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CONFERENCE OF THE PARTIES TO THE
CONVENTION ON BIOLOGICAL DIVERSITY
Fifteenth meeting – Part II
Montreal, Canada, 7-19 December 2022
Agenda item 20B

Conservation and sustainable use of marine and coastal biodiversity

Draft decision submitted by the Chair of Working Group II

The Conference of the Parties,

Recalling its decisions IX/20, X/29, XI/18, XII/23, XIII/9, XIII/10, XIII/11, XIII/12, 14/8, 14/10 and 14/30 with respect to cooperation and collaboration with relevant global and regional organizations and initiatives,

Recognizing the need to strengthen cooperation and collaboration with competent intergovernmental organizations, including organizations with competence in areas beyond national jurisdiction, in support of the conservation and sustainable use of marine and coastal biodiversity, applying the ecosystem approach and the precautionary approach¹, and using the best available science and traditional knowledge of indigenous peoples and local communities, with their free, prior and informed consent,² within the jurisdictional scope of the Convention and its Protocols,

Acknowledging the importance of science for decision-making and *welcoming* the work under the United Nations Decade of Ocean Science for Sustainable Development and the United Nations Decade on Ecosystem Restoration,

Recognizing the importance of marine and coastal biodiversity as one of the key cross-cutting elements of the post-2020 global biodiversity framework and critical to achieving the 2050 Vision for Biodiversity,

1. *Welcomes* the work of the Executive Secretary on the compilation and synthesis of information on:

- (a) Impacts of anthropogenic underwater noise on marine and coastal biodiversity and means to minimize and mitigate these impacts;
- (b) Impacts of marine debris on marine and coastal biodiversity and habitats and means to minimize and mitigate these impacts;
- (c) Experiences with the application of marine spatial planning;
- (d) Efforts to implement the Priority Actions to Achieve Aichi Biodiversity Target 10 for Coral Reefs and Closely Associated Ecosystems;

¹ Principle 15 of the Rio Declaration on Environment and Development.

² In this decision, free, prior and informed consent refers to the tripartite terminology of “prior and informed consent” or “free, prior and informed consent” or “approval and involvement”

(e) Efforts to implement the Voluntary Specific Workplan on Biodiversity in Cold-water Areas within the Jurisdictional Scope of the Convention.

2. *Encourages* Parties and *invites* other Governments, subnational governments and relevant organizations to use the information referred to in paragraph 1 above in their efforts to conserve and sustainably use marine and coastal biodiversity, taking into account national and subnational priorities and circumstances, where appropriate;

3. *Requests* the Executive Secretary to facilitate the compilation, synthesis and sharing of information and guidance on efforts to implement the post-2020 global biodiversity framework with respect to various thematic issues related to marine and coastal biodiversity, in line with the decisions of the Conference of the Parties;

4. *Welcomes* the report of the Thematic Workshop on Marine and Coastal Biodiversity for the Post-2020 Global Biodiversity Framework,³ convened pursuant to decision 14/34 with financial support from the Government of the Republic of Korea and the Government of Sweden, and *requests* the Executive Secretary to compile submissions from Parties, other Governments, subnational governments and relevant organizations, to develop a strategic review and analysis of the programme of work on marine and coastal biodiversity in the context of supporting of the implementation of the post-2020 global biodiversity framework on the basis of these submissions, and to prepare a draft update to the programme of work on the basis of this strategic review and analysis, taking into account, where appropriate, the outcomes of the above-referenced workshop, to be posted for comments by Parties, other Governments and relevant organizations, and provided for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice prior to the sixteenth meeting of the Conference of the Parties;

5. *Requests* the Executive Secretary to compile submissions from Parties, other Governments and relevant organizations, to develop a strategic review and analysis of the programme of work on island biodiversity in the context of supporting the implementation of the post-2020 global biodiversity framework on the basis of these submissions, in collaboration with the Global Islands Partnership and building on other relevant efforts to review progress towards global commitments and goals for island biodiversity, and to prepare a draft update to the programme of work on the basis of this strategic review and analysis for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice prior to the sixteenth meeting of the Conference of the Parties;

6. *Urges* Parties and *invites* other Governments to take into account the assessments by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services and the Regular Process for global reporting and assessment of the state of the marine environment, including socioeconomic aspects, in efforts to implement the post-2020 global biodiversity framework with respect to marine and coastal biodiversity;

7. *Urges* Parties and *invites* other Governments to acknowledge the critical importance of marine and coastal biodiversity in the implementation of the post-2020 global biodiversity framework, including through enhancing the conservation and sustainable use of marine and coastal biodiversity, based on the best available scientific information and the traditional knowledge of indigenous peoples and local communities with their free, prior and informed consent, particularly for the most vulnerable marine and coastal ecosystems and areas of particular importance for biodiversity, highlighting the need for area-based marine conservation as set out in the targets of the post-2020 global biodiversity framework, including target 3, addressing the direct drivers of biodiversity loss identified by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, and through appropriate access to marine genetic resources and ensuring the fair and equitable sharing of the benefits arising out of the utilization of marine genetic resources, within the jurisdictional scope of the Convention and its protocols, and recognizing and respecting the rights of indigenous peoples and local communities and their key role in conserving and sustainably using marine and coastal biodiversity;

³ CBD/POST2020/WS/2019/10/2.

8. *Urges* Parties and *invites* other Governments to strengthen national, subregional, and regional efforts toward ocean accounting and economic valuation of ecosystem services provided by marine and coastal biodiversity and use this information to support decision-making processes for conservation and sustainable use;

9. *Notes* the role of relevant global and regional bodies and initiatives, including, inter alia, the United Nations Division on Ocean Affairs and the Law of the Sea, the United Nations Framework Convention on Climate Change, the International Maritime Organization, the International Seabed Authority, the Food and Agriculture Organization of the United Nations, the Intergovernmental Oceanographic Commission of UNESCO, the Ramsar Convention, the Convention on the Conservation of Migratory Species of Wild Animals, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the World Meteorological Organization, regional fishery bodies, regional seas conventions and action plans, the International Coral Reef Initiative, as well as the United Nations Decade of Ocean Science for Sustainable Development and the United Nations Decade on Ecosystem Restoration, in the conservation and sustainable use of marine and coastal biodiversity, and *invites* them to support the implementation of the post-2020 global biodiversity framework with respect to marine and coastal biodiversity and to contribute to monitoring and reporting on the implementation of the framework, as appropriate;

10. *Notes* the role of the Food and Agriculture Organization of the United Nations as the global implementing body related to fisheries, and, acknowledging the work done to mainstream biodiversity into the fisheries sector globally, in particular the work done to facilitate the implementation of Aichi Biodiversity Target 6 on sustainable fisheries, *invites* the Food and Agriculture Organization of the United Nations to consider developing guiding material, conducting regular capacity-building programmes, providing technical support and facilitating technology transfer to advocate and facilitate the implementation of the post-2020 global biodiversity framework with respect to fisheries among its member countries;

11. *Encourages* Parties and *invites* other Governments participating in 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, to take into consideration the post-2020 global biodiversity framework in its negotiations, as appropriate;

12. *Requests* the Executive Secretary, upon the adoption of an international legally binding instrument under the United Nations Convention on the Law of the Sea⁴ 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 this instrument;

13. *Welcomes* the establishment, by the United Nations Environment Assembly, of an intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, and *urges* Parties and *invites* other Governments to support work under this process to develop an ambitious, international legally binding instrument on plastic pollution that addresses the full life cycle of plastics;

14. *Encourages* Parties and *invites* other Governments as well as indigenous and local communities and other relevant stakeholders, to take appropriate measures, as appropriate and within their competencies, and in accordance with national and international laws, to avoid, minimize and mitigate the potential significant adverse impacts of anthropogenic underwater noise on marine and coastal biodiversity;

15. *Requests* the Executive Secretary, subject to the availability of resources, to support the implementation of marine spatial planning and integrated coastal zone management, including through capacity-building, technical assistance, technology transfer and partnership activities under, inter alia, the Sustainable Ocean Initiative and other relevant initiatives, in collaboration with Parties, other Governments,

⁴ United Nations, *Treaty Series*, vol. 1833, No. 31363.

indigenous peoples and local communities as rights holders, in accordance with United Nations Declaration on the Rights of Indigenous Peoples and international human rights law, relevant organizations and other stakeholders, including women and youth;

16. *Encourages Parties and invites* other Governments to ensure that, before deep seabed mineral exploitation activities take place, the impacts on the marine environment and biodiversity are sufficiently researched and the risks understood, the technologies and operational practices do not cause harmful effects to the marine environment and biodiversity, and appropriate rules, regulations and procedures are put in place by the International Seabed Authority, in accordance with the best available science and the traditional knowledge of indigenous peoples and local communities with their free, prior and informed consent, and the precautionary and ecosystem approaches, and consistent with United Nations Convention on the Law of the Sea and other relevant international law;

17. *Welcomes* the cooperation between the Food and Agriculture Organization of the United Nations, the International Union for Conservation of Nature and the Secretariat of the Convention on Biological Diversity to support efforts to mainstream the conservation and sustainable use of biodiversity in fisheries and aquaculture, and *requests* the Executive Secretary to continue this cooperation in an open and transparent manner, building on the guidance and advice contained in decision 14/8, the results of the Expert Meeting on Other Effective Area-Based Conservation Measures in the Marine Capture Fishery Sector and the IUCN guidelines on “Recognizing and reporting other effective area-based conservation measures”, including for the development of voluntary guidance on identifying and applying other effective area-based conservation measures in fisheries, in collaboration with the Food and Agriculture Organization of the United Nations;

18. *Requests* the Executive Secretary, in collaboration with relevant organizations, to prepare a compilation and synthesis of information on efforts for the identification and recognition of other effective area-based conservation measures and for the establishment and management of marine protected areas and other effective area-based conservation measures in marine and coastal areas;

19. *Also welcomes* the capacity-building, experience-sharing and partnership activities being facilitated by the Executive Secretary, notably through the Sustainable Ocean Initiative, at the national, regional and global levels, in collaboration with Parties, other Governments, subnational governments, where appropriate, indigenous peoples and local communities, women, youth, and relevant organizations, *expresses its gratitude* to donor countries and many other partners for providing financial and technical support for the implementation of activities under the Sustainable Ocean Initiative, and *requests* the Executive Secretary to continue to facilitate capacity-building activities under the Sustainable Ocean Initiative in order to support the implementation of the post-2020 global biodiversity framework, including its monitoring framework, with respect to marine, coastal and island biodiversity;

20. *Further welcomes* the collaborative efforts among the Secretariat, the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, the International Maritime Organization, the International Seabed Authority, regional seas conventions and action plans, regional fishery bodies, large marine ecosystem projects/programmes and other relevant regional initiatives to strengthen cross-sectoral cooperation at the regional and global scale in order to accelerate progress to achieve the Aichi Biodiversity Targets and the Sustainable Development Goals, including through the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies, and *requests* the Executive Secretary to continue this collaboration in the context of the implementation of the post-2020 global biodiversity framework;

21. *Requests* the Executive Secretary to enhance cooperation and synergies with other global and regional organizations, indigenous peoples and local communities as rights holders in accordance with the United Nations Declaration on the Rights of Indigenous Peoples and international human rights law, women and youth, and other stakeholders with respect to various thematic issues related to marine and

coastal biodiversity in support of the implementation of the 2030 Agenda for Sustainable Development⁵ and the achievement of the Sustainable Development Goals, and to enhance cooperation and synergies with efforts under the United Nations Decade of Ocean Science for Sustainable Development;

22. *Also requests* the Executive Secretary to enhance cooperation and synergies with global and regional organizations with respect to climate change and marine and coastal biodiversity, including the United Nations Framework Convention on Climate Change⁶ and the Intergovernmental Oceanographic Commission of UNESCO, in the context of the United Nations Decade of Ocean Science for Sustainable Development, taking into account the Glasgow Climate Pact and noting that [nature-based solutions and] ecosystem-based approaches, including through marine protected areas and other effective area-based conservation measures, are critical elements of rebuilding and strengthening the resilience of marine and coastal ecosystems to the effects of climate change.

⁵ General Assembly resolution 70/1.

⁶ *Ibid.*, vol. 1771, No. I-30822.