

High Seas Alliance and NRDC Statement on EIAs, Aug. 30, 2016

Thank You Mr. Facilitator

This intervention is being given on behalf of NRDC and the High Seas Alliance, and we align ourselves with the statement made by IUCN.

On concepts, principles and approaches, the Instrument should provide the objective for the conduct of EIA and the principles that guide it. General governance principles applicable to EIAs - which we view as cross-cutting among all aspects of the new instrument - would include the precautionary principle, ecosystem-based management, transparency, stewardship, and applying best available science.

We propose something along the lines of: *“in order to maintain the health and resilience of marine biodiversity in ABNJ, activities in ABNJ shall be planned and conducted so as to avoid significant adverse impacts on marine biological diversity and on the marine environment, taking into account the principles of precaution, transparency, stewardship, and integrated, cross-sectoral ecosystem based management.”*

**On transboundary EIAs**, one model that might provide some guidance is the Espoo Convention. As noted by Costa Rica, provision needs to be made for transboundary EIAs, where effects of activities within national jurisdictions may impact ABNJ. Where the effects may be felt in ABNJ, such as the high seas, the Instrument must ensure that EIAs are undertaken to all activities under the jurisdiction or control of States.

On the question of criteria and threshold, and whether a **list approach or a threshold approach** or a combination of both should be adopted: if a list approach is adopted, such as found in the Espoo Convention, then it is important that parties may still require an EIA if an un-listed activity may cause a significant adverse transboundary impact.

We will have additional thoughts on EIAs as the discussion progresses to other EIA clusters.

We also have a more detailed submission on the DOALOS website and a longer White paper on EIAs is also available on the High Seas Alliance website.

Thank you.