

## ISA 29th Session, Part II – Reading of the Draft Consolidated Text

### Oral Statement by the Federal Republic of Germany

Delivered in July 2024

#### **Regulation 102 bis - Ship notification, electronic monitoring and data reporting**

On a general note, bearing in mind that Part XI of the consolidated draft is titled 'Inspection, Compliance and Enforcement' and Section II therein is now renamed to 'Compliance', we wonder if DR 102.bis still fits here since it has very little to do with compliance and the powers of the Authority in this respect. Rather, it seems to cover the contractual and environmental obligations of the contractor. We suggest moving this provision out of this section because its current placement risks conflating the compliance and enforcement functions and powers of the Authority with the obligations of contractors. So, this provision may be better placed in Part III of this draft (on rights and obligations of contractors).

At the same time, certain aspects of this provision should also be reiterated in other parts of the regulations, such as under the provisions on environmental impact assessments in regulations 46-48 and especially on environmental monitoring in regulations 49-50.

In para 1, we suggest including "tracking". So it should read "fitted with an electronic monitoring **and tracking** system [...]". Next, we suggest including the word "continuous". So it should read: "which shall record, **continuously and**, where technically feasible, in real time, ..."

In the last sentence of para 1, we suggest adding "Minimum technical requirements" to the text. So it should read: "**Minimum technical requirements, including** details and frequency of reporting, shall be [...]."

For para 2, we suggest starting as follows: "**All** Installations, ships, mining collectors **and other surface operating units** shall be [...]."

In para 3, we would like to see the words "or unreported" in the text. So it should read as follows: "unapproved **or unreported** Exploitation activities".