

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30<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:**

Submitted by Nauru Ocean Resources Inc., Tonga Offshore Mining Ltd. and Blue Minerals Jamaica Ltd.

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

Draft Regulation 47bis (3)(e bis)

**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 ter-alt~~ [IWG ENV]

**Scoping Report**

3. In undertaking the Environmental Impact Assessment scoping process, the applicant or Contractor, shall:

[...]

(e) Use the best available science and scientific information and, where available, relevant traditional knowledge of Indigenous Peoples and local communities; and

(e bis) Review the Best Available Scientific Information and, where available, the relevant traditional knowledge of Indigenous Peoples and local communities and conduct consultations with the relevant Stakeholders to identify, to the extent possible, potential areas containing human remains and/or [underwater] cultural heritage, including intangible [underwater] cultural heritage, that are associated with the proposed Exploitation activities.

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

- We understand that there have been intersessional discussions regarding a proposed requirement for Contractors to identify human remains and/or underwater cultural heritage that are associated with proposed exploitation activities at the scoping stage of the Environmental Impact Assessment.
- We consider that it would not be possible to complete detailed surveys or full identifications of all human remains or underwater cultural heritage in an area of the seabed at the scoping stage because that level of information will only come from the Environmental Impact Assessment itself, and therefore, cannot be required to be included in a Scoping Report.
- Instead, at the scoping stage, Contractors should be required to undertake desk-based research and consultations with experts and stakeholders, and identify potentially relevant underwater cultural heritage. This will then allow them to flag risks related to underwater

cultural heritage, outline their plans for undertaking further investigations, and allow for informed decisions regarding the level of work required in subsequent assessments.

- We thus propose introducing a new sub-paragraph 3 (e bis) to Draft Regulation 47 bis to reflect this requirement.