

**GP Statement on Chair's recommendations on Environmental Impact Assessments  
12 July 2017 afternoon section 4 . Environmental impact assessment process**

Thank you Mr Facilitator

This statement is delivered by Greenpeace on behalf of High Seas Alliance

We will keep our comments extremely brief.

In Para 4, on the last sentence, we believe it is very important to keep this issue open. That paragraph at present reads:

“The text would also address decision-making following the environmental impact assessment, including on whether an activity would proceed or not and under which conditions. “

We note that some delegations wish to restrict this to States. We wish to support FSM in its caution: other options have been discussed.

The current wording does not prejudice decision-making, but it does give the IGC the latitude it needs to address the issue. In the light of the expected longevity of this process, possible new and emerging activities, and the rapid evolution of impacts such as climate change, ocean acidification and sea level rise, it is premature to close off options at this stage. To cite one example: if flag States were free to make a decision to proceed with an activity, that may allow flag hopping or flags of convenience and in that way allow proponents to circumvent the Instrument.

There are a number of options: the Espoo Convention, which is a European Convention on EIAs, uses the term "Party of origin" to mean the Contracting Party under whose jurisdiction a proposed activity is envisaged to take place. The Madrid Protocol refers to Art VII of the Antarctic Treaty which applies its provisions to all expeditions by its ships or nationals, as well as to all expeditions to Antarctica organized in or proceeding from its territory.

Finally, it may be that some decisions - and here we are thinking of future geoengineering proposals, for instance - are so important they need to be subject to international processes. Science fiction may become scientific reality.

So, Mr Facilitator, we join FSM in suggesting that this issue be left open at this stage.

Thank you

