



# Regional Workshop on the BBNJ Agreement – Western Indian Ocean, Eastern and Southern Africa coastal countries – Overview

**3-6 March 2025, Mombasa, Kenya**

## **1. Overview**

The adoption of the Biodiversity Beyond National Jurisdiction (BBNJ) Agreement in June 2023 marks a significant milestone in global ocean governance and conservation and management of marine biodiversity, with the Africa Group having played a significant role in driving the negotiations forward, as well as championing principles of equity within the process, representing an important milestone in multilateralism as well as ocean governance.

This regional workshop aims to enhance Western Indian Ocean, Eastern and Southern African states' understanding and capacity to engage with the BBNJ Agreement, fostering collaboration and knowledge sharing to navigate its opportunities and obligations effectively. It also specifically addresses the decision by the Contracting Parties to the Nairobi Convention (Decision CP11.3) to contribute to the entry into force of the BBNJ Agreement. By bringing together key stakeholders, needs will be identified and strategies for ratification, domestication, and implementation of the Agreement, ensuring alignment with national, regional, and continental priorities while strengthening Africa's voice in ocean governance. This workshop is being organised in response to the urgent need for African States to proactively engage with the Agreement by providing a platform to unpack the substantive provisions, benefits and obligations of the Agreement, exchange information as well as best practices on ratification, and build capacity of policy makers on the BBNJ Agreement with the objective of supporting its effective ratification and implementation, and multi-level coordination across the Western Indian Ocean and coastal Eastern and Southern Africa region.

The workshop will be held on 4-6 March 2025 in Mombasa, Kenya, preceded by a technical meeting of the Nairobi Convention on 3 March 2025.

**ABNJ/BBNJ Management in the WIO Region**



Marine and coastal resources in the WIO region are managed by different national institutions, organizations, agreements and commissions which have independent and often overlapping mandate. The Nairobi Convention provides a platform to facilitate intergovernmental discussions on the region's environmental problems and how to address them. The Convention promotes ecosystem-based approaches such as marine spatial planning to promote ocean governance for blue economy through cooperation, collaboration and partnerships with RECs, Commissions, regional fisheries management organizations, related inter-governmental organizations and between states. Realizing the interconnectedness of the WIO EEZs and ABNJ, the Nairobi Convention contracting parties have adopted decisions for cooperation in the management of ABNJ under the concept of adjacency prior to the High Seas Treaty. Some of the notable decisions include:

- a) Decision CP8/10.4: Urges the Contracting Parties to cooperate in improving the governance of areas beyond national jurisdiction, building on existing regional institutions including the Nairobi Convention and developing area-based management tools such as marine spatial planning to promote the blue economy pathways in the Western Indian Ocean Region;
- b) Decision CP9/10.4.2: Urges the Contracting Parties, within the framework of the United Nations Convention on the Law of the Sea, to cooperate with existing regional institutions on ocean governance and the conservation of marine biodiversity in adjacent areas beyond national jurisdiction, to build and develop area-based management tools, such as marine spatial planning, to promote blue economy pathways in the Western Indian Ocean region;
- c) Decision CP9/10.4.2: Requests the secretariat, in collaboration with partners, to prepare a report on the feasibility, options and scenarios for the establishment of marine protected areas in areas beyond national jurisdiction and to report thereon at the tenth meeting of the Contracting Parties;
- d) Decision CP10/5.4: Invites the Contracting Parties to cooperate and collaborate in Ocean governance matters within existing institutional mandates and coordinate actions on biodiversity beyond national jurisdiction

Building on these decisions and following the adoption of the High Seas Treaty, with some government negotiators being supported by the Nairobi Convention to participate in, the Contracting Parties adopted decision CP11/3 which:

- i. Urges Contracting Parties to sign and ratify the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction in a timely manner.



- ii. Requests the Secretariat to facilitate the development of a common regional vision and framework for the implementation of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction.
- iii. Requests the Contracting Parties, with the support of the Secretariat and Partners, to carry out capacity and technology needs assessments, and support activities such as scientific research, raising awareness and outreach and preparation of environmental impact assessments that are essential to the implementation of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction.
- iv. Urges Contracting Parties to enhance regional cooperation through partnerships for the management of marine biological diversity in areas beyond national jurisdiction or development of area-based management tools.

This regional workshop forms the first step towards implementation of this COP decision and the 1<sup>st</sup> day has been dedicated to the Nairobi Convention Focal Point and supporting experts to ensure they have common regional understanding of the consequences of Decision CP11/3 prior to the full workshop.

## 2. Workshop Objectives

This regional workshop will facilitate a comprehensive understanding of the BBNJ Agreement and its implications for Africa. Its specific objectives are as follows:

- To enhance knowledge and deepen understanding of the Agreement's key provisions, including marine genetic resources, area-based management tools, environmental impact assessments, and capacity building and transfer of marine technology.
- To support ratification and guide policy makers in understanding legal and policy adjustments required for ratification and domestication.
- To promote regional cooperation by fostering collaborative strategies for addressing implementation challenges and maximising benefits regionally and continentally in support of Africa's priorities, whilst empowering African stakeholders to actively contribute to the global BBNJ process.
- To strengthen Science-Policy linkages by connecting policymakers with scientific experts and organisations to support evidence-based decision-making.



The workshop anticipates several key outcomes, including increased awareness and understanding of the BBNJ Agreement among participating countries and stakeholders; enhanced regional cooperation and coordination on BBNJ implementation; clear identification of capacity building needs and opportunities; development of a concrete roadmap for BBNJ implementation; and a strengthened science-policy interface for informed decision-making, leading to eventual ratification and implementation.

### **3. Target Audience**

In view of the multidimensional nature of the BBNJ Agreement, the workshop targets policymakers from line ministries engaged with the various aspects of the BBNJ Agreement negotiations (Ministries of Foreign Affairs, or relevant Ministries); ratification (Office of Attorney General), implementation (Blue Economy, Environment, etc). The workshop will be preceded by a technical meeting of the focal points of the Nairobi Convention. The workshop also brings together technical experts and representatives from regional and continental organisations.

### **4. Workshop Methodology**

The workshop is aligned with ongoing efforts by UN DOALOS to strengthen engagement with the BBNJ Agreement. It will employ a dynamic and interactive approach, featuring expert presentations on the various dimensions of the BBNJ Agreement, expert-facilitated discussions, scenario analysis exercise to explore practical implementation challenges and opportunities, and development of a collaborative roadmap for regional and cross-regional action.

### **5. Partners and Resource Mobilisation**

The workshop is being co-organised by the Office of Legal Counsel of the African Union Commission, the International Union for Conservation of Nature – Eastern and Southern Africa Office (IUCN ESARO), and the Nairobi Convention Secretariat, under UNEP's Regional Seas Programme