



Office of Legal Affairs
Division for Ocean Affairs
and the Law of the Sea

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

Support from DOALOS

Amber Maggio, Legal Officer, UN DOALOS/OLA
Workshop on BBNJ for CPLP Countries
Lisbon, Portugal

13-15 May 2024

Funding



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- Assessed contributions
- A voluntary trust fund
- A special fund
- The Global Environment Facility (GEF) trust fund
- COP may consider the possibility to establish additional funds to finance rehabilitation and ecological restoration
- An initial resources mobilization goal through to 2030

Implementation and Compliance



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Parties to the Agreement to:

- **Take measures to implement the Agreement**
- **Report on the Implementation to the Conference of the Parties**
 - Format and frequency of the reports to be determined by the Conference of the Parties

Implementation and Compliance Committee:

- **Facilitative in nature**
- **Functioning in a transparent, non-adversarial, non-punitive manner**
 - Consider issues of implementation at the generic and individual levels,
 - Report periodically and,
 - Make recommendations to the Conference of the Parties.

Dispute settlement

- Obligation to cooperate to prevent disputes and to settle disputes by peaceful means



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Parties to UNCLOS

- Procedure accepted pursuant to article 287 of UNCLOS shall apply to the settlement of disputes under the Agreement
- ❖ Possibility to make a different choice of procedure

Non-Parties to UNCLOS

- Free to choose one or more of the procedures set out in art. 287
- ❖ By means of a declaration to the depositary

United Nations Secretariat – Office of Legal Affairs



Office of Legal Affairs
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Division for Ocean Affairs and the Law of the Sea (DOALOS/OLA)

Secretariat to United Nations Convention on the Law of the Sea, United Nations Fish Stocks Agreement and Commission on the Limits of the Continental Shelf

Interim secretariat in relation to BBNJ Agreement

Secretarial support to General Assembly processes (Informal Consultative Process, Regular Process, resolutions)

Capacity-building & trust funds

Fellowships and trainings

Outreach and publications

UN-Oceans Focal Point



Capacity-building



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- Needs-based projects to assist in the building of capacity and reinforcing of approaches to the sustainable management of ocean spaces, resources and activities
- Beneficiary-driven training courses, technical cooperation and advice
- Ocean governance studies, tailored training on topics such as ocean governance, the science-policy interface, oceans and climate change, sustainable ocean-based economies (blue economy)
- Programme of activities to promote a better understanding of the BBNJ Agreement and prepare for its entry into force

www.un.org/oceancapacity

@UNDOALOS



Next steps & role of DOALOS

- To perform the secretariat functions until the secretariat to be established under the Agreement commences its functions
- To promote a better understanding of the Agreement
- To prepare for the entry into force of the Agreement
- To facilitate inter-agency coordination and cooperation of the UN system in supporting the entry into force and implementation of the Agreement, including through UN-Oceans
- Entry into force and convening of COP-1



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Moving forward...

Preparatory Commission

- Established pursuant to General Assembly resolution 78/272
- Organizational meeting 24-26 June at UNHQ
- Open to all States Members of the United Nations, members of the specialized agencies and parties to the United Nations Convention on the Law of the Sea
- Organizational matters, including the election of the Co-Chairs and a Bureau of the commission, the dates of the meetings of the commission and the programme of work of the commission
- BBNJ Trust Fund for future meetings



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DOALOS/GEF capacity-building and technical assistance needs survey



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- Improve understanding of the BBNJ Agreement among government officials
- Technical assistance with national law/regulation/policy
- Preparation of government agencies for entry into force
- Interest in activities relating to key issues under the Agreement, as well as financial resources and mechanism
- ASAP, streamlined and building on previous activities
- Activities at national and regional levels, along with substantive support



Promoting a better understanding of the Agreement and preparing for entry into force



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- Capacity needs and priority assessments
- Regional workshops
- National technical assistance
- Briefings
- Side events
- Outreach materials
- Website for the Agreement (interim)
- Project funded by the European Union

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global environment facility
INVESTING IN OUR PLANET

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

Initial survey of capacity-building and technical assistance needs

Compilation of results

1. Introduction

In resolution 77/321 of 1 August 2023, the General Assembly approved the assumption by the Secretary-General of the functions assigned to him under the 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 (the "BBNJ Agreement"), including the performance, through the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations (DOALOS), of secretariat functions until such time as the secretariat to be established under the BBNJ Agreement commences its functions. In light of this, DOALOS is implementing a programme of activities to promote a better understanding of the Agreement and prepare for its entry into force, which includes capacity-building and technical assistance activities.

In accordance with article 52 of the BBNJ Agreement, which provides for the inclusion of the Global Environment Facility (GEF) trust fund in the financial mechanism under the Agreement, the GEF Council authorized the use of up to \$34 million for the funding of ratification support and early action activities for the Agreement. DOALOS and the GEF Secretariat are thus working closely together to ensure coordination of efforts and the efficient use of resources.

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25 June 2024

SIDE EVENT ON
THE BBNJ AGREEMENT
SIDS4 PREPARATORY MEETING

Office of Legal Affairs
Division for Ocean Affairs and the Law of the Sea

Join DOALOS, and our partners AOSIS and OPOC to discuss the needs, interests of, and opportunities for, SIDS in the context of the BBNJ Agreement

AOSIS
OFFICE OF LEGAL AFFAIRS
DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA

"LEVERAGING THE BBNJ AGREEMENT IN SUPPORT OF RESILIENT PROSPERITY IN SIDS"
1ST PREPARATORY COMMITTEE MEETING AHEAD OF 4TH INTERNATIONAL CONFERENCE ON SMALL ISLAND DEVELOPING STATES (SIDS 4)

Conference Room E
UN Headquarters, NY

1.15 p.m. to 2:30 p.m.
Thursday, 25 January 2024

25 March 2024

UN
Division for Ocean Affairs and the Law of the Sea

Notification of Training Opportunity: 2024 Pacific
Regional Ocean Governance and BBNJ Workshop

Suva, Fiji 03-11 July 2024 Notification

Second Segment: BBNJ Agreement (8-11 July 2024)

The four-day segment will take place from 8 to 11 July 2024, and will be delivered by the Division and facilitated by OPOC, with the support of regional and subject matter specialists, including Council of Regional Organizations of the Pacific (CROP) agencies, alongside contributors from across the United Nations system and other global and regional organizations. This segment is offered by the Division as part of its mandate as per General Assembly resolution 77/321 to promote a better understanding of the BBNJ Agreement and to prepare for its entry into force. Further, this segment will deliver on OPOC's role as mandated by the Pacific Islands Forum Leaders, in terms of coordinating plans and support for the ratification and implementation of the BBNJ Agreement at regional and sub-regional levels in the Pacific.

The objective of this segment is to increase knowledge and understanding of the Agreement, including the rights and obligations set out therein, among States and other stakeholders, with a view to supporting the efforts of States towards becoming parties to the Agreement and for its implementation.

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It will include modules on:

- the background to the BBNJ Agreement;
- an overview of the Agreement and its importance and implications of becoming Parties;
- the substantive and cross-cutting elements of the Agreement, including the related rights and obligations of Parties;
- relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies;
- procedural steps towards ratification.

A particular focus in discussions and breakout groups will also be given to the technical needs and requirements in preparation for implementation, including needs identification and gap analysis for legal and policy frameworks.

Both segments will include:

- press
- press
- break
- plenary

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"BBNJ deep dive series"

Pursuant to General Assembly resolution 77/321, the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations (DOALOS) is organizing a series of online briefings to promote a better understanding of the 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 (BBNJ Agreement). Following an initial briefing providing an overview of the BBNJ Agreement, a series of "deep dive" thematic briefings is being held, covering the main substantive parts of the Agreement.

The briefings are offered in three languages – English, French and Spanish – and are held virtually through the Microsoft Teams platform. Registration links are made available in due course at: un.org/Depts/los/bbnj.html (accessible by scanning the QR code below).

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|---|--|
| <p>Marine genetic resources, including the fair and equitable sharing of benefits</p> <p>English: 6 March 2024 French: 7 March 2024 Spanish: 12 March 2024</p> | <p>Measures such as area-based management tools, including marine protected areas</p> <p>English: 2 April 2024 French: 4 April 2024 Spanish: 9 April 2024</p> |
| <p>Environmental impact assessments</p> <p>English: 7 May 2024 French: 8 May 2024 Spanish: 9 May 2024</p> | <p>Cross-cutting issues</p> <p>English: 4 June 2024 French: 5 June 2024 Spanish: 6 June 2024</p> |
| <p>Capacity-building and the transfer of marine technology</p> <p>English: 16 July 2024 French: 17 July 2024 Spanish: 18 July 2024</p> | <p>Recordings of the briefings are available on the temporary webpage of the BBNJ Agreement (Scan the QR code)</p> |

www.un.org

How to access support?

doalos@un.org



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<https://www.un.org/depts/los/bbnj.htm> or
www.un.org/oceancapacity and the soon to be launched
www.un.org/bbnjagreement



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Capacity needs discussion: Guiding questions

- Quais são as respectivas prioridades nacionais em termos de capacitação no que respeita ao BBNJ?
- Em que áreas do BBNJ seria necessário um apoio mais premente em termos de capacitação?
- Indique eventuais sugestões no que respeita à futura capacitação e/ou assistência técnica a atividades a desenvolver no âmbito do Acordo.



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Thank You



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