



IUCN Briefing for BBNJ negotiators

Principle of Solidarity - Principles & Approaches, Part I, Article V

Proposal: In Article V of the revised draft text, include:

In order to achieve the objective of this Agreement, States Parties shall be guided by the following:

[...]

(x) a commitment to solidarity, States' affirmative obligation of mutual support in conserving and sustainably using marine biological diversity in areas beyond national jurisdiction

Key Message:

The international law principle of Solidarity has evolved primarily in the area of international security relations and human rights. However it has been used in a number of recent environment instruments and can be seen as underpinning many commitments to contribute to capacity building, technology transfer or the financing of international environment funds, like the Green Climate Fund or the Global Environment Facility (GEF) finance. Solidarity has intrinsic worth as a potentially valuable principle to guide the BBNJ Agreement, whose successful implementation will rely on the proactive commitment of States to work together, to assist one another, and to ensure that no part of the ocean and its biodiversity is neglected or overlooked.

Solidarity represents States' affirmative obligation of mutual support. Ocean biodiversity is connected across national and international waters, and across ocean basins, reinforcing motivations of national interest and public interest. In areas beyond national jurisdiction (ABNJ), Solidarity expresses the motivation to establish area-based management tools, including marine protected areas; to cooperate through international organizations to achieve shared objectives; to develop the capacity of States that request assistance; and to initiate cooperation, collaboration, and coordination with and between other legal instruments and frameworks and other global, regional, subregional and sectoral bodies.

While it can be seen as a principle guiding the common objective of the conservation of biodiversity in ABNJ by a variety of different means, it is also a principle that will be particularly important in times of disaster or emergency. While a State may not be individually, immediately affected by a harmful impact, Solidarity serves as a reminder of our shared present and our common future. It is a principle that connects other principles proposed in Article V of the BBNJ revised draft text, including intergenerational equity, stewardship, co-operation, and common concern.

Solidarity can be seen as a guiding motivation for the establishment of the Montreal Protocol Multilateral Fund as well as the Global Environment Facility (GEF) and the Green Climate Fund - the obligations to contribute to which (as the financial mechanisms of the 1992 UNFCCC) are included in Art 4(3) of the UNFCCC and Article 9 of the Paris Agreement. It is referenced in Article 3 of the UN Convention to Combat Desertification:

In order to achieve the objective of this Convention and to implement its provisions, the Parties shall be guided, *inter alia*, by the following:

[...]

(b) the Parties should, in a spirit of international solidarity and partnership, improve cooperation and coordination at subregional, regional and international levels, and better focus financial, human, organizational and technical resources where they are needed ...

The UN Millennium Declaration also refers to solidarity as a fundamental value, stating:

6. We consider certain fundamental values to be essential to international relations in the twenty-first century. These include:

...

Solidarity. Global challenges must be managed in a way that distributes the costs and burdens fairly in accordance with basic principles of equity and social justice. Those who suffer or who benefit least deserve help from those who benefit most.

For more information, see:

[BBNJ IGC4 Knowledge Series | IUCN](#)



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