# DOCUMENT FOR PEER REVIEW IN PREPARATION FOR COP 13:

## Peer Review of Draft Report on options regarding procedures to modify the description of ecologically or biologically significant Marine areas or to facilitate the process of description of new areas.

Note by the Executive Secretary

1. The Subsidiary Body on Scientific, Technical and Technological Advice in its recommendation XX/3 prepared a draft decision for COP-13 on marine and coastal biodiversity -ecologically or biologically significant marine areas. The draft decision, which is reproduced in document UNEP/CBD/COP/13/2, includes, in paragraphs 7 and 8, refers to “practical options for enhancing scientific methodologies and approaches, including collaborative arrangements, for the description of ecologically or biologically significant marine areas as contained in annex I to the draft decision”.

2. In this recommendation, the Subsidiary Body requested the Executive Secretary to develop: (i) options regarding procedures within the Convention to modify the description of areas, both within and beyond national jurisdiction, decided by the Conference of the Parties for inclusion in the repository, based on new information that has become available since the previous regional workshops on ecologically or biologically significant marine areas, and (ii) options to facilitate the process of description of new areas against the criteria for ecologically or biologically significant marine areas. It is envisaged that these options, once agreed, would be appended to annex 1 of the draft decision.

3. In the same recommendation, the Subsidiary Body requested the Executive Secretary to make a draft report on options available for peer-review by Parties for further refinement, and submit the final report to the Conference of the Parties for consideration at its thirteenth meeting, building on the work of the Subsidiary Body on Scientific, Technical and Technological Advice at its twentieth meeting.

4. Pursuant to the above requests, the Executive Secretary has developed, as appended to this note, a draft report on options as noted above, building on the work of the Subsidiary Body on Scientific, Technical and Technological Advice at its twentieth meeting.

5. Parties are therefore invited to review this draft report and provide comments and suggestions for further refinement.

6. Upon further revision incorporating peer-review comments, the final report will be submitted to the Conference of the Parties for consideration at its thirteenth meeting.

**I. Options regarding procedures within the Convention to modify the description of areas meeting the EBSA criteria, both within and beyond national jurisdiction, decided by the Conference of the Parties for inclusion in the repository**

**Case 1. To modify an EBSA description within the national jurisdiction of a single country, which was described by a CBD regional or sub-regional workshop and included in the annex to a COP decision and in the EBSA repository, as decided by COP**

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| *Option. The concerned Party would prepare a revised EBSA description, and submit it to the Executive Secretary. The Executive Secretary would make this submission available for peer-review by Parties, other Governments and relevant organizations who had been invited to the respective CBD regional/sub-regional workshop that prepared the original EBSA description. The Executive Secretary would transmit the compilation of peer-review comments to the submitter for refinement of the submission. The concerned Party would submit the final draft of a revised EBSA description to the Executive Secretary together with an explanation of how it has addressed the peer-review comments in its refinement for inclusion in the EBSA repository or information-sharing mechanism. The full draft of the revised description as well as the compilation of peer-review comments and the response by the submitter to the peer-review comments would also be made available. The Executive Secretary would prepare a summary report of the revised description and submit these to SBSTTA and subsequently to COP for information. The previous EBSA description could be kept in an archive within the EBSA repository or information-sharing mechanism.* |

**Case 2. To modify the EBSA description wholly within the national jurisdictions of two or more country Parties, which was described by a CBD regional or sub-regional workshop and included in the annex to a COP decision and in the EBSA repository, as decided by COP**

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| *Option. If all the concerned country Parties wish to make revisions to the description, the concerned Parties would jointly prepare a revised EBSA description, and submit it to the Executive Secretary. The Executive Secretary would make this submission available for peer-review by Parties, other Governments and relevant organizations who had been invited to the respective CBD regional/sub-regional workshop that prepared the original EBSA description. The Executive Secretary would transmit the compilation of peer-review comments to the submitters for refinement of the submission. The concerned Parties would jointly submit the final draft of a revised EBSA description to the Executive Secretary together with an explanation of how they have addressed the peer-review comments in its refinement for inclusion in the EBSA repository or information-sharing mechanism. The full draft of the revised description as well as the compilation of peer-review comments and the response by the submitter to the peer-review comments would also be made available. The Executive Secretary would prepare a summary report of the revised description, and submit these to SBSTTA and subsequently to COP for information. The previous EBSA description could be kept in an archive within the EBSA repository or information-sharing mechanism.* |

**Case 3. To modify an EBSA description at least partly in marine areas beyond national jurisdiction, which was described by a CBD regional or sub-regional workshop and included in the annex to a COP decision and in the EBSA repository, as decided by COP**

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| *Option. The interested Party/Parties would prepare/jointly prepare a revised EBSA description and submit it to the Executive Secretary. The Executive Secretary would make this submission available for peer-review by Parties, other Governments and relevant organizations who had been invited to the respective CBD regional/sub-regional workshop that prepared the original EBSA description. The Executive Secretary would transmit the compilation of peer-review comments to the submitters for refinement of the submission. The concerned Party/Parties would submit the final draft of a revised EBSA description to the Executive Secretary together with the explanation on how they had addressed the peer-review comments in their refinement. The Executive Secretary would organize global/regional workshops, as appropriate, when there are at least 10 submissions of revised EBSA descriptions available for deliberation. The full draft of the revised description as well as the compilation of peer-review comments and the response by the submitters to the peer-review comments would be made available as information for the participants of the workshop. Based on the results of the workshop, the Executive Secretary would prepare a summary report of the revised descriptions and submit them to SBSTTA and subsequently to COP for consideration. The summary report would be considered by SBSTTA and COP along with other summary reports of EBSA descriptions prepared by CBD regional or sub-regional workshops. The previous EBSA description could be kept in an archive within the EBSA repository or information-sharing mechanism.* |

**II. Options to facilitate the process of description of new areas against the criteria for ecologically or biologically significant marine areas**

**Case 1. To describe an area NOT previously described as meeting the EBSA criteria and wholly within the national jurisdiction of a single country Party**

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| *Option. Pursuant to decision X/22 (paragraph 7), the concerned Party could undertake a national process for preparing a description of new area/areas meeting the EBSA criteria and submit it/them to the Executive Secretary for inclusion in the EBSA repository or information-sharing mechanism. This option could be complemented by the description of new areas meeting the EBSA criteria within the national jurisdiction, through the regional/sub-regional workshops to be convened by the Secretariat, if Parties wish to do so.* |

**Case 2. To describe an area NOT previously described as meeting the EBSA criteria and wholly within the national jurisdictions of two or more country Parties**

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| *Option. Pursuant to decision X/22 (paragraph 7), the concerned Parties could undertake joint national/sub-regional processes for preparing a description of a new area/areas meeting the EBSA criteria and submit it/them to the Executive Secretary for inclusion in the EBSA repository or information-sharing mechanism. If Parties so wish, this option could be complemented or replaced by a process of regional/sub-regional workshops.* |

**Case 3. To describe an area NOT previously described as meeting the EBSA criteria and wholly or partly in marine areas beyond national jurisdiction.**

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| *Option. The interested Party/Parties prepares/jointly prepare a new EBSA description, and submit it to the Executive Secretary. The Executive Secretary would make this submission available for peer-review by Parties, other Governments and relevant organizations who were invited to the respective CBD regional/sub-regional workshop. The Executive Secretary would transmit the compilation of peer-review comments to the submitters for refinement of the submission. The concerned Party/Parties would submit the final draft of a new EBSA description to the Executive Secretary together with the explanation on how they have addressed the peer-review comments in their refinement. The Executive Secretary would organize global/regional workshops, as appropriate, when there are at least 10 submissions of new EBSA descriptions available for the deliberation by the workshop. The full draft of the new description as well as the compilation of peer-review comments and the response by the submitters to the peer-review comments would be made available as information for the participants of the workshop. Based on the results of the workshop, the Executive Secretary would prepare a summary report of the new description, and submit the report to SBSTTA and subsequently to COP for consideration.* |