

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup> 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](mailto:council@isa.org.im).*

**1. Name of Working Group:**

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.**

DR 94

\*Blue font are proposed amendments by the Council President.

\*Pew's amendments are indicated as in-line edits in red font.

**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. The Commission or other subsidiary organs of the Authority ~~where so requested by the Council,~~ shall, from time to time, [where appropriate or upon request by the Council,] develop Guidelines of a technical nature, in order to assist in the implementation of these Regulations, taking into account the views of relevant Stakeholders ~~and competent independent experts [identified in accordance with Annex XI].~~
2. The full text of ~~such~~ Guidelines ~~developed pursuant to this regulation~~ [or any revisions thereto] shall be reported to the Council ~~as soon as they are developed.~~ Should the Council find that a Guideline is inconsistent with the intent and purpose of the Rules of the Authority, it may direct that the Guideline be modified [by the Commission] or withdrawn.

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

**Para 1:** We recommend inclusion of additional text in regulation 95(1) to reflect that the relevant organ of the ISA may also wish to confer with competent independent experts (as per the discretion and obligation provided by UNCLOS Articles 163(13) and 165(2)(e) respectively, in the case of the LTC) and to be consistent with text proposed in DR 94.

We also note a need to clarify the requirement for public consultations, which may benefit from drafting consistent with DR95, and other parts of the Regulations.

**Para 2:** The word 'such' should be deleted in paragraph (2), as it may suggest that the paragraph refers to para 1 alt. bis Guidelines only, ie Guidelines of an administrative nature issued by the Secretary-General.

We also consider that paragraph (2) should require Guidelines or revisions thereof to be reported to the Council with some urgency, so Council has an opportunity to check for any issues or objections, before the Guidelines are in operation for too long.