

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:

COUNCIL - PART I

Informal Working Group – Inspections, Compliance and Enforcement

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.

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

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

Regulation 100, Part XI - ISBA/25/C/WP.1

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 100 Inspectors to report

1. At the end of an inspection, the Inspector shall prepare a standardized report, setting out, inter alia, his or her general findings and any recommendations for improvements in procedures or practices by the Contractor. The Inspector shall send the report to the Compliance Committee. ~~Secretary General, The Compliance Committee will present the report to the Council and the Secretary General shall send.~~ A copy of the report shall be send to the Contractor and to the sponsoring State or States and, if appropriate, the relevant coastal State or States and the flag State, and a copy shall be made public.

...

3. ~~In case of a~~ The Secretary General shall report acts of violence, intimidation or abuse against or the wilful obstruction or harassment of an Inspector by any person or the failure by a Contractor to comply with regulation 96, the Secretary General shall:

a) Report the act -to the sponsoring State or States and the flag State of any vessel or Installation concerned for consideration of the institution of proceedings under national law.

~~a)~~ b) Report the act to the Council to consider the application of regulation 103.

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

1- Costa Rica considers the reports presented by the inspectors should be standardized. The inspector must present the report to the Compliance Committee as it is the appropriate organ to examine such report and the Secretariat functions are administrative. Moreover, for the sake of transparency the report shall be made public.

2- The regulations should reserve for the ISA the authority to take regulatory actions in case of intimidation or harassment by a contractor.