



Council

Advance Unedited Version
31 March 2023

English only

Twenty-eighth session

Council session, part I

Kingston, 16–31 March 2023

Agenda item 12

Consideration of matters relating to the Enterprise

Decision of the Council of the International Seabed Authority relating to the establishment of the position of an interim director general of the Enterprise

The Council of the International Seabed Authority,

Recalling article 170 of and annex IV to the United Nations Convention on the Law of the Sea,¹ which established the Enterprise as the organ of the Authority to carry out activities in the Area according to article 153 (2) (a) of the Convention, as well as the transporting, processing and marketing of minerals recovered from the Area,

Recalling also the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,² which recognizes the need to follow an evolutionary approach for the step-by-step operationalization of the Enterprise, based on the functional needs of the Enterprise at each step,

Considering that the development of the draft regulations on exploitation of mineral resources in the Area is has continued advancing,

Considering also that the holders of 11 contracts for exploration currently in place are anticipating future joint ventures with the Enterprise, and that several reserved areas are also available for joint ventures,

Taking into account the report of the Chair of the Legal and Technical Commission on the work of the Commission at the first part of its twenty-sixth session,³ in which the Commission recommended the establishment, subject to the availability of the requisite funds, of the position of interim director general of the Enterprise,

* [ISBA/28/C/11](#).

¹ United Nations, *Treaty Series*, vol. 1833, No. 31363.

² *Ibid.*, No. 31364.

³ [ISBA/26/C/12](#), para. 41.

Recalling that, in the original proposed budget for the Authority for the financial period 2023–2024,⁴ the Secretary-General, as requested by the Council, had included financial provision of \$641,301 to cover the costs for one interim director general, one administrative assistant and other non-post costs consisting of travel, information and communications technology infrastructure, office space and other related costs, and indirect support costs,

Recalling also that the Finance Committee, at its meetings during the twenty-seventh session, had taken note of the information provided by the Secretary-General, but considered that it would need additional guidance from the Council on the nature of the work to be performed by the interim director general in order to properly assess the proposed costs,⁵

Noting with appreciation the proposed functions of the interim director general provided by the Special Representative of the Secretary-General of the International Seabed Authority for the Enterprise in his report at the first part of the twenty-seventh session,⁶

Recalling that the mandate of the Special Representative of the Secretary-General for the Enterprise had expired at the end of the twenty-seventh session,⁷

1. *Adopts* the recommendation of the Commission to establish the position of an interim director general for the Enterprise;

2. *Requests* the Secretary-General to provide for all proposed positions job classifications in conformity with the job classification standards of the International Civil Service Commission;

3. *Requests* the Secretary-General to explore all options to deliver the establishment of the proposed positions within the existing budget of the Authority as approved by the Assembly during the 27th session, and to provide information thereon to the Finance Committee; if it is not possible to deliver the establishment of the proposed positions within the existing budget to provide detailed justifications to the Finance Committee, explaining as such;

4. *Requests* the Secretary-General to submit to the Council a supplementary budget proposal in accordance with financial regulations 3.8 and 3.9 in an amount not exceeding \$641,301 for the financial period 2023–2024 to cover the costs of the interim director general as reflected in the original proposed budget, for consideration at the second part of the twenty-eighth session, in July 2023;

5. *Requests* the Finance Committee to consider expeditiously the supplementary budget proposal submitted by the Secretary-General and to report to the Council on the financial and budgetary implications of the proposal as well as its assessment of the Secretary-General's justifications explaining why any of the proposed costs cannot be covered by the existing budget of the Authority, no later than the second part of the twenty-eighth session;

6. *Requests* the Secretary-General to extend the contract and renew the terms of reference of the Special Representative of the Secretary-General for the Enterprise until the end of the second part of the twenty-eighth session.

*301st meeting
31 March 2023*

⁴ ISBA/27/A/3-ISBA/27/C/22.

⁵ ISBA/27/A/8-ISBA/27/C/36.

⁶ ISBA/27/C/14 and ISBA/27/C/14/Corr.1.

⁷ ISBA/26/C/57, para. 19.