

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

Informal Working Group - Inspection, Compliance and Enforcement

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:

China

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.

*Note: China’s amendments are in Blue

Alt 1

~~5. The Inspectors shall exercise such control over activities in the Area as is necessary for the purpose of securing compliance with the relevant provisions of Part XI of the Convention, the Annexes relating thereto, and the rules, regulations and procedures of the Authority, and the plans approved under Regulation 15. Sponsoring States shall assist the Authority by taking all measures necessary to ensure such compliance in accordance with Article 139 of the Convention.~~

~~6. Without prejudice to their enforcement under international law, measures adopted by the Inspectors shall be effectively enforceable by Sponsoring States in their national legal orders. Inspectors shall report to the [Secretary General] in writing any difficulties relating to the enforcement of their measures under national law.~~

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

Regarding paragraph Alt 1 5, Article 162 (2) (l) of the Convention provides that the Council shall exercise control over activities in the Area in accordance with article 153, paragraph 4, and the rules, regulations and procedures of the Authority. It is obviously inappropriate for the Inspectors to exercise such control over activities in the Area instead of the Council. Therefore, it is proposed to delete this paragraph.

Regarding paragraph Alt 1 6, Article 21 (2) of Annex III to the Convention and Article 39 of Annex VI to the Convention provide the enforcement of decisions rendered by a

court or tribunal having jurisdiction and by the Seabed Disputes Chamber in the territories of the States Parties. The Inspectors obviously do not have the legal status of the above-mentioned court or tribunal or the Seabed Disputes Chamber, the content lacks legal basis and should be deleted.