

PRESIDÊNCIA DA REPÚBLICA

Decreto do Presidente da República n.º 115/2006 de 28 de Novembro

O Presidente da República decreta, nos termos do artigo 135.º, alínea b), da Constituição, o seguinte:

É ratificado o Protocolo Relativo aos Privilégios e Imunidades da Autoridade Internacional dos Fundos Marinhos, aberto à assinatura em Kingston entre 17 e 28 de Agosto de 1998, aprovado, para ratificação, pela Resolução da Assembleia da República n.º 60/2006, de 28 de Novembro, em 4 de Outubro de 2006.

Assinado em 14 de Novembro de 2006.

Publique-se.

O Presidente da República, ANÍBAL CAVACO SILVA.

Referendado em 20 de Novembro de 2006.

O Primeiro-Ministro, *José Sócrates Carvalho Pinto de Sousa*.

ASSEMBLEIA DA REPÚBLICA

Resolução da Assembleia da República n.º 60/2006

Aprova, para ratificação, o Protocolo Relativo aos Privilégios e Imunidades da Autoridade Internacional dos Fundos Marinhos, aberto à assinatura em Kingston entre 17 e 28 de Agosto de 1998.

A Assembleia da República resolve, nos termos da alínea i) do artigo 161.º e do n.º 5 do artigo 166.º da Constituição, aprovar, para ratificação, o Protocolo Relativo aos Privilégios e Imunidades da Autoridade Internacional dos Fundos Marinhos, aberto à assinatura em Kingston entre 17 e 28 de Agosto de 1998, cujo texto, na versão em língua inglesa e respectiva tradução em língua portuguesa, se publica em anexo.

Aprovada em 4 de Outubro de 2006.

O Presidente da Assembleia da República, *Jaime Gama*.

PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL SEABED AUTHORITY

The States Parties to this Protocol:

Considering that the United Nations Convention on the Law of the Sea establishes the International Seabed Authority;

Recalling that article 176 of the United Nations Convention on the Law of the Sea provides that the Authority shall have international legal personality and such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes;

Noting that article 177 of the United Nations Convention on the Law of the Sea provides that the Authority shall enjoy in the territory of each State Party to the Convention the privileges and immunities set forth in section 4, subsection G, of part XI of the Convention and that the privileges and immunities of the enterprise shall be those set forth in annex IV, article 13;

Recognizing that certain additional privileges and immunities are necessary for the exercise of the functions of the International Seabed Authority;

have agreed as follows:

Article 1

Use of terms

For the purposes of this Protocol:

a) «Authority» means the International Seabed Authority;

b) «Convention» means the United Nations Convention on the Law of the Sea of 10th December 1982;

c) «Agreement» means the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10th December 1982. In accordance with the Agreement, its provisions and part XI of the Convention are to be interpreted and applied together as a single instrument; this Protocol and references in this Protocol to the Convention are to be interpreted and applied accordingly;

d) «Enterprise» means the organ of the Authority as provided for in the Convention;

e) «Member of the Authority» means:

i) Any State Party to the Convention; and

ii) Any State or entity which is a member of the Authority on a provisional basis pursuant to paragraph 12, a), of section 1 of the annex to the Agreement;

f) «Representatives» means representatives, alternate representatives, advisers, technical experts and secretaries of the delegations;

g) «Secretary-General» means the Secretary-General of the International Seabed Authority.

Article 2

General provision

Without prejudice to the legal status, privileges and immunities accorded to the Authority and the Enterprise set forth in section 4, subsection G, of part XI and annex IV, article 13, of the Convention, respectively, each State party to this Protocol shall accord to the Authority and its organs, the representatives of members of the Authority, officials of the Authority and experts on mission for the Authority such privileges and immunities as are specified in this Protocol.

Article 3

Legal personality of the Authority

The Authority shall possess legal personality. It shall have the legal capacity:

a) To contract;

b) To acquire and dispose of immovable and movable property;

c) To be a party in legal proceedings.

Article 4

Inviolability of the premises of the Authority

The premises of the Authority shall be inviolable.