

A number of elements regarding technology transfer and capacity-building could therefore be considered in the development of a future international instrument on the conservation and sustainable use of marine biodiversity in ABNJ, with international cooperation as their baseline (see *on Governance Principles*).

- x An international instrument would need to address both how the sharing of data and the sharing of technology should take place and whether this transfer should be voluntary or compulsory.
- x Whether technology transfer should have a broader outreach as a stand-alone provision within an international instrument or whether it should be specifically addressed within the context of capacity-building and non-monetary benefit-sharing

International cooperation is required for the development and transfer of marine technology through the facilitation of marine scientific research, technology transfer and funding.¹³ Programmes established by States in relation to technology transfer should be coordinated by competent international organisations.¹⁴ The UNCLOS also promotes the strengthening and establishment of national and regional centres for marine science and technology¹⁵ with training and research perspectives. The 2003 non-legally binding Criteria and Guidelines on Transfer of Marine Technology established by the Intergovernmental Oceanographic Commission (IOC) could additionally provide a discussion basis for the elaboration of technology transfer guidelines for ABNJ.

In 2003, the International Oceanographic Commission (IOC) adopted Criteria and Guidelines on the Transfer of Marine Technology.

Criteria include that

- Schemes should be developed to facilitate marine technology transfer;
- The transfer should be conducted on fair and reasonable terms and conditions, and
- Due regard should be paid to the needs and interests of developing States and the rights and duties of marine technology holders, suppliers and recipients.

Guidelines include that the IOC should establish and coordinate a clearing house mechanism for the transfer of marine technology to

- Provide access to relevant sources of information, practical experience and scientific and technical expertise;
- Promote regional or sub-regional focal points on the transfer of marine technology;
- Organize seminars, symposia and similar events; and
- Seek contributions on a trust fund to promote transfer of marine technology.

A State may submit to the IOC Secretariat an application for the transfer of marine technology, for forwarding to appropriate donors. The IOC has recently responded to the focus in Rio+20 on capacity-building by developing a Strategic Plan on Capacity-building.

¹³ Articles 270 and 273 of the UNCLOS.

¹⁴ Articles 272 of the UNCLOS.

¹⁵ Articles 275 and 276 of the UNCLOS.

