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

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 of Working Group:**

   Protection of the Marine Environment

2. **Name(s) of Delegation(s) making the proposal:**

   Deep Ocean Stewardship Initiative and The Pew Charitable Trusts

3. **Please indicate the relevant provision to which the textual proposal refers.**

   DR 13, DR 48, Annex VII, and Schedule: Use of Terms and Scope

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.

Note: blue text indicates our suggested amendments and red text indicates the most recent revised facilitator text.

DR 13

4. The Commission shall determine if the proposed Plan of Work (...):

ebis. includes Environmental Plans:

(i) based upon adequate baseline data, robust modeling, and suitable indicators and thresholds,

(ii) that identify and manage appropriately the certainties, uncertainties or inadequacies in the data or information available at the time of application;

(iii) that include Preservation references zones and Impact reference zones in line with the criteria contained in Annex [XX]

(iv) meet equivalent standards to relevant international rules with regards to any deliberate disposal of vessels, platforms or other man-made structures at sea.

DR 48

3bis A Contractor shall reflect in its Environmental Monitoring and Management Plan(...)

(d)   How the impacts of the operation as well as the effectiveness of mitigation measures will be monitored, in accordance with Regulation 46ter and the EMMP Standard, and including the use of Preservation reference zones and Impact reference zones designated in accordance with Annex [XX];

Annex VII

(2) An Environmental Management and Monitoring Plan shall contain (...):

(i) The location and planned monitoring and management of Ppreservation references zones and Iimpact references zones designed in accordance with the criteria contained in Annex [XX], or as well as other spatial management planning tools if any; [...]

Schedule: Use of Terms and Scope

"Impact reference zone" (or "IRZ") means a zone designated within the Contract Area [in accordance with Annex XX to these regulations] that is representative of the environmental characteristics of the Contract Area, is predicted to be impacted by mining activities, and will be used to assess the effects of the Exploitation on the marine environment, including by way of comparison with the Preservation reference zones.

"Preservation reference zone" (or "PRZ") means a zone designated within the Contract Area [in accordance with Annex XX to these regulations] that has been identified as having similar ecological characteristics to an Impact reference zone, and within which no mining impacts are predicted to occur, which will be used to show a representative and stable ecosystem from the sea surface to the benthic subsurface layers, and can be used to form a comparison with an Impact reference zone.

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

During the ISA's 26th session (part 3) an intervention by the Deep Ocean Stewardship Initiative (DOSI) proposed the inclusion of a new Annex to the Regulations that would set out design criteria for IRZs/PRZs, as crucial environmental monitoring measures. Such binding criteria are urgently required, but currently absent from the ISA's rules and regulations. A separate submission has been made to propose specific text for that Annex. This submission proposes language required in the body of the Regulations, to give that Annex effect. The two submissions should be read together.

Although DR13 does not fall under the auspices of the Marine Environment IWG, we have included that textual proposal as it appears relevant to the IRZ/PRZ issue (which is within the IWG's scope).