



**Template for the review of the draft standards and guidelines
associated with the Draft regulations on exploitation of mineral resources in the Area**

I. Background

1. The Draft regulations on exploitation of mineral resources in the Area ([ISBA/25/C/WP.1](#)) require that certain issues are addressed in accordance with, or taking into account, standards and guidelines to be developed by the organs of the Authority. The standards will be adopted by the Council and will be legally binding on Contractors and the Authority, whereas the guidelines will be issued by the Legal and Technical Commission or the Secretary-General and will be recommendatory in nature.
2. Stakeholders consultations are an integral part of the process decided upon by the Commission for the development of the standards and guidelines ([ISBA/25/C/19/Add.1](#)).
3. The Legal and Technical Commission will consider the comments received through the stakeholders consultation at its next session.
4. The drafts include a cover page containing substantive background and contextual information on the approach taken by the Commission in developing each standard and guidelines. Review comments are not being sought on this background information.
5. Issues of format and consistency across the standards and guidelines will be reviewed by the secretariat and Commission once the content of the various standards and guidelines is finalized following stakeholders consultations.

II. Submitting Comments

6. To ensure that your comments are given due consideration, please send them by e-mail to ola@isa.org.jm, at your earliest convenience but **no later than the date announced on the ISA website for the relevant draft standards and guidelines.**
7. When submitting comments, please adhere to the following guidance as much as possible:
 - a. Please provide all comments in writing and in an MS Word .doc or .docx format using the table provided below.
 - b. The table format allows for an unlimited number of comments to be added. To add more comments, you may add more rows.
 - c. Please provide full contact information for the individual/Government/organization submitting the comments.
 - d. Please avoid commenting on issues related to format, grammar, spelling or punctuation, unless it affects the overall meaning of the text, as the document will be formatted and edited when the final draft is prepared.

- e. To facilitate the revision process please be as specific as possible in your comments. In areas where you feel additional or alternative text or information is required, please suggest what this text may look like or what information should be included.
 - f. Text may be copied from the draft into the table if stakeholders wish to use "track changes" in editing text (this is encouraged to ensure accuracy and avoid numbering errors).
 - g. If you refer to additional sources of information, please include these with your comments when possible or provide a complete reference or hyperlink.
 - h. All review comments will be posted on the ISA website, unless otherwise requested by the submitting entity.
8. Should you have any questions regarding the review process, please contact ola@isa.org.jm.

III. Template for Comments

- 9. Please use the review template below when providing comments.
- 10. Line and page numbers have been provided in the drafts. Please use these as a reference as illustrated in the table below.

TEMPLATE FOR COMMENTS

<i>Document reviewed</i>	
Title of the draft being reviewed:	Draft guideline on the preparation and assessment of an application for the approval of a Plan of Work for exploitation
<i>Contact information</i>	
Surname:	GUILLEN GRILLO
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<i>General Comments</i>	
The guidelines focus on the approval of a plan of work, not contemplating the possibility that the plan of work is rejected. This possible outcome should also be included in the guidelines	
The guidelines do not provide guidance on how the LTC/ Council will evaluate the information presented in the Plan of Work in order to decide if it can be approved.	
Since the guidelines refer to regulations that are still under development and negotiation, all comments are not final and Costa Rica believes a further review opportunity must be given to stakeholders after the regulations are adopted, to amend whatever might need adjustment.	

<i>Specific Comments</i>		
Page	Line	Comment
2	8,9	It is the Authority which shall evaluate and decide if the application and the Plan of Work can be approved. This should be stated clearly.
2	10	Reference must be made to General Principles
2	42-44	The guidelines must be clear and state that one of the possible outcomes is the rejection of the plan of work, and that the presentation of the Plan and the documents required is not just a formality that will result in the approval of every Plan of Work. A review and evaluation process will determine if the Plan of Work can be approved.
5	Row 2	Definition of the term “effective control” must be developed by the LTC and clearly stated in the guidelines, as well as in the regulations. The current meaning used in the guidelines and regulations which implies location determines effective control should be reviewed and updated. Costa Rica requests the deleting of the phrase “ if applicable”.
9	54	The process should not be named: Application and approval process, as it prejudices the result, implying all applications will be approved. It should be named something in the line of : Application and evaluation process.
<i>Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”</i>		

Comments should be sent by e-mail to ola@isa.org.im