

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup>  
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](mailto:council@isa.org.jm).*

**1. Name of Working Group:**

President's Text

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

The Pew Charitable Trusts

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

DR 34

**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. A Contractor shall immediately notify its Sponsoring State or States, ~~[States adjacent to the contract area];~~ ~~other relevant stakeholders]~~ and the Secretary-General of the ~~happening]~~ ~~[occurrence]~~ of any of the ~~[Notifiable]~~ Events listed in appendix I to these regulations.

~~4. ——— The Contractor shall ensure that all regulatory authorities are notified and consulted, as appropriate.~~

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

Two different processes are described for responding to Incidents [DR33] and Notifiable Events [DR34]. In previous texts the definitions of these two categories revealed a large degree of overlap. We see from Appendix I that this overlap has largely been removed, by amending the definition of ‘Notifiable Events’. We support this. We do note however that the definition of Incidents includes damage to submarine cables, which is still included in the Notifiable Events definition. We also wonder whether a ‘significant leak of a hazardous substance’ should not be considered sufficiently serious to constitute an Incident? So some further small refinements to Appendix 1 may be helpful.

On para 1, similar to DR 33, it seems more appropriate that the Secretary-General notify relevant adjacent coastal States in the event of a Notifiable Event. This responsibility is already included in para 3, so we suggest not also having the Contractor notify the States.

Para 4 can be deleted as it appears to be covered in DR 34 (1).