



Ministerie van Infrastructuur
en Waterstaat



FROM RATIFICATION TO IMPLEMENTATION: Challenges and Opportunities for the Conservation and Management of the High Seas in South Asia

Hotel Trident, Chennai, India
August 27-28, 2024

A Regional Capacity Building Workshop on
Biodiversity Beyond National Jurisdiction Agreement (BBNJ)



High Seas Alliance, together with its 62 members and the International Union for Conservation of Nature, has been working towards

protecting the 50% of the planet that is the High Seas; the global ocean beyond national jurisdiction. We work together to inspire, inform and engage the public, decision-makers and experts to support and strengthen High Seas governance and conservation. The High Seas Alliance played a leading role in the years of negotiations to reach the High Seas Treaty Agreement on 4 March 2023.



BOBP-IGO, set up in 2003, is a regional fishery advisory body (RFAB), with Bangladesh, India, Maldives and Sri Lanka as its member countries. It evolved

from the erstwhile Bay of Bengal Programme of the FAO founded in 1979. The BOBP-IGO is mandated to enhance cooperation among the countries in the Bay of Bengal region and provide advisory for sustainable fisheries development and management.



RISE UP is a global network dedicated to collective action for ocean protection, restoration, and equitable governance. By uniting governments, civil society, and community-based organizations, we

address urgent ocean challenges. Our focus areas include protecting the high seas, promoting inclusive ocean-based climate solutions, and advancing the rights of small-scale and Indigenous fishers, in alignment with FAO's SSF Guidelines.

After 19 years of negotiations, a legally binding instrument was adopted 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 (BBNJ). This important agreement is key to not only protect the ocean but also to tackle environmental degradation, prevent biodiversity loss in the high seas, promote equity and fairness and combat climate change. Therefore, understanding of the salient points of the BBNJ Agreement is crucial to capacitate relevant ministries and agencies to ratify the Agreement and prepare for its implementation.

In this context, a Regional Capacity Building Workshop is being organized to raise awareness, increase understanding of the salient points of the BBNJ Agreement, and capacitate relevant ministries and agencies to ratify the Agreement and prepare for its implementation.

The Workshop is being organized by the Bay of Bengal Programme Inter-Governmental Organisation (BOBP-IGO) in collaboration with High Seas Alliance (HSA), RISE UP, and other partners in the region with support from the Government of Netherlands.

The target participants of the Workshop are the senior government officers / policy makers from the priority countries of the organizers in South Asia viz., Bangladesh, India, Maldives, Sri Lanka, and Nepal. Recognizing also the important role of neighbouring countries in the ratification, the regional workshop will also include participants from selected Indian Ocean Rim countries.

With the influence of the above countries in the region and history of positive support to previous discussions and negotiations, the regional workshop aims to sustain the momentum for the signing and ratification of the agreement and facilitate its early entry into force.

The Workshop is expected to:

- **Raise** awareness and understanding of the BBNJ Agreement among government officials / policymakers from relevant ministries and agencies including fisheries, environment (ocean affairs, coastal and marine) and foreign / external affairs in South Asia;
- **Define** the need of the South Asian countries in signing and ratifying the Agreement and preparations for PrepCom and COP1, and propose strategies to address these needs;
- **Encourage** increased participation from the region in the preparatory meetings for the Agreement to enter into force;
- **Provide** an opportunity for experience and knowledge sharing among the participating countries from the region; and
- **Promote** and encourage South Asian countries to become leaders in Asia.



DAY 1

What are the salient points of the BBNJ Agreement and what does it mean for South Asia and the Indian Ocean Rim region?

Venue:
Hotel Trident, Chennai

Inauguration 09:00 - 10:30

Registration of the participants

09:00 - 09:15 Preliminaries

09:15 - 09:30 Workshop Objective Setting

- Objectives of the workshop
- Agenda
- House rules

09:30 - 10:00 Opening of the Workshop

- Opening message from the host country and BoBP
- Keynote Message from country partners

10:00 - 10:30 Group Photo and Health Break

Session 1: 10:30 - 12:30

The BBNJ Agreement and its key provisions: An overview

10:30 - 11:30 Lead Presentations

- Objectives
- Key principles of the Treaty
- The status of BBNJ Agreement
 - o The Race for Ratification and prep for implementation
 - o Preparatory Commission meeting/s and COP1

11:30 -12:30 Open Forum

Discussion points for participants:

- What are the internal and external factors that highly influence the country's position on BBNJ?
- What are the benefits of becoming a Party to BBNJ?
- How can the countries benefit from the projects in the high seas near their respective EEZs?
- What are the prevailing (national) interests from each country to support the ratification?
- How does BBNJ affect relevant existing multilateral envi agreement (MEAs) in which the country is also a Party?
- How can the Agreement contribute to the achievement of other MEA commitments/targets (e.g., BSAP, CMS, KMGBF)?

12:30 - 13:30 Lunch break

Session 2: 13:30 - 15:00

Marine Genetic Resources and Access-Benefit Sharing

13:30 - 14:15 Lead Presentations

14:15 - 15:00 Open Forum

Discussion points for participants:

- What are the mechanisms that will ensure the access-benefit sharing under MGR for SIDS and developing countries? What will be the interest for landlocked countries to engage in MGR discussion?
- With the new principles on MGR under the BBNJ Agreement, how does this affect bioprospecting in the Indian Ocean?
- Who are the active research bodies that have interest or are currently exploring MGR in the Indian Ocean?
- How can the existing regional cooperation mechanisms help advance the MGR-ABS provisions in the Agreement?

15:00 - 15:15 Health Break

Session 3: 15:15 - 17:00

Environmental Impact Assessments

15:15 - 16:00 Lead Presentations

16:00 - 17:00 Open Forum

Discussion points for participants:

- How will EIA proceed when activities within national waters will impact the high seas?
- Are the existing policies or EIA regime in your country aligned with BBNJ EIA provisions? If not, how do the countries proceed with compliance and implementation?
- If there are amendments to be done on the current EIA regime, identify those areas.
- In South Asia, are there situations where there is mutual agreement or cooperation in between, at least, two countries to align their EIA policies?
- Are there potential points of collaboration (or learning exchange, etc.) in the region to streamline EIA policies vis-a-vis BBNJ?

17:30 End of Day 1

18:00-20:30 Welcome Dinner

DAY 2

What are the opportunities and obligations under the BBNJ Agreement to improve the conservation measures of the world's marine biodiversity?

Session 4: 09:00 - 10:00

Area-based Management Tools (High Seas Marine Protected Areas (MPA) / Large-Scale MPAs)

09:00 - 10:00 Lead Presentations

10:00 - 11:00 Open Forum

Discussion points for participants:

- Can the existing network of MPAs within the national jurisdiction be linked to potential high seas MPA?
- If there is no potential high seas MPA, how can countries implement ABMT in the region? How do countries benefit from the regional approach in South Asia (or Indian Ocean Rim region)?
- Is there any potential proposal for large-scale/high seas MPA from your country or in the region? If yes, what are the current efforts (e.g., science-based assessment tools) that can help advance the proposal?
- What will be the relation or coordination mechanism with RFMOs?
- Does ABMT help regulate reporting and monitoring of IUUF in the high seas?
- How will the establishment, implementation, and monitoring of HSMMPA be carried out vis-a-vis IFBs where the countries are a member to?
- How can BBNJ pave the way to achieving 30x30 ocean targets under KMGBF?

11:00 - 11:15 Health Break

Session 6: 14:30 - 17:30

Institutional Arrangements (CoP, Clearing House Mechanisms, Funding, Compliance)

14:30 - 15:30 Lead Presentations

15:30 - 15:45 Health Break

15:45 - 16:45 Open Forum

Discussion points for participants:

- What support does your country need to (sign and) ratify BBNJ?
- What are the factors that can help your country increase its engagement in the PrepCom meetings and COP1?
- What are the financial implications and opportunities under the BBNJ Agreement?

15:45 - 16:45 Wrap-up

Session 5: 11:15 - 14:30

Capacity Building and Transfer of Marine Technology

11:00 - 10:00 Lead Presentations

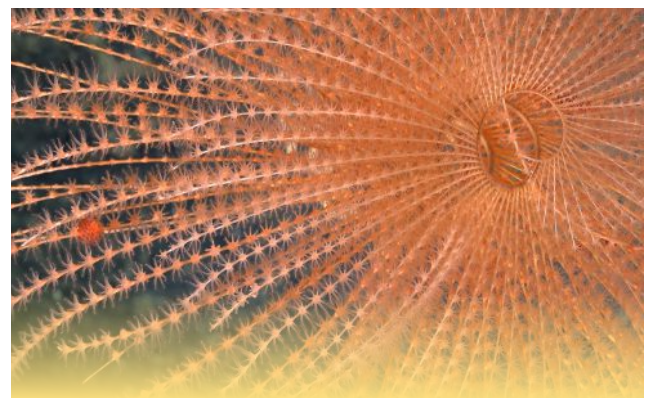
12:15 - 13:30

Lunch Break

13:30 - 14:30 Open Forum

Discussion points for participants:

- What immediate support (in terms of capacity building) does your country need once the BBNJ Agreement enters into force?
- How can your country benefit from the CBTT? What can your country contribute to CBTT?
- How do you think the CBTT further advances south-south cooperation in the region? Are there any priorities that you would like to raise?
- Under what capacity do you see your country's role in CBTT (e.g., as recipient partner of marine technology)?
- Would the CBTT Committee benefit from expertise from your country?
- What are the special considerations for SIDS, landlocked countries, and developing countries under CBTT?



The agenda for the regional workshop will be refined after the capacity needs assessment and concurrent discussion between the organisers to shape a more contextualized set of discussion points. The assessment will also allow organisers to determine the technical assistance and capacity needed by each country to ratify the Treaty and to prepare for the implementation and COP1 by 2025.