

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

China

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.

1. (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 assist the Authority to implement, mutatis mutandis, the measures set out under paragraph (a)(i) to (iv) above.

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

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

On 1. (b), China believes that in the exploration and exploitation of the resources in the Area, the obligations of the sponsoring States and the Authority are not equal, but different. Article 153 (4) of the UNCLOS provides that “States Parties shall assist the Authority...to ensure such compliance...”. The proposed amendment is to keep the regulation in line with the UNCLOS.

On 3. , according to Article 165 (2) of the UNCLOS, the Legal and Technical Commission only has the mandate to make recommendations to the Council regarding the implementation of paragraphs 1 and 2 above, however, the current text implies that the Legal and Technical Commission could also make recommendations to the sponsoring States and flag States regarding the implementation of paragraphs 1 and 2 above, which is beyond its mandate under the UNCLOS.