

Italy

Statement on ISBA/25/A/7

Speaker: Marzia Rovere

Madam President, since this is the first time Italy takes the floor, I would like to congratulate you upon your election and ensure a continued collaboration of my delegation during the works of the 25th anniversary session of the Assembly.

We wish to thank the Deputy to Secretary General for his comprehensive note on suggested guidelines for observer status of NGOs with the International Seabed Authority. We understand that this document has been triggered by a concern expressed at the 23rd Session of the Assembly about an application for observer status that provided insufficient detail for a decision and we have seen also this morning how difficult is the assessment of an application. Thus, Italy agrees that guidelines on how to format the applications are much needed for the Authority.

Madam President, Italy attaches the greatest importance to the issues of transparency and public participation. For this reason, my delegation would like to emphasise the importance of close cooperation on information, transparency and fact checking to achieve the greatest benefits for the mandates of this Authority, in line with some strategic directions and corresponding high-level actions indicated in the implementation of the Strategic Plan for years 2019-2023. By having this in mind, we would like to offer a few comments on the guidelines.

First, we would like to make a point about the comparison drawn between this Authority and the International Maritime Organization, whose guidelines for observer status were used as a base. We would like to remind that the International Seabed Authority is not only an organization which regulates an industrial sector, as it is IMO for the shipping industry; this Authority, allow me, has a higher moral role. The Authority has many mandates with the overarching goal of administering the mineral resources of the seabed of the Area as the common heritage of humankind for the present and future generations. The Authority is responsible for the activities carried out in the Area in promoting economic and social advancement of all peoples in the world, with due regard for the most vulnerable communities. At the same time, the Authority has to encourage marine scientific research, coordinate its dissemination, protect the marine environment and human life in the Area. Therefore, the Authority is at the core of a sophisticated architecture entailing political, economic and social aspects that require a structure open to the outside world.

In these regards, the contribution that have made the NGOs through the years to the works of this Authority has been overall of great importance: they increased the public participation, they allowed a better understanding of the Authority, they provided scientific and legal expertise and promoted scientific cooperation and outreach. In the opinion of this delegation, their contribution has always been useful and enriching.

Besides, we read through the list of the 28 so far registered observers and we question why they have been all labelled as NGOs since some are state public universities or national research centers.

In line with the considerations above, Italy wishes to express doubts on paragraphs 8 (b) where it reads as follows: "the objectives and functions of the NGO are in consonance with those of the Authority", because there is a need for plurality of voices in the works of the Authority. We also have concerns on paragraph 9 where it reads: "Observer status may not be granted to an NGO unless it undertakes to support the activities of the Authority", because it is ambiguous what kind of support is intended.

We have also concerns on the periodic review process as in paragraphs 15 and the withdrawal mechanism from observer status as proposed in paragraph 16 of the guidelines, especially where it says: “[...] any information brought to the attention of the Assembly by any member States or any organs of the Authority [...]” may result into a withdrawal.

Instead, we suggest considering the introduction of a simple rule of procedure, already applied by many organizations, such as the General Bathymetric Charts of the Oceans, which operates under the auspices of the UNESCO–IOC and the International Hydrographic Organization, with which this Authority has an agreement of cooperation. This rule says that observers who are absent for two consecutive sessions will be declared lapsed of their status. This will be much more effective and fair, rather than trying to assess the performance of the observers in a periodic review, that will be a burden for the Authority and may lead to unpredictable outcomes in terms of effectiveness and justice of the evaluation.

Thank you Madam President