



# Overview of IUCN briefs for BBNJ IGC4 negotiators

The final stages of negotiations for the UN BBNJ Agreement presents humanity with a rapidly closing window of opportunity to secure a healthy, productive and resilient ocean that supports human and marine life for future generations, despite the accelerating pressures of climate change and human use.

The [Summary of the IPCC WGII Sixth Assessment Report](#) concludes with the sobering statement on the gravity of our peril: “The cumulative scientific evidence is unequivocal: Climate change is a threat to human well-being and planetary health. Any further delay in concerted anticipatory global action on adaptation and mitigation will miss a brief and rapidly closing window of opportunity to secure a livable and sustainable future for all.”

It is now critical for the global community to come together to adopt an ambitious, effective, well-resourced, and proactive treaty. This is a key foundation for safeguarding the ocean and humanity’s ability to respond and adapt to climate change.

Below are key messages extracted from a series of IUCN briefing papers prepared on the occasion of this fourth and hopefully final Intergovernmental Committee.

## Principles and Approaches, Part I, Article V

Because they provide guidance for the BBNJ agreement’s commitments, agreeing on key principles will bring coherence to the other parts. Some of the most important principles and approaches include common concern, transparency and access to information, precaution, obligations to future generations, non-regression and polluter pays, amongst others. Principles and approaches complement the need for clear obligations in the other parts of the BBNJ Agreement. Principles, approaches and obligations together support achieving critical goals, like the 30x30 protection of the high seas as effectively managed and equitably governed, including all key biodiversity areas.

## AREA-BASED MANAGEMENT TOOLS, INCLUDING MARINE PROTECTED AREAS, PART III

Global MPAs require ambitious and comprehensive management, focused on the primary objective of long term conservation. The goal of enhancing cooperation and coordination is best supported by clear obligations to conserve and use biodiversity sustainably. To enable timely action, the COP will need a clear mandate to establish MPAs and other ABMTs and adopt conservation measures that are binding on themselves as States Parties. Requiring States Parties to promote area-based measures to enhance conservation and sustainable



use through relevant international frameworks and bodies (IFBs) can stimulate coherence, while the envisaged consultation processes can provide an important safeguard that States, IFBs and other stakeholder views will be given due consideration.

## Environmental Impact Assessment and Strategic Environmental Assessment, Part IV

Environmental Impact Assessment (EIA) is an essential tool for conservation and sustainable use of biodiversity in areas beyond national jurisdiction. To be effective, it must be thorough, transparent, consultative, and allow for changes to the proposed activity to prevent harm. Additionally, the EIA process should be accountable, impartial, independent, precautionary, collaborative and learning oriented. Provisions in the draft text can be chosen to ensure that EIAs do their job to prevent environmental harm and that strategic environmental assessments are authorized for wider application .

## Capacity building and transfer of marine technology, Part V

Capacity building and transfer of marine technology that is sustained, well-resourced and needs-based will be fundamental to the effective and equitable implementation of all elements of the BBNJ Agreement. Hence, the actual roles, responsibilities and mechanisms for implementation and review need to be more clearly defined and definitions of marine technology and transfer of marine technology broadened to encompass technologies relevant to study, use, protection and management of BBNJ, such as monitoring, control and surveillance. Intellectual property aspects can and should be addressed in a way that incentivizes use of existing possibilities to limit the impact of intellectual property rights while also respecting their role in encouraging innovation.

## Financial Resources and Mechanism, Part VII

Financial and in-kind support will be vital for ensuring the success of the BBNJ Agreement and yet Part VII on Financial Resources and Mechanism remains bracketed. To enable all States to fulfill their responsibilities to safeguard ocean health, States Parties, including developing States, will need additional resources. To ensure timely access, Article 52 should be framed to embrace multiple avenues for mobilizing, delivering and coordinating resources, including the Global Environment Facility but also public-private partnerships, amongst others. For this purpose, it may be useful to consider establishing a subsidiary body on finance within Article 52.