

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART III**

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council@isa.org.jm.

1. Name of Working Group:

Inspection, Compliance and Enforcement

2. Name(s) of Delegation(s) making the proposal:

Federal Republic of Germany

3. Please indicate the relevant provision to which the textual proposal refers.

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4. Kindly provide the proposed amendments to the regulation or standard or guideline in the text box below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.

1. The Council shall establish [an independent Inspectorate as the] appropriate mechanisms [mechanism] [a staff of Inspectors] for inspection as provided for in articles 153 (5) and 162 (2) (z) of the Convention [before the approval of the first application of a plan of work for exploitation] [before exploitation activities commence].

5. Please indicate the rationale for the proposal. [150-word limit]

We are open to the idea proposed by Costa Rica, the African Group and others regarding the creation of a Compliance Committee within the Council. We would like to deliberate further on this proposal, bearing in mind the views of others on having an Inspectorate, or on having both (i.e. an Inspectorate that reports to the Compliance Committee, perhaps through the LTC). For the purposes of this present provision, we are able to accept following the terminology used in the Convention with the phrase “a staff of Inspectors”. The rest of the provision should use the term “Inspectors”. Moreover, we do not think it is ideal for Inspectors to report solely to the Secretariat. It is important for Inspectors to have a large degree of independence. However, the Secretariat should continue to play a vital administrative role to support inspection. Regardless of the above, we feel it is important to make explicit that the inspection body should be established before a plan of work is approved or before exploitation activities commence and hence proposed text to that effect. In sum, we believe the Council should discuss at its next meeting how inspection should work and this provision should give effect to that discussion. For instance, we could have an additional sentence clarifying how the institutional structure would look like. We look forward to discussing this further.