

**TEMPLATE FOR SUBMISSION OF COMMENTS ON THE
GUIDANCE TO FACILITATE THE DEVELOPMENT OF REGIONAL
ENVIRONMENTAL MANAGEMENT PLANS (ISBA/27/C/37)**

Please fill out the form for general comments and textual proposals which your delegation(s) wish(es) to amend, add or delete, and send to: uemmr-secretariat@isa.org.jm

1. Name(s) of Delegation(s) making the proposal, including contact details:

The Ocean Foundation, Observer

2. Please provide general comments, including the main rationales for the textual proposals.

This template does not address the Duty to Protect objects of an archaeological and historical nature under Convention Article 149. The general template needs to be revised to include a survey for Underwater Cultural Heritage and the development of measures to avoid or mitigate adverse impacts to such heritage prior to exploration and exploitation that may harm or destroy such heritage in accordance with the duty to protect such heritage under article 149 of the United Nations Convention on the Law of the Sea. Intangible cultural heritage should also be accounted for.

3. Kindly provide specific textual proposals in table below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.

Specific Textual Proposals	
Relevant provision in document ISBA/27/C/37 (Page and paragraph number)	Proposed amendment(s)/addition(s)/deletion(s)
Page 1, paragraph 2	Regional environmental management plans are essential tools for ensuring the effective protection of the marine environment, in accordance with article 145 and 149 of the United Nations Convention on the Law of the Sea. This is reflected in the strategic plan of the Authority for the period 2019–2023 (ISBA/24/A/10, annex) and its high level action plan (ISBA/25/A/15, annex II, and ISBA/25/A/15/Corr.1), as adopted by the Assembly.
Page 2, paragraph 4	In February 2020, the Council adopted a decision concerning a standardized approach for the development, approval and review of regional environmental management plans in the Area (ISBA/26/C/10). In that decision, the Council requested the Commission, in consultation with the Finance Committee, if necessary, to further develop the “Guidance to facilitate the

	development of regional environmental management plans”, in accordance with the Convention and the Agreement relating to the implementation of Part XI and article 149 of the United Nations Convention on the Law of the Sea of 10 December 1982, as well as the rules, regulations and procedures of the Authority, and taking into account, as appropriate, the two submissions mentioned above with a view to recommending to the Council a standardized approach, including a template with indicative elements.
Page 3, paragraph 9	The purpose of a regional environmental management plan is to set in place conservation and management measures and tools across the region in the Area to ensure the effective protection of the marine environment from harmful effects that may arise from activities in the Area, in accordance with article 145 and 149 of the Convention and the strategic plan of the Authority. To this end, such a plan establishes principles, goals and objectives and identifies area-based and other management measures, as well as an implementation strategy.
Page 5, paragraph 18	The Commission recommends that the Council consider, with a view to adopting, the standardized procedure for the development, approval and review of regional environmental management plans, including the general template, revised to include a survey for Underwater Cultural Heritage (as defined in the Schedule) and the development of measures to avoid or mitigate adverse impacts to such heritage prior to exploration and exploitation that may harm or destroy such heritage in accordance with the duty to protect such heritage under article 149 of the United Nations Convention on the Law of the Sea, for the development of the plans, as contained in the annex.
Page 5, Annex paragraph 1	Regional environmental management plans should contribute to fulfilling the mandate of the International Seabed Authority to ensure the effective protection of the marine environment from harmful effects that may arise from activities in the Area, in accordance with article 145 and 149 of the United Nations Convention on the Law of the Sea and the strategic plan of the Authority for the period 2019–2023
Page 5, Annex paragraph 2(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, biological communities, and Underwater Cultural Heritage within the management area; and/or (b) important for the maintenance of ecosystem structure and function;
Page 5, Annex paragraph 3	The process outlined below takes into consideration the functions of the Legal and Technical Commission of the International Seabed 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, including Underwater Cultural Heritage taking into account the views of recognized experts in that field (art. 165, para. 2 (e)) 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). In addition, the Commission is also

	responsible aimed at 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 (art. 165, para. 2 (g))
Page 5, Annex paragraph 5	5. The Council is responsible for defining a strategy for the development of regional environmental management plans for all mineral provinces in the Area where exploration is taking place, and the identification of priority areas, both of an environmental and cultural character . The Council may then request the Commission to undertake or initiate the development of those plans
Page 6, Annex paragraph 8(d)	add (d) Cultural heritage setting. The existence of any Underwater Cultural Heritage (as defined in the Schedule).
Page 7, Annex paragraph 11(a)	Define the appropriate regional environmental management plan area, drawing upon information on the geology, biogeography, Underwater Cultural Heritage , and oceanography of the region
Page 7, Annex paragraph 11(e)	Undertake an assessment of cumulative impacts including to Underwater Cultural Heritage
Page 7, Annex paragraph 11(f)	Provide descriptions of potential areas that could be protected from exploitation in order to achieve the effective protection of the marine environment and Underwater Cultural Heritage , including through the identification and description of different categories of area based management tools, such as areas of particular environmental interest, as well as potential sites and areas in need of protection within the region
Page 10, General Template, Art. VI	VI. Environmental and geological setting and exploration areas This section should include a summary of the information compiled in the regional insert environmental and Underwater Cultural Heritage assessment and the data report, without repeating detailed information already presented in those background reports