

**NATIONAL WORKSHOP ON THE RATIFICATION AND
IMPLEMENTATION OF THE BBNJ AGREEMENT
AND
SCOPING FOR TUVALU NATIONAL OCEAN POLICY**



Concept Note

National Workshop on the Ratification and Implementation of the Agreement under United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity Beyond National Jurisdiction (BBNJ Agreement).

Held at the Rt Hon Dr Sir Tomasi Puapua Convention Centre from 20th to 22nd of January 2025.

Purpose

This 3-day workshop will bring together the relevant stakeholders in Tuvalu, to prepare for the ratification, domestication, and implementation of the BBNJ Agreement. Tuvalu signed the Agreement on 20 September 2023, on the margins of the 78th Session of the United Nations General Assembly, High – Level Week in New York.

The workshop aims to serve as a familiarization exercise for national agencies, ensuring that all relevant stakeholders are aware of their respective roles and responsibilities under the BBNJ Agreement. It will also provide an overview of existing national legislation/regulations/policies that are relevant for the effective implementation of the BBNJ Agreement.

The workshop is organized in partnership between the Tuvalu Government and the Office of the Pacific Ocean Commissioner, in close collaboration with regional and global partners.

Background

In its resolution 72/249 of 24 December 2017, the General Assembly decided to convene an Intergovernmental Conference, under the auspices of the United Nations, to consider the recommendation of the Preparatory Committee established by resolution 69/292 of 19 June 2015 on the elements to elaborate the text of an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, with a view of developing an instrument as soon as possible.

The United Nations convened a total of five Intergovernmental Conferences (IGCs), two in 2019, one in 2020, one in 2021, one in 2022 and two resumed sessions in 2023. The resumed IGC5 session in March of 2023 concluded the BBNJ negotiations. The finalized BBNJ Agreement was later adopted by UN Member States on 19 June 2023.

Objectives

The key objectives of this workshop are:

- Prepare for the ratification and implementation of the BBNJ Agreement, in accordance with relevant national processes.

- Provide stakeholders with an understanding of the outcomes of the IGC5 negotiations and the adopted BBNJ Agreement;
- Provide stakeholders with an understanding of the linkage of the Agreement to national and regional oceans governance;
- Familiarize the stakeholders with the BBNJ Agreement and its linkage to their respective Ministry mandates; and
- Raise awareness and strengthen coordination between stakeholders, key partners, NGOs, and CSOs.

Meeting Format

The workshop will be conducted in-person at the **Rt Hon Dr Sir Tomasi Puapua Convention Centre** from **20th to 22nd of January 2025**.

Workshop Programme

Time	Agenda Item	Facilitator	Speakers
Day 1			
08:30 – 09:00	Arrival and Registration		
09:00 – 09:30	Welcome and Opening Remarks <ul style="list-style-type: none"> - Representative from the Tuvalu Government - Pacific Ocean Commissioner 	OPOC	Mr Fakasoa Tealei, Permanent Secretary Dr. Filimon Manoni, Pacific Ocean Commissioner
09:30 – 10:30	Setting the Scene <ul style="list-style-type: none"> - Global Oceans Governance - Regional context - National context - Challenges and Opportunities 	OPOC	<ul style="list-style-type: none"> - Ms Amber Maggio, DOALOS - Mr Peni Suveinakama, OPOC
10:30 – 11:00	Morning Tea & Group Photo		
11:00 – 11:30	Objectives The objective of this session is to provide an overview of the BBNJ Agreement and highlight specific provisions that are relevant for Tuvalu. Introduce the main elements of the BBNJ Agreement:	OPOC	<ul style="list-style-type: none"> - Ms ‘Elisiva ‘Akau’ola, OPOC

	<ol style="list-style-type: none"> 1. Marine Genetic Resources (MGRs); 2. Area Based Management Tools (ABMTs); 3. Environmental Impact Assessments (EIAs); & 4. Capacity Building & Transfer of Technology 		
11:30am– 12:15pm	<p><i>Marine Genetic Resources (MGRs)</i></p> <p>Objectives To highlight how the scope of the Agreement applies to Marine Genetic Resources (MGRs) in Areas Beyond National Jurisdiction (ABNJ).</p> <p>Guiding Questions</p> <ul style="list-style-type: none"> - What were the Pacific priorities/interests on MGRs? - What is an MGR? - Why is it important? - How are MGRs of the ABNJ covered by the Agreement? 	OPOC	<ul style="list-style-type: none"> - Director, Fisheries Department - Dr Katy Soapi, SPC - Dr Duncan Currie, High Seas Alliance
12:15 – 12:30pm	Discussion/ Q & A		
12:30 – 1:30pm	Lunch		
1:30 – 2:30pm	<p><i>Area Based Management Tools (ABMTs)</i></p> <p>Objectives To explore the different scenarios where the relevant Areas Based Management Tools (ABMTs), including Marine Protected Areas (MPAs) can be established under the Agreement.</p> <p>Guiding Questions</p> <ul style="list-style-type: none"> - What were the Pacific priorities/interests on ABMTs/MPAs? - When can an ABMT/MPA be established, under the Agreement? - How can ABMTs/MPAs be established under the Agreement? 	OPOC	<ul style="list-style-type: none"> - Mr Martin Zvachula, FSM - Dr Kristine Dalaker, ANCORS

	- Who is responsible for the management of the ABMTs/MPAs under the Agreement?		
2:30 – 3:00pm	Discussion / Q & A		
3:00 – 3:15pm	Afternoon Tea		
3:15 – 3:30pm	Scenario Exercise 1	Elisiva Akauola (OPOC)	- OPOC
3:30 – 3:45pm	Wrap up of Day 1		
5:30 – 7:00pm	Welcome Reception		
Day 2			
08:30 – 09:30am	<p><i>Environment Impact Assessments (EIAs)</i></p> <p>Objectives To provide an overview of the Environmental Impact Assessments (EIAs) process under the Agreement.</p> <p>Guiding Questions</p> <ul style="list-style-type: none"> - What were the Pacific priorities/interests on EIAs? - When does the EIA process apply ? - Who oversees the EIA? - How are the EIA processes reviewed? 	OPOC	<ul style="list-style-type: none"> - Ms Olive Vaai, High Seas Alliance - Mr Vainuupo Jungblut, SPREP
09:30 – 10:00	Discussion/ Q & A		
10:00 – 10:15	Morning Tea		
10:15 – 11:15	<p><i>Capacity Building and Transfer of Marine Technology (CBTMT)</i></p> <p>Objectives To highlight the importance of CBTMT to assist SIDS and other developing countries to implement the BBNJ Agreement.</p> <p>Guiding Questions</p> <ul style="list-style-type: none"> - What were the Pacific priorities/interests on CBTMT? - Who qualifies for CBTMT? 	OPOC	<ul style="list-style-type: none"> - Ms Janice Mose, SPC - Ms Olive Vaai, High Seas Alliance

	<ul style="list-style-type: none"> - What types of CBTMT can be provided under the Agreement? - How can SIDS/developing countries access CBTMT under the Agreement? - What types of capacity support are available to Member countries for the implementation and/or domestication of the Agreement? 		
11:15 – 11:45	Discussion/ Q & A		
11:45am – 12:00pm	Scenario Exercise 2	Elisiva Akauola (OPOC)	- OPOC
12:00 – 1:00	Lunch		
1:15 – 2:45	<p>Objectives To provide an overview of Tuvalu’s national legislations in relation to the BBNJ Agreement and to identify any gaps, opportunities and way forward.</p> <p>Guiding Questions -What are the existing national legislation/policies/frameworks that relate to the BBNJ Agreement? - Which Ministry/Department/Agency is responsible for implementing the existing national legislation related to the areas covered in the BBNJ Agreement? - What are some of the gaps? - What is the proposed way forward to ensure that national legislations align with the BBNJ Agreement?</p>	OPOC	<ul style="list-style-type: none"> - Ms Vaipuna Liai, Acting Attorney General - Ms Maria Muavesi-Goreti, Conservation International
2:45 – 3:15	Discussion/ Q & A		
3:15 – 3:30	Afternoon Tea		
3:45 – 4:00	Wrap up of Day 2		
Day 3			
09:00 – 10:00	<p>Cross-cutting Issues Objectives To highlight relevant cross-cutting provisions under the BBNJ Agreement.</p> <ul style="list-style-type: none"> - Institutional Arrangements 	OPOC	<ul style="list-style-type: none"> - Ms Joan Yang, PSIDS BBNJ Coordinator - Dr Sarah Lothian, ANCORS

	<ul style="list-style-type: none"> - Financial Resources and Mechanisms - Implementation and Compliance - Settlement of Disputes - Non-parties to this Agreement - Good Faith and the abuse of rights - Final provisions 		
10:00 – 10:30	Discussion/ Q & A		
10:30 – 11:00	Morning Tea		
11:00 – 11:30	BBNJ Preparatory Commission meetings <ul style="list-style-type: none"> - What to expect in the upcoming Preparatory Commission meetings - Key priorities for the Pacific 	OPOC	- Ms Majorie Wells, PSIDS Chair, Vanuatu Permanent Mission to the UN
11:30am – 12:00pm	Discussion/ Q & A		
12:00 – 1:15pm	Group Exercise <ul style="list-style-type: none"> - Identifying key priority areas and needs for ratification and for the implementation of the BBNJ Agreement at national level 	OPOC	
1:15 – 2:15	Lunch		
2:15 – 2:45	Summing up	OPOC	
2:45 – 3:00	Closing Remarks	TBC	Mr Fakasoa Tealei, Permanent Secretary
3:00 – 3:45	Afternoon Tea		
6:00pm	Dinner		

END OF PROGRAMME