

GOVERNMENT OF INDIA  
MINISTRY OF EXTERNAL AFFAIRS  
**LOK SABHA**  
**UNSTARRED QUESTION NO-1476**  
ANSWERED ON- 28/07/2023

**BBNJ AGREEMENT**

1476. DR PRITHAM GOPINATHRAO MUNDE  
SHRI RAHUL RAMESH SHEWALE  
SHRI CHANDRA SEKHAR SAHU

Will the Minister of EXTERNAL AFFAIRS be pleased to state :-

(a) whether the Government was a signatory to the Marine Biodiversity of Areas Beyond National Jurisdiction (BBNJ) Agreement under the United Nations Convention on the Law of Sea (UNCLOS), signed as part of the 5th UN Intergovernmental Conference on March 5, 2023;

(b) if so, the salient features of the agreement;

(c) whether the restoration of equity as per the Global South jurisprudence has been adopted by the signatories; and

(d) If so, the details thereof, if not, the reasons therefor?

**ANSWER**

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS

(SHRI V. MURALEEDHARAN)

(a & b) Government of India participated in the negotiations in the UN Intergovernmental Conference on Marine Biological Diversity of Areas Beyond National Jurisdiction held at New York, which was concluded in March 2023. The Agreement on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (or BBNJ Agreement) was formally adopted on 19<sup>th</sup> June 2023 by the resumed session of the Conference. The Agreement is yet to be opened for signature.

The primary intent and objective of the agreement is conservation and sustainable use of the marine biological diversity in the areas beyond national jurisdiction. The Agreement is intended to address gaps in the legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction, including the lack of a comprehensive regime for the conservation and sustainable use of marine genetic resources, as well as the need for more effective mechanisms for marine protected areas and environmental impact assessments.

The Agreement covers four major elements: a) support for capacity-building and the transfer of marine technology; b) access to and use of marine genetic resources; c) the adoption of conservation and sustainable use measures including marine protected areas; and d) the conducting of environmental impact assessments in maritime areas outside of national jurisdiction.

(c & d) The Agreement reflects the compromise reached by all parties, with sufficient caveats to protect the interests of key players. From the perspective of Global South, the agreement provides for: i) Protection of marine biodiversity; catalogue of species; ii) Provides access to marine genetic resources; iii) Transparency in the governance of marine diversity-protection, preservation, and its exploitation; iv) capacity building and sharing of marine technology and v) Research opportunities for experts in exploration of marine biodiversity.

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