



IUCN Briefing for negotiators

## AREA-BASED MANAGEMENT TOOLS, INCLUDING MARINE PROTECTED AREAS, PART III

: Global MPAs require ambitious and comprehensive management, focused on the primary objective of long term conservation. The goal of enhancing cooperation and coordination is best supported by

means to an end, and should not be the only goal of Part III.

The multiple objectives of ABMTs in Article 14 should be embraced and slightly amended. To enhance large-scale in situ conservation and seascape planning, an additional objective could be added akin to the Convention on Biological Diversity Article 8(d) to promote the protection of ecosystems, habitats and species within and beyond MPAs. Article 15 on international cooperation and coordination should be strengthened and clarified to recognize both the power of the COP and relevant international frameworks and bodies (IFBs) to adopt ABMTs.

~~14.(c) Conserve and sustainably use areas~~

~~, including by establishing a comprehensive system of area-based management tools, including marine protected areas;}~~

~~14(d) Establish a system of ecologically representative marine protected areas that are connected, and effectively and equitably managed;~~

~~14(e) Rehabilitate and restore biodiversity and ecosystems, including with a view to enhancing their productivity and health and building resilience to stressors, including those related to climate change, ocean acidification and marine pollution;}~~

~~15.1 [To further international cooperation and coordination with respect to the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction,] States Parties shall~~

~~promote coherence and complementarity in the establishment of area-based management tools, including marine protected areas, through:~~

~~15.1 (b) ) The process in relation to area-based management tools, including marine protected areas, set out in this Part, including by:~~

~~15.1 (b) (a) Relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies, without prejudice to their respective mandates, in accordance with this Part;}~~

~~15.3 States Parties shall make arrangements for consultation and coordination~~

consultation process outlined in Article 18 provides an important safeguard to States, international frameworks and bodies (IFBs) and other stakeholders that their views will be given due consideration.

Moreover, recognizing the inherent power of States Parties to adopt more stringent measures (binding on themselves pursuant to an international agreement) is an essential safeguard in case a relevant competent organization is unable to act in a timely or effective fashion. And although consensus-based decision-making is the optimal objective, a pragmatic mechanism for majority-voting is needed to ensure timely progress towards biodiversity conservation. This should be reflected in the provisions on the powers of the Conference of the Parties in Article 48.3(bis) to avoid uncertainty and delay.

Article 19 Decision making:

1. The Conference of the Parties ~~shall~~ ~~may~~ take decisions on matters related to area-based management tools, including marine protected areas, with respect to:

~~Art 1.~~ (ii) The establishment of area-based management tools, including marine protected areas, and related conservation and ~~management~~ ~~sustainable use~~ measures ~~to be adopted~~ to achieve the specified objectives, taking into account existing measures under relevant legal instruments and frameworks and relevant global, regional and sectoral bodies, as appropriate.

For more information, see:

[BBNJ IGC4 Knowledge Series | IUCN](#) (all resources are compiled here)

[WCC Resolution 128](#) "Acting for the conservation and sustainable use of marine biological diversity in the ocean beyond national jurisdiction" 2021 IUCN Congress in Marseille, France.

IUCN Workshop Report, 2021. [Key Messages: Area Based Management Tools in Marine Areas Beyond National Jurisdiction: TIME TO BE BOLD, VISIONARY AND PRAGMATIC FOR THE BENEFIT OF HUMANKIND AND THE OCEAN](#)

IUCN Workshop Report, 2019. [Summary version : Area-Based Management Tools in Marine Areas Beyond National Jurisdiction: Building ambition, broadening participation and planning ahead](#)

[IUCN comments on revised draft text February 2020](#)

Ortuño Crespo, G, Mossop, J., Dunn D, Gjerde, K. Hazen, E., Reygondeau, G., Warner, R. Tittensor, D., Halpin P., (2020). " [Beyond static spatial management: scientific and legal considerations for dynamic management in the high seas](#)" 122 Marine Policy 104102

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