

Item 11 of the provisional agenda\*

**Consideration, with a view to adoption, of the draft regulations on exploitation of mineral resources in the Area**

**Draft list of Standards and/or Guidelines associated with the draft regulations on exploitation of Mineral resources in the Area**

Explanatory note

1. The draft regulations on the exploitation of mineral resources in the Area ([ISBA/25/C/WP.1](#)) anticipate the development of specific standards and guidelines to support their implementation. The standards will be mandatory for both Contractors and the International Seabed Authority, while the guidelines will serve as non-binding recommendations ([ISBA/25/C/19/Add.1](#), section IV.A and Annex). The Legal and Technical Commission has recommended, and the Council has endorsed, an outcome-based approach for their development, with the standards and guidelines to be implemented in phases as follows:

- Phase 1: Standards and guidelines deemed necessary to be in place by the time of adoption of the draft regulations on exploitation.
- Phase 2: Standards and guidelines deemed necessary to be in place before the receipt of an application of a plan of work for exploitation.
- Phase 3: Standards and guidelines deemed necessary to be in place before commercial mining activities commence in the Area.

2. This paper presents a list of standards and guidelines designed to support the implementation of the draft regulations on the exploitation of mineral resources in the Area. The list includes Phase 1 standards and guidelines that were prepared by the Legal and Technical Commission and released for the Council's consideration in 2022, which are indicated in bold. Additionally, it outlines anticipated standards and guidelines based on the ongoing negotiations of the Revised Consolidated Text ([ISBA/30/C/CRP.1](#)) and the Revised Suspense Document ([ISBA/30/C/CRP.2](#)), which are presented in *italics*.

3. For further guidance on the development of standards and guidelines, reference is made to the Secretariat's note on the proposed content and development of standards and guidelines<sup>1</sup>, as well as the Pretoria Workshop Report<sup>2</sup>. Regarding the placement and hierarchy of the respective standards and guidelines, a proposal has been put forward in [Annex-I -placement-hierarchy-criteria-.pdf](#). The current list provides a snapshot of the ongoing negotiations and will be updated as discussions on the regulations progress. The final decision on whether to include potential standards and guidelines is yet to be made. Therefore, the list below should be considered solely as a reference tool to guide discussions.

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\* [ISBA/30/C/L.1/Rev.2](#)

<sup>1</sup> [ISBA/25/C/3](#)

<sup>2</sup> [pretoria\\_workshop\\_report-final.pdf](#)

No.	Standard and/or Guidelines		Draft regulations on exploitation of Mineral resources in the Area (ISBA/30/C/CRP.1)	
	Type/subject matter	Phase	Reference	Other comments
1	Draft standard and guideline on the preparation and assessment of an application for the approval of a Plan of Work for exploitation (ISBA/27/C/3)	1	<ul style="list-style-type: none"> <li>Draft regulations 5, 7, 11, 13, 15, 20, 25, 31, 31bis, 37bis, 41, 57, 58, 59</li> </ul>	Guideline is developed. To be considered whether a standard also should be developed.
			<ul style="list-style-type: none"> <li>Annex I (Section IV)</li> <li>Annex X bis</li> </ul>	
2.	Draft standard and guidelines for the environmental impact assessment process (ISBA/27/C/4)	1	<ul style="list-style-type: none"> <li>Draft regulations 46, 47 and 48 bis</li> <li>Regulation 48 Alt. (3bis) (in the revised suspense document)</li> </ul>	Ensure that it contains guidelines for environmental impact assessment
3.	Draft standard and guidelines for the preparation of environmental impact statements (ISBA/27/C/5)	1	<ul style="list-style-type: none"> <li>Draft regulations 48 and 48 bis</li> </ul>	Guideline is developed. To be considered whether a standard also should be developed.
			<ul style="list-style-type: none"> <li>Annex IV</li> <li>Annex X (in the revised suspension document)</li> </ul>	
4.	Draft standard and guidelines for the preparation of Environmental Management and Monitoring Plans (ISBA/27/C/6 and ISBA/27/C/6/Corr.1)	1	<ul style="list-style-type: none"> <li>Draft regulations 49-53 bis</li> </ul>	Guideline is developed. To be considered whether a standard also should be developed.
			<ul style="list-style-type: none"> <li>Annex (VII)</li> </ul>	
5.	Draft standard and guidelines on the development and application of environmental management systems (ISBA/27/C/7)	1	<ul style="list-style-type: none"> <li>Draft regulation 49</li> </ul>	

6	<b>Draft standard and guidelines on the tools and techniques for hazard identification and risk assessments (ISBA/27/C/8)</b>	1	<ul style="list-style-type: none"> <li>Draft regulation 31 bis</li> </ul>	Guideline is developed. To be considered whether a standard also should be developed.
7.	<b>Draft standard and guidelines for the safe management and operation of mining vessels and installations (ISBA/27/C/9)</b>	1	<ul style="list-style-type: none"> <li>Draft regulations 29 quarter, 30, 30 bis, 32, 37, 48ter and 53 ter</li> <li>Annex II; Appendix I</li> </ul>	
8.	<b>Draft standard and guidelines on the form and calculation of an Environmental Performance Guarantee (ISBA/27/C/10)</b>	1	<ul style="list-style-type: none"> <li>Draft regulation 26</li> </ul>	
9.	<b>Draft standard and guidelines for the establishment of baseline environmental data (ISBA/27/C/11)</b>	1	<ul style="list-style-type: none"> <li>Draft regulations 3, 13 and 46</li> </ul>	Guideline is developed. To be considered whether a standard also should be developed.
10.	<b>Draft standard and guidelines for the preparation and implementation of emergency response and contingency plans (ISBA/27/C/12)</b>	1	<ul style="list-style-type: none"> <li>Draft regulations 32 and 33</li> <li>Annex V</li> </ul>	
11.	<i>Draft standard and guidelines on the development and implementation of Environmental Threshold values and indicators</i>	1	<ul style="list-style-type: none"> <li>Annex VII</li> </ul>	
12.	<i>Draft standard and guidelines on commercial production</i>	1	<ul style="list-style-type: none"> <li>Draft regulations 25, 27 and 29</li> </ul>	

13.	<i>Draft standard and guidelines on the certificate of origin</i>	1	• Draft regulation 29ter	
14.	<i>Draft standard and guidelines on test mining</i>	1	• Draft regulation 48ter	
15.	<i>Draft standard and guidelines on the undertaking and preparation of a scoping report</i>	1	• Draft regulation 47 bis	
16.	<i>Draft standard and guidelines on handling of discovery of underwater cultural heritage</i>	1	• Draft regulation 35 Alt	
17.	<i>Draft standard and guidelines on the handling of data and Confidential Information</i>	1	• Draft regulation 89-92 bis	
18.	<i>Draft guidelines for access to environmental data and information</i>	1	• Draft regulation 92 bis	<i>Could also be included in the draft standard and guidelines on the handling of data and Confidential Information.</i>
19.	<i>Draft standard and guidelines on the undertaking of joint arrangements</i>	1	• Draft regulation 19	
20.	<i>Draft guidelines for procedures for stakeholder participation in activities in the Area</i>	1	• Draft regulations 2 and 11	

21.	<i>Draft standard and guidelines on the requirements and taking out of insurance and placing of insurance risk</i>	2	<ul style="list-style-type: none"> <li>• Draft regulation 36</li> </ul>	
22.	<i>Draft standard and guidelines on the inspection procedures, inspection reports and the preparation of the rules and operating procedures</i>	2	<ul style="list-style-type: none"> <li>• Draft regulations 97, 99, 100, 101 and 102 Alt</li> </ul>	<p>To be considered whether it should be further subdivided.</p> <p>For Inspectors Code of Conduct, see suspense document, draft regulation 97. For ROP, see suspense document, draft regulation 96 bis and 102.</p>
23.	<i>Draft guidelines for the process modifying a plan of work and or the meaning of material change</i>	2	<ul style="list-style-type: none"> <li>• Draft regulations 25 and 57</li> </ul>	
24.	<i>Draft standard and/or guidelines for the application and assessment for use of an exploitation contract as security</i>	2	<ul style="list-style-type: none"> <li>• Draft regulation 22</li> </ul>	
25.	<i>Draft guidelines for protocols relating to notifiable events</i>	2	<ul style="list-style-type: none"> <li>• Annex I</li> </ul>	

26.	<i>Draft standard and guidelines for the application and assessment on the transfer of rights and obligations under an exploitation contract</i>	2	<ul style="list-style-type: none"> <li>• Draft regulation 23</li> </ul>	
27.	<i>Standard and guidelines for the use of remote electronic monitoring and technology</i>	2	<ul style="list-style-type: none"> <li>• Draft regulation 102 and 102bis</li> </ul>	
28.	<i>Draft standard and guidelines for the application of health and safety management systems and plans</i>	2	<ul style="list-style-type: none"> <li>• Draft regulation 30</li> <li>• Annex VI</li> </ul>	
29.	<i>Draft standard on the Environmental Compensation fund</i>	2	<ul style="list-style-type: none"> <li>• Draft regulation 54 (in the suspense document)</li> </ul>	

30.	<b>Draft standard and guidelines on the health, safety and maritime security plan</b>	3	<ul style="list-style-type: none"> <li>• Annex VI, B (2) (in the Suspension Document)</li> </ul>	Developed and is contained in the revised suspense document
31.	<b>Draft standard on the Financial Terms of a Contract</b>	3	<ul style="list-style-type: none"> <li>• Implement outstanding aspects such as on 54, 63, 64-64qui</li> </ul>	
32.	<b>Draft standard and guidelines on the administration and management of payment of royalty and royalty returns</b>	3	<ul style="list-style-type: none"> <li>• Draft regulation 55, 64, 70, 71 and 79</li> </ul>	

			<ul style="list-style-type: none"> <li>Appendix IV</li> </ul>	Developed and is contained in the revised suspense document
<b>33.</b>	<b>Draft standard on the system of payments and the rates of payments</b>	3	<ul style="list-style-type: none"> <li>Draft regulations 81 and 82</li> </ul>	Developed and is contained in the revised suspense document
<b>34.</b>	<b>Draft standard on the methodology for the Review of Rates of Payments</b>	3	<ul style="list-style-type: none"> <li>Draft regulation 82</li> </ul>	Developed and is contained in the revised suspense document
<b>35.</b>	<b>Draft standard on the royalty mechanism</b>	3	<ul style="list-style-type: none"> <li>Appendix IV (moved to suspense document)</li> </ul>	Developed and is contained in the revised suspense document
<b>36.</b>	<b>Draft standard on the equalization measure</b>	3	<ul style="list-style-type: none"> <li>Draft regulation 64 bis (in the suspense document)</li> </ul>	Developed and is contained in the revised suspense document
<b>37.</b>	<i>Draft standard and guidelines on the establishment of the Seabed Mining Register</i>	3	<ul style="list-style-type: none"> <li>Draft regulation 92</li> </ul>	
<b>38.</b>	<i>Guideline for stakeholder consultation</i>	3	<ul style="list-style-type: none"> <li>Draft regulation 93 bis</li> </ul>	Reference to guideline. Also to consider whether a standard is necessary.
<b>39.</b>	<i>Draft standard and guidelines on the preparation of the annual report and auditing and other reporting requirements under an exploitation contract</i>	3	<ul style="list-style-type: none"> <li>Draft regulations 38-39, 75 and 83 bis</li> </ul>	

40.	<i>Draft standard and guidelines on the preparation and implementation of closure plans and post-closure monitoring and evaluation</i>	3	• Draft regulations 59 and 61	
			• Annex VIII	
41.	<i>Guidelines on information to be submitted upon expiration of an exploitation contract</i>	3	• Draft regulation 91	
42.	<i>Draft standard and/or guidelines on suspension and termination of an exploitation contract</i>	3	• Draft regulation 103	