Ocean Policies and Institutional Arrangements for Cross-sectoral Cooperation

Case studies for achieving Sustainable Development Goals

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Case studies on policies and institutional arrangements to enable cross-sectoral cooperation to achieve Ocean-related Sustainable Development Goals

Cross-sectoral cooperation is required to achieve the sustainable development goals. If pollution sources are to be tackled, for example, action must be taken by the sectors associated with them, such as navigation, fisheries, agriculture and mining. Cross-sectoral approaches are now promoted at various levels: local, national, regional and global. With regard to marine ecosystems, cooperation at the regional seas level (Baltic Sea, Western Indian Ocean and Southern Ocean and so on) is vital. Recently, several instances of cross-sectoral cooperation have emerged providing different models of coordinated policy development and institutional cooperation between/among regional organizations.

The objective of the United Nations Environment Programme (UN Environment) – European Commission project Integrated Management and Governance Strategies for Delivery of Ocean-related Sustainable Development Goals is to exchange practical experience and synthesize guidance on effective application of area-based management measures, and policy interactions and institutional arrangements to support the implementation of ocean-related sustainable development goals in different regional and national contexts. It includes a component for the collection and collation of information on experiences of existing cross-sectoral cooperation frameworks in order to highlight the usefulness of such regional ocean governance for achieving ocean-related objectives that may be associated and aligned with ocean-related sustainable development goals. It sets out the advantages of a regional ocean governance approach to consolidating efforts at various levels across the relevant sectors in order to achieve agreed regional and global ocean-related objectives. In order to do so, this component will produce a paper summarizing the experiences of existing cross-sectoral cooperation frameworks at the regional level, including the elements of successful cooperation, challenges faced and opportunities. The report will also include a set of recommendations for regional organizations entering into cross-sectoral dialogue for cooperation, with the particular aim of harmonized and ecosystem-wide implementation of the ocean-related sustainable development goals. The report will be used as a basis for further international discussion on implementation of Strategic Development Goal 14 in order to review the possible use of regional ocean governance frameworks and partnerships to promote its implementation and follow-up.

The case studies compiled for these purposes include the following:

- Delivering the Mediterranean Strategy for Sustainable Development 2016-2025 through a highly inclusive process to transpose Agenda 2030 and its sustainable development goals at the regional level;
- Fostering cooperation in the Mediterranean and the Black Sea in the context of Strategic Development Goal 14: Ongoing efforts promoted by the General Fisheries Commission for the Mediterranean of the Food and Agriculture Organization of the United Nations (GFCM);
- HELCOM cross-sectoral cooperation and partnerships on clean and safe Baltic Sea shipping;
- Regional co-operation on marine pollution preparedness and response in the Northwest Pacific Region;
- Cooperation in the Danube-Black Sea Basin: Example of the Commission on the Protection of the Black Sea Against Pollution (Black Sea Commission) and the International Commission for the Protection of the Danube River (ICPDR);
- 2050 Africa's Integrated Maritime Strategy and African Ocean Governance Strategy;

- Update on the design of an integrated regional ocean policy for the Permanent Commission for the South Pacific;
- Potential cooperation between the Regional Organization for the Protection of the Marine Environment (ROPME) and the Regional Commission for Fisheries (RECOFI);
- Cooperation between the Abidjan Convention and the Sub-Regional Fisheries Commission; and
- OSPAR cooperation with the North East Atlantic Fisheries Commission (NEAFC) and other relevant intergovernmental organizations, with particular reference to area-based management.

Delivering the Mediterranean Strategy for Sustainable Development 2016-2025 through a highly inclusive process to transpose Agenda 2030 and its sustainable development goals at the regional level

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Context and background

The objective of this case study on cross-sectoral cooperation is to demonstrate through the example of the Mediterranean Strategy for Sustainable Development (MSSD) review process:

1) The added value of a highly inclusive participatory process following a transversal approach to delivering a sustainable development policy to transpose the 2030 Agenda for Sustainable Development (2030 Agenda) and its sustainable development goals (SDGs) at the regional level;

2) The importance of implementation and monitoring of the Mediterranean Strategy for Sustainable Development 2016-2025 (MSSD 2016-2025) for the Mediterranean region and people; and,

3) The potential for replication of such an inclusive process, as appropriate, in other regions of the world.

In 1975, the Mediterranean Coastal States and the European Community approved the Mediterranean Action Plan (MAP) to address the common challenges of marine environmental degradation. It was the first Regional Seas Programme under the auspices of UN Environment and was followed in 1976 by the adoption of the Barcelona Convention. After 40 years of regional cooperation, the UN Environment/MAP-Barcelona Convention system (the MAP system) continues to be relevant and has ambitious objectives. A number of strategic decisions were adopted at the recent 19th Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention, COP 19, Athens, Greece, February 2016).

The Mediterranean Commission on Sustainable Development (MCSD) was established in 1995, when the Contracting Parties of the Barcelona Convention (Contracting Parties) expressed their commitment to sustainable development and to effective implementation at the regional and national levels of the decisions of the Earth Summit (Rio, 1992) and the United Nations Commission for Sustainable Development (UN-CSD). It is one of the regional bodies that ensures the interconnectedness of environmental protection and sustainable development policies established by the MAP system. It is an advisory body to the Contracting Parties and other regional and local actors, assisting them in their efforts to integrate environmental issues in socioeconomic programmes and, in so doing, promoting sustainable development policies in the Mediterranean region.

The Mediterranean Commission holds two ordinary meetings a year and extraordinary sessions as needed. At the beginning of the first sitting of each meeting, it elects the Steering Committee (MCSD

SC), which is composed of four members representing the Contracting Parties, including ex officio the President of the Bureau of the Contracting Parties, and three representatives from the six categories referred to in the Terms of Reference of the Commission. The Steering Committee oversees the work of the Commission between sessions.

In 2005, at the 14th Ordinary Meeting (COP 14) (Portoroz, Slovenia), the Mediterranean Commission adopted innovative means of participation by and engagement of civil society organizations and other major stakeholders. The Commission is unique in its composition in that government representatives, local communities, socioeconomic actors, intergovernmental organizations (IGOs) and non-governmental organizations (NGOs) can all participate on an equal footing. Thus, it includes various major groups and stakeholders (MGS), such as the Socioeconomic Stakeholders Group, the NGO Group, the Scientific Community Group, and the IGO Group.

Acknowledging the implications for the Mediterranean Commission of the outcomes of United Nations Conference on Sustainable Development (Rio+20) regarding the upgrading of the United Nations Commission on Sustainable Development into a High Level Political Forum, Decision IG.21/12 of the 18th Ordinary Meeting of the Contracting Parties to the Barcelona Convention (COP 18) (Istanbul, Turkey, December 2013) requested reform of the Mediterranean Commission by reviewing its composition in order to ensure still greater representativeness, and sharpening its mandate.

This reform was achieved at COP 19 in February 2016 through Decision IG.22/17, which increased the number of Commission members from 37 to 40, including representatives of an additional key major group and stakeholder, the Parliamentarians Group.

The objective of a strengthened Commission is further integration of the environment pillar into public policies by focusing on the interface between environment and development and thus building on its successes and potential. In line with this objective, the UN Environment/MAP-Barcelona Convention secretariat (the secretariat) was asked to support the Commission in forging partnerships and coordination between various actors, including the World Bank, the Union for the Mediterranean and United Nations actors other than UNEP, such as the United Nations Framework Convention on Climate Change (UNFCCC) and the United Nations Development Programme (UNDP), in order to improve implementation of the Mediterranean Strategy on Sustainable Development 2016-2025 through coordinated action. The Mediterranean Commission is also required to encourage the exchange of good practices and to establish an online consultation platform for these purposes.

Their commitment to protecting the marine and coastal environment and promoting sustainable development led the Contracting Parties to adopt, in 2005, the Mediterranean Strategy for Sustainable Development: A Framework for Environmental Sustainability and Shared Prosperity, implementation of which was to be coordinated by the Mediterranean Commission on Sustainable Development.

The Mediterranean Strategy for Sustainable Development 2005-2015 provided an integrated policy framework for achieving the vision of a sustainable Mediterranean region and implementation of the sustainable development policies of riparian countries. It was a regional response to the global and regional sustainable development agenda, such as the millennium development goals and the Euro-Mediterranean Partnership.

In light of international developments and the end of the 2005-2015 cycle of the Strategy, Decision IG. 21/12 of COP 18 called for, in addition to reform of the Mediterranean Commission on Sustainable Development, review of the sustainable development strategy in order to reflect global processes at the regional level in order to embed sustainability further following the Rio+20 Conference.

The review process was based on the document "The future we want" and its acknowledgement of the importance of the regional and subregional dimensions. Care was taken throughout to ensure that international negotiations on the parallel development of the sustainable development goals were clearly reflected in the review.

Cooperation objectives during the Mediterranean Strategy for Sustainable Development review process

Building on the "Future we want" outcome document, the aim of the review was to ensure that the 2016-2025 strategy would facilitate sustainable development at the regional level, based among other things on an assessment of the impact of the initial strategy and of national sustainable development processes, and a shared vision of the sustainable development challenges facing the region.

In line with this, the cooperation objectives during the review process were to build on the outcomes of Rio+20, COP 18 Decisions (especially Decision IG. 21/12) and the recommendations of the 15th meeting of the Mediterranean Commission on Sustainable Development (Malta, June 2014), with a view to developing a revised strategy through an inclusive process and submitting it for consideration of the Contracting Parties at their 19th Ordinary Meeting.

Enabling conditions and dialogue – cross-sectoral cooperation in practice

In 2014-2015, the review of the Mediterranean Strategy for Sustainable Development was led by the Mediterranean Commission on Sustainable Development under the Maltese Presidency, with the assistance of the secretariat through its Plan Bleu Regional Activity Centre (PB/RAC) and with the support of the other MAP Components. The Strategy was developed through a highly inclusive process in which all Contracting Parties and key stakeholders had the opportunity to participate.

During the participatory process, a key challenge was to propose suitable ways of ensuring ownership by regional and national decision makers and stakeholders. The review process had to pay specific attention to regional organizations, particularly Commission members and organizations officially accredited as Mediterranean Action Plan partners, aiming to enlarge the partnership framework and consolidate action plan relationships with other regional organizations. This challenge was mitigated by various kinds of outreach to key stakeholders and the secretariat regularly sharing information on the review. In addition, during its presidency of the Mediterranean Commission, Malta, held several events around the review to enhance its visibility and promote commitment.

The review of the Mediterranean Strategy for Sustainable Development was formally launched at a ceremony held in Malta (14 February 2014). Phase 1 of the review included a stakeholder consultation (online) between 10 April and 9 May 2014, which sought feedback on the new vision for the new strategy and a set of issues to be addressed by it. Sixty detailed responses were received from individuals and organizations representing a variety of sectors and geographic areas across the Mediterranean.

Figure 1: Issues mentioned during the first online consultation (April-May 2014)

On the basis of the outputs of this first stakeholder consultation exercise, at its 15th meeting (Malta, 11-12 June 2014), the Standing Committee of the Mediterranean Commission approved the vision and structure, recommending six cross-cutting themes: seas and coasts; natural resources, rural development and food; climate; sustainable cities; transition towards a green economy; and governance. These themes combined the results of the first stakeholder consultation with the sustainable development goal focus areas.

The second phase of the review involved establishing six thematic working groups corresponding to the six cross-cutting themes approved by the Standing Committee, each headed by a thematic expert. A Sustainable Development Senior Adviser coordinated the groups. In parallel to the three online consultation sessions per group, participatory workshops were organized for Thematic Working Group 5 (30 September 2014, Marseille, France), back-to-back with a consultation workshop on the Regional Action Plan on Sustainable Consumption and Production in the Mediterranean, which was also under development, and then for the five other Thematic Working Groups (19-20 November 2014, Sophia-Antipolis, France).

Having mobilized about 450 participants between March and December 2014, the exchanges and consultations resulted in the formulation of the main strategic directions for each theme and the identification of the corresponding actions at national and regional levels, which provide recommendations for all categories of stakeholders in the Mediterranean. This collaborative work also focused on current or possible flagship initiatives and provided monitoring and assessment indicators (towards a new dashboard of sustainability of human activities in coastal and marine areas).

Several tools were used to achieve this high level of involvement in the review process. During Phase 1, a consultation document was sent with a specific (encouraging) message to a long list of actors, including the UN Environment/MAP-Barcelona Convention and the Plan Bleu Regional Activity Centre national focal points, members of the Mediterranean Commission on Sustainable Development, Mediterranean Action Plan partners and key intergovernmental and regional organizations with an interest in sustainable development, and key private sector stakeholders, the scientific community (academia) and civil society players concerned with the topics covered by the strategy.

They were invited to register online through the Platform dedicated to the review process and fill in a form to express their interest. Then, based on the provisional structure of the Mediterranean Strategy for Sustainable Development 2016-2025, six multi-stakeholder thematic working groups were formed of key stakeholders in the relevant field, supported by thematic experts.

Through online and face-to-face stakeholder consultation, they drafted the specific lines, strategic directions and actions of the Strategy. Online tools, such as teleconferences, email exchanges, and other electronic platforms, supplemented face-to-face workshops and a conference.

The outputs of the thematic working groups were compiled and reported by the thematic experts facilitating the process, with the support of the core team (the Mediterranean Commission on Sustainable Development Presidency, the secretariat and the Plan Bleu Regional Activity Centre). To ensure the commitment of the participants, the UN Environment/MAP-Barcelona Convention Coordinator wrote to them several times. They were also regularly informed thanks to several MSSD Review – Stakeholder News Briefs. Their engagement and participation were essential if the Strategy was truly to reflect the aspirations and opportunities of the region.

In January 2015, as an outcome of discussions in the working groups and with the participation of more than 450 experts, a draft of the Mediterranean Strategy for Sustainable Development 2016-2025 was delivered to MAP national focal points, members of the Mediterranean Commission on Sustainable Development, organizations accredited as MAP partners, participants in the previous consultation phases and other key stakeholders. By the end of the process, the MSSD Review Stakeholders Full List contained more than 1,000 contacts.

The Maltese Government hosted the Conference on the Review of the Mediterranean Strategy for Sustainable Development, which had some 100 participants (Floriana, Malta, 17-18 February 2015), from all the major groups representing the whole of the Mediterranean. The aim was to discuss the draft Strategy 2016-2025 with key stakeholders in order to obtain feedback, comments, inputs and suggestions. On the basis of the Conference outputs and of the approximately 500 written comments, the draft Strategy was revised and the implementation plan clarified.

The Moroccan Government hosted the 16th Meeting of the Mediterranean Commission on Sustainable Development (Marrakech, 9-11 June 2015), which approved the revised draft Strategy 2016-2025. The members of the Commission and observers welcomed the document, approved the proposed structure and content and praised the work done to prepare it. They commended the inclusiveness of the process and the innovatory, ambitious and comprehensive nature of the document. Amendments were made to the text to be reflected in the final draft, it was officially submitted to the MAP National Focal Points Meeting (Athens, Greece, 13-16 October 2015) and then adopted at COP 19 (Decision IG.22/2).

Successful elements of cooperation

The Mediterranean Strategy for Sustainable Development 2016-2025 is the result of over two years of intensive collaborative work within the MAP system. The involvement, support and substantial contributions of many regional and national organizations and stakeholders were crucial to its development. The diversity of the actors who shared their expertise and experiences highlighted the synergies between them, confirming that cross-sectoral and multi-stakeholder cooperation brings rich

outputs. The process offered lessons for promoting regional dialogue based on broader participation in order to achieve sustainable development in the Mediterranean.

Built upon a broad consultation process, which involved more than 1,000 participants from throughout the Mediterranean region representing various sectors and geographic areas, the Mediterranean Strategy for Sustainable Development 2016-2025 is a strategic document to guide all stakeholders and partners in implementing Agenda 2030 at the regional, subregional and national levels. It provides an integrated policy framework to: secure a sustainable future for the Mediterranean region; adapt international commitments to regional conditions; guide national strategies; stimulate regional cooperation to achieve sustainable development objectives; and link the need to protect the environment to socioeconomic development.

The vision of the Strategy is **"A prosperous and peaceful Mediterranean Region, in which people enjoy a high quality of life and where sustainable development takes place within the carrying capacity of healthy ecosystems. This is achieved through common objectives, cooperation, solidarity, equity and participatory governance"**.

It should be noted that the vision of the UN Environment/MAP Mid-Term Strategy 2016-2021 (MTS 2016-2021) (Decision IG.22/1) – "a healthy Mediterranean with marine and coastal ecosystems that are productive and biologically diverse contributing to sustainable development for the benefit of present and future generations" – is inspired by the vision of the Mediterranean Strategy for Sustainable Development 2016-2025. The following elements of the Strategy have contributed to the vision of the Mid-Term Strategy 2016-2021: investing in environmental sustainability to achieve social and economic development, and addressing cross-cutting issues that lie at the interface between environment and development.

The Mediterranean Strategy for Sustainable Development 2016-2025 is based on the principle that socioeconomic development needs to be harmonized with the protection of the environment and natural resources. As its subtitle *Investing in environmental sustainability to achieve social and economic development* indicates, the Strategy is underpinned by the conviction that investment in the environment is the best way to secure long-term sustainable job creation and socioeconomic development for present and future generations.

Agenda 2030 acknowledges the importance of the regional and subregional dimensions and regional economic integration and interconnectivity in sustainable development. Regional and subregional frameworks are recognized as facilitating the effective translation of sustainable development policies into action at the national level. Furthermore, Agenda 2030 welcomes the cooperation of regional and subregional commissions (such as the Mediterranean Commission on Sustainable Development) and organizations in follow-up and review and encourages States to identify the most suitable regional forums in which to engage. The Mediterranean Strategy responds exactly to those provisions of Agenda 2030. It was developed in parallel with and informed by the process of defining the sustainable development goals (table 1).

Table 1: Links between the sustainable development goals and the Mediterranean Strategy for Sustainable Development 2016-2025

MSSD 2016-2025 objectives	Sustainable Development Goals
1. Ensure sustainable development in marine and coastal areas.	14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development.
2. Promote resource management, food production and food security through sustainable forms of rural development.	2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture. 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification and halt and reverse land degradation and halt biodiversity loss. 6. Ensure availability and sustainable management of water and sanitation for all.
3. Plan and manage sustainable Mediterranean cities.	11. Make cities and human settlements inclusive, safe, resilient and sustainable. 7. Ensure access to affordable, reliable, sustainable and modern energy for all.
4. Address climate change as a priority issue for the Mediterranean.	13. Take urgent action to combat climate change and its impacts.
5. Transition towards a green and blue economy.	8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation. 12. Ensure sustainable consumption and production patterns.
6. Improve governance in support of sustainable development.	16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. 17. Strengthen the means of implementation and revitalize the global partnership for sustainable development.
Cross-cutting sustainable development goals related to social issues.	1. End poverty in all its forms everywhere. 3. Ensure healthy lives and promote well-being for all at all ages. 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. 5. Achieve gender equality and empower all women and girls. 10. Reduce inequality within and among countries.

Efforts for policy coherence

The Mediterranean Strategy for Sustainable Development 2016-2025 and its review process highlighted the importance of environmental services to achieving sustainable development in the region. This was also reflected in the vision of the Mid-Term Strategy 2016-2021, which is a "Mediterranean with marine and coastal ecosystems that are productive and biologically diverse contributing to sustainable development for the benefit of present and future generations".

The Strategy addresses key areas impacted by human activity, from the marine and coastal environments (using an ecosystem-based approach and planning tools such as Integrated Coastal Zone Management (ICZM)), to urban settlements and rural and agricultural systems. It also focuses on climate change, which is expected to have a serious impact on the Mediterranean. Furthermore, it introduces emerging approaches that help to turn political will into reality: for example, a green and blue economy approach combined with the SCP (secure – contain – protect) approach.

The Strategy is structured around six objectives that lie at the interface between environment and development. They were chosen to provide scope for an integrated approach to sustainability issues. The

first three objectives of the Strategy reflect a territorial approach, while the others are cross-cutting, addressing key policies and areas, as follows:

1. Ensure sustainable development in marine and coastal areas;
2. Promote resource management, food production and food security through sustainable forms of rural development;
3. Plan and manage sustainable Mediterranean cities;
4. Address climate change as a priority issue for the Mediterranean;
5. Transition towards a green and blue economy;
6. Improve governance in support of sustainable development.

A set of strategic directions has been formulated for each of the six overall objectives. The strategic directions are complemented by national and regional actions, and flagship initiatives and targets.

The way forward, lessons learned, and challenges

Following the adoption of the new Strategy, the challenge is its implementation: the participation of all stakeholders, from national and local governments to civil society, academia, the private sector, and the support of regional institutions will be crucial for delivery of the Strategy. Its development was a collective effort and it can only be implemented successfully in a coordinated manner through synergies that will make the sum much greater than the parts.

Implementation of the Strategy requires efficient coordination and a collaborative process involving Mediterranean decision makers and stakeholders – and not only in the environmental field. Like its inclusive drafting process, implementation of the Strategy offers excellent opportunities for intersectoral collaboration at the regional, subregional and national levels.

The Strategy specifies as its key implementation steps: (i) means of implementation (including resource mobilization); and (ii) governance, as follows:

- The MAP system provides leadership and guidance with respect to implementing the Strategy. The UN Environment/MAP regional frameworks and action plans formulated with a view to implementing the Protocols of the Barcelona Convention, and other key existing regional mechanisms and instruments, are essential tools for implementing the Strategy. The Mediterranean Commission on Sustainable Development is a key structure within the MAP system for supporting the implementation of the Strategy.
- The Contracting Parties are invited to use the Strategy as a framework for better integration of sustainable development into their national policies and to build horizontal synergies between different government sectors and vertical synergies between different levels of government, from local to central and vice-versa.
- Intergovernmental, regional and subregional organizations also have a very important role, working in tandem with each other and with the MAP system to facilitate synergies with the Contracting Parties using the Strategy as a common platform.
- For civil society, the Strategy contains a set of strategic directions that inform its work with other partners and provides fertile ground for the development of projects.

- The private sector is another key partner, notably in the emerging green and blue economy, not only through corporate social responsibility, but also through more sustainable consumption and production processes.
- The analytical tools that will allow the forecasting, planning and assessment of sustainable development-related impacts and actions need to be developed with the scientific community, which itself needs to direct its research capacity in support of policymaking.
- For funding bodies, the Strategy contains a set of widely-agreed regional objectives, as well as strategic directions within these objectives, which will help such bodies to position and assess funding proposals aimed at advancing sustainable development in the region.

Putting in place adequate institutional structures is a key priority in providing for effective implementation of the Strategy, which in this regard rests on two main pillars:

1) Put in place or strengthen structures for sustainable development implementation at the national and regional levels. Following Mediterranean Commission for Sustainable Development reform (COP 19 Decision IG.22/17), an innovative, simplified peer review mechanism (SIMPEER) has been launched as a framework for mutual learning from past experiences and other national approaches. SIMPEER aims to initiate a dialogue between volunteer Contracting Parties on equal participation for a mutual learning process on national strategies for sustainable development and to establish exchange of experiences, policies and practices on implementing them. It represents an important incentive to enable the review of national strategies in line with the Mediterranean Strategy and as a contribution to Agenda 2030.

2) Establish regional processes for the implementation and monitoring of the Strategy, such as: (a) development of implementation indicators and, based on them, a Mediterranean Sustainability Dashboard; (b) completion of the Dashboard with data delivered by Contracting Parties and key stakeholders; (c) based on the populated Dashboard, development of the State of the Environment and Development Report in 2019. Through a new collaborative process, the Plan Bleu Regional Activity Centre is supporting the process of developing a Mediterranean Sustainability Dashboard, in relation with the adaptation of the sustainable development goals to the Mediterranean region.

It is especially important that the Strategy monitoring indicators are developed and then followed up, not only by environmental experts or NGOs, which are usually active in the process, but by a wider selection of stakeholders, such as business and industry. The need to engage with key stakeholders to strengthen ownership, implementation and follow-up of the Strategy, and the approach aimed at fostering multilateral dialogue on sustainable development at the regional and national levels, remain as important as they were during the strategy review process.

Fostering cooperation in the Mediterranean and the Black Sea in the context of Strategic Development Goal 14: Ongoing efforts promoted by the General Fisheries Commission for the Mediterranean of the Food and Agriculture Organization of the United Nations (GFCM)

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Introduction

The General Fisheries Commission for the Mediterranean of the Food and Agricultural Organization of the United Nations (FAO) is one of the regional organizations directly involved in implementing Sustainable Development Goal 14 and, more importantly, tasked with supporting countries to meet the targets set therein. The importance of a regional approach to the implementation of this goal was recently reaffirmed by the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating Progress towards the Aichi Biodiversity Targets (26 to 28 September 2016, Seoul, Republic of Korea). In the outcome document of this meeting, participants recognized that the level of ambition of Sustainable Development Goal 14 necessitated action at multiple levels and identified a lack of cross-sectoral coordination as one of the challenges potentially hampering its implementation. Furthermore, participants affirmed the essential role played by regional organizations in supporting and facilitating actions by countries to make progress towards achieving this goal. The General Fisheries Commission for the Mediterranean therefore adopted at it 40th session (30 May to 3 June 2016, St Julian's, Malta) Resolution GFCM/40/2016/2 for a mid-term strategy (2017–2020) towards the sustainability of Mediterranean and Black Sea fisheries (hereafter, the "mid-term strategy"). The thrust of this case study is therefore to explain how the mid-term strategy will enable cross-sectoral cooperation at the Mediterranean and Black Sea levels, supporting countries in assessing their progress towards Sustainable Development Goal 14.

Fishing has tremendous cultural, social and economic importance in the Mediterranean and the Black Sea, yet, according to the data available to the Commission, roughly 90 per cent of the scientifically assessed stocks in this region are currently considered to be fished beyond safe biological limits. Because Sustainable Development Goal 14 sets 2020 as the deadline for restoring fish stocks to levels that can at least produce maximum sustainable yield and, more generally, sets several other targets relevant to the work of the Commission, it was determined that cross-sectoral cooperation would be needed to achieve these objectives. Informal consultations were held with those organizations that have a memorandum of understanding (MoU) with the Commission with a view to finding a practical way of moving beyond a sectoral approach and meeting the targets of Sustainable Development Goal 14, while also taking stock of existing roles and different mandates. In this regard, the Commission proposed a number of tailor-made actions, taking into account the specificities of the region, encouraging a unique interdisciplinary partnership to enable cross-sectoral cooperation and, ultimately, triggering the development of the mid-term strategy.

Informal consultations with the organizations with a Memorandum of Understanding (MoU) with the Commission were held in the context of the cooperative network maintained by the Commission. This

network, established in line with Article 16 of the constitutive agreement of the Commission and with the FAO Strategy for Partnerships with Civil Society Organizations, has allowed it to extend cooperation to a wide array of other organizations and institutions. These include regional seas conventions, neighbouring regional fisheries bodies, non-governmental organizations and academic institutions. Thirteen MoU have been concluded thus far, including (in alphabetical order of acronym):

- The Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic area (ACCOBAMS);
- The Ministerial Conference on Fisheries Cooperation Among African States Bordering the Atlantic (ATLAFCO);
- The Commission on the Protection of the Black Sea Against Pollution (BSC);
- The International Center for Advanced Mediterranean Agronomic Studies – Agronomic Institute of Zaragoza (CIHEAM-IAMZ);
- The International Organization for the Development of Fisheries in Central and Eastern Europe (Eurofish);
- The International Council for the Exploration of the Sea (ICES);
- The Centre for Marketing Information and Advisory Services for Fishery Products in the Arab Region (Infosamak),
- The International Union for Conservation of Nature – Centre for Mediterranean Cooperation (IUCN-Med);
- The Mediterranean Advisory Council (MED-AC);
- The Network of Mediterranean marine protected area managers (MedPAN);
- OceanCare;
- The Mediterranean Action Plan of UNEP (UNEP-MAP); and
- The World Wild Fund for Nature-Mediterranean (WWF-Med).

All the MoU were adopted following extensive bilateral discussions with each counterpart organization in order to identify relevant areas of cooperation. The negotiating process culminated in the endorsement of the institutional arrangement by the respective governing bodies (if any). All MoUs are currently in force and they are a pillar of implementation of the mid-term strategy.

The mid-term strategy revolves around five targets:

1) Reverse the declining trend of fish stocks through strengthened scientific advice in support of management;
2) Support livelihoods for coastal communities through sustainable small-scale fisheries;
3) Curb illegal, unreported and unregulated fishing through a regional plan of action;
4) Minimize and mitigate unwanted interactions between fisheries and marine ecosystems and environment; and
5) Enhance capacity-building and cooperation.

While each target is directly linked to the mandate of the Commission, to varying degrees it also touches upon that of other regional organizations that have a MoU with it. Meeting each of the five targets is therefore the main driver of cooperation under the mid-term strategy, which, in turn, relies upon

the execution of all the MoUs in place. This is because areas of cooperation identified under each MoU and the joint actions stemming therefrom are fully consistent with one or more targets. As an example, Target 4 primarily relies on the execution of the MoUs between the Commission and the two regional seas conventions operating in the Mediterranean and the Black Sea, respectively, UN Environment-MAP and Black Sea Commission (BSC).[1]

Cooperation often cuts costs. In the experience of the Commission, this has been confirmed by joint activities launched with other organizations under existing MoUs. The same is true of joint side events and publications. When it comes to the implementation of the mid-term strategy, costs foreseen for the implementation of joint activities will be mainly in-kind, insofar as time will have to be devoted by the staff in the respective organizations to ensure follow-up and action. Some minor expenditures might be needed to organize ad hoc coordination meetings. However, meeting the targets under the mid-term strategy will prove exceedingly beneficial for all the organizations involved. Consequently, all the costs can be earmarked under existing budgets and resources devoted to annual work-plans. For this reason, the mid-term strategy has not been dubbed the "GFCM mid-term strategy". Consistent with the decision by the Contracting Parties, many of which are Contracting Parties or stakeholders in other organizations with a MoU in place with the Commission, the mid-term strategy must be conceived as a common regional strategy to support riparian countries in assessing progress towards Sustainable Development Goal 14.

Objective of cooperation

The mid-term strategy furthers the shared goals of regional organizations engaged in the conservation of marine ecosystems and the sustainable use of marine living resources in the Mediterranean and Black Sea. Building upon the MoUs currently in place, the mid-term strategy provides avenues for coordinated policy development under its five targets, which have been developed in a way that tailors United Nations Sustainable Development Goal 14 to the specific characteristics of the Mediterranean and the Black Sea. The grid below clearly details how the expected contributions towards meeting the five targets of the mid-term strategy are relevant to corresponding Sustainable Development Goal 14 targets:

Mid-term Strategy Targets	SDG 14 targets
Reverse the declining trend of fish stocks through strengthened scientific advice in support of management.	14.2; 14.4;
Support livelihoods for coastal communities through sustainable small-scale fisheries.	14.7.b
Curb illegal, unreported and unregulated fishing through a regional plan of action.	14.4; 14.7.c
Minimize and mitigate unwanted interactions between fisheries and marine ecosystems and environment.	14.2; 14.5
Enhance capacity-building and cooperation.	14.7.a

[1] Having considered the scope of the case studies sought through this initiative, the information provided in this case study will focus in particular on Target 4 of the mid-term strategy.

Dialogue and cross-sectoral cooperation in practice

Dialogue processes involving the General Fisheries Commission for the Mediterranean have evolved over the years in connection with the execution of the MoUs in place, eventually resulting in a pledge for broader cross-sectoral cooperation in the context of the mid-term strategy. The commitments agreed upon in various international forums (e.g. the United Nations, Convention on Biological Diversity (CBD), FAO, etc.) have also proven decisive for promoting synergies at the Mediterranean and Black Sea levels. Ultimately, when Sustainable Development Goal 14 was adopted, there was a general understanding that no single organization in the Mediterranean and the Black Sea could guarantee its swift implementation working alone. The mid-term strategy can thus be regarded as the end result of the increasing pressure exerted – by States, international organizations, civil society and public opinion – to avoid a piecemeal approach. This was gradually achieved insofar as interactions have evolved over the years, going from initial informal consultations to the finalization of formal arrangements (i.e. MoUs). As the latter create legitimate expectations, the parties concerned are expected to report to relevant stakeholders on progress made in the execution of joint activities (for example, in the case of the MoU between the Commission and UNEP-MAP, these stakeholders are the national fisheries and environment administrations). The mid-term strategy raised the bar further and offers unprecedented opportunities for interaction, such as the upcoming High-level United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development (5-9 June 2017, United Nations Headquarters). Consistent with paragraph 3(d) of General Assembly resolution 70/303 on Modalities for the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, this conference will share the experiences gained at the regional level in the implementation of Sustainable Development Goal 14. As far as the Mediterranean and the Black Sea are concerned, this will also include experience gained through the mid-term strategy.

Successful elements of cooperation

As the mid-term strategy was adopted very recently, it is not yet possible to identify successful elements of cooperation. Nevertheless, regarding Target 4 of the mid-term strategy, elements of success in the cooperation between the Commission and UNEP-MAP, in particular, can be considered since they have prepared the ground for this target. In the document GFCM:40/2016/Inf.6 GFCM framework for cooperation and arrangements with non-Contracting Parties and party organizations, submitted at the aforementioned fortieth session of the Commission, a matrix was included prepared by the secretariats of the Commission and UNEP-MAP reported on the progress made in the execution of their MoU. This contained relevant indicators and benchmarks, such as joint meetings, documents and initiatives undertaken in the execution of the MoU. Outcomes included, in particular, the coordinated work that led to the adoption in 2013 of resolution GFCM/37/2013/1 on area-based management of fisheries, including through the establishment of Fisheries Restricted Areas (FRAs) in the GFCM convention area and coordination with the UNEP-MAP initiatives on the establishment of Specially Protected Areas of Mediterranean Importance (SPAMIs). This instrument builds upon coordinated technical work by the Commission and UNEP-MAP on area-based management tools with a view to facilitating a concerted

approach to the protection of Mediterranean marine biodiversity. As a resolution formally adopted by the Contracting Parties to the Commission (which, as far as Mediterranean countries go, are also the Contracting Parties of UNEP-MAP), this specific result entailed strong political will at the level of the respective national administrations (i.e. fisheries vs. environment). Other results linked to relevant indicators and benchmarks are reported in the matrix, which is annexed to this case study.

Efforts for policy coherence

In terms of policy coherence, the mid-term strategy will contribute to the alignment of priorities among the regional organizations committed to meeting the relevant targets therein. This, in turn, implies efforts to pursue complementary policies, which will vary in relation to the targets in the mid-term strategy. The grid below groups the organizations concerned by each of the five targets, according to the MoU in place with the Commission. Their priorities are expected to be aligned throughout implementation of the mid-term strategy.

Mid-term Strategy Target	Organizations concerned
Reverse the declining trend of fish stocks through strengthened scientific advice in support of management.	ICES, IUCN-Med, MED-AC, WWF-Med
Support livelihoods for coastal communities through sustainable small-scale fisheries.	IUCN-Med, MED-AC, MedPAN, WWF-Med
Curb illegal, unreported and unregulated fishing through a regional plan of action.	ATALFCO, MED-AC, WWF-Med
Minimize and mitigate unwanted interactions between fisheries and marine ecosystems and environment.	ACCOBAMS, BCS, IUCN-Med, MedPAN, OceanCare, UNEP-MAP, WWF-Med
Enhance capacity-building and cooperation.	CIHEAM-IAMZ, Eurofish, Infosamak

Target 4 policy coherence is pursued through the ongoing development of a Joint Strategy between ACCOBAMS, FAO/GFCM, UN Environment/MAP-RAC/SPA, IUCN-Med and with the collaboration of MedPAN for the spatial conservation and sustainable use of the marine environment in the Mediterranean Sea, which seeks to investigate ways of pooling expertise for the coordinated establishment and management of spatial-based measures in the Mediterranean Sea at different governance levels. It is hoped that the mid-term strategy will contribute to meeting common targets to minimize and mitigate unwanted interactions between fisheries and marine ecosystems and environment. It also seeks to improve policy coherence by: strengthening coordination in the adoption of spatial-based management and conservation measures, with particular regard to Mediterranean high sea and deep sea areas; harmonizing activities in support of marine spatial planning; and taking advantage of existing agendas to ensure a fully comprehensive approach. A draft proposal of the joint strategy will be submitted to the governing bodies of the organizations involved for approval. If it is approved, the result will be unparalleled policy coherence on area-based management tools for the protection and sustainable use of marine biodiversity in the Mediterranean.

Challenges

The main challenge facing enhanced cooperation remains the sectoral approach traditionally promoted under the international Law of the Sea. There has been much discussion of fragmentation of international law in this domain, including in the General Assembly, as there is a factual separation in the mandates of relevant organizations. Although this is understandable, in that a sectoral approach is based on thematic expertise, there has been a shift towards a holistic vision in recent years, as corroborated by the adoption of Sustainable Development Goal 14. The targets set therein are interlinked and offer a unique opportunity to promote commonalities in a transversal fashion. Despite the fact that Sustainable Development Goal 14 enables cross-sectoral cooperation, political support by countries will remain crucial. Ultimately, responsibility for harmonizing positions in the context of the regional organizations in place rests with them. Instruments such as the mid-term strategy are vehicles for improving coordination at the national level and fostering internal consultations among the different administrations concerned (e.g. fisheries vs. environment). They represent promising ways of filling gaps in the implementation of a cooperative framework because in areas like the Mediterranean and the Black Sea, where all the relevant institutions have already been established, the priority is to find ways to work as a cohesive unit.

Lessons learned/recommendations

<u>For the initiative</u>

- Ensure that a regional approach to the implementation of Sustainable Development Goal 14 is promoted, building upon ongoing cooperation arrangements (i.e. the MoU) and bearing in mind common priorities and the need for targets that are responsive to the specificities of the Mediterranean and the Black Sea;

- Constant liaison so that cooperating organizations can act as a bridge between the different national administrations concerned with the implementation of Sustainable Development Goal 14, primarily the national administrations in charge of fisheries and environment;

- Awareness of developments in relevant international forums (e.g. High-level United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development) to ensure that progress towards the implementation of Sustainable Development Goal 14 is reported in a timely fashion and that regional initiatives are adjusted in line with any guidance provided;

- Joint dissemination of the activities carried out and the results achieved in order to highlight the benefits of enhanced horizontal coordination, which is key to underpinning an ecosystem approach;

- Support to policy coherence through projects/strategies endorsed by relevant governing bodies;

- Cross-sectoral cooperation as a means of bridging the gap between countries with different levels of development, having regard to the current geopolitical situation in the Mediterranean and the Black Sea; to this end, capacity building should be one of the main drivers behind such cooperation and support a concerted approach to the achievement of Sustainable Development Goal 14.

For other initiatives

- Assess whether existing organizations operating in the same region with shared/similar goals are on the same level in terms of capacity, geographical scope, participating countries, etc. (e.g. a particular regional fisheries management organization and the corresponding regional sea convention);

- Depending on the existence of comparable regional organizations, identify potential areas where cooperation is feasible. This will depend on the political will of participating countries to support formal cooperation at an intra-governmental level;

- Draw the attention of participating countries to synergies that could be fostered through enhanced cooperation while reminding them of international commitments to which they have agreed in the context of Sustainable Development Goal 14, as well as the importance of a regional approach to ensure progress accordingly;

- Look at existing best practices on intra-governmental cooperation and seek the support of participating countries to champion any institutional arrangements that could be adopted by existing organizations operating in the same region;

- Make sure that any cooperation is formalized. Informal cooperation is useful for existing organizations as a first step to a better understanding of their respective roles and identifying commonalities. Nevertheless, unless cooperation stems from an institutional arrangement (e.g. MoU), little progress can be expected in tackling common issues and priorities.

References and weblinks

- http://www.fao.org/gfcm/en/ (GFCM website)
- http://www.fao.org/3/a-ax825e.pdf (GFCM Agreement)
- http://www.fao.org/3/a-ax822e.pdf (GFCM Rules of Procedure)
- http://www.fao.org/3/a-i3443e.pdf (FAO Strategy for Partnerships with CSOs)
- http://www.fao.org/3/a-ax392e.pdf (Resolution GFCM/37/2013/1 on area-based management of fisheries, including through the establishment of Fisheries Restricted Areas (FRAs) in the GFCM Convention area and coordination with the UNEP-MAP initiatives on the establishment of SPAMIs)
- http://www.un.org/depts/los/general_assembly/general_assembly_resolutions.htm (General Assembly resolution 70/303 (A/RES/70/303) on Modalities for the United Nations Conference to Support the Implementation of Sustainable Development Goal 14:

Conserve and sustainably use the oceans, seas and marine resources for sustainable development)

- Document GFCM:40/2016/Inf.6 GFCM framework for cooperation and arrangements with non-Contracting Parties and party organizations
- Resolution GFCM/40/2016/2 for a mid-term strategy (2017–2020) towards the sustainability of Mediterranean and Black Sea fisheries
- https://www.cbd.int/doc/?meeting=SOIOM-2016-01 (Outcome of the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating Progress towards the Aichi Biodiversity Targets, held in Seoul from 26 to 28 September 2016 - "Seoul Outcome")

MATRIX ON PROGRESS IN THE EXECUTION OF THE MOU BETWEEN GFCM AND UN ENVIRONMENT/MAP

***Note to the reader*:**

Green is used in the second column when implementation of activities has been undertaken/is being undertaken as of December 2016.

Red is used in the second column when no activity has been undertaken as of December 2016.

Black is used in the first and third columns to list areas of cooperation and outcomes/plans thus far.

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
Promoting ecosystem-based approaches for the conservation of the marine and coastal environment and ecosystems and the sustainable use of their living and natural resources	Contribute to the formulation/implementation of a regional framework strategy based on the ecosystem approach and on agreed indicators and reference points (ecological, biological, etc.) to monitor the status of the marine environment and coastal ecosystems and of marine living natural resources (ONGOING)	- First MedSuit Regional Workshop (November 2014) which led to the proposal of common indicators to measure good environmental status (GES) for commercially exploited fisheries in the Mediterranean Sea. - GFCM inputs to the EcAp process in relation to EO3. - COP 19 adopted the Mediterranean Integrated Monitoring and Assessment Programme. For EO3, indicators were proposed by GFCM. Further collaboration required to develop the monitoring and assessment programme for EO 4 and 6. - COP 19 Decision on the Integrated Management of Aquaculture Plan (IMAP) put the obligation on the Mediterranean countries to develop national monitoring programmes in line with IMAP. In this regard, MAP/GFCM collaboration should continue further in providing coordinated support to countries, and use, where appropriate, regional assessment approaches for EO3.
	Cooperate in undertaking assessments of the state of the marine environment and ecosystems and of marine living resources, including socioeconomic aspects relating to the impact of the exploitation of fisheries on the marine environment and ecosystems, the impact of the establishment of marine protected areas on marine living resources, and the impact of coastal and marine aquaculture (ONGOING)	- GFCM Working Group on marine protected areas (MPA) (met twice already). - Creation of an intra-governmental network on MPA-related issues. - Regional Conference on Small-Scale Fisheries, including a panel on the integration of small-scale fisheries (SSF) into MPAs. - Collection of socioeconomic data on fisheries. - Preparation of a socioeconomic report by MAP (Plan Bleu) addressing

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
		fisheries. - Exchange of data, information and collaborative approaches between both organizations
	Collaborate in the formulation/development and implementation of key regional strategies to integrate the environment within social and economic development, especially in relation to fisheries and aquaculture (ONGOING)	- Joint Strategy between ACCOBAMS, GFCM, UNEP/MAP-RAC/SPA, IUCN, and MedPAN for the spatial conservation and sustainable use of the marine environment in the Mediterranean (first draft prepared and expected to be reviewed at a joint meeting in May 2016). - The background document for the Joint Strategy addressing mandates of each organization finalized. - Bilateral consultation on the development of GFCM recommendations to ensure compatibility with the Barcelona Convention and the SPA/BD Protocol.
Mitigating the impact of fisheries and aquaculture activities on marine habitats and species	Collaborate in the preparation, including extrabudgetary fundraising, of a joint regional project on the evaluation and mitigation of by-catch of endangered and non-target species and of the impact of fishing gears on marine habitats (ONGOING)	- GFCM has finalized a proposal for a monitoring programme on by-catch which will be submitted to the Commission at its fortieth session. - Under the ActionMed Project, socioeconomic analysis included for pollution prevention/reduction measures related to aquaculture. - Joint ACCOBAMS-GFCM project on mitigating the interactions between endangered species (cetaceans, marine turtles, marine birds and cartilaginous fishes) and fishing activities with RAC/SPA as partner
	Consider initiatives to develop the concept of marine spatial planning in a manner that takes into account fisheries and aquaculture activities, activities for the preservation of marine habitats and associated species, and possible conflicts between these activities and other uses of the sea (e.g. shipping, marine renewable energies, etc.) (ONGOING) Exchange data and information on deep sea habitats in order to further the knowledge of these habitats, their biodiversity and their living resources for the purpose of better management (ONGOING)	- Joint Strategy between ACCOBAMS, GFCM, UN Environment/MAP-RAC/SPA, IUCN, and MedPAN for the spatial conservation and sustainable use of the marine environment in the Mediterranean. - UNEP/MAP is participating in two projects funded by the European Commission related to marine spatial planning: WestMED, led by France, and EastMed led by Italy. Possible GFCM participation is being explored. - GFCM is collecting additional information on deep sea fisheries in the Mediterranean Sea and this will appear in the upcoming FAO publication on deep sea fisheries.

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
	Collaborate in initiatives that raise awareness and mitigate major impacts such as those related to reducing the amount of fishing gear as litter, etc.	- UN Environment/MAP has prepared a project funded by the European Union on marine litter management. The project aims to establish a coordination mechanism for the marine litter regional plan and is promoting best practices in fishing for litter. The project is expected to start in July 2016. GFCM participation in the coordination group and other project activities is expected.
Identification, protection and management of ecologically or biologically significant marine areas (EBSAs), marine areas of particular importance (hot spots of biodiversity, areas with sensitive habitats, essential fish habitats, areas of importance for fisheries and/or for the conservation of endangered species, coastal wetlands)	Enhance collaboration with other relevant organizations as appropriate, including those with which other MoUs have been signed, to create a common regional database of sites of particular importance for biodiversity conservation and for fisheries management, complementary to and coherent with the MAP database on pollution and biodiversity monitoring (ONGOING)	- Both UN Environment/MAP and GFCM have concluded additional MoUs, e.g. with ACCOBAMS, IUCN and the Black Sea Commission, which provide the grounds for fostering cooperation towards the establishment of a regional database or the compilation of existing databases. Further collaboration with SPA/RAC and INFO/RAC is needed to enhance information systems and data sharing.
	With regard, respectively, to the Specially Protected Areas of Mediterranean Importance (SPAMIs) and the Fisheries Restricted Areas (FRAs), in particular those located partially or wholly on the Areas Beyond National Jurisdiction (ABNJ), the Parties will collaborate to harmonize existing respective criteria to identify those areas, for the cases where their location may be coincident and in the selection of mechanisms needed for their establishment (ONGOING)	- Resolution GFCM/37/2013/1 on area-based management of fisheries, including through the establishment of Fisheries Restricted Areas in the GFCM Convention area and coordination with the UNEP/MAP initiatives on the establishment of SPAMIs - The Joint Strategy for the spatial conservation and sustainable use of the marine environment in the Mediterranean is expected also to address issues related to SPAMIs, FRAs including those located wholly or partially in ABNJs.
	The Parties will cooperate to promote respective Parties' adoption of Management Schemes developed within SPAMIs and FRAs to ensure that measures are consistent with the objectives pursued and respect the mandates of both organizations. Measures with potential impact on fisheries in SPAMIs will be discussed by the Parties with a view to optimizing common goals	- COP 19 adopted the Roadmap for a Comprehensive Coherent Network of Well-Managed MPAs to Achieve Aichi Target 11 in the Mediterranean, which recommends that the Parties identify and propose area-based conservation/management measures for listing in the regionally recognized area-based management classifications, including SPAMIs and FRAs. The Roadmap also encourages regional organizations, such as MAP and GFCM, to facilitate for joint scientific surveys in Mediterranean high sea zones with a view to providing data for the establishment of

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
		SPAMIs, FRAs or the implementation of other relevant area-based conservation measures.
	Monitor the status of the species listed in Annexes 2 and 3 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean; pursue activities to ensure that exploitation of all species included in Annex 3 is regulated, following Article 12, paragraph 4 of the SPA/BD Protocol	- Joint ACCOBAMS-GFCM project on mitigating the interactions between endangered species (cetaceans, marine turtles, marine birds and cartilaginous fishes) and fishing activities, with RAC/SPA as partner. - Promote existing research proposals developed under the regional cartilaginous Action Plan to funding agencies (PoW 2016-2017).
	Cooperate in undertaking assessments of the state of coastal lagoons and other relevant coastal wetlands to be used for the formulation and dissemination of sustainable management measures and sustainable use of its living resources (ONGOING)	- GFCM publication on coastal lagoons
Integrated Maritime Policy	Study the impacts of climate change on the marine environment and ecosystems and their marine living resources (ONGOING)	- UN Environment/MAP will prepare and publish the Quality Status Report in 2017. Efforts will be made also to address the impacts of climate change.
	Contribute to the formulation and adoption of appropriate measures to enable fisheries and aquaculture to adapt to and mitigate climate change in relation to the environment, including enhancing knowledge and communication (ONGOING)	- COP 19 adopted the Regional Strategic Framework on Climate Change Adaptation in the Mediterranean.
	Strengthening scientific advice on issues of common interest, including the negative effects of pollution of the marine environment and ecosystems on marine living resources and ways to better address cumulative impacts (ONGOING)	- The GFCM Scientific Advisory Committee devoted significant attention to this topic at its recent sessions, including with regard to issues such as alien species. - The GFCM is in the process of entering into a MoU with OceanCare with a view, among others, to addressing the issue of ocean noise pollution, thus contributing further to the Ecosystem Approach process. - COP 19 adopted IMAP and candidate indicators on noise that were developed together with ACCOBAMS.
	Explore new fields of investigation applied to the conservation of the marine environment and marine ecosystems and the sustainable use of marine living resources to promote an integrated	- The GFCM has been following with attention the consultations in New York for a legally binding agreement on the protection of marine biodiversity in ABNJ, which is

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
	approach to environmental and fisheries-related issues (ONGOING)	expected to include fisheries
	Collaborate in initiatives related to the implementation and monitoring of the Integrated Coastal Zone Management (ICZM) approach and marine spatial planning as well as other zoning approaches (ONGOING)	- Both GFCM and UN Environment/MAP are very active in the context of DG MARE meetings on ICZM and have been observers to the European Union-funded marine spatial planning project on the Adriatic-Ionian initiative.
	Develop and implement a joint pilot project	- New EastMed and WestMed on marine spatial planning projects mentioned above offer opportunities to develop a pilot project.
Legal, institutional and policy-related cooperation	Consult regularly on policy issues of common interest in order to identify synergies (ONGOING)	- Constant consultation.
	Promote exchange of information and data as appropriate, and share the results of this cooperation through a website (ONGOING)	- Constant exchange of information and data.
	Participate (as a permanent member in the case of the GFCM) in the Mediterranean Commission on Sustainable Development so as to formulate sustainable development frameworks and guidelines for coastal areas management (ONGOING)	- The GFCM has been participating in the work of the Mediterranean Commission on Sustainable Development - UN Environment/MAP has been participating in the meetings of GFCM and its committees, increased presence is being considered.
	Exchange views on the governance of the Mediterranean, with particular regard to those areas located beyond national jurisdiction and take part, where possible, in ongoing initiatives aimed at improving such governance (ONGOING)	- There is constant exchange of views and participation in joint initiatives.
	Organize joint side events, where necessary and with other organizations, while attending meetings held in other international forums that could be relevant to the further promotion of the goals and objectives of this MoU (ONGOING)	- UN EP/MAP and GFCM participated and made a joint presentation at the Ocean Governance Worksop held in Brussels in November 2015 and co-organized by UNEP and the European Commission.
	Promote cooperation and exchange of information at the level of their compliance committees, as set up under UNEP/MAP and the GFCM framework, to address issues of common concern (discharges into sea, illegal, unreported and unregulated fishing, etc.)	- Consider the possibility of organizing back-to-back meetings, as appropriate for the CoC and exchange information of common interests

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
	Involvement, as appropriate, in projects implemented by the other Party (ONGOING)	- There is constant involvement in respective projects.
	Be invited to regional/subregional meetings and subsidiary bodies meetings of interest as organized respectively by each Party, such as SPA/RAC meetings and meetings related to the implementation of the ecosystem approach (ONGOING)	- Invitations sent regularly.
	Coordinate positions within international forums that involve both Parties	- Consider organizing a joint side event at Convention on Biological Diversity forums to demonstrate MAP/GFCM cooperation in the Mediterranean and its added value for the conservation of marine biodiversity.

HELCOM cross-sectoral cooperation and partnerships on clean and safe Baltic Sea shipping

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Abstract

Clean shipping is a prime example of an aspect of marine management calling for coordination between different national administrations, across international and regional cooperation bodies and public/private partnerships.

In the Baltic Sea and the Helsinki Commission (HELCOM), cross-sectoral cooperation and partnerships on clean shipping are a particularly successful dimension of long-term regional cooperation.

Recent regulatory breakthroughs at the International Maritime Organization facilitated by this regional cooperation include the 2016 decisions to reduce NOx emissions and sewage discharges from ships in the Baltic Sea and ballast water-mediated introductions of invasive species globally. The IMO rules on reducing SOx emissions in the Baltic Sea, agreed in 1997, revised in 2008 and fully implemented in 2015, bringing health benefits for citizens of the region and improving the marine environment through the use of cleaner fuels, is another example of a major regulatory development prepared in HELCOM.

Partnerships between maritime and environmental authorities in the region, industry and environmental NGOs have been essential in these recent, as in earlier, developments in the region.

This case study aims to inspire contributions to global goals through regional cooperation on clean and safe shipping in other sea areas, regional seas conventions and action programmes by giving an overview of and lessons learned from HELCOM cooperation on cleaner and safer shipping in the Baltic Sea.

Introduction

HELCOM (the Baltic Marine Environment Protection Commission – Helsinki Commission) is the governing body of the Convention on the Protection of the Marine Environment, known as the Helsinki Convention.

Maritime traffic, or shipping, is one of the most common uses of the seas and a necessity for the global economy (UNCTAD, 2016). It is also a source of pollution and thus among the key human activities to be addressed by initiatives aimed at cross-sectoral, ecosystem-based marine management (Rice and others, 2005; Sherman and Duda, 1999). The ecosystem approach to management of human

activities is best applied on a sea basin scale (Rice and others, 2005; UNEP, 1975; Sherman and Duda, 1999).

However, its global scale and the strong mandate of the International Maritime Organization mean that shipping is rarely addressed systematically and in substance in a regional organization other than in response to accidental spills (UNEP, 2016). An exception to this general rule is the Baltic Sea and the Helsinki Commission (HELCOM, www.helcom.fi), where substantial work on clean and safe shipping is carried out on a regular basis by the coastal countries and the European Union (HELCOM, 2010b). We therefore present the work of HELCOM as evidence that effective cross-sectoral cooperation on ship-based pollution can be conducted under a regional seas convention for the benefit of the marine environment and under existing maritime law.

While purely regional recommendations have occasionally been adopted, the core of the clean shipping work in HELCOM has been based on HELCOM Convention Annex IV, to support IMO processes by the preparation of proposals for new measures, and regionally harmonized implementation of existing global regulations by the Baltic Sea coastal States on a number of matters. This includes designation and implementation of International Convention for the Prevention of Pollution from Ships (MARPOL) "special areas" where more stringent regulations apply.

This strong link with IMO work has practically eliminated concerns about a separate and parallel regional regime in the Baltic Sea as a result of HELCOM work. On the contrary, it can be argued that IMO has benefited from initiatives in the Baltic, including in the work to develop environmental regulation of shipping globally.

For the Baltic Sea, the benefits of the intense regional cooperation on clean and safe shipping are evident. Largely as a result of this synergy with IMO work, environmental issues related to maritime traffic in the Baltic have been one of the most efficient areas of HELCOM work. Over the years, several successful initiatives on cleaner shipping launched in the Baltic Sea and HELCOM maritime cooperation were later taken up by IMO (see Annex 1).

Two milestones in 2016 were the IMO decisions on the Baltic Sea as a MARPOL (IMO, 1978) special area for sewage from passenger ships (MARPOL Annex IV) and on NOx emissions from ships (MARPOL Annex VI), the latter complementing the 1997 designation of the Baltic Sea as a SOx Emission Control Area. These decisions will cut nutrient loads and thus reduce marine eutrophication, a key environmental issue in the Baltic Sea (HELCOM, 2010a; HELCOM, 2007).

HELCOM provides a platform for the coastal countries of the Baltic Sea (Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Sweden and Russian Federation) to discuss and agree upon the appropriate position to adopt in IMO in relation to these two measures for approval by IMO members. As binding agreements, the measures will make a positive contribution to the

implementation of the HELCOM Baltic Sea Action Plan (2007), to achieving a good environmental status by 2021, and the 2030 Agenda for Sustainable Development of the United Nations.

Another milestone will be the entry into force of the International Convention for the Management of Ships' Ballast Water and Sediments (IMO, 2004) on 8 September 2017, based on the fulfilment of the tonnage criteria by the September 2016 ratification by Finland, a Baltic Sea country. On the basis of agreement in HELCOM, Denmark, Finland, Germany, Sweden and the Russian Federation had ratified the Convention by 2016 and the remaining Baltic Sea coastal countries are all at different stages of the ratification process. The implementation of this Convention will safeguard Baltic Sea biodiversity from ballast-mediated invasive species.

In addition to requiring vertical coordination, from the global IMO level to regional and national levels, clean shipping, like environmental issues, also concerns fisheries (UNEP, 2016), a prime example of a marine management topic calling for good coordination across different national administrations as well as between "private" and "public" fields of human activity. In order to enable substantial progress in such a context, HELCOM intergovernmental cooperation on maritime issues has developed into a close partnership between the maritime and environmental authorities, industry and environmental NGOs.

In order to inspire cooperation on clean and safe shipping in other sea areas and regional seas conventions and action programmes, this case study aims to give the reader an overview of HELCOM cross-sectoral cooperation on cleaner and safer shipping in the Baltic Sea, focussing on the work of the Maritime Working Group, the dedicated advisory body of HELCOM.

While every region and context is different, we hope that some of the lessons learned have general validity. We will therefore conclude with some overall suggestions on regional initiatives on intergovernmental clean shipping cooperation based on experiences in the Baltic Sea.

Baltic Sea maritime cooperation as an example of cross-sectoral cooperation

The HELCOM Maritime Working Group embodies cross-sectoral cooperation over three main dimensions in which the national environment and transport administrations, the European Commission representing the European Union, industrial groups and other non-governmental organizations have learned to work together regionally and globally to ensure the sustainability of maritime transport in the Baltic Sea.

The first dimension of this cross-sectoral work is across the different national and European Union administrations. In contrast to some other fields of HELCOM work, the national delegations to the Maritime Working Group have from the outset been mainly from national maritime authorities or their parent ministries responsible for transport matters, as this is where the regulation of sea-based

pollution sources is prepared nationally. Since the adoption of the revised 1992 Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention) (Birnie, 1996; HELCOM, 1992), industrial groups and NGOs have had access to the Maritime Group as observers and participate actively in its work.

The second dimension is across public administration and industry, as efficient participation of the relevant industries, particularly shipowners (including the European Community Shipowners' Association (ECSA)) and ports (including the Baltic Ports Organization (BPO) and the European Sea Ports Organisation (ESPO)), is crucial to making a real world impact. Other non-governmental bodies, such as environmental organizations, also have an important role. The involvement and activity of industry observers in HELCOM has expanded over the years and recent initiatives have drawn several new stakeholders into the process. An example is the Cruise Lines International Association (CLIA), which has made a substantial contribution to the regional work on sewage from passenger ships. Nominations to the Group are made by countries or by the central observer contact points. The secretariat keeps the lists of members updated. A full list of industry and civil society observers participating in HELCOM maritime work can be found in Annex 2.

The third dimension is across different levels of governance, from global to regional and national. Regulation of pollution from ships is an international matter regulated by several IMO conventions, the most important being MARPOL, but also other treaties. A significant proportion of the practical work of the Maritime Working Group has therefore always been ensuring efficient and early regional implementation of IMO decisions, particularly MARPOL and the Ballast Water Management Convention, and preparing new initiatives for submission to IMO.

The European Union has grown in importance for the environmental regulation of shipping in the Baltic Sea region. Although it is not a signatory of IMO instruments such as MARPOL, under European legislation, the European Union has jurisdiction over some issues, such as SOx emissions from ships and port reception facilities, which require coordination by the Baltic Sea European Union Member States in these fields.

Dialogue and cross-sectoral cooperation in practice

HELCOM works on regional aspects of sea-based pollution sources, including operational pollution from ships, under the Helsinki Convention (originally signed in 1974, revised in 1992), which has been ratified by the coastal countries of the Baltic Sea (Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Sweden, Russian Federation) and the European Union.

The regional HELCOM Maritime Working Group (hereafter maritime group) was established in 1975 to advise the Commission on matters related to pollution from ships, especially on the

implementation of what are today the 1992 Helsinki Convention Articles 8-12[2] and Annexes IV, Prevention of pollution from ships, and VI, Prevention of pollution from offshore activities. While cooperation has been facilitated by an explicit legal mandate, later experience has shown that similar work can also be carried out without such an explicit mandate under the more general provisions of the Convention.

As, when preparing the 1974 Diplomatic Conference, the coastal countries included pollution from ships as an integral part of the 1974 Helsinki Convention in a dedicated Annex and thus in the work of HELCOM, it is difficult to identify details of the original motives. It is true that in some other regions, such as the North-East Atlantic, pollution from ships was left out of formal regional cooperation because it was dealt with by IMO.

The available meeting records suggest that the initiative to establish a dedicated maritime group came in 1975 from Sweden. The first meeting of the HELCOM maritime group was consequently organized in Stockholm, Sweden, in 1976, chaired by Mr. Per Eriksson of the Swedish National Administration of Shipping and Navigation (HELCOM, 1976). It is worth noting that all the coastal countries attended and that the national delegations included the competent national shipping authorities, and not only environmental ministries or authorities. Furthermore, although there were no formal observer arrangements for NGOs, the shipping industry was present, as Maersk attended as part of the Danish delegation and Finnish shipowners participated as part of the Finnish delegation (HELCOM, 1976).

The maritime authorities of the Baltic Sea countries were thus themselves supportive, if not instigators, of this dimension of HELCOM cooperation. A likely incentive and motive for continuing cooperation is the need for a regional cooperation and coordination platform on sea-based pollution to ensure the efficient implementation regional coordination of existing and new IMO initiatives.

Objective of cooperation

The core task of HELCOM maritime cooperation is to protect the Baltic Sea Area from pollution from ships (Helsinki Convention, Article 8). This is a complex task and includes many different elements and sub-tasks. Some of the overall key issues that have been on the agenda for a number of years and regarding which there has undoubtedly been considerable success include reducing airborne emissions (NOx and SOx), sewage discharges, ballast water management and oil pollution from ships in the Baltic Sea.

These issues have several sub-issues, including port reception of wastes, on-board technology, enforcement (including how to implement exception clauses) and monitoring.

[2] 8 Prevention of pollution from ships, 9 Pleasure craft, 10 Prohibition of incineration, 11 Prevention of dumping, 12 Exploration and exploitation of the seabed and its subsoil.

According to its Terms of Reference, the maritime group aims to discharge its duties of advising the Helsinki Commission by:

- Identifying current and emerging issues related to sea-based sources of pollution and proposals for actions to limit emissions and discharges;
- Identifying current and emerging issues related to maritime safety and proposals to enhance the safety of navigation with a view to preventing pollution from ships;
- Ensuring the successful conviction of those violating anti-pollution regulations;
- Co-operating with other international organizations.

The sustainable development goals and their associated targets, implementation of which the maritime group directly supports, include: prevent and significantly reduce marine pollution of all kinds by 2025 (target 14.1); sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts by 2020 (14.2); enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea (14c); substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination by 2030 (3.9); upgrade infrastructure and retrofit industries to make them sustainable, with increased resource-use efficiency and greater adoption of clean and environmentally sound technologies and industrial processes, with all countries taking action in accordance with their respective capabilities (9.4).

Dialogue and cross-sectoral cooperation in practice

The Chair and two Vice-Chairs of the HELCOM Maritime Working Group are elected by meeting participants twice a year. The secretariat provides overall support to the Chair but also has the power to submit initiatives for consideration by the group.

The group is formally an advisory body to the Helsinki Commission, the main decision-making body of HELCOM. Final decisions on adoption and decisions on publishing material prepared (excluding information material), are taken by the Commission or at intersessional meetings by heads of delegation.

As already mentioned, the great majority of national delegations represent ministries other than those attending meetings of the decision-making body. There is nevertheless well-functioning coordination of national (governmental) positions and high perceived ownership by transport authorities, probably because the Maritime Working Group has, according to the established rules, a certain autonomy within the remit of its terms of reference and work programme. Under the work

programme, it can, for example, establish intersessional correspondence groups on its own initiative to prepare material for the next meeting or propose a new topic for the meeting.

The working group can also delegate tasks and rely on reporting from a number of long- and short-term subgroups on specific topics meeting in person. Currently, these include subgroups on port reception facilities, safety of navigation, automatic identification system (AIS) ship position data, ballast water management, and clean ship technology/alternative fuels.

The Maritime Working Group has no dedicated budget, apart from the salaries of the professional staff at the secretariat, which is also responsible for other similar groups. If necessary, the Executive Secretary and the heads of delegation may use smaller funds from the HELCOM general fund for dedicated projects.

The individual Contracting Parties may also fund specific activities relating to common priorities they are interested in. Targeted externally funded smaller and larger projects are also applied by HELCOM with preparations carried out by the secretariat.

Physical meetings are important as this is where the competent national authorities and observers can meet their counterparts, forge regional agreement and simply build human relationships and mutual trust. Internet-based communication facilitates intersessional information exchange. Meetings of the main maritime group and the subgroups generally take place once a year.

The costs of participating in meetings are outside the HELCOM budget and handled nationally.

In 1992, following the break-up of the Soviet Union and the signing of the new Convention by all the Baltic Sea States, including the Russian Federation, Estonia, Latvia and Lithuania, and the European Commission on behalf of the European Union, the working group expanded to cover all the new Baltic States, the European Commission and industry and civil society observers. The inclusion and increased activity of industry and environmental stakeholder representatives in the group since 1992 (see Annex 2) has developed the original inter-State cooperation to a transparent and flexible regional platform with considerable public-private interaction and partnerships.

This essential synergy with IMO work is facilitated by the fact that the same organizations – in some cases even the same persons – that attend the Maritime Working Group also attend the relevant IMO bodies, especially the IMO Marine Environment Protection Committee (MEPC).

Examples of recent issues considered by the group

Examples of issues recently examined by the group include reducing airborne emissions (NOx and SOx), sewage discharges, matters related to ballast water management and oil pollution from ships in the Baltic Sea. An overall compilation of HELCOM maritime activities and milestones during the period 1975-2016 is included as Annex 1.

Sewage from passenger ships

One of the latest[3] regulatory measures to reduce sewage pollution from passenger ships was the designation by IMO in 2011 of the entire Baltic Sea as a special area for sewage emissions from passenger ships under MARPOL Annex IV, based on an application developed within the working group. Before 2011, international law did not provide a basis for establishing such special areas beyond territorial waters anywhere in the world. This changed when MARPOL was amended as the result of a proposal submitted by the Baltic Sea countries.

According to the decision taken by IMO in 2011, the enforcement dates of the special area status depended on notification of the availability of adequate port reception facilities for sewage in the region. The working group therefore launched a regional cooperation platform on port reception facilities for sewage which provided an overview of the situation in the region and shared best practices. This cooperation includes partnerships with the industry: ports (the Baltic Ports Organization and the European Sea Ports Organisation), shipowners/operators (CLIA and Interferry), and WWF.

As a result of regional developments arising from this initiative and previous work carried out within the working group, the coastal countries were able to inform the IMO Marine Environment Protection Committee in April 2016 that the port reception facilities for sewage in the Baltic Sea passenger ports were adequate (IMO, 2016b). IMO therefore decided that the MARPOL Annex IV Baltic Sea special area regulations for passenger ships would be effective from 2019 for new ships and 2021 for existing ships (IMO, 2016c). A two-year extension to 2023 was agreed for direct voyages between the St. Petersburg area in the Russian Federation and the North Sea (IMO, 2016c).

The coastal countries have thus initiated a new binding legal system under IMO, which will almost eliminate discharges of untreated sewage in the Baltic Sea, largely through cooperation within the HELCOM working group.

[3] The earliest include HELCOM Recommendation 1/1 (1980) Recommendation Concerning Measures to Ensure the Use of Reception Facilities for Wastes from Ships (superseded).

Airborne emissions/exhaust gases

The Maritime Working Group has prepared two successful proposals for IMO MARPOL special area measures to reduce exhaust gas emissions from ships (MARPOL Annex VI).

A proposal for special area status for the Baltic Sea regarding sulphur oxides (SOx) emissions was prepared and submitted to IMO in the 1990s (adopted in 1997). The working group has also worked on harmonized regional implementation and enforcement of SOx Emission Control Area (SECA) rules. The revised MARPOL Annex VI, adopted by IMO in 2008, brought stricter SOx emission regulations, which entered into force in 2015. The implementation of this regulation in the Baltic Sea SECA area has reduced SOx emissions from ships by more than 90 per cent as compared the emissions level ten years ago (Johansson and Jalkanen, 2016).

A similar proposal for a nitrogen oxides (NOx) special area was prepared between 2007 and 2016 and submitted to and adopted by IMO in 2016 (IMO, 2016a). This regulation covers new ships and will apply to ships built in 2021 or after and require them to use technology, or alternative fuels such as liquefied natural gas, which can cut NOx emissions by around 80 per cent.

Other, purely regional, means of tackling airborne exhaust gases have also been agreed, including regional recommendations on economic incentives for environmentally friendly ships as well as the new cooperation on promoting increased use of green ship technology and alternative fuels. An annual report by the Finnish Meteorological Institute on emissions from shipping in the region (Johansson and Jalkanen, 2016) has been an important basis for overall maritime group discussions on airborne emissions.

Ballast water management

Another current topic is ballast water, a significant carrier of harmful invasive aquatic species worldwide, including in the Baltic Sea. Since 2004, the region has been preparing for the entry into force of the IMO Ballast Water Management Convention, including by involvement in drafting a series of IMO circulars on ballast water exchange, along with other regional sea conventions in Europe, and drafting and adopting a comprehensive harmonized regional procedure for granting exemptions from the requirements of the Convention (HELCOM, 2016b). HELCOM has cooperated closely with the OSPAR Commission for the protection of the North-East Atlantic in this regard and has had a joint subgroup on exemptions since 2012.

The joint HELCOM-OSPAR harmonized procedure for granting exemptions from the ballast water treatment provisions of the International Convention for the Control and Management of Ships' Ballast Water and Sediments incorporates a regional list of target species, a port sampling protocol, a risk assessment model and the necessary administrative measures (HELCOM and OSPAR, 2013). The

freely accessible joint HELCOM and OSPAR online ballast water management tool includes a fully operational risk assessment tool and port species database. It aims to smooth the way for ratification and provide for effective and harmonized implementation for the benefit of the Baltic Sea marine environment. The harmonized approaches also offer predictability and likely cost savings for the parties involved.

Oil pollution

Reduction of operational oil spills from ships was an early priority of the working group and is one of the success stories of clean shipping in the Baltic Sea. Coastal countries have made joint efforts, among other things to ensure adequate port reception facilities for oily waste and the organization of aerial surveillance to detect illicit activities and enable prosecution of polluters. As a result, the number of observed oil spills from ships has fallen by more than 90 per cent compared to the levels of the late 1980s and early 1990s, from more than one thousand to less than one hundred (HELCOM, 2016a).

Successful elements of cooperation

A common feature of the successes of HELCOM maritime cooperation is that they are the result of constant work by the competent authorities of the coastal countries and observers over a long period and using all available means, from informal discussions and regional recommendations to binding IMO regulations. A long-term perspective on the work enables capacity-building and an understanding of the existing governance framework at all levels, in the HELCOM secretariat, the working group and the whole organization.

The working group, is an enabling factor that continues to draw the competent national authorities and other stakeholders towards truly cross-sectoral cooperation on clean and safe shipping. Quite apart from the substantial progress in clean shipping, this can be seen as a success in itself.

Efforts for policy coherence

Coherence with global work in IMO is crucial to the success of any efforts to reduce pollution from ships in the region and has therefore been an absolute priority for HELCOM maritime work. It is mainly ensured by the fact that the same authorities represent coastal states in IMO and HELCOM, but also by the secretariat.

The second priority is national coordination. As the working group is embedded within the HELCOM framework, the work on ensuring policy coherence takes place through national cross-sectoral correspondence, commonly carried out when preparing for HELCOM meetings – of the working group and other groups. This fertilization of national cross-sectoral cooperation, not often

seen in international arenas, is probably a key factor in the success of regional cooperation on reducing ship pollution in the Baltic Sea.

As eight of the nine coastal countries are also members of the European Union, coherence with European policy processes is also important, especially in areas in which the European Union has jurisdiction.

In terms of policy coherence across organizations, the HELCOM Maritime Working Group has, in addition to observer arrangements with industry groupings, close cooperation and joint initiatives with relevant regional intergovernmental cooperation bodies, including the Baltic Sea Hydrographic Commission (BSHC) of the International Hydrographic Organization (IHO), which is implementing the joint HELCOM-BSHC re-survey plan to ensure safety of navigation – and thus avoid polluting accidents – through better sea charts of the Baltic Sea. The Baltic Pilotage Authorities Commission (BPAC) has also participated in the work of the Maritime Working Group.

Some coastal countries are also members of nearby regional organizations. In the case of HELCOM, this means, in particular, OSPAR cooperation on the North-East Atlantic, while, through the Russian Federation, the Black Sea is also linked to the geographically more distant North-West Pacific. For some issues, such as ballast water, synergies with OSPAR have been optimized by a joint group as well as joint recommendations and policy documents. The UNEP global network of regional sea conventions and actions plans is also important as it provides a unique and common platform for exchanging experiences and finding synergies with other sea-basin organizations working on ship-based pollution, such as the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC).

Challenges

Shipping, like all human activities, is changing at an ever faster rate, which means that national priorities and support for various forms of regional cooperation will change over time. Agendas and organizations have to be adaptable if cooperation bodies working on clean shipping, such as HELCOM, are to remain relevant. In the Baltic Sea, the strengthening of European Union cooperation on shipping and relevant work in the framework of the macroregional European Union Strategy for the Baltic Sea Region (SBSR) (European Community, 2009) has required adjustments to HELCOM work on clean shipping in order to cater for coastal countries active in European Union forums.

In general, the Baltic Sea is an area with a large number of cooperation structures for different coastal country national administrations, regions and cities, industrial sectors and civil society. International research projects and other initiatives add to the mix. This complex network of

interactions makes it challenging to be fully aware of all the different activities and ensure synergies, at the same time limiting overlap.

However, since true progress requires all available resources to be mobilized, the high level of activity in the region is ultimately a positive factor. National delegations and administrations, wherever they work – in different cooperation structures at different levels in the region and internationally – are crucial to ensuring coherence in such a situation.

Lessons learned/recommendations

For HELCOM maritime cooperation

The task of minimizing pollution from human activities such as shipping is ongoing and will probably always be needed in the Baltic Sea region and elsewhere. This work can be carried out in many different ways and within various organizational arrangements, however. While the Helsinki Convention provides a formal incentive, the HELCOM Maritime Working Group will continue its work only as long as the Contracting Parties, particularly the competent authorities of the Contracting Parties, find it a useful arena. This means that constant renewal of forms of cooperation and agenda-setting is required to cater to the needs of the HELCOM members, in other words, the coastal States and the European Union.

This means providing innovative solutions to the implementation of existing regulations, and keeping a constant eye on new scientific observations of potential shipping-related environmental threats and new technological and operational innovations that may provide solutions to them. Actions to address other human activities at sea and on land may also influence the future agenda. Holistic assessments of the status of and pressures on the marine environment by HELCOM and its monitoring of maritime activities provide a broader context in which to pursue clean shipping in the Baltic Sea.

For other initiatives

One overall conclusion that can be drawn is that effective cooperation on clean shipping can be organized on a sea-basin level and within existing regional cooperation structures. A mandate and legitimacy to deal on a regional basis with clean shipping, or some aspects of it, is for the relevant coastal countries to decide, irrespective of whether or not it is already part of the regional mandate.

It can be concluded from the experience of Baltic maritime cooperation, that a similar cross-sectoral cooperation mechanism or approach could be utilized for other topics that need to be addressed in order to achieve ocean- and sea-related regional targets and to contribute to Agenda 2030. This already takes place in HELCOM, based on an explicit mandate under the Helsinki Convention regarding pollution accidents, fisheries and aquaculture, agriculture, and maritime spatial planning, jointly with VASAB (Vision and Strategies Around the Baltic Sea).

Based on the regional work in the HELCOM Maritime Working Group, the following general recommendations can be made:

- Ensure the participation and direct involvement of the national authority or authorities with competence in the matter at hand;
- Ensure the participation of the key industrial and civil society actors, clearly indicating their expected role and contribution;
- Ensure participants' ownership through agenda-setting and products corresponding to their needs;
- Focus on solutions requiring a high degree of technical specificity and competence, as opposed to general or in principle discussions, which are typically challenging to resolve.
- Invest in staff competence, e.g. in an organization secretariat that is to facilitate the cooperation process and represent it to external stakeholders, for the sake of credibility and building trust early in the process;
- Work constantly, with long- and short-term aims, as decisions commonly take a long time – e.g. over a decade from regional conception to IMO decision;
- Build in constant renewal by renewing work programmes and priorities, rotating chairmanship, rotating secretariat staff and openness to new initiatives from participating States and industry/NGOs/academia;
- Work for high-level political agreement on commitments (ministerial, etc.) in order to create overall support for practical technical work.

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References

Birnie, Patricia W. (1996). The New Helsinki Convention: Background and Commentary. In *The Baltic Sea: New Developments in National Policies and International Cooperation*, R. Platzöder and P.A. Verlaan, eds, 346–359. The Hague: Kluwer Law International.

European Commission (2009). EU Strategy for the Baltic Sea Region. Available from http://www.balticsea-region-strategy.eu/ (accessed 5 December 2016).

HELCOM (1976*). Report of the Maritime Working Group at its First Meeting Stockholm, 14-16 September 1976*.

——— (1992). Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki 9 April 1992, in force 17 January 2000).

——— (2007). HELCOM Baltic Sea Action Plan (Adopted by the HELCOM Ministerial Meeting, Krakow, Poland 15th November 2007). Available from www.helcom.fi.

——— (2010a). Ecosystem Health of the Baltic Sea HELCOM Initial Holistic Assessment. *Baltic Sea Environment Proceedings* 122: 63.

——— (2010b). Maritime Activities in the Baltic Sea: An Integrated Thematic Assessment on Maritime Activities and Response to Pollution at Sea in the Baltic Sea Region. *Baltic Sea Environment Proceedings* 123: 64.

——— (2016a). *Annual Report on Discharges Observed during Aerial Surveillance in the Baltic Sea 2015*.

——— (2016b). *Baltic Sea Clean Shipping Guide 2016: Information for Mariners on Environmental and Safety of Navigation Measures in the Baltic Sea*.

HELCOM and OSPAR (2013). *Joint Harmonised Procedure for the Contracting Parties of OSPAR and HELCOM on the Granting of Exemptions under International Convention for the Control and Management of Ships' Ballast Water and Sediments*, Regulation A-4 (2013, amended 2015).

International Maritime Organization (1978). International Convention for the Prevention of Pollution From Ships, 1973 as modified by the Protocol of 1978.

——— (2004). International Convention for Control and Management of Ships' Ballast Water and Sediments. Available from

http://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Control-and-Management-of-Ships'-Ballast-Water-and-Sediments-(BWM).aspx

——— (2016a). MEPC 70-WP.1 - *Draft Report of the Marine Environment Protection Committee on its Seventieth Session*.

——— (2016b). *Report of the Marine Environment Protection Committee on its Sixty-Ninth Session.*

———. 2016c. Resolution MEPC.275(69) - Establishment of the Date on Which Regulation 11.3 of MARPOL Annex IV in Respect of the Baltic Sea Special Area Shall Take Effect (adopted on 22 April 2016).

Johansson, Lasse, and Jukka-Pekka Jalkanen (2016). Emissions from Baltic Sea Shipping in 2015 - Baltic Sea Environment Fact Sheet (published 23 September 2016).

Rice, Jake, et al. (2005). Guidance on the Application of the Ecosystem Approach to Management of Human Activities in the European Marine Environment. *ICES Cooperative Research Report* 273: 22.

Sherman, Benjamin H., and Alfred M. Duda (1999). An Ecosystem Approach to Global Assessment and Management of Coastal Waters. *Marine Ecology Progress Series* 190: 271–87.

United Nations Environment Programme (1975). *Report of the Governing Council on the Work of Its Third Session 17 April- 2 May 1975*. E) Oceans (paragraphs 187-199, pp. 36-38).

——— (2016). *Regional Oceans Governance: Making Regional Seas Programmes, Regional Fishery Bodies and Large Marine Ecosystem Mechanisms Work Better Together*.

Annex 1. Timeline with examples of HELCOM work on clean and safe shipping 1974-2016

This is a compilation of HELCOM maritime-related milestones and activities based on meeting records, HELCOM recommendations and publications in the HELCOM BSEP series. These last include annual Overview of Activities *and* Activities of the Commission *reports, published 1980-2015, the report* Intergovernmental activities in the framework of the Helsinki Convention 1974-1994, *published in 1994 (BSEP 56), and* Ten years after the signing of the Helsinki Convention, *published in 1984 (BSEP 10), all available from www.helcom.fi .*

Milestone	Year
Signature of the 1974 Helsinki Convention. Interim Commission starts work before establishment of HELCOM with ratification by all coastal states in 1980. The Convention includes measures committing all HELCOM countries to ratify the IMO MARPOL Convention.	1974
First meeting of the HELCOM Maritime Working Group, established in 1975 to advise Interim Commission on matters related to pollution from ships and especially to provide a regional forum for harmonized implementation of IMO measures.	1976
Coordination meetings of Baltic Sea coastal States held regularly in connection with IMO MEPC, later called Baltic Maritime Co-ordinating Meetings (BMCMs) and in the 2000s largely replaced by EU coordination for EU States.	early 1970s onward
HELCOM booklet on port reception facilities for oily residues, sewage and garbage in the Baltic Sea countries.	1979
IMO approves a Danish-Swedish proposal on the use of pilots in certain ships when navigating in the Sound Area following consensus by Baltic coastal countries at HELCOM.	1979
A number of regional recommendations on port reception facilities for oily residues, sewage and garbage in the Baltic Sea countries as well as on ship safety, including adoption of BAREP, the Baltic Sea ship position reporting system.	1980 and1981
HELCOM publication on the provisions of the Helsinki Convention for distribution to mariners trading in the Baltic Sea Area.	1981
Abatement of harmful effects on the marine environment due to the use of pleasure craft considered a new issue.	1982
HELCOM study on ship casualties in the Baltic Sea published	1982
Joint statement by the HELCOM countries at IMO MEPC 22 on implementation of MARPOL provisions on hazardous and noxious substances carried in bulk in the Baltic Sea.	1983

New routeing measures in the Danish straits approved by IMO Maritime Safety Committee following consensus by Baltic coastal countries at HELCOM.	1983
HELCOM Study on ship casualties in the Baltic Sea 1979-1981 published	1984
HELCOM Recommendation concerning cooperation in investigating violations or suspected violations of discharge and related regulations for ships and dumping regulations (6/11)	1985
Seminar on progress made in the protection of the Baltic Sea Area from pollution caused by noxious liquid substances carried in bulk by ships.	1986
All HELCOM countries have ratified MARPOL Convention. MARPOL-related IMO decisions do not need to be transposed to HELCOM recommendations.	1986
Subgroup on port reception facilities.	1986
Booklet on reception of wastes from ships in the Baltic Sea Area.	1986
HELCOM Clean Seas Guide – the Baltic Sea Area, a MARPOL special area	1986
Air pollution (especially quality of fuel oil), IMO particularly sensitive sea areas (PSSAs) and maritime safety in connection with traffic under winter conditions included as new items to the Long-Term plan for the work of the HELCOM Maritime Group (MC 13).	1987
Proposal by the Baltic Sea countries developed within the HELCOM Maritime Group submitted by Germany to MEPC 29 on use of the standard 15ppm as maximum oil content in bilge water discharges for the amendment of the IMO circular Guidelines for the arrangements for handling of oil wastes in machinery spaces in ships.	1988
Proposal on the application of MARPOL Annex IV (sewage) by the Baltic Sea countries developed within the HELCOM Maritime Group submitted by Germany to IMO MEPC 29.	1988
Proposal aiming at reduction of air pollution from ships by the Baltic Sea countries developed within the HELCOM maritime group submitted by Sweden to MEPC 29.	1988
HELCOM establishes a subgroup on reduction of air pollution from ships (MC AIR) under the Maritime Working Group.	1988/89
HELCOM seminar on Baltic PSSAs.	1990
Restrictions on the use of antifouling paints containing TBT in the Baltic Sea considered.	1988
HELCOM compiles national data on air pollution from ships.	1990
Early measures to reduce sulphur and improve quality of marine fuel oils.	1990
HELCOM establishes a subgroup to discuss new requirements on construction	1990-

arrangements for tankers to avoid spills in the event of accident.	
Data compilation on control measures and investigations of violations.	1990
Coastal countries and the EU negotiate and agree on a new revised 1992 Helsinki Convention replacing the 1974 Convention. New signatories include former USSR legacy States Russian Federation, Estonia, Latvia and Lithuania. Industry and NGO participation via observer arrangements established.	1992
HELCOM seminar on port reception facilities	1992
Communication procedures with the newly established Paris MoU.	1992
HELCOM study of the transportation of packaged dangerous goods by sea in the Baltic Sea area and related environmental hazards.	1993
A joint Baltic Sea States submission to IMO on the concept of "special area" under the new draft annex of MARPOL 73/78 on prevention of air pollution from ships drafted by HELCOM Maritime Working Group.	1993
Informal HELCOM expert meeting on investigation of violations of anti-pollution regulations and bringing evidence to court.	1993
The Baltic Sea Strategy on improved port reception facilities in the Baltic drafted by HELCOM. A new subgroup established on port reception facilities under the Maritime Working Group (MC REFAC) for implementation.	1994
HELCOM and IMO visits on investment needs for reception facilities in former USSR ports.	1994-95
HELCOM releases study on discharges of sewage from passenger ships in the Baltic Sea.	1994
Work within IMO for more stringent requirements on transportation of dangerous goods in packaged form and harmful substances in bulk in the Baltic Sea.	1994
HELCOM considers for the first time harmful marine organisms carried in ballast waters.	1994
Submission by the Baltic Sea States at IMO to consider the Baltic Sea a "Special Area" for sulphur oxide emissions (SECA) under the new Annex to MARPOL on air pollution.	1995
Two HELCOM recommendations on strengthening cooperation in investigation of violations of anti-pollution regulations.	1995
HELCOM approves comprehensive Baltic Strategy for Port Reception Facilities for Ship-generated Wastes and Associated Issues and its follow-up. This includes a harmonized fee system including the "no special fee" principle, enhanced enforcement and a technical IMO assistance programme requiring $37.5 million investment.	1995

HELCOM considers IMO Ballast Water Working Group work programme and schedule of tasks for the issue of ballast waters.	1995
The HELCOM countries provide supplementary information on the proposed Baltic SECA to IMO MEPC 39.	1995
Joint work on upgrading port reception facilities in post-Soviet states by IMO, HELCOM, Nordic Investment Bank (NIB) and World Bank	1996-
First HELCOM meeting of the competent authorities for investigation of anti-pollution regulations.	1997
Based on a proposal by the coastal countries, the Baltic Sea is designated a SECA by IMO as part of the new MARPOL Annex VI on air pollution.	1997
HELCOM adopts Baltic Legal Manual on prosecution of violations of anti-pollution regulations in the Baltic Sea Area and Guidelines for ensuring successful convictions.	2000
Baltic Carrier accident, the largest oil spill in the Baltic Sea for 20 years catalyses regional work on safety of navigation.	2001
Environment and transport ministers adopt the HELCOM Copenhagen Declaration, a new package of measures to improve the safety of navigation in the Baltic Sea. 1992 Helsinki Convention amendments on safety of navigation.	2001
HELCOM risk assessment and traffic overview for enhanced response capacity.	2001
First meeting of the HELCOM Automatic Identification System Expert Working Group (AIS EWG) on a regional network for sharing AIS information on ship movements in the Baltic Sea.	2002
HELCOM Maritime Working Group establishes subgroup on transit routing (2012, group renamed group of experts on safety of navigation or HELCOM SAFE NAV)	2003
HELCOM Maritime Accident Response Information System (MARIS).	2004
The Baltic Sea Area PSSA established by IMO Resolution MEPC.136(53) on the basis of a submission by eight coastal countries (Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden) to cover their sea areas.	2005
Workshop on "Ballast water introductions of alien species into the Baltic Sea" leads to a series of HELCOM projects on ballast water management (HELCOM ALIENS 1,2 & 3).	2005
HELCOM considers further measures on air pollution from ships, including stricter IMO rules and regional work on economic incentives.	2005
HELCOM AIS network for the Baltic region in operation.	2005
Agreement to develop proposal to IMO on the Baltic Sea as a MARPOL Annex IV special area on sewage from passenger ships.	2007

Decisions to carry out cost benefit analyses and to designate the Baltic Sea a NOx emission control area (NECA) under IMO MARPOL.	2007-2010
Joint HELCOM-OSPAR and HELCOM-OSPAR-REMPEC voluntary guidance on ballast water exchange circulated as IMO Circulars.	2008, 2009 and 2012
HELCOM launches an online Transit Guide for the Baltic Sea.	2008
Proposal to enable MARPOL Annex IV special areas on sewage from passenger ships and the Baltic Sea as such an area, drafted by HELCOM Maritime Group, sent to IMO.	2010
HELCOM Cooperation Platform on Port Reception Facilities (PRF) starts work to clarify remaining issues with sewage PRFs.	2010
IMO amends the MARPOL Convention Annex IV, and designates the Baltic Sea a special area for sewage. However, it will only be applied when coastal countries confirm that adequate sewage port reception facilities are available.	2011
HELCOM and OSPAR establish joint task group on regional aspects of Ballast Water Convention implementation, especially exemptions (Reg. A-4).	2012 onwards
HELCOM and OSPAR adopt Joint Harmonized Procedure on Ballast Water Convention exemptions in the Baltic and North-East Atlantic.	2013
HELCOM establishes within the framework of the Maritime Group a subgroup to promote public-private cooperation for the uptake and use of green technology and alternative fuels in shipping in the Baltic Sea and promotion of alternative fuel bunkering facilities in the region, in cooperation with BPO.	2014 onwards
All HELCOM countries have informed IMO that adequate facilities for sewage are available. IMO declares that the special area for sewage discharges from passenger ships will come into effect by 2021 at the latest, with an extension until 2023 for direct voyages between St. Petersburg and the North Sea.	2016
The IMO Ballast Water Management Convention will enter into force on 8 September 2017 as the remaining tonnage criteria were fulfilled with the ratification of Finland on 8 September 2016.	2016
HELCOM countries submit NECA application to IMO in parallel with a similar proposal from the North Sea countries. IMO approves the proposals for circulation and final decision by MEPC 71 in May 2017.	2016

Annex 2: List of organizations with observer status at HELCOM maritime meetings (2000-2016)

Intergovernmental Organizations

International Maritime Organization (IMO)

IHO Baltic Sea Hydrographic Commission (BSHC) (represented by Finland)

OSPAR

The Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC)

Cooperation organizations of municipalities and regions

Conference of Peripheral Maritime Regions of Europe - Baltic Sea Commission (CPMR)

Alliance of Maritime Regional Interests in Europe (AMRIE) (discontinued)

KIMO - Local Authorities International Environmental Organisation.

Port organizations

Baltic Ports Organization (BPO)

European Sea Ports Organisation (ESPO)

Federation of European Private Port Operators (Feport)

Shipowners'/operators' organizations

Baltic and International Maritime Council (BIMCO)

Cruise Lines International Association Europe (CLIA) (former European Cruise Council, ECC)

European Community Shipowners' Association (ECSA)

Interferry

INTERTANKO

International Chamber of Shipping (ICS)

Environmental NGOs

World Wide Fund for Nature (WWF)

Other

Baltic Pilotage Authorities Commission (BPAC)

European Boating Association

Regional co-operation on marine pollution preparedness and response in the Northwest Pacific Region

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Introduction

Oil and hazardous and noxious substances (HNS) spill incidents remain one of the major pollution threats in the ocean.[4] Preventing and significantly reducing marine pollution of all kinds is Agenda 2030 target 14.1 under Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development. The area covered by the Northwest Pacific Action Plan (NOWPAP),[5] shared by four States – Japan, China, Republic of Korea and the Russian Federation – is exposed to a high risk of hazardous and noxious substances pollution incidents because of its high shipping density and high levels of industrial and economic development along the coasts.[6] There have been more than 310 oil spill and 60 hazard and noxious substance spill incidents exceeding ten tons in the region, and a total of 17 major oil spills and 11 hazardous and noxious substances spills exceeding 1,000 tons in the last 25 years in the NOWPAP region, including the well-known major spill incidents Sea Prince (1995, 4,150 tons), Nakhodka (1997, 5,304 tons), and Hebei Spirit (2007, 10,766 tons).

Examples of major oil spill incidents in the Northwest Pacific Region (Sea Prince (1995) (left), Nakhodka (1997) (centre), Hebei Spirit (2007) (right)). The Sea Prince and Nakhodka oil spills in the late 1990s triggered the development of a regional cooperation framework on marine pollution prevention and response in the NOWPAP region

The establishment of a regional cooperation mechanism for marine pollution prevention and response among the four North Pacific nations proceeded in parallel with the adoption of the

[4] The First Global Integrated Marine Assessment: World Ocean Assessment I. United Nations Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects (L. Innis and A. Simcock, Joint Coordinators). United Nations, New York, NY, 2016. Available from http://www.worldoceanassessment.org/

[5] The geographical scope of NOWPAP covers the marine environment and coastal zones from about 121° E to 143° E longitude and from approximately 33° N to 52° N latitude.

[6] *State of the Marine Environment Report for the NOWPAP Region (SOMER-2), 2014*. (V.M. Shulkin and A.N. Kachur, eds.). Vladivostok, Russian Federation. Available from http://dinrac.nowpap.org/documents/2015/POMRAC-SOMER2.pdf

Action Plan for the protection, management and development of the marine and coastal environment of the Northwest Pacific Region (NOWPAP). Such a cooperative mechanism was defined as an environmental priority in the NOWPAP region. The large-scale oil spill incidents (Sea Prince (1995) and Nakhodka (1997)) in the late 1990s led NOWPAP member States to take seriously the high risks of oil and hazardous and noxious substances spill in the region and develop appropriate response measures.

In order to implement effectively regional activities in the field of marine pollution prevention and response in the NOWPAP region, the Marine Environmental Emergency Preparedness and Response Regional Activity Center (MERRAC) was established at the Korea Research Institute of Ships and Ocean Engineering (KRISO) in Daejeon, Republic of Korea in 2000. MERRAC was established as one of the four NOWPAP regional activity centres[7] of NOWPAP. In addition, the competent national authorities were nominated to implement the designated regional cooperation activities. The relevant national agencies – China Maritime Safety Administration (MSA), Japan Coast Guard (JCG), Korea Coast Guard (KCG) and the Marine Rescue Service of Rosmorrechflot (MRS) of the Russian Federation – joined forces as the competent national authorities of MERRAC. The MERRAC secretariat acts as a regional coordination mechanism supporting implementation of joint activities. MERRAC was established by the Memorandum of Understanding between IMO and the UN Environment. The MERRAC Focal Points meetings, with the participation of higher-level officials from competent national authorities, have been held annually since 2001 to discuss MERRAC implementation issues and approve its activities.

The establishment of a regional cooperation mechanism was initiated with the adoption of NOWPAP and by holding the first regional forum under the NOWPAP framework in 1994. The forum aimed to implement the NOWPAP activities related to development of effective measures for regional cooperation in marine pollution preparedness and response. Later, in 2001, the forum was renamed the MERRAC Focal Points Meeting. Senior officers of each national agency are invited to discuss detailed implementation measures. These meetings have become the core institutional basis for MERRAC activities.

The NOWPAP member States are geographically contiguous. Depending on their size and scale, oil and hazardous and noxious substances spill incidents in one can affect neighbouring countries. In order to establish a regional cooperation framework, it was important for member States to exchange information on national policies and resources (personnel and equipment), develop joint response measures and collectively identify oil and hazardous and noxious substances risks in the region. It was equally important that the activities were technically and scientifically supported at the national and regional level.

The main element of cooperation in the region is oil and hazardous and noxious substances spill prevention and response. The member States have agreed to work together on preparedness and response to oil and hazardous and noxious substances spill incidents under the NOWPAP framework, which is the only intergovernmental regional cooperation mechanism on marine and coastal environmental protection in the Northwest Pacific and was a natural fit.

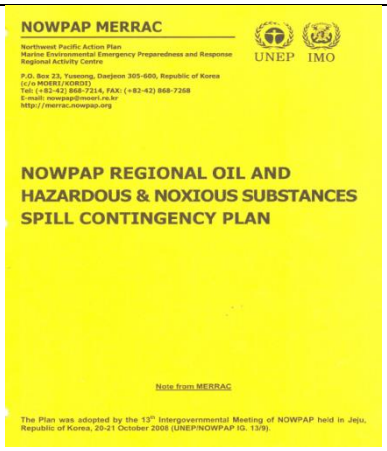
[7] The other three are the Special Monitoring and Coastal Environment Assessment Regional Activity Centre (CEARAC), hosted by the Northwest Pacific Region Environmental Cooperation Centre (NPEC) in Toyama, Japan; the Data and Information Network Regional Activity Centre (DINRAC) at the China-ASEAN Environmental Cooperation Center (CAEC) of the Ministry of Environmental Protection (MEP) in Beijing, China; and the Pollution Monitoring Regional Activity Centre (POMRAC) at the Pacific Geographical Institute (PGI) of the Far East Branch of the Russian Academy of Sciences in Vladivostok, Russian Federation.

The NOWPAP member States established the following operational frameworks to insure regional cooperation in the field of marine pollution prevention and response in the NOWPAP region:

- Memorandum of Understanding on Regional Cooperation Regarding Preparedness and Response to Oil Spills in the Marine Environment of the Northwest Pacific Region, signed at ministerial level (2004);
- The NOWPAP Regional Oil and Hazardous and Noxious Substances Spill Contingency Plan (adopted for oil spills only in 2003 and revised to include hazardous and noxious substances spills in 2009).
- MERRAC activities also extend to cover sea-based marine litter activities under the NOWPAP Regional Action Plan on Marine Litter (RAP MALI), approved by member States in 2008.
- MERRAC activities are financially supported by the NOWPAP Trust Fund, which is replenished annually by member States, and directly by the Korean Government (Korea Coast Guard) providing resources for operation of the MERRAC secretariat. Each NOWPAP member State, through the national agencies, provides additional in-kind contributions for joint response exercises, organization of MERRAC expert meetings, etc.

Objective of cooperation

- Because of the transboundary nature of oil and hazardous and noxious substances spill incidents, the international community has developed cooperative means of enhancing response capabilities by introducing the International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC 90) and the Protocol on Preparedness, Response and Co-ordination to pollution incidents by Hazardous and Noxious Substances (OPRC-HNS Protocol) under the framework of IMO. In view of the concerns about oil and hazardous and noxious substances spillage, the NOWPAP member States also initiated the development of effective measures for regional cooperation on marine pollution preparedness and response as one of the major priorities of NOWPAP in order to promote regional cooperation and to enhance existing national and regional capabilities. The NOWPAP Regional Oil and Hazardous and Noxious Substances Spill Contingency Plan (RCP) was developed and adopted in 2003 as technical and operational guidelines for regional cooperation to tackle oil and hazardous and noxious substances spill emergencies in the NOWPAP region.



The NOWPAP Regional Oil and HNS Spill Contingency Plan

Signature of the MoU for the NOWPAP RCP (November 2004, Busan, Republic of Korea)

Dialogue/cross-sectoral cooperation in practice

- Since the establishment of NOWPAP in 1994, the IMO has been involved directly in the marine pollution prevention and response activities of the NOWPAP region by providing technical support to MERRAC activities under the joint MoU with UNEP. Other, similar, regional/international organizations, such as the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMREC), the Centre of Documentation, Research and Experimentation on Accidental Water Pollution (CEDRE), the European Maritime Safety Agency (EMSA) and the Baltic Marine Environment Protection Commission-Helsinki Commission (HELCOM) and international NGOs such as the International Tanker Owners Pollution Federation (ITOPF), the International Oil Pollution Compensation (IOPC) Funds and Oil Spill Response Limited (OSRL), have also participated in MERRAC activities. The NOWPAP member States, through various communication channels such as the annual MERRAC Focal Points Meetings and Competent National Authorities Meetings, training sessions and exercises and MERRAC-specific projects, have taken the lead in implementing MERRAC activities. In the initial phase of MERRAC activities in the early 2000s, communications took place more actively in both direct and indirect ways and cooperative activities were initiated under IMO technical guidance.

- The annual MERRAC Focal Points Meetings and NOWPAP Intergovernmental Meetings (IGM) discuss strategic and operational issues and approve budgets and workplans. The MERRAC Expert Meetings are held twice yearly in various forms (training, a symposium or workshop) and help NOWPAP member States to expand its networks and introduce new issues into its work programme. Response exercises are an important form of cooperation between member States, which are supported under the MERRAC framework: the BRAVO (communication) exercises and DELTA (operational) exercises are held on a regular basis (twice a year and once a year, respectively) to enable the decision makers of each member State to participate and communicate with each other.

Successful elements of cooperation

- Since its establishment, MERRAC has built a strong relationship among NOWPAP members and carried out the designated activities in the field of marine pollution prevention and response in the NOWPAP region in cooperation with the relevant national agencies of each member State. Within the framework of the Regional Contingency Plan (RCP), MERRAC has organized

annual Focal Points Meetings as a means of discussing and promoting the development of measures for more effective regional cooperation. In addition, a series of Expert Meetings has been organized twice yearly to undertake specific advisory functions relating to scientific and technical issues. Various topics have been covered during MERRAC Expert Meetings, including marine pollution incident preparedness and response in the Sea of Okhotsk (2010), hazardous and noxious substances spill response (2013) and oiled wildlife response (2015).[8] IMO training courses (IMO Level 2 Course) were conducted in 2002 and 2003 in the form of an Expert Meeting.

18th MERRAC FPM & 10th CNA meeting,
25-28 August 2015, Busan, Republic of Korea

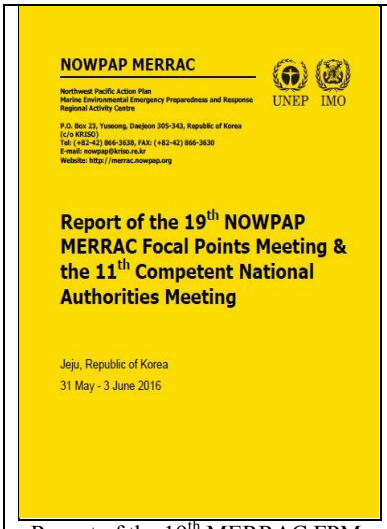
19th MERRAC FPM & 11th CNA meeting,
31 May-03 June 2016, Jeju, Republic of Korea

2013 MERRAC Expert Meeting,
15-18 October 2013, Qingdao, China

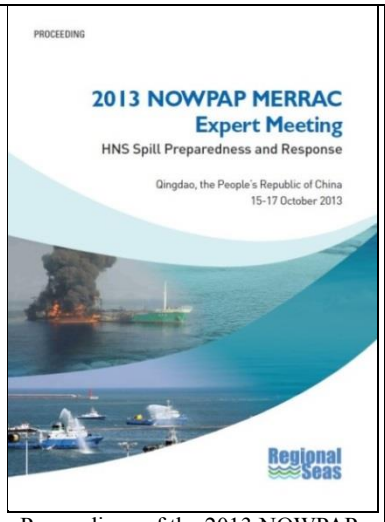
2015 MERRAC Expert Meeting,
20-22 October 2016, Vladivostok, Russian Federation

Group photos of the recent MERRAC FPM and CNA meetings and Expert Meetings

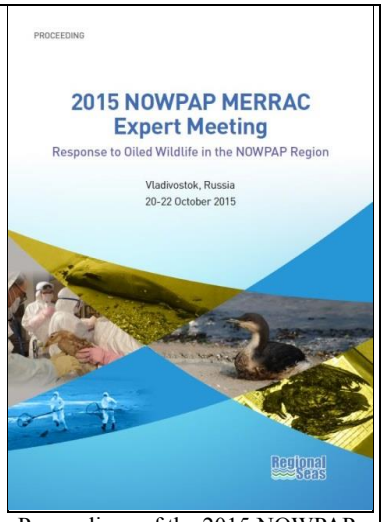
[8] http://merrac.nowpap.org/publication/connector/1/data/meeting/basic/Glist/1//



Report of the 19th MERRAC FPM and 11th CNA Meeting



Proceedings of the 2013 NOWPAP MERRAC Expert Meeting



Proceedings of the 2015 NOWPAP MERRAC Expert Meeting

The MERRAC focal point and competent national authority meetings are organized annually in May/June to discuss and enhance regional cooperation for oil and hazardous and noxious substances spill preparedness and response in the NOWPAP region. The Expert Meetings are also held twice yearly to undertake specific advisory functions concerning the relevant scientific and technical issues.

- To build practical response capacities under the Regional Contingency Plan, the NOWPAP Regional Joint Exercises and Guidelines Regarding Oil Spill Preparedness and Response were adopted in 2005 as a reference for joint exercises in the NOWPAP region. Since then, several regular oil spill exercises have been conducted under the leadership of NOWPAP members. In total, five 'Synthetic Exercises' (ALPHA) have been conducted to recall the roles and actions of leading and assisting members in accordance with the general procedure of the Contingency Plan, and 17 'Alarm Exercises' (BRAVO) have been held, two each year, to test procedure and communication systems to be used in the event of large-scale oil spills and other maritime incidents. Lastly, since 2006, six 'Operational Exercises' (DELTA) have been held, one every two years, to increase the level of preparedness of NOWPAP members to respond jointly to major marine pollution incidents within the framework of the Contingency Plan.

The 6th NOWPAP DELTA Exercise conducted in accordance with the Regional Contingency Plan (Weihai, Shandong Province, China, 14 July 2016, led by China MSA and KCG)

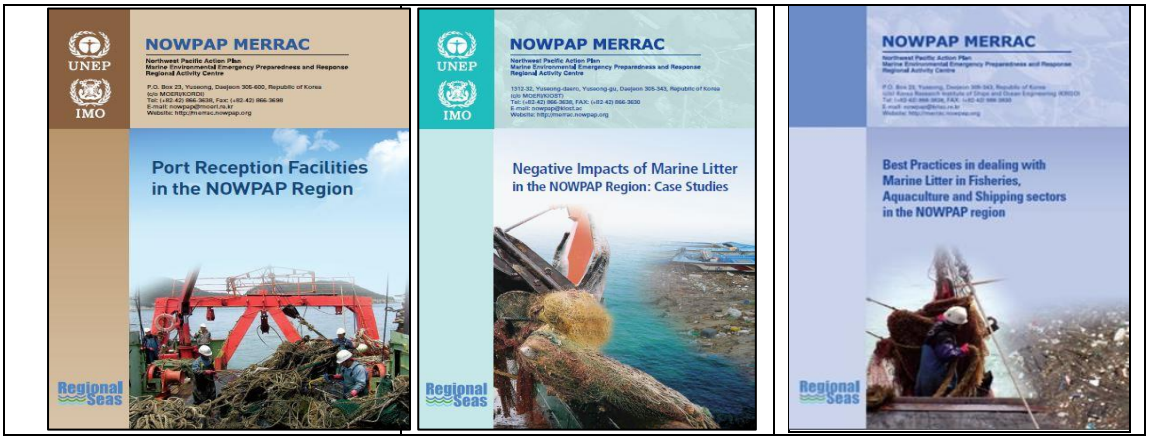
- To provide practical assistance during oil spill incidents, NOWPAP members have been exchanging Pollution Reports (POLREPs) as a tool for sharing information among the relevant authorities when major marine pollution incidents occur or when there is a threat of such an incident in the region. Furthermore, through the implementation of MERRAC routine tasks, MERRAC maintains and updates the contacts of the NOWPAP members dealing with marine pollution prevention and response, the list of oil and hazardous and noxious substances spill incidents (data from 1990) and the information system to collect data on existing lists of equipment, institutions and experts, and national performance standards and/or regulations on marine pollution preparedness and response in the NOWPAP region.

- In addition, MERRAC and expert groups of NOWPAP members have implemented various specific projects to facilitate the designated mandates of MERRAC under NOWPAP/4: Development of Effective Measures for Regional Cooperation in Marine Pollution Preparedness and Response. MERRAC has published over 14 sets of guidelines and reports on sensitivity mapping, shoreline clean-up, use of dispersants, hazardous and noxious substances operation and database, and legislation and practices on civil liability and compensation, etc.

Examples of MERRAC technical reports published under MERRAC-specific projects

- Following the decision of the 10th NOWPAP Intergovernmental Meeting (2005), MERRAC implemented activities relating to sea-based marine litter under the MALITA (Marine Litter Activity) project (2006-2007). MERRAC serves as the main NOWPAP centre on sea-based sources of marine litter and works in collaboration with the NOWPAP Regional Coordinating Unit (RCU), MERRAC Focal Points and Marine Litter Focal Points. As part of the project, MERRAC has published several sets of guidelines on marine litter monitoring and management

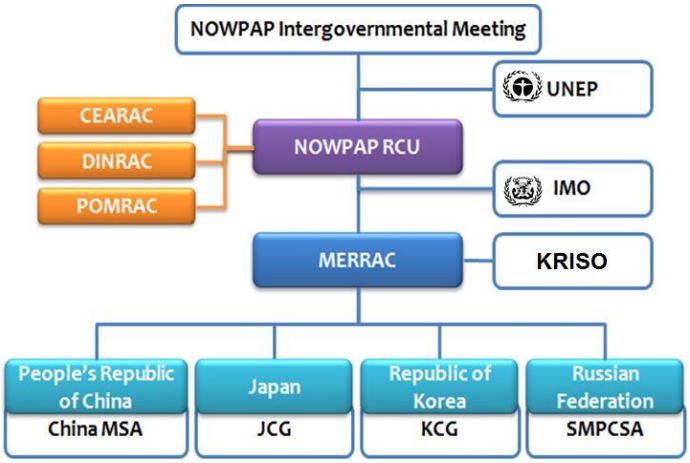
in different sectors. The sea-based marine litter activities have continued under the Regional Action Plan on Marine Litter (RAP MALI) since 2008. MERRAC has published various technical reports on marine litter management, negative impacts and best practices in dealing with sea-based marine litter, etc.



Examples of MERRAC technical reports published under MERRAC RAP MALI Projects

Efforts for policy coherence

- The Regional Contingency Plan put in place the cooperation framework under which the competent national authorities of each member State participate and contribute to regional cooperative activities on an equal and horizontal basis. As the Contingency Plan is a non-binding mechanism, it was important that member States demonstrate their political will by adopting it and signing the Memorandum of Understanding. Furthermore, the Contingency Plan provides a formal institutional arrangement under which the relevant national institutions/organizations of member States can work together. At the same time, the overall NOWPAP institutional setting, which includes various ministries in member States, allows for better integration of MERRAC activities into the overall environmental cooperation framework of NOWPAP.



Institutional arrangement of MERRAC

- In parallel to the regional cooperation framework developed under the Regional Contingency Plan, NOWPAP member States have also established their own national policies and strategies

to strengthen oil and hazardous and noxious substances spill response capacities and their effectiveness at national level. In a bid to strengthen overall regional capacity, it is important for each member State to make progress at a horizontal level. Through consistent exchange of information and communication, NOWPAP member States were able to identify common goals and a common vision and build the necessary national oil and hazardous and noxious substances spill response capacities.

Challenges

- In order to be able to respond promptly, efficiently and effectively to major oil and hazardous and noxious substances spill incidents in the region, it is important to secure regional cooperation in advance and on a continuous basis. Efficient mobilization of resources, including equipment and expertise, is a key factor in successful response to oil and hazardous and noxious substances spill incidents. If the Regional Contingency Plan is to be functional and easily accessible, it requires constant review, with detailed implementation plans, improved customs and immigration procedures for prompt assistance among member States and technical solutions for a more effective and smooth compensation system.

- Efficient oil and hazardous and noxious substances spill prevention policies are as important as response policies, but member States' political and financial support tends to decrease in the absence of 'significant' spill incidents in the region. Firm preventive measures, even in the absence of major oil spills, require sustained interest and support on the part of member States.

- Recently, hazardous and noxious substances spill issues have come to the fore as a result of an increasing number of such incidents and their impacts. A completely different set of response skills and expertise and a more complicated response system are required for hazardous and noxious substances spill incidents than for oil spills. NOWPAP member States have continued their efforts individually to establish their own national system, but regional cooperation on hazardous and noxious substances remains a challenge.

- The MERRAC secretariat's capacity needs to be further strengthened: the activities of the secretariat have been restricted because of the limited budget and expertise. In order to sustain and expand the regional cooperation mechanism on oil and hazardous and noxious substances spill preparedness and response, additional external funds need to be mobilized, especially to cover hazardous and noxious substances issues. In addition, in order to be in line with international agendas, some NOWPAP member States see the need for MERRAC to implement at the regional level other IMO-related maritime activities and MARPOL Convention-related activities (such as ballast water under the Ballast Water Management Convention, greenhouse gas emissions from shipping, carbon capture and storage under the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (the London Convention) and the 1996 Protocol to the London Convention (LC&P)). However, when this possibility was reviewed, it was suggested that MERRAC would do better to concentrate on oil and hazardous and noxious substances issues because of the current budget constraints and limited expertise, and under the existing MERRAC institutional framework. In order to initiate new activities, it is crucial to review and arrange a new implementation mechanism that includes securing the related expertise and financial resources, and building a close network between relevant national organizations/institutions.

Lessons learned/recommendations

The case of MERRAC suggests that the following five core elements are required for successful regional cooperation:

- **Political will**: The active support of member States is a key element in successful implementation of regional cooperative activities. Non-binding cooperation frameworks are not ideal for promoting and implementing substantial activities and require an effort to sustain strong political will over time. The Northwest Pacific Action Plan is not a legally binding instrument but a cooperation-based mechanism. The region is politically sensitive, which means that environmental and technical cooperation can always come to a halt in the event of major social or political challenges. It is therefore important to secure a regional cooperation framework with strong political support from member States. The Northwest Pacific Action Plan, which is a Regional Seas Programme of UN Environment, and the MoU with IMO provide an important political umbrella for MERRAC, while the relevant national agencies in member States have also established bilateral and multilateral relationships by signing MoUs.

- **Workplan for activities with detailed road maps**: It is important to implement regional cooperative activities on the basis of detailed roadmaps and programmes. The NOWPAP Regional Oil and Hazardous and Noxious Substances Spill Contingency Plan was adopted in 2005 as technical and operational guidelines for regional cooperation, and the overall cooperation mechanism has been systematized under it. Furthermore, as MERRAC activities require the political support of member States, it is important to identify common needs and set up joint goals. Ongoing dialogue is also necessary for successful implementation of joint activities. Implementation plans have been discussed regularly at MERRAC Focal Points Meetings to support the implementation of the NOWPAP Medium-Term Strategy (MTS).

- **Participation of competent national authorities**: Activities for oil and hazardous and noxious substances spill response and preparedness require practical cooperation measures and a close relationship between the relevant national agencies in the region. Providing a regular forum for the MERRAC Focal Points to meet and hold discussions is a key factor for successful regional cooperation in the NOWPAP region.

- **Securing sustainable finance**: Securing finance is also important for effective regional cooperation. The MERRAC operation is financially supported by the Korean Government and the activities are funded by the NOWPAP Trust Fund. In-kind contributions made by member States to conduct joint oil spill response exercises and organize MERRAC expert meetings, etc. supplement the Trust Fund.

- **Capacities of the secretariat**: The secretariat plays an important coordinating role in implementing and mediating activities. Activities have received technical support from IMO, the NOWPAP Regional Coordinating Unit, and UNEP. The capacity of the MERRAC secretariat is further enhanced by being hosted in a national research institution relevant to the MERRAC mandate - Korea Research Institute of Ships and Ocean Engineering, the main national research institute for ships and offshore plant engineering in Korea.

References and web links

http://merrac.nowpap.org/ (all MERRAC publications are downloadable from this website)

Cooperation in the Danube-Black Sea Basin: Example of the Commission on the Protection of the Black Sea Against Pollution (Black Sea Commission) and the International Commission for the Protection of the Danube River (ICPDR)

Iryna Makarenko, Pollution Monitoring and Assessment (PMA) Officer, Permanent Secretariat, Commission on the Protection of the Black Sea Against Pollution (Bucharest Convention)

The ecological state of the coastal waters of the Western Black Sea has improved significantly since the late 1980s and early 1990s as a result of reduced nutrient inputs, which have led to reduced eutrophication and fewer algal blooms, recovery of animal populations on the seafloor and improved regeneration of macrophytes. Nonetheless, nutrients still enter the Black Sea from land-based sources, in particular through rivers. The River Danube accounts for over half of the nutrient input to the Black Sea. In addition, inputs of other harmful substances, especially oil, continue to threaten the Black Sea ecosystem. Oil enters the environment as a result of accidental and operational discharges from vessels and through land-based sources. Almost half of the inputs of oil from land-based activities are brought to the Black Sea through the Danube.[9] The long practice of overfishing has also depleted many fish stocks.[10] The Regional Sea Convention for the Black Sea and the Danube River Commission were created to help to overcome these problems.

Nowadays, the Convention on the Protection of the Black Sea Against Pollution, also known as the Bucharest Convention,[11] is one of the best known Regional Sea Conventions and instruments of International Environmental Law. It was signed and ratified in 1992 and 1994 and provided the legal basis for combating pollution from land-based sources and maritime transport and for achieving sustainable management of marine living resources and sustainable human development in the Black Sea Region. It is also the only legal instrument on marine environment which has all the Black Sea riparian countries as signatories. There is no doubt that the activities implemented so far by the relevant Convention bodies has significantly increased public involvement, addressed transboundary environmental issues and introduced sound environmental decision-making on the sustainable use of the resources of the Black Sea. At the same time, the Bucharest Convention is what is known as a 'shoreline convention', which means that it in no way governs the inland activities of the States within the hydrographic drainage area discharging into the Black Sea as a whole (the Black Sea proper and the Sea of Azov).

The Black Sea Commission was created as an executive body to implement the provisions of the Bucharest Convention, and is responsible for promoting the implementation of the Convention and its four Protocols. It was established, to monitor and assess pollution, control pollution from land-based sources, ensure conservation of biological diversity, address the environmental safety aspects of shipping, address the environmental aspects of management of fisheries and other marine living resources and, last but not least, to promote integrated coastal zone management and maritime policy. The updated version of the Strategic Action Plan for the Environmental Protection and Rehabilitation of the Black Sea (BS SAP) was adopted at the Ministerial Conference in Sofia (Bulgaria) in April, 2009, and is now in force as the main document reflecting the obligations of the Contracting Parties of the Bucharest Convention regarding preservation of the environment of the Black Sea.

The Baltic Sea Strategic Action Plan 2009 reflects the progress achieved after adoption of its predecessor, the 1996 Action Plan (updated in 2002). It reorganizes the priorities and actions and describes the policy actions required to meet emerging environmental challenges by introducing a series of management targets. The 2009 Action Plan is based on three key environmental management approaches: integrated coastal zone management (ICZM); the ecosystem approach; and integrated river basin management (IRBM). Its four ecosystem quality objectives (EcoQOs) are: EcoQO 1:

[9] Implementation of the Strategic Action Plan for the Rehabilitation and Protection of the Black Sea (2002-2007). A report by the Commission on the Protection of the Black Sea Against Pollution, Istanbul, Turkey, 2009.

[10] Natura 2000 in the Black Sea Region, European Communities, 2009.

[11] Black Sea Commission official web-page, www.blacksea-commission.org.

preserve commercial marine living resources; EcoQO 2: conservation of Black Sea biodiversity and habitats; EcoQO 3: reduce eutrophication; and EcoQO 4: ensure good water quality for human health, recreational use and aquatic biota. The relevant actions regarding these four objectives are reflected in the EcoQO Matrices, which are annexed to this document.

The land-based sources and activities Protocol, among other things, sets the requirements for controlling, monitoring and assessing pollution from land-based sources, including the riverine loads, ensuring conservation of biological diversity of the Black Sea and implementing activities to achieve and maintain a good ecological status of the Black Sea, including its marine and coastal ecosystems.

The International Commission for the Protection of the Danube River (ICPDR) is a transnational body established to implement the Danube River Protection Convention.[12] The main objective of the Convention is to ensure that surface waters and groundwater within the Danube River Basin are managed and used sustainably and equitably. This objective includes introducing measures to reduce the pollution loads entering the Black Sea from sources in the Danube River Basin.

The Danube Commission is formally composed of the Delegations of all Contracting Parties to the Danube River Protection Convention, but has also established a framework whereby other organizations can join. The European Commission signed the Danube Convention in 1994. In 2000, the Contracting Parties made the Danube Commission the platform for the implementation of all transboundary aspects of the European Union Water Framework Directive.[13] In 2007, the Danube Commission also took responsibility for coordinating the implementation of the European Union Floods Directive in the Danube River Basin. The Convention is a 'hydrographic basin convention', i.e. it governs the transboundary impact through the drainage network of the River Danube Basin (valid only for Contracting Parties to this Convention).

Since its creation in 1998, the Danube Commission has promoted policy agreements and the setting of joint priorities and strategies for improving the state of the Danube and its tributaries. This includes improving the tools used to manage environmental issues in the Danube basin, such as the Accident Emergency Warning System,[14] the Trans-National Monitoring Network[15] for water quality, and the information system for the Danube (DANUBIS).

In order to meet the objective of the Water Framework Directive for a set of selected hazardous substances called priority substances, limit values were set at the European level defining 'good chemical status'. To meet these and other supporting objectives, the Danube Commission developed its first Danube River Basin Management Plan in 2009, which included assessments and measures towards the achievement of 'good status' by 2015 (to be updated in 2015 and 2021). The Management Plan – Update 2015 includes updated assessments of the main pressures impacting the waters of the Danube basin, updated information on water status and progress achieved and the joint further actions agreed by the Danube countries to be undertaken until 2021.

The Danube Commission is also a member of the DABLAS Task Force, which was set up in November 2001 as a platform for cooperation between international financial institutions, donors and beneficiaries on the protection of water and water-related ecosystems along the Danube and in the Black Sea. Apart from The Danube Commission, the task force includes representatives of the countries of the region, the Black Sea Commission, international financial institutions, the European Commission, interested European Union member States, other bilateral donors and other regional and international organizations.

The cross-sectoral cooperation between the Danube and Black Sea regional bodies is necessary for the following reasons:

[12] Convention on Cooperation for the Protection and Sustainable Use of the Danube River, Sofia, Bulgaria, 1994.
[13] Danube Commission official web-page, www.icpdr.org.
[14] https://www.icpdr.org/main/activities-projects/aews-accident-emergency-warning-system

[15] https://www.icpdr.org/main/activities-projects/tnmn-transnational-monitoring-network

- Despite common goals and objectives on prevention of pollution loads and conservation of riverine and marine environment and ecosystems, the approaches of the two organizations differ: different Contracting Parties, the non-binding nature of the European Union legislation for the Bucharest Convention, indicators for assessment(s) etc.;

- Despite the availability of specific legal instruments and implementation bodies jointly created by the Danube and the Black Sea Commissions (Black Sea Commission-Danube Commission MoU, work of the Joint Technical Working Group, etc.), there is a need to harmonize assessment methodologies and ensure the regular exchange of data on pollution loads from the Danube to the Black Sea;

- The multitude of legal instruments on environmental protection in the Danube and Black Sea basins – the Espoo Convention, Aarhus Convention, Ramsar Convention and relevant European Union legislation (including the Water Framework and Marine Strategy Framework Directives) – requires compliance with their provisions and commitment to establishing broader cooperation aimed at harmonizing their activities, avoiding duplication and promoting synergies;

- Despite the numerous environmental projects in the Danube-Black Sea region, the joint problems of this large marine ecosystem are not properly addressed (no dedicated projects to support the activities of both Commissions tackling issues of common concern).

The institutional cooperation between the Danube and Black Sea Commissions could contribute to the implementation of Sustainable Development Goal 14. The objectives include: development of the regional monitoring programme, which would include ecological status indicators, assessment methodologies and mutual reporting in line with the requirements of the commissions, taking into account the provisions of the Marine Strategy and Water Framework Directives and other relevant legal instruments in the field of environmental protection in the Danube and Black Sea basins. Such harmonization may contribute to the assessment of nutrient loads and improve coordination of efforts (including investments) of the Contracting Parties of the two conventions.

Since the Danube provides high river inflow to the Black Sea and changes within the river basin are affecting the ecological status of the Sea, the Danube Commission has joined forces with the Black Sea Commission to remedy the environmental degradation of the Black Sea. Cooperation between the two commissions started in 1997 on a preliminary basis, and was strengthened by granting mutual observer status and the signing of a Memorandum of Understanding at a ministerial meeting in Brussels in November 2001.

Later, the two commissions established the Danube – Black Sea Joint Technical Working Group. This Group is currently drafting guidelines on achieving good environmental status in the coastal waters of the Black Sea, in line with European Union legislation and taking into account the following considerations: common goals and objectives with regard to prevention of pollution loads and conservation of riverine and marine environment and ecosystems; recognition of the importance of compliance with the provisions of relevant legal instruments on environmental protection in the Danube and Black Sea basins (the Espoo Convention, Aarhus Convention, Ramsar Convention and relevant European Union legislation, including the Water and Marine Strategy Framework Directives) in order to establish broader cooperation aimed at harmonizing their activities, avoiding duplication and promoting synergies through the relevant MoU.[16]

[16] Memorandum of Understanding between the International Commission for the Protection of the Black Sea and the International Commission for the Protection of the Danube River on common strategic goals, signed by the two commissions in 2001.

The overall objective of the Working Group is to create a common basis of understanding and agreement on changes in the Black Sea ecosystem and their causes, and to report to both commissions on the results, recommending strategies and practical measures for remedial action.

This ad hoc Joint Technical Working Group has the following tasks:

- analyse the information exchanged by the Danube and Black Sea Commissions;
- exchange data on pollution loads from the Danube to the Black Sea;
- exchange data on indicators for the assessment of the ecological status of the Black Sea; and
- harmonize the assessment methodologies for point and diffuse pollution (based on Danube Commission experience of emission inventories, hot spots analysis and review of ranking methodologies).

One important issue of concern is the development of the reporting format and procedures, ensuring regular reporting (for the Black Sea Commission, every five years and for the Danube Commission, every six years) on measures taken for the reduction of nutrients and hazardous substances in the Danube River Basin in line with the Danube Commission's 2009 Danube River Basin District Management Plan[17] and its updated 2015 version and, in the Bucharest Convention area, in line with the Black Sea Strategic Action Plan (2009).[18]

The challenges of the implementation of the MoU and the work of the Joint Technical Working Group are:

- Different assessment methodologies reflected in the statutory documents, the non-legally binding nature of European Union legislation under the Bucharest Convention (only two countries – Bulgaria and Romania – are members to the European Union, which is not a Contracting Party to the Bucharest Convention);
- Exchange of data on pollution loads from the Danube to the Black Sea is not regular and information on quality assurance/quality control is not always adequate;
- Lack of enforcement procedures under the Bucharest Convention to ensure that annual national information is reported to the secretariat in a timely manner;
- Lack of financing of the work of the Working Group and implementation of the MoU in general.

In 2014, the Joint Technical Working Group drafted the document BSC – ICPDR Reporting Format to assess the current status of monitoring and assessment of Danube loads on Black Sea ecosystems, strengthen cooperation and develop appropriate mechanisms for the implementation of the MoU between the Commissions on common strategic goals (2001), in which the Commissions agreed to regularly exchange the necessary data flows. In accordance with this document, data from the Danube on pollution loads is presented each year based upon the TransNational Monitoring Network water quality yearbook. This load assessment is generated on the basis of data collected at the Reni Water Quality station by Romania (Romania has assessed the loads at Reni compared to a combination of loads from the three branches of the Danube and found that the loads at Reni are representative of the Danube loads). The table of parameters of official data presented to the Black Sea was attached to the reporting format. In return, the Black Sea Commission is expected to present the

[17] Danube River Basin District Management Plan 2009-2015, adopted by Contracting Parties to the Danube River Protection Convention in 2009.

[18] Strategic Action Plan on the Protection and Rehabilitation of the Black Sea, adopted by Contracting Parties to the Bucharest Convention in 2009.

annual summary report showing data in selected stations from Bulgaria, Romania and Ukraine (with a short explanation of the significance of selected indicators), reflecting the effect of the Danube loads on the marine ecosystem, based on the set of indicators, using the data provided by Black Sea Commission Advisory Groups on Pollution Monitoring and Assessment, Land-Based Sources and Conservation of Biodiversity. This "Provisional List of indicators to demonstrate changes over time in Black Sea Ecosystems due to nutrient inputs" was attached to the Reporting Format. Therefore, a short written report assessing the Black Sea ecosystem, together with selected data on the above indicators is to be presented to the Danube Commission by the end of each year. This report would be the official Black Sea report that would involve synthesis and interpretation of the data from the Advisory Groups of the Black Sea Commission on the ecosystem status of the Black Sea.

The BSC – ICPDR Reporting Format was later introduced as Annex 10 of the draft Black Sea Integrated Monitoring and Assessment Programme, the second most important document of the Black Sea Commission, reflecting and regulating efforts to monitor and assess the environmental challenges in the Black Sea. The updated draft Monitoring Programme for 2017-2022 was adopted by the Black Sea Commission at its 32nd Regular Meeting (12-13 October, 2016). The Monitoring Programme also takes into account the relevant Marine Strategy Framework Directive, GFCM and ACCOBAMS requirements and provides a legal basis for cooperation on the Directive and other relevant European Union directives with the Danube Commission.

It is planned that the next meeting of the Joint Working Group will discuss the ways of implementing commitments under Annex 10 of the Black Sea Integrated Monitoring and Assessment Programme BSC – ICPDR Reporting Format.

The inclusion of the BSC – ICPDR Reporting Format in the Monitoring Programme for 2017-2022 can be seen as a step towards arriving at policy coherence between the regional sea convention and the freshwater convention. It will ensure timely and qualitative assessment of the current status of Danube loads on Black Sea ecosystems. These efforts will also contribute to the implementation of the requirements of the Water and Marine Strategy Framework Directives in the Black Sea region and harmonization of policies with other relevant regional actors and global approaches, including the implementation of relevant sustainable development goals in the Danube-Black Sea region.

In order to achieve the objectives set out earlier, the Commissions need to strive to:

- Harmonize assessment methodologies;
- Ensure regular exchange of data on pollution loads from the Danube to the Black Sea and the adequacy of quality assurance/quality control;
- Support the Contracting Parties in their monitoring and provision of annual national information reported in a timely manner and exchanged between the secretariats;
- Seek appropriate financial resources in order to sustain the work of the Joint Technical Working Group and implementation of the MoU in general;
- Implement a dedicated project at the regional level to support the abovementioned activities; and
- Ensure coordination of efforts, harmonization of approaches and exchange of relevant information with other large marine ecosystems, regional sea conventions and other organizations, as appropriate.

2050 Africa's Integrated Maritime Strategy and African Ocean Governance Strategy

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Africa is endowed with rich biodiversity and landscapes as a result of several factors, including its geographical position straddling the equator, the different seas and oceans surrounding it and its geology. The coasts of Africa host a great variety of ecosystems, such as estuaries, coral reefs, mangrove forests, wetlands and dunes, which provide habitats for a large variety of species, particularly fish.[19] The resources and services drawn from the ecosystems support the livelihoods of local communities and contribute to national economies. A number of sectors have developed through the centuries on the basis of coastal and marine resources and ecosystems services, including fisheries and aquaculture; transportation, navigation and shipping; energy, oil and gas / coastal mining; tourism; ocean survey and research; industry.

As the populations of coastal communities have grown, traditional maritime activities such as fishing have intensified and new ones have emerged, for example, offshore turbines/renewables. However, the lack of appropriate governance and sustainable management frameworks has led to unrestricted use and uncontrolled exploitation of resources and therefore to degradation and depletion of these resources. Issues of maritime safety and insecurity, illegal trafficking and the serious effects of climate change also have negative impacts on the coastal and marine environment in Africa. As a result of bad management and acute depletion, coastal communities and national economies are experiencing revenue losses.

One example of this is that West African countries in particular have concluded access agreements with the European Union for commercial fishing, which have been much criticized because little economic and social benefit has accrued to coastal people to improve their standard of living.[20] At the same time, coastal communities are among the groups most vulnerable to climate change: coastal erosion has already devoured a large part of Grand-Lahou, Côte d'Ivoire, forcing people to abandon their homes and move some 20 kilometres inland.[21]

While loss of biodiversity and environmental degradation are important issues, human beings tend to react only if there is a direct impact on them, and the impact here is poverty and reduced growth rates. Governments have realized that poverty eradication and promoting shared growth require coordinated cross-sectoral action.

It was against this background that, on 6 December 2012 in Addis Ababa,[22] the African Union (AU) 2nd Conference of African Ministers in Charge of Maritime Related Affairs, adopted the 2050 Africa Integrated Maritime (AIM) Strategy.[23] The vision of the strategy is "to foster increased wealth

[19] Nature places, African wildlife, http://www.bbc.co.uk/nature/places/Africa
[20] *Africa Environment Outlook 2 – Our Environment our Wealth*, Chapter 5, Coastal and marine environments, http://www.unep.org/DEWA/Africa/docs/en/aeo-2/chapters/aeo-2_ch05_COASTAL_AND_MARINE_ENVIRONMENTS.pdf
[21] http://www.worldbank.org/en/news/feature/2016/06/02/building-a-resilient-west-african-coastal-community .
[22] The conference was organized back-to-back with the 5th African Maritime Cross-sectoral Experts Workshop, 3-4 December 2012, and the High-Level African Maritime Cross-sectoral Senior Officials meeting on 5 December 2012.
[23] Available from http://pages.au.int/sites/default/files/2050%20AIM%20Strategy%20%28Eng%29_0.pdf

creation from Africa's oceans and seas by developing a sustainable and thriving blue economy in a secure and environmentally sustainable manner[24] … and increased national, regional and continental stability, through collaborative, concerted, cooperative, coordinated, coherent and trust-building multi-layered efforts to build blocks of maritime sector activities in concert with improving elements of maritime governance" (paras. 18-19). The guiding philosophy is based on information sharing, communication, collaboration, cooperation, capacity-building and coordination (or IC5) (para. 22). The Strategy recognizes (para. 24) a wide diversity of stakeholders, including African Union member States, local communities, specialized regional institutions and associations, the African maritime private sector, strategic development partners and the international community as a whole. It is to be interpreted and implemented along with all relevant African Union, national and international regulatory frameworks and ongoing maritime initiatives in Africa (para. 27). The strategic objectives are a set of ambitious goals to be achieved and include the establishment of a combined exclusive maritime zone of Africa, the engagement of civil society and all other stakeholders to improve awareness on maritime issues, protection of populations and the promotion of the ratification, transposition and implementation of international legal instruments.

In order to put into practice the aspirations stated in the Strategy, Governments adopted a Plan of Action[25] to accompany it. The Plan of Action is a roadmap and timeline, and identifies the major activities and actions, the measures of output, and the lead and other institutions responsible for the implementation of the activities. The objectives cover projections for new institutions and structures, wealth creation, human resource development and capacity-building for maritime governance.

In April 2016, at the Sixth Special Session of the African Ministerial Conference on the Environment (AMCEN), [26] in Cairo, Egypt, African Ministers of Environment adopted the Cairo Declaration on Managing Africa's Natural Capital for Sustainable Development and Poverty Eradication (the Cairo Declaration). States agreed (see para. 14) to develop an ocean governance strategy in Africa in accordance with the United Nations Convention on the Law of the Sea (UNCLOS), Regional Seas Conventions[27] and the strategies set by the African Union, namely AIMS 2050 and Agenda 2063: The Africa We Want.[28]

Although the two initiatives appear to be distinct, their objectives, activities and the actors involved are similar. They both arise from the need to tackle fragmented governance of the coastal and

[24] The term "blue economy" refers to the ocean-related components of the green economy, i.e. an economy that seeks to reduce environmental risks and ecological scarcity and aims for sustainable development without degrading the environment. The green economy was a main theme of the United Nations Conference on Sustainable Development (Rio+20), Rio de Janeiro, Brazil, 20-22 June 2012, culminating in the adoption of ground-breaking guidelines on green economy policies (https://sustainabledevelopment.un.org/topics/greeneconomy).
[25] http://pages.au.int/sites/default/files/Annex%20C%2C%20PoA%20%28Eng%29.pdf .
[26] For AMCEN see http://web.unep.org/regions/roa/amcen/about. Also: http://web.unep.org/regions/roa/amcen/15th-ordinary-session-amcen
[27] Specifically in relation to the following systems, including treaties (conventions and protocols) and action plans, as relevant: the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention), the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention), the Convention for Cooperation in the protection and Development of the Marine and Coastal Environment of the West and Central African Region (Abidjan Convention) and the Convention for the Conservation of the Red Sea and of the Gulf of Aden Environment (Jeddah Convention).
[28] http://agenda2063.au.int/en/documents/agenda-2063-africa-we-want-popular-version-final-edition.

marine ecosystems of Africa, to promote inter-sectoral and inter-governmental cooperation and to tackle poverty and development concerns. Although the forums where they were adopted were different – the African Union and AMCEN, serviced by UN Environment – they were both endorsed by official Government representatives: the Africa Integrated Maritime Strategy 2050 by the ministers responsible for maritime affairs and the Cairo Declaration by ministers responsible for environmental affairs.

As the Cairo Declaration was the second of the two initiatives to be adopted, it specifically refers to the 2050 Maritime Strategy, so there is no doubt that actions under the two initiatives are to be coordinated. In particular, the outcomes of the AMCEN initiative, namely, the gap analysis and the strategy, would further inform and contribute to implementation of the 2050 Maritime Strategy. The Plan of Action accompanying the latter details the actions to be taken to achieve its goals and for each action identifies the responsible executing partner/agency. The African Union is responsible for the execution of most actions and the United Nations is specifically mentioned as a partner to support the African Union for peace and humanitarian intervention in maritime governance.

The African Maritime Strategy claims to be the outcome of cross-cutting inputs from a wide pool of stakeholders, including African experts, with inputs from African Union member States, international organizations, academia, local communities, specialized regional institutions and associations, the African maritime private sector and strategic development partners.[29]

It goes without saying that the two initiatives cannot be seen in isolation from Agenda 2063 and the 2030 Agenda for Sustainable Development,[30] the former stipulating a pan-African vision and a 50-year strategy on how to use the continent's overall resources for the benefit of Africans, the latter a global vision, including a set of 17 sustainable development goals to be achieved through a collective effort on the part of the international community by 2030. For this reason, the Cairo Declaration specifically refers to both documents. Strategic Development Goals 1 (end poverty in all its forms everywhere) and 14 (conserve and sustainably use the oceans, seas and marine resources) are directly linked to ongoing efforts for an integrated African ocean strategy and most of the targets are relevant in the context of this initiative. But other goals are also supported by the planned action: Sustainable Development Goal 2 (end hunger, achieve food security and improved nutrition and promote sustainable agriculture); Sustainable Development Goal 3 (ensure healthy lives and promote well-being for all at all ages); Sustainable Development Goal 8 (promote inclusive and sustainable economic growth, employment and decent work for all), Sustainable Development Goal 12 (ensure sustainable consumption and production patterns) and Sustainable Development Goal 13 (take urgent action to combat climate change and its impacts).

The African Integrated Maritime Strategy is to be welcomed for its wide participatory process – consultations for its adoption and constant engagement of all possible stakeholders during implementation – and for its holistic approach – intersectoral, intergovernmental, interagency and transnational cooperation. From an institutional point of view, the Strategy Task Force was set up on 3 June 2011. In order to further implementation, other bodies were to be established: the Department of Maritime Affairs, regional department of maritime affairs inter-agency committees with designated focal points to monitor progress and review the implementation of the strategy, the African Naval Architects and Marine Engineers Forum, the African Safety of Navigation Forum and the Capital Fund (2050 AIMSCAF) to

[29] See AIM Strategy, Executive Summary.
[30] http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E.

sustain maritime viability and provide research funds and equity venture capital to marine projects in Africa. In addition, in order to mobilize political and financial resources for its implementation, the Strategy provided for the establishment of the High-Level College of Champions (2050 AIM Strategy HLC2) composed of very high profile African leaders.

2050 is still distant, but little seems to have been done since the adoption of the Strategy. The latest news and events on the dedicated web site (http://pages.au.int/maritime) are from summer 2015, whereas, according to the Plan of Action, some actions were to be implemented by 2013 or 2015. There is a lack of information about the status of implementation of those actions, as the last update of the Plan of Action available on the Internet dates from 2 May 2013. The Plan of Action should be reviewed and updated every three years, so a review should have been available by May 2016.

One of the major challenges of the Strategy is the financial implications of the actions. While at the time of its adoption, the financial implications could not be accurately estimated, the Plan of Action should identify sources of funding for each activity. There is no update on the mobilization of resources or the work of the 2050 AIM Strategy High-Level College of Champions 2. Consequently, with uncertain financial support and no specific approach and scheme for the mobilization of resources, the feasibility of the Strategy is in question.

Through the 2016 Cairo Declaration, Ministers reiterated their commitment, referred to crucial documents aiming at the continent's development and emphasized UNEP's role, specifically: "the need for strengthening [UNEP's] strategic regional presence in the continent to provide the requisite leadership and support to member States and ensure implementation of the environmental dimension of the sustainable development goals and enhance the capacity of UNEP to support implementation of programmes and projects at national and regional level that address various environmental challenges" (see Cairo Declaration, preambular paragraph 13). Ministers recognized the political guidance provided by African representatives in various forums, and agreed to honour their commitments for the implementation of Agenda 2030 and Agenda 2063 (paras. 1-10).

The advantage of UN Environment servicing AMCEN is that it is the frontrunner in coordinating intergovernmental processes on the environment. It has a huge amount of experience and a deep understanding of cross-sectoral issues that can only add value to the AMCEN process as compared to the process led by African Union. The United Nations will therefore not only support the African Union in reaching objectives relating to peace and humanitarian intervention in maritime governance, but improve implementation of the 2050 Strategy as a whole.

AMCEN, which was set up in 1985, has an established practice of coordination and holding regular meetings to review implementation of its mandate, which is: to provide advocacy for environmental protection in Africa; to ensure that basic human needs are met adequately and in a sustainable manner; to ensure that social and economic development is realized at all levels; and to ensure that agricultural activities and practices meet the food security needs of the region (http://web.unep.org/regions/roa/amcen/about). Provided there is appropriate interministerial coordination at governmental level (ministries of environment, maritime affairs, etc.), AMCEN will bring the missing connectivity to the various processes at the global and pan-African level with a view to addressing country concerns. The vision is there, but UN Environment and AMCEN provide a clear direction for achieving the vision and require better policy coherence.

On 19 October 2015, the heads of the secretariats of the four Regional Seas Conventions in Africa (the Abidjan Convention, Barcelona Convention, Nairobi Convention and Jeddah Convention) met in Istanbul and agreed to conduct a scoping/mapping exercise to outline existing strategies and governance mechanisms, and identify and analyse gaps.

It is probably too early to speak of lessons learned or recommendations regarding this cooperation. The key point is that the State actors involved acknowledge the need for cooperation, insist on interministerial cooperation at the governmental level and on coordination with all relevant stakeholders at the continental and global levels. The involvement of UN Environment will only benefit this cooperation.

References and weblinks

2030 Agenda for Sustainable Development. Available from http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

African Union 2015 Integrated Maritime Strategy, available from http://pages.au.int/maritime

African Union, Agenda 2063: The Africa We want. Available from http://www.un.org/en/africa/osaa/pdf/au/agenda2063.pdf

African Union Strategy and Roadmap, available from http://pages.au.int/sites/default/files/2050%20AIM%20Strategy%20%28Eng%29_0.pdf

African Union Roadmap, available from http://pages.au.int/sites/default/files/Annex%20C%2C%20PoA%20%28Eng%29.pdf

AMCEN, see http://web.unep.org/regions/roa/amcen/about. http://web.unep.org/regions/roa/amcen/15th-ordinary-session-amcen

British Broadcasting Corporation (2014). Nature places, African wildlife, http://www.bbc.co.uk/nature/places/Africa

Samoilys, Melita A. and Nyaga W. Kanyange (2008). *Assessing links between marine resources and coastal peoples' livelihoods: Perceptions from Tanga, Tanzania*. IUCN. Available from http://www.tnrf.org/files/E-INfor_CORDIO_Tanga%20report.pdf

Sigalla, Huruma Luhuvilo (2014). Poverty and livelihood of coastal communities in Tanzania Mainland and Zanzibar. *Journal of African Studies and Development*, Vol. 6 (9). Available from http://www.academicjournals.org/journal/JASD/article-full-text-pdf/E56F67848812

United Nations Environment Programme (2006). *Africa Environment Outlook 2 – Our Environment our Wealth*, Chapter 5, Coastal and marine environments. Available from http://www.historylab.unina2.it/files/251.pdf

World Bank (2008). The importance of Africa's costal and marine ecosystems, see http://siteresources.worldbank.org/INTENVMAT/Resources/3011340-1238620444756/5980735-1238620476358/11AFR.pdf

_____ (2016). Building a Resilient West African Coastal Community. Available from http://www.worldbank.org/en/news/feature/2016/06/02/building-a-resilient-west-african-coastal-community

Update on the design of an integrated regional ocean policy for the Permanent Commission for the South Pacific

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Background

Since 1952, the Permanent Commission for the South Pacific (CPPS) has coordinated regional maritime policies so that its member States (Chile, Colombia, Ecuador and Peru) can adopt a common position in international negotiations and on development of the Law of the Sea, International Environmental Law and other multilateral initiatives. The Commission is also engaged in scientific, socioeconomic, policy and environmental capacity-building processes at the national and regional levels. Its geographic scope covers the marine and coastal environment of the South-Eastern Pacific.

At the eighth Meeting of Ministers of Foreign Affairs of the South Pacific Commission in Puerto Ayora, Galapagos, Ecuador, on 17 August 2012, the Ministers agreed on a series of decisions concerning the governance of the South-East Pacific in the Commitment of Galapagos for the XXI Century. In paragraph I.1, the Ministers "[…] express their commitment to the new strategic orientation of the Organization, according to which the CPPS, in view of the challenges of the XXI Century, will support Member Countries to achieve in an integrated perspective their sustainable development. This, as defined in the 1992 Rio Declaration on Environment and Development and the Agenda 21, taking into account, among others, the Ecosystem Approach, the Precautionary Principle and the international instruments aimed at the protection of seas and oceans, respecting national policies and mechanisms in effect in each country. This orientation applied in the areas of sovereignty and jurisdiction of member States of the CPPS, will also guide its projection beyond that zone, including the Pacific basin".

Global trends towards integrated ocean policies were recognized by the 2012 United Nations Conference on Sustainable Development (Rio+20), and confirmed by the post-2015 development agenda, Transforming our world: The 2030 Agenda for Sustainable Development. This highlights the conservation and sustainable use of oceans, seas, and marine resources through Sustainable Development Goal 14.

Already in 1952, the Santiago Declaration stated in its preamble that "governments are bound to ensure their people´s access to necessary food supplies and to furnish them with the means of developing their economy".

Later, at the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro, Brazil, in 1992, world leaders agreed on Agenda 21 and the Rio Declaration on Environment and Development, which advocated the widespread application of the precautionary principle as a key governance principle in the following terms:

"In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation".

Both the Santiago Declaration and the precautionary principle were recognized in the Commitment of Galapagos and have become framework elements of the future action of the South Pacific Commission.

Another important element incorporated in the Commitment of Galapagos for the XXI Century is the ecosystem approach, which "is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. Application of the ecosystem approach will help to reach a balance of the three objectives of the Convention [on Biological Diversity]. It is based on the application of appropriate scientific methodologies focused on levels of biological organization which encompass the essential processes, functions and interactions among organisms and their environment. It recognizes that humans, with their cultural diversity, are an integrated component of ecosystems" .

All these commitments complement the Santiago Declaration and facilitate its modern interpretation. To ensure coherency of the South Pacific Commission statutes and other strategic documents, and in light of these developments, the Commission is considering drafting a proposal for an integrated regional ocean policy document for the South-East Pacific.

Based on commonly agreed ocean governance principles for the region, it should be feasible to design a regional ocean policy that also ensures that the region has a strong position in international forums.

South Pacific Commission Workshop on Integrated Regional Ocean Policy

In view of these developments, the Secretary General of the Permanent Commission for the South Pacific invited the Partnership for Regional Ocean Governance (PROG), an initiative launched in 2015 by the UNEP, the Institute for Advanced Sustainability Studies (IASS) and the Institute for Sustainable Development and International Relations (IDDRI), to provide support in organizing and implementing, in conjunction with the South Pacific Commission a workshop which gathered 55 experts from the Commission and other international and regional organizations, civil society and research centres, in Bogota, Colombia, from 28 to 30 October 2015.

The aim of the workshop was to discuss a vision of an integrated regional ocean policy within the national jurisdiction of South Pacific Commission member States and adjacent waters beyond national jurisdiction (ABNJ) and inform the related decision-making within the Commission and its member States.

This workshop covered:

- The relationships between national ocean policies designed and developed in Chile, Colombia, Ecuador, Panama and Peru, their connexions with other global ocean governance issues, such as the governance of adjacent waters beyond national jurisdiction, and the overall role of regional seas programmes and regional fisheries management organizations in this context;
- Lessons learned from integrated ocean policies in other regions and their possible application to the South-East Pacific;

- Possible options and steps towards an integrated regional ocean policy for the South-East Pacific;

- Possible means of implementing the United Nations sustainable development goals, particularly Goal 14 on the conservation and sustainable use of the oceans, seas and marine resources for sustainable development, and the linkage between the implementation of the ecosystem approach to broader issues related to sustainable development, such as food security, land-based activities, employment, health, and other important factors.

Results

The results of the First Integrated Regional Ocean Policy (IROP in English, PROI in Spanish) Workshop of the South Pacific Commission, held in Bogota, Colombia from October 28 to 30, 2015, were as follows:

Summary of Recommendations of the Legal Group

The Assembly is considering the design and eventual adoption of an integrated Regional Ocean Policy. Accordingly, it is suggested that, if this initiative is approved, a working group of experts with the representation of the four countries should be established to draw up a proposal.

The terms of reference of the working group should include as a general basis for the development of this policy, the values, principles and standards of sustainable development, the Law of the Sea, International Maritime Law and international environmental law, and consider the participation of legal, scientific and technical experts, and civil society.

The Assembly instructs the General Secretariat of the Permanent Commission for the South Pacific, in close coordination with the Executive Committee, to evaluate the nature of the instrument contained in the Integrated Regional Ocean Policy.

Summary of Recommendations of the Social, Scientific and Economic Group

The General Assembly of the Permanent Commission for the South Pacific should consider the need to generate an Integrated Regional Ocean Policy that guides member countries on the implementation of policies related to the sea, according to the competencies of each country.

The Integrated Regional Ocean Policy should include among its elements, general guidelines on: promoting the generation of knowledge of the sea in scientific, technological and innovative research topics that support decision-making; incorporate methodologies on integrated marine spatial planning; consider governance for common regional activities; take into account the economic and social dimension of the sea; suggest mechanisms for the implementation of commitments derived from international instruments and regional initiatives, and the inclusion of other emerging issues in maritime areas established by the Law of the Sea, and other relevant international legal instruments.

Analysis of the policies in force and under development in member countries shows that there are three major common areas of participation: environmental, economic and social. These are the same as

those addressed by the intersessional working groups, including an intersectoral and multidisciplinary working group, that help to structure the Integrated Regional Ocean Policy (IROP).

Conclusions

These recommendations were made in the framework of the General Assembly of the Permanent Commission for the South Pacific at the XII Ordinary Assembly, held on 27 November 2015 in Puerto Ayora, Galapagos.

The Assembly recognized the importance of the integrated regional ocean policy project for the region, but decided that all the South Pacific Commission countries should first take forward the process of developing their own national ocean policies, since two of them were in the design process, and another was reviewing its policy.

Once this national process has been concluded, the Secretary General should resubmit the topic in order to develop a document to integrate oceanic policies in the region.

Two countries are currently preparing national documents and it is expected that within about a year they will finalize the domestic process, at which time the South Pacific Commission will be able to resume the initiative to propose the Integrated Regional Ocean Policy.

Potential cooperation between ROPME and RECOFI for the development of a Regional Ecosystem-Management Strategy for the ROPME Sea Area

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Introduction

In April 1978, the eight Governments of the region (Bahrain, Iraq, Islamic Republic of Iran, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates) agreed on the Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution (Kuwait Convention) and the Action Plan for the Protection and Development of the Marine Environment and the Coastal Areas (Kuwait Action Plan). A year later, the Regional Organization for the Protection of the Marine Environment (ROPME) was established to coordinate the ROPME member States' efforts to protect water quality in the ROPME Sea Area[32] (Annex 1), the environmental system and marine life and to abate the pollution caused by the development activities of the member States. Since then, ROPME has played a pivotal role in unifying the efforts of member States to implement the Action Plan for the Protection of the ROPME Sea Area.

The ROPME Sea Area is the sea area surrounded by the ROPME member States. It has unique biodiversity, characterized by shrimps, demersal fishes, coral reefs, mangroves and seagrass beds. Some of the fish species are commercially important and the fisheries sector provides employment to more than 100,000 people in the region (Mannini, 2010), making fish the second most important natural resource in the region (Van Lavieren and others, 2011).

Over recent decades, the ROPME Sea Area has experienced great change as a result of rapid economic development and population growth in the region. The total population increased from 46.5 million in 1970 to approximately 150 million in 2010 (ROPME, 2013), economic growth being supported by the prosperous petroleum industry.

ROPME regularly assesses the state of the sea area and summarizes its findings in the Status of the Marine Environment Reports (SOMER). While the region has experienced economic growth, the 2013 SOMER report illustrated the continuous environmental degradation of the sea area. In order to better manage it, the report recommended the adoption of the ecosystem-based management approach.

[31] Dr. Hassan Awad was with ROPME at the time of preparation of this case study. He is currently with the University of Alexandria.

[32] Article II of the Kuwait Convention defines the ROPME Sea Area as extending between the following latitudes and longitudes: 16°39' N, 53°3'30" E; 16°00' N, 53°25 'E; 17°00' N,56°30' E; 20°30' N, 60°00' E; 25°04' N, 61°25' E.

In 2013, recognizing that ecosystem-based management is an effective approach for sustainable development,[33] the 16th ROPME Council stressed the importance of an integrated approach in Decision CM 16/7, which promoted an "ecosystem-based management approach as a road map towards the sustainability of the marine environment, its resources and its services".

In order to implement the Decision of the environmental ministers of the region, the ROPME secretariat proposed to develop a regional ecosystem-based management strategy for the ROPME Sea Area. On the basis of more than 30 years' cooperation with the UN Environment Regional Seas Programme, the ROPME secretariat contacted UN Environment to facilitate the process to develop the strategy.

The first step was brainstorming between ROPME and UN Environment. The original idea was to involve all relevant ocean sectors, such as navigation, oil, fisheries, coastal development, and tourism to develop the strategy because ecosystem-based management is inherently cross-sectoral.[34] To move forward, ROPME and UN Environment agreed to organize the first brainstorming workshop to identify key stakeholders and discuss possible elements of the strategy.

While the workshop was in preparation, however, it was suggested to that, in view of the regional characteristics, work should begin with four key sectors: environment, fisheries, oil and coastal development. After further discussions between ROPME and UN Environment, taking into account the availability of resources, it was decided to take a step-by-step approach to involve multiple sectors in this process. The ROPME secretariat proposed that fisheries be the first sector to be involved because of the close linkage between the environment sector and the fisheries sector. There was already an understanding in both sectors that healthy ecosystems were the foundation of sustainable fish production.

Taking this step-by-step approach, the first workshop, entitled Towards the Development of a Regional Ecosystem-Based Management Strategy for the ROPME Sea Area, was held from 4 to 7 April 2016 in Dubai, United Arab Emirates, in order to conduct brainstorming sessions for the development of an environment-based management strategy. The ROPME secretariat invited participants from both the environment and fisheries sectors. In this way, the workshop formally initiated the process of developing the strategy and decided to form a Working Group for the purpose of preparing it. The workshop participants also recommended establishing an effective and viable cooperation framework between ROPME and the Regional Commission for Fisheries (RECOFI).[35] They also suggested that relevant regional and international organizations such as RECOFI be part of the Working Group. Following the recommendations and preliminary work plan adopted by the workshop, the First Working Group meeting was organized on 15 and 16 October 2016 in Tokyo, Japan.[36] At the meeting, the Working Group

[33]The international community endorses this approach. For example, the Convention on Biological Diversity recognizes the ecosystem approach.
[34]UNEP (2013). Taking Steps toward Marine and Coastal Ecosystem-Based Management.
[35] http://www.fao.org/fishery/rfb/recofi/en See also: ROPME/WG-171/2 Annex VIII Workshop Recommendation, paragraph 10.
[5] Available from http://ropme.org/552_EBM_WG1_EN.clx

members adopted its terms of reference and the following work plan for the development of a ROPME environment-based management strategy:[37]

Phase	Activity
Phase I	• Preparation of three reports on: - Inventory of existing policies, activities, projects and institutions relevant to environment-based management based on information provided by the countries; - Scoping study, to identify the elements of the environment-based management strategy; - Ecosystem assessment and valuation in the ROPME Sea Area. • Draft an outline of the strategy. • Preparation of national reports on existing policies and activities related to the environment-based management strategy. • Organization of national interministerial committees for the environment-based management strategy in each member State. • Identification and analysis of stakeholders, individuals, organizations and agencies across sectors. • Identify common goals, interests and objectives
Phase II	• Organization of training for the working group members on communication methods to facilitate the process. • Organization of brainstorming meetings with decision makers on ecosystem-based management. • Organization of a regional multi-stakeholder workshop on environment-based management to agree on approaches for the development of a regional strategy. • Preparation of region-wide assessment of the state-of-the-art in the management of ROPME Sea Area ecosystems with identification of management gaps. • Preparation of an outline for strategy (strategic framework) to be reviewed by key stakeholders. • Organization of multi-stakeholder meetings to agree on a strategic framework for wider stakeholder consultation in the region (such as online-public consultation). • Establishment of a module for environment-based management in the ROPME Integrated Information System for the network of professionals in the region.
Phase III	• Preparation of a draft environment-based management strategy. • Conduct rounds of stakeholders to review the draft strategy. • Finalization of the Regional Environment-Based Management Strategy document. • Submission of the Environment-Based Management Strategy to the ROPME Council for adoption.

[37] Available from http://www.ropme.org/Uploads/Events/EBM-WG1/WD/5-ROPME-EBM-WG1-Provisional_WP(updated).pdf

Phase IV	• Development of monitoring and follow-up scheme. • Application of Regional Environment-Based Management Strategy. • Implementation of the operational strategy, follow-up and monitoring. • Develop institutional reform, if needed.

Objective of cooperation

The objective of cooperation between ROPME and RECOFI is to develop a regional environment-based management strategy for the ROPME Sea Area. At this stage, how the Strategy is to be implemented at the national and regional levels requires further discussion.

The ROPME Strategy will be in line with the 2030 Agenda for Sustainable Development. This cooperation is particularly relevant to Target 14.2 but its implementation will also be relevant to the other targets under Sustainable Development Goal 14, and other ocean-related targets, including Sustainable Development Goal 2.4 on food security, and Sustainable Development Goal 13 on climate change (Annex 2).

Dialogue and cross-sectoral cooperation in practice

Following the decision to start working with the fisheries sector to develop an environment-based management strategy, the ROPME secretariat reached out to the RECOFI secretariat, and the national authorities that handle fisheries and invited them to the aforementioned workshop in Dubai. The intention was to conduct joint brainstorming sessions in order to start developing the strategy.

ROPME sent an official invitation to the RECOFI secretariat. It should be noted that ROPME had observer status at the Fisheries Commission, which had on occasion invited ROPME to sessions.

Participants in member States from both sectors were invited, and it was also requested that those familiar with national policies and the science of their respective sectors participate in the workshop.

The following stakeholders from the international, regional and local levels also participated in the first workshop:[38] the Regional Clean Sea Organization (RECSO), the Islamic Development Bank (IDB), Convention on the Conservation of Migratory Species of Wild Animals (CMS), the Division for Ocean Affairs and the Law of the Sea (DOALOS), the Emirates Wildlife Society (WWF), the Environment Agency – Abu Dhabi (EAD), North East Atlantic Fisheries Commission (NEAFC), the Regional Organization for the Conservation of the Environment of the Red Sea and Gulf of Aden (PERSGA), FAO, New York University, the Abu Dhabi Global Environmental Data Initiative (AGEDI), and the Japan International Cooperation Agency (JICA).

After the workshop in Dubai, there were informal discussions between the ROPME and RECOFI secretariats to advance cooperation by formalizing it through a memorandum of understanding. No regular meetings of the two secretariats have yet been arranged.

[38] ROPME/WG-171/2 Annex III Available from http://www.ropme.org/Uploads/Events/EBM/EBM_Report_of_the_Workshop.pdf

Successful elements of cooperation

The process of developing a ROPME environment-based management strategy officially began in 2016 and the results are yet to be seen. Nevertheless, one success of this process is the countries' endorsement of the cooperation between ROPME and RECOFI as expressed by the workshop recommendations.[7] As the two mechanisms have the same member States and the same geographical coverage, the countries clearly understood the value of cooperation for the environment-based management strategy, which is in line with the FAO-promoted Ecosystem Approach to Fisheries[39] (EAF) component.

The steps taken by the two secretariats to consider formalizing the cooperation mechanisms through a MoU is also a positive outcome of which the region should be proud. Signing a MoU between ROPME and RECOFI will be a milestone for cooperation. In the future, other indicators may be set to measure the progress of cooperation for the development and implementation of the strategy.

Effort for policy coherence

When fully developed and implemented, the regional environment-based management strategy will enhance policy coherence across relevant ocean sectors in the ROPME Sea Area by guiding national and sectoral activities under a shared vision. The current scope of the cross-sectoral cooperation is between the environment and the fisheries sectors, but other sectors may decide to join and implement the strategy in the future.

By setting a common vision shared by the eight countries for the sustainable management of the ROPME Sea Area, the environment-based management strategy will help coordinate management efforts by countries and by individual sectors. The plan is to set specific ecological objectives for monitoring strategy implementation. Relevant sectors will work towards achieving such common regional objectives. To set such ecological objectives, it was proposed to align targets with the sustainable development goals and the Aichi Biodiversity Targets.[7] By doing so, the regional strategy will help member States to deliver on the ocean-related sustainable development goals and the Aichi Biodiversity Targets.

Challenges

Developing a fully-fledged environment-based management strategy with the participation of all relevant sectors is highly resource- and time-intensive. The first challenge was therefore to determine the initial set of sectors to be involved in the process. Ideally, all relevant sectors should be involved but, in reality, resource limitations need to be considered.

This makes it impossible to take a fully integrated approach to the management of the ROPME Sea Area. Given the particular importance of the petroleum and coastal development sectors in the region, their involvement will be important for applying environment-based management and achieving the ocean-related sustainable development goals in the ROPME Sea Area.

[39] http://www.fao.org/fishery/eaf-net/en

Second, the lack of understanding of the institutional mechanisms and processes between ROPME and RECOFI is a challenge. The Working Group members[40] are familiar with either the ROPME mechanism or the RECOFI mechanism. In order to advance cooperation, mutual understanding of mandates, working practices and decision-making processes is essential. This would help in the development of the strategy and in its collaborative implementation in the future.

Third, the support of senior decision makers is crucial if Working Group members are to fulfil their mandate[41] and successfully develop the ROPME environment-based strategy according to the work plan. At its first meeting, the Working Group strongly recommended organizing national brainstorming meetings with decision makers in order to ensure their involvement and support throughout the process.

Fourth, national cross-sectoral coordination could be a challenge. The first environment-based management Working Group meeting recommended that members organize cross-sectoral national coordination meetings as appropriate.[42] As cross-sectoral cooperation at the regional level needs to be underpinned by national cross-sectoral coordination, these national meetings will be a key process for cooperation between the two sectors.

Lessons learned and recommendations

a. For the initiative

The cooperation between ROPME and RECOFI will facilitate coordinated regional support for the eight member States in achieving the ocean-related sustainable development goals. By devising a common regional environment-based management strategy in line with those goals, the member States will be able to deliver on them by working towards the regional objectives. The regional platform also allows for lessons learned and best practices to be shared on implementation of the sustainable development goals.

The preliminary ecosystem assessment being conducted for the ROPME Sea Area under this initiative[43] will also serve as the baseline for the ocean-related sustainable development goals. In the framework of the ROPME environment-based management strategy, the ROPME mechanism may also serve as a mechanism for reviewing progress towards the ocean-related goals as compared to the baseline study.

This initiative is still at an early stage and further discussions will be needed to finalize the strategy. The Working Group will prepare a draft, which will then be submitted for the approval of the ROPME Ministerial Council, each Member State, and RECOFI members at the Commission's plenary session. Public consultation will be of paramount importance to securing future uptake at the national and local levels. This consultative process therefore needs to be well-coordinated at the regional and national levels.

[40] ROPME/WG-173/2 Available at: Annex III: http://ropme.org/Workshops/2016_EBM/docs_japan/EBM-Report_of_the_Meeting_Japan_Oct_2016.pdf
[41] ROPME/WG-173/2 Available from http://ropme.org/Workshops/2016_EBM/docs_japan/EBM-Report_of_the_Meeting_Japan_Oct_2016.pdf
[42] ROPME/WG-173/2 Annex IX Available from http://ropme.org/Workshops/2016_EBM/docs_japan/EBM-Report_of_the_Meeting_Japan_Oct_2016.pdf
[43] ROPME/WG-171/2 Available at: Annex VIII Available from http://www.ropme.org/Uploads/Events/EBM/EBM_Report_of_the_Workshop.pdf

b. For other initiatives

A key recommendation arising from this initiative is to consider taking a step-by-step approach to engaging different sectors in region-wide integrated strategy development. It is tempting to invite all relevant ocean sectors to the discussions from the outset, but that would be far too time- and resource-consuming. It is preferable to start with a few key sectors and invite other relevant sectors at a later stage.

The political endorsement of decision makers and government officials working at the technical level is important for this type of initiative. In ROPME, this is underpinned by the Ministerial Council Decision and also supported by relevant technical officers in the member States.[44] Such political endorsement is crucial for advancing this type of process.

Last but not least, partnership with relevant international, regional and national organizations is essential. In this case, the Japan International Cooperation Agency plans to provide technical support such as training on environment-based management to Working Group members, within the framework of the partnership MoU it has signed with ROPME. Such partnerships with donors are effective in accelerating the process and developing capacity for the implementation of environment-based management at the national level.

The best process and arrangements may vary from region to region and the implementation mechanisms of a particular regional strategy may also vary from country to country. We nonetheless hope that the lessons learned in the ROPME region will be an inspiration to other countries and regions in the future.

References

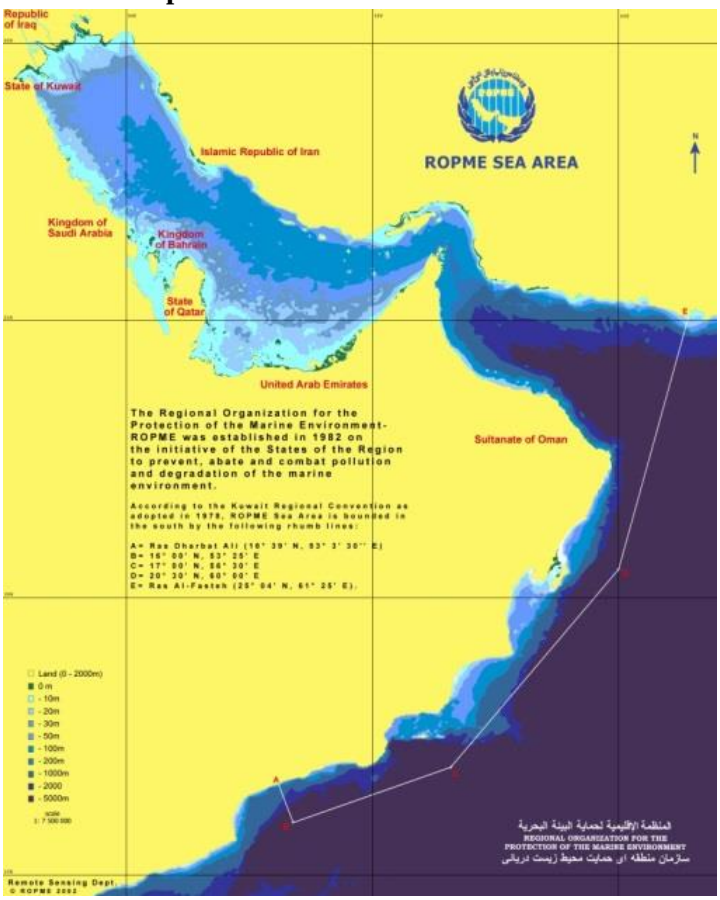
Mannini P. (2010). Trends and emerging issues of the Gulf fisheries: A regional perspective. Fourth Meeting of the Working Group on Fisheries Management, Regional Commission for Fisheries, Food and Agriculture Organization of the United Nations, Regional Office for the Near East and North Africa.

Regional Organization for the Protection of the Marine Environment (2013). *State of the Marine Environment Report* (SOMER). Available from http://www.ropme.org/Uploads/Events/EBM/03-SOMER_2013.pdf

Van Lavieren, H. and others (2011). Managing the growing impacts of development on fragile coastal and marine ecosystems: Lessons from the Gulf. United Nations University Institute for Water, Environment, and Health.

[44] http://www.ropme.org/Uploads/Events/EBM-WG1/WD/4-ROPME-EBM-WG1-ToR(Updated).pdf

Annex 1: Map of the ROPME Sea Area



Annex 2: Preliminary list of sustainable development goals relevant to a ROPME environment-based management strategy

Goal 2. End hunger, achieve food security and improved nutrition, and promote sustainable agriculture.

2.4 By 2030 ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters, and that progressively improve land and soil quality.

Goal 6. Ensure availability and sustainable management of water resources and sanitation for all.

6.3 By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and safe reuse globally.

6.5 By 2030, implement integrated water resources management at all levels, including through transboundary cooperation as appropriate.

6.6 By 2030, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes.

Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable.

11.6 By 2030, reduce the adverse per capita environmental impacts of cities, including paying special attention to air quality and municipal and other waste management.

Goal 13. Take urgent action to combat climate change and its impacts.

13.1 Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries.

13.2 Integrate climate change measures into national policies, strategies and planning.

Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development.

14.1 By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution.

14.2 By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans.

14.3 Minimize and address the impacts of ocean acidification, including through enhanced scientific cooperation at all levels.

14.4 By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to

restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics.

14.5 By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information.

14.6 By 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the World Trade Organization fisheries subsidies negotiation. (Footnote 2: Taking into account ongoing World Trade Organization negotiations, the Doha Development Agenda and the Hong Kong ministerial mandate.)

14.7 By 2030, increase the economic benefits to Small Island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism.

14.a Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries.

14.b Provide access for small-scale artisanal fishers to marine resources and markets.

14.c Enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in UNCLOS, which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of The Future We Want.

Cooperation between the Abidjan Convention and the Sub-Regional Fisheries Commission

Abou Bamba, Coordinator, Abidjan Convention Secretariat; and

Diénaba Béye, Executive Secretary, Sub-Regional Fisheries Commission

Introduction

The purpose and mandate of the Abidjan Convention secretariat is Cooperation in the Protection, Management and Development of the Marine and Coastal Environment of the Atlantic Coast of the West, Central and Southern African Region.

The Convention arose from the need to adopt a regional approach to the prevention and reduction of coastal risks. The Sub-Regional Fisheries Commission (SRFC) is composed of seven States situated in West Africa, its objective being to strengthen cooperation and coordination of the policies of member States in order to improve the management of fish stocks.

Cooperation between the two bodies came about because of their shared objective of protecting and developing natural, including marine, resources in the region. We want these common values to find expression in our working together to achieve these aims and objectives in the framework of our respective mandates. On 29 May 2012, the secretariat of the Abidjan Convention and the Sub-Regional Fisheries Commission signed a Memorandum of Understanding, which was in force until the end of 2016.

The objectives of the Memorandum of Understanding were to be achieved through regular dialogue between the two parties and the application of a separate legal instrument between the Parties to define and implement any joint activities, projects and programmes.[45]

The collaboration between the two Parties has so far been financed by the project funds of each organization as the agreement protocol in force does not include financial implications.

The Memorandum of Understanding was signed in a context in which various needs were apparent:

- Lack of collaboration/cooperation between regional seas organizations and regional fisheries bodies;
- Clear evidence of links between falling fish stocks, environmental pollution and deterioration of habitats;
- The setting of Sustainable Development Goal 14 (on oceans);
- The fragmentation of ocean governance.

[45] Memorandum of Understanding between the secretariat of the Abidjan Convention and the Sub-Regional Fisheries Commission, signed on 5 May 2012.

Objectives of cooperation, the dialogue process and policy coherence

Objectives

The Memorandum of Understanding signed by the Abidjan Convention and the Sub-Regional Fisheries Commission set the following objectives:

a) Definition of the continental shelf in accordance with article 76 of the United Nations Convention on the Law of the Sea;

b) Combat unreported and unregulated fishing in the region;

c) Coherence of policies and legislation on fishing;

d) In the framework of ecosystem-based fisheries management, establish a functioning and representative network of protected marine areas in the region of the Sub-Regional Fisheries Commission;

e) Strengthen the capacities of member States through information and awareness campaigns.

These objectives reflect Target 4 of Sustainable Development Goal 14:

> "By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics."[46]

The various means of achieving these objectives are described below.

Once they had identified the various objectives, the Parties examined the various means of achieving them:

a) One of the first decisions concerned the need to hold regular bilateral meetings on questions of common interest, the agendas of which would be set in advance. The purpose of these meetings, to be held twice a year, would be to develop or follow up a project. They would include, among other things, the following items:

   - Technical and operational questions connected with strengthening the Memorandum of Understanding;
   - Analysis of the progress of work undertaken by the Sub-Regional Fisheries Commission;
   - Coordination of evaluation, training and public awareness activities.

b) The Memorandum of Understanding made provision for other bilateral meetings, to be put in place at the level of offices and experts. In addition to the meetings between the two Parties, it also provides that, when one of the Parties organizes a meeting with a third party during which questions of general policy connected with the goal of the Memorandum of

[46] http://bj.one.un.org/content/unct/benin/fr/home/omd-apres-2015/ODD-14.html

Understanding are to be examined, the Fisheries Commission and the Abidjan Convention must invite each other.

Policy coherence

In the framework of this Memorandum of Understanding, various projects, which are part of a common policy, have been put in place in order to develop a coherent regional governance policy.

a) The Fisheries Commission has supported the Abidjan Convention in the drafting of various documents:

   - It contributed as an expert to the part of the Abidjan Convention ocean governance project concerning fishing;
   - It contributed to the drafting of a blue book on ocean governance;
   - It contributed to the amendment of Abidjan Convention texts on fisheries as an ecosystem.

b) The case of the Russian ship in the territorial waters of Senegal.

c) It was involved in the Canary Current Large Marine Ecosystem project in the working group on water quality, biodiversity and habitat.

d) In November 2016, the Abidjan Convention, in partnership with the Senegalese Government and the United States Africa Command (US AFRICOM) organized a symposium on the judicial application of environmental law in West Africa in which the Fisheries Commission participated, including by giving a presentation on fisheries law in a context of shrinking fish stocks in Senegal. During the presentation, the Commission revealed the scale of illegal fishing and overfishing.

   The aim of such participation was to train judges in the subregion in environmental law with a view to harmonizing and tightening up environmental legislation in the various African States.

   This participation relates to one of the common objectives of the two Parties: the need to undertake regional governance and a comprehensive integrated approach in order to respond to the natural resource issues the subregion is facing. The approach also responds to Sustainable Development Goal 14: "Conserve and sustainably use the oceans, seas and marine resources".[47]

In addition to cooperating with the Fisheries Commission, the Abidjan Convention plans to work on putting in place a common policy on marine protected areas with the Regional Network of Marine Protected Areas of West Africa (RAMPAO).

The Mission of the Network is to "ensure, within the West African marine ecoregion the maintaining of a coherent set of critical habitats necessary for the dynamic functioning of the ecological

[47] http://www.un.org/sustainabledevelopment/oceans/

processes essential to the regeneration of the natural resources and the conservation of biodiversity for the benefit of societies".[48]

Its mission means that the Network shares common objectives with the Abidjan Convention on the protection, development and maintenance of natural resources.[49]

The Network and the Abidjan Convention have concluded a Memorandum of Understanding that has not yet been implemented because of a lack of financing. A plan of action has nonetheless been drawn up. Adequate financial resources would enable the collaboration to be pursued by putting in place a regional marine protected areas policy in the region.

Elements of successful cooperation and challenges

Successes

The various activities put in place and the recommendations that have resulted from meetings have made this cooperation a success.

The Dakar Symposium on the judicial application of environmental law is one of the main successes as it trained some judges of the subregion in environmental law and laid down a framework for the establishment of a regional court for the environment.

Challenges

The difficulties encountered during cooperation have been financial and in part connected with the fact that a financial agreement was not signed in advance. Other challenges are the frequency of meetings and the fact that fishing and environmental issues are dealt with separately under the mandates of our institutions, although they are closely interrelated.

Lessons learned and recommendations

<u>For the initiative</u>

- Future possibilities of cooperation with a view to achieving the sustainable development goals:

- Recent dialogue in Korea initiated by the Convention on Biological Diversity between fisheries organizations and regional seas organizations. This is an opportunity to work in cooperation with the Fisheries Commission.

- Mariculture may also provide a framework for cooperation between the two institutions, with the advantage of wealth and job creation and management of fish stocks.

- Actions to be undertaken to achieve the objectives:

- Awareness-raising activities before, during and after the project;

- Develop quantifiable indicators.

[48] Memorandum of Understanding between the Abidjan Convention and the Regional Network of Marine Protected Areas of West Africa.
[49] Ibid.

Recommendations for other organizations:

- The elements of success when planning such an initiative:

- Set objectives in advance;
- Obtain the political support of governments;
- Involve the communities concerned;
- Plan demonstration projects with high local impact;
- Involve technical and financial partners active in the fisheries and environment sectors;
- Conduct awareness campaigns at every level of the project;
- Prepare quantifiable indicators of common activities from the outset.

- The advantages of such cooperation:

- Pooling of resources;
- The possibility of anticipating several risks at once;
- Job creation;
- Efficiency in achieving different results;
- Skill-sharing.

V. References and links

Canary Current Large Marine Ecosystem website: http://www.fao.org/in-action/canary-current-lme/en/

Sub-Regional Fisheries Commission website: http://www.spcsrp.org/en

OSPAR cooperation with the North East Atlantic Fisheries Commission (NEAFC) and other relevant intergovernmental organizations, with particular reference to area-based management

Darius Campbell, Executive Secretary, OSPAR Commission[50]

This draft paper is largely based on the Information Paper written by Stefán Ásmundsson, Secretary of NEAFC, and Emily Corcoran, Deputy Secretary of OSPAR. It remains in draft, subject to comments/contributions on the processes described in this paper from colleagues at NEAFC, the International Seabed Authority and IMO. Darius Campbell, Executive Secretary, OSPAR. (The Information Paper is available from http://www.ospar.org/documents?v=35111).

Introduction

The initiative described in this paper is an example of a process to put in place the ecosystem-based approach, reflecting the need to engage across sectors. This was done by developing a cooperation mechanism between organizations with differing and separate competences for managing human activities in the seas in areas beyond national jurisdiction. The focus of the paper is an initiative known as the "collective arrangement" on area-based management that grew out of two meetings, in Madeira in 2010 and in Paris in 2012. The paper will also describe the broader process of engagement with the relevant organizations through MoUs.

The core organizations that have adopted the collective arrangement are the North East Atlantic Fisheries Commission (NEAFC) and the OSPAR Commission for the Protection of the Marine Environment in the North East Atlantic (OSPAR). It is hoped that in due course at least two other organizations with key interests will adopt the collective arrangement: the International Maritime Organization and the International Seabed Authority. For organizations that have not joined the collective arrangement and are cooperating informally at the secretariat level, the existing MoUs provide a more general basis for ongoing cooperation.

The Madeira and Paris meetings identified the need to recognize that protection of areas in the high seas against the impacts of human activity required coordination in view of the differing competences of existing organizations with responsibilities in areas beyond national jurisdiction. This was crucial to delivering the ecosystem-based approach so often talked about. Human activities, for instance related to dumping, shipping, fisheries and mining, are administered separately by the relevant organizations, therefore coordination is required to avoid one organization undermining the objectives of another, despite the fact that both organizations may in fact include the same Contracting Parties. Put more positively, a collective arrangement could help enhance the objectives each organization has for area management in the high seas and at the same time help deliver an ecosystem-based approach.

The focus of the collective arrangement is on sharing information on where the managed areas are, and the objectives of the management actions in place. This naturally leads on to more general sharing of relevant information between the organizations, which can then influence further

[50] Dr. Campbell was with the OSPAR Commission secretariat at the time of preparation of this case study. He is currently Executive Secretary of NEAFC.

decisions/actions taken within their respective mandates. The collective arrangement has no direct budgetary implications, apart from travel and meeting costs for face-to-face meetings as they arise (two meetings so far in the two years since the collective arrangement was agreed).

Objective of cooperation

From the OSPAR perspective, the aim of institutional cooperation is to help deliver an ecosystem approach as embodied in the objectives of OSPAR's High Seas Marine Protected Areas. These are understood as areas for which protective, conservation, restorative or precautionary measures are instituted for the purpose of protecting and conserving species, habitats, ecosystems or ecological processes of the marine environment. OSPAR does not, however, have a mandate to take measures to achieve all these objectives. So, in this regard, for OSPAR, the objectives of NEAFC in adopting measures to protect the marine ecosystem from the potential negative impacts of fisheries are of great interest.

Given the above objectives, Sustainable Development Goal 14 on oceans is most relevant. At this distance from land (more than 200 nautical miles), as far as human impacts are concerned, the potential issues of interest are likely to be related to fisheries, mining, shipping, climate change and ocean acidification.

Cross-sectoral cooperation in practice

OSPAR adopted Annex (V) on biodiversity to its Convention in 1998 and NEAFC started to look more widely at the effects of fisheries on marine ecosystems in the late 1990s. This resulted in an overlap of objectives between the two organizations, which led some of the Contracting Parties to start a process to harmonize their positions in NEAFC and OSPAR. At that stage, several Contracting Parties were criticized for holding apparently inconsistent positions in the respective organizations, principally deriving from the differing ministries involved.

At that time, the secretariats of the two organizations started initial consultations, which in due course were accompanied by more interaction at the national level. Following a joint meeting of the Heads of Delegation of the two organization in 2005, a genuine will on both sides to increase cooperation and coordination was expressed, but there was also some way to go in developing understanding on the respective objectives and practices of each organization. A Memorandum of Understanding between the two organizations agreed in 2008 helped to resolve these issues. This clarified the respective legal competences and established participation by the secretariats in the relevant committees of the other organization. The MoU facilitated increased participation in each other's processes, which resulted in cooperation being better integrated into the working practices of both organizations and initiated joint work on a few specific projects. Current participation by the secretariats involves attending at least two meetings per year (the annual meeting and the key biodiversity-related committee meeting of each organization), in addition to informal secretariat meetings and the (so far) annual meetings under the collective arrangement.

Successful elements of cooperation

The main benefits of the increased cooperation and coordination between NEAFC and OSPAR

relate to the MoU and the contribution of the collective arrangement to establishing a more comprehensive approach to management in areas beyond national jurisdiction, while still respecting the different mandates and competences of the organizations. In dealing with any particular challenge for one organization which relates to limitations in legal competence or substantive expertise, a solution can be found in cooperating and coordinating with those who already have the relevant legal competence and expertise in that issue.

One clear example of the new cooperative spirit between NEAFC and OSPAR is the identification of ecologically or biologically significant marine areas (EBSAs) for the process under the Convention on Biological Diversity (CBD). In the North East Atlantic region, NEAFC and OSPAR cooperated with the CBD to hold a workshop to identify candidate ecologically or biologically significant marine areas. NEAFC and OSPAR not only jointly organized the workshop, they then worked together on various stages of the follow-up to it. This included jointly submitting the results of the workshop to the International Council for the Exploration of the Sea for review, and then formulating a joint request for the Council to work further on particular aspects of the report. This, in turn, led to the two organizations working closely together to complete the task of identifying candidate ecologically or biologically significant marine areas. What subsequently led to this process being halted was concerns by some Contracting Parties about jurisdictional issues, which were separate from the joint conclusions at NEAFC/OSPAR. Ecologically or biologically significant marine areas remain an example of good cooperation between the two organizations in that it involved compromises because of the organizations' differing procedures for seeking scientific advice and decision-making procedures and coping with the protracted process of agreeing decisions across two annual meetings held at different times. It should also be noted that OSPAR and NEAFC were already cooperating on their substantive (but separate) area-based management decisions/designations in the areas beyond national jurisdiction in the North East Atlantic.

Another example of a specific issue on which NEAFC and OSPAR cooperate is marine litter. OSPAR is leading work on this issue, while NEAFC has undertaken the task of gathering fisheries-related information that is then submitted to OSPAR to enhance overall efforts.

The collective arrangement is the final example in this section. It focuses on selected areas of the North East Atlantic identified by each of the organizations. The organizations jointly maintain an annex to the collective arrangement that includes information on the areas that they have identified as relevant to the arrangement. This includes the coordinates of the borders of such areas and information on what measures apply to them. The collective arrangement, with its annexes, thus provides the relevant information on area management in the North East Atlantic all in one place. More importantly, however, it should ensure that decision makers have access to information on what others have done before making their own decisions on particular areas.

The general approach adopted by the collective arrangement is set out in the relevant international instruments and internationally agreed principles, standards and norms, and makes it explicit that any work pursuant to the collective arrangement will be based on scientific evidence. There is a list of relevant international instruments, but this is a non-exhaustive list which should not require amendments if new relevant instruments are adopted. Paragraph 6 of the collective arrangement sets out how the participants should cooperate pursuant to the collective arrangement. The text describes six areas for cooperation and coordination. The organizations should:

a. Inform each other, as appropriate, of any relevant updated scientific information and environmental assessment and monitoring data;

b. Notify and inform each other of existing and proposed human uses relating to any area in Annex 1 [of the collective arrangement];

c. Cooperate, where appropriate, on environmental impact assessments, strategic environmental assessments and equivalent instruments;

d. Consult annually to review their respective objectives in relation to the areas listed in Annex 1, the status of the areas concerned and existing measures;

e. Cooperate to obtain a better knowledge of the areas concerned through, where appropriate, exchange of data, sharing databases and collecting data in standardized formats;

f. Consult the coastal State in those cases where the areas listed in Annex 1 are superjacent to areas under national jurisdiction, as appropriate.

While it is clear that there is no intention under the collective arrangement of establishing joint management of the relevant areas, given the separate legal competences, there is clearly an intention to increase significantly cross-sectoral cooperation and coordination.

The two organizations formally adopted the collective arrangement in 2014. Since then, there have been two face-to-face meetings (in 2015 and 2016), including with Chairs/President, Contracting Parties, secretariat and observers (FAO, UNEP, ISA secretariat, Abidjan Convention and the Canary Current Large Marine Ecosystem Project). These early meetings concentrated on the six areas for cooperation identified in the list above. The substantive issues that have been considered (and this is an evolving process) include better understanding of the detailed objectives and actions of each organization by the Contracting Parties and potential cooperation on environmental impact assessments, exchange of data, common objectives related to protection of particular species and interaction on marine litter. The engagement process is also leading to cooperation on approaches/presentations to the forums related to the global agenda, such as the sustainable development goals and the United Nations Law of the Sea developments related to biodiversity beyond national jurisdiction (UNBBNJ).

Effort for policy coherence.

Policy coherence has been a key driver for OSPAR in its engagement with other regional and global organizations. In fact this was one of the key drivers for NEAFC and OSPAR to work together, given the dissonance detected in the positions of individual Contracting Parties to the two conventions. The process of working on, for instance, the ecologically or biologically significant marine areas and the collective arrangement has been beneficial, not only in dealing with policy coherence between the two organizations, but also in driving better coordination at the national/ministry level in the contracting parties common to both organizations.

It should be noted, however, that, while objectives have been compared and are similar, if not the same, on particular issues, there are clear differences in management actions. In such a situation, trust is

built and complication avoided if the separate mandates/competence for action are respected. This means that complementary and coordinated actions are advisable, but joint management actions are not. This in particular respects those Contracting Parties that may be more sensitive about inter-sectoral competence issues.

In terms of work with both the International Seabed Authority and the International Maritime Organization, one key issue has been the difference between decisions taken by regional organizations with limited numbers of contracting parties and those organizations, which have global remit and membership. This has so far been a practical barrier to enlarging the collective arrangement to the relevant global organizations, because of the concerns expressed by some countries in these conventions. NEAFC and OSPAR and their Contracting Parties are continuing efforts to advance cooperation through the collective arrangement. Possible future developments in global discussions on implementation of biodiversity provisions of the United Nations Law of the Sea may help to resolve this. Notwithstanding this particular issue, the secretariats of OSPAR, IMO and ISA are able to collaborate under agreements of cooperation/memorandums of understanding agreed between the respective organizations. Furthermore, OSPAR Contracting Parties are able to work together and coordinate with their national representatives in the other global forums to propose initiatives in keeping with OSPAR agreements. Reciprocally, OSPAR also acts to implement globally agreed actions at the regional level. A good example of this is the OSPAR-HELCOM cooperation to help implement the provisions of the IMO Ballast Water Convention in the Baltic Sea-North Sea.

Challenges

The key issue to be tackled in enhancing cooperation is the need for better coordination at the national level between administrations/ministries representing different sectors/interests. In addition to this, however, it has to be accepted that there will remain a tension between perspectives on maximizing social, economic and environmental objectives, but this tension should be constructive rather than destructive. Most of the barriers have already been described in previous sections, but are set out again below:

- **Different working practices**. This can include meeting times, the way science advice is sought, the nature of decisions, etc.
- **Different principles or definitions of principles**. NEAFC and OSPAR tend to use different terms for similar concepts (for example, NEAFC refers to “the precautionary approach” and OSPAR to “the precautionary principle”). In practice it was found that using the term “the applicable internationally agreed principles, standards and norms”, without being too specific, avoided potential wrangling on terms or the risk that text would quickly be out of date.
- **Making sure there are no gaps between mandates**. The collaboration between OSPAR and NEAFC has helped define who knows what and does what, and who else may need to be involved.
- **Different geographical coverage.** This could be a problem even for similarly regional conventions such as OSPAR and NEAFC. In practice, the areas we have collaborated on have been within overlapping geographical mandates. The tension between the mandates of organizations with global and regional coverage has already been highlighted.

- **Not all Contracting Parties are common to both collaborating organizations.** OSPAR and NEAFC do not have identical sets of contracting parties, but our collaboration has progressed nonetheless. This may not always be the case. Setting up collaboration with organizations that have a wider geographical remit or membership (for instance, tuna bodies) can therefore require more effort to engage with the Parties that are not common to both organizations. We have nevertheless overcome this with our MoU with the North Atlantic Salmon Conservation Organization, for example.
- **As in all negotiations, Parties can block progress for unrelated issues – bargaining chips**. All such negotiations can be scuppered by one party or the other raising a problem that is not in fact resolvable within the two organizations planning to cooperate.

The final challenge that should be mentioned is turning high-level agreement to collaborate into more practical day-to-day activities that demonstrate the benefits of such collaboration. OSPAR and NEAFC focused initially on: facilitating data exchange on the relevant areas; raising issues related to species that both organizations aim to protect; and looking at emerging issues such as marine litter in the food chain.

Lessons learned and recommendations

The lessons learned and recommendations from the collaboration between OSPAR and NEAFC are simple and pragmatic and include the following:

- Engage with the Contracting Parties and ensure that they lead the way in coordination nationally across the sectoral divide. This process then becomes iterative where the increasing cooperation at regional level also drives increased coordination at national level and vice-versa.
- Be clear about respective mandates and respect them. If there are issues of concern related to the actions under the mandate of the other organization, raise/describe the issue (impact/effect) of concern, but do not attempt to tell the other party how to resolve it under their mandate: respect their expertise.
- Respect each other's ways of doing things and try to accommodate them. Bureaucratic traditions in other organizations may not seem particularly sensible or efficient from the outside, but working with them is far more productive than trying to change them from the outside.
- If relevant, find neutral sources of advice or peer review, e.g. legal, technical or scientific. These sources can be used to facilitate agreement on common products or approaches.
- Accept that the process may be (frustratingly) slow. This may also allow for gradual adjustment of views.
- Face-to-face contact and regular communication is essential to building trust. Without trust, inevitable minor difficulties and mistakes become barriers to progress. With trust, difficulties are not insurmountable.

References/links

The collective arrangement and relevant MoU texts can be found at:

http://www.ospar.org/news/collective-arrangement;

Collective Arrangement meeting 2017 aide memoire: http://www.ospar.org/documents?v=31983

HELCOM/OSPAR – Risk assessment tool under the HELCOM/OSPAR Harmonised procedures under the Ballast Water Management Convention
http://jointbwmexemptions.org/ballast_water_RA/apex/f?p=100:LOGIN:10141742005710

International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM). Available from http://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Control-and-Management-of-Ships'-Ballast-Water-and-Sediments-(BWM).aspx

OSPAR memoranda of understanding and cooperation agreements available from http://www.ospar.org/about/international-cooperation/memoranda-of-understanding;

Conclusion of the workshop on area-based management, regional coordination and cross-sectoral cooperation for delivery of ocean-related SDGs, 9-10 February 2017, Brussels

Discussion summary

- The workshop was attended by experts from UN Environment, European Commission, European Environment Agency, European External Action Service, Food and Agricultural Organization of the United Nations (FAO), Secretariat of the Convention on Biological Diversity (CBD), Inter-governmental Oceanographic Commission of the United Nations Educational Scientific and Cultural Organization, International Union for Conservation of Nature, World Maritime University, Council of Scientific and Industrial Research, UNEP-World Conservation Monitoring Centre, Institute of Advanced Sustainability Studies, Institut du Développement Durable et des Relations Internationales, Global Ocean Biodiversity Initiative, representatives of Regional Seas Programmes (Mediterranean Action Plan (MAP), Teheran Convention, Black Sea Commission, Comision Permanente del Pacifico Sur (CPPS), Regional Organization of Protection of the Marine Environment (ROPME), OSPAR Commission, Helsinki Commission (HELCOM)) and a regional fisheries management organisation (General Fisheries Commission for the Mediterranean (GFCM)). Representatives of the Division for Ocean Affairs and the Law of the Sea also joined the meeting by skype to make a presentation. The discussion focused on the delivery of SDG 14 and other ocean-related Sustainable Development Goals (SDGs) through application of area-based management tools and through regional cross-sectoral cooperation to implement coherently marine, maritime, fisheries and other relevant policies.

- The 2030 Agenda brings new impetus towards ocean sustainability, placing resource use and conservation into a wider sustainable development framework. In order to address the linkages between sectors and instill substance and concrete actions toward coordinated management strategies and policies, political will needs to be mobilised.

- A holistic approach to oceans should include effective governance, institutional interactions and coherent policies and SDG 14 and other ocean related SDGs are important drivers to that end.

- Frameworks for cooperation among stakeholders across various levels could be further developed, to enable development and implementation of systemic approaches and governance arrangements, thus ensuring that SDG 14 delivery follows an integrated, ecosystem based approach to allow for addressing pressures on a way to a sustainable "blue economy".

- Partnerships, in their various dimensions, are recognised as the basis for delivery of SDG 14 and other ocean-related targets. This includes vertical (across e.g. regional-global scales), horizontal (across sectors) and multi-stakeholder partnerships (including civil society, private sector and others).

- Partnerships at the sea-basin level provide an opportunity for regionally-coordinated efforts in harmonised delivery of ocean-related parts of the 2030 Agenda by stakeholders within the sea basins. Strengthened inter- and intra-organisational coordination and information-sharing to support cross-sectoral cooperation is important. Several good examples of cross-sectoral cooperation exist at the regional level, particularly the cooperation between Regional Seas programmes and Regional Fisheries Bodies. Such partnerships can be established through, inter alia, memoranda of understanding and similar

formal agreements, such as in the cases of GFCM and UNEP-MAP or OSPAR and the Northeast Atlantic Fisheries Commission. An important first step is to understand the different mandates of these organisations through dialogues.

• Many strategy development processes to support sustainable ocean and coastal development are noted. Continued exchange of information and mutual learning and feedback are encouraged to ensure coherence. In this context, it would be important to ensure coherence among the strategies and possibly even combining them under an umbrella strategy. In that effort, we should, to the extent possible, use the existing governance structures.

• The meeting noted existing sustainable development strategies adopted at the regional level to accelerate progress towards the implementation of SDG 14, for example, the Mediterranean Strategy for Sustainable Development (MSSD) and the mid-term strategy (2017-2020) towards the sustainability of Mediterranean and Black Sea Fisheries adopted by the GFCM.

• Different levels of development and maturity have been attained by individual regional fishery bodies and Regional Seas programmes. Information on the results of performance reviews and effectiveness evaluations should be shared, also with a view to monitoring the implementation at the regional level, monitoring the impacts of the respective frameworks and evaluating effectiveness of regional ocean governance.

• The meeting acknowledged a number of existing regional governance frameworks and processes, in particular, regional ministerial fora for the environment, which address marine and coastal issues. This includes, for example, the decision of the African Ministerial Conference on Environment (AMCEN) of March 2015 underlining the role of the regional seas conventions and to develop an "African Ocean Governance Strategy". Other examples are the Forum of Ministers of Environment of Latin America and the Caribbean with a decision on ocean in March 2016. The Forum of Ministers and Environment Authorities in Asia and the Pacific is also expected to address this topic in its next session.

• The meeting identified some developments at the sub-regional level, on which broader governance mechanisms and strategies could build:

- In Africa, the Regional Seas Conventions are contributing to the AMCEN process. In particular, the Abidjan Convention is developing a regional ocean governance blueprint and the Nairobi Convention is gathering lessons learned on tools and methods for integrated coastal management, taking into consideration climate change and blue economy.

- In the Mediterranean, the institutional framework around the MSSD is a key example, which could serve as a building block for the African Ocean governance strategy and inspire other regional governance mechanisms, including interconnected seas such as the Black Sea, Caspian Sea and the Red Sea.

- In Latin America and the Caribbean, increased integration between sub-regional initiatives is being seen with an example of cooperation between the Cartagena Convention and the West and Central Atlantic Fisheries Commission, the CPPS initiating an integrated ocean policy process, and its Galapagos Commitments working with other mechanisms of the South Pacific.

- In Asia, coordination between East Asian regional programmes is being observed and a new strategy for the Coordinating Body for the Seas of East Asia is under development. A new marine biodiversity strategy is being developed for South Asia Seas under the South Asia Cooperative Environment Programme, and ecological objectives are being set for the Northwest Pacific Action Plan.

- In the Pacific, the Ocean Commissioner coordinates ocean-related regional policies under the Pacific Island Forum, and has launched a "Pacific Oceanscape Initiative" as well as a "Pacific Ocean Alliance.

• Continued exchange of information, mutual learning and feedback among regional processes, involving key stakeholders and partners such as the EU, are needed in order to ensure coherence and synergies between the different sustainable development strategies and initiatives.

• Area-based management tools (ABMTs) can help operationalise the Ecosystem Approach and thereby contribute to achievement of many ocean-related SDGs and targets, including food security, poverty eradication and coastal resilience, at regional, national and local levels. There is an opportunity to consider ABMTs from a systemic perspective; to identify the connectors between different tools, to map specific pathways on how ABMTs can contribute to SDGs, and to develop frameworks combining ABMTs to achieve multiple management objectives and a range of ocean-related SDGs. Further, capacity-building at regional and national levels to support implementation of ocean-related SDGs is considered necessary, particularly on ABMTs concepts, on application and possible combination of ABMTs and on ensuring coherence between terrestrial ABMTs and marine ABMTs.

• There is a scope for further advancing Integrated Coastal Zone Management and Marine Spatial Planning across borders. It is recommended to facilitate sharing of data and experience to inform practical application of ABMTs. This should include strengthening of socio-economic analysis, models for socio-economic values and issues (complementing ecosystem models) as well as mapping and assessment of cumulative impacts of human activities.

• There is a need to address upstream issues, e.g. land-based sources of pollution and wastewater, impacting coastal and ocean areas. Land-based pollution management and integrative ABMTs (e.g. integrated watershed management, ridge-to-reef approaches, and integrated coastal zone management) could address land-sea interactions, thus linking SDGs 6, 14 and 15. Similarly, the 'blue economy' is dependent on and affected by land-based activities impacting oceans.

• Important lessons can be learnt from practical application of ABMTs, for example, from the Nairobi Convention case study presented. This example from South Africa illustrated challenges in implementing integrated coastal management and its connection with pre-existing land-based management and regulatory systems.

Action points

• Ocean-related organizations (such as UN Environment, FAO and CBD) should consider more formal cross-sector cooperation, building on and formalising existing platforms and processes to facilitate exchange of good practices towards sustainable development. This may include:

- Exchange of experience and lessons learnt through a dedicated platform;

- Cross-sectoral dialogue and coordination of information and data exchange at the regional level; and

- Assessment of the potential for developing joint SDG implementation strategies among regional sea conventions and regional fisheries bodies in close cooperation with the organizations with complementary mandates (e.g. UN Environment, CBD, FAO, etc.).

• Strategic partnerships are to be built on existing global and regional governance structures and strategies, and on inclusive stakeholder participation to target and involve the private sector and civil society. The case of "Clean Shipping" under HELCOM demonstrates a concrete example of a private-public partnership.

• A better understanding should be developed of the mandates and activities of different complementary ocean-management mechanisms and how they relate to SDGs. Based on such understanding, cross-sectoral dialogues may start even without setting cooperation objectives. As a result of initial dialogues, data and information sharing can be pursued to prepare further cooperation between these mechanisms.

• Further performance and effectiveness reviews of regional seas programmes and regional fisheries bodies should be undertaken, also to monitor/evaluate the implementation of SDGs at the regional level and the impact of the policies.

• Lessons can be drawn from existing policy interactions, such as between the EU Marine Strategy Framework Directive and the work of respective Regional Seas Conventions, CPPS Integrated Ocean Policy process and ROPME Ecosystem-based Management Strategy development.

• Explore options for more coordinated application of different single-sector and multi-sectoral ABMTs within comprehensive ocean management and develop a guiding framework on how combinations of different ABMTs may jointly contribute to a range of ocean-related SDG targets.

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