

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29TH SESSION: COUNCIL - PART II

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(s) of Delegation(s) making the proposal:**
France
- 2. Please indicate the relevant provision to which the textual proposal refers.**
Regulation 46 – Environmental Impact Assessment Process
- 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.**

Amendment of paragraph 2, in accordance with the definition contained in the schedule:

2. The purpose of an Environmental Impact Assessment under this Regulation shall be to to identify, predict, evaluate and mitigate the potential Environmental Impacts anticipated from the proposed activities, –[identify and inform the Authority’s assessment of an application of a Plan of Work under Regulations 13 to 16, or a Contract’s continued adherence to these Regulations and] predict [and evaluate the potential] Environmental Impacts, [effects and risks] anticipated from the proposed activities [on the marine environment and identify necessary measures to Mitigate or manage such effects and risks], to enable the Authority to assess the potential adverse Environmental Effects ~~[and risks]~~, with the aim to:

(a) inform the decision making

[...]

Amendment of sub-paragraph 3.d:

(d) Provide for proactive Stakeholder consultation at all stages in accordance with Regulation 93 bis, applicable Standards and taking into account the relevant~~consideration~~ Guidelines;

Move paragraph 4(f) to paragraph 3(d)bis, that is better placed at the beginning of the process:

(d) bis: A proactive consultation by an applicant or Contractor with Stakeholders at all stages, in accordance with [the applicablerelevant] Standards and taking [into consideration account of Guidelines.

Move paragraph 3(e) in a new paragraph 5 dedicated to the evaluation phase:

5) After its elaboration, the Environmental Impact Assessment [Process] shall be subject to:

a) ~~(e) Be subject to~~ an independent scientific assessment prior to the submission of the proposed Environmental Impact Statement to the Authority;

(d) The [development,] publication and review by the Commission of the Environmental Impact Statement, and publication of the [Commissions] report and recommendations [] to the Council pursuant to Regulations 11-15;

(e) A decision by the Council to approve, or not approve, the proposed activities or proposed modification to the Plan of Work that was the subject of the Environmental Impact Assessment, including any conditions imposed upon an approval, which decision shall be recorded and published in accordance with Regulation 16, and

~~{{f) A proactive consultation by an applicant or Contractor with Stakeholders at all stages, in accordance with [the applicable relevant] Standards and taking [into] consideration account of Guidelines. which includes:~~

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

In para. 2, the wording should be in accordance with the definition contained in the schedule (p.220).

The other suggestions, in particular the creation of a new paragraph 5, aim at clarifying the process.