

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS

1. Name of Working Group:

Protection and Preservation of the Marine Environment

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

Federative Republic of Brazil

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

Regulations 44bis – Regional Environmental Management Plans

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.

2. In the event that an application for a Plan of Work is submitted for an area where no such Regional Environmental Management Plan exists, the drafting of a Regional Environmental Management Plan applicable to the area in concern shall be prioritised ~~and adopted without any undue delay, taking into account Section 2, Article 15 b/c of the 1994 Agreement.~~

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

It is not plausible to establish that the drafting of a Regional Environmental Management Plan should be “adopted without any undue delay”. In addition to not configuring typical treaty language, the imposition of urgency would jeopardize the general obligation of ensuring effective protection for the marine environment from harmful effects which may arise from such activities, under the terms provided for in article 145 of UNCLOS. In this sense, it is recommended to delete the aforementioned excerpt.