

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH SESSION:
COUNCIL - PART III**

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.jm.

1. Name of Working Group:

Informal Working Group – Environment.

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

Republic of Nauru

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

Regulation. 55 Alt 1

4. 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. Based on the polluter pays principle the Contractor shall pay for any necessary measure to limit, remedy and compensate any unlawful damage to the Area arising from the mining activities.

3. The purpose of the Fund is to finance the implementation of any necessary measures designed to mitigate or compensate for any unlawful loss or damage to the marine environment of the Area or coastal states, arising from exploitation activities in the Area. This includes the restoration and rehabilitation of the Area when technically and economically feasible and in accordance with Good Industry Practice, Best Environmental Practices and Best Available Techniques when the costs of such measures and efforts cannot be recovered from a Contractor or Sponsoring State, as the case may be for environmental damage outside of ~~consented~~ lawful activity. Compensation shall include the costs for implementation of any necessary measures designed to prevent, reduce, mitigate, limit, and remediate any unlawful damage to the marine environment and its resources.]

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

We support, with the proposed revisions above, continued discussion around regulation 55 Alt 1 as being a clear and concise formulation of the purpose of the ECF.

We suggest regulation 55 and 55 Alt 2 are deleted.