



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:	Haag / Birchenough
Given Name:	Fredrik / Andrew
Government (if applicable):	
Organization (if applicable):	International Maritime Organization (IMO)
Country:	
E-mail:	fhaag@imo.org / abirchen@imo.org

General Comments

We note that this document provides requirements for an application and assessment of an application for a Plan of Work and that specific guidance on the preparation of the component elements of an application is provided in the relevant Regulations, Standards and Guidelines. Whilst we do not have any specific comments on the text we have the following general comments:

1. We are encouraging to see reference made to existing bodies of practice and international standards from other similar industries that will provide valuable information to Contractors in preparing an application under the Exploitation Regulations.

As we have stated in responses to previous consultations on the draft exploitation regulations we believe that harmonization with existing bodies of practice, such as the waste assessment procedures developed under the London Convention and London Protocol would be mutually beneficial, and could support the ISA in taking consistent and transparent environmental permitting decisions.

2. In regard to the “Application and approval process for a plan of work for exploitation” described in Annex II, the Commission will consider the applications (as set out in regulation 14 of the draft exploitation regulations) to determine whether the environmental plans provide for the effective protection of the Marine Environment in accordance with article 145 of the Convention, including through the application of a precautionary approach and Good Industry Practice.

Therefore it will be important for the ISA to consider if the Legal and Technical Commission has the necessary environmental expertise to perform this important role effectively or whether it would need include more environmental specialists on the Commission or establish a separate environmental sub-commission/body to undertake this role.

Specific Comments

Page	Line	Comment

Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”

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

TEMPLATE FOR COMMENTS

<i>Document reviewed</i>		
Title of the draft being reviewed:	Draft standard and guidelines on the development and application of Environmental Management Systems	
<i>Contact information</i>		
Surname:	Haag / Birchenough	
Given Name:	Fredrik / Andrew	
Government (if applicable):		
Organization (if applicable):	International Maritime Organization (IMO)	
Country:		
E-mail:	fhaag@imo.org / abirchen@imo.org	
<i>General Comments</i>		
<p>We note that in setting up an environmental management system for exploitation of mineral resources in the Area the Consultant is directed to use Best Environmental Practices, Best available technology (BAT) and Best Available Techniques whenever possible in a number of places in the document.</p> <p>However, we note that there is currently no DSM industry body or association which could promote best practices and techniques, as is the case in other marine sectors, such as the dredging industry. Therefore, it may be beneficial for the ISA engage with Contractors and promote such a body/association to ensure good industry practice is regularly reviewed and disseminated which would promote environmental protection. This is important because as set out in the guidelines the Contractor, when evaluating performance, is required to undertake an evaluation of the results of monitoring and also assess these against Good Industry Practice, if there is no coordinated collation and dissemination of good industry practice then this could lead to differing practices and standards.</p>		
<p>Regarding the development of an environmental monitoring plan by a Contractor, it is noted that ISA will publish further guidelines for the preparation of environmental management and monitoring plans. In doing so the ISA should take account of existing and new monitoring practices and techniques and expertise in other marine industry sectors that would also be relevant to DSM, such as the oil and gas, dredging and marine minerals industries.</p>		
<i>Specific Comments</i>		
Page	Line	Comment

<i>Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”</i>		

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