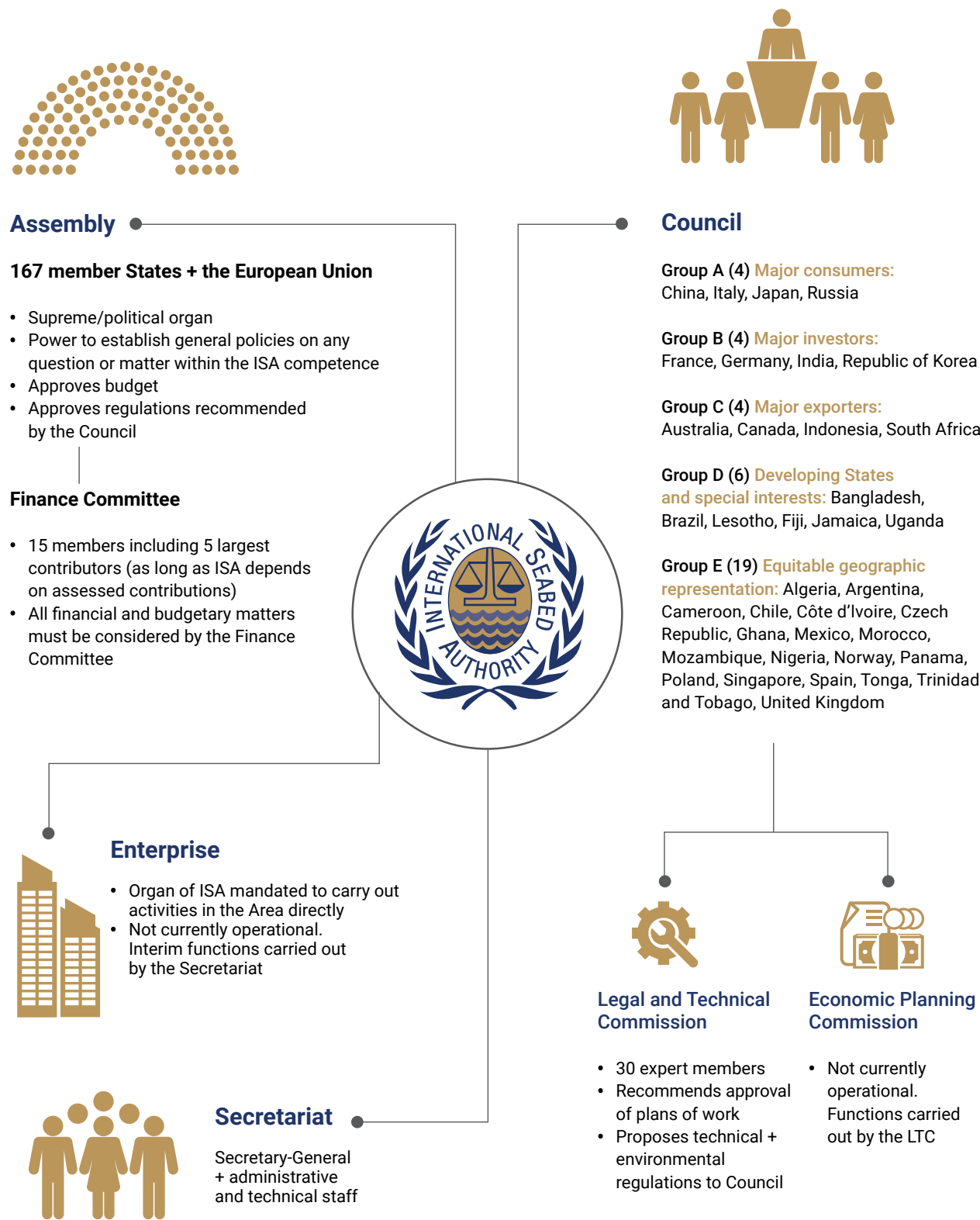


5 GOVERNING BODIES



Structure and functions



Sessions of the governing bodies in 2019-2020

25th session of the Council (Part II) 15-19 July 2019

During the second part of its 25th session, the Council continued its consideration of the draft exploitation regulations submitted by the LTC⁶¹ and agreed on the next steps for their development.

The Council considered the report of the Chair of the open-ended informal working group on the development of a financial and payment mechanism, on the outcome of the second meeting of the group, which was held on 11 and 12 July 2019. The Council decided that the group should convene a third meeting in 2020.

The Council also decided to extend the contract and renew the terms of reference of the Special Representative of the Secretary-General for the Enterprise while working towards the operationalization of the Enterprise.⁶²

The Council considered two proposals relating to the future elections of members of the LTC and decided to defer the consideration of the submissions to its next meeting in 2020, when they would be taken up as a matter of priority.

Finally, acting on the recommendations of the LTC, the Council approved an application for a plan of work for exploration in the Area submitted by Beijing Pioneer Hi-Tech Development Corporation, sponsored by the Government of China.⁶³

25th session of the Assembly, 22-26 July 2019



Photo: IISD/ENB

The Assembly elected the Minister for Foreign Affairs and Foreign Trade of Jamaica, Senator the Honourable Kamina Johnson-Smith as its president. During its session, the Assembly considered the annual report of the Secretary-General submitted in accordance with article 166(4) of UNCLOS⁶⁴ and adopted the High-Level Action Plan and the corresponding key performance indicators for the implementation of ISA Strategic Plan for 2019-2023.⁶⁵

The Assembly adopted the terms of reference for the trust fund for extrabudgetary support⁶⁶ as recommended by the FC as well as the terms of reference for the voluntary trust fund for the Special Representative of the Secretary-General for the Enterprise.⁶⁷

The Assembly also approved the guidelines for applications by non-governmental organizations for observer status with ISA.⁶⁸

Finally, the Assembly endorsed the text of the memorandum of understanding to establish the JTRC with the Ministry of Natural Resources of China and authorized the Secretary-General to sign it.⁶⁹

⁶¹ ISBA/25/C/WP.1.

⁶² ISBA/25/C/36.

⁶³ ISBA/25/C/33.

⁶⁴ ISBA/25/A/2.

⁶⁵ ISBA/25/A/15 ; ISBA/25/A/15/Corr.1.

⁶⁶ ISBA/25/A/14, Annex I.

⁶⁷ ISBA/25/A/14, Annex I.

⁶⁸ ISBA/25/A/16.

⁶⁹ ISBA/25/A/17, para.28.

26th session of the Council (Part II) 17-21 February 2020



Dr. Kathy-Ann Brown (Jamaica) presided over the session.
Photo: IISD/ENB

The Council continued to consider the draft exploitation regulations and decided to establish three informal working groups responsible for:

- Issues related to the preservation and protection of the marine environment.
- Inspection, compliance, and enforcement.
- Institutional matters.

Each group will be facilitated by individuals designated by the regional groups in accordance with the mandates and modalities agreed by the Council.

Delegates also addressed the composition and the size of the LTC, an issue that has been on the agenda since the last election of LTC members in 2016. The Council adopted a decision charting a path forward to enable a final decision to be taken at its next meeting in October 2020 and appointed Mr. Vladislav Kurbatskiy (Russian Federation) as a facilitator for that purpose.



Photo: IISD/ENB

25th anniversary celebrations

2019 marked the 25th anniversary of the establishment of ISA and the entry into force of UNCLOS. To celebrate this momentous occasion, ISA held a special commemorative session of the Assembly and organized an international conference, both held in Kingston, Jamaica in July and November, respectively.



Special commemorative session during the 25th session of the Assembly

25 July 2019 – Kingston, Jamaica

On 25 July 2019, ISA held an all-day commemorative session. Key events included the second edition of the Secretary-General's Award for Excellence in Deep Sea Research, a high-level panel on capacity-building, a special commemorative session of the Assembly and the launch of the DeepData platform.



A commemorative meeting was held on 25 July 2019 during the 25th session
Photo: IISD/ENB



Secretary-General Michael W. Lodge and Head of the Monaco Delegation Mr. Tidiani Couma present 2019 awardee Maurício Shimabukuro with a polymetallic nodule embedded in glass

The Secretary-General, Michael W. Lodge, and the Head of the Monaco Delegation, Mr. Tidiani Couma, introduced the second edition of the Secretary-General's Award for Excellence in Deep Sea Research. Mr. Lodge acknowledged the contribution of the Principality of Monaco to financially support the award and announced the winner of the 2019 edition, Maurício Shimabukuro from the Institute of Oceanography at the University of São Paulo, Brazil for his extensive work on the ecology of the South Atlantic and deep-sea exploration experience.



Jihyun Lee, ISA Secretariat, introduces DeepData
Photo: IISD/ENB

ISA also presented its DeepData database, which centralizes all data and information relating to mineral resources and environment of the international deep seabed and the associated water column, systematically collected by ISA from data and information submitted by contractors over the years.

A high-level panel on "Strengthening capacity-building opportunities and initiatives for developing States" underlined the importance of capacity-building to achieve ISA mandate. The panel was co-chaired by the Secretary-General of ISA and H.E. Honourable Baron Waqa, President of Nauru and was comprised of:

- **Mr. Jens Frolich Holte**, State Secretary, Royal Norwegian Ministry of Foreign Affairs, Norway
- **H.E. Carlos Den Hartog**, Permanent Representative of Brazil to ISA
- **H. E. Satyendra Prasad**, Permanent Representative of Fiji to the United Nations
- **Ms. Sonali Samarasinghe**, Minister, Permanent Mission of Sri Lanka to the United Nations

The Secretary-General highlighted on this occasion the contractor training programme as well as the Abyssal Initiative and ADSR projects, both designed to address the capacity-building needs of developing States.



H.E. Honourable Baron Waqa, President of Nauru, co-chairs the high level panel
Photo: IISD/ENB

The day concluded with the official commemoration of ISA 25th anniversary, opened by the Prime Minister of Jamaica, the Most Honourable Andrew Holness, who emphasized ISA achievements since its establishment and the central role it is mandated to play in relation to the governance of the Area. In all their statements, the United Nations Under-Secretary-General for Legal Affairs, Mr. Miguel de

Serpa Soares; Under-Secretary-General for Economic and Social Affairs and Secretary-General for the United Nations Oceans Conference, Mr. Liu Zhenmin and the President of the International Tribunal for the Law of the Sea, Mr. Jin-Hyun Paik, echoed congratulations to ISA on its 25th anniversary and pledged their commitment to supporting the work of the organization in the years ahead.



Most Honourable Andrew Holness, Prime Minister of Jamaica
Photo: IISD/ENB



Mr. Miguel de Serpa Soares, United Nations Under-Secretary-General for Legal Affairs
Photo: IISD/ENB



Mr. Liu Zhenmin, Under-Secretary-General for Economic and Social Affairs and Secretary-General for the United Nations Oceans Conference
Photo: IISD/ENB



Mr. Jin-Hyun Paik, President of the International Tribunal for the Law of the Sea
Photo: IISD/ENB

International Conference on the Legal, Scientific and Economic Aspects of Deep Seabed Mining

14-16 November - Kingston, Jamaica

The conference brought together over 100 participants, including high-level government officials, international experts, researchers and scholars from the legal and scientific community, along with representatives of the diplomatic corps, to celebrate this milestone and to discuss the many achievements realized within 25 years as well as the future of deep-sea mining.



ISA organized the conference together with COLP and thanks to the generous support of CIL, ICAS, KMI and WMU.

At the opening session, Senator the Honourable Kamina Johnson Smith, Minister for Foreign Affairs and Foreign Trade of Jamaica underlined that the immediate priority of ISA “must remain the development of regulations to govern the exploitation in the international deep seabed area”.

“As ISA looks ahead to the next 25 years, we must carefully and urgently prepare to mine the resources of the Area,” said the Minister. “The exploitation phase promises socio-economic benefits for all peoples and it is important that our contributions place us on the right side of history for the care and diligence we take now in this process.”



In his opening remarks, the Secretary-General highlighted the evolution of ISA, noting the significance of this day 25 years ago, when the inaugural session of ISA was held in Kingston in the presence of the Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali.

“The world now is very different to what it was in 1982, when the Convention was adopted, and even compared to 1994, when ISA was established,” said Mr. Lodge.

“The priorities and concerns of States have changed, and we need to recognize that ISA needs to change as well. Going forward, it is vitally important that the work of ISA is made consistent with the aspirations of Sustainable Development Goal 14 and that ISA makes its contribution to achieving the 2030 Agenda for Sustainable Development.”

Professor Myron H. Nordquist, Associate Director and Editor of COLP, further noted the significant role ISA has played in the implementation of international law and in upholding the principles of the common heritage of humankind.

“The practical implementation of the common heritage concept by ISA for over 25 years has credibly dispelled original skepticism about the viability of exploration of seabed minerals in areas beyond national jurisdiction,” he added.



In his keynote address, Judge Patrick Robinson of the International Court of Justice, highlighted: “While it is known that in some quarters there is a view that there should be a moratorium on deep-seabed mining or even, that it should be banned on the ground that it is incompatible with the protection of the marine environment, it is not as though the Montego Bay Convention did not anticipate that activities in the Area would have some effect on the marine environment. After all, the Convention requires the Authority to take measures to protect the marine environment from the harmful effects of activities that may arise in the Area.”

Judge Albert J. Hoffmann, President of the Seabed Disputes Chamber of ITLOS, also participated in the conference and delivered a presentation on the work and future role of the Chamber.

