

BLOG POST April 10th 2025

Return to New York to prepare for the implementation of the high seas biodiversity treaty

Authors

Julien Rochette

Director, Ocean programme

Klaudija Cremers

Senior Research Fellow, International Ocean Governance

Alexandra Oliveira Pinto

Research Fellow, International Ocean Governance

 Reading time: 4 min



Almost two years after the adoption of the Agreement to ensure the conservation and sustainable use of biodiversity in marine areas beyond national jurisdiction (BBNJ Agreement), the international community is mobilizing to bring the new cooperation framework to life for the management of this area, which represents more than half of the planet. Next week, against a backdrop of high international tension, the first session of the Preparatory Commission (PrepCom) responsible for preparing for the entry into force of the agreement will be held in New York. This is an important step in laying a solid foundation for the operationalization and implementation of the treaty and, more broadly, a test for multilateralism and the international community's ability to advance credible and sustainable solutions.

On 24 April 2024, the United Nations General Assembly adopted a Resolution that established a PrepCom with the aim of preparing for the entry into force of the BBNJ Agreement and making preparations for the first meeting of the Conference of the Parties (COP). The first of three sessions planned will be held in New York, at the United Nations headquarters, from 14 to 25 April. Discussions will focus in particular on three clusters of issues: 1) governance issues, 2) issues related to the Clearing-house mechanism and 3) financial rules, and financial resources and mechanisms ([IDDRI, 2025](#)).

Technical and strategic considerations

Firstly, States will discuss the mandates and operating procedures of the five subsidiary bodies created under the Agreement: the Committee on Capacity-Building and the Transfer of Marine Technology, the Committee on Access and Benefit-Sharing, the Finance Committee, the Compliance and Implementation Committee, and the Scientific and Technical Body. Although they may appear technical at first glance, these discussions are of major strategic importance: each subsidiary body created will be more or less operational, more or less effective, more or less useful for international cooperation, depending on the options chosen. Therefore, States should draw inspiration from existing good practices within the subsidiary bodies already established under other international agreements. For example, recent research has identified eight qualities that a scientific and technical body should possess in order to be effective, namely being multidisciplinary, inclusive, competent, influential, depoliticized, transparent, synergistic and dynamic.¹ Similarly, the BBNJ Implementation and Compliance Committee should allow for the participation of civil society, either as observers or as members of this committee.

The States will also have to consider the operational modalities of the Clearing-house mechanism (CHM), created by Article 51 of the BBNJ Agreement and designed as a "*centralized platform to enable Parties to access, provide and disseminate information*". Here again, experience within other international agreements (Convention on Biological Diversity, United Nations Framework Convention on Climate Change, Basel, Rotterdam and Stockholm Conventions, etc.) shows that the level of ambition and usefulness of such a mechanism varies considerably depending on the operational modalities adopted. For example, elements that will promote the effectiveness of the CHM include the accessibility of the data transmitted, the user-friendliness of the platform, the existence of human resources dedicated to its management and the capacity to make the link between the capacity building needs.

Finally, this first session of the PrepCom will have to start looking at funding issues, including questions regarding the implementation of the treaty, the strengthening of countries' capacities and specific programmes. In this regard, and beyond the arrangements with the Global Environment Facility (GEF), it is essential that this meeting, as well as subsequent ones, also explore modalities for the operationalization of the special fund established under Article 52 of the BBNJ Agreement, which will include payments coming from the sharing of monetary benefits arising from the use of marine genetic resources.

Reaching the 60 required ratifications

This first session of the PrepCom will therefore be an opportunity for States to have an initial exchange of views on these important issues, before the next sessions translate them into text. These technical exchanges will then make it possible to assess the ambition of the States for the operationalization and implementation of the treaty. In parallel, States and non-State actors organize informal events and meetings which will provide the opportunity to discuss how to make progress on various parts of the Agreement, such as the establishment of future marine protected areas on the high seas.

Finally, this meeting will also be an opportunity to gather momentum to reach the 60 ratifications needed for the Agreement to enter into force. To date, 21 countries have ratified the treaty.² The ratification processes often involve complex and cumbersome national procedures, many of which have been delayed due to the numerous national elections organised in 2024. During the SOS Ocean summit held in Paris at the end of March,³ French President Emmanuel Macron reiterated the objective of reaching these 60 ratifications by the Third United Nations Ocean Conference in Nice next June.⁴ The count-down has begun.

1

Gaebel, C. *et al.* (2024). "Institutionalising science and knowledge under the agreement for the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ): Stakeholder perspectives on a fit-for-purpose Scientific and Technical Body," *Marine Policy* 161.

2

<https://highseasalliance.org/treaty-ratification/table-of-countries/>

3

<https://www.elysee.fr/emmanuel-macron/2025/03/31/cloture-de-levenement-sos-ocean#:~:text=Le%20Pr%C3%A9sident%20Emmanuel%20Macron%20a,9%20au%2013%20juin%202025>

4

<https://unocnice2025.org/>

OCEAN

HIGH SEAS

NÉGOCIATIONS INTERNATIONALES OCÉAN