

**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:

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.

DR 101 bis

Green text is in original draft; **blue text** indicates Germany's textual proposals

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.

Draft regulation 101bis

Whistle-blowing procedures

3. The ~~[Compliance Committee]~~Assembly, in collaboration with the Council, shall develop and implement:

- a. a whistle-blowing policy for the staff of the Authority, the Inspectorate, the Enterprise, and personnel of Contractors, and
- b. a public complaints procedure to facilitate reporting to the Authority by any person of any concerns about the activities of a Contractor, or the Authority.

4. The whistle-blowing and complaints procedures under this Regulation must:

- a. be publicly advertised,
- b. be easy to access and navigate,
- c. enable anonymous reporting,
- d. trigger investigations of reports by independent persons, and

be proactively communicated by the Secretary-General to Contractors and their staff, and other Stakeholders.

5. A Contractor, ~~[its subcontractors and their agents]~~ shall have in operation whistle-blowing and complaints procedures relating its activities as well as those of its subcontractors and agents, which must be publicly advertised, and which should include details of the Authority's equivalent procedures to enable direct reporting to the Authority by a complainant where preferable.]

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

- Germany supports the inclusion of this provision. We suggest this be done through a Standard but are open to other views.
- We believe contractors must have their own mechanisms in place, which cover their activities as well as their subcontractors and agents.