

ISA 29th Session, Part II – Reading of the Draft Consolidated Text

Oral Statement by the Federal Republic of Germany

Delivered in July 2024

Regulation 46 (former 47alt) - Environmental Impact Assessment Process

As for DR 46, Germany appreciates the proposed restructuring of this section and is ready to work on the basis of what was previously DR 47alt and is now set out as DR 46.

We understand that the aim of this regulation is to provide an introduction to, and general procedural requirements for, the EIA process. We therefore welcome that the focus is now on a) the purpose of and general conditions for EIAs in applications for plans of work and on b) the steps to be taken, such as scoping, EIA, EIS, and relevant actions to be taken by the Authority. We therefore suggest referring to the “EIA Process” throughout this regulation, in contrast to referring to a specific EIA, which is covered by DR 47, and suggest including the term “EIA Process” in the Schedule.

Regarding the **chapeau of paragraph 2**, we find the text somewhat confusing and would appreciate a revised textual proposal.

In **paragraph 2(c)**, we support referring to the term “*prevent*”, instead of “*avoid*”, in line with the Convention.

In **paragraph 3**, apart from supporting the addition of the term “*Process*”, we have the following remarks:

With respect to **sub-paragraph 3(a)**, we suggest referring to “*relevant and sufficient environmental baseline data*” in the first line, to ensure that the EIA process is based on a sufficiently robust knowledge and information base. Furthermore, we suggest saying “*in accordance with the relevant Standards*”, and “*taking into account the relevant Guidelines*”.

With respect to the **sub-paragraph 3(b)**, which probably should be 3(bis) as set out in the compilation document, we do not support deleting the reference to “science and (scientific information)”, as we are proposing to refer to “*science and scientific information*” as agreed, among others, in the context of the BBNJ Agreement.

With regards to **paragraph 4**, we would like to lend our support for the inclusion of sub-paragraph (f) as well as for the transfer to the relevant Standard of the details set out in (i) to (v), that have been moved to the suspense document.