

Towards a new international instrument on the conservation and sustainable use of marine biodiversity in ABNJ

Government of Australia

Department of Foreign Affairs and Trade

Canberra

20 November 2014

Glen Wright
glen.wright@iddri.org

Contents

- The High Seas
- Why a new agreement
- Timeline
- The 'Package Deal'
- Recent developments
- Points of agreement/key issues
- Interim regional measures
- Next steps

71%

OF EARTH IS
COVERED BY
OCEAN

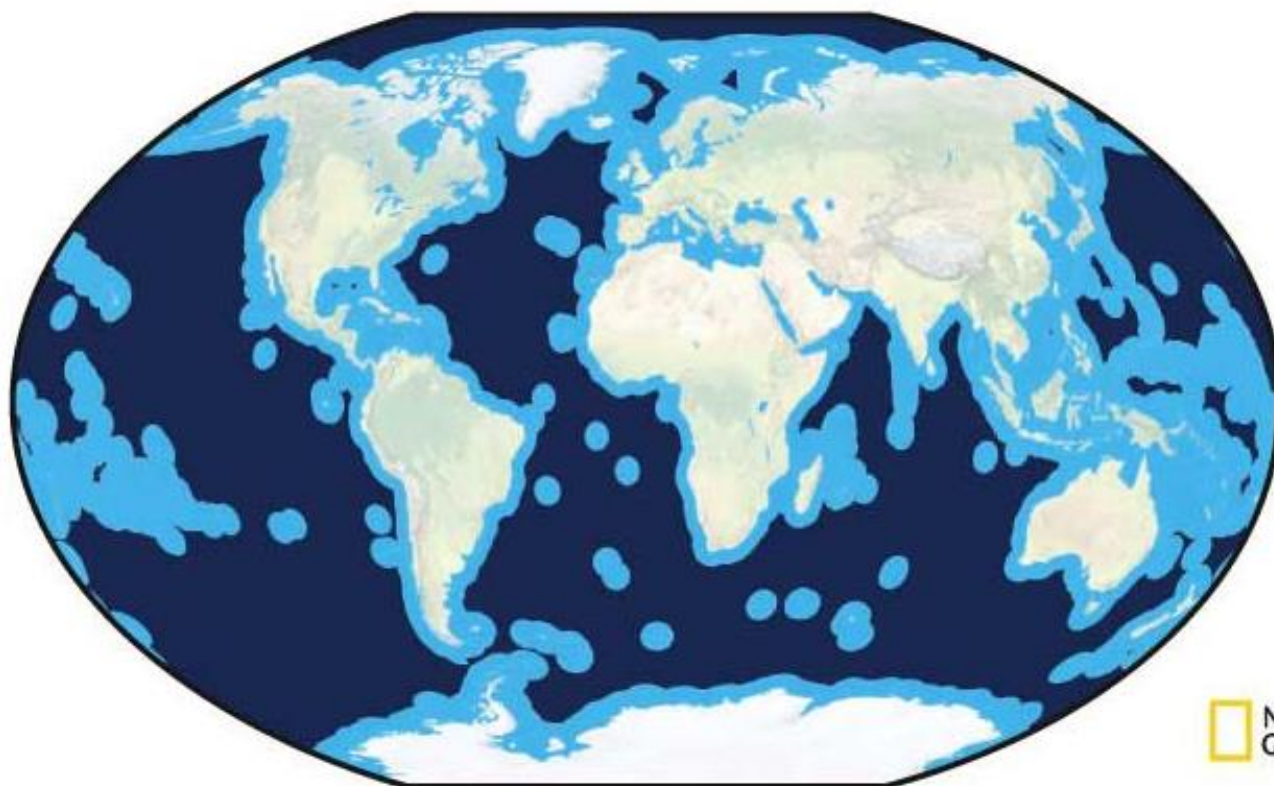
64%

OF THE OCEAN
IS CONSIDERED
THE HIGH SEAS/
INTERNATIONAL
WATERS

THE HIGH SEAS
COVER

45%

OF THE EARTH'S
SURFACE



 NATIONAL
GEOGRAPHIC

Why a new agreement?

- Significant gaps in legal framework for high seas
 - Legal gaps vs. implementation gaps
- Rapid development/intensification of activities
- Cumulative impacts

Timeline

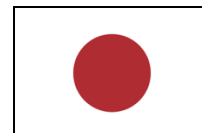
- **2006** – Formation of the BBNJ Working Group
- **2011** – Agreement of the ‘Package Deal’
- **2012** – Rio+20 commitment
- **2014** (April & June) – BBNJ meetings
- **2015**
 - Final BBNJ meeting - January
 - UNGA – August/September

The 2011 'Package Deal'

1. **Marine genetic resources**, including questions on the sharing of benefits
2. Measures such as **area-based management** tools, including marine protected areas
3. Environmental **impact assessments**
4. **Capacity-building** and the transfer of marine technology.

BBNJ meeting June 2014

- A strong 'coalition of the willing' developing
- Involvement of developing states
 - Pacific nations
 - CARICOM
 - African Union
- Inclusion of civil society
- But, a number of States impeding consensus



- Australia's role?

(Limited) points of agreement

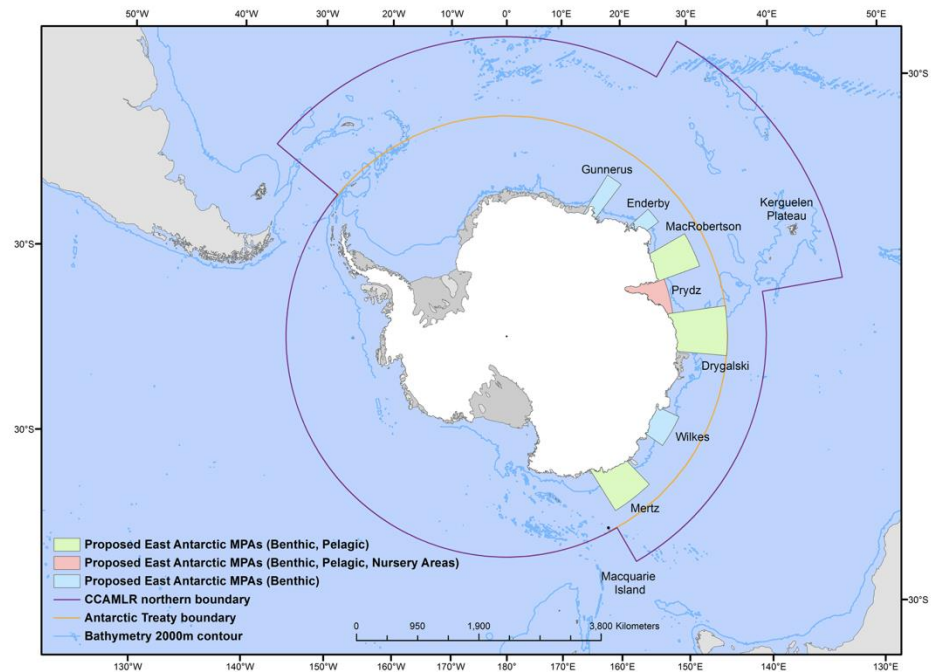
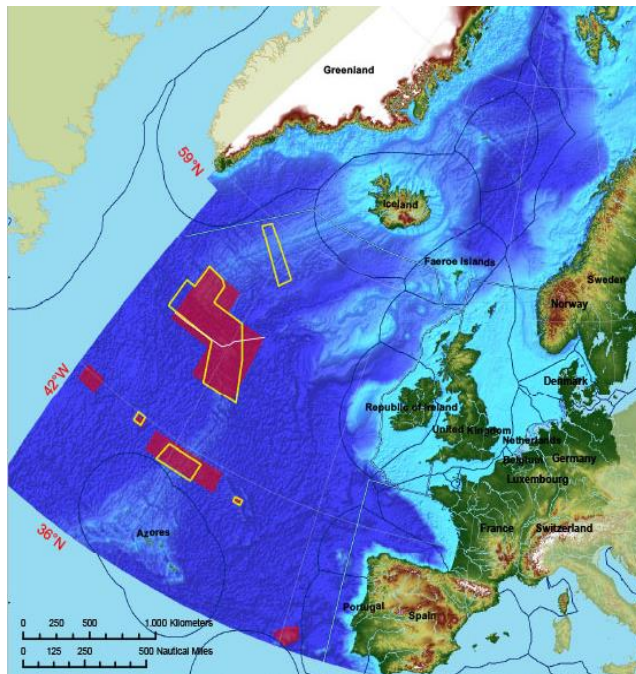
- Maintain Rio+20 deadline
- Primacy of UNCLOS
- Package Deal
- Suspension of the 'common heritage' vs freedom debate
- Respect the mandates of existing organisations

Key issues

- Legal gaps vs. implementation gaps/broader vision
- Respect the mandates of existing organisations - what does this mean in practice?
 - Fisheries
- International vs. Regional
- Institutional structure

Interim regional approaches

- Plethora of existing regional organisations
 - North Atlantic: OSPAR/NEAFC
 - Antarctic: ATS/CCAMLR
 - Sargasso Sea Commission



Next steps

- BBNJ chairs to write a 'Convergence Report'
- States to make further submissions
- BBNJ meeting in January
 - Expected to recommend to UNGA that negotiations be opened
- Consensus?
- Negotiations likely to commence in 2016
- A continued role for Australia

IDDRI



SciencesPo.

Glen Wright

Institute for Sustainable Development and International Relations (IDDRI)

glen.wright@iddri.org