

**UK Statements on REMP documents – Thursday 3<sup>rd</sup> November 2022**

**[ISBA/27/C/37](#)**

**Speaker: Mr Jack Collier**

**Guidance to facilitate the development of regional environmental management plans  
Report and recommendations by the Legal and Technical Commission ([ISBA/27/C/37](#))**

The UK strongly supports the need for a standardized approach for the development, approval and review of regional environmental management plans in the Area and we echo others in expressing our deep thanks for the hard work of the Commission in producing this document. We appreciate the challenge of developing a standardised approach effective for all envisioned REMPs and the considerable effort the LTC has undertaken on this.

We are supportive of the positive overall direction the document is taking but, as others, consider that there are areas requiring further development - for example, additional detail on identifying consistent guiding principles and overarching goals in Section I-IV.

We note that this is the first time that Council and other Stakeholders have considered this document, and therefore suggest that Council are given the opportunity to follow up with detailed written comments after discussion at this session. We also recommend it may need to be considered whether Stakeholder consultation is required for an environmental document of this importance, although we have listened carefully to the views from other delegations and can be flexible on best approach on next steps for progressing the work. With your indulgence, we also have some more detailed comments on the document. We do appreciate some of these are quite detailed and so will submit them in writing if there is provision to do so.

Regarding Annex, Section II, Para 6 we suggest the language should be reworded to be consistent with the draft regulations and the emerging support for the requirement for a REMP to be in place before a Plan of Work can be considered. We propose the following changes based on the joint proposal submitted by the Netherlands and others in July 2023 in IWG Environment on DR 44bis (REMPs):

*~~It is envisaged that a~~ A regional environmental management plan ~~shall~~ **should be adopted for the particular area concerned in place before the Commission considers an application for a Plan of Work for any exploitation. contracts are signed***

Regarding section E, we strongly support monitoring in the REMP region as a key element to the successful development, implementation and review of REMPs, and that this is an area which needs to be prioritised at the regional scale, particularly in regions where REMPs are adopted, or far along the development timeline.

We also support the need for guiding principles and overarching goals that are consistent for all REMPs. We understand that sections II and III of the general template in the Annex will be similar for all plans and refer to, at least, the strategic goals of the Authority, as acknowledged in this document. However, we consider further work is require to provide additional detail in sections I-IV of the general template needs to be done to:

- Identify the guiding principles that apply to all REMPs
- Identify the overarching goals for REMPs (including, but not limited to the Authority's strategic goals).
- Identify the elements of the purpose of developing REMPs which can be standardised

In the standardised procedure in Annex 1, particularly in Section G, we support that the draft REMP will be released for Stakeholder consultation, and especially that the Secretariat shall publish on the website any responses received as part of such consultation. We consider that when the Commission makes a recommendation to Council on whether to adopt the REMP, it should show how comments received during the Stakeholder consultation have been taken into account (in particular, substantive comments). We note that this concept was included in the joint proposal from Germany, Netherlands and Costa Rica on this issue (ISBA/26/C/6), and recommend adding wording on this to the current document. We have a text proposal to this effect for Annex Section III (H) Para 18 but can submit this in writing.

The UK strongly supports the need for expert input throughout the development process, as well as when REMPs are later reviewed. We note in this document it says that the Commission's experience to date has shown that contracting a team of experts can be an efficient and cost-effective way of producing the regional environmental assessment. If this document describes a standardised approach, then it should clearly set out a process to establish expert groups to produce regional environmental assessments, in line with comments from **Germany, Canada, Italy**. We can also see the value of this expert group being used to advise the development and potentially review of the wider REMP, beyond just the regional environmental assessment. However, we acknowledge the Commission's comments that the best way to compile the baseline may need to be assessed on a case-by-case basis. We also reaffirm as **China** has noted that the work of expert groups should be under oversight of the LTC and that final decision-making on adopting a REMP should of course rest with Council and be based on the LTC's recommendation.

Like **Italy**, we note that section G provides for Stakeholder consultation being a minimum of 45 days, but we think 45 days would be too short for consultation on such in-depth technical documents as REMPs, and would want to see 60 days as a minimum, but can be flexible to consider proposals of 60 days or above from other delegations.

We note that in the joint proposal from Germany, Netherlands and Costa Rica on this issue in ISBA/26/C/6 there is a section detailing responsibilities and can see the value in adding such a section with this title to this new document also.

In the Annex section III, D, para 11 (e), we note there is a need to undertake an assessment of cumulative impacts, as **Costa Rica** has pointed out. As **Germany** has noted, we consider this needs to take into account other uses and users of the marine environment and we recommend that this be clarified in the document. We are flexible as to placement.

We have additional comments concerning the frequency of review of the REMP (similar to Canada), the publication and accessibility of the regional assessment and data report during

review, and the need for protection of a full range of habitats in a region, but we will submit these and other detailed comments in writing.

Thank you, Mr. President.

Speaker: Mr Jack Collier

**Regional environmental management plan for the Area of the northern Mid-Atlantic Ridge with a focus on polymetallic sulphide deposits ([ISBA/27/C/38](#))**

Again, we express our deep gratitude to the LTC for their hard work in developing this REMP for the Area of the northern Mid-Atlantic Ridge and for their consideration of feedback throughout the process to improve the document. We are supportive of this REMP, especially as we know a wide range of experts have provided expertise and data to the process over many years and we are conscious of the important point made earlier by my distinguished colleague from Spain about the significant upcoming workload of the LTC.

We consider REMPs to be living documents and therefore note this document is not a 'final' or 'static' version of the REMP. There are elements that will need to be added to this REMP as more information is gathered over time, and we appreciate that since Stakeholder comments were received on this REMP in April, Annex V has been added to show a summary of the knowledge gaps, research priorities, actions and responsibilities for the REMP. It is important for us that there is a commitment to operationalising the additional work set out in Annex V and we therefore propose a change to the language of para 3 of ISBA/27/C/L.6 to strengthen the commitment to review the REMP:

*"Recognizes that the plan ~~may~~ shall be improved as more scientific, technical, environmental and resource assessment data are supplied by contractors and other interested bodies;"*

As **Canada** has noted, the REMP acknowledges the use of network criteria on representativity and connectivity as a knowledge gap and research priority and the annex commits to incorporate such criteria into the updates of this REMP before the start of exploitation activities. We consider this a priority and note that successful incorporation of these criteria will link to key research priorities around habitat mapping, which we consider critical to ensure the full range of habitats in the region are protected.

Further on the need for the full range of habitats to be protected, we note that in Section III of this document 'Overarching Goals', para 13 (d) states:

*'Enable the conservation of representative habitats and sensitive marine ecosystems;'*

However, the Annex outlining the standardised procedure for REMPs in ISBA/27/C/37 talks of representation of the 'full range' of habitats. We therefore understand para 13 d in this nMAR REMP as meaning conservation representative 'of the full range of habitats'.

We note also **France's** point on the need for consistency in the level of protection described in para 52(a) and 43(a) and agree the language in 43(a) is preferable.

We understand the concerns expressed by others regarding consideration of the REMP in light of finalised guidance on a standardised approach, but would like to ensure that we do not lose momentum on the critical work identified in Annex V. We consider a constructive next step could be for the Secretariat and Commission to turn Annex V into a detailed roadmap for the priority areas to work on to continue development of the nMAR REMP, especially those gaps that need to be addressed prior to start of exploitation activities, with an opportunity for Council to submit written comments. Perhaps this could feature in the President's text as you have suggested for the standardised approach document, Mr. President, but we are in your hands on the best way forward.

Thank you, Mr. President.

**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](mailto:uemmr-secretariat@isa.org.jm)*

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

**United Kingdom**

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

**The UK made the following statement on *Guidance to facilitate the development of regional environmental management plans Report and recommendations by the Legal and Technical Commission (ISBA/27/C/37)* at ISA Council 27<sup>th</sup> Session Part III November 3<sup>rd</sup> 2022, submitted to ISA Secretariat November 4<sup>th</sup> 2022.**

The UK strongly supports the need for a standardized approach for the development, approval and review of regional environmental management plans in the Area and we echo others in expressing our deep thanks for the hard work of the Commission in producing this document. We appreciate the challenge of developing a standardised approach effective for all envisioned REMPs and the considerable effort the LTC has undertaken on this.

**We are supportive of the positive overall direction the document is taking but, as others, consider that there are areas requiring further development** - for example, additional detail on identifying consistent guiding principles and overarching goals in Section I-IV.

We note that this is the first time that Council and other Stakeholders have considered this document, and therefore suggest that Council are given the opportunity to follow up with detailed written comments after discussion at this session. We also **recommend it may need to be considered whether Stakeholder consultation is required for an environmental document of this importance**, although we have listened carefully to the views from other delegations and can be flexible on best approach on next steps for progressing the work. With your indulgence, we also have some more detailed comments on the document. We do appreciate some of these are quite detailed and so will submit them in writing if there is provision to do so.

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technical documents as REMPs, and would want to see 60 days as a minimum, but can be flexible to consider proposals of 60 days or above from other delegations.

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We have additional comments concerning the frequency of review of the REMP (similar to Canada), the publication and accessibility of the regional assessment and data report during review, and the need for protection of a full range of habitats in a region, but we will submit these and other detailed comments in writing.

Thank you, Mr. President.

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#### **Additional comments:**

- In Section IV of the standardised procedure in the Annex, we strongly support that REMPs must be regularly reviewed (every 5 years) to check effective implementation, and in particular at shorter intervals if requested by the Council, especially as we can envisage this will be needed in the light of new environmental information.
- In Section IV of the standardised procedure in the Annex, we strongly support the assessment and the data report during REMP review being made publicly accessible.
- In Section I of the standardised procedure in the Annex, we strongly support the need for REMPs to be an effective mechanism to protect the full range of habitats in a region, as all habitats will need to be protected representatively and not just those in need of 'extra' protection.
- We note section 8.7 of the joint proposal from Germany, Netherlands and Costa Rica on this issue (ISBA/26/C/6) includes a section on Regional Monitoring Plan. We note that section E of ISBA/27/C/37 speaks to monitoring in the REMP region, but we consider further detail needs to be added to this standardized approach to guide the development and implementation of a Regional Monitoring Plan under the REMPs. ISBA/26/C/6 can act as a good basis to guide this discussion.
- We note the joint proposal from Germany, Netherlands and Costa Rica on this issue (ISBA/26/C/6) includes annual reporting on the implementation of the REMPs in addition to 5 year reviews. We consider that reporting at a frequency <5years is required to outline the results of the regional monitoring plan at least, and that such report should be publicly available. We therefore suggest adding a section 'IIIbis Reporting on the implementation of a regional environmental management plan' or 'IIIbis Reporting on the Regional Monitoring Plan' as further discussion decides.



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)
Annex (III) (A) (7)	The Commission should prepare a workplan for the development of each new regional environmental management plan. 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. <a href="#">Stakeholders, Members of the Authority and Observers should receive notice of such workplan as soon as finalized.</a>
Annex (III) (D) (10)	Such data and information will be disseminated through the regional environmental assessment and data report. Both documents will be made available on the Authority’s website <a href="#">and data uploaded into the ISA Deep Data as soon as reasonably practicable</a> . The Commission, with assistance from the secretariat, may identify the most cost-effective way to develop the reports, based on the data and information available in the DeepData database, existing scientific coverage and the number of experts working in the area. The Commission’s experience to date is that contracting a team of experts can be an efficient and cost-effective way of producing the regional environmental assessment. Nevertheless, the best way to compile the baseline data needs to be assessed on a case-by-case basis. The outputs of such an exercise are comprehensive review documents to support workshop deliberations.
Annex (III) (G) (16)	The Secretariat will make the draft regional environmental management plan available for stakeholder comment for a minimum of <a href="#">9045</a> 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.
Annex (III) (H) (17)	After the closure of the consultation period, i.e. a minimum of <a href="#">9045</a> 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 secretariat. <a href="#">The Commission should prepare a written response to consultation that summarises and responds to the views expressed in submissions and includes an explanation of any revisions to the document and how those revisions respond to the views expressed in the submissions and such document shall be made publicly accessible on the ISA website.</a>
Annex (III)	Add new section: ‘IIIbis Reporting on the implementation of a regional environmental management plan’ or ‘IIIbis Reporting on the Regional Monitoring Plan’ as further discussion decides.

Annex II (H) (18)

'The Commission may either recommend that the Council adopt the regional environmental management plan or decide to undertake further work to develop or verify its contents. [Justification for such recommendation should be provided to Council, including how comments received during the Stakeholder consultation, particularly those of a substantive nature, have been taken into account.](#)'