



**MINISTRY OF FOREIGN AFFAIRS  
AND FOREIGN TRADE  
JAMAICA**

17<sup>th</sup> September 2020

Excellencies,

I write in my capacity as President of the twenty-fifth session of the Assembly of the International Seabed Authority, to update you on the preparations for the twenty-sixth session of the Assembly.

Members of the Authority may recall that the twenty-sixth session of the Authority had been postponed to October 2020 in a reduced format, provided that appropriate travel arrangements could have been made for delegates, in light of the prevailing conditions relating to the COVID-19 pandemic. All pre-session documentation for the Council and Assembly that would have been examined in July 2020 were made available on the ISA website, in accordance with the established timelines.

Regrettably, recent developments associated with the pandemic in many parts of the world and guidelines issued by the World Health Organization have highlighted some significant risk factors arising from the pandemic. It is my considered view and that of the members of the Bureau therefore, that the face-to-face meetings of the twenty-sixth session should be further postponed to a date to be decided. The session would be convened chiefly to address the most urgent and time-sensitive items of the provisional agenda that must be addressed before the end of the 2020 calendar year.

In this connection and following consultations within the Bureau, I propose to advance the process and open the twenty-sixth session of the Assembly, by way of a letter from me addressed to all members of the Assembly.

Accordingly, an early opening of the twenty-sixth session would allow the Assembly to take certain decisions of a procedural nature that are usually addressed without a debate at the beginning of the annual sessions of the Assembly, namely the election of the President, adoption of the Agenda, election of the Vice-Presidents and the appointment of the Credentials Committee, following the completion of the silence procedure, as outlined below and inspired by the recent practice developed by the thirtieth Meeting of States Parties to the United Nations Convention on the Law of the Sea for taking decisions during the pandemic.

**Members of the Assembly of the International Seabed Authority**

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This would also enable the President of the twenty-sixth session of the Assembly to conduct consultations on the organization of work, with a view to giving priority to the most urgent and time sensitive items on the agenda of the session, ahead of the anticipated face-to-face meetings before the end of the year.

In the light of the foregoing, I propose most specifically, that:

1. Until the convening of the face-to-face meetings, the members of the Authority take decisions of a procedural nature through a silence procedure, similar to that contained in decision 30/1 of the thirtieth Meeting of States Parties to the United Nations Convention on the Law of the Sea. These decisions would concern, in particular, the election of the President and Vice-Presidents of the twenty-sixth session, the appointment of the members of the Credentials Committee, the adoption of the agenda and the organization of work. Moreover, the silence procedure would not amount to an amendment to the relevant rules of procedure for the Assembly, but instead would be a pragmatic mechanism to adopt decisions by consensus, modelled after that contained in decision 30/1 of the thirtieth Meeting of States Parties to the United Nations Convention on the Law of the Sea. The twenty-sixth session of the Assembly would take note of all decisions adopted by silence procedure at its first face-to-face meeting.
2. On 28 September 2020, the Secretariat will circulate a communication to: (i) inform the members of the Authority that the twenty-sixth session will be opened on 5 October 2020; and (ii) provide relevant details, including the transmission of credentials.
3. On 5 October 2020, I will circulate a letter to: (i) declare open the twenty-sixth session of the Authority, (ii) table a draft decision that would enable the Assembly to adopt decisions by silence procedure and (iii) propose that the draft decision be deemed adopted if no objections are received by 17:00 (Jamaica time) on 8 October 2020.
4. If the draft decision is adopted, on 12 October 2020 I will circulate another letter by which I would (i) inform Member States of the nomination of a candidate for the position of President of the twenty-sixth session of the Assembly and (ii) propose that the nominated candidate be deemed elected as President, if no objection is received by 17:00 (Jamaica time) on 15 October 2020.



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Thereafter, it will be the responsibility of the newly-elected President of the twenty-sixth session to circulate communications addressing the election of the Vice-Presidents, the appointment of the Credentials Committee, the adoption of the agenda and the organization of work.

If I receive no objection to the above proposal by 17:00 (Jamaica time) on 23 September 2020, I will inform the Secretary-General accordingly, and will proceed as outlined above.

Let me seize this opportunity to emphasize that, in order to proceed as proposed above, it is important that the nomination process concerning the President, Vice-Presidents and members of the Credentials Committee of the twenty-sixth session of the Assembly be completed as expeditiously as possible.

I, therefore, urge Member States of the Authority to complete their consultations and submit the required nominations to the Secretariat, through the respective regional groups, at the earliest opportunity. In this regard, I am advised that the Group of Western European and Other States is now in a position to communicate the candidacy for the President of the Assembly soon. I will keep you informed of any other relevant developments.

Please accept, Excellencies, the assurances of my highest consideration.

Senator the Honourable Kamina Johnson Smith  
President of the Twenty-fifth Session of the Assembly  
Minister of Foreign Affairs and Foreign Trade of Jamaica