

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30<sup>TH</sup> SESSION:  
COUNCIL - PART I**

*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:**

The Kingdom of the Netherlands

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

Draft Regulation 2

**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.**

**3. Exploitation in the Area shall only commence:**

(a) once all Phase 1 Standards and Guidelines, Phase 2 Standards and Guidelines and Phase 3 Standards and Guidelines have been adopted;

(b) when it is demonstrable, in the view of the Commission and Council, that such Exploitation can be conducted in such a manner so as to ensure effective protection of the marine environment from harmful effects which may arise from Exploitation in the Area, and the ecological balance of the marine environment is not interfered with; and

(c) in instances where it would not impede the effective implementation of international frameworks and agreements related to the protection of the marine environment. Decisions regarding exploitation activities will be made by taking into consideration progress on the implementation of such frameworks and agreements;

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

The consolidated text of 16 February 2024 contained three different alternatives for DR 2(3) which had all been struck from the draft text.

The Kingdom of the Netherlands herewith reintroduces a draft of paragraph 3. This paragraph contains more than mere policy points. Rather, it sets out important conditions precedent which must be fulfilled prior to Exploitation in the Area can take place. The following is a brief commentary on the separate sub-paragraphs:

- Sub (a) implements the outcome of discussions in the Commission. See ISBA/25/C/19/Add.1, paras. 20-22;
- Sub (b) operationalizes the obligation contained in the first sentence of Article 145 UNCLOS; and

- Sub (c) ensures that decisions on Exploitation are made taking into consideration a broader range of international frameworks and goals. The wording of sub (c) is viewed as an improvement of the previous 3 alt 2, as it no longer refers to time-limited targets.