

# **Comments by the Republic of Korea on the Draft Standards and Guidelines to support the implementation of the future Regulations on Exploitation of Mineral Resources in the Area**

The Government of the Republic of Korea presents its compliments to the Secretary-General and the Secretariat of the Authority for their tireless and dedicated efforts to develop the draft standards and guidelines associated with the Draft Regulations on Exploitation of Mineral Resources in the Area (hereinafter the draft regulations).

As a contractor for the exploration of seabed resources, the Government of the Republic of Korea believes that the draft standards and guidelines will enhance its understanding in the interpretation and application of the draft regulations. After thoroughly examining the draft standards and guidelines, we conclude and highly appreciate that those include comprehensive rules and guidance concerning methodological, procedural, technical and environmental aspects for implementing the draft regulations. In view of the above statement, the Government of Korea would like to submit review comments on the draft standards and guidelines as solicited by the Secretariat.

The Republic of Korea avails itself of this opportunity to renew to the Secretariat the commitment to provide assistance in adopting the draft regulations as well as the draft standards and guidelines that are compatible with the responsibilities and obligations with regard to the Area and its resources stipulated in the United Nations Convention on the Law of the Sea.

[Annex] Comments by the Republic of Korea on the Draft Standards and Guidelines to support the implementation of the future Regulations on Exploitation of Mineral Resources in the Area

<b>Document reviewed</b>	
<b>Title of the draft being reviewed:</b>	Draft guidelines for the establishment of baseline environmental data
<b>Contact information</b>	
<b>Surname:</b>	Lee
<b>Given Name:</b>	Changyoul
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<b>General Comments</b>	
<ul style="list-style-type: none"> <li>- Some paragraphs (e.g. para. 68, 70, 84, 89, 99, 100, 169, 171, 203, 210, 270, 309, 327, 328) of this draft make specific references to methodologies, and this seems to be helpful for practical users of the guidelines.</li> <li>- We are concerned, however, that those paragraphs can possibly misguide users to depend on only limited numbers of existing methodologies. It is desirable for the baseline environmental data to be collected using the most up-to-date and best practice internationally recommended. Methodologies and technologies for collecting baseline environmental data evolve, and newly developed methodologies and technologies should be used in the data collection.</li> <li>- Therefore, we propose that the draft be amended to make the guidelines more open, pragmatic, and acceptable and to enable interested parties utilize the latest methodologies as well.</li> </ul>	

- Other draft standards and guidelines, such as the Draft Standard and Guidelines for Environmental Impact Assessment Process, seem to adopt a more flexible approach. For instance, para.23 of page 11 of the above draft standard and guidelines stipulates that “This Guideline does not provide advice on a single or particular method for adoption, as these will be specific to aspects such as the mineral resource, geographical area, environmental setting and available data, proposed technology and equipment characteristics etc. There are many approaches and methods that can be applied to ERA (refer to the ISA Guideline on Hazard Identification and Risk Assessment), and these are well documented as part of an ISO 31000 standard, which includes a detailed report on risk assessment techniques: see IEC/ISO 31010 (2009).” We believe that a similar approach should be adopted with regard to the guidelines for the establishment of baseline environmental data.

***Specific Comments***

Page	Line	Comment
4	87-89	<ul style="list-style-type: none"> <li>■ Would you please move paragraph 6 (line 87~89) to Chapter III (Sampling and Data Acquisition)? This paragraph6 is about the importance of sampling.</li> </ul>
5	111-112	<ul style="list-style-type: none"> <li>■ Please rephrase the following sentence “As such a comprehensive understanding of the natural variability in baseline conditions should be determined <b>during the exploration phase.</b>” into “As such a comprehensive understanding of the natural variability in baseline conditions should be determined <b>before the beginning of the commercial mining phase.</b>”</li> </ul> <p>(rational) These draft standards and guidelines should, in principle, apply to exploitation activities. For a comprehensive understanding of the natural variability in baseline conditions, long-term monitoring is necessary and it would be good to continue monitoring even after the exploration phase ends, up until the beginning of the commercial mining phase.</p> <p>Other draft standards and guidelines, such as the Draft Standard and Guidelines for Environmental Impact Assessment Process, require a follow-up process that involves revisiting and updating the preliminary</p>

		ERA at key milestones such as in situ testing of mining equipment. The same approach should be adopted in the draft guidelines for the establishment of baseline environmental data.
<i>Additional rows can be added to this table by selecting "Table" followed by "insert" and "rows below"</i>		

<b>Document reviewed</b>		
<b>Title of the draft being reviewed:</b>	Draft standard and guidelines for environmental impact assessments	
<b>Contact information</b>		
<b>Surname:</b>	Lee	
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<b>General Comments</b>		
<ul style="list-style-type: none"> <li>- It shall be specified who is in charge of reviewing the scoping report.</li> <li>- “Secondary approvals required” in line 668 of para. 27 can be interpreted as two approval processes are required for a scoping process. If this is what the LTC intended it shall be explained the reasons why two approvals are needed and who can approve the process.</li> </ul>		
<b>Specific Comments</b>		
<b>Page</b>	<b>Line</b>	<b>Comment</b>
20	668	■ Clear explanation on the meaning of “...secondary approvals required and the matters...” is needed. This phrase is not transparently understood.
<i>Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”</i>		

<b>Document reviewed</b>		
<b>Title of the draft being reviewed:</b>	Draft guidelines for the preparation of an environmental impact statement	
<b>Contact information</b>		
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<b>General Comments</b>		
- This draft document adequately contains the practical and technical guidance on the recommended contents of EIS. Therefore, there are no further comments on additional issues or amendments.		
<b>Specific Comments</b>		
Page	Line	Comment
<i>Additional rows can be added to this table by selecting "Table" followed by "insert" and "rows below"</i>		

<b>Document reviewed</b>		
<b>Title of the draft being reviewed:</b>	Draft guidelines for the preparation of an environmental management and monitoring plans	
<b>Contact information</b>		
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<b>General Comments</b>		
- This draft document adequately addresses the requirements for the preparation of environmental management and monitoring plans, but some modifications are required in some paragraphs.		
<b>Specific Comments</b>		
<b>Page</b>	<b>Line</b>	<b>Comment</b>
1	32	■ We propose to replace “Applicant” with “Applicant/Contractor” (rational) The draft Exploitation Regulations 48, paragraph 2 provides that the subject of preparation and submission of the EMMP is an Applicant or Contractor.
3	154	■ We propose to replace “Applicant” with “Applicant/Contractor” (rational) The draft Exploitation Regulations 48, paragraph 2 provides that the subject of preparation and submission of the EMMP is an Applicant or Contractor.
3	209	Would you please clarify the meaning of “3.5.1” and “0” as the number of Section?
<i>Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”</i>		

<b>Document reviewed</b>		
<b>Title of the draft being reviewed:</b>	Draft guidelines on tools and techniques for hazard identification and risk assessment	
<b>Contact information</b>		
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<b>General Comments</b>		
<p>- The draft document adequately provides practical and technical guidance on the tools and techniques for hazard identification and risk assessments associated with exploitation of mineral resources in the Area. Therefore, there are no further comments on additional issues or amendments.</p>		
<b>Specific Comments</b>		
Page	Line	Comment
<p><i>Additional rows can be added to this table by selecting "Table" followed by "insert" and "rows below"</i></p>		

<b>Document reviewed</b>		
<b>Title of the draft being reviewed:</b>	Draft standard and guidelines for the safe management and operation of mining vessels and installations	
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<b>General Comments</b>		
<p>- It is highly suggested to refrain from using too many abbreviations in consideration of standards and guidelines to help contractors in the process of implementing upcoming Mining Code (e.g. S&amp;G, SMS).</p>		
<b>Specific Comments</b>		
Page	Line	Comment
<p><i>Additional rows can be added to this table by selecting "Table" followed by "insert" and "rows below"</i></p>		

<b>Document reviewed</b>		
<b>Title of the draft being reviewed:</b>	Draft standard and guidelines for the preparation and implementation of emergency response and contingency plans	
<b>Contact information</b>		
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<b>General Comments</b>		
<p>- The draft document adequately addresses the prevention of the harmful effects which may arise from accidental events during mining operation in the Area, including management of potential risks to human life and contractor's properties.</p>		
<b>Specific Comments</b>		
Page	Line	Comment
<p><i>Additional rows can be added to this table by selecting "Table" followed by "insert" and "rows below"</i></p>		