

Convention on Biological Diversity

Distr.
GENERAL

CBD/SBSTTA/22/7
27 March 2018*

ORIGINAL: ENGLISH

SUBSIDIARY BODY ON SCIENTIFIC,
TECHNICAL AND TECHNOLOGICAL ADVICE

Twenty-second meeting
Montreal, 2-7 July 2018
Item 8 of the provisional agenda**

MARINE AND COASTAL BIODIVERSITY

Note by the Executive Secretary

I. PROGRESS REPORT ON DESCRIBING AREAS MEETING THE CRITERIA FOR ECOLOGICALLY OR BIOLOGICALLY SIGNIFICANT MARINE AREAS

A. Introduction and overview

1. The Conference of the Parties to the Convention on Biological Diversity, at its tenth meeting, established a global process, based on the organization of a series of regional workshops,¹ for describing ecologically or biologically significant marine areas (EBSAs) through the application of the scientific criteria in decision [IX/20](#), annex I, as well as other relevant compatible and complementary nationally and intergovernmentally agreed scientific criteria.

2. Pursuant to decisions [X/29](#) and [XI/17](#), the Conference of the Parties at its eleventh, twelfth and thirteenth meetings considered the summary reports on the description of areas that meet the criteria for EBSAs. The summary reports² were included in the EBSA repository and submitted to the United Nations General Assembly as well as its relevant working groups, by means of a letter from the Executive Secretary of the Convention on Biological Diversity addressed to the Secretary-General of the United Nations.³

3. Following the twentieth meeting of the Subsidiary Body, additional regional EBSA workshops were convened by the Executive Secretary² for the Black Sea and Caspian Sea, and for the Baltic Sea. The section below provides a progress report on these two workshops and highlights the key results from each of them. The full reports of the two workshops will be issued in due course.⁴ To assist the Subsidiary Body in the preparation of a summary report, a summary description of each of the areas meeting the EBSA criteria is provided in an addendum to the present note ([CBD/SBSTTA/22/7/Add.1](#)).

* Reissued for technical reasons on 8 June 2018.

** [CBD/SBSTTA/22/1](#).

¹ Decision X/29, paragraph 36.

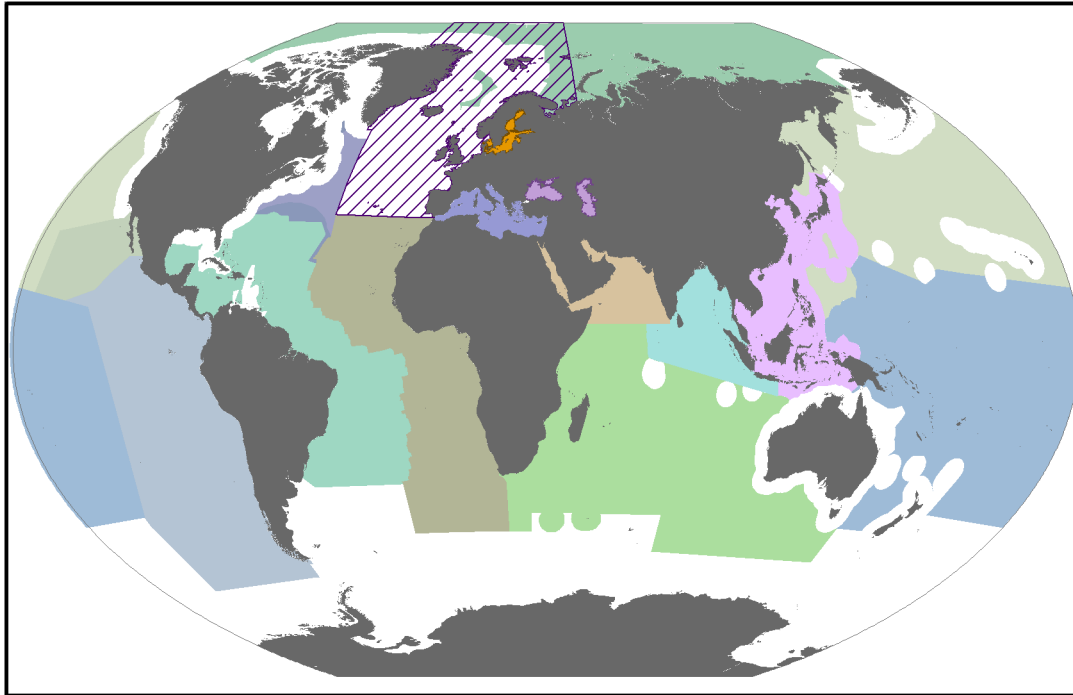
² Pursuant to decisions XI/17, XII/22 and [XIII/12](#).

³ See [A/67/838](#), [A/69/794](#) and [A/72/491](#).

⁴ Report of the Regional Workshop for the Black Sea and Caspian Sea (CBD/EBSA/WS/2017/1/3) and report of the Regional Workshop for the Baltic Sea (CBD/EBSA/WS/2018/1/4).

4. The figure below shows that regional workshops to describe areas meeting the EBSA criteria have been held for most of the world's ocean areas (74 per cent global ocean coverage or just over 82 per cent global ocean coverage without including the area under the [Convention on the Conservation of Antarctic Marine Living Resources](#)). The workshops have addressed areas within national jurisdiction when so decided by the countries concerned. It should be noted that there is an ongoing process led by the [OSPAR Commission](#) and the [North-East Atlantic Fisheries Commission](#), for the description of areas meeting the EBSA criteria in the North-East Atlantic.

Figure. **Geographical scope of the 14 regional workshops organized to date by the Secretariat of the Convention to facilitate the description of areas meeting the EBSA criteria**



Note: The hatched area in the North-East Atlantic indicates the ongoing process on EBSAs.

B. Progress on additional regional workshops and training sessions on the description of EBSAs

5. This section provides a summary of the two regional workshops held since the twentieth meeting of the Subsidiary Body, as indicated in paragraph 3 above.

1. Regional Workshop to Facilitate the Description of Ecologically or Biologically Significant Marine Areas in the Black Sea and the Caspian Sea (Baku, 24-29 April 2017)

6. The Executive Secretary convened this workshop, including a one-day training session, in collaboration with the Commission on the Protection of the Black Sea against Pollution (BSC), the Tehran Convention Interim Secretariat (TCIS), the General Fisheries Commission for the Mediterranean (GFCM) and the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS). It was hosted by the Government of Azerbaijan and organized with financial support from the Government of Japan (through the Japan Biodiversity Fund). The meeting was attended by experts from Azerbaijan, Bulgaria, Georgia, the Islamic Republic of Iran, Kazakhstan, Romania, the Russian Federation, Turkey, Turkmenistan, Ukraine, BSC, TCIS, ACCOBAMS, the Food and Agriculture Organization of the United Nations (FAO), the Ocean Biogeographic Information System (OBIS) of the Intergovernmental Oceanographic Commission/United Nations Educational, Scientific and

Cultural Organization, Global Ocean Biodiversity Initiative (GOBI), BirdLife International and Centre for Sustainable Development/Indigenous Peoples' and Community Conserved Territories and Areas (ICCA) Consortium for West and Central Asia.

7. The participants agreed that their deliberations would focus on the Black Sea, as defined by BSC and its relevant protocol, and the Caspian Sea, as defined by the Tehran Convention.

8. Participants agreed on the description of 33 areas meeting the EBSA criteria. These are described in the addendum to the present document.⁵

2. *Regional Workshop to Facilitate the Description of Ecologically or Biologically Significant Marine Areas in the Baltic Sea (Helsinki, 19-24 February 2018)*

9. The Executive Secretary convened this workshop, including a one-day training session, in collaboration with the Baltic Marine Environment Protection Commission (HELCOM). The workshop was hosted by the Government of Finland and was held in Helsinki with financial support from the Governments of Finland and Sweden. The meeting was attended by experts from Estonia, Finland, Germany, Latvia, Lithuania, the Russian Federation, Sweden, HELCOM, BirdLife International, Coalition Clean Baltic, Global Ocean Biodiversity Initiative, the Indigenous Peoples' and Community Conserved Areas and Territories (ICCA) Consortium, the United Nations Environment Programme's World Conservation Monitoring Centre (UNEP-WCMC) and the WWF Baltic Ecoregion Programme.

10. The participants agreed that the workshop would focus on the geographic area of competence of HELCOM except for the marine areas of two HELCOM countries that were not represented at the workshop.

11. The workshop participants agreed on descriptions of nine areas meeting the EBSA criteria. The map of all described areas is contained in the workshop report.⁶

II. DEVELOPMENT OF OPTIONS FOR MODIFYING THE DESCRIPTION OF ECOLOGICALLY OR BIOLOGICALLY SIGNIFICANT MARINE AREAS, FOR DESCRIBING NEW AREAS, AND FOR STRENGTHENING THE SCIENTIFIC CREDIBILITY AND TRANSPARENCY OF THIS PROCESS

12. Pursuant to the request by the Conference of the Parties in decision XIII/12, para. 10, and with financial support from the Governments of Germany and Sweden, the Secretariat of the Convention on Biological Diversity organized the Expert Workshop to Develop Options for Modifying the Description of Ecologically or Biologically Significant Marine Areas, for Describing New Areas, and for Strengthening the Scientific Credibility and Transparency of this Process. The workshop was hosted by the Government of Germany and was held in Berlin from 5 to 8 December 2017.

13. Pursuant to the same decision, this expert workshop had the following objectives:

(a) To develop options, for cases both within and beyond national jurisdiction, regarding procedures within the Convention to modify the description⁷ of areas meeting the EBSA criteria and to describe new areas, while fully respecting the sovereignty, sovereign rights and jurisdiction of coastal States reaffirmed in decision XIII/12, paragraph 3;

⁵ See the summary description of these areas in CBD/SBSTTA/22/7/Add.1, table 1. More detailed descriptions are contained in the workshop report (CBD/EBSA/WS/2017/1/3).

⁶ See the summary description of these areas in CBD/SBSTTA/22/7/Add.1, table 2. More detailed descriptions are contained in the workshop report (CBD/EBSA/WS/2018/1/4).

⁷ The description of areas meeting the EBSA criteria constitutes both a textual description and a polygon of the area, as contained in the relevant decisions of the Conference of the Parties to the Convention, including decisions XI/17 (annex) and XII/22 (annex), and presented in the EBSA repository and the map available at www.cbd.int/ebsa. Modification of an existing EBSA description in this note constitutes a modification affecting the textual description of areas meeting the EBSA criteria, as contained in the relevant decisions, including decisions XI/17 (annex) and XII/22 (annex), and/or the polygon of the area, as presented in the EBSA repository.

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

14. Pursuant to the same decision and through a notification,⁸ the Executive Secretary made available the report of the above-noted workshop for peer-review by Parties, other Governments and relevant organizations. In response to this notification, 12 submissions were received from eight Parties and four organizations.⁹

15. On the basis of the results of the above-referenced workshop as well as the peer-review comments compiled in CBD/SBSTTA/22/INF/25, options for addressing the above two objectives described in paragraph 14 above are shown in the annex in section IV below.

III. PROGRESS REPORT ON OTHER MATTERS

A. Addressing impacts of anthropogenic underwater noise on marine and coastal biodiversity

16. Pursuant to decision [XIII/10](#), the Executive Secretary issued a notification¹⁰ requesting information on experiences in the use of measures to avoid, minimize and mitigate the significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity, in particular with regard to activities listed in paragraph 3 of decision [XII/23](#). The submissions received in response to this notification are compiled in an information document on the subject (CBD/SBSTTA/22/INF/13). Some of the submissions provided an update on activities listed in previous submissions provided in response to notification 2015-066. The information compiled in this document describe various activities undertaken related to anthropogenic underwater noise, including:

- (a) Monitoring of sound-sensitive species (e.g., acoustic monitoring, satellite tagging, surveying) as part of larger environmental monitoring programmes;
- (b) Requirements for noise reduction measures as a condition for the issuance of licences for petroleum exploration and exploitation;
- (c) Education on underwater noise for employees involved in the noise-producing industries;
- (d) Restricting development projects near especially biodiverse and sensitive marine sites;
- (e) Incorporating noise issues into national action plans for marine mammal conservation;
- (f) Providing financial incentives for vessels that install certain quieting technologies;
- (g) Voluntary speed reduction measures for maritime transportation;
- (h) Assessing the effectiveness of hull cleaning to reduce a vessel's underwater noise profile.

17. Building on the “scientific synthesis of the impacts of underwater noise on marine and coastal biodiversity and habitats”¹¹ and background materials prepared for the Expert Workshop on Underwater Noise and its Impacts on Marine and Coastal Biodiversity (London, 25-27 February 2014), the Secretariat is currently preparing a draft CBD Technical Series report on the impacts of underwater noise on marine and coastal biodiversity and habitats and tools and approaches to minimize and mitigate these impacts.

18. Pursuant to decisions XI/18, XII/23 and XIII/10, the Secretariat will continue to compile and synthesize scientific and technical information on measures and experience with the application of these

⁸ Ref No. 2018-004, dated 10 January 2018.

⁹ Peer-review comments were submitted by Azerbaijan, Croatia, Cuba, Greece, Iraq, Norway, New Zealand, Oman, the International Seabed Authority, the IUCN Marine Mammal Protected Area Task Force, UNEP-WCMC, and BirdLife International.

¹⁰ Ref No. 2017-082, dated 31 August 2017.

¹¹ UNEP/CBD/SBSTTA/20/INF/8.

measures to minimize and mitigate the impacts of anthropogenic underwater noise on marine and coastal biodiversity and will make it available as information for future meetings of the Subsidiary Body with a view to disseminating the results of the synthesis, including examples of successful experiences, through the clearing-house mechanism or other means.

B. Marine spatial planning

19. Pursuant to decision [XIII/9](#), the Executive Secretary issued a notification¹² requesting information on national, subregional or regional experiences in the implementation of marine spatial planning. The submissions received are compiled in an information document on the subject¹³ and describe various activities related to marine spatial planning, including:

- (a) Creating interministerial working groups to propose marine spatial planning guidelines, tools and methodologies for implementation at the national level;
- (b) Implementing legislation for national marine spatial planning through the development of marine spatial plans;
- (c) Using integrated coastal and marine biodiversity protection and management to ensure coherent territorial environmental planning and integrated management of the coastal and marine zone;
- (d) Enhancing coordination of transboundary planning on issues such as environment, shipping, commercial fishing and energy extraction and electricity transmission;
- (e) Using the concept of green infrastructure (or similar approaches) to integrate environmental and ecological considerations into broader spatial planning;
- (f) Working through regional platform for cooperation to facilitate coherent regional marine spatial planning among countries in a region.

20. Pursuant to decisions XIII/9, [XII/23](#) and [XI/18](#), the Executive Secretary convened a number of capacity-building workshops within the framework of the Sustainable Ocean Initiative (SOI) focused on sharing experiences and expertise on, and enhancing capacity for, marine spatial planning. These efforts are referred to in paragraphs 21-25 below.

C. Capacity-building and partnership activities within the framework of the Sustainable Ocean Initiative

1. Sustainable Ocean Initiative capacity-building

21. SOI¹⁴ is a global platform for building partnerships and enhancing the capacity of developing country Parties to achieve the Aichi Biodiversity Targets related to marine and coastal biodiversity in a holistic manner by (a) facilitating the exchange of knowledge, experience and best practices, (b) creating partnerships that can provide targeted capacity-building, (c) enhancing communication among global policy, science and local stakeholders and (d) enhancing dialogue and coordination among various sectors to achieve a balance between the conservation and sustainable use of marine biodiversity. The execution of SOI training and partnership activities have been financially supported by the Governments of Japan (through the Japan Biodiversity Fund), France (through the French Biodiversity Agency), Republic of Korea (through the Ministry of Oceans and Fisheries), Sweden (through the Ministry of the Environment and Energy), and the European Union, and coordinated by the Secretariat, in collaboration with various international partners.

22. From February 2013 to February 2018, SOI provided training opportunities for 627 participants from more than 100 country Parties, some of which benefited from multiple training activities, and numerous regional and national organizations/initiatives.

¹² Ref No. 2017-083, dated 31 August 2017.

¹³ CBD/SBSTTA/22/INF/14

¹⁴ See www.cbd.int/soi

23. Since the twentieth meeting of the Subsidiary Body, the Executive Secretary has continued the work under SOI at the global, regional and national levels, including:

(a) Training of Trainers Workshop (Yeosu, Republic of Korea, July 2016 and Seocheon, Republic of Korea, September 2017);¹⁵

(b) Regional Capacity-Building Workshops for the Pacific Islands (Samoa, October 2016) and for the Wider Caribbean and Central America (Costa Rica, February 2017);¹⁶

(c) National Capacity Development Workshop for Timor-Leste (September 2016), Vanuatu (November 2016) and Cameroon (January 2018).¹⁷

2. *SOI Global Dialogue*

24. In September 2016, the Secretariat, in collaboration with the United Nations Environment Programme and FAO and with the financial support of the Governments of Japan (through the Japan Biodiversity Fund) and the Republic of Korea and the European Union, initiated a global process to facilitate dialogue and cooperation among regional seas organizations and regional fishery bodies around the world by convening the first meeting of the SOI Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating Progress towards the Aichi Biodiversity Targets and Sustainable Development Goals, hosted by the Government of Republic of Korea. The results of the first meeting¹⁸ were presented at various United Nations/global meetings/conferences, including the United Nations Ocean Conference (June 2017), and were recognized by the United Nations General Assembly at its seventy-first session, in 2016, in its [resolution 71/257](#) on oceans and the law of the sea.¹⁹

25. Building the successful outcome of the first meeting, the SOI Global Dialogue became a regular biennial forum, and its second meeting is being convened by the Secretariat in April 2018. This second meeting aims at advancing discussions on identifying tools, approaches and opportunities for enhanced cross-sectoral regional-scale cooperation, in particular on issues related to the application of the ecosystem approach, area-based management tools, means to address marine pollution, and monitoring, research and data sharing.

3. *Addressing biodiversity considerations in fisheries*

26. Pursuant to decision [XIII/3](#), paragraph 76, the Executive Secretary issued a notification²⁰ requesting information on experiences in mainstreaming biodiversity in fisheries, including through the ecosystem approach to fisheries. The submissions received are synthesized and compiled in an information document on the subject (CBD/SBSTTA/22/INF/15) and describe various activities related to mainstreaming biodiversity in fisheries, including:

(a) Modification of, or development of new, legislation to better integrate the ecosystem approach and the precautionary approach into fisheries policy, and to outline policies focused on conserving marine and coastal ecosystems and minimizing and mitigating impacts on biodiversity;

(b) Application of trade regulations to control extraction and export of aquatic resources, making the environmental performance of the fishery a condition for exporting its products;

(c) Establishment and updating of plans to facilitate the implementation of the ecosystem approach to fisheries;

¹⁵ [UNEP/CBD/SOI/WS/2016/2/2](#) and [CBD/SOI/WS/2017/2/2](#).

¹⁶ [UNEP/CBD/SOI/WS/2016/3/2/Rev.1](#) and [UNEP/CBD/SOI/WS/2017/1/2](#)

¹⁷ [UNEP/CBD/SOI/WS/2016/4/2](#) and [CBD/SOI/WS/2018/1/2](#).

¹⁸ See <https://www.cbd.int/doc/meetings/mar/soiom-2016-01/official/soiom-2016-01-outcome-en.pdf>

¹⁹ Paragraph 258 of resolution 71/257 reads: *Notes with appreciation* the work of the Sustainable Ocean Initiative under the Convention on Biological Diversity, and notes in this regard the global dialogue with regional seas organizations and regional fisheries bodies on accelerating progress towards the Aichi Biodiversity Targets, held in Seoul, from 26 to 29 September 2016;

²⁰ Ref No. 2017-121, dated 16 November 2017.

(d) Redefining fisheries management objectives regarding the bioeconomic and ecological performance of the fisheries, with due regard to target stocks but also to the collateral impact on non-target species and habitats;

(e) Specific management measures to reduce collateral impact of fishing, such as identification and management of vulnerable marine ecosystems, marine protected areas, areas designated for sustainable fisheries and conservation, prohibitions of certain gears in specific areas to protect endangered species or vulnerable habitats, use of bycatch excluder devices, mandatory reporting of interactions of fisheries with species of concern and use of ecological risk assessment.

27. Pursuant to decision [XIII/28](#), paragraph 11, the Secretariat is working with FAO and the Fisheries Expert Group of the Commission on Ecosystem Management of the International Union for Conservation of Nature, in collaboration with the European Bureau on Conservation and Development, to identify opportunities for reporting mechanisms under to contribute to assessing progress towards Aichi Biodiversity Target 6. In particular, this ongoing work is focused on the identification of potential revisions and additions to the FAO Questionnaire for the Code of Conduct for Responsible Fisheries to better reflect issues and considerations related to Aichi Biodiversity Target 6, and the drafting of a scientific assessment of progress towards the achievement of Aichi Biodiversity Target 6 (CBD/SBSTTA/20/INF/28).

4. *Technical collaboration and information-sharing on sustainable management of coral reefs and closely associated ecosystems*

28. Pursuant to decision [XII/23](#), paragraph 12, in particular in order to facilitate the implementation of the Priority Actions to Achieve Aichi Biodiversity Target 10 for Coral Reefs and Closely Associated Ecosystems, the Secretariat is currently developing a coral portal to facilitate technical collaboration and voluntary information-sharing on all aspects of sustainable management of coral reefs and closely associated ecosystems. This coral portal will contain information and background on the role of coral reefs in the Aichi Biodiversity Targets and Sustainable Development Goals, provide links to global (e.g., the International Coral Reef Initiative) and regional initiatives (e.g., the Coral Triangle Initiative on Coral Reefs and Fisheries and Food Security) related to coral reefs, provide access to a range of resources and materials related to coral reef management and provides an interactive platform for Parties, other Governments and organizations to report their actions and activities to manage coral reef ecosystems and the pressures on them.

IV. SUGGESTED RECOMMENDATIONS

29. The Subsidiary Body on Scientific, Technical and Technological Advice may wish to recommend that the Conference of the Parties at its fourteenth meeting adopt a decision along the following lines:

The Conference of the Parties

Ecologically or biologically significant marine areas

1. *Welcomes* the summary reports prepared by the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-second meeting, annexed to the present draft decision, based on the reports of the two regional workshops for describing ecological or biologically significant marine areas for Black Sea and Caspian Sea, and Baltic Sea,²¹ and *requests* the Executive Secretary to include the summary reports in the EBSA repository, and to submit them to the United Nations General Assembly and its relevant processes, as well as Parties, other Governments and relevant international organizations in line with the purpose and procedures set out in decisions [X/29](#), [XI/17](#), [XII/22](#) and [XIII/12](#);

2. *Also welcomes* the report of the Expert Workshop on to Develop Options for Modifying the Description of Ecologically or Biologically Significant Marine Areas, for Describing New Areas, and for Strengthening the Scientific Credibility and Transparency of this Process,²² held in Berlin from 5 to

²¹ CBD/EBSA/WS/2017/1/3 and CBD/EBSA/WS/2018/1/4.

²² CBD/EBSA/EM/2017/1/3.

8 December 2017, and *endorses* the set of options as contained in the annex to the present draft decision.²³

(a) For cases both within and beyond national jurisdiction, regarding procedures within the Convention to modify the description of areas meeting the EBSA criteria and to describe new areas, while fully respecting the sovereignty, sovereign rights and jurisdiction of coastal States;

(b) For strengthening the scientific credibility and transparency of the EBSA process, including by enhancing the scientific peer review by Parties, other Governments and relevant organizations;

3. *Requests* the Executive Secretary to work with Parties, other Governments and relevant organizations to facilitate the implementation of this set of options, as contained in annex I, through the provisioning of scientific and technical support to Parties, other Government and relevant organizations, as appropriate;

4. *Calls for* further collaboration and information-sharing among the Secretariat of the Convention on Biological Diversity, the Food and Agriculture Organization of the United Nations, and regional fishery bodies regarding the use of scientific information on areas meeting the criteria for ecologically or biologically significant marine areas and vulnerable marine ecosystems in support of achieving various Aichi Biodiversity Targets;

Other matters

5. *Takes note* of the continued work of the Executive Secretary on the compilation and synthesis of information related to (a) the impacts of anthropogenic underwater noise on marine and coastal biodiversity and means to minimize and mitigate these impacts and (b) experiences with the application of marine spatial planning, and *encourages* Parties, other Governments and relevant organizations to make use of this information;

6. *Welcomes* the capacity-building and partnership activities being facilitated by the Executive Secretary through the Sustainable Ocean Initiative at the national, regional and global levels in collaboration with Parties, other Governments and relevant organizations, and *expresses its gratitude* to donor countries and many other partners for providing financial and technical support for the implementation of activities related to the Sustainable Ocean Initiative;

7. *Also welcomes* the collaborative efforts among the Secretariat, the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, the Regional Seas Conventions and Action Plans, regional fishery bodies, large marine ecosystem projects/programmes and other relevant regional initiatives, on strengthening cross-sectoral cooperation at the regional scale to accelerate progress to achieve the Aichi Biodiversity Targets and relevant Sustainable Development Goals, including through the Sustainable Ocean Initiative Global Dialogue, and *requests* the Executive Secretary to transmit the outcomes of its first and second meetings to relevant global and regional processes and to collaborate with Parties, other Governments, relevant organizations and donors to facilitate on-the-ground implementation of these outcomes;

8. *Invites* the Food and Agriculture Organization of the United Nations and regional fisheries bodies to contribute scientific information and compilation of experiences and lessons learned, as appropriate, to the preparation of the fifth edition of the *Global Biodiversity Outlook*;

9. *Welcomes* the cooperation between the Food and Agriculture Organization of the United Nations, the International Union for Conservation of Nature and the Executive Secretary to support and

²³ Contained in CBD/SBSTTA/22/7.

improve reporting on, and the achievement of, Aichi Biodiversity Target 6, and *requests* the Executive Secretary to continue this cooperation.

Annex

OPTIONS FOR MODIFYING THE DESCRIPTION OF ECOLOGICALLY OR BIOLOGICALLY SIGNIFICANT MARINE AREAS, FOR DESCRIBING NEW AREAS, AND FOR STRENGTHENING THE SCIENTIFIC CREDIBILITY AND TRANSPARENCY OF THIS PROCESS

I. MODIFICATION OF EXISTING EBSAS

A. Modification in the current process

1. The description of areas meeting the EBSA criteria comprised²⁴ both a textual description and a polygon of the area, as contained in the relevant decisions of the Conference of the Parties to the Convention, including decisions XI/17 (annex), XII/22 (annex), and XIII/12 (annex I), and presented in the EBSA repository and the map available at www.cbd.int/ebasa. Modification of an existing EBSA description constituted a modification affecting the textual description of areas meeting the EBSA criteria, as contained in the decisions noted above and/or the polygon of the area, as presented in the EBSA repository. The EBSA descriptions contained in the EBSA repository, as requested by the Conference of the Parties in decisions XI/17, XII/22 and XIII/12, currently could be modified through the decisions by the Conference of the Parties at its future meetings.

B. Possible reasons for modification of existing EBSA description

2. Possible reasons for the potential modification of existing EBSAs, could include the following:

- (a) There has been newly available/accessible scientific and technical information, including traditional knowledge, on existing features or on new features associated with an existing area;
- (b) There have been changes in the information being provided by other intergovernmental processes, which were used in the application of the EBSA criteria;
- (c) Advanced expertise, methodological approaches or analytical methods that have emerged;
- (d) There has been a change in the ecological or biological feature(s) of an EBSA, which may lead to the change in the ranking of the area against the EBSA criteria or the change in the polygon of the area;
- (e) Scientific errors in existing descriptions;
- (f) Modifications or additions to the format and categories of information in the EBSA template, as agreed to by the Conference of the Parties.

C. Actors that can propose modification of existing EBSA description

3. The following actors could propose a modification of existing EBSAs:

- (a) For EBSAs within national jurisdiction: relevant State;
- (b) For EBSAs within the national jurisdiction of multiple States: one or more relevant States or all relevant States concerned by the modification;
- (c) For EBSAs in ABNJ: any State and/or competent intergovernmental organization(s);
- (d) For EBSAs with features in areas both within and beyond national jurisdiction: relevant State(s) and/or competent intergovernmental organizations;

²⁴ As described in decision XIII/12, footnote 1.

(e) Knowledge holders, including scientific research organizations, non-governmental organizations and holders of and experts in traditional knowledge, should be encouraged to draw the attention of States and the Secretariat to any of the above reasons to facilitate the preparation of modification proposals, if appropriate, and provide suggestions for modification.

D. Options to initiate the modification process

4. There are options, which could be complementary, for the procedure to initiate the modification process:

Option 1. Submission of specific modification proposals (case-by-case basis) to the Secretariat at any time.

Option 2. Periodic regional workshops (timeframe agreed upon by the Conference of the Parties).

Option 3. Submission of modification proposals to the Secretariat until a defined number of proposals have been received or a specific time period has elapsed since the submission of the proposal, at which time the Secretariat would convene a workshop, in consultation with the informal advisory group.

Option 4. A regional advisory group (once established) would determine when a workshop would be convened to consider possible modifications.

5. There are options for the differentiation between a significant modification and a minor modification to existing EBSAs, as follows:

Option 1. All modifications must go through the current CBD process.

Option 2. Proposals for modification will be sorted into two classes, one of which will go through a simpler process. Modifications that will go through a simpler process can be determined by:

- (a) Pre-identified criteria;
- (b) An expert advisory group of the CBD (e.g. Informal Advisory Group on EBSAs);
- (c) A regional group mandated to do this task.

For option 2, a clear definition is necessary to determine what is deemed a significant vs. minor change that may trigger modification or that may require different CBD processes.

E. Options to complement existing regional workshops

6. The following could complement existing regional workshops:

(a) Submission(s), by States or competent intergovernmental organizations, of proposals for modification of existing EBSA descriptions to, and collation by, the Secretariat of the Convention on Biological Diversity;

(b) Regular (e.g., annual or biennial for the cycle of the Subsidiary Body on Scientific, Technical and Technological Advice/Conference of the Parties) progress report on submissions made available through the information-sharing mechanism or other means;

(c) Proposals for modifications to be reviewed by a regional network of experts and other advisers, as appropriate, (to be established through relevant regional organizations) or CBD informal advisory group on EBSAs, which may recommend that a regional or other type of workshop be convened sooner than the periodic regional workshops. Regional networks should engage various stakeholders, including regional and sectoral intergovernmental bodies, non-governmental organizations, private sector and indigenous peoples and local communities.

F. Key considerations for modifications

7. Parties and other Governments, as well as relevant organizations, should be informed of any submission of proposals for the modification of existing EBSA descriptions through a CBD notification, the CBD website, the EBSA information-sharing mechanism, and the websites of CBD partner organizations and/or other means.

8. The following considerations need to be taken into account:

(a) The importance of incorporating traditional knowledge in the process of modification of existing EBSA descriptions and ensuring the full and effective participation of indigenous peoples and local communities;

(b) Options for enhancing the incorporation of traditional knowledge may also include revision of the EBSA description template to include a section with a list of all consulted organizations and specifically a subsection on consultations regarding traditional knowledge;

(c) The need for a strong scientific and technical basis for any proposed modification;

(d) The importance of transparency in the modification process; the opportunity to use cost-effective modalities, including web-based communication;

(e) The need to accompany modifications caused by changes to the ecological or biological features of EBSA(s) with guidelines for monitoring the concerned EBSA(s) and implications for threats and effectiveness of management measures currently or potentially in use to support national efforts to restore the original ecological or biological value of the areas that had met the EBSA criteria;

(f) The opportunity to introduce the category of “EBSA at Risk”, learning from the example of the Ramsar Convention;

(g) The need to keep information about any previously described EBSA within the repository in case of modification/deletion of the EBSA from the list.

G. Capacity-building needs for the modification of existing EBSAs

9. Capacity-building needs with regard to the modification of existing EBSAs include:

(a) Peer review of modification proposals on the basis of the EBSA criteria;

(b) Use of scientific and technical information, including traditional knowledge, to modify an EBSA description;

(c) Awareness and understanding of the EBSA process.

II. DESCRIPTION OF NEW AREAS MEETING THE EBSA CRITERIA

A. Actors that can propose description of new areas meeting the EBSA criteria

10. Options for actors that can initiate the description of new areas meeting the EBSA criteria include:

(a) Areas beyond national jurisdiction: State(s), competent intergovernmental organizations, also taking into account future developments in the United Nations General Assembly process on biodiversity in areas beyond national jurisdiction;

(b) Areas within national jurisdiction: relevant States;

(c) Regional scale: a regional network of experts can decide if newly available information is sufficient to justify the organization of another regional workshop, based on regular periodic review;

(d) Hybrid of time-based and new information-based trigger: regional experts decide if newly available information would warrant a regional workshop to be held sooner;

(e) Informal advisory group on EBSAs (as described in decision XIII/12, annex III) can advise the Secretariat of the Convention on Biological Diversity when a new workshop is needed;

(f) Knowledge holders, including scientific research organizations, non-governmental organizations and holders of/experts in traditional knowledge, should be encouraged to draw the attention of States and the Secretariat to any of the needs/reasons to facilitate the preparation of proposals for the description of a new EBSA, if appropriate.

B. Options to undertake the description of new EBSAs

11. Options for the description of new areas include:

(a) Regional workshops can continue, complemented by a virtual workshop, and supported by a continuous ongoing process of submission to the Secretariat of proposals on potential new areas meeting the EBSA criteria;

(b) New information can be submitted (using the template format) and reviewed by a regional network of experts, and/or by the informal advisory group on EBSAs, to decide if a new review or workshop is needed. Such a review can focus on a specific element (such as specific species), and multiple sources of new submitted information can be combined to describe new areas meeting the EBSA criteria;

(c) Any information to be published on the CBD website should be fully reviewed by the informal advisory group on EBSAs, in view of potential sensitivities associated with public visibility;

(d) Workshops can be regional, subregional or interregional (global), or thematic;

(e) Workshops can both modify existing areas and describe new areas on the basis of submissions;

(f) A scientific gap analysis should be undertaken to support the prioritization for new regional/subregional/interregional workshops and/or thematic workshops, which can be reviewed and considered by the Subsidiary Body on Scientific, Technical and Technological Advice.

C. Key considerations for the description of new EBSAs

12. The following considerations need to be taken into account:

(a) Need to ensure full and effective participation of indigenous peoples and local communities to incorporate traditional knowledge in the description of new EBSAs, and that traditional knowledge holders and experts should be engaged in the formation and functions of the regional network of experts on EBSAs (once decided to be established);

(b) Any information submitted for potential description of new areas should be transmitted to Parties to the Convention on Biological Diversity, other Governments and relevant organizations;

(c) The new description process, through regional workshops or thematic workshops, should follow the existing process of submission to the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties for consideration before inclusion in the EBSA repository.

D. Capacity-building needs for the description of new EBSAs

13. Capacity-building needs identified for the modification of existing EBSAs also apply to the description of new areas meeting the EBSA criteria, as follows:

(a) Understanding what constitutes an EBSA;

(b) How to develop a proposal, conduct a peer review, evaluate changes, and fill gaps in scientific data, data collection, etc.;

(c) How holders of and experts in traditional knowledge can participate in these processes and how scientists can engage with them;

- (d) How to use EBSA information for management;
- (e) Understanding of different types of processes, including the links between the EBSA process and other processes, sectors, activities and stakeholders.

III. OPTIONS FOR STRENGTHENING THE SCIENTIFIC CREDIBILITY AND TRANSPARENCY OF THE EBSA PROCESS

A. Scientific credibility of the regional workshops on EBSAs

14. With regard to strengthening the scientific credibility of regional workshops, the following steps could ensure enough breadth of knowledge through a strengthened nomination process, fully utilizing the advice of the informal advisory group on EBSAs:

- (a) Establishing “regional networks of experts on EBSAs”, building on available experts in different regions with experience from previous regional workshops, in collaboration with the relevant regional seas organizations, regional sectoral management bodies and other relevant regional initiatives, such as large marine ecosystem programmes/projects, industry and community organizations, as well as regional experts on traditional knowledge;
- (b) Advanced planning of workshop participation in collaboration with “regional networks of experts on EBSAs” (once established), gathering scientific information at appropriate scales;
- (c) Specifically addressing any imbalance across areas of expertise, including by exploring possible linkages with the CBD Global Taxonomy Initiative and synergies with other intergovernmental organizations;

15. The following considerations need to be taken into account:

- (a) Furthering cooperation with OBIS/IOC-UNESCO in accessing scientific information in support of regional workshops;
- (b) Strengthening the provision of guidance for preparations at national and regional levels prior to an EBSA regional workshop to ensure the timely gathering of scientific information;
- (c) Offering pre-workshop training, including online training.

B. Transparency of the regional workshops on EBSAs

16. With regard to strengthening the transparency of regional workshops, the following steps could be taken:

- (a) Including a list of experts who have contributed to describing new or reviewing existing descriptions, and other aspects of the CBD EBSA process, as appropriate;
- (b) Including information on free prior informed consent of indigenous peoples and local communities where traditional knowledge was used;
- (c) Allowing online submission of public comments on EBSA descriptions, and provision of opportunities for responses to those comments;
- (d) Training of science experts in the use of traditional knowledge prior to their participation in the regional workshops;
- (e) Clarifying the geographic scope of regional workshops in the repository;
- (f) Ensuring open access to data (e.g., satellite images, links to referenced academic papers, documentation of traditional knowledge) from the regional workshops (access can be partial or subject to embargo periods, if necessary to respond to Parties’ concerns about data sensitivity) in the CBD information-sharing mechanism, and possibly also on OBIS or as links to primary data sources;
- (g) Institutionalizing participatory data management systems, to avoid exclusion of traditional knowledge holders or stakeholders.

17. There is a need to enhance the understanding of the EBSA process, with a view to contributing to its transparency, through the following steps:

- (a) Conveying the relevance of EBSA descriptions to different sectors and the broader scientific community in understandable language;
- (b) Increasing media engagement at the national and regional levels during/at the end of regional workshops (on the basis of experience accrued by the Secretariat of the Convention on Biological Diversity in the context of other CBD expert meetings);
- (c) Considering the use of EBSA descriptions in support of national and regional marine spatial planning or other initiatives for achieving the Aichi Biodiversity Targets and the Sustainable Development Goals.

18. The link between enhanced transparency and follow-up on the outcomes of EBSA regional workshops is considered in the following ways:

- (a) Discussing towards the end of regional workshops possible follow-up action at the national and other levels, including identifying “champions” to relate EBSA regional workshop outcomes to other international forums or in relation to other areas of work of the Convention on Biological Diversity;
- (b) Compiling information on the uptake of EBSA regional workshop outcomes.

C. Enhanced peer-review in the EBSA process

19. Peer-review options should be implemented in a manner and timing that allows experts to respond to peer-review comments to potentially incorporate changes and strengthen the description. With regard to strengthening the peer-review process, the following options could be considered:

Option 1: Developing global and regional rosters of additional peer-reviewers (including traditional knowledge holders and experts), to be selected when needed by the informal advisory group on EBSAs, with the Secretariat of the Convention on Biological Diversity liaising with relevant regional organizations to identify regional expertise in a geographically and thematically balanced way; providing training opportunities to reviewers included in the roster on the application of the EBSA criteria;

Option 2: Including members of the informal advisory group among regional workshop participants to ensure consistency across workshops;

Option 3: Adding an external review committee to review the reports after regional workshops, with a view to providing feedback for consideration at the next workshop;

Option 4: Involving competent international bodies for EBSAs that partly or entirely concern areas beyond national jurisdiction.

D. Thematic workshops

20. There is a need for thematic workshops, and the following options can be considered:

Option 1: The informal advisory group advises the Executive Secretary/the Subsidiary Body on Scientific, Technical and Technological Advice on the need for thematic workshops;

Option 2: The regional networks of experts on EBSAs identify the need for specific thematic workshops;

Option 3: The Secretariat conducts/commissions a gap analysis with a view to identifying the need for thematic workshops;

Option 4: The Secretariat arranges for an online public-input process for the identification of thematic workshops;

Option 5: Thematic workshops implemented to provide information for the regional workshops and other aspects of the Convention’s work on EBSAs.

21. There is a need to ensure that participants in thematic workshops have the appropriate expertise, and the following steps could be taken by the Secretariat of the Convention on Biological Diversity:

- (a) Reaching out to well-established international communities of thematic experts;
- (b) Liaising with intergovernmental organizations comprising marine biodiversity experts for other purposes, as well as inviting these experts to participate;
- (c) Involving regional networks of experts on EBAs (once established) in the identification of experts to participate.

22. The following steps could be taken to enhance the potential contributions of thematic workshops:

- (a) Providing advance notice of thematic workshops through online means, and inviting submissions from experts and stakeholders of proposed areas of interest to be considered at these workshops;
- (b) Thematic workshops would provide data that could contribute to the preparation of regional workshops.

E. National exercises

23. Strengthening the scientific credibility and transparency of national exercises on the application of the EBSA criteria or similar criteria, can be done, including by referencing, as much as possible, peer-reviewed publications and incorporating traditional knowledge.

24. There is a need for:

- (a) Capacity-building in best practices for the application of the EBSA criteria at the national level, particularly in developing countries;
- (b) Providing incentives to enhance accessibility of local/national information;
- (c) Ensuring inter-institutional coordination for effective national exercises;
- (d) Securing financial resources for national exercises.

25. In the light of the need to clarify the distinction between including the results of national processes in the information-sharing mechanism or the global EBSA repository, the options for submission of national exercises to the Secretariat of the Convention on Biological Diversity could include:

Option 1: Description of national processes and outputs submitted for inclusion in the information-sharing mechanism be made available to Parties for comments prior to inclusion in the information-sharing mechanism and those comments to be taken into account;

Option 2: Inclusion in regional workshops, followed by consideration by the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties, before inclusion in the global EBSA repository;

Option 3: Peer-review process (rather than inclusion in the regional workshops), followed by consideration by the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties, prior to inclusion in the global EBSA repository;

Option 4: Submission to the Subsidiary Body on Scientific, Technical and Technological Advice upon advice of the informal advisory group, for inclusion in the global EBSA repository;

Option 5: Informal advisory group reviews and advises the Executive Secretary of a national exercise, followed by consideration by the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties, rather than of individual EBSA descriptions arising from a national exercise, for inclusion in the global repository.