

**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.232/2022/5<sup>1</sup>) 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.232/2022/5<sup>1</sup>) that this proposal relates to (if applicable) or indicate if this is a proposal for an additional article**

Article 34

- 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.**

7. Parties ~~[undertaking an environmental impact assessment pursuant to this Agreement]~~ shall ~~[establish procedures to]~~ allow for access to information related to the environmental impact assessment process under this Agreement. Notwithstanding this, Parties shall not be required to disclose confidential or proprietary information. ~~†~~However, such information shall be made available to the Scientific and Technical Body for its review, and the fact that confidential or proprietary information has been redacted shall be indicated in public documents.~~‡~~

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<sup>1</sup> 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/igc/)

**5. Rationale for the proposal, if any.**

This links to Article 41 bis; see also Article 51(6). This is an important provision, to provide conservation and commercial confidentiality, but also to ensure that such confidentiality is not self-judging. Confidentiality provisions that include effective oversight may potentially lead to better compliance. Equally, unsupervised confidentiality provisions could potentially lead to environmental harm.