



Underpinning a High Seas Treaty through Strong Regional and Sectoral Governance

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- 1. Marine Protected Areas**
- 2. Fisheries**
- 3. Examples**
- 4. Strengthening regional & sectoral governance**



1. Marine Protected Areas

MPAs – existing regional & sectoral bodies/processes



- Sectoral ABMTs (e.g. VMEs, PSSAs, APEIs)
- Regionally established MPAs
 - North-East Atlantic – OSPAR
 - Mediterranean – Barcelona Convention
 - Southern Ocean – CCAMLR
- Existing processes for cooperation
- Scientific processes (e.g. EBSAs)

MPA models – centralized/global



- Global mechanisms/institutions with global coverage & mandate:
 - Responsible for entire MPA process
- Regional & sectoral organisations:
 - Implement management measures
 - Act as a conduit for State proposals, implementation, surveillance and enforcement

MPA models – centralized/global



Scientific criteria

New criteria
under ILBI

Proposal

States
Sci/tech body

Designation

Formal
designation by
COP

Management

Global mechanism
to coordinate
establishment of
management plan &
measures

Implementation

States implement &
enforce directly
and/or through
competent
organisation

Review

ILBI body reviews MPA
& implementation

COP endorses review;
adopts
recommendations

MPA models - hybrid



- Two-track approach:
 1. Endorsement of existing & new MPAs
 2. Designation of MPAs through a global process
- Global mechanism to coordinate establishment of management plan & measures through competent bodies
- Shared responsibility for implementation & review

MPA models - hybrid



Scientific criteria

1. Existing regional and sectoral criteria
2. New criteria established by ILBI

Proposal

1. Regional MPAs recognised by ILBI
2. Proposal by States or new body

Designation

1. MPA designated at regional level
2. MPAs either formally recognised/designated by the COP

Management

Global mechanism to coordinate the establishment of management plan & measures

Implementation

States implement & enforce through regional organisations and/or through international process

Review

ILBI body reviews MPA & implementation, COP endorses review

An aerial photograph of a turbulent ocean surface, showing white, frothy wave crests and deep, dark green-blue water. A solid dark blue rectangle is centered horizontally and vertically, serving as a background for the title text.

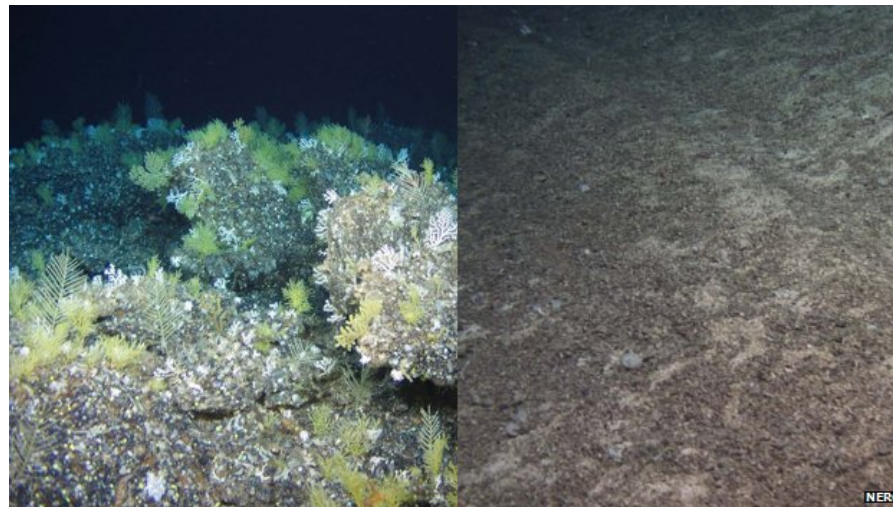
2. Fisheries



- Fish = integral part of high seas biodiversity
- Fishing = significant impacts
- Sectoral ABMTs already available, but:
 - Mixed RFMO performance
 - Need for integrated ocean governance
 - Conservation & sustainable use?

Mixed RFMO performance

- “examples of how past and on-going developments in fisheries **challenge the pessimistic picture** promoted by some environment- focused advocacy papers.” (Friedman et al., 2018)
- “many of the elements necessary for an operational EBFM are already present, yet they have been implemented in an ad hoc way, **without a long-term vision and a formalized plan.**” (Juan-Jordá et al., 2018)
- Uneven and incomplete implementation of UNGA bottom fishing resolutions, including closure of vulnerable marine ecosystems (VMEs)



Sectoral management vs. conservation & sustainable use

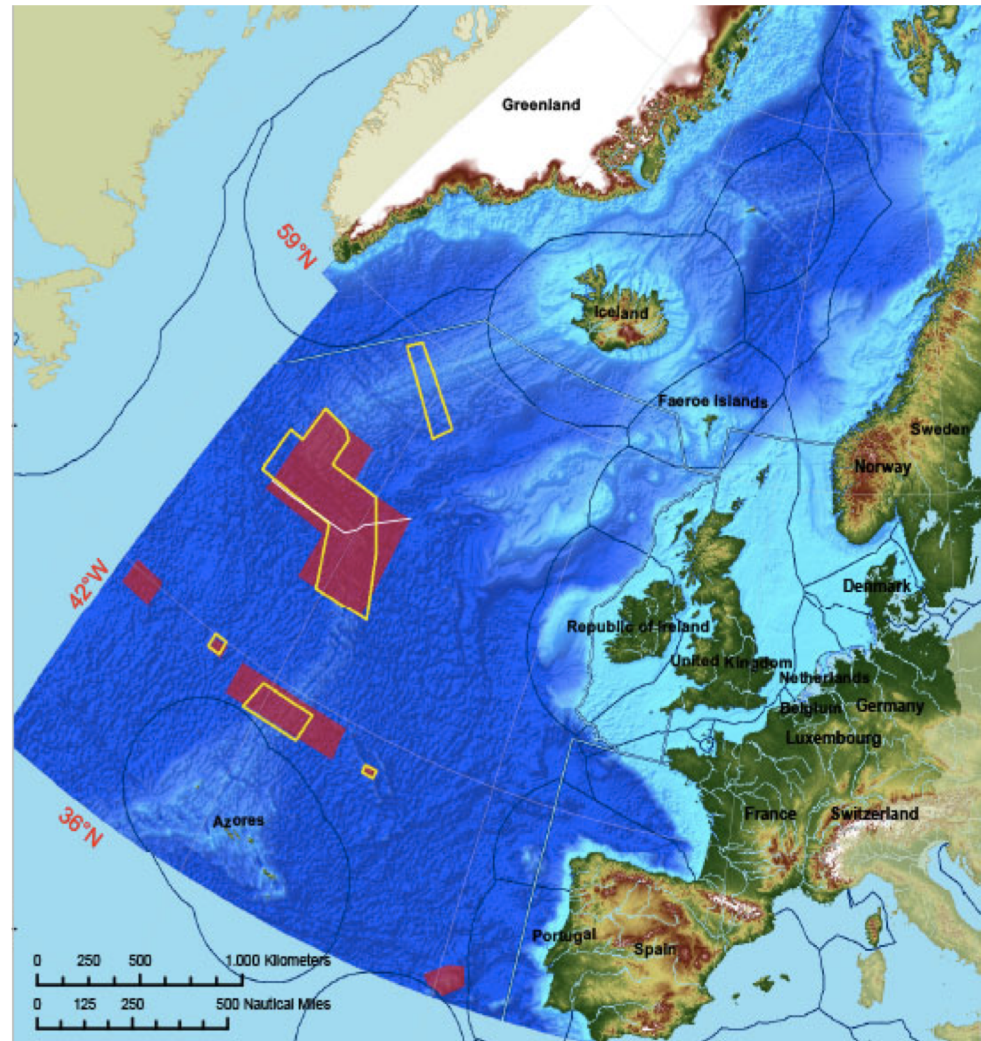


- New treaty = conservation & sustainable use
- RFMOs =
 - Sectoral
 - Species-specific
 - Members: coastal States & fishing States
- How can States with an interest in biodiversity contribute to conservation & sustainable use?

An aerial photograph of a turbulent ocean surface, showing white, frothy wave crests and deep, dark green water. A solid dark blue rectangle is centered horizontally and vertically, containing the text "3. Examples" in a bold, orange-red font.

3. Examples

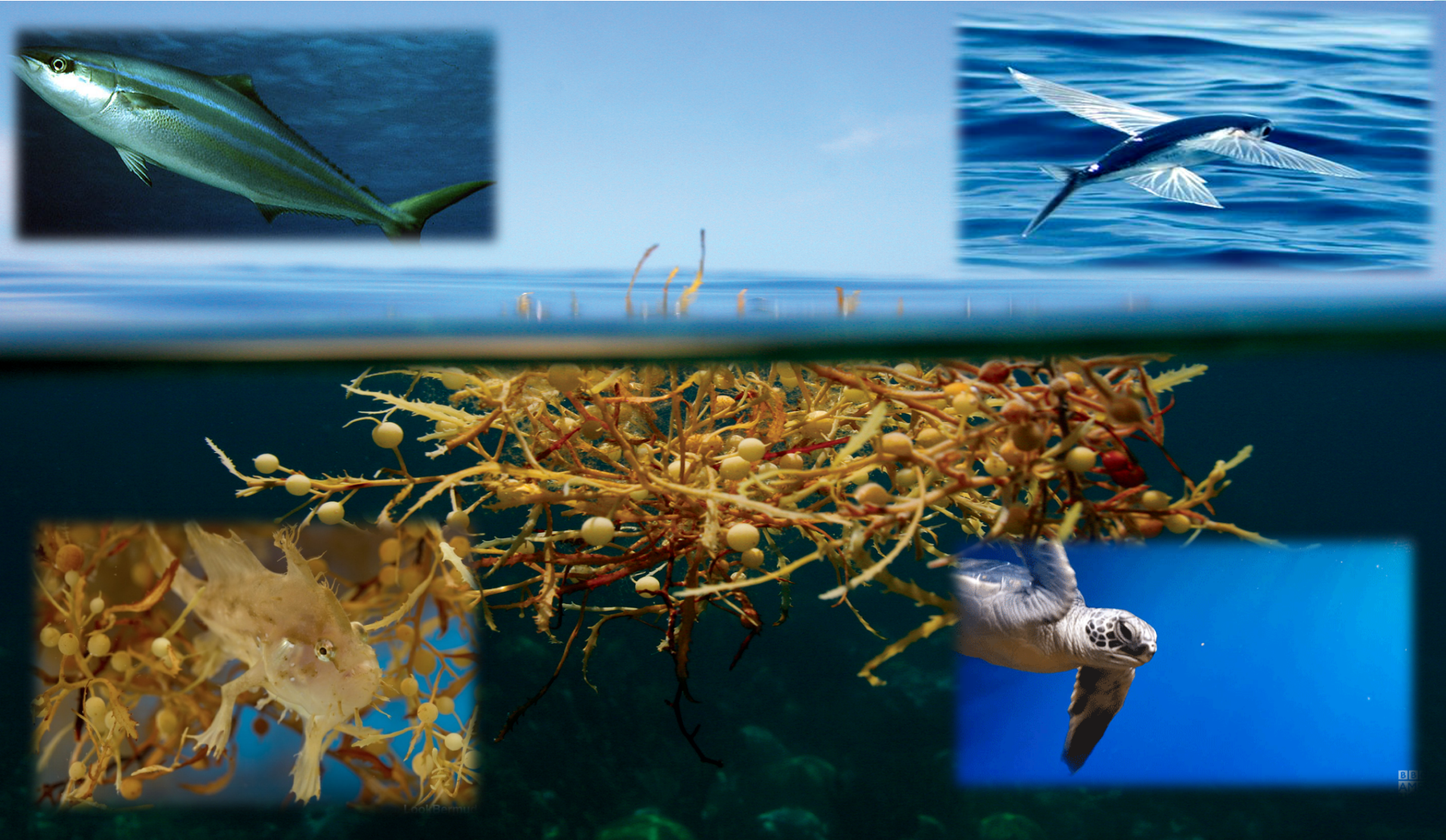
OSPAR & NEAFC



German Federal Agency for Nature Conservation

<http://mare.essenberger.de/en/karte-charlie-gibbs-schutzgebiet.php>

Sargasso Sea Commission



An aerial photograph of a turbulent ocean surface, showing white, frothy wave crests and deep, dark blue-green water. The water's surface is highly textured with ripples and small waves. A solid dark blue rectangular box is centered horizontally and vertically, containing white text.

4. Strengthening sectoral and regional mechanisms

Challenges for existing framework



- Not all regions currently have competent organisations
- Capacity limitations: need skilled & well-equipped institutions with adequate financial & human resources
- Sectoral organisations are... sectoral.
- **RFMOs**
 - Limited coverage
 - Limited participation
 - Mixed performance
 - Focus on stock management, not conservation & sustainable use
- **Regional Seas programmes**
 - Few with a mandate in ABNJ
 - Focus on conservation
 - Uneven development, participation and buy-in

Role for a new treaty?

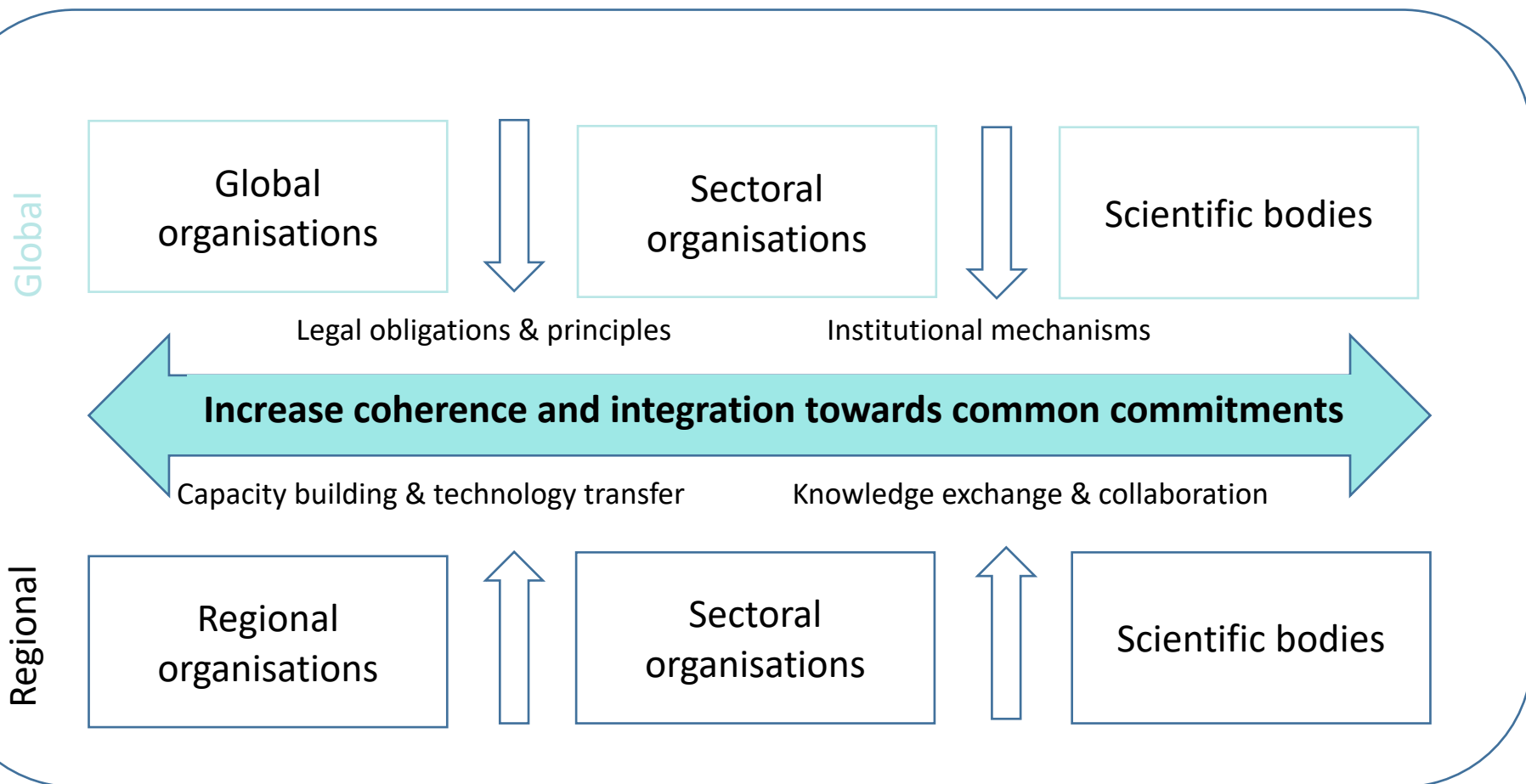


- Provide a **default mechanism** where no competent regional organisation or body exists
- Require States to **cooperate to establish** regional organisations, or regional advisory bodies
- Require States to cooperate to **extend the mandates** of existing regional organisations that are not yet competent in ABNJ (see UNEA resolution)

Role for a new treaty?



- Ensure **complementarity & coherence** between different legal frameworks
- **Build on & strengthen** existing institutional arrangements
- Establish legal **obligations**
- Allow for interested parties to participate in decisionmaking/oversight (e.g. non-fishing States in RFMOs)
- Provide for **oversight & review**



<http://bit.ly/2CNlgFK>

1. How can a new instrument enhance the effectiveness, inclusiveness and capacity of regional and sectoral institutions?
2. How can regional activities and mechanisms bolster the achievement of global objectives?



Thank you!

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@MarinePolicy

IKI STRONG High Seas project

prog-ocean.org/our-work/strong-high-seas/

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