



**PERMANENT MISSION OF BRAZIL  
TO THE INTERNATIONAL SEABED AUTHORITY**

No. 09/23

The Permanent Mission of Brazil to the International Seabed Authority (ISA) presents its compliments to the International Seabed Authority and has the honour to convey a submission of the Federative Republic of Brazil in contribution to the draft revised text that is currently being developed into the Informal Working Group on Institutional Matters, on part XII (Regulation 106) of the draft regulations on the exploitation of mineral resources in the Area (ISBA/28/C/TWG/IM/CRP.2). This submission is considered as an alternative text for the article 106 of the project draft "Mining Code" under negotiation at the ISA, as follows:

[...]

**Part XII Settlement of disputes**

**Regulation 106  
Settlement of disputes**

- 1. Disputes concerning the interpretation or application of these regulations and an exploitation contract shall be settled in accordance with section 5 of Part XI and Part XV of the Convention.**
- 2. The provisions of Part XV of and Annexes III, IV, V, VI, VII and VIII to the Convention shall be deemed to be replicated for the purpose of the settlement of disputes involving these regulations.**
- 3. Nothing in these regulations shall be interpreted as conferring jurisdiction upon a court or tribunal over any dispute that concerns or necessarily involves the concurrent consideration of the legal status of an area as within national jurisdiction, nor over any dispute concerning sovereignty or other rights over continental or insular land territory or a claim thereto of a Party to the Convention, provided that nothing in this paragraph shall be interpreted as limiting the jurisdiction of a court or tribunal under Part XV, section 2, of the Convention.**

.../



**4. Nothing in these regulations shall be relied upon as a basis for asserting or denying any claims to sovereignty, sovereign rights or jurisdiction over land or maritime areas, including in respect to any disputes relating thereto.**

[...]

The Permanent Mission of Brazil further informs that the submission hereby has been sent by email as indicated by ISA (council@isa.org.jm), and would appreciate a confirmation that the same is transmitted to the corresponding facilitator, so that it can be debated during Part I of the 29th Session of the ISA Council, to be held from March 18 to 29, 2024.

The Permanent Mission of Brazil to the International Seabed Authority avails itself of this opportunity to renew to the International Seabed Authority the assurances of its highest consideration.



Kingston, 7<sup>th</sup> December 2023

**To the International Seabed Authority**