



## Convention on Biological Diversity

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EXPERT WORKSHOP TO IDENTIFY OPTIONS  
FOR MODIFYING THE DESCRIPTION OF  
ECOLOGICALLY OR BIOLOGICALLY  
SIGNIFICANT MARINE AREAS AND  
DESCRIBING NEW AREAS

Brussels, 3-5 February 2020

### BRIEFING NOTE FOR THE WORKSHOP

1. The Expert Workshop to Identify Options for Modifying the Description of Ecologically or Biologically Significant Marine Areas (EBSAs) and Describing New Areas is being convened from 3 to 5 February 2020 in Brussels, with financial support from the Government of the Belgium and the Government of Germany.
2. The workshop is being convened pursuant to decision 14/9 in which the Conference of the Parties to the Convention on Biological Diversity (CBD) requested the Executive Secretary to identify options for modifying the description of EBSAs, for describing new EBSAs, and for strengthening the scientific credibility and transparency of this process, and to submit them to the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and to the Conference of the Parties (COP) for consideration.
3. This document provides further background for the workshop and the issues to be discussed at the workshop.

### I. BACKGROUND ON THE EBSA PROCESS

4. At its tenth meeting in 2010, the Conference of the Parties established a global process to facilitate the description of EBSAs through regional workshops, focused on describing areas that meet the scientific criteria for EBSAs, as contained in annex I to [decision IX/20](#).
5. Between 2011 and 2019, the Secretariat convened 15 regional workshops to facilitate the description of EBSAs. These workshops, convened in collaboration with Parties, Other Governments, and international organizations, and with significant scientific input from various scientific experts around the world, has facilitated the description of more than 300 areas meeting the EBSA criteria.
6. The outputs of regional EBSA workshops are submitted for consideration by SBSTTA and the Conference of the Parties, after which they are included in the EBSA repository (<https://www.cbd.int/ebsa/ebsas>) and transmitted to the United Nations General Assembly and its relevant processes.
7. The EBSA process has been extremely valuable to improving our understanding of the ecological and biological significance of various components of the ocean, and providing a solid scientific basis for States and competent intergovernmental authorities to select, as appropriate, adequate measures to plan and implement conservation and sustainable use of marine biodiversity. EBSAs provide information that is not only useful for management planning, but also provide a focus for research and monitoring of various features in the ocean. Furthermore, the EBSA regional workshop process has facilitated scientific collaboration, networking and capacity-building at various scales around the world.

8. Notwithstanding the success of the EBSA process, discussions have been ongoing in the context of the Conference of the Parties on means to improve the EBSA process, including means to incorporate up-to-date scientific information from various sources.

## II. HISTORY AND EVOLUTION OF DISCUSSIONS ON THIS ISSUE

9. In the context of the Convention, consideration of issues related to improving and enhancing methodologies of the EBSA process began in earnest at the twelfth meeting of the Conference of the Parties in 2014, at which the Conference of the Parties (in [decision XII/23](#), para. 10), requested the Executive Secretary to develop practical options to further enhance scientific methodologies and approaches on the description of areas meeting the EBSA criteria, ensuring that the best available scientific and technical information and traditional knowledge of various users of marine resources, including fishers, are used and that the products are scientifically sound and up-to-date.

10. Pursuant to this request, and based on input received through [notification 2015-113](#) as well as a Compilation of Experiences and Lessons Learned from Scientific Methodologies and Approaches for the Description of EBSAs ([UNEP/CBD/SBSTTA/20/INF/20](#)), the Executive Secretary provided Practical Options For Further Enhancing Scientific Methodologies and Approaches on the Description of Areas Meeting the EBSA Criteria (UNEP/CBD/SBSTTA/20/3, [annex IV](#)) to the Subsidiary Body on Scientific, Technical and Technological Advice for consideration at its twentieth meeting.

11. At its twentieth meeting in 2016, SBSTTA determined that further work was needed on certain aspects of this issue prior to consideration by Conference of the Parties and requested the Executive Secretary:

(a) To develop options regarding procedures within the Convention to modify the description of areas, both within and beyond national jurisdiction, decided by the Conference of the Parties for inclusion in the repository, based on new information that has become available since the previous regional workshops on ecologically or biologically significant areas;

(b) To develop options to facilitate the process of description of new areas against the criteria for ecologically or biologically significant marine areas;

(c) To make a draft report on options available for peer-review by Parties for further refinement;

(d) To submit the final report to the Conference of the Parties for consideration at its thirteenth meeting, building on the work of SBSTTA at its twentieth meeting.

12. In response to this request, the Executive Secretary prepared a document providing Options Regarding Procedures for Modifying the Description of EBSAs or Facilitating the Process of Making Descriptions of New Areas ([UNEP/CBD/COP/13/18](#)), the draft of which was also subjected to peer-review through [notification 2016-104](#) prior to being made available for the Conference of the Parties.

13. At its thirteenth meeting in 2016, the Conference of the Parties welcomed the voluntary practical options for further enhancing scientific methodologies and approaches of the scientific and technical exercises, including collaborative arrangements, for the description of areas meeting the criteria for ecologically or biologically significant marine areas, as contained in annex II of [decision XIII/12](#). This annex included provisions addressing (a) means to improve data compilation and synthesis for the description of EBSAs, (b) approaches for incorporating new information and new consideration of existing information in future description of EBSA, including both scientific and traditional knowledge, and (c) means to enhance the EBSA repository and information-sharing mechanism. In the same decision, the Conference of the Parties also requested the Executive Secretary to facilitate an informal advisory group for EBSAs, in line with terms of reference provided in annex III of [decision XIII/12](#).

14. However, further consideration was needed regarding issues related to the modification of areas already described as EBSAs and possible additional modalities for the description of new EBSAs. So, in

[decision XIII/12](#), the Conference of the Parties requested the Executive Secretary to continue the work set out in paragraph 10 of [decision XII/22](#) and SBSTTA recommendation XX/3, building on discussions of the Conference of the Parties at its thirteenth meeting, by organizing an expert workshop, to make the report of this workshop available for subsequent peer-review by Parties, other Governments and relevant organizations, and to report on its progress to a future meeting of SBSTTA for its consideration, prior to the fourteenth meeting of the Conference of the Parties.

15. Pursuant to this request, and with financial support from the Governments of Germany and Sweden, the Secretariat of the Convention on Biological Diversity organized the Expert Workshop to Develop Options for Modifying the Description of Ecologically or Biologically Significant Marine Areas, for Describing New Areas, and for Strengthening the Scientific Credibility and Transparency of this Process. The workshop was hosted by the Government of Germany and was held in Berlin, from 5 to 8 December 2017. This expert workshop had the following objectives:

(a) To develop options, for cases both within and beyond national jurisdiction, regarding procedures within the Convention to modify the description of areas meeting the EBSA criteria and to describe new areas, while fully respecting the sovereignty, sovereign rights and jurisdiction of coastal States reaffirmed in [decision XIII/12](#), paragraph 3;

(b) To develop options for strengthening the scientific credibility and transparency of the EBSA process, including by enhancing the scientific peer review by Parties, other Governments and relevant organizations.

16. The report of this workshop was then made available for peer-review by Parties, other Governments and relevant organizations through [notification 2018-004](#).

17. On the basis of the workshop report and input received in response to the above-noted notification, the Secretariat prepared Options for Modifying the Description of Ecologically or Biologically Significant Marine Areas, for Describing New Areas, and for Strengthening the Scientific Credibility and Transparency of this Process, which was considered by SBSTTA at its twenty-second meeting and the Conference of the Parties at its fourteenth meeting.

18. Unfortunately, the Conference of the Parties was unable to find consensus on all elements of this issue. In [decision 14/9](#), the Conference of the Parties welcomed the report of the workshop and requested the Executive Secretary, subject to the availability of financial resources, to identify options for modifying the description of ecologically or biologically significant marine areas, for describing new areas, and for strengthening the scientific credibility and transparency of this process, noting the above-mentioned report and annex II to the [decision 14/9](#), and to submit them to SBSTTA and to the Conference of the Parties for consideration, and noting annex III.

19. The present workshop is being convened pursuant to this request with the aim of producing modalities (or options for modalities) for modifying the description of EBSAs and describing new EBSAs for consideration by SBSTTA at its twenty-fourth meeting and the Conference of the Parties at its fifteenth meeting.

### III. MAJOR AREAS IN NEED OF RESOLUTION

20. Discussions thus far on this have brought forth valuable insights on means to improve the EBSA process and the use of EBSA information, including clear guidance on means to do so in some areas as highlighted in annex II of [decision XIII/12](#).

21. However, there are important elements of these discussions that have yet to be resolved and which will be the focus of the workshop discussions, in particular:

(a) Modalities to modify the description of areas described as meeting the EBSA criteria, considered by the Conference of the Parties and included into repository;

(b) Modalities to describe new areas meeting the EBSA criteria; and

(c) Actors who can propose the modification of EBSAs and the description of new EBSAs.

22. Lack of agreement on this issue is impeding the capacity of the EBSA process to consider and incorporate newly available and up-to-date scientific information, with a view to ensuring that the areas described as EBSAs are robust and scientifically accurate in order to inform planning, management and research.

#### **IV. EXPECTED WORKSHOP OUTPUTS**

23. This workshop will aim to advance discussions on these issues, in particular those under paragraph 21 above, with a view to providing language that may achieve consensus at the forthcoming meetings of SBSTTA and the Conference of the Parties .

24. The workshop will, to the greatest extent possible, aim to arrive at agreed-upon language with respect to this issue, but may alternately outline a series of options for such language.

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