

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH 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.

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

Pew Charitable Trusts

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

DR 1

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:** Previously proposed Council amendments are in **Red** and Pew comments are in **Blue**.

1alt1. Terms used in the Convention shall have the same meaning in these regulations.

4alt. Nothing in these Regulations shall prejudice the rights, jurisdiction and duties of States under the Convention, including the right to conduct scientific research pursuant to articles 87, 143 and 256 of the Convention, and the exercise by States of the freedom of the high seas, as reflected in article 87 of the Convention. These Regulations shall be interpreted and applied in the context of and in a manner consistent with the Convention.

[5. These regulations are ~~supplemented~~ **accompanied** by Standards and Guidelines, as referred to in these regulations and the annexes thereto, as well as by further rules, regulations, ~~and~~ procedures, **and Regional Environmental Management Plans, as may be adopted by** ~~of~~ the Authority from **time to time**, in particular on the protection and preservation of the Marine Environment. **Standards form an integral part of these regulations and any reference to the regulations includes the Standards that form part of these.**]

8. These regulations shall be applied to all members of the Authority and Contractors, as applicable, in a uniform and non-discriminatory manner.

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

Regarding paragraph 1, we believe the original text of DR1(1) should be deleted in favour of DR1(1) alt.1 (proposed by Australia). This, together with DR1(3), refers to the defined terms in the Convention and 1994 Agreement, and in these Regulations, rather than referring to the ‘Rules of the Authority’, the content of which may evolve over time, providing changing and potentially conflicting interpretations.

Regarding paragraph 4, the alternative paragraph (proposed by Spain) encompasses the points made in DR4 while broadening its application to avoid any potential conflicts with the Regulations. We agree with this proposal and suggest a minor amendment to combine the original and proposed text.

Regarding paragraph 5, We suggest including Regional Environmental Management Plans (REMPs) here. The Council has indicated that these will be a crucial part of the ISA’s environmental management regime and should be developed in conjunction with the Regulations. In particular, REMPs are likely to contain important

provisions on the protection of the marine environment (e.g. designation of protected areas) and so should be included in this list.

Regarding newly proposed paragraph 8, We propose that a generic and universal provision applying to the whole Regulations would better serve the purpose. UNCLOS Part XI espouses the principle of non-discrimination. Member States have proposed inclusion of 'non-discrimination' wording in specific Regulations (e.g. Japan in DR3(a)alt. and (g)alt.).