



HOUSE OF LORDS

International Agreements Committee

2nd Report of Session 2023–24

**Scrutiny of international
agreements: Agreement on
Biological Diversity Beyond
National Jurisdictions: the UN
Oceans Treaty**

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International Agreements Committee

The International Agreements Committee is appointed by the House of Lords in each session to consider, and where appropriate report on, 1) matters relating to the negotiation, conclusion and implementation of international agreements, and 2) treaties laid before Parliament in accordance with Part 2 of the Constitutional Reform and Governance Act 2010.

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Lord Geidt	Baroness Kingsmill
Lord Goldsmith (Chair)	Lord Marland
Lord Grimstone of Boscobel	Lord Razzall
Baroness Hayter of Kentish Town	Lord Udney-Lister
Lord Howell of Guilford	Lord Watts

Declaration of interests

See Appendix 1.

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CONTENTS

	<i>Page</i>
Summary	2
Agreement reported for special attention	3
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	3
Background	3
Figure 1: Maritime zones under UNCLOS showing areas under national jurisdiction	4
Content of the Agreement	5
Marine genetic resources	5
Marine protected areas and other area-based management tools	6
Environmental impact assessments	7
Capacity building and technology transfer	7
Compliance mechanisms and dispute settlement	7
Implementation	8
Entry into force	8
Funding	9
Application to the UK Overseas Territories	10
Relationship with other organisations	11
Ratification process	11
Appendix 1: List of Members and declarations of interest	13

SUMMARY

This report considers the following agreement, laid before Parliament in accordance with section 20 of the Constitutional Reform and Governance Act 2010:

- 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 (CP 942, 2023).

The Agreement on Biodiversity Beyond National Jurisdictions—also known as the UN Oceans Treaty—is a landmark environmental treaty designed to achieve, for the first time, the conservation and sustainable use of marine resources which lie beyond the jurisdiction of any state on the high seas and the deep seabed. This area amounts to almost half the surface of the planet. The Agreement achieves this through measures on:

- establishing marine protected areas,
- conducting environmental impact assessments for potentially harmful activities,
- regulating the commercial and scientific exploitation of marine genetic resources, and
- supporting capacity building and technology transfer so that the benefits of the Agreement can be shared by all states.

Implementation of the Agreement will be essential to achieving the goal set by the international community to effectively protect and manage 30% of the earth's land and seas by 2030. For that reason, it is important that states move quickly to operationalise the Agreement and bring it into force. The Agreement will have the greatest effect if it is widely ratified by states from both the global north and global south. The Government should champion this effort by setting an ambitious target for UK ratification and ensuring sufficient funding to support implementation both nationally and internationally. The Government should also support the UK Overseas Territories to participate in the Agreement, which would bring added value in terms of the protection of marine life. The Agreement offers important opportunities for the UK marine scientific community which has world leading expertise in this field.

In due course the House will be called upon to consider primary legislation to implement the Agreement before the Government can ratify it.

We report this Agreement for special attention.

Scrutiny of international agreements: Agreement on Biological Diversity Beyond National Jurisdictions: the UN Oceans Treaty

AGREEMENT REPORTED FOR SPECIAL ATTENTION

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 jurisdiction¹

1. The Agreement was laid before Parliament on 16 October 2023.
2. Owing to the scale and significance of the Agreement, the Committee sought written evidence on its implications from a number of interested organisations and expert individuals. A total of 10 written submissions were received.

Background

3. The Agreement on Biodiversity Beyond National Jurisdictions (BBNJ)—otherwise known as the UN Oceans Treaty—is a multilateral environmental treaty agreed under the framework of the United Nations Convention on the Law of the Sea (UNCLOS). Its purpose is the conservation and sustainable use of marine resources in those parts of the oceans which are beyond the territorial waters, exclusive economic zone and continental shelf of any state and are therefore outside national jurisdiction (Figure 1).
4. 61% of the oceans, which is 43% of the total surface area of the earth, lie beyond national jurisdiction. Existing international agreements such as the UN Convention on Biological Diversity and UNCLOS impose responsibilities on states to protect nature, but only within their national boundaries, leaving a “near half planet sized hole in environmental protection”². The BBNJ Agreement addresses the fragmented nature of current legal protections and fills the gaps left by UNCLOS and other agreements³. It has been described as a “significant moment for the future of the ocean”⁴, a hugely important milestone⁵ and “the greatest conservation victory in history”⁶ and has been widely welcomed by the UK and other states, environmental non-

1 HM Government, *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*, October 2023: https://assets.publishing.service.gov.uk/media/6527ed952548ca000dddf204/MS_9.2023_Agreement_under_UN_Convention_on_Law_of_the_Sea_on_Conservation_and_Sustainable_Use_Marine_Biological_Diversity_Areas_Beyond_National_Jurisdiction_BBNJ.pdf [accessed 16 November 2023]

2 Written evidence from Professor Callum Roberts (BBN0010)

3 Written evidence from Professor Callum Roberts (BBN0010), Professor Alex David Rogers (BBN0008) and the International Union for Conservation and Nature (IUCN) (BBN0005)

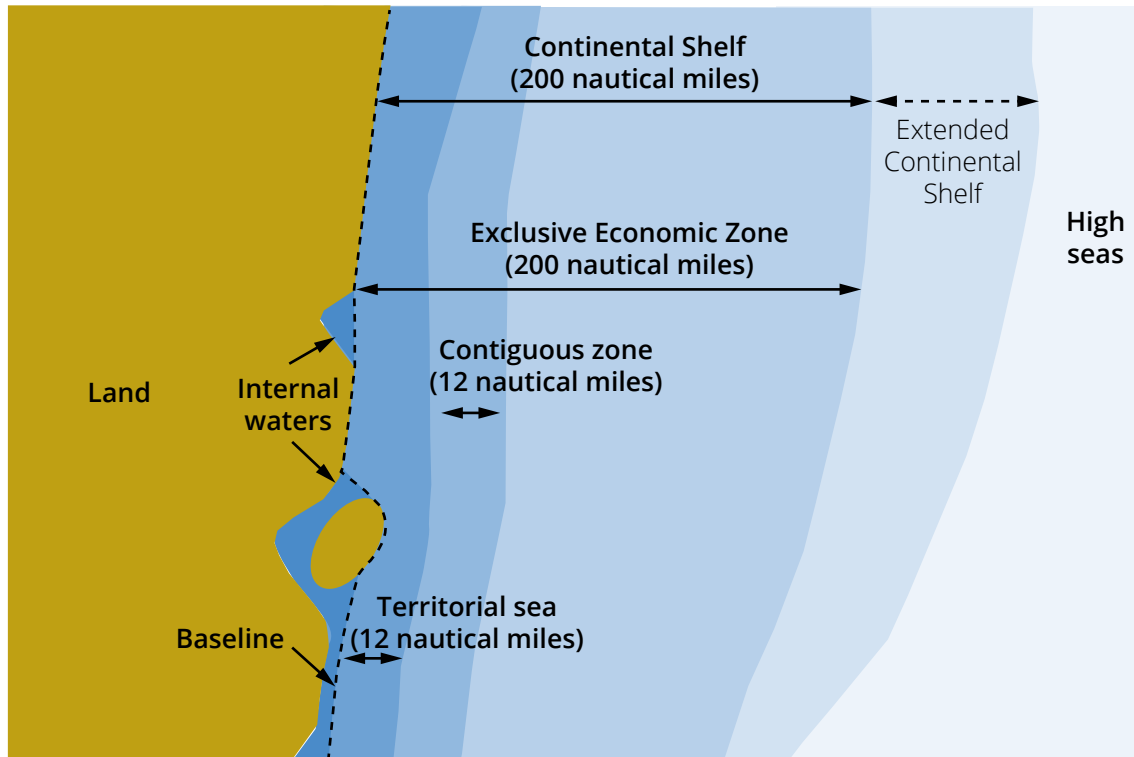
4 Written evidence from the National Oceanography Centre (BBN0002)

5 Written evidence from Professor Callum Roberts (BBN0010)

6 Written evidence from Greenpeace (BBN0003)

governmental organisations, the marine scientific community and industry⁷, including all those who gave evidence to this inquiry.

Figure 1: Maritime zones under UNCLOS showing areas under national jurisdiction



Source: International Relations and Defence Committee, *UNCLOS: the law of the sea in the 21st century* (2nd Report, Session 2021–22, HL Paper 159)

5. Part of the significance of the BBNJ Agreement lies in its potential for contributing to the achievement of global environmental and climate targets. In December 2022, the UN Biodiversity Conference adopted the Kunming-Montreal Global Biodiversity Framework⁸, which contains targets to be achieved by 2030 and beyond, with the aim of halting and reversing nature loss. Target 3 of the Framework is to effectively conserve and manage at least 30% of the earth’s land and sea by 2030 (the 30 x 30 target). We received evidence that “attaining the 30 x 30 goal would be impossible without the BBNJ treaty”.⁹ The International Union for Conservation and Nature told us:

“Multilateral cooperation and international frameworks are key in tackling the multiple global crises. The four core elements of the BBNJ Treaty combined with its institutional, financial, capacity-

⁷ Foreign, Commonwealth and Development Office, *Explanatory Memorandum on 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*, para 10: https://assets.publishing.service.gov.uk/media/6527ed6caea2d0000d219c67/EM_MS_9.2023_Agreement_under_UN_Convention_on_Law_of_the_Sea_on_Conservation_and_Sustainable_Use_Marine_Biological_Diversity_Areas_Beyond_National_Jurisdiction_BBNJ.odt [accessed 16 November 2023]

⁸ Convention on Biological Diversity, *Decision adopted by the parties to the Convention on Biological Diversity CBD/COP/DEC/15/4*, 19 December 2022: <https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-04-en.pdf> [accessed 25 November 2023]

⁹ Written evidence from Professor Alex David Rogers (BBN0008)

building, compliance, and procedural mechanisms are well designed to help achieve several global goals and internationally set targets once its entry into force. Notably the recently adopted CBD Kunming-Montreal Global Biodiversity Framework, and the Paris Agreement’s aim to increase the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development (Paris Agreement Article 2(1)(b)). In addition to delivering on the UN Sustainable Development Goal 14 (“life below water”), it will significantly contribute to achieving multiple SDGs”.¹⁰

Content of the Agreement

6. The BBNJ Agreement covers four main areas:
 - (a) exploitation of marine genetic resources;
 - (b) area-based management tools, including marine protected areas;
 - (c) environmental impact assessments; and
 - (d) capacity building and technology transfer.

Marine genetic resources

7. Part II of the Agreement regulates activities relating to marine genetic resources¹¹ (MGR) and related digital sequence information for scientific and commercial purposes. This is based on the principle of the fair and equitable sharing of benefits to ensure that the exploitation of MGR—which is within the technical reach of very few states—is shared for the benefit of all. This principle is given effect through requirements for parties to the Agreement to share both monetary and non-monetary benefits of MGR (e.g access to samples and scientific data, capacity building and technology transfer) with developing countries.
8. The MGR provisions are important because, as the Pew Trust explained:

“The oceans contain the highest functional biodiversity on earth, which is closely associated with and dependent upon underlying genetic diversity. Most of the ocean’s biodiversity, including genetic diversity, remains unstudied, but holds great opportunities for economies, science, and conservation. For example, marine organisms are being collected and utilized to develop pharmaceutical and cosmetic products.”¹²
9. An open-access platform, the “Clearing House”, will be created as the mechanism for notifying activities relating to MGR to facilitate cooperation between states and the sharing of scientific information. A notification must be made before the start of an expedition to collect MGR, with supplementary information provided once MGR have been collected and when they are subsequently utilised for commercial or scientific purposes. Parties must ensure that MGR collected from areas beyond national jurisdiction and related digital sequence information are deposited in publicly accessible repositories and databases.

10 Written evidence from the International Union for Conservation and Nature ([BBN0005](#))

11 Defined as “any material of marine plant, animal, microbial or other origin containing functional units of heredity of actual or potential value”. (Article 1.8). Fishing regulated under other provisions of international law is excluded from the provisions on MGR (Article 10).

12 Written evidence from the Pew Charitable Trusts ([BBN0006](#))

10. Professors Marcel Jaspars and Abbe Brown of Aberdeen University told us that these provisions “will encourage better cooperation and coordination of marine science by avoiding overlapping research”. Transparency will also increase the opportunities for scientists from lower and middle-income countries to get involved. “Making data openly available, as well as findable, accessible, interoperable and reusable ... will benefit the marine scientific research community as a whole. Reporting data using a common standard will provide greater knowledge of ocean biodiversity and enable the development of relevant conservation measures under other parts of the Agreement”.¹³

Marine protected areas and other area-based management tools

11. Marine protected areas (MPAs) are a type of “area-based management tool” to promote conservation and sustainability in environmentally sensitive regions of the high seas. There is currently no mechanism for the creation of MPAs in areas beyond national jurisdiction, but Part III of the BBNJ Agreement creates a framework for this. Under the Agreement, an MPA can include restrictions on fishing, but the management measures within the MPA will vary depending on scientific advice. Any state party (individually or with others) can propose to establish an MPA. These proposals are submitted for adoption by the parties following a period of public consultation and scientific analysis. If adopted, the terms of the MPA are binding on all parties to the BBNJ Agreement.
12. There is a complex decision-making process for adopting an MPA, reflecting a compromise aimed at balancing the interests of states particularly affected by the establishment of an MPA (including those which may have an interest in fisheries or other economic activity) against the wider interests of conservation and sustainability. “As a general rule” decisions under Part III will be taken by consensus¹⁴, which enables widespread buy-in to a proposal but allows a minority to block. The Agreement therefore provides a fall-back if consensus cannot be reached, with a two-stage process which allows an MPA to be established by a majority vote of the Conference of the Parties.
13. A state which objects to the establishment of an MPA can register an objection on specified grounds with the effect that the decision to establish the MPA will not be binding on the objecting state. However, an objecting state must meet a series of requirements obliging the objecting state to justify its objection on an ongoing basis to the Conference of the Parties and “to the extent practicable” adopt “alternative measures or approaches which are equivalent in effect to the decision”.¹⁵ This process of objection has the potential to undermine the effectiveness of an MPA and Greenpeace told us that it is one of the main weaknesses of the Agreement.¹⁶ WWF-UK also noted that the process provides opportunities for blockages which may delay implementation of MPAs, but only time would tell whether this will amount to a major defect.¹⁷

13 Witten evidence from Professor Marcel Jaspars and Professor Abbe Brown ([BBN0007](#)). See also the written evidence from the National Oceanography Centre ([BBN0002](#)) and Professor Alex David Rogers ([BBN0008](#)).

14 Article 23.1

15 Article 23.6

16 Written evidence from Greenpeace ([BBN0003](#))

17 Written evidence from the World Wildlife Fund (UK) ([BBN0009](#))

Environmental impact assessments

14. Part IV of the Agreement imposes an obligation on parties to conduct an environmental impact assessment (EIA) in relation to any activity under their jurisdiction or control which takes place on the high seas or the deep seabed and which may cause substantial pollution or significant damage to the marine environment. The Pew Trust highlighted the importance of conducting EIAs for activities such as geoengineering, and oil and gas exploration.¹⁸ Information relating to planned activities must be made publicly available through the Clearing House mechanism and states must take account of representations from relevant stakeholders, including the Scientific and Technical Body established by the Agreement. The state which is planning the activity retains the right to decide whether and how to proceed, but it must make relevant information about its decision available through the Clearing House.

Capacity building and technology transfer

15. The objectives of Part V of the Agreement are to develop marine scientific and technological capacity, in particular that of developing countries, and to promote cooperation and knowledge-sharing on conservation and sustainability in areas beyond national jurisdiction. Specific provisions encourage the transfer of marine technology.
16. There will be a financial mechanism to support capacity building consisting of both a voluntary trust fund and a special fund to which developed states parties will contribute an amount to be decided by the first Conference of the Parties (COP)¹⁹. The COP will also decide the mechanism for the distribution of these funds to developing countries, which must be used for specified purposes including capacity building, supporting conservation efforts by indigenous peoples, and technical assistance to implement the Agreement. A dedicated committee established by the COP is tasked with monitoring the implementation of the provisions on capacity building and marine technology transfers and will make recommendations to the COP, including on the use of the funding mechanism.
17. Dr Harriet Harden-Davies, Director of the Nippon Foundation-University of Edinburgh Ocean Voices Programme²⁰, told us that these provisions collectively represent an advance over UNCLOS, including by enabling a common understanding of what is meant by capacity building in this area, “set[ting] a long-term vision for capacity building that echoes recent calls for two-way partnerships” with developing countries and creating mechanisms which will “enable diverse voices to advise and guide implementation” of this aspect of the Agreement.

Compliance mechanisms and dispute settlement

18. There are slightly different mechanisms for compliance in the three substantive areas of the BBNJ Agreement (MGR, MPAs and EIA) but in all three areas, compliance is founded on periodic reporting by states to the COP. These periodic reports will be reviewed by an Implementation and Compliance Committee. Public access to information submitted to

18 Written evidence from the Pew Charitable Trusts ([BBN0006](#))

19 The COP will meet for the first time within one year of entry into force of the Agreement and thereafter at intervals which the COP will decide.

20 Written evidence from Dr Harriet Harden-Davies ([BBN0001](#))

the Clearing House will also allow for scrutiny by other states and relevant stakeholders.

19. The Agreement also provides for the monitoring and review of states' reporting on MPAs and EIA by a Scientific and Technical Body²¹. This Body is mandated to review the effectiveness of management measures within MPAs and may make recommendations to the COP which could lead to amendment of the measures. In the case of EIA, if a party raises concerns about the environmental impact of an activity carried out by another state which was subject to an EIA, the Scientific and Technical Body will conduct a review and may make recommendations to the other state party, although there is no obligation for it to comply.
20. This non-adversarial approach to promoting compliance based on transparency rather than enforcement, similar to that found in other international environmental treaties, was welcomed by several witnesses and was described by the High Seas Alliance as "state of the art"²².
21. If these "soft compliance" mechanisms are ineffective, parties can have recourse to dispute settlement. Technical disputes can be referred to an ad hoc expert panel²³. Disputes over the interpretation or application of the Agreement are to be settled using the appropriate UNCLOS mechanism, which provides for compulsory dispute resolution via the International Tribunal for the Law of the Sea (ITLOS), the International Court of Justice or arbitration. There is also a possibility for the COP to seek an advisory opinion from ITLOS, but this is quite heavily constrained.²⁴ WWF-UK expressed disappointment with this outcome as they consider the advisory opinion mechanism an "important component of a facilitatory approach to avoiding and resolving disputes".²⁵

Implementation

22. The benefits of the BBNJ Agreement will not be realised without effective implementation and witnesses to our inquiry noted several challenges in this regard.

Entry into force

23. The BBNJ Agreement was adopted by consensus on 19 June 2023 and opened for signature at the United Nations on 20 September 2023. At the date of this report 84 states had signed the Agreement. It will enter into force when 60 states have ratified it. Only states which ratify the Agreement will be bound. The effectiveness of the environmental measures which it provides will therefore depend on how widely it is accepted by states.
24. Witnesses to this inquiry emphasised the urgency of bringing the Agreement into force²⁶. In particular, the timelines for establishing the treaty institutions and for developing and adopting MPAs mean that time is very short to ensure

21 Established under Article 49

22 Written evidence from the High Seas Alliance ([BBN0004](#)), National Oceanography Centre ([BBN0002](#)), IUCN ([BBN0005](#))

23 Article 59

24 Article 47.7

25 Written evidence from World Wildlife Fund (UK) ([BBN0009](#))

26 Written evidence from the National Oceanography Centre ([BBN0002](#)), Greenpeace ([BBN0003](#)), the High Seas Alliance ([BBN0004](#)), IUCN ([BBN0005](#)), WWF-UK ([BBN0009](#)), Professor Callum Roberts ([BBN0010](#))

that the Agreement can have an impact on achievement of the 30 x 30 target²⁷ and much work needs to be done internationally before the Agreement can be fully operational. Professor Callum Roberts said:

“Speeding up the processes will require nations to champion the BBNJ Agreement and encourage others to swiftly ratify it. Countries like the UK can also play a leadership role in establishing the COP and the expert committees. We could also start developing marine protected area proposals and building consensus for them among other partner countries now, ahead of the Treaty coming into force, so they can be swiftly considered when the mechanisms are up and running.”²⁸

25. Widespread international acceptance of the Agreement can only be achieved through ratification by states in both global north and south. Dr Harriet Harden-Davies noted that ensuring developing states have the capacity to implement the Agreement will be key to its effectiveness and recommended early focus on capacity building to support implementation.²⁹ FCDO officials have told us that the Government is supporting a number of initiatives including funding regional workshops and informal dialogues relating to BBNJ implementation and working with the Commonwealth Secretariat, CARICOM and the Pacific Ocean Commission on how best to provide technical advice on early implementation to smaller states.
26. **We welcome the efforts of Government to support a range of international initiatives on BBNJ implementation.**
27. The Government has stated that primary legislation will be needed to implement certain aspects of the Agreement in the UK before it can be ratified. The Government anticipates bringing this legislation forward in the first session of the next Parliament³⁰. If so, this means that UK ratification will not be possible until after the next General Election. Several witnesses noted that this risks the UK not being among the first 60 states to ratify the Agreement. Yet early ratification is important to enable full participation in critical decisions which will be made at the first COP, including on the establishment of the subsidiary bodies, rules of procedure, budget and assessed contributions. The EU has committed to ratification by the date of the UN Ocean Conference in June 2025.³¹
28. **While noting that the passage of implementing legislation is dependent on Parliamentary time, we encourage the Government to set an ambitious target date for ratification of the Agreement.**

Funding

29. Several witnesses have noted that adequate funding will be essential to the effective implementation of the Agreement, both nationally and

27 Written evidence from the National Oceanography Centre ([BBN0002](#))

28 Written evidence from Professor Callum Roberts ([BBN0010](#))

29 Written evidence from Dr Harriet Harden-Davies ([BBN0001](#))

30 Explanatory Memorandum, para 5, and Letter from Rt Hon Andrew Mitchell MP to the Chair of the International Agreements Committee, 10 October 2023: <https://committees.parliament.uk/publications/42635/documents/211964/default/>

31 EU Commission, ‘Daily News briefing’, 12 October 2023: https://ec.europa.eu/commission/presscorner/detail/de/mex_23_4944 [accessed 19 December 2023] Extract translated from French: *The EU and its Member States are committed to ratifying the Treaty before the next United Nations Ocean Conference in June 2025, as well as to strongly encouraging other countries to ratify this Treaty swiftly.*

internationally.³² The National Oceanography Centre said there was a need for investment in a national MGR repository, or network under central management. The NOC also noted the importance of the Government working closely with the UK scientific community on the design of implementing measures to ensure that there are no unintended consequences on existing research capabilities. Professor Jaspars also noted that “significant resource allocation” and engagement would be needed to enable the UK marine scientific community to meet the demands of data capture, curation and dissemination. Professor Rogers observed that:

“The U.K. is still a globally leading centre for marine scientific research. It therefore has much to contribute to the BBNJ Treaty in the way of scientific data collection, technology development for monitoring/surveillance purposes in areas beyond national jurisdiction and in analytics of big data. The U.K. Government should look at how to promote these areas in shaping its future marine science strategies, public-private partnerships in marine technology and in shaping a new generation of scientists, innovators and technical specialists in this area so that we can nationally benefit from the resulting knowledge and economic activity.”

30. FCDO officials have told us that they have contributed £125,000 to the funding of workshops and informal dialogues mentioned in paragraph 24 and have made an additional £50,000 payment to the voluntary trust fund supporting participation of developing countries in the BBNJ negotiations to cover participation in the forthcoming preparatory conference on establishment of the COP. Additionally, the Government has noted it is UK is a major financial contributor to the Global Environment Facility³³ which is part of the funding mechanism for the Agreement. FCDO officials estimate that the UK’s annual contribution to the BBNJ Agreement budget, including the compulsory addition for sharing MGR benefits mentioned in paragraph 15 above, could amount to £1 million.³⁴ This information was not included in the Government’s Explanatory Memorandum.
31. **We welcome the resources that the Government has already committed to the Agreement but note that significant further funding will be required to ensure its effective implementation.**
32. **We would remind the Government that full information on the financial implications of an Agreement should be provided when a treaty is laid before Parliament.**

Application to the UK Overseas Territories

33. The Government’s Explanatory Memorandum states that it is consulting the Crown Dependencies and Overseas Territories (OT) on extending the UK’s ratification to them.
34. There is an existing “Blue Belt” of marine protected areas in waters under national jurisdiction surrounding several of the UK’s OTs which protect an

32 Written evidence from the National Oceanography Centre ([BBN0002](#)) and Professors Marcel Jaspars and Abbe Brown ([BBN0007](#))

33 The Global Environment Facility, ‘Who we are’: <https://www.thegef.org/who-we-are> [accessed 3 November 2023]

34 The final figure will not be known until the necessary decisions are taken by the first COP. This estimate is based on the UK’s contribution to the Convention on Biological Diversity.

area the size of India. FCDO officials have told us that establishing MPAs and other protections in areas beyond national jurisdiction that are adjacent to or nearby this “Blue Belt” would strengthen the protection of marine biodiversity, which does not conform to national boundaries. FCDO also told us that “some areas of the high seas close to the [Blue Belt] around Ascension Island, Tristan da Cunha and St Helena have been identified by NGOs as potential candidates for future MPAs [under the BBNJ Agreement which] could help reinforce the protections” within existing protected areas. In their evidence to this inquiry, Greenpeace and the High Seas Alliance have urged the UK to support as a priority the establishment of an MPA in the Sargasso Sea off Bermuda due its unique biodiversity which is under threat from industrial fishing and shipping pollution.³⁵

35. **Given the potential for added value from participation by the UK Overseas Territories in the Agreement, we recommend that the Government should strongly encourage OT participation and support their capacity to implement the Agreement.**

Relationship with other organisations

36. How the BBNJ Agreement interacts with other existing treaties and organisations was a significant issue in the negotiations. It was a key objective for the UK that the Agreement should be interpreted and applied in a manner which does not undermine other relevant instruments and frameworks³⁶. This principle is now set out in the Agreement.³⁷ Nevertheless, there is the possibility for tension as the Agreement is operationalised. Professor Rogers’ view is that it could be one of the greatest implementation challenges to achieve effective cooperation between sectoral bodies governing regimes such as shipping or the seabed to ensure that sectoral interests do not distort decision-making by BBNJ institutions.³⁸

Ratification process

37. The Government laid the BBNJ Agreement in Parliament on 16 October, triggering the scrutiny process under the Constitutional Reform and Governance Act 2010 (CRA). However, as we noted in paragraph 27, the UK will not be in a position to ratify the Agreement until primary implementing legislation has been adopted which is likely to be at least one or two years away. The Committee’s scrutiny of this significant and complex Agreement has therefore been curtailed despite a clear lack of urgency.
38. On 7 December 2020 the Government made a commitment in relation to new Free Trade Agreements that it would give the Committee advance sight of such agreements for a reasonable period in advance of laying it under CRA³⁹ to enable effective scrutiny.
39. **The Committee calls on the Government to extend this commitment to other agreements of comparable importance where there is no immediate urgency to ratify.**

35 Written evidence from Greenpeace ([BBN0003](#)) and the High Seas Alliance ([BBN0004](#))

36 Explanatory Memorandum, paragraph 3

37 Article 5

38 Written evidence from Professor Alex David Rogers ([BBN0008](#))

39 HL Deb, 7 December 2020, [UIN HLWS614](#)

40. **The rapid laying of the Agreement under CRAG means that the information provided in the Government's Explanatory memorandum is incomplete. The Committee calls on the Government to update the Committee prior to introduction of the implementing legislation.**
41. **The Agreement on Biological Diversity beyond National Jurisdictions is a landmark treaty with potential for significant benefits for the global environment. The House will be called upon in due course to consider implementing legislation before it can be ratified. For these reasons we draw the Agreement to the special attention of the House together with our comments in paragraphs 26, 28, 31, 32, 35, 39 and 40.**

APPENDIX 1: LIST OF MEMBERS AND DECLARATIONS OF INTEREST

Members

Lord Fox
 Lord Geidt
 Lord Goldsmith KC (Chair)
 Lord Grimstone of Boscobel
 Baroness Hayter of Kentish Town
 Lord Howell of Guildford
 Lord Kerr of Kinlochard
 Baroness Kingsmill
 Lord Marland
 Lord Razzall
 Lord Udny-Lister
 Lord Watts

Declarations of interest

Lord Fox
No relevant interests

Lord Geidt
Chairman of Council, King's College London
President, Royal Overseas League

Lord Goldsmith KC
Partner, Debevoise & Plimpton LLP (International law firm)

Lord Grimstone of Boscobel
No relevant interests

Baroness Hayter of Kentish Town
Senior Non-Executive Director, Association of British Insurers

Lord Howell of Guildford
No relevant interests

Lord Kerr of Kinlochard
No relevant interests

Baroness Kingsmill
No relevant interests

Lord Marland
No relevant interests

Lord Razzall
Director, North Atlantic Mining Associates Limited
Director, ZeU Technologies Inc
Shareholdings, ZeU Technologies Inc
Shareholdings, St-Georges Eco-Mining Corporation
Shareholdings, Tintra plc

Lord Udny-Lister
No relevant interests

Lord Watts
No relevant interests