

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29<sup>TH</sup> 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](mailto:council@isa.org.jm).

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

Republic of Nauru

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

Regulation 45

**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.**

2. The Council shall, based on the recommendations of the Commission, adopt Environmental Standards ~~in accordance with regulation[s 94 and 95]~~, inter alia on the following subject matters:

(c) the ~~[Resource and region specific]~~ Indicators and quantitative environmental thresholds; ~~including but not limited to;~~

~~[(i) biodiversity status and ecosystem structures, functions and services;~~

~~[(i) bis Physical properties of water (temperature, salinity, turbidity);~~

~~(i) ter Chemical properties of water;~~

~~(i) quad Chemical properties of sediments;]~~

~~(ii) sediment plume characteristics (in particular, composition and characteristics of dissolved and suspended matter, plume dispersion, properties such as turbidity, depositional footprint and chemical composition, sedimentation rates); dispersion and dilution, resettlement, temperature and toxicity.~~

~~(iii) Physico-chemical Characteristics of seawater and sediment, including water chemistry and temperature~~

~~(iv) light emissions;~~

~~(v) noise and vibrations emissions and~~

~~[(vi) habitat disturbance.]~~

~~[(vi) greenhouse gas emissions.]~~

3. The Authority shall not approve any Exploitation unless the environmental Standards ~~and Guidelines~~ have been adopted. The development and adoption of such Standards shall be prioritised and adopted by the Council without undue delay.

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

This regulation started life as a placeholder for the development of environmental standards – a point noted by the Commission given the importance of setting environmental standards, particularly environmental threshold values. However, we consider that elements are now overly prescriptive for regulatory text. For example, in sub-paragraph (2)(c) it should be sufficient to just refer to the indicators and quantitative environmental thresholds as this will provide the Commission with a broad power to formulate relevant and appropriate thresholds that can consider all contractors in all situations.

As to paragraph (3) of this regulation we continue to see the potential for undue delays in the development and adoption of the standards. We suggest in line with our prior submissions that the language “The development and adoption of such Standards shall be prioritised and adopted by the Council without undue delay” be added at the end of paragraph (3). This aligns with the prioritisation contemplated for regional environmental management plans at regulation 44bis, paragraph 2.