

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30<sup>TH</sup> 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](mailto: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. 55

**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. The purpose of the Fund is to finance the implementation of any necessary measures designed to ~~M~~mitigate or compensate for any loss or damage to the Marine Environment, ~~including the coastal line states, for damage caused to third parties~~ arising from activities conducted under an Exploitation Contract ~~[that was not foreseen in the Plan of Work or that arise from a breach of any condition of approval]~~. The Fund shall cover at least 2 situations:

(a) Where there is ~~a~~ damage caused by contractor activities that were not authorized; or

(b) Where there is ~~an~~ unforeseen damage caused by contractor activities that were authorized activities or where the Contractor acted negligently.

2. Based on the polluter pays principle and as reflected in these Regulations, it is the responsibility of the Contractor to pay for any necessary measure to ~~limit, m~~Mitigate, ~~remedy~~ and compensate any damage arising from the activities conducted under an Exploitation Contract.

3. In cases where situations may arise, where a Contractor does not meet its liability in full while the Sponsoring State is not liable under Article 139 (2) of the Convention, the ~~compensation F~~und may be used as a last resort after exhausting all other possibilities.

4. Compensation to ~~[any]]a]~~ person affected by damage pursuant to paragraph 3 shall include the costs of implementation of any necessary measures designed to ~~M~~mitigate any damage to the ~~M~~marine ~~E~~environment and its resources.

5. The Fund shall be subject to periodic review, including the consideration of whether Restoration has become technically and economically feasible and could be carried out ~~in accordance~~ taking into account with Good Industry Practice, Best Environmental Practices and Best Available Techniques when the costs of such

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measures and efforts cannot be recovered from a Contractor or Sponsoring State, as the case may be.]

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

In our view, according to the title of Fund (Environmental) its purpose is to Mitigate or compensate for any loss or damage to the Marine Environment (not to third parties, other persons, etc.)

3: this is unclear, do we speak only about damage to the Marine Environment in this case or not?

4: We have some concerns that range of people affected by damage to the Marine Environment could be too wide (in some sense, each person could assess him/herself as affected in some cases): thus, clear criteria are necessary