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Chairperson's Foreword

This report is a review of the Agreement 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 (BBNJ Agreement), tabled in Parliament on 14 March 2025.

The adoption of the BBNJ Agreement in 2023 marked a defining moment in the evolution of international ocean governance. For Fiji, nation whose identity, economy, and way of life are inextricably linked to the ocean, this Treaty is not just a legal milestone, it is a clarion call for collective action, innovation, and leadership. The BBNJ Agreement establishes a much-needed framework to conserve marine biodiversity in areas beyond national jurisdiction, those vast high seas that, while outside any one nation's control, are crucial to the health of our planet and the wellbeing of Pacific peoples. It fills longstanding gaps left by UNCLOS, enabling cooperation on marine genetic resources, environmental impact assessments (EIAs), and the creation of marine protected areas.

In response, a whole-of-society dialogue has unfolded across Fiji. From government ministries and civil society to academia and the private sector, we have heard a range of views, resoundingly supportive, yet thoughtfully measured. These perspectives reflect our nation's deep-rooted connection to the ocean and a shared recognition that effective implementation of the Treaty will require legal reform, institutional coordination, and significant capacity-building.

As such, the Committee recommends that Parliament ratify the BBNJ Treaty without reservations, while also taking note of the issues raised under "Other Recommendations" in this report. During consultations, the Committee identified several critical measures for effective implementation, including amending key legislation, addressing legal ambiguities, and developing EIA procedures tailored for areas beyond national jurisdiction. Stakeholders further emphasized the importance of education, regional and inter-agency cooperation, and investing in national scientific capacity.

On behalf of the Standing Committee on Foreign Affairs and Defence, I wish to thank the members of the Committee for compiling this bipartisan report. I also extend my appreciation to the Hon. Alipate Tuicolo, who sat in as an alternative member, and to the Secretariat for their dedicated support. I now submit this report to the Parliament.



Hon. Lenora Qereqeretabua
Chairperson

Acronyms

ABNJ	Areas Beyond National Jurisdiction
ABMT	Area-Based Management Tools
BBNJ	Agreement 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
CBTMT	Capacity-Building and the Transfer of Marine Technology
COP	Conference of the Parties
DSI	Digital Sequence Information
EIA	Environmental Impact Assessment
GEF	Global Environmental Facility
IMO	International Maritime Organisation
IPLCs	Indigenous Peoples and Local Communities
ISA	International Seabed Authority
ITLOS	International Tribunal for the Law of the Sea
MGR	Marine Genetic Resources
MPA	Marine Protected Area
SO	Standing Order
SDG	Sustainable Development Goals
RFMO	Regional Fisheries Management Organisation
UNCLOS	United Nations Convention on the Law of the Sea

Recommendation

The Committee recommends to Parliament that Fiji ratifies the BBNJ Agreement without reservations.

1.0 Introduction

1.1 Committee Remit and Composition

Under Standing Order 109(2)(e) the Standing Committee on Foreign Affairs and Defence is mandated to look into matters related to Fiji's relations with other countries, development aid, foreign direct investment, oversight of the military, and relations with multi-lateral organizations. The members of the Standing Committee on Foreign Affairs and Defence are as follows:



Hon. Lenora Qereqeretabua

Chairperson

*Deputy Speaker of Parliament
Assistant Minister for Foreign Affairs*



Hon. Rinesh Sharma
Deputy Chairperson



Hon. Ratu Isikeli Tuiwailevu
Member

Assistant Minister for iTaukei Affairs, Heritage and Arts



Hon. Penioni Ravunawa
Member

Assistant Minister for Health and Medical Services



Hon. Virendra Lal
Member

1.2 Committee Secretariat Team

Supporting the Committee in its work is a group of dedicated Parliament Officers serving as the Committee Secretariat. These officers are appointed and delegated by the Secretary-General to Parliament by Standing Order 15(3)(i). The Secretariat officers are as follows:

- Mrs. Susana Korovou – Senior Committee Clerk
- Mrs. Elesi Tabuyaqona – Deputy Committee Clerk

1.3 Background and Terms of Reference

The Standing Committee on Foreign Affairs and Defence (the Committee), was referred the Biodiversity on Areas Beyond National Jurisdiction Agreement on 14 March 2025. The Treaty was referred to the Committee pursuant to Standing Order 130 of the Standing Orders of the Parliament of the Republic of Fiji, whereby the Committee was assigned with reviewing the Treaty and to report back on the Treaty in a subsequent Parliament Sitting.

1.4 Procedure and Program

(i) Initial Reading of the Convention

The Committee commenced its review by reading through the Written Analysis. An in-depth deliberation of the Treaty was undertaken by the Committee, whereby pertinent issues were identified.

(ii) Public Consultation (written and verbal submissions)

In relation to Standing Order 111 (1), the Committee is committed to upholding public trust in Parliament, by ensuring that there is public participation and that all such participation is given due consideration. The Committee had called for written and verbal submissions from the public and other interested stakeholders by placing an advertisement through the Parliament website and social media platforms (Facebook and Twitter). The Committee ensured that its meetings were open to the public and media, except during Committee deliberations and discussions.

The Committee received numerous written and oral submissions on the Treaty from relevant stakeholders to provide a clearer position on whether Fiji should ratify the Treaty. A summary of these submissions is provided in a later part of this report, under the heading ‘Committee’s Deliberation and Analysis of the Convention’ and copies of the written submissions can be obtained from the online Appendices of this report, which can be accessed from the Parliament website: www.parliament.gov.fj.

2.0 An Introduction to the Biodiversity Beyond National Jurisdiction Agreement

2.1 What is the BBNJ Treaty?

The Agreement 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 (BBNJ Agreement), adopted and opened for signature in 2023, is a response to this pressing issue with the fragmented architecture of ocean governance.

The BBNJ Agreement applies to marine in Areas Beyond National Jurisdiction (ABNJ). These are the high seas (waters beyond any country's Exclusive Economic Zone) and the Area (the deep seabed beyond any country's continental shelf). These areas constitute most of the world's ocean and contain a high level of marine biodiversity. This biodiversity is crucial to a healthy and productive ocean, which underpins Fiji's future economic prosperity and that of our region.

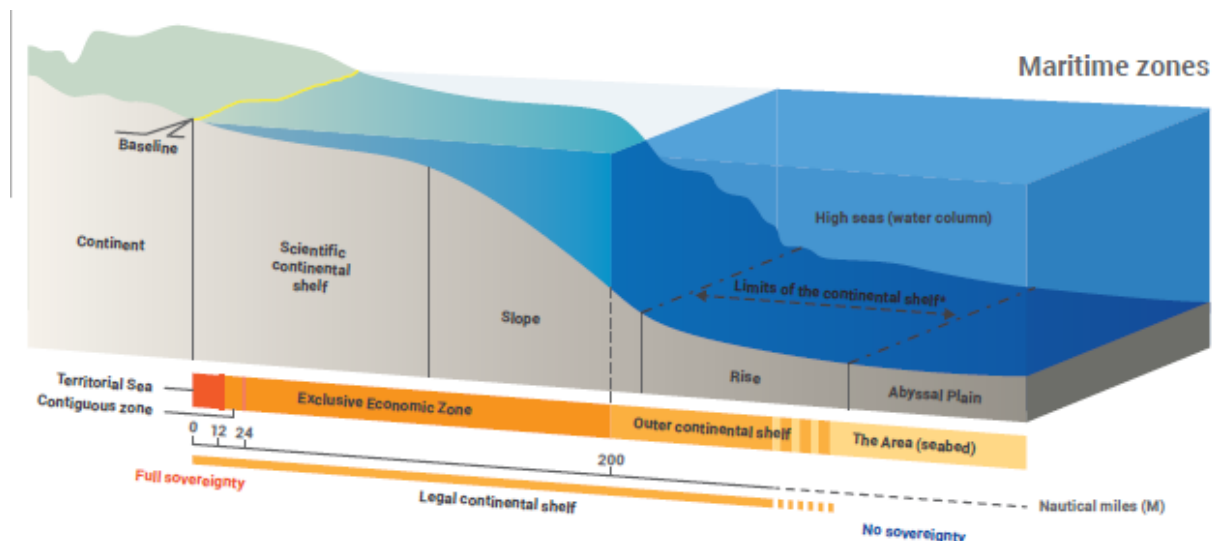


Figure 1: Maritime Zones established by UNCLOS. Both “The Area” and the “High Seas” fall under Areas Beyond National Jurisdiction. (*=The limits of the continental shelf extend to the outer edge of the continental margin or to a distance of 200 nautical miles from its baseline, with claims beyond 200nm needing to be confirmed by the Commission on the Limits of the Continental Shelf). Source for Figure: modified by the authors from original source, Riccardo Pravettoni, UNEP/GRID-Arendal, 2009.

2.2 Objectives of the BBNJ Treaty

Reflective of the collective ambition of all UN Member States, the objective of the Agreement is to “ensure the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, for the present and in the long term, through effective implementation of the relevant provisions of [UNCLOS] and further international cooperation and coordination.

The BBNJ Agreement seeks to fill gaps in the current UNCLOS legal framework by: establishing new legislations to govern marine genetic resources (MGRs) in ABNJ; clarifying thresholds and requirements for assessing the environmental impacts of activities; and setting up a decision-making process regarding the establishment of new area-based management tools (ABMTs).

As the third implementing agreement under UNCLOS, the BBNJ Agreement seeks to further implement and strengthen the UNCLOS framework, including its central obligation to protect and preserve the marine environment, through filling important governance gaps relating to activities in ABNJ. Years of complex international discussions yielded the four substantive parts that form the backbone of the Agreement. These are:

- **Marine Genetic Resources and their associated digital sequence information (DSI):** the BBNJ Agreement establishes a new legislation to govern the access, collection and utilisation of MGRs from ABNJ;
- **Area-based Management Tools:** the Agreement provides new processes and rules for States to agree to the creation of area-based management tools, such as high seas marine protected areas (MPAs);
- **Environmental Impact Assessments (EIAs):** the Agreement clarifies and improves existing rules under UNCLOS related to environmental impact assessments for activities on the high seas;
- **Capacity-Building and the Transfer of Marine Technology (CBTMT):** the Agreement promotes further cooperation and capacity-building related to the conservation and sustainable use of marine biodiversity and resources, with a focus on developing countries.

At the national level, the objectives of the BBNJ Treaty align with Fiji's National Ocean Policy and other national legislations and policies. Following Fiji's signature of the Treaty and eventual ratification the Ministry will conduct the necessary consultations with the relevant line ministries to ensure relevant national legislations and policies are amended, as necessary, through the proper processes to give effect to the BBNJ Treaty.

2.3 Benefits of the BBNJ Treaty

Economic Costs

The Treaty is expected to have a long term positive economic effects for Fiji. The health of the marine environment beyond Fiji's jurisdiction is integral to the sustainability of fisheries resources both within and beyond our jurisdiction. The successful implementation of the Agreement will support the ongoing sustainability of high seas fisheries and the significant economic benefits they provide for Fiji.

As the BBNJ Agreement only applies to areas beyond Fiji's jurisdiction, where there are limited activities by Fijians or Fiji companies, the impacts on and costs to domestic industry are expected to be limited. The primary economic benefit to Fiji of activities currently

taking place in ABNJ by Fijians or Fiji vessels is from high seas fishing activities. Fishing activities, and other sectoral activities such as shipping, are regulated by existing instruments, frameworks and bodies. As the Agreement is required to respect the competences of, and not undermine these bodies, it is not expected to have a major economic impact on these activities.

Environmental Costs

The BBNJ Agreement is expected to have significant positive environmental effects for the marine environment in ABNJ (as described in Section 2.5 of this Analysis). These effects include to protect, preserve, restore and maintain biological diversity and ecosystems, including with a view to enhancing their long-term sustainability, and strengthen resilience to stressors, including those related to climate change, ocean acidification and marine pollution. The BBNJ Agreement's provisions on ABMTs and EIAs will provide Parties with tools and processes to conserve and sustainably manage marine biodiversity in ABNJ.

This is expected to have positive environmental effects for Fiji's large maritime domain, as resilience of biodiversity in the high seas and deep seabed is intricately linked to the health of the marine environment within our own national jurisdiction.

The establishment of a comprehensive EIA framework for activities on the high seas and the deep seabed and a well-connected network of ecologically representative marine protected areas will also generate improved data upon which Fiji could base decision-making regarding conservation and sustainable use of marine biodiversity – both in and beyond Fiji's national jurisdiction.

There are no environmental costs to the Treaty Action.

Social and Cultural Costs

The legal status quo in the high seas is highly inequitable, where opportunities to explore, extract and acquire wealth from ocean-based resources are not fairly considered or distributed among nations. Currently, only a few wealthy nations possess the legal, institutional, or research capacities to access high seas areas, leading to disproportional benefits sharing from what is meant to be the 'global commons'.

As a source of new genetic and biochemical material, marine biodiversity in the high seas and deep seabed is at the frontier of global marine bioprospecting efforts and has a range of potential human health applications. If successful in its objectives of promoting transparency around biodiscovery activities in ABNJ and ensuring the fair and equitable sharing of benefits arising from these activities, society at large will likely benefit from important new technological and biomedical applications of MGRs from ABNJ.

Access and benefit-sharing of MGRs from ABNJ is particularly beneficial for developing countries. The Agreement aims to facilitate the full and effective participation of

developing countries – including Pacific Island States – in the conservation and sustainable use of marine biodiversity in ABNJ and in the sharing of knowledge from MGRs. Many Pacific countries have expressed interest in increasing accessing capacity-building and marine technology opportunities under the Agreement.

Lastly, food security and other socioeconomic objectives, including cultural values, will be supported through the protection of vital high seas biodiversity.

Effects on Traditional Knowledge and Indigenous Peoples and Local Communities (IPLCs) – *Qoliqoli* Owners

PSIDS have also supported the recognition of traditional knowledge and IPLCs acknowledging that some IPLCs can hold onto relevant traditional knowledge that may be able to unlock marine genetic resources and which can benefit all. The PSIDS want traditional knowledge and IPLCs to be properly reflected in the text and to ensure that their rights are properly protected when it comes to accessing the relevant traditional knowledge they have.

The Agreement also requires measures are taken that aim to protect traditional knowledge associated with MGRs in ABNJ. This will be relevant for *Qoliqoli* owners associated with MGRs from ABNJ, for example in relation to tuna species that migrate through the high seas.

2.4 Advantages and Disadvantages of Ratification of the BBNJ Treaty

Advantages of the Agreement entering into force for Fiji

By ratifying the Agreement, Fiji would gain full rights to engage in the Agreement’s decision-making processes. This would provide a significant benefit—granting Fiji a “seat at the table” to influence how the Agreement is implemented and how it interacts with other international frameworks and bodies. Notably, this includes its relationship with Regional Fisheries Management Organizations (RFMOs), the International Maritime Organization (IMO), and the International Seabed Authority (ISA).

This influence would enable Fiji to:

- Collaborate with other Parties on shaping proposals for new Area-Based Management Tools (ABMTs) in areas beyond national jurisdiction, ensuring these tools align with the UN Convention on the Law of the Sea (UNCLOS), serve their intended purpose, and reflect Fiji’s national interests—particularly in relation to the sustainable use of fishery resources;
- Advocate for Conference of the Parties (COP) decisions and recommendations to uphold the central role of UNCLOS, especially regarding the protection and sustainable management of marine biodiversity.

Early ratification would allow Fiji to fully participate from the outset, including having a vote at the first COP, where foundational decisions on implementing the Agreement will be made. This early involvement would give Fiji the opportunity to shape the development of procedural rules and institutional structures to ensure they reflect both the spirit of UNCLOS and the interests of Fiji and its Pacific partners.

Ratifying the Agreement would also reinforce Fiji’s strong commitment to UNCLOS and its leadership in the global effort to address the loss of marine biodiversity in areas beyond national jurisdiction. In doing so, Fiji would help protect several key strategic interests at both the national and regional levels.

Disadvantages of the Agreement

Fiji faces very few drawbacks in joining the BBNJ Agreement, with the primary concerns relating to the financial responsibilities associated with its commitments. Specifically, these include: contributing to the funding of institutions created by the Agreement and supporting Fiji’s active participation; paying an annual fee dedicated to capacity-building aligned with the Agreement’s goals; and covering the costs of developing new regulatory frameworks to fulfill requirements related to MGR, EIA, and ABMTs. However, it is anticipated that the costs of implementing these obligations domestically will remain low and can be managed within existing agency budgets.

2.5 Best Practices on PICs – Ratification of BBNJ Agreement

As of June 2024, **twenty-one countries** have signed and ratified the BBNJ Agreement. In the Pacific region, **three countries**—the Federated States of Micronesia (FSM), Palau, and the Marshall Islands—have completed the ratification process.

The Federated States of Micronesia was the first Pacific nation to sign the BBNJ Agreement on September 20, 2023, during the 78th Session of the United Nations General Assembly in New York. FSM deposited its instrument of ratification on June 3, 2024, becoming the seventh country to do so.

Palau deposited its instrument of ratification on January 22, 2024, becoming the first state to ratify the agreement.

The Marshall Islands, along with FSM and Palau, have actively participated in the BBNJ negotiations and have signed the treaty.

It is important to note that while FSM, Palau, and the Marshall Islands have ratified the agreement, other Pacific nations such as Fiji, Samoa, Solomon Islands, and Tuvalu have signed but have not yet completed the ratification process. The table below shows a summary of key issues and challenges identified by PICs that have ratified the BBNJ Treaty:

PICs	Palau	Federated States of Micronesia (FSM)
Key Issues	Protection measures – to be put in place to ensure protection of marine biological diversity in areas beyond national jurisdiction undertaken do not undermine efforts in areas within national jurisdiction.	Cultural Significance – BBNJ must reflect upon important cultural aspects of island living to endure that an internally legally binding instrument on the BBNJ will not undermine people's culture nurtured by centuries of close contact with the Ocean.
	Cooperation with other nations and organisations – required to monitor and enforce the BBNJ and to address other measures such as IUU fishing, pollution and other activities that harm marine biodiversity	Traditional Structures – Support for the recognition of traditional knowledge of indigenous peoples and communities.
Challenges	Unregulated Deep-Sea Mining-it will be ineffective to protect water column in the high seas and allow for countries to embark on unregulated deep-sea mining.	Inclusivity – treaty to be fair and transparent and reflect the collective ambition of member states to address global challenges including those facing people in the Pacific nation.
	Moratorium on deep sea mining-regulatory framework to be in place backed by science-based evidence.	Innovative – when it comes to ABMT, EIA, capacity building and the transfer of marine technology, in addressing the growing imbalance of opportunities and roles.
	Illegal, Unregulated and Unreported (IUU) – undermine economic stability and jeopardises marine biodiversity.	Sustainability – conservation and sustainable use of the BBNJ from the perspective of those Small Island States whose dependencies on the Ocean resources.
	Capacity Building and Transfer of Marine Technology – small island states lack necessary information	

	as well as scientific and technical capacity to conduct studies on the marine environment and fully implement the instrument.	
	Financing – securing financial resources and technical expertise to implement the BBNJ agreement effectively.	
	Monitoring – need for capacity to properly monitor, assess and manage marine biodiversity in areas beyond national jurisdiction.	

3.0 Committee Deliberation and Analysis

3.1 Oral and Written Evidence Received

The Committee received oral and written submissions from stakeholders and the public as listed in *Appendix A*.

3.2 Evidence received via written and verbal submissions

The Committee received sixteen (16) written and verbal submissions from invited stakeholders who have direct interest in the BBNJ Treaty. All the submissions received were extensively considered and deliberated upon by the Committee. It was noted that submissions received stipulated a range of comments and suggestions which cover various issues pertaining to the Articles of the Treaty.

3.2.1 The joint submissions by the Ministry of Foreign Affairs and the Office of the Solicitor General highlighted that the BBNJ (Biodiversity Beyond National Jurisdiction) Treaty is a landmark international agreement focused on protecting high seas biodiversity and promoting fair benefit-sharing from marine resources in areas beyond national jurisdiction. After 20 years of negotiations, it was unanimously adopted in 2023, with efforts ongoing to secure the 60 ratifications needed for it to come into force. For Pacific Island nations like Fiji, the treaty presents both opportunities and challenges—offering economic, environmental, and governance benefits, while requiring capacity building, legislative alignment, and sustained multilateral cooperation. Deep-sea mining, environmental protection, and equitable resource access are key focus areas, with Fiji playing a leading advocacy role in regional and global ocean governance.

3.2.2 The Ministry of Fisheries supports the BBNJ Treaty but raises concerns, especially about its lack of clarity regarding highly migratory species and potential contradictions in sovereignty provisions (e.g., Articles 5(1) vs. 11(4)). Fiji already complies with strict pollution control standards and is advancing sustainable practices like biodegradable longlines. The country emphasizes fair treatment of Small Island Developing States (SIDS) in genetic resource sharing and technological benefits. Fiji supports MPAs but notes a need for further discussion on how MPAs under BBNJ differ from traditional MPAs, especially concerning regulated fishing and emergency protections after natural events. Key challenges include genetic data management, funding, enforcement, and limited deep-sea research capacity. Fiji is learning from other Pacific nations but needs support to implement treaty goals fully. Fiji collects extensive tuna migration data but overfishing in high seas and sovereign rights over marine

genetic resources remain a concern. There is also limited deep-sea exploration, which falls under other ministries.

- 3.2.3 The submission from the Ministry of Lands and Mineral Resources core of the discussions centers on Fiji's cautious but strategic engagement with the BBNJ Treaty and the broader issues of deep-sea mining (DSM), marine biodiversity, and sovereignty over marine resources. While there is clear support for the treaty's objectives—such as conservation, equitable benefit-sharing, and protecting the high seas—the Committee raised critical concerns about gaps in the treaty, including contradictions around sovereign rights, and the lack of specific protections for highly migratory species vital to its fishing industry. Emphasis was also placed on the need for Small Island Developing States (SIDS) to benefit from genetic resource sharing, with calls for greater recognition of traditional knowledge and fair access to intellectual property derived from marine organisms.

At the same time, Fiji maintains a precautionary stance on deep-sea mining, highlighting the lack of environmental impact data, limited national capacity, and the importance of regional collaboration. The government has imposed a moratorium on mining, with only exploration activities allowed under strict scientific guidelines. The Deputy Chair, Hon. Sharma, voiced concerns over long-term environmental effects, the risks of exploitation, and the need for public consultation and technical transparency. The overall consensus was that while the treaty presents significant opportunities, it must be carefully implemented to protect Pacific interests, ensure sustainability, and avoid the pitfalls of unregulated marine exploitation.

- 3.2.4 The High Seas Alliance (HSA), a coalition of over 40 NGOs dedicated to the conservation of the high seas, has played a critical role in advocating for and shaping the BBNJ Agreement. Through strategic partnerships, particularly with Pacific Missions and stakeholders in New York, HSA has contributed to capacity building and consensus development around the treaty. The Alliance strongly supports Fiji's early ratification, recognizing the country as a leader in ocean governance and a model for other small island developing states. HSA continues its engagement across the Pacific through national workshops and outreach to encourage ratification and effective implementation.

The BBNJ Agreement, adopted in June 2023, is a historic step forward in international ocean governance. It addresses major gaps in high seas protection through mechanisms such as marine genetic resource sharing, marine protected areas, environmental impact assessments, and technology transfer. Key innovations include majority decision-making, a compliance and

implementation committee, and emphasis on precautionary and ecosystem-based approaches. The treaty aims to complement other global biodiversity goals, such as the 30x30 target under the CBD. Early ratification by Fiji would strengthen its role in international negotiations and help safeguard its marine resources from growing threats such as illegal fishing, pollution, and deep-sea mining.

- 3.2.5 The Ministry of Defence and Veteran Affairs, with support from the Republic of Fiji Navy, strongly supports Fiji's ratification of the BBNJ Agreement, emphasizing its alignment with Fiji's national and regional ocean conservation priorities. The Agreement provides a legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction, addressing key issues such as MGRs, MPAs, EIAs, and capacity-building. For Fiji, these provisions not only protect vital marine ecosystems but also secure equitable access to genetic resources and the scientific, technological, and economic benefits that arise from them. Importantly, the Agreement acknowledges traditional knowledge, reinforcing the value of Pacific Island communities' longstanding stewardship of marine ecosystems.

The submission stresses that early ratification will place Fiji among the first 60 countries required to bring the Agreement into force, allowing the nation to influence its foundational rules and policies. The Ministry recommends reviewing national laws to ensure alignment with the Agreement and calls for strengthened inter-agency cooperation to integrate BBNJ provisions into maritime security and enforcement efforts. Ratification would enhance Fiji's leadership in global ocean governance, support its climate and biodiversity goals, and enable access to financial and technical support. The Ministry concludes that the Agreement presents a historic opportunity for Fiji to secure its interests in high seas governance while contributing meaningfully to global marine conservation.

- 3.2.6 The Republic of Fiji Navy supports Fiji's accession to the BBNJ Agreement, recognizing its potential to enhance marine conservation, regional cooperation, and maritime security. The Agreement offers a framework for protecting biodiversity in areas beyond national jurisdiction—beneficial for ocean-reliant states like Fiji. Key advantages include improved conservation of shared marine resources, support for hydrographic data collection in deep-sea regions, strengthened regional partnerships, and enhanced enforcement capacity through better monitoring tools and international cooperation. The Agreement's capacity-building provisions will also boost Fiji's expertise in hydrography, marine monitoring, and maritime domain awareness (MDA), directly supporting national security and sustainable resource management. The Navy emphasizes

the strategic importance of areas west of Fiji, often subject to illicit activity, and sees the BBNJ as a tool to strengthen surveillance and governance over these high-seas pockets.

However, the submission also identifies several challenges. These include potential limitations on national sovereignty, financial and resource constraints for effective implementation, and the need for legal and institutional adjustments to align domestic laws with international obligations. The Navy recommends targeted mitigation strategies, such as amending the Marine Space Act to empower enforcement in ABNJ, securing international funding support, and enhancing inter-agency coordination and regional collaboration. Ultimately, the Fiji Navy affirms that the BBNJ Agreement aligns with Fiji's long-term maritime and environmental interests. With the right support structures in place, it represents a vital opportunity for Fiji to lead on ocean governance while safeguarding its strategic, economic, and ecological interests.

- 3.2.7 The University of the South Pacific (USP) highlighted that the implementation of the BBNJ Agreement presents multiple challenges for Fiji, particularly in developing robust EIA frameworks and managing ABNJ. Key issues include undefined EIA scopes, insufficient specialist capacity, and the absence of standardized procedures for screening, monitoring, and cumulative impact assessments. Resource limitations and dependence on external technical support hinder effective offshore enforcement and data collection. The lack of stakeholder engagement—especially with indigenous communities—and fragmented institutional coordination further complicate decision-making. Challenges such as legal complexity, funding constraints, scientific uncertainty, and balancing economic interests with conservation goals pose significant risks to effective governance. Fiji must also contend with sovereignty concerns, the under-documentation of traditional knowledge, and the need for coherent regional cooperation in high seas governance.

To overcome these challenges, the submission recommends that Fiji develop EIA guidelines tailored to BBNJ contexts while aligning with international best practices. Strengthening consultation processes, particularly with local and indigenous communities, is essential. National policies should incorporate the mitigation hierarchy and integrate social and ecological considerations into EIAs. Building cross-sectoral scientific and technical expertise through partnerships with academic and international institutions is critical for long-term capacity. Fiji should secure sustainable financing and leverage regional collaboration for enforcement and data-sharing. Additionally, declarations under the treaty could help safeguard Fiji's maritime boundaries and prior rights. By prioritizing inclusive governance, updated legal frameworks, and technological

capacity-building, Fiji can position itself as a regional leader in ocean governance under the BBNJ regime¹.

- 3.2.8 The presentation by Fiji National University (FNU) highlighted both the vital importance of marine biodiversity to Pacific livelihoods and the significant challenges ahead as Fiji engages with the BBNJ Treaty. Key concerns include the limited scientific capacity, funding constraints, and the need to build research infrastructure to effectively support the treaty's implementation. Despite existing biodiversity strategies like the National Oceans Policy and ongoing projects in coastal restoration, there is still a gap in resources to monitor and manage deep-sea activities, such as mining and fishing, which lie at the heart of the BBNJ framework. FNU representatives underscored the lack of expertise in marine sciences and biodiversity-related research as a barrier to fully understanding and protecting biodiversity in areas beyond national jurisdiction. Challenges are further compounded by increasing development pressures, population growth, and climate change, which threaten vital ecosystems like mangroves, coral reefs, and seagrasses.

As a way forward, the FNU team stressed the urgent need for strengthened capacity building, sustainable funding, and regional collaboration. They proposed integrating BBNJ-related topics into educational programs, promoting nature-based solutions, and leveraging international partnerships to build a stronger scientific foundation. Additionally, inclusive governance that embraces indigenous knowledge and community involvement was highlighted as essential for ensuring effective conservation efforts and equitable outcomes. By investing in research, supporting young scholars, and participating in global scientific networks, institutions like FNU can play a central role in ensuring the Pacific region not only complies with the BBNJ treaty but also leads in sustainable ocean governance.

- 3.2.9 The University of Fiji highlighted that Fiji's engagement with the BBNJ treaty is rooted in its leadership under the UNCLOS framework, which it ratified first in 1982. However, changing environmental conditions—such as sea level rise and the impact of carbon emissions—have revealed gaps in the original convention. The 2024 International Tribunal for the Law of the Sea (ITLOS) advisory opinion addresses these by expanding the definition of ocean pollution to include carbon emissions, urging all states to uphold environmental responsibilities. While Fiji maintains sovereign rights over its territorial sea, EEZ, and parts of its continental shelf, the high seas remain largely unregulated. The BBNJ treaty, which covers biodiversity beyond national jurisdiction,

¹ BBNJ regime is referring to the entire framework of rules, procedures, institutions, and agreements that govern how countries cooperate and manage biodiversity in areas beyond national jurisdiction.

introduces key themes such as marine genetic resources, marine protected areas, environmental impact assessments, and capacity building—areas where developing countries like Fiji face challenges in resources, technology, and enforcement capabilities.

Concerns were raised about reservations under Articles 10 and 70 of the treaty, which allow countries to exempt previously collected genetic resources from benefit-sharing obligations. Wealthier nations such as Korea and Spain have made such declarations, potentially limiting equitable access for developing states. Despite this, Fiji has been urged to ratify the BBNJ agreement without reservations to secure its role in global decision-making and marine conservation. This would also enhance its environmental leadership and align with its national goals for sustainable development. Academic institutions like the University of Fiji are poised to support implementation through interdisciplinary research and advocacy, particularly for vulnerable Pacific communities. Going forward, stronger collaboration, adequate funding, and increased scientific capacity will be essential for Fiji to navigate both the opportunities and inequities presented by the treaty.

- 3.2.10 The Ministry of Environment and Climate Change supports ratifying the BBNJ Agreement, which closes long-standing gaps in the United Nations Convention on the Law of the Sea (UNCLOS) regarding the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction (ABNJ). The submission highlights the challenges posed by fragmented ocean governance, environmental threats like species decline and pollution, and the exploitation of marine genetic resources in unregulated high seas. While Fiji has made national strides through marine spatial planning and environmental laws, transboundary impacts continue to affect its ocean health. The Agreement, 20 years in the making, offers a collaborative and science-based mechanism to manage shared marine resources. However, aligning national EIA procedures, harmonizing protected area legislation, and securing equitable benefits as a Small Island Developing State (SIDS) remain key implementation challenges.

The way forward calls for Fiji to become an early ratifier to influence decision-making during the upcoming Conference of Parties (COP) and ensure its priorities—such as capacity building, equitable benefit sharing, and SIDS recognition—are reflected in implementation. Fiji’s participation will also allow access to resources and marine technologies, support from a newly formed Secretariat, and alignment with regional partners like the Forum Fisheries Agency (FFA). The Agreement is comprehensive, encompassing marine genetic resources, marine protected areas, environmental assessments, and capacity building, effectively acting as four treaties in one. It complements rather than

conflicts with national laws and other multilateral environmental agreements. Fiji's proactive engagement, grounded in equity and sustainability, will reinforce its leadership in ocean governance and help shape global norms in the critical early stages of the treaty's life.

- 3.2.11 The Greenpeace discussed that in the face of worsening ocean degradation that is driven by overfishing, pollution, climate change, and emerging threats such as deep-sea mining, the BBNJ Agreement is hailed as a historic win for ocean conservation and multilateralism. Yet, this potential can only be realized if the treaty is urgently ratified and implemented equitably. For Fiji and other Pacific Small Island Developing States (SIDS), which depend deeply on ocean health for food, climate stability, and cultural identity, the stakes are existential. Challenges include ensuring the recognition of SIDS' special circumstances, securing adequate funding, protecting marine genetic resources, and operationalizing the agreement in line with traditional knowledge systems. Additionally, high seas governance remains underdeveloped, with less than 1% currently protected, despite covering nearly two-thirds of the global ocean.

The way forward calls for Fiji to build on its history of leadership—being the first to ratify UNCLOS and among the first to sign the BBNJ Agreement—by ratifying the treaty without delay and participating actively in the BBNJ Preparatory Commission (PrepCom). This early engagement will ensure Fiji's interests are well represented in shaping implementation frameworks, especially in areas like ocean sanctuaries, equitable benefit-sharing, and Indigenous knowledge integration. It will also allow Fiji to influence resource mobilization and governance mechanisms in preparation for the first Conference of Parties (COP). As the world prepares for UNOC in June and COP30 later this year, Fiji's prompt ratification would send a strong signal of continued global leadership in ocean conservation, helping to secure a resilient ocean future for generations to come.

- 3.2.12 The IUCN mentioned that the legal framework governing marine biodiversity in ABNJ has long been fragmented, with existing agreements like UNCLOS lacking the tools needed to effectively regulate and conserve these regions. In response, the BBNJ Agreement was developed over two decades and adopted in June 2023 to fill these legal and governance gaps. It establishes a binding global framework focused on four key pillars: marine genetic resources and benefit-sharing, area-based management tools including MPAs, EIAs, and capacity building with technology transfer. These mechanisms aim to protect biodiversity, promote equitable resource sharing, and enhance ocean resilience to climate change. However, the success of this agreement hinges on timely ratification and inclusive, equitable implementation that considers the special

circumstances of developing states, particularly Small Island Developing States (SIDS) like Fiji.

Fiji stands to gain significantly from the BBNJ Agreement by aligning its national marine policies with international frameworks, enhancing conservation outcomes, and accessing scientific, economic, and funding opportunities. Ratifying the treaty would solidify Fiji's leadership in global ocean governance and support national initiatives such as its 30x30 commitment and efforts to manage migratory species and high-seas fisheries. With technical assistance from partners like IUCN, Fiji can strengthen legal frameworks, integrate traditional knowledge into environmental assessments, and expand regional partnerships. This strategic engagement will enable Fiji to secure international funding, advance marine research, and influence treaty implementation from the outset—positioning the country as a key advocate for sustainable ocean governance and resilience across the Pacific.

- 3.2.13 The Pacific Ocean Commission (OPOC) has been a crucial coordinator in the BBNJ negotiations, providing strategic support to Pacific Island nations since 2014. OPOC's role has extended to organizing workshops, funding training, and facilitating regional capacity-building initiatives. In addition to helping Pacific nations engage effectively in the negotiations, OPOC also connected government delegates with regional and international experts, ensuring their participation in the negotiation process. Notably, it played a key role in ensuring thematic leads, such as Fiji, were represented in specific negotiation rooms to advocate for regional priorities. OPOC's continued support has helped ensure that 65 Pacific delegates have been able to participate in BBNJ discussions over nearly a decade.

As part of the Pacific Islands Forum Leaders' Decision of 2024, the Pacific Ocean Commissioner has been mandated to lead the region's efforts in ratifying and implementing the BBNJ Agreement. This agreement, adopted in June 2023 after over 20 years of negotiation, seeks to preserve marine biodiversity in areas beyond national jurisdiction, covering critical ocean spaces like the high seas and international seabeds. OPOC's ongoing work with regional governments has helped pave the way for the Pacific to play a significant role in shaping global ocean governance, with several countries in the region actively engaged in the ratification process. The ratification of the BBNJ Agreement is seen as a vital step in reversing ocean degradation and addressing climate change, biodiversity loss, and pollution.

- 3.2.14 The Bua Urban Youth Network from Bua Province also highlighted that the BBNJ Agreement is crucial for protecting the health and biodiversity of the high

seas—areas beyond national jurisdiction that make up two-thirds of the ocean and support countless marine species, many still undiscovered. These areas face serious threats such as climate change, pollution, overfishing, and habitat destruction, yet there is currently no comprehensive legal framework to manage activities there. The BBNJ Agreement aims to fill this gap, offering tools for conservation, sustainable use, environmental assessments, and the equitable sharing of marine genetic resources. For countries like Fiji, this is especially important as many local communities depend on marine ecosystems for food, livelihoods, and cultural identity.

Ratifying the BBNJ Agreement offers Fiji a range of benefits, including a stronger voice in global ocean governance and increased access to marine technologies and capacity-building opportunities. It supports national goals like sustainable development and environmental protection while reinforcing Fiji's leadership among Pacific Small Island Developing States. Economically, the agreement opens pathways for local communities to benefit from marine research and development, eco-tourism, and sustainable fisheries. The Bua Urban Youth Network urges swift ratification, emphasizing it as a vital step in safeguarding ocean resources for future generations and promoting global equity in the use and governance of the world's oceans.

- 3.2.15 During the Committee's public consultations held in Levuka, Rakiraki, Nadi, Savusavu, and Labasa, the majority of attendees from the general public expressed strong support for the ratification of the BBNJ Treaty. Some participants also emphasized the need for Fiji and other Pacific Island nations to consider extending their Exclusive Economic Zones (EEZ) beyond the current 200 nautical miles, in order to better protect areas that are not currently covered by legally binding agreements.
- 3.2.16 At the outset, PAFCO expressed appreciation for the rare opportunity to be included in discussions and raised significant concerns about the treaty's impact on the fisheries sector. One major issue highlighted was the lack of prior consultation and transparency on treaties that directly affect ocean and fisheries operations. PAFCO called for greater detail on how Marine Protected Areas (MPAs) under the treaty would affect tuna fishing, especially considering the highly migratory nature of tuna and the commercial risk if fish stocks become inaccessible due to new no-fishing zones. They emphasized the need to balance environmental goals with the immediate livelihoods of local industries and communities.

Further concerns were raised about the governance of the treaty, particularly the creation of a new authority despite the existence of regional bodies like the

Foreign Fisheries Agency and the Western Central Pacific Commission. PAFCO questioned the financial burden Fiji might face, especially with donor nations like the US reducing aid, and whether costs would trickle down to companies. There was also unease about regulatory overload, as existing compliance costs are already high. Questions were posed about how fishing licenses would be handled, the treaty's enforcement power, and the actual benefits Fiji would receive—particularly in trade. PAFCO warned that restrictions on migratory tuna routes could severely impact their 30,000-tonne processing capacity and livelihoods in places like Ovalau. Finally, they stressed the need for clearer guidance on Environmental Impact Assessments (EIAs) and raised the risk that overregulation could force companies out of business. They reiterated their willingness to engage further and submit written input to support informed decision-making.

- 3.2.17 The Uto Ni Yalo Trust supports Fiji's ratification of the BBNJ Agreement, emphasizing that it must reflect Pacific Island traditions, indigenous knowledge, and holistic governance approaches. Drawing on centuries-old voyaging practices and contemporary efforts like the *Sautu* Voyage, the Trust advocates for a transformative framework rooted in traditional ecological stewardship and spiritual values. The BBNJ Agreement should recognize the ocean as a living, interconnected system—not merely a resource—and integrate traditional navigation knowledge, ecological wisdom, and indigenous security concepts such as Sautu and "Ocean Peace" to counteract militarisation and corporate exploitation. It must also ensure Free, Prior, and Informed Consent for all ocean activities affecting Indigenous Peoples and Local Communities (IPLCs), pushing back against the risks of "blue colonisation" under the current Blue Economy model.

Furthermore, the Trust highlights the ocean's transboundary nature and the need for international cooperation in addressing global threats like plastic pollution, deep-sea mining, and climate change. Traditional territorial governance is insufficient for these challenges; instead, a multilateral, inclusive approach is required. By valuing indigenous leadership, traditional knowledge, and equitable resource management, the BBNJ Agreement can advance Sustainable Development Goal 14 and promote ocean governance that is just, sustainable, and resilient. The Trust calls on the Standing Committee to champion this vision, ensuring that the Agreement fosters diplomacy, cultural respect, and ecological integrity for future generations.

- 3.2.18 The Ocean Eco Alliance, a Pacific-led network dedicated to ocean health and sustainability, strongly support Fiji's ratification and implementation of the BBNJ Treaty as a critical step toward safeguarding marine biodiversity in areas

beyond national jurisdiction. This treaty not only aligns with Pacific youth’s call for inclusive, equitable, and intergenerational ocean governance, as outlined in our “Pacific Islands Youth Recommendations” but also offers a pathway for climate justice, sustainable resource management, and the protection of traditional knowledge. The Alliance has urged Parliament to prioritize ratification, integrate the Treaty into national policy, and ensure meaningful youth and community participation in its implementation, reaffirming Fiji’s leadership in regional and global ocean diplomacy.

3.2.19 A submission from Mr. Colatanavua, a member of the Paramount Chiefly Family of Beqa emphasized the deep cultural and spiritual connection Fijians have with the ocean, describing it as a source of mana, identity, and livelihood. The submission raised serious concerns about the threats posed by terrestrial and deep-sea mining, citing community resistance to projects such as the Namosi Joint Venture as evidence of public mistrust in current Environmental Impact Assessment (EIA) processes, which are perceived as biased. It called for the BBNJ Agreement to strengthen EIA systems through independent funding, neutral assessors, and public oversight, and stressed that protecting the ocean is not only an environmental necessity but also a cultural and existential imperative for Pacific communities.

3.3 Committee’s Analysis

The adoption of the BBNJ Treaty in 2023 marks a significant turning point in international ocean governance. This landmark treaty seeks to fill longstanding legal and regulatory gaps in the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction—commonly referred to as the high seas. For Fiji, a maritime nation heavily reliant on the ocean for food security, livelihoods, and cultural identity, the Treaty presents both profound opportunities and serious implementation challenges. A review of the various contributions from government ministries, academia, civil society, and the private sector reveals a generally supportive stance toward the Treaty, though it is tempered by critical concerns about capacity, sovereignty, economic implications, and institutional coherence.

At the heart of the official government position, the Ministry of Foreign Affairs and the Office of the Solicitor General characterized the BBNJ Treaty as a major diplomatic achievement and a tool for equitable benefit-sharing, conservation, and international cooperation. Their joint submission underscores Fiji’s potential leadership in ocean governance while acknowledging the practical demands of treaty implementation, such as capacity building and legislative harmonization. This view was echoed by the Ministry of Environment and Climate Change, which emphasized that the Treaty closes critical gaps left by UNCLOS and reinforces Fiji’s environmental leadership. Both entities

support early ratification as a strategic move that would grant Fiji influence during the formation of foundational rules at upcoming international conferences.

However, while the principle of the Treaty garners broad governmental support, several ministries raised cautionary flags. The Ministry of Fisheries supports the BBNJ Treaty but voices concern over its ambiguous treatment of highly migratory species, especially tuna, and apparent contradictions in sovereignty provisions. These concerns are particularly relevant given the economic significance of fisheries to Fiji. The Ministry of Lands and Mineral Resources similarly supports the conservation goals of the Treaty but stresses the need for stronger recognition of traditional knowledge and equitable access to marine genetic resources (MGRs). It also highlights the national moratorium on deep-sea mining (DSM), underscoring the risks posed by limited environmental impact data and scientific uncertainty. Together, these submissions reflect a precautionary but constructive stance, one that is deeply invested in the treaty's success, yet wary of potential unintended consequences.

From a security and governance standpoint, the Ministry of Defence and the Republic of Fiji Navy strongly endorse the Treaty, seeing it as an opportunity to enhance maritime surveillance, law enforcement, and ocean monitoring capabilities. Their position highlights the strategic importance of capacity-building provisions, particularly in hydrography and marine domain awareness. However, they too stress the need for legal reforms and resource mobilization to support effective implementation.

The perspectives of academic institutions, including the USP, FNU, and the University of Fiji, are grounded in research capacity and policy support. While supporting the Treaty's principles, these institutions focus on scientific, educational, and institutional barriers that could hinder its effective rollout. Key concerns include the absence of standardized environmental impact assessment (EIA) frameworks, lack of technical expertise in marine sciences, and insufficient documentation and integration of indigenous knowledge. They call for investment in research, education, and cross-sectoral partnerships to ensure Fiji can meet its obligations and benefit from the BBNJ's provisions. These contributions highlight the Treaty as not just a legal instrument, but a transformational challenge that requires a whole-of-society approach to governance and knowledge-building.

In contrast, the private sector, represented by PAFCO, takes a more cautious and critical view. While not outright opposing the Treaty, PAFCO expressed concerns about its economic implications for Fiji's fisheries sector. Central to its stance is the fear that Marine Protected Areas (MPAs), as envisioned under the Treaty, may restrict access to migratory tuna stocks and threaten livelihoods. It also criticized the lack of industry consultation during the treaty's drafting and questioned the need for new governance structures when regional bodies like the Western and Central Pacific Fisheries Commission already exist. These concerns are amplified by anxieties over funding cuts, regulatory overloaded, and the potential trickle-down effects on local businesses.

PAFCO's position serves as a reminder that stakeholder inclusion and economic balance are vital if the Treaty is to enjoy widespread domestic support.

Civil society organizations, such as Greenpeace, the High Seas Alliance, and the Bua Urban Youth Network representing Bua Province, adopt a more activist and future-oriented tone. These groups strongly endorse the Treaty and urge swift ratification to demonstrate Fiji's leadership and to secure long-term ocean health. They stress the existential stakes for Pacific Island nations in protecting high seas biodiversity against threats like deep-sea mining, climate change, and illegal fishing. Importantly, they advocate for equitable access to marine technologies, traditional knowledge integration, and global accountability. Civil society's contributions represent a moral and generational argument for the Treaty, positioning it as a tool not only for conservation but for justice and resilience in the face of climate and ecological crises.

The OPOC further underscores the regional dimension of Fiji's engagement. OPOC highlights its role in coordinating Pacific Island input into BBNJ negotiations and frames ratification as a collective regional priority. Through capacity-building and diplomacy, the Commission sees the Treaty as a means to reverse ocean degradation and support sustainable development, thereby aligning with broader Pacific Island Forum mandates.

Finally, public consultations across Fiji revealed widespread grassroots support for ratification, particularly from communities concerned about ocean degradation and eager for stronger marine protections. Suggestions even included extending Fiji's Exclusive Economic Zone (EEZ) to better safeguard adjacent marine areas.

In conclusion, the stance of Fiji's contributors on the BBNJ Treaty reveals a unified endorsement of its purpose, tempered by pragmatic concerns over implementation, sovereignty, economic viability, and capacity. While government bodies, academia, and civil society embrace the Treaty as a historic and necessary step forward, industry stakeholders highlight the importance of ensuring that environmental protections do not undermine local livelihoods or duplicate existing regulatory frameworks. Moving forward, Fiji's ability to translate its support into meaningful action will depend on inclusive governance, adequate financing, institutional coordination, and sustained regional and global partnerships. With these pillars in place, Fiji will not only comply with the Treaty but lead in shaping a sustainable future for the world's oceans.

3.4 Other Recommendations

During the consultation process, the Committee noted some of the important issues raised and are highlighted below:

1. That future BBNJ negotiations explicitly include the fishing industry, clarify legal ambiguities on sovereignty, and support pollution control through sustainable fishing practices like biodegradable gear. It also urges fair benefit-sharing mechanisms for Small Island Developing States (SIDS) and inclusive discussions on high seas Marine Protected Areas to ensure equitable access and representation (*reference to point 3.2.2*).
2. That local stakeholders spearheading the implementation of the BBNJ Treaty should utilize the Green Climate Fund (GEF) for treaty implementation, EIA frameworks and research infrastructure. Also, leverage support from NGOs (HAS, Greenpeace), regional bodies (OPOC, FFA) and donors for long-term sustainability (*reference to point 3.2.4*).
3. That review and amendment to laws specifically Marine Space Act, Fisheries Act to align with BBNJ obligations. Also, more clarity be provided on highly migratory species, sovereignty, and marine genetic resources to avoid legal conflicts in the future (*reference to point 3.2.5*).
4. That the Maritime Affairs Committee (MACC) create EIA procedures tailored for activities in ABNJ, incorporating cumulative impact assessments, mitigation hierarchy and social, ecological, and traditional knowledge considerations (*reference to points 3.2.5, 3.2.7 and 3.2.10*).
5. That due consideration be given to expand scientific and technical expertise by establishing partnerships with USP, FNU and the University of Fiji to build marine science capacity, develop hydrographic and deep-sea search infrastructure, support youth and indigenous researchers (*reference to points 3.2.7-3.2.9*).
6. That there is a need to mainstream BBNJ in National Education Curricula by introducing BBNJ topics in universities and schools to build awareness and future expertise (*reference to 3.2.7-3.2.9*).
7. That Fiji should review and, if necessary, update national laws and regulatory frameworks to ensure effective implementation of the Agreement, particularly regarding marine genetic resources, ABMTs, EIAs, and capacity-building (*general observation from all submittees*).
8. That Fiji should integrate BBNJ provisions into Fiji's maritime security strategies, enhancing inter-agency collaboration (e.g., Navy, fisheries, environmental

regulators) to effectively monitor and enforce the Agreement's provisions and combat illegal fishing activities (*reference to point 3.2.6*).

9. That Fiji should prioritize regional cooperation to share best practices and strengthen Fiji's capabilities in Maritime Domain Awareness (MDA) and other necessary areas to meet the obligations under the BBNJ Agreement, ensuring that Fiji can effectively manage its high seas resources (*reference to point 3.2.6*).
10. That Fiji should amend Fiji's national legislation (e.g., the Marine Space Act) to provide the Fiji Navy with the legal authority and resources needed for enforcing the BBNJ Agreement, particularly in surveillance and security of areas beyond Fiji's EEZ (*reference to 3.2.6*).
11. Though there is a lack of experts in-country to carryout EIA on development orientated initiatives in BBNJ and High Seas, there is provision in the BBNJ agreement to engage a pool of experts from the STB. Key thematic areas that the EIA may cover are:
 - i. Marine Biology and Ecology;
 - ii. Oceanography and Geology;
 - iii. Engineering and Technology;
 - iv. Environmental Law and Policy;
 - v. Risk Assessment and Management;
 - vi. Communication and Stakeholder Engagement; and
 - vii. Social- Cultural Heritage indigenous Traditional Knowledge.

4.0 Sustainable Development Goals and Gender Analysis

The BBNJ Agreement supports several SDGs, especially:

- SDG 14 – Life Below Water: Central to the BBNJ’s mission to protect marine ecosystems.
- SDG 13 – Climate Action: Supports Ocean resilience to climate impacts.
- SDG 10 – Reduce Inequalities: Through fair benefit-sharing of marine genetic resources.
- SDG 17 – Partnerships for the Goals: Promotes international cooperation, especially for developing nations.
- SDG 5 – Gender Equality: Indirectly involved, but increasingly relevant through calls for inclusive ocean governance.

While gender is not explicitly mainstreamed in the final text of the BBNJ Agreement, its implementation offers opportunities for gender-responsive approaches:

- Lack of Explicit Provisions: The agreement does not mandate gender equality or women's participation in decision-making, capacity-building, or benefit-sharing mechanisms.
- Opportunity for Inclusive Implementation:
 - Future negotiations, institutional frameworks, and national implementation can embed gender-sensitive policies.
 - Capacity-building initiatives could prioritize women in ocean science and governance, especially from developing countries and small island states.
- Gender and Ocean Knowledge: Women, particularly in coastal and Indigenous communities, have unique knowledge that could enhance marine stewardship and equitable benefit-sharing.

5.0 Conclusion

The Standing Committee on Foreign Affairs and Defence has fulfilled its mandate approved by Parliament which is to review the BBNJ Treaty and recommends that Fiji ratifies the Treaty.

6.0 Members' Signatures



Hon. Lenora Qereqeretabua
Chairperson



Hon. Rinesh Sharma
Deputy Chairperson



Hon. Ratu Isikeli Tuiwailevu
Member



Hon. Penioni Ravunawa
Member



Hon. Virendra Lal
Member

7.0 Appendices

All other written and transcribed evidences gathered during the public submissions and public consultations will be made accessible on the Parliament website on: <http://www.parliament.gov.fj/committees/standing-committee-on-foreign-affairs-and-defence/>

No.	Date	Oral or Written Submission	Ministries/Agencies
1.	Thursday 20.03.2025	Both	Joint Submissions by the Ministry of Foreign Affairs and Office of the Solicitor-General
2.	Monday 24.03.2025	Both	Ministry of Fisheries
3.		Both	Ministry of Lands and Mineral Resources
4.	Tuesday 25.03.2025	Both	High Seas Alliance (Virtual Submission)
5.		Both	Joint Submissions by the Ministry of Defence and Veteran Affairs and the Republic of Fiji Navy
6.	Wednesday 26.03.2025	Both	The University of the South Pacific (USP)
7.		Both	Fiji National University (FNU)
8.		Both	The University of Fiji
9.	Thursday 27.03.2025	Both	Ministry of Environment and Climate Change
10.		Both	Greenpeace
11.		Both	The International Union for Conservation of Nature (IUCN)
12.	Friday 28.03.2025	Both	Office of the Pacific Ocean Commissioner (OPOC)
13.	Monday 31.03.2025	Written Submission	Ocean Eco Alliance
14.	Thursday 03.04.2025	Both	Bua Urban Youth Network
15.	Tuesday 15.04.2025	Written Submission	Uto ni Yalo Trust
16.	Monday 07.04.2025	Public Consultation	Levuka Vaka Viti PAFCO
17.	Tuesday 08.04.2025	Public Consultation	Rakiraki Market Conference Room

18.	Wednesday 09.04.2025	Public Consultation	Nadi Town Council Chambers
19.	Thursday 10.04.2025	Public Consultation	Yaroi Village Community Hall
20.	Friday 11.04.2025	Public Consultation	Divisional Northern Conference Room
21.	Thursday 04.03.2025	Written Submission	Individual Submission: Ratu Felix Colatanavanua