



Briefing Note: Principles of Equity in BBNJ

February 2023

Section of the Further refreshed draft text under consideration:

PART I: GENERAL PROVISIONS

Protecting our ocean is of vital importance to present and future generations. The need to think about the future has never been more urgent, as the ocean and its living resources – on which we all depend – are threatened by the cumulative impacts of human activities. Conservation and sustainable use of the ocean is a key nature-based solution to global crises like climate change, for example by safeguarding ocean carbon transport, storage, and sequestration services provided by the carbon cycle, and by protecting and enhancing ocean resources and ecosystem functions necessary for climate adaptation ([DOSI, Climate Change and Biodiversity Beyond National Jurisdiction 2023](#)).

These impacts – if unresolved – will not be felt equally: the most vulnerable will suffer the greatest hardship and loss. It is therefore essential to consider equity in developing this landmark instrument for marine biodiversity. **The instrument should explicitly include principles of intergenerational and intragenerational equity, as well as provisions on the equitable sharing of benefits.**

The principle of equity on the one hand and the fair and equitable sharing of benefits on the other represent two distinct concepts in international law. We propose that both provisions be included, and that

