

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:  
COUNCIL - PART I

*Informal Working Group - Environment*

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

Institute of Advanced Sustainability Studies (IASS)

**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.**

**Regulation 44 General obligations**

1. (a)

(i) Apply the precautionary approach, ~~as reflected in principle 15 of the Rio Declaration on Environment and Development, and the ecosystem approach~~ to the conduct and management of activities assessment and management of risk of harm to the Marine Environment from Exploitation in the Area; where information is uncertain, or inadequate, the Authority shall favour caution and environmental protection;

(ii) Apply the ecosystem approach to the comprehensive assessment and management of risk of harm to the Marine Environment from Exploitation in the Area

(iii)

(iv) Integrate Best Available ~~Scientific Evidence~~ Science in ~~environmental~~ decision-making, including all risk assessments and management undertaken in connection with environmental assessments, and the management and response measures taken under or in accordance with Best Environmental Practices; and

(v) ~~Promote~~ Require accountability and transparency in the assessment, evaluation and management of Environmental Effects from Exploitation in the Area, including through stakeholder engagement and the timely release of and access to ~~relevant~~ environmental data and information and ~~opportunities for stakeholder participation~~.

(vi) In order of priority, avoid, minimize, mitigate and remediate harm to the marine environment.

(a)bis The Commission shall develop and implement procedures for determining, on the basis of best available scientific and technical information, whether proposed [exploitation] activities in the Area would have serious harmful effects on vulnerable marine ecosystems. The Commission shall ensure that, if it is determined that certain proposed activities would have serious harmful effects on vulnerable marine ecosystems, those activities are managed to prevent

such effects or not authorized to proceed.

(a)ter The Commission will prepare applicable environmental quality goals, objectives, indicators and thresholds, in line with internationally agreed environmental obligations and ambitions;

(a)quarter The Commission, in supervising and controlling activities in the Area will conduct cumulative impact assessments at regional scale.

(b) In taking all necessary measures to ensure that the Contractor carries out Exploitation in the Area in conformity with the terms of its contract and its obligations under the Convention and the rules, regulations and procedures adopted by the Authority related to the protection for the Marine Environment from harmful effects, the Sponsoring State shall at a minimum implement, mutatis mutandis, the measures set out under paragraph (a)(i) to (iv) above.

2.

3. ~~The Legal and Technical Commission shall make recommendations on the implementation of paragraphs 1 and 2 above.~~

3.4. The adoption of relevant Standards and the relevant Regional Environmental Management Plan are prerequisites for exploitation activities.

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