



INTERVENTIONS ON BEHALF OF THE GROUP OF 77 AND CHINA BY MR. EMAD MORCOS MATTAR, COUNSELLOR, PERMANENT MISSION OF EGYPT TO THE UNITED NATIONS, ON AGENDA ITEM 7: CAPACITY BUILDING AND TRANSFER OF MARINE TECHNOLOGY, AT THE FIRST SESSION OF THE INTERGOVERNMENTAL CONFERENCE ON AN INTERNATIONAL LEGALLY BINDING INSTRUMENT UNDER UNCLOS ON THE CONSERVATION AND SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY OF AREAS BEYOND NATIONAL JURISDICTION (New York, 5-7 September 2018)

Thank you Madame Facilitator,

I have the honour to make this intervention on behalf of the Group of 77 and China.

At the outset let me congratulate you Madame Facilitator for your appointment to facilitate the work of the Informal Working Group on capacity building and transfer of marine technology, I would like to warmly welcome you to the BBNJ family, and I trust that your expertise will be of a great value to the deliberations of this very important cluster. Rest assured Madame Facilitator that you would enjoy the Group full support.

(6.1 Objectives)

Regarding The manner in which the objectives of the capacity building and the transfer of marine technology would be included in the instrument, the Group of the 77 and China are of the view that the instrument could define general obligations in promoting cooperation to develop capacity and transfer of marine technology, including a non-exhaustive list of objectives and principles and a dedicated section which would focus on the various elements with links to the other sections.

The Group of 77 and China stress the importance that the instrument should give proper attention to define the general obligations in promoting cooperation to develop capacity and transfer of marine technology, while recognizing the relevance of marine scientific research for developing States.

Moreover, It should take into account the special needs of assistance of land locked and geographically disadvantaged developing States, SIDS, least developed countries, coastal African States as well as the specific development challenges of developing middle income States, with a view to enabling them to assume their responsibility and obligations under the new instrument to conserve and sustainably use the marine biological diversity to boost social and economic development.

(6.2 Types of and modalities for capacity building and transfer of marine technology)

The Group of 77 and China are of the view that states parties of the instrument have the primary role to develop an indicative, non-exhaustive and flexible list of activities to be included under the capacity building section, bearing in mind recommendations that will be received and provided by the institutional arrangement. The list could include the following:

- Enhance technology in marine science and establish necessary infrastructure, acquisition of

necessary equipment to sustain and further develop R&D capabilities, including data management, in the context of access to and use of marine genetic resources, ABMTs including MPAs, conduct of EIAs.

- Criteria and Guidelines on the Transfer of Marine Technology, with the possibility to revise and update them so as to include all aspects of needs in the context of conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction.
- Establishment or strengthening of the institutional capacities of relevant national and regional organizations and institutions.
- Development of human resources and individual capacity-building in natural and social sciences, both basic and applied, through exchange of experts, short-term, medium-term and long-term training and the establishment of a global scholarship fund.
- Collaboration and international cooperation in scientific research projects and programmes.
- Assistance in the development, implementation and enforcement of national legislative, administrative or policy measures, including associated regulatory, scientific and technical requirements on a national or regional level.
- Awareness-raising and knowledge-sharing programmes, including on marine scientific research.
- Facilitate access to and acquisition of necessary knowledge, information, and data in order to inform decision makers of the developing countries.
- Raise awareness on stressors on the oceans that affect marine biodiversity beyond national jurisdiction.

The Group of 77 and China are in the view that non-monetary benefits should comprise of access to all forms of resources, data and related knowledge, transfer of technology and capacity building as well as facilitation of marine scientific research.

Capacity-building should be promoted and carried out in fair and reasonable manner through favorable terms and conditions, modalities should include means of enhancing cooperation in the development of capacity and transfer of marine technology at all levels, including North-South / South-South cooperation and partnerships with relevant stakeholders with specific expertise as this will prove beneficial to strengthening human and institutional capacities and ultimately achieving the objectives of the new instrument.

Specific obligations on capacity building and transfer of marine technology could be incorporated in the conditions for any regulated access.

The Group of 77 and China stress the importance that capacity-building and/or transfer of marine technology under the existing instruments and mechanisms (such as UNCLOS, ISA, IOC-UNESCO capacity development) shall not be undermined or duplicated. The new instrument shall address its specific aspects and focus on coordinating efforts and make them responsive to the objective of conservation and sustainable use of marine biological diversity, while building upon existing frameworks/mechanisms such as the IOC Medium-Term Strategy 2014-2021 as well as the lessons learned from different international instruments that are of technical nature such the UNCLOS, the CBD, and the United Nations Framework Convention on Climate Change (UNFCCC) including the Paris Agreement

The idea of a clearing-house mechanism and a capacity-building network could be developed using, inter alia, web-based tools. Those tools can be a platform to access, evaluate, publish and disseminate information, as well as to provide a case-by-case option upon request. The experience of the CBD and the UNFCCC (Climate Technology Centre and Network as well as the Technology Needs Assessment), for example, could be instrumental in this regard. Interested users in Member States would have access to such a clearing-house mechanism.

Functions listed in the table on clearing house mechanism in the Ad Hoc Report of the Intergovernmental Oceanographic Commission (IOC) of UNESCO to BBNJ PrepCom-4, can be useful in this context.

(6.3 Funding)

Regarding funding of capacity building and transfer of marine technology; the Group of 77 and China reiterate the necessity to ensure an adequate, predictable and sustainable funding mechanism which could be complemented by a voluntary trust fund in order to promote meaningful projects on the conservation and sustainable use of marine biological diversity of ABNJ.

The sustainability, predictability and accessibility of such funding could be granted by a combination of voluntary and mandatory funding mechanisms including the contributions resulting from the aspect of the benefits sharing.

(6.4 Monitoring and review)

The Group of 77 and China believe that the needs identified and priorities for capacity building should be monitored and reviewed regularly by an advisory body under the new instrument and to be reported to the decision-making body.

(6.5 Issues of the cross-cutting elements 6.5.1 Use of terms)

The Group of 77 and China can support the following definition Transfer of marine technology to refer to the transfer of instruments, equipment, vessels, processes and methodologies required to produce and use knowledge to improve the study and understanding of the nature and resources of the oceans.

(6.5.6 Clearing-house mechanism)

Within the clearing-house mechanism, the Group of 77 and China believe that it could be useful to develop and establish a protocol or code of conduct or guidelines for environmental protection, compliance and transparency in the use of marine genetic resources of ABNJ; a trust fund to guarantee a fair and concrete sharing of benefits; a central repository for baseline data, an online compilation of good practices as well as reports of EIAs; it can serve as a platform to access, evaluate, publish and disseminate information, as well as to allow requests for capacity building and transfer of marine technology on a case-by-case basis.