

# Briefing paper on conceptual topics related to environmental matters

Facilitated by Dr. Taga

## I. Background

1. As it appears from the Indicative Programme of Work for the second part of the twenty-ninth session, two conceptual topics relating to environmental matters will be discussed in the two sessions allocated to the working group. This briefing paper sets out the proposed structure of our meeting on 24 July 2024 and the suggested focus areas and objectives.

## II. The Environmental Impact Assessment and the Environmental Impact Statement

2. The Intersessional Drafting Group for the streamlining of the structure of the provisions on Environmental Impact Assessment (EIA) and Environmental Impact Statement (EIS) has conducted valuable work during the twenty-eighth session, also we have received valuable input from proponents of a joint text proposal. We also had useful and productive discussions on the outcome reports and related documents during the first part of the twenty-ninth session.

3. The [outcome reports and related documents](#) can be accessed via the Authority's website. Also, a recording of a [EIA proposals webinar](#) held on 22 February 2024 is available on the website. My reporting on the work during the first part of the twenty-ninth session is to be found in the Annex to the Statement of the President ([ISBA/29/C/9](#), Annex, paragraph 12).

4. Delegations and observers will recall that the focus has been on the allocation of EIA/EIS provisions to their appropriate and logical locations across the draft Exploitation Regulations, Annexes, Standards and Guidelines. This is with the aim to increase the usability of the EIA/EIS provisions for all parties and to focus discussion on the content instead of the structure.

5. The proposals in relation to the structural rearrangements were well received and gained considerable support from delegations and observers during the first part of the twenty-ninth session. It was agreed that the proponents of the joint text proposal, with input from interested parties, should continue the work in relation to implementing the restructure of the EIA/EIS, with a focus on merging and aligning the proposed reallocated content with the existing Annexes and Standard and Guidelines, to help the Council to be able to move on to consider the substance of the EIA/EIS Regulations and Annexes. The focus of this meeting will therefore be twofold:

- a. Reporting from the proponents of the joint text proposal on their intersessional work for EIA/EIS restructure, and receive general comments from delegations and observers on the proposed restructuring; and

- b. a reading of Part IV, section 2 (Regulations 46-48 bis) of the Consolidated Text, Annex III bis on Scoping Report and Annex IV on the Environmental Impact Statement, for delegations and observers to comment on restructure and substance. The reading will be conducted paragraph by paragraph. I welcome comments on specific Regulations and would strongly encourage delegations, in a spirit of constructive engagement, to approach these discussions with a view to reaching agreement on the proposed restructuring and substance.

6. We should all be guided by the shared objective that this meeting should allow us to reach general consensus on the overall restructuring and receive input for further work in respect of the content/substance of the EIA/EIS provisions.

### **III. Environmental Monitoring and Environmental Management and Monitoring Plan**

7. It has been suggested to streamline the Regulations on Environmental Monitoring and the Environmental Management and Monitoring Plan (EM/EMMP). This to ensure increased readability and to avoid duplications and, finally, to bring more consistency with the refined Regulations on the EIA/EIS process. This proposed new structure has been implemented in Section 3 of Part IV of the Consolidated Text.

8. I would suggest that we discuss the proposed updated structure at a general level. Thereafter, I propose that we conduct a reading of Regulations 49-52 and Annex VII in the Consolidated Text. Again, my main objective for this meeting is to enable delegations to reach a consensus on the proposed restructure of the EM/EMMP and agree on a way forward that will allow us to complete the substantive work in relation to the EM/EMMP in preparation for the revision of the Consolidated Text.

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