

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

***Informal Working Group - Environment***

*Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.*

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

Republic of Nauru

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

Regulation 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.**

44(1) The Authority, sponsoring States, ~~the Enterprise~~ and Contractors

44(1) in accordance with the ~~Convention, the Agreement, the rules, regulations and procedures adopted by~~ Rules of the Authority

44(a)(i) to the assessment and management of risk of harm to the Marine Environment (*re-insert text in red*)

44(a)(iv) evaluation and management of Environmental Effects and risks from Exploitation in the Area

44(a)(iv) including through stakeholder ~~engagement~~ participation and the

44(b) under the ~~Convention and the rules, regulations and procedures adopted by~~ Rules of the Authority

44(c) in the assessment, evaluation and management of Environmental Effects and risks from Exploitation in the Area

44(3) The Legal and Technical Commission shall make recommendations to the Council on the implementation of paragraphs 1 and 2 above to ensure a consistent approach to such implementation.

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

- 1 We do not see a need to make separate reference to the Enterprise given the definition of Contractor in the Schedule.
- 2 “Rules of the Authority” is a defined term to cover the Convention, the Agreement and RRP
- 3 The assessment and management – and regulation - of risk of harm to the marine environment from exploitation activities is key. Consequently, we propose that the words “and risks” are inserted after Environmental Effects in (1)(a)(iv) and (1)(c) as set out above.
- 4 Stakeholder participation is preferred as per original draft given it has wider application.

- 5 It is not clear from existing language to whom such recommendations are to be made. Article 165(2) generally provides for the Commission to make recommendations to the Council, otherwise what is the status of these recommendations. The purpose of these recommendations should also be acknowledged that they are there to ensure a consistent approach.