

Agenda item 8 (b)

Marine and coastal biodiversity

Conservation and sustainable use of marine and coastal biodiversity

Non-paper

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,

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,

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,

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,

Recalling that General Assembly resolution 70/1 calls for the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea, which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of “The future we want”,³

Recalling resolution 6/18 on “Strengthening ocean efforts to tackle climate change, marine biodiversity loss and pollution” of the Sixth Session of the United Nations Environment Assembly,

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 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,⁴ and using the best available science and traditional knowledge of indigenous peoples, with their free, prior and informed consent⁵, and local communities, with their free, prior and informed consent,⁶ within the jurisdictional scope of the Convention and its Protocols,**

¹ Decision 15/4, annex.

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

³ **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.**

⁴ Principle 15 of the Rio Declaration on Environment and Development.

⁵ “Free, prior and informed consent” refers to the tripartite terminology of “prior and informed consent”, “free, prior and informed consent” and “approval and involvement”.

Acknowledging the importance of **best available science and information, and technology** for decision-making, **including 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 World Ocean Assessment and of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services**,

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

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,

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, 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 order to accelerate progress towards the Framework and **the 2030 Agenda for Sustainable Development and its** Sustainable Development Goals, including through the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies,

Recalling decision 14/5, and stressing the urgent need to implement Target 8 of the Kunming-Montreal Global Biodiversity Framework;

Reaffirming decision X/33 on biodiversity and climate change;

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 calls on Parties and invites other Governments to sign and ratify the Agreement at soon as possible;**⁷

1bis. 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;

1quinquies. Urges Parties, 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 CBD/XII/23 in the context of the Framework;

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

⁷ A/CONF.232/2023/4.

3. *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 ~~and an invitation to competent organizations to expand their work in those areas;~~

4. *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;

4bis. Further 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 SDG 14 in marine and coastal, and island ecosystems;

5. ~~*Invites-Encourages*~~ relevant global and regional organizations, **bodies, instruments and initiatives, and related networks**, to enhance their work on the issues listed in the annex to the present decision, in support 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;

5bis Welcomes the ongoing work of the London Convention / London Protocol on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters on marine geoenvironmental techniques that could have deleterious impacts on marine biodiversity;

6. *Requests* that the Executive Secretary, with regard to the issues listed in the annex to the present decision, in collaboration with competent international organizations, ~~and~~ subject to the availability of resources **and the competences of such organizations, to:**

(a) Enhance cooperation and collaboration with intergovernmental organizations and processes with competence related to those issues, **in line with their respective competences;**

(a)bis Collaborate on the implementation of the UN system-wide strategy for water and sanitation;

(b) Compile and make available relevant ~~guidance and~~ experiences on those issues from Parties, other Governments, **competent intergovernmental organizations, indigenous peoples and local communities**, and other relevant organizations and stakeholders;

(c) 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;

7. *Requests* that the Executive Secretary continue the cooperation with the Division for Ocean Affairs and the Law of the Sea, and competent organizations, as appropriate and subject to the availability of resources 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;**

9. *Also requests* that the Executive Secretary, **subject to the availability of resources, in line with existing mandates** to:

(a) Continue to facilitate capacity-building and partnership activities, ~~under~~ **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;

[(c) Enhance cooperation, **collaboration or** synergies, **as appropriate**, with other multilateral environmental agreements, global and regional organizations, indigenous peoples and local communities ~~as rights holders, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples⁸ and international human rights law~~, women, youth and other relevant stakeholders, **in accordance with the United Nations Declaration on the Rights of Indigenous Peoples⁹ and international human rights law**, with regard to various thematic issues related to marine and coastal biodiversity in support of the implementation of the 2030 Agenda for Sustainable Development¹⁰ 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 ecological 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);

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

⁹ General Assembly resolution 61/295, annex.

¹⁰ General Assembly resolution 70/1.

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

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

(e) To improve understanding of marine ~~and coastal~~ biodiversity across pelagic and benthic ecosystems in mesopelagic systems, 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);

(f) 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);

(g) bis 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);

(g) ter To enhance the use of nature-based solutions and/or ecosystem-based approaches across a variety of coastal and marine ecosystems;

(h) 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);

(i) 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);

(j) 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);

(k) To improve understanding of the contribution of marine and coastal blue spaces to healthy functioning ecosystems and to human health and well-being, ~~and to use blue spaces to support inclusive and sustainable urbanization and coastal development~~ (most relevant to Target 12);

(k) ter 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);

(k) quat 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)

(k) quinques To enhance measures to ensure the protection of traditional knowledge associated with marine and coastal biodiversity;

(l) To mainstream biodiversity into ~~emerging~~ 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);

(m) 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);

(m) bis 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);

(n) To integrate gender-**responsive policies** ~~considerations~~—in the conservation and sustainable use of marine and coastal biodiversity, including through the implementation of the Gender Plan of Action (2023–2030)¹¹ in the context of specific marine sectors and ecosystems (most relevant to Target 23);

(n)bis To strengthen monitoring, control and surveillance of protected areas and threatened and vulnerable species;

(n)ter To ensure the mobilization of funds to improve knowledge of marine and coastal biodiversity, in particular in areas with significant knowledge gaps;

(n) quat 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;

(n) quater 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 ~~levels of ambition in terms of~~ the **effort and focus on the rehabilitation percentage** 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);

¹¹ Decision 15/11, annex.

(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 highly vulnerable to those impacts (most relevant to Target 8);

(g) bis 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;

(h) 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);

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

(i) To enhance the use of sustainable intensification, 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);

(i) alt 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);

(j) 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);

(k) 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);

(k) bis 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);

(l) To integrate gender-responsive policies considerations 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);

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

(l) bis To ensure that the implementation of the Framework in the context of island biodiversity follows a human rights-based approach;