

This intervention is being given on behalf of Greenpeace International and the High Seas Alliance.

Firstly, on SEAs, we support the comments made by IUCN. In particular, SEAs are very useful in helping define the scope and content of EIAs, such as by providing information on possible cumulative effects, global warming, ocean acidification and fisheries. As an outcome of an SEA, a strategic environmental management plan (SEMP), which would incorporate and operationalize the outcomes of the SEA, could be developed. So we agree with the EU in that SEAs and SEMP's should come before EIAs.

On the **Screening threshold**: Our paper which is on the DOALOS website outlined that taking into account UNCLOS, the Rio Declaration and the CBD and the more recent SDGs show that significant adverse effects is well established as a standard. As noted by others, a good model is the **Madrid Protocol**, with a preliminary threshold of a "minor or transitory impact" leading to a multi-layered approach to assessment with increasing requirements based on the level of potential harm. Screening as well as scoping criteria should take account of the possibility that cumulative impacts may increase the significance of the effect of proposed projects.

Review of environmental assessments is a key issue. Draft assessments should be subject to public review and comment with rigorous scientific review of both draft and final assessments. This ensures quality assessments as well as transparency.

A scientific body should be established under the Instrument to, among other things, review the adequacy of EIAs, make recommendations based on the EIA, and undertake EIAs such as when States lack the resources to do so.

Also relevant to institutional arrangements, Mr Facilitator, **decision making** is crucial. A decision needs to be taken to permit the activity, subject to conditions to address potential effects. If it is to go ahead, the instrument should make provisions for **monitoring, review and compliance**. This could involve, as in the Madrid Protocol, monitoring of key environmental indicators, reporting provisions, adjustment or termination of an activity or redress, reparation and compensation on the basis of the monitoring results, and bonding provisions. Whether the decision is made by a Conference of the Parties depends on the architecture of the instrument.

Again, these ideas are further developed in the paper on the DOALOS website and the longer paper with references on the HSA website.