



Preparatory Commission for the Entry into Force 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 and the Convening of the First Meeting of the Conference of the Parties to the Agreement

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Questions: Seek views on whether delegations consider that a draft decision to forward to the first COP for consideration and adoption is a suitable and acceptable end point for this PrepCom

If general acceptance, what do delegations wish to see in such a draft decision?

Co-chairs,

At the outset, our group supports developing elements to guide cooperation and collaboration between the BBNJ Agreement and other international frameworks and bodies (IFBs). However, we would not characterise this as "principles" given the term's weighted implications.

These elements should align with the Agreement, particularly Article 47(6)(c). We emphasize that cooperation and collaboration with other IFB must also support the operationalization of Article 7(m). Crucially, we must maintain implementation flexibility while avoiding over prescriptive approaches.

We also want to note that cooperation goes both ways. We would, thus, see that any cooperation arrangement be reciprocal.

As indicated previously, this Commission could recommend the COP to invite IFBs with relevant mandates to become observers to BBNJ institutions. We have already indicated those we think are the most relevant in the early phases of implementation and want to highlight, in particular, SIDS regional and subregional organizations. The Commission could also mandate the Secretariat to develop cooperation arrangements. In addition, we reiterate the role of Parties to the BBNJ Agreement in successful, effective and efficient cooperation and coordination with other IFBs. Adequate support, in particular for SIDS Parties to implement this role should be ensured.

I thank you.

[The following written input will be sent]

A COP 1 decision on cooperation and coordination could include the following:

1. Invitation to IFBs with relevant mandates to become observers to BBNJ institutions. As practice, an indicative list of IFB could be included as footnote to that paragraph, such as para 5 of 78/272 or para 12-15 of 72/249, or in an annex.
 - We highlight in particular, regional and subregional organizations from SIDS regions. These include: the Caribbean Community (CARICOM), the Organisation of Eastern Caribbean States (OECS), the Pacific Islands Forum/Office of the Pacific Ocean Commissioner, Pacific Islands Forum Fisheries Agency, the Pacific Community, the Secretariat of the Pacific Regional Environment Programme, the Indian Ocean Commission, the Joint Management Agreement between Seychelles and Mauritius
2. Mandate to the Secretariat to, *inter alia*:
 - a. develop and enter into cooperation arrangements with relevant IFBs to support the achievement of the BBNJ agreement objectives, including the implementation of the work program of the COP, Secretariat and SBs. The COP could provide a non exhaustive indicative list of priority IFBs. These would include the SIDS regional organization aforementioned, as well as global bodies such as the CBD, ISA, IMO, FAO, Fisheries organizations, UNESCO-IOC, WIPO, WHO.
 - b. coordinate with the Secretariats of relevant IFBs with a view to, *inter alia*,
 - i. Facilitate exchange of information and experience;
 - ii. Explore the possibility of recommending[procedures for harmonizing][interoperability], to the extent desirable and practicable, the reporting requirements of Parties under those IFBs
 - iii. Explore the possibility of coordinating their respective programmes of work to promote coherence among efforts towards the conservation and sustainable use of BBNJ;
 - iv. Consult on cooperation programs to contribute to the effective implementation of the Agreement with a view to meeting its objectives
 - v. Facilitate periodic review meeting on cooperation and coordination activities
3. Request BBNJ Parties who are members of relevant IFBs to ensure that those IFBs could, among other initiatives/actions:
 - a. become observers to BBNJ bodies,
 - b. establish member-driven procedures and processes within such IFBs that would enable such IFBs to engage constructively with BBNJ processes, including responding to consultations and other invitations from the BBNJ COP,

Secretariat and relevant SBs in a timely manner; In that regard, and noting article 21(8), the COP could, in a separate decision adopting the ToR of the STB, task the STB at its first session to develop modalities for the consultation and assessment process, including duration, in relation to proposals regarding the establishment of ABMTs including MPAs submitted under Article 19. Similar modalities could be considered in relation to environmental impact assessments processes under Article 38.

- c. implement complementary measures supporting Agreement objectives in accordance with the respective mandates of relevant IFBs, and
 - d. engage in joint programs with BBNJ institutions. For these, we see benefits for specific BBNJ budgets in relevant IFBs, and that some budget lines be established within the BBNJ relevant mechanism to ensure the effectiveness of cooperation and coordination
 - e. Engage in other activities that contribute to achieving the objective of the BBNJ Agreement in accordance with their respective mandates
4. Invite, as appropriate, the BBNJ Subsidiary Bodies to engage with relevant bodies of IFBs.

To inform such cooperation and coordination agreements, we suggest the Secretariat organize a meeting of all relevant secretariats of international instruments, frameworks and bodies to identify priority cooperation modalities and coordination mechanisms. This meeting could also be included in the COP decision as an invitation from the COP to relevant Secretariats to meet. However, we should also ensure that these cooperation and coordination agreements are established with the view to support the achievement of the BBNJ agreement objectives, including the implementation of the work program of the COP, Secretariat and SBs.

Thank you