



**INTERVENTION ON BEHALF OF THE GROUP OF 77 AND CHINA BY MS. PRIM MASRINUAN, COUNSELLOR, ON CAPACITY BUILDING AND TRANSFER OF MARINE TECHNOLOGY AT THE 2ND PREPCOM MEETING ON CONSERVATION AND SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY OF AREAS BEYOND NATIONAL JURISDICTION (BBNJ) (New York, 31 August 2016)**

Madam Facilitator,

I have the honour to speak on behalf of the Group of 77 and China on the topic of capacity building and transfer of marine technology.

At the outset, we would like to thank the Chair for his indicative list of questions which provides us with some elements for thoughts and wish to reassure you of our full support in the discussion of this informal working group. This topic represents 2 significant aspects for an effective regime for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdictions, especially from the perspective of the developing countries.

Madam Facilitator,

The challenge for the new instrument is how to take everyone on board with a view to achieve its objective which is to conserve and sustainably use marine biodiversity. The developing countries, therefore, need assistance to build capacity, to develop knowledge and understanding on issues of high technical nature. This assistance will enable the developing countries to assume their responsibility and obligations as well as to benefit from the use of marine biodiversity.

The new instrument should define the general **obligation** in promoting cooperation to develop capacity and transfer of technology while recognizing the relevance of marine scientific research for developing countries.

Furthermore, we are of the view that the capacity building should be **country-driven** based on and responsive to national needs, priorities and interests. The special circumstances of least developed countries, particularly Small Island developing States and landlocked developing countries need to be duly taken into consideration. The capacity building would help them bridge capacity and knowledge gaps, cope with their specific needs as well as alleviate the additional burden they might bear from their unique geography. The capacity-building should also be guided by the **country ownership**, both at national and local levels. This approach will facilitate inclusiveness and can be an effective way to sustain capacities gained both at individual and institutional levels in the country.

Madam Facilitator,

Capacity building has always been part of different international instruments that are of technical nature such the UNCLOS, the Convention on Biological Diversity (CBD), and the United Nations Framework Convention on Climate Change (UNFCCC) including Paris Agreement. The lessons learned from those instruments can provide us with food for thoughts on how to implement provisions on capacity building and what the best framework or mechanism is to contribute to a meaningful capacity-building. We all recognize the need to more effectively implement part XIV of

UNCLOS. The laudable experience of capacity development under ISA should be mostly considered. In particular, the training programmes, including master's and PhD programmes provided by contractors as part of the contracts for exploration in the Area are offered to trainees/candidates from developing countries. We can also learn from ISA on how to use marine scientific research as a tool for developing research capabilities of developing countries in the deep ocean, through its endowment fund. While under other framework, such as the Paris Agreement, it is interesting to see that both current and emerging nature of capacity building needs and gaps were considered. In this regard, a capacity-building mechanism comprises a long term work plan and a subsidiary body (Paris Committee on Capacity-building) to consider areas of priority as well as a review mechanism. Similar approach for the capacity building under the UNFCCC, an initial scope of needs and areas for capacity building are identified with specific needs of least developed countries and Small Island developing States.

Madam Facilitator,

At this stage, we are of the view that the **scope of the needs and priorities** for capacity building can include scientific, educational, technical assistance as well as individual capacity building through training and scholarship, exchange of expert, and research cooperation programmes, awareness raising and knowledge sharing. The possible areas are, inter alia marine science, area based management tools, the conduct of EIAs under the new instrument; establishment or strengthening the capacity of relevant organizations/ institutions in developing countries to deal with conservation of marine biological diversity in areas beyond national jurisdiction; access and acquisition of necessary knowledge, information, data in order to inform decision making of the developing countries; development of necessary technology in marine science; development of necessary infrastructure and acquisition of necessary equipment to sustain and further develop R&D capabilities in the country.

The preliminary identification of needs can be accompanied by suggested actions. The needs identified and priorities for capacity building can be reviewed.

Madam Facilitator,

The Group of 77 and China believe that the transfer of marine technology is essential for capacity building in the context of marine science, as widely recognized in the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want" (para.160), the 2030 Agenda for Sustainable Development, especially Goal 14 (target 14.a) as well as Addis Ababa Action Agenda (para. 121). These documents concurrently stress the increasing of scientific knowledge, the development of research capacity and transfer of marine technology in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries. Against this backdrop, it is important to find ways and means for an effective implementation of the existing relevant provisions on transfer of technology, especially the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology. To this end, we should consider whether to revise and update the definition of marine technology therein so as to include all aspects of needs in the context of conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction.

Madam Facilitator,

To concretize all capacity building and transfer of marine technology, the international **cooperation** should be encouraged at all levels. The traditional North-South cooperation will be the main channel of cooperation, including through multilateral institution. South-South cooperation is

increasingly important as some developing countries which have gained knowledge and capacity in marine science are already sharing them with fellow developing countries in a spirit of solidarity. Establishing cooperation or partnership with national and multilateral institutions at all levels as well as other stakeholders with specific expertise is beneficial to strengthen human and institutional capacities and ultimately achieve the common objective of the new instrument.

Last but not least, the most challenging aspect to deal with is the funding and institutional mechanisms for capacity building and transfer of marine technology. Regarding the **funding**, the objective is to ensure adequate, predictable and sustainable funding for capacity building. The voluntary trust fund cannot be a sole solution. We can experience again regarding the trust fund established by the resolution 69/292 which does not have sufficient resource to assist developing countries to attend this 2nd PrepCom. This is also the case in other relevant trust funds of the UN oceans related processes. The Group would like to take this opportunity to voice our concern on the status of the voluntary trust fund and appeals to Member States, international financial institutions, donor agencies, intergovernmental organisations, non-governmental organisations and natural and juridical persons to make financial contributions to the voluntary trust fund.

As the question of access and benefit sharing covers capacity building aspects, we should also consider about the nature of contribution resulting from the sharing of benefit aspect. We might have to reflect on modalities of the option of mandatory contribution and how the resources and benefit from access and benefit sharing can be efficiently channeled into the different areas of capacity building needs.

In addition, we must learn from best practices of an effective mechanism such as the Global Environment Facility (GEF) which serves as financial mechanism for different instruments and contributes to meaningful projects on capacity building. The Green Climate Fund (GCF) as financial mechanism of UNFCCC.

Regarding the institutional arrangement to facilitate cooperation and exchange of information concerning capacity building, the clearinghouse mechanism can be established to promote and facilitate technical and scientific cooperation, knowledge and data sharing.

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