**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**

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:**

The European Union and its Member States and Canada

1. **Please indicate the relevant part of the Further revised draft text (as reflected in A/CONF.232/2022/5) that this proposal relates to, using the drop-down menu below.**

PART IV ENVIRONMENTAL IMPACT ASSESSMENTS

1. **Please indicate the relevant article of the Further revised draft text (as reflected in A/CONF.232/2022/5) that this proposal relates to (if applicable) or indicate if this is a proposal for an additional article**

Article 30

1. **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 ensure that the process for conducting an environmental impact assessment pursuant to this Part includes the following ~~elements~~ steps:
 (a) *Screening*. Parties shall undertake screening to determine whether an environmental impact assessment is required in respect of a [planned] [proposed] activity under its jurisdiction or control in accordance with article 24. ~~as follows:~~
 ~~(i) The initial screening of activities shall consider the characteristics of the area where the [planned] [proposed] activity under the jurisdiction or control of a Party is intended to take place, as well as where the potential effects are going to occur. [Should the [planned] [proposed] activity take place in an area that has been identified for its significance or vulnerability, regardless of whether the impacts are expected to be minimal or not, an environmental impact assessment shall be required [and be subject to the decision-making procedure under article 38].]~~
 (i~~i~~) If a Party determines that an environmental impact assessment is not required for a [planned] [proposed] activity under its jurisdiction or control, it shall [make information to support that conclusion publicly available] [publish/report on that determination] ~~[~~through the clearing-house mechanism under this Agreement~~]~~.
 ~~[~~(iii) A Party may register its [views] [concerns] on a decision published in accordance with subparagraph ii with the [Scientific and Technical Body] [Implementation and Compliance Committee] within [insert number] days of the publication. Upon consideration of the [views] [concerns] registered by a Party, the [Scientific and Technical Body] [Implementation and Compliance Committee] [may] [shall] review the decision [on the basis of the best available science] and, as appropriate, recommend that the responsible Party undertake an environmental impact assessment in accordance with this Part for the [planned] [proposed] activity under its jurisdiction or control.~~]~~
 (b) *Scoping*. Parties shall ~~establish procedures, including public consultation procedures, to define~~ ensure that ~~the scope~~ key environmental [, social, economic, cultural] impacts and other relevant issues including potential cumulative impacts, [impacts in areas within national jurisdiction] [transboundary impacts] as well as alternatives to be included in ~~of~~ the environmental impact assessments that shall be conducted under this Part are identified. The ~~following modalities shall be followed in respect of scoping:
 [(i) The~~ scope shall be defined after considering public comments and by ~~include the identification of key environmental, social, economic, cultural and other relevant impacts [and issues, including identified cumulative and transboundary impacts, alternatives for analysis, including a no-action alternative, and the use of] [, including, among other things, identified cumulative impacts, and the alternatives for analysis, where appropriate,~~ using~~]~~ the best available ~~science and~~ scientific information, [as well as] [and, where] relevant, traditional knowledge of I~~i~~ndigenous P~~p~~eoples and local communities.]
 ~~(ii) The establishment of prevention, mitigation, management and other response measures to possible adverse effects will be included within the scope of the environmental impact assessment, in accordance with the provisions of paragraph 1, subparagraph d.~~
 (c) *Impact assessment and evaluation*.
 ~~(i)~~ Parties shall ensure that ~~undertake a process for the assessment and evaluate ion of~~ the impacts of [planned] [proposed] activities~~,.~~
 ~~(ii) Parties shall ensure that the identification and evaluation of impacts [~~including cumulative impacts and impacts in areas within national jurisdiction~~] in such an assessment is conducted in accordance with this Part,~~ are assessed and evaluated using the best available ~~science and~~ scientific information, [as well as] [and, where] relevant, traditional knowledge of I~~i~~ndigenous P~~p~~eoples and local communities, and an examination of alternatives including a no-action alternative.
 (d) *Mitigation, prevention and management of potential adverse effects*.
 (i) Parties shall ensure that ~~[identify and implement] [analyze]~~ measures to prevent, mitigate ~~and manage~~ or offset potential adverse effects of the [planned] [proposed] ~~[authorized]~~ activities under their jurisdiction or control are identified and established ~~[~~to avoid significant adverse impacts, ~~and submit a written record of such measures to the Scientific and Technical Body] [as part of the environmental impact assessment conducted under the provisions of this Part.~~ Such measures may include the identification of alternatives to the [planned] [proposed] activity under their jurisdiction or control].
 ~~(ii) Where appropriate, these measures are incorporated into an environmental management plan or system and alternative options are found, which include locational or technological options, alternatives to the [planned] [proposed] activity and the no-action alternative;~~
 (e) Public notification and consultation in accordance with article 34;
 (f) Preparation~~, consideration, review~~ and publication of an environmental impact assessment report in accordance with article 35;
 [(g) Decision-making in accordance with article 38.]
~~[~~2. Joint environmental impact assessments may be conducted, in particular for activities under the jurisdiction or control of ~~[small island]~~ developing States.~~]~~
[3. A Party may designate a third party to conduct [assist with the conduct of] an environmental impact assessment required under this Agreement. Such a third party may be drawn from the pool of experts created pursuant to paragraph 4 below. Environmental impact assessments conducted by such a third party must be submitted to the ~~[Party, to be forwarded for review by the Scientific and Technical Body and decision-making by the Conference of the Parties]~~ [Party for review and decision-making].]
[4. A pool of experts [may] [shall] be created under the Scientific and Technical Body. Parties with capacity constraints may [commission] [request advice and assistance from] those experts to conduct environmental impact assessments for [planned] [proposed] activity~~ies~~ under their jurisdiction or control.]

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

This proposal is built on the joint proposal made by the European Union and its Member States and Canada at IGC4. The proponents of this revised text of Article 30 seek to further streamline and clarify the steps of the EIA process under the draft Implementing Agreement.