

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29<sup>TH</sup> SESSION:  
COUNCIL - PART II**

*Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to [council@isa.org.jm](mailto:council@isa.org.jm).*

**1. Name(s) of Delegation(s) making the proposal:**

France

**2. Please indicate the relevant provision to which the textual proposal refers.**

Regulation 50 bis – Environmental Management System

**3. Kindly provide the proposed amendments to the regulation or standard or guideline in the text box below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.**

Replacement of paragraph 2:

2) An Environmental Management System shall refer to the following iterative process to:

- a) establish environmental objectives and processes necessary to deliver results in accordance with the Authority’s environmental objectives in the Contract Area, including those reflected in the applicant’s Environmental Management and Monitoring Plan and the relevant Regional Environmental Management Plan;
- b) implement and monitor the processes as planned and report the results to the Secretary-General; the reporting is reflected in the delivery of the annual reports pursuant to Regulation 38, including details of any accidents or incidents and notifiable events;
- c) evaluate the performance of the environmental management system by fulfilling the requirements in Regulation 52 and by seeking confirmation of the [annual] assessment through an independent audit, undertaken every three years by a recognized and accredited international or national organization, in accordance with applicable Standards;
- d) take actions to continually improve the performance of the Environmental Management and Monitoring Plan and report these actions in the next annual report submitted to the Secretary-General pursuant to Regulation 38.

**4. Please indicate the rationale for the proposal. [150-word limit]**

The French delegation considers that the prescribed requirements in Regulation 50bis are not consistent with the international standards dedicated to the Environmental Management System (EMS) (i.e ISO 14001:2015). These standards suggest that the EMS should refer to an iterative process named PDCA : Plan/Do/Check/Act with a view to achieve continual improvement in managing environmental responsibilities.

The French delegation suggests to refer to this four-folded process and to the international standards for responsible mining on land. Most of these standards (IRMA, ICMM, VDMD...) stipulate

that the assessment of the performance should be undertaken with the following schedule : internally or by an Independent Auditor on an annual basis and externally every 3 years. The French delegation proposes the adoption of this scheme.