

**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:

United Kingdom

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

DR44ter – Environmental Goals and Objectives

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.

Where the consolidated text currently contains tracked changes, these have been reverted to plain black text for ease of reading. UK text proposals are only presented in tracked changes function in Microsoft Word.

1. In performing their roles and obligations under the Convention, the Agreement, and all relevant rules, regulations and procedures of the Authority, Contractors, the Enterprise, the Authority and its organs, and Sponsoring States shall be guided by the Strategic Environmental Goals and Objectives, set out in paragraphs 6 and 7
2. The Council shall ensure that the Strategic Environmental Goals and Objectives pursuant to paragraphs 6 and 7 are operationalized through regionally and Mineral specific environmental objectives including in Regional Environmental Management Plans.
3. The Council shall ensure that the Strategic Environmental Goals and Objectives pursuant to paragraphs 6 and 7 and the regionally and Mineral specific environmental objectives in Regional Environmental Management Plans pursuant to paragraph 2 are further operationalised through environmental thresholds, developed pursuant to Regulations 45(2) and 94, prior to the assessment of the first application for a Plan of Work for exploitation.
- 4, Contractors, applicants, the Council and the Commission shall ensure that a proposed Plan of Work reflects and contributes to the achievement of the Authority's Strategie

Environmental Goals and Objectives, including those pursuant to paragraphs 6 and 7 as well as the relevant regionally and Mineral specific environmental objectives pursuant to paragraph 2.

5. The Authority shall keep its Strategic Environmental Goals and Objectives under periodic review and ensure amendments to reflect advances in scientific research and knowledge. Where the Authority's Environmental Goals and Objectives are revised, the Commission shall:

(a) inform Contractors and Sponsoring States and discuss whether any modification of a Plan of Work is required pursuant to Regulation 57; and

(b) recommend to the Council any necessary amendments to other relevant instruments, including Standards, Guidelines, and Regional Environmental Management Plans.

6. The strategic Environmental Goals are to sustain and contribute to restoring marine (benthic and pelagic) ecosystem integrity, including the physical, chemical, geological and biological environment, ~~and contributing to restoring ecosystem integrity.~~

7. The Authority's strategic Environmental Objectives are to:

(a) Prevent non-negligible loss of biodiversity, including genetic diversity, species richness and evenness, habitat or community types, and structural complexity;

(b) Maintain the ability of populations to replace themselves, including ensuring population connectivity and the preservation of suitable habitat;

(c) Prevent significant changes in the distribution, abundance or productivity of species flora and fauna;

(d) Prevent further jeopardy to endangered or threatened species or populations of said species;

(e) ~~Prevent the degradation of~~ Sustain ecosystem functions (e.g. the long-term natural productivity of habitats, elemental cycling, trophic relationships);

(f) Prevent non-negligible risks of Contamination by pollutants, damage to ~~flora and faunas~~ species, or other harmful effects to ecosystem integrity during any phase of the mining process;

(g) Prevent significant changes in the atmosphere, climate and weather patterns, the terrestrial environment, or the Marine Environment;

(j) Prevent significant adverse effect on air and water quality;

(h) Maintain resilience to prevent regime shift, and to support recovery from cumulative impacts, including mining, that can affect source populations and communities, connectivity corridors, life-history patterns and species distributions;

(i) Sustain ecosystem services, including carbon sequestration, recognizing that many are yet to be discovered;

(k) Prevent non-negligible risks that will undermine the protection and conservation of the natural resources of the Area and the prevention of damage to the ~~flora and faunaspecies~~ of the Marine Environment;

(l) Prevent degradation, or risk of degradation to special biological, scientific, archaeological, or historical significance of the Area or the Marine Environment. This shall include the~~and~~

~~(m) Preservation of~~ preservation of vulnerable and unique marine ecosystems.]

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

The UK is strongly supportive of the need for the Authority to develop a systematic framework of environmental goals and objectives (eGOs) to guide its work. Such a systematic framework should link across the work of the ISA, include targets and indicators to operationalise the eGOs, and be developed using a SMART approach (Specific, Measurable, Achievable, Relevant, Time-bound). EGOs within the exploitation regulations are an important part of this systems framework. We are grateful to the proponents for the drafting of 44ter and consider it a helpful basis to begin discussions on how eGOs should be included in these exploitation regulations. We consider a detailed discussion of Council/interested Council members on these eGOs would be beneficial, to agree on the aim of and drafting approach for these eGOs, and especially in light of the many technical elements in their drafting. In advance of such a discussion, we have provided our first set of technical comments based on current Idraft regulation 44ter, but further technical discussions are, in our view, required:

44 ter (2& 3) - we agree that higher-level eGOs (here 'strategic eGOs') need to be operationalised through regional and mineral-specific objectives, but do not want to constrain that mineral-specific objectives can only be operationalised in REMPs.

44 ter (4) - a Plan of Work shall reflect and contribute to all eGOs of the Authority.

44ter (5) - we consider any revisions (including changes or additions) of both goals and objectives should be considered.

44ter (6) - drafting proposed to avoid repetition between start and end of paragraph 6.

44ter (7a) - Para 6 goal as drafted includes sustaining marine ecosystem integrity. **Para 7 (a)** as drafted is one objective (noting multiple will be needed) to achieve this strategic goal. We therefore support the intent. However, to make a link between ecosystem integrity in the goal, and the very specific elements that make up marine biodiversity in para **7 (a)**, we propose a reference to the objective of maintaining

biodiversity as a whole, before moving into more detail listing the components that need to be considered to achieve this.

On the specific content of **7 (a)**, we agree species richness should be included, but a community is also characterised by its species evenness, so we propose that it should also be included here.

44 ter (7) (a) & (7) (j) We note that the statement in **(7) (a)** to 'prevent loss of genetic diversity' is quite absolute for a high-level objective. Loss of one individual of a species is technically a loss of genetic diversity. Therefore, we would recommend each objective drawing on the approach taken in paragraph **(7) (j)** and others to prevent 'significant' or 'non-negligible' changes or similar wording as decided, to better quantify the objectives to make them "Achievable" and "Measurable", as required by SMART objectives.

44 ter (7) (c) & (f) & (k): Flora and fauna as a technical term only covers plants and animals, but all life should be covered. We have suggested 'species' as a succinct, all-encompassing term.

44 ter (7) (e): We consider 'sustain' ecosystem functioning is more appropriate, as used for ecosystem services in **(7) (i)**. We think this more clearly refers to making sure the functions that are already occurring can keep occurring within their natural variability for that specific location.

44 ter (7) (l) & (m) - we consider vulnerable and unique marine ecosystems are a category which could sit within the list detailed in paragraph (l), so suggest merging these two objectives.