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Objectives & Ground Rules for the Pretoria Workshop on Standards& Guidelines Yongsheng Cai Senior Legal Officer



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Background of the Workshop

- Draft Exploitations Regulations (Roadmap)
- ISBA/25/C/WP.1
- Relationship between Draft Regulations and Standards & Guidelines
- Regulations 94 and 95 under the Draft Exploitation Regulations
- Regulation 45 under the Draft Exploitation Regulations
- TOR endorsed by LTC at the March 2019 session
- LTC work forward

Key Documents

- ✓ ISBA/25/C/WP.1
- ✓ ISBA/25/C/3
- ✓ ISBA/25/C/17
- ✓ ISBA/25/C/18
- ✓ ISA Technical Study 17





Objectives of the Workshop

> To establish a prioritised list of standards and guidelines with reference sources

- \succ To develop a process for the development of the standards and guidelines
- To compile a list of "environmental standards" and to develop an associated development process
- Risk-based approach to regulation
- How regulators approach the use, adoption and reference of standards in a national context
- $\circ~$ Setting of standards and guidelines from an engineering and a science-based perspective
- Subsequent technical development, including addressing the gaps and challenges in document development





Terms of Reference

1. Standards and Guideline

- Examine the draft list of documents (see the annex to ISBA/25/C/3) and identify those which lend themselves to the development of standards
- Suggest additions or deletions to the list, with a particular focus on "environmental standards"
- Indicate/suggest relevant reference sources for each suggested standard and guideline
- Indicate which standards and/or guidelines should be prioritised for development
- Suggest indicative timelines for the prioritised documents

2. Process for development

- \circ Who initiates the process?
- Who develops the content of the standards and guidelines?
- What could be the recommended content of such standards and guidelines (can template be developed)?
- Who reviews the content (including the process for review)?
- \circ Who approves the content?





Observations by the Council Members

- Consistent and in accordance with Part XI of the Convention
- Development of standards by thematic themes
- Open and transparent process for development of S&G
- Compatibility with current technical levels and knowledge, and avoid frequent changes
- Not all documents require a formal process for development
- Draw on existing and generally accepted international standards
- Clarity required on the relationship between best available techniques, best environmental practice and standards
- What determines the mandatory versus recommendatory nature of a document
- Standards should be seen as a "floor not a ceiling"





Standards & Guidelines Development Priorities

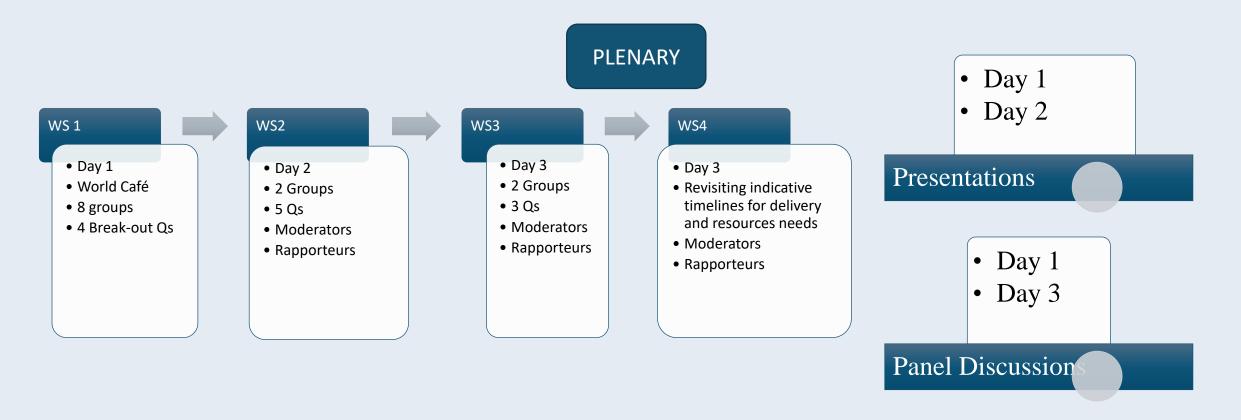
Documents to be put in place (or largely complete) by the time of the adoption of the draft regulations (July 2020)

Documents to be put in place prior to the receipt of and consideration of a plan of work for exploitation Documents to be put in place before monitoring or mining activities commence in the Area





Workshop Format







Reference & Source Material





