CAPACITY BUILDING WORKSHOP FOR SIDS IN BBNJ NEGOTIATIONS
PROGRAMME OF WORK

29 May – 1 June 2018

Lester Pollack Colloquium Room, Furman Hall (9th Floor)
245 Sullivan Street, New York University School of Law

29 May - Tuesday

09:30 – 10:00
Registration

10:00 – 10:30
Opening
Speakers:
• H.E. Dr. Ali Naseer Mohamed (AOSIS Chair and Permanent Representative of Maldives to the United Nations)
• H.E. Mr. Tore Hattrem (Permanent Representative of Norway to the United Nations)

10:30 – 13:00
Session I – Introduction to the BBNJ Instrument
Moderated by Sylvain Kalsakau (Deputy Permanent Representative of the Permanent Mission of Vanuatu to the United Nations)
Speakers:
• Alice Hicuburundi (Senior Legal Officer, DOALOS)
• Kristina Gjerde (Senior High Seas Advisor, IUCN)

– Exploring the need for a new legally binding instrument; what are the gaps in the current governance landscape?
– History of the background of the BBNJ negotiations, including the work of the Ad-hoc open-ended working group and the preparatory committees.
– What is the geographical/material/personal scope of the instrument?
– Possible implications of the new instruments for SIDS

13:00 – 14:30
Lunch Break
15:00 – 18:00  Session II - Marine Genetic Resources
Moderated by Janine Coye-Felson (Deputy Permanent Representative of Belize to the United Nations)

Speakers:
- Dr. Thomas Vanagt (Founder and Director, eCOAST Marine Research)
- Gaute Voigt-Hanssen (Senior Legal Adviser, Ministry of Climate and the Environment of Norway)
- Hiroko Gottlieb (Senior Ocean Governance Advisor, IUCN)

- General introduction to MGRs – ideological difference, scope (fish), balance between access and exploration
- Issues of Intellectual Property Rights
- Access and benefit sharing - lessons from Nagoya Protocol/Antarctic Treaty (clearing house mechanism) and how they can be translated into this context.
- Modalities: What would trigger benefit sharing, and how will the downstream use of MGRs be monitored? (Monetary/Non-monetary benefits, Commercial/Non-commercial use, Short/Medium/Long term use)
- Options for an Access and Benefit sharing regime, light to heavy models, balancing the interests and objectives of the instrument
- Implication of utilization of these models for SIDS, including linkages with Capacity Building and Transfer of Technology.
- Examples from existing ABS systems in SIDS

18:30 – 20:00  Reception hosted by H.E. Mr. Tore Hattrem, Permanent Representative of Norway to the United Nations
Ambassador’s Residence, 305 East 51st Street, PH-A (Transport will be provided from the Venue)

30 May - Wednesday

10:00 – 13:00  Session III - Environmental Impact Assessments
Moderated by Joan Yang (Permanent Mission of Nauru to the United Nations)

Speakers:
- Lauren Kubiak (International Oceans Analyst, NRDC)
- Judith Gobin (Senior Lecturer in Marine Biology, University of West Indies)
- Jope Davetanivalu (Environmental Planning Adviser, SPREP)
Obligation to conduct EIAs under UNCLOS and international law
Operationalizing the obligation to conduct EIAs, guiding principles, determination of when an EIA is required, consideration of possible institutional arrangements, including monitoring and review.
Strategic environmental assessments
Connectivity and adjacency issues for SIDS
Implications for SIDS, including the need for capacity development

13:00 – 15:00
Lunch Break

15:00 – 18:00
Session IV – Area Based Management Tools, including MPAs
Moderated by Andreas Kravik (Counsellor Legal Affairs, Permanent Mission of Norway to the United Nations)

Speakers:
- Kristina Gjerde (Senior High Seas Advisor, IUCN)
- Glen Wright (Research Fellow International Ocean Governance, IDDRI)
- Hiroko Gottlieb (Senior Ocean Governance Advisor, IUCN)

- Overview of ABMTs, their potential use on the high seas and existing regimes/organizations that utilize ABMTs
- The possible relationships between ABMTs under the ILBI and existing instruments – how will this interact with IMO/RFMOs/etc regimes
- Options for ABMT regimes under the ILBI, including the process for the identification, establishment and monitoring of AMBTs

31 May - Thursday

10:00 – 13:00
Session V – Capacity Building and the transfer of marine technology

Speakers:
- Harriet Harden-Davies (PhD Candidate, University of Wollongong)
- Janine Coye-Felson (Deputy Permanent Representative of Belize to the United Nations)
- Jope Davetanivalu (Environmental Planning Adviser, SPREP)
- Judith Gobin (Senior Lecturer in Marine Biology, University of West Indies)

- Operationalizing capacity building and the transfer of marine technology under UNCLOS - gaps and challenges
Potential application of the IOC Guidelines on Transfer of Marine Technology or other options
Scope of capacity building and transfer of marine technology, identifying the Capacity Building and Technology Transfer needs.
How can capacity building and TMT be incorporated throughout the instrument to be most beneficial to SIDS?

13:00 – 15:00  Lunch Break

15:00 – 18:00  Session VI – Institutional Arrangements
Moderated by Juliette Babb-Riley (Deputy Permanent Representative of Barbados to the United Nations)
Speakers:
● Bryce Rudyk (Adjunct Professor of Law, NYU)
● Nichola Clark (Senior Associate, PEW Charitable Trusts)
● Glen Wright (Research Fellow International Ocean Governance, IDDRI)
● Gaute Voigt-Hanssen (Senior Legal Adviser, Ministry of Climate and the Environment of Norway)

Possible models for institutional arrangements of the ILBI – what sort of framework/mechanisms might be necessary
Relationship of ILBI with existing regional and sectoral organizations/relationship to UNCLOS? (i.e. “not undermining”)
How can they be shaped to be the most beneficial to SIDS.

1 June - Friday

10:00 – 13:00  Session VII – SIDS interests in the BBNJ Instrument
Moderated by Martin Zvachula (Permanent Mission of Micronesia to the United Nations)
Speakers:
● Alec Dawson (NYU Law School)
● Diedre Mills (Deputy Permanent Representative of Jamaica to the United Nations)
● Margo Deiye (Deputy Permanent Representative of Nauru to the United Nations)

Current political landscape of the discussions, and how they have evolved.
Highlighting the priority issues needs for SIDS in the agreement
Recognizing the commonalities between regions, how can AOSIS members work together to accomplish our shared goals?
13:00 – 15:00  
*Lunch Break*

15:00 – 17:00  
Session VIII – Wrap up and way forward  
*Moderated by* Ismail Zahir (Permanent Mission of Maldives to the United Nations)

- How can the AOSIS Chair be the most useful to the members during the negotiations?
- Moving ahead to the Intergovernmental Conference – overview of the organizational meeting and the envisioned way forward including any intersessional work

17:00 - 17:30  
Closing