



## Legal and Technical Commission

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### **Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for polymetallic sulphides in the Area**

#### **Note by the secretariat**

1. One of the important functions of the Legal and Technical Commission is to issue recommendations for the guidance of contractors to assist them in the implementation of the rules, regulations and procedures of the Authority.
2. Such recommendations are an essential element of the scheme set out in the rules, regulations and procedures of the Authority. Every contract for mineral exploration in the Area requires the contractor to gather oceanographic and environmental baseline data and to establish baselines against which to assess the likely effects of its programme of activities under the plan of work for exploration on the marine environment, as well as a programme to monitor and report on such effects. Contractors are required to cooperate with the Authority and the sponsoring State or States in the establishment and implementation of such monitoring programmes. Contractors are also required to report annually on the results of their environmental monitoring programmes. Furthermore, when applying for approval of a plan of work for exploration, each applicant is required to provide, inter alia, a description of a programme for oceanographic and environmental baseline studies in accordance with the regulations and any environmental rules, regulations and procedures established by the Authority that would enable an assessment of the potential environmental impacts of the proposed exploration activities, taking into account any recommendations issued by the Legal and Technical Commission, as well as a preliminary assessment of the possible impact of the proposed exploration activities on the marine environment.
3. The first set of such recommendations was issued in 2002,<sup>1</sup> pursuant to regulation 38 of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area. These recommendations were intended to provide guidance to contractors in the assessment of possible environmental impacts of exploration for

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<sup>1</sup> ISBA/7/LTC/1/Rev.1.



polymetallic nodule deposits by describing clear and common methods of environmental characterization based on established scientific principles and taking into account oceanographic constraints. The initial recommendations were based on proposals made at the Authority's first international workshop on the development of environmental guidelines for exploration for polymetallic nodule deposits, held in June 1998.

4. The 2002 recommendations were revised in 2010 in the light of increased scientific understanding and technological development. The revised and updated recommendations were issued under the symbol ISBA/16/LTC/7. In promulgating the revised recommendations, the Commission noted that in the light of the adoption by the Council in 2010 of Regulations on Prospecting and Exploration for Polymetallic Sulphides in the Area and the anticipated adoption of similar regulations relating to cobalt-rich crusts, there would be a need to prepare recommendations to guide contractors in relation to the assessment of potential environmental impacts of exploration for these resources. It was also suggested that it would be appropriate, and more convenient for contractors, for the Commission to issue a comprehensive set of recommendations dealing with all three resources — polymetallic nodules, polymetallic sulphides and cobalt-rich crusts — since many elements of the guidance would be common to exploration techniques for all resources. The Commission also noted that this task had become urgent, given that new contractors for exploration for polymetallic sulphides were ready to commence their exploration programmes and related environmental baseline studies in 2012.

5. At its meetings in 2011, the Commission agreed to request a subgroup of members with relevant expertise to work intersessionally to formulate a revised set of environmental guidelines applicable to all types of mineral resources. This subgroup has been working in collaboration with the secretariat in order to produce a draft set of recommendations for guidance, to be introduced to the Commission at its forthcoming session.

6. The Commission is invited to review the draft recommendations for guidance produced by the subgroup, contained in document ISBA/18/LTC/CRP.2, with a view to promulgating the recommendations in 2012.

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