

Briefing Paper for the Informal Working Group on Inspection, Compliance, and Enforcement

1. This Briefing Paper sets out the scope of work for the Informal Working Group on Inspection, Compliance, and Enforcement ("**Informal Working Group**") and includes: (i) a background to the Informal Working Group; (ii) an explanation of the purpose of the Informal Working Group; and (iii) an indication of how the Informal Working Group will organise its work at the upcoming meeting of the Council in March 2022.

Background

2. The Informal Working Group will recall that the draft regulations on exploitation of mineral resources in the Area (ISBA/25/C/WP.1) ("**Draft Regulations**") is presently before the Council since their submission by the Legal and Technical Commission in 2019.

3. During the second part of the twenty-fifth session, on 21 February 2020, the Council decided to establish three Informal Working Groups, including the Informal Working Group on Inspection, Compliance and Enforcement (ISBA/26/C/11). The Council also decided to appoint the individuals to be designated by the regional groups as facilitators (ISBA/26/C/13). Then, the African Group appointed Ambassador Maureen Tamuno (Nigeria) as the "**Facilitator**" of that Informal Working Group.

4. During the resumed meeting of the twenty-sixth session of the Council, the Council agreed a road map for work on the Draft Regulations in 2022 (Annex, ISBA/26/C/13/Add.1), including the work of the Informal Working Group. The road map requires that at the March 2022 meetings, the work of the Informal Working Group is introduced by the Facilitator, the scope of work is outlined, and the Informal Working Group discusses the modalities of its work.

The Purpose of the Informal Working Group

5. The Informal Working Group will recall that the Council established the Informal Working Group to advance discussion on the Draft Regulations, concerning inspection, compliance, and enforcement (ISBA/26/C/11). These matters are specifically referred to in Part XI of the draft Regulations.

6. For the March Council meeting, it is proposed that the IWG conducts a first reading of Part XI of the draft regulations. To do so, it is suggested that IWG proceeds through a regulation-by-regulation discussions.

7. Based on those discussions, the Facilitator will prepare a Facilitator's Text for text-based negotiations at the July Council meeting. The Facilitator's text will be released before the July 2022 meetings.

Structure of the Meetings

8. In accordance with the road map, the Informal Working Group will meet in March 2022 to organise and discuss the modalities of its work.

9. The Facilitator proposes that:

(i) the Informal Working Group meets in March 2022 for a day to organise and discuss its work;

(ii) the IWG conducts a first reading of Part XI of the draft regulations;

(iii) the Facilitator provides an oral update to the Council at the conclusion of the March 2022 meeting;

(iv) following the March 2022 meeting, based on the discussions in the IWG, the Facilitator prepares a Facilitator's Text with proposed amendments to Part XI of the Draft Regulations for the consideration of the Informal Working Group at the meeting in July 2022; and

(v) the Informal Working Group meets in July 2022 for text--based negotiations based on the Facilitator's text and makes all efforts to reach consensus on proposed amendments to Part XI of the Draft Regulations.

16 March 2022