

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 35

- 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. Where an environmental impact assessment is required in accordance with this Part, the environmental impact assessment report shall include, as a minimum, the following components: a description of the ~~planned~~ proposed activity, a baseline assessment of the marine environment likely to be affected, a description of potential impacts, a description of adverse impact prevention and mitigation measures, uncertainties and gaps in knowledge, information on the public consultation process including a summary

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/ia.htm)

of comments received and explanation of how they were reflected in the conclusions and recommendations, consideration of alternative options to the ~~{planned}~~ ~~{proposed}~~ activity, including the alternative of not undertaking the activity, and a description of follow-up actions, including a monitoring and review plan. Additional guidance regarding the content of environmental impact assessments reports to be prepared pursuant to this Part shall be developed by the Scientific and Technical Body for adoption by the Conference of the Parties under article 41 bis.

3. ~~Option A:~~ Parties shall publish the reports of the results of the assessments in accordance with ~~{articles 204 to 206 of}~~ the Convention ~~{and this Part}~~, including through the clearing-house mechanism. The secretariat shall ensure that all Parties are notified in a timely manner when reports are published in the clearing-house mechanism.

5. Rationale for the proposal, if any.

35.2 The alternatives analysis is a key part of EIA practice, providing the opportunity to compare the proposed activity with environmental conditions if it did not take place; and to design alternatives that incorporate harm prevention and mitigation measures; and scientific, social, economic and environmental information provided during consultation.

35.3 Transparency is the key to successful EIA processes. If a Party publishes notices and documents related to EIAs anywhere but the clearing-house mechanism, the process is not transparent. It is not feasible for other Parties, other ocean users, or civil society to monitor the alternative - every agency website for every government.