

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

***Informal Working Group – Institutional Matters***

*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](mailto:council2022@isa.org.jm).*

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

New Zealand

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

Regulation 2(e)(ii)

**3. Kindly provide the proposed amendments to the regulation 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.**

(e)

(ii) The application of the precautionary approach, ~~as reflected in principle 15 of the Rio Declaration on the Environment and Development~~

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

This proposal ensures the precautionary approach is applied as it has evolved since the Rio Declaration 1992, and will continue to evolve in the specific context of deep sea mining. The Rio Declaration articulation of the precautionary approach is inapt to describe its application in the context of the UNCLOS obligation to protect and preserve the marine environment (see Article 6 of the Fish Stocks Agreement as a more appropriate articulation in this context). New Zealand endorses Italy’s view that the practical implementation of the precautionary approach and ecosystem approach to the specific context of deep sea mining could be the subject of a policy adopted, and regularly reviewed and updated, by the Authority.

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Regulation 2(e)(vii)

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(e)

(vii) ~~Encouragement of~~ effective public participation.

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

We consider that the Authority should ensure effective public participation, not simply encourage it, as the language of this subparagraph currently suggests.