

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

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 of Working Group:

IWG Institutional Matters

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

International Cable Protection Committee (“ICPC”)

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

Regulation 13.4

4. 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.

4. The Commission shall determine if the proposed Plan of Work:

~~(d) Provides for Exploitation activities to be carried out with reasonable regard for other activities in the Marine Environment, including navigation, the laying of submarine cables and pipelines, fishing and marine scientific research, as referred to in article 87 of the Convention in accordance with the relevant Guidelines;~~

(d)(alt.) Provides for Exploitation activities to be carried out with **due and** reasonable regard for other activities in the Marine Environment, as referred to in articles 87 and 147 of the Convention, including inter alia navigation, the laying of cables and pipelines, the right to maintain and repair existing submarine cables and pipelines, fishing and marine scientific research;

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

ICPC supports the adoption of the text in paragraph 4(d)(alt.) of the Council Drafting Suggestions, ISBA/26/C/CRP.1, as it properly references articles 87 and 147 and also accounts for maintenance and repair (not just laying) of submarine cables.

- The text in paragraph 4(d) omits these critical provisions, and also inappropriately references Guidelines, which should not be a substitute for, or condition, compliance with the Convention.
- Article 87 of the Convention references "due regard." This has the same meaning as "reasonable regard," but both terms should be referenced here to ensure consistency with the Convention.