

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

Oral Statement by the Federal Republic of Germany

Delivered in July 2024

Regulation 91 - Information to be submitted upon expiration [or termination] of an Exploitation Contract

Germany believes that the provision can be streamlined by making reference to DR 18 ter, which provides for instances where a contract expires, or is terminated due to an event. Potentially, DR 18 ter should also account for instances where an application for renewal of a contract is refused. In short, DR 91 can just cross-reference DR 18 ter.

We regard paragraph 2 as problematic. Obligations on which data needs to be submitted should be uniform for all Contractors. Therefore, it would not be appropriate for an individual contractor to discuss and agree with the Secretary-General on the data to be submitted. Instead, the decision on which data must be submitted could be better exercised, for example, by a Data Committee as mentioned earlier.

Finally, we are of the view that DR 91 should prescribe the consequences of failure by Contractors to duly disclose such information and data upon the expiry or termination of an exploitation contract.