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18 June 2020

Dear Mr. Jares,

Reference is made to the letter of Mr. Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and the United Nations Legal Counsel, dated 15 April 2020, inviting the Secretariat of the Convention on Biological Diversity (CBD) to provide input to the report of the Secretary-General on Oceans and the Law of the Sea, which will be submitted to the United Nations General Assembly for consideration at its seventy-fifth session.

Appended herewith is the contribution of the CBD Secretariat regarding information on relevant developments in the field of ocean affairs and the law of the sea, including activities relevant to the implementation of General Assembly Resolution 74/19. This contribution describes various activities undertaken in the context of the Convention relating to the conservation and sustainable use of marine and coastal biodiversity.

Yours sincerely,

David Cooper
Deputy Executive Secretary

Attachment

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Annex. Information on other relevant 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.

The CBD Secretariat has undertaken regional workshops to facilitate the description of ecologically or biologically significant marine areas (EBSAs), 321 of which have thus far been considered by COP and transmitted to the UN General Assembly and relevant international processes. The Secretariat is also reviewing work under the CBD on EBSAs and also identifying potential modalities for the modification of the description of EBSAs and for the description of new EBSAs.

The Secretariat also facilitates multi-stakeholder collaboration in the context of Sustainable Development Goal (SDG) 14 through the Community of Ocean Action on Marine and Coastal Ecosystems Management.

The Secretariat has been compiling information on relevant experiences on various issues related to the conservation and sustainable use of marine and coastal biodiversity, including implementation of the Priority Actions to Achieve Aichi Biodiversity Target 10 for Coral Reefs and Closely Associated Ecosystems, implementation of the Voluntary Specific Workplan on Biodiversity in Cold-water Areas within the Jurisdictional Scope of the Convention, and implementation of the Voluntary Practical Guidance on Preventing and Mitigating the Impacts of Marine Debris on Marine and Coastal Biodiversity and Habitats.

The Convention's work also continues to address stressors on marine biodiversity, including through a 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, which will be published in the CBD Technical Series.

The Secretariat has been collaborating with the UN Food and Agriculture Organization, the Fisheries Experts Group of the IUCN Commission of Ecosystem Management and the European Bureau for Conservation and Development. This collaboration has recently focused on (i) publication of a CBD Technical Series report on assessing progress towards Aichi Biodiversity Target 6, and (ii) convening an expert meeting on identifying other-effective area-based conservation measures in the fisheries sector.

Negotiations on the development of the Post-2020 Global Biodiversity Framework are underway under the CBD. In support of these discussions, the Secretariat convened a thematic consultation specifically on marine and coastal biodiversity, with a view to identifying key ocean elements to inform the ongoing deliberations on the framework.

The Secretariat has also continued capacity building efforts under the Sustainable Ocean Initiative, including by planning the third meeting of the SOI Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies.

INTRODUCTION

1. 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: (i) ecologically or biologically significant marine areas; (ii) facilitating dialogue and multi-stakeholder engagement in the context of SDG 14; (iii) compilation of relevant experiences in various issues related to marine and coastal biodiversity; (iii) addressing threats to marine and coastal biodiversity; (iv) addressing biodiversity considerations in fisheries; (v) facilitating the identification and reporting of other effective area-based conservation measures in the marine fishery sector; (vi) supporting the development of the Post-2020 Global Biodiversity Framework; (vii) capacity building and partnership activities through the Sustainable Ocean Initiative; and (viii) providing scientific and technical input to relevant international processes.

ECOLOGICALLY OR BIOLOGICALLY SIGNIFICANT MARINE AREAS¹

Regional workshops to facilitate the description of ecologically or biologically significant marine areas (EBSAs)

2. Since 2011, the CBD Secretariat has been convening regional workshops to facilitate the description of areas meeting the scientific criteria for ecologically or biologically significant marine areas (EBSAs). A total of 321 areas described as meeting the EBSA criteria during these regional workshops have thus far been considered by COP, and subsequently included in the CBD EBSA repository and submitted to the United Nations General Assembly and other relevant processes. The outputs of the regional EBSA workshops, as considered by COP, are available online at the EBSA website (<http://www.cbd.int/ebsa>).

3. As of its fourteenth meeting, in 2018, the COP had considered the outputs of 14 regional workshops to facilitate the description of EBSAs, and pursuant to COP decisions X/29, XI/17, XII/22, XIII/12 and 14/9, the outputs of these EBSA workshops were included in the EBSA repository. This information has also been transmitted to the United Nations General Assembly, the Intergovernmental Conference on 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, and other relevant international organizations and processes.

4. From 22 to 27 September 2019, the CBD Secretariat convened a regional workshop to facilitate the description of EBSAs in the North-East Atlantic Ocean, in Stockholm, Sweden². The outputs of this workshop were considered by the twenty-third meeting of the CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and will be considered by the Conference of the Parties (COP) at its fifteenth meeting.

Sharing information on EBSAs

5. In an effort to make the robust scientific information on EBSAs more accessible to non-specialists, the CBD Secretariat is publishing a series of EBSA booklets, which are available at: <https://www.cbd.int/marine>. This series provides summaries of the areas described during the EBSA workshops. The latest to be published is the fifth in the series, based on the results of the Eastern Tropical and Temperate Pacific Regional Workshop (<https://www.cbd.int/marine/ebsa/booklet-05-sp-en.pdf>). The Secretariat is currently working on a booklet for the South-Eastern Atlantic Regional Workshop.

Modalities for modifying the descriptions of EBSAs and describing new EBSAs

6. At its fourteenth meeting, the COP considered modalities for modifying the description of EBSAs, for describing new areas, and for strengthening the scientific credibility and transparency of this process. The COP was unable to come to agreement on this matter and requested the Secretariat to identify options for modifying the description of EBSAs, for describing new areas, and for strengthening the scientific credibility and transparency of this process, noting annex II of decision 14/9, for consideration by a future meeting of SBSTTA and the Conference of the Parties.

7. Pursuant to this request, the CBD Secretariat organized the Expert Workshop to Identify Options for Modifying the Description of Ecologically or Biologically Significant Marine Areas and Describing New Areas, from 3 to 5 February 2020, in Brussels. This workshop focused on identifying modalities for the modification of the descriptions of EBSAs and for the description of new EBSAs. The workshop report has been made available as an information document (<https://www.cbd.int/meetings/EBSA-WS-2020-01>) for SBSTTA and informed the development of the draft recommendations provided for consideration by SBSTTA at its forthcoming twenty-fourth meeting (<https://www.cbd.int/doc/c/8040/a363/f73193dc9717705faa1ffe10/sbstta-24-06-en.pdf>).

¹ Further information on EBSAs is available at <https://www.cbd.int/ebsa>.

² Report and documentation available at <https://www.cbd.int/meetings/EBSA-WS-2019-01>.

Reviewing Progress on EBSAs

8. The Secretariat is currently conducting, in collaboration with the Global Ocean Biodiversity Initiative and with financial support from the Government of Japan (through the Japan Biodiversity Fund), a study to review the impacts of the work under the CBD on EBSAs. The study will include 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.

9. The Secretariat finalized an analysis prepared by the Marine Geospatial Ecology Lab of Duke University that reviews EBSAs described thus far under the CBD with respect to a number of scientific factors, such as types of EBSA described, primary taxonomic features described, the role of endemic species and the role of connectivity used in the individual EBSA description. The analysis is available at: <https://www.cbd.int/doc/c/32be/5978/427c84636addffde20772c62/ebsa-ws-2020-01-inf-02-en.pdf>.

FACILITATING DIALOGUE AND MULTI-STAKEHOLDER ENGAGEMENT IN THE CONTEXT OF SUSTAINABLE DEVELOPMENT GOAL 14

10. Since 2017, the CBD Secretariat and The Nature Conservancy (TNC) have been coordinating the Community of Ocean Action on Marine and Coastal Ecosystems Management³. This community is one of nine Communities of Ocean Action formed immediately following the 2017 United Nations Ocean Conference to follow-up on the implementation of these voluntary commitments, to catalyze and generate new voluntary commitments and to facilitate collaboration and networking among different actors in support of Sustainable Development Goal 14. Activities of the Community include webinars among Community members and face-to-face dialogues and discussions on experiences and lessons learned from implementation of the voluntary commitments and opportunities to scale-up implementation.

11. The Secretariat, in collaboration with the focal points of the Community of Ocean Action on Mangroves and the Community of Ocean Action on Coral Reefs, convened “Advancing Ocean Action Towards Sustainable Development Goal 14: Leveraging Synergies for Marine and Coastal Ecosystems, Mangroves and Coral Reefs”, a meeting held in Montreal, Canada from 11 to 13 November 2019. The meeting was part of “2020 Ocean Pathways Week: Charting the Course for a Sustainable Future for the Ocean”, and was followed by the CBD Thematic Workshop on Marine and Coastal Biodiversity for the Post-2020 Global Biodiversity Framework, in Montreal, Canada, from 13 to 15 November 2019 (see paragraphs 25 and 26, below). This meeting aimed to provide a platform for the Communities of Ocean Action to exchange experiences and lessons learned to support the implementation of voluntary commitments registered before, during, and after the UN Ocean Conference in 2017, catalyze and generate new voluntary commitments, facilitate collaboration and networking among different actors in support of Sustainable Development Goal 14 and discuss the Post-2020 Global Biodiversity Framework under CBD. Background briefs on various topics related to ocean sustainability were prepared by the Secretariat and relevant partner organizations in support of this meeting, which are available at: <https://www.cbd.int/doc/c/1b59/0a19/1d447fccabe334c397cd1c04/mcb-om-2019-01-ocean-pathways-briefs-compilation-master-current-en.pdf>.

COMPILATION AND SYNTHESIS OF RELEVANT EXPERIENCES ON VARIOUS ISSUES RELATED TO MARINE AND COASTAL BIODIVERSITY

Implementation of the Priority Actions to Achieve Aichi Biodiversity Target 10 for Coral Reefs and Closely Associated Ecosystems

12. In notification [2018-080](#), dated 27 September 2018, Parties, other Governments and relevant organizations were invited to submit information on the implementation of the Priority Actions to Achieve

³ More information on the Communities of Ocean Action available at: <https://oceanconference.un.org/coa/MarineCoastal>

Aichi Biodiversity Target 10 for Coral Reefs and Closely Associated Ecosystems, or activities that are in line with them, for sharing through the Portal.

13. On the basis of input received in response to the notification, the Secretariat prepared a synthesis of submissions on experiences for the implementation of the Priority Actions to Achieve Aichi Biodiversity Target 10 for Coral Reefs and Closely Associated Ecosystems. This document will be made available as an information document for SBSTTA at its twenty-fourth meeting (CBD/SBSTTA/24/INF/2).

Implementation of the Voluntary Specific Workplan on Biodiversity in Cold-water Areas within the Jurisdictional Scope of the Convention⁴

14. In notification [2018-080](#), dated 27 September 2018, Parties, other Governments and relevant organizations were invited to submit information on the implementation of the Voluntary Specific Workplan on Biodiversity in Cold-water Areas within the Jurisdictional Scope of the Convention, or activities that are in line with the Workplan.

15. On the basis of input received in response to the notification, the Secretariat prepared the *Synthesis of Submissions on Experiences for the Implementation of the Voluntary Specific Workplan on Biodiversity in Cold-water Areas within the Jurisdictional Scope of the Convention*. This document is being provided as information for the SBSTTA at its twenty-fourth meeting (CBD/SBSTTA/24/INF/3).

Implementation of the Voluntary Practical Guidance on Preventing and Mitigating the Impacts of Marine Debris on Marine and Coastal Biodiversity and Habitats.

16. In notification [2018-080](#), dated 27 September 2018, Parties, other Governments and relevant organizations were invited to submit information on the implementation of the Voluntary Practical Guidance on Preventing and Mitigating the Impacts of Marine Debris on Marine and Coastal Biodiversity and Habitats, or activities that are in line with the Guidance.

17. On the basis of input received in response to the notification, and building on previous work under the Convention, the Secretariat prepared a technical paper updating the information contained in CBD Technical Series No.83 (Marine Debris: Understanding, Preventing and Mitigating the Significant Adverse Impacts on Marine and Coastal Biodiversity) with regard to new developments and knowledge that have emerged since its publication. The document is made available as an information document for SBSTTA at its twenty-fourth meeting (CBD/SBSTTA/24/INF/4).

Marine spatial planning

18. Pursuant to decision 14/10, the Executive Secretary issued notification [2019-113](#), dated 9 December 2019, requesting information on subnational, national or regional experiences in the implementation of marine spatial planning. The submissions received are compiled in a document that describes various activities related to marine spatial planning. This document is being provided as information for SBSTTA (CBD/SBSTTA/24/INF/1).

ADDRESSING THREATS TO MARINE AND COASTAL BIODIVERSITY

Addressing impacts of anthropogenic underwater noise on marine and coastal biodiversity

19. Pursuant to decision 14/10, the Executive Secretary prepared a draft CBD Technical Series 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. This report builds on the "[Scientific Synthesis of](#)

⁴ See <https://www.cbd.int/doc/decisions/cop-13/cop-13-dec-11-en.pdf>

[the Impacts of Underwater Noise on Marine and Coastal Biodiversity and Habitats](#)” and background materials prepared for the Expert Workshop on Underwater Noise and its Impacts on Marine and Coastal Biodiversity (London, 25-27 February 2014), as well as on the compilation of submissions 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 (CBD/SBSTTA/22/INF/13). The report will be issued as an information document for SBSTTA.

Addressing impacts of marine debris on marine and coastal biodiversity

20. The Secretariat has also been active in synthesizing knowledge and experiences relevant to addressing and mitigating the impacts of marine debris on marine and coastal biodiversity. This work is addressed in paragraphs 16-17.

ADDRESSING BIODIVERSITY CONSIDERATIONS IN FISHERIES

21. Pursuant to CBD COP decision XIII/28, paragraph 11, the Secretariat has been working with the United Nations Food and Agriculture Organization (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 that contribute to assessing progress towards Aichi Biodiversity Target 6. In particular, this ongoing work is focused on using information from the FAO Questionnaire for the Code of Conduct for Responsible Fisheries to inform the assessment of progress on Aichi Biodiversity Target 6 in the 5th Global Biodiversity Outlook.

22. The Secretariat published [Assessing Progress towards Aichi Biodiversity Target 6 on Sustainable Marine Fisheries. Technical Series No. 87](#), which was prepared by experts from the Fisheries Expert Group of the IUCN Commission on Ecosystem Management. A nascent version of this report was presented as a background document to support discussions at the expert meeting, “Aichi Target 6: Improving progress reporting and working towards implementation”, convened jointly by the FAO, the CBD Secretariat and the Fisheries Expert Group of the IUCN Commission on Ecosystem Management, with the coordination of the European Bureau for Conservation and Development, in Rome, in February 2016. A subsequent version of the document was made available to participants at the twenty-second meeting of SBSTTA, and was further revised and developed, including through a peer-review process conducted in 2019. The report was published with a view to assisting Parties, other Governments and relevant organizations in accelerating and monitoring progress in the achievement of Aichi Biodiversity Target 6, as well as informing deliberations on the Post-2020 Global Biodiversity Framework.

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

23. In COP decision 14/8, the Conference of the Parties adopted the definition of “other effective area-based conservation measures” 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 effective area-based conservation measures and to apply the scientific and technical advice.

24. Pursuant to this request, the Food and Agriculture Organization, the Fisheries Expert Group of the Commission on Ecosystem Management of IUCN, and the European Bureau for Conservation and Development, in collaboration with the Secretariat, organized an expert meeting on other effective area-based conservation measures in the marine capture fishery sector (Rome, 7-10 May 2019). The report of this meeting is being issued as an information document for SBSTTA (CBD/SBSTTA/24/INF/10).

SUPPORTING THE DEVELOPMENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

25. In decision 14/34, the Conference of the Parties agreed on a process for the preparation of the Post-2020 Global Biodiversity Framework and requested the Executive Secretary to facilitate the implementation of this process. Pursuant to this request, and as part of an overarching programme of thematic consultations and workshops, adopted by the Open-ended Working Group on the Post-2020 Global Biodiversity Framework at its first meeting, the Secretariat of the Convention on Biological Diversity convened the Thematic Workshop on Marine and Coastal Biodiversity for the Post-2020 Global Biodiversity Framework, in Montreal, Canada, from 13 to 15 November 2019, as part of the 2020 Ocean Pathways Week (see above, paragraph 11).

26. The workshop aimed to produce concrete proposals to be considered in the development of the Post-2020 Global Biodiversity Framework. The workshop outcomes were made available to the Co-Chairs of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework to support the production of the [Zero Draft of the Post-2020 Global Biodiversity Framework](#), and were also made available to the second meeting of the Open-ended Working Group to support deliberations on the Post-2020 Global Biodiversity Framework (24 - 29 February 2020, Rome, Italy). The report of the workshop is being provided as an information document for SBSTTA, and is available here: <https://www.cbd.int/doc/c/d9b2/362b/5879759c148c8d35231d6753/post2020-ws-2019-10-02-en.pdf>.

27. The Open-ended Working Group on the Post-2020 Global Biodiversity Framework considered the Zero Draft of the Post-2020 Global Biodiversity Framework at its second meeting and invited SBSTTA to carry out a scientific and technical review of the updated goals, targets, indicators and baselines of the draft framework, as well as its revised appendices, and to provide advice to the Working Group at its third meeting (to be held in Cali, Colombia, at a date to be determined). It further requested the preparation of a number of documents to be made available to SBSTTA, which will make recommendations to the Working Group at its third meeting and to the Conference of the Parties at its fifteenth meeting, as appropriate. It is also expected that SBSTTA will request the Co-Chairs of the Open-ended Working Group and the Executive Secretary to consider the results of its deliberations when preparing further documentation for the Working Group, including the preparation a first draft of the Post-2020 Global Biodiversity Framework.

28. The third meeting of the Working Group will be held, at the earliest, nine weeks after the close of the third meeting of the Subsidiary Body on Implementation (SBI, date to be confirmed). The first draft of the global biodiversity framework will be made available six weeks prior to the third meeting of the Working Group. A second draft of the framework will be made available following the third meeting of the Working Group.

CAPACITY-BUILDING AND PARTNERSHIP ACTIVITIES THROUGH THE SUSTAINABLE OCEAN INITIATIVE

29. The Sustainable Ocean Initiative (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, convening a series of capacity-building workshops at the regional, subregional and national levels, the most recent of which was the Training of Trainers Workshop, held in Seocheon, Republic of Korea, from 14 to 18 October 2019). The report of this workshop is available at: <https://www.cbd.int/doc/c/73ad/fe04/48897d2bdcf9328db19a092f/soi-om-2019-01-02-en.pdf>.

30. The Secretariat had planned to convene the third meeting of the SOI Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies in March 2020, in collaboration with the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, the Ministry of Oceans and Fisheries of the Republic of Korea and the National Marine Biodiversity Institute of Korea. The meeting was postponed and will be rescheduled (date to be determined). This meeting will build on the

results of the first two meetings, held in Seoul in 2016 (<https://www.cbd.int/doc/meetings/mar/soiom-2016-01/official/soiom-2016-01-outcome-en.pdf>) and 2018 (<https://www.cbd.int/doc/c/a3e1/53e3/08fc2a8f36e21b2366d03aa9/soi-om-2018-01-02-en.pdf>) and will aim to: (a) enhance mutual understanding of the roles, mandates and work of regional seas organizations and regional fishery bodies, (b) share lessons and experiences on areas of mutual interest to regional seas organizations and regional fishery bodies both within and across regions, (c) report on progress in regional-scale cross-sectoral collaboration, (d) identify tangible opportunities to advance regional-scale collaboration (including sources of support for such collaboration), and (e) outline the roles of regional organizations in achieving global goals and targets for the ocean, including the Post-2020 Global Biodiversity Framework.

PROVIDING SCIENTIFIC AND TECHNICAL INPUT TO RELEVANT INTERNATIONAL PROCESSES

31. The CBD Secretariat contributes scientific and technical input to various intergovernmental processes on issues related to marine and coastal biodiversity, on the basis of decisions of the CBD COP and relevant scientific and technical work coordinated by the Secretariat. Such processes include, for example, the Intergovernmental Conference on 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, the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, the FAO Committee on Fisheries, the International Seabed Authority and discussions and deliberations by various regional fishery bodies and regional seas conventions and action plans.