



**Answers on behalf of the European Union and its Member States  
regarding the Guiding Questions on the arrangements to enhance  
cooperation with relevant legal instruments and frameworks and  
relevant global, regional, subregional and sectoral bodies (IFBs)**

**Preparatory Commission for the Entry into Force of the Agreement  
under the United Nations Convention on the Law of the Sea on the  
Conservation and Sustainable Use of Marine Biological Diversity of  
Areas beyond National Jurisdiction and the Convening of the First  
Meeting of the Conference of the Parties to the Agreement**

**Second session of the Preparatory Commission  
18-29 August 2025**

**Informal Working Group Discussions**

**20 August 2025**

*Check against delivery*

The European Union and its 27 Member States would first like to thank the co-chairs and the Secretariat for all their work and their insightful note on this complex issue.

### **[Preliminary remarks]**

We consider that establishing appropriate cooperation and coordination processes with and amongst relevant IFBs is a cross-cutting issue that is fundamental to the successful implementation of the Agreement. We believe that these arrangements should help promote coherence between actions carried out in different fora that contribute to the objectives of the BBNJ Agreement; and support relevant IFBs in working together and with the BBNJ Agreement. In our view, the objective is for the BBNJ to act as a catalyst between relevant IFBs, to build on rather than duplicate.

The EU and its Members State also believe that the balance found in Article 5 paragraph 2 should guide our work on this important topic: the Agreement must be applied in a manner that promotes coherence with relevant IFBs and that does not undermine those IFBs.

The EU and its Member States are also conscious that the cooperation arrangements to be established should cater to the different realities of IFBs.

### **[Questions 1]**

In light of the cross-cutting nature of the cooperation arrangements with IFBs, and in line with the mandate of this PrepCom, the EU and its Member States believe that the important discussions under this item should feed into the discussions we are having on specific aspect of the BBNJ institutional framework to be decided in the first CoP.

As provided in Articles 47(4) and 50(1), the cooperation mechanisms with IFBs in the rules of procedure, the terms of reference of subsidiary bodies, and the arrangements for the functioning of the Secretariat must be established during the first COP. These mechanisms thus require an early operationalization and would benefit from guidance or recommendations from this Preparatory Commission.

In contrast, specific cooperation mechanisms with regard to ABMTs, EIAs or benefit sharing require the prior establishment of specific subsidiary bodies, primarily the STB, and could thus require operationalization at a later stage once those bodies have been established and work on the relevant chapters has progressed.

In this regard, the Preparatory Commission could, notably through the participation of observers, guide future CoPs on elements to take into account when establishing the cooperation mechanism specific to each chapter of the Agreement. The EU and its Member States would like to thank those IFBs that responded to the Secretariat's call for input as well as for their useful side-events and interventions.

In our view, the discussion we are having here should contribute to the ongoing conversation with and between relevant IFBs on how to cooperate and coordinate towards the conservation and sustainable use of marine biodiversity in Area Beyond National Jurisdiction.

## **[Question 2]**

To create synergies between the BBNJ and IFBs, the EU and its Member States believe that it is important that the arrangements to be established ensure, 1) that IFBs are consulted with a view to reflect their work in BBNJ processes, and 2) that the BBNJ objectives are promoted in the decision-making processes of IFBs.

### *[CoP]*

The BBNJ CoP will play a major role in the cooperation between and amongst IFBs, by providing a forum to facilitate the sharing of information, by giving guidance to the Secretariat and subsidiary bodies on their respective engagements with IFBs and by considering and reviewing formal cooperation arrangements specified in the Agreement as well as future Memorandums of Understanding.

In light of the central role of cooperation between the BBNJ Agreement and relevant IFBs, the EU and its Member States consider it essential to ensure the participation of relevant IFBs, as observers, in all future CoPs, and to have a dedicated standing agenda point on cooperation and collaboration with IFBs. In this regard, the EU and its Member States consider that it is important that observers, including IFBs, that have participated in the IGC and PrepCom meetings are enabled to continue to attend CoP meetings.

With regard to the proposed rule 8bis, the EU and its Member States support its objective. We are open to further discuss what these arrangements for consultation would look like, and how this rule could complement the specific cooperation mechanisms to be established under the different chapters of the Agreement and Article 47(6)(c), which tasks the CoP with promoting, including by establishing appropriate processes, cooperation and coordination with and among relevant IFBs.

### *[Parties]*

As set out in the Agreement, Parties have a key role in promoting the BBNJ objectives when participating in the decision making and further work of relevant IFBs. Informal Party-driven processes, as mentioned in Section III.B of the Secretariat note, could go a long way to facilitate this conversation, and the EU and its Member States would support such initiatives where all ocean actors feel welcome.

### *[Subsidiary bodies]*

Concerning Subsidiary bodies, the Agreement foresees cooperation between the BBNJ subsidiary bodies and corresponding bodies of relevant IFBs. This cooperation is necessary to ensure that the expertise and work of IFBs is taken into account in the work of all the BBNJ subsidiary bodies.

Firstly, to ensure synergies and facilitate the sharing of information, the EU and its Member States consider it essential to ensure the appropriate participation of relevant IFBs, as observers, in subsidiary bodies.

Secondly, a flexible framework for collaboration between the BBNJ subsidiary bodies and the subsidiary bodies of relevant IFBs should be established to enable informal and more formal collaboration, through exchanges of information, working groups, task forces or other. Such collaborations could also be supported by Memorandums of Understanding including on the sharing of data. We believe that such arrangements can draw inspiration from already established cooperation mechanisms.

To support this flexible framework, the chair of each subsidiary body should be empowered to engage, with the support of the Secretariat, with the chairs of the subsidiary bodies of relevant IFBs in order to cooperate on matters within the limits of its subsidiary bodies' competence. To ensure accountability, reports to the CoP by subsidiary bodies on their activities should include a dedicated point on cooperation with IFBs.

Finally, to facilitate cooperation, build synergies and mutual understanding with and among IFBs, the STB should, among other, include expertise on conservation of marine biodiversity as well as in fisheries management and shipping. Similarly, the ICC should include expertise in fisheries management, monitoring and control and shipping, as they have specific and useful experience in monitoring compliance with international obligations in Areas Beyond National Jurisdiction.

### *[Secretariat]*

The BBNJ Secretariat will also play an essential role when it comes to cooperation with IFBs. In the Agreement, it is tasked to facilitate cooperation and coordination with the Secretariats of relevant IFBs. However, many of the BBNJ Secretariat's other tasks, such as providing administrative and logistical support to the CoP and the subsidiary bodies, arranging and servicing meetings, circulating information relating to the implementation of the Agreement, will require the Secretariat to exchange and engage with IFBs.

The Secretariat will thus have to continuously exchange and engage with several dozen organizations that vary widely in size, status, structure and resources. To ensure a smooth coordination, the EU and its Member States consider that the Secretariat should be given significant autonomy in its relations with IFBs to enable informal and more formal collaboration.

To support accountability, the report to the CoP of the Secretariat on its work and activities should include a dedicated point on cooperation with IFBs.

The EU and its Member States consider that the Secretariat should be empowered to:

1. facilitate the participation and consultation of relevant IFBs in the work of the CoP and of its subsidiary bodies;
2. provide, in a timely manner, information relating to the implementation of the Agreement, including transmitting CoP decisions and documents emanating from subsidiary bodies to the secretariats of relevant IFBs;
3. engage with the secretariats of relevant IFBs, to jointly consider and cooperate on matters that promote the objectives of the Agreement;
4. attend, develop, or participate in relevant working groups, committees, or inter-agency coordination mechanism, or joint activities of an ad hoc nature with IFBs that promote the objectives of the Agreement, under the guidance of the CoP;
5. engage with and negotiate Memoranda of Understanding with the secretariats of other relevant IFBs, as may be required to facilitate cooperation and coordination and for the effective discharge of its functions, subject to the guidance and approval of the CoP.

*[Clearing House Mechanism]*

The EU and its Member States consider that the CHM should take into account, in its development phase, the need to facilitate cooperation and the dissemination of information with, and among, the bodies of the Agreement and relevant IFBs.

In the context of its the early operationalization, the technical advisory group to be established should include experts from relevant IFBs. In addition to the organizations referred to in Article 51(4) of the Agreement, the advisory group could benefit from the expertise of Multilateral Environmental Agreements with functional Clearing House Mechanism.

Thank you very much for your attention.