

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

Oral Statement by the Federal Republic of Germany

Delivered in July 2024

Regulation 58 - Review of a Plan of Work

Germany prefers para 1 alt over para 1 as it clearer and more specific. However, we believe the first two words in para 1 alt, i.e. “Activities under [...]” should be deleted. Para 1 alt should thus read: “A plan of work shall be reviewed [...]”. We understand that it is the entire plan of work that should be reviewed, and not just activities carried out thereunder. Still on this provision, we support sub-para a bis alt, and would even suggest that perhaps both sub-para a bis and sub-para a bis alt should be retained in order to be more comprehensive. Having sub-para a bis alt would allow for sub-paragraphs f, g and g bis to be deleted.

Moving to paragraph 2, we note that alternative wording that was proposed here has not been included in this version. The current version says that the Contractor shall carry out the review and this will be verified by an independent expert. We prefer the previous alternative text, which requires the Contractor to engage independent experts to undertake the review. In our view, para 2 should read as follows:

“The Contractor shall commission a competent, independent expert or experts to undertake a review under paragraph (1) in accordance with the relevant regulations, Standards and taking into account the Guidelines. The Contractor shall invite the sponsoring State or States, and relevant coastal States, to participate in the review of the Plan of Work. The results of the review shall be compiled as a report by the Contractor, be accompanied with an endorsement of the report by the experts involved in the review, and submitted to the Secretary-General within 30 days of completion of the review.”

Provided our textual proposal in relation to para 2 is included, we could work with the original text in para 3 with some reformulation of the second sentence in order to refer to the full procedure under DR 57. It would then read as follows:

“Where, as a result of a review, Material Changes need to be made to the Plan of Work, the relevant procedures under regulation 57 shall apply.” Similar like UK

In para 4, Germany notes once again that previous alternative text that was suggested does not appear in this version. While the current formulation can remain, we would like to see the proposed text reinstated in a second sentence which should read: ***“Specifically, the Secretary-General shall request the Contractor to submit additional data and information as may be required by the independent expert or experts undertaking the review.”***