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The Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures.



Twenty Seventh SPREP Meeting of Officials

Alofi, Niue

19 – 21 September 2016

Agenda Item 9.4.2: BBNJ Negotiations

Purpose :

1. To seek endorsement of SPREP's role in the development of an International Legally Binding Instrument 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.

Background

2. The conservation and sustainable use of biodiversity beyond national jurisdiction (BBNJ) has been of mounting concern over the past decade because of the known and suspected biological wealth in this vast area and its acute vulnerability due to increasing and largely poorly regulated human activities and the lack of an overarching management framework.
3. In June 2015 the UN General Assembly (GA) responded with a decision to develop an international instrument to address this concern and established a Preparatory Committee (PrepCom) to make substantive recommendations on the elements of a draft text of an international legally binding instrument under the UN Convention on the Law of the Sea.

Preparatory Committees

4. The 1st PrepCom (PrepCom1) was held from 28 March to 8 April 2016 at United Nations Headquarters with PrepCom2 following from 26 August to 9 September 2016.
5. Negotiations during the 2 PrepComs focussed on the "2011 Package" which consists of:
 - a. marine genetic resources, including questions on benefit-sharing;
 - b. measures such as area-based management tools, including MPAs and EIAs;
 - c. capacity building; and
 - d. transfer of marine technology.

P-SIDS and UN Missions

6. During PrepCom1, Pacific-SIDS (PSIDS) through Ambassador Moses, Permanent Representative of Nauru invited regional agencies comprising of the Pacific Islands Forum Secretariat (PIFS); the Forum Fisheries Agencies (FFA); Secretariat of the Pacific Community (SPC); and SPREP to provide technical advice on the 2011 Package. PIFS through the Office of the Oceans Commissioner coordinated the participation and input of the regional agencies.

7. Ambassador Moses, convened a PSIDS technical workshop in Fiji in May 2016 so that key negotiators and regional experts (PIFS, SPC, SPREP) as well as CSIRO could further discuss the 2011 Package in preparation for PrepCom2.
8. UN Missions have been actively involved in the process however Member engagement so far has been minimal.

SPREP's Role

9. SPREP has a key role in the negotiations as the 2011 Package is predominantly comprised of core activities undertaken by SPREP under the CBD, the Nagoya Protocol and in relation to environmental planning tools and given SPREP's mandate on environment. SPREP will continue to provide technical advice to P-SIDS given this expertise.

Recommendation

10. The Meeting is invited to:
 - **note** SPREP's role in the BBNJ process;
 - **endorse** SPREP's continued technical and policy support of P-SIDS in collaboration with other regional agencies and partners and to keep Members informed; and
 - **consider** more active engagement in the BBNJ process