

**DOSI Intervention regarding item 10: Draft Regulations on exploitation of mineral resources in the Area: Fourth meeting of the Informal Working Group on Inspection, Compliance and Enforcement  
DR103: Compliance notice, suspension and termination of exploitation contract**

Delivered 23 March 2023

Thank you, Madame Facilitator,

Regarding **DR 103 Para 5**, the Deep-Ocean Stewardship Initiative suggests that more specificity is added to the number of warnings that can be given. The current reading of '*one or more*' warnings is unclear and could suggest that an unlimited number of warnings can be given to a Contractor that fails to comply with the Inspectorate compliance notices.

Regarding DR 103 Para 7, DOSI recommends that text be added reflecting that nothing in this provision shall limit the competence of the Authority to suspend activities in the Area through emergency measures.

The Regulations reflect UNCLOS in stating that the Council may impose upon a Contractor monetary penalties proportionate to the seriousness of the violation. We would like to suggest that the determination of 'seriousness' here should include consideration of the extent and nature of any harm caused to the marine environment. The more serious the harm, the greater the penalty, both as a punitive measure and as a means to incentivise avoidance of similar breaches in the future. This may be a matter for the Standard that will underpin this Regulation.

Many thanks, Madame Facilitator