PREPCOM DEEP DIVES

Operationalizing the Scientific and Technical Body

Supplementary update for PrepCom 2

Briefing: BBNJ PrepCom
August 2025

Executive summary

This briefing provides targeted advice and updated recommendations on matters relating to the BBNJ Agreement's Scientific and Technical Body (STB), set to be discussed at PrepCom 2 from 18 - 29 August 2025. It reflects on the discussions and insights generated during PrepCom 1 in April 2025 and should be considered as a supplement to the more comprehensive High Seas Alliance Deep Dive briefing on the STB.

This document provides complementary observations on the purpose and core functions of the STB, its relationship with the BBNJ Conference of the Parties (CoP) and other subsidiary bodies, and offers key considerations and recommendations regarding its structure, transparency, and credibility, as well as the number of members, decision-making modalities, and engagement with external experts.

Recommendations:

- **Ensure the STB's meeting frequency and modalities enable the fulfillment of its time-sensitive mandates:**
    - The STB should meet **at least twice between CoP sessions**. To balance productivity, inclusivity, cost-efficiency, and environmental impact, flexible formats (in-person, virtual, or hybrid) should be available for STB meetings.
    - Decision-making modalities should cover all formats. The STB should be able to determine the format and frequency of each meeting, based on specific needs and circumstances.
    - For some regular, time-bound tasks - such as the initial assessment of area-based management tool (ABMT) proposals and comments on draft environmental impact assessments (EIAs) - the STB should have provisions for **intersessional decision-making**.
    - The frequency and timing of STB meetings should be responsive and set in a way that allows for **timely science-based advice and responsive decision-making to avoid delays** that could undermine the implementation of the BBNJ Agreement.
    - The STB should be empowered to convene **emergency meetings** under special circumstances, such as when developing recommendations in the context of emergency measures.

- **Adopt a balanced and efficient composition of STB members with the authority to establish sub-groups.**
    - To balance broad geographic and scientific expertise with operational efficiency, the STB should comprise approximately **20–35 members**. To avoid overloading members and ensure access to specialized expertise, the STB should have the authority to **establish sub-working groups or committees**. These sub-entities should be allowed toinclude additional, non-member experts to inform and advance their work.

1. Considerations on the frequency of STB meetings and intersessional decision-making

The STB plays a critical role in supporting the effective implementation of the BBNJ Agreement, particularly concerning ABMTs, including marine protected areas (MPAs) (Part III of the Agreement), and EIAs (Part IV of the Agreement). In addition to its broader advisory function to the CoP, the STB is also expected to carry out specific tasks of a time-sensitive nature, such as: (a) the preliminary review of proposals (Art. 20), (b) input into consultations (Art. 21(5)), (c) the assessment of revised proposals (Art. 21(7)), (d) recommendations on emergency measures (Art. 24(3)), and (e) the review of, or comments on, draft EIAs (Art. 33(4)). Given the centrality of these responsibilities to the operation and integrity of the Agreement and their time-sensitive nature, it is essential that the STB's modalities are aligned with the scope and required timeframes of its mandate.

The High Seas Alliance, therefore, recommends that the STB meets at least twice between CoP sessions. These intersessional meetings would help maintain continuity of work, enable early engagement with Parties and stakeholders, and support the delivery of science-based advice to inform CoP decision-making. Given financial constraints and environmental considerations, the STB should have the flexibility to meet in person, virtually, or in hybrid form, and its decision-making modalities should cover all formats[1]. This adaptable approach would help ensure regular and inclusive participation, while minimizing its costs and environmental footprint.

1.1 ABMTs, including MPAs

The multi-step ABMT (including MPA) proposal process - beginning with preliminary reviews under article 20, progressing through inclusive consultations under article 21, and culminating in comprehensive assessments and recommendations - requires the STB to convene at least twice between CoP sessions to prevent procedural bottlenecks. In addition, the STB must remain responsive to emergency measure proposals under article 24, which may require intersessional extraordinary meetings (mirroring article 47(2)), and rapid scientific evaluation. A structured, yet adaptable, meeting schedule would ensure that the proposal process operates efficiently.

1.2 EIAs

The EIA provisions set out in Part IV of the Agreement assign several time-sensitive responsibilities to the STB throughout the process, including the review and evaluation of, and the provision of comments and/or recommendations on: (a) draft EIA reports (Art. 33), (b) decisions by Parties not to prepare an EIA on a planned activity if concerns are raised by another Party (Art. 31), (c) monitoring reports (Art, 36), and (d) concerns raised by Parties regarding significant adverse effects of an activity not foreseen in the EIA or that arise from a breach of conditions (Art. 37).

These cumulative responsibilities underscore the need for the STB to meet regularly, including intersessionally and in flexible formats, to ensure it can provide the timely, science-based advice that is essential for the effective implementation of the BBNJ Agreement.

1.3 Intersessional decision-making

In addition to the considerations above, modalities should be developed that allow subsidiary bodies to make decisions intersessionally when they are urgent and cannot wait until the next meeting of the STB[2]. This is particularly important for the STB's initial review of ABMT proposals (Art. 20) and comments on draft EIA reports (Art. 36(2)).

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[1]The revised aid to discussions and negotiations prepared by the Co-Chairs concerning draft rules of procedure for the Conference of the Parties to the BBNJ Agreement (Doc. A/AC.296/2025/12), Rule 3 bis, currently states: "5. Subsidiary bodies with limited membership may meet in person, online or in a hybrid format, in line with their respective mandates and, as applicable, their respective rules of procedure." This would address the above-mentioned point.

[2] High Seas Alliance recommended intersessional decision-making in the Deep Dive briefing on the STB in April 2025 and suggested that Rule 19 of the Rules of Procedure of the CITES Animal Committee may serve as a helpful model.

2. Considerations on composition and selection

The number of members of the STB remains an open and important issue under consideration. It will be crucial to strike a balance between ensuring broad geographic representation and a diversity of scientific and technical expertise, while keeping the group sufficiently small to operate effectively and make decisions promptly.

A membership size of around 20 to 30 meets this criterion, providing it encompasses sufficient diversity and experience without compromising the STB's ability to function efficiently. However, this recommended size assumes that sub-working groups (sub-committees or working groups) established under the STB will include individuals and experts who are not formal members of the Body. Such an arrangement is important to ensure that both the STB and its working groups can access the appropriate expertise at the right time, while preventing members from becoming overwhelmed by workload.

A modality needs to be developed for the election of the first STB members. This is important as there could be a potential delay of a year if members are not elected until CoP 2. If it is not possible for elections to take place during CoP1, provisions for intersessional voting to elect STB members, at least for this initial CoP, should be prepared

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High Seas Alliance

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