

No. 1165

**UNITED NATIONS
and
INTERNATIONAL SEABED AUTHORITY**

Agreement concerning the relationship between the United Nations and the International Seabed Authority. Signed at New York on 14 March 1997

Authentic text: English.

Filed and recorded by the Secretariat on 14 March 1997.

**ORGANISATION DES NATIONS UNIES
et
AUTORITÉ INTERNATIONALE
DES FONDS MARINS**

Accord sur les relations entre l'Organisation des Nations Unies et l'Autorité internationale des fonds marins. Signé à New York le 14 mars 1997

Texte authentique : anglais.

Classé et inscrit au répertoire par le Secrétariat le 14 mars 1997.

AGREEMENT¹ CONCERNING THE RELATIONSHIP BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL SEABED AUTHORITY

The United Nations and the International Seabed Authority,

Bearing in mind that the General Assembly of the United Nations in its resolution 3067 (XXVIII) of 16 November 1973² decided to convene the Third United Nations Conference on the Law of the Sea for the adoption of a convention dealing with all matters relating to the law of the sea and that the Conference adopted the United Nations Convention on the Law of the Sea,³ which *inter alia* establishes the International Seabed Authority,

Recalling that the General Assembly of the United Nations in its resolution 48/263 of 28 July 1994⁴ adopted the Agreement⁵ relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Mindful of the entry into force of the United Nations Convention on the Law of the Sea on 16 November 1994 and the entry into force of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 on 28 July 1996,

Noting General Assembly resolution 51/6 of 4 November 1996⁶ inviting the International Seabed Authority to participate in the deliberations of the General Assembly in the capacity of observer,

Noting further Article 162, paragraph 2(f) of the United Nations Convention on the Law of the Sea of 10 December 1982, General Assembly resolution 51/34 of 9 December 1996⁷ and decision ISBA/C/10 of 12 August 1996 of the Council of the International Seabed Authority calling for the conclusion of a relationship agreement between the United Nations and the International Seabed Authority,

¹ Came into force provisionally on 14 March 1997 by signature, in accordance with article 18.

² United Nations, *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 30 (A/9030)*, p. 13.

³ United Nations, *Treaty Series*, vol. 1833, 1834 and 1835, No. I-31363.

⁴ *Ibid.*, *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 49 A (A/48/49 Add.1)*, p. 7.

⁵ *Ibid.*, *Treaty Series*, vol. 1836, No. I-31364.

⁶ *Ibid.*, *Official Records of the General Assembly, Fifty-first Session, Supplement No. 49 (A/51/49)*, p. 6.

⁷ *Ibid.*, p. 34.

Desiring to make provision for an effective system of mutually beneficial relationship whereby the discharge of their respective responsibilities may be facilitated,

Taking into account for this purpose the provisions of the Charter of the United Nations, the provisions of the United Nations Convention on the Law of the Sea and the provisions of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Have agreed as follows:

Article 1

Purpose of the Agreement

This Agreement, which is entered into by the United Nations and the International Seabed Authority (hereinafter referred to as “the Authority”), pursuant to the provisions of the Charter of the United Nations (hereinafter referred to as “the Charter”) and the provisions of the United Nations Convention on the Law of the Sea (hereinafter referred to as “the Convention”) and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (hereinafter referred to the “the Agreement”) respectively, is intended to define the terms on which the United Nations and the Authority shall be brought into relationship.

Article 2

Principles

1. The United Nations recognizes the Authority as the organization through which States Parties to the Convention shall, in accordance with Part XI of the Convention and the Agreement, organize and control activities in the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as “the Area”), particularly with a view to administering the resources of the Area. The United Nations undertakes to conduct its activities in such a manner as to promote the legal order for the seas and oceans established by the Convention and the Agreement.
2. The United Nations recognizes that the Authority, by virtue of the Convention and the Agreement, shall function as an autonomous international organization in the working relationship with the United Nations established by this Agreement.
3. The Authority recognizes the responsibilities of the United Nations under the Charter and other international instruments, in particular in the fields of international

peace and security and economic, social, cultural and humanitarian development, protection and preservation of the environment.

4. The Authority undertakes to conduct its activities in accordance with the purposes and principles of the Charter to promote peace and international cooperation and in conformity with the policies of the United Nations furthering these purposes and principles.

Article 3

Cooperation and coordination

1. The United Nations and the Authority recognize the desirability of achieving effective coordination of the activities of the Authority with those of the United Nations and the specialized agencies, and of avoiding unnecessary duplication of activities.

2. The United Nations and the Authority agree that, with a view to facilitating the effective discharge of their respective responsibilities, they will cooperate closely with each other and consult each other on matters of mutual interest.

Article 4

Assistance to the Security Council

1. The Authority shall cooperate with the Security Council by providing to it at its request such information and assistance as may be required in the exercise of its responsibility for the maintenance or restoration of international peace and security. In case confidential information is provided, the Security Council shall preserve its confidential character.

2. At the invitation of the Security Council, the Secretary-General of the Authority may attend its meetings to supply it with information or give it other assistance with regard to matters within the competence of the Authority.

Article 5

International Court of Justice

The Authority agrees, subject to the provisions of this Agreement relating to the safeguarding of confidential material, data and information, to provide any information which may be requested by the International Court of Justice in accordance with the Statute of that Court.

Article 6

Reciprocal representation

1. Without prejudice to the decision of the General Assembly in resolution 51/6 of 4 November 1996 granting observer status to the Authority, and subject to such decisions as may be taken concerning the attendance of their meetings by observers, the United Nations shall, subject to the rules of procedure and practice of the bodies concerned, invite the Authority to send representatives to meetings and conferences of other competent bodies, whenever matters of interest to the Authority are discussed.
2. Subject to such decisions as may be taken by its competent bodies concerning the attendance of their meetings by observers, the Authority shall, subject to the rules of procedure and practice of the bodies concerned, invite the United Nations to send representatives to all its meetings and conferences, whenever matters of interest to the United Nations are discussed.
3. Written statements submitted by the United Nations to the Authority for distribution shall be distributed by the Secretariat of the Authority to all members of the appropriate organ or organs of the Authority in accordance with the relevant rules of procedure. Written statements presented by the Authority to the United Nations for distribution shall be distributed by the Secretariat of the United Nations to all members of the appropriate organ or organs of the United Nations in accordance with the relevant rules of procedure. Such written statements will be circulated in the quantities and languages in which they were made available to the respective Secretariat.

Article 7

Cooperation between the two Secretariats

The Secretary-General of the United Nations and the Secretary-General of the Authority shall consult from time to time regarding the implementation of their respective responsibilities under the Convention and the Agreement. They shall consult, in particular, regarding such administrative arrangements as may be necessary to enable the two Organizations effectively to carry out their functions and to ensure effective cooperation and liaison between their Secretariats.

Article 8

Exchange of information, data and documents

1. The United Nations and the Authority shall arrange for the exchange of information, publications and reports of mutual interest.