

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup> SESSION:  
COUNCIL - PART I**

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](mailto:council@isa.org.jm).

**1. Name of Working Group:**

Protection and preservation of the marine environment

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

Norway

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

DR 45

**4. 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.**

**Regulation 45**

**Development of environmental Standards and Guidelines**

1. The Council shall, based on the recommendations of the Commission, develop Environmental Standards and Guidelines shall be developed in accordance with regulations 94 and 95 and shall include, inter alia, the following subject matters ~~aimed at ensuring a Contractor does not cause Serious Harm to the Marine Environment~~:

(a) Environmental quality objectives, ~~and indicators and thresholds~~, including but not limited to on ecological balance of the marine environment ecosystem, structures, functions and services, biodiversity status, plume, dispersion and dilution, toxicity, composition, water chemistry, as well as ~~and extent~~ sedimentation rates ~~and light and noise emissions~~. This also includes ~~(a)bis B~~ baseline data collection, including as well as all available data on the marine ecosystems and biodiversity.

(b) Environmental management, reporting and mMonitoring procedures to assess the impacts on the Marine Environment, including and interpretation of results, and

(c) Mitigation measures of harmful effects to the marine environment, Mitigation measures Prevention, reduction and control measures and/or remediation of environmental harm, and/or where possible, remediation or compensation of environmental harm, thereby following the mitigation hierarchy of avoid, minimize, remediate

(d) Technical requirements with regard to the equipment used for the Exploitation activities and

(f) Quantitative assessment of Eenvironmental Eeffects.

(g) Assessment of accidental events and natural hazards leading to environmental emergencies as well as environmentally hazardous discharges and residual effects of such emergencies, including preparation and implementation of emergency response and contingency plans.

(h) Procedural and substantive requirements relating to submissions required by these regulations, including but not limited to: Plans of Work, Environmental Management Systems, Environmental Impact Assessments, Environmental Impact Statements, and Environmental Management and Monitoring Plans.

(i) Safe management and operation of mining vessels and installations.

~~2.—The Authority shall not approve any Exploitation activities unless the necessary environmental Standards and Guidelines have been adopted.~~

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

- (1) To retain clear lines of responsibility (and liability), we prefer removing “aimed at ensuring a Contractor does not cause Serious Harm to the Marine Environment”. The aim of environmental standards and guidelines is self-explanatory. Further, it is the Contractor’s responsibility not to cause Serious Harm to the marine environment.
- (2) Suggest deleting. As we have understood it, the Council has already asked the LTC to develop certain standards and these are now developed by the LTC according to three designated phases. In addition, this seems like the content of a proposal for a Council decision, and not for the Exploitation Regulations themselves.