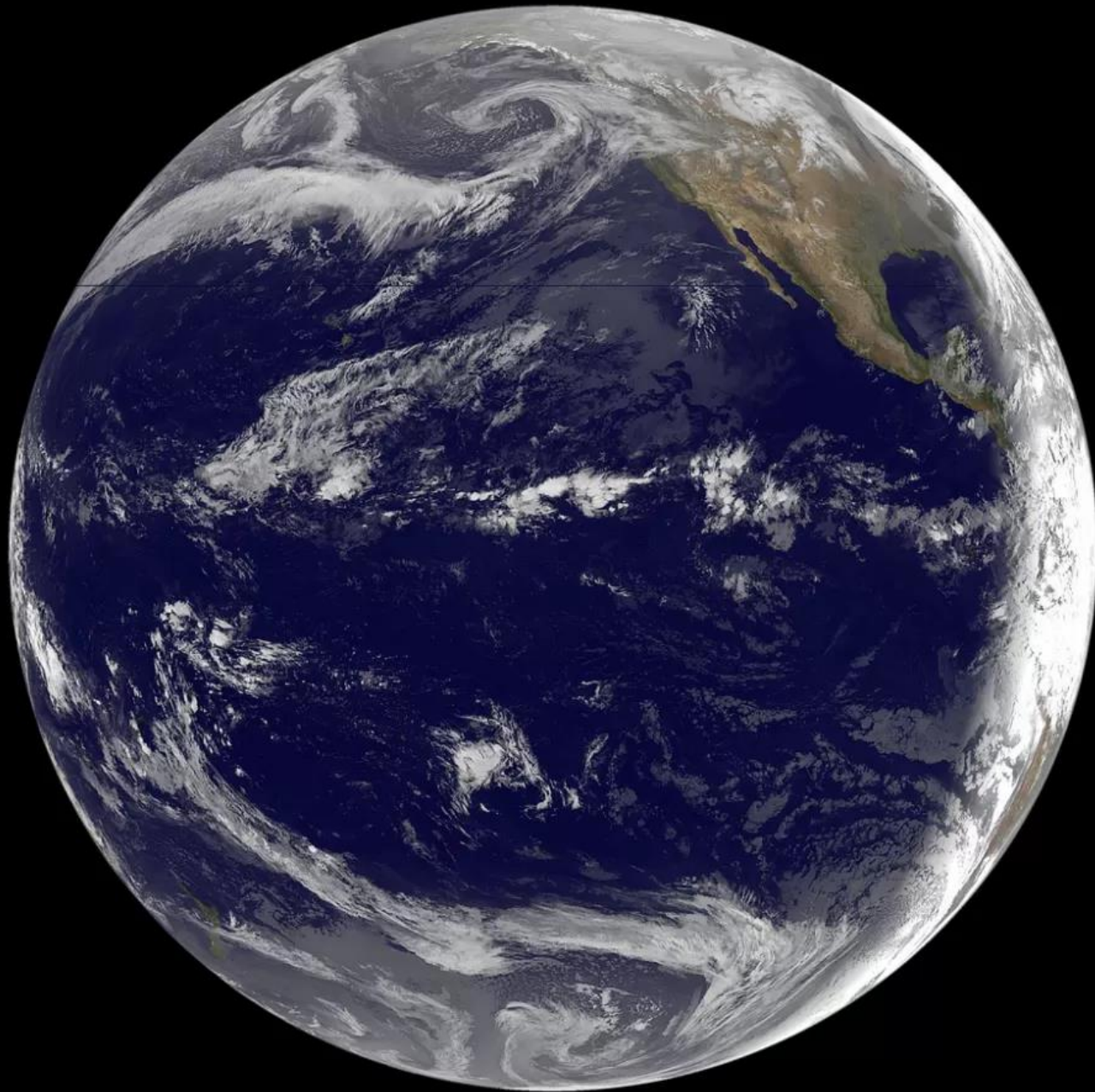


BBNJ Agreement: Background and Objectives

IUCN, ARO

Panel Discussion on "Tuna Fisheries in BOB Region: Emerging Challenges under Changing Climate and BBNJ Regime" on the occasion of World Tuna Day, BOBP-IGO, 2nd May 2023



THE HIGH SEAS

Beyond 200 nm (370 km)

Nearly half of the planet's surface

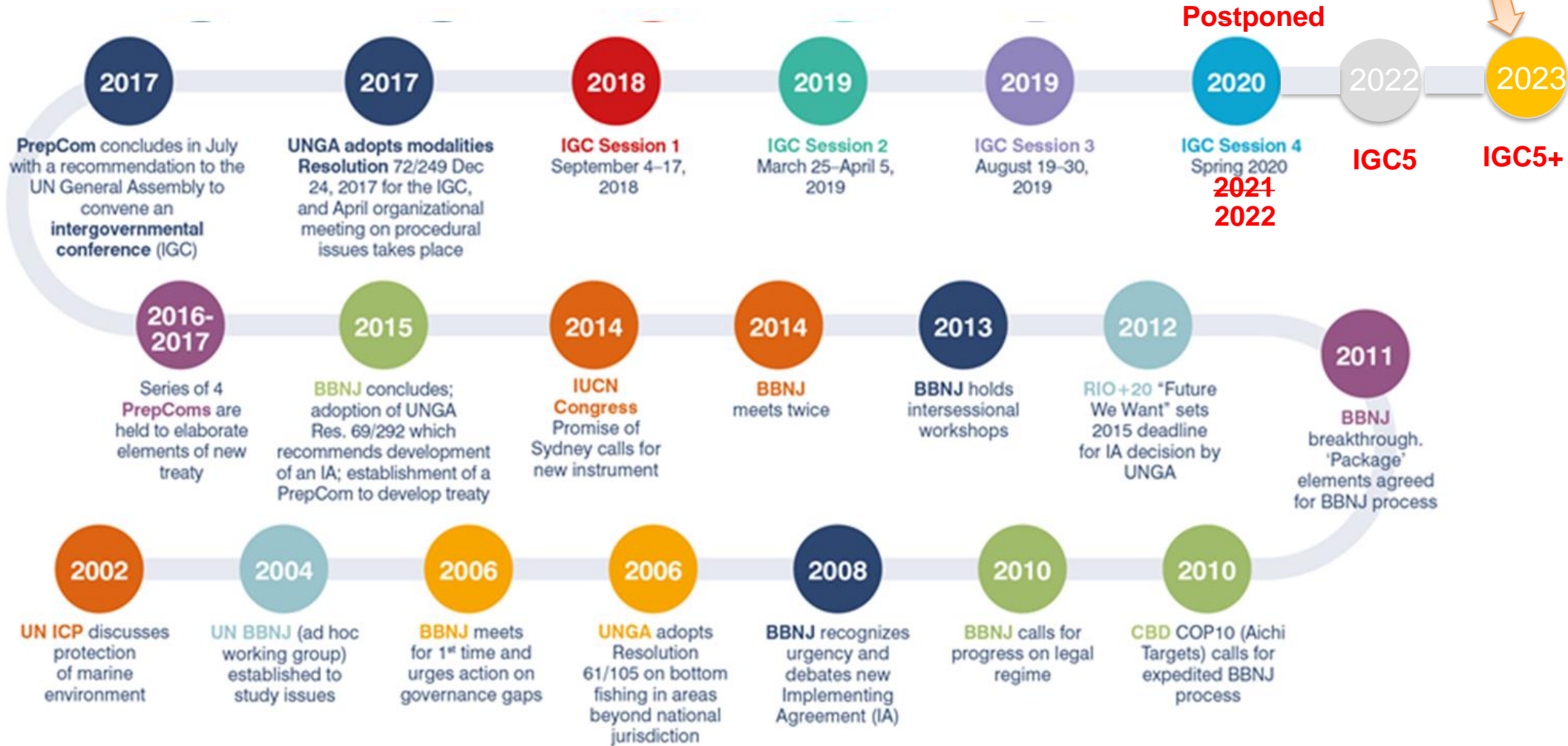
64% of the global ocean surface

**95% of the Earth's total habitat by
volume**

One planet - one ocean



Biodiversity Beyond National Jurisdictions BBNJ Timeline





IUCN delegation



IUCN movie on BBNJ Treaty



https://www.youtube.com/watch?v=_EBHr8tac1U



A 'package deal' agreed elements and focus of the treaty



**Area-based
Management
Tools,
including Marine
Protected Areas**



**Environmental
Impact
Assessment and
Strategic
Environmental
Assessment**



**Marine Genetic
Resources,
including Access
and Benefit
Sharing**



**Capacity Building
and Technology
Transfer**



Cross-cutting issues



Key outcomes of the High Seas Treaty

- **Establishment of MPAs and other ABMTs in ABNJ**
 - ✓ Proposed by States (individually or collectively)
 - ✓ Assessment by Scientific and Technical Body (STB) + public consultations
 - ✓ Opt-out procedures included
- **Strengthening of Environmental Impact Assessments (EIA) provisions in UNCLOS**
 - ✓ Clear process requiring stakeholder consultations + involvement of the STB
 - Much greater oversight and involvement from States
 - ✓ Include the possibility of SEA
- **On Marine Genetic Resources (MGR)**
 - ✓ Common heritage of humankind
 - ✓ Innovative financial architecture for the fair and equitable sharing of benefits
 - All monetary benefits will be used for implementation
 - ✓ Implementation of this part to be guided by future decisions of CBD on DSI
- **Capacity building and transfer of marine technology underpins all sections of the Treaty**
 - ✓ Establishment of a dedicated committee
 - ✓ Definition of marine technology included, covering biotechnology
 - Modalities for the transfer of marine technology defined for ALL types of technology
 - ✓ Vehicle for bringing more equity and parity
- Promote cooperation and coordination to "not undermine" other bodies
- Emergency measures (in response to human-induced threats, e.g. oil spill or climate change)



Fisheries & the BBNJ Agreement

- Relationship between RFMOs and the BBNJ Agreement:
 - ✓ Art. 8.2, Fish/fisheries are excluded from the Marine Genetic Resources (MGR) chapter.
 - Fish taken as part of fishing efforts wouldn't be subject to the access and benefit-sharing scheme set up for Marine Genetic Resources
 - ✓ BBNJ parties intending to propose an MPA are obliged to collaborate and consult with relevant RFMOs as they develop the MPA proposal (Art. 17.2))
 - ✓ Relevant RFMO that might be affected by a BBNJ MPA would need to be consulted as part of the consultation process (Art. 18.2(b)), and provide input, including on any associated management measures proposed.
 - ✓ Where measures fall within the competence of an RFMO, the BBNJ COP may **recommend** measures to be promoted for adoption within that RFMO by States that are party to both BBNJ and that RFMO (Art. 19.1(c)).
 - ✓ RFMOs will be invited to provide information about how they have implemented any measures that they (the RFMO) have adopted to achieve the objectives of BBNJ MPAs (Art. 21.2).

Other aspects of the relationship remain unclear and will need to be defined at the first COP of the BBNJ Agreement once in force.

Next steps

Fast-Tracking the Implementation of the BBNJ Agreement

- Formal adoption:
19 June 2023
(UN HQ)
- 60 States need to ratify for the Agreement to enter into force



Based on Gjerde, K. M. et al. (2022). Getting beyond yes: fast-tracking implementation of the United Nations agreement for marine biodiversity beyond national jurisdiction, *NPJ Ocean Sustainability* 1:6 <https://doi.org/10.1038/s44183-022-00006-2>



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Ministry of the Environment



**Ministry of Infrastructure
and Water Management
of the Netherlands**

