

**Thursday morning**  
**Intervention on EIAs - Procedural Aspects**

Thank you Mr Facilitator and good morning delegates. We will be very brief and to the point.

This intervention is being given on behalf of Greenpeace International, High Seas Alliance and Deep Sea Conservation Coalition.

We have a question for delegates here: if a State makes a decision on an EIA which means significant adverse damage to ABNJ, is that acceptable by other States?

Such a procedure is contrary, for example, to the procedures laid down by the UNGA with respect to bottom fishing as we heard from NEAFC yesterday. It is the NEAFC Commission, like other RFMO Commissions, which makes decisions on assessments, on the recommendation of the Scientific Commission. In the Madrid (or Antarctic) Protocol, assessments are reviewed by the Committee for Environmental Protection, for example.

It is important that the new instrument not be used to backtrack on existing EIA requirements. If the flag states are makes unilateral decisions, this will at best introduce inconsistencies into HS biodiversity protection, and will lead to 'lowest common denominator protection: proponents of an activity in ABNJ may engage in forum shopping, or may argue for a lower standard, citing other less stringent national decisions.

It is important that States submit assessments for international review - and that the State cannot unilaterally decide to go forward with the activity if the SC or the COP finds the findings of the EIA contain shortcomings and the mitigation measures, if any, proposed by the state are inadequate to protect biodiversity in ABNJ, consistent with the obligations of the new International Instrument.

Thank you.