The Abidjan Convention and the Decisions of the Conference of the Parties on Areas Beyond National Jurisdiction (ABNJ)

The Abidjan Convention recognizes the need and opportunity to increase coordination between the regional and global levels of ocean governance, including through a new global instrument on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction (BBNJ). The Abidjan Convention’s Conference of the Parties has adopted two Decisions related to this subject, at COP11 and COP12. These Decisions are provided below.

Please note that the Preambular paragraphs within the Abidjan Convention apply to the whole set of COP Decisions and therefore cover all COP agenda items. This document outlines the Decisions related to ABNJ.

11th Meeting of the Conference of the Parties (COP11)

Preamble of COP11 Decisions

The Contracting Parties to the Convention for Cooperation on the Protection, Management and Development of the Marine and Coastal Environment of the Atlantic Coast of the West, Central and Southern Africa region (Abidjan Convention)

Recalling that 2014 marks the 20th anniversary of the entry into force of the United Nations Convention on the Law of the Sea (UNCLOS) which provides the legal framework within which all activities in the oceans and seas must be carried out, and drawing particular attention to Part XII of UNCLOS on the protection and preservation of the marine environment.

Recalling Paragraphs 158 to 177 (“Oceans and seas”) and 178 to 180 (Small Island Developing States) of the final document of the United Nations Conference on Sustainable Development (Rio + 20), held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, entitled “The future we want”, unanimously adopted by the United Nations General Assembly;

Recalling Paragraphs 162 and 177 of the final document of Rio + 20, on the importance of creating marine protected areas and the urgent need to come to a decision on launching international negotiations on a legal instrument permitting the conservation and sustainable use of marine biodiversity in areas located beyond national jurisdiction;

….

Taking into account the Abu Dhabi Declaration and the results of the Blue Economy Summit, which took place in Abu Dhabi on 19 and 20 January 2014;

Conscious of the importance of a Blue Economy approach capable of creating prospects for ecologically sustainable and socially inclusive economic growth throughout the continent;

….

Recognizing that the United Nations General Assembly has reaffirmed its central role in the conservation and sustainable exploitation of marine biodiversity in the areas beyond national jurisdiction and has taken note of the work done in this field by States and the competent inter-governmental bodies and organs which it invites to participate, according to their respective areas of specialization, in studying these issues within the framework of the process that it launched in its Resolution.66/231;
Recalling that the United Nations General Assembly has also reaffirmed the undertaking made by States in the document entitled « The future we want » to urgently tackle the issue of the conservation and sustainable exploitation of marine biological diversity in areas outside any national jurisdiction, and in particular by taking a decision on the elaboration of an international instrument within the framework of the United Nations Convention on the Law of the Sea,

Hereby decide:

**Decision - CP. 11/10. Conservation and Sustainable use of the Marine Biodiversity of the Areas Located beyond National Jurisdictions**

1. To request the Contracting Parties to recognize the importance of the preservation and sustainable use of areas located beyond national jurisdictions within the framework of the Abidjan Convention and in accordance with the United Nations Convention on the Law of the Sea;

2. To urge the Contracting Parties to strengthen marine scientific research and decision-making capacity at the national and subregional levels in the area of conservation and sustainable use of the marine biological diversity of the areas located beyond national jurisdictions;

3. To exhort the Contracting Parties to participate in and contribute to the ongoing process within the framework of the United Nations and, in particular, the work of the ad hoc open-ended informal working group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction.

4. To request the secretariat to set up a working group to study all aspects of the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction within the framework of the Abidjan Convention, pursuant to the United Nations Convention on the Law of the Sea and taking into account the process under way within the framework of the United Nations, and especially the work of the ad hoc open-ended informal working group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction;

5. To request the Secretariat to assess the availability of finances and viability of actions to this regards.

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**12th Meeting of the Conference of the Parties (COP12)**

**Preamble to Decisions of COP 12**

The Contracting Parties to the Convention for Cooperation on the Protection, Management and Development of the Marine and Coastal Environment of the Atlantic Coast of the West, Central and Southern Africa region (Abidjan Convention)

Recalling that 2014 marked the twentieth anniversary of the entry into force of the United Nations Convention on the Law of the Sea, which provides the legal framework for all activities in the oceans and seas, and drawing particular attention to part XII of the Convention, on the protection and preservation of the marine environment,

Recalling also paragraphs 158–177 (“Oceans and seas”) and 178–180 (“Small island developing States”) of the outcome document of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, entitled “The future we want”, which was unanimously adopted by the General Assembly of the United Nations,

Recalling further paragraphs 162 and 177 of the outcome document of the United Nations Conference on Sustainable Development concerning the importance of the establishment of marine protected areas and
the urgent need for a decision on the launch of international negotiations on a legal instrument for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction,

Taking into account the Abu Dhabi Declaration and the outcome of the Blue Economy Summit, held in Abu Dhabi on 19 and 20 January 2014,

Aware of the importance of a blue economy approach to the extent that it could offer prospects for environmentally sustainable and socially inclusive economic growth throughout the continent,

Acknowledging that the General Assembly has reaffirmed its central role in the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction and has noted the work of States and relevant intergovernmental organizations and bodies on those issues, inviting them to contribute, within the areas of their respective competence, to the consideration of those issues within the process initiated by the General Assembly in resolution 66/231;

Recalling that, in “The future we want”, the Assembly also reaffirmed the undertaking by States to tackle, with urgency, the issue of the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction, including by taking a decision on the development of an international instrument under the United Nations Convention on the Law of the Sea,

Decide:

Decision CP.12/12: Conservation and sustainable use of the marine biological diversity of areas beyond national jurisdiction
1. To request the Contracting Parties to recognize the importance of the conservation and sustainable use of the marine biological diversity of areas beyond national jurisdiction in the context of the Abidjan Convention and in compliance with the United Nations Convention on the Law of the Sea;
2. To urge the Contracting Parties to strengthen research capacities and marine scientific decision-making at the national and subregional levels in relation to the conservation and sustainable use of the marine biological diversity of areas beyond national jurisdiction;
3. To urge the Contracting Parties to participate in and contribute to the process under way within the framework of the United Nations and, in particular, the work of the ad hoc open-ended informal working group to study issues related to the conservation and sustainable use of the marine biological diversity of areas beyond national jurisdiction.