



FROM EBSA SCIENCE TO HIGH SEAS ACTION: OPERATIONALISING EBSAS IN THE BBNJ AND BEYOND

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Background

Ecologically or Biologically Significant Marine Areas (EBSAs) are scientifically identified marine areas of high ecological or biological importance, that meet internationally agreed ecological criteria (e.g. biodiversity importance, uniqueness, productivity). They provide a global scientific reference for conservation planning, but do not prescribe management measures or have legal status.

At CBD COP16, Parties adopted Decision 16/16, marking a procedural breakthrough after years of deadlock. The decision establishes new modalities for describing and modifying EBSAs, enabling the process to evolve dynamically based on new knowledge, including scientific data and traditional knowledge. It also reinforces that EBSA identification is a strictly scientific and technical exercise, with no legal, economic, or sovereignty implications.

COP16 further emphasizes the need for robust scientific credibility and transparency, launching work on voluntary peer-review guidelines to strengthen the quality, inclusiveness, and legitimacy of EBSA submissions. At the same time, it acknowledges potential synergies with the **Biodiversity Beyond National Jurisdiction** (BBNJ) Agreement, while explicitly maintaining institutional separation and respect for mandates.

The purpose of this brief is to clarify the concept of EBSAs, and how they can be used in the BBNJ and beyond, in order to strengthen the science-policy interface and support the effective use of EBSA-derived knowledge in future negotiations.



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Key Messages

- EBSAs provide an already established scientific basis for identifying ecologically significant marine areas.
- Under BBNJ, this knowledge may help inform the screening and scientific assessment of Area-based Management Tool (ABMTs), including Marine Protected Areas (MPAs), and support Environmental Impact Assessments (EIAs) in Areas Beyond National Jurisdiction (ABNJ).
- Their use could improve scientific consistency, reduce duplication and strengthen cooperation across ocean governance frameworks.
- However, EBSAs remain scientific reference tools and do not create legal or management obligations under the CBD or BBNJ.

What are EBSAs?

An EBSA is a marine area recognised for its important ecological or biological features, such as essential habitats, breeding grounds, or areas of high productivity and biodiversity. A site is qualified as an EBSA if it meets at least one of seven internationally agreed scientific criteria:

(1) uniqueness or rarity, (2) special importance for species, importance for threatened, (3) endangered or declining species and/or habitats, (4) vulnerability,

fragility, (5) sensitivity or slow recovery, (6) biological productivity, (7) biological diversity, naturalness.

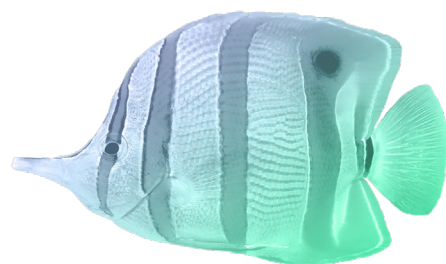
EBSAs vary greatly in size, depth, and ecological characteristics, ranging from coastal waters to the high seas, and from surface waters to deep-sea ecosystems. They may include both dynamic and static features, such as seamounts, coral reefs, migratory corridors, spawning areas, and upwellings.

EBSA history through CBD COP decisions

CBD COP9, in [Decision IX/20](#), first established criteria to identify EBSAs (Figure 1). COP10 Decision X/29 also noted that describing EBSAs is a scientific and technical exercise that does not entail management measures. It notes that EBSAs may require enhanced conservation measures such as Marine Protected Areas (MPAs) and impact assessments and emphasizes that selecting these measures is a matter for States and competent intergovernmental organizations. CBD COP10 requested the Secretariat to work with Parties to organize a series of regional workshops to describe EBSAs, held for nearly all ocean regions between 2011 and 2019, which described 338 EBSAs.

Other COP decisions (XII/22, XIII/12) from COPs 12 and 13, highlighted the importance of EBSAs for marine spatial planning, ABMTs, environmental impact assessments, and fisheries management measures. The EBSA process has been a global catalyst for regional scientific and technical collaboration; EBSA descriptions have supported ocean planning, conservation and management efforts at the national and regional levels.

At CBD COP16, Parties adopted modalities for modifying existing EBSAs and describing new ones (Decision 16/16), based on scientific and other forms of knowledge. The decision also requests the Secretariat to hold additional workshops and recognises that EBSAs can make a crucial contribution to the implementation of both the Kunming-Montreal Global Biodiversity Framework and the Agreement [...] on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ). **Forty-two EBSAs are indeed transboundary occurring within and beyond national jurisdiction, and 38 occur solely in areas beyond national jurisdiction (ABNJ).**



Box 1 – Importance of the EBSA process

The EBSA process, born under the CBD, plays a critical role as a scientifically robust and internationally agreed upon framework by all CBD Parties for identifying marine areas of ecological or biological significance within and beyond national jurisdiction. It provides a robust and credible source of information for competent organisations and States to make use of when designing conservation and management measures.

EBSAs provide the policy-trusted scientific foundation; CBD and BBNJ provide decision-making frameworks, while ABMTs, including MPAs, and environmental impact assessments are tools to implement conservation action.

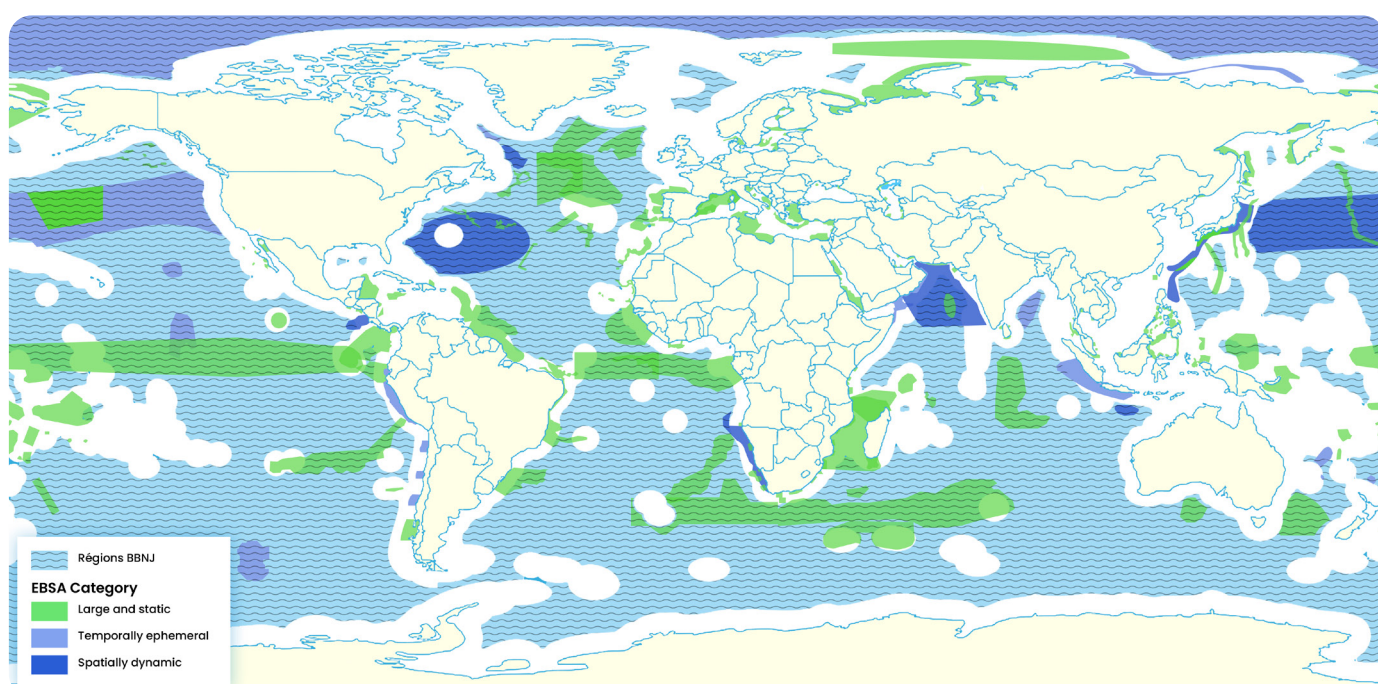


Figure 1. BBNJ and EBSAs areas. From Dunn et al. 2025

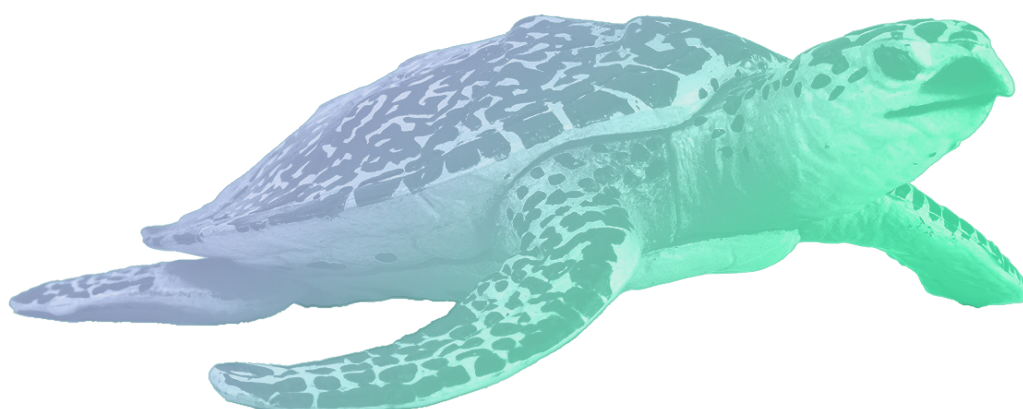
Potential uses of EBSAs in the BBNJ Agreement

BBNJ establishes a global legal framework for the conservation and sustainable use of biodiversity in areas beyond national jurisdiction. The Agreement addresses four main issues: (1) marine genetic resources, including the fair and equitable sharing of benefits; (2) area-based management tools, including marine protected areas; (3) environmental impact assessments; and (4) capacity-building and the transfer of marine technology.

To facilitate the alignment and implementation of the CBD and BBNJ, that both address the conservation and sustainable use of marine biodiversity, it is essential to use the same scientifically and politically agreed tools, such as EBSAs.

Table 1. Comparison between CBD EBSA criteria and BBNJ indicative criteria.

Criteria	CBD EBSA criteria (CBD, Decision IX/20 Annex I)	BBNJ criteria (BBNJ Annex I)
Uniqueness	X	X
Rarity	X	X
Special importance for lifehistory stages of species	X	X
Importance for threatened, endangered or declining species and/or habitats	X	X
Vulnerability	X	X
Fragility	X	X
Sensitivity	X	X
Slow recovery	X	X
Biological diversity	X	X
Biological productivity	X	X
Naturalness	X	X
Special importance of the species found therein		X
Representativeness		X
Dependency		X
Ecological connectivity;		X
Important ecological processes occurring therein		X
Economic and social factors; Protect valuable use (e.g., tourism, whale watching, etc) and non-use (option values, existence values) ecosystem services		X
Cultural factors		X
Cumulative and transboundary impacts		X
Adequacy and viability		X
Replication		X
Sustainability of reproduction		X
Existence of conservation and management measures		X



Area-based management tools

BBNJ Annex I includes criteria for identifying ABMTs that strongly align with, and build upon, the EBSA criteria, ensuring compatibility between CBD and BBNJ frameworks in identifying priority conservation areas. As a result, EBSA descriptions and locations can provide a ready-to-use scientific baseline for screening and prioritising candidate areas for MPAs and other ABMTs, complemented by additional scientific and traditional knowledge.

The BBNJ Conference of the Parties and its subsidiary bodies may therefore use EBSA information when assessing ABMT proposals submitted by Parties. Several initiatives, such as the Living High Seas project, are already exploring how EBSA information can support the development of high seas MPAs and broader spatial planning approaches.

The BBNJ Agreement also offers opportunities to develop governance and spatial planning frameworks for

managing high seas EBSAs. Greater alignment between CBD and BBNJ approaches, including through scientifically robust criteria such as those of IUCN used for Other Effective Conservation Measures (OECMs), could further strengthen coherence across ocean governance frameworks.

Environmental impact assessments

Given the ecological significance of EBSAs, environmental impact assessments are particularly important for activities occurring within these areas. The BBNJ Agreement explicitly recognizes this in Article 30, which states that Parties shall consider “the characteristics and ecosystem of the location (including areas of particular ecological or biological significance or vulnerability)”. In this context, EBSA descriptions provide a key scientific source of information to inform EIAs and support decision-making both within and across jurisdictions.

Potential uses of EBSAs across ocean governance processes, beyond the CBD-BBNJ nexus

EBSAs are an internationally agreed, CBD-led process that has fostered scientific and regional cooperation for more than 15 years. The CBD COP consistently encouraged the use of EBSA information across global and regional ocean governance processes. While EBSA information has already informed frameworks such as the Convention on Migratory Species and the Northwest Atlantic Fisheries Organization, its integration across other sectoral bodies, including the International Maritime Organization and the International Seabed Authority, remains limited.

Significant synergies could be developed between EBSAs and existing ocean management tools, such as the

Particularly Sensitive Sea Areas under the International Maritime Organization, the Regional Environmental Management Plans under the International Seabed Authority, or Vulnerable Marine Ecosystems and associated fisheries management measures by Regional Fisheries Bodies.

Greater alignment and mainstreaming of scientific information across ocean governance frameworks would strengthen cooperation, improve policy coherence, and support the implementation of the Kunming-Montreal Global Biodiversity Framework, particularly Targets 14 and 21.



Areas of future work on EBSAs to strengthen CBD-BBNJ alignment and implementation

- **Recognising EBSAs in BBNJ processes** could strengthen the use of existing scientific knowledge for high seas conservation. Stronger cooperation between CBD and BBNJ scientific bodies could also improve knowledge-sharing and methodological alignment.
- **Improving the operational use of EBSAs** will require integrating information on human activities, cumulative impacts and management responses, particularly in ABNJ, through collaborative processes involving relevant stakeholders.
- **Keeping EBSA information up to date.** Regular updates of EBSA descriptions are essential to ensure they reflect the best available scientific and traditional knowledge. Greater integration of recent work on Key Biodiversity Areas (KBAs), marine megafauna, connectivity and climate change would further strengthen the process.
- **Addressing gaps in EBSA coverage.** Additional expert workshops are needed to address gaps in ABNJ, open-ocean, deep-sea and mesopelagic ecosystems, and to strengthen the application of EBSAs in BBNJ processes.
- **Developing scientific and technical guidance.** Further guidance is needed on ecological connectivity, cumulative impacts, ecosystem restoration, and the dynamic nature of marine ecosystems to support both CBD and BBNJ implementation.
- **Using EBSAs to support MPA networks.** EBSAs can support the development of ecologically representative and connected MPA networks, in line with the broader scientific guidance provided under CBD Decision IX/20.
- **Strengthening national implementation capacity.** Stronger national scientific and institutional capacity will be needed to update and submit EBSAs, particularly in ABNJ, and to improve coordination between CBD and BBNJ implementation processes.
- **Integrating climate change into conservation planning.** Climate change is likely to alter the distribution of many EBSAs, highlighting the need for adaptive and dynamic approaches to ABMTs and MPAs in ABNJ.

EBSAs remain the only internationally agreed mechanism through which countries jointly identify and recognise ecologically significant marine areas. Their value lies in their ability to inform evidence-based decision making, strengthen scientific coherence across ocean governance frameworks, and support implementation without creating institutional overlap between CBD and BBNJ processes. Their relevance, however, will depend on how successfully EBSAs information is integrated into policy and management processes.

Additional resources

All EBSA descriptions considered by CBD COP are available in the CBD EBSA repository: <https://www.cbd.int/ebsa/repository>

Other information, including the reports of CBD Regional EBSA workshops and other related guidance materials, is accessible: <https://www.cbd.int/ebsa/ism>

Bergen's Ocean of Opportunities. Co-Chairs' summary of opportunities for cooperation and further work under the CBD to contribute to the conservation and sustainable use of biodiversity of marine areas beyond national jurisdiction. 2026. <https://www.cbd.int/marine/doc/bbnj-workshop-outcome-en.pdf>

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