

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH SESSION:
COUNCIL - PART I**

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.jm.

1. Name of Working Group:

IWG of the Whole.

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

Submitted by Nauru Ocean Resources Inc., Tonga Offshore Mining Ltd and Blue Minerals Jamaica Ltd.

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

Draft Reg 35.

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.

*The Contractor shall **[immediately]** notify the Secretary-General in writing within 24 hours of any finding in the Contract Area of any human remains of an archaeological or historical **[and paleontological]** nature, or any object or site of a similar nature, and its location, including the preservation and protection measures taken. The Secretary-General shall transmit such information, **[within 7 Days of receiving it]** to the **Ss**ponsoring State, to the State from which the remains, **[object or site]** originated, if known, to the Director General of the United Nations Educational, Scientific and Cultural Organization and to any other competent international organization. Following the finding of any such human remains, object or site in the Contract Area, and in order to avoid disturbing such human remains, object or site, no further Exploration or Exploitation shall take place, within a reasonable radius, **[to be determined by the Authority in consultation with the Contractor]** until such time as the Council decides otherwise, after taking into account the views of the State from which the remains originated, the Director General of the United Nations Educational, Scientific and Cultural Organization or any other competent international organization.*

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

- We support the proposed amendments to Draft Regulation 35, provided the proposed amendments outlined above are adopted.
- We consider it critical that the Authority consults with the Contractor prior to determining a reasonable radius where no Exploration or Exploitation shall take

place as any imposed radius will have an impact on commercial operations and the Mining Workplan.

- In addition, the Contractor will likely have substantial information and detail on its operations and the Area which will assist the Authority in determining an appropriate radius.