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

Key messages of the IUCN workshop on “Area Based Management Tools in Areas Beyond National Jurisdiction” (7 & 8 December 2021)
**Bold**

Adopt ambitious goals and objectives focused on securing ocean health, productivity and resilience for the benefit of humankind and the ocean.

**Visionary**

Manage the global ocean as a shared commons based on principles of equity, informed decision-making, shared responsibility, and accountability.

**Pragmatic**

Adopt systematic strategic approaches to identify common interests and avoid competition while building nimble institutions ready to manage the challenges of a rapidly changing ocean.

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**BOLD Message 1**

**Urgency to finalize in 2022**

Considering the urgent need to rebuild global ocean health, productivity and resilience and safeguard marine life in areas beyond national jurisdiction (ABNJ), it is crucial that all States and other stakeholders cooperate to conclude an ambitious BBNJ Agreement as soon as possible. Should IUCN not be able to adopt the final text, any subsequent IGC session should take place in 2022.

**VISIONARY Message 2**

Equity is an enabling condition for unlocking benefits for humankind and the ocean beyond borders.

The Global Ocean is a “commons” whose health is a shared interest of all humanity. If the international community is to act collectively to safeguard marine biodiversity, all States require the capacity to study, manage, protect, and benefit from marine biodiversity in ABNJ. However, inequality is a pervasive concern including, but not limited to, capacity and access to data and information, technology, resources as well as capacity for marine scientific research and management. Capacity, technology, skills and information transfer and data sharing supported by sustained and adequate funding are urgently needed to address knowledge inequities and gaps.

**PRAGMATIC Message 3**

Time for climate smart management

Climate smart measures are needed now to stem cumulative effects, build resilience, protect climate refugia and accommodate the redistribution of species and ecosystems over time. The management of the ocean should thus be based on the best climate science and reflect that all parts of the ocean are interconnected. In addition to MPAs, the BBNJ Agreement could enable the evolution of innovative ABMTs like dynamic closures and adaptive migratory corridors, based on systematic assessments, cross-sectoral spatial planning, monitoring and adaptive management to respond to monitoring results.

**BOLD Message 4**

**Breaking silos and fostering engagement**

To foster cross-sectoral engagement, the BBNJ Agreement can play an essential role by facilitating integrated planning and management. The BBNJ Agreement can, for example, provide the missing platform to convene relevant stakeholders in an inclusive and transparent manner, and channel collective ambition. It will complement the mandates of the existing organizations by delivering the transformative change we need to safeguard ocean life amidst a rapidly changing climate.

**VISIONARY Message 5**

**Need for systematic approaches**

Systematic approaches will be essential in the design and effectiveness of climate-smart, representative and connected networks of MPAs and other ABMTs. Coupling a socio-economic assessment with an ecosystem diagnostic assessment can better link natural systems with human activities. At the same time, good management requires good information and the ability to share that information globally. For this purpose, obligations to exchange data via the future clearinghouse mechanism in the BBNJ Agreement will be key.

**PRAGMATIC Message 6**

**Mechanisms to facilitate a proposal**

Expertly facilitated multi-stakeholder deliberations will be needed to address differing interests, build knowledge and trust, encourage early collaboration to enable access to and exchange of data, and encourage as well as build support for buy-in to conservation measures. States may wish to consider establishing or designating a lead institution with a dedicated body of knowledge and specially trained facilitators to help coordinate work with stakeholders, including coastal States, other States, sectoral bodies, industry, scientists and other experts, Indigenous Communities, and civil society.

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**BOLD Message 7**

**Powers of the COP**

To enable timely action, the COP will need a clear mandate to adopt measures even where there are other bodies, as these other bodies may be slow, reluctant, blocked by one or two States parties, and/or apply different definitions of precaution and “sustainability.” While consensus-based decision-making is the optimal, a pragmatic mechanism for majority-voting procedure is needed to ensure timely progress.

**BOLD, VISIONARY AND PRAGMATIC Message 8**

Effective financial support is the linchpin of progress

Funds will be needed at multiple stages of ABMT proposals: to acquire scientific and indigenous and local knowledge, collect relevant commercial data, convene stakeholders, and support consultative processes. Cost-benefit assessments, while useful for some purposes, are still poor at including the costs of no-action (biodiversity loss, fisheries opportunity losses, etc.). A robust financial mechanism for ABMT proposals will be vital to maintain momentum and ambition throughout the proposal process and later implementation.

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**Possible ABMTs in ABNJ**

**real case studies**

**The Thermal Dome**

**The Sargasso Sea**

The Sargasso Sea is in the Western Central Atlantic has seen substantial increases in fishing activities in the past three years. No non-tuna regional fishery management body is in place in the region, although tuna and tuna-like species are managed by the International Commission for the Conservation of Atlantic Tunas (ICCAT). Perhaps due to increased capacity in the Panama Canal, there has been a significant increase of commercial re-supplying through the Sargasso Sea in the past decade. Future plans for seabed mining are an increasing concern due to international shipping and new marine scientist studies from the Mid-Atlantic Ridge (where three explosion sites already exist) into the Sargasso Sea.

The Sargasso Sea Commission, in cooperation with relevant government institutions, is in a position to support and promote marine scientific research and to attend various international meetings as observers, but currently lacks any form of management mandate.

A more strategic planning process will help the Sargasso Sea Commission identify gaps in knowledge, management and governance relevant to future ABMTs. The upcoming GEF and FFEM projects are designed to provide the financing to convene stakeholders to orchestrate the planning effort, which is currently lacking in the region. The Sargasso Sea is in a position to support and promote marine scientific research and to attend various international meetings as observers, but currently lacks any form of management mandate.

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1 This document adopts the terminology “Thermal Dome” to refer to an oceanic feature caused by the interaction between wind and ocean current systems in the eastern tropical Pacific that has high biological productivity and that ichnotaphographs refer to as the “Costa Rica Thermal Dome.”
For more information and a copy of the full report, visit www.iucn.org/bbnj