



Session 2 **15.00 – 1725**

The high seas: how can we govern half of the planet for the benefit of all the world's people?

Facilitator: Gillian Martin-Mehers

A panel discussion followed by table discussions with a summing up at the end on the key messages, gaps remaining and challenges arising from the session.

Panel discussion

Moderator: Essam Yassin Mohammed

Speakers

William Cheung	Associate professor at the Institute for Oceans and Fisheries, University of British Columbia, Canada
Ekaterina Popova	National Oceanography Centre, University of Southampton
Speaker no 3	To be confirmed

Background

The ocean brings multiple benefits, ranging from the oxygen we breathe to absorbing carbon from the atmosphere. Its rich biodiversity provides crucial food and non-food (eg pharmaceutical) resources. The United Nations Convention on the Law of the Sea (UNCLOS) establishes a broad framework for the regulation of our oceans, but there are some critical gaps. One concerns the regulation of marine resources in areas beyond national jurisdiction (ABNJ), commonly known as the high seas. A governance gap in these waters has led to widespread abuses: overfishing to dangerous tipping points, dumping crippling amounts of waste, slavery, human and drug trafficking.

The ocean is a common heritage of all humanity — it belongs to everyone, now and forever. But not all countries can access the vast benefits of its high seas. Poorer countries do not have the financial or technical means to share in its benefits or help protect it. Because of this, access to marine resources — from fishing to extracting marine genetic resources for scientific research — has not been equitable. Any measures to govern these waters must benefit everyone, and developing countries, particularly the Least Developed Countries, can play an active role in protecting and sustainably managing the ocean.

Goals/outcomes for this session

Goal: to share IIED's narrative (as outlined in the background paragraphs above) alongside different perspectives and to highlight the challenges to achieving inclusive ocean governance.

Outcomes:

- For national government participants: stronger commitment to a treaty that has inclusiveness at its core ie that the final treaty benefits both people and the environment [IIED's key message]
- And for SSF or large-scale fishing industry: that the former make connections at the event and have a better idea of how to get their position included more in governance conversations; and the latter – that they make a greater commitment to keeping discussion lines open with all parts of the sector and with government.
- For the business contingent: By the end of the event, a greater understanding that sustainable use and conservation of biodiversity in Areas Beyond National Jurisdiction will help to reduce the risk of stranded assets and shortage of resources in the product supply chain

Format of panel discussion

Panel discussion moderated by Essam Mohammed, first answering questions posed by him for 40 minutes and then 20 minutes answering questions from the floor, gathered using a digital polling tool (polleverywhere.com).

Example questions posed by Essam include:

- What's the urgency? Why is it more important than ever to tackle lack of governance in the high seas?
- How can the new legally binding instrument ensure benefits are equitably shared between nations?
- How do we make sure the voices of vulnerable communities are heard and represented in ocean diplomacy?
- Why does scientific understanding of the complex ocean ecosystems is key in establishing a new legally binding instrument to govern areas beyond national jurisdiction?
- Too far, yet to close? Why does governance of ABNJ matter to countries with limited technical and financial capacity to take part in the exploration and sustainable use our ocean?
- How could coastal communities be affected by activities that may take place hundreds or thousands of miles away from the coast?
- To what extent will climate change undermine ABNJ conservation efforts?
- Can different management regimes of ABNJ affect food availability (potential landing) of coastal states?
- How can science inform the need to bring the needs and concerns of vulnerable coastal communities to the core of the negotiation process?
- What is the role of evaluation in measuring progress and achieving good governance of ocean and marine resources?

Table discussion

Facilitator: Gillian Martin Mehers

Format

Participants choose the table they sit on and first focus on two questions for 25 minutes before some tables report on highlights. All tables have recorded the key points on an A3 piece of paper which is posted up for viewing on Day 2.

The two questions are:

- [Best case scenario] what does a future legally binding instrument to govern ABNJ that is fair and equitable look like?
- [Status quo] What would happen if nations fail to reach an agreement to establish a legally binding instrument? What's at stake?

Summing up at end of session

Facilitator: Gillian Martin Mehers

Speaker: Glen Wright, research fellow in international marine policy, Institute for Sustainable Development and International Relations (IDDR)

Format

Speak from the floor with hand held microphone for three to five minutes. A reflection on what has been said during the panel discussion and the table discussions.

- What key messages stand out?
- What are some obvious gaps in knowledge, capability and action?
- What are the clear governance challenges for us all in the coming years if we are to achieve an inclusive blue economy?