

Deep Sea Conservation Coalition intervention

Agenda Item 11, Issue Note 4: The role and legal status of standards, recommendations (LTC) and guidelines.

7 March 2018

We would agree with the comments made by the Belgium government. We would note that the Code Project reports that a number of commenters noted the value of establishing standards through legally binding recommendations or guidance that can be updated as new information becomes available yet will be applied and enforced equally across all contractors to provide regulatory certainty and a level playing field. Important, operational provisions to protect the marine environment such as thresholds need to be binding.

We share the view of the Netherlands that a mechanism to provide for standards to become legally binding without necessarily having to amend the regulations would be helpful. We would agree with Japan that it should be clear what is legally binding and what is not and with China's point that the Council has a role in determining guidelines and recommendations, a point also made by Australia. All this said however, these are very important issues which require serious consideration and we hope that delegations give due regard to these issue over the next several sessions of negotiations.

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