

EIA Working Group 30 March morning - NRDC and HSA

Thank you Mr Facilitator and welcome back to
This intervention is on behalf of NRDC and the High Seas Alliance

We believe it is essential to include a threshold where an activity has the potential for “significant adverse effects,” as articulated by Canada, taking into account cumulative effects. An alternative is the approach utilized in the Madrid Protocol, where a preliminary threshold of a “minor or transitory impact” that leads to a multi-layered approach to assessment with increasing requirements based on the level of potential harm.

In our view, Mr. Facilitator, it is not enough to rely solely on a list of activities that trigger the requirement to prepare EIAs, as new activities in ABNJ are constantly emerging. We agree with China that this approach could be quite limiting. We may end up playing ‘catch-up’ in a rapidly growing area and potentially damaging activities may take place until the list is amended. It is important that the list is adaptable to address new and emerging uses so that the process addresses all anthropogenic activities that may cause harm in ABNJ.

If there is a list, we agree with Singapore and others that if there is a list it should be indicative, should not be exhaustive, be readily amendable, and must be paired with a threshold that ensures that all activities may cause a significant adverse effect, taking into account cumulative effects, are assessed.

We strongly support the point made by New Zealand, that cumulative impact assessment needs to be holistic and undertaken right at the beginning when activities are being proposed.

We agree with Japan that such an assessment must include pre-existing and ongoing effects such as warming, ocean acidification, shifts in species distribution and de-oxygenation that may have a significant effect on whether or not the threshold of harm is exceeded.