

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 31ST 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.im.

- 1. Name(s) of Delegation(s) making the proposal:**
Friends of the President Group on Protection of Submarine Cables and Pipelines led by Singapore.
- 2. Please indicate the relevant provision to which the textual proposal refers**
Draft Regulation 31; Draft Regulation 31 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.**

**Regulation 31
Accommodation of activities in the Area and in the marine environment**

1. Contractors shall carry out activities under an Exploitation Contract with reasonable regard for other activities in the Marine Environment, in accordance with article 147 of the Convention, and consistent with any applicable Standards and taking into account the Guidelines.
2. A Contractor shall exercise due diligence in identifying current and planned uses or activities in the Marine Environment transiting, overlapping, or proximate to the Contract Area, including but not limited to marine scientific research, fishing, navigation, [and activities to ensure effective Protection for the Marine Environment,] [as well as activities required under measures to ensure effective Protection for the Marine Environment,] through publicly available data and resources and any other reasonable means.
3. The Authority may cooperate with States Parties, relevant Stakeholders, international, regional, subregional or sectoral bodies to acquire information regarding current and planned uses or activities in the Marine Environment transiting, overlapping, or proximate to Contract Areas, in accordance with article 147 of the Convention.
4. Where the Authority becomes aware of current and planned uses or activities in the Marine Environment transiting, overlapping or proximate to Contract Areas, the Secretary-General shall [make available] [communicate] to the States Parties, relevant Stakeholders, international, regional, subregional or sectoral bodies concerned the coordinates of and information about such activities.
5. The Secretary-General shall [make available] [communicate] to Contractors that may be affected by other uses or activities in the Marine Environment any relevant information it has obtained from States Parties, relevant Stakeholders, international, regional, subregional or sectoral bodies,

and shall facilitate communication between the Contractor and the States Parties, relevant Stakeholders, international, regional, subregional or sectoral bodies concerned.

Regulation 31 bis **Reducing risks of damage to submarine cables and pipelines**

1. The Contractor shall take ~~[[all] necessary]~~ [reasonable] measures to reduce the risks of damage arising from its conduct of activities in the Contract Area [, including any [test/pilot] mining undertaken pursuant to regulation 48 ter.] to submarine cables or pipelines, including, as appropriate, through:

(a) ~~[identifying current [and planned] uses or activities relating to submarine cables or pipelines in the Marine Environment transiting or proximate to the Contract Area through publicly or commercially available data and resources [in accordance with regulation 31(2);]]~~

~~(a) Alt. [measures relating to submarine cables or pipelines identified pursuant to regulation 31(2);]~~

(b) coordinating with relevant Stakeholders and international, regional, subregional or sectoral bodies for, or operators of, submarine cables or pipelines in the Marine Environment, including through conducting consultations in line with regulation 93 ter;

~~(c) reaching agreement with complying with measures that the Contractors has agreed with the operators of submarine cables or pipelines in the Contract Area [, taking into account the Guidelines,] on measures to reduce the risks of damage to any in-service [or planned] submarine cables and pipelines, and complying with those measures;~~

(d) [promoting information sharing of Exploitation activities under an Exploitation Contract;] and

(e) other measures in accordance with the applicable Standards and taking into account the Guidelines.

2. Nothing in these Regulations shall affect the rights and obligations of States pertaining to submarine cables and pipelines under the Convention, including articles 87, 112 and 113 of the Convention.

4. Please indicate the rationale for the proposal.

Please refer to the accompanying report of the FOP group.

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