

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH
SESSION: COUNCIL - PART I**

Informal Working Group - Environment

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.

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

Pew Charitable Trusts

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

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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.

Please note that Pew’s proposed edits are highlighted in yellow

Ibis. Compliance with this regulation is a fundamental term of the contract, for the purposes of regulation 103.

(b) Be audited annually by an ~~capable of cost-effective~~, independent auditing by recognized and accredited international or national organizations; and

(c) Permit effective reporting to the Authority in connection with environmental performance pursuant to regulations [33, 34, 38, 52, 58].

(d) Be in accordance with Good Industry Practice and internationally recognised standards.

(e) Undergo an annual management review, and include the results in the Contractor’s annual report under regulation 38, and the performance assessment of the Environmental Management and Monitoring Plan under regulation 52.

3 bis A proposed change to a Contractor’s Environmental Management System shall be treated the same as a modification of a Plan of Work, pursuant to regulation 57

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

Regarding proposals in para b and c: In addition to Costa Rica’s suggestion that an EMS be subject to annual audits, we note that in responding to the 2020 stakeholder consultation on draft Standards and Guidelines for EMS, many delegations requested clarification of the reporting requirements related to the EMS. This subparagraph could tie the EMS back to existing reporting requirements in the regulations, specifically those reflected in 33, 34, 38, 52, and 58.

On new proposed para d - we suggest that a requirement that the EMS specifically be in accordance with GIP and IRS. There is a very widely used ISO standard for EMS (ISO 14001), which would be incorporated nicely by this reference to 'internationally recognised standards' (but without binding contractors to that specific system).

On new proposed para e - This proposed addition reflects that EMS standards typically require regular management review. The draft ISA EMS Standard and Guideline contained some content about a management review, but stakeholders responded that this review should be mandatory (Australia, Chile, The Pew Charitable Trusts), with outputs reported to the ISA and sponsoring state (Costa Rica, Kiribati). As the EMS is the Contractor's primary tool for delivering its EMMP, there should also be a connection between the EMS management review and the EMMP performance assessment.