

Debate Pack  
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# Ratification of the Global Ocean Treaty

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# 1 Background

A Westminster Hall debate on [Ratification of the Global Ocean Treaty](#), proposed by Kevin Foster through the Backbench Business Committee, is scheduled to take place on 25 April 2024.

The Global Ocean Treaty aims to establish a legal mechanism for marine conservation in international waters, as well as afford other protections to shared marine resources and the marine environment.

## 1.1 Marine conservation

The high seas (the open ocean, beyond the national jurisdiction of any country and considered international waters) make up around [50% of the Earth's surface](#), yet [only 1.2% are protected](#).<sup>1</sup>

In its 2022 update to its [Red List of Threatened Species](#), the International Union for the Conservation of Nature (IUCN) assessed that [nearly 10% of global marine species were found to be at risk of extinction](#).<sup>2</sup>

[Marine protected areas](#) (MPAs) are sections of the ocean where governments have placed limits on human activity. The conditions of MPAs depend on location and specific context: most MPAs allow people to use the area in ways that do not damage the environment, some ban fishing, and a few do not allow humans to enter the area at all.<sup>3</sup>

MPAs include marine parks, conservation zones, reserves, sanctuaries and no-take zones (areas in which fishing is banned). In 2023, they were estimated to [cover over 8% of the ocean](#).<sup>4</sup>

At present, there is no legislative basis for establishing MPAs in the high seas. The Global Ocean Treaty aims to establish a legal mechanism for MPAs in international waters.

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- <sup>1</sup> Nature, [UN forges historic deal to protect ocean life: what researchers think](#), 7 March 2023, (accessed 17 April 2024). Available via subscription.  
Natural History Museum, [Historic treaty to protect the world's oceans finally agreed](#), 6 March 2023, (accessed 17 April 2024).
  - <sup>2</sup> IUCN, [Press release: Human activity devastating marine species from mammals to corals – IUCN Red List](#), 9 December 2022, (accessed 17 April 2024).
  - <sup>3</sup> National Geographic, [The Importance of Marine Protected Areas \(MPAs\)](#), (accessed 18 April 2024).
  - <sup>4</sup> National Geographic, [The Importance of Marine Protected Areas \(MPAs\)](#), (accessed 18 April 2024).

## Existing UK work on marine conservation

The UK has undertaken widespread maritime conservation, both [around Great Britain](#) and more widely. The UK's [Blue Belt Programme](#) focuses on marine conservation across the UK's Overseas Territories. These territories are home to around 90% of the UK's biodiversity, including both unique and endangered species.<sup>5</sup> The UK is actively involved in the creation of MPAs within its territories, and its Blue Belt Programme has contributed to the [protection of over 4 million square kilometres \(km<sup>2</sup>\) of marine environment](#), equivalent to 1% of the world's ocean.<sup>6</sup>

This includes [over 687,000 km<sup>2</sup> in Tristan da Cunha](#) in the Atlantic Ocean, protecting sevengill sharks, rockhopper penguins, southern bluefin tuna and deep-sea coral reefs.<sup>7</sup>

In 2024, the government [expanded protections around South Georgia and the South Sandwich islands](#), with protection now covering an area eight times the size of Wales, creating corridors for migration of humpback whales, blue whales and fin whales.<sup>8</sup>

This conservation is possible because the UK has national jurisdiction for the marine biodiversity in these areas. However, the UK is unable to conserve marine life beyond its jurisdiction.

## 1.2

## The Global Ocean Treaty

The [Global Ocean Treaty](#) (also known as the High Seas Treaty) was agreed by UN negotiators on 6 March 2023, following over almost ten years of negotiations. It has yet to be ratified.

Its main aim is to ensure the “conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, for the present and in the long term”.<sup>9</sup>

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<sup>5</sup> HMG, [The Blue Belt Programme](#), 24 October 2017 (updated 28 September 2023), (accessed 18 April 2024).

<sup>6</sup> HMG, [World's most remote island helps UK exceed protected ocean target](#), 13 November 2020, (accessed 18 April 2024).

<sup>7</sup> HMG, [World's most remote island helps UK exceed protected ocean target](#), 13 November 2020, (accessed 18 April 2024).

<sup>8</sup> Pew Charitable Trust, [UK expands marine protections in South Georgia and the South Sandwich Islands](#), 26 February 2024, (accessed 18 April 2024).  
Great Blue Ocean, [“Humpback Highway” to Protect Returning Whales](#), (accessed 18 April 2024).

<sup>9</sup> United Nations, [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](#) (PDF), 19 June 2023, Article 2.

The Global Ocean Treaty will create a science and technical committee to oversee regulations and react to changing conditions in the oceans. Its high-level commitment is to [establish a mechanism to create marine protected areas](#) in the high seas.

This mechanism will provide the legislative framework required to place 30% of the world's oceans into protected areas by 2030, a key biodiversity pledge made at the [COP 15 UN biodiversity summit](#) in Montreal in 2022.

## Commitments made in the Global Ocean Treaty

- A mechanism to create marine protected areas (MPAs) in the high seas. The Treaty will allow for nations to establish MPAs by a majority vote of ratifying members if they cannot reach consensus, avoiding issues of stalemates.
- Sharing of marine genetic resources to ensure equitable access to science and to benefits from ocean discoveries. The Treaty establishes a benefit sharing committee, and calls for a standard batch ID to be added to genetic samples and subsequent patents or sales.<sup>10</sup>
- Capacity-building for developing nations, to ensure equitable access to science, technology, and marine genetic resources.
- Environmental impact assessments for activities on the high seas that are expected to have a substantial impact. The Treaty will not require new permits for research projects exploring the high seas.<sup>11</sup>

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<sup>10</sup> The Global Ocean Treaty calls for a standard batch identifier to be added to shared marine genetic resources and their products, to allow for transparency of the benefit chain and sharing of dividends.

<sup>11</sup> United Nations, [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](#) (PDF), 19 June 2023.  
Nature, [UN forges historic deal to protect ocean life: what researchers think](#), 7 March 2023, (accessed 17 April 2024).

## 1.3

## History of ocean biodiversity negotiations

The main international agreement on the oceans was adopted in 1982 and came into force in 1994: [The UN Convention on the Law of the Sea](#) (UNCLOS). This established the ‘high seas’ as international waters in which all countries can fish, ship and do research within, but did not include any specific protections for marine biodiversity.<sup>12</sup>

## Biodiversity of Areas Beyond National Jurisdiction

In 2015, the UN General Assembly decided to develop an internationally legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ).<sup>13</sup> In 2017, the UN General Assembly decided to convene an [intergovernmental conference](#) to develop this instrument, and in June 2023 [this conference adopted the agreement](#) under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.<sup>14</sup>

This BBNJ agreement, commonly referred to as the Global Ocean Treaty or High Seas Treaty, aims to provide a legal framework for establishing marine protected areas to protect from the loss of marine wildlife and share genetic resources of the high seas.<sup>15</sup>

Following its adoption, the Treaty is [open for signatures](#) from all UN States and regional economic integration organisations until September 2025.<sup>16</sup>

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<sup>12</sup> International Maritime Organisation, [United Nations Convention on the Law of the Sea](#), (accessed 17 April 2024).

United Nations Audiovisual Library of International Law, [United Nations Convention on the Law of the Sea](#) (PDF), 2008.

<sup>13</sup> UNGA resolution 69/292.

International Maritime Organisation, [United Nations Convention on the Law of the Sea](#), (accessed 17 April 2024).

<sup>14</sup> UNGA resolution 72/249.

United Nations, [Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction](#), (accessed 17 April 2024).

UN Digital Library, [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](#), 19 June 2023.

<sup>15</sup> United Nations, [Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction](#), (accessed 17 April 2024).

<sup>16</sup> United Nations Division for Ocean Affairs and the Law of the Sea, [UNCLOS: Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction](#), 18 April 2024, (accessed 19 April 2024).

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“30 x 30” refers to the goal to protect 30% of global biodiversity (on land and in seas) by 2030.

## 30 by 30 target

The UN Convention on Biological Diversity (CBD) aims to promote biodiversity conservation and includes a focus on identification of ecologically or biologically significant marine areas. In 2022, the [Kunming-Montreal Global Biodiversity Framework](#) (GBF) was adopted at the 15<sup>th</sup> conference of the parties (COP15).<sup>17</sup>

The Kunming-Montreal GBF included a target “to ensure that by 2030 at least 30% of terrestrial, inland water, and marine and coastal areas are effectively conserved and managed through ecologically representative, well-connected, and equitably governed systems of protected areas and other effective area-based conservation measures”. This is commonly referred to as the 30x30 target.<sup>18</sup>

The Global Ocean Treaty is [crucial to enforcing this 30 x 30 pledge](#), as without a treaty there would be no legal mechanism to set up marine protected areas on the high seas.<sup>19</sup> The UK has committed to 30 x 30, and is the leader of the 77 country [Global Ocean Alliance](#) which champions ocean action and conservation towards this target.<sup>20</sup>

## Sticking points in the negotiations

Agreement of the Global Ocean Treaty was a long process, with multiple different issues navigated by parties to the agreement of the Treaty

### Benefit sharing from marine genetic resources

Marine genetic resources refers to the potential for the genetic material of marine organisms to be used for valuable purposes, such as pharmaceuticals and cosmetics.<sup>21</sup> Marine genetic resources (MGR) fall outside the access and benefit sharing arrangements of wider international agreements (for example, the [Nagoya Protocol](#)).<sup>22</sup>

There is a large potential monetary value of MGR. Previous marine organisms have given rise to highly successful drugs, including

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<sup>17</sup> Convention on Biological Diversity, [COP15: Final text of Kunming-Montreal Global Biodiversity Framework](#), (accessed 18 April 2024).

<sup>18</sup> IISD Earth Negotiations Bulletin, [Blue Leaders High-Level Event on Biodiversity Beyond National Jurisdiction: Summary report](#), 7 March 2024, (accessed 17 April 2024).

<sup>19</sup> Natural History Museum, [Historic treaty to protect the world’s oceans finally agreed](#), 6 March 2023, (accessed 17 April 2024).  
Scientific American, [Who owns the ocean’s genes? Tension on the High Seas](#), 12 September 2022.

<sup>20</sup> HMG, [Global Ocean Alliance](#), (accessed 19 April 2024).

<sup>21</sup> KPMG, [Marine Genetic Resources](#) (PDF), December 2022.

<sup>22</sup> UN Convention on Biological Diversity, [The Nagoya Protocol on Access and Benefit Sharing, 6 September 2015](#), (accessed 17 April 2024).

UN CBD, [Nagoya Protocol](#) (PDF), 29 December 1993.

remdesivir (an antiviral drug used against Covid-19) and Halaven (an anti-cancer drug with annual sales of \$300 million).<sup>23</sup>

Countries who have the funds and technology to explore potential uses of MGR have historically argued for the right to patent and profit from these resources. However, developing nations (including the African Group of negotiators) argued that MGR profits, data and benefits should be shared, and [‘intense negotiations’](#) were reported from the conference.<sup>24</sup> Allegations of ‘biopiracy’ being carried out by wealthier countries split opinions across research communities, who expressed [concerns about restriction of access](#) to shared research areas in the high seas.<sup>25</sup>

In the final agreement, countries agreed that there should be fair and equitable sharing of benefits, that capacity-building should be undertaken for those countries who historically have been less capable of exploiting MGR, and that no state should claim sovereignty of MGR.<sup>26</sup>

### Fishing rights and deep sea mining

Issues surrounding fishing rights have also held up negotiations, with different regions refusing to compromise and [uncertainties in how the new Treaty body will interact with existing regional fisheries management organisations](#) (who are responsible for setting quote stocks for fishing).<sup>27</sup>

The Chief Executive of the National Federation of Fisherman’s Organisations recognised that “without a marine environment, we don’t have an industry”, but remained cautious about reduction in the size of fishing groups due to MPAs.<sup>28</sup>

Additionally, environmental groups, such as the IUCN, have [expressed concerns about deep sea mining processes harming marine biodiversity](#)

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<sup>23</sup> Scientific American, [Who owns the ocean’s genes? Tension on the High Seas](#), 12 September 2022.

<sup>24</sup> IISD Earth Negotiations Bulletin, [Blue Leaders High-Level Event on Biodiversity Beyond National Jurisdiction: Summary report](#), 7 March 2024, (accessed 17 April 2024).  
The Guardian, [High seas treaty: historic deal to protect international waters finally reached at UN](#), 5 March 2023, (accessed 17 April 2024).

<sup>25</sup> Nature, [Why a landmark treaty to stop ocean biopiracy could stymie research](#), 27 March 2020, (accessed 17 April 2024).

<sup>26</sup> IISD Earth Negotiations Bulletin, [Summary of the Resumed Fifth Session of the Intergovernmental Conference on an International Legally Binding Instrument under the UN Convention on the Law of the Sea on the Conservation and Sustainable Use of marine Biodiversity of Areas Beyond National Jurisdiction: 20 February – 4 March 2023](#) (PDF), 7 March 2023.

<sup>27</sup> The Guardian, [‘The most important talks no one has heard of’: why the high seas treaty matters](#), 28 February 2023, (accessed 17 April 2024).  
BBC News, [Ocean treaty: Historic agreement reached after decade of talks](#), 5 March 2023, (accessed 18 April 2024).

<sup>28</sup> Barrie Deas, Chief Executive of the National federation of Fisherman’s Organisations, as quoted in The Standard, [UK undermining its credibility at global ocean treaty talks, say campaigners](#), 24 February 2023, (accessed 18 April 2024).

[and ecosystems](#) through disturbing animal breeding grounds, creating noise pollution and releasing chemicals that are toxic to marine life.<sup>29</sup> Negotiations touched on equity of access to and use of shared resources, noting that actions to exploit the resources of the deep sea could have negative repercussions on developing countries, where livelihoods may be more closely linked to oceans (for example, negative impacts on fishing stocks could impact communities reliant on fishing).<sup>30</sup>

## 1.4 Next steps for the Global Ocean Treaty

Following the adoption of the Global Ocean Treaty, countries party to the Treaty must agree to be bound by this Treaty and undertake the legal rights and obligations contained in the Treaty.<sup>31</sup>

### Signatories and ratification

At least 60 countries need to ratify the Treaty for it to enter into force.<sup>32</sup>

Following its adoption, [the Treaty is open for signatures](#) from all UN States and regional economic integration organisations from 20 September 2023 to 20 September 2025. It is also open for signatories to ratify it (making their signatures legally binding) and will enter into force 120 days after the 60th instrument of ratification has been deposited (that is, once at least 60 countries have ratified it).<sup>33</sup>

At time of publication, the Treaty had 89 signatories. However, only four parties had ratified the Treaty (Belize, Chile, Palau, and Seychelles).<sup>34</sup>

### The UK's position

The UK has not yet ratified the Treaty. However, in March, Lord Richard Benyon (Minister of State for Climate, Environment and Energy), said that the UK was [reviewing what legislative changes are needed to comply](#)

<sup>29</sup> IUCN, [Issues brief: Deep-sea mining](#), May 2022, (accessed 17 April 2024).

<sup>30</sup> Financial Times, [Special report on managing climate change: High Seas treaty is a 'critical step' in protection of the oceans](#), 30 November 2023, (accessed 18 April 2024).

<sup>31</sup> United Nations, [Treaty Handbook](#) (PDF), 2018.

<sup>32</sup> United Nations Division for Ocean Affairs and the Law of the Sea, [UNCLOS: Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction](#), 18 April 2024, (accessed 19 April 2024).

<sup>33</sup> United Nations Division for Ocean Affairs and the Law of the Sea, [UNCLOS: Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction](#), 18 April 2024, (accessed 19 April 2024).

<sup>34</sup> United Nations Treaty Collection, [Law of the Sea: Agreement under the UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction](#), 19 June 2023 (updated 19 April 2024), (accessed 19 April 2024).



with the Treaty, and has offered to support developing countries conducting similar assessments.<sup>35</sup>

According to a statement from the Foreign, Commonwealth and Development Office, [primary legislation will be required](#) before the UK can ratify the Treaty (in order to ensure compliance with obligations imposed by the Treaty, in particular those on MGR and the conduct of environmental impact assessments). This legislation is anticipated in the first session of a new parliament after a general election.<sup>36</sup>

[Parliament has a statutory role in ratifying treaties](#), and the government must lay treaties before Parliament for 21 sitting days before it can ratify them.<sup>37</sup>

## 1.5

### Stakeholder commentary

Widespread reception of the Global Ocean Treaty has been positive. Some environmental groups have pushed for the UK to ratify the Treaty urgently.

The Treaty has been positively received by scientific bodies, with the Head of Marine Policy at the National Oceanography Centre calling its signing “[a significant moment for the future of the ocean](#)”, and noting that the agreement does not negatively impact the jurisdiction of other relevant bodies (such as the International Maritime Organisation’s remit on shipping or the management of fish stocks which are the responsibility of regional fisheries management organisations).<sup>38</sup>

The Director of Ocean Governance at the [Pew Charitable Trusts](#), a non-profit that campaigns on conservation, said that “it is a major accomplishment that the Treaty is completed – it is clearly a win”.<sup>39</sup>

### Environmental groups have called for urgent ratification

In evidence to the House of Lords [International Agreements Committee inquiry on the BBNJ agreement](#), environmental campaigners Greenpeace

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<sup>35</sup> IISD Earth Negotiations Bulletin, [Blue Leaders High-Level Event on Biodiversity Beyond National Jurisdiction: Summary report](#), 7 March 2024, (accessed 17 April 2024).

<sup>36</sup> [HC WS 738 16 October 2023](#).

<sup>37</sup> Commons Library briefing, CBP 5885 [Parliament's role in ratifying treaties](#).

<sup>38</sup> House of Lords International Agreements Committee, Biodiversity Beyond National Jurisdiction Agreement: [National Oceanography Centre- Written Evidence](#) (PDF), section 1.3.

<sup>39</sup> Financial Times, [Special report on managing climate change: High Seas treaty is a ‘critical step’ in protection of the oceans](#), 30 November 2023, (accessed 18 April 2024).

argued that “the UK government has a responsibility and an important role to play in ensuring the Global Ocean Treaty is a success. The government must now: ratify the Global Ocean Treaty into UK law without delay”.

In its evidence, Greenpeace note that “the Global Ocean Treaty could be ratified into UK law swiftly within this parliamentary session” and that the government could consent to provisional application of the Treaty.<sup>40</sup>

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<sup>40</sup> House of Lords International Agreements Committee, Biodiversity Beyond National Jurisdiction Agreement: [Greenpeace – Written Evidence](#) (PDF), 18 December 2023, HL 29, section 1.3.

## 2 Parliamentary material

### 2.1 Statements

Commons written statement: [UK Ocean Leadership](#)

HC Deb 25 March 2024 | HCWS382

Andrew Mitchell (Minister of State for Development and Africa, Foreign, Commonwealth and Development Office): My Noble Friend the Minister of State for Climate, Environment and Energy (Lord Benyon) has today made the following statement:

This statement provides an update on UK leadership and engagement on current international ocean issues.

The 2021 Integrated Review of Security, Defence, Development and Foreign Policy and its 2023 Refresh set out the UK's vision that by 2030 the ocean will be effectively governed, clean, healthy, safe, productive and biologically diverse, linking resilient and prosperous coastal communities around the world, and supporting sustainable economic growth for the UK, the Overseas Territories and the Crown Dependencies. Fundamental to this is an absolute commitment to upholding the United Nations Convention on the Law of the Sea (UNCLOS) in all its dimensions, as an essential enabler of global prosperity, security and a healthy planet.

The UK played a significant and proactive role in negotiating the landmark Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction, known as the BBNJ Agreement. The UK was one of the first to sign the Agreement on 20 September 2023 and is keen to see it enter into force as quickly as possible. 60 States or regional economic integration organisations must become party to the Agreement before it enters into force. To date the Agreement has gained 88 signatures and two ratifications.

The Agreement was laid before Parliament for scrutiny on 16 October 2023. Before the UK can ratify international agreements, legislation needs to be in place to ensure that new obligations can be complied with.

Work is continuing at pace to prepare UK legislation and the aim is to be able to implement and ratify in time for the UN Ocean Conference in June 2025 - an ambitious target date shared by other likeminded countries. The UK intends to play an active part in the first Conference of the Parties that will meet within the first year after the Agreement enters into force, and in the Preparatory Commission to be established by the United Nations to prepare for that Conference. The planned timeline for UK

legislation to enable ratification will ensure that the UK remains at the forefront of states working to effectively protect the ocean.

The provisions in the Agreement on Marine Genetic Resources and the fair and equitable sharing of benefits require a clear legislative framework, including substantive provisions in primary legislation. They create new obligations for UK business – in particular the pharmaceutical, nutraceutical, agricultural-technology, cosmetic and chemical sectors - and science and research, and thorough engagement with key stakeholders is underway to help to ensure that implementation is effective and avoids any unintended consequences.

The UK will continue to be proactive at the international level, in supporting other, particularly developing countries, with their implementation and ratification plans. A project has recently been agreed with the Commonwealth Secretariat to support smaller member countries with their implementation work. The UK is also launching work to develop a shortlist of potential Area Based Management Tools that could be proposed once the Agreement is in force.

More broadly, the UK is also fully engaged in negotiations to discuss the development of deep sea mining exploitation regulations, currently taking place at the International Seabed Authority (ISA) in Kingston, Jamaica from 18-29 March. On 30 October 2023, the UK announced that it supports a moratorium on the granting of exploitation licences for deep sea mining projects by the ISA and has been driving the need for strong enforceable environmental regulations, standards and guidelines to be developed by the ISA and put in place before any mining commences.

As a founding member of the High Ambition Coalition to End Plastic Pollution, the UK is committed to achieving an ambitious treaty by the end of 2024, with the aim of ending plastic pollution by 2040, including by restraining and reducing plastic production and consumption to sustainable levels, promoting a circular economy for plastic and to manage plastic waste in an environmentally sound and safe manner.

The UK Overseas Territories are home to around 90% of the UK's biodiversity and host a huge range of unique and endangered species, some of which are found nowhere else on earth. The UK-funded Blue Belt Programme – the largest of its kind in the world - protects 4.4 million square kilometres of ocean around the Overseas Territories, underpinning the UK's commitment to protecting 30% of the ocean by 2030. This flagship programme has been central to the UK Government's ambition of leading action to tackle the serious global problems of overfishing, species extinction and climate change.

The UK continues to Chair the Global Ocean Alliance of 77 countries and is ocean champion on the International Steering Committee of the High Ambition Coalition for Nature & People. Through these positions we are supporting implementation of the Global Biodiversity Framework in the ocean, in particular the target to effectively conserve and manage at least

30% of the ocean by 2030. The UK is already delivering on this target within its own waters. 38% of UK waters are included in a comprehensive network of Marine Protected Areas (MPAs) and within the UK Overseas Territories, over 60% of waters are protected and sustainably managed within the Blue Belt.

The UK will continue to play a leading role in the many organisations and initiatives that work to ensure the conservation and sustainable use of the ocean and in continuing to protect and promote the Blue Belt.

Commons written statement: [Update on the Marine Biodiversity of Areas beyond National Jurisdiction \(BBNJ\) Agreement](#)

HC Deb 16 October 2023 | HCWS1062

Andrew Mitchell (Minister of State for Development and Africa, Foreign, Commonwealth and Development Office):

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, known as the BBNJ Agreement, will be laid before Parliament today. In line with the process for international treaties in the Constitutional Reform and Governance Act 2010, the Agreement will be scrutinised for at least 21 sitting days. An Explanatory Memorandum setting out the key provisions of the Agreement will accompany the text.

The UK was one of the first countries to sign the BBNJ Agreement when it opened for signature at the UN on 20 September 2023. Lord (Tariq) Ahmad of Wimbledon, who signed for the UK, described it as “a major victory for ocean protection and multilateral diplomacy.” To date, it has attracted 82 signatures. 60 instruments of ratification are needed for the Agreement to enter into force.

Primary legislation will be required before the UK can ratify the BBNJ Agreement, to ensure compliance with obligations imposed by the Agreement. In particular, obligations on notification of the collection and utilisation of Marine Genetic Resources and associated Digital Sequence Information, and for the conduct of Environmental Impact Assessments for new activities in Areas Beyond National Jurisdiction. The work to allow for ratification is being led by the Ocean Policy Unit in the Foreign, Commonwealth and Development Office, working closely with Defra and other government departments. Input is also being sought from science, research, innovation and industry stakeholders to ensure that UK implementation of the Agreement is informed by expert advice. The views of UK civil society organisations are also being sought. Legislation is anticipated in the first session of a new parliament after a general election.

At the international level, UN General Assembly Resolution 77/321 of 2 August 2023 welcomed the adoption of the Agreement and called upon all States and regional economic integration organizations to consider signing and ratifying, approving, or accepting the Agreement at the earliest possible date to allow its entry into force. It also requested the UN Secretary General to strengthen the capacity of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat to undertake activities to promote a better understanding of the Agreement, to prepare for the entry into force of the Agreement and perform secretariat functions under the Agreement until such time as the secretariat to be established under Article 50 of the Agreement commences its functions. The Agreement was also placed on the General Assembly's agenda for the current session to consider next steps.

The UK supports the establishment of a Preparatory Commission or similar body to take forward work to prepare for the implementation of the Agreement and the first meeting of the Conference of the Parties once the Agreement enters into force. We will continue to play a proactive role in this international work, working closely with others and, in particular, supporting the participation of developing countries in this process, and in their implementation of the Agreement.

## 2.2

## PQs

### International Waters: Marine Protected Areas

Asked by: Khan, Afzal

To ask the Minister of State, Foreign, Commonwealth and Development Office, what steps he has taken with his international counterparts to create marine protected areas in the high seas in preparation for ratifying the Biodiversity Beyond National Jurisdiction Agreement.

Answering member: Mr Andrew Mitchell | Department: Foreign, Commonwealth and Development Office

The UK will continue to be proactive in preparing for implementation and entry into force and will work with international partners and stakeholders to identify potential areas for High Seas Marine Protected Areas. The UK is also funding a project to develop a shortlist of potential area-based management tools that could be developed into future proposals once the Biodiversity Beyond National Jurisdiction (BBNJ) Agreement comes into force.

HC Deb 27 March 2024 | PQ 19454

### Climate Change: Marine Environment

Asked by: Khan, Afzal

To ask the Secretary of State for Environment, Food and Rural Affairs, whether he has made an assessment of the potential connection between global ocean protection and mitigating the effects of climate change.

Answering member: Rebecca Pow | Department: Department for Environment, Food and Rural Affairs

The Government recognises that climate change and biodiversity loss, alongside other human pressures, are having a detrimental impact on ocean health. Ocean action can be part of our response to both challenges; protecting and restoring coastal and marine habitats can provide a wide array of benefits, including flood protection, improving biodiversity, carbon sequestration and supporting ecosystems to be more resilient to climate impacts.

The UK plays a leading role in advocating for nature and ocean to be embedded in global climate action. The annual UNFCCC Ocean and Climate Change Dialogue was established under our COP26 Presidency. At COP28, we worked with international partners to secure a negotiated decision for the first Global Stocktake which encouraged the strengthening of ocean-based climate action.

As Chair of the Global Ocean Alliance, the UK successfully led calls for ambitious and meaningful outcomes for the ocean from the Convention on Biological Diversity COP15. As agreed at that COP, the Kunming-Montreal Global Biodiversity Framework includes commitments to protect at least 30% of the global ocean by 2030, restore degraded ecosystems and to tackle the impacts of climate change and ocean acidification, with Parties noting the interlinkage between these targets.

The UK played a significant and proactive role in securing The Biodiversity Beyond National Jurisdiction (BBNJ) Agreement which will mean much greater protection for the two-thirds of the global ocean that lies beyond national jurisdiction. The Agreement will play a key role supporting the delivery of the Kunming-Montreal Global Biodiversity Framework, including helping to achieve the target to effectively conserve and manage at least 30% of the ocean by 2030.

Financed from the UK aid budget, the £500 million Blue Planet Fund supports developing countries to reduce poverty, protect and sustainably manage their marine resources and address human-generated threats across four interlinked key themes, one of which is climate change.

HC Deb 25 March 2024 | PQ 19453

[Biodiversity Beyond National Jurisdiction Agreement](#)

Asked by: Baroness Bennett of Manor Castle

To ask His Majesty's Government what steps they are taking to ratify the Agreement on Biodiversity Beyond National Jurisdictions; when they expect to be able to ratify the Agreement; and what discussions they have had with international partners to encourage other countries to ratify it.

Answering member: Lord Benyon | Department: Foreign, Commonwealth and Development Office

Work is in hand on the legislation and other measures needed to translate the detailed and complex provisions 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 (the BBNJ Agreement) into UK law before we can ratify the Agreement. Legislation will be taken forward when parliamentary time allows.

The UK continues to be proactive in supporting other, particularly developing, countries to implement and ratify the BBNJ Agreement. This includes contributing to the BBNJ Voluntary Trust Fund to enable participation by developing countries in UN discussions on preparatory work, and supporting the BBNJ Informal Dialogues, discussions that bring together participants from a wide range of countries online to discuss implementation. The UK also co-funded and organised a workshop for Association of Southeast Asian Nations (ASEAN) countries to share best practice and support the implementation and ratification of the BBNJ Agreement in the Philippines in November 2023. The UK is supporting a Commonwealth Secretariat project to provide technical assistance on implementation and ratification to smaller Commonwealth countries.

HL Deb 26 February 2024 | PQ HL2420

### [Biodiversity Beyond National Jurisdiction Agreement](#)

Asked by: Dyke, Sarah

To ask the Minister of State, Foreign, Commonwealth and Development Office, what recent progress his Department has made on ratifying the Biodiversity Beyond National Jurisdiction Agreement; and what his latest estimate is of the timescale for ratification.

Answering member: Mr Andrew Mitchell | Department: Foreign, Commonwealth and Development Office

The UK was pleased to be among the first signatories to the Biodiversity Beyond National Jurisdiction (BBNJ) Agreement when it opened for signature at the UN on 20 September 2023 and the Agreement was laid before Parliament for scrutiny on 16 October 2023. Work is in hand on



the legislation and other measures needed to translate the detailed and complex provisions of the Agreement into UK law before we can ratify the Agreement, which will be taken forward when parliamentary time allows.

HC Deb 26 February 2024 | PQ 14338

### Marine Protected Areas

Asked by: Ellwood, Mr Tobias

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what steps his Department is taking to support the development of proposals to establish new high seas marine protected areas under the Biodiversity beyond National Jurisdiction Agreement.

Answering member: Mr Andrew Mitchell | Department: Foreign, Commonwealth and Development Office

The UK was pleased to be among the first signatories to the Biodiversity beyond National Jurisdiction (BBNJ) Agreement when it opened for signature at the UN on 20 September 2023 and the Agreement was laid before Parliament for scrutiny on 16 October 2023. Work is in hand on the legislation and other measures needed to translate the provisions of the Agreement into UK law before we can ratify the Agreement. The UK will continue to be proactive in preparing for implementation and entry into force and will work with international partners and stakeholders to identify potential areas for High Seas Marine Protected Areas. The UK is also funding a project to develop a shortlist of potential area-based management tools that could be developed into future proposals once the BBNJ Agreement comes into force.

HC Deb 22 November 2023 | PQ 1475

### Biodiversity Beyond National Jurisdiction Agreement

Asked by: Thomas, Derek

To ask the Minister of State, Foreign, Commonwealth and Development Office, what steps the Government is taking to encourage other countries to ratify the Biodiversity beyond National Jurisdiction Agreement.

Answering member: Mr Andrew Mitchell | Department: Foreign, Commonwealth and Development Office

The UK continues to be proactive in supporting other, particularly developing, countries, to implement and ratify the Biodiversity beyond National Jurisdiction (BBNJ) Agreement. The UK has provided a significant contribution to the BBNJ Voluntary Trust Fund to enable participation by developing countries in UN discussions on preparatory work. The UK also continues to support the BBNJ Informal Dialogues, discussions that bring together participants from a wide range of countries online to discuss implementation. The UK also co-funded and organised a workshop for Association of Southeast Asian Nations (ASEAN) countries to share best practice and support the implementation and ratification of the BBNJ Agreement in the Philippines on 15-17 November.

HC Deb 21 November 2023 | PQ 2367

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## Further reading

- United Nations Division for Ocean Affairs and the Law of the Sea, [UNCLOS: Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction](#), 9 April 2024, (accessed 17 April 2024).
- Nature: npj Ocean Sustainability, [When will the BBNJ Agreement deliver results?](#), 3 April 2024.
- Nature, [UN forges historic deal to protect ocean life: what researchers think](#), 7 March 2023.
- Greenpeace, [Two-thirds of Brits demand government action to protect high seas a year on from Global Ocean Treaty](#), 1 March 2024.
- LSE Blog (Siva Thambisetty), [“The Oceans Treaty covers issues that connect us more than divide us”](#), 5 February 2024.
- Stockholm Environment Institute, [First to finish, what comes next? Putting Capacity Building and the Transfer of Marine Technology under the BBNJ Agreement into practice](#), 26 January 2024.
- Economist Impact, [Davos talks high seas treaty as first ratification in sight](#), 23 January 2024.
- UN Development Programme, [UNDP welcomes UN-Oceans Agreement on Biodiversity Beyond National Jurisdiction or the High Seas Treaty](#), 16 January 2024.
- Defra and FCDO, [\[Press release\] UK pushes protections for international marine biodiversity](#), 20 September 2023.

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