



## Council

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### Twenty-fifth session

Council session, part I

Kingston, 25 February–1 March 2019

Agenda item 14

### Report on matters relating to the Enterprise

## Decision of the Council of the International Seabed Authority relating to the Special Representative of the Secretary-General of the International Seabed Authority for the Enterprise

*The Council of the International Seabed Authority,*

*Recalling* the statement by the President of the Council on the work of the Council during the second part of the twenty-fourth session,<sup>1</sup>

1. *Takes note* of the report of the Special Representative of the Secretary-General of the International Seabed Authority for the Enterprise on the proposal by the Government of Poland for a joint venture with the Enterprise;<sup>2</sup>

2. *Requests* the Secretary-General to extend the time frame for the negotiation of the draft proposal to form a joint venture and the development of a business proposal to facilitate the operation of the venture, parts of which have been agreed upon *ad referendum*, with a view to the finalization of the proposal in a timely manner and taking into consideration the expectation of the Council to have a full proposal on its agenda in 2019;

3. *Recalls* that the proposal for the joint venture must comply with the provisions of section 2 of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (the Agreement) and be based on sound commercial principles, so as to enable the Council to adopt a directive concerning the independent operation of the Enterprise, bearing in mind the calls for the operationalization of the Enterprise contained in a note dated 6 July 2018 from the African Group addressed to the secretariat of the Authority, which received cross-regional support during the previous session of the Council;

4. *Requests* the Secretary-General to extend the contract and renew the terms of reference of the Special Representative and to provide the requisite funds related

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<sup>1</sup> ISBA/24/C/8/Add.1.

<sup>2</sup> ISBA/25/C/7.



to the work of the Special Representative, taking into consideration the need to finalize the joint venture with Poland;

5. *Recognizes* the importance of ensuring that the perspective of the Enterprise is submitted and taken into account in the development and adoption of the exploitation regulations;

6. *Requests* the Secretary-General to invite the Special Representative to participate, exceptionally, to represent the perspective of the Enterprise up to and including the second part of the twenty-fifth session in the negotiations concerning the development and conclusion of the regulations for the exploitation of minerals in the Area and other related matters, undertakes to consider recommendations in the twenty-fifth session, taking account of the ISA technical study on the operationalization of the Enterprise, on the appointment of an Interim Director General, to represent the perspective of the Enterprise in line with the United Nations Convention on the Law of the Sea and the Agreement in future negotiations connected to the reserved areas and to define parameters to facilitate discussions with other States, regional groups and other entities on matters related to the operationalization of the Enterprise, in view of the suggestions made in paragraphs 17 and 18 of document [ISBA/19/C/6](#), on the governance arrangements of the Enterprise prior to its independent functioning of the secretariat;

7. *Requests* the Secretary-General to establish a voluntary trust fund for the purpose of providing the requisite funds related to the work of the Special Representative, and to report regularly to the Assembly on the status of the fund;

8. *Encourages* member States, observers and other stakeholders to contribute financially to the voluntary trust fund.

*250th meeting  
1 March 2019*

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