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The high seas biodiversity treaty: 60 ratifications and counting

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On Friday 19 September 2025, two years after its historic adoption by consensus and on the sidelines of the UN General Assembly's High-Level week, two African States, Sierra Leone and Morocco, helped reach the 60th ratification threshold for the entry into force of the Agreement on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction ([BBNJ Agreement](#)). The Agreement will make it possible to establish marine protected areas (MPAs) on the high seas, regulate activities related to the exploitation of marine genetic resources, create environmental impact assessment requirements for current and future human activities and support developing countries through capacity-building initiatives and marine technology transfer programs.

The adoption of the BBNJ Agreement in 2023 by consensus was widely regarded as a victory for diplomacy and multilateralism. The Agreement will officially enter into force on 17 January 2026, 120 days after the 60th ratification.¹ On average, recent multilateral environmental agreements have taken four years to move from signature to entry into force and those agreements focussing on ocean issues have even taken twice as long to get to this stage.² With that in mind, having reached 145 total signatories and entry into force of the Agreement in just two years is an incredible accomplishment for this historic agreement. However, 60 ratifications only marks the beginning. The BBNJ Agreement aspires to “achieve universal participation”.³ So far, the signatures and ratifications illustrate that we are heading in the right direction with all regions being represented.⁴

The first Conference of Parties (COP) will be held within one year after the treaty's entry into force and is therefore expected to take place in late 2026. Only parties to the Agreement, i.e. those who ratified or acceded to it, will be able to vote during COPs and can be represented in the treaty's subsidiary bodies. This makes it strategically important for States to become party to the Agreement before COP1 in order to secure a seat at the decision-making table. A new wave of ratifications can therefore be anticipated in the coming months. It is important to note that, under international law, while the treaty is only binding to those States who have ratified or acceded to it, signatory States, like the United States of America or China, are nevertheless obliged to “refrain from acts which would defeat the object and purpose” of the treaty.⁵

In the lead up to the entry into force of the Agreement, States have already held two Preparatory Commission (PrepCom) meetings at the UN headquarters in New York to set up the Agreement's institutional structure and prepare for COP1. States exchanged on the composition, terms of references and modalities of the treaty's subsidiary bodies, the operationalization of the clearing-house mechanism, and financial issues. They also started developing arrangements on the future cooperation between the BBNJ Agreement and existing regional and sectoral bodies. These discussions will continue during the PrepCom III meeting taking place from 23 March until 2 April 2026.⁶ The objective for this last PrepCom is to provide recommendations to COP1 on key institutional arrangements and practical operations to make the treaty operational as soon as possible. For example, the treaty establishes a Scientific and Technical Body (STB) with a key role in the designation of high seas marine protected areas (MPAs). To effectively support the adoption of these MPAs and thereby contribute to achieving the Kunming-Montreal 30x30 target, the STB must become operational without delay, with its mandate and composition clearly defined and agreed upon. Currently, only around 1% of the high seas is protected under MPAs. Similarly, the treaty provides for the creation of a Clearing-House Mechanism (CHM), a centralized, open-access platform intended to facilitate the sharing of information, the identification of capacity-building needs, and the coordination of support among Parties. Given its critical role in promoting transparency and cooperation, States are discussing interim arrangements for the CHM so that it is functional upon entry into force of the treaty.

In a complex geopolitical context, often unfavorable to multilateral environmental progress, as seen in Geneva this August on the plastic treaty negotiations, the entry into force of the BBNJ Agreement, just a few days after the WTO Agreement on Fisheries Subsidies came into force, shows that there is still a strong appetite for international cooperation on global challenges. A major milestone has been reached in protecting the long-overlooked half of our planet, and a new chapter—equally challenging—is about to begin with the implementation of the treaty.

¹ BBNJ Agreement, Article 68(1).

² Blasiak, R., Jouffray, JB. (2024). When will the BBNJ Agreement deliver results? npj Ocean Sustain 3, 21. <https://doi.org/10.1038/s44183-024-00058-6> .

³ BBNJ Agreement, preamble.

⁴ For a map of who has signed and/or ratified see: <https://highseasalliance.org/treaty-ratification/>

5 Vienna Convention on the Law of Treaties, Article 18.

6 Only States that have signed or ratified the Agreement will have decision-making authority from this meeting onwards while other States can participate as observers.