

## **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 2023 and August 2024.

Regarding ecologically or biologically significant marine areas (EBSAs), the Secretariat held two expert workshops aimed at developing new modalities for modifying existing descriptions and describing new areas. These results of these workshops were presented to the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) for consideration at its twenty-sixth meeting.

SBSTTA also considered, at its twenty-sixth meeting, findings of strategic analyses of the programmes of work on marine and coastal biodiversity and on island biodiversity, and considered options for collaboration and cooperation with relevant global and regional organizations in the context of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction.

Regarding capacity-building, the Secretariat has also continued its capacity-building and partnership efforts under the Sustainable Ocean Initiative (SOI), by convening several workshops under this initiative, as well as national and regional workshops. Also under the SOI initiative, the Secretariat convened the Fourth Meeting of the SOI Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies, an initiative that provides an opportunity for regional seas organizations and regional fishery bodies to share experiences and to identify opportunities for coordination and collaboration.

Finally, the Secretariat also continued to engage in various intergovernmental processes throughout this period.

#### **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. The note is organized, where possible, along the same lines as General Assembly Resolution 78/69, and includes content on:

- Ecologically or biologically significant marine areas;
- Strategic review and analysis of the programme of work on marine and coastal biodiversity and the programme of work on island biodiversity
- Capacity-building and mainstreaming biodiversity (activities of the Sustainable Ocean Initiative, including the Sustainable Ocean Initiative Global Dialogue); and
- Engagement in other intergovernmental processes.

#### **ECOLOGICALLY OR BIOLOGICALLY SIGNIFICANT MARINE AREAS**

Pursuant to decision X/29, between 2011 and 2019, the Secretariat convened 15 regional workshops to facilitate the description of ecologically or biologically significant marine areas (EBSAs) through the application of the scientific criteria given in decision IX/20, annex I. Organized in collaboration with Parties, other Governments and international organizations and with significant input from experts from around the world, these workshops have facilitated the description of 338 areas meeting the criteria.

While the process has been successful, the Conference of the Parties has been discussing ways to improve it since 2014, by developing practical options to further enhance scientific methodologies and approaches

to describe areas meeting the scientific criteria (decisions XII/22, XIII/12, and 14/9). Discussions on that issue have brought forth valuable insights, but the Conference of the Parties has unfortunately not yet been able to agree on modalities for modifying the descriptions of ecologically or biologically significant marine areas and for describing new areas through means other than regional workshops organized by the Secretariat.

With a view to advancing discussions on those issues, the Conference of the Parties, in its decision 15/26, requested the Executive Secretary to convene two expert workshops, respectively, to:

- (a) Review the technical aspects of the modalities under consideration;
- (b) Review the legal issues pertaining to those modalities, on the basis of the outcomes of the technical workshop.

Pursuant to those requests, with financial support from the Governments of Belgium, Canada, Germany, Norway and Sweden, the Executive Secretary convened the following workshops:

- [\*Technical expert workshop to review modalities for modifying the descriptions of ecologically or biologically significant marine areas and describing new areas \(20-24 November 2023, Oslo\)\*](#)
- [\*Legal expert workshop to review modalities for modifying the descriptions of ecologically or biologically significant marine areas and describing new areas \(23-27 November 2023, Oslo\)\*](#)

The outcomes of these workshops, outlined in the reports available at the above links, provided input to a new set of draft modalities for modifying the descriptions of ecologically or biologically significant marine areas and describing new areas, contained in the annex to document [CBD/SBSTTA/26/7/Add.1](#), *Further work on ecologically or biologically significant marine areas*, prepared for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-sixth meeting, in Nairobi, from 13 to 18 May 2024, which issued a draft decision for the Conference of the Parties at its sixteenth meeting; the annex to the draft decision, contained in <https://www.cbd.int/doc/c/3959/8250/18d3186ccd9d5c2229060b16/sbstta-26-l-07-en.pdf>, outlines modalities for the modification of descriptions of ecologically or biologically significant marine areas and the description of new areas, based on the output of the two expert workshops conducted in Oslo in 2023 and outlined above.

## **STRATEGIC REVIEW AND ANALYSIS OF THE PROGRAMME OF WORK ON MARINE AND COASTAL BIODIVERSITY AND THE PROGRAMME OF WORK ON ISLAND BIODIVERSITY**

In its decision 15/24, the Conference of the Parties requested the Executive Secretary to develop strategic reviews and analyses of both the programme of work on marine and coastal biodiversity and the programme of work on island biodiversity, in the context of supporting the implementation of the Kunming-Montreal Global Biodiversity Framework, and to prepare draft updates to those programmes on that basis.

In November 2023, pursuant to recommendation 25/3 of the Subsidiary Body on Scientific, Technical and Technological Advice, the Acting Executive Secretary issued [notification 2023-120](#) to invite the submission of: (a) information on existing tools and guidance to enhance those identified under each target; (b) views regarding gaps and redundancies; and (c) views regarding the adjustment of work undertaken under the Convention, including its programmes of work. The Secretariat received 49 responses to the notification, 10 from Parties and 39 from relevant organizations and stakeholders; however, only a small number contained specific views regarding updates to the programmes of work.

With the support of consultants, the Secretariat undertook strategic reviews and analyses of the programmes of work on marine and coastal biodiversity and on island biodiversity, respectively, on the basis of responses to [notification 2023-120](#) and additional information from other sources to assess the extent to which the elements of the programmes (including other relevant decisions of the Conference of the Parties) address the targets of the Framework and whether there are important gaps that should be addressed. Draft updates to the programmes of work, in relation to areas in potential need of further work to implement the

Framework, were developed on the basis of the analyses and made available in section VI of the annex to the draft recommendations in document [CBD/SBSTTA/26/7](#). The strategic reviews and analyses were provided as information documents *Strategic review and analysis of the programme of work on marine and coastal biodiversity in the context of the Kunming-Montreal Global Biodiversity Framework* [CBD/SBSTTA/26/INF/9/Rev.1](#) and *Strategic review and analysis of the programme of work on island biodiversity in the context of the Kunming-Montreal Global Biodiversity Framework* [CBD/SBSTTA/26/INF/10](#).

## **IDENTIFICATION OF POTENTIAL OPTIONS FOR MODALITIES FOR COLLABORATION AND COOPERATION WITH RELEVANT GLOBAL AND REGIONAL ORGANIZATIONS IN THE CONTEXT OF THE AGREEMENT UNDER UNCLOS ON THE CONSERVATION AND SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY OF AREAS BEYOND NATIONAL JURISDICTION**

In [decision 15/24](#), the Conference of the Parties requested the Executive Secretary, upon the adoption of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction, to identify potential options for modalities for collaboration and cooperation with relevant global and regional organizations in the context of the instrument. Following the adoption of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction on 19 June 2023, and pursuant to the request in decision 15/24, the Secretariat issued document [CBD/SBSTTA/26/INF/8](#), *Potential options for modalities for collaboration and cooperation with relevant global and regional organizations in the context of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction*, which contains background information on various areas of work under the Convention on Biological Diversity relevant to the implementation of the Agreement and puts forth potential areas of focus and options for modalities for collaboration and cooperation with relevant global and regional organizations in the context of the Agreement. These options are outlined in paragraphs 26 and 27 of document [CBD/SBSTTA/26/7](#), Conservation and sustainable use of marine and coastal biodiversity.

- ***Side event, 13 May 2024: “Towards living in harmony with the ocean from coasts to areas beyond national jurisdiction: Synergies between the BBNJ Agreement and the work under the CBD”***

This side event at SBSTTA-26, co-organized with the United Nations Division for Ocean Affairs and the Law of the Sea, aimed to promote a better understanding of the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement), as well as the opportunities it will provide to support the achievement of the objectives of the CBD and the Kunming-Montreal Global Biodiversity Framework. It brought together representatives of States and other relevant stakeholders to discuss possible cooperation and synergies between the BBNJ Agreement and the CBD, including to achieve the goals and targets of the KMGBF, as well as challenges and opportunities to leverage such synergies. The side event demonstrated that many elements of the BBNJ Agreement provide clear opportunities for synergies and sharing knowledge and experience with work conducted under the CBD, including on ecologically or biologically significant marine areas, impact assessment, biodiversity mainstreaming, area-based conservation, capacity-building, access and benefit-sharing for genetic resources and the clearing-house mechanism.

## **CAPACITY-BUILDING AND BIODIVERSITY MAINSTREAMING**

### ***Sustainable Ocean Initiative***

The Executive Secretary has continued the capacity-building work under the Sustainable Ocean Initiative (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, in addition to a global-level initiative. SOI is a global platform that aims to build partnerships and enhance

capacity to achieve global goals and targets on marine and coastal biodiversity. Its implementation is coordinated by the CBD Secretariat in collaboration with various partners. SOI was created on the margins of the tenth meeting of the Conference of the Parties to the Convention to respond to the need for capacity-building of developing country Parties with regard to the conservation and sustainable use of marine and coastal biodiversity, and its implementation is being further enhanced within the context of the Kunming-Montreal Global Biodiversity Framework, which was adopted by the Conference of the Parties to the Convention at its fifteenth meeting in December 2022.

- ***Sustainable Ocean Initiative (SOI) regional capacity-building workshop for East, South and South-East Asia (5 - 8 September 2023, Seoul, Republic of Korea)***

The Sustainable Ocean Initiative (SOI) Capacity-building Workshop for East, South and South-East Asia, held from 5 to 8 September 2023 in Seoul, Republic of Korea was convened by the Secretariat, in collaboration with relevant regional and international organizations and initiatives, and was hosted by the Government of the Republic of Korea, with financial support from the Ministry of Oceans and Fisheries of the Republic of Korea and technical support from the National Marine Biodiversity Institute of Korea (MABIK).

The workshop focused on the capacity needs of developing countries in the region in the context of the goals and targets of the Kunming-Montreal Global Biodiversity Framework. It addressed a range of thematic issues relevant to the goals and targets of the Framework, such as area-based conservation, restoration, fisheries management, and biodiversity mainstreaming, and will seek to facilitate cross-sectoral, multi-agency scientific, technical and financial partnerships to support the effective implementation of various management tools and approaches.

- ***Sustainable Ocean Initiative national workshop for Oman (Muscat, 1 October 2023)***

The Sustainable Ocean Initiative National Workshop for Oman was convened by the Secretariat of the Convention on Biological Diversity, the Secretariat of the Global Ocean Biodiversity Initiative (GOBI) and the Environment Authority of Oman. Financial support for the workshop was kindly provided by the Government of the Republic of Korea, through the Ministry of Oceans and Fisheries).

This workshop aimed to bring together relevant stakeholders in Oman, to:

- Enhance participants' understanding of the Kunming-Montreal Global Biodiversity Framework
  - Highlight existing conservation and environmental protection efforts in Oman
  - Identify approaches, opportunities and challenges to implement Targets 1, 2 and 3 of the Framework in Oman
  - Discuss next steps and how to advance these initiatives in Oman
- ***Side event at the twenty-sixth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, Nairobi, 15 May, 2024: Implementing the Global Biodiversity Framework in the Ocean – The Sustainable Ocean Initiative and other key efforts to identify and address capacity needs for marine and coastal biodiversity***

This side event focused on key capacity needs and considerations at the global, regional and national levels for implementing the Framework in the ocean and highlighted efforts under the Sustainable Ocean Initiative (SOI) and other key initiatives to address these needs. The Global Biodiversity Framework requires robust action through an all-of-society approach. It requires the careful balancing of various needs and priorities for biodiversity, which can prove especially challenging in marine and coastal areas. In this regard, there are important capacity needs and enabling factors that must be addressed in order to ensure the robust implementation of the Framework with respect to marine biodiversity.

- ***Sustainable Ocean Initiative (SOI) Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies, special event at European Parliament, Brussels, 20 March 2024, Brussels***

This event brought together representatives from UN agencies, regional seas organizations and regional fishery bodies alongside EU policymakers, to showcase the need for improved regional collaboration across fisheries and biodiversity at the regional scale, and to demonstrate tangible initiatives and efforts, that are working to advance this collaboration in support of achieving global goals for the ocean. The CBD Secretariat delivered a presentation on the Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies as well as on the Kunming-Montreal Global Biodiversity Framework.

- ***Fourth meeting of the Sustainable Ocean Initiative (SOI) Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies (11-14 June 2024, Seoul, Republic of Korea)***

The Fourth Meeting of the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies was convened in Seoul, Republic of Korea, from 11 to 14 June 2024, by the Secretariat of the Convention on Biological Diversity, the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations, in collaboration with the Ministry of Oceans and Fisheries of the Republic of Korea and the National Marine Biodiversity Institute of Korea. The organization of this meeting was financially supported by the Governments of the Republic of Korea (through the Ministry of Oceans and Fisheries), France (through the French Office for Biodiversity) and Monaco. Participants comprised representatives of regional seas organizations (RSOs), regional fishery bodies (RFBs), other global and regional organizations and initiatives, national governments and non-governmental organizations.

In light of the evolving global policy framework for the ocean, the fourth meeting of the SOI Global Dialogue was a timely and critical opportunity to solidify the key roles of regional organizations, and cooperation among them, in supporting the implementation of two new global instruments: the Kunming-Montreal Global Biodiversity Framework, adopted in December 2022, and the Agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction ("BBNJ Agreement"), in June 2023, which present key opportunities for regional organizations and regional collaboration in the implementation process to achieve the vision of a sustainable, healthy and productive ocean. It provided a valuable means to share lessons and experiences on areas of mutual interest to regional seas organizations and regional fishery bodies both within and across regions, report on progress in regional scale cross-sectoral collaboration and identify tangible opportunities to advance regional-scale collaboration.

The meeting focused on the core objectives of the Sustainable Ocean Initiative Global Dialogue, namely (i) sharing experiences in the respective work of RSOs and RFBs, (ii) sharing experiences in coordination and collaboration between RSOs and RFBs in regions where this is occurring, (iii) identifying opportunities and approaches for coordination and collaboration between RSOs and RFBs, and (iv) identifying the roles of, and opportunities for, RSOs and RFBs in facilitating and monitoring progress towards global goals and targets for the ocean.

- ***Virtual Intersessional workshop of the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies, 1-3 August 2023, online***

With a view to advancing the discussion on timely issues prior to the fourth meeting of the SOI Global Dialogue with RSOs and RFBs, to take place from 11 to 14 June 2024, the Acting Executive Secretary convened the Intersessional workshop of the SOI Global Dialogue with RSOs and RFBs, in collaboration with FAO and UNEP, and with generous financial support from the Ministry of Oceans and Fisheries of the Republic of Korea.

The workshop aimed to discuss regional collaboration in the context of recent developments, such as the adoption of the Kunming-Montreal Global Biodiversity Framework at the fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity in December 2022, and the finalization of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction,

as well as progress in the implementation of the regional roadmaps contained in the Busan Outcome. Planning, approaches and potential outcomes for the fourth meeting of the SOI Global Dialogue were also discussed.

Participants in the workshop comprised experts from regional seas organizations and regional fishery bodies, various other regional organizations and initiatives, government representatives, global intergovernmental organizations, and other relevant organizations. The workshop was organized in plenary and breakout group sessions and included thematic presentations with question-and-answer sessions, interactive sessions, plenary moderated discussions, and breakout group exercises and discussions.

### **ENGAGEMENT IN OTHER INTERGOVERNMENTAL PROCESSES**

The Secretariat engages in a range of intergovernmental processes to facilitate the mainstreaming of biodiversity and to facilitate coherence and complementarity among various processes. In the period under focus, this included engagement in the:

- ***UN Ocean Decade Conference, 10-12 April 2024, Barcelona, Spain***
  - Spoke at a side event organized by the International Coral Reef Initiative (ICRI) on “The Coral Reef Breakthrough”, addressing how the Breakthrough is a valuable framework for implementing the Kunming-Montreal Global Biodiversity Framework.
  - Spoke at a side event organized by the Coral Research & Development Accelerator Platform (CORDAP) on “Science requirements to meet the Global Biodiversity Framework for Coral Reefs” on how the Kunming-Montreal Global Biodiversity Framework can be a new catalyst and opportunity for ocean science and on the importance of science based evidence and traditional knowledge.
  
- ***Fourth International Conference on Small Island Developing States, 27-30 May 2024, Antigua and Barbuda***
  - Moderated a side event with The Caribbean Biodiversity Fund, The Nature Conservancy, Government of Grenada and Aruba, UN Environment Programme, Blue Nature Alliance, St Lucia National Conservation Fund, Conservation International and Environmental Awareness Group on “Forging partnerships for the future: Achieving the GBF 30x30 target”.
  - Spoke at a side event, “Leveraging SIDS knowledge, technology, innovation and capacity to advance deep-sea research for the benefit of humanity”, organized by the International Seabed Authority and co-hosted by Antigua and Barbuda, Jamaica and Singapore and co-sponsored by Cook Islands, Fiji, Malta, Norway and IORA
  - Spoke at a side event, “Ocean action to support resilient prosperity in SIDS”, organized by UN-Oceans, the inter-agency mechanism for cooperation and coordination among United Nations entities and the International Seabed Authority with competence in oceans and coastal matters.
  - Attended a meeting of the Executive Committee on Economic and Social Affairs (ECESA Plus) organized at the principals level, which provided an opportunity for UN system principals present at the Conference to initiate discussions on collective efforts to implement the outcome of the conference, the Antigua and Barbuda Agenda for SIDS (ABAS).

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