

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART I**

Informal Working Group – Institutional Matters

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council2022@isa.org.jm.

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

Belgium

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

Regulation 2

3. Kindly provide the proposed amendments to the regulation 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.

In furtherance of and consistent with Part XI of the Convention and the Agreement, the fundamental policies [and] [,] principles and approaches of these regulations are, ~~inter alia,~~ to: Convention.

(vii) ~~Encouragement~~ Organization of effective public participation;

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

On the chapeau – Belgium thinks that each and every fundamental policy and principle should be mentioned in this Regulation. If they are fundamental, we should be able to mention them from the outset. Therefore, we propose to strike through ‘inter alia’ and to review very carefully the list with policies and principles.

On the effective public participation – this should not be encouraged, it should be mandatory.

On the reference to UNCLOS articles – we should only refer to an article if there is a real added value (because UNCLOS is applicable by itself). And if we refer to an article, we should avoid copying the article. But if we copy the article, we should copy it completely.

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Regulation 2 b) x)

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To be proposed by the LTC.

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

Belgium would like to bring to the attention of the members of the Council that, aside for the partial copy of paragraph 1 (d) of Section 6 of the Annex of the Agreement, no effort has been made in the draft exploitation regulation to provide for the application of that paragraph. As it stands, the draft exploitation does not provide certainty about how Agreement, Annex, Section 6, paragraph 1 (d) must be applied and thus, whether the Authority or the Sponsoring State will have to provide the certificate of origin for each shipment of minerals going to shore. As such, Belgium asks the co-facilitators of this informal working group and the members of the Council to support the request of Belgium, as contained in the annex of document ISBA/27/C/13, to transit this matter to the LTC for further consideration. Since the certificates of origin contain, amongst others, information on the exporter, the consignee, the description of the goods and their gross weight, Belgium think it is likely that additional regulations this may also impact Part XI Inspection, compliance and enforcement.