

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 I GENERAL PROVISIONS

- 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 1, para. 10

- 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.**

10. ~~Option A:~~ “Environmental impact assessment” means a process to identify, predict and evaluate the potential environmental impacts, including cumulative impacts, of an activity ~~with an effect on~~ that may affect areas within or beyond national jurisdiction, taking into account, inter alia, interrelated social and economic, cultural and human health impacts, both beneficial and adverse.

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/pd/data-reports/publications/fifth-substantive-session)

~~Option B: “Environmental impact assessment” means a process to identify, predict and evaluate the potential effects that an activity may cause in the marine environment in the short, medium and long term, in order to take the necessary measures, including mitigation, to address the consequences of such activity, prior to its commencement.~~

~~Option C: “Environmental impact assessment” means a process for assessing the potential effects of planned activities, carried out in areas beyond national jurisdiction, under the jurisdiction or control of Parties, that may cause substantial pollution of or significant and harmful changes to the marine environment~~

5. Rationale for the proposal, if any.

EIAs need to have as their primary focus identifying significant potentially harmful or adverse environmental effects now and cumulatively over the reasonable future, and the alternatives that will avoid those impacts. Some projects don't trigger EIA at all because they are fundamentally environmentally beneficial projects, backed up by sound science. Projects that trigger an EIA have issues that require analysis because they raise potential significant adverse environmental impacts. Option B is not recommended because it omits reference to key elements of the scope of an EIA. These are important to include in the definition to reinforce the high standard for BBNJ Agreement EIAs, which EIAs prepared for another IFB must meet if they are prepared by BBNJ Parties.