

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29<sup>TH</sup> 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.jm](mailto:council@isa.org.jm).*

- 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 58(1)(a)bis alt, 58(2), and 58(3)alt

- 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. A Plan of Work shall be reviewed at intervals not exceeding five years from the date of signature of the Exploitation Contract [or by decision of the Council based on the recommendations of the Commission] in accordance with the applicable Standards and taking into consideration Guidelines, including where any of the following events or changes of circumstance have occurred:

...

[(a) bis Alt. Information has come to light that was not available when the Plan of Work was approved, including changes in Best Available Techniques, ~~or~~ Best Available Scientific Information, and Best Environmental Practices, and shows that more appropriate conditions are necessary to deal with the Environmental Effects of the activity;]

...

~~(f) Significant changes in Best Available Techniques;~~

~~(g) Significant changes in Best Available Scientific Information;~~

~~(g) bis Significant changes in Best Environmental Practices;~~

2. A review of activities under paragraph 1 shall be undertaken by the Contractor and verified by an independent expert in accordance with the applicable regulations, Standards and taking into consideration Guidelines. The [SecretaryGeneral][or][and][the Contractor] shall invite the Sponsoring State or States, and relevant adjacent coastal States, to participate in the review. The results of the review shall be compiled as a report.

[3 alt. The person or persons in charge of the review shall report on each review to the Commission and Council, the Sponsoring State or States and the relevant adjacent coastal States. Where, as a result of a review, the Council, Commission, Contractor or reviewer identifies that modifications need to be made to the Plan of Work Regulation 57(2) and, where applicable, Regulation 57(3) shall apply.]

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

The FSM proposes to insert a reference to Best Environmental Practices in paragraph 1(a)bis alt of DR 58 to capture more comprehensively the types of changes that would trigger the provisions on review. Additionally, and as a consequence, the FSM proposes deleting sub-paragraphs (f), (g), and (g) bis of the same paragraph 1, as those elements would be captured in our revised paragraph 1(a)bis alt.

The FSM also proposes to insert “adjacent” in paragraphs 2 and 3 alt of the same DR 58 to reflect ongoing discussions in the ISA on the rights and legitimate interests of coastal States, including coastal States that are adjacent / proximate to sites of activities in the international seabed Area.