

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup> SESSION:  
COUNCIL - PART III**

***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:**

Ireland

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

Draft Regulation 45

**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 45**

**Development of environmental Standards and Guidelines**

1. Environmental Standards and Guidelines developed under this regulation shall have the ~~[aim to ensure]~~ [purpose of ensuring] the effective protection of the Marine Environment from harmful effects, in accordance with Article 145 of the Convention.

2. The Council shall, based on the recommendations of the Commission, adopt Environmental Standards in accordance with regulation ~~[s]~~ 94 [and 95], inter alia on the following subject matters:

(a) Baseline investigations;

(b) Environmental quality objectives;

(c) Indicators and quantitative environmental thresholds, including but not limited to:

(i) biodiversity status and ecosystem structures, functions and services;

(ii) sediment plume properties such as [turbidity, depositional footprint and chemical composition], dispersion and dilution, resettlement, temperature [and] toxicity. ~~[and chemical composition]~~

- (iii) Physico-chemical Characteristics of seawater and sediment, [\[including\]](#) water chemistry and temperature
  - (iv) light emissions;
  - (v) noise and vibrations emissions and
  - (vi) habitat [\[disturbance\]](#) [\[removal\]](#).
  - (d) Monitoring procedures
  - (e) Mitigation measures [, [including restoration measures](#)]
  - (f) [\[Minimum\]](#) [\[t\]](#) technical [\[and operational\]](#) requirements for environment protection with regard to [\[all\]](#) the equipment used for the Exploitation activities
  - (g) Assessment of accidental events and natural hazards leading to environmental emergencies as well as environmentally hazardous discharges and residual effects of such emergencies, including preparation and implementation of emergency response and contingency plans.
  - (h) Procedural and substantive requirements relating to submissions or reports required by these regulations, including but not limited to: Plans of Work, Environmental Management Systems, Environmental Impact Assessments, ~~Environmental Risk Assessments,~~ Environmental Impact Statements, Environmental Management and Monitoring Plans and Closure Plans.
3. The Authority shall not approve any Exploitation [\[activities\]](#) unless the environmental Standards [\[and Guidelines\]](#) have been adopted.
4. In addition to the environmental Standards, Guidelines on environmental matters may be developed, in accordance with regulation 95.
5. ~~The application of this Regulation shall be without prejudice to the function of the Council to develop other Standards and Guidelines on the protection and conservation of the natural resources of the Area and the prevention of damage to the flora and fauna of the Marine Environment, taking into account the development of the exploitation activities in the Area].~~ Environmental Standards and Guidelines shall be regularly reviewed and updated in response to advancements in scientific knowledge and experience [\[and new contributions from Indigenous Peoples and local communities.\]](#)

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

Ireland cannot support the inclusion of the first bracketed text in Regulation 45, Para 5. We are not clear on the added value, and feel it may introduce uncertainty as to how this regulation is to be interpreted and applied. In particular, we are concerned that it implies that future Standards and Guidelines could take precedence over this Regulation.