

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS FOR THE 29<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.**

DR44ter 7 (c), (d), (e) and (f). from the consolidated draft text (ISBA/29/C/CRP.1) dated 16 February 2024.

**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.**

DR 44 ter 7.

- (c) ~~Prevent~~ Mitigate significant changes in the distribution, abundance or productivity or species of flora and fauna, as applicable;
- (d) ~~Prevent~~ Mitigate, to the extent this is reasonable, further jeopardy to endangered or threatened species or populations of said species, if applicable;
- (e) ~~Prevent the degradation of~~ Maintain ecosystem functions (e.g. the long-term natural productivity of habitats, elemental cycling, trophic relationships) on a regional scale;
- (f) ~~Prevent~~ Mitigate non-negligible risks of Contamination by pollutants, damage to flora and fauna, where applicable, or other harmful effects to ecosystem integrity on a regional scale during any phase of the mining process;

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

The word “Prevent” should be “Mitigate” and then the definition of Mitigate should include all the tiers of the mitigation hierarchy (including prevent/avoid).

Note: flora does not exist below 200 m water depth. Mentioning flora is applicable to surface/near-surface waters, but not the deep ocean. Thus, we’ve suggested adding “if applicable”, “as applicable” or “where applicable” in places.

For (d), it is unreasonable to expect contractors to be responsible for preventing (all) further jeopardy to endangered or threatened species or populations of said species globally – we have added “to the extent this is reasonable” (which is to mean “to the extent that’s within the Authority’s/a contractor’s control”)

For (e), “on a regional scale” is needed.

Similarly, for (f), ecosystem integrity on a regional scale is what needs to be protected.