

**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: gemmr-secretariat@isa.org.im

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

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

The International Seabed Authority (ISA) is mandated by the UN Convention on the Law of the Sea to ensure the effective protection of the marine environment. Regional environmental management plans should be tools for the ISA to guide environmental protections tailored to a particular area. REMPs should enable the ISA to set goals for a whole region, taking into consideration the full range of habitats and ecosystems within that area, potential cumulative impacts, and regional uses - and would therefore differ from project-based assessments focused on a single site. Although the current draft has made some progress in creating a standardized framework for the development of REMPs, the draft needs significant revisions in order to be actionable and ensure effective environmental management.

In November 2019, the Secretariat of the Authority in consultation with the Legal and Technical Commission had issued a document on guidance to facilitate the development of REMPs. In response to that document, in 2020, the delegations of Germany and Netherlands and cosponsored by Costa Rica, made a submission on the procedure for the development, approval and review of regional environmental management plans. These proposals were made because the zero draft of the guidance document was found to be lacking in several critical areas and the procedure for the development, approval and review of REMPs, as well as the relationships between the plans and activities in the Area had not been “explicitly clarified and agreed”. The Germany, Netherlands proposal, cosponsored by Costa Rica, was developed through a formal stakeholder consultation involving over 75 stakeholders in Hamburg in 2019.

This new draft seems to be based on the 2019 Secretariat document and does not reflect the German/Netherlands proposal. From a procedural standpoint this is worrying, both because inputs from Council members should be afforded due regard and also because efforts are being duplicated and the process made inefficient.

On substance, a summary of our main concerns and recommendations can be found below which also serves as rationale for many of the textual proposals made in the subsequent section, for both annexes (“Standardized procedure for the development, approval and review of regional environmental management plans” and “General template for the development of regional environmental management plans”).

Standardized procedure for the development, approval and review of regional environmental management plans

1. Role of Expert Committee - The proposal by Germany and Netherlands, co-sponsored by Costa Rica (ISBA/26/C/6) suggests that an expert committee be contracted for leading

workshops and developing the first draft REMP. We strongly support the inclusion of an expert committee in the REMP guidance document. Paragraph 10 of the LTC Recommendation notes the value of contracting experts for the purposes of developing a regional environmental assessment, but states that contracting experts should be done on a case by case basis. Due to the limited region-specific scientific expertise and capacity of the LTC, it is hard to imagine any REMP process that would not rely heavily on the input of independent experts. As such, we think the expert committee suggested should be given further consideration and that a clear process for the selection of an expert committee be included either in this document, or perhaps in the Exploitation Regulations. We note that Belgium in 2018 put forward a helpful proposal on this matter¹ and believe the development and review of REMPs, as well as other subject matters, could benefit from further discussion on the selection of independent experts/competent persons.

2. **Criteria for Selecting Workshop Attendees** - The LTC recommendation envisions workshops that will convene relevant experts for the scientific and policy assessments that ultimately will feed into the first draft REMP. It would be helpful to expand upon the criteria for the selection of those experts that will be able to participate in the workshops and specify if other interested parties will be able to participate or observe the workshop. This guidance could be included here or possibly incorporated in a stakeholder participation policy document, such as the ISA's stakeholder engagement strategy, which has not been released since it was put forward for consultation in 2020. This stakeholder participation policy document could then be referenced in this guidance.
3. **Separation of Science and Policy Workshops** - While we can understand the rationale for separating science and policy parts of the REMP process, this approach risks the ISA not taking into account other marine users at an early enough stage of the REMP development. The German, Netherlands, and Costa Rican proposal had an expert committee compile what data was available, and then a workshop (or more) involving all "Relevant experts, stakeholders in the field (including representatives of relevant coastal States, experts with traditional knowledge and representatives of local communities) and representatives of relevant international bodies should be invited to the workshop, on the basis of an expert and stakeholder mapping exercise (conducted by or for the expert committee), in accordance with the relevant guidelines." The objective of the workshops was to gather all available information and to involve all relevant perspectives, interests, information and expertise. This approach to us sounds much more inclusive and consultative.
4. **Stakeholder Participation** - There are a several points in this document that could be improved to ensure more meaningful stakeholder participation:
 - a. The REMP process policy document should be an opportunity to clarify the process around stakeholder participation in decision-making, which includes proactive outreach to identify potentially interested or affected persons, and with special attention to historically marginalized groups. Instead it focuses on 'experts' and publishing materials on the ISA website only. The lack of detail of who and how stakeholders participate is concerning. Also, publication of any of the materials mentioned in this document on the ISA website alone is not sufficient. Many potentially interested parties (for example other marine users in the region) may be entirely unaware of the ISA and its REMP process, and so more proactive contact efforts should be required.
 - b. On all documents subject to stakeholder consultation, the responsible party should be required to respond to the persons making the submission and in their revisions provide an explanation of what submissions were or were not taken into account and why.

¹ Non-paper: Strengthening Environmental Scientific Capacity of the ISA, <https://www.isa.org.jm/files/files/documents/belgium-capacity.pdf>.

- c. The publication of the first draft REMP on the Authority website (para. 15 & 16) should include a description and rationale of any deviations from the science or policy assessments.
 - d. The consultation period should be longer than a minimum of 45 days. For those unable to participate in the workshops this would be the first time they are seeing the draft REMP and all the information contained therein: data report, regional environmental assessment, and science and policy assessments. Analyzing this information and providing thoughtful feedback would be difficult under a 45-day period. We recommend providing a minimum of 90 days as stated in the Germany, Netherlands and Costa Rica proposal.
 - e. The LTC's recommendations to the Council, and supporting materials, should be made publicly available through the Authority's website well in advance of the Council's consideration. As noted above, the LTCs recommendations should include a description of stakeholder comments and provide rationale for how each was or was not addressed.
5. Annual Report - As proposed by Germany, Netherlands, and Costa Rica, there should be an annual report each year that summarizes new environmental data from all contractors, as well as new scientific literature data that are relevant to the regional environmental management plan and monitoring data and information. The report should also include recommendations as to the implications (if any) of new knowledge and findings for the plan. Without this information, particularly the recommendations, it is not clear how the Council would even know that a review before five years is needed.
 6. Regional environmental assessment and data report - these documents are both referenced in the template and procedural guidance. However, it is unclear what content either of these documents would include or what the process would be for their development. The Germany, Netherlands, and Costa Rica proposal provides a list of baseline information that should be considered. Presumably that information would be covered in one of these documents and be included as an addendum to the REMP, but that is not clear. We recommend that the content and procedure for creating these documents be formalized either here or in another document (with a corresponding reference to those documents).

General template for the development of regional environmental management plans

1. REMP Purpose, Guiding Principles and Goals - As noted in section 3 ("Overarching goals"), it is likely that the first three sections (and possibly section four "Purpose of the REMP") will be similar for all REMPs. We agree that these sections should be consistent; however, it is unclear who and at what stage these sections (purpose, principles, and goals) will be developed. In our review of the draft northern Mid-Atlantic Ridge we noticed several discrepancies between the purpose, principles and overarching goals and objectives of that draft and the CCZ EMP. Before the nMAR (or any other REMP) is further developed, it would make sense to develop these sections further to provide a common understanding of the purpose, principles and goals of REMPs and to ensure consistency in their applications across regions. For example, REMPs should serve as a wider-decision making tool beyond establishing protected areas (which appears to be the current focus of this document). Additional objectives include promotion and encouragement of marine scientific research with emphasis on research related to environmental impacts associated with activities in the Area and the identification and management of potential conflicts with other marine users and assessment of their potential contributions to synergistic environmental effects.
2. Detail of each section - The Germany, Netherlands, and Costa Rica proposal put forward similar headings as the ones contained in this document but provided much more information about what content would be included in each section. We believe much of that additional information should be required across REMPs and query why that information was not incorporated into this document. This includes detail on the environmental baseline

information (which presumably would be in the data report though unclear) and on management measures. With regards to management measures, the template tends to focus on area-based management tools and provides very limited information on what would be included under non-spatial measures, such as region-specific thresholds and seasonal or temporal restrictions.

3. We recommend additional sections be added to this annex:
 - a. Consideration of other Human Activities – Every REMP should provide a section on the identification and mitigation of conflicts with cultural heritage and interests and with other marine users, such as fisheries and submarine cables. This should include an elaboration on specific measures to avoid potential conflict and consideration of how other marine users contribute to synergistic environmental impacts in the region (see ISBA/26/C/7).
 - b. Scenario Forecasting - Every REMP should include forecasting of various mining scenarios, including multiple contracts, other industry pressures, and the effects of climate change, to assess the number of contracts that can be approved in the region before exposing the environment to unacceptable levels of harm (see ISBA/26/C/7).
 - c. List of Potentially Affected Coastal States - From conversations at the March and July 2022 Council sessions on draft regulations 3 and 4, it is clear that there is a need to specify when and how relevant adjacent coastal States (those most at risk from exploitation activities) will be notified and consulted with. We believe that relevant adjacent coastal States should be notified and consulted with during the development of a REMP and before an application for a Plan of Work is submitted. It would be helpful for the ISA to assist in identifying the adjacent coastal States that should be consulted, to avoid each individual Contractor needing to make this determination themselves, which may lead to inconsistency and errors. This list of relevant adjacent coastal States could be included in the workplan that the LTC recommends to the Council and be retained in the adopted REMP.
 - d. List of relevant international organizations - along the same lines as proposed in above (#3), it would be helpful to put together a list for each region of the relevant organizations, such as Fisheries and submarine cable organizations, UNESCO, a future scientific committee convened by the BBNJ Instrument, and CBD EBSA committees, to ensure these parties can participate in the development of the REMP, if they so choose, and be notified in the future on any proposed activities in the region that may benefit from their awareness. This list of relevant organizations could be included in the workplan that the LTC recommends to the Council and be retained in the adopted REMP.

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) Additions in red Strikethrough for deletions
pg. 6 - para. 1	1. Regional environmental management plans should

	<p>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 of the United Nations Convention on the Law of the Sea and the strategic plan of the Authority for the period 2019–2023.</p> <p>Rationale - recommend not making reference to a time-bound document that is going to expire soon. Also, it would seem more appropriate to reference regulations or some other policy document rather than strategic plans or other related document</p>
pg. 6 - para. 2	<p>2alt:</p> <p>“The purpose of the regional environmental management plan is to provide region specific information, measures and procedures to ensure effective protection of the marine environment in accordance with article 145 of the United Nations Convention on the Law of the Sea. To this end, it sets overarching goals and objectives, is guided by principles, establishes environmental management measures (including area -based management tools), with cumulative and synergistic effects taken into account, and serves to manage potential conflicts between different human activities occurring in the same region.</p> <p>As such regional environmental management plans are designed to, among other things:”</p> <p>Rationale - REMPs should be used as a wider decision-making tool beyond establishing protected areas (which appears to be the focus here). REMPs should also manage the cumulative effects of multiple mining operations to ensure these effects do not go beyond acceptable limits and also manage conflicts with other legitimate users (e.g. fisheries). As mentioned in our general comments, the purpose, guiding principles, and overarching goals section of the REMP template should be expanded to include these elements. As such we recommend the scope of REMPs be expanded in this paragraph.</p>
pg.6 - paras 2(a-c)	<p>(a) Provide the relevant organs of the Authority, as well as contractors and their sponsoring States, with environmental management measures and tools, including area-based management tools, to support informed decision-making that ensures environmental protection on a regional scale from mining activities [balances resource development with the protection of the marine environment at a regional scale.]</p> <p>(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 and biological communities within the management area; and/or (b) important for the maintenance of ecosystem structure and function;</p> <p>(c) Provide those areas with appropriate levels of protection, including through recognition of no mining zones</p> <p>Rationale:</p> <p>Para (a): The duty to ensure the protection of the marine environment is absolute, and not conditional on balancing the duty with resource development</p> <p>Para (c): The ISA recognizes the importance of creating large no-mining areas to protect the seafloor from extractive activities. It is expected that every area where mining may occur in the future will have a REMP that identifies large no-mining</p>

	<p>zones within that area. These zones must be codified in the regulations such that no-mining can occur in them. However, as currently drafted, the regulations do not prohibit exploitation activities within protective zones. These zones should also be prescribed as remaining in place for as long as the effects of mining persist, and ideally in perpetuity.</p>
pg. 6 - para. 3	<p>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, 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 for 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)).</p>
Pg. 6 - para. 4	<p>4. A regional environmental management plan shall be developed by the Authority for each region that is under consideration for the conduct of exploitation has activities in the Area.</p>
Pg. 6 - para 6	<p>This paragraph will need to be revisited to reflect ongoing discussions in the regulations (see 44bis) which could prohibit review of an application for a Plan of Work by the LTC until the REMP for the region in question has been adopted.</p>
Pg 7 - 9 Section 3	<p>Comment - This entire section omits the role of an expert committee as envisioned by the Germany, Netherlands, and Costa Rica proposal (ISBA/26/C/6). This committee would serve as a technical body of the LTC and would be responsible for developing and reviewing a REMP for a specific region. As noted in our general comments, no rationale has been given as to why this expert committee was not included in this draft. In our revisions below we have incorporated the role of the expert committee.</p>
Pg. 7 - para. 7	<p>“7. The Council, acting on a recommendation of the Commission, shall establish an expert committee for the development of a first draft of the regional environmental management plan for a specific region. The workplan will identify the main tasks to be undertaken by the Commission and the secretariat and the competencies of any external experts to assist with the process, and will set out an indicative timeline.</p> <p>7bis. This expert committee should be established as a technical body of the Legal and Technical Commission and be characterized as an ad hoc committee that is assigned to develop and review one regional environmental management plan for a specific region. The committee should support the Commission in its task of advising the Council.</p> <p>7ter. The selection and appointment of experts should be undertaken in line with relevant guidelines and United Nations procurement processes, with a focus on competences identified as</p>

	<p>relevant for the specific regional environmental management plan. It should be configured as an independent expert body, comprising about five to seven experts acting in their individual capacity. The experts should have expertise in the following areas, at a minimum: biology, geology, oceanography, spatial planning and modelling. The expertise in biology shall include, at a minimum, expertise related to biodiversity, connectivity and the ecosystem function of benthic and pelagic communities. Region-specific knowledge should be considered in particular when selecting the experts. should prepare a workplan for the development of each new regional environmental management plan.</p> <p>7quarter. Members of the expert committee shall have no personal financial interest in any activity relating to exploration and exploitation in the Area.”</p>
Pg. 7 - para. 8	<p>Comment - It is not clear who is responsible for defining the geographical scope of the REMP. Presumably, the Commission could include this in its recommendation to the Council for the establishment of the expert committee. The expert committee in its first draft REMP could then recommend that geographic scope of the REMP be expanded or condensed depending upon scientific information gathered.</p>
Pg. 7 - para. 9 & 10	<p>9. The Commissionexpert committee, with assistance from the secretariat, should facilitate the compilation, analysis and synthesis of available data and information, including should take steps to ensure it has access to all available data. These data include:</p> <p>(a) Contractor data and information submitted to the Authority that pertain to the region and are not deemed confidential, in accordance with the rules, regulations and procedures of the Authority;</p> <p>Rationale - Data that is marked confidential, but which would be relevant to the REMP, should be included in the process by finding a way to do so without prejudicing the contractor's interests unduly.</p> <p>(b) Data and information, in particular from scientific projects, initiatives in the region, peer-reviewed articles and publicly accessible databases;</p> <p>(c) Traditional knowledge of indigenous peoples;</p> <p>(d) Information on human remains or archaeological or cultural objects;</p> <p>(e) Any other information relevant to the indicative elements for the regional environmental management plan, including uses of other marine users.</p> <p>10. Delete</p>
Pg. 7 -8 - para. 11	<p>11. The expert committee should organize, with the support of the secretariat, One or more expert workshops may be convened to bring together experts. Such workshops, organized by the secretariat in collaboration with the Commission, will be focused on scientific synthesis and description as well as the development of tools and approaches for the effective protection and management of the area covered by the proposed regional environmental management plan. The workshops will include the following objectives:</p> <p>(a) Define the appropriate regional environmental management</p>

	<p>plan area, drawing upon information on the geology, biogeography and oceanography of the region;</p> <p>(b) Review and analyse benthic and pelagic ecosystem data;</p> <p>(c) Synthesize environmental data, including faunal distribution, dispersal capabilities and distances; genetic connectivity; patterns of biodiversity; community structure; ecosystem function; and ecological proxy variables;</p> <p>(d) Describe current exploration activity within contract areas and potential conflicts with other legitimate users or marine spatial designations;</p> <p>(e) Undertake an assessment of the carrying capacity of the region, including an assessment of likely synergistic or cumulative impacts at the regional-scale;</p> <p>(f) Provide descriptions of potential areas that could be protected from exploitation in order to achieve the effective protection of the marine environment, 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;</p> <p>(g) Identify potential non-spatial management measures or options.</p> <p>11bis. Relevant experts, stakeholders in the field (including representatives of relevant coastal States, experts with traditional knowledge and representatives of local communities) and representatives of relevant international bodies should be invited to the workshop, on the basis of an expert and stakeholder mapping exercise (conducted by or for the expert committee), in accordance with the relevant guidelines.</p> <p>11ter The expert committee, facilitated by the secretariat, shall compile all available data in a specific database (for example, using the DeepData platform). The region specific databases should be kept updated during the development and implementation of the regional environmental management plan.</p>
Pg 8 - para 12 - 14	<p>Comment - we would prefer not to have distinct science and policy focused workshops. see general comments above. If this approach is retained we have provided some revisions below.</p> <p>12. The results of the science-focused workshops will provide inputs for additional, policy-oriented expert workshop(s) focused on management measures and implementation strategies and aimed at translating the scientific proposals into management options. Relevant experts, stakeholders in the field (including representatives of relevant coastal States, experts with traditional knowledge and representatives of local communities) and representatives of relevant international bodies should be invited to the workshop, on the basis of an expert and stakeholder mapping exercise (conducted by or for the expert committee), in accordance with the relevant guidelines. Such workshop(s) should include a diverse range of expertise and stakeholders, in particular those with expertise in technology, conservation planning, environmental management and monitoring, and should also include the participation of relevant international and regional organizations. The expert committee Commission, with assistance from the secretariat, will decide if more than one workshop is needed, based</p>

	<p>on the status of the regional environmental management plan development and subject to the availability of resources.</p> <p>13. The policy-oriented expert workshops will focus on identifying:</p> <ul style="list-style-type: none"> (a) Management goals and objectives at a regional scale; (b) Area-based and other types of management measures to achieve the goals and objectives, including region-specific thresholds; (c) Priorities for research and environmental monitoring at the regional scale to address the knowledge gaps identified; (d) Implementation strategies, including collaboration and cooperation. <p>14. The output of the expert workshops can be included under the various headings identified in the general template for the regional environmental management plan (see appendix).</p>
Page 8 - para. 15	<p>15. The expert committee Commission, with assistance from the secretariat, will prepare the draft regional environmental management plan, following the general template laid out in the appendix, including a list of indicative elements. Where data gaps are identified, the regional environmental management plan should be developed on the basis of proxies, applying the precautionary approach. The draft will be released for stakeholder consultation.</p> <p>15bis. The expert committee will submit its draft of the regional environmental management plan to the Legal and Technical Commission for consideration, accompanied by a statement describing the process undertaken and the stakeholders engaged in its development.</p>
Page 9 - para. 16	<p>16. Upon receipt from the expert committee, the Legal and Technical Commission will, with The assistance of the secretariat, will make the draft regional environmental management plan and a summary of the information gathered (pursuant to the plan template and its minimum requirements) publicly available for stakeholder comment for a minimum of 45 90 days by placing the document on the website of the Authority. The secretariat shall on the website publish any responses received as part of such consultation.</p>
Page 9 - Para. 17	<p>17. After the closure of the consultation period, i.e. a minimum of 45 90 days, the Commission should, at its subsequent regular meeting, consider the draft regional environmental management plan, taking into account the comments received during the stakeholder consultation and any further information from the Commission secretariat. The Commission should also satisfy itself that the proper procedure has been followed in the development of the plan, in accordance with any relevant guidelines.</p>

Page 9 - Para. 18	<p>18. The Commission may either recommend that the Council adopt the regional environmental management plan or ask the expert committee to make revisions to the draft plan and/or decide to undertake further work to develop or verify its contents.</p> <p>18bis. Any recommendation by the Legal and Technical Commission to the Council on the adoption of a regional environmental management plan should be accompanied by a justification for that recommendation, a description of the process that has been undertaken in developing the plan, and the report of the expert committee. These documents should be made publicly accessible on the Authority's website at least three months in advance of the Council meeting during which the plan will be put forward for adoption.</p>
Page 9 - Para 19	<p>19. On the basis of a recommendation by the Commission, the Council will approve the establishment adoption of the regional environmental management plan or request the Commission to task the expert committee to make specific revisions to the plan and/or undertake further work in developing or verifying its contents, for consideration at a later the following meeting of the Council.</p> <p>19bis Every year, the expert committee, with administrative support from the secretariat, shall provide to the Council a report that summarizes new environmental data from all contractors, as well as new scientific literature data that are relevant to the regional environmental management plan and monitoring data and information. Furthermore, the committee shall provide recommendations as to the implications (if any) of new knowledge and findings for the plan.</p> <p>19ter. The annual report should be made publicly accessible by the secretariat of the Authority.</p> <p>19quarter. If a State member of the Authority or an observer wishes to discuss the outcomes contained in an annual report, they may include the topic in the agenda of the Council at its subsequent session.</p>
Page 9 - Para 20 & 21	<p>20. Each regional environmental management plan should undergo a review at the latest be reviewed five years, at the latest, after its adoption establishment by the Council, or earlier if requested by the Council.</p> <p>20bis. Events that may lead the Council to request an earlier review may include:</p> <ul style="list-style-type: none"> (a) Issue of an Authority emergency order that relates to a site within the region; (b) Request by another organ of the Authority; (c) Submission of substantial new environmental knowledge or data for the region; (d) A major environmental change in or affecting the region (e.g., a natural or anthropogenic disaster); (e) Relinquishment of areas previously under contract within the region; (f) Submission of a new application for a plan of work for exploitation in the region, when the exploitation would be for a new resource category in the relevant area.

	<p>20ter The expert committee leads the review process (taking into account any specific instructions from the Council) and reports on the outcome to the Legal and Technical Commission. The review of the plan should include a revision of the regional environmental assessment and the data report, incorporating any significant new available scientific data from contractors and other stakeholders. Relevant persons identified through an expert and stakeholder (including relevant international bodies) mapping exercise shall be invited to provide inputs to the expert committee as part of the review process.</p> <p>21 The Commission, with support from the secretariat, shall initiate a considers the review report of the expert committee to satisfy itself that the proper procedure has been followed in the review of the regional environmental management plan, in accordance with any relevant guidelines. of the implementation of the regional environmental management plan by engaging external experts. The review of the plan should include a revision of the regional environmental assessment and the data report, incorporating any significant new available scientific data from contractors and other stakeholders.</p> <p>21bis. Upon receipt from the expert committee, the Legal and Technical Commission should, with the assistance of the Secretariat, make the proposed revised regional environmental management plan and a copy of the expert committee's report publicly available for 90 days on the website of the Authority, and should solicit comments from interested parties within that time frame. The assessment and the data report should be made publicly accessible by the secretariat. If appropriate, an expert workshop should be organized, the plan reassessed and proposals for changes reported to the Commission. Further stakeholder consultation may be considered. After the public consultation its review, the Commission shall report its findings to the Council and provide recommendations for the plan. The Commission should include a rationale for its recommendations and a description of the process followed in conducting the review of the plan. The recommendations of the Legal and Technical Commission and the revised regional environmental management plan proposed for adoption by the Council are, with the assistance of the secretariat, to be made accessible on the website of the Authority at least three months in advance of the Council meeting at which the revised plan is to be put forward for adoption. The report should be made publicly accessible by the secretariat.</p> <p>21ter. The Council shall review the amendments recommended by the Legal and Technical Commission and either adopts the revised plan or reverts the recommendations to the Commission for further work.</p>
Page 10 - Section 1	<p>Introduction to the legal framework and background on the International Seabed Authority process in support of the development of regional environmental management plans and the potential of such plans to contribute to other global processes.</p> <p>A standardized approach in the development of regional environmental management plans is required in order to ensure consistency and comprehensiveness in their development, application and implementation in all regions. The template is a standardized format – a blueprint – to be used when developing</p>

	<p>future International Seabed Authority regional environmental management plans. Sections 2, 3 and 4 of the template are to be reproduced as drafted, for each regional environmental management plan. Sections 5 to 10 contain region-specific requirements to be completed with region-specific information under each heading.</p>
<p>Page 10 - Section 2</p>	<p>General principles that could be applied to guide the development of regional environmental management plans.</p> <p>The regional environmental management plan is guided by the following principles:</p> <ul style="list-style-type: none"> • Common heritage of humankind • Precautionary Principle • Integrated ecosystem-based management for the whole region • Accountability through transparent decision-making and public participation • Use of best available science techniques • Use of relevant traditional knowledge of indigenous peoples and local communities • Use of best environmental practices and technologies • International cooperation <p>Comment - Draft regulation 2 also notes various principles to be applied (many of which are reflected here) when implementing the regulations. It would be helpful for the Authority to develop an environmental policy that expands upon how these principles and others not listed here are to be applied in practice.</p>
<p>Page 10 - Section 3</p>	<p>Outline of the high level goals to be achieved through the development and implementation of regional environmental management plans. It is likely that the first three sections will be similar for all plans and will refer to the strategic goals of the Authority</p> <p>The regional environmental management plans include assessment, management and monitoring measures, aimed at facilitating seabed mining activities as well as:</p> <ul style="list-style-type: none"> • Protecting and preserving the marine environment, in particular, in order to: <ul style="list-style-type: none"> ○ Maintain biodiversity, connectivity, ecosystem structure, ecosystem service and resilience ○ Preserve unique marine ecosystems ○ Prevent species extinctions ○ Prevent impacts on benthic and pelagic ecosystems, including on mid-water fish stocks ○ Prevent exacerbation of vulnerable ecosystems that are under particular risk from projected climate change effects • Applying precaution in management decisions corresponding to the level of knowledge gap and risk, in particular by: <ul style="list-style-type: none"> ○ Using all available environmental data to inform

	<p>management decisions</p> <ul style="list-style-type: none"> ○ Monitoring and assessing the state of the environment before, during and after any activities in the Area ○ Identifying and taking into account uncertainties ○ Applying adaptive management <ul style="list-style-type: none"> ● Identifying and mitigating conflicts in different uses by avoiding overlap between contract areas, reserved areas, areas of particular environmental interest, marine protected areas and areas designated for other legitimate uses (such as fisheries, submarine cables) ● Promoting marine scientific research and capacity-building in the Area ● Promoting cooperation between States, contractors and other stakeholders of the Authority, with particular regard to the interests and needs of developing States
Page 11 - Section 4	<p>Explanation of the purpose of developing regional environmental management plans.</p> <p>The purpose of the regional environmental management plan is to provide region specific information, measures and procedures to ensure effective protection of the marine environment in accordance with article 145 of the United Nations Convention on the Law of the Sea. To this end, it sets overarching goals and objectives, is guided by principles, establishes environmental management measures (including area -based management tools), with cumulative and synergistic effects taken into account, and serves to manage potential conflicts between different human activities occurring in the same region. The regional environmental management plan is used by the Authority, sponsoring States and contractors as a framework for their decision-making.</p> <p>Comment - this section should be the same across REMPs. It also might make sense for it to be placed before section 2 or 3.</p>
Page 11 - Section 5	<p>This section should include information on the geographical scope of the area covered under the regional environmental management plan, including the:</p> <ul style="list-style-type: none"> ● Mineral resources of the specific regional environmental management plan region; ● Benthic and pelagic biogeographic areas in the specific regional environmental management plan region (with reference to International Seabed Authority guidelines on how to define boundaries of ocean regions, where available), and taking into account cross-boundary biogeographic and oceanographic areas ● Maritime boundaries (e.g., exclusive economic zones) ● List or map of relevant adjacent coastal States ● International Seabed Authority contract areas, reserved areas and relinquished areas.

This section should include a summary of the information compiled in the regional environmental assessment and the data report, ~~without repeating detailed information already presented in those background reports.~~ **including environmental baseline information and information on human activities.**

6.1 Description of the marine environment [Insert description of environmental baseline data and results of data analyses in the region, gathered through contractor reports to the Authority, the DeepData platform, as well as other global and regional databases and scientific literature, supported by geographic information system (GIS) maps and layers, where appropriate, and including the following categories:

6.1.1 Geophysical and chemical features:

- Physical properties (ISBA/25/LTC/6, para. 15(a)), including advection and eddy diffusion measurements
- Chemical properties (ISBA/25/LTC/6, para. 15(b))
- Geological properties (ISBA/25/LTC/6, para. 15(c)), including mineral resources

6.1.2 Biological features (ISBA/25/LTC/6, paras. 15(d)–(f), 17, 18 and associated biogeographic areas:

- Maps of the most recent applicable biogeographic classification of benthic and pelagic realms
- Biogeographic ranges of characteristic benthic and pelagic species, including transient and migratory species
- Habitat and abundance models derived from species occurrence data
- Analysis of species communities through ordination approaches or other techniques to assess species groupings
- Identification of representative species, taking into account variability of habitats
- Genetic connectivity of representative species, including source and sink dynamics within a metapopulation
- Connectivity of migratory species, including those of cultural significance to indigenous peoples and local communities
- Identification of food-web structure of benthic and pelagic habitats
- Ecosystem functioning, including the identification of key species
- Identification of rare and fragile, or otherwise ecologically important, or sensitive or vulnerable ecosystems, or communities
- Identification of main ecosystem services (e.g., natural carbon capture by biological pump)

6.1.3 Identification of natural stressors in the region, including climate change.]

6.2 Information on human activities and limitations in the region

6.2.1 Activities in the Area [Insert details, using descriptive methods and GIS maps, of seabed mineral activities, including exploration and exploitation contracts, applications for contracts received, other spatial information from contracted areas such as preservation reference zones and impact reference zones in the region]

6.2.2 Activities in areas beyond the limits of national jurisdiction and in adjacent waters under national jurisdiction [Insert details, using descriptive methods and GIS maps, of identified descriptions, designations, management systems or standards by other international organizations or agreements (e.g., Convention on Biological Diversity, Food and Agriculture Organization of the United Nations, ISBA/26/C/7 20-00125 7/9 regional fisheries management organizations, International Maritime Organization (IMO), International Finance Corporation, regional seas conventions, marine biological diversity of areas beyond national jurisdiction, ecologically or biologically significant marine areas, traditional marine management areas and measures) relevant to the region]

6.2.3. Freedom of the high seas activities [Insert details, using descriptive methods and GIS maps, of other legitimate marine uses in the region (e.g., shipping, fishing, laying of submarine cables, marine scientific research projects)]

6.2.4 Dumpsites [Insert details, using descriptive methods and GIS maps, on identification of underwater munition, weapons, radioactive substances, or other spoil, if applicable]

6.2.5 Cultural heritage and interests [Insert details, using descriptive methods and GIS maps, of any cultural heritage and interests in the region (e.g., sunken ships, fossils, human remains, routes and marine features used by indigenous peoples and local communities for traditional instrument-free navigation)]

Section 6bis Established area-based management tools

Provide information on all existing area-based management tools, using descriptive methods and GIS maps, including the size and location of, and measures applicable , for example, in designated marine protected areas, in IMO-designated particularly sensitive sea areas, in special areas established by the International Convention for the Prevention of Pollution from Ships and in areas with restrictions established by regional fisheries management organizations.

Section 6ter Scenarios for mining activities and forecast of possible effects at the regional level

Provide a forecast of the possible effects of various mining scenarios (extent, duration, frequency of exploitation), taking into account cumulative impacts and climate change, potential stress from outside the region, using modelling that follows the best available scientific techniques and comparisons against the baseline established above.

This section should include subsections on area-based management tools and other management measures. The first subsection is focused on the different categories of area-based management tools as well as management measures to be applied to individual categories of such tools, such as

- the size and location of and restrictions imposed by areas of particular environmental interest, as well as if appropriate, marine protected areas
- Guidance on how the size and location of impact and preservation reference zones within contract areas in the region are established
- Sites in need of protection (with buffer zones)
- Areas of increased sensitivity and/or areas requiring precaution including existing ecologically or biologically significant marine areas, as recognized by the Convention on Biodiversity, and vulnerable marine ecosystems, as designated by the relevant regional fisheries management organizations

The second subsection is focused on other measures, including non-spatial measures, to be applied at the regional scale and the scale of contract areas, such as seasonal or temporal restrictions, restrictions of impacts on specific biota, measures to deal with potential conflicts, strategies to enhance knowledge and cooperation, and a regional monitoring plan.