



Intervention by OceanCare
10 September 2018

**Intergovernmental Conference on an international legally binding instrument 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**

**Agenda Item 4.3
Measures such as Area Based Management Tools (ABMT), including
Marine Protected Areas (MPA)**

Dear Madam Facilitator and Distinguished Delegates,

I have the privilege of addressing you on behalf of OceanCare. We congratulate you on your appointment as Facilitator of the informal working group on Measures such as Area-Based Management Tools, including Marine Protected Areas (ABMT, including MPA) and thank you for your willingness to serve. We pledge our commitment to this vital work.

OceanCare supports the statement made by Switzerland last week and echoed by many, many delegations in the days since: We believe that ABMT, including MPA are central to this discussion and that the precautionary approach must be included as a core principle of the instrument.

With the complexities of investigating the effects of underwater noise on species in remote areas beyond national jurisdiction, OceanCare concludes that in the face of the resulting high scientific uncertainty, a precautionary approach for developing management tools must be adopted. As is enshrined in a number of international agreements already in force, the lack of scientific certainty regarding these environmental consequences should not be accepted as a reason for inaction to manage noise.

Precaution in decision-making regarding the management of sources and impacts of underwater noise pollution can be incorporated into the new BBNJ instrument under the legal mechanism for the elements for ABMT, including MPA. In practice, this means that the management frameworks of protected areas outside national jurisdiction must regulate and

monitor activities that cause noise within the MPA. The protected areas must be large enough to provide adequate buffers from the effects of noise generated by activities in the surrounding waters and seabed. Given the wide variety of species that are adversely affected by noise, OceanCare takes the position that noise must be among the highest priorities under consideration when making decisions regarding the location, size and management for protected areas to conserve BBNJ.

OceanCare also reiterates its strong support for the application of other generally accepted conservation principles and approaches when identifying, designating and managing MPA. These include the use of the best available scientific evidence as well as implementation of best practice standards, ecosystem-based management, inter-generational stewardship and transparency.

Thank you for giving us the floor and for your kind attention.

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