

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH 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.

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

Norway

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

46ter

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.

Regulation 46ter

Environmental monitoring

2. A-The Contractor shall cooperate with the Authority and the sponsoring State or States in the establishment and implementation of monitoring programmes. shall establish and implement an environmental management and monitoring plan, after approval by cooperate with the Authority and the sponsoring State or States in the establishment and implementation of the Contractor’s environmental monitoring programmes.

1. ~~A-The Contractor, through the~~ pursuant to its Environmental Management and Monitoring Plan required under Regulation 48, shall observe, measure, evaluate and analyse, in accordance with Good Industry Practice, Best Available Scientific Evidence, Best Environmental Practices, and Best Available Techniques, the environmental risks or effects of pollution and other hazards to the mMarine eEnvironment ~~of arising from~~ the mining operation following the approval of the Plan of Work. It shall keep under surveillance the effects of the mining operation to determine whether it is having or likely to have harmful effects on the mMarine eEnvironment.

~~2. A-The Contractor shall cooperate with the Authority and the sponsoring State or States in the establishment and implementation of monitoring programmes. shall establish and implement an environmental management and monitoring plan, after approval by cooperate with the Authority and the sponsoring State or States in the establishment and implementation of the Contractor’s environmental monitoring programmes.~~

3. The Contractor shall report annually in writing in accordance with these regulations to the Secretary-General on the implementation and results of the an environmental management and monitoring programme-plan referred to in paragraph 2, in accordance with regulation 38, paragraph 2(g), and shall submit

release publicly, in an accessible format, at monthly intervals, [environmental](#) data and information in the required standardized format, and in accordance with the ~~relevant~~ applicable Standards, and taking into account the relevant applicable Guidelines ~~and recommendations issued by the Commission.~~ The Secretary-General shall transmit such annual reports to the Commission for its consideration pursuant to article 165 of the Convention and publish them pursuant to Regulation 38(3).

4. In implementing paragraph 1, the Sponsoring State and Contractor shall maintain consultations, including a system of prior notification, with any coastal State across whose jurisdiction resource deposits in the Area lie, with a view to avoiding infringement of their rights and legitimate interests, in accordance with Regulation 4.

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

While we appreciate the attempt to clarify the link between 46ter and 48, and regulation 38, the elements of 46ter should in our view be implemented in DR 48 pertaining to the EMMP, since the EMMP is the document setting out how the environmental monitoring will be carried out. However, if 46ter is kept, (2) should come before (1) so the requirement of a plan is stated first, and then the content of the requirement is elaborated on. (3) it should be clarified what “data” – “environmental data”. We further support the UKs proposal to look at this in conjunction with DR 102.