

**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:

Republic of Nauru

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

Regulation 47

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.

1. The applicant or Contractor shall, in accordance with the Standards, and taking into ~~consideration~~ ~~account the~~ Guidelines, undertake an impact assessment, ~~[as described in Regulation 46 (4),]~~ based on the Terms of Reference ~~[agreed]~~ ~~agreed~~ in the Scoping report, ~~[to describe the impacts on the marine environment and Underwater Cultural Heritage and to predict the nature and extent of the Environmental Effects of the mining operation, including residual impacts, on the marine environment and Underwater Cultural Heritage, also considering cumulative impacts, including existing and foreseen mining operations, other activities and natural phenomena.]~~ This includes assessing:

[...]

~~(f) The timing and duration of the impact relative to the period in which a species needs the habitat during one or more of its life history stages affected for its long survival.~~

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

We suggest that the term “agreed” is retained in paragraph (1) to ensure that there is clear agreement between the contractor and the Authority as to the level and amount of work that must be done for the EIA, prior to undertaking the assessment. This would also be consistent with regulation 47 bis(8)(c) which provides that before proceeding with an EIA, the contractor should agree the final contents of the terms of reference in the scoping report with the Commission.

For sub-paragraph 1(f), we would highlight that if this were to be moved to become a standard, it would not be feasible to know with certainty the life histories of all species of the marine environment that may be impacted. We also highlight that no equivalent or similar requirement is provided for in the Exploration recommendations.