

Berlin Workshop 20 – 20 March 2017
Towards an ISA Environmental Management
Strategy for the Area



Critical Statement
of the German
Environment
Agency



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Section II 2.1 –
General Aspects of Water and Soil

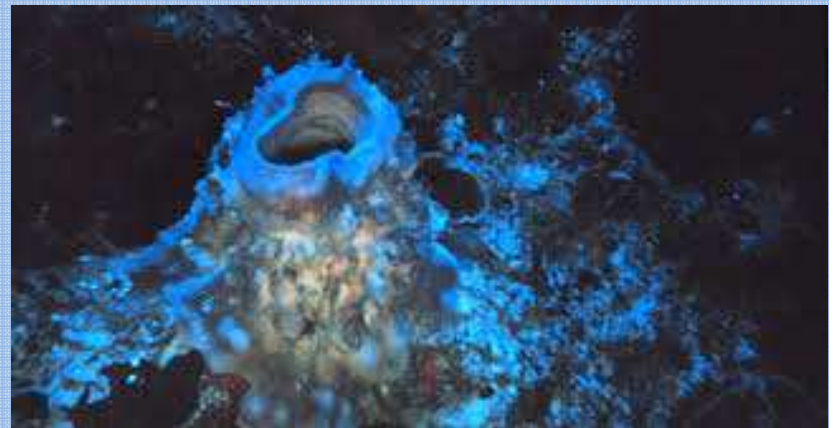
Contents

- Main critique
- Comments on distinct issues
- Clarification needed
- Conclusions and outlook

- Disclaimer
 - Not comprehensive
 - Possibly Misunderstandings
 - No immediate solutions

Main critique – too narrow in scope

- Too much focus on project approval
- Increased risk of harmful effects
- New challenge for the mandate of ISA by exploitation
 - Common heritage of mankind
 - Sustainable Development
 - Benefit Sharing
- Neglect long-term mandate
 - Appropriate Tools required



Main critic – too narrow in scope

- No provisions on regional governance
 - Contents, procedures and responsibilities
- Enforcement: Responsibilities not clarified
 - Sponsoring State and ISA organs
 - EIA, monitoring, surveillance
 - Seabed mining directorate regulations



Distinct aspects

- Effective Conservation of Species and Habitats to be ensured
 - Sufficiently large and ecologically representative areas to be protected
- Uncertainties – Cut off in case of insufficient data and knowledge
 - Precedent in London Protocol Annex 2
- Public Participation – inappropriate Definition „interested persons“
 - Only person „directly affected“ by activities
 - „In the opinion of the Authority“
 - NO EXCLUSION !

Distinct aspects - second

- EIA for closure plan for approval of WoP
 - Better later on: right before closure
 - New knowledge and new regulatory standards
- Best available scientific evidence
 - No exclusion of other scientific – not best - knowledge
 - German standard for very risky activities like nuclear or genetic engineering

Clarification needed

- EIA
 - Clear differentiation between contents of assessment, integration of results in Env. Management plan and procedure
- Exploration and Exploitation
 - No exploitation without previous exploration
 - Pilot mining tests: when, what and what consequence ?
- Readerfriendliness
 - Integration of the three drafts into one legal document:
 - More clarity on specific technical requirements

Conclusions and Outlook

- Contents and conceptual approaches still to be discussed
 - Regional Governance
 - Dealing with uncertainties
- No technicalities, but political preferences
- Future mode of cooperation and negotiation to be considered
 - Stronger involvement of Parties
 - Continuous working and correspondence groups



**Thank you for your
attention !**

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