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In cases where States Parties are the proponents of a project or activity proposed to be carried out on the ABNJ, there could arise a question on whether it would be proper for a State Party in that particular situation to be the entity responsible for the conduct of an EIA, while at the same time, be the decision maker on whether a proposed project or activity should be approved in the first place. There is a potential conflict of interest in this situation. And, whether such potential conflict is acceptable or not needs to be clarified, but it is not clearly addressed in the President's Aid to Negotiations. Micronesia sees overwhelming merit in the view that such potential conflict of interest should be considered unacceptable.

In certain geographical areas, national jurisdictions and areas beyond national jurisdictions are intimately connected. To demonstrate this by way of an example, with respect to the areas of the extended continental shelf (ECS), although the water column above them is considered beyond national jurisdiction, any activity in such water column could have significant impacts upon the biological diversity and living resources on the seabed and subsoil of the extension of the national continental shelf. The interconnectivity among resources between the national and "beyond" jurisdiction are even more significant in the High Sea areas that are surrounded by several national jurisdictions—in other words, the High Sea pockets. Some of the High Sea pockets could be found in the Pacific Region. If States Parties do have unrestrained right to unilaterally decide on the conduct of EIA without consulting the coastal states and in the abs