

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

*Informal Working Group - Environment*

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to [council2022@isa.org.jm](mailto:council2022@isa.org.jm).

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

Submitted by the International Marine Minerals Society (IMMS)

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

Definition of Environmental Effect from the [President's Text](#) – Schedule – Use of terms and scope

**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.**

"Environmental Effect" means any **material** consequences in the Marine Environment arising from the conduct of Exploitation activities, ~~whether~~ positive, ~~negative~~, direct, indirect, ~~cumulative~~, temporary or permanent.

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

There are a number of terms that need better definition. These terms should be defined with input from the whole spectrum of ISA stakeholders.

There are also a few terms that have been defined (see Schedule, Use of terms and scope, of the President's Text) for which we see room for improvement.

- **Environmental Effect** – We generally support the definition of "Environmental Effect" but we are concerned the current definition may be too broad for all uses. For example, the EIA and EIS will deal with key environmental effects (as determined through an Environmental Risk Assessment), and not every effect (i.e. the EIA and EIS will not consider in detail effects that are considered trivial or insignificant). There may be a need to differentiate environmental effect (i.e. any effect) from Environmental Effect (which perhaps means material effect?) in the regulations. This likely needs further discussion. We note, too, that Cumulative Effects now has a separate definition and so does not need to be included in this one.

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Deleted: , or **C**umulative **e**nvironmental effect arising over time or in combination with other [mining impacts] [effects or impacts] [stressors and activities in the same area, including those not regulated by the Authority].

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- (a) 'techniques' includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned; ¶
- (b) 'available techniques' means those developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the Member State in question, as long as they are reasonably accessible to the operator. ¶
- (c) 'best' means most effective in achieving a high general level of protection of the environment as a whole;]

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