

Oral report of the Co-Chairs of the BBNJ Preparatory Commission

Preliminary exchange of views on the issues for consideration at the second session of the Preparatory Commission

Delivered on 25 April 2025

The Preparatory Commission engaged in a preliminary exchange of views on the issues for consideration at the second session on 24 April. The exchange addressed the arrangements to enhance cooperation with relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies; reporting requirements; and operationalization of other provisions on financial resources and mechanism, on the basis of guiding questions shared by the Co-Chairs on 23 April.

Concerning arrangements to enhance cooperation with relevant instruments, frameworks and bodies (IFBs), the preliminary exchange of views emphasized the importance of such arrangements, and highlighted that they must reflect the relevant general provisions of the Agreement, namely to enhance cooperation with and promote cooperation among such IFBs in a way that does not undermine them and promotes coherence and coordination.

The varied nature of the cooperative arrangements contained in the Agreement was emphasized, while it was noted that these involved all institutional arrangements, including the Conference of the Parties, the secretariat and the subsidiary bodies. The need for the work under the Agreement and such IFBs to be mutually supportive and non-duplicative was emphasized. The need for IFBs to possess a reciprocal mandate to cooperate with the institutional arrangements under the Agreement was highlighted.

Discussions concerning first steps towards operationalization of cooperative arrangements produced a range of suggestions, including engaging in preliminary consultations, and developing an open-ended list of relevant IFBs under the Agreement, along with their mandates. Examples of existing processes of cooperation and coordination among IFBs were provided.

With regard to reporting requirements, there seemed to be convergence towards the importance of robust reporting to achieve transparency and support effective implementation of the Agreement. The diversity of reporting requirements in the Agreement was noted. In this regard, the need to find a balance between meaningful reporting and administrative burden was highlighted, particularly in light of the varying capacities of developing countries, with suggestions made concerning standardized formats, an electronic submission platform, such as through the Clearing-House Mechanism, and drawing on experiences under other instruments. The importance of capacity-building and financial assistance for developing countries to facilitate their compliance with reporting requirements was emphasized.

Regarding the operationalization of other provisions on financial resources and mechanism, the need for new, additional, stable, predictable, adequate finance, and a transparent and inclusive financial mechanism was underscored. The need for the effective participation of recipient countries in financial decision-making, and the need to take account of the special circumstances of small island developing States, as well as the needs of other categories of developing States, was emphasized. Interlinkages with the financial rules, as well as the arrangements for the secretariat, certain subsidiary bodies such as the Capacity-Building and Transfer of Marine Technology Committee, and with the Global Environment Facility (GEF) were also underscored.

Regarding arrangements to give effect to the provisions on the special fund, the importance of commencing work on its institutional architecture and modalities for operationalization, capitalization and allocation of funds was noted. It was suggested that inspiration could be drawn from the experience of funds under other instruments. It was also emphasized that arrangements should minimize administrative burdens and maximize accessibility to funds.

With regard to the establishment of the voluntary trust fund, it was suggested to build on the experience with the voluntary trust funds related to the United Nations Convention on the Law of the Sea and other instruments, while the need to ensure new, additional, predictable, adequate and sustainable funding was highlighted.

Regarding the scale of assessed contributions, support was reiterated for using the scale of assessed contributions of the United Nations as a basis, with suggestions made to adjust the range and cycle of contributions as appropriate.

There was broad support for including an additional item on the agenda of the second session of the Preparatory Commission on provisional guidance to the GEF for its ninth replenishment cycle. It was suggested that the Preparatory Commission, in advance of its third session, could seek the feedback of the GEF Council on the draft Memorandum of Understanding on arrangements with the GEF.

A suggestion was made to operationalize an additional fund to finance rehabilitation and ecological restoration of marine biological diversity of areas beyond national jurisdiction, as set out in article 52, paragraph 5, of the Agreement.

It was also suggested that work on financial resources and mechanism could be conducted intersessionally, between the second and third sessions of the Preparatory Commission.