

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS

1. Name of Working Group:

Working Group on Institutional Matters

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.

Regulation 4

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.

Regulation 4

Rights ~~{and legitimate interests}~~ of coastal States and duty to notify

1. Nothing in these Regulations shall affect the rights and legitimate interests of coastal States in accordance with Article 142 and other relevant provisions of the Convention including its provisions on consultation, prior notification, and the taking of measures.

2. The Secretary-General shall inform potentially affected coastal States, as identified in the applicable Regional Environmental Management Plan, upon the submission of an application for Exploitation. Appropriate consultation and notification Procedures shall be developed within three years after the adoption of these Regulations or before any Commercial Production commences, whichever takes place first.

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

Article 142 of the Convention on the rights and legitimate interests of coastal States establishes a system of consultations and prior notification with the State concerned: “Consultations, including a system of prior notification, shall be maintained with the State concerned, with a view to avoiding infringement of such rights and interests”. This prior consultation and prior notification system shall be reflected in the Regulations.