

BBNJ Briefing Note

A Reporting Service for Environment and Development Negotiations

Online at: <http://enb.iisd.org/oceans/bbnj/org-session/>

Friday, 20 April 2018

Summary of the Organizational Meeting for the Intergovernmental Conference on an International Legally Binding Instrument under the UN Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction:

16-18 April 2018

The organizational meeting for the Intergovernmental Conference (IGC) on an international legally binding instrument under the United Nations Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ) took place at UN Headquarters in New York from 16-18 April 2018.

In its resolution 72/249 of 24 December 2017, the General Assembly agreed to convene an Intergovernmental Conference, under the auspices of the United Nations, to consider the recommendations of the Preparatory Committee (PrepCom), with a view to developing the instrument as soon as possible.

At the organizational meeting, delegates engaged in discussions on the process towards the preparation of zero draft of the instrument. The organizational meeting took decisions on the:

- election of a Conference President;
- establishment of the format for the first session of the Conference (IGC-1);
- rules of procedure;
- establishment of a bureau and a credentials committee; and
- preparation of a document to guide discussions at IGC-1.

Delegates also agreed to address the four elements of the 2011 package in the substantive discussions at IGC-1, as mandated by resolution 72/249. These elements are:

- marine genetic resources, including questions on the sharing of benefits;
- measures such as area-based management tools, including marine protected areas;
- environmental impact assessments; and
- capacity building and the transfer of marine technology.

Delegates also considered how to discuss cross-cutting issues, with some preferring to discuss these as a separate issue, and others calling for integrating this discussion within the four elements.

Opening of the Meeting and Election of the President

On Monday morning, IGC Secretary-General Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and UN Legal Counsel, opened the meeting, noting that under UN General Assembly resolution 72/249, the meeting was mandated to nominate an IGC president. He informed delegates that Rena Lee, Ambassador for Oceans and Law of the Sea Issues and Special Envoy of the Minister for Foreign Affairs, Singapore, had been nominated for the role. Delegates then elected her as President of the IGC by acclamation. Expressing her appreciation for the trust and support shown in her election as President of the IGC, Lee paid tribute to the leaders of the *Ad Hoc* Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of BBNJ, and of the PrepCom on the development of an international legally binding instrument (ILBI) under UNCLOS on the conservation and sustainable use of BBNJ.

Miroslav Lajčák, President of the UN General Assembly, underscored that marine biodiversity knows no boundaries, and noted that the IGC process was a reflection of “multilateralism in action” to address gaps in ocean governance. He recognized that healthy oceans are critical for sustainable development and life on Earth, and stressed the importance of all relevant stakeholders having a seat at the table at the negotiations.

IGC Secretary-General Soares stressed that governance of BBNJ is critical for sustainable development, calling for a spirit of cooperation in the conduct of the negotiations towards an internationally legally binding instrument.

Adoption of the Agenda and Organization of Work

The Secretariat introduced the agenda (A/CONF.232/2018/L.1/Rev.1), the organization of work (A/CONF.232/2018/L.2) and the Report of the PrepCom (A/AC.287/2017/PC.4/2). Delegates adopted the agenda with no amendments. Under the organization of work, President Lee proposed considering the appointment of the credentials committee after discussions on organizational matters. Delegates adopted the organization of work with this amendment.

General Statements

Many delegations congratulated President Lee for her election, and expressed confidence in her skill in leading the process to a successful conclusion.

Underscoring that the work done during the Working Group and PrepCom phases have provided a solid foundation for the IGC, Egypt, for the Group of 77 and China (G-77/China), outlined the Group’s priorities, including that:

- the IGC be conducted in the six languages of the UN;

- the General Assembly's rules of procedure be applied to the IGC;
- the bureau be composed of two or three representatives per region; and
- a zero draft could include the Report of the PrepCom as a basis for discussions at IGC-1 and should be circulated as soon as possible.

Thanking donors for their contributions to the voluntary trust fund to assist developing countries' participation, Algeria, for the African Group: supported using the PrepCom bureau format of two regional representatives per region; suggested that the General Assembly rules of procedure be applied *mutatis mutandis* to the IGC; and proposed considering different dates for the second and third sessions of the IGC.

The European Union (EU) called for the organizational meeting to be constructive and results-oriented, and noted that that this has been a long journey and the UN is reaching its goal of an internationally legally binding instrument on BBNJ.

Paraguay, for the Land-locked Developing Countries (LLDCs), outlined the principles of the freedom of the high seas, common heritage of mankind, fair and equitable use of marine genetic resources, and capacity building, and underscored the need for the instrument to safeguard and improve the rights of LLDCs to access and benefit from marine genetic resources.

Barbados, for the Caribbean Community (CARICOM), supported applying, *mutatis mutandis*, the General Assembly rules of procedure to the IGC, suggested that the bureau be composed of three representatives per region, and called for the zero draft to be circulated as soon as possible.

Nauru, for the Pacific Small Island Developing States (PSIDS), stressed that the IGC build on the work of the PrepCom and not "backslide."

Bangladesh, for the Least Developed Countries (LDCs), noted that the General Assembly's rules of procedure should be applied to the Conference; called for text-based negotiations, based on the PrepCom report, to be initiated at IGC-1; supported working groups, but called for these to be kept to a minimum; and proposed that the bureau be composed of two representatives per region.

Thanking President Lee for the informal consultations initiated before the meeting, Maldives, for the Alliance of Small Island States (AOSIS), supported text-based negotiations beginning at IGC-1, based on text prepared and circulated by IGC President Lee in advance of the session; and preferred a more flexible approach to negotiations.

Singapore expressed gratitude to PrepCom Chairs Eden Charles (Trinidad and Tobago) and Carlos Sobral Duarte (Brazil), and to New Zealand and Mexico as the coordinators of the negotiations on UN General Assembly resolution 72/249, and highlighted that the differences in perspectives related to the science, policy and legal aspects of BBNJ will be bridged by the IGC. The Philippines called for the instrument to strike a balance between conservation and human activity, and respect the common heritage principle.

New Zealand underscored that the treaty should develop and improve the mechanisms for conservation and sustainable use, and provide viable options to address gaps in marine governance. The Holy See called for the instrument to focus on both rights to marine genetic resources, and responsibilities related to conservation.

Chile supported a bureau with three representatives per region as well as a generic zero draft to be circulated in advance of the first session of the IGC, noting that the report of the PrepCom

could be useful in the development of this draft. Honduras and India underlined that the report of the PrepCom is a good basis for further negotiations.

Thailand supported the application, *mutatis mutandis*, of the General Assembly's rules of procedure to the Conference, and using the report of the PrepCom as a basis for a zero draft, calling for the views of Member States to also be included in the draft. Nepal, with Tonga, underlined the importance of all four elements of the 2011 package, and highlighted that outstanding issues remained at the end of the PrepCom.

Calling for a balanced, effective instrument grounded in science, Japan underscored that the instrument should facilitate cooperation with existing frameworks and instruments, and promote marine scientific research.

Nigeria called for adequate capacity building and financial assistance to enable developing countries to meet the obligations that will be outlined by the instrument.

Mexico supported working groups addressing the elements of the package, complemented by plenary sessions; underscored the need for flexibility in the organization of work; proposed that the bureau be composed of three representatives per region; agreed that the General Assembly's rules of procedure be applied *mutatis mutandis* to the IGC; and suggested that the President prepare a working document based on the final report of the PrepCom and containing a preliminary structure of the treaty.

Sudan stressed that the instrument be based on the elements of the 2011 package, and respect international law and not undermine existing mechanisms; called for the bureau to be composed of three representatives per region and only deal with procedural issues; proposed five working groups to discuss the elements of the package as well as cross-cutting issues; suggested that the zero draft be based on the report of the PrepCom; and supported the application of the General Assembly's rules of procedure to the Conference.

Underlining the need for a consensus-based approach in negotiating an ILBI, the Russian Federation stressed that although the UN is moving towards a Diplomatic Conference "we are not prepared," since the PrepCom was not able to identify consensus-based elements for a treaty, and General Assembly resolution 72/249 left several issues unclear, including on participation, decision making and modalities for the preparation of a zero draft. He underlined that the zero draft can only be the product of negotiations at the IGC and opposed transforming the report of the PrepCom into a zero draft document, as many of the elements are contradictory and require further consideration; and called for the speed and "rushed atmosphere" of the PrepCom process to be replaced by pragmatism and a balanced approach, urging the process to take as much time as will be required to achieve a successful outcome.

Looking ahead to "years of cooperation on this issue," Iceland underscored the importance of working only on the basis of consensus, noting that negotiating a successful, universal instrument requires patience and time.

The Solomon Islands called for a zero draft to be circulated in advance of the first session of the IGC.

Morocco called for the General Assembly rules of procedure to be applied, *mutatis mutandis*, to the IGC; supported basing the zero draft on the report of the PrepCom; and, with China, stressed the importance of sequential rather than parallel meetings.

China underlined that the development of a zero draft should be the result of a gradual process, and was in favor of a President's non-paper to guide the work of the IGC.

Jamaica called for the application of the General Assembly rules of procedure, highlighted the need to circulate a zero draft in advance of the first session of the IGC, and welcomed the participation of civil society actors.

The Republic of Korea called for an emphasis on consensus-based decision making and for discussions on the issue of “not undermining” existing instruments; and stressed the need to strike a balance between conservation and sustainable use.

Costa Rica supported the modalities set out in the General Assembly resolution, and stressed the need to build on the work of the PrepCom.

Mauritius supported three representatives per region for the bureau; called for the General Assembly rules of procedure to be applied, *mutatis mutandis*, to the IGC; and suggested the President extract elements from the report of the PrepCom in the preparation of a zero draft, underscoring that the draft should not be prescriptive.

Noting the need to “leave the PrepCom dynamic behind” in order to move into an “ILBI development mode,” Canada called for an additional document to guide the work of the IGC, saying he was open to considering various avenues and formats for this. He also noted the General Assembly rules of procedure can be adapted to suit the IGC, and said that the structure of the bureau will evolve along with the IGC.

Viet Nam noted that the report of the PrepCom should guide the discussions on the development of the instrument, noting that the zero draft should incorporate the elements of convergence identified during the PrepCom process.

Indonesia called for the IGC to address the issues of coastal states with overlapping areas of the continental shelf and the water column, proposed that Member States’ views should be included in the zero draft, which should be circulated ahead of IGC-1, and further called for the General Assembly rules of procedure to be applied, *mutatis mutandis*, to the Conference.

The US supported the proposal of a President’s non-paper to be circulated well in advance of IGC-1. Norway concurred, calling for a non-paper outlining issues where more work is required, and expressed a willingness to apply the General Assembly’s rules of procedure to the IGC.

Uruguay supported the circulation of a zero draft in advance of IGC-1, and stressed that the instrument should not undermine existing instruments.

The International Union for Conservation of Nature (IUCN) lauded the General Assembly resolution as offering the opportunity for coherent and coordinated action by states. Noting the tremendous amount of work already done towards elaborating a legally binding instrument, the International Council of Environmental Law called on the IGC to focus on addressing governance and regulatory gaps.

The International Commission for the Conservation of Atlantic Tunas (ICCAT) stressed that the development of an instrument should take into account the need for a financial mechanism to enable developing country participation, and be based on sound scientific decision-making practices.

The High Seas Alliance expressed appreciation to all the governments that supported the General Assembly resolution, and called for continued inclusivity, transparency, and civil society engagement, underlining the need for a zero draft to take into account the recommendations of the report of the PrepCom. WWF expressed hope that the instrument will address cross-sectoral issues and consolidate global standards for the conservation and sustainable use of BBNJ.

Organizational Matters

IGC-1 Provisional Agenda: President Lee introduced this issue on Monday afternoon, noting that some procedural issues will have to be addressed during the IGC but outlining her intention to focus discussions at the IGC on: substantive matters as contained in the four elements of the 2011 package, the advancement of a draft treaty text, and the dates of the second and third sessions of the IGC. The G-77/China, the African Group, LDCs, Chile, and Japan supported the President’s proposal.

The EU, with Japan and Nigeria, suggested that the President prepare an indicative programme of work for the IGC to consider; called for an incremental step-wise approach to discussions; and proposed that IGC-1 formulate options for the main deliverables of the instrument based on a “focus document” prepared by the President, and circulated by early June. PSIDS, CARICOM and Vanuatu proposed that all the 2011 package elements be allocated equal time for discussion, with PSIDS noting the need to move into elaborating the text of the instrument.

Norway, Nigeria, Colombia, and Australia supported an agenda focused on the four elements, as well as cross-cutting issues. China and Peru supported a President’s non-paper focused on the four elements of the package.

The Russian Federation noted that a programme of work is unnecessary at this stage, but will be developed during the IGC depending on the discussions. He reiterated that the report of the PrepCom should not be the basis of a zero draft, and, with Norway, called on the President to prepare and circulate a non-prescriptive working document containing all the elements discussed in the process so far. The Russian Federation also noted that the discussions on cross-cutting issues at the PrepCom had been done “artificially,” noting the duplication of discussions, stating that most of the 2011 package elements are cross-cutting in a nature.

President Lee summarized the discussions, noting that: the bulk of the time at the IGC sessions will be focused on discussing the substantive issues including the 2011 package elements and cross-cutting issues; and time will be allocated for general statements.

IGC-1 Proposed Organization of Work: President Lee noted the need to adopt a flexible organization of work, noting that there is likely to be a need for adjustments during the process. She highlighted a proposal to establish subsidiary bodies such as working groups as needed, noting that no parallel meetings would be held during IGC-1, but highlighting that these may become inevitable at a later stage in the process. The G-77/China, the African Group, LDCs, Colombia, the Federated States of Micronesia, Chile, Japan, and others supported the President’s proposal, and, with Kenya, indicated a preference not to convene parallel sessions. Many delegations supported a flexible approach.

Format: China emphasized that there should be no parallel meetings at IGC-1. Australia stressed that any parallel meetings should not take decisions. Canada called for clarity on whether the sessions will be in plenary or in sequential sessions of more than one group dealing with the elements. PSIDS called for consecutive sessions of informal working groups. Vanuatu called for open and inclusive deliberations, and welcomed the proposal for a flexible structure, noting, with New Zealand, that parallel sessions may be needed later in the process, but stressing that these sessions should report back to plenary to keep everyone informed on progress. Norway, with the Federated States of Micronesia and the EU, called for open sessions for as long as possible, but noted the possibility of closed sessions. Mexico, with CARICOM, underlined that meetings should be open to all.

Subsidiary Bodies: CARICOM supported the call for a flexible organization of work, calling for the establishment of standing committees to address the elements of the 2011 package, which could meet in parallel, if required.

The EU supported building on the PrepCom format of establishing working groups to discuss specific themes, and, with Mauritius and Iceland, further establishing a Committee of the Whole (COW), which would act as a consensus-building forum.

The Russian Federation supported discussions in a working group setting, as well as in a COW setting to consider issues one at a time, and also proposed the establishment of a drafting committee.

China noted the need to accord formal functions to subsidiary bodies, and suggested that informal bodies could be established to complement the work.

Costa Rica and Peru called for subsidiary bodies to be established as needed, depending on progress. Argentina requested clarification on the best time for establishing subsidiary bodies, noting that an early discussion on this would advance the process in appointing facilitators and defining mandates, proposing that IGC-1 be held in a plenary setting and subsidiary bodies be set up thereafter.

New Zealand, with China and Norway, underlined that subsidiary bodies should be created as and when necessary, with New Zealand proposing the establishment of working groups or committees to discuss the 2011 package elements at IGC-1. Norway called for following the PrepCom procedure when establishing working groups, noting that these groups should be under the President's guidance and report back to the President.

The US highlighted the need to consider different formats for subsidiary groups, and, with Japan, called on the President to retain control of the development of the text as a whole, urging for periodic discussions in a plenary setting to ensure the elements are balanced.

In summarizing the discussions, President Lee:

- noted the strong sentiments against parallel meetings;
- stressed that meetings will be held sequentially and will discuss the four elements of the 2011 package and cross-cutting issues;
- underlined that she would give due notice of any changes to ensure enough time for delegations to prepare;
- highlighted that any changes in the organization of work would be discussed with the bureau;
- assured delegates that she would maintain control of the overall text; and
- noted flexibility in establishing subsidiary bodies.

IGC-1: On Tuesday, President Lee noted the need for IGC-1 to commence discussions in a "simple way," using the PrepCom's approach of thematic clusters, and noting that this does not imply that subsequent sessions will take up the same format. The Federated States of Micronesia preferred allowing the President to proceed in the best manner possible, given the structure of the working paper to be produced during the intersessional period.

Japan proposed that the President chair the whole of IGC-1, preferred the establishment of informal working groups as opposed to formal ones, and called on the facilitators, who will be identified by the President, to clarify to delegates their plans for conducting the sessions.

The G-77/China supported a flexible approach, noting that discussions on cross-cutting issues may not need to be held at IGC-1, but will be discussed based on the progress of other discussions. The African Group underscored the need for a separate working group to discuss cross-cutting issues.

The Russian Federation said that cross-cutting issues should only be discussed "if necessary," but stressed that issues identified as cross-cutting by the PrepCom could be discussed as part of the four elements. Canada noted that some cross-cutting issues could be addressed as part of the elements, but others are stand-alone issues, such as the preamble and final clauses.

AOSIS called for all elements to be discussed in a balanced manner, with Mexico calling for flexibility in the time allocated for discussions on each element of the package.

Iceland called for a specific discussion, early at IGC-1, to consider the overall structure of a BBNJ agreement and its relation to existing instruments, before beginning negotiations to elaborate the instrument itself.

President Lee then proposed, and delegates agreed, that the discussions at IGC-1 will be based on the four elements of the 2011 package, noting that the format of the sessions will be guided by the working document to be prepared during the intersessional period, as well as informal consultations with delegations.

Provisional rules of procedure of the conference: On Monday afternoon, President Lee recalled that General Assembly resolution 72/249 adopted modalities for the conference, including in relation to the participation of observers, the rules of procedure and decision-making practice. She noted the resolution's recommendation to apply, *mutatis mutandis*, the General Assembly's rules of procedure to the IGC, and stated that the Conference would work on consensus-based decision making. She reminded delegates that the rules provide for a two-thirds majority vote in the event that every effort to reach agreement by consensus has been exhausted.

Supporting the application of the General Assembly's rules of procedure, *mutatis mutandis*, to the Conference, Canada, with the G-77/China, the EU, CARICOM, the African Group, AOSIS, and the Federated States of Micronesia, noted that the rules may be adjusted in specific instances, with Canada giving the example on the need to adjust the rules when establishing subsidiary bodies.

Underlining the need for consensus-based decision making, Iceland underscored that the provision on voting may be detrimental to the process and to ensuring universal participation in the instrument, highlighting that there are still fundamental issues that remain to be resolved. China also stressed the need for consensus-based decision making.

The Russian Federation pointed out that although the General Assembly resolution calls for an ILBI "as soon as possible," this does not mean an emphasis on speed but rather one on consensus building, underlining that the Conference should work "for as long as possible" to reach this goal. He called for time to discuss the rules of procedure with the Secretariat.

On Tuesday morning, President Lee proposed, and delegates agreed, to adopt the rules of procedure set out in resolution 72/249, including applying, *mutatis mutandis*, the rules of procedure of the General Assembly to the IGC.

Bureau: President Lee then welcomed comments on the size, capacity (personal or national capacity), and mandate of the bureau, highlighting her proposal to have 15 Vice Presidents, with three representatives per region, serving in their national capacity, and addressing procedural issues. The G-77/China agreed to the proposed size and the procedural mandate.

The African Group favored a procedural mandate, expressing preference for a 10-member bureau as was the practice under the PrepCom, with members serving in their personal capacity, stressing that these members be chosen based on their understanding of the issues and their commitment to the process.

Canada proposed including a call for nominees to the bureau to commit to serving for the duration of the IGC. CARICOM, Japan, and the EU expressed flexibility on the capacity of the members of the bureau.

The EU proposed that the bureau be composed of two representatives per region, and, with many others, preferred that the bureau only address procedural matters.

CARICOM supported three representatives per region. AOSIS, the US, Norway, Morocco, and China supported three representatives per region, dealing with procedural issues and serving in their national capacity. China added that the bureau could also deal with other issues as necessary.

PSIDS preferred that the bureau members serve in their national capacity, and work on procedural issues.

Supporting bureau members working in their national capacity, the Russian Federation underlined that the number of bureau members should be defined by the functions of the bureau, noting that if the bureau is only to address procedural issues, a 10-member bureau would suffice.

President Lee proposed establishing a bureau of 15 Vice Presidents, to assist in procedural matters that may be more complex than during the PrepCom, and suggested that the members serve in their national capacity on the understanding that the bureau members should not change from session to session and that the decision of a 15-member bureau is without prejudice to any decisions taken in other fora.

The African Group called for time to consult on this issue, noting that capacity and mandate are linked, and noting that the Group is entitled to more members if these members serve in their national capacity, according to the General Assembly rules.

Argentina noted that in most processes members serve in their national capacity and this does not affect the number of members per group. The Russian Federation underlined the need for the bureau members to serve in their national capacity, expressed flexibility on 10 or 15 bureau members, and suggested the addition of an explanation that the decision on the bureau does not create a precedent for other processes. Mexico stated that bureau members should not be confused with independent experts. Canada recalled that in other multilateral environmental agreements, there is equal geographical representation.

In the afternoon, the African Group stressed that although they are in favor of proportional representation, as is the practice in all Law of the Sea consultations, they would accept the proposal of a bureau with three regional representatives per region, serving in their national capacity, with the understanding that this does not set a precedent for future bureau decisions in other processes.

President Lee proposed, and delegates agreed, to establish a bureau with three representatives from each region, serving in their national capacity, and dealing with procedural matters, and noting that this does not set a precedent for other processes. She then called on all regions to submit their nominees to the Secretariat before IGC-1.

Process for the preparation of the zero draft of the instrument: On Tuesday morning, President Lee introduced this issue. On the preparation process towards a zero draft, she called for discussion on what could be included in an “Aid to Discussions” paper.

The G-77/China urged the use of all resources, including the report of the PrepCom, in the preparation of an ambitious document, which also includes cross-cutting issues.

Supporting a step-wise approach, the African Group called on the President to circulate a robust, ambitious paper, based on the work of the PrepCom and in line with the current state of knowledge and science, which could feed into a zero draft later in the process.

AOSIS and LDCs noted that the document should capture the progress made by the PrepCom to guide the IGC towards an instrument. PSIDS called for an ambitious document, using the report of the PrepCom as a basis.

CARICOM called for a working document to be circulated by the end of June, informed by the report of the PrepCom and, with the US, inspired by the 10-page [UN Fish Stocks Agreement \(UNFSA\) Chair’s Guide](#) prepared in 1993. Many welcomed the reference to the UNFSA document.

The EU called for an incremental, step-wise approach, with a focus document building on the PrepCom and, with Brazil and several others, identifying options for the key functions of the instrument, to be circulated by the beginning of June.

Japan stressed that IGC-1 should provide space to deepen understanding on basic issues, and, with Norway and others, called for a non-paper including major subjects and key questions, noting these could be included within the skeleton of a treaty, but that this skeleton should not contain treaty text.

The Russian Federation stressed that the focus paper should: reflect on the preconditions agreed to in the PrepCom outcome (explaining the lack of consensus in the recommendations); define areas for future discussion; include open questions to define contradictory or mutually exclusive issues; with Norway, not prejudge any options set out; not be too detailed; and not lay out prescriptions where there are mutually exclusive options.

Underlining that it is the work of the IGC to begin drafting an instrument, Iceland preferred not to have a substantive zero draft since there was no consensus reached at the PrepCom, calling instead to begin IGC discussions on a “clean table.” He supported an “Aid to Discussions” paper to facilitate the IGC’s deliberations, and noted that the report of the PrepCom could be useful in this regard.

Chile called on the President to draft a non-paper, based on the elements drawn from the PrepCom as well as from General Assembly resolutions 69/292 and 72/249.

The US supported a concise “Aid to Discussions,” containing options drawn from Section A of the PrepCom outcome. Argentina noted that it is premature to have draft treaty text, but noted the importance of an “Aid to Discussions.” Canada also supported the “Aid to Discussions,” containing options for issues where there are diverging views.

New Zealand proposed building on the report of the PrepCom, noting that the document should flesh out a preliminary treaty structure, and include options for issues where there are diverging views, and questions on issues where more discussions are required.

China underscored that the non-paper should not repeat PrepCom discussions, but should include both elements of consensus and non-consensus, and refer to written submissions.

Australia called for a President’s paper, assessing the state of play of the negotiations and sketching out options related to the elements of the 2011 package, noting, with Norway, that delegations should prepare for the IGC even before the paper is circulated.

Peru called to begin the process towards the zero draft as soon as possible, noting that the draft should be ambitious, substantive, and form the basis of the future instrument.

Samoa called for the “Aid to Discussions” to be ambitious but realistic, and welcomed the proposal for a skeleton of a treaty, as it is too early for treaty text.

President Lee noted the suggestions and highlighted that:

- she would study the report of the PrepCom, the UN Fish Stocks Agreement document, the outcome of the PrepCom, and written submissions;
- the document would not contain treaty text;
- the document may or may not contain a skeleton structure of the treaty; and
- the document will be between 10-75 pages long and will be circulated before 25 August.

Appointment of Members of the Credentials Committee

On Tuesday morning, President Lee said that under Rule 28 of the General Assembly, the Credentials Committee shall be appointed at the beginning of each session of the Assembly and shall consist of nine members, who shall be appointed by the General Assembly on the proposal of the President. She noted that the members of the 72nd session of General Assembly Credentials Committee are Capo Verde, China, Dominica, Indonesia, Ireland, Russia, Uganda, Uruguay, and the US. Delegates agreed to appoint these countries to the IGC Credentials Committee

Other Matters

On Tuesday afternoon, the Secretariat updated delegates on the status of the Voluntary Trust Fund, noting that the balance before this meeting was US\$115,000, and that this had supported the participation of 22 delegates to the session, including air fare and a daily subsistence allowance. She noted that after the disbursement of these funds, the balance in the Trust Fund would be US\$40,000 and would only be able to facilitate the participation of six delegates to IGC-1. She called for contributions from all Member States and individuals willing and able to contribute. Mauritius noted that US\$65,000 had been disbursed to 22 delegates for a three-day meeting, and stressed that much more will be needed for the 14-day IGC-1.

CARICOM, supported by the Federated States of Micronesia and Kenya, noted that convening sessions of the IGC in September overlaps with the high-level session of the General Assembly. CARICOM called for the second and third sessions of the IGC to be convened between March and July 2019.

The Secretariat highlighted constraints in allocating meeting slots, particularly that it is challenging to find a two-week slot, and that the UN Division for Ocean Affairs and the Law of the Sea (DOALOS) also services several meetings of the Commission on the Limits of the Continental Shelf each year, noting that the IGC should neither overlap with these meetings nor of the meetings of the International Seabed Authority. She noted that she will consult and advise on possible dates at IGC-1, highlighting that the omnibus decision on oceans usually sets the meeting dates.

Responding to a question from Bangladesh on the dates of the training programme to reinforce capacity in the context of the IGC for LDCs, the Secretariat noted that these dates have not been set.

Closure of the Meeting

On Wednesday morning, President Lee presented a summary of discussions at the meeting, noting that these will be recorded, translated into all UN languages, issued as a conference document and posted on the conference website. She highlighted, *inter alia*, that the Conference had agreed:

- to apply, *mutatis mutandis*, the General Assembly’s rules of procedure to the IGC;
- to establish a credentials committee, following the composition of the 72nd session of the General Assembly;
- to establish a bureau for the duration of the IGC, composed of the President and 15 Vice Presidents, three from each region, to assist on procedural matters, and serving in their national capacity, on the understanding that this does not set a precedent for the composition of bureaux in other processes, and also on the understanding that the Vice Presidents should not change from one session to the next;
- to adopt a flexible approach to the organization of work, with subsidiary organs and/or informal working groups to be established as the need arises;
- to avoid parallel meeting to the extent possible;
- to focus the work of IGC-1 on substantive discussions based on the elements of the package, with the mode of discussion to be conveyed at a later stage by the President;
- to consensus-based decisions on the preparation process of a zero draft;
- that the President would prepare a concise document as an Aid to Discussions, taking into account the report of the PrepCom, noting that this document would identify areas for further discussion, and not contain treaty text; and
- that this document does not constitute the zero draft.

Many delegations appreciated the summary of discussions. The G-77/China thanked the President for the efficient guidance throughout the meeting. The African Group welcomed the translation of the summary of discussions into all official UN languages.

AOSIS thanked the President for the transparent and efficient manner in which she conducted the meeting. The EU expressed their commitment to working toward a powerful outcome. Chile reminded delegates of their role in preparing for IGC-1. CARICOM thanked the President and the Secretariat, and anticipated the work at IGC-1. The Dominican Republic expressed hope that the “spirit of this meeting” will be mirrored at IGC-1, which will be held from 4-17 September 2018 in New York.

Expressing her gratitude to all delegates and noting that the Aid to Discussions would be circulated “before 25 August,” President Lee closed the meeting at 10:31 am.

Glossary

AOSIS	Alliance of Small Island States
BBNJ	Biodiversity in areas beyond national jurisdiction
CARICOM	Caribbean Community
COW	Committee of the Whole
IGC	Intergovernmental Conference
ILBI	International legally binding instrument
LDCs	Least developed countries
PrepCom	Preparatory Committee
PSIDS	Pacific Small Island Developing States
UNCLOS	United Nations Convention on the Law of the Sea