

ON EIAs, Sept. 6

I am speaking for Greenpeace and the High Seas Alliance

We agree with Thailand on behalf of the G77 & China that governance principles should be reflected in the list (whether in area of convergence or for further discussion), and would include the precautionary approach, ecosystem-based management, transparency, and stewardship, and applying best available science, and should be made specifically applicable to EIAs and SEAs. As mentioned by the Chair, these could be reflected under cross-cutting issues as well.

Guiding principles for EIA decision-making processes should also be considered.

These could be based on Article 3 of Madrid Protocol which requires that “activities shall be planned and conducted on the basis of information sufficient to allow prior assessments of, and informed judgments about their possible impacts”; and that judgements take account of “whether technology and procedures are available to provide for environmentally safe operations; whether there exists the capacity to monitor key environmental parameters and ecosystem components so as to provide early warning of any adverse effects... and to provide for modification of operating procedures....; and whether there exists the capacity to respond promptly and effectively to accidents.”

So we would propose a possible text for convergence, if delegations agree, and propose the following:

*EIAs should be based on generally agreed principles, including the precautionary approach, ecosystem-based management, transparency, and stewardship, and applying best available science*

While I have the floor I would like to address two other matters:

1. on Japan’s question on who should be considered stakeholders, we agree with the statement by IUCN. The principle of transparency should be implemented across the board, including access to information, public participation and access to justice.
2. No SEA/EIA process is complete without an effective review component based on best available science. Key elements are regularity, independence, and notice and consultation, including public consultation (we note here Principles 10 & 19 of the Rio Declaration). The outcomes of such reviews should be included in the management plan as well as incorporated into modifications to all stages of the SEA/EIA process. So for text, we would propose as an additional item for convergence or further discussion:

“How EIAs are reviewed, by whom (or which organization or State) and how the reviews should be conducted”

This could go under the bullet point “ Whether the new instrument should include provisions for monitoring, review, compliance and liability.”

Thank you Mr Chairman