

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

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 Institutional Matters

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

United Kingdom

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

DR 2 (4) (5)

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.

4. According to article 145 of the Convention, the effective protection of the marine environment from the harmful effects which may arise from activities of exploitation, in accordance with the Authority’s environmental policy, including regional environmental management plans, is based inter alia on the following principles and approaches:

- (i) Intergenerational equity.
- (ii) Precautionary ~~approach~~ principle
- (iii) Ecosystem approach.
- (iv) Polluter pays principle
- (v) ~~Open a~~ Access to data and information relating to the protection and preservation of the Marine Environment.
- (vi) Accountability and transparency in decision-making; and
- (vii) Effective public participation.

New (c) (e)(i) A fundamental consideration for the development of environmental objectives under these Regulations shall be the effective protection of the Marine Environment, including biological diversity and ecological integrity;

New (c) (v) Ensure transparency through open access to data and information relating to the protection, conservation and preservation of the Marine Environment;

New (c) (vii) Alt . 1 Ensuring effective public participation including by Indigenous Peoples and local communities

New (e) Alt. 1. Incorporate the Best Available Scientific Evidence, Best Environmental Practices, Best Available Techniques and Good Industry Practices into decision-making processes. In case where no sufficient scientific information is available to enable informed decisions, the precautionary approach/principle shall be applied.

New j) d) Provide for the protection of human life and safety;

~~Alt. 1. Provide for the protection of human and non-human life and safety;~~

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

The following provides rationale for detailed changes to DR 2:

(3). ‘Exploitation activities in the Area shall not commence until...’ **(1) New (b)** ‘Activities shall not be authorized in the Area unless it can be...’ **1 (c) (i) Alt 1** ‘A fundamental condition for the approval of a plan of work shall be...’:

We understand the intent behind these proposals, however, question their placement in this Regulation, as they are more ‘fundamental conditions’ not policies, principles or approaches. These issues would be better addressed in the context of Regulations on decision-making by the LTC and/or the Council.

(4) (ii) The UK believes that the precautionary principle is a widely recognised principle of international law.

(v) Suggest adding ‘open’ as all environmental information should be publicly accessible for transparency and to be used for environmental science by Contractors, sponsoring States and the academic community.

New c (i) - If this paragraph maintains reference to the listed considerations in relation to development of environmental objectives, this wording should be amended to make specific reference to “environmental objectives under these Regulations” – the broader environmental policy of the ISA is beyond the scope of just these Regulations. This does not preclude our view that the Authority should continue developing overarching environmental objectives outside of these regulations.

New (c)(v): we propose adding ‘open’, as all environmental information should be publicly accessible for transparency, and also to be used for environmental science by Contractors, sponsoring States and also academically.

New (c) (vii): we can accept new language in Alt 1 but propose reinserting “effective”.

New (e): We accept Alt 1, however we would prefer to omit the final sentence on the Precautionary Principle as this is only one aspect of the Precautionary Principle and we do not want to constrain its definition and application.

New (j): We agree with ‘new (j)’ but not Alt 1 due to the addition of “non-human” here, which appears to confuse environmental provisions with health and safety provisions.