

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

*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](mailto:council@isa.org.jm).*

**1. Name of Working Group:**

Informal Working Group on the Protection and Preservation of the Marine Environment

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

USA

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

Draft Regulation 44

**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.**

1. (a)(i) Apply the precautionary approach and ~~the~~ an ecosystem-based [] approach to the assessment, management and prevention of risk of harm to the Marine Environment from Exploitation in the Area,

(...)

(iv) Ensure accountability and transparency in the assessment, evaluation and management of Environmental Effects and risks from Exploitation [in the Area] including through (...) the prompt public release of environmental data and information, [including sampling methodologies and associated metadata], at regular intervals and in an accessible format consistent with best scientific practices through the Authority’s website,

(...)

(c) In taking [all] necessary measures to prevent, reduce and control pollution and other hazards- to the Marine Environment (...) including through Stakeholder participation and the [timely] [prompt] public release of environmental data and information on their respective activities at regular intervals and in an accessible format consistent with best scientific practices.

(...)

2. (a) Apply the precautionary approach, and ~~the~~ an 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]**

In paragraph 1(a)(i) and 2(a), we propose using the phrase “an ecosystem approach” rather than “the ecosystem-based management approach,” as we are not aware of a universally accepted definition of this term, and we further note the terminology we suggest is that used by the draft BBNJ agreement.

In paragraph 1 part (a)(iv) and (c), we support the addition of text specifying the need for consistency with scientific best practices with regards to the formatting of environmental data and information, in order to support the public release of datasets that are interpretable and useable by the Authority.

Also, the phrase, “best scientific practices” should be consistent and not capitalized when the phrase appears in other parts of the draft regulations such as DRs 46 bis, 51, 61, and Annex VIII.