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Kingston, 30 October–8 November 2023

Statement by the President on the work of the Council of the International Seabed Authority during the third part of the twenty-eighth session

Addendum

I. Resumption of the session

1. The third part of the twenty-eighth session of the Council of the International Seabed Authority was held from 30 October to 8 November 2023 in Kingston. The Council held four plenary meetings (309th to 312th meetings) and 14 informal meetings.

II. Report of the Secretary-General on the credentials of members of the Council

2. At the 312th meeting of the Council, on 8 November, the Secretary-General gave a report on the credentials of representatives to the third part of the Council. He informed that at that date, formal credentials had been received from 29 Council members and information concerning the appointment of representatives had been communicated by means of facsimile or initialled notes verbale from 2 Council members.

III. Election to fill a vacancy on the Legal and Technical Commission in accordance with article 163, paragraph 7, of the United Nations Convention on the Law of the Sea

3. At the 309th meeting, on 30 October, the Council elected Juan Pablo Paniego (Argentina) to fill a vacancy on the Legal and Technical Commission caused by the resignation of Federico Gabriel Hirsch (Argentina), for the remainder of his term until 31 December 2027.¹

¹ See [ISBA/28/C/26](#).



IV. Draft regulations on the exploitation of mineral resources in the Area

4. The Council continued its work on the draft regulations on exploitation of mineral resources in the Area through informal meetings with the full participation of other members of the Authority and observers, in line with the road map approved by the Council in December 2022.

5. The Informal Working Group on Inspection, Compliance and Enforcement held meetings on 31 October. The informal working group on the protection and preservation of the marine environment held meetings on 1 and 2 November. The Open-ended Working Group in Respect of the Development and Negotiation of the Financial Terms of a Contract held meetings on 3 and 6 November. The Informal Working Group on Institutional Matters held meetings on 7 November 2023. Discussions on the President's text were undertaken for half a day on 8 November.

6. At the 311th meeting, on 8 November, the Council took note of all oral reports by the Chair of the Open-ended Working Group, Facilitators and Co-Facilitators of the informal working groups, as well as the summary of the consideration of the President's text (see annex I).

7. During the same meeting, the Council discussed a road map presented by the President for the organization of the Council's work on the draft regulations during the first and second parts of the twenty-ninth session in 2024 (see annex II).

V. Operationalization of the Economic Planning Commission

8. At the 312th meeting, the Council discussed the report of the Secretary-General on the operationalization of the Economic Planning Commission.² Delegations reiterated the importance of prioritising the operationalization of the Commission in view of the advanced stage of the negotiations on the exploitation regulations. Delegations equally stressed the importance of the role of the Commission in assisting developing countries that may suffer serious adverse effects on their export earnings or economies when exploitation commences, as well as the importance of ensuring the establishment of the Economic Assistance Fund for provision of assistance to such countries in accordance with the Convention and the 1994 Agreement.³ Others stressed that the composition of the Commission when operationalized, should take into consideration equitable geographical distribution and gender balance.

9. It is understood that this matter will remain on the agenda of the Council for further consideration during the next session.

VI. Report of the Chair of the Legal and Technical Commission

10. At the 312th meeting, the Council adopted a decision on the reports of the Chair of the Legal and Technical Commission.⁴

² [ISBA/27/C/25](#).

³ See United Nations Convention on the Law of the Sea, article 151, para. 10, and section 7 of the annex to the 1994 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982.

⁴ [ISBA/28/C/27](#).

VII. Dates of the next session

11. The third part of the twenty-eighth session of the Council closed on 8 November. The first part of the twenty-ninth Session of the Council will be held from 18 to 29 March 2024. It will be the turn of the Western European and Other States Group to nominate a candidate for the presidency of the Council in 2024.

Annex I

Reports on progress made by the working groups and on the President's text

I. Oral reports

A. Oral report delivered by the Facilitator of the Informal Working Group on Inspection, Compliance and Enforcement, Maureen Tamuno (Nigeria)

1. The Informal Working Group on Inspection, Compliance, and Enforcement held its sixth meeting on 31 October. The Facilitator welcomed all participants and thanked them for the intersessional work and their textual proposals. The Facilitator then introduced her fourth revised text (ISBA/28/C/IWG/ICE/CRP.3).

2. At the outset, the Facilitator reminded participants that an outstanding item in the Informal Working Group was to identify the most appropriate mechanism for directing and supervising a staff of inspectors to inspect activities in the Area as envisaged by Article 162 (2) (z) of the Convention. The Facilitator pointed out three focus points for the meeting, namely: (a) clarify the placement and composition of a compliance committee, (b) identify the functions of the relevant organs of the Authority with respect to inspection, compliance and enforcement, and (c) identify the specific details of the mechanism for it to work independently and transparently.

3. The intersessional working group on formulation of an appropriate inspection mechanism, coordinated by Norway was invited to present the outcome of discussions from its intersessional meeting. Norway, as the coordinator of the group, reported that the group had continued the discussions of the optimal inspection mechanism, but needed more time to reach a conclusion. The intersessional working group welcomed the suggested hybrid model and associated diagram as a solid basis for further deliberations.

4. General discussions were carried out in the Informal Working Group on the mechanism, with a particular focus on the relationship of a compliance committee with the existing organs of the Authority and the separation of powers. Several participants welcomed the introduction of a compliance committee. One regional group and several participants suggested that the compliance committee should be placed under the Council instead of within the Legal and Technical Commission. The delegation of Germany introduced a "mixed model", according to which the compliance committee would be placed under the Council and be composed of a number of Council members and five members of the Commission. Several participants welcomed the mixed model and suggested it continue to be explored. Regarding other general comments, several participants suggested that the compliance committee must be established before any exploitation activities can commence.

5. Thereafter, the Informal Working Group conducted a reading of section 1 of the fourth revised text, including the clean and streamlined version of draft regulation 96. Participants welcomed the streamlined text and appreciated that it was much easier to work with. Several participants suggested replacing the reference to "the Commission" in draft regulation 96 with "the Council" regarding what organ should establish the compliance committee. In draft regulation 96 ter, paragraph 2, discussions were carried out on inspections without prior notifications and divergent views were expressed. The extent and possible limits of powers conferred upon inspectors were also discussed. Concerning draft regulation 99 on inspectors' power to issue instructions, several participants addressed whether the reference to underwater cultural heritage should be include, and divergent views were expressed.

6. In draft regulation 101 bis, whistle-blowing procedures, a few participants requested the retention of this regulation; others suggested that such procedures do not belong in the mining code, or at least not in this part, and instead should be a whistle-blowing policy adopted by the Assembly.

7. The group continued the reading of sections 2, 3, and 4, which were welcomed by most participants with some suggested amendments, including clarifying the process in case of a breach of contract. The meeting was concluded with a further report from Norway on intersessional work, following which Norway offered to continue the coordination of the Intersessional Working Group. The group completed the reading of the fourth revised text, and the Facilitator thanked the group for their hard work.

B. Oral report delivered by the Facilitator of the Informal Working Group on the Protection and Preservation of the Marine Environment, Raijeli Taga (Fiji)

8. The Informal Working Group on the Protection and Preservation of the Marine Environment held its sixth meeting on 1 and 2 November. The Facilitator of the Informal Working Group on the Protection and Preservation of the Marine Environment warmly welcomed all participants to the meeting and introduced the Facilitator's fourth revised text (ISBA/28/C/IWG/ENV/CRP.3). Furthermore, the Facilitator introduced a matrix and an explanatory note (ISBA/28/C/IWG/ENV/CRP.4 and ISBA/28/C/IWG/ENV/CRP.5), prepared as a working tool for the continued work on the placement of environmental regulation in the exploitation regulations and associated standard and guidelines.

9. Several participants welcomed the Facilitator's suggested matrix, as a useful tool in enhancing the text and for future use in revising the standard and guidelines.

Reports on intersessional work

10. The intersessional working group on the standardization of stakeholders consultation, coordinated by the United Kingdom of Great Britain and Northern Ireland, updated the group on its work since the meeting held in July 2023 and presented proposed revised wording for draft regulation 93 bis, that reflects discussions in the intersessional working group and elements from the Agreement on Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement). Many participants supported the work and welcomed the suggested text. The reporting was followed by an introduction of draft regulation 93 ter, a proposal from Portugal, on coastal State consultation, which was welcomed by many participants, and discussions were carried out in respect of its compatibility with article 142 of the Convention. This was followed by an update from the intersessional working group on streamlining and structuring of draft regulation 44.

11. The intersessional working group on underwater cultural heritage, led by the Federated States of Micronesia, presented its work. It was noted that the work of the group straddled across other parts of the draft exploitation regulations. The Federated States of Micronesia specifically referred to the ongoing discussions on the protection of tangible and intangible cultural heritage and the suggested updates to draft regulation 45, including the proposed implementation of reference to relevant work of the United Nations Educational, Scientific and Cultural Organization (UNESCO). Many participants welcomed the proposal, some asked for further development and others disagreed with the reference to UNESCO Conventions. It was agreed that the group would continue its work, in particular, with respect to intangible cultural heritage.

Specific comments on the Facilitator's further revised text

12. The group resumed its reading of the fourth revised text from draft regulation 49 on pollution control. Most participants welcomed the newly proposed streamlined version of draft regulation 49 alt and preferred to continue the negotiations based on that, with some amendments in respect of better alignment with the wording of article 145 of the Convention and reference to "harmful effects". One participant requested clarification in relation to what the reference "other hazards" meant.

13. Belgium presented a proposal on draft regulation 2 concerning suggested reference to the Kunming-Montreal Global Biodiversity Framework. After that, the reading of the text continued with section 4 on compliance with environmental management and monitoring plans and performance assessments. On draft regulation 51, several participants suggested streamlining the regulation further and deciding on the placement of the requirement of monitoring as same is referenced in several other regulations, especially in relation to draft regulation 46 bis and 46 ter. Several participants welcomed the replacement of draft regulation 52 with draft regulation 50 bis and thereby also section 3 on pollution control and management of waste.

14. The negotiations continued with the discussions on section 5, on the environmental compensation fund. In respect of draft regulation 52, there was consensus for rules and procedures being in place before the approval of a first plan of work for an exploitation contract. On draft regulation 55, participants agreed that the polluter pays principle should apply and that the fund should be residual, for use where Contractors are unable to meet their liability in full. Several participants suggested continuing the negotiations based on the newly drafted draft regulation 55 alt.

15. In the afternoon, the newly proposed wording on part VI on closure plans was discussed. The wording had been prepared by the intersessional working group on closure plans, coordinated by Fiji. The work was appreciated by participants, and general proposals were discussed for further refinement. With respect to draft regulation 61, discussions focused on the contractors' reporting period with some participants proposing that this should be explicitly stated as a minimum requirement while others proposed that reporting should be more frequent than yearly and, where possible, should be in real-time.

16. The morning meeting on 2 November commenced with the reading of Annex IV on the environmental impact statement. Many participants supported the Facilitator's suggestion to move elements from annex IV to standard and guidelines. The United Kingdom together with the Kingdom of the Netherlands and others offered to provide a joint proposal on annex IV and what should be moved to standard and guidelines.

17. General discussions were also carried out with respect to the interplay between the exploitation regulations and the associated standard and guidelines, including the nature of each placement. Several participants supported that more discussions should be carried out in this respect. The United Kingdom offered their considerations, in light of annex IV, suggesting that (a) formatting templates should be included in the standard and guidelines; (b) high-level requirements of what to include in each report/plan should be placed in annexes; (c) detailed requirements for how to meet such high-level requirements in the regulations and annexes should be placed in standards; and (d) detailed guidance on what is recommended to meet regulations, annexes and standards should be placed in guidelines. On annex VIII (closure plan), some participants agreed that the content is high-level and as such should remain in the annex. On annex X ter, discussions took place on the placement and need for multiple preservation reference zones. Participants read the annexes and the schedule thereby completing the reading of the Facilitator's text.

18. Discussions continued with the reading of draft regulations 44–48, which had been revised following negotiations in July 2023. On draft regulation 44, several participants welcomed the alternative version prepared by the intersessional working group. A few participants expressed doubts related to the use of flag State. Some participants stated that the reference to “traditional and Indigenous knowledge” from draft regulation 44 should also be inserted in the alternative draft, and negotiations should continue on that basis. With respect to regional environmental management plans governed by draft regulation 44 bis, most participants preferred the wording in the previous version, which stated that the commission shall only consider an application for a Plan of Work if a regional environmental management plan has been adopted. Furthermore, some participants also supported the newly added paragraph 2. On draft regulation 45, with respect to newly added text in paragraph 3, participants reiterated the phased approach to the development of standards and guidelines, as previously discussed by the Council. On draft regulation 46, there was a suggestion to merge draft regulation 46 bis and draft regulation 46 ter.

19. Finally, during the afternoon meeting, the environmental impact assessment process was discussed in depth, and many participants welcomed the joint proposals received from the United Kingdom and others with proposed amendments. The meeting ended with the reading of draft regulation 47. Most participants preferred 47 alt, and some queried the reference to independent experts.

Way forward

20. Considering the council decision on a timeline ([ISBA/28/C/24](#)), the Facilitator encouraged intersessional work to continue on the following focus areas:

<i>Draft regulation</i>	<i>Focus area</i>	<i>Coordinator(s)</i>
	Coastal State obligations	Mexico
	Underwater cultural heritage	Federated States of Micronesia
44	Streamlining and structuring of draft regulation 44 concerning the general obligations	Spain/Canada
48 bis	Test mining	Germany
59–61	Closure plan	Fiji

21. In terms of prioritized areas that would still need focus, the Facilitator proposed the following, inter alia:

- Environmental compensation fund
- Environmental impact assessment/Environmental impact statement
- Closure plans
- Stakeholder consultation
- Impact on coastlines and tangible/intangible cultural heritage
- Regional environmental management plans
- Definition of serious harm

22. It was agreed to continue to focus on the development of environmental standard and guidelines. The Facilitator encouraged participants to submit proposals for the

matrix in relation to possible placements and updates of the standard and guidelines and agreed to provide a revised matrix based on proposals received during this meeting and written proposals received before 10 December.

C. Oral report delivered by the Chair of the Open-ended Working Group in Respect of the Development and Negotiation of the Financial Terms of a Contract, Olav Myklebust (Norway)

23. The Open-ended Working Group in Respect of the Development and Negotiation of the Financial Terms of a Contract held its ninth meeting on 3 and 6 November 2023.

24. On the morning of 3 November, the Chair thanked all participants for their contributions through intersessional work and written proposals and in particular Australia and Canada for convening meetings on conceptual issues. The Chair introduced the work of the Open-ended Working Group, including the briefing note of 9 October 2023 (ISBA/28/C/OEWG/CRP.5) and third revised text of the same date (ISBA/28/C/OEWG/CRP.6).

25. The meeting continued with presentations on the intersessional work. The first presentation, by Canada, was on the outcome of the intersessional work in relation to profit share payment on the transfer of rights under a contract. This was followed by a presentation by Australia on intersessional work being carried out on identifying a mechanism to develop equalization measures. Australia reported that there was broad consensus that a fairness mechanism is needed and introduced a newly proposed hybrid model that takes into consideration the three previous proposals under consideration. Richard Roth, of the Massachusetts Institute of Technology, gave a presentation on some aspects of the intersessional work on the equalization mechanisms. In respect of the proposed equalization mechanism, Mr. Roth provided a brief review of the concept of “fairness” as a guiding principle for choosing the right system, and this was followed by explanations on equalization, with a focus on the concept and approaches. The Open-ended Working Group continued with participants’ questions and comments on the presentations made by Canada, Australia and the Massachusetts Institute of Technology.

26. The intersessional work was greatly welcomed by all participants and general discussions were carried out. The group discussed the possible incorporation of an economic valuation of ecosystem services, including the supplementary report issued on “Guidance on the economic valuation of ecosystem services and natural capital of the Area”. Some participants asked for the authors of the environmental cost studies to be invited to give a presentation on the reports and answer questions during the March 2024 meeting. Others suggested that it would be better to decide upon it when the working modalities for the twenty-ninth session are clear. Furthermore, Germany offered to provide reporting and relevant proposals for the meeting in March 2024.

27. The reading of the Chair’s third revised text commenced with the base royalty in appendix IV, and the related draft standard and guidelines. A few comments were provided in respect of appendix IV, including the role of the Economic Planning Commission in setting the royalty rate, and in general throughout the financial regulations. It was also suggested that various references should be harmonized in the text, including references to standard and guidelines.

28. On the draft standard, certain more technical provisions were discussed, including the two periods of commercial production, and the references to Mining Area versus Contract Area. In respect of the draft guidelines, it was discussed whether the worked examples should be retained herein. Some participants found them useful and suggested retaining them, at least until actual calculations can be disclosed, or that they be included online instead of in the guidelines.

29. The group discussed the newly proposed regulations on the determination of the applicable equalization measure in draft regulations 64 bis to 64 qui. It was proposed that the current wording was too detailed, and that several elements could be moved to the standards, and others simplified and streamlined. The remaining part of the afternoon of 3 November was spent on textual negotiations of draft regulations 62 and 63. Progress was made on streamlining the draft provisions, including through elimination of alternative textual proposals and removal of square brackets.

30. The morning of 6 November, the discussions were resumed on draft regulation 63 on incentives, and a refined version of the Chair's proposed text was projected to the screen. Several proposals were provided, and it was agreed that moving forward, the group would work based on the Chair's proposal. The remaining part of the morning session was spent on textual negotiations of draft regulations 70, 71 and 73. In the afternoon, participants continued the reading of the Chair's text and ended with draft regulation 81. In respect of draft regulation 81, on review of system of payments, Canada volunteered to conduct intersessional work and provide a proposal for the March 2024 meeting.

31. The intersessional work on the equalization measure facilitated by Australia and others offered to continue its work and report back at the March 2024 meeting.

D. Oral report delivered by the Co-Facilitators of the Informal Working Group on Institutional Matters, Salvador Vega Telias (Chile) and Gina Guillén-Grillo (Costa Rica)

[Original: Spanish]

32. After once more expressing our gratitude for the trust placed in us, as Co-Facilitators of this Informal Working Group on Institutional Matters, we have the honour to report to the Council on the work done by the Working Group during the third part of the twenty-eighth session.

33. In accordance with the agenda for the twenty-eighth session of the Council of the International Seabed Authority, the Informal Working Group on Institutional Matters met throughout the day on 7 November 2023. The Co-Facilitators welcomed all participants to the meeting and warmly thanked them for their contributions.

34. The Co-Facilitators' text (ISBA/28/C/IWG/IM/CRP.2) was introduced and the reading of draft regulation 90, on procedures to ensure confidentiality, began. In that regard, participants discussed the addition of "good cause" in relation to the procedures for ensuring confidentiality and the possible cases in which there might be a legal obligation or just cause for the transfer of such information. Some delegations requested the deletion of this insertion. Other delegations suggested alternative wording that would continue to reflect intentions and address possible scenarios where the transfer of information was necessary, as well as the deadline for the Authority to notify the Contractor or sponsoring State about a possible leak of information.

35. Negotiations continued on regulation 91, on information to be submitted upon expiration of an exploitation contract. Various textual proposals were put forward in relation to the deadline for providing data and information, and the need to take into account a situation in which a request for extension or early termination of the contract was pending. The newly proposed regulation 91, paragraph 1 bis, regarding the possibility for Contractors to seek advice from the Commission with regard to the required information, was discussed. Several delegations suggested the deletion of this paragraph, as the relevant information was contained in paragraph 1, in the reference to the Standards and Guidelines. When the Facilitators asked delegations whether any of them had a strong preference for retaining regulation 91, paragraph 1 bis, no one

requested it, so it was agreed that it should be deleted preliminarily. Most delegations suggested the deletion of paragraph 2, as its content was covered by paragraph 1.

36. Negotiations on draft regulation 92, on the Seabed Mining Register, continued, with a focus on the type of documentation that such a register should contain. In addition, joint proposals were presented for regulation 92 and the addition of 92 bis on the publication of environmental data and information in relation to the Contract Area.

37. Discussions then continued on draft regulation 106, on the settlement of disputes. General discussions were conducted on the addition of regulations to provide a mechanism for the settlement of administrative disputes. Several delegations indicated that they did not support the establishment of mechanisms in addition to those already provided for by the United Nations Convention on the Law of the Sea. Some delegations suggested that regulation 106 be deleted, since the dispute settlement process was already largely covered by the Convention, or that reference be made only to such processes under the Convention. Other delegations indicated their willingness to explore other options for more agile mechanisms.

38. Regulation 107, which refers to the review of the regulations on exploitation of mineral resources in the Area after their approval, was then discussed. The African Group offered to conduct intersessional work on paragraph 1 and suggested that the paragraph be divided into two sections, one focused on mandatory review and the other on subsequent review. General discussions were also conducted on the degree of stakeholder participation in the regulatory review process. The deletion of the regulation was proposed, as the review process was already covered by the Convention. Several delegations supported this proposal. Other delegations asked that the regulation be retained to ensure clarity with regard to the review mechanism and stakeholder participation.

39. The Co-Facilitators proposed that appendices II and III be discussed at the next meeting. The Co-Facilitators also suggested the postponement of the discussions on the definition of effective control, as they considered it advisable that another intersessional workshop be held on the topic.

40. The draft text was then read again, starting with regulation 1, with regard to which the use of the terms set out in the appendix relating to the rules, regulations and procedures of the Authority and their relationship with the Standards and Guidelines was discussed.

41. Lastly, the Co-Facilitators evaluated the progress made by the Informal Working Group and thanked the participants for their constructive participation in the first reading of regulations 90–92 bis, 106–107 and 1.

42. The Co-Facilitators wish to thank the delegations for their active and constructive participation, and are grateful for the unwavering and invaluable support of the Legal Department, starting with its director, Mariana Durney, and including its outstanding team members: Lea Kolmos, Talatu Akindolire and Alyssa Allen. We are particularly grateful to the Conference Services team, which works so hard before, during and after each session, and to the interpreters.

E. Report on the review of the President's text

43. In the morning of 8 November 2023, the Council met in an informal setting to negotiate the President's further revised text (ISBA/28/C/WOW/CRP.2).

44. The reading resumed from annex I on the application for approval of a plan of work. In general, delegations suggested to streamline the annex. Discussions were carried out on section III, draft regulations 20 bis and 20 ter. In respect of draft regulation 20 ter, delegations questioned whether the new insertion was necessary, or

whether the appropriate regulations from the exploration regulations could be inserted.

45. On annex II on the mining workplan, delegations discussed whether the reference to test mining should be retained in subparagraph d, though some delegations supported, it was understood that it would remain in square brackets since the concept of test mining remained undecided. Few textual proposals were provided on annex III on the financing plan and annex V on Emergency Response and Contingency Plan. In respect of annex V on Emergency Response and Contingency Plan, one delegation suggested to reorganize subparagraphs i to xix of paragraph c. Discussions were then carried out in respect of the level of detail and some delegations pointed to items that could be better placed in the standard and guidelines.

46. On annex VI, health and safety plan and maritime security plan. One delegation questioned the relevance of annex VI due to existence of flag State responsibilities, others maintained that flag State responsibilities do not cover mining operations. Canada offered to carry out intersessional work on annex VI.

47. Negotiations of the text ended with the reading of annex IX on exploitation contracts, schedule and annex X regarding standard clauses for exploitation contracts.

Annex II

Organization of work for discussions of the Council on the draft regulations on exploitation of mineral resources in the Area during the first and second parts of the twenty-ninth session of the Council

I. Introduction and background

1. The present annex, prepared by the President of the Council, reflects the common understanding of the Council on the proposed organization of work and modalities for discussions on the draft regulations on exploitation of mineral resources in the Area during the first and second part of the twenty-ninth session of the Council. These working modalities take into account Council decision [ISBA/28/C/24](#).

II. Consolidated text

2. As indicated in the annex to decision [ISBA/28/C/24](#), it was agreed that a consolidated text of the draft regulations would be prepared as an outcome of the twenty-eighth session. In respect of the format of the consolidated text, this will be one single document that reflects all the work carried out so far by the informal working groups and in the president's text.

3. The consolidated text for the March meeting will be prepared under the leadership of the President of the twenty-eighth session with the technical assistance of the Secretariat. The consolidated text will be prepared using the same working modalities used for the facilitators' texts. In this regard, the facilitators of the informal working groups and the chair of the Open-ended Working Group have provided their reports to the Council on the progress made within each group. The outcome of work provided during the November meeting will feed into the consolidated text. It is reminded that this consolidated text will be subject to further negotiation and discussion. Its main objective will be to better harmonize and clean the text based on what has been agreed and discussed by delegations so far. The principle that "nothing is agreed until everything is agreed" still applies.

4. To be able to prepare the consolidated text, delegations are invited to submit proposals if deemed necessary, and preferably as joint proposals. This is without prejudice to continuing negotiations on the text. Proposals must be submitted by 10 December 2023. The consolidated text will be made available well in advance of the first part of the twenty-ninth session.

III. The working modalities to progress discussions of the Council

5. Delegations exchanged views on the modalities of work for continuing the discussions and negotiations on the basis of the consolidated text, in conformity with the road map annexed to decision [ISBA/28/C/24](#).

6. Intersessional work will continue in the same manner as before, and to the extent possible, the input from delegations will be added to the consolidated text, if it is delivered before 10 December 2023. If the work is delivered after 10 December 2023, the intersessional working groups would be invited to deliver an outcome report during the first part of the twenty-ninth Session, and the outcomes would be taken into consideration. The group's work would be based on the respective texts as they

have been presented during the November meeting. Furthermore, it was agreed that informal intersessional work should also continue, and that delegations work on submitting joint proposals on identified thematic topics.

7. On the working methods for the next session, it is understood that negotiations will continue in the Council on the basis of a consolidated text. It was further understood that the President may receive assistance from rapporteurs on thematic issues, where such a rapporteur had a special knowledge within the area. It is envisaged that the meetings will proceed under the leadership of the President, or person(s) appointed by them with the option to use informal informals where necessary to address thematic as well as cross-cutting issues.
