

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH 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.jm.

1. Name of Working Group:

Informal Working Group on Inspection, Compliance and Enforcement

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

China

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

Regulation 102 Vessel notification, electronic monitoring and data reporting

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.

***Note: China’s amendments are in Blue**

2. All installations, ~~mining~~ vessels and mining collectors involved in exploitation activities under the Exploitation contract shall be fitted with:

(a) [an electronic monitoring system] [A device] [which] shall record, where technically feasible in real time, inter alia, the date, time and position of all mining activities, [and environmental data, ~~including Underwater Cultural Heritage~~]; and

[2 ter. The electronic monitoring system [should][shall] also encompass the monitoring of mining impacts and be in accordance with the Environmental Monitoring and Management Plan, ~~as well as include a survey of the seabed to identify Underwater Cultural Heritage implementing the obligations under Regulation 46~~, [allowing for adaptive management during the mining operation].

3. The ~~Inspectorate~~ [Compliance Committee] ~~Council~~ shall notify the Contractor and the sponsoring State [or States] and shall issue a compliance notice under regulation 103, where there is reasonable evidence to suggest based on the data transmitted to the Authority that unapproved mining activities have occurred or are occurring.

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

Regarding paragraph 2(a) and 2ter, the term “found” is used in articles 149 and 303 of the Convention regarding archaeological and historical objects. If archaeological and historical objects are found by the Contractors during their normal operations, they should comply with the “Exploration Regulations” and Regulation 35 of the Draft Regulations to avoid disturbance and immediately notify the Secretary General.

Requesting Contractors to use electronic monitoring system to record underwater cultural heritage data goes beyond their obligations under the Convention.

Regarding paragraph 3, Contractors should also be notified. In principle, it is agreed that the Compliance Committee may issue a compliance notice in accordance with Regulation 103, but further clarification is required on the powers that the Compliance Committee may exercise under that Regulation.