

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH 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.

1. Name of Working Group:

IWG Environment

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

Russian Federation

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

Reg. ~~54~~55

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.

The purpose of the Fund is to finance the implementation of any necessary measures designed to mitigate or compensate for ~~any~~ loss or damage to the ~~m~~Marine ~~e~~Environment of the Area or coastal states, arising from ~~exploration-exploitation~~ activities in the Area, when the costs of such measures and efforts cannot be recovered from a Contractor or Sponsoring State.

This includes the remediation, restoration and rehabilitation of the Marine Environment Area (when the rehabilitation is technically and economically feasible) ~~and~~ in accordance with Good Industry Practice, Best Environmental Practices and Best Available Techniques.

~~when the costs of such measures and efforts cannot be recovered from a Contractor or Sponsoring State, as the case may be for environmental damage outside of consented activity. Compensation can be used in cases when the restoration and rehabilitation are impossible. shall include the costs for implementation of any necessary measures designed to prevent, reduce, mitigate, limit, and remediate any damage to the marine environment and its resources.~~

~~2. Based on the precautionary principle the contractor shall pay for any necessary measure to limit, remedy and compensate any damage to the Area arising from the mining activities.~~

~~3. In cases where the contractor' payment is insufficient to limit, remedy and compensate any damage to the Area arising from the mining activities, the compensation fund may be used.~~

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

Remediation is removal of pollution (we guess that it is always possible). Restoration is the enhancement, creation, or re-creation of habitats (it also seems to be possible). Rehabilitation

is the process of restoring a site to its initial, pre-mining conditions (it seems to be impossible in some cases)

The sense of provisions of paragraphs 2 and 3 repeat the sense of words “when the costs of such measures and efforts cannot be recovered from a Contractor or Sponsoring State” in paragraph 1.