

**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:

United Kingdom

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.

**Regulation
44
General
obligations**

1. The Authority, sponsoring States, the Enterprise and Contractors shall ~~each, as appropriate~~ within their respective competence, adopt, plan, implement and modify measures necessary for ensuring the protection and preservation of the Marine Environment, including rare or fragile ecosystems as well as the habitat of depleted, threatened or endangered species and other forms of marine life, from harmful effects which may arise from Exploitation in the Area or from shipboard processing immediately above a mine site of minerals derived from that mine site, in accordance with Article 145 of the Convention, the Agreement, the rules, regulations and procedures adopted by the Authority ~~in respect of activities in the Area, as well as the Standards referred to in regulation 45.~~ To this end, ~~they shall:~~

(a) In establishing and keeping under periodic review environmental rules, regulations and procedures, in accordance with the Convention and the Agreement, the Authority shall:

(i) Apply the precautionary principle, and the ecosystem approach, to the assessment and management of risk ~~of harm of harm~~ to the Marine Environment from Exploitation in the Area;

(ii) Apply the Best Available Techniques and Best Environmental Practices ~~in carrying out such measures;~~

(eiii) Integrate Best Available Scientific Evidence in environmental

decision- making, including all risk assessments and management undertaken in connection with environmental assessments, and the management and response measures taken under or in accordance with Best Environmental Practices; and

(div) ~~Promote~~ Require accountability and transparency in the assessment, evaluation and management of Environmental Effects from Exploitation in the Area, including through stakeholder engagement and the timely release of and access to relevant environmental data and information ~~and opportunities for stakeholder participation~~.

(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 implement, mutatis mutandis, the measures set out under paragraph (a)(i) to (iv) above.
(c) In taking necessary measures to prevent, reduce and control pollution and other hazards to the marine environment arising from Exploitation in the Area, the Enterprise and Contractors shall implement, mutatis mutandis, the measures set out under paragraph (a)(i) to (iii) above and demonstrate accountability and transparency in the assessment, evaluation and management of Environmental Effects from Exploitation in the Area, including through stakeholder engagement and the timely release of and access to relevant environmental data and information.

2. In adopting laws and regulations, in accordance with the Convention, to prevent, reduce and control pollution of the marine environment from Exploitation in the Area undertaken by vessels, installations, structures and other devices flying their flag or of their registry or operating under their authority, as the case may be, States shall implement, mutatis mutandis, the measures set out under paragraph 1(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]

We support specific reference to Article 145 of the Convention. We support the additional text on protection and preservation because these regulations are an opportunity to add detail that gives context to the concepts in the Convention. We support the precautionary principle which better reflects the relevant international law. For consistency with the Convention, we support a reference to risk of harm.