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Visioning Workshop for the Regional Seas next 40 years
Background document

Visioning Workshop for the Regional Seas next 40 years

I. Background and rationale

The international community has, over the past decade, become increasingly concerned about the many issues involving oceans and coasts as demonstrated in the Rio+20 outcome document "The future we want". The issues of concern include depleting fishing stocks, destruction of natural marine habitats (notably in coastal zones and around islands), pressure of urbanisation and tourism on coastal regions, and marine pollution from maritime and land-based activities. Also, the international community (UN agencies, governments, environmental NGOs, and a multitude of other stakeholders) appears to increasingly acknowledge the existence of a governance gap with respect to oceans, especially in areas beyond national jurisdiction.

A major concern is that the efficiency and effectiveness of global oceans governance is being weakened by the fragmentation of responsibilities within the UN system (UN-DOALOS, FAO, IMO, UNEP, IOC-UNESCO) and among the many global and regional Multilateral Environmental Agreements (MEAs). This is certainly not a new phenomenon, but one that has been grown proportionally with the emergence of new institutions and actors.

Further symptoms of a governance gap include:

i) Lack of cooperation between biodiversity and fishing frameworks;
ii) Slow progress with establishing MPAs;
iii) Absence or low level of implementation of legally-binding mechanism addressing critical challenges of ocean governance;
iv) Lack or weak links between the scientific community (including monitoring and assessment activities) and the policy and decision makers; and
v) Loopholes in the prevention and control of environmental impact from maritime activities (particularly areas beyond national jurisdiction).

Lately, emerging issues such as biodiversity beyond national jurisdiction, the status of the high seas in terms of conservation and sustainable use, the exploitation of the seabed, and the impact of climate change and ocean acidification have raised the profile of marine issues even further. All these issues, as well as some sensitive regional matters (e.g. the sustainable management of the Arctic Sea), have generated a host of new initiatives from international NGOs, think tanks and other groups.

While the international community remains engaged and have acknowledge the challenges related to the management and sustainable use of oceans, there is renewed momentum being gained since Rio+20, the sustainable development goals and the entire post 2015 development agenda.

II. Regional Seas Conventions and Action Plans within the UN governance context

The Regional Seas Conventions and Action Plans certainly have played an important role in the protection of the marine environment during the last 40 years. With a view towards the future, it has become important to understand where can the Regional Seas Conventions and Action Plans contribute to the large international initiatives being discussed within and outside of the UN system.

In this sense, it is important to identify potential roles in:

- Sustainable Development Goals / post-2015 development agenda. Given that the mandate comes from member states, will the Regional Seas Conventions and Action Plans be able to adapt/utilize the opportunity? Are there limitations in terms of the current mandate?

- Decisions related to the CBD, CITES, CMS and Law of the Sea.
- The *UN reform process*, One UN and UNDAF processes.
- World Oceans Assessment.
- Intergovernmental Platform for Biodiversity and Ecosystem Services (IPBES).
- Emerging trends such as climate change, seabed mining, areas beyond national jurisdiction, National Biodiversity Strategic Action Plans (NBSAPs).
- Global Programme of Action for the protection of the marine environment against land based sources of pollution / Manila Declaration
- Global Partnership for Oceans.
- 50 in 10 Initiative.

III. Objectives of the workshop

Taking into the account the above mentioned context, the objectives of the workshop are:

1. Identify objectives and priorities for the future positioning of the Regional Seas Conventions and Action Plans.
2. Identification of a roadmap with short, medium and long term milestones.
3. Identification of partnerships with external partners (UN agencies, NGOs and other stakeholders).

IV. Matrix for identification of priorities

The workshop will be invited to establish a list of marine priorities. A matrix will be provided in order to facilitate the group discussions.

The list of priorities could be based on some of the following criteria:

- Existing mandate of the Regional Seas Conventions and Action Plans and other MEAs.
- Internationally adopted targets and potential future ones (SDGs).
- Emerging trends recognized at scientific or political level.
- Regional Seas Conventions and Action Plans comparative advantage and capacity to address the issue.

Based on this proposed list of criteria (to be reviewed by participants), an indicative set of priorities (open for discussion) might include the following:

- Pollution from land-based activities (LBA) including nutrients
- Areas beyond national jurisdiction and biodiversity beyond national jurisdiction
- Chemicals and other hazardous substances affecting the marine environment
- Oil (and other hazardous and toxic substances) spills from maritime activities including shipping and ports
- Environmental aspects of fisheries
- Destruction of natural coastlines

- Climate change and ocean acidification
- Marine litter
- Seabed mining

The following governance and management issues would be associated with each substantive issue, as the case may be:

- Monitoring and assessment of the marine and coastal environment
- Mainstreaming into the planning and budgetary processes
- Development of and compliance with international law, including those covering EEZ and territorial waters
- Financing mechanisms and infrastructure
- Economic valuation and trade off analysis of marine and coastal ecosystems services
- Management approach (e.g. marine protected areas, integrated coastal zone management, large marine ecosystem, integrated coastal and river management)

Matrix for assessing priorities (to be reviewed)

Substantive issue	Governance elements	RSCAPS role	Building blocks / Partners	Priority	Constraints/challenges
1. Pollution from land-based activities (LBA) including nutrients	**Mainstreaming into the planning and budgetary processes** Financing mechanisms and infrastructure Development of and compliance with international rules	Range of 1 to 5	List to be discussed	Range of 1 to 5	To be discussed
2. Areas beyond national jurisdiction and biodiversity beyond national jurisdiction	**Management approach** Monitoring and assessment Economic valuation of marine and coastal ecosystems services				
3. Climate change and ocean acidification	**Management approach** Monitoring and assessment Economic valuation of marine and coastal ecosystems services				
4. Chemicals and other hazardous substances affecting the marine environment	**Management approach** Economic valuation of marine and coastal				

	ecosystems services Mainstreaming into the planning and budgetary processes				

V. History of the Regional Seas Conventions and Action Plans

UNEP's Regional Seas Programme - launched in 1974 in the wake of the 1972 United Nations Conference on the Human Environment - is one of UNEP's most significant achievements in the past 35 years.

It aims to address the accelerating degradation of the world's oceans and coastal areas through the sustainable management and use of the marine and coastal environment, by engaging neighbouring countries in comprehensive and specific actions to protect their shared marine environment. More than 143 countries participate in one or more of the 18 Regional Seas Conventions and Action Plans around the world.

The Regional Seas Conventions and Action Plans have:

- Provided a regional cooperation framework that mobilises countries to address transboundary issues;
- Improved management of coastal zones;
- Reduced pollution in coastal waters;
- Cast light on marine litter, and reduced it in some areas; and
- Designated regional networks of Marine Protected Areas.

Many long-term and unique issues keep the Regional Seas Programmes relevant to their member states. The Regional Seas Conventions and Action Plans provide a platform for implementing marine and coastal policies regionally and nationally. Regional Action Plans, which form the basis for the programme, are usually adopted by high-level intergovernmental meetings and implemented, in most cases, in the framework of a legally binding Regional Seas Convention and specific protocols, under the authority of the respective Contracting Parties.

These Regional Seas Conventions and Action Plans serve two major objectives:

- To be the principal platform for implementing global conventions, Multilateral Environmental Agreements (MEAs) and global programmes or initiatives regionally – providing UN agencies or global programmes with an existing mechanism to implement their activities on a regional scale; and

- To be the regional platform for co-ordinating programmes and projects that will contribute to the sustainable development of their shared marine and coastal environment.

The individual Regional Seas Programmes also increase regional and inter-regional collaboration by promoting links with each other through the Regional Seas Alliance, which UNEP coordinates.

VI. Priority activities

Each of the Regional Seas Conventions and Action Plans is mandated by its Contracting Parties to cater for the region's particular marine and coastal challenges, including socio-economic ones. Activities can range from addressing chemical wastes and coastal development, to preparing for oil spills – and the response to them - conserving marine species and maintaining healthy ecosystems. All of them, however, evolve around a common purpose - and their shared priorities include addressing:

- Land-based sources of marine and coastal pollution;
- Ship-generated marine pollution, such as oil, chemicals, litter, and invasive species;
- The destruction of ecosystems and habitat caused by increased urbanization and coastal development;
- The conservation and management of marine and coastal ecosystems;
- Integrated Coastal Zone Management (ICZM), and Integrated Coastal Area and River Basin Management (ICARM);
- The over-exploitation and depletion of living marine resources, including fisheries; and
- Monitoring, reporting and assessing the marine environment.

VII. Components of UNEP's Regional Seas programme:

I. Strengthening the scientific component of the Regional Seas Conventions and Action Plans - enhancing the interface between science and policy through national and regional capacity building so as to stimulate the identification and implementations of actions aimed at protecting the marine environment, based on sound science and viable policy and management responses.

II. Strengthening the institutional and governance capacities of the Regional Seas Conventions and Action Plans - including facilitating technical, administrative, legal and financing mechanisms and implementation tools.

III. Enhancing the visibility of the Regional Seas Programmes - through common strategies in priority areas affecting the marine environment. Strengthening the communication capacities of the Regional Seas Alliance is essential for improving knowledge management and expanding the community of practice. Raising the profile of the Regional Seas Programmes within relevant regional and international forums will engender potential partnerships with leading organizations and institutions.

IV. Mainstreaming marine and coastal ecosystem management into national planning and development processes - this includes supporting economic valuations of marine and coastal ecosystem services to make the case for maintaining their socio-economic contributions to society by mainstreaming their values.

VIII. Challenges in the implementation of the Regional Seas Conventions and Action Plans

Over the past 40 years the Regional Seas Conventions and Action Plans have gained an important position in the implementation of projects and in the regional governance of the marine environment. At the same time, there have been recurring challenges in the implementation of the Convention, Action Plans and Protocols.

Some of these challenges are outlined below:

1. The voluntary nature of funding. Most of the Action Plans are funded through 'Trust Funds,' usually with agreed scales of contributions by the contracting parties made decades ago and without consideration of inflation and rising operational cost of living. The irregular, partial or absent payments by member states has become an important problem in most regions.

2. The Regional Seas Conventions and Action Plans are not alone in governance of the marine environment. Major global and regional frameworks include the Law of the Sea (UN DOALOS), Regional Fisheries Management Organizations (FAO), International Maritime Organization Conventions and Protocols, Large Marine Ecosystems projects (GEF/IOC-UNESCO/UNDP) , just to name a few.

3. Limited country capacity/ political support. The Implementation of the conventions and action plans remains the duty of member states. In this sense, compliance with the provisions of the conventions required the engagement of national institutions. This work has been limited by insufficient equipment, supplies and trained personnel. While this remains one of the main areas that the Regional Seas Conventions and Action Plans have assisted member states, this remains a major concern to provide support to governments to sustain operations. For instance, to what extent have the conventions and protocols been implemented? Has there been commitment by member states evidenced by national legislation and funding allocations in most regions?

4. Stakeholder awareness and involvement. In many cases the debate on the conventions and action plans was limited to the environment sector with little engagement of other sectors, NGOs, the public media and local authorities. Some regions have been able to address this issue, but in other regions it has proven to contributed to the difficulties in maintaining political momentum.

IX. Strengths Weaknesses Opportunity and Threats (SWOT) analysis of the Regional Seas Conventions and Action Plans

STRENGTHS	**WEAKNESSES**
• Existing established legal and institutional "'platforms" • Global and regional mandates • Regional presence • Ability to address shared and transboundary issues • Ability to approach and influence and obtain the cooperation of Member countries • Good "critical mass" of expertise and capacity in intergovernmental process management • Positive image • Involvement in GEF • Ability to respond to environmental emergencies (disasters) • Network of stakeholders	• Lack of coordination with 'oceans community': no institutional mechanism for coordination, no infrastructure for sharing information and knowledge • Limited financial support to Regional Seas from UNEP and countries • Slow responses to emerging issues; static nature of the Conventions • No policy continuum from scientific assessment to implementation • Limited integration between Conventions and with MEAs and international financial institutions • Not Multi sectoral (EBM) – Unit of Intervention
OPPORTUNITIES	**THREATS**

• Priority given at Rio+20 to Oceans • Sustainable development goals and post 2015 development agenda • Climate change – ecosystem-based adaptation (EBA) • Emerging EBM programmes and initiatives (ICZM + EBM + EBA) • Green economy for oceans • Regional seabed mining EIA guidelines • Increase in pledge compliance from member states • Economic valuation of marine and coastal ecosystems – TEEB for oceans • Growing interest of civil society in marine and coastal issues • Increased knowledge of inter-linkages (climate change, biodiversity, marine-related ecosystem services, etc…) • Integration of mandates for coastal and marine issues: Regional Seas and GPA with MEAs	• Lack of priority recognition of marine and coastal issues by member states • Competing development interests at the national level – dwelling political and financial support • Competition with other UN Agencies, Other Intergovernmental Institutions or non governmental actors • Lack of resources • Emerging Large Marine Ecosystem Commissions • GEF project funding for international waters projects not directly related to the Regional Seas mechanism in regions