

# Négociations haute mer

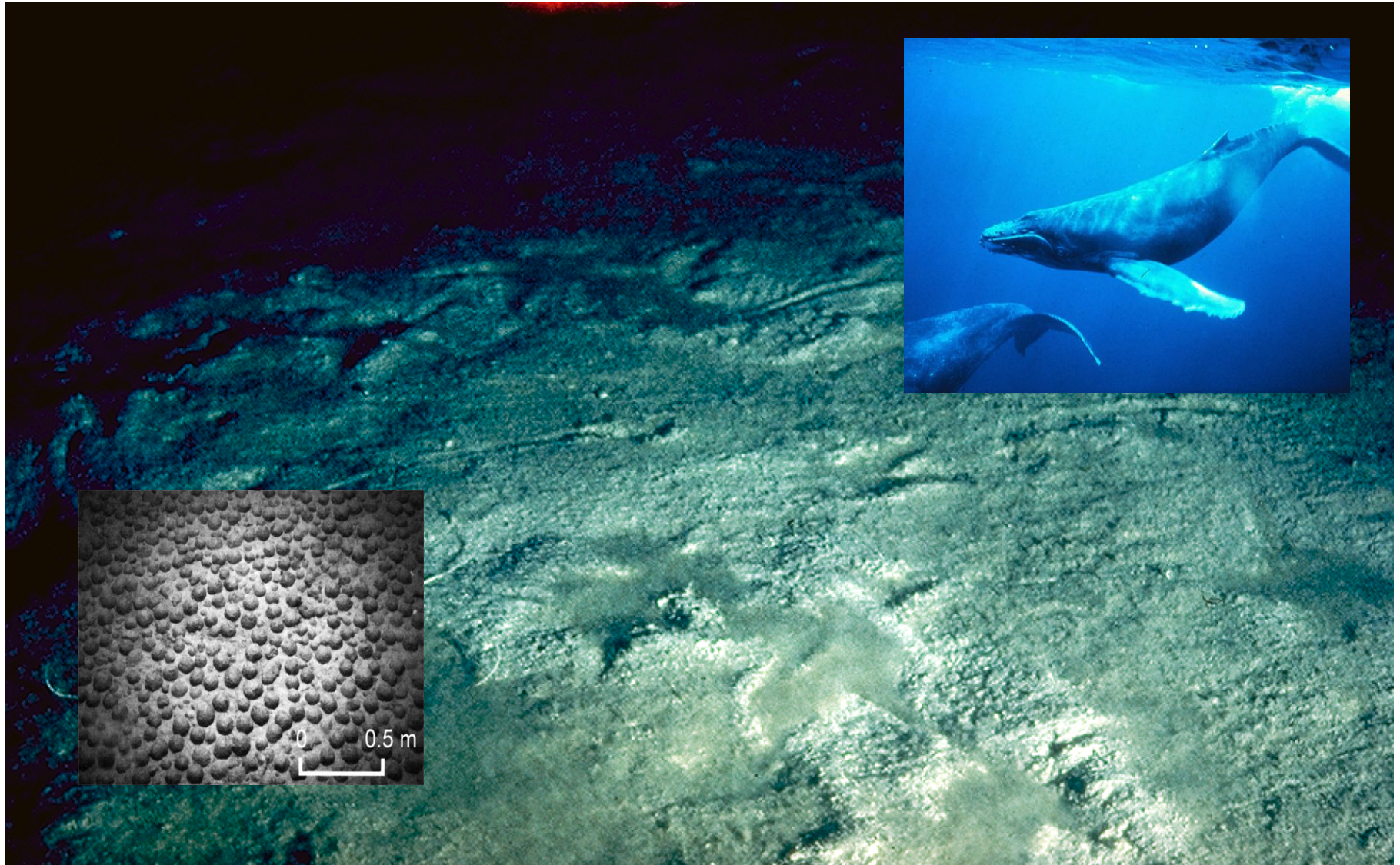
Plateforme Biodiversité, Paris, 20 septembre 2020

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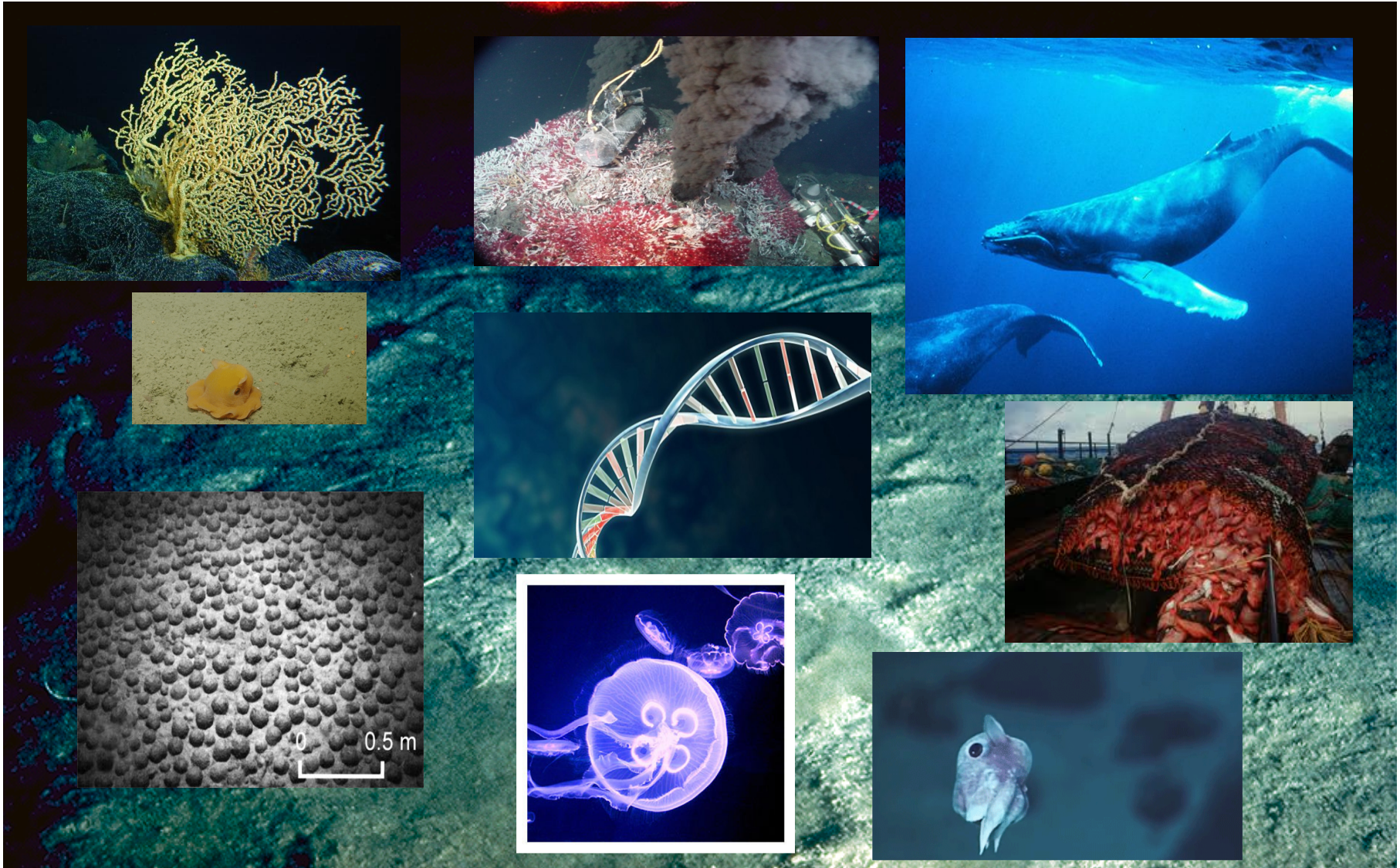
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Iddri











<b>2006</b> ➤ 13-17 February	First meeting of the BBNJ Working Group	Emergence of an ideological divide regarding the legal status of MGRs found in the Area EU called for adoption of a new agreement. Continued discussions and development of State positions.
<b>2008</b> ➤ 28 April-2 May	Second meeting of the BBNJ Working Group	
<b>2010</b> ➤ 1-5 February	Third meeting of the BBNJ Working Group	Working Group invited to make recommendations to the UNGA. Numerous proposals for advancing conservation and sustainable use.
<b>2011</b> ➤ 31 May-3 June	Fourth meeting of the BBNJ Working Group	Common position reached between EU, G77, China, Mexico; creation of the "Package Deal". Intersessional workshops proposed.
<b>2012</b> ➤ 7-11 May	Fifth meeting of the BBNJ Working Group	Discussions focused on the preparation of the intersessional workshops.
<b>2012</b> ➤ 20-22 June	<b>Rio+20</b>	Commitment made to decide on whether to negotiate a new agreement; deadline set (September 2015).
<b>2013</b> ➤ 2-3 May	Intersessional workshop on MGRs	Scientific expertise provided to delegations.
<b>2013</b> ➤ 6-7 May	Intersessional workshop on conservation and management tools	
<b>2013</b> ➤ 19-23 August	Sixth meeting of the BBNJ Working Group	Recommended 3 meetings of Working Group on scope, parameters and feasibility.
<b>2014</b> ➤ 1-4 April	Seventh meeting of the BBNJ Working Group; first of three special sessions on scope, parameters and feasibility	Beginning of substantive debate; move towards identification of key issues.
<b>2014</b> ➤ 16-19 June	Eighth meeting of the BBNJ Working Group; second of three special sessions	Increasing convergence among States on a number of issues. Broader engagement of States in the process, especially CARICOM, the African Union, and the Pacific States.
<b>2015</b> ➤ 20-23 January	Ninth meeting of the BBNJ Working Group; third and final special session	Recommendation to the UNGA to decide to open negotiations.
<b>2015</b> ➤ 19 June	<b>UNGA Resolution 69/292</b>	Establishment of the Preparatory Committee
<b>2016</b> ➤ 28 March-10 April	First meeting of the Prepcom	'Unpacking' the package.
<b>2016</b> ➤ 26 August-9 September	Second meeting of the Prepcom	Detailed discussion of State positions.
<b>2017</b> ➤ 27 March-7 April	Third meeting of the Prepcom	Narrowing down possible approaches to contentious issues.
<b>2017</b> ➤ 10-21 July	Fourth meeting of the Prepcom	Substantive recommendations submitted to the UNGA.
<b>2017</b> ➤ 24 December	<b>UNGA Resolution 72/249</b>	Convening of an intergovernmental conference
<b>2018</b> ➤ 16-18 April	Organizational meeting	Election of President of the intergovernmental conference (Rena Lee, Singapore) and discussions on rules for the negotiations.
<b>2018</b> ➤ 4 – 17 September	<b>1<sup>st</sup> Intergovernmental Conference (IGC) meeting</b>	
<b>2019-2020</b> ➤	2 <sup>nd</sup> -4 <sup>th</sup> IGC meeting	



**Février 2006 : Première reunion  
du BBNJ Working Group**

**Juin 2011 : Package Deal**

**Décembre 2017 : Résolution de  
l'AGONU ouvrant les  
négociations**

**Mars 2020 : “Dernière” session  
de négociation prévue par la  
Résolution de 2017**

# IDDRI

## STUDY

N°08/18 AUGUST 2018

**The long and winding road: negotiating a treaty for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction**

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Forewords by Laurence Tubiana and Eden Charles

### A VAST GLOBAL COMMONS UNDER INCREASING PRESSURE

Marine areas beyond national jurisdiction (ABNJ) cover nearly half of the Earth's surface and host a significant portion of its biodiversity. The remoteness of ABNJ and a lack of knowledge previously placed them beyond the reach of human activities. In recent decades, technological and scientific advancements, coupled with growing demand for resources, have increased interest in these areas and driven exploration and exploitation.

### A TREATY TO SAFEGUARD THE HEALTH OF THE GLOBAL OCEAN

The international community has become increasingly aware of the growing threats to marine biodiversity in ABNJ and been discussing options to conserve and sustainably use it. On December 24, 2017, following more than 10 years of discussions, the United Nations General Assembly decided to convene an intergovernmental conference (IGC) to negotiate an international legally binding instrument (ILBI).

### A PACKAGE OF VARIED AND COMPLEX ISSUES

Negotiations will cover the 'Package Deal' of issues agreed in 2011, namely: marine genetic resources (MGRs), including questions on the sharing of benefits; area-based management tools (ABMTs), including marine protected areas (MPAs); environmental impact assessments (EIA); and capacity-building and the transfer of marine technology.

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### Des avancées

- Un avant-projet de texte sur lequel négocier
- Un squelette d'accord qui se dessine
- Des éléments de convergence (AMP, EIE...)
- Une COP, un organe scientifique et technique, un centre d'échanges

### Des incertitudes

- Coordination avec les organisations sectorielles et régionales existantes
- Statut juridique des RMG
- Mécanisme de partage des avantages
- Consensus vs. majorité qualifiée



Travail intersessionnel

Regarder au-delà du Package Deal

“Enabling conditions”

Echéance 2020 ? « Notre priorité est claire : avoir un traité solide qui signifie quelque chose, et pas un traité tellement flou ou peu décisionnel que personne ne voudra le ratifier » (S. Ségura)

## High Hopes for the High Seas: beyond the package deal towards an ambitious treaty

Glen Wright, Klaudija Cremers, Julien Rochette (IDDRI), Nichola Clark (Pew Charitable Trusts), Daniel Dunn (Duke University), Kristina M. Gjerde (IUCN), Harriet Harden-Davies (University of Wollongong), Essam Mohammed (IIED), Guillermo Ortuño Crespo (Duke University)

Cognisant of the growing threats to biodiversity in marine areas beyond national jurisdiction (ABNJ), States at the United Nations are negotiating a treaty to ensure the conservation and sustainable use of this vast global commons. These negotiations provide a unique and timely opportunity to strengthen the management regime for the global ocean, building on the vision of the UN Convention on the Law of the Sea (UNCLOS).

The treaty will cover a 'package deal' of issues: marine genetic resources (MGRs); area-based management tools (ABMTs), including marine protected areas (MPAs); environmental impact assessments (EIAs); and capacity building and technology transfer. In order to be effective, ambitious provisions are needed on each of these elements, including by addressing climate change and ensuring the protection of marine ecosystems. A fair and equitable treaty could further support conservation and sustainable use by strengthening existing management frameworks and providing global oversight, developing capacity, and placing science at the heart of decision making.

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N° 09

### KEY MESSAGES

States at the United Nations are currently negotiating a treaty to conserve and sustainably manage marine biodiversity in areas beyond national jurisdiction.

In order to safeguard ocean health, States and stakeholders should cooperate to conclude an ambitious, effective and equitable treaty with strong global oversight.

Negotiations are based on a 'package deal' of

assessments; and capacity building and technology transfer. It is crucial that States not only take strong action on these elements, but also include provisions that will future-proof the treaty.

The new treaty can build on the vision of the Law of the Sea Convention to strengthen the existing governance framework, protect marine biodiversity and place cooperation and science at the heart of the management regime for this vast global commons.



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