

BBNJ IGC 4 Agenda item 6. Informal informals on Measures such as area-based management tools, including marine protected areas. 10 March 2022, WWF International STATEMENT

Distinguished delegates,

WWF wishes to share a few thoughts and suggestions we hope will be useful for delegates on this topic.

Without establishing an appropriate 'enhanced cooperation' framework in Part I, effective MPA establishment in ABNJ risks being undermined. Part III needs to be substantially restructured and redrafted to ensure that the BBNJ ILBI creates a coherent and comprehensive regime for the establishment of MPAs in ABNJ that is capable of earning the respect and support of the international community as a whole.

WWF has submitted proposals for text for Parts I and III to this effect.

One of the important purposes for an 'enhanced cooperation' regime is to allow alignment of management arrangements with scientific understanding of the ecological connectivity of oceanic systems at every level. Ocean current systems move heat, nutrients, biological material and pollutants over great distances and depths; ecosystems, habitats and species are interconnected to a much greater degree than terrestrial systems with which we are more familiar; migratory species are distributed over great distances. MPAs – and all other management arrangements – need to be established within a broader ocean connectivity management framework that embraces all sectoral uses and all jurisdictions, if they are to be most effective.

Therefore, WWF recommends strengthening Part I - General Provisions, as well as resolving issues in Part III - Measures such as Area-based Management Tools, including Marine Protected Areas.

The text of Part III – Area-based Management Tools (ABMTs), including Marine Protected Areas (MPAs), need simplifying while Article 19 needs expanding to set out a clear process for establishing MPAs, especially in providing for the BBNJ COP to designate MPAs in ABNJ. Other ABMTs, while valuable and important, would be treated as matters for enhanced cooperation and not for designation by the BBNJ COP.

- Text elaborating general cooperation arrangements should be transferred from Part III to Part I – General Provisions. These provisions would still apply to Part III but also to all other Parts of the ILBI.
- Part III should be split into two sections, one section dealing with the decision-making in all stages of establishment of MPAs and the other section dealing with other ABMTs that support 'enhanced cooperation'. This second part could be further divided to cover such ABMTs established by relevant competent bodies as well as directly by the COP for activities not regulated by a sectoral body.
- The MPA section should provide for the BBNJ COP to: (i) designate an MPA pursuant to a proposal from one or more parties; (ii) adopt a management plan for protecting identified values from identified threats and facilitating compatible uses and scientific research; and (iii) appropriately involve competent sectoral bodies in adopting measures to implement the plan. We have suggested an elaboration of Article 19 to specify the stages of the MPA establishment process.
- Annex 1, as an indicative list of eligibility criteria for identifying candidate areas for MPA designation, should be based on best available science and the work of other bodies competent in protected area designation, especially IUCN.
- Annex 1 should also be explicitly open-ended so that the list of eligibility criteria can be added to by decision of the BBNJ COP.
- A new criterion should be added to Annex 1, 'resilience to climate change (consistent with advice and suggestions in the recent IPCC WG2 Report)'.
• Preparation of proposals by States should be assisted by guidelines to be adopted and maintained by the BBNJ COP rather than specified in ILBI text.

- Commitment to consultation with States, stakeholders and the public at all stages of MPA establishment needs to be formalised in the ILBI text and elaborated by guidelines to be adopted by the BBNJ COP.

Text proposals are submitted in the form as requested by the Secretariat.

WWF's 'IGC4 Shadow Outcome' brief can be found [here](#). WWF's brief on ABMTs incl MPAs can be found [here](#). WWF's report on HSMPAs and other spatial measures can be found [here](#). WWF's BBNJ Library of documents for IGC4 is [here](#).

Thank you.