

Italy

Considerations on issues relating to the election of members of the Legal and Technical Commission

We welcome the proposals of Belgium for the election of members of the Commission and we took note of the Draft decision by Algeria on the same issue.

Concerning the rules for elections of the members of the Legal and Technical Commission, Italy would like to make few comments.

Regarding the size of the Commission, my delegation believes that this is a matter on which the Commission itself should comment and report to the Council next year.

The Commission now has a few years of experience with a relatively large group of thirty people and can express how it worked out. However, the size of the Commission has financial implications that have to be taken into due consideration, in its current composition 1/3 of the members are eligible to be assisted by the Voluntary Trust Fund for their travel costs, for which the Secretariat provided estimated costs in ISBA/23/C/2. Thus a number of members greater than the current arrangement may be unsustainable for the Authority.

On the qualification of the members, we would like to recall what is provided in article 165 of the Convention and reiterated in document ISBA/23/C/2, where it is said that members of the Commission shall have appropriate qualifications, related to the exploration, exploitation and processing of mineral resources, oceanology, protection of the marine environment, economic or legal matters relating to ocean mining. Already in 2006 the Commission indicated the need to have experts in marine biology, marine engineering and economy of mining. In 2015 the Commission expressed again the need to have more experts in marine technology and economy of mining. Therefore, Member States should follow these indications

by nominating relevant experts with recognized background and working experience in ocean science and technology in their broader meaning, environmental and mining law, in order to provide competent and effective input to the works of the Authority.

Likewise, it would be beneficial if the Commission would be able to carry out its activities with a certain continuity, with Members able to attend throughout their full term, to ensure continuous dedication to the works of the Authority.

We believe that a Commission structured in working groups with experts dealing largely with their fields of expertise would be more effective. The workload of the Commission has been increasing over the years and this may affect the quality of its works, especially with the scenario ahead of us where applications for exploitation will start arriving in the next years.