

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> 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](mailto:council@isa.org.jm).*

**1. Name of Working Group:**

President's text

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

Portugal

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

Regulation 33, Paragraph 2 (a) alt2 and Paragraph 3 alt

**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.**

(a) alt 2. Notify its Sponsoring State or States, ~~relevant adjacent Coastal~~ States adjacent to the contract area likely to be affected and the Secretary-General immediately, as soon as reasonably practicable but no later than 24 hours from the incidence occurred;

3 alt. The Secretary-General shall report any Contractor that fails to comply with this regulation to its Sponsoring States or States, ~~[relevant adjacent] Coastal~~ States adjacent to the contract area and the flag State of any vessel involved in the incident for consideration of the institution of legal proceedings under national law.

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

The nature of the "incident" is not defined. Therefore, an incident that affects the marine environment as referred in article 198 could also be included in this provision. In that case, coastal States must also be notified of the occurrence of an "incident", according to that disposition, here applicable via article 142, paragraph 3 of UNCLOS. If the Contractor fails to notify an incident, the Secretary-General should do so. The wording "States adjacent to the contract area likely to be affected" would be more specific and in line with UNCLOS language.