



KINGDOM OF BELGIUM

Gouvernement Princier
PRINCIPAUTÉ DE MONACOCOSTA RICA
GOBIERNO DEL BICENTENARIO
2018 - 2022

Informal Intersessional High Seas Treaty Dialogue Area-based Management Tools, including Marine Protected Areas

Guiding Questions | 2-3 December 2020

December 2nd will focus on stages of the process leading up to decision making. December 3rd will focus on stages of the process post-decision making. We invite delegates to consider the following questions:

- What could be the respective roles of the future agreement and relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies at different steps in the process for the establishment/designation of area-based management tools (ABMTs), including marine protected areas (MPAs)?
- At which step in the process for the establishment of ABMTs, including MPAs, would consultations be required and with whom? For example, how will the relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies be identified? Who is responsible for initiating consultations? What modalities are required to ensure effective consultations? Should the future agreement set out such modalities or should the modalities be agreed to through a COP decision?
- How can the future agreement and relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies complement each other?
- Should the future agreement provide for the adoption of complementary measures by a possible conference of the parties under the agreement? What is meant by complimentary measures? If yes, what kind of measures are envisaged? How would the need for such measures be identified and by whom and in what circumstances?
- When, how and on what basis would the effectiveness of measures that are adopted for an established/designated ABMTs under the agreement, including MPAs, be determined and who would be responsible for such determination? What action would be taken if the measures are ineffective?
- What is the relationship between MPAs established outside the framework of the agreement and the agreement?
- How would the future agreement ensure that its overall objectives with respect to measures such as ABMTs, including MPAs are met? Is there a need for a periodic assessment? If yes, who would carry out such assessment and how would it be done?