

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH SESSION:
COUNCIL - PART II**

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:

Informal Working Group on Inspection, Compliance and Enforcement

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

China

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

Regulation 97 Inspectors: Appointment and supervision

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.

***Note: China’s amendments are in Blue**

1 bis. States Parties may, subject to the requirements of this regulation, nominate fits nationals as Inspectors for consideration, and inclusion in the roster. Nominees and applicants will be considered against the qualification and experience requirements. ~~[Equitable geographical representation [and gender balance] will also be considered, in line with the Convention principle].~~ [Subject to considerations of protection of personal data]. The roster of Inspectors shall be made publicly available on the Authority’s website.

2. The ~~{Commission}~~ [Compliance Committee] shall make recommendations, through the Commission, to the Council on the appointment, supervision and direction of Inspectors [included on the roster of Inspectors], and on an inspection programme and schedule [for the Authority] ~~{the Inspectorate}~~ ~~{the Compliance Committee}~~ and for the staff of Inspectors ~~established by the Council in regulation 96 (1) and~~ in accordance with ~~{the}~~ [any applicable] Standards and taking into account ~~{the}~~ [any applicable] Guidelines.

5. [The Authority will [work] [cooperate] with the [relevant] sponsoring State [or State] to ensure that inspections performed by Inspectors are aligned with enforcement at the national level] [Inspectors shall report to the Compliance Committee in writing regarding any difficulties relating to the enforcement of the measures].

6. Inspectors may be required to undertake relevant training programmes at the request of the Council, based on the recommendations of the [Commission] made by the [Compliance Committee]. The Secretariat shall facilitate the requisite training.

7. Alt. [The Compliance Committee shall keep the roster of Inspectors under review and updated. The Council may, for reasonable cause, remove an Inspector from the roster,

~~based~~ on the basis of the recommendations of [the Commission made by](#) the Compliance Committee.]

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

Regarding paragraph 1 bis, inspectors should be nominated by the States Parties as their own nationals, which is more in line with general international practice. Equitable geographical representation and gender balance are already stipulated in Regulation Alt96 (1) bis, and there is no need to repeat them here.

Regarding paragraph 2, 6 and 7Alt, reporting and making recommendations on matters related to ICE to the Council shall be carried out by the Commission, and the Compliance Committee may report or make relevant recommendations to the Council through the Commission.

Regarding paragraph 5, Articles 162 (2) (z) and 165 (2) (m) of the Convention stipulate the responsibilities of inspectors, the inspection activities of inspectors are obviously different from the domestic law enforcement of sovereign States. It is required to ensure that the inspections performed by inspectors are aligned with enforcement at the national level, on the one hand, the meaning is unclear, and on the other hand, it is not feasible. It is recommended to delete them.