UN environment programme

CBD

Convention on Biological Diversity

Distr.
GENERAL

CBD/EBSA/OM/2022/1/2
26 July 2022

ENGLISH ONLY

REPORT OF THE THIRD MEETING OF THE INFORMAL ADVISORY GROUP ON ECOLOGICALLY OR BIOLOGICALLY SIGNIFICANT MARINE AREAS

Videoconference, 12 - 13 April 2022

INTRODUCTION

1. In paragraph 11 of decision XIII/12, the Conference of the Parties to the Convention on Biological Diversity requested the Executive Secretary to establish an informal advisory group on ecologically or biologically significant marine areas (EBSAs), subject to the availability of financial resources, to facilitate implementation of the voluntary practical options referred to in annex II of the same decision. The Conference of the Parties requested that the Executive Secretary follow the guidance on expert groups contained in the consolidated modus operandi of the Subsidiary Body on Scientific, Technical and Technological Advice (decision VIII/10, annex III (h)) and the terms of reference for this informal advisory group on EBSAs as provided in annex III to decision XIII/12, as follows:

(a) Provide scientific and technical advice on matters relating to revising and further developing existing scientific guidance, particularly regarding information collection, protocol for data quality control and sharing, gap analysis, systematic assessment against the EBSA criteria, and improvement of the functionality of the EBSA repository;

(b) Provide scientific and technical advice regarding the need for additional workshops at the appropriate scale, based on the analysis of new information and a representativeness analysis with regard to the geographic coverage beyond national jurisdiction as well as coverage of ecological and biological features of existing areas meeting the EBSA criteria in areas beyond national jurisdiction.[1]

2. The fourteenth meeting of the Conference of the Parties to the Convention on Biological Diversity in November 2018 amended the terms of reference of the informal advisory group on EBSAs in annex III to decision 14/9 to include the following:

(a) In line with decision XIII/12, paragraph 8, develop guidance for the Executive Secretary on the organization of new workshops to facilitate the description of areas meeting the EBSA criteria; identify the need for scientific gap analysis and/or thematic analysis, which could complement regional workshops; and, as appropriate, provide advice to the Executive Secretary, based on the results of such analysis, and submit draft guidance to a future meeting of the Subsidiary Body on Scientific, Technical and Technological Advice for its consideration;

(b) Advise the Executive Secretary in the planning of EBSA workshops to ensure the provisioning of scientific and technical knowledge, as well as traditional knowledge, at appropriate scales;

(c) Advise the Executive Secretary in developing draft voluntary guidelines for scientific peer-review processes.

[1] The activities described in this subparagraph only relate to the areas meeting the EBSA criteria in areas beyond national jurisdiction. In cases where the EBSA is located both within and beyond national jurisdiction, the activities only relate to the portion of the EBSA that is beyond national jurisdiction.

3. The first and second meetings of the Informal Advisory Group were held on 30 June to 1 July 2018 and on 1 August 2019, respectively.

4. Building on the results of the first two meetings, the Secretariat convened the third meeting of the Informal Advisory Group on Ecologically or Biologically Significant Marine Areas on 12 and 13 April 2022. It was held virtually, in English, by means of a videoconferencing platform and conducted at two different times each day to accommodate participants joining from different time zones. The meeting was organized in plenary discussions via videoconference. Questions and comments from the participants were directly shared in plenary or sent to the Secretariat via messages, which were then communicated to the plenary. The Secretariat moderated the plenary discussions.

5. Experts from 14 Parties and six organizations participated in the meeting. The full list of participants is provided in annex I.

ITEM 1. OPENING OF THE MEETING

6. Mr. Joseph Appiott (CBD Secretariat), opened the meeting at 9 am and 7 pm (EDT–Montreal time) on Tuesday, 12 April 2022 (meeting held at two different times to accommodate different time zones).

ITEM 2. MEETING BACKGROUND, SCOPE AND EXPECTED OUTPUTS

7. Mr. Joseph Appiott (CBD Secretariat) provided an overview of the meeting background, scope and expected outputs/outcomes. He delivered a presentation outlining the objectives of the meeting and updating participants on EBSA-related matters under the Convention. He began by introducing the process to adopt a new set of global goals and targets for biodiversity, currently known as the post-2020 global biodiversity framework. He noted that the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework had recently concluded its third meeting, which took place in Geneva, concurrently with the twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and the third meeting of the Subsidiary Body on Implementation. He updated participants on the EBSA workshops that had taken place since the second meeting of the Informal Advisory Group. The CBD regional EBSA workshop for the North-East Atlantic region too place in September 2019 in Sweden, the outputs of which will be considered by the Conference of the Parties to the Convention at its fifteenth meeting. He then discussed the CBD Expert Workshop to Identify Options for Modifying the Description of EBSAs and Describing New Areas, which took place in Brussels in February 2020 and focused on identifying options for modifying the description of EBSAs and describing new EBSAs in support of the unresolved deliberations on this issue under COP. He reviewed the outcomes of this workshop and the discussions under SBSTTA and COP on this issue. He also introduced the EBSA Impact Study, "Special Places in the Ocean", produced in collaboration with the Global Ocean Biodiversity Initiative (GOBI) with support from the Japan Biodiversity Fund. He noted that the suggestion of the Informal Advisory Group at its last meeting to revise the structure of the EBSA website had been halted until there is clear guidance from the Conference of the Parties on the modalities for the EBSA process. He then introduced the three existing EBSA training materials, highlighting why they needed to be updated, and provided five questions to guide the discussion.

ITEM 3. ISSUES FOR IN-DEPTH DISCUSSION

8. Under this item, participants heard two theme presentations from consultants contracted by the Secretariat, and two presentations by a representative of the Secretariat, each followed by a plenary discussion, with a focus on addressing key questions prepared by the Secretariat.

9. Ms. Lisa Benedetti presented the rationale for updating the manual, its overall purpose, target audiences, sources and approach used, challenges encountered, remaining gaps to be filled and options on the final format. She recalled that although the original manual contained valuable information, it had been prepared before any regional workshops had taken place. Further, she noted that it was not clear how much the manual had been used by regional EBSA workshop participants because it contained highly technical

information and was not structured in a user-friendly manner. Ms. Benedetti indicated that to address these issues, the original manual was revised in a more concise and engaging format. The overall aim was to modify the content to reach wider audiences, while promoting and strengthening the understanding of the seven EBSA scientific criteria and how to apply them. Ms. Benedetti indicated that revision involved reworking and building on the outdated manual, conducting interviews with EBSA technical teams, and collection and synthesis of available key EBSA materials, such as reports of regional workshops, EBAA training presentations, relevant scientific articles and key CBD EBSA publications. She mentioned that the revised manual aimed to incorporate practical experiences from regional workshops and included examples of EBSAs that met one or more criteria. Ms. Benedetti then highlighted topics that required further input and filling of gaps, and welcomed thoughts and suggestions from the EBSA IAG members on the overall structure and content. She then presented options on a final format for the training manual, including dedicated webpages or e-courses. Ms. Benedetti thanked the EBSA technical teams for their invaluable input during development of the revised manual.

10. Mr. Matthew Richmond presented the draft voluntary guidance (together with an accompanying background document) for peer-review processes for supporting the identification of new and/or modification of descriptions to existing designated marine areas of significance. The aim of the guidance was to provide peer-reviewers with guidance on the types of data, knowledge and information categories that could support sound and robust processes for identifying new marine areas of significance and/or modifying of descriptions to existing designated marine areas of significance. The presentation described the approach and methods involved in the work, an overview of the two documents and their structure, and the main sections: 1. Information Scoping 2. Information and Data Acquisition, 3. Data Analysis, 4. Internal Review, 5. External review, Final Appraisal and Responsibility of the Reviewers. As an example, he described how the guidance emphasized the importance that proposals demonstrated a high level of scientific integrity, openness and transparency with respect to all relevant stakeholders–those whose livelihoods, responsibilities, cultural and other interests were included within the geographical area described in the proposal – as well as those that were involved in the preparation of the proposal. He also highlighted how the guidance stressed the importance of consultations being based on free, prior and informed consent, especially in acquiring data/knowledge, particularly when this involved indigenous peoples and local communities (IPLCs). He thanked those who provided valuable inputs, including many members of the IAG.

11. Next, Mr. Joseph Appiott (CBD Secretariat) delivered a brief presentation on various intergovernmental processes and implications for work on EBSAs.

12. Finally, Mr. Appiott delivered a presentation on future modalities for the informal advisory group on EBSAs.

13. A summary of the plenary discussions under agenda item 3 is provided in annex II.

ITEM 4. OTHER MATTERS

14. Mr. Appiott explained that an email requesting the input of IAG members on the training manual and voluntary guidance would be sent out. He reminded participants that the reports of workshops under the Convention on Biological Diversity did not attribute comments to any individuals.

ITEM 6. CLOSURE OF THE MEETING

15. The meeting closed at 12 noon and at 9.30 pm (Montreal EDT) on Wednesday 13 April 2022.

Annex I

LIST OF PARTICIPANTS

PARTIES

Australia
1. Mr. Piers Dunstan
Team Leader – Marine Biodiversity
Oceans and Atmosphere Flagship
Commonwealth Scientific and Industrial Research Organisation
Hobart, Australia
E-mail: Piers.Dunstan@csiro.au

Azerbaijan
2. Mr. Akhundov Mehman
Director Azerbaijan Fisheries Research Institute
Ministry of Ecology and Natural Resources of Azerbaijan
Baku, Azerbaijan
E-mail: azfiri@azeurotel.com

Canada
3. Ms. Nadine Wells
Aquatic Science Biologist
Department of Fisheries and Oceans Canada
Northwest Atlantic Fisheries Centre
St. John's, Canada
E-mail: Nadine.Wells@dfo-mpo.gc.ca

China
4. Ms. Yu Weiwei
Associate Professor
Third Institute of Oceanography
Xiamen, China
E-mail: yuweiwei@tio.org.cn

Ecuador
5. Ms. Alba Katherine Calles Procel
Coordinadora, Carrera de Acuicultura
Facultad de Ingeniería Marítima, Ciencias Biológicas,
Oceánicas y Recursos Naturales (FIMCBOR)
Guayaquil, Ecuador
E-mail: acalles@espol.edu.ec

Egypt
6. Mr. Moustafa Fouda
Minister Advisor on Biodiversity
Nature Conservation Sector
Egyptian Environmental Affairs Agency
Cairo, Egypt
Email: drfoudamos@gmail.com

Guinea
7. Mr. Alkaly Doumbouya
Centre National des Sciences Halieutiques de Boussoura
Researcher
Conakry, Guinea
Email: adoumbouyah@gmail.com

Jamaica
8. Ms. Mona Kay Webber
Director
Centre for Marine Sciences
University of the West Indies
Mona, Jamaica
Email: Mona.webber@uwimona.edu.jm

India
9. Mr. K. Sivakumar,
Scientist & Head,
Department of Endangered Species Management,
Wildlife Institute of India,
Dehradun, India
E-mail: ksivakumar@wii.gov.in

Japan
10. Mr. Yoshihisa Shirayama
Executive Director of Science
Japan Agency for Marine-Earth Science and Technology
Tokyo, Japan
E-mail: yshira@jamstec.go.jp

Mexico
11. Ms. Elva Escobar
Director
Instituto de Ciencias del Mar y Limnología
Mexico City, Mexico
E-mail: escobri@cmarl.unam.mx;

Mozambique
12. Mr. Salomão Bandeira
Senior Lecturer
Department of Biological Sciences
Eduardo Mondlane University
Maputo, Mozambique
E-mail: salomao.bandeira4@gmail.com

Philippines
13. Ms. Marie-Antoinette Juinio-Meñoz
Marine Ecologist/Professor
Marine Science Institute
University of the Philippines
Quezon City, Philippines
E-mail: ajmenez@msi.upd.edu.ph

Sweden
14. Ms. Pia Norling
Senior Analyst
Swedish Agency for Marine and Water Management
Gothenberg, Sweden
E-mail: pia.norling@havochvatten.se

INDIGENOUS PEOPLES AND LOCAL COMMUNITIES

Indigenous Peoples and Community Conserved Areas and Territories (ICCAs)
15. Ms. Vivienne Solis Rivera
Indigenous Peoples and Community Conserved Areas and Territories
San José, Costa Rica
E-mail: vsolis@coopesolidar.org

ORGANIZATIONS

Coastal Oceans Research and Development In the Indian Ocean (CORDIO) East Africa
16. Mr. David Obura
Director
CORDIO East Africa
Mombasa, Kenya
Email: dobura@cordioea.net

Global Ocean Biodiversity Initiative
17. Mr. David Johnson
Coordinator
Global Ocean Biodiversity Initiative Secretariat
Romsey, United Kingdom of Great Britain and Northern Ireland
E-mail:
david.johnson@seascapeconsultants.co.uk

Duke University
18. Mr. Patrick N. Halpin
Associate Professor of Marine Geospatial Ecology
Nicholas School of the Environment
E-mail:phalpin@duke.edu
Duke University Marine Lab
Duke University
Durham, United States of America

Regional Partnership for Coastal and Marine Conservation in West Africa (PRCM)
19. Mr. Mallé Diagana
CBD Project Coordinator
Regional Partnership for Coastal and Marine Conservation in West Africa
Dakar, Senegal
E-mail: mallediagana@gmail.com

Western Central Atlantic Fishery Commission (WECAFC)
20. Mr. Jorge Enrique Paramo Granados
Titular Professor
Research Group CITEPT
Intropic Lab. 8
Universidad del Magdalena
Santa Marta - Colombia
E-mail: jparamo@unimagdalena.edu.co

SECRETARIAT OF THE CONVENTION ON BIOLOGICAL DIVERSITY

21.Mr. Joseph Appiott
Associate Programme Officer
Marine and Coastal Biodiversity
Science, Society and Sustainable Futures Division
Secretariat of the Convention on Biological Diversity
Montreal, Canada
E-mail: joseph.appiott@un.org

19. Ms. Jacqueline Grekin
Programme Assistant
Marine and Coastal Biodiversity
Secretariat of the Convention on Biological Diversity
Montreal, Canada
Email: jacqueline.grekin@un.org

20. Ms. Johany Martinez
Programme Assistant
Marine and Coastal Biodiversity
Secretariat of the Convention on Biological Diversity
Montreal, Canada
Email: Johany.martinez@un.org

22. Ms. Marketa Zackova
Marine and Coastal Biodiversity
Secretariat of the Convention on Biological Diversity
Montreal, Canada
Email: marketa.zackova@un.org

Annex II

SUMMARY OF DISCUSSIONS UNDER AGENDA ITEM 3

Updated training manual on ecologically or biologically significant marine areas

Following the presentation of the draft updated training manual, the Secretariat presented five questions to help guide the discussion:

- Does the approach to the content make sense and is it useful for different purposes?
- Are there parts of the content that need revision?
- What formats should be used?
- How should it be rolled out?
- What other training materials should be prioritized?

The discussions that ensued in both sessions of the meeting are summarized below, by topic area.

- **Level of detail:** There was significant discussion on this matter. Some members pointed out that such manuals tend to be too superficial to be of practical use. It was pointed out that the current manual is trying to be both simple and technical, therefore breaking it up into separate pieces might be helpful. It was suggested that the manual be made available in two or three different layers, including a general version for public usage and another with more detail to be used by real practitioners. The more general version could be simple and widely accessible, with an easy entry point for those unfamiliar with EBSAs and/or with limited technical background, but additional information for those who need it could be made available through hyperlinks to additional sources. A version at a reasonably basic level would be helpful for newcomers to the EBSA process, including those are new to the process. It was suggested that the manual take "deep dives" on specific criteria or types of data. It was also noted that there is a large portion of the knowledge and experience on EBSAs has not been written down.
- **Number of modules**: In a discussion closely related to the above, it was noted that there could be value in producing different modules rather than one, corresponding to different phases in the EBSA process, such as data generation, applying the EBSA criteria, proposal review, and concrete examples of how the EBSA criteria have been applied.
- **Data interpretation**: It was noted that the manual is missing guidance on how to interrogate and interpret data, although it was also noted that such guidance is highly technical and would likely best be addressed by existing materials. Many noted that the manual should preferably link to existing materials/briefings on ocean data interpretation.
- **Data-poor countries or areas**: It was emphasized that the generation of data is very difficult and therefore very important to address, whereas for countries with well developed data systems, they will already have that and will not need this in in an EBSA manual. The manual could link to other sources of data in these cases, or to existing guidance/briefings/reports on best approaches how to collect/generate data in data-poor areas. It was noted that many previous workshops have taken place in data-poor regions, therefore linking to the reports of previous EBSA workshops could provide useful information on best practices and approaches, though it was cautioned that synthesizing this information would require significant work. It was noted that in data-poor countries, the use of local knowledge is often especially important.
- **Traditional and local knowledge:** It was also pointed out that there is a need to better document traditional and local knowledge, which is a key source of information in some areas, and quite different from scientific information. It was suggested that some focus should be placed on how to use the data at the local and national level, and to clarify the objectives of doing so.
- Participants noted that this manual should include a reference to another manual to be developed, which will focus on linkages between EBSAs and traditional and local knowledge in more detail. It

was suggested that this manual include a special box or illustrative cases studies focused on this aspect and which refers users to the manual focused on this topic. It was noted that revising the manual on traditional knowledge to describe EBSAs should be a priority, as that manual would addresses some main concerns of indigenous peoples and local communities (IPLCs) with respect to the need to considering traditional knowledge and EBSAs. It was noted that this is a complicated issue that would require a large amount of knowledge and effort. The Secretariat noted its readiness to have the existing IPLC guide revamped, but noted the challenges in finding specific experts with knowledge on this issue and willing to take on this task.

- **Capacity-building:** Some noted the need to work more on capacity-building and capacity development in taxonomy, so that there are experts who can actively participate in the identification of species from images and videos in the water column, deep-sea, or shallow seafloor. It should be considered how to address this issue in this manual or other training materials.
- **National-level analyses**: It was discussed that the manual should include national-level case studies focused on specific criteria or types of data (e.g., how Canada identified their EBSAs in data-poor areas using traditional knowledge), present best practices, include illustrative examples, linking to other existing information/relevant reports.
- **Format of the manual/s:** Participants noted that e-platforms would be better suited to deal with the nuances and technical aspects, e.g., how to put qualitative and quantitative assessments together, how to address data gaps. An E-platform could have an initial landing page with basic information, then link to deeper technical and scientific details, so that it serves different levels of knowledge, from basic to expert. As for a PDF format, it was felt that this alone could not provide the level of flexibility needed, including different types of data with different sources and availabilities.
- **E-course:** Participants noted that E-courses could also be a good option, as it could be flexible enough to accommodate different levels of technical difficulty in different modules, but would need to be self-paced. It was suggested that the OceanTeacher Global Academy, run by the Intergovernmental Oceanographic Commission of UNESCO (IOC), which the Secretariat has looked into, could be a good option as a web-based training platform.
- **Language**: Consider different languages, besides only English; consider choosing the main language per each region and translate the manual to those languages.
- **Peer-review processes:** The training manual should be linked with the guidance on peer-review processes (covered in the discussion below), so that those who produce a proposal to identify a new EBSA are aware of how it will be reviewed or evaluated.
- **EBSA success stories**: The manual should include EBSA success stories, outlining the advantages/incentives/benefits of applying the EBSA criteria. It should answer the question: "Why should I (engage in an EBSA process)?" Success stories will help people to understand why they should apply the EBSA processes to design MPAs, for example. It should show concrete examples of how the EBSA information generated has been used. It was also suggested that some lessons learned from the regional workshops could be produced.
- **Specific species or habitats**: The manual should include sections on specific species or habitats, such as mangroves, and on Key Biodiversity Areas, Important Sea Turtle Areas, Important Shark and Ray Areas. The manual should include examples and considerations of different features, such as those specific to benthic or pelagic areas. It was also noted that more consideration is needed for the deep-sea, in which we are generally lacking information.
- **Monitoring**: It was also suggested that the manual include best practices for certain ways of monitoring EBSAs that have been identified.
- **EBSA modalities**: It was noted that, once modalities for modifying EBSAs and describing new EBSAs are adopted by COP, this information should be addressed in a training manual.

- **List of references:** Some noted that it would be useful to include a list of useful resources, such as, for example.
- **EBSAs and OECMs**: Some highlighted the need for guidance on how the EBSAs can be used for OECMs as a new and high profile area of work for which there is limited guidance thus far.
- **Aggregating and synthesizing EBSA experience**: It was recommended that the Secretariat focus more on synthesizing various types of experience under the EBSA process, including the use of EBSA information.
- **EBSAs in NBSAPs:** The Secretariat informed the group that work is ongoing with UNEP-WCMC on a project examining marine content of national biodiversity strategies and action plans (NBSAPs), with the intention to feed into a second phase of the project, which will provide more focused guidance on how governments may wish to better include marine elements in their NBSAPs. This can also support Parties in identifying how to better incorporate EBSAs into NBSAPs.

Draft voluntary guidance for peer-review processes for supporting the identification of new and/or modification of descriptions to existing designated marine areas of significance

Following the presentation of the draft guidance and background document, the Secretariat presented four questions to help guide the discussion:

- Do the structure and content make sense?
- Are there any gaps or any missing considerations?
- Would this be relevant to a range of types of processes?
- Could any parts of the background document be strengthened?

The discussions that ensued in both sessions of the meeting are summarized below, by topic area.

- **Steps/minimum standards**: Some highlighted that it would be useful to include a set of minimum standards needed to pass to get an EBSA into the repository or the information-sharing mechanism. However, the group was reminded that such guidance would need to come from the COP and may be difficult to apply in practice.
- **Steps to follow**: Some indicated that guidance is needed to address cases in which one or more steps cannot be completed and whether this compromises the entire exercise. There could also be links to other reliable resources/training documents for people to refer to when unsure about some of the steps. It was also noted that a diagram of the steps would be helpful.
- **Avoid being overly prescriptive**: It was also emphasized that it may not be wise to be too prescriptive, as the EBSA criteria are intended to be flexible and there are often large disparities in the level of data available for many marine features and systems.
- **Link with EBSA training manual**: This guidance should be linked or harmonized with the training manual, so that those engaging in the process of applying the EBSA criteria can also use the guidance on how to conduct such a process effectively.
- **Human component:** It is very important to include the human component in the process of identifying EBSAs, and this guidance is useful, in that respect. Stakeholders, such as fishers, have a lot of traditional ecological knowledge of the ecosystem, which can be helpful in data-poor areas.
- **Traditional knowledge:** It's important that the guidance fully addresses the importance of traditional knowledge and is also complemented by separate guidance on this issue. The current version of the guidance is skewed towards scientific information, significantly underplaying the complexity of the task of addressing traditional knowledge. The current draft takes a scientific approach to knowledge systems, and does not do as good a job with TK. If in a separate document, it could form the basis of a process for engaging with IPLCs, however, the danger of duplication needs to be avoided. It was

emphasized that there is no intention to exclude TK from any discussion, but rather to acknowledge that this issue is part of a bigger discussion that needs to be resolved and treated in a more holistic manner. The importance of free, prior and informed consent (FPIC) was also highlighted, as it applies not only to information provided by IPLCs, but also to indicate that they accept and approve the process (e.g., EBSAs) in the way that it has been developed.

- **IPLCs**: There was concern about some of the wording around IPLCs in this document. There is a difference between stakeholders (those that have special interest in those areas) and rights-holders (those that have a right to those areas), and between participation and rights to information. Rights-holders need to be part of the conservation efforts once an EBSA is described. Those engaged in the description of EBSAs must have a good understanding of how to conduct consultations and coordination and ensure the IPLCs lead the process. There is also a need to include a section on rights and governance prior to the section on "Information scoping" in the guidance.
- **Systematic process or knowledge-driven process?:** It was noted that the process of describing EBSAs can take different approaches: (i) a knowledge-based approach, in which you generally focus on areas that you already have in mind or (ii) a systematic approach, in which you systematically review all available data in the scope of the region in question. Both approaches are equally valid, but will be applied under different circumstances. The guidance should be able to accommodate both of these.
- **Clear terminology:** Great care has been taken in the EBSA discussions under the CBD regarding the use of the terms "designation", "description" or "definition". Therefore, this document should be edited very carefully, even though it was not designed to refer specifically to the CBD EBSA process, from which this approach to terminology emerged.
- **A case study from Labrador, Canada**: A case study was described to illustrate the issue of rights holders leading such a project. Where the Inuit of Labrador initiated work themselves on a marine spatial planning initiative and asked the federal government for help. The IPLCs led the work, and the federal government assisted.
- **Areas beyond national jurisdiction**: The guidance seems to be more relevant in the context of applying the EBSA criteria at the national or sub-national level and seems less relevant to areas beyond national jurisdiction. This should be addressed.
- **Conflict of interest**: It is important to make clear in the guidance that stakeholders should not come under pressure either to describe an area as an EBSA, so the guidance should include a note on conflict of interest. The Government of Canada, for example, has developed a Policy on Conflict of Interest in Science Peer Review Processes, which could provide useful guidance: https://www.dfo-mpo.gc.ca/csas-sccs/process-processus/conflict-conflit-eng.html.
- **Need to avoid a top-down approach:** need to clarify the scale/level of governance at which these guidelines should apply, because they implicitly imply a top-down approach. Many EBSA-like processes are often local initiatives, and traditional knowledge is usually very local. Doubt was expressed as to whether this approach would be as relevant at the local level. The guidance should mention that there are different levels of governance and that this process should be implemented at different levels of governance and will vary at those different levels. There is a need to emphasize that there is not only one approach, but various approaches, as national processes can vary from country to country and region to region.
- **Temporal dimension:** May need to add something regarding how up-to-date information or data should be. As part of the scientific review process, there should be element that deals with currency of information and data—a point that is indeed highlighted in the background document.

Various intergovernmental processes and implications for work on ecologically or biologically significant marine areas

The discussions that ensued on this issue in both sessions of the meeting are summarized below, by topic area.

- **Post-2020 Global Biodiversity Framework:** It was stressed that the adoption of the post-2020 global biodiversity framework is the overarching priority for the CBD at the moment. Some emphasized that, once the framework is adopted, it would be necessary to further discuss how EBSAs can facilitate its implementation, and where EBSAs will fit into a future work on marine and coastal biodiversity under the CBD.
- **Partnerships:** There is a need to collaborate more with other entities, such as the International Oceanographic Data and Information Exchange (UNESCO-IODE), in terms of data acquisition, as well as with UNEP, the BBNJ process, RFMO processes, among others, to support the use of EBSAs.
- **UN Ocean Decade of Ocean Science for Sustainable Development**: The Ocean Decade provides a key opportunity for the EBSA process and the Secretariat should explore potential involvement in the Communities of Practice under the UN Ocean Decade, specifically under the Sustainable Ocean Planning community, in the context of EBSAs.
- **Climate change**: There is a need to look more into the climate change aspects of EBSAs, specifically how climate change will affect marine habitats and species in the long term. It was also noted that there is an increasing at the Secretariat on building more cross-cutting areas of work.
- **Using EBSAs**: There is a need for more guidance on what happens after an EBSA is identified/described. We also need to involve local communities as they often represent 50% of the main stakeholders. It was suggested that a separate exercise could be undertaken to explore the status of EBSA initiatives, such as those in West Africa. A call for information could be issued asking what has been done with EBSAs already described/identified. The Secretairat can help countries and partners to articulate specific opportunities to use EBSAs, but the push has to come from the countries, authorities and/or communities.

Potential future modalities for the informal advisory group on ecologically or biologically significant marine areas

The discussions that ensued in both sessions of the meeting are summarized below, by topic area.

- **Role of IAG**: There was some concern regarding the IAG appearing to be a review body under the future modalities for EBSAs, once they are agreed. Many of these activities could continue within the current mandate/terms of reference of the IAG. There is a need to think more about what kind of work IAG should continue if the modalities are not resolved at COP, how would that be articulated in the COP decision, and what happens if the IAG does not get a new role in the draft decision. How can IAG work more effectively, and would it exist under the current functioning, as a roster or another approach?
- **Expert advisory body**: it was noted that the IAG could take on the role of an expert advisory body, continue on under its current mandate, or be discontinued. The future role of the IAG may or may not revolve around the modalities for future work on describing and modifying EBSAs under the CBD. It does not have to be this way, however, if the modalities are not agreed in the near future. We can consider ways to build up this EBSA community of practice by getting the right people involved.
- **Important role of IAG:** There is a need to emphasize why the IAG is needed and consider that there may be different needs in terms of IAG support for ABNJ and for national/transboundary jurisdictions. The IAG is at present the only means for those with significant experience in EBSAs to share that expertise. We should think more about the level of work expected from IAG members, what the

priorities are, how much support SCBD can give, and also what kind of support SCBD needs. It was noted by some that the IAG will be important for both EBSAs and for the post-2020 GBF.

- **Roster-based approach for experts:** This is an alternative means for the IAG to operate. Specific experts could be invited to provide input according to the needs and topics that need to be reviewed (e.g., climate change, migration of species). This roster should be dynamic and flexible. A roster with individual expertise in a wide range of areas would have to be much larger. Also it was noted that it is more challenging to fund the participation (for in-person meetings) of a changing group of experts who might be part of a roster than it is to support a fixed member of an IAG.
- **Post-2020 GBF**: In the future, more thematic focus on the work of EBSAs will be needed with respect to the post-2020 framework and on-the-ground implementation, and input from the experts on EBSAs will be required.
- **Learn from the experience of other similar groups:** For example, the International Council for the Exploration of the Sea (ICES) was cited as an interesting model, in that it provides advice in response to specific requests. It has cost implications, however.

_____