

Annex

Information on developments within the Convention on Biological Diversity relating to ocean affairs and the law of the sea

Executive Summary

This note summarizes recent work under the Convention on Biological Diversity (CBD) relevant to ocean affairs and the law of the sea that have taken place, or will take place, between September 2021 and August 2022. The Division for Ocean Affairs and the Law of the Sea is invited to post the full text of this contribution on its website.

The CBD Secretariat coordinates the global process to facilitate the description of ecologically or biologically significant marine areas (EBSAs). Since 2011, the Secretariat has coordinated a series of regional workshops to facilitate the description of EBSAs, 321 of which have thus far been considered by the Conference of the Parties to the CBD and transmitted to the UN General Assembly and relevant international processes. The Parties to the CBD continue to consider potential modalities for the modification of the description of existing EBSAs and for the description of new EBSAs. In the meantime, the Secretariat continues to communicate the outputs and achievements of the process and to build the capacity of Parties to describe EBSAs and use them to inform planning and management.

The Convention's work also continues to address stressors on marine biodiversity, including through a recently published report on the impacts of anthropogenic underwater noise on marine and coastal biodiversity and habitats and tools and approaches to minimize and mitigate these impacts.

In support of the ongoing discussions on the post-2020 global biodiversity framework, the Secretariat produced a guidance document providing expert input for the development and refinement of indicators and the monitoring framework with respect to marine and coastal biodiversity issues.

The Secretariat has also continued its capacity-building and partnership efforts under the Sustainable Ocean Initiative (SOI), including by publishing a study synthesizing the progress and achievements under SOI since 2010, convening an intersessional workshop of the SOI Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies and by organizing a regional capacity-building workshop on other effective area-based conservation measures in the marine fishery sector.

The Secretariat, along with partners, is coordinating a project aimed at strengthening the marine and coastal biodiversity elements of National Biodiversity Strategies and Action Plans (NBSAPs) to ensure that marine issues are adequately reflected in NBSAPs in light of the post-2020 global biodiversity framework.

The Secretariat also continues its work in engaging in various intergovernmental processes, with specific examples from the UN Framework Convention on Climate Change and the UN Ocean Conference highlighted here.

INTRODUCTION

This note consists of brief descriptions of the work carried out under the CBD in the following areas related to ocean affairs and the law of the sea, in addition to outlining the major meetings and intersessional work carried out since the completion of the last report: i) ecologically or biologically significant marine areas; (ii) capacity building and partnership activities through the Sustainable Ocean Initiative; (iii) facilitating the identification and reporting of other effective area-based conservation measures in the marine fishery sector; (iv) addressing threats to marine and coastal biodiversity; (v) supporting the development of the Post-2020 Global Biodiversity Framework; (vi) Strengthening marine and coastal biodiversity elements of national biodiversity strategies and action plans (NBSAPs); and (vii) engaging in other global processes.

MAJOR MEETINGS OF THE CONVENTION BODIES AND INTERSESSIONAL WORK

Resumed session of the twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice

1. The twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) was held in two parts. Part I was held online, from 3 May to 9 June 2021 and part II was held in Geneva, Switzerland, from 14 to 27 March 2022. Among the 10 recommendations adopted by SBSTTA at its 24th meeting, two are on marine and coastal biodiversity: [recommendation 24/9](#) on conservation and sustainable use of marine and coastal biodiversity and [recommendation 24/10](#) on ecologically or biologically significant marine areas (EBSAs). In these recommendations, SBSTTA noted that the deliberations on these issues were not completed due to extraordinary circumstances and requested the Executive Secretary to facilitate consultations among Parties, other Governments and relevant stakeholders, including indigenous peoples and local communities, women and youth, with a view to advance discussions on the conservation and sustainable use of marine and coastal biodiversity and on EBSAs, in advance of the fifteenth meeting of the Conference of the Parties.

Fifteenth meeting of the Conference of the Parties

2. Originally planned for Kunming, China in 2020, the fifteenth meeting of the Conference of the Parties to the CBD was postponed due to the global COVID-19 pandemic and later decided to be convened in two parts.

3. The first part of the fifteenth meeting of the Conference of the Parties to the CBD was held online, from 11 to 15 October 2021, with limited onsite participation in Kunming, China. This meeting aimed to address limited agenda items that had been identified by the Bureau of the Conference of the Parties as essential for the continuation of the operations of the Convention and its Protocols. The meeting elected the Minister of Environment and Ecology of People's Republic of China as President of COP 15.

4. The [second part of the fifteenth meeting of the Conference of the Parties to the CBD](#) will be held at the seat of the Secretariat in Montreal, Canada, from 5 to 17 December 2022 under the Presidency of China. The meeting is expected to adopt a post-2020 global biodiversity framework, which will contain a new set of global goals and targets for biodiversity.

Online discussion forums on marine and coastal biodiversity in preparation for the fifteenth meeting of the Conference of the Parties

5. As noted in paragraph 1 above, SBSTTA was unable to complete discussions on marine and coastal biodiversity at its twenty-fourth meeting and, in its recommendations 24/9 and 24/10, requested the Executive Secretary to facilitate consultations with a view to advance discussions on these issues in advance of the fifteenth meeting of the Conference of the Parties. In response to these requests, the Secretariat is organizing two online discussion forums: i) Conservation and sustainable use of marine and coastal

biodiversity; and ii) Ecologically or biologically significant marine areas. Both forums are preceded and followed by opening and closing webinars.

6. The online discussion forum on conservation and sustainable use of marine and coastal biodiversity in preparation for the fifteenth meeting of the Conference of the Parties was convened from 8 to 15 June 2022, with 55 participants from across all regions, selected from among nominations provided by governments and relevant organizations. The forum was organized according to the following thematic threads: i) Cooperation, collaboration and linkages with competent organizations and relevant initiatives; ii) Marine and coastal biodiversity in the post-2020 global biodiversity framework and implications for programmes of work; iii) Implementing the post-2020 global biodiversity framework in marine and coastal areas; iv) Plastics, marine spatial planning and deep-sea mining; and v) Mainstreaming, capacity building, partnerships, and synergies.

7. An information webinar on the outcomes of the online discussion forum on conservation and sustainable use of marine and coastal biodiversity was also held on 20 June 2022.

8. The report of the forum, recordings of the opening, closing and information webinars and other forum materials are provided on the meeting webpage for the forum (<https://www.cbd.int/meetings/006258>). The forum itself is available at: <https://www.cbd.int/marine/forum/june-2022>. The report of the forum is provided as an information document for the fourth meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework. The report will also be made available to the second part of COP 15.

9. An online discussion forum on ecologically or biologically significant marine areas (EBSAs) is being planned with tentative dates in July 2022. It will be organized in the same manner as the above-noted forum.

ECOLOGICALLY OR BIOLOGICALLY SIGNIFICANT MARINE AREAS

10. The Secretariat coordinates the global process to facilitate the description of ecologically or biologically significant marine areas (EBSAs). Since 2011, the Secretariat has coordinated a series of regional workshops to facilitate the description of EBSAs, 321 of which have thus far been considered by the COP, included in the CBD EBSAs repository and transmitted to the UN General Assembly and relevant international processes. The outputs of the regional EBSAs workshops, as considered by the COP, are available online at the EBSAs website (<http://www.cbd.int/ebasa>). During this period, the Secretariat has conducted the activities highlighted below.

Informal Advisory Group on EBSAs

11. The Secretariat convened the [third meeting of the Informal Advisory Group on Ecologically or Biologically Significant Marine Areas](#) on 12 and 13 April 2022. The meeting built on the first and second meetings (held respectively from 30 June to 1 July 2018 and 1 August 2019). Like the second meeting, it was held virtually, in English, by means of a videoconferencing platform. Experts from 14 Parties and six organizations participated in the meeting.

12. During the meeting, the Group reviewed and discussed a draft updated training manual on ecologically or biologically significant marine areas, and 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, as well as developments in various intergovernmental processes and implications for work on ecologically or biologically significant marine areas, and potential future modalities for the informal advisory group on ecologically or biologically significant marine areas. The report of the meeting will be finalized in due course and made available on the CBD website.

Publication outlining progress and achievements of the CBD EBSA process

13. On the occasion of the 10-year anniversary of the EBSA process, with the support of the Japan Biodiversity Fund, the Secretariat, together with the Global Ocean Biodiversity Initiative, produced a

publication entitled *Special Places in the Ocean: A Decade of Identifying Ecologically or Biologically Significant Marine Areas*. This study recounts the history and development of the EBSA process, its various achievements and impacts, challenges faced and paths forward. It also showcases the human element of the EBSA process with case studies and stories from workshop co-chairs, participants, collaborators and supporters. The study includes an analysis of selected cases that have used EBSA information in various ways around the world as well as how EBSA work has contributed to various global and regional policy processes and scientific initiatives. “Special Places in the Ocean: A Decade of Identifying Ecologically or Biologically Significant Marine Areas” was completed in May 2020 and was launched at a webinar held on 28 October 2021. The report is available at the following link: <https://www.cbd.int/marine/ebsa/booklet-ebsa-impact-en.pdf>.

CAPACITY-BUILDING AND PARTNERSHIP ACTIVITIES THROUGH THE SUSTAINABLE OCEAN INITIATIVE

Publication outlining progress and achievements of the Sustainable Ocean Initiative (SOI)

14. The CBD Secretariat, along with the Global Ocean Biodiversity Initiative, produced a document entitled *The Sustainable Ocean Initiative: 10 years of building capacity to support progress towards the Aichi Biodiversity Targets* that takes stock of the many achievements of the Sustainable Ocean Initiative (SOI) since its inception in 2010. SOI 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. The Executive Secretary has continued the capacity-building work under SOI that began with its creation on the margins of the tenth meeting of the Conference of the Parties in 2010, convening a series of capacity-building workshops at the regional, subregional and national levels. This publication highlights examples of where SOI activities have generated tangible benefits for local communities and considers the impacts of SOI at the local, national and regional level. Above all, it aims to pay tribute to the many individuals who have contributed to SOI’s efforts and success in supporting countries on their journey towards achieving their marine biodiversity targets. The report was launched at a side event on 23 March 2022, during the resumed session of SBSTTA-24 in Geneva, and is available at the following link: <https://www.cbd.int/marine/soi/booklet-soi-10years-en.pdf>.

Virtual Intersessional Workshop for the Sustainable Ocean Initiative (SOI) Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies

15. The Sustainable Ocean Initiative (SOI) Global Dialogue with Regional Seas Organizations (RSOs) and Regional Fishery Bodies (RFBs) was developed by the CBD Secretariat, in collaboration with the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Environment Programme (UNEP), to facilitate dialogue between regional organizations, to share lessons and experiences in regional collaboration, and to identify opportunities to improve cross-sectoral collaboration, in order to address issues related to fisheries management and conservation and sustainable use of marine biodiversity and to progress on global goals and commitments for the oceans.

16. While the third meeting of the SOI Global Dialogue was planned to be convened in 2020, due to the COVID-19 pandemic it has been postponed to 24-28 October 2022 in Busan, Republic of Korea. With a view to moving forward the discussion on timely issues, the CBD Secretariat convened the Virtual Intersessional Workshop for the SOI Global Dialogue with RSOs and RFBs, in collaboration with FAO and UNEP, and with financial support from the Ministry of Oceans and Fisheries of the Republic of Korea, from 29 September to 1 October 2021. This meeting built on the results of the first two meetings, held in Seoul in 2016 and 2018, and aimed to (i) provide updates on the status of regional collaboration and coordination, following up on the outcomes of the SOI Global Dialogue in 2018, (ii) enable the sharing of views and experiences on the impacts of the COVID-19 pandemic on regional collaboration, and to identify lessons learned to enhance collaboration under such circumstances, and (iii) discuss the role of, and opportunities for, regional organizations and regional collaboration in the post-2020 global biodiversity framework, which

is currently being negotiated under the CBD. The report of the workshop, and other workshop materials, are available online at: <https://www.cbd.int/meetings/SOI-WS-2021-01>.

FACILITATING THE IDENTIFICATION AND REPORTING OF OTHER-EFFECTIVE AREA-BASED CONSERVATION MEASURES IN THE MARINE FISHERY SECTOR

17. In its decision 14/8, the Conference of the Parties adopted the definition of “other effective area-based conservation measures” (OECMs) and welcomed scientific and technical advice on other effective area-based conservation measures, as contained in annex III to the decision, to be applied in a flexible way and on a case-by-case basis. In the same decision, the Conference of the Parties invited IUCN, the Food and Agriculture Organization of the United Nations, and other expert bodies to continue to assist Parties to identify other OECMs and to apply the scientific and technical advice.

Sustainable Ocean Initiative Capacity-Building Workshop for the Wider Caribbean and Central America on Other Effective Area-Based Conservation Measures in the Marine Fishery Sector

18. With a view to further supporting the achievement of area-based marine conservation targets and to respond to the need for capacity-building, the Executive Secretary convened, together with the Food and Agriculture Organization of the United Nations (FAO), the Sustainable Ocean Initiative Capacity-Building Workshop for the Wider Caribbean and Central America on Other Effective Area-Based Conservation Measures in the Marine Fishery Sector, with financial support from the Government of the Republic of Korea, through the Ministry of Oceans and Fisheries. The workshop was conducted online in two parts, with part 1 held on 20 and 21 April, and part 2 on 27 and 28 April.

19. The workshop was organized in collaboration with various partners, including the Cartagena Convention Secretariat and the Caribbean Environment Programme (CEP), the Caribbean Regional Fisheries Mechanism (CRFM), the Western Central Atlantic Fishery Commission (WECAFC), the UNDP/GEF PROCARIBE+ PPG Coordination Unit, and the Fisheries Expert Group of the IUCN Commission on Ecosystem Management (IUCN-FEG). Almost 70 participants took part, including 28 from Parties and other Governments, and 41 from organizations.

20. The workshop agenda included presentations and discussions offering an introduction to other effective area-based conservation measures, provided a regional context and information on national implementation, explored criteria for the identification of effective area-based conservation measures, identifying and reporting on OECMs, and breakout group work on applying the criteria for OECMs to case studies. The report of the workshop will be posted on the CBD meeting webpage, at <https://www.cbd.int/meetings/006239>, in due course.

GUIDANCE ON ADDRESSING THREATS TO MARINE AND COASTAL BIODIVERSITY

New publication on anthropogenic underwater noise and its impacts on marine and coastal biodiversity

21. In May 2022, the Secretariat published CBD Technical Series no. 99, Review of the Impacts of Anthropogenic Underwater Noise on Marine Biodiversity and Approaches to Manage and Mitigate them. The report was prepared by the Secretariat on the basis of COP decision 14/10, paragraph 5 to inform Parties, other Governments and relevant organizations in their efforts to address the impacts of anthropogenic underwater noise on marine and coastal biodiversity and habitats. The document was launched via webinar on 5 May 2022. The webinar provided an overview of the new report, which is built on previous work under the Convention on underwater noise, and highlighted ongoing efforts of other international organizations on this issue. A draft version of the report was circulated for peer review in September 2020. The peer-review process generated significant interest, generating about 40 sets of comments. Given the technical

nature of many of the comments, the Secretariat engaged an expert to revise and finalize the draft document, now available at: <https://www.cbd.int/doc/publications/cbd-ts-99-en.pdf>.

SUPPORTING THE DEVELOPMENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

Contribution to the third meeting of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework

22. In view of the need for expert input to the development and refinement of indicators and the monitoring framework for the post-2020 global biodiversity framework with respect to marine and coastal biodiversity issues, the Secretariat produced a document entitled Marine Input to Headline Indicators of the Draft Post-2020 Global Biodiversity Framework (<https://www.cbd.int/doc/c/17fa/0316/dd5b6065c2dc638eb3c38942/wg2020-03-inf-04-en.pdf>), which was provided as an information document to the first part of the third meeting of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework, held virtually from 23 August to 3 September 2021. This document provides insights on various existing information sources, monitoring frameworks, and needs for reporting on the implementation of the post-2020 framework in marine and coastal areas.

Fourth meeting of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework

23. The Open-Ended Working Group on the Post-2020 Global Biodiversity Framework will hold its fourth meeting in Nairobi, Kenya, from 21 to 26 June 2022. The Working Group will undertake its work on this agenda item on the basis of the outcomes of the third meeting of the Working Group and drawing on, where relevant, the first draft of the framework and the reports of the third meeting of the Subsidiary Body on Implementation, the twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, and the outcomes of relevant intersessional processes. The Working Group aims to finalize the framework for adoption at the second part of the fifteenth meeting of the Conference of the Parties to the CBD later this year.

STRENGTHENING MARINE AND COASTAL BIODIVERSITY ELEMENTS OF NATIONAL BIODIVERSITY STRATEGIES AND ACTION PLANS (NBSAPs)

24. Together with the Government of Germany and the United Nations Environment Programme World Conservation Monitoring Centre (UNEP-WCMC), the Secretariat has been planning a project to consist of an analysis of the marine and coastal content of existing National Biodiversity Strategies and Action Plans (NBSAPs) to provide a basis for the future development of guidance to Parties in support of their forthcoming efforts to reflect the post-2020 global biodiversity framework in their NBSAPs with adequate and robust reflection of marine issues. NBSAPs, the main mechanism that Parties to the Convention use to set their plans and guide their actions towards the implementation of the Convention within their domestic circumstances, have often failed to reflect the policy elements needed to achieve global biodiversity targets at the national level and to include highly relevant marine work ongoing within the countries that are directly relevant to global biodiversity targets. As many Parties are expected to revise their NBSAPs after COP 15 in light of the post-2020 global biodiversity framework and/or incorporate elements of the new framework into their existing NBSAPs, this project will support their efforts with information and advice on how to reflect or reinforce marine and coastal biodiversity issues in their NBSAPs.

ENGAGEMENT IN OTHER INTERGOVERNMENTAL PROCESSES

UN Framework Convention on Climate Change (UNFCCC)

25. The Secretariat played an active role in the 26th meeting of the Conference of the Parties (COP 26) to the UNFCCC, including by convening and speaking in various events. This includes events at the Virtual Ocean Pavilion and convening a side event on “Strengthening Synergies through the Post-2020 Global Biodiversity Framework and Promoting Transformational Change to Restore Balance with Nature”.

26. **The Secretariat also participated in the Ocean and Climate Dialogue under the UNFCCC Subsidiary Body for Scientific and Technological Advice (SBSTA) on 15 June 2022, serving as a panelist under Panel 2 on “Enabling ocean-climate solutions and optimizing institutional connections.”**

2022 UN Ocean Conference

27. The Secretariat played an active role in preparations for the UN Ocean Conference to be held from 27 June to 1 July 2022 in Lisbon, Portugal. Since the 2017 UN Ocean Conference, the Secretariat has played the role of co-focal point of the SDG 14 Community of Ocean Action on Marine and Coastal Ecosystems. The Secretariat is also part of the UN Ocean Conference Advisory Committee as a member of two of the Informal Preparatory Working Groups for the Conference. The Secretariat will play an active role in the Conference, with the Executive Secretary serving as a panelist for the Interactive Dialogue on “Managing, protecting, conserving and restoring marine and coastal ecosystems”. The Secretariat will also be convening or co-convening a number of side events at the Conference, including an event to celebrate more than 10 years of achievements under the Sustainable Ocean Initiative.