



International Seabed Authority
28th Session 2023

**Information note on matters for consideration by the Council
of the International Seabed Authority during the third part of the
twenty-eighth session of the Authority.
(30 October- 8 November 2023)**

I. Introduction

1. In line with the roadmap for 2023, the third part of the twenty-eighth session of the Council will be held from 30 October to 8 November 2023. This note provides an overview of the matters to be considered by the Council during this part. The indicative program of work (IPW) for the third part of the session is available on the Authority's website. Delegations are invited to note that the IPW is based on the road map agreed upon for the twenty-eighth session¹ and on the outcomes of the second part of the session held in July 2023,² taking into account the availability of the facilitators of the respective working groups. These factors reduce considerably the possibility of further adjustments to the IPW. Please note that the IPW will be further updated with hyperlinks to documents and materials of the different working groups of the Council.

2. This note is to be read together with the information note on logistical and procedural aspects which is available on the website. Official documents of the Council and its working groups are also grouped for ease of reference at the top right corner on the [twenty-eighth session](#) page, under the Section "Council" and then under "Part III". Kindly note that the email address for submission of statements and during the meeting remains council@isa.org.jm.

II. Resumed consideration of the draft regulations on exploitation of mineral resources in the Area (Agenda item 10)

3. The Council's tasks will primarily proceed within the framework of informal meetings held by working groups, as outlined in the roadmap. In this phase of negotiations, both the Council and its working groups are encouraged to continue collaborating within smaller groups. The goal is to develop text-based agreements that can be presented as recommendations to the Council for further deliberations.

¹ See ISBA/27/C/21/Add.2, Annex II

² See annex to ISBA/28/C/24

4. The Informal Working Group (IWG) on the Protection and Preservation of the Marine Environment will hold its sixth meeting for two days on 30 and 31 October 2023 with a fourth revised facilitator's text for continued negotiations. The facilitator will present a matrix or overview on what elements from the text could be included into standards and guidelines. There will also be time slots for coordinators to present on the outcomes of the intersessional group meetings on the respective thematic areas.

5. The IWG on Inspection, compliance, and Enforcement (ICE) will meet for one day on 1 November and will hold its sixth meeting with a fourth revised facilitator's text for continued negotiations. Outcomes of the intersessional discussions on a suitable mechanism for the ICE would also be presented by the coordinators of that group.

6. The Council is scheduled to consider the President's text on 2 November 2023. A revised and updated version of the text will be made available online prior to the meeting.

7. The Open-ended Working Group of the Council on the financial terms of a contract under article 13, paragraph 1 of Annex III to the United Nations Convention on the Law of the Sea and under section 8 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 (OEWG) will hold its ninth meeting on 3 and 6 November 2023. The OEWG will be provided with a third revised text for continued negotiations and Richard Roth from MIT will give a presentation on the development of an equalization measure.

8. The IWG on Institutional Matters is scheduled to hold its sixth meeting on 7 and 8 of November 2023. The Co-Facilitators will present a compilation of all the draft regulations assigned to the IWG. They will equally report on the outcomes of the intersessional work, including, but not limited to a webinar held on 1 September 2023 on Effective Control.

9. Submissions and textual proposals from delegations (for which the cut-off date for submissions was 15 September 2023) will be uploaded to the website under the respective IWG tabs. By 17 October 2023, a collation of the current texts from the various IWG and the OEWG will be uploaded to the website.

10. It is anticipated that following this session, a consolidated text of the regulations will be prepared for the 29th Session of the Council. According to what was agreed by the Council in ISBA/28/C/24, at the end of the third part of the 28th session (November 2023 meeting) it is expected that delegations discuss the working modalities for the further negotiation of such consolidated text.

III. Other agenda items requiring consideration by the Council, including standing agenda items.

A. Report of the Secretary-General on the credentials of members of the Council (Agenda item 5)

11. On 8 November 2023, the Secretary-General will present a report on the credentials of members of the Council. The Council will be invited to take note of the report.

B. Operationalization of the Economic Planning Commission (Agenda item 13)

12. During the twenty-seventh session, the Council welcomed a report concerning the operationalization of the Economic Planning Commission, including the financial implications. The Council made a request to continue monitoring and agreed to keep the matter under review for further consideration at its twenty-eighth session, thus the matter has been slated for

discussion on the 8 November.³

C. Decision of the Council relating to the reports of the Chair of the Legal and Technical Commission (as required)

13. The Legal and Technical Commission conducted its meeting for the 28th Session on the 7 to 15 March 2023 (part I) and 28 June to 7 July 2023 (part II) respectively. The Council during its meetings in March and July considered the reports of the Chair of the Commission.⁴ In accordance with the established practice, the Council might consider adopting a decision related to the Chair's reports.

IV. Dates of the next session (Agenda item 18)

14. The twenty-ninth session of the Council will be held in two parts on 18 to 29 March 2024 and 15 to 26 July 2024 in Kingston.

Kingston, Jamaica, 26 September 2023

³ See [ISBA/27/C/25](#) and paragraph 23 of [ISBA/27/C/44](#).

⁴ ISBA/28/C/5 and ISBA/28/C/5/Add.1