



BLOG POST March 17th 2026

Operationalizing the High Seas Agreement: Ongoing developments and next steps

Authors

Julien Rochette

Director, Ocean programme

Klaudija Cremers

Senior Research Fellow, International Ocean Governance

Lou Gindt

Intern, Ocean Team

🕒 Reading time: 4 min



Adopted in 2023 and in force since January 2026, the Agreement on Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ Agreement) is now entering its operationalization phase, with the first Conference of the Parties (COP) scheduled to take place before 17 January 2027. This period will combine formal negotiations with parallel initiatives aimed at making the governance framework for this vast area, which represents half of the planet, fully operational.

The BBNJ Agreement entered into force on 17 January 2026 following its 60th ratification ([IDDRI, 2025a](#)), and now counts 86 Parties. Universal participation is still not within immediate reach, yet there is a clear positive momentum. More countries are ratifying or preparing to ratify, and all regions are well represented among the Parties. Under the Agreement, the first COP must be held within a year of entry into force, thus before 17 January 2027.

Third Meeting of the Preparatory Commission

To prepare for this next stage, the UN General Assembly established a Preparatory Commission (PrepCom) ([IDDRI, 2025b](#)), supported by the Division for Ocean Affairs and the Law of the Sea (DOALOS), which is acting as the interim secretariat. The PrepCom is tasked with drafting recommendations on the agreement's institutional and financial arrangements, which will be submitted to COP1 for consideration to adopt. So far, discussions have focused on three clusters: (i) governance issues, (ii) issues pertaining to the operation of the clearing-house mechanism (CHM), and (iii) financial rules, and financial resources and mechanisms. Two PrepCom meetings were held in 2025, allowing States to exchange initial views. The third meeting, scheduled for 23 March to 2 April 2026, aims to finalize the recommendations, some of which are still in early draft form. Beyond the technical details, several issues will draw particular attention because of their direct impact on the Agreement's effectiveness ([IDDRI, 2026a](#)). These include the composition and working methods of subsidiary bodies (notably the Scientific and Technical Committee), the roadmap for rapidly operationalizing the CHM, and the voting rules. On this last point, the ongoing negotiations on the global plastic pollution treaty ([IDDRI, 2025c](#)) and the [first meeting of the "Chemicals Panel"](#) demonstrate that overcoming the traditional consensus approach—which seems particularly necessary in the current context to prevent cooperation systems from being paralyzed by a handful of countries—remains a source of tension between States.

Transparency will also be a central issue, as some countries wish to restrict observer participation in certain meetings.^{[1](#)} Delegates attending PrepCom 3 therefore face a substantial workload.

Coalitions for the creation of the First High Seas Marine Protected Areas

Alongside these formal discussions, an increasing number of countries are exploring the rapid implementation of the treaty's flagship provisions for establishing high seas marine protected areas (MPAs). Supported by scientists and NGOs, coalitions are forming around specific sites that could become the first generation of high seas MPAs. Examples include the [Salas y Gómez and Nazca ridges in the Pacific](#), and the [Canary-Guinea Current Convergence Zone in West Africa](#). The BBNJ Agreement sets out a dedicated procedure for submitting MPA proposals, including the preparation of a draft management plan.

Experience from existing MPAs, and from high seas governance more broadly, shows that a key factor in ensuring the implementation of management plans and associated regulations is the effective monitoring, control, and surveillance (MCS) of human activities. Implementing a compliance strategy in future high seas MPAs raises substantial challenges, particularly due to their remoteness and the practical impossibility to place a law enforcement officer behind every high seas user. However, solutions exist thanks to technological tools that have become more accessible due to falling costs, widespread availability of satellite data, and recent investment in artificial intelligence and related services. This is highlighted in a recent IDDRI guide ([IDDRI, 2026b](#)), which offers concrete recommendations to States and stakeholders supporting high seas MPA proposals on how to integrate these MCS tools in their draft management plan. The effectiveness of future high seas MPAs will undoubtedly be closely scrutinized, making it essential for States and coalitions to anticipate implementation challenges carefully.

On the Road to COP1

Therefore, PrepCom 3 is expected to be a pivotal moment, ideally concluding its work and laying the foundations for the Agreement's operational rollout. Beyond the formal negotiations on the three clusters, States will likely use the opportunity to exchange views on early MPA proposals, as well as on the future location of the BBNJ Secretariat, which must be decided at COP1. Three countries have submitted bids so far: Chile (Valparaíso), Belgium (Brussels), and China (Xiamen). More broadly, it remains to be seen whether, and how, the current geopolitical context will influence the discussions. It is already clear that, due to visa constraints and potential travel difficulties, some countries will likely be represented solely by staff from their permanent missions to the UN, who generally do not possess the same technical expertise on BBNJ matters as national experts.

1

<https://highseasalliance.org/wp-content/uploads/2025/04/Observer-Participation-HSA-Deep-Dive-Briefings-PrepCom-3-1.pdf>

OCEAN

NÉGOCIATIONS INTERNATIONALES OCÉAN

MARINE PROTECTED AREAS