

ISA 29th Session, Part II – Reading of the Draft Consolidated Text

Oral Statement by the Federal Republic of Germany

Delivered in July 2024

Regulation 48 - Environmental Impact Statement

With appreciation for the joint proposal by the UK/NL, our delegation is ready to continue deliberations on what previously was DR 48 alt.

With regards to **paragraph 1**, we suggest including a reference to Annex IV as this Annex sets out the requirements and a template for how an Environmental Impact Statement has to be prepared. In addition, (and as mentioned before in our comments on DR 47 bis) we believe that paragraph 1 is not yet clear concerning two aspects: first, the roles of the applicant or Contractor and the Secretary General in conducting stakeholder consultations, and second the appropriate timing of such consultations. We suggest revisiting and streamlining relevant provisions to that end, including those set out in DR 47 bis, DR 48, DR 93 bis and DR 93 ter.

In **paragraph 3**, again, a reference to Annex IV on the Environmental Impact Statement should be included.

In **sub-paragraph 3(a)**, we support inclusion of the text in brackets, i.e. “the sufficiency of information”.

In **sub-paragraph 3(b)**, we prefer to stipulate the need to demonstrate that the proposed Exploitation is “*in accordance with requirements of the relevant Regional Environmental Management Plan*”, and hence do not support the deletion of that text. Furthermore, we wonder whether the inclusion of “*environmental baseline data*” in this list makes sense and would invite the views of others thereto.

Regarding **sub-paragraph 3(c)**, we can support the text addition in the beginning of the sentence, but would ask to put or keep the qualifiers “*substantive*” and “*relevant*” comments in brackets. It seems that we still need to clarify further the way in which comments that have been provided during consultation are to be addressed and responded to by an applicant/Contractor, again referring to the apparent linkage with DR 93 bis and DR

93.ter on consultation with Stakeholders and coastal States. In our view, *all* comments received during consultation should at least be documented in the EIS.

We are generally supportive of **sub-paragraph 3(c).bis**, but would suggest making a reference to both DR 93 bis and DR 93 ter.

With regards to **paragraph 3.bis**, we are yet to find out where this proposal has come from and we would - for the time being - refer to our previous comments. There seems to be a need to revisit and streamline the way the regulations address consultation with stakeholders and coastal States. We suggest discussing and streamlining relevant provisions, including those set out in DR 93 bis and 93 ter.

Finally, we support moving the details previously set out in **paragraph 4** to Annex IV on the Environmental Impact Statement.