

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

Informal Working Group on ENVIRONMENT

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council@isa.org.jm.

1. Name of Working Group:

IWG ENVIRONMENT

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

CHINA

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

Regulation44 General obligations

4. 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:China’s amendments are in Blue**

1(a)(i) “Apply the precautionary [approach] ~~[principle]~~, as reflected in principle 15 of the Rio Declaration on Environment and Development and the ecosystem-based management approach to the assessment and management of risk of harm to the Marine Environment from Exploitation in the Area;”

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

“Approach” is used in the Rio Declaration on Environment and Development and it is suggested to be consistent with the Declaration.

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“The Authority, sponsoring States, the Enterprise and Contractors shall each, within their respective competence, adopt, plan, implement and modify measures necessary for ensuring effective protection 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...~~”

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

The content proposed to be deleted refers to Article 194(5) of the Convention, which is one of the requirements for States to take measures to prevent, reduce, and control pollution of the marine environment. Could this reference apply to the Authority and the Enterprise? There is also legal uncertainty as to whether the parties concerned can fulfill their obligation under the Convention "within their respective competence" as provided for in this draft.