

Tonga Delegation

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  
First substantive session, on Agenda Item 7: Consideration of the subject matter referred to in paragraphs 1 and 2 of General Assembly resolution 72/249

New York, 5<sup>th</sup> September 2018

Capacity Building and Transfer of Marine Technology

Check against delivery

Madam Facilitator,

Thank you for giving my delegation the floor and allow me to align my intervention with that delivered by Egypt on behalf of the Group of 77 and China, Maldives on behalf of AOSIS and Nauru on behalf of PSIDS.

Madam Facilitator,

D Capacity Building and Transfer of Marine Technology

8 On the element of capacity building and transfer of marine technology,  
7 R Q J D ¶ V U H V S R Q V H

6. Capacity-building and transfer of marine technology

6.1 Objectives of capacity building and the transfer of marine technology:

The manner in which the objectives of capacity building and the transfer of marine technology would be included in the instrument.

7 R Q J D ¶ V U H V S R Q V H

1. The ILBI should provide both general and specific objectives for capacity building and the transfer of marine technology

(a) The General Objectives should include:

(a) Capacity development for SIDS

The general objective should include the need to promote, provide and develop capacity (human, institutional and technical) in small island developing States in the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction and to implement obligations under the ILBI.

marine biological diversity of areas beyond national jurisdiction  
(Part XI, Art 266 (2), UNCLOS) and to

(ii)



of the Intergovernmental Oceanographic Commission, would the instrument include an indicative, non-exhaustive list of broad categories of types of capacity building and transfer of marine technology?

7 R Q J D 1 V e U H V S R Q V  
Yes.

(i) If a list were to be included:

‡ How would the list be developed and by whom? How would it be updated?

7 R Q J D 1 V U H V S R Q V H  
This list can be developed and updated by the ILBI Institution, upon proposals made by state parties, regional or sectoral bodies.

‡ How broad would the list be?

7 R Q J D 1 V U H V S R Q V H  
The list

(b) What specific forms of cooperation and assistance would be included in the instrument in relation to marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, and environmental impact assessments?

7 R Q J D 1 V U H V S R Q V H

See responses to elements above in para 45.

(c) Modalities for capacity building and the transfer of marine technology that would be included in the instrument.

(i) Bearing in mind the possible parameters of modalities for capacity building and the transfer of marine technology in section III of the report of the Preparatory Committee, the issue is what parameters the instrument would set out for the modalities regarding capacity building and the transfer of marine technology. Parameters could also relate to, inter alia, who the providers of capacity building and technology transfer would be and the basis on which capacity building and technology transfer would be provided.

7 R Q J D 1 V U H V S R Q V H

The parameters of capacity building can be drawn from the objective of this ILBI. Any form of capacity building which is contrary or does not relate to delivering the objectives of the ILBI will not qualify for capacity building under the ILBI.

(ii) Would existing mechanisms be utilized or would new mechanisms be developed?

7 R Q J D 1 V U H V S R Q V H

A combination of both would be useful.

(d) What terms and conditions could the instrument set out for the transfer of marine technology? How would any such terms and conditions take into account existing instruments?

7 R Q J D 1 V U H V S R Q V H

A balanced approach is necessary. This can be captured under general provisions which allow for agreed terms and conditions for the use of technology and its maintenance and disposal. A manual or training on how to use this would be a good starting point.



### 6.3 Funding

(a) The existing mechanisms that would need to be taken into account in the provision of funding and resources

## 6.4 Monitoring and review

The manner in which the instrument would address the issue of monitoring and review of the effectiveness of capacity building and the transfer of marine technology activities and possible follow-up action. Issues to consider may include:

(a) Who would undertake such monitoring and review?

7 R Q J D 1 V U H V S R Q V H

The monitoring and review could be undertaken jointly by capacity development providers and beneficiaries. A capacity development result framework can be developed to guide the review to be undertaken.

(b) What would be the subject matter of any such monitoring and review?

7 R Q J D 1 V U H V S R Q V H

The subject matters which can be discussed are as follows:

Progress and outputs delivered;

Effectiveness of capacity building initiatives through success stories;

Challenges;

Proposed Way forward

(c) How would such monitoring and review be followed up on?

7 R Q J D 1 V U H V S R Q V H

The monitoring and review could be followed up on through periodic reports to be developed premised on reporting requirements under the ILBI.

## 6.5 Issues from the crosscutting elements

### 6.5.1 Use of terms

Which definitions of key terms pertaining to capacity building and the transfer of marine technology, if any, could be included in the instrument?

7 R Q J D 1 V U H V S R Q V H



## 6.5.2 Relationship to the Convention and other instruments and frameworks and relevant global, regional and sectoral bodies

6.5.5 Institutional arrangements  
(a) Would capacity