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22 June 2015

NOTIFICATION

Request for information relating to national exercises to describe areas meeting the criteria for ecologically or biologically significant marine areas (EBSAs)

Dear Madam/Sir,

In paragraph 7 of [decision XII/22](#), the Conference of the Parties (COP) to the Convention on Biological Diversity invited Parties and other Governments to undertake national exercises, as appropriate, to describe areas meeting the criteria for ecologically or biologically significant marine areas (EBSAs), or other relevant compatible and complementary nationally or intergovernmentally agreed scientific criteria, in areas within national jurisdiction, taking into account States' own established processes within their respective jurisdictions.

The COP also invited Parties and other Governments to consider making this information, and other relevant information, available through the EBSA repository or information-sharing mechanism, in accordance with the process established in decisions X/29 and XI/17. The COP requested the Executive Secretary to report on progress to a meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) prior to the thirteenth meeting of the Conference of the Parties.

Accordingly, Parties and other Governments are hereby invited to provide information relating to these national exercises. When making their submissions, Parties and other Governments should refer to the attached background information (annex 1) and the suggested guidelines (annex 2). Information should be submitted to the CBD Secretariat via e-mail, addressed to the Executive Secretary of the Convention, to secretariat@cbd.int or faxed to +1 514 288 6588. Kindly provide your submissions as soon as possible but no later than **31 October 2015**, to enable timely compilation and collation of this information.

Submissions will be compiled and collated by the Secretariat and made available as information for the forthcoming twentieth meeting of SBSTTA. Any subsequent submissions will be made available to future meetings of SBSTTA, accordingly.

The EBSA repository and information-sharing mechanism are currently accessible through the CBD Secretariat's EBSA website: <http://www.cbd.int/ebsa>. For background information on the EBSA repository and information-sharing mechanism, please refer to annex 1.

Thank you for your continued support for the work of the Convention.

Please accept, Madam/Sir, the assurances of my highest consideration.

Braulio Ferreira de Souza Dias
Executive Secretary

Attachment

To: CBD National Focal Points and SBSTTA Focal Points; other Governments



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Annex 1

Background Information: The work of the Convention on EBSAs, national exercises on applying the EBSA or equivalent criteria, and EBSA repository/information-sharing mechanism

I. The work of the Convention on EBSAs

1. ***Scientific criteria for EBSAs.*** At its ninth meeting, the Conference of the Parties to the Convention on Biological Diversity adopted scientific criteria for identifying ecologically or biologically significant marine areas (EBSAs) in need of protection in open-ocean waters and deep-sea habitats (decision IX/20, annex I). The criteria include uniqueness or rarity; special importance for life-history stages of species; importance for threatened, endangered or declining species and/or habitats; vulnerability, fragility, sensitivity or slow recovery; biological productivity; biological diversity; and naturalness (see annex I of decision XI/20 at <https://www.cbd.int/doc/decisions/cop-09/cop-09-dec-20-en.pdf>).

2. ***Application of scientific criteria.*** COP 10 noted that the scientific criteria in annex I of decision IX/20 for the identification of EBSAs represent a tool that Parties and competent intergovernmental organizations may choose to use to progress towards the implementation of ecosystem approaches in relation to areas both within and beyond national jurisdiction, through the identification of areas and features of the marine environment that are important for conservation and sustainable use of marine and coastal biodiversity. COP 10 also noted that the application of the EBSA criteria is a scientific and technical exercise, that areas found to meet the criteria may require enhanced conservation and management measures, and that this could be achieved through a variety of means, including marine protected areas and impact assessments.

3. ***Who identifies EBSAs.*** COP 10 emphasized that the identification of EBSAs and the selection of conservation and management measures is a matter for States and competent intergovernmental organizations, in accordance with international law, including the UN Convention on the Law of the Sea.

4. ***Description of areas meeting the scientific criteria for EBSAs at regional level.*** COP 10 requested the Executive Secretary to organize a series of regional workshops with a primary objective to facilitate the description of EBSAs through application of the scientific criteria (annex I to decision IX/20) as well as other relevant compatible and complementary nationally and intergovernmentally agreed scientific criteria.

5. ***Information for describing and identifying EBSAs.*** COP 10 also highlighted that identification of EBSAs should use the best available scientific and technical information and integrate the traditional scientific, technical and technological knowledge of indigenous and local communities, and requested the Executive Secretary to facilitate availability and inter-operability of the best available marine and coastal biodiversity datasets and information across global, regional and national scales, in collaboration with Parties, other Governments, the Food and Agriculture Organization (FAO) of the United Nations, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (IOC–UNESCO), in particular the Ocean Biogeographic Information System (OBIS), the Central Data Repository run by International Seabed Authority (ISA), and other relevant international scientific partnerships producing credible, quality-controlled scientific information, such as the World Conservation Monitoring Centre of the United Nations Environment Programme (UNEP–WCMC), and the Global Ocean Biodiversity Initiative (GOBI).

6. ***Consideration by COP of the summary report on areas described to meet the EBSA criteria.*** COP 10 requested the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) to prepare reports based on scientific and technical evaluation of information from the regional workshops, setting out details of areas that meet the scientific criteria for consideration by the Conference of the Parties to the Convention.

7. Regional workshops for describing ecologically or biologically significant marine areas

- a. Pursuant to decision X/29, regional workshops on describing EBSAs were convened by the Executive Secretary for the Western South Pacific (November 2011) and the Wider Caribbean and Western Mid-Atlantic (February-March 2012) regions, and the results were reviewed by SBSTTA at its sixteenth meeting,

and considered by the Conference of the Parties at its eleventh meeting. Pursuant to decision XI/17, the summary reports on the description of areas that meet the criteria for EBSAs, prepared by SBSTTA, were 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 (available as UNGA document A/67/838).

b. Pursuant to decisions X/29 and XI/17, seven additional regional workshops have been organized since SBSTTA 16 for the Southern Indian Ocean region (July-August 2012); the Eastern Tropical and Temperate Pacific region (August 2012); the North Pacific region (February-March 2013); the South-Eastern Atlantic region (April 2013); the Arctic region (March 2014); the North-West Atlantic region (March 2014); and the Mediterranean region (April 2014). The results of these workshops were reviewed by SBSTTA at its eighteenth meeting and, subsequently, by the twelfth meeting of the Conference of the Parties. Pursuant to decision XII/22, the summary reports on the description of areas that meet the criteria for EBSAs, prepared by SBSTTA at its eighteenth meeting, were also 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.

c. The full reports of all of these workshops are available at www.cbd.int/ebsa

d. Since COP 12, additional workshops have been convened for the North-East Indian Ocean region (March 2015) and the North-West Indian Ocean region (April 2015), and are being planned for the Black Sea and Caspian Sea (scheduled for October 2015), and East Asian Seas (scheduled for December 2015), pursuant to decisions X/29, XI/17 and XII/22. The results of these workshops will be reviewed at SBSTTA 20 and considered at COP 13. Moreover, as recognized in decision XI/17, additional workshops for the further description of areas already described may be held where new information becomes available, subject to the availability of financial resources.

8. *Use of scientific information on EBSAs.* COP 12 encouraged Parties and other Governments to make use, as appropriate, of the scientific information regarding the description of areas meeting the EBSA criteria, including the information in the EBSA repository and information-sharing mechanism, as well as the information from indigenous and local communities as well as relevant sectors, including the fisheries sector, when carrying out marine spatial planning, development of representative networks of marine protected areas, taking into account annex II to decision IX/20, and application of other area-based management measures in marine and coastal areas, with a view to contributing to national efforts to achieve the Aichi Biodiversity Targets.

II. EBSA Repository and Information-sharing Mechanism

9. COP 10 requested the Executive Secretary, in collaboration with Parties and other Governments, FAO, UNDOALOS, IOC–UNESCO, in particular OBIS, and other competent organizations, UNEP–WCMC and GOBI, to establish a repository for scientific and technical information and experience related to the application of the scientific criteria on the identification of EBSAs, and to develop an information-sharing mechanism with similar initiatives, such as FAO’s work on vulnerable marine ecosystems (VMEs). Subsequently, pursuant to paragraph 16 of decision XI/17, whereby the purpose of the EBSA repository and information-sharing mechanism was further elaborated, the following differentiation is made between the two:

(a) The EBSA repository includes:

- (i) Descriptions and maps of areas meeting the EBSA criteria, prepared by the Subsidiary Body on Scientific, Technical and Technological Advice in line with the purpose and procedures set out in decisions X/29, XI/17 and XII/22, that the Conference of the Parties has requested the Executive Secretary to include in the repository as source of information for Parties, other Governments and relevant organizations; and
- (ii) Scientific and technical information and experience relating to the application of the EBSA criteria, or of other relevant compatible and complementary nationally and

intergovernmentally agreed scientific criteria, in areas within national jurisdiction (for those Parties and other Governments that have specified that the information is to be included in the repository, consistent with paragraph 18 of decision XI/17 and paragraph 7 of decision XII/22).

- (b) The EBSA information-sharing mechanism includes:
- (i) Reports prepared by the Subsidiary Body consistent with paragraph 12 of decision XI/17;
 - (ii) The reports of the regional workshops convened pursuant to decisions X/29 (paragraph 36), XI/17 (paragraph 12), and paragraph 6 of decision XII/22;
 - (iii) Scientific and technical information and experience relating to the application of the EBSA criteria, or other relevant compatible and complementary nationally and intergovernmentally agreed scientific criteria;
 - (iii) Other relevant scientific and technical information related to the areas described to meet the EBSA criteria; and
 - (iv) Links with similar initiatives, such as FAO's work on vulnerable marine ecosystems (decision X/29, paragraph 39).

10. In order to increase accessibility to the information contained in the EBSA repository and information-sharing mechanism as described above, the EBSA portal website (<http://www.cbd.int/ebsa/>) was developed as a gateway to the EBSA repository and information sharing-mechanism. The EBSA portal website thus aims to facilitate the use of available scientific and technical information related to areas meeting EBSA criteria by a wide range of stakeholders, and to convey the outcomes of the regional workshops to facilitate the description of EBSAs in a clearly understandable way. It also intends to improve general understanding about the EBSA process, facilitate participation in future regional/subregional EBSA workshops, and promote the application of the EBSA criteria at the national level.

III. National Exercises Applying the EBSA or Equivalent Criteria

11. The Conference of the Parties to the Convention requested Parties and invited other Governments to apply the scientific criteria for EBSAs in marine areas within national jurisdictions since the adoption of the criteria at its ninth meeting. Recalling paragraph 18 of decision IX/20 and paragraph 43 of decision X/29, COP 11 requested Parties and other Governments to further provide for inclusion in the repository or information-sharing mechanism, as determined by submitting Parties or Governments, scientific and technical information and experience relating to the application of the criteria for EBSAs, or other relevant compatible and complementary nationally and intergovernmentally agreed scientific criteria, in areas within national jurisdiction before the twelfth meeting of the Conference of the Parties (paragraph 18, decision XI/17).

12. Subsequently, COP 12 invited Parties and other Governments to undertake national exercises, as appropriate, to describe areas meeting the EBSA criteria, or other relevant compatible and complementary nationally or intergovernmentally agreed scientific criteria, in areas within national jurisdiction, taking into account States' own established processes within their respective jurisdictions, and to consider making this information, and other relevant information, available through the EBSA repository or information-sharing mechanism, in accordance with the process established in decisions X/29 and XI/17, and requested the Executive Secretary to report on progress to a meeting of the Subsidiary Body on Scientific, Technical and Technological Advice prior to the thirteenth meeting of the Conference of the Parties (paragraph 7, decision XII/22).

13. COP 12 also recalled the sovereignty of coastal States over their territorial sea, as well as their sovereign rights and jurisdiction in the exclusive economic zone and continental shelf, as well as the rights of other States in these areas, in accordance with international law, including the United Nations Convention on the Law of the Sea, and recognized that the sharing of the outcomes of the EBSA process does not prejudice the sovereignty, sovereign rights or jurisdiction of coastal States, or the rights of other States.

Annex 2

Suggested guidelines for submission of information relating to national exercises to describe areas meeting the scientific criteria for ecologically or biologically significant marine areas (EBSAs) and/or equivalent criteria*

1. Provide a description of the national exercise, including the purpose/objectives and the time frame over which it took place, or is planned.
2. List and provide a brief description of the scientific criteria used to describe areas of ecological or biological significance through the national exercise (e.g., CBD scientific criteria for identifying EBSAs or other relevant compatible and complementary nationally or intergovernmentally agreed scientific criteria). This may also include a description of the scientific approaches and methodologies used to apply the criteria. For a description of the CBD scientific criteria for identifying EBSAs, please see: <https://www.cbd.int/doc/meetings/mar/ebsaws-2014-01/other/ebsaws-2014-01-azores-brochure-en.pdf>.
3. Provide a map of the region that was considered/described in the exercise.
4. Provide the results of the national exercise, including, but not limited to:
 - a. Name, location and map (shape files of the area, if publicly available) of the areas that were described using the above-mentioned criteria
 - b. Narrative description of the area's ecological or biological features and conditions
 - c. Assessment of the areas against the above-mentioned criteria
 - d. Scientific references in support of the description and assessment

Note: For submission of this information, the [Template for Submission of Scientific Information to Describe Areas Meeting Scientific Criteria for Ecologically or Biologically Significant Marine Areas](#) may be used, as appropriate.

5. Indicate whether the information on the area/s listed above is to be included in the repository and/or information-sharing mechanism, as appropriate.
6. Provide a description of the expert groups that were involved, and the mechanism that provided national agreement on the scientific criteria that were used, in undertaking the national exercise.
7. Provide any other information on the national process or the areas described to meet the criteria.

** Note: The information described in these guidelines may be sent in the form of existing reports, peer-reviewed articles or other relevant documentation.*