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**PREPARATORY COMMISSION FOR THE
ESTABLISHMENT OF THE INTERNATIONAL REGISTRY
FOR MAC EQUIPMENT PURSUANT TO THE MAC
PROTOCOL**

UNIDROIT 2021
MACPC/3/Doc. 1
Original: English
May 2021

Third session (remote)
3-4 June 2021

ANNOTATED DRAFT ORDER OF BUSINESS

1. Opening of the session and welcome by the UNIDROIT Secretary-General
2. Adoption of the order of business of the session
3. Consideration of matters relating to the appointment of a Supervisory Authority
4. Updates on the activities of the Working Group to develop draft regulations for the International Registry for MAC equipment
5. Updates on the activities of the Working Group to draft a request for proposals for the selection of a Registrar
6. Timetable and planning of future work
7. Any other business
8. Closing of the session

ANNOTATIONS TO THE DRAFT ORDER OF BUSINESS

Item No. 1 Opening of the session

1. Due to the ongoing global COVID19 pandemic, the third session will be held via videoconference using the Zoom platform. The session will be opened on Thursday 3 June 2021, at 13:00 CEST by the UNIDROIT Secretary-General.

To join the session, please visit the following website and enter the meeting ID and Password below as necessary: <https://zoom.us/j/91228275501?pwd=c2IzcWRxNDh1SytVc1MrTFJ5ZWJGQT09>

Meeting ID: 912 2827 5501

Password: 420059

Alternatively, participants may dial into the meeting using the below phone numbers. Where possible, participants are encouraged to participate via the above link rather than dialling-in using a phone, as participation via videoconference provides technological advantages, such as viewing screens or documents being shared by the Secretariat on the Zoom platform.

+61 8 7150 1149	Australia
+1 778 907 2071	Canada
+33 7 5678 4048	France
+49 30 5679 5800	Germany
+39 020 066 7245	Italy
+81 342 339 241	Japan
+82 2 6105 4111	Republic of Korea
+27 87 551 7702	South Africa
+34 84 368 5025	Spain
+44 208 080 6591	United Kingdom
+1 253 215 8782	United States of America

Item No. 2 Adoption of the order of business of the session

2. In order to accommodate the different time zones of participating States, the hours of the session will be:

Thursday 3 June:	13:00 – 17:00 CEST
Friday 4 June:	13:00 – 17:00 CEST

Item No. 3 Consideration of matters relating to the appointment of a Supervisory Authority

3. At its second session, the Preparatory Commission requested that the Secretariat conduct an assessment of the suitability of the Multilateral Investment Guarantee Agency of the World Bank Group (MIGA) and the World Trade Organization (WTO) for the role of Supervisory Authority. The Preparatory Commission also requested that the Secretariat consult the Organisation for Economic Cooperation and Development (OECD), the World Customs Organization (WCO), and the United Nations Conference on Trade and Development (UNCTAD) to discuss the feasibility of these organisations undertaking the role of Supervisory Authority and report back accordingly.

4. The Secretariat submits the following documents to the Preparatory Commission for its consideration:

- MACPC/2/Doc. 7: Background research and preliminary assessment regarding the suitability of the World Trade Organization (WTO) and the Multilateral Investment Guarantee Agency (MIGA) for the role of Supervisory Authority of the International Registry to be established under the Mining, Agriculture and Construction (MAC) Protocol of the Cape Town Convention
- MACPC/2/Doc. 8: Update on work undertaken on the appointment of a Supervisory Authority of the International Registry to be established under the Mining, Agriculture and Construction (MAC) Protocol
- MACPC/3/Doc. 2: Assessment of UNIDROIT's suitability for the role of Supervisory Authority

5. The Preparatory Commission is invited to consider this matter further and decide upon which organisation to invite for the role of Supervisory Authority of the International Registry to be established under the MAC Protocol.

Item No. 4 Updates on the activities of the Working Group to develop draft regulations for the International Registry for MAC equipment

6. At its third session, the Preparatory Commission will be provided with reports for the third and fourth sessions of the Working Group established to develop draft regulations for the International Registry for MAC equipment.

7. The Preparatory Commission had requested that the Secretariat conduct further research on the issue of registration criteria. This can be found in Annex 3 of the report of the fourth session of the Working Group.

8. This update shall be presented to the Preparatory Commission by the Chair of the Working Group. The Preparatory Commission will also be provided with an updated version of the draft Regulations, as developed by the Working Group, which it is invited to approve for inclusion in the Request for Proposals to be issued for the selection of a Registrar.

Item No. 5 Updates on the activities of the Working Group to draft a request for proposals for the selection of a Registrar

9. At its third session, the Preparatory Commission will be provided with a report for the second and third sessions of the Working Group to draft a request for proposals for the selection of a Registrar.

10. This update shall be presented to the Preparatory Commission by the Chair of the Working Group. The Preparatory Commission will also be provided with a draft Request for Proposals, as developed by the Working Group, for consideration and approval. The Preparatory Commission will be invited to deliberate matters related to the publication of the Request for Proposals and the selection process for the Registrar.

Item No. 6 Timetable and planning of future work

11. At its fourth session, it is anticipated that the Preparatory Commission shall give consideration to the proposals received from prospective Registrars in response to the Request for Proposals discussed under Item 5. As such, the timing of the fourth session will depend on the date of publication of the Request for Proposals. The Secretariat shall update the Preparatory Commission on this matter accordingly.