

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29<sup>TH</sup> 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](mailto:council@isa.org.jm).

**1. Name(s) of Delegation(s) making the proposal:**

The Pew Charitable Trusts

**2. Please indicate the relevant provision to which the textual proposal refers.**

Draft regulation 19

**3. 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.**

2bis. 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.

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

Like Spain, Germany and Costa Rica, we believe DR19 alt should be reinserted. We found record of two Council members previously supporting DR19 Alt, and one requesting deletion. We are therefore confused why it has been removed without tracked changes from this Consolidated Regulations text.

In addition, we note that the original DR19 text merely repeats UNCLOS without providing any further detail on the nature of joint arrangements. We know that several existing Exploration Contractors have committed to enter into joint ventures with the Enterprise when they move to Exploitation, as a prerequisite condition to securing their Exploration Contract. We recall that UNCLOS requires the ISA to develop RRP's relating to the Enterprise [e.g. UNCLOS Art 160, Annex IV]. As far as we are aware, no work has commenced on such RRP's.

It seems unfair both to the existing Contractors who have committed to joint ventures, and to the developing countries that the Enterprise is designed to benefit, if the ISA delays rules to enable such joint ventures, and in doing so delays the operation of the Enterprise. In light of this, if further detail about Enterprise joint ventures is planned to come in the form of Standards and Guidelines it would be helpful to state this in DR19. We would also welcome this be included under a Council decision instead of the regulations, along with a comprehensive list of all the Standard and Guidelines expected by the Council and phase they should be included in.

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