



Assembly

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Statement of the President on the work of the Assembly at the ninth session

1. The ninth session of the Assembly of the International Seabed Authority was held at Kingston, Jamaica, from 28 July to 7 August 2003. At the opening of the session, the Assembly observed a moment of silence in honour of Judge Lennox Ballah, late judge of the International Tribunal for the Law of the Sea, and Mr. Yuji Kajitani, late member of the Legal and Technical Commission.

Adoption of the agenda

2. At its 86th meeting, on 30 July 2003, the Assembly adopted its agenda for the ninth session (ISBA/9/A/2).

Election of the President and Vice-Presidents of the Assembly

3. At the 86th meeting, on 30 July 2003, Mr. Josef Franzen (Slovakia) was elected President of the Assembly for 2003. Subsequently, following consultations in the regional groups, the representatives of Trinidad and Tobago (Latin American and Caribbean Group), Côte d'Ivoire (African Group), India (Asian Group) and Norway (Western European and Others Group) were elected as Vice-Presidents.

Appointment of the Credentials Committee

4. The Assembly elected a Credentials Committee in accordance with rule 24 of its rules of procedure. The following were elected as members of the Credentials Committee: Austria, Brazil, Czech Republic, Ghana, Greece, Jamaica, Japan, Malaysia and Uganda. Subsequently, Mr. Helmut Tuerk (Austria) was elected by the Committee as its Chairman. The Committee met on 5 August 2003. The report of the Committee is contained in document ISBA/9/A/6. At the 89th meeting, on 7 August 2003, the Assembly adopted the report of the Credentials Committee. The decision of the Assembly relating to credentials is contained in document ISBA/9/A/7.

Election to fill a vacancy on the Finance Committee

5. At the 86th meeting, on 30 July 2003, Mr. Bernd Kreimer (Germany) and Mr. M. Gandhi (India) were elected to fill the vacancies on the Finance Committee left by the resignations of Mr. Peter Dollekes (Germany) and Mr. Narinder Singh (India) respectively.

Annual report of the Secretary-General

6. At the 87th meeting, on 5 August 2003, the Secretary-General introduced his annual report to the Assembly (ISBA/9/A/3), as required by article 166, paragraph 4, of the United Nations Convention on the Law of the Sea. Following the presentation by the Secretary-General, statements were made by the delegations of Argentina, Australia, Austria, Brazil, China, Chile, Côte d'Ivoire, Fiji (on behalf of members of the Pacific Islands Forum), Germany, Indonesia, Jamaica, Kenya, Mexico, the Netherlands, New Zealand, Papua New Guinea, the Republic of Korea, the Russian Federation, the Sudan, Trinidad and Tobago, Uganda and the United Kingdom of Great Britain and Northern Ireland. The observer delegations of the United States of America and of the Division of Ocean Affairs and the Law of the Sea of the United Nations Secretariat also made a statement.

7. Members of the Assembly welcomed those States that had become parties to the 1982 Convention since the eighth session and also welcomed the fact that Cameroon, Cuba, Honduras, Kuwait and Mexico had become parties to the Agreement relating to the implementation of Part XI of the Convention. The Assembly was informed that Brazil was taking the necessary internal steps to become a party to the Agreement. The Assembly also welcomed the entry into force of the Protocol on Privileges and Immunities of the Authority.

8. The Assembly again expressed its concern about the long delay in completing a supplementary agreement concerning the headquarters of the Authority, and urged the Secretary-General and the Government of Jamaica to continue their efforts to conclude an agreement as soon as possible. The delegation of Jamaica restated its unwavering commitment to the fulfilment of all its obligations under the Headquarters Agreement and assured the Assembly that it would use its best efforts to continue to make progress towards resolving the outstanding issues with respect to the supplementary agreement.

9. The Assembly took note of the substantive work of the Authority outlined in the report of the Secretary-General. It was noted that the Authority's programme of scientific and technical workshops had continued to improve and had become an essential feature of the Authority's work. In terms of the future work programme of the Authority, the Assembly welcomed the proposal of the Secretary-General to submit to the Authority at its tenth session a comprehensive three-year plan, which would include proposals for streamlining and restructuring the secretariat in such a manner as to reflect the more technical emphasis in the work of the Authority. It was noted that a rigorous and comprehensive multi-year work programme would be of benefit to all members. It would also assist the Assembly in prioritizing activities, and provide a mechanism to measure performance against clearly stated objectives. The need to further streamline the meetings of the organs of the Authority as part of such a process, and in the interests of greater efficiency, was also emphasized. In particular, a request was made to organize the meetings of the Authority in 2004 in

such a way as to ensure that the budget for the next financial period could be adopted by the Assembly with the quorum required by the Convention.

10. Several delegations welcomed the consideration by the Authority of issues relating to biodiversity in the Area, noting that the Authority's role was to protect the marine environment from the potential harmful effects of deep seabed mining. It was noted that the evaluation of the ecology of the deep ocean was a very important aspect of the Authority's work. The Authority was encouraged to work closely with other relevant international organizations as well as with scientific institutions involved in such work. The Assembly also acknowledged the work of the Authority in promoting and encouraging marine scientific research in the Area through such projects as the establishment of the central data repository and the proposal to establish a geologic model for the nodule province of the Clarion-Clipperton Fracture Zone. With respect to the proposal to carry out a study of the implications of article 82, paragraph 4, of the Convention, some delegations expressed the view that the responsibilities of the Authority under article 82 were strictly limited to the functions set out in article 82, paragraph 4, and that any study by the secretariat should be focused accordingly.

11. The delegation of the Republic of Korea reiterated its request to the Secretary-General to provide the Assembly, prior to the next election to the Council, with updated information on the eight States parties which have made the largest investments in preparation for and in the conduct of activities in the Area. It was noted, in this regard, that it is for the Assembly to establish lists of countries fulfilling the criteria for membership in the various groups in the Council and that there would be a need to develop a common understanding among the potential members of the group on the criteria to be used. The delegation of Chile also recalled the need to incorporate into the future work programme of the Authority the study relating to appropriate forms of guarantee against environmental emergencies referred to in document ISBA/6/C/12.

Report and recommendations of the Finance Committee

12. At its 87th meeting, on 5 August 2003, the Assembly considered the report and recommendations of the Finance Committee (ISBA/9/A/5-ISBA/9/C/5), noting that the recommendations had been considered and approved by the Council.

13. Following consideration of the report, the Assembly, on the recommendation of the Council, decided:

- (a) To take note of the report of the Finance Committee;
- (b) To appoint Deloitte Touche as auditor of the Authority for 2003 and 2004;
- (c) That, in respect of Albania, Armenia, Kiribati, Qatar and Tuvalu, which became members of the Authority in 2003, the rate of assessment and the amounts of contributions to the general administrative fund and the Working Capital Fund shall be as recommended in paragraph 11 of the report of the Finance Committee (ISBA/9/A/5-ISBA/9/C/5).

14. With respect to the issue of the modalities for financing the participation of members of the Legal and Technical Commission and members of the Finance Committee from developing countries, the Assembly adopted the recommendations

of the Finance Committee contained in the annex to the report of the Committee. The delegation of Japan made a statement concerning this issue (ISBA/9/A/8).

15. The Assembly appealed to all members of the Authority to pay their assessed contributions in full and on time. The Assembly also appealed to members, as well as others in a position to do so, to make contributions to the voluntary trust fund.

Next meeting of the Assembly

16. The next meeting of the Assembly will be held in 2004 on dates to be fixed following consultation between the Secretary-General and the relevant departments of the United Nations Secretariat. In fixing the dates for the session, the Secretary-General was urged to use his best endeavours to find appropriate dates between April and the end of June 2004, taking into account the deadlines for submission of relevant documents, in order to facilitate the work of the various organs of the Authority.

17. It was noted that the Latin American and Caribbean Group would, in due course, nominate a candidate for the Presidency of the Assembly in 2004, and the African Group would nominate a candidate for the Presidency of the Council in 2004.
