

3 November 2020

Excellencies,

I wish to refer to letters of the President of the twenty-fifth session of the Assembly dated 17 September and 5, 12, 16, 26, 29 October 2020, concerning the twenty-sixth session of the Assembly of the International Seabed Authority.

It is my great honour to have been elected President of twenty-sixth session of the Assembly of the International Seabed Authority on 29 October 2020 and I would like to express my gratitude to members of the Authority for their confidence and trust, especially in these unprecedented and challenging circumstances. I also wish to thank the members of the Group of Western European and Other States for their support in endorsing my candidacy for the presidency. I look forward to working with all delegations in the weeks ahead.

On behalf of all members of the Authority, I would like to convey our sincere appreciation to the Honourable Kamina Johnson Smith, Minister of Foreign Affairs and Foreign Trade of Jamaica, for her wonderful work as the President of the twenty-fifth session of the Assembly, including celebrating the twenty-fifth anniversary of the International Seabed Authority in 2019, and for successfully steering members of the Authority through the challenges posed by the coronavirus disease (COVID-19) pandemic. I would also like to express my gratitude to the Vice-Presidents of the twenty-fifth session of the Assembly.

Following the endorsement by the Assembly of a proposal of the President of the Assembly for the twenty-fifth session, the twenty-sixth session of the Assembly was declared open on 5 October 2020.

As you are aware, by its decision effective on 15 October 2020 entitled "Procedure for adoption of decisions by the Assembly during the twenty-sixth session owing to the coronavirus disease (COVID-19) pandemic", the Assembly authorized the President of the twenty-sixth session to circulate draft decisions of the Assembly under a silence procedure of at least 72 hours regarding the election of the Vice-Presidents, the appointment of the Credentials Committee, the adoption of the agenda and the organization of the work.

The purpose of this letter is to propose the adoption of the provisional agenda of the Assembly as contained in ISBA/26/A/L.1 (provisional agenda item 2) and the organization of the work of the twenty-sixth session of the Assembly. I also propose the adoption of two separate decisions by silence procedure, pursuant to the decision of 15 October 2020.

(1) Adoption of the agenda

The provisional agenda (ISBA/26/A/L.1) is attached for your ease of reference and I propose that this provisional agenda be adopted.

Accordingly, the proposal to adopt the provisional agenda is placed under the silence procedure by 17:00, Friday, 6 November 2020.

Any objection to the above proposal should be transmitted in a letter or a note verbale addressed to me, with a clear indication of the proposal to which the objection(s) refer(s). Such correspondence should be sent by email to secretary-general@isa.org.jm (cc to ola@isa.org.jm).

(2) Organization of the work

Members of the Authority will recall that the twenty-sixth session of the Assembly, which was originally scheduled in July, was rescheduled to 14-16 October 2020. In light of the evolving situation related to the COVID-19 pandemic, it was not feasible to meet in October and the meetings have been further postponed to later 2020, provisionally in December 2020.

At this moment, it is not clear whether it will be feasible for the Assembly to meet in December 2020. Even if we are able to meet, it is clear that any meeting in 2020 would need to be in a significantly reduced format, for the purpose of taking action on issues that are time-sensitive, of an essentially administrative nature or to ensure that the critical work of the Authority can proceed. Some of these items require sequential consideration by the Council and the Assembly.

Accordingly, the following items are identified as the priority issues to be considered by the Assembly before the end of 2020:

(a) Election to fill vacancies on the Finance Committee (item 7 on the provisional agenda)

I wish to draw the attention of the Assembly to the fact that Mr. Onuma Hiroshi (Japan), Ms. Ahila Sornarajah (United Kingdom), Mr. Sun Zhi (China), and Mr. Mehdi Remaoun (Algeria) resigned from the Finance Committee. The Governments of Japan, United Kingdom, China and Algeria have nominated Ms. Fujimoto Shoko (see ISBA/26/A/3), Mr. Philip Dixon (ISBA/26/A/6), Mr. Fan Kejun (see ISBA/26/A/11) and Mr. Abderahmane Zino Izourar (see ISBA/26/A/13) for the remainder of the terms of Mr. Onuma, Ms. Sornarajah, Mr. Sun, and Mr. Remaoun respectively. Elections should be held to fill those vacancies on the Finance Committee, in accordance with section 9, paragraph 5, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982.

(b) Report and recommendations of the Finance Committee, adoption of the budget and the scale of assessment for the contributions to the budget of the International Seabed Authority (items 13, 14 and 15 on the provisional agenda)

The Assembly will consider the report of the Finance Committee (provisional agenda item 13), and, based on the recommendations of the Finance Committee and of the Council, approve the budget of the Authority for the years 2021-2022 (provisional agenda item 14, see ISBA/26/A/5-ISBA/26/C/18 and ISBA/26/A/5/Add.1-ISBA/26/C/18.Add.1) as well as the scale of assessment for the contribution to the budget of the Authority (agenda item 15).

In this regard, it is noted that the Committee completed its work on 8 October 2020 and its report has been published on the website of the Authority (see ISBA/26/A/10-ISBA/26/C/21). Both the budget and the scale of assessment are under consideration by the Council.

- (c) Election of the Secretary-General, in accordance with article 166, paragraph 2, of the United Nations Convention on the Law of the Sea (provisional agenda item 17)

The term of office of the Secretary-General ends on 31 December 2020 and consequently this is also a time-sensitive issue.

- (d) Election to fill vacancies on the Council, in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea (provisional agenda item 18)

Pursuant to decisions of the Assembly as contained in ISBA/22/A/12/Rev.1 and reflected in paragraph 41 of ISBA/23/A/14, the terms of office of 19 members of the Council will end on 31 December 2020. Two vacancies will need to be filled in Group A, one vacancy in Group B, two vacancies in Group C, three vacancies in Group D and eleven vacancies in Group E. The secretariat has prepared two information papers to assist member States in determining the States eligible for election in each group of the Council (see ISBA/26/A/CRP.1 and ISBA/26/A/CRP.2).

- (e) Draft decision of the Assembly to name the museum of the International Seabed Authority in honour of Nii Allotey-Odunton (provisional agenda item 20)

In this regard, it is recalled that the Permanent Mission of the Republic of Ghana to the United Nations has forwarded a draft decision submitted by the African Group for the consideration of the Assembly at its twenty-sixth session (See ISBA/26/A/14).

- (f) Report of the Secretary-General on the contribution of the International Seabed Authority to the United Nations Decade of Ocean Science for Sustainable Development (provisional agenda item 12)

In this regard, the Assembly is invited to consider a report of the Secretary-General on the action plan of the Authority in support of the United Nations Decade of Ocean Science for Sustainable Development (ISBA/26/A/4) and to adopt a draft decision of the Assembly relating to the action plan of the Authority in support of the United Nations Decade of Ocean Science for Sustainable Development (See Annex II, ISBA/26/A/4).

This item is time-sensitive based on the fact that the United Nations Decade of Ocean Science for Sustainable Development starts in 2021. A high-level webinar to present the Draft action plan of the Authority in support of the UN Decade of Ocean Science for Sustainable Development is scheduled for 17 November 2020.

(g) Report of the Secretary-General on implementing a programmatic approach to capacity development (provisional agenda item 9)

In this regard, the Assembly is invited to consider a report of the Secretary-General on Implementing a programmatic approach to capacity development (see ISBA/26/A/7 and ISBA/26/A/12) under the provisional agenda item 9 (Annual report of the Secretary-General under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea) and consider and adopt a draft decision of the Assembly relating to the implementation of a programmatic approach to capacity development (see Annex, ISBA/26/A/7).

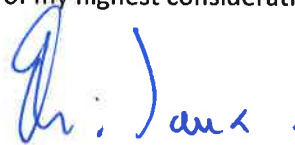
In light of above, I am pleased to attach a Draft decision on the organization of work which is placed under the silence procedure by virtue of decision of the Assembly of 15 October 2020 on the "Procedure for adoption of decisions by the Assembly during the twenty-sixth session owing to the coronavirus disease (COVID-19) pandemic".

The draft decision will be deemed to be adopted by the Assembly by the silence procedure pursuant to the above-mentioned decision of the Assembly of 15 October 2020, if no objections are received by the Secretariat **by 17:00, Friday, 6 November 2020 (Jamaica time)**. Any objection to the above proposal should be transmitted in a letter or a note verbal addressed to me, with a clear indication of the proposal to which the objection(s) refer(s). Such correspondence should be sent by email to secretary-general@isa.org.jm (cc to ola@isa.org.jm).

I wish to take this opportunity to express my appreciation to those regional groups who have submitted the nominations for the Vice-Presidents and for the members of the Credentials Committee. In this connection, I would like to emphasize the importance of having a complete Bureau representing each of the regional groups, with whom I can consult on the conduct and progress of work. I would like to urge the Group of African States and the Group of Asia-Pacific States to continue consultations and inform me, through the Secretariat, of their nominations for the Vice-Presidents and for the members of the Credentials Committee as soon as possible, and urge the Group of Western European and Other States to submit nominations for the members of the Credentials Committee as soon as possible.

In the end, I wish to urge those members of the Authority, who have not submitted their credentials, please do so as soon as possible as per the Note No ISA/EOSG/2020/141 by the Secretariat of 28 September 2020.

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



Ambassador Denys Wibaux

President of the twenty-sixth session of the Assembly

To: All members of the International Seabed Authority

Draft decision of the Assembly of the International Seabed Authority concerning the adoption of the provisional agenda and the organization of work for the twenty-sixth session of the Assembly

The Assembly of the International Seabed Authority,

Referring to the provisional agenda of the Assembly for the twenty-sixth session,¹

Recalling its decision of 15 October 2020 entitled “Procedure for adoption of decisions by the Assembly during the twenty-sixth session owing to the coronavirus disease (COVID-19) pandemic”,²

Also recalling the letter of the President of the twenty-sixth session of the Assembly dated 3 November 2020,

Noting the time-sensitive items on its provisional agenda concerning the elections to fill vacancies on the Finance Committee; the election of the Secretary-General of the International Seabed Authority for the four-year term commencing on 1 January 2021; the budget and scale of assessment to the budget of the International Seabed Authority for the financial period 2021-2022; the election to fill vacancies on the Council of the International Seabed Authority, in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea; the draft decision of the Assembly to name the museum of the International Seabed Authority in honour of Nii Allotey-Odunton; the Report of the Secretary-General on the contribution of the International Seabed Authority to the United Nations Decade of Ocean Science for Sustainable Development; and the Report of the Secretary-General on implementing a programmatic approach to capacity development,

1. *Decides* that before the end of 2020, the Assembly will consider the following items:
 - (a) Election to fill vacancies on the Finance Committee (item 7);
 - (b) Election of the Secretary-General of the International Seabed Authority, in accordance with article 166, paragraph 2, of the United Nations Convention on the Law of the Sea (item 17);
 - (c) Report and recommendations of the Finance Committee, adoption of the budget and the scale of assessment for the contributions to the budget of the International Seabed Authority (items 13, 14 and 15);
 - (d) Election to fill vacancies on the Council of the International Seabed Authority, in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea (item 18);
 - (e) Draft decision of the Assembly to name the museum of the International Seabed Authority in honour of Nii Allotey-Odunton (item 20);

¹ ISBA/26/A/L.1.

² <https://isa.org.im/files/documents/Letter%20of%20President%20on%20revised%20draft%20decision.pdf>

- (f) Report of the Secretary-General on the contribution of the International Seabed Authority to the United Nations Decade of Ocean Science for Sustainable Development (item 12); and
 - (g) Report of the Secretary-General on implementing a programmatic approach to capacity development (under agenda item 9).
2. *Also decides* that all other outstanding items on the agenda of the twenty-sixth session of the Assembly will be deferred to 2021.
 3. *Further decides* that, if the silence is not broken, the decision shall be considered adopted, and the twenty-sixth session of the Assembly shall take note of the decision at its first face-to-face meeting convened as soon as circumstances allow.



Assembly

Distr.: Limited
15 April 2020

Original: English

Twenty-sixth session
Kingston, 27–31 July 2020

Provisional agenda of the Assembly

1. Opening of the session.
2. Adoption of the agenda.
3. Election of the President.
4. Election of the Vice-Presidents.
5. Appointment of the Credentials Committee.
6. Consideration of requests for observer status in accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly.
7. Election to fill a vacancy on the Finance Committee, in accordance with section 9, paragraph 5, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982.
8. Statement by the President of the Council on the work of the Council during the twenty-sixth session.
9. Annual report of the Secretary-General under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea.
10. Report on the implementation of the strategic plan and high-level action plan of the International Seabed Authority for the period 2019–2023.
11. Tribute to the memory of the late Satya N. Nandan.
12. Report of the Secretary-General on the contribution of the International Seabed Authority to the United Nations Decade of Ocean Science for Sustainable Development.
13. Report and recommendations of the Finance Committee.
14. Adoption of the budget of the International Seabed Authority.¹
15. Adoption of the scale of assessment for the contributions to the budget of the International Seabed Authority.¹

¹ To be taken up following consideration by the Finance Committee and the Council.



16. Report of the Credentials Committee.
 17. Election of the Secretary-General, in accordance with article 166, paragraph 2, of the United Nations Convention on the Law of the Sea.²
 18. Election to fill vacancies on the Council, in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea.
 19. Dates of the next session of the Assembly.
 20. Other matters.
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² From among the candidates proposed by the Council.