

BBNJ IGC 4 Agenda item 6. Informal informals on Environmental Impact Assessments, 16 March 2022, WWF International STATEMENT

Distinguished delegates,

WWF wishes to share a few thoughts and suggestions we hope will be useful for delegates on this part IV.

The text of Part IV – Environmental Impact Assessments (EIA) needs to reflect the UNCLOS obligation to subject all activities to assessment – no exemptions for any categories of use, no exemption for any areas, no exemptions for little activities. This is the Law of the Sea.

- **The EIA regime needs to focus on how to effectively and efficiently assess the large number of small activities, especially of individual merchant ships or fishing vessels that, cumulatively, have substantial and highly significant impacts:**
 - i. **There needs to be two threshold tests:** for the first threshold test, (i) states need to assess all activities of all vessels over which they have jurisdiction or control; if it passes the threshold test, that activity should be allowed to proceed on the basis of prevailing conditions for that activity, use and area;
 - ii. **If preliminary assessment of the activity by the responsible state indicates likely impacts above the threshold, the State would need to refer further assessment of that activity to the relevant competent sectoral body**, where one exists, or to the BBNJ COP by default, for a second threshold test to determine the level of assessment warranted given the range and severity of likely threats identified.

The competent sectoral body would then be expected to assess all individual activities from multiple States that fit into a convenient category