

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<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:**

IWG: Institutional Matters

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

Republic of Nauru

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

Regulation 12(3)

**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.**

3. The Commission shall, in considering a proposed Plan of Work, apply the Rules of the Authority in a uniform and non-discriminatory manner, and ~~[ensure its compliance with]~~ ~~[shall have regard to]~~ ~~[apply]~~ the principles, policies and objectives relating to activities in the Area as provided for in ~~[the Convention,]~~ ~~[the Preamble Convention and Part I of these regulations]~~ ~~[and in particular the manner in which the proposed Plan of Work]~~ ~~[contributes to realizing benefits for]~~ ~~[is in the interests of]~~ ~~[hu]~~ mankind as a whole ~~[in accordance with decisions of the Council and Assembly]~~ ~~[and ensures the effective protection of the marine environment]~~.

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

“Apply” is preferred and correct in this context. We suggest that “the Convention” is also re-instated here.

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~~[(a)bis. Any relevant and substantive comments received following the publication of the Environmental Plans or the Commission's report on the Environmental Plans pursuant to regulation 11];~~

~~[(a)bis. alt. Any relevant and substantive comments made by Stakeholders;]~~

(c) The previous operating record of responsibility of the applicant ~~[including in relation to mining activities within other jurisdictions]],~~ as well as the applicant's performance during the exploration stage, including the quality of annual reports and baseline data, and the results of test mining activities];

~~[(c)bis. The previous operating record of the Sponsoring State(s), and the Sponsoring State(s)' technical resources and enforcement capabilities to monitor and enforce the applicant's compliance with the Rules of the Authority;]~~

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

As for submissions to the IWG: Environment, we consider only relevant and substantive comments be considered by the Commission.

As to (c)bis, this is not a matter for the Commission or the Authority to consider as it relates to a sovereign State and beyond the requirements of the Convention in the assessment of an application.