

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS AFTER THE 29TH 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:** Protection and Preservation of the Marine Environment
- 2. Name(s) of Delegation(s) making the proposal:** Federated States of Micronesia
- 3. Please indicate the relevant provision to which the textual proposal refers.**

Draft exploitation regulation 46(3)(b bis)

- 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.**

3. The Environmental Impact [Process] shall:

(b) bis Be based on the best available science and scientific information, and, ~~if applicable, taking into account~~ where available, relevant traditional knowledge of Indigenous Peoples and local communities

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

Micronesia proposes the redrafting of paragraph 3(b bis) of draft exploitation regulation 46 to bring the language on science and traditional knowledge into consistency with similar language elsewhere in the draft exploitation regulations (e.g., draft exploitation regulation 44(1)(c), draft exploitation regulation 47 bis(3)(e); Annex III bis (e), the definition of “Serious Harm” in the Schedule on the Use of Terms) as well as with similar language throughout the BBNJ Agreement. In particular, we would insert the reference to “science” alongside “scientific information,” delete the comma after “scientific information,” delete the text on “if applicable, taking into account”, and insert “where available” in place of the latter. In our view, the qualifier of “relevant” before “traditional knowledge” addresses what “if applicable” is trying to achieve. Also, “taking into account” lowers the status of traditional knowledge compared to science in this provision, which would not be in keeping with usage elsewhere in the draft exploitation regulations as well as in the BBNJ Agreement, among others.

