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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

Annotated provisional agenda

# Introduction

1. The Conference of the Parties to the Convention on Biological Diversity at its fourteenth meeting adopted decision 14/9, in which it requested the Executive Secretary to identify options for modifying the description of ecologically or biologically significant marine areas (EBSAs), for describing new areas, 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 and to the Conference of the Parties for consideration.
2. Pursuant to the above request and with generous financial support from the Government of the Belgium and the Government of Germany, the Secretariat of the Convention on Biological Diversity is convening the Expert Workshop to Identify Options for Modifying the Description of EBSAs and Describing New Areas in Brussels, from 3 to 5 February 2020.
3. The outcome of this workshop will be a meeting report containing a set of options and approaches for modifying the description of EBSAs and describing new EBSAs, which will form the basis of future deliberations by the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties on this issue.
4. A list of documents for the workshop is contained in annex I.
5. The Secretariat issued an information note for participants containing details of logistical arrangements, including information on travel, visa requirements, accommodation and other matters for the workshop. The workshop will be conducted in English.
6. The workshop will be conducted in plenary and breakout group sessions, as necessary.
7. Registration of participants will commence at 8.30 a.m. on Monday, 3 February 2020.

# Item 1. Opening of the workshop

1. Representatives of the Government of Belgium and the Secretariat of the Convention on Biological Diversity will open the workshop at 9 a.m. on Monday, 3 February 2020.

# Item 2. Introduction, background and purpose of the workshop

1. A representative of the Secretariat will deliver a presentation on the background for the workshop and expected outcomes.
2. This will be followed by an additional presentation by a representative of the Secretariat on the work under the Convention on EBSAs, current modalities for describing EBSAs, and challenges that have emerged in the context of the current modalities for the EBSA process.
3. Next, a resource person will deliver a presentation on scientific gaps in areas that have been described as EBSAs under the Convention to date.

# Item 3. Organization of work

1. After a brief explanation by the representative of the Secretariat on procedures, the participants will be invited to consider the provisional agenda (CBD/EBSA/WS/2020/1) and the proposed organization of work, as contained in annex II below, and adopt them with any amendments deemed necessary.
2. The Secretariat will also provide an explanation on the selection of the workshop facilitator.

# Item 4. Modalities for the modification of ecologically or biologically significant marine areas

1. The Secretariat will give a brief introduction to this item with respect to potential modalities for the modification of EBSAs, on the basis of the discussion document prepared by the Secretariat to inform the deliberations on this issue (CBD/EBSA/2020/1/INF/4).
2. Participants will first discuss potential reasons for the modification of EBSAs.
3. Next, participants will discuss and identify options for the modification of EBSAs, with a focus on (a) actors who can propose modification and (b) modalities for the modification process. The discussion on this issue will address modalities for the modification process with respect to:
   1. Modification of EBSAs in marine areas beyond national jurisdiction;
   2. Modification of EBSAs in marine within national jurisdiction;
   3. Modification of EBSAs straddling multiple national jurisdictions;
   4. Modification of EBSAs straddling marine areas within and beyond national jurisdiction.
4. The workshop will aim, to the greatest extent possible, to arrive at agreed-upon language with respect to this issue, but may alternately outline a series of options for such language, if a consensus cannot be achieved.

# Item 5. Modalities for the DescriPtion of ecologically or biologically significant marine areas

1. The Secretariat will give a brief introduction to this item with respect to potential modalities for the description of new EBSAs, on the basis of the discussion document prepared by the Secretariat to inform the deliberations on this issue (CBD/EBSA/2020/1/INF/4).
2. Under this item, participants will discuss and identify options for the description of EBSAs, with a focus on (a) actors who can propose the description of EBSAs and (b) modalities for the description process. The discussion on this issue will address options for the description of EBSAs:
   1. In marine areas beyond national jurisdiction;
   2. In marine within national jurisdiction;
   3. For features straddling multiple national jurisdictions;
   4. For features both within and beyond national jurisdiction.
3. The workshop will aim, to the greatest extent possible, to arrive at agreed-upon language with respect to this issue, but may alternately outline a series of options for such language, if a consensus cannot be achieved.

# Item 6. Consideration of technical issues related to the application of the United Nations Convention on the Law of the Sea

1. The Secretariat will give a brief introduction to this item with respect to consideration of issues related to international law, in particular the United Nations Convention on the Law of the Sea.
2. Under this item, participants will discuss technical issues related to the application of the United Nations Convention on the Law of the Sea, with respect to the consideration of EBSA-related issues by the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties.
3. Some discussions under this item may be open only to representatives of Parties, as decided by the representatives of the Parties present at the workshop.

# Item 7. Closure of the workshop

1. Under this item, the facilitator will reflect on the discussions of the workshop and next steps of the consideration of the issues addressed at the workshop by forthcoming meetings of the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties.
2. The workshop is expected to close at 5 p.m. on Wednesday, 5 February 2020.

### Annex I

List of documents

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| *Official documents* | *Title* |
| CBD/EBSA/WS/2020/1 | Provisional agenda |
| CBD/EBSA/WS/2020/1/Add.1 | Annotated provisional agenda |
| *Information documents* | *Title* |
| CBD/EBSA/WS/2020/1/INF/1 | Briefing note by the Secretariat |
| CBD/EBSA/WS/2020/1/INF/2 | A gap analysis review of ecologically or biologically significant marine areas |
| CBD/EBSA/WS/2020/1/INF/3 | Experiences from other international processes regarding approaches for the modification of previously identified ecologically or biologically significant marine areas |
| CBD/EBSA/WS/2020/1/INF/4 | Discussion document on potential modalities for the modification of EBSAs and the description of new EBSAs |
| *Other documents* | *Title* |
|  | Information note for participants |
| Brochure | <https://www.cbd.int/doc/meetings/mar/cbwsoi-wafr-01/other/cbwsoi-wafr-01-azores-brochure-en.pdf> |

*Annex I*

**Proposed organization of work**

**Monday, 3 February 2020**

| **Time** | **Workshop activity** |
| --- | --- |
| 9 – 10.30 a.m. | **Item 1. Opening of the workshop**  **Item 2. Organization of work**  **Item 3. Introduction, background and purpose of the workshop**   * Presentation of the background for the workshop and expected outcomes * Presentation on work under the Convention on EBSAs, current modalities for describing EBSAs, and challenges that have emerged in the context of current modalities for the EBSA process * Presentation on scientific gaps in areas that have been described as EBSAs under the Convention on Biological Diversity to date |
| 10.30 – 11 a.m. | *Coffee/tea break* |
| 11 a.m. – 12.30 p.m. | **Item 4. Modification of EBSAs**   * Introduction by Secretariat   1. Plenary discussion on reasons for the modification of EBSAs   2. Plenary discussion on modalities for the modification of EBSAs in marine areas beyond national jurisdiction, with a focus on (a) actors who can propose modification and (b) modalities for the modification process |
| 12.30 - 1.30 p.m. | *Lunch break* |
| 1.30 - 3 p.m. | **Item 4** (*continued*)   * 1. Plenary discussion on modalities for the modification of EBSAs in marine areas within national jurisdiction, with a focus on (a) actors who can propose modification and (b) modalities for the modification process   2. Plenary discussion on modalities for the modification of EBSAs straddling multiple national jurisdictions, with a focus on (a) actors who can propose modification and (b) modalities for the modification process |
| 3 – 3.30 p.m. | *Coffee/tea break* |
| 3.30 - 5 p.m. | **Item 4** (*continued*)  4.5 Plenary discussion on modalities for the modification of EBSAs straddling marine areas within and beyond national jurisdiction, with a focus on (a) actors who can propose modification and (b) modalities for the modification process |

**Tuesday, 4 February 2020**

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| **Time** | **Workshop activity** |
| 9 - 10 a.m. | **Item 5. Description of EBSAs**   * Introduction by the Secretariat   1. Plenary discussion on modalities for the description of EBSAs in marine areas beyond national jurisdiction, with a focus on (a) actors who can propose the description of EBSAs and (b) modalities for the description process |
| 10 - 10.30 a.m. | *Coffee/tea break* |
| 10.30 a.m. - 12.30 p.m. | **Item 5** (*continued*)   * 1. Plenary discussion on modalities for the description of EBSAs in marine areas within national jurisdiction, with a focus on (a) actors who can propose the description of EBSAs and (b) modalities for the description process |
| 12.30 - 1.30 p.m. | *Lunch break* |
| 1.30 - 3 p.m. | **Item 5** (*continued*)   * 1. Plenary discussion on modalities for the description of EBSAs in marine areas straddling multiple national jurisdictions, with a focus on (a) actors who can propose the description of EBSAs and (b) modalities for the description process |
| 3 - 3.30 p.m. | *Coffee/tea break* |
| 3.30 - 5 p.m. | **Item 5** (*continued*)  5.4 Plenary discussion on modalities for the description of EBSAs in marine areas straddling marine areas within and beyond national jurisdiction, with a focus on (a) actors who can propose the description of EBSAs and (b) modalities for the description process |

**Wednesday, 5 February 2020**

| **Time** | **Workshop activity** |
| --- | --- |
| 9 - 10.30 p.m. | **Item 6. Consideration of technical issues related to the application of the United Nations Convention on the Law of the Sea**   * Introduction by the Secretariat   6.1 Plenary discussion on issues related to technical aspects in relation to the United Nations Convention on the Law of the Sea, with respect to the consideration of EBSA-related issued by the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties |
| 10.30 - 11 a.m. | *Coffee/tea break* |
| 11 - 12.30 a.m. | **Item 6.1** (*continued*) |
| 12.30 - 2 p.m. | *Lunch break* |
| 2 - 3.30 p.m. | **Item 6.1** (*continued*) |
| 3.30 - 4 p.m. | *Coffee/tea break* |
| 4.30 - 5 p.m. | **Item 7. Closure of the workshop** |

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