

Submission of proposals related to the Further revised draft text of an agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

Template

Please fill out one form for each article which your delegation(s) or group(s) wish(es) to propose, amend or delete.

- 1. Name(s) of Delegation(s) and/or Group(s) making the proposal in the order that they should be listed in any conference room papers or other documents:**

International Union for Conservation of Nature

- 2. Please indicate the relevant part of the Further revised draft text (as reflected in A/CONF.232/2022/5¹) that this proposal relates to, using the drop-down menu below.**

PART III MEASURES SUCH AS AREA-BASED MANAGEMENT TOOLS, INCLUDING MARINE PROTECTED AREAS

- 3. Please indicate the relevant article of the Further revised draft text (as reflected in A/CONF.232/2022/5¹) that this proposal relates to (if applicable) or indicate if this is a proposal for an additional article**

Article 21

- 4. Kindly provide the amendments to the article that are being proposed in the text box below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the article that are being amended or deleted - examples are attached for reference.**

1. Parties, individually or collectively, shall report annually to the Conference of the Parties on the implementation of area-based management tools and related measures, including marine protected areas, established under this Part. Such reports shall be made publicly available by the secretariat.

¹ Currently available as an advance, unedited, version on the website of the IGC: [Fifth substantive session \(un.org\)](https://www.un.org/development/desa/ia/ia-igc/)

2. Area-based management tools, including marine protected areas, established under this Part, including related measures, shall be monitored taking an ecosystem approach and periodically reviewed by the Scientific and Technical Body.

[...]

4. Following the review, the Conference of the Parties shall, as necessary, take decisions on the amendment, ~~extension or revocation~~ of area-based management tools, including marine protected areas, and any related measures, ~~[as well as on the extension of time-bound area-based management tools, including marine protected areas, that would otherwise automatically expire,]~~ on the basis of the best available science and scientific information, as well as ~~relevant~~ traditional knowledge of indigenous peoples and local communities, taking into account the application of precaution and an ecosystem approach.

5. The relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies ~~[shall]~~ ~~[may]~~ be invited to report to the Conference of the Parties on the implementation of area-based management tools, including marine protected areas, and any related measures that they have established.

5. Rationale for the proposal, if any.

21.1 Regular reporting is essential to maintain progress and accountability. Every year at least some form of reporting should be required, with a more in-depth review every two to three years.

21.2 To monitor the effectiveness of ABMTs including MPAs will require monitoring of the surrounding ecosystem and changes to the status and dynamics of ecosystem and associated and dependent species.

21.4. Conservation and management measures for ABMTs including MPAs should be revised and updated as necessary. A presumption that they end would defeat the purpose of the objective of long- term conservation and is not consistent with the precautionary principle/approach. Also suggest striking “relevant” before “traditional knowledge” as it is implicit.

21.5: “Shall” is preferred, to ensure effective implementation, as international organizations can have obligations under a treaty as in UNCLOS Part XIII Article 239 on Marine Scientific Research.