

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART 3**

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:

African Group of 47 Member States

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

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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 Alt. The purpose of the Fund is to finance compensation and mitigation costs, which cannot be borne by the Contractor or Sponsoring State as the case may be, for environmental damage outside of consented activity.

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

As currently drafted, the purpose of the Fund could be read to include compensation for expected/inevitable environmental damage and prevention. In addition, the purpose of the Fund would also seem to cover expected post mining remediation, which overlaps with the EPG.

We had envisaged that the Fund would only cover mitigation and compensation from damage that unexpectedly occurs outside of the consented activity that contractors were unable to remedy through their own finances and/or insurance. That is, contractors’ own funds should be the first call for any required compensation and/or mitigation.