

Statement of India on Environmental Impact Assessment (EIA)

Mr. Facilitator

Thank you for giving us the opportunity to take the floor.

On the topic of EIAs, our delegation align with the position expressed by Egypt on behalf of G77 and wish to present the following points on the clusters identified by you for consideration.

As regards the EIA, the UNCLOS provides guidance in part XII of the convention particularly under Articles 192, 204, 205 and 206.

Considering the delicate nature of marine biodiversity and marine environment in ABNJ, activities in the ABNJ require EIA, provided there is no duplication or it does not undermine the existing framework or regulations provided in the other relevant instruments. The present state of scientific understanding on the possible impacts on marine biological diversity is not adequate and hence EIA plays a critical role on the protection of the marine environment and achieving the objectives of the implementing agreement.

From a practical perspective, it may be difficult to set minimum threshold of impact as it could vary amongst ecosystems, and especially when our scientific knowledge on biodiversity of such ecosystems in ABNJ region are limited. However, it is desirable to have a minimum threshold of impact based on ocean based /sound scientific principles as the basis for the EIA studies.

EIA activities carried out by the proponent state and report submitted by them be reviewed by a competent scientific and technical body as in case of ISA. This competent body may update the guidelines on EIA. The EIA regime provided in the Madrid Protocol on environmental protection to the Antarctic Treaty and International Seabed Authority could be explored as models for this implementing agreement.

Thank you Mr. Facilitator.