PREPCOM DEEP DIVES

High Seas Alliance

Operationalizing the Clearing-House Mechanism

Briefing: BBNJ PrepCom
April 2025

Executive Summary

The Agreement under the UN Convention on the Law of the Sea (UNCLOS) on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement) was adopted on 19 June 2023.

To prepare for the Treaty's entry into force and its first Conference of the Parties (COP), a UN Preparatory Commission (PrepCom) will meet twice in 2025 (14-25 April and 18-29 August), and at least once in 2026. During these meetings, Parties will develop the operational framework for the Agreement to ensure it can function and work effectively, and prepare recommendations for the COP. Well-structured, fair, and efficient institutions will shape the Treaty's long-term success and determine how quickly we can turn global ambition into tangible results for ocean protection.

This briefing paper examines the BBNJ Clearing-House Mechanism (CI-HM) and highlights key areas for discussion during PrepCom 1 in April 2025.

Key takeaways:

The CI-HM will play a central role in implementing the BBNJ Agreement. All parts of the Agreement (except Part III on area-based management tools (ABMTs)) explicitly rely on its functions, such as information sharing and notifications, and several subsidiary bodies depend on it to fulfill various tasks under their mandate.

A pilot[1] or interim phase of the CI-HM would enable Parties to meet their information sharing and notification obligations for the entry into force of the Agreement and provide the CoP with valuable experience to inform its discussions on specific modalities. This interim phase should address: 1) the generation of the batch identifier in Part II of the Agreement, related to the monitoring of marine genetic resources (MGRs), 2) the matchmaking role for the CI-HM, envisioned in Part V for capacity building, and 3) the relatively easy but critical information sharing and notification functions the CI-HM serves in Part IV, related to environmental impact assessments (EIAs).

- Accessibility is crucial to ensure that all stakeholders, regardless of their level of technical expertise or language, can effectively engage with and contribute to the mechanism. This would promote inclusivity, transparency, and widespread compliance with the BBNJ Agreement's requirements.
- The CI-HM has been tasked with accessing, providing, and disseminating information on the establishment and implementation of ABMTs, including marine protected areas (MPAs) (Art. 51(3)(a)(ii)). Part III of the Agreement does not, however, specify when and how it should perform this function. Parties must clarify the mechanism's role in this context, including defining the type and scope of information to be provided, and the standardized formats required.
- An alert or notification mechanism will be important to keep Parties and other stakeholders informed about relevant updates and newly uploaded information. This will be particularly crucial when specific deadlines for action exist, such as comment periods under Part IV. For the EIA elements of the CI-HM, notifications should be made in real time and through system-generated emails.

[1] "Pilot phase" in this context is not intended to mean the building of a prototype that is then discontinued and replaced by a full version later, but rather an early version of the CI-HM that can be incrementally built and expanded.

- Given the evolving nature of the CI-HM, both in terms of implementation and potential subsequent needs, it should be adaptable, with future technical support and maintenance requirements considered from the outset.
- Implementation of the CI-HM will require dedicated human resources to support its functions.[2]
- Information within the CI-HM will need to be regularly and manually curated to ensure it is well-presented, accessible, up-to-date, and easy to find. A search and filter function would be advisable.
- Data security measures will be crucial for preserving the integrity and reliability of CI-HM information. Parties must work towards implementing protections that prevent unauthorized access, alteration, or disclosure, along with regular backup protocols to mitigate the risk of data loss due to cyber threats, technical failures, or natural disasters.

1. Purpose and main functions of the CI-HM

The CI-HM will play a central role in implementing the BBNJ Agreement by providing a centralized, open-access platform to facilitate the exchange of information and cooperation. All parts of the Agreement, except Part III on ABMTs,[3] rely heavily on a well-functioning CI-HM.

Part II: Marine Genetic Resources, including the fair and equitable sharing of benefits

The CI-HM is central to the functioning of Part II of the Agreement. There is an obligation on States to send notifications to the CI-HM in advance of and after the collection of MGRs, and when those MGRs or their Digital Sequence Information (DSI) are utilized (Art. 12(2)(5)(8)). See the Annex for further details about the information that will be required.

Upon receiving the pre-cruise notification, the CI-HM will generate a BBNJ standardized batch identifier (Art. 12(3)).[4] The CI-HM will be the main source of information for the Access and Benefit-Sharing Committee (ABSC) in fulfilling its function to monitor the implementation of Part II and make recommendations to the CoP on how to improve it (Art. 16(3)). For more information see High Seas Alliance BBNJ PrepCom briefing on ABSC.

The CI-HM may also be used to facilitate access to traditional knowledge associated with MGRs, subject to free, prior, and informed consent (FPIC),[5] or the approval and involvement of Indigenous Peoples, and local communities, under mutually agreed terms (Art. 13).

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[2] With regards to CB&TMT provisions and taking into account Article 51(5), this could include human capacity to:
- Proactively gather relevant information, especially on CB&TMT opportunities, potentially through regionally distributed personnel supporting the CI-HM.
- Ensure adequate manual oversight and quality control when matching CB&TMT opportunities with needs, and enable States to request bilateral support (e.g., via a call or chat) for using this CI-HM function.
- Provide needs-tailored capacity building on the use of the CI-HM for States and other users (if any), with special consideration of Article 51(5). This could include, but should not be limited to:
  - Pre-recorded videos explaining how to use the platform and how Parties can engage with the tool should be made available.
  - These videos and other instructional materials should be supplemented with a live-help mechanism, such as a chat function during office hours and, within reasonable limits and resources available, the possibility to schedule bilateral support calls, e.g. to support first-time users in correct and consistent data entry.

[3] Part III does not explicitly mention the CI-HM, but the CI-HM could provide an important platform to share information related to proposed MPAs and ABMTs.

[4] The BBNJ standardized batch identifier was framed as a human and machine-readable digital group identifier for samples from one collection event, attached to individual samples. It will facilitate monitoring of implementation. See: Oldham, P., Chiarolla, C., Thambisetty, S. (2023) Digital Sequence Information in the UN High Seas Treaty: Insights from the Global Biodiversity Framework-related Decisions, LSE Law School Policy Briefing 53/2023.

[5] Free prior informed consent (FPIC) is a principle of international law used, among others, in the 1992 Convention on Biological Diversity (CBD) and its 2011 Nagoya Protocol in the context of access to genetic resources, and the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). A large body of practice and guidelines of applying FPIC exists from these other fora.

Part IV: Environmental Impact Assessments

The CI-HM will serve two basic functions related to EIAs. It will provide a) a platform for sharing information about planned activities that could affect areas beyond national jurisdiction (ABNJ) and b) a mechanism for Parties to fulfill their various notification obligations.

Part IV of the BBNJ Agreement requires the following information to be shared through the CI-HM:

- Decisions not to prepare an EIA after screening (Art. 31(1a));
- Draft EIA reports (Art. 33(3);
- EIA reports (Art. 33(5)) including, when appropriate, reports of assessments conducted under other instruments or frameworks (Art. 29(5);
- Concerns registered and recommendations made by the Scientific and Technical Body (STB), Parties, Indigenous Peoples, and local communities, and others (Art. 37(4));
- Decision documents (Art. 34(2), Art. 37(6)(b));
- Monitoring and review reports (Art. 37(6(a)).

It also requires Parties to notify other Parties and stakeholders at different stages of the EIA process, including:

- Notice of a planned activity;
- Notice of scoping, draft EIAs;
- Notice of cases of unforeseen impacts or a breach of any conditions. The CoP, other Parties, and the public must be notified of these events.

An alert mechanism to keep Parties and other stakeholders informed about relevant updates and newly uploaded information should be considered.

Part III: Area-based management tools

The Agreement specifies that the CI-HM will serve as a centralized platform for accessing, providing, and disseminating information on the establishment and implementation of ABMTs, including MPAs (Art. 51(3)(a)(ii)). Part III of the Agreement does not, however, specify when and how the CI-HM should perform this function, highlighting the need to clarify its role in this context.

Part V: Capacity-building and the transfer of marine technology

The CI-HM will serve two main functions with regard to CB&TMT:[6]

1. A potential role in the development of capacity needs assessment mandated by the Agreement, which can be either self-assessed or facilitated through the CB&TMT Committee and the CI-HM (Art.42(4)). Which specific function the CI-HM may serve in this context is not specified in the Agreement.
2. To facilitate the matching of capacity needs with the support available (Art. 51(3)(b)).

Additional roles for the CI-HM

As noted, the CI-HM could play an important role in facilitating the execution of the many information-sharing obligations related to ABMT proposals (Arts. 20, 21). In addition, it could play a broader role in facilitating transparency (Art. 51(3)(e), in harmonizing the process for Parties when they report on the implementation of different parts of the Agreement, and in helping to avoid overlaps in requirements (Arts. 16(2), 23(7), 26(1), 45(3), 54). However, its role in these areas is not explicit in the Agreement and needs to be clarified.

Another important role of the CHLM is to address the special requirements of developing States, as well as the special circumstances of SIDS, including the removal of “undue obstacles or administrative burdens” and, potentially, to facilitate the provision of “specific programmes for those States” (Art. 51(5)).

This list of roles and potential roles for the CI-HM to serve as a centralized platform is not exhaustive. The CoP can task the CI-HM with new functions (Art. 51(3)(g)), thereby opening the possibility of its future expansion.

[6] Notwithstanding CBTMT-relevant information shared in other parts of the Agreement, e.g., notifications under Part II.

2. Relevant items on the PrepCom agenda

The CI-HM is established by the Agreement and will legally exist once it enters into force. However, in practice, steps must be taken now to ensure it is ready for operation. The CI-HM will be managed by the Secretariat (Art 51(1)(2)) and the CoP will determine the specific modalities for its operation.

The Organizational Meeting of the PrepCom (24-26 June 2024) identified several issues related to the CI-HM to be addressed by the PrepCom (A/AC.296/2024/4):

1. The type, architecture, and functionalities of the platform;
2. The process for generating the BBNJ standardized batch identifier;
3. Modalities to facilitate the matching of capacity-building needs with the support available and with providers for the transfer of marine technology, and to facilitate access to related expertise;
4. The terms of cooperation with relevant legal instruments and frameworks and relevant global, regional, subregional, and sectoral bodies.

The provisional program of work (PPW) (A/aC.296/2025/L.2) specifies that PrepCom 1 will focus on "Modalities for the operation of the Clearing-House Mechanism" (PPW Item I(5)), while PrepCom 2 will address "Arrangements to enhance cooperation with relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies" (PPW Item I(2)). This briefing focuses on issues to be discussed at PrepCom 1.

In its note on the BBNJ's subsidiary bodies,[7] (A/AC.296/2025/4), the Division of Oceans and Law of the Sea (DOALOS), offers general considerations pertaining to the operation of the CI-HM, including a) the type, architecture, and functionalities of the platform (section II), b) its specific functions (section III), and c) other considerations relating to the operationalization of the mechanism (section IV). Several of the most pressing components addressed in the note are considered throughout this briefing.

3. Connection with the CoP and other subsidiary bodies

The CI-HM's functions are cross-cutting and it will interact directly with several subsidiary bodies.

The ABSC has the mandate to make recommendations to the CoP on matters relating to Part II of the Agreement (Art. 15(3)), including specifically on matters related to the CI-HM, and to monitor its implementation (Art. 16(2)(3)). Some of the information submitted by Parties to the ABSC will be shared through the CI-HM (Art. 15(4)), while implementation reports will be shared directly with the ABSC (Art. 16(2)). Given the CI-HM has a central function in the notification system, the ABSC will rely heavily on it in fulfilling its mandate.

The CB&TMT Committee has the mandate to monitor and review the implementation of Part V of the Agreement and to make recommendations to the CoP (Art. 45(2)). The reporting modalities for Parties on the implementation of Part V to the CB&TMT Committee do not explicitly mention the CI-HM (Art. 45(3)). However, given the specific roles assigned to the CI-HM for the implementation of Part V (e.g., to facilitate the matching of capacity needs with available support and the facilitation of needs assessments), the CB&TMT Committee will probably draw on information from the CI-HM and review and make recommendations on its functions for Part V of the Agreement.

The Implementation and Compliance Committee (ICC), in its overall mandate to facilitate and consider implementation and promote compliance (Art. 55(1)), may draw on appropriate information from other subsidiary bodies (Art. 55(4)), which includes the CI-HM.

The CI-HM plays a role in making **the STB**'s views on EIAs public (Art. 31(1)(a)(vi)), and the CI-HM will also serve as a source of information for the STB as it fulfills its mandate under Part IV of the Agreement.

[7] Note by the Secretariat on "Issues pertaining to the operation of the Clearing-House Mechanism under the Agreement under United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction" (Advanced, unedited version) at https://www.un.org/bbnjagreement/sites/default/files/2025-02/20250227BBNJPrepComNotebySecCHMAdvancedUnedited.pdf

4. Considerations for PrepCom 1

General modalities

- **A user-friendly interface**, flexible content management system (CMS), and multilingual accessibility are crucial to ensure that all stakeholders, regardless of their technical expertise or language, can effectively engage with and contribute to the Cl-HM. This approach would facilitate inclusivity, transparency, and compliance with the BBNJ Agreement's requirements.
- Some functions of the Cl-HM go beyond those typically associated with a static platform. For example, the facilitation of needs assessments and the matching of CB&TMT needs with supply may best be served by **dedicated staffing.** Dedicated human capacity would also fulfill the duty to give full recognition to the special circumstances of developing countries and SIDS in the operation of the Cl-HM (Art. 51(5)).
- **Regionally distributed support** to the Cl-HM could provide localized assistance and stakeholder engagement, thereby facilitating accessibility. Article 51(3)(d) could be interpreted as permitting the creation of regional and sub-regional mechanisms under the global Cl-HM.
- **Standard operating procedures** and due diligence practices for accepting and validating data and other information submitted by Parties (and others) are important to ensure validity and reliability.
- The Cl-HM has two functions related to the **relevant knowledge of Indigenous Peoples and traditional knowledge of local communities**: 1) to provide links to relevant databases pertaining to such knowledge (Art. 51(3)(c)), and 2) an optional function to facilitate access to traditional knowledge on MGRs in ABNJ, with FPIC and under mutually agreed terms (Art.13). It will be important for Parties to learn from other UN mechanisms and fora that have made progress in integrating different knowledge systems, such as the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and the Convention on Biological Diversity (CBD). It would also be beneficial to invest in establishing good processes and meaningful engagement from the onset,[8] in particular culturally appropriate processes and guidelines developed in partnership with Indigenous Peoples, as well as local communities.

Other important general considerations are **confidentiality** (Art. 51(6)), where required, and ensuring **data security,** which is critical to maintaining the integrity, reliability, and trust in the Cl-HM. Although much information will be openly accessible, certain data (such as user credentials and login details) require restricted access. Measures to prevent unauthorized access or the modification of data should be developed, including backup protocols to avoid the loss of important information, including through cyber threats or disasters. Recognizing that the Cl-HM will often only contain links to external data, rather than copies, expanding minimum standards of data security of external databases that contain the linked information is advisable.

Entry into force of the BBNJ Agreement will require Parties to submit different types of information to the Cl-HM. A pilot or interim phase[9] of the Cl-HM is recommended to gather operational experience before the CoP adopts the mechanism's specific modalities. Such a pilot would be consistent with the practice of other international frameworks and bodies (IFBs) and could help inform the design of its specific modalities at the first CoP.[10] An incremental approach to operationalizing the Cl-HM, as discussed in paragraph 96 of the Secretariat's note, would align well with a pilot phase and could focus on data sharing, search functions, and user navigation. Incorporating a feedback loop would facilitate continuous improvement and platform enhancement.

It should be noted that the Cl-HM's role requires it to assist in the implementation of several provisions across different parts of the BBNJ Agreement. The operationalization of each provision will require very different levels of complexity.

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[8] Morgera, E. (2025). Conclusions: Equity, Sustainability, and Transformation Under the BBNJ Agreement. In: Humphries, F. (eds) Decoding Marine Genetic Resource Governance Under the BBNJ Agreement. Sustainable Development Goals Series. Springer, Cham. https://doi.org/10.1007/978-3-031-72100-7_15.

[9] "Pilot phase" in this context is not intended to mean the building of a prototype that is then discontinued and replaced by a full version later, but rather an early version of the Cl-HM that can be incrementally built and expanded.

[10] See Secretariat note, paragraphs 6 and 97.

Part II: MGRs

As discussed, the CI-HM is fundamental to the implementation of Part II of the BBNJ Agreement. Its key functions are to receive the notifications required under Article 12 and, upon receiving pre-cruise notifications, to generate a BBNJ batch identifier (Art. 12(3)). Some questions Parties may wish to consider when operationalizing the notification element of the CI-HM are:

- Who can submit notifications? For example, will all users be permitted to do so or only national focal points? Should the CoP make this decision, or leave it up to individual Parties to determine?[11]
- How to address situations in which no BBNJ batch identifier was generated but utilization would fall under the BBNJ's mandate? This could, for example, apply to situations in which MGRs and DSI were collected prior to the Agreement's entry into force.[12]
- Determining how the batch identifier will be generated constitutes a separate workstream within the broader operationalization of the CI-HM. The Secretariat's note makes some excellent considerations in paragraphs 51-59. Given its central role in the functioning of Part II of the Agreement, operationalizing the batch identifier as early as possible in a pilot phase should be a priority.

Part III: ABMTs

While Part III of the Agreement does not define a specific role for the CI-HM, it has broad potential to support collaboration with IFBs and consultation on the development of ABMT. For example, the mechanism could assist in the development of MPA proposals by making them publicly available and by receiving and publicizing input during consultations. The type and scope of information to be provided to the CI-HM, and any standardized formats required, need to be determined. In particular, as explained in the Secretariat's note, if Parties were to request the CI-HM to display spatial data, it would potentially require specialized software, a CMS, and human resources (compare Secretariat's note, paragraphs 49 and 50).

Part IV: EIAs

As noted, the two main functions of the CI-HM with respect to EIAs are information sharing and the provision of a notification mechanism. The Agreement provides detailed minimum information requirements on EIA reports (e.g., Art. 33(2)), so the construction of the EIA-related elements of the mechanism can be straightforward and relatively simple.

It may, however, be beneficial to Parties to further explore the potential structure of information, and to link records on EIAs to ensure accessibility. This could include, for example, integrating keywords and a search function capability, as well as organizing information that allows filtering by criteria (e.g., submissions by Parties). A further, and equally important, component of the CI-HM for Parties to consider is how the mechanism will receive and disseminate (i.e., make public) comments and responses during the consultation process of an EIA.

Research and stakeholder interviews identified the following elements to be of particular importance to maximize the effective implementation of the CI-HM for the EIA component of the Agreement:

- A simple structure that is accessible and easy to navigate, includes a search function capability that allows filtering with pre-defined keyword lists, and is capable of supporting evolving needs;
- A centralized portal where all information related to a specific EIA or activity is accessible under one dashboard to help users find all of the information related to a specific project in one place;
- Provision of support, including e-learning capabilities and also real-time assistance, to help Parties navigate the system without unnecessary delays;
- A notification mechanism that informs Parties of the availability of new information in real time, which becomes particularly important when deadlines for responses exist.

Given that the operationalization of the EIA-related CI-HM provisions is likely to be the easiest and most cost-effective to implement, it is advisable to include them in the CI-HM pilot phase.

[11] See Secretariat note, paragraph 32.

[12] See Secretariat note, paragraph 33.

Part V: CB&TMT

As noted, the CI-HM has two main functions concerning CB&TMT, to support needs assessments (Art. 42(4)) and to facilitate the matching of capacity needs with available support (Art. 51(3)(b)). While full recognition of the special requirements of developing State Parties, as well as the special circumstances of SIDS, must be given throughout the operation of the CI-HM (Art. 51 (5)), it seems particularly relevant to the CI-HM's functions on CB&TMT. The recommendations above on ease of use and the availability of human assistance in real-time for the CI-HM, as well as the requirement for it to be designed with in-built flexibility so that it can evolve over time, apply equally to CB&TMT.

A series of in-person trainings on the use of the CI-HM and its functions for Parties would be beneficial, particularly in the initial period after its launch.

In addition, ensuring adequate staffing to carry out the following functions would further improve the usefulness of the CI-HM with regard to CBTMT:

- The proactive identification of sources of support and opportunities for developing countries for capacity building and technology transfer;
- The provision of manual oversight and quality control, and a means by which States can request bilateral support in using this function of the CI-HM;
- The regular and manual curation of information to ensure it is well-presented, accessible, up-to-date, and easy to find.

5. Recommendations

These recommendations are specific to PrepCom 1 in April 2025. They may evolve, be re-prioritized, or adjusted as preparations and discussions related to the BBNJ Agreement's entry into force unfold and develop.

- A pilot[13] or interim phase of the CI-HM would enable Parties to meet their information-sharing and notification obligations early on and provide the PrepCom (and later the CoP) with valuable experience to inform discussions on specific modalities. This interim phase should address the three areas in which the CI-HM plays a particularly important role: 1) the operation of the batch identifier in Part II, related to the identification of MGRs, 2) the matchmaking role for the CI-HM in Part V for capacity building, and c) the critical information sharing and notification functions for EIAs in Part IV of the Agreement.
- In designing the CI-HM, Parties should consider the potential role(s) of national focal points. This could include submitting information as required by the Agreement and/or, if (some) Parties allow stakeholders to submit (some) information directly, receiving alerts when such information is submitted by approved stakeholders under their jurisdiction (if any) to ensure Parties can monitor compliance.
- A user-friendly interface, flexible CMS, and multilingual accessibility are crucial to ensure all stakeholders can effectively engage with and contribute to the mechanism, regardless of their technical expertise or language. Such a system would promote inclusivity, transparency, and widespread compliance with the BBNJ Agreement.
- While the CI-HM has been tasked with accessing, providing, and disseminating information on the establishment and implementation of ABMTs, including MPAs (Art. 51(3)(a)(ii)), Part III of the Agreement does not specify when and how it should perform this function. Given the CI-HM's broad potential under Part III, Parties must establish a clear way forward, including defining the type and scope of information to be provided, and any standardized formats required.
- An alert or notification mechanism is important to keep Parties and other stakeholders informed about relevant updates and newly uploaded information. This is particularly crucial when specific deadlines for action exist, such as comment periods under Part IV. For EIA elements, notifications should be made in real time through system-generated emails.
- Given the evolving nature of the CI-HM, both in terms of implementation and potential subsequent needs, the mechanism should be adaptable, with future technical support and maintenance requirements considered from the outset.

[13] "Pilot phase" in this context does not mean the building of a prototype that is then discontinued and replaced by a full version later, but rather an early version of the CI-HM that can be incrementally built and expanded.

- Implementation will require dedicated human resources to support the CI-HM's functions.[14]
- Regular manual curation of information is necessary to ensure it is well-presented, accessible, up-to-date, and easy to find. A search and filter function is important.
- Data security measures are crucial for preserving information integrity and reliability. Parties must work towards implementing protections against unauthorized access, alteration, or disclosure, along with regular data backup protocols to mitigate risks of data loss due to cyber threats, technical failures, or natural disasters.

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Annex: Text

Article 12:

Notification on activities with respect to marine genetic resources and digital sequence information on marine genetic resources of areas beyond national jurisdiction.

1. Parties shall take the necessary legislative, administrative or policy measures to ensure that information is notified to the Clearing-House Mechanism in accordance with this Part.

2. The following information shall be notified to the Clearing-House Mechanism six months or as early as possible prior to the collection in situ of marine genetic resources of areas beyond national jurisdiction:

(a) The nature and objectives under which the collection is carried out, including, as appropriate, any programme(s) of which it forms part;

(b) The subject matter of the research or, if known, the marine genetic resources to be targeted or collected, and the purposes for which such resources will be collected;

(c) The geographical areas in which the collection is to be undertaken;

(d) A summary of the method and means to be used for collection, including the name, tonnage, type and class of vessels, scientific equipment and/or study methods employed;

(e) Information concerning any other contributions to proposed major programmes;

(f) The expected date of first appearance and final departure of the research vessels, or deployment of the equipment and its removal, as appropriate;

(g) The name(s) of the sponsoring institution(s) and the person in charge of the project;

(h) Opportunities for scientists of all States, in particular scientists from developing States, to be involved in or associated with the project;

(i) The extent to which it is considered that States that may need and request technical assistance, in particular developing States, should be able to participate or to be represented in the project;

(j) A data management plan prepared according to open and responsible data governance, taking into account current international practice.

3. Upon notification referred to in paragraph 2 above, the Clearing-House Mechanism shall automatically generate a "BBNJ" standardized batch identifier.

4. Where there is a material change to the information provided to the Clearing-House Mechanism prior to the planned collection, updated information shall be notified to the Clearing-House Mechanism within a reasonable period of time and no later than the start of collection in situ, when practicable.

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[14] With regards to the CB&TMT provisions and taking into account Article 51(5), this could include human capacity to:

- Proactively gather relevant information, especially on CBTMT opportunities, potentially through regionally distributed personnel supporting the CL-HM.
- Ensure adequate manual oversight and quality control when matching CBTMT opportunities with needs, and enable States to request bilateral support (e.g., via a call or chat) for using this CL-HM function.
- Provide needs-tailored capacity building on the use of the CL-HM for States and other users (if any), with special consideration of Article 51(5). This could include, but should not be limited to:
  - Pre-recorded videos explaining how to use the platform and how Parties can engage with the tool should be made available.
  - These videos and other instructional materials should be supplemented with a live-help mechanism, such as a chat function during office hours and, within reasonable limits and resources available, the possibility to schedule bilateral support calls, e.g. to support first-time users in correct and consistent data entry.

5. Parties shall ensure that the following information, along with the "BBNJ" standardized batch identifier, is notified to the Clearing-House Mechanism as soon as it becomes available, but no later than one year from the collection in situ of marine genetic resources of areas beyond national jurisdiction:

(a) The repository or database where digital sequence information on marine genetic resources is or will be deposited;

(b) Where all marine genetic resources collected in situ are or will be deposited or held;

(c) A report detailing the geographical area from which marine genetic resources were collected, including information on the latitude, longitude and depth of collection, and, to the extent available, the findings from the activity undertaken;

(d) Any necessary updates to the data management plan provided under paragraph (2) (j) above.

6. Parties shall ensure that samples of marine genetic resources and digital sequence information on marine genetic resources of areas beyond national jurisdiction that are in repositories or databases under their jurisdiction can be identified as originating from areas beyond national jurisdiction, in accordance with current international practice and to the extent practicable.

7. Parties shall ensure that repositories, to the extent practicable, and databases under their jurisdiction prepare, on a biennial basis, an aggregate report on access to marine genetic resources and digital sequence information linked to their "BBNJ" standardized batch identifier, and make the report available to the access and benefit-sharing committee established under article 15.

8. Where marine genetic resources of areas beyond national jurisdiction, and where practicable, the digital sequence information on such resources are subject to utilization, including commercialization, by natural or juridical persons under their jurisdiction, Parties shall ensure that the following information, including the "BBNJ" standardized batch identifier, if available, be notified to the Clearing-House Mechanism as soon as such information becomes available:

(a) Where the results of the utilization, such as publications, patents granted, if available and to the extent possible, and products developed, can be found;

(b) Where available, details of the post-collection notification to the Clearing-House Mechanism related to the marine genetic resources that were the subject of utilization;

(c) Where the original sample that is the subject of utilization is held;

(d) The modalities envisaged for access to marine genetic resources and digital sequence information on marine genetic resources being utilized, and a data management plan for the same; (e) Once marketed, information, if available, on sales of relevant products and any further development.

Article 51:

Clearing-House Mechanism

1. A Clearing-House Mechanism is hereby established.

2. The Clearing-House Mechanism shall consist primarily of an open-access platform. The specific modalities for the operation of the Clearing-House Mechanism shall be determined by the Conference of the Parties.

3. the Clearing-House Mechanism shall:

(a) Serve as a centralized platform to enable Parties to access, provide and disseminate information with respect to activities taking place pursuant to the provisions of this Agreement, including information relating to:

(i) Marine genetic resources of areas beyond national jurisdiction, as set out in Part II of this Agreement;

(ii) The establishment and implementation of area-based management tools, including marine protected areas;

(iii) Environmental impact assessments;

(iv) Requests for capacity-building and the transfer of marine technology and opportunities with respect thereto, including research collaboration and training opportunities, information on sources and availability of technological information and data for the transfer of marine technology, opportunities for facilitated access to marine technology and the availability of funding;

(b) Facilitate the matching of capacity-building needs with the support available and with providers for the transfer of marine technology, including governmental, non-governmental or private entities interested in participating as donors in the transfer of marine technology, and facilitate access to related know-how and expertise;

(c) Provide links to relevant global, regional, subregional, 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, and promote, where possible, links with publicly available private and non-governmental platforms for the exchange of information;

(d) Build on global, regional and subregional clearing-house institutions, where applicable, when establishing regional and subregional mechanisms under the global mechanism;

(e) Foster enhanced transparency, including by facilitating the sharing of environmental baseline data and information relating to the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction between Parties and other relevant stakeholders;

(f) Facilitate international cooperation and collaboration, including scientific and technical cooperation and collaboration;

(g) Perform such other functions as may be determined by the Conference of the Parties or assigned to it under this Agreement.

4. The Clearing-House Mechanism shall be managed by the secretariat, without prejudice to possible cooperation with other relevant legal instruments and frameworks and relevant global, regional, subregional, and sectoral bodies as determined by the Conference of the Parties, including the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, the International Seabed Authority, the International Maritime Organization and the Food and Agriculture Organization of the United Nations.

5. In the management of the Clearing-House Mechanism, full recognition shall be given to the special requirements of developing States Parties, as well as the special circumstances of small island developing States Parties, and their access to the mechanism shall be facilitated to enable those States to utilize it without undue obstacles or administrative burdens. Information shall be included on activities to promote information-sharing, awareness-raising, and dissemination in and with those States, as well as to provide specific programmes for those States.

6. The confidentiality of information provided under this Agreement and rights thereto shall be respected. Nothing under this Agreement shall be interpreted as requiring the sharing of information that is protected from disclosure under the domestic law of a Party or other applicable law.