

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29TH SESSION:
COUNCIL - PART I**

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council@isa.org.jm.

1. Name of Working Group:

IWG ENV

2. Name(s) of Delegation(s) making the proposal:

Federal Republic of Germany

3. Please indicate the relevant provision to which the textual proposal refers.

DR 47

Red bold text indicate Germany's textual proposals

4. Kindly provide the proposed amendments to the regulation or standard or guideline in the text box below, using the "track changes" function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.

Regulation 47 alt.

Environmental Impact Assessment Process

1. An applicant or Contractor shall carry out an Environmental Impact Assessment on the potential effects on the Marine Environment of the proposed operations and activities.

2. The purpose of an environmental impact assessment under this regulation shall be to predict environmental impacts anticipated from the proposed activities, to enable the Authority to assess the potential adverse Environmental Effects, with the aim to:

(a) Ensure effective protection for the marine environment from harmful effects which may arise from such proposed activities,

(b) Ensure that activities in the Area are carried out with reasonable regard for other activities in the Marine Environment,

(c) **AvoidPrevent** Serious Harm to the Marine Environment arising out of the proposed activities,

(d) Ensure, in accordance with article 142 of the Convention and Regulation 4, that the Sponsoring State and the Contractor, with respect to resource deposits in the Area which lie across limits of national jurisdiction, conduct the environmental impact assessment with due

regard to the rights and legitimate interests and duties of affected coastal States by maintaining consultations and a system of prior notification to avoid infringement of their rights and legitimate interests, and

(e) Ensure that the proposed activities are carried out in accordance with the Rules of the Authority, general International Law, including the Convention and the applicable Standard and taking into account the relevant Guidelines as well as, Best Available Scientific Information, Best Environmental Practices, and Best Available Techniques

3. The Environmental Impact Assessment **Process** shall:

(a) Be based on relevant environmental baseline data that captures temporal, (seasonal and interannual) and spatial variation in accordance with relevant Standards and taking into account relevant Guidelines and the objectives and measures of the applicable Regional Environmental Management Plan,

(...)

5. Please indicate the rationale for the proposal. [150-word limit]

- We welcome the new structure and order of regulations relating to environmental impact assessments. The structure is in accordance with the proposals of the intersessional working group and we thank the Facilitator for having implemented this structure.
- In the following, we support the proposal of the Facilitator to continue elaborations on the basis of the “Alt” versions in the text of these draft EIA provisions.
- We understand the aim of the regulation on the EIA process, now named DR 47, to give introduction and requirements for the overall procedure. We therefore welcome that the focus is now on a) the purpose of and general conditions for EIAs in applications for plans of work and on b) the steps to take such as scoping, EIA, EIS, and the respective actions to be taken by the authority.
- Regarding any moving of text into standards or guidelines we refer to the work currently led by the UK, NLD and GER on streamlining of the EIA provisions.
- In Paragraph 2c, we propose to use the word “prevent” instead of “avoid”, in line with the Convention.
- In Paragraph 3, we have noted the deletion of the word “process”, we request to reinstate this word (The env. Impact Assessment process shall”) as the criteria that follow are applicable to the overall process rather than only to the EIA sensu strictu.