



Statement on behalf of Global Fishing Watch to the Preparatory Commission for the Entry into Force of the BBNJ Agreement - Second session

Item 5 - Modalities for the operation of the Clearing-House Mechanism (Cluster II, Issue 7)

As we move closer to the implementation phase of the BBNJ Agreement, we underscore the critical importance of transparency as a foundational principle guiding all aspects of the treaty, particularly in the design, designation, and monitoring of Area-Based Management Tools (ABMTs). In line with Article 14.1 of the Agreement, which calls for the “promotion of transparency in decision-making processes,” we stress that only through open access to data, participation, and verifiable monitoring can ABMTs earn legitimacy and effectively contribute to the conservation and sustainable use of marine biodiversity beyond national jurisdiction.

Transparency is not only a matter of good governance, but a practical enabler of effective implementation. Article 19.1(d) explicitly mentions the role of publicly available information in monitoring, control, and compliance. For ABMTs to function effectively, States and stakeholders must have access to accurate, timely, and interoperable data on marine ecosystems, human activities, and enforcement efforts.

This is where the role of capacity building and the transfer of marine technology, as articulated in Part V of the Agreement, becomes indispensable. In particular, Article 44 emphasizes the importance of supporting developing States in building the technological, institutional, and human resource capacity necessary for implementing the Agreement’s objectives. To this end, cooperation with non-state actors, including NGOs and scientific institutions, is vital.

In this sense, the use of transparent, open-access technology (such as the Global Fishing Watch Map and Marine Manager tools) will become key to empower States and stakeholders for effective implementation of the Agreement’s provisions. The use of data to track fishing and other human activity, can support the development, monitoring and enforcement of ABMTs, especially in areas where national capacity is limited.

For the latter to be effective, robust arrangements to enhance cooperation with relevant IFBs are also required. Having draft terms of reference and modalities for all of the subsidiary bodies can aid in this objective, ensuring that these bodies be authorized to consult and collaborate directly with IFBs within their mandates, without needing COP approval for each engagement. Draft terms should also include modalities for uploading and downloading information, alert mechanisms or functions and data security measures, as well as standardised formats to allow data interoperability with IFBs databases.

In closing, we urge the Preparatory Commission to ensure that transparency is not treated as a procedural afterthought, but rather as a structural priority embedded in the Agreement’s institutional architecture. By operationalizing transparency through open data systems, capacity building, and inclusive cooperation with NGOs and technology providers, we can ensure that ABMTs deliver tangible outcomes for biodiversity and for the global commons.

Thank you.