



KINGDOM OF BELGIUM

Gouvernement Princier  
PRINCIPAUTÉ DE MONACOCOSTA RICA  
GOBIERNO DEL BICENTENARIO  
2018 - 2022

## **High Seas Treaty Dialogues: 29<sup>th</sup> & 30<sup>th</sup> March**

Taking into account the President's intersessional webinar on cross-cutting issues, the High Seas Treaty Dialogues 29-30 March will focus mainly on institutional arrangements for the future agreement. While the functions of such arrangements are still under consideration in the context of the four elements of the package, including the relationship between those arrangements and relevant legal instruments and relevant frameworks and relevant global, regional, subregional and sectoral bodies, some **Guiding Questions** which could be considered for the dialogue on institutional arrangements are set out below.

### **GUIDING QUESTIONS**

#### **29 March: Institutional Arrangements**

What needs to be reflected in the future agreement in terms of institutional arrangements and where and what can be decided later? For example, would the future agreement provide for the establishment of subsidiary bodies or would the Conference of Parties (CoP) decide this? Would decision-making modalities be set out in the future agreement and, if yes, what would they be? Or would they be left to the CoP to agree on? Would the decision-making modalities be the same for the CoP and any other body which reports to it?

What would be the composition of the bodies to be established under the future agreement?

#### **Conference of Parties**

- Which of the functions of the CoP need to be set out in the BBNJ agreement and which could be left to its first meeting/ Rules of Procedure to elaborate?
- Should the principle of transparency apply to all meetings of the CoP and subsidiary bodies, with observers able to participate?

#### **Scientific and Technical Body**

- Should the Scientific and Technical Body have any decision-making powers, or should its function be solely to make recommendations to the CoP?
- How many members should the Scientific and Technical Body have and how should they be appointed? Should the Scientific and Technical Body be comprised of issue experts, prioritize equal or proportionate representation by different regions, or be a "body of the whole".



## Secretariat

- Could an existing body (with additional resources) fulfil the role of a BBNJ Secretariat, or is a new body needed? How should it be funded?
- Does there need to be an interim Secretariat?

## **30 March: Institutional Arrangements (contd.) with a focus on the Clearing-House Mechanism**

### Clearing-House Mechanism

- What are the key functions/modalities of operation we envisage for a Clearing-House Mechanism to support the BBNJ agreement?
- Are there existing Clearing-House Mechanisms that could be used and/or built upon?
- Who would manage a Clearing-House Mechanism?
- Who should be able to access it? How would open access and transparency be facilitated? Are there constraints (confidentiality, intellectual property rights)?
- What ongoing human and technical support would a Clearing-House Mechanism require? How should a BBNJ Clearing-House Mechanism be financed?