

**TEMPLATE FOR SUBMISSION OF COMMENTS ON THE
GUIDANCE TO FACILITATE THE DEVELOPMENT OF REGIONAL
ENVIRONMENTAL MANAGEMENT PLANS ([ISBA/29/C/10](#))**

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to: oemmr-secretariat@isa.org.jm

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

Germany, Costa Rica, The Kingdom of the Netherlands

2. Please provide general comments where applicable here:

Deviation from Germany, Netherlands, and Costa Rica proposal: In 2020, Germany, the Kingdom of the Netherlands and Costa Rica submitted documents containing the standardized procedure and template for the regional environmental management plans to the Council for consideration ([ISBA/26/C/6](#), and [ISBA/26/C/7](#)). These documents were the result of an international workshop which was attended by more than 80 experts, as well as by members of the Council, organs of the Authority and other international bodies, reflecting broad regional representation and a variety of stakeholder perspectives. After submitting, these documents enjoyed the support of the majority of the Council. Upon the receipt of an initial re-draft of these documents back from the LTC in 2022, several delegations considered the proposals deviation from the original submissions were neither explained nor justified, and that several relevant elements were not included without providing the rationale. The Council (in [ISBA/27/C/44](#), paragraph 13) requested the LTC to take into account the Council's [comments as summarized by the President of the Council](#) (paragraph 17(b)), the original 2020 submission, and any written comments that may be submitted in the specified timeframe, and directed the LTC to work and re-submit its recommended re-draft of the documents to the Council, accompanied with the rationale for its recommendation. A rationale for the current 2024 LTC re-draft has been provided, but we continue to observe several unexplained departures from the 2020 proposal. These departures are highlighted in our specific comments below.

Binding nature: We strongly support that the standardized procedure and template should be binding documents that set minimum standards for regional environmental management plans. The standardized procedure outlines the procedural steps that shall be followed in the drafting and review of the regional environmental management plans, and the standardized template sets binding minimum requirements for its content. Any non-binding guidelines or additional commentary could be provided in the Technical Guidance document (taking an approach, similar to that proposed for the Exploitation Regulations' Standards and Guidelines).

Allocation of responsibilities: We find that in some places the documents lack allocation of responsibilities, so it is not always clear who is required to do what. We recall that this was a critique voiced in response to the draft of the North-Mid-Atlantic Ridge regional environmental management plan. Not clearly allocating responsibilities reduces the documents' effectiveness and obscures accountabilities. For example, in the standardized template in the section on regional monitoring (VI) it is not clear who will be conducting this monitoring outside of contract areas. Another example is where the Technical Guidance document mentions the 'implementation of the REMP'. This seems like an important part of the regime and it would be helpful to elaborate on the specific activities to implement the REMP with allocated responsibilities. We kindly ask the LTC about the rationale and we query about the possibility to allocate responsibilities more precisely in the current document. We believe this will greatly enhance an effective implementation of the regional environmental management plan.

Selection and appointment of experts: We would like to reinstate the wording from the 2020 submission around the selection and appointment of experts as a basis for further deliberations. The wording as currently used in the documents are not as clear as we would like and leave the selection and appointment of experts open to discretion. Considering that experts will play a vital role in the drafting and review of the regional environmental management plans, we would like to see more clear guidelines on this point. We therefore ask the LTC if they could elaborate on this point when reviewing this document. We believe this content needs to be binding and therefore the standardized procedure is the correct place to include such content on the selection and appointment of experts.

Stakeholder consultation and engagement: We kindly ask the LTC if it could further specify in the standardised procedure when stakeholder engagement and stakeholder consultations occur, and what the exact procedure is. A further elaboration on section III, under F of the standardized procedure is necessary. After all, more guidelines on these points are vital for establishing a clear procedure for an effective process of stakeholder consultation and engagement. To ensure quality of the regional environmental management plans, we recommend to allow stakeholders to participate early on in the process of drafting and reviewing a regional environmental management plan and not leave this until the very end of the process.

Confidential information: We note that the standardized procedure excludes the use of confidential information by the LTC. Though we appreciate that confidential data should be protected, it is not clear to us why the LTC, who has access to this information, cannot use this confidential information in the process of drafting a regional environmental management plan. After all, this is practice would be in line with the rules, regulations and procedures of the Authority.

Cultural heritage: The documents are generally silent on the issue of cultural heritage, citing that the topic awaits Council discussions in the context of the negotiations on the

exploitation regulations. It seems to us that this is an important gap, that prevents the document being finalized and adopted by Council. We note that the LTC has used its discretion and expertise to include in the documents elements relating to the marine environment that continue to be topics of debate by the Council in the context of the draft exploitation regulations. We ask if the LTC could do the same in relation to cultural heritage, i.e., provide draft language in the documents, for the Council's review.

Cumulative effects: The documents mention that cumulative effects will be addressed as part of the scientific assessment and as a management measure. An important stepping stone on the path to a robust and meaningful cumulative assessment, however, is the development of a theoretical framework tailored to the complexity of deep-sea mining. While this is missing in the current draft version, it should be reflected in the document.

Expert Committee: Our 2020 proposal emphasized the establishment of an expert committee to prepare the REMP, and to hold workshops with wider groups of stakeholders and experts, to inform their work. The current documents envision the LTC doing the REMP drafting, with supporting workshops more specifically narrowed to experts' inputs. We would welcome further explanation for why the LTC proposed this change in approach. We recall that both the CCZ REMP, and the North Mid-Atlantic Ridge draft REMP were steered by experts external to the ISA (and funded by external donors), working with the Secretariat and the LTC. We believe that a first draft prepared by an expert committee, with those experts being selected through a transparent, standardized, inclusive process, with workshops and consultations supporting the needed knowledge, should be the basis of the draft REMP that will be presented by the LTC to the Council. We furthermore envision a role for the expert committee (together with the LTC) in the selecting of experts to be invited to participate in the workshops on the scientific assessment and the management assessment. Please see our textual proposals below.

3. Kindly provide specific textual 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.

Our textual proposals are reflected using [track changes](#).

This submission is structured as follows:

Part A: Draft revised standardized procedure for the development, establishment and review of regional environmental management plans

- (i) Proposed textual amendments
- (ii) Rationale for proposed textual amendments

Part B: Annex Template

- (i) Proposed textual amendments
 - (ii) Rationale for proposed textual amendments
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Part A: Draft revised standardized procedure for the development, establishment and review of regional environmental management plans

(i) Proposed textual amendments

I. Introduction

[...]

3. As such, regional environmental management plans are designed, among other things, to:

- (a) Provide the relevant organs of the Authority, as well as contractors and their sponsoring States, with environmental management measures and tools, including area-based management tools, to support informed decision-making for environmental protection on a regional scale from mineral resource exploitation and exploration activities;
- (b) Provide the Authority with a clear and consistent mechanism to identify particular areas considered to be: (a) representative of the full range of habitats, biodiversity, sensitive ecosystems and biological communities within the management area; and/or (b) important for the maintenance of the ecosystem structure and function;
- (c) Provide those areas with appropriate levels of environmental protection from mineral resource exploitation and exploration activities;-
- (d) Provide the Authority, contractors and their Sponsoring States with tools to identify other marine uses and pre-existing measures in the region, to support coordination of activities in the Area.

4. The process outlined below takes into consideration the functions of the Legal and Technical Commission of the Authority in relation to environmental matters. Notably, the Commission is empowered, under the Convention, to make recommendations to the Council of the Authority on the protection of the marine environment, taking into account the views of recognized experts in that field (art. 165, para. 2 (e), of the Convention) and, in the exercise of its functions, the Commission may consult with, inter alia, any international organizations with competence in the subject matter of such consultation (art. 163, para. 13, of the Convention). In addition, the Commission is responsible for keeping under review the rules, regulations and procedures on activities in the Area and for recommending to the Council from time to time such amendments thereto as it may deem necessary or desirable as well as preparing assessments of environmental implications of activities in the Area (art. 165, para. 2 (d) and (g), of the Convention).

II. Initiation of the regional environmental management plan development procedure

6. The Council is responsible for the adoption and review of regional environmental management plans for all mineral provinces in the Area where exploration and

exploitation is taking place. The Council may request the Commission to develop such plans.

~~7. A regional environmental management plan shall be adopted for the particular area concerned before the Commission considers an application for a plan of work for exploitation. The Commission shall only consider an application for a Plan of Work if a regional environmental management plan, prepared in accordance with this procedure and the appended template, has been adopted by the Council for the particular area and type of resource concerned.~~

III. Development of a regional environmental management plan

A. Planning

8. The Commission ~~should~~shall include the development and review of regional environmental management plans in its programme of work. In its programme of work, the Commission ~~is to~~shall identify the main tasks to be undertaken by the Commission and the secretariat of the Authority and the competencies of any external experts to assist with the process. The programme of work will set out an indicative timeline, as well as the potential spatial extent of regional environmental management plans. This information ~~should~~shall be made available through the reports of the Chair of the Legal and Technical Commission to the Council.

Abis. Expert committee

8 bis. The Council, acting on a recommendation of the Commission, shall establish an expert committee for the development of a first draft of a regional environmental management plan for a specific region and type of resource.

The expert committee shall be a technical body of the Commission and shall be characterized as an ad hoc committee that is assigned to develop one regional environmental management plan for a specific region and type of resource.

The expert committee shall support the Commission in its task of advising the Council.

The selection and appointment of experts shall be undertaken in line with relevant guidelines and United Nations procurement processes, with a focus on competences identified as relevant for the specific regional environmental management plan. It shall be configured as an independent expert body, comprising about five to seven experts acting in their individual capacity.

The experts shall have expertise in the following areas, at a minimum: biology, geology, oceanography, spatial planning and modelling. The expertise in biology shall include, at a minimum, expertise related to biodiversity, connectivity and the ecosystem function of benthic and pelagic communities.

Region-specific knowledge should be considered in particular when selecting the experts.

Members of the expert committee shall have no direct or indirect financial or personal interest in activities in the Area.

B. Compilation of available data and information

9. The Commission and the expert committee, with assistance from the secretariat, should ensure that ~~it~~they have yes access to all available data. These data include:

- a) Contractor data and information submitted to the Authority that pertain to the region ~~and are not deemed confidential~~, in accordance with the rules, regulations and procedures of the Authority;
- b) Data and information, in particular from scientific projects, initiatives in the region, peer-reviewed articles and publicly accessible databases, and other relevant global, regional, subregional and sectoral bodies and organisations;
- c) Traditional knowledge of Indigenous Peoples and local communities;
- d) Any other information relevant to the indicative elements for the regional environmental management plan, including other types of marine uses and other existing management measures.

10. The expert committee shall develop two reports using Ssuch data and information: 1) will be disseminated through the regional environmental characterization report, and 2) the data report. Both documents ~~will~~shall be made publicly available on the website of the Authority with any confidential information redacted as appropriate.

C. Scientific assessment

11. Experts should be brought together, including through workshops, and those experts shall be selected by the expert committee working together with the Commission on the basis of an expert and stakeholder mapping exercise, in accordance with the regional environmental management plan guidance document. The convening of experts should be focused on data synthesis and the development of scientific tools and approaches ~~as guided by the Commission~~. The following objectives will be addressed:

- (a) Define the boundaries of the appropriate regional environmental management plan area, drawing upon information on the geology, biogeography and oceanography of the region;
- (b) Review, synthesise and analyse environmental data for benthic and pelagic ecosystems, including oceanographic, physiochemical, geological and biological data;
- (c) Describe current mineral exploration and/or exploitation activity;
- (d) Identify ~~potential overlaps with~~ other ~~legitimate~~ users and area-based management tools established by competent bodies;
- (e) Evaluate effects (including cumulative) at the regional scale;

(f) Provide descriptions of areas that ~~could~~shall be protected from exploitation in order to achieve the effective protection of the marine environment, including through the identification and description of different categories of area-based management tools, where appropriate;

(g) Identify potential non-spatial management measures or options;

(h) Identify knowledge gaps and propose options to address them.

D. Management assessment

13. Experts will be selected by the expert committee working together with the Commission on the basis of an expert and stakeholder mapping exercise, in accordance with the regional environmental management plan guidance document. This should include representatives of relevant international bodies.

E. First draft of the regional environmental management plan

15. The ~~Commission~~expert committee, with assistance from the secretariat, is responsible for preparing ~~will prepare~~ a draft regional environmental management plan on the basis of available data and the results of the deliberations, amongst others, from the scientific and management assessment. The content of the regional environmental management plan ~~should~~shall follow the template and structure in the annex to the present document.

15bis. The expert committee, facilitated by the secretariat, shall compile all available data in a specific database (for example, using the DeepData platform). The region-specific databases should be kept updated during the development and implementation of the regional environmental management plan. Where data gaps are identified, the regional environmental management plan should be developed on the basis of proxies, applying the precautionary approach.

15ter. The expert committee will submit its draft of the regional environmental management plan to the Commission for consideration, accompanied by a statement describing the process undertaken and the stakeholders engaged in its development.

F. Formal stakeholder consultation

17. The secretariat ~~will~~shall publish any comments received from stakeholders on the website of the Authority.

IV. Establishment of a regional environmental management plan

A. Recommendations by the Legal and Technical Commission

18. After the closure of the formal stakeholder consultation, i.e. after a minimum of 90 days, the Commission, with the support of the expert committee, ~~must~~shall, at its subsequent regular meeting, consider the draft regional environmental management plan, taking into account the comments received during the stakeholder consultation and any further information. In doing so, the Commission shall respond to each comment received and provide feedback on how it has been addressed. The

Commission shall also satisfy itself that the proper procedure has been followed in the development of the plan, in accordance with any relevant guidelines.

19. The Commission shall either recommend that the Council adopt the regional environmental management plan or ask the expert committee to make revisions to the draft plan and/or to undertake further processes to develop or verify its contents.

If the Commission recommends that the Council adopts the regional environmental management plan, this recommendation shall be accompanied by a justification for that recommendation, a description of the process that has been undertaken in developing the plan, and the report of the expert committee.

19bis. The draft regional environmental management plan and the recommendation shall ~~The Commission may recommend that the Council adopt the regional environmental management plan. The draft regional environmental management plan and the recommendation should~~ be made publicly accessible on the website of the Authority for a minimum of 90 days in advance of the Council meeting during which the plan will be put forward for adoption.

B. ~~Approval~~ Adopt of the regional environmental management plan

20. The Council will, at its next session, consider the Commission's recommendation regarding the adoption of the regional environmental management plan. The Council may adopt ~~approve~~ the regional environmental management plan or request the Commission to task the expert committee with making specific revisions to the plan and/or with undertaking further processes in developing or verifying its contents. ~~to make specific revisions to the plan and/or undertake further work in developing or verifying its contents, for consideration at a later meeting of the Council.~~

21. When the Council ~~approves~~ adopts it, the regional environmental management plan will be implemented by the Authority as set out in the plan.

V. Review of the regional environmental management plan

22. The Commission, with administrative support from the secretariat, shall report annually to the Council a report that summarizes new environmental data or information from all contractors, as well as new scientific literature data that are relevant to the regional environmental management plan and monitoring data and information.

This annual report should be made publicly accessible by the secretariat of the Authority.

If a State member of the Authority or an observer wishes to discuss the outcomes contained in this annual report, they may include the topic in the agenda of the Council at its subsequent session.

22bis. The Commission shall review ~~Each~~ regional environmental management plan ~~should undergo a review~~, at the latest every five years after its adoption by the Council, or earlier if suggested by the Commission or requested by the Council. This review will be based on newly available data and scientific information, including the

results from monitoring the regional environmental management plan and its effectiveness towards achieving the objectives.

23. Events that may lead the Commission to conduct, or the Council to request, an earlier review may include:

(a) Submission-Availability of substantial new environmental knowledge or data for the region;

(a)bis. Issue of an Authority emergency order that relates to a site within the region;

(a)ter. Request by another organ of the Authority;

(a)quat. Relinquishment of areas previously under contract within the region;

(b) A major environmental change in or affecting the region (e.g. a natural or anthropogenic disaster);

(c) Submission of an application for a plan of work for a new resource category in the region;:-

(d) Regional environmental management plan monitoring results indicating that measures established by the regional environmental management plan are not sufficient towards achieving the Authority's environmental objectives or the region-specific objectives of the regional environmental management plan.

23bis. The Commission shall satisfy itself that the proper procedure has been followed in the review of the regional environmental management plan, in accordance with any relevant guidelines. The Commission recommends to the Council any proposed amendments regarding the plan and its contents, objectives and measures. In submitting such recommendations to the Council, the Commission should include a rationale for its recommendations and a description of the process followed in conducting the review of the plan.

The Council reviews the amendments recommended by the Commission and either adopts the revised plan or reverts the recommendations to the Commission for further work.

The Secretariat provides administrative support throughout the regional environmental management plan review process.

25. The review process ~~can~~shall follow paragraphs 9 to 19^{bis} above,~~as appropriate.~~

Part A: Draft revised standardized procedure for the development, establishment and review of regional environmental management plans

(ii) Rationale for proposed textual amendments

Section I. Introduction: Paragraph (3) (a) and (c) should not only refer to ‘exploitation’ as regional environmental management plans may also be relevant to the ISA’s decision-making about exploration activities. In paragraph (4), we believe Article 165(20 (d) UNCLOS should be referenced, presuming regional environmental management plans are a vehicle by which the LTC will discharge its duty to "*prepare assessments of the environmental implications of activities in the Area.*"

Section II. Initiation of the regional environmental management plan development procedure: The textual proposal on paragraph (6) is to clarify that the Council is also responsible for adopting and reviewing a regional environmental management plan for exploitation activities, not only exploration activities. The phrasing of paragraph (7) could be better aligned with the current wording of DR44bis, though we appreciate and understand the footnote that such wording should be kept under review as the negotiations on the draft consolidated text continue.

Section III. Development of a regional environmental management plan (A. Planning): In paragraph (8) discretionary language (“should”) is replaced with mandatory language (“shall”). Unless this procedure and template is presented as a binding requirement, its purpose to standardize regional environmental management plans will not be achieved. As per our general comment, we propose reinstating the expert committee previously proposed by our 2020 submission and have provided this language as a paragraph (8 bis) under a new heading “Abis. Expert committee”.

Section III. Development of a regional environmental management plan (B. Compilation of available data and information): With respect to our proposal on paragraph (9)(a), as per our general comment (above), the LTC should be able to consider all data at its disposal. In this context, we note that we propose reinstating the expert committee as the body responsible for drafting one regional environmental management plan. However, paragraph (9)(a) already states that it should be in accordance with the rules, regulations and procedures of the Authority, in which confidential information is protected. Continuing, in paragraph (9)(b), we propose to add reference to data and information from other relevant global, regional, subregional and sectoral bodies and organisations. Coordination with these organisations will be an essential component in the drafting of the regional environmental management plan. Furthermore, as currently drafted, paragraph (10) does not clearly assign responsibility to the expert committee for drafting the two reports. We also suggest that the purpose and content of these two reports can be explained here. Lastly, the opportunity can also be taken in paragraph (10) to clarify that while confidential data, if any, can be accessed, this data should not be published.

Section III. Development of a regional environmental management plan (B. Scientific information): We propose several minor textual suggestions on paragraph (11) in order to better clarify some aspects and to bring this paragraph in line with the practice of establishing an expert committee.

Section III. Development of a regional environmental management plan (D. Management assessment): We propose edits to paragraph (13) to prescribe clearly the process required, taking into account the practice of establishing an expert committee.

Section III. Development of a regional environmental management plan (E. First draft of the regional environmental management plan): Some changes to paragraph (15) have been made to this paragraph to bring this in line with the practice of establishing an expert committee. Furthermore, new paragraphs (15bis) and (15ter) are introduced from the 2020 submission to clarify some of the procedural steps for the establishment of the first draft of the regional environmental management plan.

Section III. Development of a regional environmental management plan (F. Formal stakeholder consultation): In paragraph (17) discretionary language is replaced with mandatory language (“shall”).

Section IV. Establishment of a regional environmental management plan (A. Recommendations by the Legal and Technical Commission): Paragraph (18) should establish an obligation for the LTC to respond to each comment. In paragraph (19bis), the publication of the draft regional environmental management plan and recommendations should be mandatory, not optional. The other textual changes to paragraphs (19) and (19bis) are proposed to better outline the procedure of recommending the regional environmental management plans to the Council.

Section IV. Establishment of a regional environmental management plan (B. Approval of the regional environmental management plan): We note our proposal to change the heading from ‘approval’ to ‘adopt’. This language is in line with the current wording under DR44bis and the verb ‘adopt’ is also used by the LTC in other places throughout the document (see paragraphs 6, 7, 19, and 22 from the original documents of the LTC). Furthermore, we propose edits to paragraph (20) to provide flexibility for the Council to postpone a decision, should additional time be needed to review. Lastly, paragraph (21) is edited to bring this in line with using ‘adopt’.

Section IV. Review of the regional environmental management plan: Paragraph (22) should be reformulated to clarify that this paragraph is setting a mandatory obligation and that this obligation falls to the LTC. We suggest the reinsertion of the proposal in our 2020 submission for an annual report to Council, summarizing new data/literature relevant to the regional environmental management plan. This will help both the LTC and the Council to oversee whether an early review of a regional environmental management plan may be required. We also suggest language in paragraphs (22bis) and (23) to clarify that a review could be triggered by, and should consider, new data from any source (not only that generated by the ISA or its contractors) and the results of the monitoring programme for the regional environmental management plan. A new paragraph (23bis) is introduced to clarify in detail some extra procedural steps during the review process of a REMP.

Furthermore, a review process of the regional environmental management plan shall follow all the regular procedural steps, so including stakeholder consultation. Please see our textual changes to paragraph (25).

Part B: Annex Template

(i) Proposed textual amendments

Annex

Template

I. Introduction and background

This section sets the scene for the regional environmental management plan, providing the background to the plan in enough detail for a reader to form an overall impression of the scope of the plan.

It should include a short description of the regional environmental management plan, including its policy, legal and administrative context, a summary of scientific and management expert deliberations and the data report and regional environmental characterization produced, the region covered by the plan and the mineral resources under consideration in the plan.

Each regional environmental management plan shall include the following standardized introduction: “The purpose of the regional environmental management plan is to provide region-specific information, measures and procedures to ensure effective protection of the marine environment in accordance with article 145 of the United Nations Convention on the Law of the Sea. To this end, it sets overarching goals and objectives, is guided by principles, establishes environmental management measures (including area -based management tools), with cumulative and synergistic effects taken into account, and serves to manage potential conflicts between different human activities occurring in the same region. The regional environmental management plan is used by the Authority, sponsoring States and contractors as a framework for their decision -making.”

Ibis. Principles

The regional environmental management plan is guided by the following principles:

- Common heritage of humankind
- Precautionary principle or precautionary approach, as appropriate
- Integrated ecosystem-based management for the whole region
- Accountability through transparent decision -making and public participation
- Use of best available science and scientific information
- Use of relevant traditional knowledge of indigenous peoples and local communities
- Use of best environmental practices and best available techniques

- International cooperation

II. Goals and objectives

2.1.2 Objectives

Environmental objectives that aid the achievement of the goal are, at a regional scale, to:

- Maintain biodiversity
- Maintain ecosystem structure, function and services (including the structure and integrity of food webs, and elemental cycling and trophic relationships)
- Maintain representativity of habitats, communities and populations
- Maintain the ability of populations to replace themselves, including ensuring connectivity among populations
- Maintain areas of temporal, including seasonal, use (such as migratory routes and feeding grounds)
- Preserve vulnerable and/or unique ecosystems
- Preserve endemic, endangered or threatened species
- Maintain benthic and pelagic ecosystems, including mid-water fauna
- Prevent exacerbation of vulnerable ecosystems that are under particular risk from projected climate change effects

III. Geographical scope

3.3 Provide a map that shows:

- Boundaries of the regional environmental management plan in the Area
- International Seabed Authority contract areas and reserved areas
- Any national maritime boundaries or continental shelf claims in the region.

3.4 Provide geographic maps (preferably three -dimensional) that indicate the mineral resources of the specific regional environmental management plan region, and the benthic and pelagic biogeographic areas in the specific regional environmental management plan region (with reference to International Seabed Authority guidelines on how to define boundaries of ocean regions, where available), and taking into account cross-boundary biogeographic and oceanographic areas.

IV. Regional setting

4.1 Environmental characteristics

4.1.4 Natural stressors

This section should include details of any regional-scale natural stressors (e.g. volcanic activity and climate change).

4.2.2 Other human activities

This section should cover other legitimate marine uses in the region (such as cable installation and operation, and marine scientific research, fishing).

4.2.3 Other anthropogenic stressors

Other anthropogenic stressors not described in the preceding sections should be listed and described for the region. Examples include, but are not limited to, climate change (including ocean acidification), pollution, dumpsites, and illegitimate use of the region (e.g. illegal, unreported and unregulated fishing and piracy).

4.2.5 Activities in areas beyond the limits of national jurisdiction and in adjacent waters under national jurisdiction

[Insert details, using descriptive methods and GIS maps, of identified descriptions, designations, management systems or standards by other international organizations or agreements (e.g., Convention on Biological Diversity, Food and Agriculture Organization of the United Nations, regional fisheries management organizations, International Maritime Organization (IMO), International Finance Corporation, regional seas conventions, marine biological diversity of areas beyond national jurisdiction, ecologically or biologically significant marine areas, traditional marine management areas and measures) relevant to the region].

4.5 Established area-based management tools

Provide information on all existing area -based management tools, using descriptive methods and GIS maps, including the size and location of, and measures applicable, for example, in designated marine protected areas, in IMO-designated particularly sensitive sea areas, in special areas established by the International Convention for the Prevention of Pollution from Ships and in areas with restrictions established by regional fisheries management organizations.

4.6 Scenarios for mining activities and forecast of possible effects at the regional level

Provide a forecast of the possible effects of various mining scenarios (extent, duration, frequency of exploitation), taking into account cumulative impacts and climate change, potential stress from outside the region, using modelling that follows the best available scientific techniques and comparisons against the baseline established above.

V. Management measures

5.1 Area-based management

5.1.3 Conditions imposed on mineral resource-related activities by the International Seabed Authority for each specified area.

5.1.4 Monitoring and enforcement measures and parties responsible for implementing those measures to ensure area-based management tools are being adhered to and meeting management objectives.

5.1.5 Sites in need of protection (with buffer zones) (this relates to the fine - scale approach as described in the guidance issued by the secretariat of the Authority in 2019. These sites are particularly at risk from mining activities)

5.1.6 Areas of increased sensitivity and/or areas requiring precaution, including existing ecologically or biologically significant marine areas, as recognized by the Convention on Biodiversity, and vulnerable marine ecosystems, as designated by the relevant regional fisheries management organizations.

VI. Regional monitoring

In this section the main knowledge gaps in the design of the regional environmental management plan are described, and priorities are identified for environmental monitoring that will address these gaps and give confidence that the regional management measures are performing as intended. In each section, where measures or future actions are identified, the regional environmental management plan shall detail who will be responsible for carrying out each action.

Also provide a regional monitoring plan, taking into account the overarching goals and regional objectives of the regional environmental management plan, in particular with regard to the effectiveness of the management measures.

VII. Review of progress in the implementation of the regional environmental management plan

A regional environmental management plan is not static. It ~~will~~shall be reviewed by the Commission at least every five years, as required, focusing on the key elements of the plan, including the environmental setting, the management measures and the knowledge gaps and implementation strategy. The review will be undertaken to determine its suitability or need for amendment, on the basis of the best available data and information and in alignment with the rules, regulations and procedures of the Authority.

Insert here the date of when the regional environmental management plan was first developed and dates of subsequent reviews.

Include a summary of revisions made, a link to any reports related to the implementation or review of this regional environmental management plan, and a link to previous versions of the regional environmental management plan.

Part B: Annex Template

(ii) Rationale for proposed textual amendments

General: The purpose of the template is to standardize the nature of the content across different regional environmental management plans. To achieve this, the regional environmental management plan shall set minimum requirements. For this reason, we suggest replacing language implying discretion (e.g. 'should'), with obligatory language (e.g. 'shall'). We appreciate an intent not to be overly prescriptive of the specific content in any regional environmental management plan but consider the very purposes of the template is to prescribe requisite categories of content. We believe it should be more clear from the

specific formulation that these sections must be completed for every regional environmental management plan. Also, references to 'Standardized Procedure' vs 'Procedure'; 'Guidance' vs 'technical guidance'; 'Template' vs 'template' need to be made consistent and defined throughout the document.

Section I. Introduction and background: The draft template provided in our 2020 submission had an initial paragraph that set out the purpose of the regional environmental management plan, to be included verbatim in each regional environmental management plan to ensure consistency. We therefore recommend this section be replaced with standardized language to be reproduced in each regional environmental management plan.

Furthermore, we have introduced a new section Ibis on the principles the regional environmental management plan should be guided by. These principles ensure consistency and provide guidance in the procedure used to draft and review the regional environmental management plans.

Section II. Objectives: In section 2.1.2, we have added one environmental objective of importance to us. In sections 2.1.3 and 2.2, while we appreciate the footnote, if left blank this template is incomplete. We kindly ask the LTC to make some form of proposal based on the Council's latest deliberations. For example, it can be considered that section 2.2 takes into account objectives focused on preserving cultural heritage, avoiding conflict with other legitimate marine use/measures, protecting coastal State rights, enhancing knowledge etc.

Section III. Geographical scope: We suggest, in line with our 2020 proposal, that regional environmental management plans show (maps of) national maritime boundaries and claims.

We have also introduced a new section 3.4, which is derived from our 2020 proposal. It would be useful if the template asks to provide geographic maps that indicate the mineral resources of the specific regional environmental management plan region, and the benthic and pelagic biogeographic areas in the specific regional environmental management plan region. Such maps can greatly enhance clarity.

Section IV. Regional setting: Generally, we note that this section 4 of standardized template for the regional environmental management plan aims to identify other marine activities in the region, with the purpose of informing decision-making within the ISA. It serves the ISA's best interests for the identification to be as inclusive as possible in the regional environmental management plan, so that decisions are taken on the best available knowledge. For this reason, we suggest the following additions:

- In section 4.1.4 insert 'climate change' in the list of examples of natural stressors to consider.
- In section 4.2.2 insert 'fishing' in the list of examples of other human activities to consider in the region.
- In section 4.2.3, insert 'dumpsites' in the list of examples of other potential anthropogenic stressors.
- Add a new section 4.2.5 on 'activities in areas beyond the limits of national jurisdiction and in adjacent waters under national jurisdiction'.

Furthermore, two new sections are introduced (4.5 and 4.6). These paragraphs focus on important aspects and provide vital information, which we would like to see incorporated in the template for the regional environmental management plans.

Section V. Management measures: The wording in section 5.1.3 is not quite clear on the fact that there would be specific rules and restrictions relating to each area-based management tool, which may differ from area to area. Therefore, we suggest specifying this point. The CCZ and draft nMAR regional environmental management plans have both been criticized for gaps in relation to monitoring and enforcement of areas identified in need of protection. Furthermore, we understand that section 6 deals with monitoring, but this seems more generic about the regional environmental management plan. We suggest a new paragraph 5.1.4 to cover explicitly how the monitoring of these areas will be covered. We also propose to reintroduce two sections from our 2020 submission, as new 5.1.5 and 5.1.6. Currently, section 5.1 does not seem to cover these subjects, which are vital for an effective protection and preservation of the marine environment.

Section VI. Regional monitoring: We believe it is crucial that this section not only lists the monitoring measures required to be taken, but also explicitly states who bears the responsibility for taking them.

Section VII. Review of progress in the implementation of the regional environmental management plan: We recommend this section to be complemented with a section that requires information on when the regional environmental management plan was last revised and a summary of the revisions made with a link to the previous document.

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

Please see our rationale provided after the comments on each part of the document ISBA/29/C/10.