

**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 38

- 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.**

2. When determining whether the ~~planned~~ proposed activity may proceed, Parties shall take full account of the results of an environmental impact assessment conducted in accordance with this Part. ~~No decision allowing the planned~~ proposed activity under the jurisdiction or control of a Party to proceed shall be made where the environmental impact assessment indicates that the ~~planned~~ proposed activity under the jurisdiction or control of a Party would have significant adverse impacts on the environment. The precautionary approach shall be

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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/)

applied in decision-making in cases of scientific uncertainty when there is a risk of significant harm to biodiversity.

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

These suggested changes align with the CBD Guidelines for Consideration of Biodiversity in EIAs in Marine and Coastal Areas, para. 42.