

Intersessional working group on the Regional Environmental Management Plans

Third meeting (15 July 2025)

Agenda

1. Short recap second meeting
2. Presentation and discussion of the textual proposals
3. Planning after second part of the 30th Session and the next meeting
4. Other matters

1. Short recap second meeting

The proposal which was discussed:

- The REMPs are binding on the ISA. It helps to exercise its responsibility in a fair and consistent manner.
- The ISA applies its own obligations under the REMP in the decision-making process for the approval of a Plan of Work.
- The Contractor is obliged to comply with (aspects of) the REMP through the Exploitation Contract.

2. Presentation and discussion of the textual proposals

Draft Regulation 12

- The textual proposal to Draft Regulation 12 aims to clarify that the Commission must apply the REMP in its decision-making process when considering an application of a Plan of Work.

Draft Regulation 15

- The textual proposal to paragraph 1bis of Draft Regulation 15 aims to ensure that the Commission shall provide the terms and conditions specific to the Plan of Work under consideration when providing recommendations for its approval.
- It contains a cross-reference to the newly proposed Draft Regulation 15bis.

Draft Regulation 15bis

- This is a newly proposed Draft Regulation. Its purpose is to create the possibility for the Commission to bind the Contractor to (aspects of) the REMP through the terms and conditions of an Exploitation Contract.
- The textual proposal articulates in paragraph 1 the competence of the Commission to provide terms and conditions specific to the Plan of Work under consideration.
- In paragraph 2, it is clarified that the Commission has the competence to provide terms and conditions relating to the Regional Environmental Management Plan. There are two proposals: paragraph 2 and paragraph 2ALT. Both will be discussed in the intersessional working group.
- Paragraph 3 deals with the situation where the terms and conditions differ from the Plan of Work as proposed by the Contractor. In such a situation, the procedure as articulated in Draft Regulation 14 shall apply. After all, the terms and conditions may require a change in the Plan of Work.

Draft Regulation 16

- The textual proposal on paragraph 3 sets out the procedure for the Council to approve or disapprove the terms and conditions as recommended by the Commission, and ensures that the Secretary-General incorporates those exact terms and conditions in the Exploitation Contract.

Draft Regulation 17

- The newly proposed paragraph 1bis again ensures that the Secretary-General incorporates those exact terms and conditions in the Exploitation Contract.

Draft Regulation 44bis

- Paragraph 1 establishes the competence of the Council to request the Commission to prepare a REMP. This is in line with the standardized procedure as recommended by the Commission.¹
- Paragraph 4 intends to articulate which overarching elements the REMP can address. The subparagraphs are in line with the headings contained in the standardized template as recommended by the Commission.² These can of course still be discussed in the intersessional working group.

Annex IX or Annex X

- Two alternatives:
 - 1) A placeholder for a newly proposed schedule to the Exploitation Contract which will contain the terms and conditions
 - 2) A placeholder for the terms and conditions to be a standard clause in the Exploitation Contract.

3. Planning until second part of the 30th Session and the next meeting

Proposed deadline for any additional comments on the textual proposals: 2 August.

The facilitator will provide a new textual proposal which will be discussed in the next meeting of the intersessional working group.

¹ ISBA/30/C/3.

² ISBA/30/C/3.