

Speaker: Mr Daniele Bosio

Item 18: Report on matters related to the Enterprise

Italy thanks the Special Representative of the Secretary General for the Enterprise for his report and for his constant and positive contributions to the work of this Council.

This delegation recognizes the importance the Enterprise will have in the institutional architecture of the International Seabed Authority. The Agreement relating to the implementation of part XI of the Convention sets very clear conditions for its actual institution and we should indeed follow the relevant provisions .

As far as the nomination of an Interim Director General is concerned, I remind to myself that the Agreement establishes that the Secretariat of the Authority shall perform the functions of the Enterprise until it begins to operate independently of the Secretariat. The Secretary-General of the Authority shall appoint from within the staff of the Authority an interim Director-General to oversee the performance of these functions by the Secretariat.

At the same time, for the sake of clarity, we would like to underline that following the appointment of the Interim Director General there should not be an “interim Enterprise”, as mentioned in Paragraph 8 of the Report before us. It is, instead, the Secretariat, which will continue performing the functions of the Enterprise, which is not yet established as a fully-fledged body, until one of the conditions laid down in Section 2, para. 2 of the Agreement are met. This is important to underline as it confirms the evolutionary approach to the operationalization of the Enterprise, as provided by the Agreement.

Finally, Italy believes that we should stick to the recommendation of the LTC in ISBA/26/C/57 (para 19), in terms of procedural steps for the establishment of the Position of the Interim Director General of the Enterprise. This entails that this Council should request the Assembly to establish the position of Director General within the Secretariat and for the Secretary General to appoint a person in this position. This is, of course, based on the availability of the necessary funds by the Authority.