

DSCC intervention 2, 17 July 2018 Day 2
On Part I and Preamble

On Part 1:

As we said in our intervention earlier, it is essential to develop environmental goals and objectives, and incorporate them in Fundamental Principles.

Also in DR 2.5 (d) in regard to public participation, this paragraph really covers two separate points: access to information, and public participation. So public participation should be split into a separate sub paragraph and should read that “ensure effective public participation.” instead of “encourage public participation” as a fundamental principle.

Secondly, we need to operationalize common heritage of mankind further, along the lines explained by the Holy See including socio-economic matters

Thirdly, the Fundamental Principles need to be operationalized, such as being explicitly included in the review in Draft Regulation 14. At present they are somewhat stranded.

REMPs need to be binding and fully integrated into the regulations – an a precondition, as Australia said

Similarly to Australia’s intervention, it needs to be made clear that the standards are binding and we believe the Belgium non-paper.

In DR 4, it is too stringent to require that there are grounds for believing that serious harm to the marine environment of coastal states is likely to occur. Instead of likely, reasonable grounds should be enough.

On the issue of precautionary approach versus principle, we agree with Algeria and UK - a principle is specific and binding, so being included in the regulations, we support the use of the word ‘principle’.

Support Norway’s intervention on the issue of the polluter pays principle and recommend that it be incorporated into DR 2

Finally on on the preambular paragraphs, we would like to question whether the phrase in the 4th paragraph “the objective of these regulations is to provide for the Exploitation of the Resources of the Area” prejudices the outcome of the regulations. We would recommend that this paragraph be at least amended to include “ensure effective protection for the marine environment”

[ends]