

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30TH SESSION:
COUNCIL - PART I**

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.

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

SPAIN

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

Regulation 50

Environmental Management and Monitoring Plan

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.

2. The purpose of an Environmental Management and Monitoring Plan is to manage and confirm that observed [Environmental Impacts and] Environmental Effects are consistent with predicted Environmental Effects from the Environmental Impact Assessment and does not breach any of the rules, regulations and procedures of the Authority, including the applicable Standards on environmental objectives, [the quantitative environmental thresholds], **the relevant Regional Environmental Management Plan** and [the Standards on] [requirements] for the Exploitation activities. The plan shall address any issues that arise under the Environmental Impact Statement and will set out commitments and procedures on how to monitor, mitigate, **manage** and ~~manage~~ **compensate, if needed** the [Environmental Impacts and] Environmental Effects and risks of Exploitation, including on pollution control and Mining Discharge in Regulations 53 bis and 53 ter.

3. The Environmental Management and Monitoring Plan shall include all elements and matters prescribed by the Authority in Annex VII to these Regulations and shall:

(a) Incorporate [environmental objectives, including] site-specific environmental objectives and environmental performance standards, which are designed to achieve the environmental policy and objectives of the Authority **ensuring that and** [are compatible with] applicable Standards;

(C) (iii) **Monitoring indicators to show H**how the effectiveness of such measures will be monitored [and evaluated] **and demonstrate whether mitigation measures are suitable and implemented effectively ;**

(C) (v) What management and reporting systems will be adopted and followed, and **what reporting frequency will be followed to appropriately monitoring the effectiveness of such measures;** and

[3. bis Alt. The applicant or Contractor shall [~~endeavour to~~] engage with [potentially directly affected] Stakeholders and in accordance with [Regulation 93 ter,] Standards, and taking into consideration Guidelines, during the development of the Environmental Management and Monitoring Plan.]

Click or tap here to enter text.

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

Click or tap here to enter text.

Regarding paragraph 2, we believe that the environmental management and monitoring plan should be consistent with the relevant Regional Environmental Management Plan and also include compensation measures, if applicable.

About paragraph 3 a) we want to make a small grammatical comment so that it is clearer. We consider it appropriate to indicate the need to ensure that the environmental objectives incorporated into the plan are compatible with the applicable standards. For this reason, we have included the expression "and objectives of the Authority ensuring that they are compatible with applicable Standards".

In part c (iii) of this same section 3, it seems appropriate to us that to monitor and evaluate the efficiency of the measures adopted, it is necessary to establish some monitoring indicators through which these tasks can be carried out. This is why we have added at the beginning of the sentence "Monitoring indicators to show how...". Likewise, in addition to monitoring and evaluating their efficiency, we would like to propose to add a sentence that refers to whether the proposed measures are appropriate and have been implemented effectively.

In relation to paragraph 3 c)(v) we believe that it would be necessary to also mention the reporting frequency that will be followed to adequately monitor the effectiveness of such measures.

As for paragraph 3.bis Alt, we do not see the need to use the word "endeavour to". Any applicant or contractor has the responsibility to engaged with potentially directly affected Stakeholders".

We would like to highlight as well that use of the terms "the Contractor" and "the applicant or Contractor" should also be reviewed, as they seem to be used arbitrarily in these regulations and we think that their use should be standardized, either one or the other, but always the same.

Finally, about the preservation of this paragraph 3.bis ALT, compared to paragraph 3.bis, we believe that both should be preserved as they refer to different issues. Paragraph 3.bis refers to the need for the contractor to carry out monitoring tasks during the exploitation activities, and paragraph 3.bis Alt refers to the need for the contractor to cooperate with potential stakeholders, including coastal states. The participation process is essential. Therefore, we support eliminating "endeavour to", as it lessens the obligation to engage with potentially affected stakeholders.