

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

1. Name of Working Group:

President's Text

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.

Regulation 35

Human remains and objects and sites of an archaeological or historical nature

The Contractor shall notify the Secretary-General in writing ~~within 24 hours of~~ as soon as reasonably practicable after 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 Sponsoring State or 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. Such human remains, object or site in the Contract Area should be disposed of for the benefit of mankind as a whole or preserved, so that no further Exploration or Exploitation shall take place, within a reasonable radius, to be determined by the Authority in consultation with the Contractor, after taking into account the views of the State from which the remains or objects originated. [If the Council decides that exploration or exploitation cannot continue, the Contractor shall be compensated, including but not limited to the vicarious areas of equivalent size or value elsewhere or appropriate waiver of fees.]

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

- As per our previous submission, we consider that 24 hours is too short a timeframe for a Contract to prepare a notification under Draft Regulation 35 and there is no rationale for that level of urgent in this context.

- We also propose to delete “paleontological” given that term is not used in the Convention and retaining the final sentence as it establishes an important compensation mechanism.