

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29TH SESSION:
COUNCIL - PART II**

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.fm.

- 1. Name(s) of Delegation(s) making the proposal:** Federated States of Micronesia

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

Draft exploitation regulation 100(1) and 100(1)bis

- 3. 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.**

1. No later than 30 Days after the end of an inspection, the Inspector shall prepare and a report in accordance with the template and other requirements set out in the applicable Standards setting out the findings and any recommendations for improvements in performance, procedures or practices by a Contractor. The Inspector shall send the report to the Compliance Committee and the Secretary General, [who shall send a copy of the report to the Contractor and its Sponsoring State or States, as well as the [relevant] adjacent coastal State or States or flag State referred to in paragraph 2bis of Regulation 99].

1. bis The Contractor and the Sponsoring State or States, as well as the [relevant] adjacent coastal State or States or flag State referred to in paragraph 2bis of Regulation 99, may within 30 Days of the date of receipt of the Inspector’s report, provide to the Secretary-General comments on the findings and recommendations, including details of any action taken or to be taken in accordance with the findings and recommendations of the Inspector’s report. The Secretary-General shall transmit any comments to the Compliance Committee.

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

The FSM proposes to insert into paragraphs 1 and 1bis of DR 100 language requiring certain communications with the (relevant) adjacent coastal State or States or flag State as referenced in paragraph 2bis of DR 99. DR 99(2 bis) says that “the Inspector shall report immediately and provide a copy of the instruction to the Compliance Committee, the Secretary-General and through the Secretary-General to the Contractor’s Sponsoring State or States and, if applicable to the relevant [adjacent] coastal State or States and flag State, that an instruction has been issued under paragraph 1 above.” However, in paragraph 1 of DR 100, the reports of the

Inspector go only to the Compliance Committee, the ISA SG, the Contractor, and the Sponsoring State or States, without a reference to a “[relevant] adjacent coastal State or States” and “flag State” also receiving copies of the reports. We think that these additional groups of States can be listed in paragraph 1 as recipients of the reports of the Inspector. These coastal States and perhaps also flag States can also provide comments on the Inspector’s reports in paragraph 1bis on a voluntary basis, perhaps to highlight any gaps in the reports’ assessments of harms to the marine environment, or perhaps to comment on shortcomings in the responses of the Contractor. At the same time, the Contractor and the Sponsoring State or States should be required to provide comments on the reports.