



## Council

Distr.: General  
11 November 2022

Original: English

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### Twenty-seventh session

Council session, part III

Kingston, 31 October–11 November 2022

Agenda item 11

### Draft regulations on exploitation of mineral resources in the Area

## **Decision of the Council of the International Seabed Authority relating to the possible scenarios and any other pertinent legal considerations in connection with section 1, paragraph 15, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea**

*The Council of the International Seabed Authority,*

*Considering* the invocation of section 1, paragraph 15, 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<sup>1</sup> (the Part XI Agreement) by the Republic of Nauru in June 2021, with an effective date of 9 July 2021,

*Conscious* that the prescribed time under subparagraph (b) of the above-mentioned provision will expire on 9 July 2023,

*Recognizing* that there may be numerous potential scenarios and other pertinent legal considerations that arise with the interpretation and potential application of subparagraph (c) of the above-mentioned provision,

*Understanding* the need for further discussion on this matter in order to achieve an optimal outcome at the Council that is aimed at promoting the interests of all the members of the Authority, and desiring to continue the work of the Council intersessionally in a constructive manner,

1. *Decides* to establish an informal intersessional dialogue to facilitate further discussion on the possible scenarios foreseen in section 1, paragraph 15, of the annex to the Part XI Agreement and on any other pertinent legal considerations with a view to exploring commonalities in possible approaches and legal interpretations for the Council to consider in this respect;

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<sup>1</sup> United Nations, *Treaty Series*, vol. 1836, No. 31364.



2. *Also decides* on the following modalities of the dialogue:

(a) The informal intersessional dialogue shall be open to all members of the Authority, observers and their designated experts and shall be co-facilitated by Hugo Verbist (Belgium) and another Co-Facilitator to be appointed;

(b) The dialogue shall be convened regularly between the date of adoption of the present decision and the next meeting of the Council, in March 2023, using virtual means, starting in January 2023;

3. *Further decides* that the Co-Facilitators of the above-mentioned dialogue shall prepare and present a briefing note to the Council at its next meeting, in March 2023, for further consideration.

*296th meeting  
11 November 2022*

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