

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30TH 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.im.

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

Russian Federation

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

Reg. 48 ter

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.

1. ~~1.~~ Subject to this Regulation, [an Applicant [or] a Contractor] shall conduct Test Mining [prior to submitting an application for a Plan of Work for Exploitation ~~or~~ before starting any commercial mining under an Exploitation Contract]. Information gathered through Test Mining shall be compiled in a Test Mining report in accordance with Annex IV, be in accordance with the ~~{applicable}~~ Standard and ~~{taking into consideration}~~ Guidelines ~~{and shall inform on the application for a Plan of Work for Exploitation in particular with regard to the protection of the environment~~ ~~, if applicable~~.

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1bis. Test Mining may have also to be undertaken in case of developing of new mining equipment.

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~~{2.~~ The purpose of the Test-Mining is to validate that the proposed mining equipment is technically appropriate, to get -and-evidence to support the information provided by an applicant in its application for a Plan of Work for Exploitation, and to validate that the impacts and effects of the Exploitation activity, in particular with regard to the Protection of the Marine environment, [do not harm the marine environment and] operates as described in the Environmental Impact Statement/Plan of Work. }

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3. Test Mining in the Area requires a prior approval by the ~~{Commission}~~ and shall be carried out with reasonable regard for other activities in the Marine Environment, in accordance with Article 147 of the Convention, and in accordance with the applicable Standards and taking into consideration the Guidelines and Recommendations ~~{issued by the Commission under the Exploration Regulations}~~, in particular to ensure that the

Marine Environment is effectively protected from ~~harmful effects~~, ~~including the cumulative effects~~, in accordance with Article 145 of the Convention.

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4. Test Mining does not have to be undertaken if the ~~data and information~~ pursuant to paragraph [2] has been provided through other Test Mining undertaken by the Applicant, [Contractor], by other contractors, or in the context of another approved Plan of Work for Exploration or Exploitation. Where the Applicant or [Contractor] relies on such information it shall compile the information in its Test Mining report and explain why this information is sufficient evidence for the purpose of paragraph [2]. The Commission shall, in its review of an ~~application~~ ~~request~~ assess whether the ~~data and~~ information provided by the applicant in the Test Mining report pursuant to paragraph above is sufficient to demonstrate compliance with the requirements set out in paragraph [2] above and report to the Council pursuant to Regulations 11-15.

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5. ~~Before commercial mining may commence in accordance with Regulation 25~~, a validation monitoring system shall be established by the Contractor, in line with the Environmental Management and Monitoring Plan, in order to monitor whether the requirements of the Plan of Work are complied with. In case of non-compliance, Regulation 52 will apply.

8. After the Test Mining, the Contractor shall submit to the Commission a Test-Mining report. The Test Mining report shall provide sufficient information on the findings from the Test-Mining, in accordance with the Standards and taking into consideration the Guidelines. ~~The Test Mining report shall provide the Commission with sufficient information to review the results in light of the Environmental Impact Statement/Plan of Work.~~

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9. ~~If the Test Mining was conducted after approval a Plan of Work for Exploitation,~~ The Commission shall, without undue delay, review the findings of the Test-Mining study in light of the Environmental Impact Statement/Plan of Work. If the findings of the Test Mining are in accordance with the Environmental Impact Statement/Plan of Work, the Commission shall notify the Contractor, and the Contractor may commence Commercial Production in accordance with the Exploitation Contract.

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

~~We are taking into account that place of Test Mining in the stage of activity in the Area, as well as possibility and necessity of Pilot Mining, are still under consideration and we are ready to participate in further discussions.~~

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We also think that Test Mining may have to be undertaken in case of developing of new mining equipment (to test its technical appropriation and assess environmental impacts and effects).

