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2ND BBNJ WORKSHOP: COMPLIANCE AND IMPLEMENTATION

Southeast Asian Initiatives in Capacity Building and Technology Transfer

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OUTLINE

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How will Part V reach Southeast Asia?

- Where the region stands: ratification, categories of developing States, draft Committee seats
- Part V: regional bodies in the treaty text
- Regional bodies in practice
- Discussion

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STATUS OF TREATY RATIFICATION IN THE REGION

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- Parties (8): Singapore, Timor-Leste (2024); Viet Nam, Indonesia, Cambodia, Philippines, Lao PDR (2025); Brunei Darussalam (2026)
- Signatories: Thailand, Malaysia
- Myanmar: not signed

As of 26 October 2026, https://treaties.un.org/Pages/ViewDetails.aspx?chapter=21&clang=_en&mtdsg_no=XXI-10&src=TREATY
https://policy.desa.un.org/sites/default/files/2025-06/ldc_list.pdf

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CATEGORIES OF STATES IN THE REGION

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- Art 7 (m) Full recognition of the special circumstances of small island developing States and of least developed countries
- Art 7 (n) Acknowledgement of the special interests and needs of landlocked developing countries
- Categories based on Articles 40(e) and 41(3): the least developed countries, landlocked developing countries, geographically disadvantaged States, small island developing States, coastal African States, archipelagic States and developing middle-income countries (seven categories of developing States)

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CATEGORIES OF STATES IN THE REGION

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- **Least developed countries (LDCs)**
  - **Cambodia** (graduates 19 December 2029)
  - **Lao PDR** (graduates 24 November 2026)
  - Myanmar
  - **Timor-Leste**

As of 26 October 2026, https://treaties.un.org/Pages/ViewDetails.aspx?chapter=21&clang=_en&mtdsg_no=XXI-10&src=TREATY
https://policy.desa.un.org/sites/default/files/2025-06/ldc_list.pdf un.org/ohrlls/content/list-sids

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CATEGORIES OF STATES IN THE REGION

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- Landlocked developing countries (LLDCs)
  - **Lao PDR**
- Geographically disadvantaged states
  - **Singapore** (LL/GDS Group)
- Small island developing states (SIDS)
  - **Singapore**
  - **Timor-Leste**
- Archipelagic states
  - **Indonesia**
  - **The Philippines**

As of 26 October 2026, https://treaties.un.org/Pages/ViewDetails.aspx?chapter=21&clang=_en&mtdsg_no=XXI-10&src=TREATY
https://policy.desa.un.org/sites/default/files/2025-06/ldc_list.pdf un.org/ohrlls/content/list-sids

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CATEGORIES OF STATES IN THE REGION

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- **Developing middle-income countries**
  - Lower-middle income: **Cambodia**, **Lao PDR**, Myanmar, **Philippines**, **Viet Nam**, **Timor-Leste**
  - Upper-middle income: **Indonesia**, Malaysia, Thailand
  - **Singapore** and **Brunei:** both are in the G77

As of 26 October 2026, https://treaties.un.org/Pages/ViewDetails.aspx?chapter=21&clang=_en&mtdsg_no=XXI-10&src=TREATY
https://policy.desa.un.org/sites/default/files/2025-06/ldc_list.pdf
https://datatopics.worldbank.org/world-development-indicators/the-world-by-income-and-region.html

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Draft composition of the CBTMT Committee

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- 22 members
  - 15 from the five UN regional groups (3 each)
  - 2 from small island developing States
  - 2 from least developed countries
  - 2 from landlocked developing countries
  - 1 rotating seat shared by all other categories: geographically disadvantaged States, coastal African States, archipelagic States and developing middle-income countries

Report of the Preparatory Commission (advance unedited, 4 May 2026), Annex II, paras. 9–9.1 (bracketed)

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PART V OF THE AGREEMENT

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- Article 40: Objectives
- Article 41: Cooperation in capacity-building and the transfer of marine technology
- Article 42: Modalities for capacity-building and for the transfer of marine technology
- Article 43: Additional modalities for the transfer of marine technology
- Article 44: Types of capacity-building and of the transfer of marine technology (with further detail in Annex II)
- Article 45: Monitoring and review
- Article 46: Capacity-building and transfer of marine technology committee

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- On the roles of IFBs
  - Article 41(1) Parties shall **cooperate**, directly or through relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies, to assist Parties, in particular developing States Parties, in achieving the objectives of this Agreement through capacity-building and the development and transfer of marine science and marine technology.
  - 41 (2) In providing capacity-building and the transfer of marine technology under this Agreement, Parties shall **cooperate** at all levels and in all forms, including through partnerships with and involving all relevant stakeholders, such as, where appropriate, the private sector, civil society, and Indigenous Peoples and local communities as holders of traditional knowledge, as well as through strengthening cooperation and coordination between relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies.

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- On the roles of IFBs
  - Article 42 (3) Capacity-building and the transfer of marine technology should be a country-driven, transparent, effective and iterative process that is participatory, cross-cutting and gender responsive. It shall **build upon**, as appropriate, and **not duplicate existing** programmes and be guided by lessons learned, including those from capacity-building and transfer of marine technology activities under relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies. Insofar as possible, it shall take into account these activities with a view to maximizing efficiency and results.

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- Regional/sub-regional analysis:

Article 42 (4) Capacity-building and the transfer of marine technology shall be based on and be responsive to the needs and priorities of developing States Parties, taking into account the special circumstances of small island developing States and of least developed countries, identified through needs assessments on an individual case-by-case, **subregional or regional basis**. Such needs and priorities may be self-assessed or facilitated **through the capacity-building and transfer of marine technology committee** and the Clearing-House Mechanism.

  - DOALOS self-assessment toolkit (July 2026), tested in eight States including the Philippines and Singapore; designed for national assessments
  - No tool yet for the subregional and regional options

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- Regional/sub-regional analysis
  - Article 44 (3): The Conference of the Parties, taking account of the recommendations of the capacity-building and transfer of marine technology committee, shall periodically, as necessary, review, assess and further develop and provide guidance on the indicative and non-exhaustive list of types of capacity-building and of transfer of marine technology elaborated in Annex II, **to reflect technological progress and innovation and to respond and adapt to the evolving needs of States, subregions and regions.**

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- Regional input for monitoring and review
  - Article 45 (3): In supporting the monitoring and review of capacity-building and the transfer of marine technology, Parties shall submit reports to the capacity-building and transfer of marine technology committee. Those reports should be in a format and at intervals to be determined by the Conference of the Parties, taking into account the recommendations of the capacity-building and transfer of marine technology committee. **In submitting their reports, Parties shall take into account, where applicable, input from regional and subregional bodies on capacity-building and the transfer of marine technology.**

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PART VI INSTITUTIONAL ARRANGEMENTS

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Two provisions in Part VI Institutional Arrangements: Article 51 (Clearing-House Mechanism) and Article 52 (Funding).

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PART VI INSTITUTIONAL ARRANGEMENTS

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- Art. 51 (3)(a)(iv) serves as a centralised platform: requests for capacity-building and the transfer of marine technology and opportunities with respect thereto, including research collaboration and training opportunities, information on sources and availability of technological information and data for the transfer of marine technology, opportunities for facilitated access to marine technology and the availability of funding
- (b) Facilitate the matching of capacity-building needs with the support available and with providers for the transfer of marine technology, including governmental, nongovernmental or private entities interested in participating as donors in the transfer of marine technology, and facilitate access to related know-how and expertise

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PART VI INSTITUTIONAL ARRANGEMENTS

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- Art. 52(11) In recognition of the urgency to address the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, the Conference of the Parties shall determine an initial resource mobilization goal through 2030 for the special fund from all sources, taking into account, inter alia, the institutional modalities of the special fund and **the information provided through the capacity-building and transfer of marine technology committee.**

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IOC-WESTPAC: A BBNJ TASK FORCE

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- WESTPAC 15th intergovernmental session (March 2025): Open-ended Intersessional Task Force on BBNJ
- Mandate:
  - facilitate information exchange on BBNJ developments
  - identify possible actions to support Member States on scientific knowledge, research capacity and ocean technology transfer
- Proposed areas: joint research on biodiversity beyond national jurisdiction; scientific exchange; training on monitoring, data, EIAs and ABMTs; transfer of marine technology

IOC/SC-WESTPAC-XV/4.1 (2025); ioc-westpac.org/western-pacific-nations-unite

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IOC-WESTPAC: TRAINING ON HIGH-SEAS ABMTs

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- Busan, July 2026, organised by IOC with WESTPAC, MSPglobal, the Ocean Decade Capacity Development Facility and OceanTeacher Global Academy, in collaboration with KIOST
  - Part 1: biodiversity-inclusive, climate-smart marine spatial planning
  - Part 2: preparing ABMT proposals under the BBNJ Agreement, including the science requirements and data gaps

https://ioc-westpac.org/event/in-person-training-building-capacity-on-biodiversity-inclusive-and-climate-smart-msp-and-area-based-management-for-abnj/

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IORA: SCIENCE FOR HIGH-SEAS ABMTs

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- Indian Ocean bioregionalisation workshops, 2024: CSIRO with the IORA Secretariat
  - work on a bioregionalisation of the Indian Ocean with member-state input
  - identify candidate areas for ABMTs; regional data sharing mechanisms
  - bioregionalisation maps and a recommendation to establish a Technical Scientific Expert Group to support the IORA Working Group on the Blue Economy.

https://www.iora.int/sites/default/files/2024-04/IORA%20e-newsletter%20Jan%20-%20March%202024%20final.pdf

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ASEAN: BLUE ECONOMY TRACK

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- 2021 ASEAN Leaders' Declaration on the Blue Economy
- 2023 ASEAN Blue Economy Framework: marine science, R&D, technology and digital gaps, a common regional data platform, capacity-building
- ASEAN Coordinating Task Force on the Blue Economy
- ASEAN Centre for Biodiversity: ASEAN Heritage Parks; MPA networks project with UNDP (2024)

https://www.undp.org/nature/press-releases/asean-enmaps

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PEMSEA

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- East Asian Seas Congress 2024 (Xiamen, November 2024), session ST 1.1:
  - from Ratification to Implementation: an Asia high-level dialogue on the BBNJ Agreement
  - a deep dive on Part V: capacity-building and transfer of marine technology, including the ASEAN Centre for Biodiversity

eascongress2024.pemsea.org; 17th EAS Partnership Council proceedings (July 2025)

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COBSEA

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- COBSEA: Marine and Coastal Ecosystems Framework (2023), covering marine spatial planning, MPAs, habitat restoration and the Kunming-Montreal targets

Overall: dialogue and training are increasing, but no Southeast Asian regional body has a BBNJ work programme, a regional needs assessment or a consolidated channel to the CBTMT Committee

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DISCUSSIONS: THE COMMITTEE AND REGIONAL BODIES

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- Art. 41(1) cooperation through IFBs; Art. 45 review by the Committee
  - regional bodies' memberships are fragmented, and their mandates are broader than BBNJ (e.g. biodiversity conservation, training)
- Art. 45(3) regional input reaches the Committee through Parties' reports
  - PrepCom Annex X on reporting: the possibility of joint or collective reports
- Draft terms of reference: a general duty to *seek to cooperate* with regional bodies
- Further procedures to be developed for regional or subregional needs assessments (Art. 42(4)) or for regional input to review

Report of the Preparatory Commission (advance unedited, 4 May 2026), Annex II, para 53; Annex X

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DISCUSSIONS: FUNDING ART. 52(11)

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- The COP sets an initial resource mobilisation goal for the special fund through 2030, 'taking into account… information provided through the capacity-building and transfer of marine technology committee'
  - information comes from needs assessments
- The special fund's *ad hoc* committee meets by March 2027 and prepares the fund's constitutive document for COP2
- Southeast Asia has reason to assess early, and regionally

Report of the Preparatory Commission (advance unedited, 4 May 2026), Annex II, para 23

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DISCUSSIONS: FOR COP 1

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- For COP1: the Agreement writes regional bodies into different stages of Part V – for the COP to connect them to the work of the CBTMT Committee
  - a route for regional and subregional needs assessments and regional input to reach the CBTMT Committee
  - a regional focus under the Committee's standing item on cooperation (Annex II, paras. 21(a), 23)
  - regional nodes of the Clearing-House Mechanism (Art. 51(3)(d))

Report of the Preparatory Commission (advance unedited, 4 May 2026), Annex II, paras 21 and 23

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Thank you!

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