Intergovernmental negotiations on marine biological diversity of areas beyond national jurisdiction (BBNJ)
Intergovernmental Conference (UNGA res.72/249)

1st session (4.09.2018-17.09.2018) – President’s aid to discussion
2nd session (25.03.2019-5.04.2019) – President’s aid to negotiations
3rd session (19.08.2019-30.08.2019) – President’s draft text of an agreement
4th session (2020, postponed to 7 to 18 March 2022) – President’s revised draft text of an agreement (A/CONF.232/2020/3)
5th session (15 to 26 August 2022) – President’s further revised draft text of an agreement (A/CONF.232/2022/5)

Resumed 5th session (20 February to 3 March 2023) – President’s further refreshed draft text of an agreement (Conference Room Paper)
President’s refreshed draft text of an agreement

# Preamble

I. **General provisions**
- Use of terms
- General objective
- Application
- Sovereign immunity
- Relationship between this Agreement and the Convention and relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies
- Without prejudice
- General principles and approaches
- International cooperation

II. **Marine genetic resources, including questions on the sharing of benefits**

III. **Measures such as area-based management tools, including marine protected areas**

IV. **Environmental impact assessments**

V. **Capacity-building and transfer of marine technology**

VI. **Institutional arrangements**
- Conference of the Parties
- Transparency
- Scientific and Technical Body
- Secretariat
- Clearing-house mechanism

VII. **Financial resources and mechanism**

VIII. **Implementation and compliance**

IX. **Settlement of disputes**

X. **Non-parties to this Agreement**

XI. **Good faith and abuse of rights**

XII. **Final provisions**

Annex I - Indicative criteria for the identification of areas

Annex II – Types of capacity-building and transfer of marine technology
Intergovernmental Conference on an international legally binding instrument 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 (General Assembly resolution 72/249)

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 recommendations of the Preparatory Committee established by resolution 69/292 of 19 June 2015 on the elements and to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, with a view to developing the instrument as soon as possible.
THANK YOU

Gabriele Goettsche-Wanli
Independent international ocean expert, former Director, Division for Ocean Affairs and the Law of the Sea, UN Office of Legal Affairs

“It always seems impossible until it's done”
Nelson Mandela