

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART I**

Informal Working Group - Environment

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.

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

Republic of Nauru

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

Regulation 46ter

3. 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, 2 and 3 “The Contractor” should be “A Contractor”.

1 ~~The~~ A Contractor, through ~~the~~ its Environmental Management and Monitoring Plan required under Regulation 48, shall observe, measure, evaluate and analyse, ~~by recognized scientific methods~~ in accordance with Best Environmental Practices and Best Available Techniques, the environmental risks or effects ~~of pollution and other hazards~~ to the Marine Environment ~~of arising from~~ the mining operation following the approval of the Plan of Work. ~~It shall keep under surveillance the effects of the mining operation to determine whether it is likely to have harmful effects on the marine environment~~

2 ~~The~~ A Contractor shall cooperate with the Authority and the sponsoring State or States in the establishment and implementation of environmental monitoring programmes

3and shall submit data and information, in accordance with the ~~relevant~~ applicable Standards, and taking into account the ~~relevant~~ applicable Guidelines...

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

- 1 Drafting style and consistency.
- 2 This paragraph can be simplified, with a more general application beyond pollution. While “recognized scientific methods” is used in the Convention (article 165(2)(h)), the concepts adopted in the draft regulations are preferable.
- 3 Consistency in use of terminology.
- 4 Needs to be consistency across the regulations. For example, regulation 46bis uses “applicable” not relevant. Suggest that “applicable” is used across the entirety of the regulations, including “applicable Regional Environmental Management Plan”.

- 5 Clarity also needed in paragraph 3 as regards “and recommendations issued by the Commission”. Recommendations made under regulation 44(3)?