

**Agenda Item 6
Informal Working Group on ABMTs
27 August 2019**

Article 17

IUCN intervention on ABMTs:

Thank you Madame Facilitator, good afternoon Distinguished Delegates.

IUCN would like to observe that time is not on our side. The ocean is already undergoing fundamental change as a result of overexploitation, pollution, warming waters, deoxygenation and ocean acidification. As many have said before, now is the time to build on UNCLOS and other relevant instruments, to think about future needs for rebuilding and enhancing the resilience of marine species, habitats, and ecosystems to the cumulative effects both underway and on the horizon. As noted by New Zealand, the Precautionary Principle and the Ecosystem Approach need to inform the development and implementation of the entire agreement, and may be better placed in Article 5 on Principles than in article 17.

Regarding article 17, IUCN has three basic suggestions to help future-proof the agreement:

1. IUCN suggests that the distinction between MPAs and other ABMTs should be maintained. This could entail the development of a parallel section, a 17bis, to outline the process for proposals for Globally adopted ABMTs other than MPAs. These ABMTs could be more broadly defined **to include measures adopted across a range of temporal and spatial scales, including periodic or seasonal measures**. Such ABMTs could be subject to similar objectives and criteria set forth in Articles 14 and 16 and be subject to a similarly consultative, transparent and precaution-guided process as detailed in Article 18.
2. This additional procedural article would enable the agreement to maintain the important distinction between MPAs and other types of ABMTs: IUCN would highlight that under most national definitions and usage, permanence and the primary objective of long term conservation distinguish MPAs from other area-based tools ([IUCN 2012](#); [IUCN 2008](#); [IUCN 2018](#)).
3. At the same time, IUCN notes that there may be multiple categories of MPAs, with varying types of protection measures in place. Multiple categories can be used within the same area to create more tailored and effective protection. IUCN would accordingly suggest including a new subpara (h) **(bis) Delineation of zones within the proposed area, if relevant, and any proposed management measures for each of those zones**.

In closing, IUCN would note the importance of including in this Agreement a provision that recognizes the duty of States Parties, as part of their duty to cooperate, to promote the adoption of ABMTs including MPAs through this Agreement as well as in their capacity as Members or Contracting Parties to the competent international bodies and agreements in order to fulfil the objectives of this Part,

IUCN has submitted detailed comments on the draft President's text that are available in CRP4.

Thank you Madame Facilitator.