

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART II**

Informal Working Group - Environment

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council2022@isa.org.jm.

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

China

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

DR 44

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.

*Note: China’s amendments are in Blue

1. (i) Apply the precautionary [approach] ~~{principle}~~, as reflected in principle 15 of the Rio Declaration on Environment and Development and the ecosystem-based management approach to the assessment and management of risk of harm to the Marine Environment from Exploitation in the Area;

Alt 1

An application for a Plan of Work shall not be considered by the Commission until and unless a Regional Environmental Management Plan has been adopted by the Council for the particular area concerned. In the event that an application for a Plan of Work is submitted for an area where no such Regional Environmental Management Plan exists, the drafting of a Regional Environmental Management Plan applicable to the area in concern shall be prioritised and adopted without any undue delay, taking into account Section 2, Article 15 b/c of the 1994 Implementing Agreement.]

Alt 2

Before the establishment of a Regional Environmental Management Plan REMP in all the regions where exploration contracts already exist, the commercial production in the Area shall not be allowed.

Alt 3

A Regional Environmental Management Plan for the particular area concerned should be adopted by the Council before seeking the application for a Plan of Work for that area. In the event, that an application for a Plan of Work is submitted for an area where no such Regional Environmental Management Plan exists, the drafting of a Regional Environmental Management Plan applicable to the area in concern shall be prioritised and adopted within

one year without any undue delay, taking into account Section 2, Article 15 b/c of the 1994 Implementing Agreement.

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

(1) The “precautionary approach” is used in the Rio Declaration and United Nations Fish Stocks Agreement. And there is no international consensus on whether the precautionary approach constitutes a principle. “precautionary approach” is more accurate.

(2) It is suggested to use Alt 1. Alt 3 requires that REMP be adopted within one year without undue delay. According to the current REMP formulation process, one year is too short and not feasible.