

**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.jm.

1. Name(s) of Delegation(s) making the proposal:

The Pew Charitable Trusts

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

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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.

~~(j) Consult and cooperate, through the Secretary-General with Sponsoring States, flag States, port States and competent international organizations as regards compliance and enforcement measures;~~

(j alt) consult and develop cooperative arrangements with sponsoring, port, and flag States (this will be relevant to specific Contracts – and is supported by new entries into the Consolidated Regulations text that allows the ISA to identify and communicate with these States early, during the application process); and

J alt bis identify and explore any potential partners who may be able to support or facilitate inspection and compliance activities of the ISA.

(m) Make recommendations to the Council for the issue of emergency orders and appropriate penalties; and

...

7. The report shall include details of any regulatory action taken by a Sponsoring State or States as advised in writing to the Chief Inspector or Secretary-General, any corrective action undertaken by a Contractor and any recommendations as to any enforcement action to be taken by the Council to which Regulation 100(2) refers. The report shall also include any findings and recommendations arising from inspections that may contribute to the development of Good Industry Practice, Best Environmental Practices and Best Available Techniques, **and any instructions or regulatory interventions made by an Inspector or the Compliance Committee during the reporting period, and the Compliance Committee’s findings from their review of Contractor annual reports (pursuant to sub-paragraph (1)(e)).**

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

In sub-paragraph (j), we would recommend splitting the para to make two slightly different points:

On sub-paragraph (2)(m) on emergency orders, we note that this covers a function already assigned to the LTC under UNCLOS Article 165, and so suggest that this be re-phrased.

Paragraph (7) sets out required contents of the CC's ICE annual report to Council. This should include a report of (a) any instructions or regulatory interventions made by an Inspector or the CC during the reporting period, and (b) the CC's findings from their review of Contractor annual reports (pursuant to sub-paragraph (1)(e)).

Lastly, The procedural issues covered in paragraphs (5)-(10) seem sensible to us, in particular the proposed modalities to ensure agility and responsiveness by the CC in urgent situations, which would benefit from an addition to the Council's Rules of Procedure, upon adoption of the Regulations to ensure alignment, including correlation with notification procedures for meetings.