TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27ᵀᴴ SESSION: COUNCIL - PART II

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:
United States

2. Please indicate the relevant provision to which the textual proposal refers.
DR 46

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.

~~[1bis The Commission will develop a document that will set the binding minimum Standards for an Environmental Management Plan System.~~

~~1ter Compliance with this regulation is a fundamental term of the contract, for the purposes of Rregulation 103.]~~

2.(e) Be in accordance with Good Industry Practice, Best Available Scientific Evidence, Best Environmental Practices and Best Available Techniques ~~and Internationally Recognized Standards~~.

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

In paragraph 1bis, we note that the language appears to be duplicative of requirements that will be established in the Standards for the Environmental Management System and in the requirements for applicants/contractors to comply with these Standards. Accordingly, we do not recommend retaining this text. Additionally, we do not recommend retaining the text in paragraph 1ter, since compliance with all regulations should be a fundamental term of contracts, and highlighting regulation 46 as done here may add uncertainty in this regard.

In paragraph 2 (e), the United States proposes that the text also include consideration of "Best Available Scientific Evidence, Best Environmental Practices and Best Available Techniques", and we note that "Internationally recognized standards" as used in the text here is not defined or used elsewhere in the text and we believe that this wording would more fully encompass what is expected.