

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

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(s) of Delegation(s) making the proposal:

SPAIN

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

Regulation 46 *[previously 47 Alt.][IWG ENV]*

Environmental Impact Assessment Process

3. 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.

2. The purpose of an Environmental Impact Assessment under this Regulation shall be to identify and inform the Authority’s assessment of an application of a Plan of Work under Regulations 13 to 16, or a Contract’s continued adherence to these Regulations and predict and evaluate the potential Environmental Impacts, effects and risks anticipated from the proposed activities on the marine environment and identify necessary measures to Mitigate or manage them such effects and risks, to enable the Authority to assess their potential adverse Environmental Effects and risks, with the aim to:

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

Paragraph 2.

As a general consideration in paragraph 2, we warn against the arbitrary use of "environmental impact" and "effects and risks". It takes away clarity from the paragraph and somehow complicates it. For this reason, we advocate to review this wording.

Paragraph 3 (b) Be carried out by competentqualified, independent experts;

This delegation is flexible in the use of the term “competent” or “independent” expert, or both together, as long as it is a person with demonstrable experience in the field of environmental impact assessments who carries out this task in a professional and independent manner regarding the applicant’s interest and entity.

What worries us most is that these regulations have not developed a procedure or recommendations to identify such individuals, which includes aspects such as their election process, the duration of their tasks, whether they will be remunerated, how they will inform on their deliberations, etc.

Another issue that we would like to mention on this topic is also the indistinct use of “independent experts” and the need for an “independent scientific assessment of the proposed environmental impact assessment”. This specifically is indicated in the same paragraph 2 (e).

It is not clear to us if this independent scientific assessment of the proposed environmental Impact Assessment will be made by different experts. For this reason, we think that this matter should be reviewed and clarified in the text.