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INTERNATIONAL SEABED AUTHORITY

Distributed Limited
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INTERNATIONAL SEABED AUTHORITY
ASSEMBLY
Third Session
Kingston, Jamaica
17-27 March 1997

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

1. During this session, the Plenary dealt with the following matters:

(a) Organization of work;
(b) Consideration of:
   (i) Protocol on the privileges and immunities of the International Seabed Authority;
   (ii) Agreement concerning the relationship between the United Nations and the International Seabed Authority; and
   (iii) Agreement between the International Seabed Authority and the Government of Jamaica concerning the Headquarters of the Authority;
(c) Election of officers of the Authority;

ORGANIZATION OF WORK

2. At the opening meeting (the 1st meeting of the Plenary), the Plenary unanimously elected Mr. S. Amos Wako of Kenya as President for the Assembly's 1997 session. It also elected its four Vice-Presidents, namely Kuwait, Malta, Mexico and Poland which were nominated by their respective regional groups.
3. On the occasion of their deaths, the Assembly paid tribute to the late Mr. Michael Manley, former Prime Minister of Jamaica, President Cheddi Jagan of Guyana and Paramount leader of China, Mr. Deng Xiaoping.

enabled the Council, the Legal and Technical Commission and the Finance Committee to meet. According to that programme the Plenary decided to begin its work with a consideration of a draft protocol on the privileges and immunities of the International Seabed Authority contained in document ISBA/3/A/WP.1.

PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL SEABED AUTHORITY

5. The Secretary-General of the International Seabed Authority presented the working paper prepared by the secretariat (document ISBA/3/A/WP.1) at the 42nd meeting of the Plenary. He informed the Plenary that the current paper was based on the work of a working group established in August 1996 to review a draft document that had been submitted by the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea.

6. The Secretary-General noted that some of the members of the working group had questioned whether the protocol was necessary since many of the provisions contained in the draft were already addressed in the 1982 United Nations Convention on the Law of the Sea.

7. While noting that when annotated, the draft protocol would show that a considerable portion of the Convention was indeed repeated, the Secretary-General also pointed out that the provisions of the Convention did not fully address certain matters essential to the proper operation of the Authority. These included immunities and privileges of representatives travelling to and from Jamaica and the use of the United Nations Laissez-Passer by staff of the Authority. The Secretary-General stressed that the essential purpose of the protocol was to enable the Authority to deal with those matters which were omitted in the Convention and urged that provisions in the Convention could be left out from the protocol since those provisions were already binding on its members. In order to use the Laissez-Passer, the United Nations requires the Authority to adopt a binding instrument which would give recognition to the Authority's use of it.

8. Following consultations with delegations, the President informed the Assembly that there were differing views on the protocol. Some delegations saw a substantial portion of the text contained in document ISBA/3/A/WP.1 as a duplication of the Convention and therefore unnecessary. Others were of the view that a protocol was desirable, while others reserved their positions until examination of the pertinent documents. He reported that the Secretariat was asked to prepare a draft on those provisions which were not included in the Convention. This, it was felt would facilitate consideration
of the document by the Governments of member states before the resumed third
addressed in the provisions of the Convention should be issued as an official
document. That document is currently available under the symbol
ISBA/3/H/MP.1/Add.1.

Draft Regulations on Prospecting and Exploration
for Polymetallic Nodules in the Area. Draft Financial
Regulations of the International Seabed Authority and
the Draft Headquarters Agreement between the International
Seabed Authority and the Government of Jamaica.

9. It will be recalled that neither the Legal and Technical Commission nor
the Finance Committee were able to conclude their work on the draft
regulations on prospecting and exploration for polymetallic nodules in the
Area and the draft financial regulations of the Authority respectively. As a
result these matters will be considered by the Plenary at the resumed Third
session following their consideration by the Council. It will also be
recalled that the Council was unable to conclude its work on the draft
headquarters agreement between the International Seabed Authority and the
Government of Jamaica. This item therefore remains pending.

Relationship Agreement between the United Nations
and the International Seabed Authority

10. At its 44th meeting, the Plenary approved the relationship agreement
between the United Nations and the International Seabed Authority following

Credentials Committee

11. At its 43rd meeting, the Assembly appointed a nine-member Credentials
Committee consisting of Austria (Chairman), Bahamas, Belgium, Cameroon, China,
Costa Rica, Czech Republic, Japan and Nigeria. The Credentials Committee held
one meeting, on 26 March 1997, at which it had before it a memorandum prepared
by the secretariat dated 26 March 1997 on the status of credentials of
representatives participating in the third session of the Assembly of the
International Seabed Authority. The report of the Credentials Committee
together with its recommendations is contained in document ISBA/3/H/2. At the
44th plenary meeting, on 27 March 1997, the Assembly adopted the report of the
Credentials Committee.
12. At its 43rd meeting, the Plenary decided to grant observer status to the South Pacific Applied Geo-Science Commission (SOPAC), an independent, intergovernmental, regional organization.

Date of the next meeting of the Assembly

13. In accordance with the decision already taken by the Assembly at the resumed Second Session, the resumed Third Session of the Assembly will be 18-29 August 1997 in Kingston.