



Convention on Biological Diversity

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**Subsidiary Body on Scientific,
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Twenty-sixth meeting
Nairobi, 13–18 May 2024
Agenda item 8 (b)
Marine and coastal biodiversity

Conservation and sustainable use of marine and coastal biodiversity**

Draft recommendation submitted by the Chair

The Subsidiary Body on Scientific, Technical and Technological Advice

Recommends that the Conference of the Parties adopt a decision along the following lines:

The Conference of the Parties,

PP1. Recognizing the importance of marine and coastal, and island biodiversity as one of the key cross-cutting elements of the Kunming-Montreal Global Biodiversity Framework¹ and as critical to achieving the 2050 vision for biodiversity,

PP2. Recalling paragraph 8 of its decision [15/4](#) of 19 December 2022, in which it decided that the Framework should be used as a strategic plan for the implementation of the Convention on Biological Diversity² and its Protocols, its bodies and its Secretariat over the period 2022–2030,

PP3. Recalling also its decisions [IX/20](#) of 30 May 2008, [X/29](#) and [X/33](#) of 29 October 2010, [XI/18](#), [XI/20](#) and [XI/16](#) of 19 October 2012, [XII/23](#) of 14 October 2014, [XIII/9](#) of 17 December 2016, [XIII/10](#) and [XIII/11](#) of 13 December 2016, [XIII/12](#) of 17 December 2016, [14/8](#) of 29 November 2018, [14/10](#) and [14/30](#) of 29 December 2018 and [15/24](#) of 19 December 2022 with regard to cooperation and collaboration with relevant global and regional organizations and initiatives,

PP4. [Recalling further General Assembly resolution 78/69 of 5 December 2023 on oceans and the law of the sea and its preambular paragraphs on the United Nations Convention on the Law of the Sea;^{3,4}

PP5. Recalling that, in its resolution 70/1 of 25 September 2015, the General Assembly called for [the enhancement of] the conservation and sustainable use of oceans and their resources by

* Reissued for technical reasons on 18 May 2024.

** The present draft recommendation is being issued without formal editing.

¹ Decision 15/4, annex.

² United Nations, *Treaty Series*, vol. 1760, No. 30619.

³ United Nations, *Treaty Series*, vol. 1833, No. 31363.

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 this agenda item during this meeting cannot be construed as a change in the well-known legal position of Türkiye with regard to said instrument.

implementing international law as reflected in the United Nations Convention on the Law of the Sea, as recalled in paragraph 158 of “The future we want”,⁵

Alt PP4 and PP5. [Recalling further General Assembly resolution 66/288 of December 2011, entitled “The future we want”, and the commitments contained therein to protect, and restore, the health, productivity and resilience of oceans and marine ecosystems and to maintain their biodiversity, enabling their conservation and sustainable use for present and future generations;]

*PP6. Recalling resolution 6/15 of 1 March 2024, entitled “Strengthening ocean efforts to tackle climate change, marine biodiversity loss and pollution”, adopted by the United Nations Environment Assembly at its sixth session,*⁶

*PP7. Recognizing the need to strengthen cooperation and collaboration with competent intergovernmental organizations, including regional seas conventions and action plans and regional fisheries bodies, including through the Sustainable Ocean Initiative, as well as other organizations with competence in areas beyond national jurisdiction, in support of the conservation and sustainable use of marine and coastal, and island biodiversity, applying the ecosystem approach and the precautionary approach,*⁷ *and using the best available science and traditional knowledge of indigenous peoples and local communities, with their free, prior and informed consent,*⁸

PP8. Acknowledging the importance of best available science, information, and technology for decision-making, as well as the traditional knowledge of indigenous peoples and local communities, and welcoming the work undertaken under the United Nations Decade of Ocean Science for Sustainable Development and the United Nations Decade on Ecosystem Restoration, as well as the work of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects and of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services,

PP9. Considering that valuable guidance also emerges from the work of other competent intergovernmental organizations, which complements guidance provided by the Conference of the Parties

PP10. Welcoming the capacity-building, experience-sharing and partnership activities facilitated by the Secretariat to support the implementation of the Framework, including through the Sustainable Ocean Initiative, at the national, regional and global levels, in collaboration with Parties, other Governments, subnational governments, indigenous peoples and local communities, and women, youth, economic sectors, and other relevant organizations, and expressing its gratitude to donor countries and many other partners for providing financial and technical support for the implementation of activities under the Initiative,

PP11. Welcoming also the collaborative efforts of the Secretariat, the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, the Division for Ocean Affairs and the Law of the Sea of the United Nations, the International Maritime Organization, the International Seabed Authority, regional seas conventions and action plans, regional fishery bodies, large marine ecosystem projects and programmes and other relevant United Nations bodies, international organizations and regional organizations and initiatives to strengthen cross-sectoral cooperation on a regional and global scale in order to accelerate progress towards the Framework and the 2030 Agenda for Sustainable Development and its Sustainable Development Goals, including

⁵ 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 this agenda item during this meeting cannot be construed as a change in the well-known legal position of Türkiye with regard to said instrument.

⁶ 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 this agenda item during this meeting cannot be construed as a change in the well-known legal position of Türkiye with regard to the said instrument.

⁷ Principle 15 of the Rio Declaration on Environment and Development.

⁸ “Free, prior and informed consent” refers to the tripartite terminology of “prior and informed consent”, “free, prior and informed consent” and “approval and involvement”.

through the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies,

PP12. Acknowledging that through the programmes of work on marine and coastal biodiversity and island biodiversity, the Conference of the Parties has provided valuable guidance on a wide range of issues that are essential to the implementation of the Convention and the achievement of the 2050 Vision for Biodiversity and that the guidance should continue to be referred to in efforts to implement the Framework;

PP13. [Deeply concerned about mass coral bleaching and the increasing risk [of trespassing irreversible tipping points] for coral reefs, [recalling decision 14/5], [reaffirming decision X/33 on biodiversity and climate change] and stressing the urgent need to implement the targets of the Kunming-Montreal Global Biodiversity Framework that pertain to marine and coastal biodiversity and island biodiversity[, in particular Target 8];]

[1. *[Welcomes]/[Notes]* the adoption 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 [and encourages Parties, and invites other Governments to sign and ratify the Agreement at soon as possible];⁹]

2. *Encourages* Parties, and invites other Governments participating in the intergovernmental negotiating committee, to develop an internationally legally binding instrument on plastic pollution, including in the marine environment, to take into consideration the Kunming-Montreal Global Biodiversity Framework in its negotiations, as appropriate;

3. *Urges* Parties, and invites other Governments and relevant organizations and stakeholders, to accelerate the implementation of priority actions for coral reefs and closely associated ecosystems as adopted in decision XII/23 in the context of the Framework;

4. *Recognizes* that the programmes of work on marine and coastal biodiversity¹⁰ and on island biodiversity,¹¹ together with relevant decisions of the Conference of the Parties, still correspond to global priorities and contain guidance that provide essential support for the implementation of the Kunming-Montreal Global Biodiversity Framework;

[5. *Notes* that there are certain elements of the targets of the Framework for which there is limited guidance or tools available under the programmes of work on marine and coastal biodiversity and on island biodiversity and which may require enhanced action and attention to implement the Framework, [as listed in the annex to the present decision,] and that such work may take the form of new guidance, where needed, avoiding duplication and making use of existing tools and guidance developed by other organizations and frameworks, the synthesis of best practices and experiences, capacity-building and development on the areas concerned;]

6. *Stresses* that there are many areas of the programmes of work on marine and coastal biodiversity and on island biodiversity that have not been fully implemented and for which the enhanced provision of financial resources, capacity-building and development, technical and scientific cooperation and access to and transfer of technology, in particular for developing countries, including least developed countries and small island developing States, are needed;

7. *Also stresses* that a substantial and progressive increase of the level of financial resources, in an effective, timely and easily accessible manner and including domestic, international, public and private resources, is needed for the implementation of the Framework and Sustainable Development Goals 14 and 15 with regard to marine and coastal, and island ecosystems;

[8. *Invites* relevant global and regional organizations, bodies and initiatives, and related networks, to enhance their work on the issues listed in the annex to the present decision, in support

⁹ A/CONF.232/2023/4.

¹⁰ As contained in decision IV/5, annex, and elaborated in decision VII/5, annex I.

¹¹ As contained in decision VIII/1, annex.

of the implementation of the Framework, recognizing that many other organizations have mandates and are conducting work on issues relevant to the implementation of the Framework;]

[9. *[Welcomes]/ [Takes note of[, with appreciation]]* the ongoing work of the London Convention / London Protocol on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters on marine geoengineering techniques that could have deleterious impacts on marine biodiversity;]

[10. *Takes note* of the ongoing work of the International Convention for the Control and Management of Ships' Ballast Water and Sediments to Prevent Invasive Species through Ballast Water, and encourages Parties and invites Other Governments to sign and ratify this Convention;]

[11. *Requests* that the Executive Secretary, subject to the availability of resources, with regard to the issues listed in the annex to the present decision, in collaboration with competent international organizations, in line with their respective mandates, , to:

(a) Enhance cooperation and collaboration with intergovernmental organizations and processes with competence related to those issues;

[(b) Collaborate on the implementation of the UN system-wide strategy for water and sanitation;]

(c) Compile and make available including through the clearing-house mechanism, relevant experiences on those issues from Parties, other Governments, competent intergovernmental organizations, indigenous peoples and local communities, and other relevant organizations and stakeholders;

(d) Integrate those issues, as appropriate, into relevant capacity-building and development, technical and scientific cooperation efforts undertaken under the Convention, including through the Sustainable Ocean Initiative;]

12. *Also requests* that the Executive Secretary continue the cooperation with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations, and organizations with competence in marine areas beyond national jurisdiction, as appropriate and subject the availability of resources[, including in the context 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;]

[13. *Further requests* the Executive Secretary, subject to the availability of resources, to convene an expert workshop in collaboration with the secretariat established under that Agreement and, until it commences its functions, the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations, and with relevant global and regional organizations, on opportunities for specific areas of scientific and technical work conducted under Convention to inform the implementation of the Agreement, and provide the results of the workshop for consideration by Subsidiary Body on Scientific, Technical and Technological Advice before the seventeenth meeting of the Conference of the Parties;]

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

(a) Continue to facilitate capacity-building and partnership activities, including through the Sustainable Ocean Initiative, with the participation of indigenous peoples and local communities, women and youth, in order to support the implementation of the Framework, including its monitoring framework, with regard to marine, coastal and island biodiversity;

(b) Continue to collaborate with the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, the Division for Ocean Affairs and the Law of the Sea, the International Maritime Organization, the International Seabed Authority, regional seas conventions and action plans, regional fishery bodies, large marine ecosystem projects and programmes and other relevant United Nations bodies, international organizations and regional

initiatives to strengthen cross-sectoral cooperation on a regional and global scale in support of the implementation of the Framework, including through the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies, in line with their respective mandates;

[(c) Enhance cooperation, collaboration or synergies, as appropriate, with other multilateral environmental agreements, global and regional organizations, indigenous peoples and local communities women, youth and other relevant stakeholders, in accordance with international human rights law, including the United Nations Declaration on the Rights of Indigenous Peoples¹², with regard to various thematic issues related to marine and coastal biodiversity in support of the implementation of the 2030 Agenda for Sustainable Development¹³ and the achievement of the Sustainable Development Goals.]

[Annex

Gaps and areas in need of additional focus under the Convention on Biological Diversity to support the implementation of the Kunming-Montreal Global Biodiversity Framework with regard to marine and coastal, and island biodiversity

1. With regard to marine and coastal biodiversity, further efforts are needed, within the jurisdictional scope of the Convention:

(a) To enhance the understanding of the scope and extent of degraded marine and coastal areas and the complexities of restoration in marine and coastal ecological restoration and enhance the use of active and passive restoration, including ecological restoration, in marine and coastal areas, building on experiences across various ecosystems and sectors and on different scales (most relevant to Target 2 of the Kunming-Montreal Global Biodiversity Framework);

(b) To improve the understanding and promote the effective implementation of area-based conservation measures, in particular systems of ecologically representative, well-connected and equitably governed marine protected areas and other effective area-based conservation measures in various sectors active in marine and coastal areas, ensuring that such measures deliver tangible outcomes beneficial for biodiversity (most relevant to Target 3);

(c) To prevent, mitigate, and/or minimize human-wildlife conflict in marine and coastal areas, in particular with regard to threatened, endangered and vulnerable species for coexistence (most relevant to Target 4);

(d) To implement the precautionary approach on geoengineering activities that may have impacts on marine and coastal biodiversity;

(e) To gather information on the threat status of marine and coastal species at the population and subpopulation levels (most relevant to Target 4);

(f) To assess, monitor and conserve the genetic diversity of marine and coastal species to support conservation measures (most relevant to Target 4);

(g) To improve understanding of marine biodiversity across pelagic and benthic ecosystems, including with regard to linkages across benthic and pelagic ecosystems, in support of the conservation and sustainable use of marine and coastal biodiversity in mesopelagic areas (most relevant to Targets 3, 4 and 5);

(h) To assess and prevent, mitigate and/or minimize the impacts of various types of pollution, and their cumulative impacts of various types of pollution, including transboundary pollution, when they co-occur in marine and coastal areas (most relevant to Target 7);

¹²General Assembly resolution 61/295, annex.

¹³ General Assembly resolution 70/1.

- (i) To assess and prevent, mitigate and/or minimize the transfer of invasive alien species, organisms and pathogens, including through ships ballast water and biofouling (most relevant to Targets 6 and 7);
- (j) To enhance the use of nature-based solutions and/or ecosystem-based approaches across a variety of coastal and marine ecosystems;
- (k) To better assess and understand the role of blue carbon ecosystems, and to map, monitor and effectively manage and restore blue carbon ecosystems in order to better understand and support their role in climate change mitigation and adaptation without undermining the range of other ecosystems services that they provide (most relevant to Target 8);
- (l) To conserve and use sustainably biodiversity associated with sea ice, and improve understanding of the impacts of rapidly decreasing sea ice on marine ecosystems (most relevant to Targets 2, 3, 4 and 8);
- (m) To manage aquaculture in marine and coastal areas sustainably, with a focus on preventing, mitigating and/or minimizing negative impacts on habitats and ecologically-important species, while supporting the application of biodiversity friendly practices, creating local livelihoods and improving food security (most relevant to Target 10);
- (n) To improve understanding of the contribution of marine and coastal blue spaces to healthy functioning ecosystems and to human health and well-being (most relevant to Target 12);
- (o) To improve understanding of the multiple values of biodiversity across marine and coastal areas, in particular with regard to indigenous peoples and local communities, and integrate those values into planning and decision-making (most relevant to Targets 14 and 21);
- (p) To enhance the implementation of legal, policy, administrative and capacity-building measures to ensure the fair and equitable sharing of benefits that arise from the utilization of marine genetic resources and from digital sequence information on marine genetic resources (most relevant to Target 13)
- (q) To enhance measures to ensure the protection of traditional knowledge associated with marine and coastal biodiversity;
- (r) To mainstream biodiversity into marine economic activities and sectors that have not been referred to under previous decisions, while also addressing collaboration across relevant intergovernmental processes (most relevant to Target 14);
- (s) To identify, understand and avoid the negative impacts of harmful subsidies in fisheries and other sectors on marine and coastal ecosystems, and eliminate, phase out or reform such subsidies in line with relevant international obligations (most relevant to Target 18);
- (t) To improve the robust engagement of a broader range of stakeholders in the conservation and sustainable use of marine and coastal biodiversity, and in particular ensuring the full and effective participation of indigenous peoples and local communities, women and girls, children and youth and persons with disabilities (most relevant to Target 22);
- (u) To integrate gender-responsive policies in the conservation and sustainable use of marine and coastal biodiversity, including through the implementation of the Gender Plan of Action (2023–2030)¹⁴ in the context of specific marine sectors and ecosystems (most relevant to Target 23);
- (v) To strengthen monitoring, control and surveillance of protected areas and threatened and vulnerable species;
- (w) To ensure the mobilization of funds to improve knowledge of marine and coastal biodiversity, in particular in areas with significant knowledge gaps;

¹⁴ Decision 15/11, annex.

(x) To ensure participation in decision-making, and access to justice and information and the protection of environmental human rights defenders in the context of marine and coastal biodiversity, following a human rights based approach;

(y) To improve understanding of marine biodiversity in deep sea ecosystems, including with regard to linkages across benthic and pelagic ecosystems, and avoid harmful activities;

2. With regard to island biodiversity, further efforts are needed:

(a) To increase the effort and focus on the rehabilitation of degraded terrestrial, inland water and marine and coastal ecosystems under effective restoration and the percentage of terrestrial and inland water areas and of marine and coastal areas to be conserved under conservation by 2030, taking into account linkages between land and sea (most relevant to Targets 2 and 3);

(b) To promote ecological restoration in island ecosystems, focusing on ecosystems that can contribute to disaster risk reduction and resilience to various pressures (most relevant to Targets 2 and 11);

(c) To engage various sectors and stakeholders in area-based conservation, ensuring that any sustainable use is consistent with conservation objectives (most relevant to Target 3);

(d) To identify and monitor islands and certain sites within island ecosystems as priority sites and areas for eradicating and/or controlling invasive alien species, in line with national circumstances and priorities (most relevant to Target 6);

(e) To improve understanding of pollution risks on islands and levels of pollution, including transboundary pollution, that are harmful to island biodiversity and ecosystem functions and services, taking into account food security and livelihoods (most relevant to Target 7);

(f) To assess and prevent, mitigate and/or minimize the cumulative impacts of various types of pollution when they co-occur in island ecosystems (most relevant to Target 7);

(g) To continue to improve understanding of the impacts of ocean acidification and warming on island ecosystems, particularly in combination with other stressors, in particular coral reefs, seagrass and mangroves, and enhance the resilience of ecosystems that are vulnerable to those impacts (most relevant to Target 8);

(h) To enhance the coordination and integrated implementation of action on inland water systems, and groundwater and wastewater management, considering the impacts of climate change and its corresponding effects on marine ecosystems and marine biodiversity;

(i) To enhance the use of nature-based solutions and/or ecosystem-based approaches across a variety of island ecosystem-types and consider the full range of potential impacts of climate change on biodiversity (most relevant to Target 8);

(j) To enhance the use of ocean accounting and marine spatial planning to conserve and manage coastal and marine biodiversity in islands

(k) To enhance the use of and the sustainable use of biodiversity, including through agroecological and other innovative approaches in the agriculture and aquaculture sectors, thereby contributing to food and water security and avoiding negative impacts, such as eutrophication, on marine and coastal ecosystems (most relevant to Target 10);

(l) To enhance the use of sustainable intensification, agroecological and other innovative approaches in the agriculture sector, thereby contributing to the resilience and long-term efficiency and productivity of these production systems, and to food security, conserving and restoring biodiversity and maintaining nature's contributions to people, including ecosystem functions and services (most relevant to Target 10);

(m) To mainstream biodiversity into sectors that have not been explicitly referred to in the programme of work and decisions related to island biodiversity (most relevant to Target 14);

(n) To improve understanding of multiple values of biodiversity across islands, in particular with regard to indigenous peoples and local communities, and integrate those values into planning and decision-making (most relevant to Targets 14 and 21);

(o) To ensure the robust engagement of a broader range of stakeholders in the conservation and sustainable use of island biodiversity, and in particular ensuring the full and effective participation of indigenous peoples and local communities, women and girls, children and youth and persons with disabilities (most relevant to Target 22);

(p) To integrate gender-responsive policies in the conservation and sustainable use of island biodiversity, including through the implementation of the Gender Plan of Action (2023–2030) (most relevant to Target 23);

(q) To ensure the mobilization of funds to improve knowledge of island biodiversity in those parts of the world where it is still poorly understood;

(r) To ensure that the implementation of the Framework in the context of island biodiversity follows a human rights-based approach.]
