

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS FOR THE 28TH 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:

Submitted by the International Marine Minerals Society (IMMS)

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

Definition of "Mitigate" and "Mitigation" from the President's Text – Schedule – Use of terms and scope

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.

~~"Mitigation" means an action or activity intended to minimize, remedy or offset known potential negative impacts to the environment. These occur in a strict hierarchy:~~

- (a) ~~Avoiding an effect altogether by undertaking or not undertaking a certain activity or parts of an activity;~~
- (b) ~~Minimizing effects by limiting the degree or magnitude of the activity and its implementation to the extent practicable and necessary to ensure protection of the Marine Environment;~~
- (c) ~~Repairing, rehabilitating and/or restoring the affected Marine Environment; and~~
- (d) ~~Offsetting, only as a last resort.~~

Deleted: "Mitigate" and

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Deleted: Reducing or eliminating the impact over time through preservation and maintenance operations during the life of the mining activity.

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

There are a number of terms that need better definition. These terms should be defined with input from the whole spectrum of ISA stakeholders.

There are also a few terms that have been defined (see Schedule, Use of terms and scope, of the President's Text) for which we see room for improvement.

- **Mitigate and Mitigation** – We do not entirely agree with the current definition, which seems to replicate much of the mitigation hierarchy but omits the final step of offsetting. While

offsetting should be considered a last resort option, it is part of the mitigation hierarchy, and it is standard practise to consider it when making environmental management decisions. With this in mind, we suggest the above definition for "Mitigation".

- Avoidance is the first option for environmental protection, followed by mitigation, to minimize impacts