

**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:

Consolidated text.

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

Republic of Nauru

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

Regulation 106

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.

2. ~~In accordance with article 21 (2) of annex III to the Convention,~~ Any final decision rendered by a court or tribunal having jurisdiction under the Convention and the ~~r~~Rules, regulations and procedures of the Authority relating to the rights and obligations of the Authority and of the Contractor shall be enforceable in the territory of ~~{any} each~~ State party to the Convention ~~affected thereby~~.

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

The text “affected thereby” is inconsistent with article 21, annex III of the Convention and would inappropriately limit the enforceability of any dispute settlement outcome. There may be a need to enforce a decision in a different State party to the State against which the complaint is brought (e.g. where relevant assets are held in that other State party).