook and workshop

proceedings. The website had recently been upgraded to provide greater functionality for users.

21. With regard to the annual report of the Secretary-General, statements were made by the delegations of Argentina, Australia, Belgium, Brazil, China, Ghana, Guyana, Honduras, India, Indonesia, Jamaica, Mexico, New Zealand, the Netherlands, Nigeria, Poland, Portugal, Senegal, South Africa, Spain, Trinidad and Tobago, Uganda, the United Kingdom and Viet Nam, and the observer delegation of the United Nations.

22. Members expressed their general satisfaction with the detailed report and indicated their support for the work that had been undertaken during 2005-2007, describing it as commendable. One delegation, while expressing satisfaction at the depth of the scientific aspect of the next triennial programme, was of the view that marine scientific research should remain the main focus of the work of the Authority. Other delegations expressed the view that the scientific work to be undertaken by the Authority should be synchronized with the adoption of the set of regulations on polymetallic sulphides and cobalt-rich ferromanganese crusts. Considerable support was expressed for the geologic model of polymetallic nodule resources in the Clarion-Clipperton fracture zone, and several delegations voiced their interest in the model of those resources for the Central Indian Ocean basin.

23. With regard to environmental databases, the Authority was requested to expand the central data repository. The outcomes of the Kaplan project were highly commended, and a request was made to obtain the final report and to have it available for the deliberations of the General Assembly of the United Nations on marine biodiversity in marine areas beyond the limits of national jurisdiction.

24. A number of delegations expressed their satisfaction with the Authority's library and voiced appreciation for the new website. One delegation however made a request for the official documents of the first 10 sessions to be made available on the website.

25. With regard to relations with the host country, the Permanent Representative of Jamaica to the International Seabed Authority informed the Assembly that Jamaica was in the process of concluding a formal agreement with the Authority on the matter of employment of spouses of staff members.

26. One delegation sought clarification on UN-Oceans and its contribution to maritime law and law of the sea issues. The Secretary-General explained that the body was concerned with coordinating the work of the United Nations system on oceans and avoiding duplication among agencies. In previous years the group had addressed issues such as the tsunami. The work of UN-Oceans was conducted through task forces comprising interested agencies, and the task forces had a limited life. As part of UN-Oceans a website called the United Nations Atlas of the Oceans had been established, and the Authority participated in the Atlas. A number of delegations made complimentary statements about the Authority's technical and scientific workshops. The delegation of Indonesia thanked the Secretary-General for the recent seminar held in Manado, Indonesia on the work of the Authority. Delegations wanted to know whether workshops could be held in other countries to increase awareness of the Authority's work. The Secretary-General noted that in response to earlier requests, the Authority had been scheduled to convene seminars in Brazil and Nigeria in 2007. The seminar in Brazil had been rescheduled to the first half of 2008 and in view of the recent elections in Nigeria, he awaited communication on rescheduled dates.

27. Delegations urged the 26 members of the Authority that had not yet become parties to the 1994 Agreement (see para. 7 above) to accede to it. Delegations also welcomed Belarus, Lesotho, Moldova, Montenegro, Morocco and Niue, which had become members of the Authority during 2006 and 2007.

28. Some delegations urged member States who had not ratified the Protocol on the Privileges and Immunities of the Authority to do so. Brazil announced that it hoped to ratify the Protocol by the end of the year and that the matter was being discussed by its Cabinet.

29. With regard to the budget and finance section of the Secretary-General's report (ISBA/13/A/2, sect. VIII), appeals were made to those countries in arrears in the payment of contributions to the administrative expenses of the Authority to pay their arrears as soon as possible.

30. Many delegations expressed their appreciation for the voluntary trust fund, 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.

31. The establishment of a Special Endowment Fund for the promotion of marine scientific research was welcomed by many delegations, who noted that it would help scientists from developing countries to participate in activities in the Area, thus strengthening the concept of the common heritage of mankind. The representative of Senegal informed the Assembly that Senegal would be establishing a permanent mission in Jamaica later in 2007.

32. A number of delegations expressed their appreciation to the host country for its support of the Authority and the hospitality extended to representatives at sessions of the Authority.

33. With regard to the issue of poor attendance at sessions of the Authority, an appeal by the Secretary-General for delegations to impress upon their colleagues the need to participate in meetings of the Authority received warm support. In addition to expressing their support for the Secretary-General's efforts to increase the participation of members in the meetings of the Authority, a number of delegations made other suggestions. These included changing the dates of the meetings of the Authority, encouraging the representatives of member States who participated in the work of the Sixth Committee of the General Assembly of the United Nations to participate in the work of the Authority, providing annotated agendas of meetings of the Authority in hard-copy format to missions and in capitals, and sensitizing States parties that were landlocked States to the notion that the common heritage of mankind was equally applicable to them.

34. At the 111th meeting of the Assembly, on 18 July 2007, Jamaica hosted a dedication ceremony for the renaming of the main conference room of the Jamaica Conference Centre as the Kenneth Rattray Conference Room in memory of Kenneth Rattray, an eminent jurist and Rapporteur-General of the United Nations Conference on the Law of the Sea. The ceremony was attended by the Minister for Foreign Affairs and Foreign Trade, G. Anthony Hylton, and the late Mr. Rattray's family. The President of the Assembly welcomed guests, noting that Mr. Rattray had been eminent and successful in international law.

35. The Secretary-General said that it was fitting for the main meeting room of the conference centre to be dedicated to Mr. Rattray's memory as it would ensure that

Kenneth Rattray would remain a part of the history of Jamaica as well as that of the International Seabed Authority.

36. Senator G. Anthony Hylton, Minister for Foreign Affairs and Foreign Trade of Jamaica, said that the late Mr. Rattray had been an outstanding Jamaican diplomat and jurist whose commitment to the development of international law placed him in a special category. He said that Mr. Rattray would no doubt be proud of the strides the Authority had made to date in developing an appropriate regulatory framework for the future development of the mineral resources of the international deep seabed Area. Noting that 2007 marked the twenty-fifth anniversary of the adoption and opening for signature of the United Nations Convention on the Law of the Sea in Montego Bay, Jamaica, he said that the Government of Jamaica felt that the dedicating ceremony and the renaming of the main conference room would be a fitting tribute to the memory of Mr. Rattray.

37. The chairmen of the various regional groups — the United Kingdom on behalf of the Western and European Group, South Africa on behalf of the African Group, India on behalf of the Asian Group, Poland on behalf of the Eastern European Group and Honduras on behalf of the Latin American and Caribbean Group — all paid tribute to Mr. Rattray as one of the founding fathers of the law of the sea and the Authority and the concept that the ocean and its resources beyond the limits of jurisdiction should become recognized as the common heritage of mankind.

38. The late Mr. Rattray's son, Kenneth Rattray, thanked the Assembly for the tremendous honour and tributes paid to his father and expressed the hope that the sessions would always be guided by the spirit and philosophy of the stewardship of the common heritage of mankind.

#### V. REPORT AND RECOMMENDATIONS OF THE FINANCE COMMITTEE

39. At its 112th meeting, on 19 July 2007, the Assembly considered the report of the Finance Committee (ISBA/13/A/3-ISBA/13/C/5) and the recommendations to the Assembly and the Council contained in the report.

40. The Assembly decided to appoint Deloitte & Touche as independent auditor of the Authority for 2007 and 2008. The Assembly approved the assessed contributions of Belarus, Lesotho, Moldova, Montenegro, Morocco and Niue, which had become members in 2006 and 2007, to the administrative budget of the Authority and the Working Capital Fund for 2006 and 2007, as recommended by the Finance Committee in paragraph 11 of its report.

41. With respect to the amount of US\$ 135,000 that had been advanced to the voluntary trust fund from the application fees paid by the registered pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea since the fund's establishment, the Assembly adopted the recommendation contained in paragraph 7 of the report of the Finance Committee.

42. With respect to the terms and conditions of service of the Secretary-General, the Assembly adopted the recommendation contained in paragraph 13 of the report of the Finance Committee, to the effect that the four-year term of office would commence on 1 January in the year following election and end on 31 December of the fourth year.

VI. TERMS OF REFERENCE, GUIDELINES AND PROCEDURES  
FOR THE INTERNATIONAL SEABED AUTHORITY  
ENDOWMENT FUND

43. At its 112th meeting, the Assembly, acting on the recommendation of the Finance Committee, decided to adopt the terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund. The decision of the Assembly is contained in document ISBA/13/A/6, to which the terms of reference, guidelines and procedures for the International Seabed Authority Endowment Fund are attached.

VII. DATE OF THE NEXT SESSION OF THE ASSEMBLY

44. The next session of the Assembly will be held from 26 May to 6 June 2008.

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**ISBA/13/C/3 Report of the Chairman of the Legal and Technical  
Commission**

Date: 11 July 2007

1. During the thirteenth session of the Authority, the Legal and Technical Commission met from 2 to 10 July 2007. The following 20 members of the Commission attended the meetings: Frida Armas Pfirter, Jean-Marie Auzende, Laleta Davis-Mattis, Walter De Sá Leitão, Baïdy Diène, Miguel Dos Santos Alberto Chissano, Elva Escobar, Serguey Fyodorov, Kennedy Hamutenya, Said Hussein, Yoshiaki Igarashi, Asif Inam, Woong-Seo Kim, Eusebio Lopera Caballero, Andrzej Przybycin, Mahmoud Samy, Sudhakar Maruthadu, Sandor Mulsow, Adam Tugio and Hongtao Zhang. David Billet, Michael Wiedicke-Hombach, Elena Sciso and Isikeli Mataitoga indicated that they would not be able to attend the meetings.

2. On 3 July, the Commission elected Mahmoud Samy as Chairman of the Commission. Sandor Mulsow was elected as Vice-Chairman.

3. The Commission considered the following items on its agenda (ISBA/13/LTC/3):

- (a) Annual reports of contractors submitted pursuant to the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area ("the Regulations");
- (b) Report of the Secretary-General on the periodic review of implementation of plans of work for exploration;
- (c) Progress report on the geological model on polymetallic nodule deposits in the Clarion-Clipperton fracture zone;
- (d) Draft regulations on prospecting and exploration for cobalt-rich ferromanganese crusts in the Area.

I. ANNUAL REPORT OF CONTRACTORS

4. The Commission carried out an evaluation of the annual reports of the eight contractors for 2006 submitted pursuant to the Regulations. For this purpose, the Commission divided itself into three informal working groups. The working groups



examined the annual reports and prepared a draft evaluation for consideration by the full Commission. The work of the Commission was facilitated by a preliminary assessment prepared by the Secretariat (ISBA/13/LTC/CRP.2).

5. The Commission noted that the annual reports were due by 31 March 2007. As of 30 June 2007, annual reports had been received from all eight contractors: Deep Ocean Resources Development Co. Ltd. (DORD), Yuzhmorgeologiya, the Government of the Republic of Korea, China Ocean Mineral Resources Research and Development Association (COMRA), Interoceanmetal Joint Organization (IOM), the Government of India, Institut français de recherche pour l'exploitation de la mer (IFREMER) and, for the first time, Bundesanstalt für Geowissenschaften und Rohstoffe (BGR) on behalf of the Government of Germany.

6. The Commission stressed the importance of structuring the annual reports in the format recommended in 2002 (ISBA/8/LTC/2, annex) and recalled that annual reports had to be submitted by the end of March each year. Furthermore, it was sometimes difficult to make out from the reports the actual work carried out during the reporting year. Reports should therefore clearly indicate the work done during the reporting period. The reports should also briefly indicate the work proposed to be carried out in the next year.

7. The Commission recommended that the units used in the annual reports be those of the International Systems of Units.

8. Most of the reports highlighted the work carried out, methods and results. The Commission had on several occasions requested that actual raw data be provided wherever possible, but most of the contractors still did not provide such data.

9. The Commission suggested that baseline meteorological data should be collected on all expeditions to contract areas.

10. Contractors should clearly indicate where there were changes in the programme of activities compared to what had been agreed in the contract.

11. The Commission noted that there were very large disparities in the amounts reported as being spent on exploration by each contractor. Furthermore, in the case of some contractors, the expenditure reported was greatly in excess of the amount that had been proposed in the original programme of activities. The Commission recommended that the Secretary-General take steps to clarify with individual contractors whether there was a need to adjust the programme of activities to take account of a higher level of expenditure than originally envisaged. The Commission also emphasized the need for reported expenditure to be properly itemized and to relate only to the actual and direct costs of exploration as established in section 10.2 (c) of annex 4 to the Regulations.

12. The evaluation by the Commission is contained in document ISBA/13/LTC/4.

## II. REPORT OF THE SECRETARY-GENERAL ON THE PERIODIC REVIEW OF IMPLEMENTATION OF PLANS OF WORK FOR EXPLORATION

13. The Secretary-General provided the Commission with a report on his consultations with contractors relating to the periodic review of the implementation of their plans of work for exploration. It was noted that periodic review of the plans of work at intervals of five years is a requirement of the Regulations. As part of the review, the contractor shall

indicate its programme of activities for the following five years, making such adjustments to its previous programme of activities as are necessary. The Secretary-General is required to report on the review to the Legal and Technical Commission and the Council.

14. The Secretary-General informed the Commission that each of the contractors had submitted a five-year summary of the work carried out by them in their exploration areas and the results obtained, as well as a review of the expenditure incurred during the five-year programme. Each of the contractors had also submitted a programme of activities for the next five-year period and these had been made available to the Commission. Although all of the contractors had adhered to the programmes of work as originally indicated, the focus of their work had been on preparatory work and evaluation of data already collected during the pioneer phase. There was little evidence that any of the contractors had made much progress in the development of mining and processing technology.

15. The Commission noted that there were very large disparities in the amounts being spent on exploration by each contractor. In some cases, the expenditure reported was greatly in excess of the expenditure proposed in the original programme of activities. The Commission requested the Secretary-General to take steps to clarify any discrepancies with individual contractors.

16. With regard to the programmes of activities for the second five-year period, the Commission noted that all the contractors planned to continue to work at the same pace. There were no significant changes to the types of activities that are proposed. The emphasis remained on the analysis of existing data and the opportunistic collection of environmental baseline data through scientific research cruises. None of the contractors appeared to be moving towards the stage of identifying a first-generation mine site.

17. The Secretary-General informed the Commission that he would in due course write to each contractor so that the revised programme of activities could be duly incorporated into the exploration contract, in accordance with the Regulations.

18. The Commission recommended that, where appropriate, the Secretary-General should seek further clarification from contractors on the compliance of the programme of activities with the original plan of work for exploration.

### III. PROGRESS REPORT ON THE GEOLOGICAL MODEL ON POLYMETALLIC NODULE DEPOSITS IN THE CLARION- CLIPPERTON FRACTURE ZONE

19. On 4 July 2007, a consultant, Charles Morgan, presented a progress report of work on the geological model on polymetallic nodule deposits in the Clarion-Clipperton Fracture Zone (ISBA/13/LTC/CRP.1). His report addressed the initial predictions of nodule grade and abundance for the entire Zone using currently available model algorithms, nodule data sets and the available data sets for chlorophyll, the carbonate compensation depth and distance from the East Pacific Rise as proxies for nodule grade and abundance.

20. The Commission was informed that the project to establish a geological model had entered its final phase. It was explained that the geological model was conceived as an ongoing process. It would be subject to peer review by September 2007 and updated as more data became available, for instance, benthic current data and more sedimentary data would be of significant value for the model. A final draft of the model, reflecting the suggestions from peer reviewers and internal reviews, would be available by the end of 2007. The final outputs of the project, including a prospectors' guide and a geological

model, would be presented at an international workshop to be convened prior to the fourteenth session of the Authority in 2008.

#### IV. DRAFT REGULATIONS ON PROSPECTING AND EXPLORATION FOR COBALT-RICH FERROMANGANESE CRUSTS IN THE AREA

21. The Commission began examination of the draft regulations on prospecting and exploration for cobalt-rich ferromanganese crusts (ISBA/13/LTC/WP.1), noting that the Council had requested it to review the draft in the light of the discussions held in the Council in 2005 and 2006 and in particular the Council's decision in 2006 to separate the draft regulations dealing with cobalt-rich ferromanganese crusts from those dealing with polymetallic sulphides. While considering the draft, the Commission had available to it a note by the Secretariat setting out the background to the draft regulations (ISBA/13/LTC/1) as well as the technical information papers prepared by the Secretariat for the Council in 2006 (ISBA/12/C/2 and ISBA/12/C/3) and the report and papers prepared for the Authority's 2006 workshop on the technical and economic considerations relating to mining of polymetallic sulphides and cobalt-rich crusts.

22. The Commission focused its consideration of the draft regulations on two sensitive issues: the size of the area to be allocated for exploration and the progressive fee system. It was noted that the central issue with respect to the draft regulations was the system for allocation of exploration areas to potential contractors with the Authority. The establishment of a system for allocation depends on adequate knowledge of the nature of the resources. For cobalt-rich crusts, the state of knowledge remains poor. For example, the technical study prepared by the Secretariat in 2006 was based on detailed knowledge of only 34 seamounts. Some members of the Commission considered that the assumptions in that study relating to crust thickness, ore grade and recoverability were too optimistic. Others noted that the information in the study was the best evidence currently available to the Authority.

23. It was emphasized that the Commission should continue to proceed cautiously and in a logical manner towards the development of the regulatory system, with due regard to the precautionary approach. The consequences of making decisions at the current stage might lead to monopoly by one or two potential contractors or otherwise constrain future development of the resources of the Area. It was suggested that any scheme for prospecting and exploration should be subject to review after an initial period. There was also a need to ensure that the Authority received adequate data and information to enable it to make properly informed decisions on the basis of scientific advice, particularly with regard to the protection and preservation of the marine environment.

24. The Commission also addressed the issue of the applicant's election of a reserved area contribution or offer of an equity interest in a joint venture arrangement. Some concerns were expressed about the impossibility for the Authority to discuss the choice of the applicant. Others observed that it would be unrealistic to require future contractors to carry out expensive studies to provide data enabling the contribution to a reserved area if the applicant preferred to offer an equity interest in a joint venture arrangement. Moreover, the Authority would not have the means to assess those data. The Commission expressed its satisfaction with the system of options as set out in draft regulation 16. However, the need was expressed to add an acceptance clause. Some members of the Commission also considered that there was a need to review the fee system. In that regard, it was noted that the application fee had been set at \$250,000 in 1982 and there was now a need to review the amount. In addition, some members of the Commission felt

that it was necessary to consider a progressive fee system in order to provide an incentive for contractors to carry out exploration work.

25. The Commission felt that the background information available to date was not sufficient to provide a recommendation to the Council on any given system for site allocation for prospecting and exploration. Thus, the Commission suggested that the Secretariat prepare a more specific economic assessment for its consideration. The assessment should take into account not only that the Area represents natural capital accruing to mankind as a whole but that its resources carry out ecological functions and provide ecosystem services which have an economic value. The loss of those ecosystems services would entail a high environmental cost. Therefore, such a cost should also be borne in mind at the time of providing more detailed advice on a market for exclusive exploration rights.

#### V. OTHER MATTERS

26. For the efficient exercise of its functions, the Commission requested to hold an intersessional meeting of one week for the purpose of preparing its meetings during the annual session. This would be cost-effective since at the same time the meetings of the Commission during the annual session would last only one week instead of two.

27. The Commission felt that it could contribute more actively in advising the Authority on the selection of the consultants.

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### **ISBA/13/C/4\* Statement to the Council by the Secretary-General on the periodic review of the implementation of plans of work for exploration by contractors**

Date: 13 July 2007

1. Members of the Council will recall that, under the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area, there is provision for periodic review of the implementation of plans of work for exploration at intervals of five years. This periodic review is to be achieved through consultations between contractors and the Secretary-General. As part of the review, the contractor shall indicate its programme of activities for the following five years, making such adjustments to its previous programme of activities as are necessary. The Secretary-General may request the contractor to submit such additional data and information as may be necessary for the purposes of the review. The Secretary-General is required to report on the review to the Legal and Technical Commission and the Council. The Secretary-General has undertaken the required review with the contractors.

2. In the cases of Yuzhmorgeologiya, the Interoceanmetal Joint Organization, the Republic of Korea, the China Ocean Mineral Resources Research and Development Association (COMRA), the Deep Ocean Resources Development Company (DORD) of Japan and the French Research Institute for the Exploitation of the Sea (IFREMER), the first five-year period came to an end in 2006. For India, in respect of which the contract was issued in 2002, the five-year period ended in 2007.

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\* Reissued for technical reasons.

3. The end of the first five-year period of exploration provided an opportunity for the contractors to provide a comprehensive account of the work carried out and results obtained during this period, as well as a review of the expenditure incurred during the five-year programme. Comprehensive five-year reports were duly submitted by the Government of India, DORD, the Republic of Korea, IOM, Yuzhmorgeologiya, IFREMER and COMRA. These have been provided to the Legal and Technical Commission. Furthermore, between August 2006 and May 2007, I met with DORD, the Republic of Korea, IOM, COMRA, IFREMER and the Government of India to discuss their proposed programmes of activities for the next five years. Each of these contractors has submitted a programme of activities for the next five-year period and immediately following this session I shall be taking the necessary steps to write to each contractor so that the revised programme of activities is duly incorporated into the exploration contract as schedule 2, in accordance with the Regulations.

4. Nevertheless, I wish to take this opportunity to make some general remarks to the Council regarding the periodic review of the implementation of the plans of work for exploration. In so doing, I take into account the useful discussion on this topic that took place in the Legal and Technical Commission during its meeting last week, when I presented a similar report.

5. In general, it is apparent that for all contractors, the pace of exploration work remains very slow. Although all of the contractors have adhered to the programmes of work as originally indicated, the focus of this work has been very much on preparatory work and evaluation of data already collected during the pioneer phase. For example, one contractor spent the entire five-year period simply evaluating the feasibility of continued investment in deep seabed mining. Another contractor concentrated solely on the analysis of environmental data and carried out no geological exploration work. There is very little evidence of progress in the development of mining and processing technology, although some contractors have carried out preliminary tests of collecting systems and have indicated that they intend to work on technology development in the future.

6. It is encouraging to note that in terms of reporting, the contractors have, by and large, begun to adhere to the standardized format and structure for annual reports recommended by the Legal and Technical Commission in 2002, as well as the recommendations relating to the assessment of the possible environmental impacts arising from exploration issued by the Commission in 2001. This is important. The objective of the reporting requirements is to establish a mechanism whereby the Commission is properly informed so that it is able to exercise its functions under the Convention, particularly those relating to the protection of the marine environment from the harmful effects of activities in the Area. I appreciate the efforts the contractors have made in this regard.

7. Notwithstanding the progress that has been made in terms of compliance, there are some matters of concern. For example, it is evident that there are very large disparities in the amounts being spent on exploration by each contractor. Furthermore, in some cases, the expenditure reported is greatly in excess of the expenditure proposed in the original programme of activities. It is not always clear why this should be the case. I shall be taking steps to clarify any discrepancies with individual contractors. In the meantime, the Legal and Technical Commission has emphasized the need for reported expenditure to be properly itemized and reported and to relate only to the actual and direct costs of exploration activities in relation to the specific contract areas.

8. With regard to the programmes of activities for the second five-year period — up to 2011 — it is apparent that all of the contractors essentially plan to continue to work at

the same pace. There are no significant changes to the types of activities that are proposed although four contractors have identified first-generation mine sites. There are, for example, no proposals for investigating the physical problems of recovering nodules from the ocean floor and transferring them to transport ships or relating to alternative equipment and methods that contractors may ultimately use in commercial mining. There are no proposals to ascertain the cost of mining nodules from the seabed and processing them into metals of commercial interest, so that improvements in the metal markets can provide an indication of the imminence of future mining. For most contractors, the emphasis remains on the analysis of existing data and the opportunistic collection of environmental baseline data through scientific research cruises.

9. This is perhaps reasonable enough, given the technological and economic conditions that have prevailed to date as far as seabed mining is concerned. Nevertheless, it must be recalled that the resources of the deep seabed are the common heritage of mankind and that the fundamental objective of the regime established by the Convention and the Agreement is to encourage the development of those resources for the benefit of mankind as a whole. That is why the Agreement provides for a time-limit of 15 years, during which time contractors have exclusive rights to explore the areas allocated to them. The expectation is that, after 15 years, in the absence of special circumstances, contractors will either move to the exploitation phase or surrender the areas allocated to them. The current leisurely pace of activities however would suggest that the contractors will basically continue to sit on the sites and seek multiple extensions of their contract if they are to retain the allocated areas.

10. In recent years, the situation with respect to metals markets has begun to change. There has been a rapid and significant growth in demand and prices for the metals of commercial interest in polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts. Unfortunately, without possible production-cost models, none of the increases provides the Authority with information on the future recovery of seabed minerals. Private sector interest in seabed resources has also started to develop. Some of these developments are highlighted in my annual report.

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**ISBA/13/C/6      Decision of the Council of the International Seabed Authority on the future size and composition of the Legal and Technical Commission and the process for future elections**

Date: 18 July 2007

*The Council of the International Seabed Authority,*

*Recalling* the provisions of article 163 of the United Nations Convention on the Law of the Sea, including the requirement that the Legal and Technical Commission shall be composed of 15 members, elected by the Council from among the candidates nominated by the States parties; the Council may decide, if necessary, to increase the size of the Commission giving due regard to economy and efficiency,

*Recalling also* the provisions of article 165, paragraph 1, of the Convention, which provides that members of the Legal and Technical Commission shall have appropriate qualifications such as those relevant to exploration for and exploitation and processing of

mineral resources, oceanology, protection of the marine environment, or economic or legal matters relating to ocean mining and related fields of expertise,

1. *Decides* that the procedure for nomination of candidates for future elections of the Legal and Technical Commission shall be as follows:

- (a) At least six months before the opening of the session of the International Seabed Authority at which the election is to be held, 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;
- (b) Nominations for election to the Commission shall be accompanied by a statement of qualification or curriculum vitae setting out the candidate's qualifications and expertise in fields relevant to the work of the Commission and shall be received not less than three months prior to the opening of the relevant session of the Authority; nominations received less than three months prior to the opening of the relevant session of the Authority will not be accepted;
- (c) The Secretary-General shall prepare a list in alphabetical order of the persons nominated for election to the Commission in accordance with paragraph (a) above, indicating the nominating member of the Authority, and containing an annex with the statements of qualification or curricula vitae submitted in accordance with paragraph (b) above; the list shall be circulated to all members of the Authority not less than two months prior to the opening of the session at which the election is to be held;

2. *Requests* the Secretary-General, taking into account the views of the chairs of the Legal and Technical Commission, to prepare a report for consideration by the Council in 2010 on the functioning of the Commission, with a view to the Council determining in 2010 the number of members of the Commission to be elected in 2011.

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## **ISBA/13/C/7      Statement of the President on the work of the Council at the thirteenth session**

Date: 19 July 2007

1. The thirteenth session of the International Seabed Authority was held at Kingston from 9 to 20 July 2007.

### **I.      ADOPTION OF THE AGENDA**

2. At its 114th meeting, on 9 July 2007, the Council adopted its agenda for the thirteenth session, contained in document ISBA/13/C/1.

### **II.     ELECTION OF THE PRESIDENT AND VICE-PRESIDENTS OF THE COUNCIL**

3. Also at the 114th meeting, on 9 July 2007, Raymond Wolfe (Jamaica) was elected President of the Council for 2007. Subsequently, following consultations in the regional groups, the representatives of India (Asian Group), Poland (Eastern European Group),

Senegal (African Group) and Germany (Western European and other States Group) were elected as Vice-Presidents.

III. REPORT OF THE SECRETARY-GENERAL ON THE CREDENTIALS OF THE MEMBERS OF THE COUNCIL

4. The Secretary-General informed the Council that, as of 17 July 2007, credentials had been received from 35 members of the Council. The African Group had informed the Secretary-General that Senegal was the non-voting member of the Council for 2007. He invited the Asian Group to inform him, before the end of the current session, of the non-voting member of the Asian Group in the Council in 2008, when it would be the turn of the Asian Group to relinquish a seat.

IV. REPORT OF THE LEGAL AND TECHNICAL COMMISSION

5. At its 118th meeting, on 11 July 2007, the Council received the report of the Chairman of the Legal and Technical Commission on the work of the Commission during the thirteenth session (ISBA/13/C/3). The Council took note of the contents of the report and thanked the newly elected members of the Commission for their contribution to the work of the Authority.

V. STATEMENT OF THE SECRETARY-GENERAL ON THE PERIODIC REVIEW OF THE IMPLEMENTATION OF PLANS OF WORK FOR EXPLORATION BY CONTRACTORS

6. At the 121st meeting, on 13 July 2007, the Secretary-General made a statement to the Council on the periodic review of the implementation of plans of work for exploration by contractors (ISBA/13/C/4\*). The Council took note of the statement.

VI. CONSIDERATIONS RELATING TO THE FUTURE SIZE AND COMPOSITION OF THE LEGAL AND TECHNICAL COMMISSION AND THE PROCESS FOR FUTURE ELECTIONS

7. The Council considered the question of the future size and composition of the Legal and Technical Commission and the process for future elections, noting that at the twelfth session, it had requested the Secretary-General to prepare a report for its consideration (contained in document ISBA/13/C/2). The Council agreed that there was a need to streamline the procedures for future elections in order to avoid the difficulties that had arisen in connection with past elections to the Commission. The decision of the Council in this regard is contained in document ISBA/13/C/6.

8. The Council was not able to reach a consensus on the future size of the Legal and Technical Commission. It was agreed, however, that it was essential for the Council to reach a decision on the size of the Commission prior to the next election, which was due to be held in 2011. To facilitate its deliberations, the Council decided to request the Secretary-General, taking into account the views of the Chairs of the Commission, to prepare a report for consideration by the Council in 2010 on the functioning of the Commission, with a view to the Council's determining in 2010 the number of members of the Commission to be elected in 2011.



## VII. DRAFT REGULATIONS ON PROSPECTING AND EXPLORATION FOR POLYMETALLIC SULPHIDES IN THE AREA

9. At its 115th meeting, on 10 July 2007, the Council resumed its consideration of the draft regulations on prospecting and exploration for polymetallic sulphides in the Area, noting that the Council had undertaken a first reading of the draft regulations during its eleventh session in 2005 and had also further considered the draft during its twelfth session in 2006. Since the last session in 2006, the secretariat had, at the request of the Council, 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, now contained in document ISBA/13/WP.1, also took into account comments and suggestions made by outgoing members of the Legal and Technical Commission.

10. Following a general debate on the draft regulations, the Council was provided with a briefing by an expert, Dr. Mark Hannington, on global exploration models for polymetallic sulphide deposits in the Area. The briefing was followed by a question-and-answer session.

11. The Council then commenced a detailed examination of the revised draft regulations. By the end of the session, the Council had completed a detailed reading of regulations 1 to 43 and had agreed on revisions to some of those regulations. An informal text of the agreed revisions (ISBA/13/C/CRP.1) was provided to all delegations. The Council also agreed that the following regulations would remain pending and would be taken up by the Council at its next session in 2008: 1(3), 12, 16, 19(2)(a), 21, 24(2), 27, 28(2), 33(2), 35, 36(2) and (3), and 38(2). The Council would then proceed to consider annexes 1 to 4 to the draft regulations. Additional briefing papers would be prepared by the secretariat, as necessary, to assist in consideration of the pending issues.

12. The delegation of France, supported by those of Honduras, Germany and Spain, suggested that, in light of the inadequate scientific and technical knowledge relating to polymetallic sulphides, the regulations should contain a review clause in the light of improved knowledge. The secretariat was asked to provide a draft of such a provision, taking into account the discussions in the Council.

## VIII. NEXT MEETING OF THE COUNCIL

13. The next meeting of the Council will be held from 26 May to 6 June 2008. It was noted that the Western European and other States Group would, in due course, nominate a candidate for the Presidency of the Council in 2008.

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## INDEX TO THE MAIN DOCUMENTS OF THE ASSEMBLY AND THE COUNCIL OF THE THIRTEENTH SESSION

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<b>ISBA/13/A/3- ISBA/13/C/5</b>	<b>Report of the Finance Committee*</b>
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- ISBA/13/C/L.2 Draft decision of the Council of the International Seabed Authority on the future size and composition of the Legal and Technical Commission and the process for future elections
- ISBA/13/C/WP.1 Draft regulations on prospecting and exploration for polymetallic sulphides in the Area

**Appears in this publication.\***

**CUMULATIVE INDEX TO THE MAIN DOCUMENTS  
OF THE ASSEMBLY AND THE COUNCIL  
FROM 1994 TO 2006**

*Note:* This cumulative index contains a complete list of the main documents of the Assembly and Council from the first session (1994) to the twelfth session (2006). Documents of the International Seabed Authority begin with the letters "ISBA". Documents of the first two sessions do not have a sessional number (e.g. ISBA/A/1), but from the third session on they do (e.g. ISBA/3/A/1). Formal Assembly and Council documents each appear in four series, -/ 1; -L.1; -/WP.1; and -/INF.1, corresponding to main documents, documents with limited distribution, working papers and information papers respectively. In addition to A and C documents there are the following series:

- ISBA/FC (Finance Committee)
  
- ISBA/LTC (Legal and Technical Commission)

The Authority does not keep verbatim or summary records of meetings. Sound recordings are made and retained by the Secretariat. Official accounts of the work of the Authority are to be found in the successive statements of the Presidents of the Assembly and the Council on the work of their organs, and the annual reports of the Secretary-General.

The Authority publishes annually a compendium of selected decisions and documents from each session, cited as, e.g. Selected Decisions 12, 1-18. Where applicable, the index below indicates the reference in the appropriate volume of the Selected Decisions.

All the documents in this index are also available in electronic format on the Authority's website at <http://www.isa.org.jm>.

**Citation  
(Selected Decisions)**

**FIRST AND SECOND SESSIONS (1994 – 1996)**

***Assembly***

ISBA/A/1	Provisional agenda of the Assembly	
ISBA/A/2	Draft rules of procedure of the Assembly of the International Seabed Authority	
ISBA/A/3	Letter dated 6 February 1995 from the representative of Belgium to the United Nations addressed to the Secretariat of the United Nations	
ISBA/A/4	Agenda of the Assembly	
ISBA/A/5	Credentials of representatives to the second part of the first session of the Assembly	
ISBA/A/6	Rules of Procedure of the Assembly of the International Seabed Authority	
ISBA/A/7	Credentials of representatives to the third part of the first session of the Assembly	
ISBA/A/8 and Add.1	Credentials of representatives to the second session of the Assembly	
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ISBA/A/9/Add.1 ISBA/C/5/Add.1	Proposed budget of the International Seabed Authority for 1997. Addendum	
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ISBA/A/L.6	Statement of Ambassador Kenneth Rattray (Jamaica) Rapporteur-General of the Preparatory Commission, presenting the final report of the Preparatory Commission	
ISBA/A/L.7/Rev.1	Statement of the President on the work of the Assembly during the third part of its first session	1/2/3, 7-12.
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		<b>Citation (Selected Decisions)</b>
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#### **FOURTH SESSION (1998)**

##### ***Assembly***

ISBA/4/A/1/Rev.2	Plans of work for exploration of the Government of India, Institut français de recherche pour l'exploitation de la mer (IFREMER)/Association française pour l'étude et la recherche des nodules (AFERNOD) (France), Deep Ocean Resources Development Co. Ltd. (DORD) (Japan), Yuzmorgeologiya (Russian Federation), China Ocean Minerals Research and Development Association (COMRA) (China), Interoceanmetal Joint Organization (IOM) (Bulgaria, Cuba, Czech Republic, Poland, Russian Federation and Slovakia) and the government of the Republic of Korea. Report of the Secretary-General	4, 1-39.
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ISBA/4/A/4	Credentials on representatives to the fourth session of the Assembly of the International Seabed Authority. Report of the Credentials Committee	
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		<b>Citation (Selected Decisions)</b>
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ISBA/4/A/L.3	Draft decision of the Assembly concerning the duration of the terms of office of members of the Council	

**Citation  
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ISBA/4/A/L.4	Draft decision of the Assembly relating to the Protocol on the Privileges and Immunities of the International Seabed Authority	
ISBA/4/A/L.5	Draft decision of the Assembly relating to the election to fill vacancies on the Council	
ISBA/4/A/L.6*	Draft decision of the Assembly on the budget of the International Seabed Authority for 1999	
ISBA/4/A/L.7	Draft decision of the Assembly relating to the scale of assessment for the contributions of members to the administrative budget of the International Seabed Authority for 1999	
ISBA/4/A/L.8/Rev.1	Amendment proposed by the delegation of the Russian Federation to document ISBA/4/A/L.7 of 27 August 1998	
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		<b>Citation (Selected Decisions)</b>
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### **FIFTH SESSION (1999)**

#### ***Assembly***

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ISBA/5/A/3	Election to fill a vacancy on the Finance Committee in accordance with section 9, paragraph 5, of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
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		<b>Citation (Selected Decisions)</b>
ISBA/5/A/10	Decision of the Assembly of the International Seabed Authority relating to the credentials of representatives to the fifth session of the International Seabed Authority	
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ISBA/5/A/L.1	Provisional agenda	
ISBA/5/A/L.2	Draft decision of the Assembly of the International Seabed Authority relating to the headquarters of the International Seabed Authority	
ISBA/5/A/L.3	Draft decision of the Assembly relating to the budget of the International Seabed Authority for 2000	
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ISBA/5/C/1	Election to fill a vacancy on the Legal and Technical Commission	
ISBA/5/C/1/Corr.1	Withdrawal of ISBA/5/C/1	
ISBA/5/C/3	Election to fill a vacancy on the Legal and Technical Commission in accordance with subsection C, article 163, paragraph 7, of Part XI of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
ISBA/5/C/4/Rev.1	Draft regulations on prospecting and exploration for polymetallic nodules in the Area. Revision by the Secretariat together with the President of the Council	
ISBA/5/C/5	Agenda of the Council	
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		<b>Citation (Selected Decisions)</b>
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ISBA/5/C/L.6	Draft decision of the Council of the International Seabed Authority concerning the draft financial regulations of the International Seabed Authority	
ISBA/5/C/L.7	Draft decision of the Council of the International Seabed Authority on the rules of procedure of the Legal and Technical Commission	
ISBA/5/C/L.8	Proposal by the delegation of the Netherlands on the precautionary principle	

### **SIXTH SESSION (2000)**

#### ***Assembly***

ISBA/6/A/1	Election to fill a vacancy on the Finance Committee in accordance with section 9, paragraph 5, of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea. Note by the Secretary-General
ISBA/6/A/2	Agenda of the Assembly

		<b>Citation (Selected Decisions)</b>
ISBA/6/A/3*	Decision of the Assembly of the International Seabed Authority concerning the Financial Regulations of the International Seabed Authority	6, 1-11.
ISBA/6/A/4 and Add.1	Credentials of representatives to the sixth session of the Assembly of the International Seabed Authority. Report of the Credentials Committee	
ISBA/6/A/5	Decision of the Assembly relating to the credentials of representatives to the sixth session of the Assembly of the International Seabed Authority	
ISBA/6/A/6	Statement of the President on the work of the Assembly at the sixth session	6, 11-12.
ISBA/6/A/7 ISBA/6/C/4	Proposed budget of the International Seabed Authority for the financial period 2001-2002. Report of the Secretary General	
ISBA/6/A/8	Decision of the Assembly of the International Seabed Authority concerning the appointment of the Secretary-General of the International Seabed Authority	6, 12.
ISBA/6/A/9	Report of the Secretary-General of the International Seabed Authority under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea	6, 13-26.
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ISBA/6/A/11	Election to fill a vacancy on the Finance Committee in accordance with section 9, paragraph 5, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
ISBA/6/A/12	Election to fill a vacancy on the Finance Committee in accordance with section 9, paragraph 5, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
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ISBA/6/A/14	Decision of the Assembly of the International Seabed Authority relating to the election to fill the vacancies on the Council, in accordance with article 161, paragraph 3, of the Convention	6, 28-30.
ISBA/6/A/15	Decision of the Assembly relating to the budget of the International Seabed Authority for the financial period 2001-2002	6, 30-31.

		<b>Citation (Selected Decisions)</b>
ISBA/6/A/16	Credentials of representatives to the resumed sixth session of the Assembly of the International Seabed Authority. Report of the Credentials Committee	
ISBA/6/A/17	Decision of the Assembly relating to the Credentials of representatives to the resumed sixth session of the Assembly of the International Seabed Authority	
ISBA/6/A/18	Decision of the Assembly of the International Seabed Authority on the regulations on prospecting and exploration for polymetallic nodules in the Area	6, 31-68.
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ISBA/6/A/L.2	Draft decision of the Assembly of the International Seabed Authority concerning the Financial Regulations of the International Seabed Authority	
ISBA/6/A/L.3	Draft decision of the Assembly of the International Seabed Authority relating to the election to fill the vacancies on the Council, in accordance with article 161, paragraph 3, of the Convention	
<b><i>Council</i></b>		
ISBA/6/C/1	Agenda of the Council	
ISBA/6/C/2*	Draft Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area. Revision of ISBA/5/C/4/Rev.1 of 14 October 1999, prepared by the Secretariat together with the President of the Council	
ISBA/6/C/3	Statement of the President on the work of the Council at the sixth session	6, 71.
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ISBA/6/C/7	Decision of the Council relating to the budget of the International Seabed Authority for the financial period 2001-2002	6, 72-73.
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ISBA/6/C/9	Decision of the Council of the Authority concerning the Rules of Procedure of the Legal and Technical Commission	6, 73-83.



		<b>Citation (Selected Decisions)</b>
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ISBA/6/C/L.2	Draft staff regulations of the International Seabed Authority	
ISBA/6/C/L.3	Proposal submitted by the delegation of Chile concerning document ISBA/5/C/4/Rev.1 of 14 October 1999	
ISBA/6/C/L.4	Draft decision of the Council of the Authority concerning the Rules of Procedure of the Legal and Technical Commission	
ISBA/6/C/L.5	Draft decision of the Council relating to the budget for the financial period 2001-2002	
ISBA/6/C/L.6	Draft decision of the Council of the International Seabed Authority concerning the Staff Regulations of the Authority	
ISBA/6/C/L.7	Draft decision of the Council of the International Seabed Authority relating to the regulations on prospecting and exploration for polymetallic nodules in the Area	

#### **SEVENTH SESSION (2001)**

#### ***Assembly***

ISBA/7/A/1	Agenda of the Assembly	
ISBA/7/A/2	Report of the Secretary-General of the International Seabed Authority under Article 166, Paragraph 4, of the United Nations Convention on the Law of the Sea	7, 4-15.
ISBA/7/A/3	Election of the members of the Finance Committee	
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ISBA/7/A/3/Add.3	Election of the members of the Finance Committee	
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		<b>Citation (Selected Decisions)</b>
ISBA/7/A/4 and Corr.1	Credentials of Representatives to the seventh session of the Assembly of the International Seabed Authority	
ISBA/7/A/5	Decision of the Assembly of the International Seabed Authority concerning the Staff Regulations of the Authority	7, 16.
ISBA/7/A/6	Decision of the Assembly relating to the credentials of representatives to the seventh session of the International Seabed Authority	
ISBA/7/A/7	Statement of the President on the work of the Assembly at the seventh session	7, 16-18.
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***Council***

ISBA/7/C/1	Agenda of the Council	
ISBA/7/C/2	Considerations relating to the regulations for prospecting and exploration for hydrothermal polymetallic sulphides and cobalt-rich ferromanganese crusts in the Area	7, 19-30.
ISBA/7/C/3	Election of the members of the Legal and Technical Committee	
ISBA/7/C/3/Add.1*	Election of the members of the Legal and Technical Commission	
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ISBA/7/C/4	Status of contracts for exploration issued in accordance with the regulations on prospecting and exploration for polymetallic nodules in the Area	7, 30-32.
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**EIGHTH SESSION (2002)**

***Assembly***

ISBA/8/A/1 and Corr.1	Summary presentations on polymetallic massive sulphide deposits and cobalt-rich ferromanganese crusts	8, 5-9.
ISBA/8/A/2	Agenda of the Assembly	

		<b>Citation (Selected Decisions)</b>
ISBA/8/A/3	Election to fill a vacancy on the Finance Committee in accordance with section 9, paragraph 5, of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea	
ISBA/8/A/4*	Official seal, flag and emblem of the International Seabed Authority	
ISBA/8/A/5 and Add.1	Report of the Secretary-General of the International Seabed Authority under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea	8, 9-24.
ISBA/8/A/6 ISBA/8/C/2	Proposed budget for the International Seabed Authority for the financial period 2003-2004. Report of the Secretary-General	
ISBA/8/A/7/Rev.1 ISBA/8/C/3/Rev.1	Proposed budget of the International Seabed Authority for the financial period 2003-2004. Report of the Finance Committee	8, 24-27.
ISBA/8/A/8	Credentials of representatives to the eighth session of the Assembly of the International Seabed Authority	
ISBA/8/A/9	Decision of the Assembly relating to the credentials of representatives to the eighth session of the International Seabed Authority	
ISBA/8/A/10	Decision of the Assembly of the International Seabed Authority relating to the election to fill vacancies in the Council of the Authority, in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea	8, 27-28.
ISBA/8/A/11	Decision of the Assembly of the International Seabed Authority relating to the budget of the Authority for the financial period 2003-2004	8, 28-30.
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ISBA/8/A/13	Statement of the President on the work of the Assembly at the eighth session	8, 31-33.
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ISBA/8/A/L.2	Draft decision of the Assembly of the International Seabed Authority relating to the election to fill the vacancies on the Council of the Authority, in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea	
 <b>Council</b>		
ISBA/8/C/1	Agenda of the Council	

		<b>Citation (Selected Decisions)</b>
ISBA/8/C/4	Modalities for financing participation in meetings of the Legal and Technical Commission	8, 34-36.
ISBA/8/C/5	Decision of the Council of the International Seabed Authority relating to the budget of the Authority for the financial period 2003-2004	
ISBA/8/C/6*	Report of the Chairman of the Legal and Technical Commission on the work of the Commission during the eighth session	8, 36-38.
ISBA/8/C/7	Statement of the President on the work of the Council at the eighth session	8, 38-39.
ISBA/8/C/L.1	Provisional Agenda of the Council	
ISBA/8/C/L.2	Draft decision of the Council relating to the budget of the International Seabed Authority for the financial period 2003-2004	

### **NINTH SESSION (2003)**

#### ***Assembly***

ISBA/9/A/1	Election to fill a vacancy on the Finance Committee in accordance with section 9 of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
ISBA/9/A/2	Agenda of the Assembly	
ISBA/9/A/3	Report of the Secretary-General of the International Seabed Authority under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea	9, 1-15.
ISBA/9/A/4	Election to fill a vacancy on the Finance Committee in accordance with section 9 of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
ISBA/9/A/5*	Report of the Finance Committee	9, 15-18.
ISBA/9/C/5*		
ISBA/9/A/6	Credentials of representatives to the ninth session of the Assembly of the International Seabed Authority. Report of the Credentials Committee	
ISBA/9/A/7	Decision of the Assembly relating to the credentials of the representatives to the ninth session of the International Seabed Authority	
ISBA/9/A/8	Statement made by the Japanese delegation to the Assembly at its ninth session. Submitted by the delegation of Japan	9, 19-20.
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**Citation  
(Selected Decisions)**

ISBA/9/A/INF.1	Delegations to the ninth session of the Assembly	
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ISBA/9/C/1*	Election to fill a vacancy on the Legal and Technical Commission in accordance with Part XI, section 4, subsection C, article 163, paragraph 7, of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
ISBA/9/C/2	Agenda of the Council	
ISBA/9/C/4	Report of the Chairman of the Legal and Technical Commission on the work of the Commission during the ninth session	9, 23-27.
ISBA/9/C/6*	Statement of the President on the work of the Council at the ninth session	9, 27-28.
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**TENTH SESSION (2004)**

***Assembly***

ISBA/10/A/1	Agenda of the Assembly	
ISBA/10/A/2	Supplementary Agreement between the International Seabed Authority and the Government of Jamaica regarding the headquarters of the International Seabed Authority and the use of the Jamaica Conference Centre Complex	10, 1-10.
ISBA/10/C/2		
ISBA/10/A/3	Report of the Secretary-General of the International Seabed Authority under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea	10, 10-50.
ISBA/10/A/4/Rev.1	Proposed budget for the International Seabed Authority for the financial period 2005-2006. Report of the Secretary-General	
ISBA/10/C/6/Rev.1		
ISBA/10/A/5	Election to fill a vacancy on the Finance Committee in accordance with section 9 of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
ISBA/10/A/6	Report of the Finance Committee	10, 50-54.
ISBA/10/C/7		
ISBA/10/A/7/Rev.1	Credentials of representatives to the tenth session of the Assembly of the International Seabed Authority. Report of the Credentials Committee	
ISBA/10/A/8	Decision of the Assembly of the International Seabed Authority relating to the budget of the Authority for the financial period 2005-2006	10, 54-55.

		<b>Citation (Selected Decisions)</b>
ISBA/10/A/9	Decision of the Assembly relating to the credentials of representatives to the tenth session of the International Seabed Authority	
ISBA/10/A/10	Draft resolution submitted by Japan on the modalities for financing participation in the meetings of the Legal and Technical Commission and the Finance Committee	
ISBA/10/A/11	Decision of the Assembly of the International Seabed Authority relating to the Supplementary Agreement between the International Seabed Authority and the Government of Jamaica regarding the headquarters of the International Seabed Authority and the use of the Jamaican Conference Centre complex	10, 55.
ISBA/10/A/12	Statement of the President on the work of the Assembly at the tenth session	10, 56-63.
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<b><i>Council</i></b>		
ISBA/10/C/1	Election to fill a vacancy on the Legal and Technical Commission in accordance with Part XI, section 4, subsection C, article 163, paragraph 7, of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
ISBA/10/C/3	Agenda of the Council	
ISBA/10/C/4	Report of the Chairman of the Legal and Technical Commission on the work of the Commission during the tenth session	10, 63-68.
ISBA/10/C/5	Decision of the Council of the International Seabed Authority relating to the Supplementary Agreement between the International Seabed Authority and the Government of Jamaica regarding the headquarters of the International Seabed Authority and the use of the Jamaica Conference Centre Complex	
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ISBA/10/C/L.1	Provision agenda of the Council	

**ELEVENTH SESSION (2005)**

***Assembly***

ISBA/11/A/1	Agenda of the Assembly	
ISBA/11/A/2	Election to fill a vacancy on the Finance Committee in accordance with section 9 of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea	
ISBA/11/A/3	Election to fill a vacancy on the Finance Committee in accordance with section 9 of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea	
ISBA/11/A/4 and Corr. 1	Report of the Secretary-General of the International Seabed Authority under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea*	11, 1-16.
ISBA/11/A/5	Notification dated 28 July 2005 sent to member States by the Secretary-General of the International Seabed Authority in accordance with regulation 20, paragraph 1 (c), of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area	11, 16.
ISBA/11/A/6	Election to fill a vacancy on the Finance Committee in accordance with section 9 of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea	
ISBA/11/A/7	Election to fill a vacancy on the Finance Committee in accordance with section 9 of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea. Note by the Secretary-General	
ISBA/11/A/8- ISBA/11/C/9	Report of the Finance Committee	11, 17-19.
ISBA/11/A/9	Credentials of representatives to the tenth session of the Assembly of the International Seabed Authority. Report of the Credentials Committee	
ISBA/11/A/10	Decision of the Assembly of the International Seabed Authority relating to the credentials of representatives of eleventh session of the International Seabed Authority	
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**Citation  
(Selected Decisions)**

***Council***

ISBA/11/C/1	Agenda of the Council	
ISBA/11/C/2	Election to fill a vacancy on the Legal and Technical Commission in accordance with Part XI, section 4, subsection C, article 163, paragraph 7, of the United Nations Convention on the Law of the Sea	
ISBA/11/C/3	Election to fill a vacancy on the Legal and Technical Commission in accordance with Part XI, section 4, subsection C, article 163, paragraph 7, of the United Nations Convention on the Law of the Sea	
ISBA/11/C/4	Election to fill a vacancy on the Legal and Technical Commission in accordance with Part XI, section 4, subsection C, article 163, paragraph 7, of the United Nations Convention on the Law of the Sea	
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ISBA/11/C/6	Election to fill a vacancy on the Legal and Technical Commission in accordance with Part XI, section 4, subsection C, article 163, paragraph 7, of the United Nations Convention on the Law of the Sea	
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ISBA/11/C/8	Report of the Chairman of the Legal and Technical Commission on the work of the Commission during the eleventh session	11, 37-42.
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ISBA/11/C/11	Statement of the President on the work of the Council at the eleventh session	11, 43-46.
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**TWELFTH SESSION (2006)**

***Assembly***

ISBA/12/A/1	Agenda of the Assembly	
ISBA/12/A/2 and Corr.1	Report of the Secretary-General of the International Seabed Authority under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea	12, 1-18.



**Citation  
(Selected Decisions)**

ISBA/12/A/3/Rev.1- ISBA/12/C/4/Rev.1	Proposed budget for the period 2007-2008	
ISBA/12/A/4	Election to fill a vacancy on the Finance Committee in accordance with section 9 of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea	
ISBA/12/A/5	Election to fill a vacancy on the Finance Committee in accordance with section 9 of the annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea	
ISBA/12/A/6	Election of the Members of the Finance Committee	
ISBA/12/A/7- ISBA/12/C/9	Report of the Finance Committee	12, 19-21.
ISBA/12/A/8	Credentials of representatives to the twelfth session of the Assembly of the International Seabed Authority. Report of the Credentials Committee	
ISBA/12/A/9	Decision of the Assembly of the International Seabed Authority relating to the credentials of representatives of twelfth session of the International Seabed Authority	
ISBA/12/A/10	Decision of the Assembly of the International Seabed Authority relating to the budget of the Authority for the financial period 2007-2008	12, 21.
ISBA/12/A/11	Resolution establishing an Endowment Fund for Marine Scientific Research in the Area	12, 22-23.
ISBA/12/A/12	Decision of the Assembly of the International Seabed Authority relating to the election to fill the vacancies on the Council of the Authority, in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea	12, 23-25.
ISBA/12/A/13	Statement of the President on the work of the Assembly at the twelfth session	12, 25-31.
ISBA/12/A/L.1	Provisional agenda for the Assembly	
ISBA/12/A/L.2	Draft Decision of the Assembly of the International Seabed Authority relating to the election to fill the vacancies on the Council, in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea	
ISBA/12/A/INF.1	Delegation of the twelfth session	
<b>Council</b>		
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**Citation  
(Selected Decisions)**

ISBA/12/C/2 (Part I)	Analysis of the draft regulations on prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts in the Area - Part I: Provisions relating to prospecting, overlapping claims and the anti-monopoly provision	
ISBA/12/C/2 (Part II)	Analysis of the draft regulations on prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts in the Area - Part II: Provisions relating to the protection of the marine environment	
ISBA/12/C/2 (Part III)	Analysis of the draft regulations on prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts in the Area - Part III: Provisions relating to the system of participation by the International Seabed Authority	
ISBA/12/C/3 (Part I)	Exploration and mine site model applied to block selection for cobalt-rich ferromanganese crusts and polymetallic sulphides - Part I: Cobalt-rich ferromanganese crusts	
ISBA/12/C/3 (Part II)	Exploration and mine site model applied to block selection for cobalt-rich ferromanganese crusts and polymetallic sulphides - Part II: Polymetallic sulphides	
ISBA/12/C/5	Election of the Members of the Legal and Technical Committee	
ISBA/12/C/6	Proposal from the Russian Federation	
ISBA/12/C/7	Possible adjustments to the draft regulations for prospecting and exploration for cobalt-rich ferromanganese crusts and polymetallic sulphides suggested by the workshop on technical and economic considerations relating to mining polymetallic sulphides and cobalt-rich crusts in the Area with respect to polymetallic sulphides	
ISBA/12/C/8	Report of the Chairman of the Legal and Technical Commission	12, 31-37.
ISBA/12/C/10	Decision of the Council of the International Seabed Authority relating to the budget of the Authority for the financial period 2007-2008	12, 37-39.
ISBA/12/C/11	Decision of the Council relating to the election of members of the Legal and Technical Commission	12, 39-40.
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