## Basic information

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| **2025/0090(COD)**<br><br>COD - Ordinary legislative procedure (ex-codecision procedure)<br>Directive | Awaiting Parliament's position in 1st reading |
| Conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction<br><br>**Subject**<br><br>3.15.01 Fish stocks, conservation of fishery resources<br>3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity<br>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 | WIEZIK Michal (Renew) | 26/06/2025 |
| | Shadow rapporteur<br><br>POLFJÄRD Jessica (EPP)<br><br>BAJADA Thomas (S&D)<br><br>FRIGOUT Anne-Sophie (PfE)<br><br>JUNCO GARCÍA Nora (ECR)<br><br>NORDQVIST Rasmus (Greens/EFA)<br><br>ANDERSSON Li (The Left)<br><br>JONGEN Marc (ESN) | |

| Committee for opinion | Rapporteur for opinion | Appointed |
|---|---|---|
| PECH Fisheries | FOURREAU Emma (The Left) | 05/06/2025 |

### Council of the European Union

### European Commission

| Commission DG | Commissioner |
|---|---|
| Environment | ROSWALL Jessika |

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| European Economic and Social Committee |
| European Committee of the Regions |

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 24/04/2025 | Legislative proposal published | COM(2025)0173 | Summary |
| 07/07/2025 | Committee referral announced in Parliament, 1st reading | | |
| 20/10/2025 | Vote in committee, 1st reading | | |
| 22/10/2025 | Committee report tabled for plenary, 1st reading | A10-0205/2025 | |
| 12/11/2025 | Debate in Parliament | | |
| 13/11/2025 | Decision by Parliament, 1st reading | T10-0263/2025 | Summary |
| 13/11/2025 | Results of vote in Parliament | | |
| 13/11/2025 | Matter referred back to the committee responsible for interinstitutional negotiations | | |

## Technical information

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|---|---|
| **Procedure reference** | 2025/0090(COD) |
| **Procedure type** | COD - Ordinary legislative procedure (ex-codecision procedure) |
| **Procedure subtype** | Legislation |
| **Legislative instrument** | Directive |
| **Legal basis** | Treaty on the Functioning of the European Union TFEU 192-p1 |
| **Mandatory consultation of other institutions** | European Economic and Social Committee<br>European Committee of the Regions |
| **Stage reached in procedure** | Awaiting Parliament's position in 1st reading |
| **Committee dossier** | ENVI/10/02747 |

## Documentation gateway

**European Parliament**

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee draft report | | PE775.452 | 15/07/2025 | |
| Amendments tabled in committee | | PE776.923 | 09/09/2025 | |
| Committee opinion | PECH | PE774.485 | 17/10/2025 | |
| Committee report tabled for plenary, 1st reading/single reading | | A10-0205/2025 | 22/10/2025 | |
| Text adopted by Parliament, partial vote at 1st reading /single reading | | T10-0263/2025 | 13/11/2025 | Summary |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Legislative proposal | COM(2025)0173 | 24/04/2025 | Summary |
| Document attached to the procedure | COM(2025)0719 | 21/11/2025 | |

**National parliaments**

| Document type | Parliament/Chamber | Reference | Date | Summary |
|---|---|---|---|---|
| Contribution | ES_PARLIAMENT | COM(2025)0173 | 30/06/2025 | |
| Reasoned opinion | IT_CHAMBER | PE775.781 | 24/07/2025 | |
| Reasoned opinion | IT_SENATE | PE778.079 | 30/09/2025 | |
| Contribution | IE_HOUSES-OF-OIREACHTAS | COM(2025)0173 | 15/10/2025 | |

**Other institutions and bodies**

| Institution/body | Document type | Reference | Date | Summary |
|---|---|---|---|---|
| EESC | Economic and Social Committee: opinion, report | CES2043/2025 | 16/07/2025 | |

| Additional information | | |
|---|---|---|
| **Source** | **Document** | **Date** |
| European Commission | EUR-Lex | |

## Meetings with interest representatives published in line with the Rules of Procedure

**Rapporteurs, Shadow Rapporteurs and Committee Chairs**

| Transparency | | | | |
|---|---|---|---|---|
| **Name** | **Role** | **Committee** | **Date** | **Interest representatives** |
| CAMARA Mélissa | Shadow rapporteur for opinion | PECH | 02/09/2025 | FUNDACION OCEANA |
| BAJADA Thomas | Shadow rapporteur | ENVI | 17/07/2025 | European Bureau for Conservation and Development |

# Conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

2025/0090(COD) - 13/11/2025 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted, by 454 votes to 172 and 19 abstentions, **amendments** to the proposal for a directive of the European Parliament and of the Council on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction.

The issue has been referred back to the committee responsible for interinstitutional negotiations.

*Alignment with the text and spirit of the BBNJ agreement*

The proposal aims to implement the provisions of the Agreement concluded under the United Nations Convention on the Law of the Sea (UNCLOS) on the Conservation and Sustainable Use of Marine Biological Diversity in Areas Beyond National Jurisdiction (the BBNJ Agreement). In implementing the directive, Member States should duly consider the principles and approaches set out in the BBNJ Agreement. The directive should be implemented in a manner that does not undermine relevant legal instruments and frameworks, or the competent global, regional, subregional, and sectoral bodies.

*Subject matter*

Parliament clarifies that the directive establishes rules applicable to: (i) marine genetic resources and digital sequencing information, (ii) environmental assessments of planned activities falling within the jurisdiction or control of Member States, iii) as well as the creation and implementation of area-based management tools and emergency measures, in areas beyond national jurisdiction.

*Environmental assessments*

For activities for which an environmental impact assessment has been carried out in accordance with the requirements of other relevant international legal instruments or frameworks, Union law or competent global, regional or sectoral bodies, the Member States concerned should ensure (i) that the conditions set out in Article 29(4) of the BBNJ Agreement are met, (ii) that the environmental impact assessment report is published through the Clearing House, and (iii) that the activity for which the environmental impact assessment was carried out is monitored.

*Screening*

The Member State with jurisdiction or control of the activity should conduct a screening to determine whether the activity may cause **substantial pollution of or significant and harmful changes** to the marine environment, taking into account the precautionary principle, where there is scientific uncertainty.

When an environmental impact assessment of a planned activity is required, the environmental impact assessment report must also include, where applicable, a description of all impacts associated with the planned activity, such as economic, social, cultural, and human health impacts, including effects on food security, employment, and regional economies, in accordance with the BBNJ Agreement. Member States must ensure that impact assessment reports are prepared by **competent and independent experts** and require these experts to disclose any conflicts of interest related to their role and responsibilities.

*Decision-making*

The decision to authorise a planned activity should include, *inter alia*, a conclusion by the competent authority on the significant pollution or substantial and harmful changes that the planned activity is likely to cause to the marine environment and the main reasons for the authorisation. Member States should make publicly available all the conditions set out in the authorization of the proposed activity, including those relating to mitigation and compensation measures and follow-up requirements.

*Access to justice*

In line with the objective of implementing the Aarhus Convention, Member States should ensure that members of the public concerned have access to a review procedure when they have a sufficient interest in bringing an action or when they main an impairment of a right. For this purpose, the interest of any non-governmental organisation working for environmental protection and meeting the requirements of national legislation will be deemed sufficient.

The review procedure should be **fair, equitable, timely** and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, including injunctive relief. Practical information should be made available to the public on access to administrative and judicial review procedures.

*Establishment of area-based management tools*

Member States must submit to the Commission any draft proposal falling under Article 19 of the BBNJ Agreement or any emergency measure before sending it to the Secretariat. Upon receipt, the Commission will inform all Member States and communicate the draft proposal to them without delay.

Within 30 days of the deadline for Member States to submit comments, the Commission will present a **legal assessment** indicating whether the draft proposal or emergency measure received should be submitted to the Secretariat by the Commission on behalf of the Union.

If the assessment is positive, the Commission will submit the proposal to the Secretariat, either alone or jointly with the Member States concerned. If the Commission concludes that a draft proposal or emergency measure should not be submitted on behalf of the Union, the Member State (or group of Member States) may submit the proposal on its own behalf. Alternatively, a Member State, or a group of Member States, may submit a proposal for an emergency measure directly to the Secretariat under the BBNJ Agreement.

Lastly, the Commission and the Member States will need **to cooperate closely** and consult each other regularly during the preparation, evaluation and submission of proposals or emergency measures.

# Conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

2025/0090(COD) - 24/04/2025 - Legislative proposal

PURPOSE: to ensure the implementation of the Biodiversity Beyond National Jurisdiction' Agreement (BBJN Agreement) into EU law.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: 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) aims 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 the United Nations Convention on the Law of the Sea, to which the Union and its Member States are parties, and further international cooperation and coordination.

The proposed Directive should implement into EU law the obligations arising from the BBNJ Agreement in the area of the protection of the environment. Signed on behalf of the European Union in 2023, the Agreement will contribute to achieving the objectives set out in the Kunming-Montreal Global Biodiversity Framework. These include protecting at least 30% of the oceans by 2030 and increasing the sharing of benefits from genetic resources and digital sequence information.

The EU has committed to ratifying the BBNJ agreement before the UN Ocean Conference, which will be held in Nice in June 2025.

CONTENT: the proposal aims to implement the obligations arising from the BBNJ Agreement, in particular its general objective of ensuring the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction, for the present and long term.

By establishing a framework for uniform implementation of the Agreement across the EU, the proposal will prevent forum shopping across the EU and thus speed up permitting and administrative simplification.

Its specific objectives are to:

- ensure that EU **researchers**, notably those working in teams across the EU on MGRs of areas beyond national jurisdiction, are **not faced with unnecessary legal burden** potentially arising from an uneven implementation of international obligations under the BBNJ Agreement in the EU;

- ensure that the potential impacts on the marine environment of planned activities under the jurisdiction or control of Member States that take place in areas beyond national jurisdiction are **assessed** (through Environmental impact assessments) before the activities are authorised by the competent authority. This evaluation process should ensure transparency, accountability, broad public participation and fair conditions for all parties involved and avoid undue burden;

- ensure that proposals regarding the establishment of area-based management tools, including marine protected areas, are formulated on the basis of the **best available science and scientific information** and, where available, relevant traditional knowledge of indigenous peoples and local communities, taking into account the precautionary approach and an ecosystem approach and only after consulting stakeholders.

The proposed Directive will promote good governance and sustainability of the oceans, in line with the future European Pact for the Oceans.