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## **Preparatory Commission for the Entry into Force 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 and the Convening of the First Meeting of the Conference of the Parties to the Agreement**

**Second session**

New York, 18–29 August 2025

### **Arrangements to enhance cooperation with relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies**

**Note by the Secretariat**

#### **I. Introduction**

1. 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 provides for cooperation with relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies, encompassing various aspects. The relationship between the Agreement and relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies is specified in article 5 (2), indicating that it shall be interpreted and applied in a manner that does not undermine those instruments, frameworks and bodies, and that promotes coherence and coordination therewith. Parties are required, pursuant to article 8 (1), to cooperate under the Agreement 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 the Agreement. Pursuant to article 8 (2), Parties shall endeavour to promote, as appropriate, the objectives of the Agreement when participating in decision-making under such instruments, frameworks and bodies. With regard to arrangements to enhance cooperation, specifically pursuant to article 47 (6 (c)) of the Agreement, the Conference of the Parties shall promote, including by establishing appropriate processes, cooperation and coordination with and among relevant legal instruments



and frameworks and relevant global, regional, subregional and sectoral bodies, with a view to promoting coherence among efforts towards the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

2. The Preparatory Commission established by the General Assembly in resolution [78/272](#) to prepare for the entry into force of the Agreement and the convening of the first meeting of the Conference of the Parties to the Agreement, at its first session, held from 14 to 25 April 2025, adopted its programme of work.<sup>1</sup> The programme of work was prepared by the Co-Chairs, in consultation with the Bureau, on the basis of the three clusters of issues discussed by the Commission during its organizational meeting, in June 2024. Cluster I, entitled “Governance issues”, included “Arrangements to enhance cooperation with relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies”, identified in the programme of work as an issue for consideration by the Commission at its second session. At the first session, the Commission held a preliminary exchange of views on issues for consideration at the second session, including on such arrangements.

3. To assist the Preparatory Commission in considering the matter at its second session, to be held from 18 to 29 August 2025, the Secretariat has prepared the present note, which provides an overview of how cooperation with relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies is addressed in the Agreement in respect of marine genetic resources, including the fair and equitable sharing of benefits, measures such as area-based management tools, including marine protected areas, environmental impact assessments and capacity-building and the transfer of marine technology, as well as cross-cutting issues, including any modalities that have been specified in the Agreement or that may be developed by the Conference of the Parties in order to operationalize that cooperation (see sect. II). It also provides an overview of practice regarding cooperation between instruments, frameworks and bodies under other multilateral instruments that may be informative for the Conference of the Parties in further developing such arrangements, including their modalities, under the Agreement (see sect. III). The note concludes with a set of possible actions that the Commission could take with a view to assisting the Conference of the Parties in considering and making decisions on these matters (sect. IV).

4. In addition, to further inform the discussions of the Preparatory Commission, the Secretariat invited instruments, frameworks and bodies to provide information on the following: any relevant information concerning the mandate of the organization, or any subsidiary body, to cooperate with other instruments, frameworks and bodies; and a summary of cooperative arrangements with such instruments, frameworks and bodies, including their nature, scope, modalities and other information that may be of interest to the Commission. In view of the timeline for the preparation of the present note, inputs from such instruments, frameworks and bodies could not be reflected in the note but are available on the website of the Agreement.<sup>2</sup> Since the Agreement does not indicate which instruments, frameworks and bodies are “relevant”, the Secretariat invited global and regional intergovernmental organizations and other interested international bodies that have been invited to participate in the Commission as observers, pursuant to resolution [78/272](#), to provide input. The Secretariat also posted an open call for inputs on the website of the Agreement.

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<sup>1</sup> [A/AC.296/2025/2](#).

<sup>2</sup> <https://www.un.org/bbnjagreement/en/prepcom-ii-iff-cooperation>.

## **II. Cooperation under 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**

5. References to interactions with relevant instruments, frameworks and bodies, including references to cooperation, as well as assistance, coordination, consultation, collaboration and information exchange, are found throughout the Agreement. The addressees of such provisions include Parties, the Conference of the Parties, the subsidiary bodies and the secretariat. These provisions provide for both obligations to engage in such activities and indications that cooperative activities may be carried out. Below is an overview of the relevant provisions of the Agreement.

### **A. General provisions and institutional arrangements**

6. Cooperation and forms thereof are provided for in several articles in the parts of the Agreement on general provisions and institutional arrangements. These include a specific reference to the relationship between the Agreement and the Convention and relevant instruments, frameworks and bodies,<sup>3</sup> as well as a general obligation on Parties to cooperate, including through strengthening and enhancing cooperation with and promoting cooperation among such instruments, frameworks and bodies, as well as endeavouring to promote, as appropriate, the objectives of the Agreement when participating in decision-making under such instruments, frameworks and bodies<sup>4</sup> (see para. 1 above).

7. The Conference of the Parties is required to promote, including by establishing appropriate processes, cooperation and coordination with and among relevant instruments, frameworks and bodies, with a view to promoting coherence among efforts towards the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.<sup>5</sup> It is also required to promote transparency, including through the facilitation of participation of, and consultation with, relevant global, regional, subregional and sectoral bodies.<sup>6</sup>

8. Decisions of the Conference of the Parties are required to be made publicly available and transmitted to such instruments, frameworks and bodies.<sup>7</sup>

9. The secretariat is required to facilitate cooperation and coordination with the secretariats of other relevant international bodies and, in particular, enter into such administrative and contractual arrangements as may be required for that purpose and for the effective discharge of its functions, subject to approval by the Conference of the Parties.<sup>8</sup>

<sup>3</sup> 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 art. 5 (1) and (2).

<sup>4</sup> Agreement, art. 8 (1) and (2).

<sup>5</sup> Agreement, art. 47 (6) (c).

<sup>6</sup> Agreement, art. 48 (3).

<sup>7</sup> Agreement, art. 50 (4) (c).

<sup>8</sup> Agreement, art. 50 (4) (d).

## **B. Marine genetic resources, including the fair and equitable sharing of benefits**

10. Part II of the Agreement contains a reference to cooperation involving a subsidiary body under the Agreement, providing that the Access and Benefit-Sharing Committee may consult and facilitate the exchange of information with relevant instruments, frameworks and bodies on activities under its mandate, including benefit-sharing, the use of digital sequence information on marine genetic resources, best practices, tools and methodologies, data governance and lessons learned.<sup>9</sup>

## **C. Measures such as area-based management tools, including marine protected areas**

11. Part III of the Agreement on area-based management tools, including marine protected areas, sets out the strengthening of cooperation and coordination in the use of such tools among States and relevant instruments, frameworks and bodies as one of its objectives.<sup>10</sup> In addition, a variety of provisions concerning cooperative arrangements are found throughout Part III, including provisions directed at Parties, the Conference of the Parties and the secretariat, as outlined below.

12. When developing proposals regarding the establishment of area-based management tools, including marine protected areas, Parties are required to collaborate and consult with relevant stakeholders, including global, regional, subregional and sectoral bodies.<sup>11</sup> The proponents of the measure must consider the contributions received during the consultation period concerning the proposal, including those of the bodies invited to submit their views and certain information and, as appropriate, revise the proposal accordingly or respond to substantive contributions not reflected in the proposal.<sup>12</sup>

13. In addition, Parties must promote, as appropriate, the adoption of measures within relevant legal instruments and frameworks and relevant bodies of which they are members, to support the implementation of the decisions and recommendations made by the Conference of the Parties under Part III.<sup>13</sup>

14. In taking decisions on the establishment of area-based management tools, including marine protected areas, and related measures, the Conference of the Parties is required to respect the competences of, and not undermine, relevant instruments, frameworks and bodies.<sup>14</sup> The Conference of the Parties may take decisions on measures compatible with those adopted by relevant instruments, frameworks and bodies, in cooperation and coordination with those instruments, frameworks and bodies.<sup>15</sup> Where proposed measures are within the competences of other global, regional, subregional or sectoral bodies, the Conference of the Parties may make recommendations to Parties to the Agreement and to those bodies to promote the adoption of relevant measures through such instruments, frameworks and bodies, in accordance with their respective mandates.<sup>16</sup>

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<sup>9</sup> Agreement, art. 15 (5).

<sup>10</sup> Agreement, art. 17 (b).

<sup>11</sup> Agreement, art. 19 (2).

<sup>12</sup> Agreement, arts. 21 (2) (b) and 21 (5).

<sup>13</sup> Agreement, art. 25 (4).

<sup>14</sup> Agreement, art. 22 (2).

<sup>15</sup> Agreement, art. 22 (1) (b).

<sup>16</sup> Agreement, art. 22 (1) (c).

15. The Conference of the Parties is required to make arrangements for regular consultations to enhance cooperation and coordination with and among relevant instruments, frameworks and bodies with regard to area-based management tools, including marine protected areas, as well as coordination with regard to related measures adopted under such instruments and frameworks and by such bodies.<sup>17</sup> Furthermore, consultations with relevant instruments, frameworks or bodies are required to determine whether the adoption of emergency measures can be considered necessary.<sup>18</sup>

16. To further international cooperation and coordination with respect to the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, the Conference of the Parties may consider developing a mechanism regarding existing area-based management tools, including marine protected areas, adopted by relevant instruments, frameworks or bodies.<sup>19</sup>

17. If a relevant instrument, framework or body is established or its competence is amended, any area-based management tool, including a marine protected area, or related measure adopted by the Conference of the Parties falling within the competence of that instrument, framework or body, either wholly or in part, will remain in force until the Conference of the Parties reviews and decides, in close cooperation and coordination with that instrument, framework or body, to maintain, amend or revoke the measure, and related measures, as appropriate.<sup>20</sup>

18. The secretariat is required to facilitate consultations and gather input on proposals regarding the establishment of area-based management tools, including marine protected areas, including by notifying relevant bodies and inviting them to submit their views and information on various aspects of the proposal.<sup>21</sup>

19. In addition, relevant instruments, frameworks and bodies are to be invited to provide information to the Conference of the Parties on the implementation of measures that they have adopted to achieve the objectives of area-based management tools, including marine protected areas, established under the Agreement.<sup>22</sup>

## **D. Environmental impact assessments**

20. Part IV of the Agreement, in which environmental impact assessments are addressed, includes several provisions concerning cooperation, including provisions directed at Parties, the Conference of the Parties and subsidiary bodies.

21. Parties are required to promote the use of environmental impact assessments and the adoption and implementation of standards and/or guidelines for the conduct of such assessments developed by the Scientific and Technical Body in relevant instruments and frameworks and relevant bodies of which they are members.<sup>23</sup>

22. Furthermore, Parties must ensure timely public notification of a planned activity and opportunities for participation by all States and stakeholders throughout the environmental impact assessment process.<sup>24</sup> Stakeholders in this process include, inter alia, relevant global, regional, subregional and sectoral bodies.<sup>25</sup> Parties are

<sup>17</sup> Agreement, art. 22 (3).

<sup>18</sup> Agreement, art. 24 (2).

<sup>19</sup> Agreement, art. 22 (4).

<sup>20</sup> Agreement, art. 22 (7).

<sup>21</sup> Agreement, art. 21 (2) (b).

<sup>22</sup> Agreement, art. 26 (2).

<sup>23</sup> Agreement, art. 29 (1).

<sup>24</sup> Agreement, art. 32 (1).

<sup>25</sup> Agreement, art. 32 (3).

required to consider substantive comments received during the consultation process, to respond to or address such comments and to make public the comments received and the responses or descriptions of the manner in which they were addressed.<sup>26</sup>

23. After an activity has been authorized, all States and stakeholders must be kept informed through the Clearing-House Mechanism and may be consulted in the monitoring, reporting and review processes in respect of the activity.<sup>27</sup>

24. The Conference of the Parties is required to develop mechanisms for the Scientific and Technical Body to collaborate with relevant instruments, frameworks and bodies that regulate activities in areas beyond national jurisdiction or protect the marine environment.<sup>28</sup>

25. The Scientific and Technical Body is required, as appropriate, to collaborate with relevant instruments, frameworks and bodies when developing or updating standards or guidelines for the conduct of environmental impact assessments of activities.<sup>29</sup>

## **E. Capacity-building and the transfer of marine technology**

26. Cooperation with relevant instruments, frameworks and bodies is also provided for in Part V of the Agreement on capacity-building and the transfer of marine technology. This primarily includes provisions directed at Parties to the Agreement.

27. Parties are required to cooperate, directly or through such relevant instruments, frameworks and bodies, to assist Parties, in particular developing States Parties, in achieving the objectives of the Agreement through capacity-building and the development and transfer of marine science and marine technology.<sup>30</sup> In addition, in providing capacity-building and the transfer of marine technology under the Agreement, Parties are required to cooperate at all levels and in all forms, including through strengthening cooperation and coordination between such instruments, frameworks and bodies.<sup>31</sup> Moreover, capacity-building and the transfer of marine technology under the Agreement is required, *inter alia*, to build upon and not duplicate existing programmes and be guided by lessons learned, including those from such activities under relevant instruments, frameworks and bodies. Insofar as possible, these activities must be taken into account with a view to maximizing efficiency and results.<sup>32</sup>

28. The list of types of capacity-building and transfer of marine technology included in annex II to the Agreement for the development and strengthening of institutional capacity and national regulatory frameworks or mechanisms includes increasing cooperative links between regional institutions, for example, North-South and South-South collaboration and collaboration among regional seas organizations and regional fisheries management organizations.<sup>33</sup>

<sup>26</sup> Agreement, art. 32 (5).

<sup>27</sup> Agreement, art. 37 (5).

<sup>28</sup> Agreement, art. 29 (2).

<sup>29</sup> Agreement, art. 29 (3).

<sup>30</sup> Agreement, art. 41 (1).

<sup>31</sup> Agreement, art. 41 (2).

<sup>32</sup> Agreement, art. 42 (3).

<sup>33</sup> Agreement, annex II (d) (ix).

## **F. Implementation and compliance**

29. In Part VIII on implementation and compliance, the Agreement provides that the Implementation and Compliance Committee, in the course of its work, may draw on appropriate information, including from relevant instruments, frameworks and bodies, as may be required.<sup>34</sup>

## **III. Cooperation among relevant instruments, frameworks and bodies**

30. The present section provides examples of how cooperative arrangements have been developed and put into practice under other instruments, frameworks and bodies. Following an overview of the general aspects concerning such arrangements, examples are grouped through the entities primarily engaging in cooperation, namely, the Parties, the Conference of the Parties, the subsidiary bodies and the secretariat. A brief overview of other cooperative arrangements is also provided.

### **A. General aspects**

31. In the operationalization of cooperation among instruments, frameworks and bodies, and the creation of arrangements for such cooperation, various modalities of a formal or informal nature have been utilized in practice. Arrangements may be continuous in the long term or, as the implementation of various multilateral instruments progresses, the need to create ad hoc cooperation arrangements may also arise.

32. Cooperation and various modalities to that end may be mandated through a decision of a governing body<sup>35</sup> but may also be adopted by subsidiary bodies.<sup>36</sup> Decisions of governing bodies generally provide a mandate for the secretariat or subsidiary body to engage in cooperation,<sup>37</sup> but they may also create mechanisms,<sup>38</sup> invite instruments, frameworks and bodies to cooperate,<sup>39</sup> or set out goals of establishing more effective cooperation.<sup>40</sup> Various types of cooperation among instruments, frameworks and bodies are also often carried out on an ongoing basis without any formal instrument instituting such cooperation.

33. Formal instruments such as memorandums of cooperation or cooperation agreements, which serve to specify the scope and specific modalities of cooperation,

<sup>34</sup> Agreement, art. 55 (4).

<sup>35</sup> See for example, Conference of the Parties to the Convention on Biological Diversity UNEP/CBD/COP/DEC/VIII/10, annex III, J; and United Nations Framework Convention on Climate Change, Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement, decision 2/CMA.2, para. 43, establishing the Santiago network for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, available at <https://unfccc.int/documents/209506>.

<sup>36</sup> See for example, CBD/COP/16/INF/6.

<sup>37</sup> See for example, UNEP/CBD/COP/DEC/VIII/10 and CBD/COP/DEC/XIII/25.

<sup>38</sup> See for example, Conference of the Parties to the Basel Convention, decision BC-11/8, annex I, Terms of reference for cooperative arrangements on preventing and combating illegal traffic: the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE), available at <https://www.basel.int/Implementation/LegalMatters/Compliance/Decisions/tabid/3643/Default.aspx>.

<sup>39</sup> See for example Conference of the Parties to the Convention on Biological Diversity, decision I/5, available at <https://www.cbd.int/decision/cop/default.shtml?id=7065>; and CBD/NP/MOP/DEC/2/5.

<sup>40</sup> For example, [ISBA/24/A/10](#); and Convention on International Trade in Endangered Species of Wild Fauna and Flora, resolutions Conf. 18.3 and Conf. 16.4.

are generally entered into by the governing body or the secretariats of the respective cooperating entities.<sup>41</sup> When initiated by the secretariats, approval of the governing body may be required.<sup>42</sup>

34. In order to be effective, cooperation generally needs to be grounded in a reciprocal mandate for cooperation from the respective governing bodies of the cooperating entities, in particular when required of subsidiary bodies and/or secretariats. The specific modalities of cooperation may need to be reviewed in consultation with the intended cooperating instrument, framework or body on a case-by-case basis. The frequency of and intervals between meetings of governing bodies, where a reciprocal mandate for cooperation is sought, may impact the timely conduct of the cooperative activities.

35. In addition, it is noted that different government agencies may participate in the institutional arrangements under various instruments, frameworks and bodies, requiring national-level coordination when establishing reciprocal arrangements. The participation in and membership of various cooperating instruments, frameworks and bodies may likewise vary.

36. Lastly, while synergies and resource efficiencies may be created through cooperation, the cost of any cooperation arrangement can be an additional factor for consideration, with such cost depending on the modalities and extent of the cooperation. While, in some cases, the costs may be borne as part of the respective regular budgets of the cooperating entities as forming part of their overall programmes of work, or may be subject to the availability of resources,<sup>43</sup> ad hoc or other arrangements may require specific provision<sup>44</sup> or extrabudgetary resources.<sup>45</sup> Instruments related to cooperation may specify that they do not impose financial obligations on either party.<sup>46</sup> The costs of cooperation arrangements may also be borne by one or more Parties.<sup>47</sup> Where meetings are a modality for operationalizing cooperation, participation costs are generally borne by the nominating entity.<sup>48</sup>

## B. States Parties

37. As outlined above, under the Agreement, States Parties are required to strengthen and enhance cooperation with, and promote cooperation among, relevant instruments, frameworks and bodies, and to promote the objectives of the Agreement when participating in decision-making under such instruments, frameworks and

<sup>41</sup> See sect. III.C and E.

<sup>42</sup> See for example, United Nations Convention on the Law of the Sea, art. 169 (1); and [ISBA/27/C/29](#).

<sup>43</sup> Conference of the Parties to the Basel Convention, decision BC-11/8, para. 19 (see footnote 37).

<sup>44</sup> For example, certain activities of UN-Oceans (see sect. III.E), such as maintenance of its website, may be funded through contributions to the trust fund established by the Secretary-General for the Office of Legal Affairs to support the promotion of international law; see General Assembly resolution [79/144](#), para. 372.

<sup>45</sup> See for example, the Common Oceans Programme, led by the Food and Agriculture Organization of the United Nations and involving multiple stakeholders, funded by the Global Environment Facility. See [www.fao.org/in-action/commonoceans/partners/en](http://www.fao.org/in-action/commonoceans/partners/en).

<sup>46</sup> See for example, Memorandum of understanding between the International Seabed Authority and the African Union ([ISBA/27/C/29](#)), para. 9.

<sup>47</sup> See for example, the Bern process (see sect. III.B), funded by the Government of Switzerland, or the Sustainable Ocean Initiative Global Dialogue (see sect. III.F), for which financial support has been provided by the Government of the Republic of Korea, the Government of France and the Principality of Monaco.

<sup>48</sup> See for example, Coordinating Working Group on Fishery Statistics, rules of procedure, para. 6, available at <https://www.fao.org/3/cc0615en/cc0615en.pdf>.

bodies.<sup>49</sup> These general cooperation obligations are complemented by the more specific obligations of Parties to cooperate with relevant instruments, frameworks and bodies, as described in section II.<sup>50</sup>

38. In the context of other instruments, frameworks and bodies, various cooperative arrangements have been driven by Parties. For example, in pursuance of its work on cooperation with other conventions and international organizations, including to enhance synergies among the biodiversity-related conventions, the Conference of the Parties to the Convention on Biological Diversity requested its Executive Secretary to establish an informal advisory group on synergies among biodiversity-related conventions, consisting of Party representatives with balanced representation, including regionally,<sup>51</sup> to provide advice on prioritization and implementation of actions on cooperation.<sup>52</sup> To facilitate the work of the advisory group, a closed online forum was established for information exchange among members.<sup>53</sup>

39. The “Bern process” is another Party-driven, informal process that originated in a workshop organized in response to a request by the Conference of the Parties to the Convention on Biological Diversity<sup>54</sup> aimed at facilitating discussions among Parties of the various biodiversity-related conventions to explore ways in which they could contribute to the post-2020 global biodiversity framework, including identifying areas of cross-cutting importance to the conventions and possible elements that could be included in the framework to increase synergy among the conventions.<sup>55</sup> This led to the convening of the Bern II Consultation Workshop in 2021 and the Bern III Conference in 2024,<sup>56</sup> which aimed to contribute to the implementation of the Kunming-Montreal Global Biodiversity Framework by identifying opportunities to drive and coordinate an inclusive collaborative approach towards implementation of the Framework while respecting the respective mandates of participating multilateral environmental agreements.<sup>57</sup> The Bern process has been recognized by several multilateral environmental agreements in their decisions.<sup>58</sup>

40. In relation to the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and

<sup>49</sup> Agreement, arts. 8 (1) and (2).

<sup>50</sup> Agreement, arts. 19 (2), 21 (5), 25 (4), 29 (1), 32 (1) and (5), 37 (5), and 41 (1) and (2).

<sup>51</sup> CBD/COP/DEC/XIII/24, para. 15, and annex II; see also SCBD/MCO/AF/NP/CR/CE/86576.

<sup>52</sup> CBD/COP/DEC/XIII/24, para. 15, and annex II.

<sup>53</sup> See [www.cbd.int/brc/IAG.shtml](http://www.cbd.int/brc/IAG.shtml).

<sup>54</sup> See CBD/COP/DEC/14/30, para. 12, and CBD/COP/DEC/14/34.

<sup>55</sup> CBD/POST2020/WS/2019/6/2, para. 3. Representatives of the following Conventions participated: the Convention concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention), Convention on Biological Diversity, Convention on International Trade in Endangered Species of Wild Fauna and Flora, Convention on the Conservation of Migratory Species of Wild Animals, Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention on Wetlands), International Plant Protection Convention, International Treaty on Plant Genetic Resources for Food and Agriculture, International Whaling Commission, United Nations Convention to Combat Desertification and the United Nations Framework Convention on Climate Change.

<sup>56</sup> The Second Consultation Workshop of Biodiversity-related Conventions on the Post-2020 Global Biodiversity Framework (Bern II Consultation Workshop) was held online. See <https://wedocs.unep.org/bitstream/handle/20.500.11822/35906/Bern2rep21.pdf?sequence=3&isAllowed=y>. The Bern III Conference on Cooperation among the Biodiversity-related Conventions for the Implementation of the Kunming-Montreal Global Biodiversity Framework was held in person in Bern. See CBD/SBI/4/INF/15.

<sup>57</sup> The Conference included representation from 16 multilateral environmental agreements.

<sup>58</sup> See for example: CBD/COP/DEC/15/13; International Treaty on Plant Genetic Resources for Food and Agriculture, resolution 1/2023; and Ramsar Convention on Wetlands, resolution XIV.6.

Highly Migratory Fish Stocks, the Informal Consultations of States Parties serve as forums to promote cooperation on sustainable fisheries, including cooperation through the Food and Agriculture Organization of the United Nations (FAO) and regional fisheries management organizations or arrangements, many of which submit contributions, and participate in the discussion panels and as observers in the consultations.<sup>59</sup>

### C. Conference of the Parties

41. As outlined above in section II, under the Agreement, the Conference of the Parties is to engage in cooperation with relevant instruments, frameworks and bodies.<sup>60</sup> For the purpose of keeping under review and evaluation the implementation of the Agreement, the Conference of the Parties is to promote, including by establishing appropriate processes, cooperation and coordination with and among such instruments, frameworks and bodies, with a view to promoting coherence among efforts towards the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.<sup>61</sup> The Conference of the Parties is also specifically required to develop mechanisms under Part IV of the Agreement for the Scientific and Technical Body to collaborate with such instruments, frameworks and bodies that regulate activities in areas beyond national jurisdiction or protect the marine environment.<sup>62</sup> Moreover, the Conference of the Parties is required to promote transparency in the implementation of the Agreement, including through the facilitation of the participation of, and consultation with, inter alia, relevant bodies, as appropriate and in accordance with the provisions of the Agreement.<sup>63</sup>

42. As detailed below, cooperation involving governing bodies of various instruments, frameworks and bodies has included modalities whereby these bodies have, inter alia: (a) issued mandates to enhance cooperation; (b) considered and reviewed cooperation arrangements, under the specific instrument and under other instruments; (c) shared and received relevant information; and (d) engaged in direct cooperation and coordination with other governing bodies.

43. With regard to the issuance of mandates to further cooperation, governing bodies may set out the mandate for cooperation through decisions or recommendations, which may be directed at Parties, subsidiary bodies or the secretariat.<sup>64</sup> In addition, invitations or recommendations to cooperate may be directed towards other instruments, frameworks and bodies,<sup>65</sup> non-parties and other stakeholders.<sup>66</sup>

<sup>59</sup> See [www.un.org/oceancapacity/content/unfsa-informal-consultations-states-parties](http://www.un.org/oceancapacity/content/unfsa-informal-consultations-states-parties).

<sup>60</sup> See, for example, Agreement, arts. 22 (1) (b) and (c), 22 (3), 22 (7), 29 (2), 47 (6) (c) and 48 (3). Cooperation obligations for governing bodies of other instruments can also be found in the respective conventions, see, for example: Minamata Convention on Mercury, arts. 11, para. 4, and 16, para. 2; Convention on Biological Diversity, art. 23, para. 4 (h); and International Treaty on Plant Genetic Resources for Food and Agriculture, art. 19, para. 3 (g).

<sup>61</sup> Agreement, art. 47 (6) (c).

<sup>62</sup> Agreement, art. 29 (2).

<sup>63</sup> Agreement, art. 48 (3).

<sup>64</sup> See for example: Conference of the Parties to the Convention on Biological Diversity, decision II/13; CBD/COP/16/INF/12; UNEP/MC/COP.4/Dec.12, available at [https://minamataconvention.org/sites/default/files/documents/decision/4\\_Dec12\\_International\\_Cooperation\\_and\\_Coordination.English.docx](https://minamataconvention.org/sites/default/files/documents/decision/4_Dec12_International_Cooperation_and_Coordination.English.docx); and FCC/CP/1995/7/Add.1, decision 4/CP.1, available at <https://unfccc.int/cop4/resource/docs/cop1/07a01.pdf>.

<sup>65</sup> See, for example, CBD/COP/DEC/16/35, para. 10.

<sup>66</sup> See for example, UNEP/MC/COP.4/Dec.12, para. 4.

44. Under some instruments, the governing body has considered and approved cooperation agreements or memorandums of understanding or cooperation negotiated by the respective secretariat.<sup>67</sup> In the consideration and review of ongoing cooperation arrangements and efforts to enhance cooperation, modalities have been implemented to provide the governing body with information pertaining to cooperation arrangements and activities, such as general<sup>68</sup> and specific<sup>69</sup> standing agenda items on cooperation at governing body meetings and reports.<sup>70</sup>

45. The meetings of governing bodies also provide a forum to facilitate the sharing of relevant information with and between relevant instruments, frameworks and bodies, for example, through observer participation<sup>71</sup> and written submissions.<sup>72</sup>

46. Specific instances of direct cooperation between governing bodies have included back-to-back meetings and joint sessions. For example, the Conferences of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants meet back to back and, in some instances, convene joint sessions<sup>73</sup> and simultaneous extraordinary meetings of the three Conferences of the Parties.<sup>74</sup> Such meetings have been focused, for example, on synergies arrangements and joint activities, as well as administrative matters relating to cooperation.<sup>75</sup> Ad hoc joint working groups have

<sup>67</sup> See, for example, United Nations Convention on the Law of the Sea, art. 169 (1) and [ISBA/27/C/29](#).

<sup>68</sup> See, for example, CBD/COP/16/INF/12.

<sup>69</sup> See, for example, UNEP/MC/COP.4/Dec.12, available at [https://minamataconvention.org/sites/default/files/documents/decision/4\\_Dec12\\_International\\_Cooperation\\_and\\_Coordination.English.docx](https://minamataconvention.org/sites/default/files/documents/decision/4_Dec12_International_Cooperation_and_Coordination.English.docx).

<sup>70</sup> See, for example, UNEP/CBD/COP/2/inf.2; IT/GB-10/23/16.3; IT/GB-10/23/1.2 Rev.2; FCCC/CP/1995/7/Add.1, available at <https://unfccc.int/cop4/resource/docs/cop1/07a01.pdf>; CBD/NP/MOP/5/8; UNEP/CBD/NP/COP-MOP/1/INF/5; and Conference of the Parties to the Basel Convention, decision BC-16/21, available at <https://www.basel.int/TheConvention/ConferenceoftheParties/ReportsandDecisions/tabid/3303/Default.aspx>.

<sup>71</sup> See, for example, UNEP/CBD/COP/DEC/IX/29; rules of procedure for the Meetings of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals, available at [www.cms.int/en/document/rules-procedure-meetings-conference-parties-cop13](http://www.cms.int/en/document/rules-procedure-meetings-conference-parties-cop13); [ISBA/A/6](#), rule 82; and [ISBA/C/12](#), rule 75. Concerning participation in subsidiary bodies, see, for example, UNEP/CBD/COP/DEC/VIII/10, annex III.

<sup>72</sup> See, for example, [ISBA/A/6](#), rule 82.

<sup>73</sup> See Conference of the Parties to the Basel Convention, decision BC-10/29, available at [www.brsmeas.org/DNN/MandeepsDecisions/tabid/2682/language/en-US/Default.aspx](http://www.brsmeas.org/DNN/MandeepsDecisions/tabid/2682/language/en-US/Default.aspx) (and Conference of the Parties to the Stockholm Convention, decision SC-5/27 (*ibid.*) and Conference of the Parties to the Rotterdam Convention, decision RC-5/12 (*ibid.*)).

<sup>74</sup> Conference of the Parties to the Basel Convention, omnibus decision BC.Ex-1/1, available at <https://www.brsmeas.org/DNN/MandeepsDecisions/tabid/2682/language/en-US/Default.aspx>, Conference of the Parties to the Rotterdam Convention, omnibus decision RC.Ex-1/1 (*ibid.*), Conference of the Parties to the Stockholm Convention, omnibus decision SC.Ex-1/1 (*ibid.*), Conference of the Parties to the Basel Convention, omnibus decision BC.Ex-2/1 (*ibid.*), Conference of the Parties to the Rotterdam Convention, omnibus decision RC.Ex-2/1 (*ibid.*), and Conference of the Parties to the Stockholm Convention, omnibus decision SC.Ex-2/1 (*ibid.*).

<sup>75</sup> See, for example, Conference of the Parties to the Basel Convention, decision BC-10/29 (see footnote 72).

also been established<sup>76</sup> to, inter alia, make joint recommendations to the Conferences of the Parties to all three Conventions.<sup>77</sup>

## D. Subsidiary bodies

47. Under the Agreement, cooperation between subsidiary bodies and relevant instruments, frameworks and bodies is also provided for.<sup>78</sup> Such cooperation includes, inter alia, consultation, facilitation of exchange of information and collaboration.

48. Practice regarding modalities for cooperation arrangements involving subsidiary bodies under other instruments indicates that such modalities may be set out in workplans or programmes of work and include: (a) exchange of information; (b) cooperation through joint working groups, task forces or similar arrangements; (c) consultations and dialogues; and (d) modalities that facilitate participation in meetings of the subsidiary bodies.

49. The ongoing cooperation arrangement between the Convention on Biological Diversity and the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention on Wetlands),<sup>79</sup> effectuated through joint workplans, includes collaboration between the respective subsidiary bodies for scientific and technical advice and through knowledge-sharing and joint reporting to the subsidiary bodies of both Conventions.<sup>80</sup> The compliance committees of the Basel Convention and the Rotterdam Convention, where the objective of enhanced cooperation has been included in the programmes of work of the respective committees, have also engaged in exchange of information.<sup>81</sup>

50. With respect to the use of joint working groups, task forces or similar arrangements to support or enhance cooperation, for example, the Scientific Council of the Convention on the Conservation of Migratory Species of Wild Animals engages with various relevant instruments, frameworks and bodies through working groups and task forces, which convene regular or ad hoc meetings and may operate through electronic means, including through email and virtual meetings.<sup>82</sup> The rules of procedure of the Scientific Council provide for the co-convening of task forces.<sup>83</sup>

51. With regard to consultations and dialogues, for example, the compliance committee under the Basel Convention has also engaged in a dialogue with international organizations and compliance bodies of other multilateral environmental agreements, which served as a basis for developing recommendations to the Conference of the Parties concerning preventing and combating illegal traffic in

<sup>76</sup> Conference of the Parties to the Stockholm Convention, decision SC-2/15, available at <https://www.brsmeas.org/DNN/MandeepsDecisions/tabid/2682/language/en-US/Default.aspx>.

<sup>77</sup> Conference of the Parties to the Basel Convention, decision BC-VIII/8, available at <https://www.brsmeas.org/SynergiesProcess/Decisions/tabid/2616/language/en-US/Default.aspx>.

<sup>78</sup> Agreement, arts. 15 (5), 21 (8), 29 (3) and 55 (4).

<sup>79</sup> See Ramsar Convention on Wetlands, resolution 5.1.

<sup>80</sup> See sixth joint workplan (2024–2030) of the Convention on Biological Diversity and the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention on Wetlands) (CBD/COP/16/INF/19).

<sup>81</sup> See Conference of the Parties to the Basel Convention, decision BC-15/17, available at <https://www.basel.int/Implementation/LegalMatters/Compliance/Decisions/tabid/3643/Default.aspx>, and Conference of the Parties to the Rotterdam Convention, decision RC-10/11, available at <https://www.pic.int/TheConvention/ConferenceoftheParties/ReportsandDecisions/tabid/1728/ctl/Download/mid/25276/language/en-US/Default.aspx?id=29&ObjID=52893>.

<sup>82</sup> See UNEP/CMS/ScC-SC7/CRP.4.2/Annex 3, available at [https://www.cms.int/sites/default/files/document/cms\\_scc-sc7\\_crp.4.2\\_working\\_groups\\_e.docx](https://www.cms.int/sites/default/files/document/cms_scc-sc7_crp.4.2_working_groups_e.docx).

<sup>83</sup> Ibid.

waste.<sup>84</sup> The Legal and Technical Commission of the International Seabed Authority, may also consult with, inter alia, any international organizations with competence in the subject matter of such consultation.<sup>85</sup>

52. Practice also includes modalities to facilitate observer participation in meetings of subsidiary bodies. For example, under the rules of procedure of the Scientific Council of the Convention on the Conservation of Migratory Species of Wild Animals, representatives of instruments within the “Convention on the Conservation of Migratory Species of Wild Animals family” or of multilateral environmental agreements within the “biodiversity cluster”, have the right to attend meetings of the Scientific Council or of the sessional committee as observers,<sup>86</sup> while other agencies or bodies qualified in fields relating to the conservation and management of migratory species may, following notification to the secretariat, be invited to participate as observers in such meetings.<sup>87</sup> Further modalities for participation in the work of the Scientific Council and its sessional Committee include membership and observer status in working groups.<sup>88</sup>

## E. Secretariat

53. Under the Agreement, the secretariat is tasked with facilitating cooperation and coordination with the secretariats of other relevant international bodies and, in particular, to enter into such administrative and contractual arrangements as may be required for that purpose and for the effective discharge of its functions, subject to approval by the Conference of the Parties.<sup>89</sup> In addition, the secretariat is responsible for facilitating consultations and gathering input on proposals regarding the establishment of area-based management tools, including marine protected areas, including by notifying relevant bodies and inviting them to submit their views and information on various aspects of the proposal.<sup>90</sup> The Agreement also assigns other notification requirements to the secretariat, as well as obligations to transmit certain information, including decisions of the Conference of the Parties, to relevant instruments, frameworks and bodies.<sup>91</sup>

54. Cooperative arrangements involving the secretariats of various instruments, frameworks and bodies may be set out in a general framework for cooperation through memorandums of understanding, memorandums of cooperation and similar arrangements, which may involve various modalities of cooperation such as: (a) the development of joint workplans or programmes of work; (b) working groups, committees or inter-agency coordination mechanisms; and (c) other joint activities of an ad hoc nature.

<sup>84</sup> See UNEP/CHW/CC.16/4/Add.5.

<sup>85</sup> United Nations Convention on the Law of the Sea, art. 163 (13).

<sup>86</sup> UNEP/CMS/ScC-SC/Rules of Procedure.

<sup>87</sup> Ibid. See also rules of procedure for the Meetings of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (see footnote 71).

<sup>88</sup> See, for example, [UNEP/CMS/ScC-SC7/CRP.4.2/Annex 3](#) (see footnote 81).

<sup>89</sup> Agreement, art. 50 (4) (d).

<sup>90</sup> Agreement, art. 21 (2) (b).

<sup>91</sup> Agreement, arts. 23 (10), 32 (1) and 50 (4) (c).

55. As noted above, where cooperation is being formalized through memorandums of understanding, memorandums of cooperation<sup>92</sup> or agreements of cooperation<sup>93</sup> that are concluded between secretariats, such memorandums or agreements may be subject to approval by the respective governing bodies. These memorandums or agreements typically set out the general framework for the cooperation between the secretariats by describing the purpose and scope of the cooperation and defining the areas where cooperation is envisaged to take place, for example at an institutional level, including through representation at certain meetings, as well as through the exchange of data, information and experience, consultation on certain matters, provision of assistance, coordination of work programmes or joint action.<sup>94</sup> Under such general memorandums or agreements, cooperation can evolve over time, and the memorandums or agreements can be reviewed and adjusted if needed. For example, the secretariats of the Convention on Biological Diversity and the International Treaty on Plant Genetic Resources for Food and Agriculture, based on their memorandum of cooperation, are carrying out joint capacity-development activities, cooperating on information and knowledge management and jointly contributing to monitoring and reporting concerning the Sustainable Development Goals. Since cooperation between the two secretariats has increased steadily over time, the memorandum has been reviewed for renewal.<sup>95</sup>

56. Other memorandums or agreements have a more specific thematic focus<sup>96</sup> or cover a defined geographic area, such as the collective arrangement between competent international organizations on cooperation and coordination regarding selected areas in areas beyond national jurisdiction in the North-East Atlantic, developed by the North-East Atlantic Fisheries Commission and the Oslo and Paris Commission, which provides for collective and multilateral cooperation concerning area-based management in the North-East Atlantic. The arrangement provides that such cooperation and coordination shall be based on, inter alia, memorandums of

<sup>92</sup> For example, see the memorandums of cooperation, memorandums of understanding and other cooperative arrangements of the Convention on Biological Diversity, available at [www.cbd.int/agreements/default.shtml](http://www.cbd.int/agreements/default.shtml).

<sup>93</sup> For example, see the memorandums of understanding, agreements of cooperation and other cooperative arrangements of the International Seabed Authority, available at [www.isa.org.jm/legal-documents/](http://www.isa.org.jm/legal-documents/).

<sup>94</sup> See the memorandum of cooperation between the secretariat of the Convention on Biological Diversity and the secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (<https://www.cbd.int/doc/agreements/agmt-cms-1996-06-13-moc-web-en.pdf>), the memorandum of understanding between the secretariat of the United Nations Framework Convention on Climate Change, the Kyoto Protocol and the Paris Agreement and the United Nations Economic and Social Commission for Asia and the Pacific (<https://www.unescap.org/sites/default/d8files/2024-07/MOU-with-UNFCCC-Signed.pdf>), the Agreement of Cooperation between the International Maritime Organization and the International Seabed Authority (<https://www.isa.org.jm/wp-content/uploads/2022/04/IMO.pdf>) and the memorandum of understanding between the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Seabed Authority (<https://www.isa.org.jm/wp-content/uploads/2022/04/ISA-IOC-MOU.pdf>).

<sup>95</sup> The memorandum of cooperation, signed in 2018, is available at <https://www.cbd.int/doc/agreements/agmt-itpgrfa-2018-07-10-moc-web-en.pdf>. See FAO, International Treaty on Plant Genetic Resources for Food and Agriculture, tenth session of the Governing Body, report on cooperation with the Convention on Biological Diversity, November 2023 (IT/GB-10/23/16.3, pp. 4 and 5).

<sup>96</sup> For example, the memorandum of cooperation between international agencies, organizations and conventions and the secretariat of the Convention on Biological Diversity on the implementation of the strategic plan for biodiversity 2011–2020 and the achievement of the 2020 Aichi Biodiversity Targets (<https://www.cbd.int/doc/agreements/agmt-aichi2020-2011-09-20-moc-web-en.pdf>) is aimed at contributing to the implementation of that strategic plan and the achievement of those targets by setting out specific areas and modalities of cooperation, including the establishment of a task force.

understanding and other bilateral cooperation arrangements. The scope and modalities of cooperation under the arrangement include: information-sharing concerning scientific information and environmental assessment and monitoring data; notification of human uses of relevant areas; cooperation, where appropriate, on environmental impact assessments, strategic environmental assessments and equivalent instruments; annual consultations to review objectives in relation to the relevant areas, the status of the areas concerned and existing measures; and cooperation through, where appropriate, developing exchange of data, sharing of databases and collecting data in standardized formats.<sup>97</sup>

57. In some instances, formalized cooperation arrangements have led to the development of joint workplans or programmes of work. For example, the cooperation between the secretariats of the Convention on Biological Diversity and the Ramsar Convention on Wetlands is currently being carried out on the basis of their sixth joint workplan, which has been developed by the two secretariats, taking into account input from Parties to the two Conventions and observers, and was welcomed by the Conference of the Parties to the Convention on Biological Diversity.<sup>98</sup> The aim of the workplan is to align efforts towards the achievement of the objectives of both Conventions, enhance cooperation between them and maximize the impact of their actions in addressing the challenges of the conservation and sustainable use of biodiversity and the sustainable/wise use of wetlands.<sup>99</sup> The workplan contains a list of tasks for the Parties, convention bodies and the secretariats of the two Conventions, with the Parties and convention bodies responsible for taking action while the secretariats play a supporting and facilitating role.<sup>100</sup>

58. Another example can be seen through the cooperation<sup>101</sup> between the secretariats of the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Convention on the Conservation of Migratory Species of Wild Animals, which is currently being carried out on the basis of the Convention on the Conservation of Migratory Species of Wild Animals-Convention on International Trade in Endangered Species of Wild Fauna and Flora joint work programme 2021–2025.<sup>102</sup> The programme, which has been endorsed by the standing committees of both Conventions, comprises a variety of joint activities, including in relation to shared species and the harmonization of species-specific information, implementation and fundraising and outreach and capacity-building.<sup>103</sup> For implementation and fundraising, the activities envisaged include annual coordination meetings between the two secretariats and exchange of information, as well as inter-secretariat staff loans.<sup>104</sup>

<sup>97</sup> [www.ospar.org/documents?v=33030](http://www.ospar.org/documents?v=33030).

<sup>98</sup> See [CBD/COP/16/INF/19](#) (see footnote 79), pp. 1 and 2, regarding the preparation of the sixth joint workplan, following the review of the fifth joint workplan for the period 2011–2020 ([CBD/SBI/3/INF/33](#)). See [CBD/COP/DEC/16/35](#), para. 9, welcoming the sixth joint workplan.

<sup>99</sup> See [CBD/COP/16/INF/19](#) (see footnote 79), p. 3.

<sup>100</sup> *Ibid.*, pp. 4–9. The role of the secretariats includes coordinating the promotion and tracking the implementation of the workplan and preparing joint reports and information materials on matters of common relevance to the Conventions.

<sup>101</sup> See memorandum of understanding between the secretariats of the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Convention on the Conservation of Migratory Species of Wild Animals, available at <https://cites.org/sites/default/files/common/disc/sec/CITES-CMS.pdf>.

<sup>102</sup> CMS-CITES Joint Work Programme 2021–2025 (UNEP/CMS/StC52/Outcome 4), available at [https://www.cms.int/sites/default/files/document/cms\\_stc52\\_outcome-4\\_cms-cites-joint-work-programme\\_e.pdf](https://www.cms.int/sites/default/files/document/cms_stc52_outcome-4_cms-cites-joint-work-programme_e.pdf).

<sup>103</sup> *Ibid.*

<sup>104</sup> *Ibid.*, pp. 4 and 5.

59. Cooperative arrangements among secretariats are often operationalized through working groups, committees or forums.

60. For example, the Liaison Group of Biodiversity-related Conventions was established in 2004 and currently consists of the secretariats of eight Conventions.<sup>105</sup> Its modus operandi foresees annual in-person meetings, while additional meetings, which may be virtual, can be agreed on.<sup>106</sup> The Group serves as a platform to exchange information and to support the achievement at the national level of the objectives of each Convention. It aims to maximize effectiveness and efficiency and avoid duplication of effort, while recognizing the distinct and specific objectives of each Convention and their different Parties, as well as the individual mandates and independent status of their treaty bodies and secretariats.<sup>107</sup>

61. The Joint Liaison Group of the Rio Conventions was established as an informal forum between the secretariats of the United Nations Framework Convention on Climate Change, the United Nations Convention to Combat Desertification and the Convention on Biological Diversity to enhance coordination between the three Conventions, including the exchange of relevant information, and to explore options for further cooperation.<sup>108</sup> The group comprises the executive secretaries of the three Conventions,<sup>109</sup> who meet on a regular basis to exchange information on the work and the processes of the three Conventions, discuss possible lines of cooperation within the Group and identify joint priority actions.<sup>110</sup> In addition, the Rio Conventions Joint Capacity-Building Programme aims to strengthen national capacities to integrate and foster synergies between the Rio Conventions and the Sustainable Development Goals.<sup>111</sup>

62. UN-Oceans, established in 2003, is an inter-agency mechanism that seeks to enhance the coordination, coherence and effectiveness of competent organizations of the United Nations system and the International Seabed Authority, within existing resources, in conformity with the United Nations Convention on the Law of the Sea, the respective competences of each of its participating organizations and the mandates and priorities approved by their respective governing bodies.<sup>112</sup> The General Assembly has mandated UN-Oceans to, inter alia, strengthen and promote coordination and coherence of United Nations system activities related to ocean and coastal areas, regularly share ongoing and planned activities of participating organizations with a view to identifying possible areas for collaboration and synergy and to facilitate inter-agency information exchange.<sup>113</sup> The secretariats of 30 United

<sup>105</sup> The Convention on Biological Diversity, which serves as the secretariat for the Group, the Convention on the Conservation of Migratory Species of Wild Animals, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Ramsar Convention on Wetlands, the World Heritage Convention, the International Treaty on Plant Genetic Resources for Food and Agriculture, the International Plant Protection Convention and the International Whaling Commission. See [www.cbd.int/article/investing-in-biodiversity-liaison-group-2025](http://www.cbd.int/article/investing-in-biodiversity-liaison-group-2025).

<sup>106</sup> See the modus operandi for the Liaison Group of Biodiversity-related Conventions (updated 2019), available at <https://www.cbd.int/cooperation/doc/blg-2019-modus-operandi-en.pdf>.

<sup>107</sup> Ibid.

<sup>108</sup> See the terms of reference and modus operandi for the Joint Liaison Group between the Three Rio Conventions, available at <https://www.cbd.int/cooperation/doc/jlg-modus-operandi-en.pdf>; FCCC/SBSTA/2001/2, para. 42 (d); and [www.cbd.int/cooperation/liaison.shtml](http://www.cbd.int/cooperation/liaison.shtml).

<sup>109</sup> The Group comprises the Executive Secretaries of the three Rio Conventions, assisted by relevant senior staff of the three secretariats. See <https://www.cbd.int/cooperation/doc/jlg-modus-operandi-en.pdf>.

<sup>110</sup> See for example, the report of the fourteenth meeting of the Joint Liaison Group of the Rio Conventions, available at <https://www.cbd.int/doc/reports/jlg-14-report-en.pdf>.

<sup>111</sup> See [www.cbd.int/cb/joint-programme](http://www.cbd.int/cb/joint-programme).

<sup>112</sup> General Assembly resolution 68/70, annex, para. 1.

<sup>113</sup> Ibid., para. 2.

Nations system organizations, including the secretariats of several multilateral conventions, and the International Seabed Authority are currently members of UN-Oceans. The United Nations Legal Counsel/Division for Ocean Affairs and the Law of the Sea is its focal point, and participants include representatives of the participating secretariats.<sup>114</sup> An annual work programme, a calendar of ocean-related meetings, regular reporting to the High-level Committee on Programmes of the Chief Executives Board and the convening of regular meetings assist with the information exchange among UN-Oceans members and the coordination of joint activities, which include side events and publications, inter alia.<sup>115</sup> In 2024, the secretariats of the organizations participating in a meeting of UN-Oceans held at the principals' level adopted a statement of commitments in relation to the Agreement. The statement included emphasis on strengthening and promoting coordination and coherence of United Nations system activities in the context of the Agreement, as well as commitments to information-sharing and identification of possible areas for collaboration and synergy, inter alia.<sup>116</sup>

63. The United Nations Environment Management Group, established in 2001, convenes the secretariats of 51 specialized agencies, programmes and organs of the United Nations, including the secretariats of several multilateral environmental agreements, for the purpose of enhancing inter-agency coordination in the field of environment and human settlements.<sup>117</sup> The United Nations Environment Programme (UNEP) provides the secretariat for the Group, which comprises a senior-level decision-making body, chaired by the Executive Director of UNEP and consisting of senior-level officials from member organizations of the Group, and time-bound workstreams set up by the Group.<sup>118</sup> At its annual meetings, the Group approves a number of action points which have included, inter alia, the facilitation of a coordinated approach on biodiversity in the United Nations system, as well as efforts to strengthen synergies among the Rio Conventions.<sup>119</sup>

64. Cooperation at the regional level has included the Regional Fishery Body Secretariats' Network, which was formally established in 2005 and serves as a platform for information exchange among the secretariats of regional fishery bodies. Secretariat services for the biennial meetings of the Network are provided by FAO, which also issues a magazine that serves as a further tool for information and experience-sharing among members.<sup>120</sup>

65. The secretariats of the regional seas conventions and action plans coordinate through various mechanisms, including the annual global meetings of the regional

<sup>114</sup> Ibid., para. 4

<sup>115</sup> See, for example, a publication by the United Nations Office of Legal Affairs that drew on contributions by members of UN-Oceans, available at [https://www.un.org/depts/los/doalos\\_publications/9789210018036\\_Unclos40EngWeb.pdf](https://www.un.org/depts/los/doalos_publications/9789210018036_Unclos40EngWeb.pdf). More information on the joint activities of UN-Oceans is available on the UN-Oceans website: [www.un.org/Depts/los/coop\\_coor/docs\\_en.htm](http://www.un.org/Depts/los/coop_coor/docs_en.htm).

<sup>116</sup> Annex I to the 2024 UN-Oceans programme of work, available at: [www.un.org/depts/los/coop\\_coor/docs\\_en.htm](http://www.un.org/depts/los/coop_coor/docs_en.htm).

<sup>117</sup> General Assembly resolution 53/242, para. 5; see also <https://unemg.org/about-emg/emg-members/>.

<sup>118</sup> See the terms of reference of the Environment Management Group, available at [https://unemg.org/images/emgdocs/about/FINAL\\_clean\\_EMG\\_ToR\\_updated.pdf](https://unemg.org/images/emgdocs/about/FINAL_clean_EMG_ToR_updated.pdf).

<sup>119</sup> See summary of action points, 29th Senior Officials Meeting of the United Nations Environment Management Group (2023) (EMGSOM.29\_3a), available at [https://unemg.org/wp-content/uploads/2024/01/Table-of-actions-SOM-29\\_Final-.pdf](https://unemg.org/wp-content/uploads/2024/01/Table-of-actions-SOM-29_Final-.pdf).

<sup>120</sup> FAO Fisheries and Aquaculture Report, Report of the tenth meeting of the Regional Fishery Body Secretariats' Network, Rome, 5, 6 and 12 July 2024 (FAO, 2025), available at <https://doi.org/10.4060/cd3834en>. The meeting was attended by 47 RSN members and permanent observers, 1 invited expert organization and the Government of France.

seas conventions and action plans, which are organized by UNEP and provide a platform for the adoption of global strategies for cooperation.<sup>121</sup>

66. One of the most common examples of cooperation among the secretariats of various instruments, frameworks and bodies is the ad hoc organization of joint events, workshops,<sup>122</sup> presentations or publications<sup>123</sup> or other joint initiatives.<sup>124</sup> For example, the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs has cooperated with a number of secretariats of instruments, frameworks and bodies in its activities to promote a better understanding of the Agreement, including in the organization of side events and the delivery of regional workshops.<sup>125</sup> The secretariats of the Minamata Convention on Mercury and of the Basel, Rotterdam and Stockholm Conventions are publishing joint reports on their cooperation and coordination, which include a number of joint ad hoc activities.<sup>126</sup>

67. Joint initiatives may include the development of international guidelines and standards. For example, in response to the request of the General Assembly, in its resolution 59/24, to improve the existing geospatial information system, and in particular calling for the implementation of technical standards for the collection, storage and dissemination of the deposited information in cooperation with relevant international organizations, the Division for Ocean Affairs and the Law of the Sea, in collaboration with the International Hydrographic Organization, developed the technical standard “Maritime Limits and Boundaries Product Specification (S-121)”.<sup>127</sup>

## F. Miscellaneous arrangements

68. The Agreement also provides for cooperation with relevant instruments, frameworks and bodies that involves more than one of the bodies established under it as well as other stakeholders. For example, the Scientific and Technical Body may

<sup>121</sup> See [www.unep.org/events/conference/twenty-fourth-global-meeting-regional-seas-programme](http://www.unep.org/events/conference/twenty-fourth-global-meeting-regional-seas-programme). An overview of the cooperative arrangements between the regional seas conventions and action plans and other partners is available at [www.unep.org/regional-seas-programme-partners](http://www.unep.org/regional-seas-programme-partners).

<sup>122</sup> For example, the secretariat of the Commission on Genetic Resources for Food and Agriculture has been requested to hold, in collaboration with the secretariats of the Convention on Biological Diversity, the International Treaty on Plant Genetic Resources for Food and Agriculture and other relevant international organizations, virtual or in-person open-ended workshops on digital sequence information (see CBD/NP/MOP/5/8, para. 27).

<sup>123</sup> For example, the secretariats of the Basel, Rotterdam and Stockholm Conventions and the Minamata Convention on Mercury, issued a joint publication entitled *Interlinkages Between the Chemicals and Waste Multilateral Environmental Agreements and Biodiversity: Key Insights* (May 2021).

<sup>124</sup> See, for example, a joint statement on “Distress at sea: a call for a humanitarian and precautionary approach” by the United Nations High Commissioner for Refugees, the International Organization for Migration, the United Nations Office of the High Commissioner for Human Rights, the United Nations Special Rapporteur on trafficking in persons, especially Women and Children, the United Nations Special Rapporteur on the Human Rights of Migrants and the Centre for Humanitarian Action at Sea, available at <https://www.unhcr.org/sites/default/files/2024-12/joint-statement-on-distress-at-sea.pdf>.

<sup>125</sup> See [www.un.org/bbnjagreement/en/capacity-building-and-technical-assistance/side-events](http://www.un.org/bbnjagreement/en/capacity-building-and-technical-assistance/side-events) and [www.un.org/bbnjagreement/en/capacity-building-and-technical-assistance/regional-workshops](http://www.un.org/bbnjagreement/en/capacity-building-and-technical-assistance/regional-workshops). See also the broader capacity-building activities of the Division, which involve cooperation with various specialized agencies, funds and programmes of the United Nations, as well as other intergovernmental organizations, at [www.un.org/oceancapacity/](http://www.un.org/oceancapacity/).

<sup>126</sup> See, most recently, UNEP/MC/COP.5/INF/28, which includes information on cooperation relating to, inter alia, outreach, communication and event coordination, financial resources, implementation and compliance, technical assistance and knowledge and information management.

<sup>127</sup> See [https://registry.who.int/productspec/view.do?idx=177&product\\_ID=S-121](https://registry.who.int/productspec/view.do?idx=177&product_ID=S-121).

draw on appropriate advice emanating from relevant instruments, frameworks and bodies, as well as from other scientists and experts, as may be required.<sup>128</sup>

69. The practice of other instruments, frameworks and bodies also demonstrates cooperative arrangements involving more than one body under an instrument or involving multiple actors. With regard to multi-stakeholder arrangements, for example, the Sustainable Ocean Initiative is a cooperative arrangement under which a process, the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies, has facilitated exchange of experience, discussion of tools and guidelines, identification of opportunities and approaches to enhance collaboration and coordination and the strengthening of complementary roles among those bodies.<sup>129</sup> The Dialogue is organized by the secretariat of the Convention on Biological Diversity in collaboration with UNEP and FAO, and participants in the Dialogue include representatives of the secretariats of regional seas organizations, regional fishery bodies and relevant United Nations system entities and international organizations and initiatives, as well as experts from Governments and national agencies and non-governmental organizations.<sup>130</sup> The fourth Dialogue included an agenda item on the Agreement, which discussed, inter alia, the engagement of relevant bodies in, and cooperation under, the Agreement.<sup>131</sup>

70. Also under the Convention on Biological Diversity, a limited number of experts from relevant organizations, depending on the subject matter, may be included in the convening of ad hoc technical expert groups.<sup>132</sup> For example, in relation to ecologically or biologically significant marine areas, there have been scientific and technical and legal expert workshops convened with the participation of the secretariats of other instruments, frameworks and bodies, such as the International Seabed Authority, the International Maritime Organization (IMO) and the Division for Ocean Affairs and the Law of the Sea.<sup>133</sup>

71. The Division periodically organizes two-day multi-stakeholder workshops to discuss implementation of the relevant provisions of the resolutions on sustainable fisheries adopted by the General Assembly with regard to its periodic review of the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks. This process serves as an opportunity for States, FAO and regional fisheries management organizations and arrangements with a mandate to manage deep-sea fisheries on the high seas to exchange information and best practices among themselves and other relevant stakeholders.<sup>134</sup>

72. The ocean and climate change dialogue to consider how to strengthen adaptation and mitigation action, under the Subsidiary Body for Scientific and Technological Advice of the United Nations Framework Convention on Climate Change, is an

<sup>128</sup> Agreement, art. 49 (3).

<sup>129</sup> See “Seoul Outcome: outcome of the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating Progress towards the Aichi Biodiversity Targets, held in Seoul from 26 to 28 September 2016”, available at <https://www.cbd.int/marine/soi/soi-seoul-outcome-brochure-en.pdf>; and *Busan Outcome: Outcome of the Third Meeting of the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies*, available at <https://www.cbd.int/doc/c/423d/f5cd/e40e990d94018939ec8a9df6/soi-om-2022-outcomes-en.pdf>.

<sup>130</sup> See Seoul Outcome (see footnote 128).

<sup>131</sup> Report of the Fourth Meeting of the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies, available at <https://www.cbd.int/doc/c/cb6a/08b8/41d13ec1348143b5b4e5f187/soi-om-2024-01-report-en.pdf>.

<sup>132</sup> Conference of the Parties to the Convention on Biological Diversity, decision UNEP/CBD/COP/DEC/VIII/10, annex III.

<sup>133</sup> See for example, CBD/EBSA/EM/2023/1/3.

<sup>134</sup> See [www.un.org/depts/los/bottom\\_fishing\\_workshop.htm](http://www.un.org/depts/los/bottom_fishing_workshop.htm).

annual dialogue that serves as a platform to enhance action and support on ocean-based climate solutions.<sup>135</sup> It provides a further example of multi-stakeholder cooperation, with participants including United Nations system entities, Parties and non-Party stakeholders.

73. The Joint FAO/IMO/ILO Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and Related matters<sup>136</sup> is mandated, under its terms of reference, to discuss, coordinate and, as appropriate, make recommendations concerning cooperation among and between flag, port, coastal, market and labour supplying States.<sup>137</sup> Its work is coordinated by a joint secretariat, and it is composed of members that are nominated by the three organizations and include representatives of States, regional economic integration organizations and other stakeholders.<sup>138</sup>

74. Joint working groups have been established to facilitate cooperation and coordination in fisheries. For example, the North-East Atlantic Fisheries Commission and the Northwest Atlantic Fisheries Organization Joint Advisory Group on Data Management, consisting primarily of expert members nominated by Parties, is required to contribute to close cooperation regarding data management among the secretariats of these organizations and, as appropriate, their cooperation with secretariats of other regional fisheries management organizations.<sup>139</sup> As a further example, FAO organizes the Coordinating Working Party on Fishery Statistics, which provides a mechanism to coordinate the statistical programmes conducted by regional fishery bodies and other intergovernmental organizations with a remit for fishery statistics. Its members are experts nominated by the respective organizations.<sup>140</sup>

75. The Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP) is an advisory body that has been advising the United Nations system on the scientific aspects of marine environmental protection since 1969. The Joint Group of Experts is presently jointly sponsored by 10 United Nations system organizations, and IMO provides secretariat functions. Its members are independent experts in a wide range of disciplines, and it draws on a wider global pool of experts in carrying out its functions, which include in-depth studies, assessments, analyses and reviews of specific topics.

## G. Clearing-House Mechanism

76. The Agreement also provides for links between the Clearing-House Mechanism established under the Agreement and those established under other instruments, frameworks and bodies, as well as national and sectoral clearing-house mechanisms and other gene banks, repositories and databases, including those pertaining to relevant traditional knowledge of Indigenous Peoples and local communities.<sup>141</sup> The Agreement also requires building on global, regional and subregional clearing-house institutions, where applicable, when establishing regional and subregional mechanisms under the global mechanism.<sup>142</sup> The Clearing-House will be managed by the secretariat, without prejudice to possible cooperation with other instruments,

<sup>135</sup> FCCC/CP/2021/12/Add.1, decision 1/CP.26, para. 61.

<sup>136</sup> JWG 5/4/2, paras. 1.3 and 1.4, and appendix 1, available at <https://www.fao.org/iuu-fishing/tools-and-initiatives/joint-working-group-on-iuu-fishing/5/en/>.

<sup>137</sup> JWG 5/4/2, appendix I.

<sup>138</sup> Ibid.

<sup>139</sup> See [www.jagdm.org/information/terms-reference](http://www.jagdm.org/information/terms-reference).

<sup>140</sup> Coordinating Working Party, rules of procedure, available at: <https://www.fao.org/3/cc0615en/cc0615en.pdf>.

<sup>141</sup> Agreement, art. 51 (3) (c).

<sup>142</sup> Agreement, art. 51 (3) (d).

frameworks and bodies as determined by the Conference of the Parties, including the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Seabed Authority, IMO and FAO.<sup>143</sup>

77. Cooperation between various instruments, frameworks and bodies also involves different aspects relating to clearing-house mechanisms or other data platforms established under them. For example, some efforts have been focused on enabling the exchange of information between different platforms. “DeepData”, the specialized seabed and ocean database of the International Seabed Authority, was recently integrated into the Ocean Data and Information System, a global network of interconnected platforms designed to enhance the accessibility, interoperability and discovery of ocean data.<sup>144</sup> A memorandum of cooperation between the secretariats of the Convention on Biological Diversity and the International Treaty on Plant Genetic Resources for Food and Agriculture includes, as an area for joint collaboration, the development of synergies between the Global Information System and the Access and Benefit-sharing Clearing-House, including continued coordination on the types of information that could be exchanged between the two systems, and participation in the further development of each other’s systems to facilitate the exchange of data.<sup>145</sup> In 2023, the Secretary of the International Treaty on Plant Genetic Resources for Food and Agriculture was requested to advance on the exchange of relevant information and links with the Access and Benefit-sharing Clearing-House in the context of the Programme of Work on the Global Information System.<sup>146</sup>

#### IV. Possible action by the Preparatory Commission

78. In the light of the above, with the support of the Secretary-General, the Preparatory Commission could consider taking the following actions to facilitate the decisions of the Conference of the Parties concerning arrangements to enhance cooperation with relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies:

- (a) Identify, in a non-exclusive manner, which cooperation arrangements, if any, would require early operationalization by the Conference of the Parties, and when such cooperation arrangements should be operationalized;
- (b) Determine, for States Parties, the Conference of the Parties, the subsidiary bodies, the secretariat and the Clearing-House Mechanism, appropriate modalities to operationalize cooperation under the various relevant provisions of the Agreement, including which instruments, frameworks and bodies may be relevant.

<sup>143</sup> Agreement, art. 51 (4).

<sup>144</sup> See [www.isa.org.jm/news/the-international-seabed-authoritys-deepdata-joins-the-ocean-data-and-information-system-advancing-global-ocean-data-sharing/](https://www.isa.org.jm/news/the-international-seabed-authoritys-deepdata-joins-the-ocean-data-and-information-system-advancing-global-ocean-data-sharing/). This collaboration was based on a memorandum of understanding between the Intergovernmental Oceanographic Commission of UNESCO and the International Seabed Authority, available at <https://www.isa.org.jm/wp-content/uploads/2022/04/ISA-IOC-MOU.pdf>.

<sup>145</sup> Available at <https://www.cbd.int/doc/agreements/agmt-itpgrfa-2018-07-10-moc-web-en.pdf>.

<sup>146</sup> See FAO and International Treaty on Plant Genetic Resources for Food and Agriculture, resolution 5/2023 on the implementation of the Global Information System, available at <https://openknowledge.fao.org/server/api/core/bitstreams/5e344ec6-0ed0-4aa5-8462-1cd81ec2b1db/content>.