



Intervention during the Informal Working Group on the Protection and preservation of the Marine Environment – Draft standard and guidelines for the environmental impact assessment process ISBA/27/C/4.

Thank you Madam facilitator,

DOSI appreciates the revised text but wishes to express concerns about its current form and the procedure used to achieve this. To this end, we support the comments already made by Germany, Costa Rica, Chile, New Zealand and Mexico..

And if you will please allow us to provide some further details:

First, The document now explicitly mentions that contractors or applicants need to produce a scoping report. However, in its current form, it states what this report may include, but it does not mention what it MUST include. Furthermore, the process for the review of this scoping report still has not been outlined.

Second, the legal status of the stakeholder consultation remains unclear and should be clarified.

Third, We appreciate the inclusion of cumulative impacts in the appropriate sections of the document; however, specifications on how to assess cumulative impacts, as well as which ones to include/omit and the rationale behind this would be appreciated. Further, climate change is only touched upon in the context of identifying other international laws and instruments, but is not addressed explicitly under “cumulative impacts”. As we have specified on numerous occasions last week, climate change will alter conditions during the period of an exploitation contract by, for example, contributing additional stressors to the ecosystem. All plans and practices, including impact assessment and monitoring should take this into account and update accordingly.

Fourth, Regarding the Mitigation hierarchy: we recommend that focus shall be on the first two steps of the mitigation hierarchy (avoid and minimize). We remind the council that according to scientific evidence, restoration is not a viable option.

Finally, we note that terms like “best available techniques” and “best available scientific evidence” have no clear definition, and we suggest that these points should be addressed when the Council resumes discussions on the Schedule on Use of Terms and scope; further, independent expert judgment will need to be relied upon in cases where scientific evidence is incomplete. As mentioned before, best practice guidance should be provided on how to undertake this.

DOSI will submit further textual proposals in written form.

Thank you, Madam facilitator