

**BIOLOGICAL DIVERSITY BEYOND NATIONAL JURISDICTION (BBNJ) PACIFIC WORKSHOP
HELD AT THE PACIFIC ISLAND FORUM SECRETARIAT, MAIN CONFERENCE ROOM
30 JANUARY TO 1 FEBRUARY 2019**

“High hope for High Seas”

FINAL AGENDA

TIME	SESSION	SPEAKERS	KEY GUIDING QUESTIONS
DAY ONE – WEDNESDAY, 30 JANUARY			
0800 - 0845	Registration for Participants	Registration will be held outside of the meeting room	Meeting Room: Main PIF Conference Room
0900 - 1000	Opening & Welcome <ul style="list-style-type: none"> ○ Welcome & Opening ○ General remarks and overview of IGC ○ Setting the scene 	-Dame Meg Taylor, Pacific Ocean Commissioner -Pacific SIDS Chair -Sue Taei, Executive Director, Conservation International	This session is briefly a refresher of the BBNJ IGC process and to set the scene and context of the regions preparations towards the upcoming IGC sessions.
1000 – 1030	Morning Tea		
1030 – 1200	Traceability in the MGR ABS mechanism: the role of IPR <i>“Control and governance of Tangible and Intangible MGR”</i>	Moderator: Clark Peteru, SPREP Speaker(s): <ul style="list-style-type: none"> • Dr Fran Humphries Research Program Leader (Law & Nature) Griffith Law School, University of Griffith • Dr. Siva Thambisetty Associate Professor in Intellectual Property Law London School of Economics and Political Science 	To facilitate discussions on: <ul style="list-style-type: none"> ○ How can benefits, monetary and non-monetary from access to MGRs in ABNJ be equitably shared? Would the system lead to competition among member states? ○ How can the future agreement establish a link between IPR regime and ABS mechanisms? Or can it? Should it? <ul style="list-style-type: none"> ▪ Would disclosure of source and origin of MGRs be mandatory? (traceability regime options) ○ What would be a good example of traceability? ○ Should IPR be taken into account and reflected in the future agreement? ○ Is there any additional role of adjacent coastal States?

		<ul style="list-style-type: none"> • Harriet Harden-Davies Australian National Centre for Ocean Resources and Security (ANCORS) University of Wollongong 	<ul style="list-style-type: none"> ○ Means of access: free access, access by notification, access by permit/license
1200 – 1300	Lunch		
1300 – 1430	Relating Traditional Knowledge to BBNJ Discussions	<p>Moderator: Dr. Isoa Korovulavula USP</p> <p>Speaker(s):</p> <ul style="list-style-type: none"> • Dr. Yoshitaka Ota (Indigenous Connections to High Seas) Director (Policy) of NF-UBC Nereus Program, University of Washington • Ms. Siosina Lui Climate Traditional Knowledge Office Secretariat of the Pacific Regional Environment Programme (SPREP) • Sue Taei Executive Director, Conservation International Pacific and New Zealand 	<ul style="list-style-type: none"> ○ To review literature and current work on TK (relevant to BBNJ) in the region and around the world? ○ Identifying Traditional Knowledge holders in other International Instruments. ○ Provide some concrete examples of Traditional Knowledge applicable to BBNJ? ○ Discussion on how to frame the inclusion of TK in the context of the new agreement: <ul style="list-style-type: none"> ▪ <i>Is TK an overarching principle</i> ▪ <i>or cross-cutting issue in the specific elements of the package such as EIA, ABMT, MGR</i> ▪ <i>or both</i>
1430 – 1545	Capacity Building and Technology Transfer	<p>Moderator: Jens Kruger, Manager, Ocean Affairs, SPC</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Harriet Harden-Davies Australian National Centre for Ocean Resources and Security (ANCORS) University of Wollongong • Molly Powers, Team Leader, Ocean Literacy & Maritime Capacity (SPC) • Dr. Katy Soapi, Manager, Pacific Natural Products Research Centre, Institute of Applied Science, (USP) 	<p>To facilitate discussions on the following;</p> <ul style="list-style-type: none"> ○ What would be some of the areas the Pacific will need capacity building on and what technology needs are there? ○ How can the new ILBI improve implementation on this element, noting there is existing provisions already in UNCLOS that is poorly implemented? How to level the playing field? ○ What can be done to know the present, medium term and also ensure there is foresight because of the rapidly changing landscape in technology and capacity needs? ○ <i>How can a possible technology and capacity building “NEEDS ASSESSMENT” be carried out for the Pacific region?</i> ○ <i>How can this work practically using existing mechanisms and role of existing organizations and institutions?</i>

		<ul style="list-style-type: none"> • Dr. Isoa Korovulavula, Manager, Environment Unit, Institute of Applied Science, (USP) 	
1545 – 1600	Afternoon Tea		
1600 – 1700	<p>Introduction to different governance options: global (UNCLOS, ISA, CBD, Nagoya, WIPO, etc) & regional (RFMOs, SPC, SPREP, FFA, PIFS, USP)</p> <p>Introduction to Day 2</p>	<p>Moderator: Cristelle Pratt, PIFS DSG</p> <p>Global Governance</p> <ul style="list-style-type: none"> • Professor Robin Warner ANCORS Deputy Director • Clark Peteru Legal Counsel Secretariat of the Pacific Regional Environment Programme (SPREP) <p>Regional Governance</p> <ul style="list-style-type: none"> • Dr. Tim Adams Director Fisheries Management Forum Fisheries Agency <p>Institutional Arrangements under BBNJ Agreement: Global/Regional/ Hybrid Models</p> <ul style="list-style-type: none"> • Nichola Clark PhD Researcher on Governance arrangement for the BBNJ Agreement <p>Other Regional Perspectives</p> <ul style="list-style-type: none"> • Glen Wright A Perspective on Regional Governance Frameworks, Research Fellow, International Ocean Governance 	<ul style="list-style-type: none"> ○ To facilitate discussions on the relevant governance mechanisms and their link to specific elements of the new agreement? ○ Identify different governance models ○ How each of convention function as potential model for BBNJ? 3 main topics – TK, MGR, AMBT, CB, TT, EIA: <ul style="list-style-type: none"> ▪ What they do in relation to BBNJ? ▪ Identify the areas/gaps? ▪ Why is it relevant or not?
END OF DAY ONE			

DAY TWO – THURSDAY, 31 JANUARY: INTERNATIONAL AND REGIONAL GOVERNANCE REGIMES

0900 – 1000	<p>Special focus on different governance options</p> <ul style="list-style-type: none"> - Noumea Convention - CBD Nagoya - Plant Treaty 	<p>Moderator: Dr Filimon Manoni, International Legal Adviser, PIFS</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mr. Clark Peteru Legal Counsel Secretariat of the Pacific Regional Environment Programme (SPREP) • Dr. Siva Thambisetty Associate Professor in Intellectual Property Law London School of Economics and Political • Dr Fran Humphries Research Program Leader (Law & Nature) Griffith Law School, University of Griffith 	<ul style="list-style-type: none"> ○ To compare and discuss operation in policy and practice the different governance arrangements, applicability to specific elements of BBNJ, lessons learned and how they would benefit the region ○ Drawing the link with regional governance frameworks? Consider how MPA, MGR, EIA will operate in practice (processes, permits, stakeholders) ○ How would this work in the proposed “hybrid approach”?
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1000 – 1030 Morning Tea

1030 – 1200	<p>Special focus on different governance options</p> <ul style="list-style-type: none"> - WIPO - IOC UNESCO - ISA 	<p>Moderator: TBC</p> <ul style="list-style-type: none"> • Dr. Siva Thambisetty Associate Professor in Intellectual Property Law London School of Economics and Political Science • Harriet Harden-Davies Australian National Centre for Ocean Resources and Security (ANCORS) University of Wollongong • Marie Bourrel- McKinnon, Senior Legal Officer, International Seabed Authority. 	<ul style="list-style-type: none"> ○ To compare and discuss operation in policy and practice the different governance arrangements, applicability to specific elements of BBNJ, lessons learned and how they would benefit the region ○ Drawing the link with regional governance frameworks? Consider how MPA, MGR, EIA will operate in practice (processes, permits, stakeholders) ○ How would this work in the proposed “hybrid approach”?
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1200 – 1300 Lunch
 Side event hosted by New Zealand, Nauru and SPC
Informal session on what rising sea levels could mean for coastal States’ maritime zones under International law
 Venue: Committee Room A

1300 - 1400	Special focus on governance options: -SPRFMO -WCPFC	Moderator: TBC <ul style="list-style-type: none"> • Dr. Tim Adams Director Fisheries Management Forum Fisheries Agency • A/Prof. Quentin Hanich Fisheries Governance Programme Leader (ANCORS) University of Wollongong 	<ul style="list-style-type: none"> ○ To compare and discuss operation in policy and practice the different governance arrangements, applicability to specific elements of BBNJ, lessons learned and how they would benefit the region ○ Drawing the link with regional governance frameworks? Consider how MPA, MGR, EIA will operate in practice (processes, permits, stakeholders) ○ How would this work in the proposed “hybrid approach”?
1400 – 1430 Afternoon Tea			
1430 – 1700	Interactions between the proposed BBNJ global institution and other existing global institutions e.g. ISA, CBD, IOC, WCPFC, etc.	Moderator: OPOC Speakers: <ul style="list-style-type: none"> • Pacific NY Rep • Nichola Clarke PhD Researcher on Governance arrangement for the BBNJ Agreement • Harriet Harden-Davies Australian National Centre for Ocean Resources and Security (ANCORS) University of Wollongong • Glen Wright Other Regional Governance Frameworks and Perspectives, Research Fellow, International Ocean Governance 	<ul style="list-style-type: none"> ○ Consideration of the status quo position ○ Learn from other regions in terms of their existing regional architecture and how they interact with other global frameworks and current thinking on linkage with proposed global framework on BBNJ ○ Interactive Session: Break out Brainstorm Groups: <ul style="list-style-type: none"> ▪ connecting the various regional and global frameworks with regards to the new BBNJ agreement
END OF DAY TWO			

DAY THREE: FRIDAY, 1 FEB 2019 – CAPACITY BUILDING/NEGOTIATION TRAINING AND WAY FORWARD

0900 – 1000	Capacity Building – relevance of the Ocean Science Decade	<p>Facilitator: SPC</p> <ul style="list-style-type: none"> Jens Kruger Manager, Ocean Affairs Harriet Harden-Davies (Stakeholder analysis) 	<ul style="list-style-type: none"> Session to be facilitated by Pacific Representative to the Expert Group on the Ocean Science Decade which recently met at the UNESCO-IOC in December 2018. Session to also touch on Clearing House Mechanism at IOC Also potential benefit of BBNJ discussions from the Ocean Science Decade
1000 – 1030	Morning Tea		
1030 – 1230	<p>Essential tools for International Negotiations</p> <p>Role play for BBNJ negotiation session</p>	<ul style="list-style-type: none"> Ambassador. Don Mackay Expert – International negotiations and Law of the Sea A/Prof. Quentin Hanich – International Fisheries Negotiations - Fisheries Governance Programme Leader (<u>ANCORS</u>) University of Wollongong Tekau Frere – OPOC Adviser 	<ul style="list-style-type: none"> Overview of negotiation skills, tools and practical experiences aligned to BBNJ and other relevant international treaty processes Applying the knowledge, positions, negotiation skills in a mock BBNJ session? Scenario relevant to the Pacific
1230 – 1330	Lunch		
1330 – 1430	Role play for BBNJ negotiation session contd...	<ul style="list-style-type: none"> Ambassador. Don Mackay A/Prof. Quentin Hanich Tekau Frere 	<ul style="list-style-type: none"> Applying the knowledge, positions, negotiation skills in a mock BBNJ session? Scenarios relevant to the Pacific
1430 – 1500	Afternoon Tea		
1500 - 1630	<p>Discussions on the way forward building up to IGC2 and IGC3 -Approach towards the recent ‘<i>President’s Aid to Negotiations</i>’</p> <p>Concluding session – Reflections on summary of workshop</p>	<p>Facilitator: OPOC</p> <ul style="list-style-type: none"> Pacific NY Rep Members 	<ul style="list-style-type: none"> Recapping on outcome of discussions Exchange among participants, reflecting on what the possible wins of the Pacific would look like in this process. Identifying elements that require further work. Discuss engagement, support approach and way forward (negotiation briefs, alliances, people network) taking into account BBNJ President’s Zero draft text

-ENDS-