



Convention on Biological Diversity

Distr.: Limited
29 October 2026

Original: English

Conference of the Parties to the Convention on Biological Diversity Seventeenth meeting

Yerevan, 19–30 October 2026

Agenda item 18 (c)

Other scientific and technical issues related to the implementation of the Kunming-Montreal Global Biodiversity Framework: marine and coastal biodiversity and island biodiversity

Marine and coastal biodiversity and island biodiversity

Draft decision submitted by the Chair of Working Group II

The Conference of the Parties,

Reaffirming Articles 3, 4, 5 and 22 of the Convention on Biological Diversity,¹ as well as its decisions [VIII/24](#) of 31 March 2006, [IX/20](#) of 30 May 2008, [X/29](#) of 29 October 2010, [XI/17](#) of 19 October 2012, [XII/22](#) of 17 October 2014, [XIII/12](#) of 17 December 2016, in particular its paragraph 3, [14/9](#) of 29 November 2018, [15/24](#) and [15/26](#) of 19 December 2022, [16/16](#) of 30 October 2024 and [16/17](#) of 1 November 2024,

Recalling resolution 80/110 of 9 December 2025 of the General Assembly of the United Nations on oceans and the law of the sea, including its preambular paragraphs on the United Nations Convention on the Law of the Sea,^{2,3,4,5,6}

Recognizing that the modification of descriptions of ecologically or biologically significant marine areas and the description of new areas is an important scientific and technical process that contributes to the implementation of the Kunming-Montreal Global Biodiversity Framework⁷ and may contribute to work under other international instruments, frameworks and bodies [including the

¹ United Nations, *Treaty Series*, vol. 1760, No. 30619.

² *Ibid.*, vol. 1833, No. 31363.

³ Colombia reaffirms that the United Nations Convention on the Law of the Sea is not the only legal instrument governing activities carried out in the oceans and seas. The participation of Colombia in the discussions under agenda item 18 (c) of the seventeenth meeting of the Conference of the Parties to the Convention on Biological Diversity does not affect its status or rights, nor can it be interpreted as a tacit or express acceptance of the provisions of the United Nations Convention on the Law of the Sea.

⁴ Türkiye dissociates itself from the reference made to the United Nations Convention on the Law of the Sea, to which it is not a Party. The participation of Türkiye in the discussions under agenda item 18 (c) of the seventeenth meeting of the Conference of the Parties cannot be construed as a change in the well-known legal position of Türkiye with regard to said instrument.

⁵ El Salvador is not a Party to the United Nations Convention on the Law of the Sea.

⁶ The Bolivarian Republic of Venezuela considers that the United Nations Convention on the Law of the Sea is not the only legal instrument that governs activities related to the seas and oceans. Therefore, it disassociates itself from the reference made to it, and its participation in the discussions under agenda item 18 (c) cannot be considered as a change in its national position regarding that instrument.

⁷ Decision [15/4](#), annex.

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 Jurisdiction⁸],

I

Ecologically or biologically significant marine areas

1. *Decides* to extend the term of the Informal Advisory Group on Ecologically or Biologically Significant Marine Areas until the eighteenth meeting of the Conference of the Parties;
2. *Welcomes* the submissions related to the description of ecologically or biologically significant marine areas and the modification of existing descriptions, as contained in document [CBD/SBSTTA/28/INF/2/Rev.1](#) and summarized in document [CBD/SBSTTA/28/7/Add.1](#);
3. *Encourages* Parties, and invites other Governments, relevant organizations, indigenous peoples and local communities, women, youth and other stakeholders, to contribute to the work conducted under the Convention on Biological Diversity on ecologically or biologically significant marine areas, as appropriate and in accordance with decision [16/16](#), in order to improve the coverage of such areas around the world and ensure that the descriptions of those areas are kept up to date, recognizing the underrepresentation of areas beyond national jurisdiction in such descriptions;
4. *Also encourages* Parties, and invites other Governments and relevant organizations, to strengthen the scientific and technical capacities of developing country Parties, in particular the least developed countries and small island developing States among them, including through the mobilization of resources, to contribute to the work on ecologically or biologically significant marine areas under the Convention, as appropriate and in accordance with decision [16/16](#);
5. *Further encourages* Parties, and invites other Governments and relevant organizations, as appropriate and in accordance with national circumstances, to make use of the best available scientific information and compatible tools, taking into consideration the identification and recognition of essential and particularly sensitive habitats of marine species, in order to support the description and identification of ecologically or biologically significant marine areas and inform ecosystem-based approaches and area-based conservation measures, including the designation and management of marine and coastal protected areas and other effective area-based conservation measures, as appropriate, in support of Target 3 of the Kunming-Montreal Global Biodiversity Framework, while respecting the mandates of relevant international instruments and processes;
6. *Adopts* the voluntary guidance on peer-review processes for the description of areas meeting the criteria for ecologically or biologically significant marine areas, as contained in annex I to the present decision, and invites Parties, other Governments and competent intergovernmental organizations to make use of them, as appropriate and in accordance with national circumstances and the respective mandates and procedures of competent intergovernmental organizations, without affecting or modifying the peer-review or decision-making processes established under other processes and noting that the voluntary guidance does not prejudice the sovereignty, sovereign rights or jurisdiction of States;
7. *Requests* the Executive Secretary to continue to facilitate the work of the Informal Advisory Group on Ecologically or Biologically Significant Marine Areas in line with its terms of reference⁹ and to make a report on that work available at a meeting of the Subsidiary Body on Scientific, Technical and Technological Advice held before the eighteenth meeting of the Conference of the Parties;
8. *Also requests* the Executive Secretary to include the submissions referred to in paragraph 2 above in the repository for ecologically or biologically significant marine areas and to

⁸ A/CONF.232/2023/4.

⁹ The terms of reference for the Informal Advisory Group, which have been aligned with the modalities contained in the annex to decision [16/16](#), are available at www.cbd.int/marine/ebsa/revised-tor-iag-on-ebsa.pdf.

transmit them to the General Assembly of the United Nations, with a view to informing work under its relevant processes, as well as Parties, other Governments and relevant international organizations;

9. *Further requests* the Executive Secretary, subject to the availability of resources:

(a) To continue to facilitate and support efforts, as appropriate, including in collaboration with the regional and subregional technical and scientific cooperation support centres, to develop submissions for the modification of descriptions of ecologically or biologically significant marine areas and the description of new areas, including through outreach, technical support and capacity-building;

(b) To convene a global expert workshop, with balanced regional representation, to collate, synthesize and review the best available scientific knowledge and information from diverse knowledge systems on ecological and biological features in marine areas beyond national jurisdiction in support of the potential development of future submissions, as appropriate and in accordance with the modalities contained in decision [16/16](#), without prejudicing future discussions of the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties, and in cooperation with other international instruments, frameworks and bodies with respect to the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction for the purpose of scientific and technical exchange, while ensuring complementarity and avoiding the prejudicing or unnecessary duplication of their work, including with respect to area-based management tools;

(c) To compile experiences in the use of the information contained in the descriptions of ecologically or biologically significant marine areas, including in efforts to implement the Kunming-Montreal Global Biodiversity Framework and, as appropriate, other relevant international agreements and frameworks, and make that information available at a future meeting of the Subsidiary Body on Scientific, Technical and Technological Advice;

II

Conservation and sustainable use of marine and coastal biodiversity and island biodiversity

10. *[Welcomes][Recognizes][Acknowledges][Takes note of]* the entry into force on 17 January 2026 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;

11. *Expresses* its appreciation to the Governments of Germany, Ireland, Norway and Sweden for their financial support for the convening of an expert workshop on scientific and technical work conducted under the Convention on Biological Diversity relevant to marine biodiversity in areas beyond national jurisdiction in Bergen, Norway, from 2 to 5 December 2025, and takes note of the outcomes of the workshop;

12. *Encourages* Parties, and invites other Governments and relevant entities, including those in charge of regional seas conventions and action plans and regional fishery bodies, to strengthen coordination and cooperation at the global, regional and national levels on issues related to marine biodiversity of areas beyond national jurisdiction, with the full and effective participation of indigenous peoples and local communities, as well as women, youth and other stakeholders;

13. *Also encourages* Parties, and invites other Governments and other international instruments, frameworks and bodies with competence in areas beyond national jurisdiction, to use, as appropriate and in accordance with their respective mandates and jurisdictional scopes, the wide range of tools, guidance and experiences developed under the Convention in their work to conserve and sustainably use marine biodiversity of areas beyond national jurisdiction, including work to support capacity-building, scientific and technical cooperation and technology transfer, without

prejudicing work carried out by those organizations and under relevant processes, while promoting synergies and avoiding the duplication of efforts;

14. *Notes with concern* the findings of the global report on collective progress in the implementation of the Framework¹⁰ that show that marine and coastal ecosystems consistently receive less attention than terrestrial ecosystems;

15. *Urges* Parties, and invites other Governments and relevant organizations, to strengthen efforts to accelerate the implementation of the Framework in the context of marine and coastal ecosystems, including through enhanced policy coherence, scientific and technical cooperation, capacity-building, access to and transfer of technology and the mobilization of adequate financial resources from all sources;

[16. *Decides* to establish, subject to the availability of resources, an informal advisory group on work conducted under the Convention in relation to marine biodiversity of areas beyond national jurisdiction with the terms of reference provided in annex II to the present decision;

17. *Requests* the Informal Advisory Group on Work Conducted under the Convention on Biological Diversity in Relation to Marine Biodiversity of Areas beyond National Jurisdiction to provide a report on its progress for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice at a meeting held before the eighteenth meeting of the Conference of the Parties;]

18. *Requests* the Executive Secretary, subject to the availability of resources:

(a) To cooperate further with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations Secretariat and other entities with competence in marine areas beyond national jurisdiction, in particular with a view to sharing tools, guidance, expertise, experiences and best practices developed under the Convention relevant to marine biodiversity of areas beyond national jurisdiction, as appropriate, within the mandates of the respective entities, in a manner that promotes coherence and coordination and without undermining, and with full respect for, relevant legal instruments and frameworks and the mandates and competence of global, regional, subregional and sectoral bodies;

(b) To commission a report, to be prepared in collaboration with relevant organizations, on scientific and technical information on marine biological and ecological connectivity, including vertical connectivity, in particular in coastal, open-ocean and deep-sea ecosystems, in order to inform the implementation of the Framework, and make the report available for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice at a meeting held before the eighteenth meeting of the Conference of the Parties;

(c) To develop, in collaboration with relevant organizations and experts, scientific guidance on the application of emerging technologies, including environmental DNA, remote sensing and other appropriate biodiversity monitoring tools, to support the assessment and monitoring of marine biodiversity, taking into account national circumstances, capacities and priorities, using the best available scientific information and considering methods of application that value the traditional knowledge of indigenous peoples and local communities, and accompany that guidance with an analysis of priorities and options for capacity-building and development for developing country Parties, in particular the least developed countries and small island developing States among them;

(d) To identify which of the gaps and areas in need of additional focus contained in the annex to decision [16/17](#) would benefit from the development of new guidance under the Convention to advance the implementation of the Framework with respect to marine and coastal biodiversity and island biodiversity for consideration by the Subsidiary Body on Scientific, Technical and

¹⁰ [CBD/COP/17/INF/7](#).

Technological Advice at a meeting held before the eighteenth meeting of the Conference of the Parties;

(e) To prepare an analysis on the status of the implementation of the programme of work on island biodiversity¹¹ in the context of the Framework, taking into consideration the disproportionate threats to island ecosystems, the inseparable links among marine, coastal and island ecosystems and the annex to decision [16/17](#), and to provide the analysis to the Subsidiary Body on Scientific, Technical and Technological Advice for its consideration at a meeting held before the nineteenth meeting of the Conference of the Parties;

(f) To enhance further cooperation, collaboration or synergies, as appropriate, with the secretariats of other multilateral environmental agreements and global and regional organizations, in accordance with their respective mandates, including through the Sustainable Ocean Initiative global dialogue with regional sea organizations and regional fishery bodies, with regard to various thematic issues related to marine and coastal biodiversity and island biodiversity in support of the implementation of the Framework and the 2030 Agenda for Sustainable Development.¹²

Annex I

Voluntary guidance on peer-review processes for the description of areas meeting the criteria for ecologically or biologically significant marine areas

I. Introduction

1. There are various processes, on a range of scales and in diverse contexts, for describing areas of significance in marine and coastal areas, including the scientific description and mapping of areas meeting the criteria for ecologically or biologically significant marine areas. The processes reflect a range of objectives, contexts and priorities and may be coordinated variously by intergovernmental or governmental entities, indigenous peoples and local communities, and non-governmental organizations. Some are focused on specific types of habitats, species or ecological processes, while others combine at least two of the above or have a broader scope. Processes other than those to describe ecologically or biologically significant marine areas may also be linked with management measures or used to inform related management decisions.

2. In its decision [16/16](#), the Conference of the Parties to the Convention on Biological Diversity¹³ emphasized that, in developing submissions for descriptions of ecologically or biologically significant marine areas or modifications to those descriptions, proponents should consider the need for a strong scientific basis with sufficient information, as well as the importance of transparency, which are common factors of such processes. In that regard, peer review is a vital factor contributing to the effectiveness of the processes. Peer review can take various forms but is intended to provide an opportunity for experts to evaluate information in order to strengthen its scientific basis and credibility, enhance process transparency and support the consistent application of agreed criteria.

3. In the same decision, the Conference of the Parties requested the Executive Secretary to develop voluntary guidelines on peer-review processes for the description of areas meeting the criteria for ecologically or biologically significant marine areas and other relevant compatible and complementary scientific criteria.

II. Purpose

4. The present voluntary guidance and/or its elements are aimed at supporting, as appropriate, inclusive, effective, scientifically robust, equitable and transparent expert peer-review processes for the description of areas meeting the criteria for ecologically or biologically significant marine areas.

¹¹ Decision [VIII/1](#), annex.

¹² General Assembly resolution 70/1.

¹³ United Nations, *Treaty Series*, vol. 1760, No. 30619.

5. The voluntary guidance is focused exclusively on expert peer reviews as a scientific and technical quality assurance mechanism. It is intended to strengthen the scientific basis of proposed descriptions and support the consistent application of agreed criteria, recognizing that the description of an area as meeting the criteria for an ecologically or biologically significant marine area does not, in itself, constitute the identification, designation or establishment of a marine protected area or other area-based management tool or prescribe any management measure.

6. The voluntary guidance and its elements are non-prescriptive and flexible in nature and do not replace national peer-review and broader rights holder or stakeholder and other consultation processes. They are intended, collectively or on an individual basis, to serve as a reference for good practice in support of relevant decisions of the Conference of the Parties, in particular decision [16/16](#). While they are primarily intended to provide options to complement existing processes to those who are managing a peer-review process, they may also be useful for experts involved in peer reviews.

7. Nothing in the present voluntary guidance shall prejudice work conducted under other international instruments, frameworks or competent organizations. Its use in such processes is voluntary and subject to the respective mandates, procedures and decisions pertaining to those instruments, frameworks or competent organizations.

8. Nothing in the voluntary guidance gives rise to any changes to the modalities adopted in decision [16/16](#).

III. Voluntary guidance

A. Information regarding the criteria for which the area is being proposed

9. Sufficient information regarding the criteria against which the area is being proposed for assessment should be provided to those involved in the peer-review process and should include the following:

- (a) A full overview of the steps of the process for applying the criteria in question, including the steps that have been completed thus far;
- (b) The nature of the criteria that are being applied (e.g. context or objectives) and all requirements, including any associated thresholds, that the area in question must meet;
- (c) An indication of whether the area in question is associated with any other criteria;
- (d) Information on any previous unsuccessful efforts to assess the area against the criteria.

B. Clear justification of why the area meets the criteria

10. Given that the expert review process is focused on ensuring that the proposal is of a high quality, sufficient information should be provided to those involved in the review demonstrating that the area in question meets the criteria, including the following:

- (a) A clear geographical delineation of the area, using appropriate formats, such as geographic information system files or geographical coordinates, and the rationale for the delineation;
- (b) The geographical scope of the exercise or analysis that led to the proposal to describe the area in question as significant;
- (c) An indication of whether the process that led to the proposal was limited to or specifically focused on certain types of features, habitats, species or ecosystem services;
- (d) A clear explanation of the features of the area that contribute to the fulfilment of the relevant criteria, using the best available information and knowledge, including data or data-driven analyses, and, where appropriate, traditional knowledge of indigenous peoples and local communities;

(e) The gaps or uncertainties that may exist in the information or knowledge used, including a description of confidence levels, where appropriate, and an explanation of the ways in which the gaps are addressed, where applicable, such as through assumptions, extrapolation, modelling or the use of complementary knowledge sources, including an indication of the associated uncertainty to ensure scientific transparency and robustness;

(f) Full references or citations for all information and knowledge used, including statements on the availability or reproducibility of data, where needed;

(g) Applicable permissions for all information and knowledge used, including the best available science and traditional knowledge of indigenous peoples and local communities, with their free, prior and informed consent,¹⁴ consistent with national legislation and circumstances.

C. Experts engaged in the peer-review process

11. The following factors should be borne in mind when engaging experts in the peer-review process:

(a) A sufficient number of appropriate experts in the topic under discussion should be engaged, under a clear rationale for their engagement, such as those from various rights holder and stakeholder groups, who would be participating in their expert capacity, giving due consideration to the participation of experts who were not involved in the development of the submission, including:

- (i) Experts with scientific knowledge of the types of features, habitats, species or ecosystem services being discussed, ensuring that the peer-review group includes a sufficient number of experts with knowledge of all the main features of the area (e.g. two experts per area of expertise);
- (ii) Experts in the methodological approaches used in the analysis;
- (iii) Experts from indigenous peoples and local communities who have traditional knowledge relevant to the area in question;
- (iv) Experts from various sectors and user groups, according to national circumstances and legislation;

(b) Experts should understand and disclose their actual or potential conflicts of interest, potentially using individual, signed, formal declarations, and their motivating factors for engaging in the process, and a consistent approach should be applied to the management of conflicts;

(c) A clear explanation should be provided of the types of input expected from the experts, which may vary depending on their area of expertise, and of the format of the expected final output of the process;

(d) Peer-review methods and timelines should be flexible to reflect the range of regional and institutional contexts, especially where data or resources are limited, without losing scientific reliability.

D. Establishing and conducting the peer-review process

12. The timing of the implementation of a peer-review process should be chosen in such a way that the scientific foundation and quality of the process and of the information used can be ensured as effectively as possible. The process should be carefully crafted and conducted, considering the following features:

(a) Effective and equitable modalities, which may include a combination of approaches, that help to facilitate the robust review of the proposal;

¹⁴ “Free, prior and informed consent” refers to the tripartite terminology of “prior and informed consent”, “free, prior and informed consent” and “approval and involvement”.

- (b) Clear steps and expected timelines that are consistently respected and clear explanations of any deviations;
- (c) Clear rules of procedure and code of conduct that are set out, explained to everyone involved and consistently respected throughout the process, including rules for reporting in any public documentation discussions and information provided during the process, such as on the use of traditional knowledge of indigenous peoples and local communities, with their free, prior and informed consent, consistent with national legislation and circumstances;
- (d) Clear plans for the consideration of input received through the process and, where appropriate, for its incorporation and reflection in the output of the process, recognizing that not all input can be incorporated;
- (e) Information on the ways in which the peer-review process influenced the final proposal, including a clear justification for any expert input that is not incorporated into the final output, as well as any dissenting views regarding the final output, in order to ensure transparency and the scientific reliability of the outcome;
- (f) Adherence to any rules, procedures, timelines and expectations articulated at the outset of the process;
- (g) Public availability of the outputs of the process, as well as input received during the process, as appropriate;
- (h) Provisions for the adaptive improvement of the peer-review process for future exercises.

[Annex II

Terms of reference for the Informal Advisory Group on Work Conducted under the Convention on Biological Diversity in Relation to Marine Biodiversity of Areas beyond National Jurisdiction

1. The Informal Advisory Group on Work Conducted under the Convention on Biological Diversity¹⁵ in relation to Marine Biodiversity of Areas beyond National Jurisdiction shall respect and take fully into account the mandates and work of other competent entities and intergovernmental organizations with respect to the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction, as well as previous guidance given by the Conference of the Parties to the Convention regarding the role of the Convention in that context, and shall conduct its work in a manner that promotes coherence and coordination.

2. The Informal Advisory Group shall:

(a) Provide scientific and technical advice to the Secretariat of the Convention on work relevant to marine biodiversity in areas beyond national jurisdiction, in particular on the prioritization of and approaches for possible activities and initiatives, within the mandate and jurisdictional scope of the Convention, drawing on opportunities identified during the expert workshop on scientific and technical work conducted under the Convention relevant to marine biodiversity in areas beyond national jurisdiction held in Bergen, Norway, from 2 to 5 December 2025;¹⁶

[(b) Provide advice on opportunities for specific areas of cooperation, collaboration or synergies, as appropriate, with [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 Jurisdiction¹⁷ and] other competent international instruments, frameworks and bodies with respect to the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction, including opportunities for the Conference of the Parties to the Convention and the

¹⁵ United Nations, *Treaty Series*, vol. 1760, No. 30619.

¹⁶ See [CBD/MCB/WS/2025/1/2](#).

¹⁷ A/CONF.232/2023/4.¹⁸ See decision [VIII/10](#), annex III, section H.

subsidiary bodies to contribute relevant scientific and technical information, drawing upon cooperation opportunities identified at the expert workshop noted above.]

3. The Informal Advisory Group shall be composed of up to 20 experts nominated by Parties, with equal representation of the five regional groups, up to 10 experts nominated by intergovernmental bodies with competence in the conservation and sustainable use of biodiversity of marine areas beyond national jurisdiction, and up to 7 experts nominated by other relevant organizations, following the guidance on expert groups contained in the consolidated *modus operandi* of the Subsidiary Body on Scientific, Technical and Technological Advice,¹⁸ with respect to the nomination and selection of experts, as appropriate.
 4. The Informal Advisory Group is established for a two-year period that may be renewed by a decision of the Conference of the Parties. The members of the Group shall be selected for a two-year period. The work of the Group should continue regardless of any changes in membership.
 5. The Informal Advisory Group may invite experts from outside the Group, including, as and where appropriate, from various stakeholder groups, to contribute to discussions on specific issues considered by the Group.
 6. The Informal Advisory Group will primarily conduct its work online and, subject to the availability of resources, will also meet in person.
 7. The Informal Advisory Group is to start its work immediately after the seventeenth meeting of the Conference of the Parties and report on its work to the Subsidiary Body on Scientific, Technical and Technological Advice at a meeting held before the eighteenth meeting of the Conference of the Parties.]
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¹⁸ See decision [VIII/10](#), annex III, section H.