



**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. Stakeholder consultation is 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 stakeholder consultation during its current session.
4. The drafts include a cover page containing background and contextual information on the approach taken by the Legal and Technical Commission in developing each standard and guidelines. Please note that stakeholder comments are not sought on this cover note.
5. Issues of format and consistency across the standards and guidelines will be reviewed by the secretariat and the Legal and Technical Commission once the content of the various standards and guidelines is finalized following stakeholder consultation.

II. Submitting Comments

6. To ensure that your comments are given due consideration, please send them by e-mail to ola@isa.org.im, 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 by the Legal and Technical Commission.
 - 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 Standard and Guidelines for environmental impact assessment process, Developed by the Legal and Technical Commission
<i>Contact information</i>	
Surname:	Nygård
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General Comments		
<p>As a general remark, Finland would like to note that regarding environmental protection, the draft regulations on the exploitation of mineral resources in the Area seem to be drafted on a rather general level, leaving many issues to be addressed in a more detailed manner in the standards and guidelines. As the guidelines are not binding in nature, some issues currently contained in the guidelines would be better placed in the standards or even in the regulations in order to guarantee a high level of environmental protection.</p>		
<p>Overall, it needs to be taken into account that the sector is evolving and so are the best practices when it comes to monitoring techniques and risk assessment methodologies. At present, this point is not sufficiently communicated in the guidelines.</p>		
<p>It is also important to consider the uniqueness and sensitivity of deep-sea species and habitats. Many deep-sea species / habitats are almost irreplaceable or it can take hundreds to thousands of years for them to regenerate.</p>		
Specific Comments		
Page	Line	Comment
12	Point 26	Impact identification: checklists and matrices are too simplistic, rather use causal networks (see e.g. Kaikkonen et al. 2021 https://doi.org/10.1021/acs.est.1c01241).
13	Point 29	Examples are listed, but it would be better to also specify the criteria for impact identification methods. That would increase transparency and it would be easier to justify differences between projects. Presenting only examples may lead to a situation where there is a lot of improvisation along the way and many different practices in the end. Further, the examples presented are mainly from one source: Dong Energy doing a wind farm assessment, which is quite different from deep-sea mining.
16	Point 30	Confidence has a central role in the outcome of an EIA and thus confidence should be included and communicated throughout the whole process. There needs to be a clear definition on when confidence is considered to be high enough, and only then the process can proceed. I.e. if confidence is

	Table 2	<p>low (high uncertainty), the precautionary principle should be applied.</p> <p>Confidence needs to be considered in a more nuanced manner than just low or high.</p> <p>Confidence should not be considered high only on the basis of consensus among experts, if no data is available.</p>
23	763-781	Should also be noted that if using several modeled approaches, the combined uncertainties of these need to be considered. E.g. modeled sediment plume and modeled species distribution.
26	Point 66	Species/community resilience should also be considered when assessing sensitivity, i.e. a community that is recovering fast may be considered as less sensitive than a community that would only recover after years/decades.
<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.jm