

Instruction Sheet

Requirements for an Initial Environmental Study (IES) regarding research projects in the Antarctic

In pursuance of the Act Implementing the Protocol of Environmental Protection to the Antarctic Treaty of 4 October 1991 (AIEP)¹ a permit is required for any planned activity in the Antarctic that is organized in Germany or proceed from its territory.

A permit for the planned activity within the meaning of Article 2 paragraph 1 no. 2 of the AIEP (research project in the Antarctic) should be applied for in writing to the Federal Environment Agency (Umweltbundesamt, UBA) which is the approving authority (Article 3 paragraph 1 of the AIEP). For this purpose, the questionnaire to apply for a research project has to be filled in. It can be downloaded from: <http://www.umweltbundesamt.de/antarktis/antragsteller.htm>.

Depending on the impact on the assets to be protected, set forth in Article 3 paragraph 4 of the AIEP, that gives cause to be suspected, the Federal Environment Agency assigns the activity to one of the three categories pursuant to Article 4 paragraph 3 sentence 1 of the AIEP (cf. figure 1).

If the planned activity gives cause to suspect at least a minor or transitory impact on the assets to be protected set forth in Article 3 paragraph 4 of the AIEP (so-called category II pursuant to Article 4 paragraph 3 sentence 1 no. 2 of the AIEP) such categorization entails an Initial Environmental Evaluation (IEE) according to Article 7 of the AIEP. The Federal Environment Agency will carry out such evaluation on the basis of the information submitted by the applicant in pursuance of Article 7 paragraph 1 nos. 1 and 2 of the AIEP. Such information has to be provided in the form of an Initial Environmental Study (IES). The present instruction sheet exemplarily shows the content of an IES.

Requesting the submission of such IES (in addition to the information given in note form in the questionnaire), the legislator enables the applicant to thoroughly present and explain vis-à-vis the approving authority his project, its activity-related particulars, advantages and disadvantages, mitigation measures, alternatives, other aspects from his point of view. Such procedure shall ensure that the applicant may explicitly be heard prior to the decision and that the approving authority has got sufficient information to assess the activity.

Each project is an individual case. Thus, it is not possible to give a generally binding final description for drawing up an IES. An IEE always corresponds to an evaluation of an individual case.

¹ Act Implementing the Protocol of Environmental Protection to the Antarctic Treaty of 4 October 1991 (Act Implementing the Environmental Protection Protocol) of 22 September 1994 (Federal Law Gazette. I p.2593), most recently amended by Article 2 (41) and Article 4 (26) of the Act of 7 August 2013 (Federal Law Gazette I p. 3154).

When drawing up an IES, the following regulations of the AIEP have to be considered immediately:

1. Potential impact on the Antarctic environment, especially on the assets to be protected (Article 3 paragraph 4 of the AIEP)
2. Prevention of marine pollution (Article 5 of the AIEP)
3. Conservation of Antarctic fauna and flora (Article 17 of the AIEP)
4. Introduction of animals and plants into the Antarctic (Article 18 of the AIEP)
5. Export control (Article 19 of the AIEP)
6. Introduction of substances and products (Article 20 of the AIEP)
7. Fundamental principles of waste avoidance and disposal (Article 21 of the AIEP)
8. Removal of wastes from the Antarctic (Article 22 of the AIEP)
9. Waste incineration (Article 23 of the AIEP)
10. Disposal of liquid waste (Article 24 of the AIEP)
11. Storage of waste (Article 26 of the AIEP)
12. Protection and management of areas, historic sites and monuments (Articles 29 and 30 of the AIEP)
13. Training of the participants (Article 33 of the AIEP)

Furthermore, the IES has to outline whether and how project-relevant resolutions adopted by the Antarctic Treaty Parties are respected. Measures provided against contingencies and damage events have to be outlined as well (contingency plans, search and rescue measures etc.).

On the basis of the submitted IES, the Federal Environment Agency will carry out an IEE. If the examination reveals that the activity gives cause to suspect a minor or transitory impact on the assets to be protected set forth in Article 3 paragraph 4 of the AIEP, the Federal Environment Agency shall issue a permit for the activity. Such permit shall be subject to provisos or conditions, if necessary, to ensure that the requirements of the AIEP are met. Provisos and conditions may also derive from resolutions adopted by the Antarctic Treaty Parties that have to be respected (cf. www.ats.aq).

If the approving authority concludes that the planned activity gives cause to suspect more than a minor or transitory impact on the assets to be protected set forth in Article 3 paragraph 4 of the AIEP, it requests the applicant to submit a Comprehensive Environmental Study (CES) on the basis of which a Comprehensive Environmental Evaluation (CEE) pursuant to Article 8 et sequentes of the AIEP will be carried out (see figure 1, page 4).

Exemplary structure of an IES (nonbinding scheme)

Please note that the number of aspects and criteria that have to be described are different for each planned activity and depend on its dimension!

1	Introduction	4.2	Selection of other sites
1.1	Structure of the Initial Environmental Study	4.3	Selection of different scientific methods
1.2	Fundamentals of the study	4.4	Time limit
1.3	Short summary	5	Presentation of environmental impact
2	Description of the site	5.1	Fundamentals of the forecast
2.1	Description of the area	5.1.1	Methodological basis of the forecast
2.1.1	Air	5.1.2	Data basis
2.1.2	Water	5.2	Assessment of potential (in)direct interferences
2.1.3	Soils	5.2.1	Air
2.1.4	Fauna	5.2.2	Water
2.1.5	Flora	5.2.3	Soils
2.1.6	Previous use(s)	5.2.4	Fauna
2.2	Special areas	5.2.5	Flora
2.2.1	Specially protected areas	5.3	Inevitable impact
2.2.2	Specially managed areas	5.4	Cumulative impact
2.2.3	Historic sites and monuments	5.5	Impact on current and planned activities
3	Description of the activities	6	Mitigation measures
3.1	Aim and necessity	6.1	Planned measures
3.2	Logistics	6.2	Monitoring measures to assess and verify the impact
3.2.1	Camps/Field camps	6.3	Possibilities to co-operate with other research institutions
3.2.2	Transport	7	Gaps in knowledge and uncertainties
3.2.3	Energy supply and fuels	8	Summary of results and conclusions
3.3	Scientific methods	9	Literature
3.4	Waste management	10	Annexes
3.5	Emergency planning		
4	Alternatives		
4.1	Abandoning the project		

Permit for an activity in the Antarctic pursuant to the AIEP

- Flow chart -

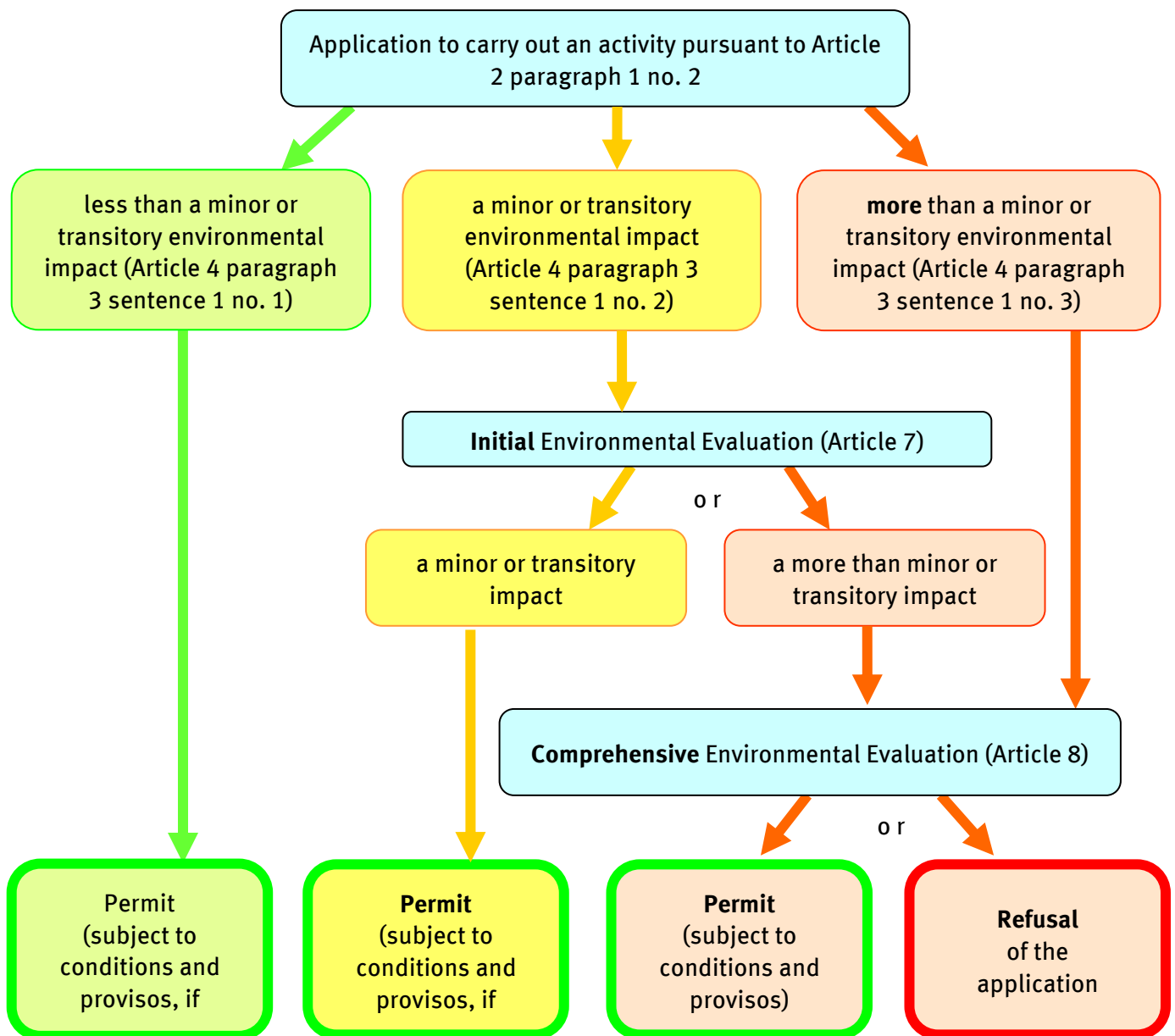


Figure 1:

Flow chart of the licensing procedure once the Federal Environment Agency received an application to carry out an activity pursuant to Article 2 paragraph 1 no. 2 of the AIEP.