
A BRIEF SUMMARY OF DEVELOPMENTS RELATED TO THE BBNJ PROCESS

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PURPOSE

To provide the Commission with a summary of the recent BBNJ meetings attended by the IOTC Secretariat and how they relate to the IOTC.

BACKGROUND

In 2025, the Commission adopted Recommendation 25/13 *On promoting the objectives of IOTC through cooperation with the BBNJ Agreement*. In order to address the responsibilities assigned to the Secretariat as outlined in the Recommendation, the IOTC Executive Secretary attended the second session of the BBNJ Preparatory Commission (PrepCom II) meeting in August 2025 and PrepCom III meeting in March/April 2026. This report provides a brief summary of those meetings. At the PrepCom meetings, the IOTC does not have a dedicated seat at the discussions and needed to participate as part of FAO. However, moving forward, FAO legal as well as the Secretariat of the BBNJ (UN DOALOS - ad interim) have expressed their view that IOTC should be able to attend the meetings in its own capacity and so this will be pursued accordingly.

CORE AREAS OF THE BBNJ PROCESS

The areas of focus of the BBNJ Agreement are as follows:

- a) Area-based management tools (ABMTs), including MPAs
- b) Environmental impact assessments (EIAs)
- c) Fair and equitable sharing of benefits arising from marine genetic resources
- d) Capacity building and transfer of marine technology (CBTMT)

The BBNJ process also includes a Clearing House Mechanism (CHM) to allow for the receiving and dissemination of data and information.

PREPCom II (18 – 29 AUGUST 2025)

The PrepCom II meeting covered the following topics:

- Rules of Procedure of the Conference of the Parties, Terms of Reference and modalities for the operation of, and rules of procedure for, the subsidiary bodies, Arrangements for the functioning of the secretariat, Financial Rules governing the funding of the COP and the funding of the secretariat and any subsidiary bodies;
- Arrangements with the GEF to give effect to the relevant provisions on funding;
- Selection process for the members of the Scientific and Technical Body and the other subsidiary bodies;
- Reporting requirements;
- Arrangements to enhance cooperation with relevant international instruments and frameworks and relevant global, regional, subregional and sectoral bodies (IFBs).

The session made progress across three clusters of issues: governance matters (including draft rules of procedure for the Conference of the Parties and terms of reference for subsidiary bodies), the Clearing-House Mechanism, and financial rules and resources (including arrangements with the Global Environment Facility). The Co-Chairs noted emerging convergence on several elements, including secretariat arrangements, reporting requirements, and a special fund, while acknowledging that significant work remains before the Agreement's entry into force in 2026. An important development of interest to the IOTC was the acknowledged importance of instruments, frameworks and bodies (IFBs), a term which includes RFMOs. This was highlighted by the paper "[Arrangements to Enhance](#)

[Cooperation with IFBs](#)” prepared by the Secretariat. The parties agreed that engagement and collaboration with IFBs would be important for the successful implementation of the Treaty.

At the meeting, the IOTC Executive Secretary made a statement on the floor on the importance of cooperation and coordination with IFBs, feeding off the discussion on the subject in plenary. The statement expressed IOTC’s support for the BBNJ Agreement and outlined our ongoing efforts, including science-based fisheries management, transparency in reporting, and capacity building for developing states, to conserve marine biodiversity in the Indian Ocean. It also noted IOTCs need to collaborate with other tuna RFMOs, states parties, and global institutions to ensure the BBNJ Agreement complements rather than duplicates existing fisheries governance frameworks. The IOTC Executive Secretary also contributed to several side events on RFMOs and the BBNJ process and liaised with various states, and stakeholders to discuss RFMO engagement in the BBNJ process.

Documents were prepared by the co-Chairs and Secretariat to facilitate the discussions, and are available here: [Second session \(18-29 August 2025\) | Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction](#)

PREPCom III (23 MARCH – 2 APRIL 2026)

The PrepCom III meeting was held following the entry into force of the BBNJ treaty on 17 January 2026. Its core mandate was to prepare draft decisions and documents on institutional and financial matters to pave the way for the first Conference of the Parties (COP1, expected in January 2027). Key tasks included;

- Finalizing rules of procedure for the COP;
- Terms of reference for subsidiary bodies;
- Financial rules;
- Arrangements for the Secretariat (including selecting its permanent seat from candidates Belgium, Chile, and China);
- Operationalizing the Clearing-House Mechanism (CHM);
- Establishing a framework for cooperation with relevant international bodies (IFBs).

The results were mixed. Delegates reached agreement on several important matters, including the processes for operationalizing the CHM and the Special Fund, a draft memorandum of understanding with the Global Environment Facility, and decision-making modalities for COP1. However, significant disagreements persisted on the rules of procedure for the COP, the terms of reference for subsidiary bodies, and financial rules, all of which were forwarded to COP1 with bracketed provisions still unresolved. On the specific question of IFBs, delegates discussed a draft decision guiding all cooperation with IFBs, emphasizing a gradual and strategic approach prioritizing bodies whose mandates directly intersect with the Agreement’s objectives, promoting equity and inclusiveness, and maintaining flexibility for cooperation arrangements to evolve over time. Some tensions arose over language deemed overly prescriptive, particularly around requiring Parties to consult IFBs on their capacities and coordinate with their work cycles, which some delegations viewed as burdensome. A group of states even suggested bracketing the entire IFB cooperation text for COP1, though a revised draft was ultimately reviewed and put forward for discussion.

Documents and other relevant papers from the meeting can be found [here](#).

CONCLUSION

The PrepCom meetings have now completed and the next meeting regarding the BBNJ will be the COP1 in January 2027. Although much progress has been made, there is still a great deal of work to be done to reach agreement on the operationalization of the BBNJ Agreement. Of most relevance to the IOTC, although there is broad agreement that IFBs are important to the process moving forward, the exact mechanism for collaboration has yet to be determined. A great deal of text in the above mentioned Terms of Reference and Rules of Procedure is still to be agreed. Until this has been completed, it is difficult to draw any firm conclusions on the modalities required and

what will be expected of the IOTC. The Secretariat will continue to stay engaged in the process and report back to the Commission on all future developments.

RECOMMENDATION/S

That the Commission:

- 1) **NOTE** paper IOTC-2026-S30-13 which provides an update to the Commission on the developments related to the BBNJ process.