



Council

Distr.: General
17 December 2018

Original: English

Twenty-fifth session

Council session, part I

Kingston, 25 February–1 March 2019

Item 11 of the provisional agenda*

Draft regulations for exploitation of mineral resources in the Area

Content and development of standards and guidelines for activities in the Area under the Authority's regulatory framework

Note by the secretariat

I. Background

1. The present note provides the Council with relevant background information on the process for developing and prioritizing standards and guidelines under the draft regulations on exploitation of mineral resources in the Area ([ISBA/24/LTC/WP.1/Rev.1](#)). In recent comments on the draft regulations, member States and other stakeholders underscored the importance of standards and guidelines as part of the legal framework. They also highlighted the need to develop critical standards and guidelines in parallel with the regulations, with the involvement of relevant stakeholders. The appropriate mix of prescriptive measures in the regulations, process and performance standards and guidelines will be determined in accordance with the needs of the Authority, the industry and relevant stakeholders. Standards and guidelines help to ensure a level playing field across the contractor base and the consistent treatment of specific risks. The Authority's principal role is to specify and monitor outcomes and take regulatory measures in conjunction with sponsoring States in the event of underperformance. Flexibility is also key. Setting goals and objectives and developing precise, measurable performance standards (outputs) are preferable to imposing overly prescriptive measures; there should therefore be flexibility in the choice of process standards, methods or equipment used to meet those goals, objectives and performance standards. Getting this groundwork right will establish a stable legal framework and contribute to the robust, efficient and transparent regulation of mining activities by ensuring the highest operating, safety and environmental protection standards. The figure in the annex to the present note¹

* [ISBA/25/C/L.1](#).

¹ The annex is being circulated in the language of submission only.



provides a broad overview of the relationship between the respective inputs (goals and objectives, regulatory measures, standards and guidelines, and so forth) and an outcome-based approach to regulation.

2. In adopting and implementing the regulations, the Authority must, for the exercise of its functions under part XI of the United Nations Convention on the Law of the Sea, incorporate “mining standards and practices, including those relating to operational safety, conservation of the resources and the protection of the marine environment”.² That requirement is reflected in draft regulation 92, which states that the Legal and Technical Commission is to make recommendations to the Council on the adoption of standards. Furthermore, pursuant to draft regulation 93, the Commission and the Secretary-General are to issue guidance documents (guidelines) of a technical or administrative nature, while the Council is to exercise oversight to ensure that the guidelines are consistent with the rules of the Authority.

3. As noted by the Commission, further discussion is needed on how best to reflect and incorporate standards and guidelines into the regulations and on their legal status, that is whether they should be mandatory or merely recommendatory ([ISBA/24/C/20](#), para. 13).

4. The primary focus of the present note is the adoption and implementation of standards and guidelines as they apply to the regulation and conduct of activities in the Area by contractors, subject to the jurisdiction of the Authority and sponsoring States. Other rules and standards will flow from other competent authorities, such as flag States in respect of normal ship operations. It is also important not to overlook process standards for the proper and transparent functioning of the Authority as a regulator, such as standards adopted in connection with a risk assessment framework,³ the setting up and maintenance of the Seabed Mining Register or the establishment of inspection procedures under a future inspection mechanism (see [ISBA/25/C/5](#)).

II. Primer on standards and guidelines, and their legal status

5. The Authority’s standards and guidelines should be in line with the requirements of the Convention and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, draw on or be compatible with generally accepted international standards and principles and help to advance the delivery of the relevant Sustainable Development Goals.⁴ A wealth of standards and guidelines have been adopted and published by parallel industries, national regulatory bodies and standard-setting organizations, particularly in the oil and gas sector. Many (including their underlying principles) are directly applicable to activities in the Area or could be adapted accordingly. There are also a number of overarching international standards and principles flowing from the Global Reporting Initiative; the United Nations Global Compact; various International Finance Corporation guidelines and standards relating to the environment, social sustainability, health and safety; the Equator Principles; and the Extractive Industries Transparency Initiative.

² Annex III, article 17 (1) (b) (xii), of the Convention.

³ The key questions of what the Authority regulates, and how and when to regulate it in conjunction with sponsoring States, remain a core part of the discussion on the Authority’s risk-based approach to regulation. An appropriate risk assessment and risk management methodology needs to be put in place.

⁴ See strategic directions 1.1, 2.1 and 2.2 of the strategic plan of the International Seabed Authority for the period 2019–2023 ([ISBA/24/A/10](#), annex).

6. In considering relevant standards, an important distinction should be made between process and performance standards.

Process standards

7. Process standards are generally understood as representing a consensus on a particular issue and embody an agreed practice or procedure (standardization). They evolve through the many organizations that develop standards, and numerous standards are set by industries or at the national, regional or global level, by subject matter or on industry-specific issues, the most prominent being the standards of the International Organization for Standardization (ISO). While process standards are generally voluntary in nature, regulators may reference such standards, or particular parts or principles thereof, as either being the only approach or one of a number of recommended approaches.⁵

8. A good example of a process standard in connection with activities in the Area relates to environmental management systems to support the delivery of environmental policy and improve environmental performance. The draft regulations should require the adoption of an environmental management system.⁶ However, rather than prescribing, within the regulations, the adoption of a specific standard for an environmental management system (such as ISO 14001:2015), the Authority should issue guidelines setting out the benchmark standard, objectives and principles, and other equivalent standards. This would allow for flexibility in cases where a contractor is subject to equivalent or higher standards under the national laws of the sponsoring State or when modification of the standard is required.

9. It is important to note that standards may also be sourced from the existing standards, guidelines, codes of conduct, recommendations, decisions and resolutions of other regional and international regulatory bodies, such as the International Maritime Organization, where a generally accepted rule, practice or procedure is documented as part of a formal development and adoption process.

Performance standards

10. Performance standards will be specific to the Authority. They should be determined in accordance with an appropriate assessment framework and will be mandatory. Meeting the performance standards will form part of the terms and conditions of an exploitation contract (as set out in an approved plan of work or relevant subplan) and will be a key part of the overall measure of a contractor's performance. Given the Authority's preference, and that of many regulators, for outcome- or results-based regulation, performance standards will be of primary importance. Appropriate performance standards that set out what contractors must deliver, yet afford them the flexibility to decide how to do so, will encourage innovation and contribute to the development of best practices for activities in the Area. The most obvious category of performance standards is environmental performance standards, including quantitative environmental thresholds and trigger points for particular environmental effects.⁷ In connection with environmental protection, these standards will be influenced by regional goals and objectives, such

⁵ Standards may also be adopted by an industry through voluntary codes of practice (such as the Code for Environmental Management of Marine Mining, adopted by the International Marine Minerals Society) and be considered good industry practice.

⁶ As highlighted in recent stakeholders' comments on the draft regulations, this requirement has been omitted from the current draft. This should be corrected in subsequent draft text.

⁷ Paragraph 2 (j) of annex VII to the draft regulations provides that an environmental management and monitoring plan shall contain "a description of relevant environmental performance standards and indicators (trigger and threshold points), including decision rules based on the results of the monitoring of these indicators."

as those contained in regional environmental management plans, as well as by project-specific targets.

11. Standard development should primarily be an industry-driven initiative, a point emphasized by the Commission since 2015.⁸ Indeed, regulators tend to make use of industry, national, regional and international standards to fulfil regulatory obligations, supported by subject-specific guidelines issued by the regulator. This should be recognized in any standard development process.

Guidelines

12. Under draft regulation 93, the Authority would also issue technical and administrative guidelines. Guideline documents will provide process and practice guidance. Process guidelines will contain guidance on, for instance, the application process or the fulfilment of annual reporting requirements. Practice guidelines will set out recommended ways of doing things, such as the format for providing bathymetric data; promote understanding of and compliance with regulations, tools and protocols for environmental and safety management; and help to disseminate best practices.

13. The legal status of such guidelines will be determined largely by their content. Some guidelines will be referenced in the regulations;⁹ others may be referenced in the plan of work. Each guideline should contain a clear statement of its purpose and legal status¹⁰ and a defined review period. Guidelines facilitate in an authoritative manner the implementation of the regulatory framework and can also provide interpretive guidance on specific regulatory text, such as the concept of good industry practice or the application of “as much as reasonably practicable” under draft regulation 34. Guidelines will give the regulatory framework the necessary flexibility to be adaptive and responsive to new technology, information and knowledge.¹¹ The development of guidelines is the primary responsibility of the Authority.

14. Standards and guidelines are not mutually exclusive and will complement each other in time and space; they will also contribute to good practices within the industry and the evolution of best practices. Achieving performance standards will be supported by the delivery of process standards and guidelines. Guidelines will provide guidance on the application of relevant standards or best practice development, which may lead to the emergence of new standards in the Area. More prescriptive measures in the regulations may be adopted at a later stage of development, and where a clear and preferred process or method emerges for the management of significant risks. While standards and guidelines should be consistent with part XI of the Convention, any departure from the recognized standard or guideline should be encouraged where this achieves a higher level of protection in respect of health and safety or the marine environment and is in keeping with technological development.

⁸ See the Authority’s report of March 2015 addressed to members of the Authority and all stakeholders on a draft framework for the regulation of exploitation activities in the Area.

⁹ Draft regulation 7 (3), for example, states that an application is to be prepared in accordance with the Guidelines.

¹⁰ Section 3.3 (c) of the standard clauses for exploitation contract requires contractors to observe, as far as reasonably practicable, any guidelines which may be issued by the Commission or the Secretary-General from time to time in accordance with the regulations. Clarity in the legal status of each set of guidelines removes the potential uncertainty in this obligation.

¹¹ See strategic direction 2.3 of the strategic plan of the International Seabed Authority for the period 2019–2023.

III. Possible processes for the development and adoption of relevant standards and guidelines

15. Not all standards and guidelines will require a formal process for development and adoption. This is particularly true of the Authority's administrative process guidelines and certain process standards that are generally accepted, such as relevant ISO standards, which require little or no modification, as well as existing recommendations for the guidance of contractors. Going forward, for more complex technical standards and practice guidelines, there is a need for a consensus-building approach to their formulation and adoption, through the bringing together of technical experts to scrutinize and comment on documents.

Possible process for standards and guidelines initiated by the Authority

16. One possible development approach was outlined at a workshop held in Berlin in March 2017.¹² The starting point could be the preparation of a handbook setting out guidance for technical standard and guideline development. This should be based on existing best practices and reflect guiding principles, such as inclusiveness, transparency, effectiveness, relevance and continual improvement. Accountability for and ownership of the development process should rest with the Commission, given that its principle function is to make recommendations to the Council and that its mandate is to draft rules, regulations and procedures for consideration by the Council, including those relating to mining standards and practices.

17. It would be the responsibility of the Commission to frame a particular issue, to develop the terms of reference and to commission a technical working group to work on that issue. The composition of such a working group would need to be considered on a case-by-case basis, drawing on the necessary range of legal and scientific disciplines and considering the input of relevant stakeholders, including contractors, and organizations. The working group would correspond or meet between the Authority's sessions and update the Commission on its progress. Once the Commission has agreed on a final text, the document can be presented to the Council for adoption by decision or review, as the case may be. The concept of establishing technical working groups to examine a particular theme is common practice in many international organizations. A similar process has been adopted by the Scientific Groups of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter and the 1996 Protocol thereto in the development of a number of assessment frameworks subsequently adopted by the contracting parties to the Convention. The working methodology adopted by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection is also similar.

Challenges

18. There remain a number of challenges in the setting of standards, in particular with regard to environmental performance standards. These include the current levels of data and information, the ability to set precise and quantitative thresholds and trigger points (performance standards), the nascent nature of the industry and the lack of an industry association equivalent to, for example, the International Association of Oil and Gas Producers. Until a mature industry emerges, the Authority and sponsoring

¹² International Seabed Authority, Technical Study No. 17, *Report of an international workshop convened by the German Environment Agency, the German Federal Institute for Geosciences and Natural Resources and the secretariat of the International Seabed Authority in Berlin from 20 to 24 March 2017: Towards an ISA environmental management strategy for the Area*. Available at [ran-s3.s3.amazonaws.com/isa.org.jm/s3fs-public/files/documents/berlinrep-web.pdf](https://s3.amazonaws.com/isa.org.jm/s3fs-public/files/documents/berlinrep-web.pdf).

States must take the lead to help to guide and coordinate the respective processes, minimize duplication of work and avoid a fragmented development process.

19. As to environmental performance standards, a process for their development should commence as soon as possible. Environmental effects that lend themselves to the setting of performance standards and associated indicators include mining discharge standards (depth, location of returned water and water quality);¹³ resedimentation arising from plumes and standards related to thickness and distance from the mining activity; suspended particle limits from plumes in the water column (water quality and the point at which the effect of the mining plume on the marine environment can be considered negligible); noise and vibration standards; and lighting standards.

20. To advance the development of such standards, as well as appropriate mitigation and management measures, an assessment framework should first be developed. Such a framework, incorporating a standardized risk assessment approach, based on the principles of ISO 31000:2018, could draw on the approach and methodology contained in the generic waste assessment guidelines set out in annex 2 to the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter.¹⁴ The guidelines contain practical, step-by-step procedures for evaluating waste streams, including waste characterization, prevention audits, assessment of potential adverse effects, monitoring and permit conditions.

Parallel processes

21. There will likely be, in addition to processes occurring directly under the Authority's umbrella, a number of parallel standard development processes occurring through the industry, the International Organization for Standardization, classification societies and regional or national bodies, as well as supplemental standards developed in conjunction with other competent organizations, such as the International Maritime Organization,¹⁵ in connection with operational safety and the protection of human life at sea, including shipboard processing, navigation, maritime security and search and rescue protocols. Work being undertaken by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection will also be of relevance. These efforts will need to be taken into account.

¹³ See draft regulation 48 and annex III, article 17 (2) (f), of the Convention, concerning the disposal, dumping and discharge into the marine environment of sediment, wastes or other effluents.

¹⁴ See also the Guidelines for the Assessment of Wastes or Other Matter that May be Considered for Dumping. Specific guidelines for various waste streams have also been developed, including for carbon dioxide storage, dredged material and inert, inorganic geological material.

¹⁵ The secretariat is in contact with the International Organization for Standardization (ISO), with a view to formalizing the relationship between the two organizations and working together on standards, in particular in relation to the marine environment. Specific development areas could include standards for the measurement of biological, chemical and geological components of the marine environment; sampling designs for environmental baseline data; standardization in taxonomy, sample processing and field collection; and the conversion of existing data into new standards. The current work being undertaken by the ISO subcommittee on marine technology and its respective working groups, including the working group on marine environment impact assessment, may be of relevance to activities in the Area (see www.iso.org/committee/5317919.html).

IV. Priority areas for the development of standards and guidelines

22. As highlighted above, the development of a generic assessment framework that can be applied to the development of performance standards for specific environmental impacts and management thereof should be considered a priority. Other standards and guidelines will be developed over time, according to the priority needs identified by the Commission and the Council. The annex to the present note provides, by subject matter, an indicative list of standards and guidelines considered to be critical (high priority) and that should be developed in parallel with the draft regulations, with a clear focus on guideline development.

V. Consideration by the Council

23. The Council is invited to consider and provide appropriate guidance to the Commission on the content and process for the development of standards and guidelines under the draft regulations, including on the list of priority areas for development, as outlined in the annex.

24. The Council is also invited to note that a technical workshop on the development of standards and guidelines will be held in Pretoria from 13 to 17 May 2019. The terms of reference for the workshop are under development and will be discussed with the Commission. However, the main objectives of the workshop will include coming to a common understanding of terms and phrases relating to standards and guidelines, the relationship of such standards and guidelines to the regulatory framework and other key concepts, including their legal status; advancing a process development framework (by whom, by when and how) from an indicative list of standards and guidelines and suggested content (including relevant reference sources); and examining a suggested assessment framework. The workshop will consist of three days of discussion among technical experts, including representatives of the bodies referred to in paragraph 21 above, and two days allocated to a smaller drafting group that will collate an outcome report for delivery to the Commission in July 2019.

Annex

Development of standards and guidelines under the draft regulations, including on the list of priority areas for development

1. The tables below show a list of suggested standards or guidelines for consideration by the Legal and Technical Commission and the Council. They do not reflect applicable or supplemental rules and standards in connection with safety, labour and health standards set by other bodies and outside the International Seabed Authority's jurisdiction. Table 1 is a list of standards or guidelines considered to be critical in terms of priority for development. Table 2 is a list of additional guidelines that will require development in due course. The secretariat will work with the Commission to put together a detailed and prioritized development plan incorporating comments received from the Council.

2. The tables do not include engineering, equipment design or vessel certification or classification standards, which are the responsibility of the individual contractor and wider industry in conjunction with relevant standard-setting and classification bodies.¹ However, the appropriate certification and classification followed by the rules and standards set by such bodies should be indicated in the application and assessment for the approval of a plan of work. Engineering and design will however be influenced by the performance standards set by the Authority.

Table 1

List of standards or guidelines considered to be critical in terms of priority for development

<i>Subject matter</i>	<i>Title</i>	<i>Reference to the draft regulations on exploitation of mineral resources in the area^a (where applicable)</i>	<i>Notes</i>
Performance standards			
Assessment framework	Guidelines (generic) for a risk-based approach to the development and assessment of environmental thresholds and indicators	Annex VII	<p>Frameworks should set out tools and techniques for hazard identification and risk assessment, with reference to relevant process standards for risk assessment and management, for example e.g. ISO 31000:2018 on risk management. The framework will enable the development of specific performance standards</p> <p>Specific assessment frameworks should be developed for identifiable impacts arising from mining discharges, plumes, noise etc. (e.g. guidelines for the assessment and management of sedimentation and plumes)</p>

¹ Many reference standards exist for components of a mining system and sub-system, as well as classification standards for vessels. Preliminary work has been undertaken in listing applicable standards. See Blue Nodules, "Blue Nodules Deliverable Report, D1.5 Report Rules and Regulations", (2018). Available at www.blue-nodules.eu/download/public_reports/public_reports/Blue-Nodules-688975-D1.5-Report-Rules-and-Regulations-FINAL.pdf.

<i>Subject matter</i>	<i>Title</i>	<i>Reference to the draft regulations on exploitation of mineral resources in the area^a (where applicable)</i>	<i>Notes</i>
Plan of work / exploitation contract			
Preparation of an application	Guidelines for the preparation and assessment of an application for the approval of a plan of work for exploitation	DR7, DR13–16, DR26 and annexes I–III	These guidelines should include an outline of how a plan of work will be evaluated by the Legal and Technical Commission against the criteria set out in DR13, in particular the financial and technical capability of the applicant, as well as criteria for the evaluation of the environmental plans. In addition, the guidelines should include standard application forms and details on the lodgement of the application and information on supporting documentation to be submitted
Use of exploitation contract as security	Guidelines for the application and assessment for use of an exploitation contract as security	DR23	–
Insurance	Guidelines for insurance requirements under an exploitation contract and placing of insurance risk	DR38	–
Modification	Guidelines for the process modifying a plan of work and on the meaning of material change	DR26 and DR55	–
Training	Guidelines for the preparation of training plans and capacity-building	DR7 (3) (g)	–
Safety, labour and health			
Management systems	Guidelines for the application of health and safety management systems	DR32	For example, ISO 45001:2018 on occupational health and safety management systems
Safe operations	Guidelines for the safe management and operation of mining support vessels	DR 32 and DR34	To outline the “applicable international rules and standards” referred to under DR32 (2), and any supplemental rules and standards relating to activities in the Area to be developed with competent international organizations, particularly in connection with shipboard processing

<i>Subject matter</i>	<i>Title</i>	<i>Reference to the draft regulations on exploitation of mineral resources in the area^a (where applicable)</i>	<i>Notes</i>
			and transfer of ore to a barge. To include a risk assessment framework
Maritime security	Health, safety and maritime security plan	Annex VI	To be developed in conjunction with the International Maritime Organization (IMO) To include the guidance document on the IMO/ International Hydrographic Organization World Wide Navigational Warning Service adopted by the IMO Assembly in its resolution A706(17)
Seabed mapping			
Mapping	Guidelines for mapping seabed habitats and resources in the Area	Not applicable	–
Environmental assessment			
Scoping reports	Guidelines for the preparation of scoping reports	Not applicable	Under the regulations on exploration
Baseline data	Guidelines on the expected scope and standard of baseline data collection	Annex IV	These guidelines should take ISO 19100 series on geographic information/geomatics into consideration and also consider ISO 9001:2015 on quality management systems
Risk assessment	Guidelines on tools and techniques for hazard identification and risk assessment	Not applicable	See also assessment framework above
Impact assessment	Guidelines for environmental impact assessment and preparation of an environmental impact statement	DR46 bis and annex IV	To include guidance on consultation mechanisms, including coastal States and other users of the marine environment
Environmental management and monitoring			
Management system	Guidelines for the development and application of environmental management systems	Annex VII	By reference to ISO 14001:2015 on environmental management; European Union Commission Regulation (EC) No 761/2009, the European Union Eco-Management and Audit Scheme, etc
Management plan	Guidelines for the preparation of environmental	DR46 ter and annex VII	–

<i>Subject matter</i>	<i>Title</i>	<i>Reference to the draft regulations on exploitation of mineral resources in the area^a (where applicable)</i>	<i>Notes</i>
	management and monitoring plans		
Monitoring	Guidelines for the monitoring and evaluation of and reporting of results for the environmental effects of activities in the Area	DR49 (a) and annex VII	For example, the Guidelines for Monitoring the Environmental Impact of Offshore Oil and Gas Activities of the Convention for the Protection of the Marine Environment of the North-East Atlantic; Guidelines for the Conduct of Benthic Studies at Marine Aggregate Extraction Sites (2nd edition)
Pollution	Guidelines for the control of pollution	DR47	To be developed in conjunction with IMO
Closure	Guidelines for the preparation of closure plans and post-closure monitoring and evaluation	Part VI	–
Environmental guarantee	Guidelines for the form and calculation of an environmental performance guarantee	DR27	–
Transparency in environmental decision-making			
Access to data	Guidelines for access to environmental data and information	DR2 (5) (d)	–
Participation	Guidelines for procedures for stakeholder participation in activities in the Area	DR2 (5) (d) and DR11 (a)	–
Other users of the marine environment			
Reasonable regard	Guidelines for the practical application of reasonable regard for other activities in the marine environment	DR33	–
Marine scientific research	Guidelines on protocols for the conduct of marine scientific research in the Area	DR1 (4)	–

<i>Subject matter</i>	<i>Title</i>	<i>Reference to the draft regulations on exploitation of mineral resources in the area^a (where applicable)</i>	<i>Notes</i>
Emergency response and incidents			
Emergency response plans	Guidelines for the preparation and implementation of an emergency response and contingency plan	DR35, DR51 and annex V	These guidelines should draw on ISO 15544:2000 on petroleum and natural gas industries – Offshore production installations – Requirements and guidelines for emergency response
Books, records and samples			
Records and samples	Guidelines for the keeping of books, records and samples	DR41 and DR72	–
Accounting principles	Guidelines on internationally accepted accounting principles	DR101 (6)	–
Concepts and definitions			
Good industry practice	Guidelines for the application of good industry practice	Schedule 1	–
Best available techniques	Guidelines on the application of best available techniques	DR46 (b) and schedule 1	–
Best environmental practice	Guidelines on the application of best environmental practice	DR46 (b) and schedule 1	–
Best available scientific evidence	Guidelines on the application of best available scientific evidence	DR46 (c) and schedule 1	–
Commercial production	Guidelines on criteria for determining the date of commercial production	Schedule 1	–
Serious harm	Guidelines on the interpretation of serious harm	Schedule 1	In connection with emergency orders and disapproval of mining areas under the Convention
Change on control	Guidelines on a change of control	DR25	–
Risk of incidents	Guidelines on the interpretation of “as much as reasonably practicable”	DR34	–

Table 2
List of additional guidelines that will require development in due course

<i>Subject matter</i>	<i>Title</i>	<i>Reference to the draft regulations on exploitation of mineral resources in the area^a (where applicable)</i>	<i>Notes</i>
Plan of work / exploitation contract			
Renewal	Guidelines for the preparation and assessment of an application to renew an exploitation contract	DR21	–
Transfer of rights and obligations	Guidelines for the application and assessment on the transfer of rights and obligations under an exploitation contract	DR24	–
Annual and other reporting	Guidelines for annual and other reporting requirements under an exploitation contract	DR40	–
Review	Guidelines for the review of activities under a plan of work	DR56	–
Expiration of contract	Guidelines on information to be submitted upon expiration of an exploitation contract	DR89	–
Labour			
Labour	Guidelines for the adoption of international labour rules and standards	DR32	In conjunction with the International Labour Organization
Safety, labour and health			
Safety assessment	Guidelines for formal safety assessment		–
Environmental management and monitoring			
Technology	Guidelines for the use of remote monitoring technology	DR100	See also ISBA/25/C/5 on implementing an inspection mechanism for activities in the Area
Performance assessment	Guidelines on the conduct of performance assessments	DR50	–
Adaptive management	Guidelines on the use of adaptive management measures	Annex VII	This should be industry-driven
Emergency response and incidents			
Notifiable events	Guidelines for protocols relating to notifiable events	DR36	–

<i>Subject matter</i>	<i>Title</i>	<i>Reference to the draft regulations on exploitation of mineral resources in the area^a (where applicable)</i>	<i>Notes</i>
Financial terms			
Royalty returns	Guidelines for the preparation and processing of royalty returns	DR64 and appendix IV	–
Compliance and enforcement			
Compliance	Guidelines for plan of work compliance		
Enforcement and penalties	Guidelines for enforcement under the regulations and the setting and application of monetary penalties	DR101 (6)	–

^a ISBA/24/LTC/WP.1/Rev.1.

Abbreviations: DR, draft regulation; ISO, International Organization for Standardization.

3. The figure below shows the relationship between the respective inputs (goals and objectives, regulatory measures, standards and guidelines and so forth) and an outcome-based approach to regulation.

Figure

Relationship between an outcome-based approach and standards and guidelines

