



Biodiversity Beyond National Jurisdiction (BBNJ) Agreement

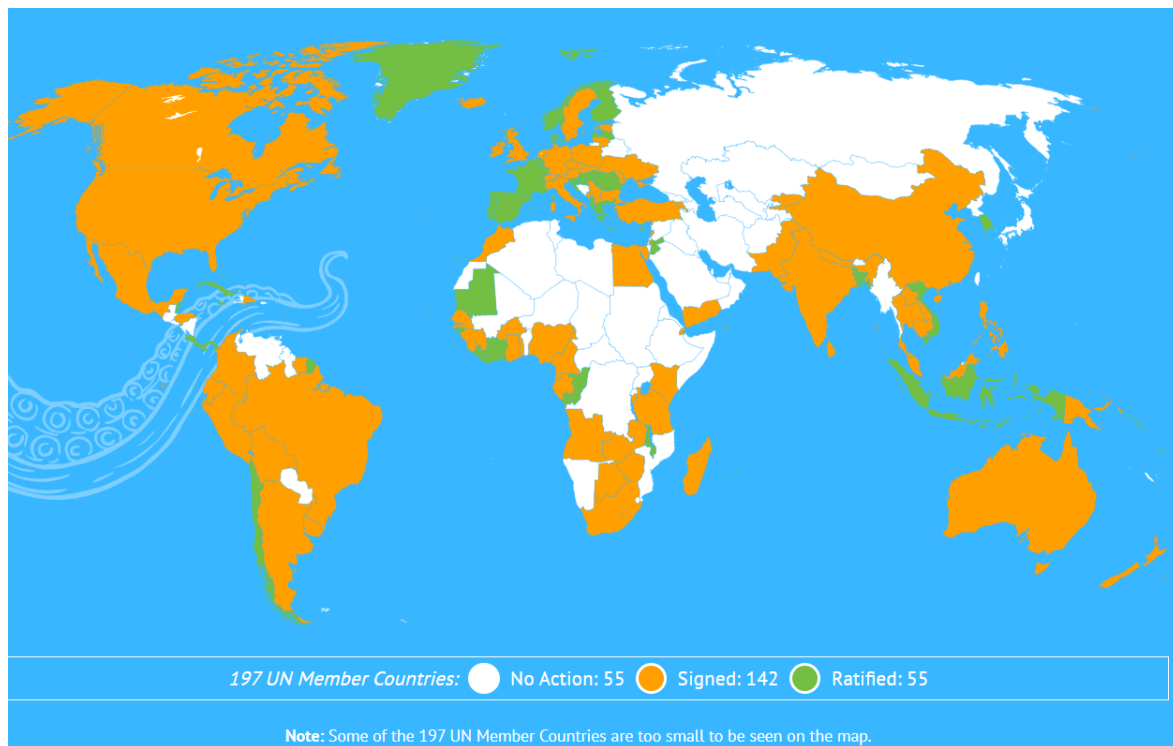
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Why in News?

The **Ministry of Earth Sciences** has set up a 12 member panel to implement a new law to safeguard its interests in **international ocean waters**, aligning with the [Biodiversity Beyond National Jurisdiction \(BBNJ\) Agreement \(High Seas Treaty\)](#) agreement.

What is the Biodiversity Beyond National Jurisdiction (BBNJ) Agreement ?

- **About:** The **BBNJ Agreement or High Seas Treaty** is a **legal framework** under the [United Nations Convention on the Law of the Sea \(UNCLOS\)](#) to safeguard the ecological health of oceans.
 - Adopted in **2023**, it aims to **curb pollution, conserve biodiversity, and ensure sustainable use of marine resources** in waters beyond national boundaries.
- **Scope of the Treaty:**
 - Establish [Marine Protected Areas \(MPAs\)](#) like [national parks](#) and [wildlife sanctuaries](#) to regulate activities and conserve ocean ecosystems.
 - **Regulates extractive activities** such as **seabed mining** & ensures **fair distribution of benefits from marine resources and organisms**.
 - Make [EIAs](#) **mandatory for major oceanic projects** that may **harm the high seas**, even if carried out within national waters.
 - **Support developing nations** in accessing marine technologies and resources while ensuring conservation.
- **Signing and Ratification:** As of August 2025, **over 140 countries have signed the treaty and 55 have ratified it**.
 - India has **signed the BBNJ Agreement in 2024** but has **not yet ratified it**.
 - **Signing shows intent**, while **ratification legally binds a country to the treaty**, with the process differing across nations.



UN HIGH SEAS TREATY

aka BBNJ (Biodiversity Beyond National Jurisdiction) Agreement

For the first time, UN members have agreed on a unified (legally-binding) treaty to protect biodiversity in the high seas

High Seas (HS)

All the saltwater bodies across Earth that aren't part of territorial sea/internal waters of a state

Background of Treaty

Demand for an updated framework to protect marine life in the High Seas, is about 20 years-old

Need to Protect HS

- Only 1.2% of HSs are currently protected
- 10% of global marine species at risk of extinction
- High exploitation due to commercial fishing, mining, acidification, pollution

The last int'l agreement on ocean protection was UNCLOS signed in 1982

This treaty is the 3rd "implementing agreement" under UNCLOS

KEY FEATURES

- Create a new body to manage conservation of ocean life and establish marine protected areas in the high seas
- Estd. ground rules for conducting EIAs for commercial activities in oceans

KEY PLAYERS

EU, US, UK and China (in brokering the deal)

SIGNIFICANCE

- Achieving the 30x30 Target set at UN CBD COP15
- Legal protection of 2/3rd of the ocean (+ livelihoods of coastal communities)
- Comprehensive protection of endangered species/habitats on >40% of Earth's surface

ROADBLOCK

How to fairly share marine genetic resources (MGR) & eventual profits among developed/developing nations

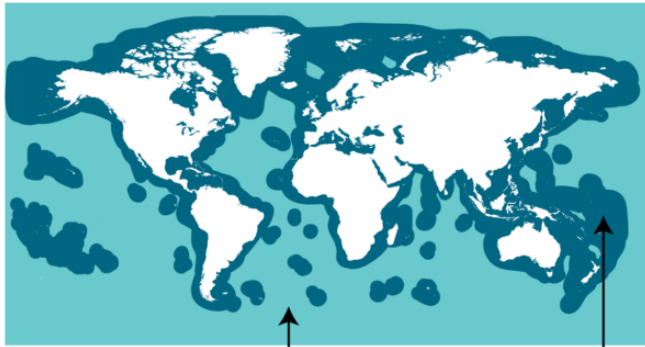


Ocean ecosystems produce half the oxygen we breathe, represent 95% of the planet's biosphere and soak up CO₂ (world's largest carbon sink)

High Seas

- **About:** High seas refer to **regions beyond the national jurisdiction** of any country.
 - Generally, national jurisdictions extend up to **200 nautical miles (370 km)** from a **country's coastline**, known as the **Exclusive Economic Zone (EEZ)**.
 - No country has **jurisdiction** or responsibility for **resource management** in these waters.
 - Only about **1%** of the **high seas** are currently protected.
- **Significance:** The high seas cover **64% of oceans** and **50% of Earth's surface** & are vital for **marine biodiversity, climate regulation, carbon absorption, solar energy storage, and heat distribution**.
 - They provide key resources like **seafood, raw materials, genetic resources, and medicinal compounds**.

WHAT ARE THE HIGH SEAS?

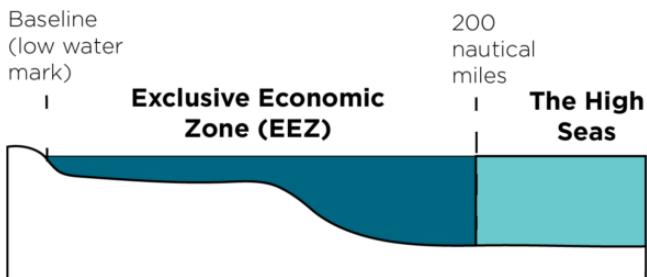


The High Seas
Exclusive Economic Zones (EEZ)

THE HIGH SEAS ARE:

64% of the world's oceans

45% of the earth's surface



Countries have exclusive rights to their EEZ. The high seas are international waters.

United Nations Convention on the Law of the Sea (UNCLOS)

- **UNCLOS, also called Law of the Sea**, is an international treaty **adopted and signed in 1982**, replacing the **1958 Geneva Conventions**.
- It provides the **legal framework** for marine and maritime activities.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS)

The 1982 United Nations Convention on the Law of the Sea (UNCLOS), also called Constitution for the oceans, has 168 parties, and sets out the legal framework within which all activities in the oceans and seas must be carried out.



The Convention has created three new institutions on the International level



THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

01

An independent judicial body. It has jurisdiction over any dispute concerning the interpretation or application of the Convention, and over all matters specifically provided for in any other agreement which confers jurisdiction on the Tribunal

02 THE INTERNATIONAL SEABED AUTHORITY

ISA has the mandate to ensure the effective protection of the marine environment from harmful effects that may arise from deep-seabed related activities

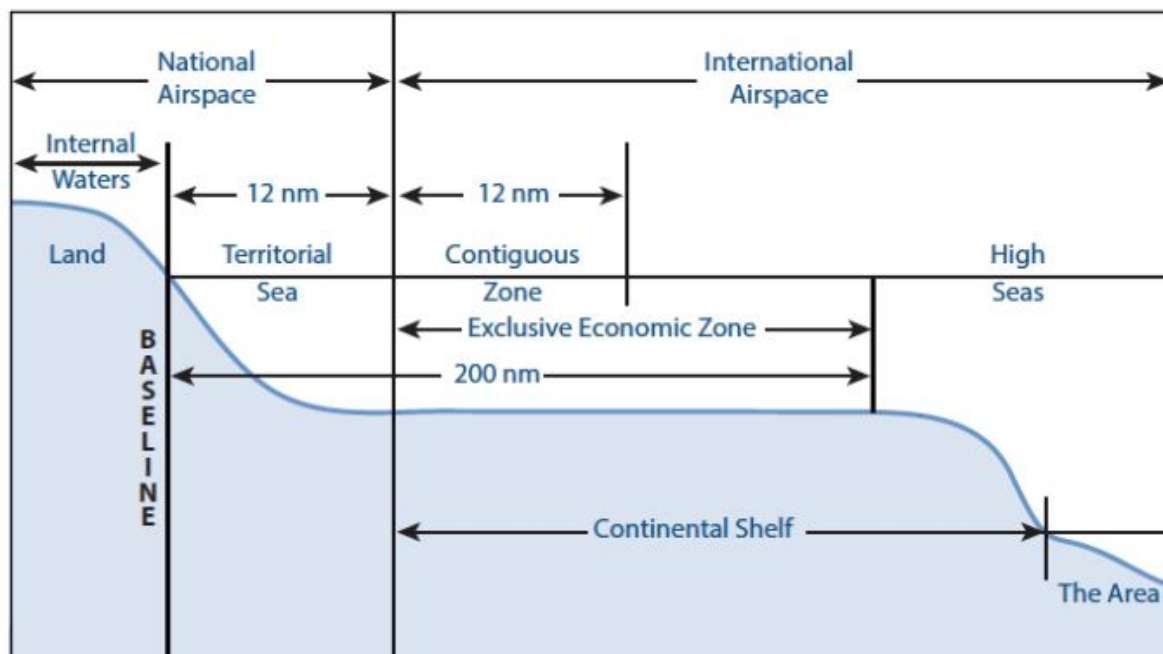


THE COMMISSION ON THE LIMITS OF THE CONTINENTAL SHELF

03

To facilitate the implementation of the UNCLOS in respect of the establishment of the outer limits of the continental shelf beyond 200 nautical miles (M) from the baselines from which the breadth of the territorial sea is measured

- It divides ocean space into **5 zones- Internal Waters, Territorial Sea, Contiguous Zone, Exclusive Economic Zone (EEZ), and High Seas.**



UPSC Civil Services Examination, Previous Year Questions (PYQs)

Prelims

Q. With reference to the 'Trans-Pacific Partnership', consider the following statements: (2016)

1. It is an agreement among all the Pacific Rim countries except China and Russia.
2. It is a strategic alliance for the purpose of maritime security only.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (d)

Q. With reference to 'Indian Ocean Rim Association for Regional Cooperation (IOR-ARC)', consider the following statements: (2015)

1. It was established very recently in response to incidents of piracy and accidents of oil spills.
2. It is an alliance meant for maritime security only.

Which of the statements given above is/ are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (d)

Mains

Q. With respect to the South China sea, maritime territorial disputes and rising tension affirm the need for safeguarding maritime security to ensure freedom of navigation and overflight throughout the region. In this context, discuss the bilateral issues between India and China. (2014)

PDF Refernece URL: <https://www.drishtiias.com/printpdf/biodiversity-beyond-national-jurisdiction-bbnj-agreement>

