

Annex. Information on developments within the Convention on Biological Diversity relating to ocean affairs and the law of the sea

Executive Summary

This note summarizes recent work under the Convention on Biological Diversity (CBD) relevant to ocean affairs and the law of the sea that have taken place between September 2020 and June 2021. The Division for Ocean Affairs and the Law of the Sea is invited to post the full text of this contribution on its website.

The CBD Secretariat coordinates the global process to facilitate the description of ecologically or biologically significant marine areas (EBSAs). Since 2011, the Secretariat has coordinated a series of regional workshops to facilitate the description of EBSAs, 321 of which have thus far been considered by the Conference of the Parties to the CBD and transmitted to the UN General Assembly and relevant international processes. The Parties to the CBD continue to consider potential modalities for the modification of the description of existing EBSAs and for the description of new EBSAs. In the meantime, the Secretariat continues to communicate the outputs and achievements of the process and to build the capacity of Parties to engage in the process.

The Secretariat has compiled information on relevant experiences with the implementation of the Priority Actions to Achieve Aichi Biodiversity Target 10 for Coral Reefs and Closely Associated Ecosystems; the Voluntary Specific Workplan on Biodiversity in Cold-water Areas within the Jurisdictional Scope of the Convention; and the Voluntary Practical Guidance on Preventing and Mitigating the Impacts of Marine Debris on Marine and Coastal Biodiversity and Habitats.

The Convention's work also continues to address stressors on marine biodiversity, including through a report on the impacts of anthropogenic underwater noise on marine and coastal biodiversity and habitats and tools and approaches to minimize and mitigate these impacts, which is currently being revised.

In support of the ongoing discussions on the Post-2020 Global Biodiversity Framework, the Secretariat produced a document providing expert input for the development and refinement of indicators and the monitoring framework for the post-2020 global biodiversity framework with respect to marine and coastal biodiversity issues, and organized a webinar with the Regional Seas Programmes.

With the release of the fifth edition of the Convention's flagship publication, the Global Biodiversity Outlook, the Secretariat highlighted its main findings with respect to marine and coastal biodiversity and made them available in a short summary publication.

The Secretariat has also continued its capacity-building and partnership efforts under the Sustainable Ocean Initiative, including by coordinating an impact study as well as the development of a post-2020 action plan.

The Secretariat, along with partners, is coordinating a project aimed at strengthening the marine and coastal biodiversity elements of National Biodiversity Strategies and Action Plans (NBSAPs) to ensure that marine issues are adequately reflected in NBSAPs in light of the post-2020 global biodiversity framework.

INTRODUCTION

1. This note consists of brief descriptions of the work carried out under the CBD in the following areas related to ocean affairs and the law of the sea: (i) ecologically or biologically significant marine areas; (ii) compilation of relevant experiences in various issues related to marine and coastal biodiversity; (iii) addressing threats to marine and coastal biodiversity; (iv) facilitating the identification and reporting of other effective area-based conservation measures in the marine fishery sector; (v) supporting the development of the Post-2020 Global Biodiversity Framework; (vi) capacity building and partnership activities through the Sustainable Ocean Initiative; (viii) participating in or co-organizing various online global events; and (ix) providing scientific and technical input to relevant international processes.

ECOLOGICALLY OR BIOLOGICALLY SIGNIFICANT MARINE AREAS: DEVELOPMENT OF THE PROCESS, BUILDING OF CAPACITY AND COMMUNICATION OF ITS OUTPUTS

(paragraphs 267 and 271 of resolution 75/239)

Regional workshops to facilitate the description of ecologically or biologically significant marine areas (EBSAs)

2. The Secretariat coordinates the global process to facilitate the description of ecologically or biologically significant marine areas (EBSAs). Since 2011, the Secretariat has coordinated a series of regional workshops to facilitate the description of EBSAs, 321 of which have thus far been considered by COP, included in the CBD EBSA repository and transmitted to the UN General Assembly and relevant international processes. The outputs of the regional EBSA workshops, as considered by COP, are available online at the EBSA website (<http://www.cbd.int/ebsa>). During the reporting period, the Secretariat has conducted the following activities in connection with this role.

Modalities for modifying the descriptions of EBSAs and describing new EBSAs

3. At its fourteenth meeting, the Conference of the Parties (COP) to the CBD considered modalities for modifying the description of EBSAs, for describing new areas, and for strengthening the scientific credibility and transparency of this process. The COP was unable to come to agreement on this matter and requested the Secretariat to identify options for modifying the description of EBSAs, for describing new areas, and for strengthening the scientific credibility and transparency of this process, noting annex II of decision 14/9, for consideration by a future meeting of SBSTTA and the Conference of the Parties.

4. SBSTTA-24, which met online informally in February 2021, and then formally in its first session, from 3 May–9 June 2021, took up this matter, considering options for modifying the description of EBSAs and describing new areas, which were based on the Expert Workshop to Identify Options for Modifying the Description of Ecologically or Biologically Significant Marine Areas and Describing New Areas, which took place in February 2020, in Brussels. The workshop report was made available as an information document (<https://www.cbd.int/meetings/EBSA-WS-2020-01>) for SBSTTA and informed the development of the draft recommendations provided for consideration by SBSTTA at the above meetings (<https://www.cbd.int/doc/c/8040/a363/f73193dc9717705faa1ffe10/sbstta-24-06-en.pdf>). Interventions made during these meetings led to the production of the following conference room paper, to be taken up when SBSTTA meets again in person: <https://www.cbd.int/doc/c/636c/3f38/7d6d3a3364212f48ade124d8/sbstta-24-crp-04-en.pdf>.

Sharing information on EBSAs

5. In December 2020, the CBD Secretariat published the sixth in its series of EBSA booklets, this edition based on the results of the South-Eastern Atlantic Regional Workshop to Facilitate the Description of EBSAs (English: <https://www.cbd.int/marine/ebsa/booklet-06-SEA-en.pdf>; French: <https://www.cbd.int/marine/ebsa/booklet-06-SEA-fr.pdf>). This series is intended to make the robust

scientific information on EBSAs stemming from regional EBSA workshops more accessible to non-specialists. All six booklets are available at: <https://www.cbd.int/marine>.

Reviewing Progress on EBSAs

6. On the occasion of the 10-year anniversary of the EBSA process, with the support of the Japan Biodiversity Fund, the Secretariat, together with the Global Ocean Biodiversity Initiative, produced a publication entitled *Special Places in the Ocean: A Decade of Identifying Ecologically or Biologically Significant Marine Areas*. This study recounts the history and development of the EBSA process, its various achievements and impacts, challenges faced and paths forward. It also showcases the human element of the EBSA process with case studies and stories from workshop co-chairs, participants, collaborators and supporters. The study includes an analysis of selected cases that have used EBSA information in various ways around the world as well as how EBSA work has contributed to various global and regional policy processes and scientific initiatives. “Special Places in the Ocean: A Decade of Identifying Ecologically or Biologically Significant Marine Areas” was completed in May 2020 and will be launched in the autumn of 2021.

Update of training manuals on EBSAs

7. Given that the Secretariat is currently reviewing work under the CBD on EBSAs and identifying potential modalities for the modification of the description of EBSAs and for the description of new EBSAs, the Secretariat has been further refining and developing existing EBSA training modules, which date from 2012 (general training manual and the initial manual on integrating traditional knowledge) and 2016 (revised training manual focused on the incorporation of traditional knowledge). Building on the existing materials, a number of training modules are currently being revised, including: 1) Using various approaches and information to apply the EBSA criteria and describe EBSAs; and 2) Using EBSA information to inform planning and management.

Draft voluntary guidelines for peer-review processes

8. With funding from the European Commission, the Secretariat has been developing *Draft voluntary guidelines for peer-review processes for supporting the identification and description of areas of ecological and/or biological significance*. In the context of ongoing negotiations on the future of the EBSA process, the potential need for voluntary guidelines for peer-review processes has emerged in order to provide guidance on the types of elements that a scientifically sound process for designating such areas should have, with respect to stakeholder review. These draft voluntary guidelines will be reviewed by the EBSA Informal Advisory Group.

COMPILATION AND SYNTHESIS OF RELEVANT EXPERIENCES ON VARIOUS ISSUES RELATED TO MARINE AND COASTAL BIODIVERSITY

Implementation of the Priority Actions to Achieve Aichi Biodiversity Target 10 for Coral Reefs and Closely Associated Ecosystems

(paragraphs 278, 279 of resolution 75/239)

9. On the basis of input received from Parties, other Governments and relevant organizations in response to notification [2018-080](#), dated 27 September 2018, the Secretariat prepared a synthesis of submissions on experiences in the implementation of the Priority Actions to Achieve Aichi Biodiversity Target 10 for Coral Reefs and Closely Associated Ecosystems. This document was made available as an information document for SBSTTA at its twenty-fourth meeting

(<https://www.cbd.int/doc/c/9d7c/5fd3/7acd6d05cf22d677226ea808/sbstta-24-inf-02-en.pdf>, which took place online (informally) in February and formally, in its first session, in May and June 2021.

Implementation of the Voluntary Specific Workplan on Biodiversity in Cold-water Areas within the Jurisdictional Scope of the Convention¹

(paragraphs 262, 263, 264 of resolution 75/239)

10. On the basis of input received from Parties, other Governments and relevant organizations in response from notification [2018-080](#), dated 27 September 2018, the Secretariat prepared the *Synthesis of Submissions on Experiences for the Implementation of the Voluntary Specific Workplan on Biodiversity in Cold-water Areas within the Jurisdictional Scope of the Convention*. This document was provided as information for the SBSTTA at its twenty-fourth meeting (<https://www.cbd.int/doc/c/de15/bf26/9dc5233c4b5c9de468c2337a/sbstta-24-inf-03-en.pdf>), which took place online (informally) in February and formally, in its first session, in May and June 2021.

Implementation of the Voluntary Practical Guidance on Preventing and Mitigating the Impacts of Marine Debris on Marine and Coastal Biodiversity and Habitats.

(paragraphs 35, 224, 289, inter alia, of resolution 75/239)

11. On the basis of input received from Parties, other Governments and relevant organizations in response to notification [2018-080](#), dated 27 September 2018, and building on previous work under the Convention, the Secretariat prepared a technical paper updating the information contained in CBD Technical Series No.83 (*Marine Debris: Understanding, Preventing and Mitigating the Significant Adverse Impacts on Marine and Coastal Biodiversity*) with regard to new developments and knowledge that have emerged since its publication. The document was made available as an information document for SBSTTA at its twenty-fourth meeting (<https://www.cbd.int/doc/c/739e/d8cf/751771409889cc144e5fad83/sbstta-24-inf-04-en.pdf>), which took place online (informally) in February and formally, in its first session, in May and June 2021.

Marine spatial planning

(paragraph 200 of resolution 75/239)

12. Pursuant to decision 14/10 and on the basis of submissions received in response to notification [2019-113](#), dated 9 December 2019, the Secretariat prepared a synthesis document on experiences in the implementation of marine spatial planning. The document was provided as information for SBSTTA at its twenty-fourth meeting (<https://www.cbd.int/doc/c/79ea/5bd0/6a03d42fb35b57d524368aa7/sbstta-24-inf-01-en.pdf>), which took place online (informally) in February and formally, in its first session, in May and June 2021.

ADDRESSING THREATS TO MARINE AND COASTAL BIODIVERSITY

Addressing impacts of anthropogenic underwater noise on marine and coastal biodiversity

(paragraphs 282, 283, 289 of resolution 75/239)

13. In September 2020, the Secretariat circulated for peer review the draft report *Anthropogenic Underwater Noise: Impacts on Marine and Coastal Biodiversity and Habitats, and Mitigation and Management Measures*, prepared by the Secretariat on the basis of COP decision 14/10, paragraph 5. The

¹ See <https://www.cbd.int/doc/decisions/cop-13/cop-13-dec-11-en.pdf>

peer-review process generated significant interest, and some 40 sets of comments were received. Given the technical nature of many of the comments, the Secretariat engaged an expert to revise the document. Once finalized, it will be published in the CBD Technical Series (<https://www.cbd.int/ts>), with a view to informing Parties, other Governments and relevant organizations in their efforts to address the impacts of anthropogenic underwater noise on marine and coastal biodiversity and habitats.

Addressing impacts of marine debris on marine and coastal biodiversity

14. The Secretariat has also been active in synthesizing knowledge and experiences relevant to addressing and mitigating the impacts of marine debris on marine and coastal biodiversity. This work is addressed in paragraph 11, above.

FACILITATING THE IDENTIFICATION AND REPORTING OF OTHER-EFFECTIVE AREA-BASED CONSERVATION MEASURES IN THE MARINE FISHERY SECTOR

(paragraphs 257, 265 and 266 of resolution 75/239)

15. In COP decision 14/8, the Conference of the Parties adopted the definition of “other effective area-based conservation measures” (OECMs) and welcomed scientific and technical advice on other effective area-based conservation measures, as contained in annex III to the decision, to be applied in a flexible way and on a case-by-case basis. In the same decision, the Conference of the Parties invited IUCN, the Food and Agriculture Organization of the United Nations, and other expert bodies to continue to assist Parties to identify other OECMs and to apply the scientific and technical advice.

16. Pursuant to this request, the Food and Agriculture Organization, the Fisheries Expert Group of the Commission on Ecosystem Management of IUCN, and the European Bureau for Conservation and Development, in collaboration with the Secretariat, organized an expert meeting on OECMs in the marine capture fishery sector (Rome, 7-10 May 2019). The report of this meeting was issued as an information document for the twenty-fourth meeting of SBSTTA (<https://www.cbd.int/doc/c/81e7/867d/30ed1258e8837c34bb184124/sbstta-24-inf-10-en.pdf>), which took place online (informally) in February and formally, in its first session, in May and June 2021.

SUPPORTING THE DEVELOPMENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

17. In response to recommendation 23/1 of the 23rd meeting of the Subsidiary Body on Scientific, Technological and Technological Advice (SBSTTA), and for the information of participants in the twenty-fourth meeting of SBSTTA, the Secretariat produced an information document entitled *Available Monitoring Frameworks and Information to Support Monitoring of Progress toward Goals and Targets of the Post-2020 Global Biodiversity Framework with Respect to Marine and Coastal Biodiversity* (<https://www.cbd.int/doc/c/fd66/fcc9/f3f0cad518efa3eb045559da/sbstta-24-inf-23-en.pdf>). The document provides expert input to the development and refinement of indicators and the monitoring framework for the post-2020 global biodiversity framework with respect to marine and coastal biodiversity issues.

18. Along with the United Nations Environment Programme and the European Commission, the Secretariat organized a webinar briefing on the Regional Seas Programmes and the post-2020 Global Biodiversity Framework on 1 October 2020. This webinar provided an opportunity to share information on relevant work under the Regional Seas Programmes, many of which have developed biodiversity-related regional objectives, targets and indicators that can support the development and implementation of the post-2020 global biodiversity framework.

FIFTH EDITION OF THE GLOBAL BIODIVERSITY OUTLOOK (GBO-5) AND GBO-5 OCEAN HIGHLIGHTS

19. The fifth edition of the Global Biodiversity Outlook (GBO-5) was launched during a special virtual session in preparation for SBSTTA-24 and SBI-3 on 15 September 2020. The flagship publication of the Convention on Biological Diversity (CBD), GBO is a periodic report that summarizes the latest data on the status and trends of biodiversity and draws conclusions relevant to the further implementation of the Convention. GBO-5 provides a final assessment of progress towards the Aichi Biodiversity Targets as well as lessons for the development of the post-2020 global biodiversity framework and transitions needed to realize the vision agreed by the world's governments for 2050 of 'Living in Harmony with Nature'.

20. The CBD Secretariat highlighted the main findings of GBO-5 with respect to marine and coastal biodiversity and made them available in a short document called "*GBO-5 Ocean Highlights: Final Assessment of the Aichi Biodiversity Targets in Marine and Coastal Areas and Transitions Needed for Ocean Sustainability*". While nearly all of the Aichi Targets are relevant in some way to marine and coastal biodiversity, this document focuses on Targets 3, 6, 7, 8, 10, 11, 12 and 15, those that are especially relevant to achieving a healthy, productive and sustainable ocean, and is available here: <https://www.cbd.int/marine/gbo5/>.

CAPACITY-BUILDING AND PARTNERSHIP ACTIVITIES THROUGH THE SUSTAINABLE OCEAN INITIATIVE

(section II of resolution 75/239, including paragraph 24)

SOI Impact Study

21. The CBD Secretariat, along with the Global Ocean Biodiversity Initiative, is conducting a study that takes stock of the many achievements of the Sustainable Ocean Initiative (SOI) during its first decade: "*The Sustainable Ocean Initiative: 10 years of building capacity to support progress towards the Aichi Biodiversity Targets*". SOI is a global platform for building partnerships and enhancing the capacity of developing country Parties to achieve the Aichi Biodiversity Targets related to marine and coastal biodiversity in a holistic manner. The Executive Secretary has continued the capacity-building work under SOI that began with its creation on the margins of the tenth meeting of the Conference of the Parties in 2010, convening a series of capacity-building workshops at the regional, subregional and national levels. This publication highlights examples of where SOI activities have generated tangible benefits for local communities and considers the impacts of SOI at the local, national and regional level. Above all, it aims to recognize and thank the many individuals who have contributed to SOI's efforts and success in supporting countries on their journey towards achieving their marine biodiversity targets. This publication is will be available in the coming months.

SOI Global Dialogue

22. The Secretariat is planning to convene the third meeting of the SOI Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies, in collaboration with the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, the Ministry of Oceans and Fisheries of the Republic of Korea and the National Marine Biodiversity Institute of Korea. This meeting will build on the results of the first two meetings, held in Seoul in 2016 (<https://www.cbd.int/doc/meetings/mar/soiom-2016-01/official/soiom-2016-01-outcome-en.pdf>) and 2018 (<https://www.cbd.int/doc/c/a3e1/53e3/08fc2a8f36e21b2366d03aa9/soi-om-2018-01-02-en.pdf>) and will aim to: (a) enhance mutual understanding of the roles, mandates and work of regional seas organizations and regional fishery bodies, (b) share lessons and experiences on areas of mutual interest to regional seas organizations and regional fishery bodies both within and across regions, (c) report on progress in regional-scale cross-sectoral collaboration, (d) identify tangible opportunities to advance regional-scale collaboration (including sources of support for such collaboration), and (e) outline the roles of regional organizations in achieving global goals and targets for the ocean, including the Post-2020 Global Biodiversity Framework. The meeting was originally scheduled to take place in March 2020, but will be rescheduled.

SOI Post-2020 Action Plan

23. The CBD Secretariat is coordinating the development of “Post-2020 Action Plan” for SOI to support the achievement of the Post-2020 Framework in marine and coastal areas. With the forthcoming adoption of the Post-2020 Global Biodiversity Framework expected at CBD COP 15, SOI must reflect the priorities and challenges of the Post-2020 Framework. As part of the development of this plan, the Secretariat conducted a survey of selected participants in SOI activities, including collaborators, trainers, and donors, to provide substantive background on the global landscape of capacity-building needs and opportunities.

24. Other capacity-building initiatives are underway, including the production of EBSA training modules (see above, under EBSAs), and a plan in its early stages of development together with UN DESA and the Government of France, to support implementation of the Post-2020 global biodiversity framework in small island developing States (SIDs).

STRENGTHENING MARINE AND COASTAL BIODIVERSITY ELEMENTS OF NATIONAL BIODIVERSITY STRATEGIES AND ACTION PLANS (NBSAPs)

25. Together with the Government of Germany and the United Nations Environment Programme World Conservation Monitoring Centre (UNEP-WCMC), the Secretariat has been planning a project to consist of an analysis of the marine and coastal content of existing National Biodiversity Strategies and Action Plans (NBSAPs) to provide a basis for the future development of guidance to Parties in support of their forthcoming efforts to reflect the post-2020 global biodiversity framework in their NBSAPs with adequate and robust reflection of marine issues. NBSAPs, the main mechanism that Parties to the Convention use to guide their implementation of the Convention, have often failed to reflect the policy elements needed to achieve global biodiversity targets at the national level and to include highly relevant marine work ongoing within the countries that are directly relevant to global biodiversity targets. As many Parties are expected to revise their NBSAPs after COP 15 in light of the post-2020 global biodiversity framework and/or incorporate elements of the post-2020 framework into their existing NBSAPs, this project will support their efforts with information and advice on how to reflect or reinforce marine and coastal biodiversity issues in their NBSAPs.

PARTICIPATION IN AND ORGANIZATION OF GLOBAL-LEVEL EVENTS

26. Given the limitations on in-person meetings due to COVID-19, work under the marine and coastal biodiversity programme included convening, co-convening and/or speaking during many virtual meetings, including:

9 September: Participated in Webinar on *The Marine Protected Areas Guide* organized by the United Nations Foundation and the MPA Guide Advisory Group

10 September: co-organized a webinar, [“Building back better: protecting biodiversity, combating land degradation and mitigating climate change to reduce the risks of future pandemics”](#), with the Government of Egypt focused on reducing the risks of future pandemics.

15-16 September: participated in the [Workshop on Deep Sea Taxonomic Standardization: Strategic Approaches for Collaboration | International Seabed Authority](#).

21 September: Participated in CEO Roundtables on Ocean — Ocean Stewardship Annual Review, organized by the United Nations Global Compact

30 September: delivered a statement at the High-level Side Event: “Biodiversity – the Ocean’s Role”, At the **United Nations Summit on Biodiversity**, communicating the major ocean-related findings of the fifth edition of the Global Biodiversity Outlook (“GBO-5”), the Convention’s flagship publication (see also

above) and highlighting the major opportunity provided by the adoption of the post-2020 global biodiversity framework to achieve a healthy ocean into the future (<https://sdgs.un.org/fr/node/24649>).

1 October: co-organized, with United Nations Environment Programme and the European Commission, a webinar briefing on the Regional Seas Programmes and the post-2020 Global Biodiversity Framework (see above).

22 October: Participated in the Eighth Special Session of the African Ministerial Conference on the Environment (<https://www.unep.org/events/conference/eighth-special-session-african-ministerial-conference-environment>)

19 November: Participated in World Island Network webinar, organized by Small Islands Organisation (SMILO) and the Global Island Partnership (GLISPA) (<http://www.smilo-program.org/en/events/past-events/298-online-meeting-world-island-networks-session-2>)

24-25 November: Coordinated SCBD representation in the 12th meeting of the UNFCCC SBSTA research dialogue (<https://unfccc.int/topics/science/events-meetings/research-dialogue/twelfth-meeting-of-the-research-dialogue>)

10 December: participated in a panel discussion on promoting inter-agency coordination on ocean science and innovation in the UN-Oceans virtual high-level meeting.

December 14-16: participated in a high-level event at the **EU International Ocean Governance Forum** on the theme of international ocean governance as a driver for sustainable recovery (<https://webgate.ec.europa.eu/maritimeforum/en/frontpage/1628>).

15-16 December: Special virtual session for SBSTTA-24 and SBI-03 on biodiversity, One Health and COVID-19, <https://www.cbd.int/conferences/sbstta24-sbi3-prep-02>, which provided an opportunity for Parties and observers to examine the links between biodiversity and health, including the links between biodiversity loss and the emergence of zoonotic diseases, the One Health approach, and the response to COVID-19.

15-17 December: Participated in a workshop on marine scientific research in the Area, organized by the International Seabed Authority (ISA) and other partners (<https://www.isa.org.jm/index.php/event/workshop-marine-scientific-research-area-establishing-collaborative-platform-enhance>)

PROVIDING SCIENTIFIC AND TECHNICAL INPUT TO RELEVANT INTERNATIONAL PROCESSES

27. The CBD Secretariat contributes scientific and technical input to various intergovernmental processes on issues related to marine and coastal biodiversity, on the basis of decisions of the CBD COP and relevant scientific and technical work coordinated by the Secretariat. During this reporting period, such processes included contributing to the UN Global Compact's Practical Guidance on fisheries for the UN Global Compact Sustainable Ocean Principles (<https://ungc-communications-assets.s3.amazonaws.com/docs/publications/UN%20Global-Compact-Sustainable-Ocean-Principles-Fisheries.pdf.pdf>), and providing formal substantive input to the deliberations under the International Seabed Authority on draft standard and guidelines on: the development and application of Environmental Management Systems and on the form and calculation of an Environmental Performance Guarantee (https://isa.org.jm/files/files/documents/EPG%20and%20EMS_%20CBD.pdf).