STATEMENT OF THE PRESIDENT ON THE WORK OF THE COUNCIL
DURING THE THIRD SESSION

1. The first part of the third session of the Assembly of the International Seabed Authority was held at Kingston, Jamaica, from 17 to 27 March 1997. Among the matters to be considered by the Council during this part of the session were the agenda, election of the Vice-Presidents, consideration of applications for extension of provisional membership of the Authority beyond 16 November 1996, and consideration of the rules, regulations and procedures necessary for conduct of activities in the Area as they progress, with a view to the adoption of the rules.

2. At the beginning of the session, the Council was informed of the tragic death of Dr. H. Shumutwieni, who had been elected to the Legal and Technical Commission in August of 1996. Following her nomination by Namibia, and in accordance with article 163, paragraph 7, of the Convention and rule 80 of the rules of procedure of the Council, Ms. Inge K. Zaawani (Namibia) was elected to serve as a member of the Commission for the remainder of Dr. Shumutwieni’s term of office.

Adoption of the agenda

3. At its 11th meeting, on 18 March 1997, the Council adopted the agenda for the third session (ISBA/3/C/2). It was noted that consideration of items concerning the budget of the Authority and the financial regulations would take place at the August meeting of the Council after consideration of these matters by the Finance Committee. I understand that the Finance Committee has commenced work on the draft financial regulations, but is not yet in a position to report to the Council. It was also noted that the staff regulations of the Authority are not yet ready for consideration by the Council.
Election of the Vice-Presidents of the Council

4. At the 11th meeting, I invited the Chairmen of the regional groups to submit their candidates for the vice-presidency of the Council. Subsequently, the representatives of Cameroon (African Group), Indonesia (Asian Group), Germany (Western European and Others Group) and the Russian Federation (Eastern European Group) were elected as Vice-Presidents.

Applications for the extension of provisional membership of the Authority beyond 16 November 1996

5. The Council considered applications for the extension of provisional membership beyond 16 November 1996 received from 14 States and the European Community. The Council decided to extend the membership of the Authority, on a provisional basis, of Belarus, Belgium, Chile, the European Community, Gabon, the Lao People's Democratic Republic, Mozambique, Qatar, Solomon Islands, South Africa, Switzerland and the United Arab Emirates for a period of two years from 16 November 1996. The provisional membership of the Authority of the Russian Federation, Ukraine and the United Kingdom of Great Britain and Northern Ireland was extended, as requested by them, for a period of one year from 16 November 1996.

Report of the Legal and Technical Commission

6. The Legal and Technical Commission met for the first time during the current session and immediately commenced work on the draft regulations on prospecting and exploration for polymetallic nodules in the international seabed area (the Mining Code). As a result of concerns expressed by the members of the Council, it was proposed that the Commission should report from time to time on the progress of its work. An oral report was made to the Council at its 13th meeting, on 24 March 1997, by the Chairman of the Commission, Mr. Jean-Pierre Lenoble (France). The Chairman indicated that the Commission had made significant progress in reviewing the draft Mining Code. It had held nine meetings and, of the 42 regulations in the draft Mining Code, it had already completed consideration of 32 of them. The Chairman anticipated that the first reading of the draft would be concluded later that afternoon.

7. In the debate on the progress of work in the Commission, the representative of Brazil, on behalf of the Group of 77, requested that the Council open the meetings of the Commission to participation by observers. The request was supported by several other delegations, who noted the need for transparency in the discussions relating to the draft Mining Code. The Secretary-General informed the Council that, in their discussions on the matter, the members of the Commission had unanimously agreed that observers should not be permitted to attend their meetings. A number of delegations noted that the Legal and Technical Commission was an expert body and that the general practice was to hold the meetings of such bodies in closed session. These delegations further noted that the Council would have an opportunity to review the draft Mining Code in detail when it received the recommendations of the Commission in due course.

8. At the 15th meeting of the Council, on 26 March 1997, the Chairman of the Commission reported further to the Council on the work achieved by the...
Commission during the past two weeks and an informal draft of a provisional text prepared by the Commission was circulated to all members of the Council. The Commission reported that it was not yet in a position to submit this text for the formal consideration of the Council.

**Relationship Agreement with the United Nations**

9. At its 12th meeting, on 20 March 1997, the Council approved an Agreement concerning the relationship between the United Nations and the International Seabed Authority, noting that the Agreement had been signed by the Secretary-General of the United Nations and the Secretary-General of the International Seabed Authority on 14 March 1997 in New York and that the Agreement shall be applied provisionally by the United Nations and the Authority upon signature. The Council recommended to the Assembly that it approve the Agreement.

**Agreement between the International Seabed Authority and the Government of Jamaica regarding the headquarters of the International Seabed Authority**

10. The Council began consideration of the Agreement between the International Seabed Authority and the Government of Jamaica regarding the headquarters of the Authority (ISBA/3/C/L.3). As a result of concerns expressed by some members of the Council, I held informal consultations with interested delegations in order to resolve outstanding issues. It was not, however, possible to resolve all the remaining areas of difficulty in particular with respect to the matters contained in article 2 of the draft Agreement, and I proposed to the Council that the matter of the headquarters Agreement be considered further at the August 1997 meeting of the Council.

**Next meeting of the Council**

11. The next meeting of the Council will take place at Kingston from 18 to 29 August 1997.