

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29TH 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.

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

ADVISORY COMMITTEE ON PROTECTION OF THE SEA (ACOPS)

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

DRAFT REGULATION 44

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.

Either in **Regulation 44 [IWG ENV]: General Obligations**

1. [(f) Elaborate and implement measures ... another one and to prevent, reduce and control interference with the ecological balance of the marine environment.... ; and]

Or in:

[Regulation 44 ter Environmental Goals and Objectives

7. The Authority’s strategic Environmental Objectives are to: ...

(n). prevent, reduce and control ... interference with the ecological balance of the marine environment.

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

This template proposal is requested to be read together with the full statement made in plenary introducing this proposal.

In the context of Article 145, not addressed in the Draft Regulations is: “adoption of appropriate ... regulations ... for ... prevention, reduction and control ... of interference with the ecological balance of the marine environment, ...

ACOPS has proposed addressing this provision before. We reiterate this proposal given the ITLOS Advisory Opinion in Case 31, where ecological balance is addressed in paragraphs 386 and 432.

To omit addressing the ecological balance from the marine environmental provisions in the Draft Exploitation Regulations risks exposing the Authority to legal challenge.