

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

Informal Working Group – Implementation, 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:

Federated States of Micronesia

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

Draft Regulations 96(2) + 96(5)(g)

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.

2. The Contractor shall permit the Authority to send its Inspectors, who shall upon request by sponsoring States, any other State Party, or other party concerned, be accompanied by a representative of the sponsoring State, other State Party, or other party concerned, in accordance with article 165 (3) of the Convention, aboard all vessels and Installations whether offshore or onshore, used by the Contractor to carry out Exploitation activities under an exploitation contract as well as to enter its offices wherever situated. To that end, Members of the Authority, in particular the sponsoring State or States, shall assist the Council, the Secretary-General and Inspectors in discharging their functions under the Rules of the Authority.

...

5. The Contractor and its agents and employees shall facilitate the actions of the Inspectors in the performance of their duties, and shall:

...

(g) Not obstruct, intimidate or interfere with Inspectors in the performance of their duties, or representatives of sponsoring States, any other State Party, or other party concerned who accompany these Inspectors, as identified in paragraph 2 of this Regulation.

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

We propose language in paras 2 and 5(g) to clarify that, as inspired by article 165(3) of UNCLOS, any State Party or other party concerned can demand that its representative accompany an Inspector under this Regulation, and such demand must be heeded. Such representatives must also be protected from obstruction, intimidation, or interference while accompanying Inspectors in the performance of their duties.

