



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:	Environmental Management System
<i>Contact information</i>	
Surname:	Carvalho
Given Name:	Sérgio
Government (if applicable):	Ministry for Foreign Affairs
Organization (if applicable):	Permanent Representation of Portugal to the United Nations
Country:	Portugal
E-mail:	sergio.carvalho@mne.pt

General Comments		
The draft text should be clear about the connections between the Environmental Management System and the other environmental related standards and guidelines in order to be able to establish comprehensible environmental objectives.		
To ensure greater legal certainty on the requirement of Regulation 46.2-b, more clarity should be introduced on the auditing process described in Paragraphs 50 to 54, regarding independent external auditing, by recognized and accredited international or national organizations.		
Specific Comments		
Page	Line	Comment
4	110	Please add “external audit” to “arrow 7” of the “Environmental Management System” Chart.
5	136	Please replace “The objectives are to be adapted to the seabed mining operation and take into account the identified environmental issues and the Contractor’s obligations (see section IV), as well as any environmental rules, regulations and procedures of the Authority” with “The objectives should be aligned with the identified environmental issues and the Contractor’s obligations (see section IV), as well as any environmental rules, regulations and procedures of the Authority”
6	175	Please replace “ Legal requirements “ with “Legal requirements and other obligations”
6	182	Please replace “The Contractor should identify activities and/or installations which may be affected by the Contractor’s seabed mining activities” with “The Contractor should identify activities and/or installations which may be affected by the Contractor’s seabed mining activities taking into account the Environmental Impact Assessment and the Environmental Impact Statement”
7	215	Please replace “The Contractor should establish suitable mitigating measures to reduce the environmental effects to a level that is as low as reasonably practicable (ALARP principle)” with “The Contractor should establish suitable mitigating measures to reduce the environmental effects to a level that is as low as reasonably practicable (ALARP principle) taking into account the Environmental Impact Assessment and the Environmental Impact Statement”.
8	214	Please add “all” between “take” and “necessary”
8	234	Please replace “should” with “shall”
8	263	Please replace “To verify implementation and effectiveness of the

		corrective actions, a follow-up audit should be carried out” with “To verify implementation and effectiveness of the corrective actions, a follow-up audit has to be carried out”.
9	284	Please replace “should” with “shall”
9	286	Please replace “should” with “shall”
10	301-303	Please add “ and/or on site/location changes during operations” at the end of the sentence, after the parentheses.
11	413	Please replace “The management review is a high-level process where the senior management reviews the organization’s environmental management system, at planned intervals, to ensure its continuing suitability, adequacy and effectiveness.” with “The management review is a high-level process where the senior management reviews the organization’s environmental management system, at planned intervals, to ensure its continuing suitability, adequacy and effectiveness, including adaptive management techniques (process, procedure, response).”
12	391-418	Please refer more clearly to the requirement of “independent auditing by recognized and accredited international or national organizations” (Regulation 46.2-b)
<i>Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”</i>		

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