

AGENDA ITEM 8: Marine and coastal biodiversity

DATE: 22 JULY 2026

Statement on behalf of the International Indigenous Forum on Biodiversity (IIFB)

The International Indigenous Forum on Biodiversity (IIFB) welcomes the draft decision presented under Agenda Item 8 and appreciates the continued recognition of marine areas of ecological or biological significance, as well as the entry into force of the BBNJ Agreement. However, having examined the text and the voluntary guidelines annexed to this decision, we wish to highlight several key improvements arising from our collective analysis.

Firstly, we strongly support the extension of the mandate of the Informal Advisory Group on EBSAs. We emphasise, however, that this renewed mandate must ensure the sustained and enhanced participation of Indigenous Peoples and local communities, not only as observers but also as knowledge holders and experts. We have already contributed to previous expert workshops, and this participation must be maintained and strengthened.

Secondly, the IIFB welcomes paragraph 3, which encourages contributions from different knowledge systems. In order to make this provision operational, we propose clarifying the wording by referring to ‘the best available scientific information and diverse knowledge systems, including Indigenous and traditional knowledge’. This explicit wording ensures that Indigenous and traditional knowledge is not regarded as a mere optional supplement, but as a fundamental knowledge system for the identification and modification of ZIEBs.

Thirdly, with regard to the voluntary guidelines on the peer-review process, we welcome the Secretariat’s efforts to strengthen scientific rigour. However, this process must also comply with Section C of the Kunming–Montreal Global Biodiversity Framework, which protects the rights of indigenous peoples and local communities and recognises their distinct knowledge systems. We therefore support the addition of a provision aligning these guidelines with Section C, to ensure that quality assurance mechanisms do not inadvertently undermine the rights or participation of indigenous peoples.

Fourthly, in Annex I, we welcome the inclusion of prior, free and informed consent (FPIC) for the use of traditional knowledge. The IIFB proposes strengthening this provision by ensuring that experts from Indigenous peoples and local communities are explicitly recognised as representatives of their peoples and communities, and not merely as individuals. We also propose that knowledge derived from the experience of Indigenous peoples should not be referred to as ‘empirical data’, but recognised as Indigenous and traditional knowledge.

Finally, we emphasise that the participation of Indigenous peoples must be guaranteed not only in processes relating to under the Convention on Biological Diversity, but also in the new coordination mechanisms with the BBNJ Agreement. The governance of marine areas beyond national jurisdiction cannot be effective

without the participation of Indigenous peoples, whose traditional management knowledge and practices are essential to the health of the oceans.

The IIFB suggested text is in **GREEN CAPITALS**, text we suggest deleted is ~~struck through in red~~ and the text to be maintained is **highlighted in green**.

Thank you, Chair.

ANNEX. TEXT SUGGESTIONS

The Conference of the Parties,

Reaffirming Articles 3, 4, 5 and 22 of the Convention on Biological Diversity, as well as its decisions [VIII/24](#) of 31 March 2006, [IX/20](#) of 30 May 2008, [X/29](#) of 29 October 2010, [XI/17](#) of 19 October 2012, [XII/22](#) of 17 October 2014, [XIII/12](#) of 17 December 2016, in particular its paragraph 3, [14/9](#) of 29 November 2018, [15/26](#) of 19 December 2022 and [16/16](#) of 30 October 2024,

Recalling resolution 80/110 of 9 December 2025 of the General Assembly of the United Nations on oceans and the law of the sea, including its preambular paragraphs on the United Nations Convention on the Law of the Sea,

Recognizing that the description of ecologically or biologically significant marine areas is an important scientific and technical process that contributes to the implementation of the Kunming-Montreal Global Biodiversity Framework and 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,

I

Ecologically or biologically significant marine areas

1. ***Decides to extend the term of the Informal Advisory Group on Ecologically or Biologically Significant Marine Areas, and requests the Executive Secretary to continue to facilitate the work of the Group in line with its terms of reference;***

2. *Welcomes* the submissions related to the description of ecologically or biologically significant marine areas and the modification of existing descriptions, as contained in document CBD/SBSTTA/28/INF/2 and summarized in document CBD/SBSTTA/28/7/Add.1;

3. *Encourages* Parties, other Governments, relevant organizations, indigenous peoples and local communities, women, youth and other stakeholders to contribute to the work on ecologically or biologically significant marine areas under the Convention using the best available scientific information **AND DIVERSE KNOWLEDGE SYSTEMS INCLUDING INDIGENOUS**

AND TRADITIONAL KNOWLEDGE in order to increase the number and coverage of such areas around the world;

4. *Adopts* the voluntary guidelines on peer-review processes for the description of areas meeting the criteria for ecologically or biologically significant marine areas and other relevant compatible and complementary scientific **AND DIVERS KNOWLEDGE SYSTEMS** criteria, as contained in annex I to the present decision, and encourages Parties and invites other Governments and competent intergovernmental organizations to make use of the guidelines;

5. *Requests* the Executive Secretary to include the submissions referred to in paragraph 2 above in the repository for ecologically or biologically significant marine areas and to transmit them to the General Assembly of the United Nations, with a view to informing work under its relevant processes, as well as Parties, other Governments and relevant international organizations;

6. *Also requests* the Executive Secretary to facilitate and support, as appropriate, efforts to develop submissions for the modification of descriptions of ecologically or biologically significant marine areas and the description of new areas, and, subject to the availability of resources, to convene a global expert workshop **INCLUDING WITH THE PARTICIPATION OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES** to synthesize the best available scientific information **AND DIVERSE KNOWLEDGE SYSTEMS** on such areas beyond national jurisdiction in support of the potential development of future submissions;

II

Conservation and sustainable use of marine and coastal biodiversity

7. *Welcomes* the entry into force 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;

8. *Expresses* its appreciation to the Governments of Germany, Ireland, Norway and Sweden for their financial support for the organization of the expert workshop on scientific and technical work conducted under the Convention on Biological Diversity relevant to marine biodiversity in areas beyond national jurisdiction in Bergen, Norway, from 2 to 5 December 2025;

9. *Encourages* Parties and other Governments to strengthen coordination at the national level on issues related to marine biodiversity of areas beyond national jurisdiction;

10. *Also encourages* Parties and other Governments, and invites organizations with competence in areas beyond national jurisdiction, to take into consideration the wide range of tools, guidance and experiences developed under the Convention in their work to conserve and use sustainably marine biodiversity of areas beyond national jurisdiction, including in the implementation of the Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction;

11. *Requests* the Executive Secretary to further cooperate with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations Secretariat and organizations with competence in marine areas beyond national jurisdiction, in particular with a view to sharing tools, guidance and experiences developed under the Convention relevant to marine

biodiversity of areas beyond national jurisdiction, as appropriate and within the mandates of the respective organizations;

12. *Also requests* the Executive Secretary to prepare updates to the following documents, as appropriate and subject to the availability of resources, for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice at a meeting held before the eighteenth meeting of the Conference of the Parties:

(a) The scientific **AND DIVERSE KNOWLEDGE SYSTEMS** guidance for selecting areas to establish a representative network of marine protected areas, including in open ocean waters and deep-sea habitats;

(b) The voluntary specific workplan on biodiversity in cold-water areas within the jurisdictional scope of the Convention;

(c) The voluntary guidelines for the consideration of biodiversity in environmental impact assessments in marine and coastal areas and the draft guidance on biodiversity-inclusive strategic environmental assessment in marine and coastal areas;

13. *Decides* to establish an informal advisory group on work conducted under the Convention in relation to marine biodiversity of areas beyond national jurisdiction in accordance with the terms of reference provided in annex II to the present decision, and requests the Group to provide a report on its progress for consideration at a meeting of the Subsidiary Body on Scientific, Technical and Technological Advice before the eighteenth meeting of the Conference of the Parties.

Annex I

Voluntary guidelines on peer-review processes for the description of areas meeting the criteria for ecologically or biologically significant marine areas and other relevant compatible and complementary scientific criteria

I. Introduction

1. There are various processes, on a range of scales and in diverse contexts, for describing areas of significance in marine and coastal areas, including the scientific description and mapping of areas meeting the criteria for ecologically or biologically significant marine areas. The processes reflect a range of objectives, contexts and priorities and may be coordinated variously by intergovernmental or governmental entities, and **INDIGENOUS PEOPLES AND LOCAL COMMUNITIES**, AND non-governmental organizations or initiatives. Some are focused on specific types of habitats, species or ecological processes, while others have a broader scope. Processes other than those to describe ecologically or biologically significant marine areas may also be linked with management measures or used to inform related management decisions.

2. In its decision [16/16](#), the Conference of the Parties to the Convention on Biological Diversity emphasized that, in developing submissions for descriptions of ecologically or biologically significant marine areas or modifications to those descriptions, proponents should consider the need for a strong scientific basis with sufficient information, as well as the importance of transparency,

which are common factors of such processes. In that regard, peer review is a vital factor contributing to the effectiveness of the processes. Peer review can take various forms but is intended to provide an opportunity for experts to evaluate information in order to strengthen its scientific basis and credibility, enhance process transparency and support the consistent application of agreed criteria.

3. In the same decision, the Conference of the Parties requested the Executive Secretary to develop voluntary guidelines on peer-review processes for the description of areas meeting the criteria for ecologically or biologically significant marine areas and other relevant compatible and complementary scientific criteria. Elements of the process under the Convention to describe ecologically or biologically significant marine areas that are aimed at providing opportunities for expert review and input include six-month open comment periods, regional workshops, the publication of submissions and comments through an information-sharing mechanism and the requirement for submissions to be considered by the Subsidiary Body on Scientific, Technical and Technological Advice and the Conference of the Parties before they are included in the repository for ecologically or biologically significant marine areas. Submissions of descriptions of ecologically or biologically significant marine areas or the modifications of descriptions can, however, also undergo peer review before being provided to the Secretariat in order to strengthen their scientific quality.

II. Purpose of the voluntary guidelines

4. The present guidelines are aimed at supporting inclusive, effective, scientifically robust, equitable and transparent expert peer-review processes for the description of areas meeting the criteria for ecologically or biologically significant marine areas and other relevant compatible and complementary scientific criteria.

5. The guidelines are focused exclusively on expert peer reviews as a scientific and technical quality assurance mechanism. They are intended to strengthen the scientific basis of proposed descriptions and support the consistent application of agreed criteria without prejudicing the identification, designation or prescription of management measures by the appropriate authorities.

6. The guidelines are non-prescriptive **IN LINE WITH SECTION C OF THE KMGBF**, are flexible in nature and do not replace broader rights holder or stakeholder consultation processes, for which the objectives and relevant groups and individuals would differ compared with peer-review processes. The guidelines are intended to serve as a reference for good practice in support of relevant decisions of the Conference of the Parties, in particular decision [16/16](#). They are primarily intended to inform the work of those who are managing a peer-review process, but they may also be useful for experts involved in peer reviews.

7. Nothing in the guidelines gives rise to any changes to the modalities adopted in decision [16/16](#), nor any additional steps or requirements with respect to the process for describing ecologically or biologically significant marine areas under the Convention or any processes related to the application of relevant compatible and complementary scientific criteria.

III. Voluntary guidelines

A. Information regarding the criteria for which the area is being proposed

8. Sufficient information regarding the criteria against which the area is being proposed for assessment should be provided to those involved in the peer-review process and should include the following:

- (a) A full overview of the steps of the process for applying the criteria in question, including the steps that have been completed thus far;
- (b) The nature of the criteria that are being applied (e.g. context or objectives) and all requirements, including any associated thresholds, that the area in question must meet;
- (c) An indication of whether the area in question is associated with any other criteria;
- (d) Information on any previous unsuccessful efforts to assess the area against the criteria.

B. Clear justification of why the area meets the criteria

9. Given that the expert review process is focused on ensuring that the proposal is of a high quality, sufficient information should be provided to those involved in the review demonstrating that the area in question meets the criteria, including the following:

- (a) A clear geographical delineation of the area, using appropriate formats, such as geographic information system files or geographical coordinates, and the rationale for the delineation;
- (b) The geographical scope of the exercise or analysis that led to the proposal to describe the area in question as significant;
- (c) An indication of whether the process that led to the proposal was limited to or specifically focused on certain types of features, habitats, species or ecosystem services;
- (d) A clear explanation of the features of the area that contribute to the fulfilment of the relevant criteria, using the best available information and knowledge, including data or data-driven analyses;
- (e) The gaps or uncertainties that may exist in the information or knowledge used, including a description of confidence levels, where appropriate, and an explanation of the ways in which the gaps are addressed, where applicable, such as through assumptions, extrapolation, modelling or the use of complementary knowledge sources, including an indication of the associated uncertainty to ensure scientific transparency and robustness;
- (f) Full references or citations for all information and knowledge used, including statements on the availability or reproducibility of data, where needed;
- (g) Applicable permissions for all information and knowledge used, including the best available science and traditional knowledge of indigenous peoples and local communities, respecting their free, prior and informed consent.

C. Experts engaged in the peer-review process

10. The following factors should be borne in mind when engaging experts in the peer-review process:

(a) A sufficient number of appropriate experts should be engaged, under a clear rationale for their engagement, such as those from **INDIGENOUS PEOPLES AND LOCAL COMMUNITIES**, various rights holder and stakeholder groups, who would be participating in their expert capacity, including:

- (i) Individuals with ~~sufficient~~ scientific knowledge, which may include a range of knowledge systems and experiential knowledge, of the types of features, habitats, species or ecosystem services being discussed, ensuring that the peer-review group includes a sufficient number of experts with knowledge of all the main features of the area (e.g. two experts per area of expertise);
- (ii) Individuals with sufficient expertise in the methodological approaches used in the analysis;
- (iii) ~~Individuals~~ **REPRESENTATIVES** from indigenous peoples and local communities who have traditional knowledge relevant to the area in question, subject to their free, prior and informed consent;
- (iv) Individuals who have not been involved in the preparation of the submission;

(b) Experts should understand and disclose their actual or potential conflicts of interest, potentially using individual, signed, formal declarations, and their motivating factors for engaging in the process, and a consistent approach should be applied to the management of conflicts;

(c) A clear explanation should be provided of the types of input expected from the experts, which may vary depending on their area of expertise, and of the format of the expected final output of the process;

(d) Peer-review methods and timelines should be flexible to reflect the range of regional and institutional contexts, especially where data or resources are limited, without losing scientific reliability.

D. Establishing and conducting the peer-review process

11. The timing of the implementation of a peer-review process should be chosen in such a way that the scientific **AND DIVERSE KNOWLEDGE SYSTEMS** foundation and quality of the process can be ensured as effectively as possible. The process should be carefully crafted and conducted, incorporating the following features:

(a) Effective and equitable modalities, which may include a combination of approaches, that help to facilitate the robust review of the proposal;

(b) Clear steps and expected timelines that are consistently respected and clear explanations of any deviations;

(c) Clear rules of procedure and code of conduct that are set out, explained to everyone involved and consistently respected throughout the process, including rules for:

- (i) Reporting in any public documentation discussions and information provided during the process;
- (ii) Deciding when a consensus is expected or required and the steps to be taken when a consensus is not possible;
- (d) Clear plans for the consideration of input received through the process and, where appropriate, for its incorporation and reflection in the output of the process, recognizing that not all input can be incorporated;
- (e) Information on the ways in which the peer-review process influenced the final proposal, including a clear justification for any expert input that is not incorporated into the final output, as well as any dissenting views regarding the final output, in order to ensure transparency and the scientific reliability of the outcome;
- (f) Adherence to any rules, procedures, timelines and expectations articulated at the outset of the process;
- (g) Public availability of the outputs of the process, as well as input received during the process, as appropriate;
- (h) Provisions for the adaptive improvement of the peer-review process for future exercises.

Annex II

Terms of reference for an informal advisory group on work conducted under the Convention in relation to marine biodiversity of areas beyond national jurisdiction

1. The Informal Advisory Group on Work Conducted under the Convention in relation to Marine Biodiversity of Areas beyond National Jurisdiction shall:

- (a) Provide advice to the Secretariat of the Convention on Biological Diversity on its work relevant to marine biodiversity in areas beyond national jurisdiction, in particular on the prioritization of and approaches for possible activities, drawing on opportunities identified during the expert workshop on scientific and technical work conducted under the Convention on Biological Diversity relevant to marine biodiversity in areas beyond national jurisdiction held in Bergen, Norway, from 2 to 5 December 2025;
- (b) Identify timely opportunities for specific areas of cooperation and synergy with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations Secretariat (or the future secretariat 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) and other competent international bodies with respect to the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction, drawing on cooperation opportunities identified at the expert workshop noted above;

(c) Provide advice on areas of potential synergy and collaboration with respect to work under the Convention on Biological Diversity and work under the Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction, including with respect to potential means and opportunities for the Conference of the Parties of the Convention and its subsidiary bodies to provide the input necessary to work under the Agreement, as appropriate and in line with the mandate and jurisdictional scope of the Convention.

2. The Informal Advisory Group will take into account the mandates and work of other competent intergovernmental organizations with respect to marine biodiversity of areas beyond national jurisdiction, as well as previous guidance by the Conference of the Parties regarding the role of the Convention with respect to the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction.

3. The Informal Advisory Group will be composed of up to 20 experts nominated by Parties, up to 10 experts nominated by intergovernmental organizations with competence in biodiversity of marine areas beyond national jurisdiction **UP TO 7 REPRESENTATIVES FROM INDIGENOUS PEOPLES AND LOCAL COMMUNITIES**, and up to 5 experts nominated by other relevant organizations. The Executive Secretary, in consultation with the Bureau of the Subsidiary Body on Scientific, Technical and Technological Advice, will select experts from the nominations with due regard to a diversity of relevant technical expertise, geographical representation, gender balance and the representation of indigenous peoples and local communities, women's and youth groups, and major stakeholders.

4. The Informal Advisory Group is established for a two-year period that may be renewed by a decision of the Conference of the Parties. The members of the Group shall be selected for a two-year period. The work of the Group should continue regardless of any changes in membership.

5. The Informal Advisory Group may invite experts from outside the Group, as appropriate, to contribute to discussions on specific issues considered by the Group.

6. The Informal Advisory Group will primarily conduct its work online and, subject to the availability of resources, will also meet in person.

7. The Informal Advisory Group is to start its work immediately after the seventeenth meeting of the Conference of the Parties and report on its work to the Subsidiary Body on Scientific, Technical and Technological Advice at a meeting held before the eighteenth meeting of the Conference of the Parties.

Annex

Estimated extrabudgetary resource requirements

The table below has been prepared to show the estimated extrabudgetary resource requirements for the activities requested of the Secretariat, as outlined in the draft decision, in support of its consideration. The present annex is not part of the draft decision submitted for consideration by the Subsidiary Body.

Extrabudgetary resource requirements
(United States dollars)

<i>OP Activity</i>	<i>Meeting costs^a</i>	<i>Staff travel</i>	<i>Staff costs^b</i>	<i>Subtotal</i>	<i>PSC (13 per cent)</i>	<i>Total</i>
1 Support for the work of the EBSA Informal Advisory Group	–	–	108 000	108 000	14 040	122 040
6 Technical analyses and strategic dialogues related to EBSAs	53 200	15 750	45 000	113 950	14 814	128 764
6 Global expert workshop to synthesize the best available scientific information on ecological and biological features in areas beyond national jurisdiction in support of the potential development of future EBSA submissions	101 500	15 750	27 000	144 250	18 753	163 003
12 Consultant work and expert meeting to update documents	93 200	10 000	72 000	175 200	22 776	197 976
13 Support for the work of the Informal Advisory Group on Work Conducted under the Convention in relation to Marine Biodiversity of Areas beyond National Jurisdiction	78 200	10 000	18 000	106 200	13 806	120 006
Total				647 600	84 188	731 788

Abbreviations: BBNJ, 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; EBSA, ecologically or biologically significant marine areas; PSC, programme support costs; OP, operative paragraph of the draft decision.

^a Including participants' travel.

^b Consultants, partners and additional staff.