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Coastal Areas of the Atlantic Coast of the
West, Central and Southern African Region
(Abidjan Convention)

Nouakchott, Mauritania, 21st to 23rd May 2025

DRAFT ADDITIONAL PROTOCOL TO THE ABIDJAN CONVENTION ON MARINE PROTECTED AREAS

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[3]333 *Translator's note*: Corrected from "Part VI" in the original.
[4]444 *Translator's note*: Corrected from "Relationship with the Convention" in the original.
[5]555 *Translator's note*: Corrected to match the heading of article 37 in the body of the text and the article renumbered accordingly, with the corresponding deletion of non-existent article 38.

Additional Protocol to the Abidjan Convention relating to marine protected areas

Preamble

The Contracting Parties to this Protocol,

Pursuant to *the Convention for Cooperation in the Protection, Management and Development of the Marine Environment and Coastal Areas of the West, Central and Southern Africa Region, in particular Article 11, which provides for the creation of specially protected areas* ***;***

Determined to apply the article 194, paragraph 5, of the United Nations Convention on the Law of the Sea of 10 December 1982, which requires Contracting Parties to take all appropriate measures and to preserve rare or fragile ecosystems as well as the habitat of depleted, threatened or endangered species and other forms of marine life by striving to establish protected areas; and article 2 of the Agreement under the United Nations Convention on the Law of the Sea and on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction, the objective of which is to ensure the conservation and sustainable use of the marine biological diversity of areas beyond national jurisdiction,

Recognizing the need to adopt appropriate measures for the protection and preservation of ecosystems that are fragile, vulnerable or of unique natural value, as well as flora and fauna threatened with depletion and extinction,

Deeply concerned by the serious threats to marine and coastal biological diversity and its rich heritage caused by factors such as physical alteration, habitat destruction and degradation, marine, coastal and land-based pollution, tourism developments, port infrastructures, crossing structures, pipelines, oil and gas platforms, among other developments, the invasion of alien species and the overexploitation of living marine and coastal species,

Aware of the significant impact of human activities on the state of the marine and coastal environment of Western, Central and Southern Africa and on the ecosystem of marine protected areas,

Aware also of the close dependence of many Indigenous and local communities, whose interaction with nature has shaped the seascape with its particular and exceptional aesthetic, ecological and/or cultural qualities, which it is necessary to protect in order to ensure the maintenance and evolution of such an area,

Considering the desirability of sharing equitably the benefits arising from the use of traditional resources, knowledge, innovations and practices relating to the conservation of biological diversity and the sustainable use of its components,

Recognizing that natural resources constitute a heritage of scientific, cultural, social, religious, educational, recreational, aesthetic and economic value, the protection of which is necessary,

Emphasizing the importance of protecting and, where necessary, improving the state of biological diversity and natural habitats in Western, Central and Southern Africa, in particular through the creation of marine protected areas in marine and coastal areas and the protection and conservation of threatened species,

Considering that all Contracting Parties should cooperate to conserve, protect and restore the health and integrity of ecosystems and endangered species and their habitats in the region, and that they have common but differentiated responsibilities in this regard,

Recognizing that the creation and management of these marine protected areas and the protection of threatened marine and coastal species will strengthen the heritage and cultural values of the countries and territories of Western, Central and Southern Africa, and bring them greater economic, ecological and cultural benefits,

Considering the relevant international, regional and community commitments and instruments entered into by the States Parties to the Abidjan Convention,

Reaffirming that the States Parties to the Abidjan Convention have sovereign rights over their own biological diversity, and that these States are responsible for the conservation and sustainable use of their biological diversity,

Aware of the lack of scientific information and knowledge regarding biological diversity and of the urgent need to develop scientific, technical and institutional capacities to provide the basic knowledge upon which the planning and implementation of appropriate measures should be based,

Noting that it is essential to anticipate, prevent and reduce the causes of significant reduction or loss of biological diversity at source,

Desiring to establish close cooperation between the Contracting Parties with a view to achieving the objective of creating protected areas in the marine environment and the need to protect and conserve biological diversity,

Reaffirming the need to mobilize sustainable financial resources for the implementation of policies and measures to protect, conserve and preserve specially protected areas,

Committed to the necessity to conserve and sustainably use the oceans, seas and marine and coastal resources for sustainable development

Have agreed as follows:

Part I. General provisions

Article 1. Definitions

For the purposes of this Protocol:

“Marine protected area” : a clearly defined geographical area that is recognised, dedicated and managed, by any effective means, legal or otherwise, to ensure the long-term conservation of nature and its associated ecosystem services and cultural values;

“Ecosystem approach”[7] : an ecosystem-based management approach that integrates the management of land, water, air quality, and living resources, taking into account the close relationship between ecosystem services and human well-being;

“other effective area-based conservation measures” : a geographically delineated area, other than a protected area, which is regulated and managed so as to achieve positive and sustainable long-term outcomes for the in situ conservation of biological diversity, including associated ecosystem functions and services and, where appropriate, locally relevant cultural, spiritual, socio-economic and other values;

“environmental audit": a management tool comprising a systematic, documented, periodic and objective evaluation of the effectiveness of the organisation, the management system and the procedures designed to protect the marine environment;

“Biotechnology” : any technological application that uses biological systems, living organisms, or derivatives thereof, to make or modify products or processes for specific use;

“Convention” : the Convention for Cooperation in the Protection, Management and Development of the Marine and Coastal Environment of the Western, Central and Southern African Region;

“Marine biological diversity” means the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part;

“Eco balance” : a report on the environmental impact of an activity on a marine protected area;

“Blue economy” means a concept for reconfiguring the maritime economy that, on the one hand, advocates the concept of sustainability through the sustainable use of marine resources and, on the other, implies the notions of conciliation, environmental preservation and optimal exploitation of resources through the conservative management of aquatic and marine ecosystems and their associated resources;

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[7]777 *Translator’s note*: This term does not appear in the text as drafted. The term used here should presumably be redrafted as “ecosystem-based management approach”.

“Ecotourism” means any form of tourism focused on natural marine and coastal areas with a view to ensuring the sustainability of ecosystems, combating climate change and preserving the environment while respecting the cultures of host communities;

‘Ecoregion": a geographical area that comprises a distinct set of natural communities sharing a large majority of species, dynamics and environmental conditions and that effectively functions as a conservation unit (EAME, Strategy, 2001). WWF's Global 200 initiative has identified 238 ecoregions, including the West African Marine Ecoregion (WAMER).

“Marine ecosystem” ; a dynamic complex of marine and/or coastal plant, animal and micro-organism communities and their non-living environment interacting as a functional unit;

“Ballast water” : water and suspended matter taken on board a ship to control trim, list, draught, stability and stresses;

“Biofouling” : the accumulation of aquatic organisms, such as micro-organisms, plants and animals, on surfaces and structures that are immersed in or exposed to the marine environment. Biofouling can involve both microfouling and macrofouling;

“Species” : any species, subspecies, or geographically separate populations thereof;

“Aquatic invasive species” : generally exotic, non-native or alien species that proliferate and spread in a manner that threatens ecosystems, habitats or species, and that actually or potentially have deleterious or negative effects, or endanger human, animal and plant life, economic and cultural activities and the aquatic environment;

“Endemic species” : any species whose origin and range are limited to a specific geographical area;

“Exploitable biological species” : biological species which have, or may have, a potential exploitable value without endangering their conservation status and which are, inter alia, renewable;

“Threatened species” : any species of marine fauna or flora for which criteria may be adopted and/or revised by the Conference of the Parties on the basis of the best available data and which is considered critically endangered, endangered or vulnerable:

(i) A critically endangered species is one that is threatened with extinction in the foreseeable future throughout all or part of its distribution range, located in restricted geographical areas or habitats at sea, and whose survival is unlikely if the factors that put it at risk persist unabated;

(ii) An endangered species is one that is facing a very high risk of extinction in all or part of its distribution range, located in restricted geographical areas or habitats at sea, and whose survival is unlikely if the factors endangering it persist unabated;

(iii) A vulnerable species is one that is facing a high risk of extinction where the best available data indicate this to be the case;

“Migratory species” : ‘Migratory species’ : the entire population or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of which cyclically and predictably crosses one or more national jurisdictional boundaries;

“Conservation status of a species” : all the influences acting on a species that may affect its distribution and population size in the long term;

‘Environmental assessment’ : the process of preventing, identifying, defining and evaluating the direct and indirect socio-economic impacts and the direct and indirect impacts on the environment and health in the short, medium and long term of policies, programmes and plans, as well as development projects, and proposing measures to eliminate, mitigate or compensate for these negative impacts and enhance the positive impacts on the environment;

‘Strategic Environmental Assessment": a process for assessing the environmental impacts of programmes, policies and strategies;

“Governance of marine protected areas” : a set of rules, standards, principles and practices that govern how the marine protected area is directed, managed and controlled.

“Natural habitats” : terrestrial, aquactic or semi - aquatic areas distinguished by their geographical characteristics, both abiotic and biotic, whether entirely natural or semi-natural;

“Cumulative impacts” : combined and additional impacts resulting from different activities, including known past and present and reasonably foreseeable future activities, or from the repetition of similar activities over time, as well as the consequences of climate change and associated impacts, including ocean acidification

“ MPA Core Protection Zone” :

‘Marine protected area management tools": planning mechanisms put in place in marine protected areas to ensure their effectiveness, such as management plans or development plans;

“Organization” : the body designated as the secretariat of the Convention and the Protocols thereto, in accordance with article 16 of the Convention;

“Contracting Party” : any State that has become a Party to this Protocol in accordance with articles 27 and 28 of the Abidjan Convention;

"Marine spatial planning" : a public process for analysing and allocating the spatial and temporal distribution of human activities in marine space to achieve ecological, economic and social objectives that are usually specified through political processes;

"Western, Central and Southern African region" : the area of application of the Abidjan Convention;

"Sustainable use" : the use of components of biological diversity in a way and at a rate that does not lead to a long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations;

"Zoning of a marine protected area"[8] : a plan to set aside areas for a particular sustainable use;

"Protected border area" : a maritime area located to a border between two or more States and subject to protection measures;

"Ecologically or biologically significant marine areas (EBSAs)" : discrete geographic or oceanographic areas that provide important services to one or more species/populations of an ecosystem or to the ecosystem as a whole, relative to other regions or to regions with similar characteristics,;

"Wetlands" : an area of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including any marine area the depth of which at low tide does not exceed six metres;

"Buffer or peripheral zone" : transition zone between an area of human activity and a protected area, established according to specific agreed criteria;

Article 2. Purpose

The purpose of this Protocol is to:

(i) Harmonize policies and establish procedures for the creation, governance and management of marine protected areas and their resources by the Contracting Parties, Indigenous Peoples and local coastal communities;

(ii) Determine the rules governing the protection of environmental marine protected areas, the conservation of ecosystems and biodiversity and the sustainable use of resources, including cultural values, while promoting best practices for the development of marine protected areas; (iii) Determine the types of governance of marine protected areas and the frameworks and modalities for the

[8]888 *Translator's note*: This term does not appear in the text as drafted.

participation of the various stakeholders in decision-making with regard to the governance and management of marine protected areas;

(iv) Define procedures for reviewing and approving programmes, projects and other initiatives that can improve the protection and management of marine protected areas.

Article 3. Scope

1. The scope of this Protocol is the region of Western, Central and Southern Africa, corresponding, on the one hand, to the area defined in article 1 of the Convention.
- This area shall include, on the other hand, the seabed and subsoil;

- The waters, the seabed and its subsoil which are situated on the landward side of the baseline from which the breadth of the territorial sea is measured, and which extends, in the case of watercourses, to the limit of freshwater;

- The coastal land areas designated by each Party, including wetlands;

- Areas beyond national jurisdiction.

2. Nothing in this Protocol nor any act adopted on the basis of this Protocol shall prejudice, inter alia, the rights, claims or legal opinions of any State concerning, in particular, the nature, extent and boundaries of marine areas, freedom of navigation on the high seas, the right and manner of passage through straits used for international navigation and the right of innocent passage in territorial seas, as well as the nature and extent of the jurisdiction of coastal, island or archipelagic States, flag States and port States.

3. No act or activity undertaken on the basis of this Protocol shall constitute grounds for claiming, opposing or contesting a claim to national sovereignty or jurisdiction.

4. The provisions of this Protocol and any other instrument adopted on the basis thereof shall not affect the right of any State to delimit its maritime space in accordance with international law.

Article 4. Relationship between this Additional Protocol and other relevant legal instruments

1. This Additional Protocol shall be interpreted and applied in the context of and in a manner consistent with the Convention. Nothing in this Additional Protocol shall prejudice the rights, jurisdiction and duties of States under the Convention.

2. This Additional Protocol shall be interpreted and applied in a manner that does not undermine relevant legal instruments and frameworks.

Article 5. General principles

In order to achieve the objectives of this Additional Protocol, the Contracting Parties shall be guided, inter alia, by the following principles:

(a) The permanent sovereignty of States over their territories and their resources;

(b) The precautionary principle;

(c) The principle of prevention;

(d) The right to information, participation and access to justice;

(e) The polluter-pays principle;

(f) The ecosystem-based management approach;

(g) The principle of cooperation;

(h) The principle of equity and the fair and equitable sharing of benefits;

(i) Negotiation in the event of conflict;

(j) Accountability.

Article 6. General obligations

1. Each Contracting Party shall take the necessary measures to ensure, by means of functional marine protected areas, the maintenance of a coherent set of critical habitats necessary for the dynamic functioning of ecological processes essential for the regeneration of marine natural resources and the conservation of biodiversity under their jurisdiction for the well-being of local communities.

2. Each Contracting Party shall take appropriate measures to maintain essential ecological processes and life-support systems, to promote and preserve the genetic diversity of marine life and to ensure the sustainable use of natural resources under its jurisdiction. In particular, each Contracting Party shall endeavour to protect, preserve and manage rare or fragile ecosystems, as well as rare, threatened or endemic species and their habitats in the area covered by the Convention.

3. Each Contracting Party shall develop and adopt national sectoral strategies for the conservation of marine protected areas, integrating them into their sectoral and intersectoral policies and coordinating, where appropriate, within the framework of regional or subregional conservation activities, while

responding in a concrete manner to the various international recommendations and commitments made by States in the context of biological conservation.

4. Each Contracting Party shall endeavour to protect, preserve and manage rare or fragile habitats, as well as rare, threatened or endemic species of fauna and flora present in its national network of marine protected areas and in the area covered by the Convention.

5. Each Contracting Party shall contribute to the recognition of marine protected areas as preferred tools for the sustainable management of marine and coastal resources and shall justify the prominent place they occupy in policies and strategies for the conservation and protection of habitats and associated biodiversity, nature-based solutions to coastal erosion and the promotion of the blue economy in the area covered by the Abidjan Convection.

6. Each Party shall develop and protect aquatic environments with a view to minimizing the harmful effects of practical human water and land use activities affecting aquatic habitats.

7. Each Contracting Party shall also endeavour to protect, conserve and manage in a sustainable and ecologically sound manner areas of special natural or cultural value, in particular through the establishment of marine protected areas and other effective conservation measures (OECM).

8. Each Contracting Party shall preserve marine and coastal protected areas and related biological diversity, and shall protect marine and coastal biological species, fauna and flora in a sustainable manner by promoting the blue economy.

9. Each Contracting Party shall cooperate, directly or through competent international, regional and community organizations or existing regional networks of marine protected areas, for the conservation and sustainable use of shared resources in the area to which this Additional Protocol applies.

10. Each Contracting Party shall regulate and, if necessary, prohibit activities which have significant negative effects on these areas and species, such as prospecting and mining of the soil and subsoil and prospecting, exploration and mining of the soil and subsoil in marine protected areas.

11. Each Contracting Party shall endeavour to cooperate in the application of these measures, without prejudice to the sovereign rights or jurisdiction of the other Parties.

12. Any measures taken by a Party under the paragraph 10 shall be limited to the jurisdiction of the Party concerned and in accordance with international law.

13. Each Contracting Party shall carry out comprehensive inventories and monitoring of important components of biological diversity.

14. Each Contracting Party shall take the legal steps necessary to implement this Additional Protocol without prejudice to the sovereignty or jurisdiction of the other Contracting Parties, in accordance with the rules of international law.

Part II. Protection and conservation of species

Article 7. Measures to protect and conserve biological diversity

1. Each Contracting Party shall take all appropriate measures to ensure the protection and conservation of the biodiversity of wild fauna and flora, in particular of species listed in the Appendices of the Convention on Migratory Species (CMS) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) for States Parties to these Conventions and in the International Union for Conservation of Nature (IUCN) Red List of Threatened Species. To this end, each Contracting Party shall regulate or prohibit, as appropriate, activities having harmful effects on the habitats of these species. Each Contracting Party shall prohibit, as appropriate, the capture, possession, trade, transport and killing of these species, their eggs, parts and products.

2. Each Contracting Party shall develop and adopt measures and plans concerning the development of species of flora and fauna, in particular ex-situ reproduction, including the captive breeding of protected species of fauna and the propagation of protected species of flora.

3. Each Contracting Party shall, as far as possible, provide for the return of protected species exported or held illegally. The Parties concerned should strive to reintroduce these species into their natural habitats in accordance with internationally accepted guidelines on reintroductions and other transfers.

4. Each Contracting Party shall endeavour, directly or through the Convention, to consult with States which are not parties to this Additional Protocol with a view to coordinating their efforts to manage and protect threatened or endemic species.

Article 8. Concerted measures to protect and conserve species

1. Each Contracting Party shall adopt concerted measures to ensure the maximum possible protection and conservation of animal and plant species.

2. Each Contracting Party shall continue to cooperate with the other Contracting Parties in implementing the relevant action plans already adopted.

3. Each Contracting Party, in cooperation with the competent international organizations, shall take all appropriate measures to ensure the conservation of species listed in Appendices I and II of CITES for States Parties to the said Convention and in the IUCN Red List of Threatened Species, while authorizing and regulating the exploitation of such species so as to ensure and maintain their populations in a favourable conservation status.

4. Where the distribution range of a threatened species extends across a national border or the boundary separating the territories or areas subject to the sovereignty or national jurisdiction of two or more

Parties to this Additional Protocol, they shall cooperate with a view to ensuring the protection and conservation and, where appropriate, the recovery of the species concerned.

5. Where the distribution range of a threatened species extends beyond national jurisdictions, the Additional Protocol shall establish protection and conservation measures in relation to Parties having part of the distribution range within their national jurisdictions and, where appropriate, the restoration of the species concerned.

6. Each Contracting Party may grant exemptions from the prohibitions laid down for the protection of species for scientific, educational or management purposes necessary for the survival of the species or to prevent serious damage. Provided that there are no other satisfactory solutions, and that the exemption is not detrimental to the survival of the population or any other species, such exemptions shall be notified to the Contracting Parties.

Article 9. Introduction of new or genetically modified invasive alien species

1. Each Contracting Party shall take all appropriate measures to regulate the intentional or accidental introduction of new species that are likely to cause significant or harmful changes to biological diversity in the Western, Central and Southern African region.

2. Each Contracting Party shall take all appropriate measures to prohibit the intentional or accidental introduction of invasive alien species that could have harmful effects on ecosystems, habitats or species in the Western, Central and Southern African region.

3. Each Contracting Party shall take measures to prevent or minimize the introduction and spread of aquatic invasive species and, in this regard, shall ensure that biofouling, ballast water and other means by which aquatic invasive species and pathogens develop are eliminated and controlled.

4. The introduction or spread of aquatic invasive species and pathogens shall not have an undue influence on the waters or environment in its respective areas of jurisdiction. In particular, the Contracting Party concerned shall take steps to:

(a) Prevent or minimize the introduction of aquatic invasive species and pathogens through traditional means and pathways, including sea farming, maritime transport, oil and gas exploration, tourism and the aquarium trade;

(b) Prevent the establishment and spread of aquatic invasive species and pathogens through early detection and rapid response, including treatment;

(c) Eradicate, as far as possible, all aquatic invasive species and pathogens;

(d) Contain or control, as far as possible, all aquatic invasive species and pathogens, including those already established;

(e) Provide ships with all available information to prevent the spread of aquatic invasive species and pathogens due to marine fouling that may be present in a port and be attached to a ship.

5. Each Contracting Party shall take measures to minimize or eradicate any harmful or negative ecological, economic or public health impact of aquatic invasive species and pathogens and shall cooperate in this regard with relevant regional and global organizations.

6. Each Contracting Party shall establish and maintain regulatory systems to manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology that are likely to have adverse effects.

7. Each Contracting Party shall endeavour to implement all possible measures to control and eradicate species which have already been introduced whenever it appears that these species are causing damage to ecosystems, habitats or species in the area to which this Additional Protocol applies.

Article 10. Exploitable biological species

1. Any exploitation of these species shall be regulated in order to restore and maintain populations at sustainable levels and keep wild populations at optimal levels.

2. Each Contracting Party shall develop, adopt and implement management plans for these species, which may include:

(a) Prohibition of the use of all indiscriminate means of capture and killing, and of all means likely to cause the local disappearance of a species or to seriously disrupt the evolution of its populations;

(b) Closing seasons and other operating procedures;

(c) Temporary or local prohibition of exploitation, as appropriate, in order to re-establish viable population levels;

(d) Regulation, as appropriate, of the sale, holding for sale, transport for sale or offering for sale of live and dead wild animals;

(e) Safeguarding the breeding stocks of these species and their critical habitats in marine protected areas and OECM ;

(f) Exploitation in captivity.

Article 11. Migratory species

In addition to the measures provided for in articles 6, 7 and 8, the Contracting Parties shall coordinate their efforts to ensure appropriate protection for migratory or herd species whose range extends into their territory. To this end, each Contracting Party shall ensure that, where appropriate, the closed

seasons and other measures referred to in article 5, as well as identification and surveillance, are also applied in respect of such migratory species.

Article 12. Cooperation measures to protect and conserve species

1. The Contracting Parties shall ensure the highest possible protection and recovery of threatened species of fauna and flora in the region.

2. The Contracting Parties shall prohibit the destruction of and damage to the habitat of threatened species in the region and shall draw up and implement action plans for their conservation or restoration. They shall continue to cooperate in implementing the relevant action plans already adopted.

3. Each Contracting Party, in cooperation with the competent regional and international organizations, shall take all appropriate measures to ensure the conservation of threatened species in the region while regulating their exploitation in accordance with international and regional commitments.

4. Where the distribution range of a threatened or endangered species extends across a national border or the boundary separating territories or areas under the sovereignty or national jurisdiction of two Parties to this Additional Protocol, they shall cooperate with a view to ensuring the protection and conservation and, if necessary, the restoration of such species.

5. Where the distribution range of a threatened or endangered species extends across a national border or the boundary separating territories or areas under the sovereignty or national jurisdiction of a State not party to this Additional Protocol, the latter shall endeavour to cooperate with that Contracting Party.

6. If no other satisfactory solution is available and the exemption is not detrimental to the survival of the population or any other species, a Contracting Party may grant an exemption in respect of species listed in Appendices of CMS and CITES and in the IUCN Red List of Threatened Species, subject to compliance with the obligations arising from this Additional Protocol, for scientific, educational or management purposes necessary to ensure the survival of the species or prevent significant harm. Such exemptions shall be notified to the other Contracting Parties.

Part III. Marine protected areas and ecologically or biologically significant marine areas (EBSAs)

Article 13: Objectives, creation and management tools of marine protected areas and OECM[9]

1. Marine protected areas shall be established to safeguard and/or ensure:

(a) Landscape and habitat diversity, as well as associated species and ecosystems;

(b) A full range of outdoor leisure activities that respect the essential qualities of the marine protected area;

(c) The ecological and biological processes essential to the functioning of marine and coastal areas in Western, Central and Southern Africa;

(d) The populations of as many species of flora and fauna as possible in relation to ecosystems;

(e) Habitats threatened in their natural distribution range or with a reduced natural distribution range;

(f) Sites of certain significance in terms of their scientific, cultural, aesthetic or educational interest;

(g) Habitats necessary for the survival, reproduction and restoration of animal and plant species;

(h) Representative samples of all ecosystem types in the area to which this Additional Protocol applies;

(i) The sustainable use of resources;

(j) the livelihoods of indigenous peoples and local communities by improving their way of life through income-generating activities, in particular by supporting sustainable fishing, the development of ecotourism products and services, market gardening and beekeeping;

(k) The development of tourism products and services through ecotourism, including wildlife observation, ecotourism camps and circuits, cultural tourism and sport fishing.

2. When establishing marine protected areas, each Contracting Party shall take into account, inter alia, their importance as:

(a) Natural habitats, and in particular as critical habitats for species of fauna and flora, that are critically endangered, endangered, vulnerable or endemic;

(b) Migratory corridors for shared resources or as sites for hibernation or aestivation, gathering, feeding or moulting for migratory species;

(c) Areas needed to maintain stocks of economically significant marine species;

(d) Genetic resource reserves;

(e) Endemic species;

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[9]999 *Translator's note*: As in the original, but this does not match the heading on the contents page.

(f) Areas of interest for scientific research and monitoring.

3. Each Contracting Party shall create management tools in the areas under its jurisdiction or sovereignty. These participatory management tools shall consider the criteria set out in the internationally accepted identification and description process.

Article 14. Protection measures

1. Each Contracting Party, considering the characteristics of each marine protected area and in accordance with the rules of international law and those relating specifically to the law of the sea and environmental law, shall take the necessary measures to achieve the objectives of protection of the marine protected area, which may include:

(a) Organizing a planning and management system;

(b) Prohibiting the dumping or discharging waste or other materials likely to directly or indirectly harm the marine protected area;

(c) Harmonizing marine pollution emergency response plans;

(d) Regulating the passage of ships and any stopping or anchoring;

(e) Regulating the activities of recreational craft;

(f) Combating illegal, unreported and unregulated fishing;

g) Regulating the capture or trade of animals or animal parts, and the harvesting of plants or plant parts from marine protected areas;

(h) Prohibiting the destruction of fauna and flora;

(i) Regulating any act likely to harm or disturb the biological species, including the introduction or reintroduction of non-native animal or plant species or genetically modified organisms into the marine protected area;

(j) Monitoring, where necessary, protected plant species and their parts and products by prohibiting all forms of destruction and disturbance, including the commercial harvesting and transport of these species;

(k) Regulating any activity involving the exploration or exploitation of the seabed or its subsoil, or modification of the seabed profile;

(l) Regulating any activity involving modification of the soil profile or exploitation of the subsoil in the coastal area;

(m) Regulating any scientific research activity relating in particular to an archaeological object and the removal of any object that could be considered an archaeological object;

(n) Regulating the trade, import and export of animals, animal parts, plants, plant parts and archaeological objects that are from protected areas and subject to protection measures;

o) Any other measures aimed at safeguarding ecological and biological processes in protected areas.

Article 15. Buffer zone[10]

1. Each Contracting Party may strengthen the protection of a marine protected area by establishing, in areas under its jurisdiction, one buffer zone in which certain activities compatible with the purposes of the marine protected area shall be permitted.

2. In a buffer zone, each Contracting Party shall promote environmentally sound and sustainable development with a view to strengthening the protection of marine protected area core zones.
3. Changes in the boundaries or legal status of a protected area, or the deletion of all or part of such an area, take into account the need to protect the environment and in accordance with the rules and obligations laid down in this Additional Protocol.

Article 16. Protected border areas

1. When a Contracting Party decides to establish a protected area contiguous to the border or limits of jurisdiction of another Contracting Party, the two cooperate in order to reach agreement on the measures to be taken and to examine in particular whether the other Party may create a protected area or a buffer zone.
2. If a Contracting Party proposes to establish a protected area contiguous to the border or limits of jurisdiction of a State which is not a party to this Additional Protocol, the Contracting Party endeavours to focus on efforts with that State to hold consultations.
3. If a Party intends to establish a protected area or a buffer zone contiguous to the border or to the limits of the area of national jurisdiction of a State which is not a Party to this Protocol, it shall endeavour to collaborate with the competent authorities with a view to holding the consultations referred to in paragraph 2 above.

4. Where contiguous buffer zones and/or protected areas are established by a Party and by a State not Party to this Additional Protocol, the former endeavours, as far as possible, to comply with the provisions of the Convention and its Additional Protocols.

5. If a State not party to this Additional Protocol proposes to establish a marine protected area contiguous to the border and limits of an area under the sovereignty or national jurisdiction of a Party to this Additional Protocol, the latter endeavours to cooperate with that State not party to this Additional Protocol.

Article 17. Traditional activities

1. Each Contracting Party shall, when taking measures to ensure the conservation and sustainable use of marine biological diversity, take into account the traditional activities of Indigenous and local communities in marine protected areas.
It grants exemptions if necessary.

Insofar as possible, any exemption granted in this way shall not:

[10]101010 *Translator's note*: As in the original, but this does not match the heading on the contents page.

(a) Compromise either the maintenance of ecosystems protected under the terms of this Protocol or the biological processes contributing to the maintenance of these ecosystems;

(b) Cause either extinction or a substantial reduction in the number of individuals making up the species of animal or plant population in the protected ecosystems, or any ecologically connected species or population, in particular migratory, endemic, rare, depleted, threatened or endangered species.

2. Any Contracting Party granting exceptions to the protection measures shall inform the Abidjan Convention secretariat thereof.

Article 18. Planning and management of marine protected areas

1. Each State Party shall maintain and, where necessary, extend marine protected areas. It shall also assess potential impacts and the need to create and designate new marine protected areas, as far possible, to ensure the long-term conservation of coastal marine biological diversity.

2. Each Contracting Party shall adopt, in accordance with the rules of international law and in particular community law, measures for the planning, management, surveillance and monitoring and evaluation of marine protected areas on the basis of the connectivity, complementarity and representativeness of the different ecoregions of the Convention.

These measures should include, for each marine protected area:

(a) The adoption and implementation of a management plan specifying the legal and institutional framework and the applicable management and protection measures;

(b) Continuous monitoring of ecological processes, habitats, population dynamics, landscapes and the impact of human activities;

(c) The active participation of local communities in the management of marine protected areas, including assistance to local communities who may be affected by the establishment of such areas;

(d) The adoption of financial mechanisms for the promotion and management of marine protected areas, and the development of activities to ensure that management is compatible with the conservation objectives of these areas;

(e) The regulation of activities compatible with the objectives for which the marine protected area was established, and the conditions governing related permits;

(f) The training of managers and qualified technical staff, and the development of appropriate infrastructure.

3. The Contracting Parties shall ensure that national emergency plans provide for response measures in the event of incidents likely to cause damage or pose a threat to marine protected areas.

4. Whenever marine protected areas covering both terrestrial and marine areas have been established, the Parties shall endeavour to ensure coordination of the administration and management of the marine protected area as a whole.

Article 19. Establishing a list of EBSAs

1. In order to promote cooperation in the management and conservation of natural areas, as well as the protection of threatened species and their habitats, each Contracting Party shall encourage the establishment of a list of ecologically or biologically significant marine areas in the Convention area (hereinafter referred to as the "EBSA list").

2. The EBSA list may include sites that:

(a) Are important for the conservation of the components of biological diversity in the Convention area;

(b) Are of particular importance for the life cycle stages of species and contain specific ecosystems or habitats that are threatened, endangered or in decline;

(c) Are unique or rare;

(d) Contain species, populations or communities whose natural biological productivity is higher than that of other areas;

(e) Are vulnerable, fragile, sensitive or slow to recover;

(f) Have a natural character.

3. Before establishing EBSA lists and making the decision to establish an EBSA, each Party shall implement a process comprising the following steps:

(a) Identification of the site;

(b) A review of the literature;

(c) A meeting of experts;

(d) Site mapping;

(e) Data sheet documentation.

(f) To recognize the particular importance of these areas for the Western, Central and Southern African region;

(g) To identify and adopt appropriate measures for the conservation and sustainable use of resources;

(h) To comply with the measures applicable to EBSAs, and not to authorize or undertake activities that could be contrary to the objectives for which those areas have been identified.

Part IV. Provisions common to protected areas and species

Article 20. Guidelines

1. Each Contracting Party shall formulate and adopt guidelines for the identification, creation, selection, establishment, listing and management of marine protected areas.

2. Contracting Parties adopt Common criteria for the selection of marine and coastal protected areas to be annexed to this Additional Protocol; and

3. Contracting Parties undertake to identify, with a view to eliminating, the factors that are the causes of the depletion of threatened animal and plant species, or that are likely to become so, and to accord special protection to marine protected species and to their survival.

4. The Contracting Parties to this Additional Protocol endeavour to fulfil their commitments under the relevant international instruments for the conservation of habitats and species.

5. The guidelines and common criterias may be modified by the Conference of the Parties on the basis of proposals made by one or more Parties. In such cases, the Parties shall endeavour to reach consensus on any proposed amendment.

Article 21. Environmental and social assessment and audit

1. Each Contracting Party shall, as part of the planning process leading to decisions on industrial and other projects and activities likely to significantly affect marine protected areas, biological species and their habitats, ensure that proposed activities, including cumulative impacts and impacts in areas under national jurisdiction, are studied and evaluated taking into account best available techniques and appropriate ecologically and economically efficient best practices and available scientific information, and, where available, relevant traditional knowledge of Indigenous Peoples and local communities.

2. To this end, States shall assess and take into account the possible direct or indirect, immediate or long-term environmental impact, including the cumulative impact of planned projects and activities that may have a significant negative impact on marine protected areas or on marine and coastal biological diversity, and shall carry out an environmental and social assessment.

3. The objectives of any environmental and social assessment shall be established before any decision is taken by any person or authority to undertake or authorize any activity that may significantly affect marine protected areas. In this respect, the assessment shall be carried out according to the type of planned activity that could have an impact on the marine protected area, ranging from an environmental, social and strategic assessment to an environmental impact assessment and, in some cases, an environmental and social audit.

4. In addition to the environmental and social assessment, an audit may be carried out, .

Article 22. Publicity and notification

1. Each Contracting Party shall give appropriate publicity to the creation of marine protected areas with regard to their boundaries, the regulations applying to them and the selection of threatened species.

2. Information on the creation of these areas shall be notified by the State concerned to the Abidjan Convention secretariat. The notification shall be accompanied by all technical information, in particular geographical coordinates, as well as the applicable texts.

3. The Abidjan Convention secretariat shall establish and maintain an up-to-date directory of marine protected areas in the Western, Central and Southern African region, based on the identifier of the World Database on Protected Areas.

Article 23. Communication, awareness-raising, information and education

1. Each Contracting Party shall endeavour to make available to the public, within the framework of its national laws, information on marine protected areas and the protection of marine and coastal biological diversity and to undertake awareness-raising actions taking into account new technologies where necessary, without the public having to state a particular interest or in the form requested, unless it is reasonable for the public authority to communicate the information in question in another form or such information has been made public in another form.

2. Information shall be made available to the public in a transparent and genuinely accessible way, taking into account the stipulations of international instruments concerning public access to information.

3. Each Contracting Party shall facilitate public access to administrative and judicial procedures for redress of any damage resulting from a lack of information and non-participation in decision-making processes for the establishment of marine protected areas and the protection of marine and coastal biological diversity.

4. This information shall be integrated into teaching programmes and training activities relating to the environment, climate change, archaeology, history, etc.. Each Contracting Party also endeavours to promote the participation of their public and nature conservation organizations in the protection of the areas and exploitable biological species concerned. However, the public authority may refuse to communicate this information if it is necessary to protect legitimate interests, such as the risk of undermining public order or the protection of sensitive information or information protected by law.

5. Each Contracting Party shall cooperate, as appropriate, with other States and national and international organizations in the development of environmental education and public awareness programmes concerning the conservation and sustainable use of biological diversity.

Article 24. Regional cooperation and mutual assistance

1. Each Contracting Party shall establish, directly or with the assistance of competent international organizations, a regional programme to coordinate the selection, creation and management of protected areas and the protection of exploitable biological species with a view to creating and/or strengthening a representative regional network of interconnected protected areas within the area of coverage of the Convention and to promote regular exchanges of information concerning the characteristics of protected areas and biological diversity, the experience gained and the problems encountered.

2. Each Contracting Party shall communicate to the other as soon as possible any situation likely to endanger the ecosystems of protected areas or the survival of protected biological species. .[11]

3. Each Contracting Party shall endeavour, directly or through the Organization or with the assistance of competent international organizations and regional networks of marine protected areas, to engage in programmes of mutual assistance, including environmental public education, the training of scientific, technical and management personnel, scientific research, the acquisition, use, design and development of appropriate equipment and the transfer of appropriate technologies.

4. Each Contracting Party shall cooperate, directly or with the assistance of competent regional or international organizations, in the provision to other Contracting Parties of technical and technological documents and other forms of assistance in matters relating to the selection, creation and management of marine protected areas and the protection of biological diversity.

Article 25. Scientific, technical and management cooperation

1. Each Contracting Party shall encourage and develop scientific, technical and management cooperation on protected areas as well as on ecosystems, biological diversity and archaeological heritage in the marine and coastal areas of Western, Central and Southern Africa.

2. Each Contracting Party shall exchange, directly or through the Organization, scientific and technical information concerning the implementation of research programmes and projects with the necessary funding. As far as possible, it shall coordinate research and jointly define or standardize the scientific methods to be applied in the selection, management and monitoring of protected areas.

3. Each Contracting Party shall encourage and develop research into the sustainable use of marine protected areas and the management of biological diversity and, in this regard, develop mechanisms for evaluating the effectiveness of measures taken to implement management and recovery plans.

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[11]111111 *Translator's note*: This appears to be an incomplete grammatical sentence as drafted.

Article 26. Exchange of information

1. In applying the principles of cooperation set forth in article 21 of this Additional Protocol, each Contracting Party shall communicate to the Organization:

(a) Comparable information for monitoring biological evolution in the Abidjan Convention ecoregions, in order to facilitate the interconnection of databases on marine protected areas;

(b) Inventories, publications, maps and information of a scientific, administrative and legal nature, particularly concerning :

(i) The measures taken by each Contracting Party pursuant to the Additional Protocol on protected areas ;

(ii) The biological diversity present in the marine protected areas ;

(iii) Any threats to marine protected areas or biological diversity, particularly those that may arise from sources beyond their control;

(iv) The measures taken to share information with all stakeholders;

(v) Any change to the boundaries or legal status of a protected area, or the deletion of all or part of such an area.

2. Each Contracting Party shall designate those responsible for marine protected areas. These persons shall meet at least once every two years to discuss matters of common interest and, in particular, to propose to the Contracting Parties recommendations concerning scientific, administrative and legal aspects and measures to be adopted to improve the implementation of the provisions of this Additional Protocol.

Part V. Implementing institutions

Article 27. National focal points

1. Each Contracting Party shall designate a national focal point responsible for liaising with the Abidjan Convention secretariat regarding the technical and scientific aspects of the implementation of this Additional Protocol.

2. Periodic meetings of the national focal points shall be held to specify the conditions for implementing the Additional Protocol in each State and the difficulties encountered.

Article 28. Meeting of the Parties

1. Ordinary and extraordinary meetings of the Contracting Parties to this Additional Protocol shall be held in accordance with article 17 of the Convention.

2. The meetings of the Contracting Parties to this Additional Protocol shall have the following functions in particular:

(a) To closely monitor the implementation of this Protocol;

(b) To ensure implementation of the Protocol;

(c) To consider the effectiveness of the measures adopted and the need to enact new measures or withdraw certain measures, in particular in the form of annexes in accordance with the provisions of article 20 of the Convention;

(d) To review and amend any annex to this Additional Protocol in accordance with the provisions of article 20 of the Convention;

(e) To adopt the guidelines referred to in this Protocol to facilitate the establishment and development of this system, including marine protected areas, and to increase cooperation between Contracting Parties;

(f) To adopt, consider and amend, as necessary, any annex to this Additional Protocol;

(g) To promote the establishment and development of the network of marine protected areas,
(f)[12] To adopt, consider and amend, as necessary, any annex to this Additional Protocol;

[12]121212 *Translator's note*: The letter (f) appears again here in the French text, but this repetition may be unintentional.

(g)[13] To monitor the establishment and development of the network of marine protected areas referred to in article 21,[14] of this Protocol

(h) To consider the recommendations made by meetings of marine protected area managers;

(i) To consider, as appropriate, the information transmitted to the Organization by each Contracting Party to this Additional Protocol under articles 22 and 23 of the Convention;

(j) To perform all other functions as specified under article 17 of the Convention.

Article 29. Periodic reports

1. In accordance with article 22 of the Convention, each Contracting Party shall transmit to the Abidjan Convention secretariat periodic reports on the measures adopted in the implementation of this Additional Protocol, covering in particular:

(a) The status and condition of marine protected areas ;

(b) Any marine protected areas reconfiguration;

(c) Any change to boundaries and protected species;

(d) Any exemptions granted on the basis of articles 12 and 18 of this Additional Protocol.

2. The meeting of the Contracting Parties shall determine the form and content of these reports.

3. The Organization shall disseminate the reports received under this article to all Contracting Parties.

Article 30. Coordination

1. The Organization shall be responsible for coordinating the implementation of this Additional Protocol. This coordination shall include the following functions:

(a) To assist each Contracting Party, in cooperation with the competent regional and international intergovernmental and non-governmental organizations, to establish and manage marine protected areas within the area to which this Additional Protocol applies;

(b) To assist the conduct of scientific, technical and management research programmes;

c) provide technical assistance to prepare management plans for marine protected areas ;

[13]131313 *Translator's note*: The letter (g) appears again here in the French text, but this repetition may be unintentional.

[14]141414 *Translator's not*e: Does not appear to be mentioned in article 23, but rather in article 26 as drafted.

(d) To develop cooperation programmes and prepare teaching materials ;

(e) To convene and organize meetings of focal point and provide them with secretariat services;

(f) To make recommendations on common guidelines and criteria in accordance with annex 1(A) of this Additional Protocol;

(gf) To create and update databases on marine protected areas, biological species and other matters relevant to this Additional Protocol;

(h)[15] To prepare such reports and technical studies as may be necessary for the implementation of this Additional Protocol;

(i)[16] To develop and implement the training programmes provided for in article 16 of this Additional Protocol;

(j) To cooperate with national non governmental organization, regional,and international intergovernmental and non-governmental organizations ;

(k) To perform the functions assigned to it in the action plans adopted under this Additional Protocol;

(l) To perform any other duties which are entrusted to it by the Contracting Parties or incidental to the exercise of the aforementioned functions.

[15]151515 *Translator's note*: The letter (e) appears again here in the French text, but this repetition may be unintentional.
[16]161616 *Translator's note*: The letter (f) appears again here in the French text, but this repetition may be unintentional.

Part VI. Financial resources and mechanisms

Article 31. Financing

1. Each Contracting Party shall provide, within its capabilities, resources in respect of those activities that are intended to achieve the objectives of this Additional Protocol.

2. A mechanism for the provision of adequate, accessible, new and additional and predictable sustainable financial resources under this Additional Protocol is hereby established. This mechanism shall support each State Party in implementing this Additional Protocol, including through funding in support of capacity-building and the transfer of marine technology, with the aim of ensuring the conservation and sustainable use of marine biological diversity.

3. The business plan-based mechanism shall include:

(a) A voluntary fund established by the Conference of the Parties to the Convention;

(b) A special fund financed by annual contributions from States Parties and support from international organizations, non-governmental organizations, the private sector, revenues from fisheries agreements or the exploitation of marine mineral resources, and any other natural or legal person working to preserve marine biological diversity.

4. The financial mechanism shall be used to:

(a) Finance capacity-building projects;

(b) Assist States Parties in the implementation of this Additional Protocol;

(c) Support conservation and sustainable use programmes by Indigenous Peoples and local communities as holders of traditional knowledge;

(d) Promote ecotourism;

(e) Capitalize on existing programmes to develop the blue economy;

(d)[17] Develop public-private partnerships in the management of marine protected areas;

(e)[18] Encourage the creation of a trust fund;

(f) Fund the undertaking of any other activities as decided by the Conference of the Parties.

5. For the purposes of this Protocol,[19] the mechanism shall be operated under the authority and guidance of, and be accountable to, the Conference of the Parties. The Conference of the Parties shall provide guidance on overall strategies, policies, programme priorities and eligibility for access to and utilization of financial resources.

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[17]171717 *Translator's note*: The letter (d) appears again here in the French text, but this repetition may be unintentional.

[18]181818 *Translator's note*: The letter (e) appears again here in the French text, but this repetition may be unintentional.

[19]191919 *Translator's note*: As in the original French as drafted but should presumably read "Additional Protocol" or "Protocol".

6. Eligibility for access to funding under this Additional Protocol shall be open to States Parties on the basis of need.

Part VII.[20] Final provisions

Article 32. Non-compliance

Each Contracting Party shall define the regime applicable in the event of non-compliance with the obligations arising from this Additional Protocol and the national laws implementing this Additional Protocol and shall take all necessary measures to ensure that they are enforced.

Articles 33. Scope of the Additional Protocol

The provisions of this Additional Protocol shall not affect the right of the Parties to adopt stricter national measures for its application.

Article 34. Relation with the Convention

1. The provisions of the Convention relating to any protocol shall apply to this Protocol.
2. The rules of procedure and the financial rules adopted pursuant to Article 21 of the Convention shall apply with respect to this Protocol, unless the Parties to this Protocol agree otherwise.

Article 35. Relations with third parties

1. Each Contracting Party may invite States which are not parties to this Protocol, as well as other non-State parties, in particular international intergovernmental and non-governmental organizations, to cooperate in its implementation .

2. Each Contracting Party shall adopt appropriate measures in accordance with the rules of international law to ensure that no one within its national jurisdiction undertakes activities or projects contrary to the objectives, principles and purposes of this Protocol.

Article 36. Signature, ratification and other forms of acceptance, amendments and entry into force

1. This Protocol shall be open for signature by the Contracting Parties to the Convention.

2. The provisions of the Convention relating to signature, ratification, accession, acceptance, approval, consideration of amendments, depositary and entry into force shall apply mutatis mutandis to this Additional Protocol.

Article 37: Annexes

The Annexes to this Protocol are an integral part of the Protocol.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

[20]202020 *Translator's note*: Corrected from "Part VI" in the original.

DONE at....on... This Protocol is in four (4)[21] originals, in English and French, both texts being equally authentic.

Annex 1 (A). Common criteria for selecting marine protected areas

A.1 General principles

The general principles guiding the creation of marine protected areas shall be as follows:

1. Promotion and conservation natural heritage

While pursuing the objective of conserving natural heritage, other objectives such as the protection of cultural heritage, the promotion of scientific research, education, collaboration and participation shall be encouraged in the case of marine protected areas.

2. Criteria for the creation of marine protected areas

The sites are created and selected on a technical and scientific basis and included in the list on the basis of their qualities, in accordance with the conditions set out in the Protocol.

3. Site representation

The marine protected areas included in the list and their geographical distribution shall be representative of the Western, Central and Southern African region and its biodiversity. The proposed list shall represent as many habitat and ecosystem types as possible.

4. Creation of networks of marine protected areas

Marine protected areas form or join existing regional or international networks of marine protected areas with the aim of strengthening the biological and ecological heritage of Western, Central and Southern Africa. To this end, States Parties map the stakeholders involved in marine protected areas, strengthen existing regional networks of marine protected areas and promote the establishment of marine protected areas by:

- Supporting regional cooperation mechanisms for marine protected areas;

- Promoting the implementation of regional strategies for marine protected areas;

- Promoting synergies between marine protected area initiatives.

The Contracting Parties shall develop cooperation in creating trans-boundary marine protected areas.

[21]212121 *Translator's note*: The French text as drafted reads "en quatre", i.e. in four copies, but also has the figure 2.

5. Model sites

The sites included in the list of marine protected areas serve as a model for heritage protection in the Western, Central and Southern Africa region.

B. Status

1. Any area likely to be identified in the list of marine protected areas shall have a status ensuring its effective long-term protection.

2. To be included in the list of marine protected areas, an area located within a delimited area over which the sovereignty or jurisdiction of a Party is exercised shall benefit from a protection status recognized by the Party concerned.

3. In the case of sites located wholly or partly on the high seas or in areas where the limits of national sovereignty or jurisdiction are not yet defined, the legal status, management plan, applicable measures and other elements provided for in article 9, paragraph 3,[23] of the Protocol shall be provided by the neighbouring Parties concerned in the proposal for inclusion in the list of marine protected areas.

C. Protection, planning and management measures

1. Conservation and management objectives shall be clearly defined in the texts relating to each site and shall make it possible to assess the suitability of the measures adopted and the effectiveness of their implementation when the list of marine protected areas is revised.

2. The protection, planning and management measures applicable to each marine protected area shall be appropriate to achieve the short- and long-term conservation and management objectives established for the site and take particular account of the threats.

3. The protection, planning and management measures shall be based on adequate knowledge of the natural components and socioeconomic and cultural factors that characterize each marine protected area. In the event of gaps in basic knowledge, an area proposed for inclusion in the list of marine protected areas shall have a programme for collecting the missing data and information.

4. The competences and responsibilities regarding the administration and implementation of conservation measures for the areas proposed for inclusion in the list of marine protected areas shall be clearly defined in the texts governing each area.

[23]232323 *Translator's note*: This appears to refer to article 23, paragraph 3.

5. While respecting the specific characteristics of each protected site, measures to protect a marine protected area shall take the following aspects into account:

(a) Stricter regulation of the discharge or dumping of waste or other substances likely to directly or indirectly damage the integrity of the area;

(b) Stricter regulation of the introduction or reintroduction of any species into the marine protected area;

(c) The regulation of any activity or act that may harm or disturb species, or that may endanger the conservation status of ecosystems or species, or harm the natural, cultural or aesthetic characteristics of the marine protected area;

(d) Regulations applying to the peripheral zones of the areas in question.

6. To qualify as a marine protected area, a protected area shall have a management body with sufficient powers and human and material resources to prevent and/or control activities likely to conflict with the objectives of the protected area.

Annex I (B). Typology of marine protected areas

This additional annex provides a typology of marine protected areas that complements where applicable, national lists.

The list contains the following marine protected areas:

- Natural marine parks;
- Special reserves;
- Biosphere reserves;
- Community marine reserves;
- Ramsar sites;
- Marine archipelagos;
- Flora and fauna sanctuaries;
- Indigenous Peoples' and community conserved areas;
- Important Marine Mammals Areas.