



PERMANENT MISSION
OF MALTA TO THE UNITED NATIONS
NEW YORK



Concept Note for the Workshop

Title of the Workshop

Interactions between the International Seabed Authority and BBNJ Agreement bodies and processes

Organizing Partners/Sponsors

Permanent Mission of the Republic of Fiji to the United Nations
Government of Jamaica
Permanent Mission of the Republic of Malta to the United Nations
Permanent Mission of the Republic of Singapore to the United Nations

Background and Rationale

The International Seabed Authority is an autonomous international organization established under the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and the 1994 Part XI Implementation Agreement. It is the organization through which State Parties to UNCLOS organize and control activities in the Area for the benefit of humankind, particularly with a view to administering the mineral resources of the Area in accordance with UNCLOS and the 1994 Part XI Implementation Agreement. The 2023 Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (the BBNJ Agreement) is a new building block of the UNCLOS family, but a separate legal instrument from the Convention and the 1994 Part XI Agreement. The ISA and the BBNJ Agreement operate independently, each with its own objective, mandate, competence and institutional framework.

The ISA and BBNJ Agreement frameworks are connected in a number of ways and there are areas for synergies and opportunities for coordination and cooperation, including but not limited to the following aspects that:

- While operating at different levels, both function under the umbrella of the UNCLOS.
- The ISA organizes and controls mineral resource-related activities in the Area and relies on the high seas as the space through which these activities are conducted. The ISA is also required to ensure that the marine environment, including the high seas, is protected from harmful effects that may arise from these activities. The BBNJ Agreement applies to the high seas and the Area when it comes to conservation and sustainable use of marine biological diversity. And in this respect, they operate in overlapping areas.

- Within their respective mandates, they share similar goals related to the conservation and sustainable use of resources in areas beyond national jurisdiction.
 - They need to engage each other in properly fulfilling their respective mandates and competences. Their work could inform each other on marine environmental protection, environmental impact assessments and capacity-building and the transfer of marine technology, building on the ISA's vast experience on these matters.
- Based on Article 5 of the BBNJ Agreement, which provides that the Agreement shall be interpreted and applied in a manner that does not undermine relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies, the ISA's capacity to deliver its mandate and treaty obligations related to organizing and controlling activities in the Area should not be undermined and will require BBNJ Agreement bodies and processes to coordinate upfront and closely with the ISA. Particularly, measures such as area-based management tools (ABMTs) potentially adopted under the BBNJ Agreement could have a direct effect on the ISA's mandate.

Objectives of the Workshop

The Workshop is expected to bring the above issues to the attention of the high-level decision-makers in the international community, as well as shape possible upcoming policy deliberations of relevant Organs of the ISA (the Council and Assembly) and the modalities and scope of cooperation between the ISA and BBNJ Agreement bodies and processes.

The Workshop will have in-depth discussions and strive to form relevant policy recommendations on the following issues:

1. Overall relations between the ISA and BBNJ Agreement bodies and processes.

Suggested questions:

- From the legal and policy perspective, how should ISA organs guide and shape the ISA's engagement with BBNJ Agreement bodies and processes?
- To what extent could the mandate of the ISA shape the functioning of BBNJ Agreement bodies and processes? Similarly, to what extent should BBNJ Agreement bodies and processes base their work on existing practices of the ISA in the areas of environmental protection, environmental impact assessments, capacity-building and the transfer of marine technology, and data management, to ensure that the principle of complementarity on which the BBNJ Agreement is based is applied correctly?
- In view of the connectedness in the operation and functioning of the ISA with BBNJ Agreement bodies and processes, what are the applicable rules, the legal opportunities and constraints, the practical approaches and advisable policies to foster structural cooperation and avoid potential conflicts?

2. Implications of envisaged BBNJ Agreement measures such as ABMTs including MPAs on the work of the ISA.

Suggested questions:

- In view of the ISA's exclusive mandate on mineral resource-related activities in the Area and the potential impact they would have on the high seas, what mechanisms can be developed to ensure that the implementation of ABMTs under the BBNJ Agreement can be effectively undertaken in a manner that ensures coherence with the ISA's mandate?

- What processes or mechanisms should be put in place to ensure that BBNJ Agreement bodies and processes work closely with the ISA at the outset, ensuring complementarity and not undermining the ISA's exclusive mandate? What are the possible risk-reduction measures that BBNJ Agreement bodies and processes should adopt to avoid causing impediments to the ISA's mandate and ensure future effective operationalization of the ISA's full mandate?
- What kind of principles, rules, procedures, standards or criteria should be followed by the ISA to assess any BBNJ Agreement-related proposals for measures such as ABMTs, and what financial and human resource implications would it have for the ISA?

3. Areas for further cooperation and coordination such as environmental impact assessments and capacity-building and the transfer of marine technology.

Suggested questions:

- Which areas of cooperation and coordination with BBNJ Agreement bodies and processes could also be built on the work of the ISA?
- How could the ISA better discharge its mandate through cooperation and coordination with BBNJ Agreement bodies and processes?
- What kind of internal structural or financial implications would cooperation and coordination in various fields with BBNJ Agreement bodies and processes have?

Organization and Structure

The in-person Workshop will be organized by the Secretariat of the ISA in cooperation with the Permanent Missions of the Republic of Fiji, Jamaica, Republic of Malta and Republic of Singapore on **5 November 2025 at the Permanent Mission of the Republic of Singapore to the United Nations, located at 318 East 48th Street, New York, NY, 10017 from 9:00 AM – 1:00 PM**, taking advantage of the special occasion of the observance of the first International Day of the Deep Seabed on 1 November 2025. Permanent Representatives, senior officials of the United Nations and UN system, agencies and subject-matter experts will be invited to speak at and attend the workshop.

AGENDA

Opening Remarks (09:00-09:30)

- H.E. Mr. Burhan Gafoor, Permanent Representative of the Republic of Singapore to the United Nations (5 mins)
- H.E. Ms. Cheryl Spencer, Permanent Representative of Jamaica to the International Seabed Authority (5 mins)
- H.E. Ms. Natasha Meli, Permanent Representative of the Republic of Malta to the United Nations (5 mins)
- Mr. Vueti May, Deputy Permanent Representative of the Republic of Fiji to the United Nations (5 mins)

Special Address

- Keynote address by Madam Leticia Reis de Carvalho, Secretary-General of the International Seabed Authority (5 mins)
- Keynote address by Ambassador Rena Lee, Ambassador for International law of the Republic of Singapore. (5 mins)

Introductory Remarks

- Remarks by Ms. Elinor Hammarhjold, Under-Secretary-General, UN Office of Legal Affairs and UN Legal Counsel (5 minutes)

Panel 1(09:30-10:30): *This panel will discuss the overall relations and general policy with a focus on the impact of the mandate and work of the ISA on BBNJ Agreement bodies and processes and vice versa [To be facilitated by Mr. Bruno Pozzi, Deputy to the SG, ISA]*

- H.E. Mr. Andreas Løvold, Deputy Permanent Representative of Norway to the United Nations (10 minutes)
- Ms. Lanla Kamara, Minister Plenipotentiary of the Permanent Mission of the Republic of Sierra Leone to the United Nations (10 minutes)
- Mr. Sebastian Nicolino, Minister Counsellor of the Permanent Mission of Argentina to the United Nations (10 minutes)
- Mr. Linlin LI, Counsellor and Legal Adviser of the Permanent Mission of the People's Republic of China to the United Nations (10 minutes)
- Questions and Discussions (20 minutes)

Panel 2 (10:30-11:20): *This panel will discuss the implications of envisaged BBNJ Agreement measures such as ABMTs including MPAs on the work of the ISA [To be facilitated by Mr. Wenqiang YIN, Principal Policy Officer, ISA]*

- H.E. Mr. Milan Meetarbhan, Permanent Representative of the Republic of Mauritius to the United Nations (10 minutes)
- H. E. Mr. Tomohiro Mikanagi, Ambassador Extraordinary and Plenipotentiary, Deputy Permanent Representative of Japan to the United Nations, Ambassador-at-Large-for Cooperation on International Law (10 minutes)
- H.E. Mr. Duncan Laki Muhumuza, Deputy Permanent Representative of the Republic of Uganda to the UN (10 minutes)
- Questions and Discussions (20 minutes)

Panel 3 (11:20-12:00): *This panel will discuss the areas for further cooperation and coordination such as environmental impact assessments and capacity-building and the transfer of marine technology [To be facilitated by Mr. Jose Dallo, Director, Office of Stewardship, Environment & Resources, ISA]*

- H.E. Mr. Leonaitasi Kuluni, Deputy Permanent Representative of the Permanent Mission of the Kingdom of Tonga to the United Nations (10 minutes)
- Ms. Angelique Pouponneau, Ocean Advisor of the Permanent Mission of the Republic of Palau to the United Nations (10 minutes)
- Questions and Discussions (20 minutes)

Concluding Remarks by

- Mr. Nathaniel Khng, Minister Counsellor of the Permanent Mission of the Republic of Singapore to the United Nations (10 minutes)
- Mr. Bruno Pozzi, Deputy to the Secretary-General of the ISA (10 minutes)