

Basic information	
2023/0353(NLE)	Procedure completed
NLE - Non-legislative enactments	
Agreement under the United Nations Convention on the Law of the Sea: conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction	
Subject	
3.15.01 Fish stocks, conservation of fishery resources 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity 3.70.18 International and regional environment protection measures and agreements	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Climate and Food Safety	MODIG Silvia (The Left)	04/12/2023
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	PECH Fisheries	MATIĆ Predrag Fred (S&D)	13/12/2023
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	SINKEVIČIUS Virginijus	

Key events			
Date	Event	Reference	Summary
12/10/2023	Preparatory document	COM(2023)0580 	Summary
26/03/2024	Legislative proposal published	07577/2024	
18/04/2024	Vote in committee		
19/04/2024	Committee report tabled for plenary, 1st reading/single reading	A9-0177/2024	
22/04/2024	Committee referral announced in Parliament		
24/04/2024	Decision by Parliament	T9-0337/2024	Summary

24/04/2024	Results of vote in Parliament		
17/06/2024	Act adopted by Council after consultation of Parliament		
19/07/2024	Final act published in Official Journal		

Technical information	
Procedure reference	2023/0353(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the EU TFEU 218-p6a Treaty on the Functioning of the EU TFEU 192-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/9/13412

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee opinion	PECH	PE758.196	20/03/2024	
Committee draft report		PE759.989	22/03/2024	
Amendments tabled in committee		PE760.940	11/04/2024	
Committee report tabled for plenary, 1st reading/single reading		A9-0177/2024	19/04/2024	
Text adopted by Parliament, 1st reading/single reading		T9-0337/2024	24/04/2024	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Legislative proposal	07577/2024	26/03/2024		
European Commission				
Document type	Reference	Date	Summary	
Preparatory document	COM(2023)0580	12/10/2023	Summary	

Final act			
Decision 2024/1830 OJ OJ L 19.07.2024			

Agreement under the United Nations Convention on the Law of the Sea: conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

2023/0353(NLE) - 12/10/2023 - Preparatory document

PURPOSE: to conclude, on behalf of the European Union, the agreement relating to the United Nations Convention on the Law of the Sea and relating to the conservation and sustainable use of marine biological diversity of areas not covered by national jurisdiction.

PROPOSED ACT: Council decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: since 2004, the EU and its Member States have been engaged in an international process with the United Nations (UN) with a view to developing the agreement relating to the United Nations Convention on the Law of the Sea and on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction (BBNJ Agreement).

Based on the relevant Council Decisions authorising the opening of negotiations on behalf of the EU, the Commission conducted negotiations from 2016 to 2023 with a view to concluding the BBNJ Agreement. The final text of the BBNJ Agreement was adopted by the BBNJ Intergovernmental Conference on 19 June 2023. The EU signed the BBNJ Agreement on 20 September 2023.

CONTENT: the objective of this proposal is for the Commission to obtain authorisation from the Council to conclude the Agreement under the United Nations Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (the BBNJ Agreement) on behalf of the European Union.

The BBNJ Agreement addresses the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. Such areas cover nearly two-thirds of the world's ocean and about 95% of its volume and comprise the high seas and the international seabed area.

The objective of the BBNJ Agreement 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, through effective implementation of the relevant provisions of UNCLOS and further international cooperation and coordination.

Under the BBNJ Agreement, Parties are to cooperate for the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, including through strengthening and enhancing cooperation with and promoting cooperation among relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies in the achievement of the objectives of this Agreement.

The Agreement covers four areas: (i) marine genetic resources, including questions on the sharing of benefits; (ii) measures such as area-based management tools, including marine protected areas; (iii) environmental impact assessments, and (iv) capacity-building and the transfer of marine technology.

The Agreement will:

- bring UNCLOS up to speed with the developments and challenges that have occurred in relation to marine biodiversity since the Convention's conclusion in 1982;
- support the achievement of the 2030 UN Agenda for Sustainable Development, in particular Sustainable Development Goal 14 (Life Below Water);
- help reach the goals and targets set under the Global Biodiversity Framework (adopted under the Convention on Biological Diversity), in particular the target to ensure effective conservation and management of at least 30% of the world's lands, inland waters, coastal areas and oceans by 2030;
- support the implementation of the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement.

Agreement under the United Nations Convention on the Law of the Sea: conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

2023/0353(NLE) - 24/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 556 votes to 36, with 38 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the European Union, 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.

Parliament gave its consent to the conclusion of the agreement.

As a reminder, the High Seas Treaty, or formally known as the Agreement on Law of the Sea in the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ), was concluded on 4th March 2023 in New York and adopted by UN Parties on 19 June 2023. It took almost 20 years to negotiate. It will have a game-changing impact on strengthening Ocean governance. It will do so in particular by promoting greater High Seas biodiversity conservation, as well as equity and Ocean justice through its provisions on financing, capacity-building, technology transfer, the equitable access and sharing of marine genetic resources and ensuring the interests and contribution of Indigenous Peoples and local communities are recognised.

The Treaty plugs many governance gaps in the ocean governance framework, especially as it provides a mechanism for identifying, establishing and managing representative networks of marine protected areas, while not undermining the mandate of competent organisations.

The Agreement covers four areas:

- marine genetic resources, including questions on the sharing of benefits;
- measures such as area-based management tools, including marine protected areas;
- environmental impact assessments;
- capacity-building and the transfer of marine technology.