



## TONGA INTERVENTIONS TO PART 1 OF THE 25<sup>TH</sup> SESSION OF THE COUNCIL OF THE ISA

### **Intervention 7: Report on the Enterprise**

We wish to acknowledge with appreciation the various considerations provided in the Special Representative's report, in particular, the proposed draft joint venture, and as Algeria on behalf the African Group currently put, between the Enterprise and the Government of Poland. We also acknowledge the work of the Special representative in ensuring transparency and consistency with the requirements of the Part XI agreement and the Convention.

As highlighted by in the report, my delegation and others had sought the need to operationalize the Enterprise pursuant to Article 158 and 170 of the Convention. The final report of the Review Committee under paragraph 21, mentioned that priorities had limited the progress made by the Legal and Technical Commission on the issue and that the appointment of an interim Director-General was not advisable at the time. Whilst it is understandable that in light of priorities, work on this very important issue could not be carried out, my delegation was of the view, that this issue should remain on the work programme of the Legal and Technical Commission, whilst recognizing that other issues will take priority, such as the exploitation regulations.

In this regard, we take note of the considerations made in the report and we do recognize that there is a need to extend the time frame for further negotiations and further work and resources is needed to ensure all considerations are made. We note the recommendation by the Special Representative in his report at paragraph 13 that the approach to forming a joint venture with the Enterprise as proposed by Nautilus Minerals Inc in 2013 be adopted with regard to the proposal from Poland.

My delegation is pleased to see the proposed steps, in particular the finalization of the proposal in accordance with section 2 of the Annex of the 1994 Agreement, and the need to enable the Council to adopt a directive concerning the independent operation of the Enterprise.



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We see it necessary for the Secretary-General to extend the contract of the Special Representative with appropriate resourcing to complete the proposed tasks and most importantly consultations with regional groups, member states, sponsoring states, and relevant stakeholders including contractors and our international civil society organizations, and in so doing ensuring inclusiveness and transparency.