



PSIDS submission on subsidiary bodies

For each of the subsidiary bodies, what are the most important elements relating to: nature and scope of work; functions; operational modalities, including interaction with other bodies/committees established under or pursuant to the Agreement (including the COP); and cooperation with relevant instruments, frameworks and bodies (IFBs)? What are the commonalities across all bodies, and where are more tailored elements required?

PSIDS sees a number of commonalities across the subsidiary bodies.. We agree that members of subsidiary bodies should be nominated by state parties and elected in their personal capacity to ensure that appropriate and necessary skill sets are represented. Election would be by the COP. There should be a term limit, with a maximum of one re-election. We also favor the terms being staggered to allow the benefit of both retaining expertise while allowing for a rotation.

Flexibility should be given to the subsidiary bodies to carry out their work. It should be within their authority to create subcommittees and working groups as they see fit, consistent with their mandate. They should also have the authority to draw upon external expertise and involve such experts in their work. Outside experts would not have voting rights as they are not elected members of the body.

Subsidiary bodies should be able to correspond directly and effectively with each other, as well as with States (whether party or not) and IFBs in relation to technical issues relevant to their respective mandates

PSIDS considers it imperative that SIDS can meaningfully participate in the work of the subsidiary bodies. In this respect we propose that dedicated seats for SIDS should be established.

In order to help operationalize the provisions of the BBNJ Agreement on Indigenous Peoples, local communities, their respective knowledges, and their respective rights in a cross-cutting manner, we propose for the COP to establish an advisory group or similar body that can inform the work of the various subsidiary bodies as well as the COP in an overarching way. As a starting proposal, the advisory group could be comprised of members from the seven UN-recognized socio-cultural Indigenous regions, selected through their own process. This body would not replace the work that the BBNJ Agreement already requires each subsidiary body and the COP to do with respect to Indigenous Peoples, local communities, their respective knowledges, and their respective rights, such as in the STB. Rather, the new body would have a standing mandate to discuss these issues in a systemic manner, complementing the specific technical work undertaken in each existing subsidiary body, including by making

recommendations to those subsidiary bodies and the COP, as well as on the Clearinghouse Mechanism.

All subsidiary bodies should be constituted based on equitable geographic representation, with dedicated seats for SIDS, and on gender balance.

PSIDS sees differences in the size of membership for subsidiary bodies., Based on the likely workload, the STB might be one of the bigger ones according to the diversity of subjects assigned to it.

As a general rule, we support that the COP rules shall apply *mutatis mutandis* unless otherwise specified. That will allow the subsidiary bodies to be operational right from the start and it will allow specific rulesets to be developed for any (or all) subsidiary body as appropriate, either before, at, or after the first CoP. We are open to starting the discussion for particularized rulesets for one or more of those SBs now, during the PrepComm, but that will depend on the nature of each subsidiary body and what the BBNJ Agreement requires, and we must be guided by the fundamental principle that all the subsidiary bodies identified by the BBNJ Agreement must be operational by the first COP.

On the interaction between the CoP and the subsidiary bodies, PSIDS considers that the CoP will define (any) rules of procedure for the bodies and assign agenda items. The bodies will be responsible to update their own TORs and to regulate their day to day work.

In order to allow for the most efficient workflow, subsidiary bodies may use virtual meetings during intersessional periods.