

Submission of proposals related to the Further revised draft text of an agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

Template

Please fill out one form for each article which your delegation(s) or group(s) wish(es) to propose, amend or delete.

- 1. Name(s) of Delegation(s) and/or Group(s) making the proposal in the order that they should be listed in any conference room papers or other documents:**

International Union for Conservation of Nature

- 2. Please indicate the relevant part of the Further revised draft text (as reflected in A/CONF.232/2022/5¹) that this proposal relates to, using the drop-down menu below.**

PART IV ENVIRONMENTAL IMPACT ASSESSMENTS

- 3. Please indicate the relevant article of the Further revised draft text (as reflected in A/CONF.232/2022/5¹) that this proposal relates to (if applicable) or indicate if this is a proposal for an additional article**

Article 22

- 4. Kindly provide the amendments to the article that are being proposed in the text box below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the article that are being amended or deleted - examples are attached for reference.**

1. Parties shall ~~[, as far as practicable,]~~ assess the potential effects ~~[on the marine environment]~~ of ~~[planned]~~ ~~[proposed]~~ activities under their jurisdiction or control before irretrievable commitments of resources are made ~~[in accordance with their obligations under articles 204 to 206 of the Convention~~ and international law~~].~~

¹ Currently available as an advance, unedited, version on the website of the IGC: [Fifth substantive session \(un.org\)](https://www.un.org/development/desa/ia/ia-2022/)

5. Rationale for the proposal, if any.

'As far as practicable' is a loophole that undermines the seriousness of this Part. 'Proposed' is preferred to 'planned' because once planning gets underway there is too much reliance on moving forward. There may be EIA findings that will need to be reflected in changes to how the activity is conducted, for example, to avoid or minimize harm, reduce costs, resolve conflicts with other ocean users, or to take account of scientific information provided during the consultation process. Therefore EIA should take place early in the process.