



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/B1/PR

Dear Mr López,

I would like to thank you for the LDAC advice on the practical interactions between the BBNJ Agreement and RFMOs/RFABs adopted by the Executive Committee on 19 May 2026 (Ares(2026)5282021). My services took note of your recommendations as well as the addendum from the Pew Charitable Trusts dated 2 June 2026 (Ares(2026)5598545).

The successful implementation of the BBNJ Agreement will depend on the close cooperation and coordination with the existing sectoral bodies, particularly RFMOs. These organisations play a vital role in the conservation and sustainable use of marine living resources, including through the adoption of science-based management measures, the protection of vulnerable marine ecosystems, and the mitigation of adverse impacts on non-target species. At the same time, for the BBNJ Agreement to be effective, the future measures for implementing the BBNJ Agreement will need to take into account all human activities (cabling, shipping, oil and gas prospection, deep-sea mining as well as fishing) to ensure the protection of the marine ecosystems supporting sustainable fisheries.

The BBNJ Agreement and RFMOs share common objectives and must work in complementarity to avoid duplication and address gaps in governance. To that end, the BBNJ Agreement must be interpreted and applied in a manner that does not undermine RFMOs, and its bodies should build upon the work, competencies, and measures of RFMOs.

While much of the institutional set up of the BBNJ Agreement still needs to be defined, the Commission already played a key role in setting up the groundwork for a close cooperation and coordination between the BBNJ Agreement and RFMOs at the BBNJ Preparatory Commission. Following a proposal by the EU, the draft Rules of Procedures provide that existing RFMOs will be entitled to participate in BBNJ processes as observers without having to request observer status (see Enclosure Annex I, rule 8(3)(d)) granting them a status similar to that of the UN or States non-parties to the Agreement.

Similarly, the draft Decision on cooperation arrangements to enhance cooperation with relevant instruments, frameworks and bodies (IFBs) (see Enclosure Annex VII), sets a framework to develop meaningful consultations with RFMOs while taking into account their specificities. The draft decision insists, among others, on the importance of seeking coherence and complementarity with the work cycles of concerned IFBs, like RFMOs (OP1(g)), and indicates that data sharing should be subject to applicable confidentiality

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and data protection requirements (OP1(e)). Furthermore, based on a proposal by the EU, this draft decision tasks the subsidiary bodies, including the Scientific and Technical Body, to assess, in their programme of work, their needs with regard to the cooperation and coordination with IFBs (OP4), which should help ensure that cooperation with RFMOs and the incorporation of fisheries expertise is embedded in the very first tasks of the relevant subsidiary bodies.

At the same time the Commission actively works within RFMOs to promote consideration for the modalities of their contribution to and interaction with the BBNJ Agreement, its bodies, and processes, and will, to that end, host an event in Brussels on 16-17 March 2027 to advance these discussions among RFMOs and their members.

The Commission will continue to advocate for an inclusive system of ocean governance in the BBNJ, RFMOs, and other fora. Be assured that the LDAC's recommendations are duly considered as we prepare for the first BBNJ Conference of the Parties, and the implementation of substantive chapters of the BBNJ Agreement.

I am looking forward to our continued fruitful cooperation. Should you have further questions on this reply, please contact Ms Julia Rubeck, our Advisory Councils coordinator, via the functional mailbox MARE-AC@ec.europa.eu.

Yours sincerely,

Charlina VITCHEVA

Enclosure: Report of the 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

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