

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:  
COUNCIL - PART II**

***Informal Working Group - Environment***

*Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to [council2022@isa.org.jm](mailto:council2022@isa.org.jm).*

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

The 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.**

1. A Contractor shall develop, implement and maintain an Environmental Management System, in ~~conformity~~compliance with the Standards and taking account of the relevant Guidelines and in accordance with Good Industry Practice and internationally recognized standards.
2. An environmental management system shall:
  - a. Deliver the Authority’s environmental objectives in the project area as reflected in the Environmental Management and Monitoring Plan
3. 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 paragraph 1, we recommend the EMS be developed in alignment with Good Industry Practice and internationally recognized standards. There is a very widely used ISO standard for EMS (ISO 14001) which would be incorporated by this reference to 'internationally recognised standards' (but without binding contractors to that specific system). This should be further elaborated in the EMS Standard and Guideline.

Regarding paragraph 2, we note that the term ‘project area’ is used here (as well as occasionally in the EIS Annex), but is not a defined term in the Regulations. To avoid confusion we would suggest defining this term (or using a different term that is clearly defined). We believe that ‘Project Area’ should mean the Contract Area plus any other area where Environmental Effects occur or are likely to occur as a result of Exploitation activities in a Mining Area. So the ‘Project Area’ would then be defined simply as the Contract Area plus the Impact Area.

Lastly, we propose an additional paragraph derived from responses to the 2020 stakeholder consultation on Standards and Guidelines for Environmental Management Systems that specifies that a change to a Contractor’s EMS should be treated the same as a modification of a Plan of Work pursuant to regulation 57.