

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup> 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.*

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

Federal Republic of Germany

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

Draft Regulation 47bis

**Green text** is in original draft; **blue text** indicates Germany's textual proposals

**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 47 bis**

**Environmental Impact Assessment**

1. An applicant or Contractor shall carry out an Environmental Impact Assessment.

2. The purpose of an environmental impact assessment under this regulation shall be to predict environmental impacts anticipated from the proposed activities, to enable the Authority to assess the potential adverse Environmental Effects, with the aim to:

- a) Ensure effective protection for the marine environment from harmful effects which may arise from such proposed activities,
- b) Ensure that activities in the Area are carried out with reasonable regard for other activities in the Marine Environment,
- c) Avoid Serious Harm to the Marine Environment arising out of the proposed activities,
- d) Ensure, in accordance with article 142 of the Convention and Regulation 4, that the Sponsoring State and the Contractor, with respect to resource deposits in the Area which lie across limits of national jurisdiction, conduct the environmental impact assessment with due regard to the rights and legitimate interests and duties of affected coastal States by maintaining consultations and a system of prior notification to avoid infringement of their rights and legitimate interests, and
- e) Ensure that the proposed activities are carried out in accordance with the Rules of the Authority, general

International Law, including the Convention and the applicable Standard and taking into account the relevant Guidelines as well as, Best Available Scientific Evidence[Information], Best Environmental Practices, and Best Available Techniques

3. A Contractor shall periodically, and in accordance with Regulation 48bis, review, and when needed revise, previously performed Environmental Impact Assessments. This include reviewing cumulative effects of activities covered by the assessment whenever a material change in the mining operation has occurred, there is relevant new information or when the review indicates that such changes warrant a revision.

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

The content of Para 2 is rather describing the general purpose of the EIA process and should therefore be moved into DR47.

In contrast, the details now contained in DR 47 (EIA process), Para 3b), should form the basis of this regulation on the EIA.

We look forward to further intersessional work (as proposed by the UK) on streamlining the provisions for the EIA.