

## Greenpeace priorities for ocean life and coastal communities at the UN Biodiversity COP16

### Summary

Greenpeace International expects parties to the Convention on Biological Diversity (CBD) to make significant progress at the upcoming biodiversity COP16 in relation to the identification of areas of high conservation value, known as EBSAs, while fully taking into account the rights and interests of Indigenous Peoples and local communities.

CBD decisions on EBSAs will have a crucial impact on the ability of the international community to meet its obligations to protect 30% of the world ocean by 2030 under the Kuming-Montreal Global Biodiversity Framework (KM-GBF) and on the successful and swift implementation of the new Global Ocean Treaty as soon as it enters into force.

Below we provide an overview of some of the issues affecting ocean life and coastal communities that will be discussed at COP16.

### Ecologically or Biologically Significant Marine Areas (EBSAs)

Ecologically or Biologically Significant Marine Areas (EBSAs) is a term that refers to marine areas that have high conservation value. With governments having committed to protect 30% of the ocean by 2030 under the KM-GBF, the process to identify high conservation value areas is a fundamental step to the successful implementation of this target and will be a critical point of negotiation at COP16.

In the past 15 years, the CBD Secretariat has spent a lot of time and resources facilitating the identification and agreement on an [extensive list of EBSAs](#) in collaboration with several Parties to the CBD. As new scientific and environmental information has become available and as environmental conditions may have changed, CBD Parties need to urgently agree on a process for updating, removing and adding new EBSAs (known in CBD jargon as “modalities”). Since the approval of the KM-GBF, the CBD Secretariat has developed and refined a compromise proposal, which Parties are expected to approve at COP16. Greenpeace supports the adoption of this proposal but also warns that some countries may try in Cali to postpone discussions and delay this important conversation.

The process of identifying EBSAs is technical and independent of management measures that provide protection at a later stage. Examples of protection include the establishment and management of Marine Protected Areas (MPAs), Other Effective Area-based Conservation Measures (OECMs), and others. The identification of EBSAs on the high seas will be crucial to the successful and swift implementation of the Global Ocean Treaty once it enters into force, and therefore to the chances to meet the global target to protect at least 30% of the global lands and seas by 2030 (30x30, “thirty-by-thirty”).

## **Rights and roles of Indigenous Peoples and local communities**

As on land, Indigenous Peoples and local communities have crucial roles in protecting marine and coastal biodiversity, making significant contributions to global biodiversity protection, including in KM-GBF targets like Target 3. Indigenous Peoples and local communities must be part of every decision-making process and conservation measure related to marine and coastal biodiversity and island biodiversity.

Decisions adopted at COP16 must ensure respect for the rights, roles, and areas of Indigenous Peoples and local communities. Greenpeace supports designing equitably governed marine protected areas and other conservation measures as one of the gaps in the CBD Marine and Coastal Programme of Work. Greenpeace also supports the inclusion of the impacts of climate change on marine ecosystems, as well as on the livelihoods and lives of Indigenous Peoples and Local Communities in the Marine and Coastal Biodiversity Programme of Work.

## **Global Ocean Treaty (also known as the BBNJ Agreement or High Seas Treaty)**

The Global Ocean Treaty was agreed in March 2023, shortly after COP15. The Treaty is historic, and significant because, once ratified, it will provide the legal framework to address many of the governance gaps that have plagued the ocean and provide a roadmap to conserve biodiversity areas that lie beyond national jurisdiction.

The 30x30 decision at COP15 can only be achieved through the implementation of the Global Ocean Treaty.

The Global Ocean Treaty complements the CBD and will be fundamental to achieving the global targets set for 2030 by addressing the legal and governance gaps in areas beyond national jurisdiction (ABNJ). It also aims to ensure the fair and equitable sharing of benefits derived from marine genetic resources (MGRs) from the high seas and seabed.

Governments need to urgently ratify the Global Ocean Treaty and develop proposals for MPAs in the High Seas, and time is running out. If we are to achieve 30x30 in the high seas, the Treaty must enter into force as soon as possible. Many governments have pledged to ratify it no later than by the upcoming UN Ocean Conference in June 2025. For the Treaty to enter into force, 60 countries have to ratify it.

COP16 is an opportunity to platform the Treaty and urge countries to ratify. Therefore, a positive reference to the Global Oceans Treaty in the COP16 text would set the tone for future discussions. The current draft of the CBD coastal and marine biodiversity decision has bracketed text around “[*welcomes*] [*notes*] BBNJ”, meaning that both “*welcomes*” or “*notes*” are being considered as part of the text, though other changes could still be made in the COP16 negotiations.

Countries’ biodiversity protection plans as Parties to the CBD, known as National Biodiversity Strategies and Action Plans (NBSAPs), should include governments’ commitments to ratify the Global Ocean Treaty, develop proposals for MPAs in the high seas, allocate resources to engage in implementation efforts, and highlight capacity and technology needs.

## **Marine geoengineering**

The CBD has a history of working with marine geoengineering, including technologies aimed at either increasing the absorption of carbon dioxide in the ocean or reflecting sunlight back into space. In 2008, the CBD requested for the Parties to stop ocean fertilisation until an adequate scientific basis has been established (CBD Decision IX/16 (4)). In 2010, the CBD called for a moratorium on all marine geoengineering technologies until a set of conditions is met, including creating a transparent global governance mechanism (CBD Decision X/33 (w)).

Meanwhile, the United Nations Framework Convention on Climate Change's (UNFCCC) [Supervisory Body](#) of the mechanism for Article 6.4 the Paris Agreement's carbon crediting mechanism, which is tasked with developing and supervising the requirements and processes to govern a new carbon market regime under the Paris Agreement, has begun to receive proposals to include large-scale marine-based geoengineering technologies as sources of carbon credits and/or offsets. In response to similar concerns, the London Convention on the Prevention of Marine Pollution (LC/LP) [continues its work](#) to address four commonly proposed marine geoengineering techniques (ocean alkalinity enhancement, algae/biomass cultivation and sinking; marine cloud brightening, and increasing albedo in the marine environment) in addition to ocean fertilisation, which the LC/LP first brought under its regulatory control in 2008 ([Resolution LC-LP.1](#)), with subsequent [amendment](#) of the London Protocol in 2013.

COP16 should mandate the CBD Secretariat to require all CBD parties to report, on a regular basis, on any geoengineering initiative taken in and/or by their countries and report measures undertaken. The CBD Secretariat should compile reported measures from the parties and bring them to the attention of future COPs.

## Other effective area-based conservation measures (OECMs)

OECMs can be an effective tool for recognising *de facto* conserved areas, such as for example a sacred site that is protected by a local community. In some instances, however, the term OECM has been used to describe areas that are not fully protected. A [study](#) of OECMs proposed in Norway found that most of the areas would not ensure the long-term conservation objectives consistent with CBD guiding principles and large areas were proposed as OECMs based on bottom trawling bans while fishing in the rest of the water column was proposed to continue.

In the context of area-based targets like the target to protect at least 30% of global land and seas by 2030 (30x30) as described in Target 3 of the KM-GBF, the use of OECMs risks watering down the global target. OECMs should be clearly defined and registered, including whether they fulfill the criteria of effective protection that is comparable to a "protected area". For example, sustainably managed areas should not be counted towards Target 3 as OECMs, and should rather be included under Target 10 (Enhance Biodiversity and Sustainability in Agriculture, Aquaculture, Fisheries, and Forestry).

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