



Deep Sea Conservation Coalition  
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Dr Kathy-Ann Brown  
Acting President of Council  
Kingston  
Jamaica

Via email: [kathy-ann.brown@opm.gov.jm](mailto:kathy-ann.brown@opm.gov.jm)

Dear Madam President,

We respectfully request that Observers be notified of all deliberations taking place under the silence procedure, including of prospective decisions, consistent with Rules 3, 6, and 8 and 11 and 13 and 32.

We refer to the Secretary-General's Note Verbale of 3 September 2020 addressed to all Council Members to inform them of your Excellency's Letter regarding the launch of a process for taking decisions during the second part of the twenty-sixth session of the Council, including its resumption ([ISA/EOSG/2020/126](#)) and the attached letter; and (ii) the Secretary General's Note Verbale of 9 September 2020 addressed to all Council Members to inform them of your Excellency's Letter regarding the endorsement of the proposal made on 9 September 2020 ([ISA/EOSG/2020/129](#)) and its attached letter relating to the adoption of the silence procedure for taking decisions of a procedural nature.

We appreciate that during the Covid-19 crisis, new and innovative methods will have to be adopted to take necessary procedural decisions on elections and the budget. At the same time, it is important that transparency be maintained and that civil society continue to contribute to the work of the Authority.

We note that Rule 75 of the Rules of Procedure of the Council of the International Seabed Authority provides that Observers referred to in rule 82 of the rules of procedure of the Assembly may designate representatives to participate, without the right to vote, in the deliberations of the Council, upon the invitation of the Council, on questions affecting them or within the scope of their activities.

The opportunity to participate in deliberations of Council has always included all its deliberations, procedural and substantive. This contributes to the transparency and good functioning of the Authority.

We note also the Secretariat's [advice](#) encouraging ISA Members not represented in the Council and ISA Observers to regularly check the ISA's website for the implementation of this procedure. However, Observer participation in Council deliberations (including, of course, non-Council member States) is not intended to be after-the-fact. This is important to ensure both transparency and accountability.

Finally, we note that a silence procedure contemplates not only the adoption of decisions based on non-objection, but correspondence-based marginal discussion in which Observers and non-Council Member States might usefully participate.

Thank you.

Yours sincerely,



Sian Owen  
Coordinator  
Deep Sea Conservation Coalition

Cc Michael Lodge, Secretary-General