

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

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: Plenary - President's Text

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

The Pew Charitable Trusts

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

Regulation 19

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.

~~1. Authority through the Enterprise, in the form of joint ventures or production-sharing, as well as any other form of joint arrangement, which shall have the same protection against revision, suspension or termination as contracts with the Authority.~~

~~2. The Council shall enable the Enterprise to engage in seabed mining effectively at the same time as the entities referred to in article 153, paragraph 2 (b), of the Convention.~~

19 alt Before approving any contract with an entity referred to in article 153, paragraph 2(b), of the Convention, the Authority shall adopt Standards and Guidelines:

- (a) providing for joint arrangements between a Contractor and the Enterprise, pursuant to Article 11 of Annex III of the Convention; and
- (b) in relation to financial terms, to further the objective of enabling the Enterprise to engage in seabed mining, pursuant to Article 13(1)(e) of Annex III of the Convention.

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

We suggest deleting the current text of DR19. These are verbatim quotations from UNCLOS (Articles 11 and 13 of Annex III). As such, their inclusion in Regulations is unnecessary. We suggest that, instead, it would be useful to have more details to operationalise those UNCLOS provisions or at least a requirement for Standards that will do so (e.g. detailing the types of joint ventures that will be considered; outlining the terms of such arrangements). The option to offer an

equity interest in a future joint venture with the Enterprise has already been taken up by eleven Contractors *between 2011 and 2018, but the terms and conditions for such equity participation has yet to be elaborated.* (Source: [Request for consideration by the Council of the African's Group's operationalization of the Enterprise, 2018](#)).