
Assembly

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5-16 August 1996

STATEMENT OF THE PRESIDENT ON THE WORK OF THE
ASSEMBLY DURING THE RESUMED SECOND SESSION

1. The second part of the second session of the Assembly of the International Seabed Authority was held at Kingston, Jamaica, from 5 to 16 August 1996.
2. At the opening meeting (the 32nd meeting of the Plenary), I recalled the statement I had made on the work of the Assembly at the conclusion of the first part of the second session of the Assembly, in which I enumerated the most important issues that remained pending before the Assembly and the Council. These issues included the election of the Finance Committee, the election of the next President of the Assembly, the adoption of the rules of procedure of the Council and the election of the Chairman of the Council. In addition, I noted that the Council had still to elect the members of the Legal and Technical Commission.
3. It was agreed that the most important issue to be resolved was the election of the members of the Finance Committee since, unless a Finance Committee was formed, there would be difficulty in approving a budget for the Authority.

Status of provisional membership

4. At the first meeting of this part of the second session I reported to the Assembly on certain technical difficulties that had arisen with regard to the status of the provisional membership of a number of States. Following discussions with the Chairmen of the regional groups on this issue, the Assembly agreed that, in order to facilitate participation in the current meetings of the Authority by those States which have communicated in various forms their intention to continue implementation of the Agreement on a provisional basis but which have not yet, following the entry into force of the Agreement, notified the depositary in the required form, such States should continue to participate in the current meetings of the Authority on a provisional basis. The decision of the Assembly in this regard is contained in document ISBA/A/L.10.

Election of a President of the Assembly

5. At the end of the first part of the second session, it was agreed that a new President of the Assembly would be elected at the beginning of the second part of the second session. Nevertheless, at the first meeting of this part of the second session, there being at that time no candidate for the position of President of the Assembly, the Assembly decided to request me to continue to preside over the work of the Assembly until a new President is elected.

Election of the members of the Finance Committee

6. Noting that several candidates had been nominated for election to the Finance Committee, I proposed, with the approval of the Assembly, to hold informal consultations regarding the composition of the Finance Committee with the Chairmen of the regional groups and the Chairman of the Group of 77. I also invited to those consultations the coordinators of the interest groups. It was noted that the criteria for membership of the Finance Committee were set out in paragraph 3 of section 9 of the Annex to the Implementing Agreement and included, *inter alia*, the criterion that due account should be given to equitable geographical distribution and the representation of special interests. Following my suggestion, and with the approval of the Assembly, the major part of the first week of this part of the second session was devoted to intensive consultations within and among regional groups as to the balance of representation on the Finance Committee between the regional groups and the special interest groups mentioned in the Annex to the Implementing Agreement.

7. At the 36th meeting of the Plenary, I reported that, despite intensive consultations, no consensus had been reached as to the composition of the Finance Committee. I therefore urged the regional groups to persevere in their efforts to achieve a consensus, while noting that the need to establish a Finance Committee was becoming increasingly urgent.

8. At the 37th meeting of the Plenary, I was able to report that substantial progress had been made, although there was still a need for one regional group to get instructions. I therefore agreed to postpone the election of the Finance Committee for one more day in order to enable further consultations to take place. I also offered, with the approval of the Assembly, to meet with the Chairmen of each of the regional groups on an individual basis if that would assist them in reaching a consensus.

9. After further protracted and difficult consultations within and among the regional groups, and consultations I held, both individually and collectively, with the Chairmen of the regional groups and the Chairman of the Group of 77, I was able to announce, at the 38th meeting of the Plenary, that, on the basis of a proposal for the distribution of seats between the regional groups, it had been possible for the regional groups to find an accommodation in order that we could advance our work and proceed to elect a Finance Committee.

10. I informed the Assembly that, in order to enable agreement to be reached on the proposal so as to accommodate some regional interests, it had been agreed that:

(a) The Latin American and Caribbean Group will relinquish one of its seats on the Finance Committee at the expiration of the first two years (1997-1998) in favour of a candidate of the Asian Group for the remainder of the five-year term;

(b) The Western European and Others Group will relinquish one of its seats on the Finance Committee at the expiration of the first two and one half years of the five-year term commencing in 1997 in favour of a candidate from the Eastern European Group for the remainder of the term;

(c) In the light of the special circumstances of this election, the term of office of the members of the Finance Committee for the period preceding 1 January 1997 shall not be counted against the five-year term.

11. I further advised the Assembly that this agreement on the first composition of the Finance Committee is without prejudice to the overall composition of the Finance Committee for future elections and in particular to the claims of the regional groups; nor will this agreement prejudice elections to other bodies. It is understood that this situation may need to be reviewed in view of the circumstances prevailing after 16 November 1998 when provisional membership of the Authority terminates.

12. On the basis of the above agreement, I proposed the election of the following candidates to the Finance Committee: Ernesto Belo Rosa (Uruguay), Craig John Daniell (South Africa), Domenico da Empoli (Italy), David Etuket (Uganda), Jobst Holborn (Germany), Lou Hong (China), Tadanori Inomata (Japan), Serguey Ivanov (Russian Federation), Samia Ladgham (Tunisia), Jean-Pierre Levy (France), Isaac Klipstein Margulis (Mexico), S. Rama Rao (India), Coy Roache (Jamaica), Michael C. Wood (United Kingdom of Great Britain and Northern Ireland) and M. Deborah Wynes (United States of America). The Assembly proceeded to elect these candidates by acclamation.

13. With regard to the draft protocol on the privileges and immunities of the Authority, the Assembly established a working group, under the chairmanship of Mr. Wael Aboulmagd (Egypt), to undertake a review of the draft document submitted by the Preparatory Commission (LOS/PCN/153, vol. V) and report to the Assembly.

14. Taking into account the painstaking experience in composing the Council, and the Finance Committee and in electing the President of the Assembly, I proposed for the consideration of the Assembly a system of rotation in the chairmanship of the Assembly, the Council, the Finance Committee and the Legal and Technical Commission.

15. As a result of circumstances which required me to leave Kingston before the end of the session, H.E. Mr. José Luis Vallarta, Ambassador of Mexico to Jamaica and Vice-President of the Assembly, presided over the meetings of the Assembly as from 14 August 1996. The following items were therefore considered under his presidency:

Budget of the Authority for 1997

16. The Assembly considered a proposed revised budget for the Authority for 1997 submitted to it by the Council (ISBA/A/9/Add.1-ISBA/C/5/Add.1). In reviewing the proposed revised budget, the Assembly took into account the recommendations of the Finance Committee in its report of 14 August 1996 (ISBA/A/12-ISBA/C/7) and the recommendation of the Council to approve those recommendations.

17. The Assembly adopted the revised budget of the Authority for 1997 in the sum of US\$ 4,150,500, subject to the points raised by the Finance Committee in paragraphs 4, 5 and 6 of its report (ISBA/A/12-ISBA/C/7), and endorsed the evolutionary approach. The Assembly also requested the Secretary-General to submit the revised budget to the United Nations. It noted the reservations expressed in the Council in respect of certain aspects of this budget by the Russian Federation, members of the Council from the Eastern European Group and the United States of America.

Administrative and technical matters

18. On the basis of a recommendation by the Council, the Assembly decided to authorize the Secretary-General to apply on behalf of the Authority for membership of the United Nations Joint Staff Pension Fund (ISBA/A/L.11).

19. The Assembly decided to seek observer status for the Authority at the General Assembly of the United Nations (ISBA/A/L.12).

20. On the basis of the report submitted by the working group on the draft protocol on the privileges and immunities of the Authority, the Assembly decided to request the Secretariat to undertake further work on the draft protocol and present the results of such work at an early stage during the next session of the Authority.

Future meetings

21. The meetings of the International Seabed Authority in 1997 will take place from 17 to 28 March and 18 to 29 August at Kingston, Jamaica. The first item of business for the Assembly at its next meeting will be the election of its President.
