

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

Oral Statement by the Federal Republic of Germany

Delivered in March 2024

Regulation 12 – Rules for considering applications

Para 2: Like other delegations, Germany does not support the setting of strict timelines for the LTC because the duration needed for assessing an application will depend in part on the workload of the LTC. For example, if the LTC is considering several applications in parallel, this may inevitably lead to slower progress. We therefore support inclusion of **paragraphs 1.ter and 2(c)**.

Germany also believes that thoroughly assessing an application may require more than one LTC session and hence supports the ambition of finalizing recommendations within 275 days. We query why the third option for the timeline, namely that the Commission shall finalise its report within 275 days was deleted from the current draft, despite the fact that a Council member asked for it to be retained whereas a contractor preferred it to be deleted. The same has occurred in paragraph 4. We wish to reiterate our statement from Monday. While contractors can contribute valuable information to our Council deliberations, it is not acceptable for the draft regulations to follow suggestions from contractors over those from member states. We kindly request all our proposals from December 2023 to be reflected in the draft regulations.

With regard to **paragraph 3**, we prefer **paragraph 3.ALT** over paragraph 3, as the alternative version elaborates on, rather than merely repeats, the relevant UNCLOS provisions, which is indeed the role of the Authority. The Authority has a specific regulatory mandate to elaborate on and give effect to the framework provided by UNCLOS. However, we are surprised to see that our suggested amendments to paragraph 3.ALT are not reflected in the text, even though no other state or actor has argued against them.

Similarly, we have noted **paragraph 3.bis.alt** being included in this latest draft, despite the fact that two delegations have asked for its deletion and no delegation asked to retain it. These are examples of the lack of clarity of these consolidated draft regulations. For next

year, we would welcome clear rules about when and why textual proposals are included or not for both increased transparency of the process and efficiency of these meetings.