



# Regional Ocean Governance

A review of existing formalised cooperation between Regional Seas Organisations and other intergovernmental organisations







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## Regional Seas Conventions and Action Plans

The Abidjan Convention for Cooperation in the Protection, Management and Development of the Marine and Coastal Environment of the Atlantic Coast of the West, Central and Southern Africa Region; Barcelona Convention for the Protection of the Mediterranean Sea Against Pollution, the Bucharest Convention on the Protection of the Black Sea Against Pollution; Cartagena Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region; Convention on the Conservation of Antarctic Marine Living Resources; Coordinating Body on the Seas of East Asia; Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area; Lima Convention for the Protection of the Marine Environment and Coastal Zones of the Southeast Pacific; Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean, the Northwest Pacific Action Plan; OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic; Secretariat of the Pacific Regional Environment Programme; Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution Sea Area; South Asian Conservation Environment Programme.

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# List of Acronyms and Abbreviations

<b>ABNJ</b>	Areas beyond national jurisdiction
<b>ACCOBAMS</b>	Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area
<b>ASEAN</b>	Association of South East Asian Nations
<b>BBNJ</b>	Biodiversity Beyond National Jurisdiction
<b>BSC</b>	Black Sea Commission
<b>BSEC</b>	Black Sea Economic Cooperation Organisation
<b>CAR/RCU</b>	Caribbean Regional Coordination Unit
<b>CBD</b>	Convention on Biological Diversity
<b>CCAMLR</b>	Commission for the Conservation of Antarctic Marine Living Resources
<b>CCSBT</b>	Commission for the Conservation of Southern Bluefin Tuna
<b>CLME+</b>	United Nations Development Programme/GEF Project: "Catalysing Implementation of the Strategic Action Programme for the Sustainable Management of shared Living Marine Resources in the Caribbean and North Brazil Shelf Large Marine Ecosystems"
<b>COBSEA</b>	Coordinating Body on the Seas of East Asia
<b>COREP</b>	Regional Commission of Fisheries of Gulf of Guinea
<b>CPPS</b>	Permanent Commission for the South Pacific
<b>CRFM</b>	Caribbean Regional Fisheries Mechanism
<b>FAO</b>	Food and Agricultural Organization of the United Nations
<b>FRA</b>	Fisheries Restricted Areas
<b>GEF</b>	Global Environment Facility
<b>GFCM</b>	FAO General Fisheries Commission for the Mediterranean
<b>HELCOM</b>	Helsinki Commission (Baltic Marine Environment Protection Commission)
<b>IATTC</b>	Inter-American Tropical Tuna Commission
<b>ICES</b>	International Council for the Exploration of the Sea
<b>IGO</b>	Intergovernmental Organisation
<b>IMO</b>	International Maritime Organization
<b>ISA</b>	International Seabed Authority
<b>IUCN</b>	International Union for Conservation of Nature
<b>IUU</b>	Illegal, unreported and unregulated fishing
<b>LME</b>	Large Marine Ecosystem
<b>MARPOL</b>	Thee International Convention for the Prevention of Pollution from Ships
<b>MoU</b>	Memorandum/Memoranda of Understanding
<b>MPA</b>	Marine protected area
<b>NEAFC</b>	Northeast Atlantic Fisheries Commission

<b>NOWPAP</b>	Northwest Pacific Action Plan
<b>OECM</b>	Other Effective area-based Conservation Measure
<b>OSPAR</b>	Commission of the Convention for The Protection of The Marine Environment of The North-East Atlantic
<b>PCU</b>	Project Coordination Unit
<b>RECOFI</b>	FAO Regional Commission for Fisheries
<b>RFAB</b>	Regional Fisheries Advisory Body
<b>RFB</b>	Regional Fisheries Body
<b>RFMO</b>	Regional Fisheries Management Organisation
<b>ROPME</b>	Regional Organisation for Protection of the Marine Environment
<b>SACEP</b>	South Asia Co-operative Environment Programme
<b>SAP</b>	Strategic Action Programme
<b>SDGs</b>	Sustainable Development Goals
<b>SEAFO</b>	South east Atlantic Fisheries Organisation
<b>SIOFA</b>	Southern Indian Ocean Fisheries Agreement
<b>SOI</b>	Sustainable Ocean Initiative of the Convention on Biological Diversity
<b>SPA/RAC</b>	Specially Protected Areas Regional Activity Centre
<b>SPAMI</b>	Specially Protected Areas of Mediterranean Importance
<b>SPC</b>	Pacific Community
<b>SPREP</b>	Secretariat of the Pacific Regional Environment Programme
<b>SPRFMO</b>	Southern Pacific Regional Fisheries Management Organisation
<b>SRFC</b>	Sub-Regional Fisheries Commission
<b>SWIOFC</b>	FAO South West Indian Ocean Fisheries Commission
<b>UNCLOS</b>	United Nations Convention on the Law of the Sea
<b>UNEP</b>	United Nations Environment Programme
<b>UNEP/MAP</b>	UNEP Mediterranean Action Plan
<b>UNEP-WCMC</b>	UN Environment Programme World Conservation Monitoring Centre
<b>WCPFC</b>	Western and Central Pacific Fisheries Commission

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# Executive Summary

The last 20 - 30 years have seen widespread and repeated calls for enhancing cooperation and coordination in the realm of regional ocean governance. This report provides an overview of existing formalised cooperation between Regional Seas Organisations (RSOs), Regional Fisheries Management Organisations (RFMOs) and Regional Fisheries Advisory Bodies (RFABs)<sup>1</sup>, Regional Economic Commissions (RECs) and other intergovernmental bodies. Drawing on previously agreed recommendations on priority actions (SOI 2016) and priority areas for cooperation (SOI 2018), it assesses experiences to date and collates information that may inform future steps in pursuit of integrated regional ocean governance. A broad review is supplemented by six case studies which explore motivations for cooperation and factors contributing to success.

Key findings are as follows:

- **Growth in formalised cooperation:** In total, 32 instances of formalised cooperation were found between Regional Seas and other inter-governmental organisations, with a rapid increase having occurred over the last 15 years. Since 2011 there has been a particular increase in arrangements between Regional Seas and Regional Fisheries Bodies (15 of 21 instances since 2011). Formal cooperation agreements are one approach to enhancing cooperation between inter-governmental organisations, and informal cooperation at national, regional and global levels has a vital and complementary role. When effective, a formal cooperation agreement encapsulates the ambition of an ongoing process and furthers both formal and informal cooperation. The case studies here show how formalising cooperation has proven useful for, among other things, articulating common interests, documenting recognition of organizational mandates, agreeing priorities and objectives for cooperation, and securing time and resources for building cooperation.
- **Priority actions, and the role of context and review:** the most common actions found in existing agreements are commitments to exchange information and to participate at each other's meetings (together representing at least 25 of 27 instances of formalised cooperation for which we had information). These activities are widely recognised as essential for building and maintaining mutual trust and understanding. As recognised at the SOI 2016 meeting, regional contexts vary greatly, and this affects the appropriate steps to take to enhance cooperation. For some regions, information-sharing is the appropriate form of cooperation under the existing context. However, the overview and case studies illustrate that two-thirds of the existing agreements between Regional Seas and IGOs also have objectives that seek to expand joint activities, such as joint assessments and joint workshops (19/27 instances for which we had information, rising to 22/27 instances when including objectives of building capacity). The implication of a context-specific approach is that, like other relationships, formalised cooperation agreements may benefit from periodic review, refresh and restatement to help IGOs ensure that cooperation objectives and actions can respond to changing contexts and emerging threats and opportunities.
- **Progress in relation to four priority areas for cooperation:** the 2018 meeting of the SOI Global Dialogue (SOI 2018) identified four priority areas for cooperation between Regional Seas and Regional Fisheries Bodies, and this report has collated evidence of progress against these:

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<sup>1</sup> Regional Fisheries Management Organizations (RFMOs) and Regional Fishery Advisory Bodies (RFABs) are collectively referred to as Regional Fishery Bodies (RFBs).

- The overview and case studies presented in this report found many examples of **strengthening monitoring and data sharing**. Impacts include positive benefits arising from joint workshops, joint assessments, joint projects, training and building capacity and, in some cases, harmonised approaches to some aspects of data collection
- There are also many examples of deep and mature collaboration between Regional Seas and the IMO in relation to **reducing and mitigating the impacts of pollution**, particularly in relation to oil spills. These have led to measurable conservation impact, for example the reductions in Nitrous oxide reductions and oil spill reductions in the Baltic arising from strong cooperative working between HELCOM (Helsinki Commission) and the IMO (UNEP 2017b); and extensive coordination and capacity building arising from the regional marine pollution emergency response centres in the Mediterranean and Caribbean. In addition, this cooperation and collaboration is now also leading to a broadening of cooperation to cover other areas related to pollution.
- **Strengthening the effectiveness of area-based management tools** and **Enhancing application of ecosystem approach / ecosystem-based management** can be perceived to be more challenging areas for building cooperation. However, there are now established examples of strong and positive collaboration between Regional Seas Organisations, Regional Fisheries Bodies and other IGOs in both areas. Examples in relation to area-based management include the collaboration between UNEP-MAP and GFCM and other organisations in the Mediterranean region and the collaboration in the North East Atlantic through the collective arrangement. Examples in relation to the ecosystem approach include the Interim Coordination Mechanism in the Caribbean (established through the CLME+ Partnership); cooperation between UNEP-MAP, GFCM and others in the Mediterranean, and the new ROPME and RECOFI MoU. Other initiatives are also underway, for example through project between the Nairobi Convention and SWIOFC in the Indian Ocean, and the IKI Strong project in the South East Atlantic and South East Pacific.
- **The multi-sector approach:** An emerging feature of regional ocean governance is the effort underway to broaden partnerships beyond bilateral partnerships to multi-sector partnerships. This is a model that was pioneered under the North East Atlantic collective arrangement (Case Study 4), and is being developed in the Caribbean (Case Study 5), and in the Mediterranean (Case Study 1). Such experiences are demonstrating the feasibility of articulation of shared objectives and indicators while maintaining existing mandates. Also emerging are efforts to establish formalised cooperation with Regional Economic Commissions. Many frameworks exist that could support articulation of this type of cooperation (for example, Sustainable Blue Economy, Marine Spatial Planning, Integrated Coastal Zone Management and the Ecosystem Approach). Support for Regional Seas Organisations and Regional Economic Commissions on how to translate these frameworks into priority actions may be an area of interest over the next 5 years.
- **Factors for success:** The report findings support previous recommendations on factors which influence the positive impacts of formalised cooperation. These include having clear objectives; establishing regional coordination on scientific as well as managerial aspects; having States or organisations willing and able to drive progress; and taking time to build mutual understanding. The case studies in this report (e.g., Collective Arrangement, the MoU between ROPME and RECOFI, and the CLME+ Partnership) demonstrate the importance of availability of time and resources for investment in building relationships.

Over the next 3-5 years, the following opportunities have been identified:

- Over the next few years there will be a strong body of learning to share with others on forms of successful cooperation and collaboration between Regional Seas Organisations and Regional Fisheries Bodies in relation to **area-based management** and the **ecosystem approach**
- The formalised cooperation between Regional Seas Organisations and the **IMO** have exemplified strong cooperation and impact. UNEP and IMO could consider a joint discussion to explore opportunities for further cooperation.
- Dialogues between Regional Seas Organisations and **Regional Economic Commissions** are emerging and important. Support for articulation of objectives and forms of joint activity could be valuable.
- Periodic review of each formal cooperation agreement to review emerging threats and opportunities and review what is working most effectively

- The hosting of regional or thematic dialogues to complement the global dialogues hosted by the Sustainable Ocean Initiative.
- Building on the opportunities provided through virtual meetings and engagement.
- Enhance visibility of progress in cooperation by collating information on existing formalised cooperation in one place,

Challenges remain in terms of establishing multi-sector cooperation between regional and global intergovernmental organisations, and between regional organisations that have different memberships. The BBNJ process could offer an opportunity to facilitate these sorts of multi-sectoral relationships. The SDGs and post-2020 global biodiversity framework provide a basis with which to clearly articulate mutual interests and targets, and this may be key to enhancing cooperation in more difficult areas. The integration of gender equality and human rights approaches is another area of concern that has not been consistently implemented and reported on. Future reports will take this into consideration. The collection of data disaggregated by sex, age and vulnerable populations is essential in supporting the effective formulation of regional seas policies.

# 1. Introduction

## 1.1 Aim of report

The aim of this report is to provide an overview of existing formalised cooperation between Regional Seas Conventions and Action Plans (hereafter 'Regional Seas'), Regional Fisheries Management Organisations (RFMOs) and Regional Fisheries Advisory Bodies (RFABs)<sup>2</sup>, Regional Economic Commissions (RECs) and other intergovernmental bodies, and to assess the extent of, and learning from, cooperation to date. We drew on previously agreed recommendations on priority actions (Sustainable Ocean Initiative of the Convention on Biological Diversity [SOI] 2016) and priority areas for cooperation (SOI 2018). This provided a framework against which to explore current coverage. A broad review is supplemented by six case studies that explore motivations for cooperation and factors contributing to success, including the role of both formal and informal engagement. Based on lessons learned, the report provides a series of recommendations that may inform future activities in pursuit of integrated regional ocean governance.

## 1.2 Global calls for cooperation and coordination in ocean governance

The subject of strengthening cooperation, coordination and collaboration<sup>3</sup> to enhance regional ocean governance has a long history, and arises from the exponential increase in anthropogenic pressure on the oceans (United Nations 2021) and the demonstrated limits of single state and 'issue-by-issue' approaches to addressing transboundary and cumulative impacts of multiple stressors (Rochette et al 2015; Vierros 2017). Interest in

enhancing cooperation between intergovernmental organisations has been particularly acute in the last 20-30 years due to the rapid growth in the number of intergovernmental organisations that have a mandate to govern different aspects of marine resources (United Nations Environment Programme [UNEP] 2001; UNEP 2016a). These intergovernmental organisations include Regional Seas, Regional Fisheries Bodies and Regional Economic Commissions as well as other global and regional sectoral organisations (Box 1).

The advantages of strengthening cooperation and coordination among these intergovernmental organisations are ever more recognised (e.g. SOI 2016; UNEP 2016a; UNEP 2017a; UNEP 2017b; Mahon and Fanning 2019; Brodie Rudolph et al 2020). Cooperation is vital to address those ocean threats (e.g. pollution) and conservation solutions (e.g. area-based management) that cannot be addressed by a single sector alone, and to support the integrated approach to management that is required for sustainable development of the ocean environment (UNEP 2016a). At the sector level, benefits of cooperation arise from ensuring mutual understanding of each other's work and mandate, sharing data and information, coordinating or collaborating in monitoring and assessment, and enhancing policy coherence at both the regional and national level. These lead to beneficial outcomes including improved development of policies and activities that have cross-sectoral effects and positive synergies between organisations; increased efficiencies (including sharing costs; economies of scale; and avoidance of duplication of effort and the risk of undermining each other's efforts); and enhanced transparency (UNEP 2016a; United Nations Environment Programme - World Conservation Monitoring Centre [UNEP-WCMC] 2019). The need for, and benefits of, cooperation also arise as intergovernmental organizations move, or have intentions to move, towards a broader ecosystem approach (SOI 2018). This

2 Regional Fisheries Bodies (RFBs) is a collective term for Regional Fisheries Management Organizations (RFMOs) and Regional Fishery Advisory Bodies (RFABs).

3 For the purposes of this report, these are defined as follows: cooperation 'the exchange of relevant information and resources in support of each other's individual goals, rather than a shared goal'; coordination 'the sharing of information and resources so that each party can accomplish their part in support of a mutual objective'; collaboration 'working together to create outputs in support of a mutual objective.'

move presents great advantages in terms of promoting ocean management that achieves both conservation and sustainable use of marine and coastal resources, and enhancing shared interests between organisations, but also leads to the need to avoid duplication between them.

As a result, there have been many calls for increased cooperation and coordination in relation to regional ocean governance, including within Agenda 21 (United Nations Department of Economic and Social Affairs [UNDESA] 1992); the First Inter-Regional Seas Programme Coordination meeting (UNEP, 1998); annual United Nations General Assembly Resolutions between 2003-2020 (e.g. United Nations General Assembly Resolutions [UNGA] 2003; UNGA 2005; UNGA 2020); the 2012 Oceans Compact (UN 2012); the United Nations Environment Assembly Resolution in 2016 (United Nations Environment Assembly Resolution [UNEA] 2016); and the 2017 UN Oceans Conference Call to Action (UNGA 2017).

Reflecting on such calls, the Regional Seas Strategic Directions 2017 - 2020 (UNEP 2016b) included the

following as one of its two core goals:

*“Strategically work in collaboration with international and regional organizations, including Multilateral Environmental Agreements (MEAs), Regional Fisheries Management Organizations (RFMOs) and other relevant stakeholders.”*

In the last 5 years, the Sustainable Ocean Initiative (SOI), established by the Convention on Biological Diversity, has brought together regional organizations under the **SOI Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies**. This has fostered information-sharing and dialogue on how such cooperation and coordination can be progressed. The outputs from the two Global Dialogues held thus far have reiterated the importance of enhancing regional cooperation and coordination:

*“Participants stressed the need for enhanced cooperation and collaboration at the regional level, supported by continual exchange of information and lessons learned, exploring of shared objectives, and*

### **Box 1: Intergovernmental organisations with a mandate for the management of marine resources**

**Regional Seas Organisations (RSOs)** - The UN Environment Programme Regional Seas Programme, established in 1974, covers 18 marine and coastal regions worldwide in which 146 countries participate, with four decades of work and cooperation towards the protection of the marine and coastal environment. This includes a substantial archive of reviews of regional ocean governance arrangements, as well as providing direct financial and technical support to countries and national institutions, the implementation of projects and the mobilization of additional funding.

**Regional Fisheries Bodies (RFBs)** – Groups of states or organisations that are party to an international fishery arrangement and work together towards the conservation and management of fish stocks. RFBs play a critical role in promoting long-term sustainable fisheries, where international cooperation is required for conservation and management. There are 46 RFBs in total (Løbach et al. 2020), 24 of which have an advisory only mandate. The remaining 22 are known as Regional Fishery Management Organisations (RFMOs) and can adopt conservation and management measures that are legally binding on their members.

**Regional Economic Commissions (RECs)** - Many regional or sub-regional economic commissions/communities manage the economic development of ocean-related sectors. Other regional bodies include political bodies, such as the Association of Southeast Asian Nations, whose mandate covers ocean-related issues.

**Food and Agriculture Organization of the United Nations (FAO)** – The FAO is a specialized agency of the United Nations that focuses on global food security and defeating hunger. It plays a leading role in international fisheries policy, working with Governments, Regional Fisheries Bodies and Organisations, and local fishing communities to encourage sustainable fisheries practices. Similar to various UN bodies and MEAs, the FAO recognises the importance of gender-responsive approaches that engage both women and men in the management of water as a natural resource. FAO recently adopted a policy on gender equality 2020-2030 seeking to achieve equality between women and men in sustainable agriculture and rural development for the elimination of hunger and poverty. FAO recognizes that rural women and men, together, hold the keys to ending hunger and extreme poverty. Rural women and girls, in particular, are recognized as major agents of change. Across low-income countries, women make up 48 percent of agricultural employment. As farmers and farm workers, horticulturists and market sellers, businesswomen, entrepreneurs and community leaders, they fulfil important roles throughout agrifood value chains, as well as in the management of natural resources such as land and water.

**International Maritime Organization (IMO)** – The IMO is a United Nations specialized agency with responsibility for the safety and security of shipping and the prevention of marine and atmospheric pollution from ships.

**International Seabed Authority (ISA)** – The ISA is mandated under the UN Convention on the Law of the Sea to organize, regulate and control all mineral-related activities in the international seabed area for the benefit of mankind as a whole.

**Other UN agencies** - A range of UN agencies and treaties have a mandate that includes the oceans, including Division for Ocean Affairs and the Law of the Sea (DOALOS), Intergovernmental Oceanographic Commission of UNESCO (IOC-UNESCO), Convention on the Conservation of Migratory Species and Wild Animals (CMS) and others. UN-Oceans is an inter-agency mechanism that seeks to enhance the coordination, coherence and effectiveness of competent organizations of the United Nations system and the International Seabed Authority, in conformity with the United Nations Convention on the Law of the Sea.

**Convention on Biological Diversity (CBD)** – The CBD has 196 Parties and entered into force in 1993. Its objectives are around the conservation, sustainable use and benefit sharing of biological diversity. Work under the CBD has focused on sustainable fisheries to support global food security and conserve marine biodiversity. The Sustainable Ocean Initiative (SOI) emerged from the CBD as a means to provide training and capacity-building for developing country Parties. In line with its decision COP 14/34, the CBD parties aims to promote gender equality in all its sustainable initiatives including in the Post-2020 Global Biodiversity Framework. In particular, Target 22 of the Kunming-Montreal Global Biodiversity Framework seeks to ensure the full, equitable, inclusive, effective and gender-responsive representation and participation in decision-making, and access to justice and information related to biodiversity by indigenous peoples and local communities, respecting their cultures and their rights over lands, territories, resources, and traditional knowledge, as well as by women and girls, children and youth, and persons with disabilities and ensure the full protection of environmental human rights defenders. In addition, Target 23 seeks to ensure gender equality in the implementation of the framework through a gender-responsive approach where all women and girls have equal opportunity and capacity to contribute to the three objectives of the Convention, including by recognizing their equal rights and access to land and natural resources and their full, equitable, meaningful and informed participation and leadership at all levels of action, engagement, policy and decision-making related to biodiversity.

*addressing issues of common interest” (SOI 2016, paragraph 7).*

*“The meeting encouraged [Regional Seas] and RFBs to consider the creation and/or further development of continuous cross-sectoral dialogues at the regional scale and to identify key areas and modalities of cooperation and collaboration” (SOI 2018, paragraph 10)*

Further, the Sustainable Development Goal dedicated to oceans (SDG 14) provides a strong impetus for regional and institutional cooperation towards achievement of shared goals (UNEP 2017a). The Convention on Biological Diversity Strategic Plan for Biodiversity 2011-2020 (Convention on Biological Diversity [CBD] 2010) also provided such impetus and shared goals, and the current draft of the Convention on Biological Diversity post-2020 global biodiversity framework indicates that it will do likewise (CBD 2020). Resolution 71/32 ‘Our Ocean, Our Future: Call for Action’ recognizes the importance of gender equity and the crucial role women and youth play in conservation and sustainable use of oceans, seas and marine resources. Gender equality and human rights for all remain the underlying principles across all the SDGs and thus is a crucial ingredient not only in the integration of goal 14, but should also be reflected in future national as well as international regional seas frameworks. The ongoing international negotiations for a new implementing agreement under the United Nations Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of biodiversity in areas beyond national jurisdiction (the ‘BBNJ process’) also recognises that the new agreement should not undermine existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies. Within these negotiations, both formal and informal global, regional and national cooperation arrangements have been suggested to ensure a complementary governance framework that facilitates cross-sector cooperation and coordination.

### 1.3 Challenges

There are many challenges that hamper efforts to enhance cooperation. These include limited financial resources and time and capacity, constraints within the mandates of existing intergovernmental organisations, shortfalls in inter-sectoral coordination at the national level, and the challenges experienced in implementing ecosystem-based approaches, including limited availability of relevant disaggregated data and assessment (UNEP 2016a; UNEP 2017a; SOI 2018). Further challenges to cooperation have been recognised as arising from differences in guiding principles and approaches between institutions, for example differences between the Ecosystem Approach, Ecosystem Based Management, and Ecosystem Approach to Fisheries (SOI 2018). It is also recognised that regional contexts vary, meaning that suitable activities and approaches to enable cooperation may differ significantly between regions (SOI 2016; SOI 2018).

*‘Participants noted that regional cooperation is at different stages of development in various regions, and, as such, that the appropriate next steps would vary among different regions, ranging from the establishment of dialogue to support cooperation where it does not exist, to strengthening this cooperation where it already exists.’ (SOI 2016, paragraph 7).*

### 1.4 Previous recommendations for enhancing cooperation and coordination

Arising from this wealth of dialogue over the past 20 years, recommendations on ways forward have been developed, while also taking into account the challenges that must be overcome and the variety of contexts that must be considered. These have included recommendations on **priority actions**, including a step-by-step approach, **priority areas for collaboration**; and **factors that contribute to success**, as described in the following sections. These recommendations provide a basis against which recent progress can be assessed.



#### 1.4.1 Previous recommendations on priority actions

In 2001, a joint paper by the UN Environment Programme (UNEP) and FAO developed a list of suggested actions to enhance cooperation between Regional Seas and Regional Fisheries Bodies in relation to ecosystem-based fishery management (UNEP 2001). The first meeting of the '*Sustainable Ocean Initiative Global Dialogue with Regional Seas Organisations and Regional Fisheries Bodies on Accelerating Progress towards the Aichi Biodiversity Targets*' also highlighted means to enhance cooperation and coordination between Regional Seas and Regional Fisheries Bodies (SOI 2016). Table 1 summarises recommendations from both sources, indicating the commonalities between them. This provides a framework against which progress in cooperation might be gauged.

The concept of a step-by-step approach (Hanssen et al. 2013) has been referred to in relation to building cooperation in regional ocean governance (UNEP 2017a; UNEP 2017b) and is illustrated in Figure 1. The priority actions identified at the SOI 2016 meeting (Table 1) have a level of correspondance to steps of progress along the cooperation ladder. However, it is also important to note that the SOI 2016 meeting also recognised that the recommended actions (a) to (f) in Table 1 may not be applicable to all regions. For some contexts, the step of information-sharing may be all that is sought, and achievement of information does not necessarily mean that cooperation must progress to other steps of the process.

In addition, while Table 1 relates specifically to Regional Seas and Regional Fisheries Bodies, multi-sector, integrated ocean policy development is also recognised as necessary for holistic ocean management as part of an ecosystem approach (UNEP 2016a). As such, an ecosystem approach requires engagement of all users of the ocean, including sectoral organisations such as the International Seabed Authority (ISA) and the International Maritime Organization (IMO), and those such as Regional Economic Commissions (UNEP 2018). The 'collective arrangement' in the North East Atlantic has been held up frequently as a successful model that is working towards coordination between multiple sectors (e.g. UNEP 2015), and other initiatives have also started working towards this goal (UNEP 2017a).

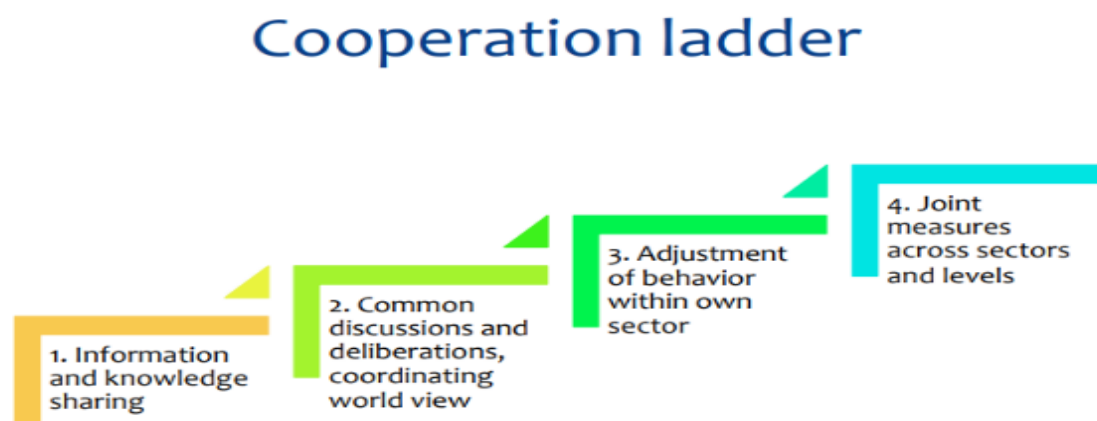
#### 1.4.2 Recommended priority areas for collaboration

At the 2018 meeting of the *SOI Global Dialogue with Regional Seas Organizations and Regional Fishery Bodies* (SOI 2018), four thematic areas were identified as '*critical challenges and opportunities in regional-scale cooperation*' between Regional Seas and Regional Fisheries Bodies, selected with a view to supporting national implementation of the Aichi Biodiversity Targets and the relevant SDGs (Box 2). This also provides a framework for assessing the extent to which current cooperation is directly addressing priority themes.

**Table 1:** Recommended actions to enhance cooperation between Regional Seas Organisations (RSOs) and Regional Fisheries Bodies (RFBs)

UNEP 2001	SOI 2016
Formalise the observer status of the Regional Seas programmes at the meetings of the governing bodies of the RFBs and their technical subsidiary organs, and vice versa.	(a) Interacting, and
Exchange data and information available at the level of RFBs and RSOs that may be of mutual interest.	(a cont'd) exchanging information on the respective measures and activities of regional organizations to promote mutual understanding, build trust and ensure that they take their respective outputs into account, thereby complementing each other's work while respecting their different mandates;
Design and implement joint programmes between the RFBs and the RSOs taking fully into account the respective mandates, objectives and scope of the RSOs and the RFBs.	(b) Developing joint regional-level strategies,
Create formal agreements (e.g., memoranda of understanding) between relevant RSOs and RFBs specifying the scope and modalities of cooperation.	(b cont'd) Develop memorandums of understanding, or other collaborative arrangements to identify common objectives, outline joint and/or complementary activities, and clarify roles and expectations of respective regional organisations;
Establish joint advisory panels and organise joint technical meetings on subjects of mutual interest	(c) Identifying specific issues of common interest around which to structure cooperation and coordination on scientific and technical matters as well as management tools and approaches;
Seek association and cooperation with the regional components of global programmes providing data and information relevant to ecosystem-based fishery management	(d) Promoting harmonized approaches for collecting and accessing data, and exchanging scientific information from a wide range of entities (governments, UN agencies, research institutes, NGOs)
	e) Using the above information for the production of complementary and holistic assessments of the status and trends of the marine environment, fisheries, biodiversity and ecosystems
	(f) Supporting national reporting through regional frameworks, including through compatible approaches for data and reporting formats, using, where possible, existing indicators, and aligning this with reporting on progress towards the Aichi Biodiversity Targets and the SDGs

**Figure 1:** Cooperation ladder (Hanssen et al. 2013).



### 1.4.3 Factors previously identified as contributing to success

Previous recommendations regarding factors that contribute to successfully enhancing collaborative and cooperative ocean governance include:

- Finding areas of common interest (SOI 2016; UNEP 2017a; Wright et al. 2017)
- Basing the cooperation on clear objectives (UNEP 2017a)
- Having States or Organisations willing and able to drive progress (Wright et al. 2017; Wright and Rochette, 2019)
- Availability of financing (best being long-term and flexible), partnerships and resources for capacity development (Rochette et al. 2015; Wright et al. 2017) and ensuring participating

organisations are adequately funded (UNEP 2016a)

- Enhance cooperation between existing structures rather than creating new ones (Rochette et al. 2015; UNEP 2016a)
- Taking time to build mutual trust and understanding of each other's mandates and approaches (North East Atlantic Fisheries Commission [NEAFC] and OSPAR Commission [OSPAR], 2015; UNEP 2017a), including understanding of each other's terminologies (such as Ecosystem Approach, EBM and EAF)

**Box 2:** Four priority areas for cross-sectoral cooperation between Regional Seas and Regional Fisheries Bodies, identified at the second meeting of the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organisations and Regional Fisheries Bodies on Accelerating Progress towards the Aichi Biodiversity Targets (SOI 2018)

1. **Strengthening monitoring and data/information sharing in support of scientific assessment of the status and trends of marine biodiversity and fisheries resources:** *The meeting noted the need for improved harmonization and standardization of data collection across Regional Seas, RFBs, LME projects and other initiatives, and that Regional Seas and RFBs are not the only organisations with mandates for scientific monitoring and data.*
2. **Preventing, reducing and mitigating the impacts of pollution including marine debris, on marine biodiversity and fisheries resources:** *The meeting noted that while Regional Seas are well placed to address land and coastal sources of pollution, RFBs can have role in retrieval of lost gear and gear marking. It is an area of interest to RFBs [and RECs] in terms of improving coastal fisheries and water quality.*
3. **Strengthening the effectiveness of area-based management tools (e.g., marine spatial planning, marine protected areas, PSSAs, VMEs):** *The meeting noted that RFBs vary in their capacity and mandate for cross-sectoral work on area-based management. Cross sectoral working also requires regional cooperation with organisations with global mandates such as the IMO and ISA.*
4. **Enhancing application of ecosystem approach / ecosystem-based management:** *The meeting noted that a success factor is identifying specific goals for all players, and that expansion of considerations to include socio-economic factors will enable fuller engagement across institutions.*

- Establishing regional coordination on scientific aspects as well as managerial aspects (SOI, 2016), for example, benefits have arisen in regions in which intergovernmental organisations are using the same scientific advisors, or other neutral scientific advisors (UNEP 2017a; SOI 2018; Wright and Rochette 2019)
- Using region-wide assessments as a means to bring organisations together (SOI, 2018)
- Using regional and global goals as the basis for collaborating (e.g. SDGs) (UNEP 2015)
- Underpinning cross-sectoral cooperation and coordination at the regional level through national-level coordination (SOI 2016; UNEP 2017a; SOI 2018)

- In alignment with the SDGs and resolution 71/312, promote the integration of gender equality and human rights for all in ocean governance (UN, UNEP, CBD, FAO)

Insights into factors for success are still evolving, and reflection of recent experience against this list may also aid further understanding.

## 2. Methodology

For the purposes of this study, “formalised cooperation” is where a signed legal agreement exists between a Regional Sea and one or more Regional Fisheries Body, Regional Economic Commission or other global or regional intergovernmental body. Regional Economic Commissions were limited to those that are intergovernmental bodies. Instances of formalised cooperation were only included if they involved at least one Regional Sea and at least one non-Regional Sea intergovernmental organisation. To undertake a review of existing formalised cooperation we performed a keyword search of online resources, exploring the websites belonging to these organisations, as well as the UNEP Document repository and wider online sites and news stories, e.g. from International Institute for Environment and Development (IIED). Search terms were: “agreement”, “arrangement”, “cooperation”, “MoU”, “Memorandum of Understanding”, “RFMO”, “fisheries”, “[name of RFB]”, “[name of RSO]”.

Information was collated into a matrix detailing type of cooperation, date, parties, objectives, and a brief summary of activities and outcomes arising from the formalised cooperation. Initial research focused on types of cooperation categorised as MoU, Agreement or Arrangement (where ‘Agreement’ and ‘Arrangement’ refer to the terminology used in the title of the signed document). However, relatively few instances of these types of formalised cooperation were found for Regional Seas and RECs, and so an additional ‘Economic’ search term was used. Two instances of cooperation between a Regional Sea and Regional Economic Commission based on a decision by parties were identified. The search parameters also revealed one decision between a Regional Sea and RFB. However, we note that it is unlikely that our list of Decisions is exhaustive. It is also worth acknowledging that in support of the SDGs, UNEP as well as the UN promote cooperation frameworks that embed

gender equality and human rights principles in line with the principle of Leave No One Behind.

The objectives of each formalised cooperation, as defined within the text under ‘Objectives’ or ‘Areas of Cooperation’, were categorised to allow for summary and analysis (Table 2). Categories were based on priority actions and thematic areas defined in the outcomes of the 2016 and 2018 meetings of the SOI Global Dialogue (see Table 1 and Box 2). Three further categories were added to adequately capture objectives of the agreements analysed here: a ‘General cooperation’ (where no specific actions or areas of cooperation were defined), ‘Sustainable fishing’ (covering cooperation on fishery policies or illegal, unreported and unregulated (IUU) fishing), and ‘Conservation’ (covering protection of marine habitats, ecosystems or species). We recognise that the latter two categories are key elements of an ecosystem approach, which is itself a category. However, for this analysis this division of categories was useful as ‘Ecosystem approach’ was used to capture a stated intention to cooperate on implementation of an ecosystem approach.

Once the summary matrix had been compiled, six case studies were selected for further in-depth analysis. Case studies were selected with the intention of providing geographical representation, and representation of different types of cooperation, including at least one case study involving an REC. Semi-structured interviews with representatives from the Secretariats of relevant intergovernmental organisations were undertaken for each case study to provide in-depth perspectives. The case studies explored objectives and progress against four priority areas for collaboration identified by the 2018 meeting of the SOI Global Dialogue (Box, 2). In addition, the use of case studies enabled exploration of the role that formalised cooperation can play in relation to more informal mechanisms and specific factors that enable success.

**Table 2:** Categories assigned to objectives of each formal collaboration agreement.

<b>Objective</b>	<b>Description</b>	<b>Source</b>
Participate at meetings	Including granting of Observer status	SOI 2016
Exchange information	Includes data sharing and more general information exchange.	SOI 2016
Identify areas of common interest	Identify areas around which to structure technical cooperation and coordination and/or management approaches	SOI 2016
Joint technical assessment	Collaboration on scientific and technical assessment of the status and trends of the marine environment, fisheries, biodiversity and/or ecosystems	SOI 2016
Promote harmonized data	Consider ways to harmonize systems to collect and access data and for exchanging information	SOI 2016
Develop joint approaches	Joint programmes or strategies	SOI 2016
Capacity Building	Collaboration to build capacity	SOI 2016
Reporting global targets	Supporting national reporting through regional frameworks	SOI 2016
Pollution	Cooperation and coordination on pollution, including from shipping	SOI 2018
Area-based management	Cooperation and coordination on Area-based management approaches	SOI 2018
Ecosystem approach	Cooperation and coordination on ecosystem approach / EBM/EAF	SOI 2018
Conservation (Ecosystems or biodiversity)	Cooperation and coordination to foster protection or conservation of species and/or ecosystems	This review
Sustainable Fishing	Including combating Illegal Unreported and Unregulated Fishing	This review
General cooperation	General cooperation (no specific format)	This review

# 3. Results

## 3.1 Overview of formalised cooperation between Regional Seas and other intergovernmental organisations

### 3.1.1 Number of instances of formalised cooperation by type, date and location

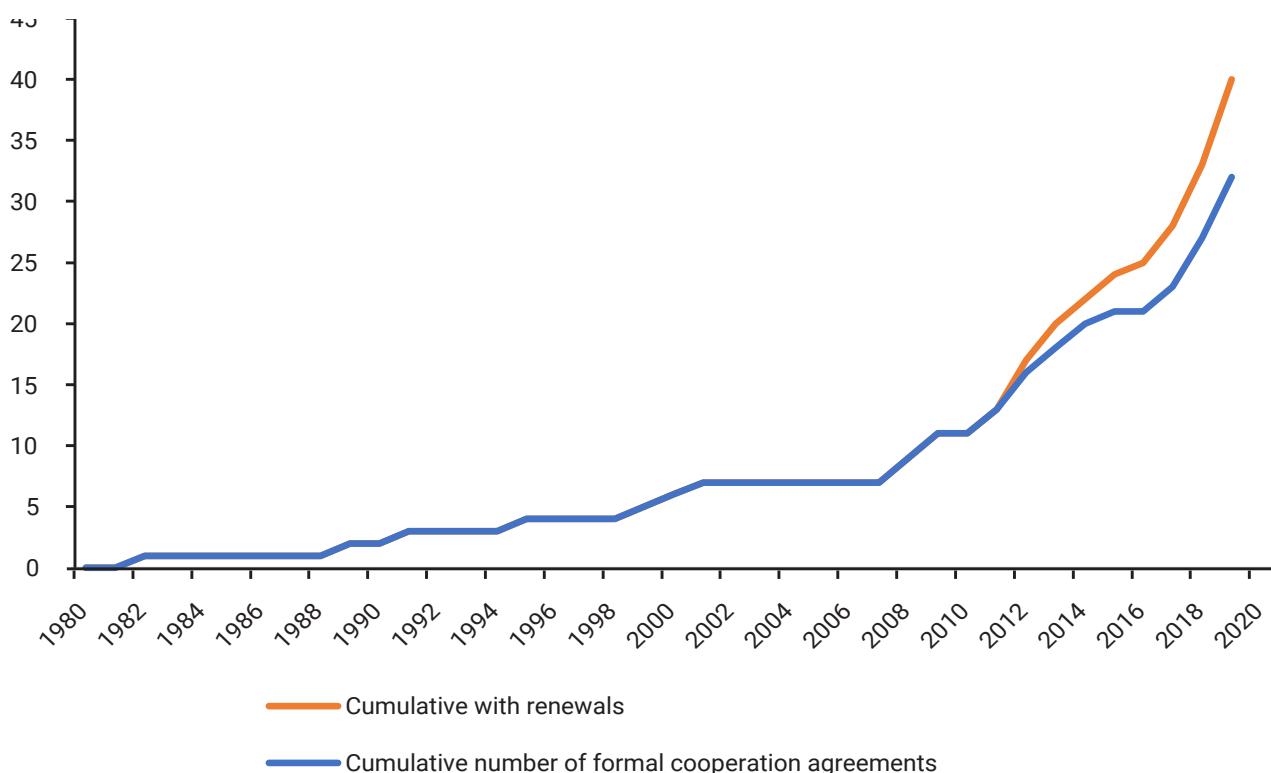
In total, 32 instances of formalised cooperation (hereafter also referred to as *formal collaboration agreements*) were found (Table 3). Of these, 20 took the form of an MoU, nine were Agreements, Arrangements or a collective arrangement, and three were Decisions arising from the meeting of parties of two IGOs.

Most of the instances of formalised cooperation (21 of 32) have been established in the last decade (between 2012-2021) (Figure 2). In addition, there have been 8 instances of renewal, affecting 6 agreements, all also occurring in the last decade. Further, various regional seas bodies such as UNEP

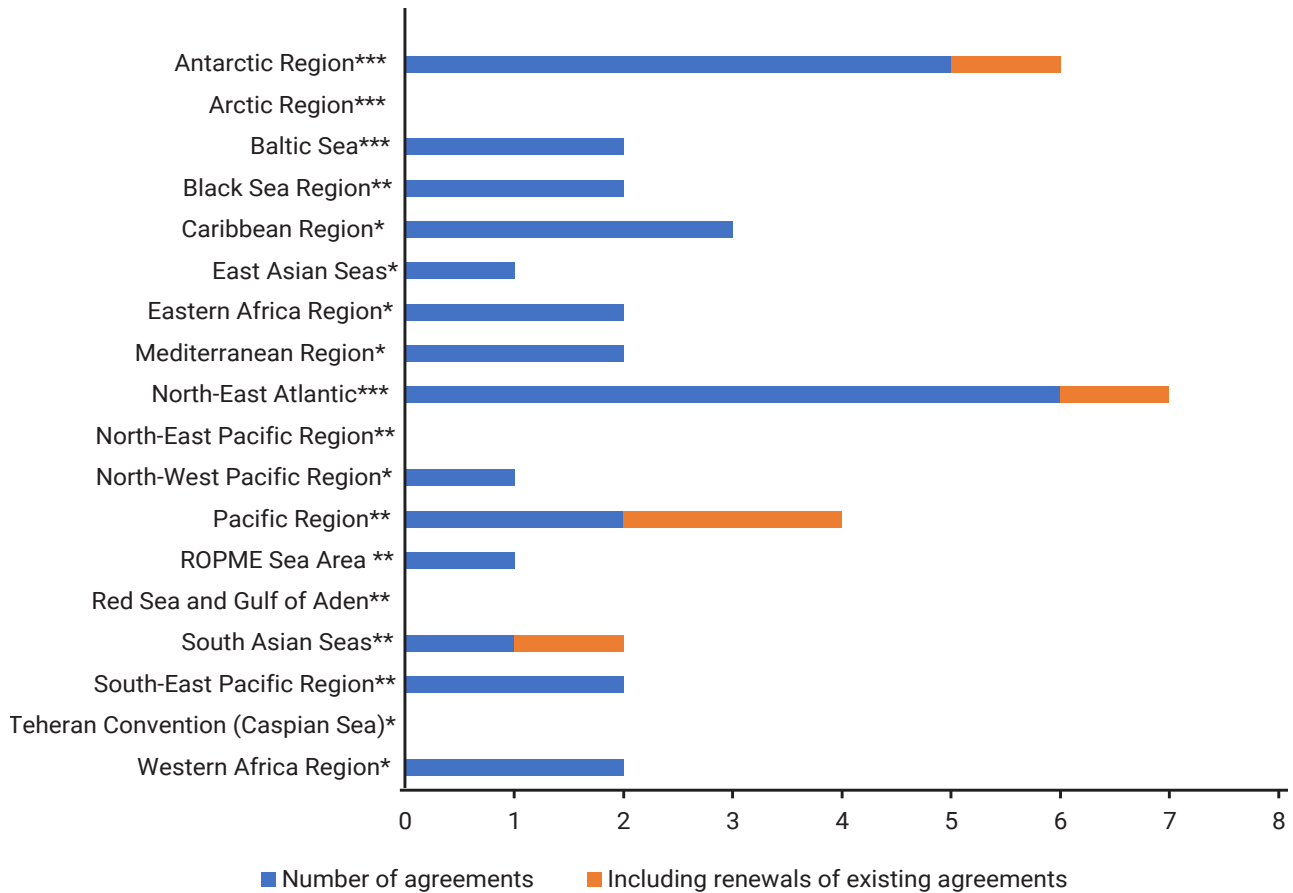
MAP, COBSEA, SPREP, and SACEP aim to implement gender equality in their work; and in some cases, seek to translate gender related ambitions into the cooperation agreements within the framework of their respective conventions and action plans.

Of the 32 instances of formalised cooperation, just over half (18) were between a Regional Sea and an RFB (five of these relate to arrangements between the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and other RFMOs, focused on fisheries management). Of the remaining 14 formal cooperation agreements, six were with the IMO, three with RECs, two with inter-governmental development organisations, one with the ISA and two are agreements established to engage with multiple intergovernmental organisations. This picture has seen a shift over time: prior to 2010, the majority of the formal cooperation was between Regional Seas and the IMO, RECs or development bodies (8 out of

**Figure 2** Cumulative number of instances of formal cooperation agreements by year signed and established (including renewing/building upon existing instances)



**Figure 3** Number of instances of formal cooperation agreement by region, for those regions where a Regional Sea is present. \* UNEP-Administered. These RSCAPs have been established and are directly administered by UNEP who provides Secretariat functions, managing of finances and technical assistance. \*\* Non-UNEP administered. These RSCAPs have been established under the auspices of UNEP, but another regional body provides the Secretariat and administrative functions. \*\*\* Independent. These RSCAPs have not been established by UNEP but cooperate with the Regional Seas Programme and attend regular meetings.



11 instances). Of the 21 instances of formalised cooperation established between 2011-2020, 15 were between Regional Seas and RFBs. The two instances of arrangements with multiple intergovernmental organisations were also in this recent period.

Regional variation in formalised cooperation is shown in Figure 3, showing that the number of formal cooperation agreements is highest in the North East Atlantic, followed by the Antarctic (the latter consists of the five agreements between CCAMLR and RFMOs, focused on cooperation in relation to fisheries). Excluding these, most regions had one or two agreements.



**Table 3:** Overview of instances of formalised cooperation between Regional Seas, RFBs, RECs and other global and regional sectoral body (Type: MoU = Memorandum of Understanding; AG = Agreement; AR = Arrangement; CA = collective arrangement; DE = Decision. Objectives: those in non-bold refer to priority actions; those in bold refer to priority areas for cooperation. Agreements selected as case studies are highlighted. Instances where limited information could be found to support assessment of objectives are marked (\*). Activities conducted: examples given, with bold text indicating activity or impact in relation to collaborative activity in a priority area for cooperation.

	Regional Seas	Partner	Type	Year	Objectives	Activities conducted and additional points
1	Abidjan Convention Secretariat	Sub-Regional Fisheries Commission (SRFC)	<u>MoU</u>	2012	Exchange information; <b>Area-based management; Sustainable fisheries</b>	SRFC has supported the Abidjan Convention in drafting documents on ocean governance and fisheries. Co-organisation of a symposium in 2016 created a framework for a regional court for the environment <sup>xviii</sup> . The Canary Current Large Marine Ecosystem (CCLME) project supported cooperation by both organisations in the same working group on <b>water quality</b> . The STRONG High Seas Project (June 2017 – May 2020) project works through regional organisations to carry out transdisciplinary scientific assessments to provide decision-makers, both in the target regions and globally, with improved knowledge and understanding on high seas biodiversity.
2	Abidjan Convention Secretariat	Regional Commission of Fisheries of Gulf of Guinea (COREP)	<u>MoU</u>	2014	Participate at meetings; Exchange information; Joint technical assessment; <b>Sustainable fisheries; Conservation (ecosystems)</b>	No information found regarding activities/impacts.
3	Black Sea Commission	Black Sea Economic Cooperation (BSEC)	DE	2001	General cooperation	A joint workshop in 2018 discussed possible joint projects. The BSC 19-20 work plan includes strengthening cooperation with BSEC, and the Terms of Reference of the BSEC Working Group on the Environment includes increasing cooperation with BSEC. A new BSEC-led GEF-funded project ( <b>Blueing the Black Sea</b> ) has an objective to strengthen governance, cooperation and financing for <b>pollution</b> reduction and includes funds for increasing cooperation between BSEC, the BSC and GFCM
4	Black Sea Commission	General Fisheries Commission for the Mediterranean (GFCM)	<u>MoU</u>	2012	Participate at meetings; Exchange information; Joint technical assessment; Develop joint approaches; <b>Sustainable fisheries</b>	Both organisations have working groups related to Black Sea Fisheries. A GFCM-BSC Workshop on <b>IUU fishing</b> was a first activity in the framework of this MoU. Among other impacts, IUU impacts benthic ecosystems in the Black Sea. The BSC Work Programme 2019/2020 includes an action on Implementation of the MoU between the BSC and GFCM.

	Regional Seas	Partner	Type	Year	Objectives	Activities conducted and additional points
5	Cartagena Convention	Caribbean Regional Fisheries Mechanism (CRFM)	<u>MoU</u>	2018	Participate at meetings; Exchange information; Joint technical assessment; Capacity building; <b>Area-based management; Ecosystem approach; Conservation (ecosystems, biodiversity); Sustainable fisheries</b>	No information found regarding activities/impacts.
6	CCAMLR Secretariat	Western and Central Pacific Fisheries Commission (WCPFC)	<u>AR</u>	2009; 2013	Participate at meetings; Exchange information; Joint technical assessment; Develop joint approaches; <b>Sustainable fisheries</b>	Parties to CCAMLR that are also a member of WCPFC act as a CCAMLR Observer to WCPFC meetings and provide an annual report back to CCAMLR. The relationship is primarily used to enable a pan-Pacific group of RFMO Secretariats to share information relevant to fisheries management (e.g. Illegal Unreported and Unregulated fishing activities or matters regarding Secretariat operation).
7	CCAMLR Secretariat	South East Atlantic Fisheries Organisation (SEAFO)	<u>AR</u>	2017	Participate at meetings; Exchange information; Promote harmonised data; Joint technical assessment; Develop joint approaches; <b>Sustainable fisheries</b>	Cooperation is focused on management of toothfish fisheries, though fishing and cross border toothfish movement is limited in the case of SEAFO so not much joint work has been needed to date. In addition, Parties to CCAMLR that are also a member of SEAFO act as a CCAMLR Observer to SEAFO meetings and provide an annual report back to CCAMLR.
8	CCAMLR Secretariat	Southern Indian Ocean Fisheries Agreement (SIOFA)	<u>AR</u>	2018	Participate at meetings; Exchange information; Promote harmonised data; Joint technical assessment; Develop joint approaches; <b>Sustainable fisheries</b>	Cooperation is focused on management of toothfish fisheries, particularly related to straddling stocks and catch documentation and tagging programmes. <b>Data exchange</b> is governed by data exchange rules and outlined in an Arrangement companion document. Recent CCAMLR and SIOFA meetings have discussed ways to strengthen cooperation. In addition, Parties to CCAMLR that are also a member of SIOFA act as a CCAMLR Observer to SIOFA meetings and provides an annual report back to CCAMLR.
9	CCAMLR Secretariat	Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	<u>AR</u>	2012, 2015, 2019	Participate at meetings; Exchange information; Promote harmonised data; Joint technical assessment; Develop joint approaches; <b>Sustainable fisheries</b>	Parties to CCAMLR and CCSBT act as observers to the meetings of each and report back. The two organisations <b>exchange data</b> , scientific information and fisheries management information on an annual basis. The arrangement arose initially because the Southern Bluefin Fleet was fishing within the CCAMLR area (the CCSBT fishery being defined by species catch not Convention area), and the arrangement supported harmonization of measures to mitigate impacts on non-target species such as albatrosses. Since then the SBT fleet has not been operating within CCAMLR area, but climate change could make it more likely in the future.

	Regional Seas	Partner	Type	Year	Objectives	Activities conducted and additional points
10	CCAMLR Secretariat	South Pacific Regional Fisheries Management Organisation (SPRFMO)	<u>AR</u>	2016, 2019	Participate at meetings; Exchange information; Promote harmonised data; Joint technical assessment; Develop joint approaches; <b>Sustainable fisheries</b>	Cooperation is focused on management of toothfish fisheries, particularly related to straddling stocks and catch documentation and tagging programmes. <b>Data exchange</b> is governed by data exchange rules and outlined in an Arrangement companion document. In addition, Parties to CCAMLR that are also a member of SPRFMO act as a CCAMLR Observer to SPRFMO meetings and provides an annual report back to CCAMLR.
11	CLME+ Partnership	8 INGOs	<u>MoU</u>	2017	Participate at meetings; Exchange information; Joint technical assessment; Reporting global targets <b>Pollution; Ecosystem approach; Sustainable fisheries; Conservation (ecosystems)</b>	The 9th meeting of the interim coordination mechanism took place in December 2020, and three meetings are planned for 2021. A review by Whalley (2019) identified that two GEF-funded projects had provided significant support to enhancing cooperation in the region. There has been <b>joint technical assessment</b> to produce the State of Marine Environment and Economies report.
12	COBSEA	ASEAN Working Group on Coastal and Marine Environment	<u>MoU</u>	2008	Participate at meetings; Develop joint approaches; Capacity building; <b>Conservation (Ecosystems or biodiversity); Pollution, Area-based management</b>	Collaboration has led to input into ASEAN criteria for <b>Marine Water Quality</b> and Regional and National <b>MPAs</b> . Collaboration also helped to attract funding.
13	CPPS	Inter-American Tropical Tuna Commission (IATTC)	<u>MoU</u>	2015	Exchange information; Capacity building; <b>Conservation (biodiversity)</b>	Purpose is to increase collaboration on sharks, rays and chimeras. Interaction has focused on training fishery managers (UNEP-WCMC 2017).
14	CPPS	South Pacific Regional Fisheries Management Organisation (SPRFMO)	MoU	2019	Exchange information; <b>Sustainable fisheries; Area-based management;</b> Capacity-building	The MoU establishes a framework for cooperation and consultation in the areas of data exchange and institutional strengthening, including through sharing of reports and data and through training, particularly in relation to fisheries management. Within these areas, the MoU also encourages the development of activities of mutual interest through specific agreements; consultancies or other mechanisms.
15	HELCOM	International Maritime Organization (IMO)	MoU	1982	<b>Pollution*</b>	HELCOM undertook work that contributed to the IMO 2016 decision for 80% <b>reduction in Nox emissions</b> from ship exhausts, a <b>ban on untreated sewage</b> discharges, and regional work on <b>ballast water</b> . HELCOM work on coordinated aerial surveillance and development of port facilities contributed to a 90% decrease in <b>oil spills</b> .
16	HELCOM	BALTFISH	DE	2019	Participate at meetings; Exchange information	No information regarding activities/ impacts found.

	Regional Seas	Partner	Type	Year	Objectives	Activities conducted and additional points
17	Nairobi Convention Secretariat	Southwest Indian Ocean Fisheries Commission (SWIOFC)	MoU	2019	Exchange information; Develop joint approaches; Capacity building; <b>Area-based management; Ecosystem approach; Conservation (ecosystems, biodiversity)</b>	A project, funded by the Swedish International Development Cooperation Agency (2019 – 2023) is providing support to enhancing cooperation in the region.
18	Nairobi Convention Secretariat	Regional Economic Communities and Commissions	DE	2018	General cooperation	A meeting in 2019 identified opportunities for collaboration, including the establishment and management of <b>Marine Protected Areas</b> ; development of Blue Economy strategies and creating a regional monitoring programme on marine and coastal environments.
19	NOWPAP	International Maritime Organization (IMO)	MoU	2000	<b>Pollution*</b>	IMO is a co-establisher of the Marine Environmental Emergency Preparedness and Response Regional Activity Centre (MERRAC) of NOWPAP. IMO and NOWPAP are closely engaged in establishing effective regional cooperation on marine pollution preparedness and response, specifically oil spills and hazardous and noxious substances. MERRAC is currently functioning as the secretariat for the NOWPAP Regional Oil and HNS Spill Contingency Plan (RCP), with assistance from the NOWPAP Regional Coordinating Unit, UNEP and IMO. In the future, MERRAC and IMO could be involved in issues related to invasion of alien invasive species with ship ballast waters.
20	OSPAR Secretariat	UN Economic Commission for Europe (ECE)	MoU	1991	Exchange information; Joint technical assessment <b>Pollution</b>	OSPAR's experts worked with the European Monitoring and Evaluation Programme to adapt their <b>atmospheric pollution</b> modelling to make it relevant for the whole OSPAR Maritime Area. The products facilitate OSPAR's monitoring and assessment work, as well as assessments for EU Framework Directives.
21	OSPAR Secretariat	North East Atlantic Fisheries Commission (NEAFC)	MoU	2008	Exchange information; Participate at meetings; Develop joint approaches; <b>Area-based management</b>	The MoU had a positive effect through increasing mutual understanding of roles and working practices. The organisations worked together on specific projects e.g. work regarding <b>Ecologically and Biologically Significant Marine Areas</b> (EBSAs).
22	OSPAR Secretariat	International Seabed Authority (ISA)	MoU	2011	Participate at meetings; Exchange information; Joint technical assessment; Promote harmonized approaches. <b>Area-based management</b>	ISA has previously attended meetings of the Cooperative Arrangement in an observer capacity, though not in 2017-2019.
23	OSPAR Secretariat	North Atlantic Salmon Conservation Organization (NASCO)	MoU	2013	Participate at meetings; Exchange information; <b>Conservation (ecosystems); Sustainable fisheries</b>	No information regarding activities/ impacts found.

	Regional Seas	Partner	Type	Year	Objectives	Activities conducted and additional points
24	OSPAR Secretariat	Collective arrangement (currently with NEAFC)	<u>CA</u>	2014	Participate at meetings; Exchange information; Joint technical assessment; <b>Area-based management</b>	Joint record of <b>areas subject to specific measures</b> , regular meetings with opportunity to discuss subjects of common interest and concern. Collective arrangement is phrased in a general way to avoid needing frequent updates. It establishes that cooperation and coordination will be based on internationally agreed principles, standards and norms and relevant binding and non-binding international instruments. The objectives are therefore broader than the text itself.
25	OSPAR Secretariat	International Maritime Organization (IMO)	<u>MoU</u>	1999; 2018	Exchange of information; Capacity building; <b>Pollution</b> ;	No information regarding activities/ impacts found.
26	ROPME	RECOFI	<u>MoU</u>	2018	Exchange information; Joint technical assessment; Capacity building; <b>Ecosystem approach; Conservation (ecosystems and species)</b>	In July 2019 at the 10th Regional Fisheries meeting held at FAO, ROPME and RECOFI discussed progress towards their collaborative arrangements. Emphasis is on developing a <b>Regional Ecosystem-Management Strategy</b> for the ROPME Sea Area.
27	SACEP	International Maritime Organization (IMO)	MoU	2013; 2019	<b>Pollution*</b>	Regional and national workshops have taken place to develop the SACEP <b>Regional Oil and Chemical Spill Contingency Plan</b> , as well as a Regional Training and Exercise for Oil Spill Preparedness and Response in 2015, building capacity within the region.
28	SPREP	Western and Central Pacific Fisheries Commission (WCPFC)	<u>MoU</u>	2009	Participate at meetings; Exchange information; Promote harmonized data; Develop joint approaches; Capacity-building; <b>Ecosystem approach; Conservation (ecosystems and biodiversity)</b> ;	SPREP is an observer to WCPFC meetings.
29	SPREP	Secretariat of Pacific Community (SPC)	<u>AG</u>	2011; 2017; 2019	Exchange information; Promote harmonised data; Joint technical assessment	MoU enables <b>data and information sharing</b> through two online data tools, the Pacific Environment Portal (PEP) and the Pacific Data Hub (PDH). A data sharing policy template is available.
30	UNEP CEP	International Maritime Organization (IMO)	AR	1995	<b>Pollution*</b>	Collaboration between the organisations led to establishment of the <b>Regional Marine Pollution Emergency Information and Training Center</b> (REMPEITC-Caribe). Since then, its mission has expanded to assist countries to implement all IMO pollution prevention conventions.

	Regional Seas	Partner	Type	Year	Objectives	Activities conducted and additional points
31	UNEP/MAP	International Maritime Organization (IMO)	AR	1989	<b>Pollution*</b>	The <b>Regional Marine Pollution Emergency Response Centre</b> for the Mediterranean Sea, one of the UNEP/MAP Regional Activity Centres, is administered by the IMO in cooperation with UNEP/MAP. In 2019, the Mediterranean States adopted a roadmap towards the possible future designation of the Mediterranean Sea as a sulphur oxides (SOx) Emission Control Area under IMO regulations (MARPOL Annex VI). A new global sulphur limit for sulphur in ship fuel oil comes into effect from 1 January 2020, cutting the sulphur limit from 3.5% to 0.5% - but in emission control areas the limit is even lower, at 0.10%. Following the Regional Strategy for Prevention of and Response to Marine Pollution from Ships (2016-2021), the new Mediterranean Strategy for the Prevention, Preparedness, and Response to Marine Pollution from Ships (2022-2031) and its Action Plan will be submitted for adoption at COP 22 (Antalya, Turkey, December 2021).
32	UNEP/MAP Coordinating Unit	General Fisheries Commission for the Mediterranean (GFCM)	<u>MoU</u>	2012	Participate at meetings; Exchange information; Identify areas of common interest; Joint technical assessment; Promote harmonized data; Develop joint approaches; <b>Area-based management; Ecosystem approach; Conservation (Ecosystems)</b>	Under the MoU, areas of cooperation include marine and coastal spatial planning, identification and protection of marine areas, and promotion of the ecosystem-based approach. Impacts include harmonization of criteria to identify Specially Protected Areas of Mediterranean Importance and Fisheries Restricted Areas, in particular those partially or wholly in ABNJ, and development of <b>roadmap for network of MPAs</b> . In 2016 Parties agreed on the Integrated Monitoring and Assessment Programme of the Mediterranean Sea and Coast and Related Assessment Criteria (IMAP). In 2013 a GFCM Resolution on area-based fisheries management was adopted (UNEP 2016a).

- i. The World Bank (2020). Project Information Document: Blueing the Black Sea GEF Regional project (P173890).
- ii. Black Sea Commission (2016)
- iii. UN Environment Programme (UNEP), Western Central Atlantic Fisheries Commission (WECAFC), Intergovernmental Oceanographic Commission of UNESCO (UNESCO-IOC), Organisation of Eastern Caribbean States (OECS), Caribbean Regional Fisheries Mechanism (CRFM), Central America Fisheries and Aquaculture Organization (OSPESCA), Central American Committee on Environment and Development (CCAD), the Caribbean Community (CARICOM).
- iv. Agreement at the ministerial level to increase collaboration.
- v. "GCP/SFS/005/SWE - A partnership for Marine and Coastal Governance and Fisheries Management for Sustainable Growth (2019-2023). Details here
- vi. Decision CP.9/10 on 'Marine spatial planning for the blue and ocean economy'
- vii. See here for details on meeting outcomes and agreed areas of cooperation
- viii. [https://www.un.org/Depts/los/general\\_assembly/contributions\\_2018/OSPAR.pdf](https://www.un.org/Depts/los/general_assembly/contributions_2018/OSPAR.pdf)
- ix. Information paper on the process of Forming a Cooperative Mechanism Between NEAFC and OSPAR From the First Contact to a Formal Collective Arrangement
- x. See here for details
- xi. <http://www.sacep.org/programmes/south-asian-seas/sasp-milestones> ;
- xii. <https://www.imo.org/en/MediaCentre/Pages/WhatsNew-1427.aspx>
- xiii. Fourteenth Meeting of SPA/BD Thematic Focal Points - Agenda item 6.4. Draft Joint Cooperation Strategy on Spatial-based Protection and Management Measures for Marine Biodiversity

### 3.1.2 Objectives of formalised cooperation

The objectives found in the texts of the formal cooperation agreements are summarised in Figure 4. Original texts for five of the six MoUs with the IMO could not be found, and as such the results here are focused on the remaining 27 formal cooperation agreements.

*'Exchange of information' and 'Participation at each other's meetings'* were the most common objectives in relation to type of cooperation activity (the SOI 2016 categories). One or both of these objectives were found in 25 of the 27 instances of formalised cooperation. These objectives reflect core activities for building cooperation and coordination, based on the definitions used in this report, and the first step of the cooperation ladder, as described by Hanssen et al. (2013).

*'Joint technical assessment', 'Promote harmonised data' and 'Develop joint approaches'* were the next most frequently occurring objectives. Nineteen of the 27 instances of formal cooperation mentioned one or more of these objectives. These three types of activity represent 'collaboration' using the definition of this as joint working.

In two of the three instances of formal cooperation with RECs, the agreement did not detail types of action or themes of cooperation (i.e. categorized as *'general cooperation'*).

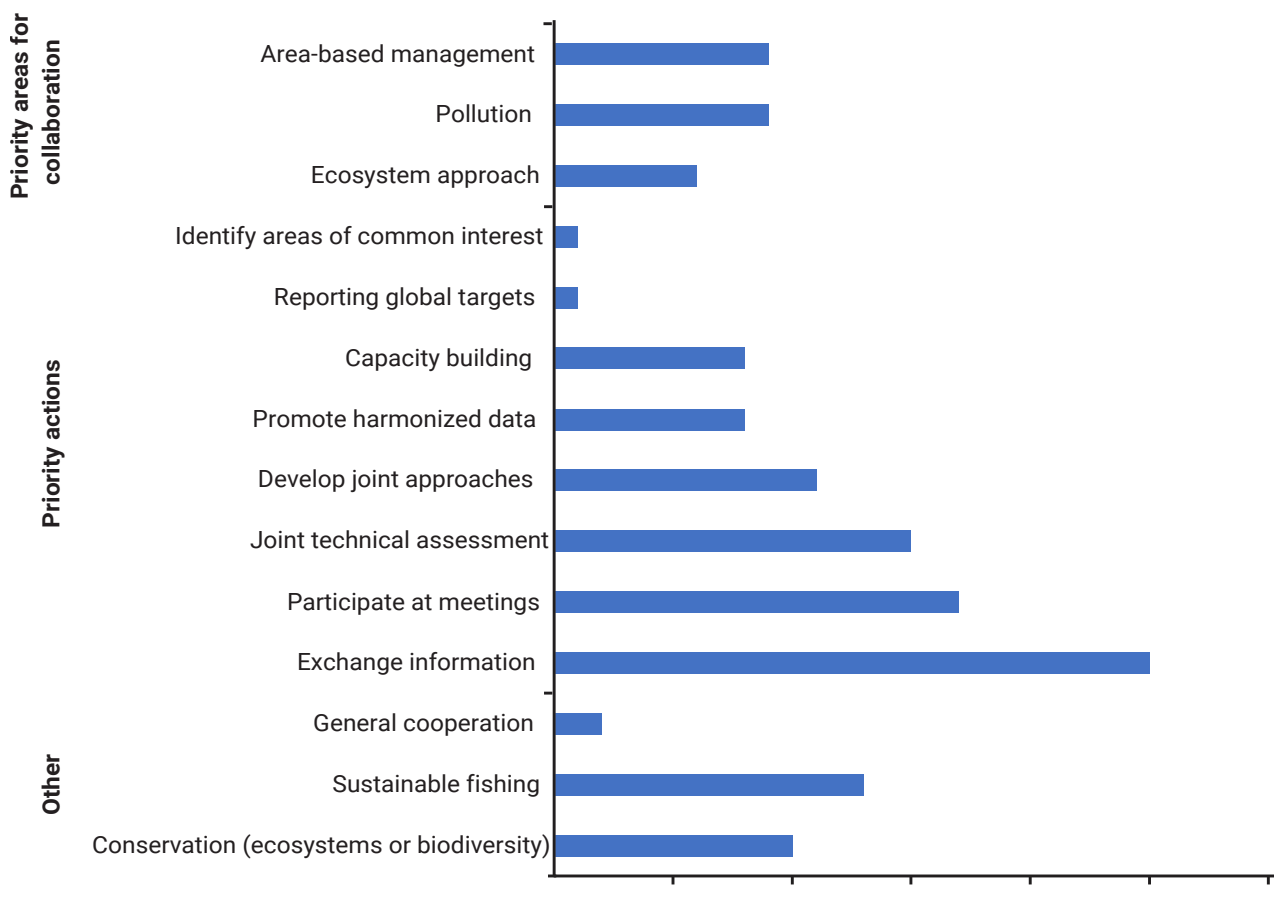
*'Identifying areas of common interest' and 'Reporting global targets'* were largely absent in terms of the stated objectives of the agreements. However, these are both topics that are frequently mentioned in preambular text, which was not included in this review.

In relation to the four thematic areas (SOI 2018), data sharing was, by far, the most commonly stated objective (over 20 instances, as described above). *'Area-based management' and the 'ecosystem approach'*, were specifically referenced in the objectives of nine and six formal cooperation

agreements, respectively. Four of the 27 formal cooperation agreements had objectives relating to pollution (or 9/32 when including the 5 MoUs with IMO, for which we did not obtain the original texts):

- Six MoUs between Regional Seas and the IMO;
- MoU establishing the interim coordination mechanism between the CLME+ Partnership;
- MoU between the Regional Sea, Coordinating Body on the Seas of East Asia (COBSEA) and Association of South East Asian Nations (ASEAN) (a development commission); and
- MoU between the OSPAR Regional Sea and UN Economic Commission for Europe.

**Figure 4** Objectives as stated in the text of formal cooperation agreements ('Objectives' and 'Areas of cooperation'), categorised and grouped into Priority Actions and priority areas for collaboration



### 3.1.3 Examples of activities, outcomes and impacts resulting from formal cooperation agreements

Table 3 also lists examples of activities that have arisen from instances of formalised cooperation. These include joint workshops, joint assessments, joint strategies, joint projects, training and building capacity and, in some cases, harmonised approaches to some aspects of data collection. Documented impacts include: reductions in oil spills and pollution, for example the reductions in Nitrous oxide reductions and oil spill reductions in the Baltic, arising from strong cooperative working between HELCOM (Helsinki Commission) and the IMO (UNEP 2017b); and extensive coordination and capacity building arising from the regional marine pollution emergency response centres in the Mediterranean and Caribbean. However, documented impacts also include area-based management, for example under the collective arrangement in the North East Atlantic

(NEAFC and OSPAR 2015), and the road map for Marine Protected Areas in the Mediterranean.

Evidence of arising activity was found for 26 of the 32 formal cooperation agreements. In six cases, no information was found using the aforementioned search methodology. This does not necessarily mean that the information does not exist, simply that it is not readily available in full- or in part- online. Further, some agreements are still in their infancy, which inevitably limits available information on impacts generated. For instance, in three cases, less than two years having elapsed since the formalised cooperation was established. Of relevance here is the impact of the COVID-19 pandemic throughout 2020 and 2021, which has significantly reduced the number of scheduled intergovernmental meetings at which progress and next steps could be discussed.



### 3.2 Case studies

The six case studies (Table 4), were selected to provide geographical representation and representation of different types of cooperation. The six case studies reflect a range from newly-

signed to established agreements. Three case studies represent an arrangement that involves, or intends to involve, more than two intergovernmental organisations. Interviews were conducted in March 2021. Case studies are presented below in Case Study 1 – 6.

**Table 4:** List of case studies.

Partners	Type of formal cooperation agreement	Date of signature	Region
UNEP-MAP, GFCM	MoU	2012	Mediterranean
ROPME, RECOFI	MoU	2018	ROPME sea area
SPREP, WCPFC	MoU	2009	Western and Central Pacific
Collective arrangement: OSPAR, NEAFC (ongoing effort to expand the partnership)	Collective arrangement	2014	Northeast Atlantic
CLME+ Partnership (8 INGOs)	MoU with multiple partners	2017	Caribbean
Nairobi Convention, SWIOFC	MoU	2019	Indian Ocean

## Case Study 1: United Nations Environment Programme Mediterranean Action Plan Secretariat (UNEP/MAP) to the Barcelona Convention and the General Fisheries Commission for the Mediterranean (GFCM).

### Format and date of agreement

In 2012, an existing informal relationship between the United Nations Environment Programme Mediterranean Action Plan Secretariat (UNEP/MAP) to the Barcelona Convention and Secretariat of the FAO General Fisheries Commission for the Mediterranean (GFCM) evolved into a MoU (United Nations Environment Programme/Mediterranean Action Plan [UNEP/MAP] and Food and Agriculture Organisation General Fisheries Commission for the Mediterranean [FAO GFCM] 2016).

### Objectives of agreement and motivations for establishment

The agreement aims to provide a framework of cooperation and understanding to further shared goals and objectives in relation to the conservation of marine environment and ecosystems and the sustainable use of marine living and other natural resources. Specific areas of cooperation are:

- i) Promotion of the ecosystem-based approach for the conservation of marine ecosystems and the sustainable use of marine living resources;
- ii) Mitigation of the impacts of fisheries and aquaculture on marine habitats and species;
- iii) Identification, protection and management of marine areas of particular importance in the Mediterranean Sea;
- iv) Integrated maritime policy with a special emphasis on marine and coastal spatial planning.
- v) Legal, institutional and policy related cooperation

Beyond fisheries and biodiversity, areas of interest span tourism, sustainable consumption and production, pollution and maritime activities. In the context of the making progress towards the CBD Post-2020 global biodiversity framework and the SDGs, in particular Goal 14, an integrated and collaborate approach is being realized through the harmonization of activities as discussed below. There are also areas of alignment with other organisations in the region and, for example, both UNEP-MAP and GFCM have MoUs with the Black Sea Commission (Bucharest Convention) and IUCN-Mediterranean.

### Results and impact arising from collaborative agreement:

#### *Collaboration on preventing, reducing and mitigating the impacts of pollution*

In 2019, UNEP-MAP identified key areas for cooperation between Regional Seas and Regional Fisheries Bodies on marine litter, covering themes of policy and governance; science; management and awareness-raising. Proposed areas of cooperation included initiatives such as training, gear-marking, identifying alternative gear materials and improving reception facilities. Between UNEP-MAP and GFCM, a priority is action on marine litter related to MPAs, understanding and mitigating the impacts of hotspots of accumulated abandoned gear, and expanding the removal of discarded fishing gear, with potential to also collaborate further around underwater marine noise.

#### *Collaboration on strengthening the effectiveness of area-based management tools*

There have been successful efforts to harmonize criteria for identifying Specially Protected Areas of Mediterranean Importance (SPAMIs) and Fisheries Restricted Areas (FRAs), in particular those located partially or wholly in ABNJ. The Parties cooperate to promote respective adoption of management schemes within MPAs/SPAMIs and FRAs to ensure that measures are consistent with objectives within the mandates of both organizations. UNEP-MAP with GFCM has also pursued wider collaboration in this area, resulting in a Regional Working Programme in 2009, and a 2016 Roadmap for a Comprehensive Coherent Network of Well-Managed MPAs to Achieve Aichi Target 11 in the Mediterranean (UNEP/MAP 2017a), the progress of which was evaluated in 2019. At their 21st Meeting (Naples, Italy, December 2019), the Contracting Parties to the Barcelona Convention and its Protocols requested the UNEP/MAP Secretariat continue to identify, promote and strengthen the synergies with other Secretariats in spatial-based protection and management measures for marine biodiversity in the Mediterranean Area to ensure the conservation and the sustainable use of the marine biodiversity in the Mediterranean through the application of the Ecosystem Approach, human-rights and gender based approach. This cooperation currently involves ACCOBAMS, GFCM, IUCN-Med, UNEP/MAP and its Regional Activity Centre SPA/RAC.

#### *Collaboration on enhancing application of ecosystem approach*

In 2008, in Almeria, Spain, the Contracting Parties to the Barcelona Convention and its Protocols adopted the Ecosystem Approach and agreed a road map for its implementation (UNEP/MAP 2015). As part of the existing MoU, GFCM will be called upon to review and provide input on steps to implementation, including aspects of monitoring and assessment (see point below), as well as the development of new regional measures for the areas relevant to the GFCM mandate.

### **Collaboration on strengthening monitoring and data/information sharing**

Emphasis on information, data access and knowledge transfer has been at the core of the MoU. Within UNEP-MAP, a key milestone towards achieving an integrated monitoring programme for the Mediterranean was the adoption in 2016 Decision IG. 22/7 of the Integrated Monitoring and Assessment Programme (IMAP). Support from the EU is in place to harmonize data collection across the basin. Moreover, there has been a good collaboration with regards to the development of indicators to help countries monitor their ecosystems. In particular, GFCM developed indicators on fisheries which have been integrated into IMAP. Following the 2017 edition (UNEP/MAP 2017b), the next Med Quality Status Report will be delivered in 2023, and the assessment of fisheries-related indicators will be performed in close coordination with GFCM.

### **Other coordination and cooperation that has taken place**

Parties participate in the respective organization's Conference of the Parties to share information and build mutual understanding. Informal relationships are facilitating discussion on topics such as the monitoring of non-indigenous species in the south eastern Mediterranean, and discussions on a possible cetacean corridor around the Mediterranean. There is ongoing cooperation and exchange of information at the level of the compliance committees under UNEP/MAP and GFCM, including through participation in meetings of the respective compliance mechanisms, in order to address issues of common concern (discharges into sea, IUU fishing, etc.).

### **Factors contributing to success**

The formal arrangement not only provided a platform to enhance communication between Mediterranean countries, but also to promote accountability via country endorsement. This has led not only to enhanced visibility, but demonstrable impact on how two sectors can work together towards achieving environmental and sustainability goals and successful development of joint projects. For example, successful collaboration has resulted in a project proposal to GEF-7 which was approved by the GEF Council in May 2020. The GEF project aims to reverse the overexploitation of select commercial living marine resources by enhancing the capacity of Mediterranean countries to manage fisheries, including through the application of ecosystem-based management tools and gender-responsive approaches

### **Challenges and lessons learned**

There is a strong and healthy relationship between the Secretariats. However, as priorities vary at the national level, progress has been challenging at times. There is still room for improvement including for breaking down silos between the sectors, which exist at the national- as well as regional- level, requiring long processes and increased efforts. Human resources are a challenge, given the scale and extent of issues to address.

### **Future priorities**

Incorporating and strengthening scientific advice on issues of common interest such as marine litter, Marine Spatial Planning, ballast water management, spatial-based protection and management measures for marine biodiversity and noise pollution are all under consideration as future priorities, as are further enhancements between the science-policy interface and the legal institutional policy cooperation, including on advocacy and visibility. The collective arrangement between OSPAR and NEAFC has been one of the inspirations for collaboration in a more informal way to move forward on area-based management measures together with other organizations active in the Mediterranean region. As a result, UNEP-MAP and GFCM will be continuing cooperation with other bodies as noted above including the Secretariats of ACCOBAMS and IUCN-Med. Such cooperation may be extended to include other organizations in the future.

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United Nations Environment Programme/Mediterranean Action (2017a). Roadmap for a comprehensive coherent network of well-managed MPAs to achieve Aichi Target 11 in the Mediterranean. United Nations Environment Programme/Mediterranean Action (2017b). 2017 Mediterranean Quality Status Report.

United Nations Environment Programme/Mediterranean Action Plane [UNEP/MAP] and Food and Agriculture Organisation General Fisheries Commission for the Mediterranean (2016). Memorandum of Understanding between UNEP/MAP and FAO GFCM.

## Case Study 2: Regional Organisation for Protection of the Marine Environment (ROPME) and the Regional Commission for Fisheries (RECOFI).

### Format and date of agreement

Discussions for regional cooperation began in 2016 and a formal MoU was signed in 2018 (Regional Organisation for Protection of the Marine Environment [ROPME] and Regional Commission for Fisheries [RECOFI] 2019). Progress began only in 2019. However, the impact of the COVID-19 pandemic has significantly hindered progress towards implementation of the MoU in 2020.

### Objectives of agreement and motivations for establishment

The motivation for cooperation between ROPME and FAO/RECOFI arose in part from a ROPME Council Decision in 2013 which stressed the importance of an integrated approach to ecosystem-based management, involving cooperation with relevant sectors. In view of limited available resources, cooperation with FAO/RECOFI was identified as a priority first step, resulting in a workshop in 2016 to scope out a regional ecosystem-based management strategy (UNEP 2017). After the workshop, informal discussions continued between the Secretariats, to advance the development on an MoU.

The MoU establishes a shared vision and framework for identifying, facilitating and strengthening cooperation between FAO/RECOFI and ROPME aiming at benefiting from both parties' initiatives and work in relation to sustainable use of marine living resources. FAO/RECOFI and ROPME have the same geographical coverage, which will facilitate cooperation. The key objectives are:

- i. Conservation, protection, management and sustainable use of marine living resources;
- ii. Management of coastal and marine resources and ecosystem;
- iii. Promotion of ecosystem-based fisheries and aquaculture management including the Ecosystem Approach to Fisheries and Aquaculture;
- iv. Mitigation of the impact of fisheries and aquaculture activities on the marine habits and species;
- v. Conservation and responsible management of threatened and endangered species;
- vi. Joint organization of seminars, workshops and technical training in the fields of the mutual interests; and
- vii. Promotion of ecosystem-based approach to the conservation of marine environment, its ecosystem and the sustainable use of marine living resources

### The region suffers from ecological and socio-economic challenges caused by abandoned, lost and discarded

fishing gear, including that arising from two major wars which left many abandoned fishing vessels, especially in the mouth of ROPME Sea Area. Resource limitations have meant that a fully integrated approach to the strategy has not yet been possible, with the focus instead being on the environment and fisheries, and engagement with the oil, tourism and navigation sectors to follow later (UNEP 2017). Both ROPME and RECOFI have carried out national and regional projects and gathered good data for the protection of the environment. Both organizations have agreed to cooperate on joint technical projects, joint organization of workshops and training in the fields of mutual interest, and joint technical publications. ROPME was unable to attend the eleventh meeting of the RECOFI Working Group on Fisheries Management in Qatar 2019. However, the Working Group acknowledged the considerable effort of the Secretariat in the execution of the MoU. During the 2019 meeting, discussions focussed on enabling interaction and exchange of information on the measures and activities of both organisations. Exchanges such as these are building mutual understanding and trust and leading to complementarity across each other's work while respecting their different mandates.

### References

Regional Organisation for Protection of the Marine Environment and Regional Commission for Fisheries (2019). Cooperation between RECOFI and the Regional organisation for the Protection of the Marine Environment (ROPME).

United Nations Environment Programme (2017). Ocean Policies and Institutional Arrangements for Cross-sectoral Cooperation: Case studies for achieving Sustainable Development Goals. UN Environment Regional Seas Reports and Studies No. 204.

### Case Study 3: Secretariat of the Pacific Regional Environment Programme (SPREP) and the Western and Central Pacific Fisheries Commission (WCPFC).

#### Format and date of agreement

MoU, 2009

#### Objectives of agreement and motivations for establishment

The Convention texts of both SPREP and WCPFC anticipate regional cooperation: the SPREP Convention requires it to coordinate regional activities addressing the environment; the WCPFC Convention calls upon the WCPFC to make arrangements for consultation, cooperation and collaboration with other relevant organizations. The WCPFC Convention entered into force in 2004, and in 2005 and 2006 its Scientific Committee recommended the drafting of MoUs with a number of organisations, including with SPREP (Western and Central Pacific Fisheries Commission [WCPFC] 2005; WCPFC 2006).

The objective of the 2009 MoU between SPREP and WCPFC is to facilitate co-operation and collaboration with a view to the development and implementation of ecosystem principles and the conservation of marine biodiversity (WCPFC and Secretariat of the Pacific Regional Environment Programme [SPREP] 2009). In addition to envisaging reciprocal participation at each other's meetings and regular exchange of information on matters of mutual interest (for example exchange of meeting reports; publications; project plans), the MoU identifies areas of particular common interest as:

- Development of systems for collecting and analysing seabird bycatch data (in recognition of the impact of longline fisheries on albatross and petrel populations in the region)
- Design and implementation of measures and training to mitigate the impact of fishing on dependent and associated species in the Pacific Islands Region;
- Exchange of information on marine biodiversity and ecosystem management approaches.

#### Results and impact arising from collaborative agreement

To date, engagement between SPREP and WCPFC has predominantly taken the form of SPREP participating as an Observer at WCPFC meetings, including engaging in meeting discussion and submitting relevant information and materials, with a focus on bycatch of threatened species and marine debris (WCPFC 2017).

In relation to collaboration on enhancing application of ecosystem approach, engagement has focused on SPREP provision of advice and input into WCPFC discussions on threatened species, particularly in relation to bycatch. For example, a guide to the identification of marine mammals and marine turtles, jointly prepared by SPREP and the International Fund for Animal Welfare was submitted to WCPFC in 2015 in order to support data collection by the WCPFC Regional Observer Programme (International Fund for Animal Welfare [IFAW] and SPREP 2015).

In relation to collaboration on preventing, reducing and mitigating the impacts of pollution, in 2015, SPREP submitted a paper to WCPFC's subsidiary bodies on marine pollution originating from fishing vessel operations. This helped to inform further discussion, which ultimately led, in 2017, to a WCPFC conservation and management measure on marine pollution. The measure encourages WCPFC Members to ratify the annexes of MARPOL and prohibits discharge of plastics from fishing vessels (WCPFC CMM 2017-04).

To date, strengthening the effectiveness of area-based management tools has not been an area of collaboration under this MoU.

#### Lessons learned and conclusions

The WCPFC-SPREP MoU was established as part of WCPFC's efforts to establish an early and broad platform for engagement with relevant inter-governmental organisations in the region. In 2009, the year that the WCPFC-SPREP MoU was agreed, WCPFC also agreed MoUs and Agreements with seven other inter-governmental organisations. This responded to the requests from the WCPFC Scientific Committee to draft MoUs with RFMOs in adjacent areas, organizations providing scientific and other services, and those that could assist with specialist advice, such as SPREP and the Agreement on the Conservation of Albatrosses and Petrels (ACAP).

As such, an objective of the WCPFC-SPREP MoU is to facilitate SPREP's provision of specialist advice. This has been operationalised through SPREP's participation and input at meetings as an Observer, though this participation does not depend on the existence of an MoU. For example, SPREP participated as an observer to WCPFC meetings between 2004 – 2007 (prior to the MoU), and participated in 2014 onwards, with a gap in between.

Other forms of cooperation and collaboration between WCPFC and SPREP have not been a subject of discussion. However, the MoU between WCPFC and SPREP should also be understood in the context of the Pacific region where other channels for cooperation exist. For example, SPREP has relations with the Pacific Community (SPC), which is the scientific advisory body to WCPFC, and both SPREP and SPC are part of the Council of Regional Organisations of the Pacific (CROP), which has the mandate to improve cooperation, coordination, and collaboration among intergovernmental regional organisations in the Pacific, to work toward the common goal of sustainable development.

### **Future priorities**

The Pacific Region is undergoing an important phase in evaluating and strengthening its ocean governance. At the Pacific Island Forum Leaders meeting in 2019, the leaders directed the Pacific Island Forum Secretariat to facilitate members to develop a 2050 Strategy for the Blue Pacific. SPREP is supporting this work, along with other Council of Regional Organisations of the Pacific (CROP agencies) including SPC. This process is offering the potential for developing and defining future plans for cooperation, including through a multi-sectoral approach. In 2018, the SOI Global Dialogue (SOI 2018) meeting identified areas in which enhanced cooperation in the Pacific would prove valuable, including climate change, marine pollution, bycatch and seabed mining. As the BBNJ negotiations enter their final stage, cooperation between RFBs, CROP agencies and countries in the Pacific will be vital to ensure implementation of the instrument and meet the goals of protecting biodiversity and providing for sustainable use of the ocean.

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WCPFC and SPREP (2009). WCPFC SPREP Memorandum of Understanding.

## **Case Study 4: Collective arrangement between competent international organisations on cooperation and coordination regarding selected areas in areas beyond national jurisdiction in the North-East Atlantic. OSPAR Commission & North-East Atlantic Fisheries Commission (NEAFC).**

### **Format and date of agreement**

Formal agreement, 2014 (OSPAR and NEAFC 2014). In 2008, an existing informal relationship between OSPAR and NEAFC Secretariats, together with active championing by some Contracting Parties, led to the formalising of the relationship into a MoU. In the same year a process was initiated to seek participation of other authorities with legal competence relevant to the marine environment in the North-East Atlantic, with discussions held in Madeira in 2010 and Paris in 2012. In 2014, OSPAR and NEAFC decided to adopt the collective arrangement bilaterally initially but always with the intention to seek full participation of other bodies.

### **Objectives of agreement and motivations for establishment**

The foremost objective of the collective arrangement is to facilitate cooperation and coordination on area-based management in areas beyond national jurisdiction in the North-East Atlantic, with an aim to be a collective and multilateral forum composed of all competent entities addressing the management of human activities in the region (OSPAR 2021). Paragraph 6 of the Collective Agreement lays out six areas of cooperation, agreeing to:

- 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;
- 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, developing exchange of data, sharing of databases and collecting data in standardised formats;
- f. Consult the coastal State in those cases where the areas listed in Annex 1 are super jacent to areas under national jurisdiction, as appropriate.

In addition, face-to-face meetings are held regularly, annually up to 2019 (in light of the COVID Pandemic, Contracting Parties agreed to cancel meetings scheduled in 2020 and 2021 until face-to-face meetings are again possible). Such meetings of the collective arrangement are also used as an opportunity for more general sharing of information on common objectives such as biodiversity conservation. Policy coherence is an implicit driver for NEAFC and OSPAR collaboration, enabling common Contracting Parties to better align their activities under both conventions. The process to a collective arrangement began after both organisations had expanded their horizons to look beyond what had previously been their main focus. Both NEAFC and OSPAR have competence over ABNJ, and both parties had begun efforts to protect vulnerable marine ecosystems using area-based management, creating a motivation for collaboration (NEAFC 2011).

### **Results and impact arising from collaborative agreement: Collaboration on preventing, reducing and mitigating the impacts of pollution**

The collective arrangement is facilitating information exchange on this topic. For example, at the 2019 meeting of the collective arrangement, OSPAR shared an update on the OSPAR marine litter action plan and sent a survey that was completed by Contracting Parties to NEAFC.

Collaboration on strengthening the effectiveness of area-based management tools

The collective arrangement goes beyond the initial MoU between OSPAR and NEAFC in that it involves maintaining an annex to the collective arrangement which is a record of areas subject to specific area-based management measures and holding joint meetings to discuss these areas (NEAFC and OSPAR 2015). This allows decision-makers to have access to information on what other organizations are doing before making their own decisions. NEAFC and OSPAR have cooperated with each other and the CBD to hold a workshop to identify candidate ecologically or biologically significant marine areas (EBSAs) and have worked together on the subsequent follow-up.

### **Collaboration on enhancing application of ecosystem approach**

While the text of the collective arrangement does not have specific mention of the ecosystem approach, it does mention generally agreed principles (and this was done because one organization uses ecosystem approach the other ecosystem-based management). As a result, OSPAR views the overall aim of institutional cooperation as being to help deliver an ecosystem approach to the management of all relevant human activities in the marine environment (NEAFC 2011). A key example in practice was the development of the proposed OSPAR High Seas MPA to protect birds – the collective arrangement was explicitly used to consult on this MPA between OSPAR and NEAFC. The 2015, 2016 and 2017 meetings of the collective arrangement discussed potential cooperation on environmental impact assessments (OSPAR n.d.; UNEP 2017).

### **Collaboration on strengthening monitoring and data/information sharing**

The collective arrangement includes agreement to share scientific information and environmental assessment and monitoring data. While there are limits to this (for example at the 2017 meeting of the collective arrangement, NEAFC re-emphasised constraints on sharing VMS data), all the data goes to the International Council for the Exploration of the Sea (ICES) which is a common scientific advisor to OSPAR and NEAFC. Nevertheless, there are many areas of information exchange. For example, the 2018 and 2019 meetings discussed collective work to improve scientific knowledge of deep-sea elasmobranchs which led to the joint request for scientific advice to ICES. In 2020, ICES delivered this advice to answer the special request from NEAFC and OSPAR on deep sea sharks, rays and Chimaeras. Another example of information exchange occurred at the 2019 meeting information was shared on the NEAFC electronic reporting system and on the OSPAR data and information system (ODIMS).

### **Other coordination and cooperation that has taken place**

The result of the 2008 MoU between OSPAR and NEAFC was respective participation in the other organisation's meetings, increasing the organisations' understanding of the role and working practices of each other's organisation (NEAFC and OSPAR 2015). 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 annual meetings under the collective arrangement. Within the collective arrangement there are continued efforts, led by some Contracting Parties and supported by the two Secretariats, to bring on board other organisations, particularly the ISA and the IMO.

### **Factors contributing to success**

Between 2005-2008, NEAFC and OSPAR held a series of discussions, important in generating shared understanding of the intentions and practices of both organisations (NEAFC and OSPAR 2015). The resulting MoU in 2008 provided a clear articulation that NEAFC and OSPAR have overlap in the substantive issues that they work on but have a complementary, nonoverlapping, legal competence to address these issues. It is seen as beneficial that the ICES is a scientific advisor to both organisations. In the case of NEAFC, it is the sole formal source of scientific advice, whereas in the case of OSPAR, it is one of the many sources. The text of the collective arrangement was designed to be sufficiently general to ensure that it did not go quickly out of date, and that it could accommodate differences in terminology between the two organisations (e.g. precautionary approach vs precautionary principle, ecosystem approach vs. ecosystem-based approach). The important role of individuals, whether at the Secretariat or within Contracting Parties should not be underestimated. The efforts of officials willing to make contact and establish trust is crucial to making progress.

### **Challenges and lessons learned**

The 2010 and 2012 meetings to discuss the collective arrangement with a wider group of organisations was positive, however ISA, IMO and the International Commission for the Conservation of Atlantic Tuna have not yet taken the step of joining the partnership, reflecting their wider global mandate (ISA/IMO) or varying membership (ICCAT). Other challenges have been the differing working practices, different world views, differing terminology, making sure there are no gaps between mandates, and having differences in contracting parties (UNEP 2017).

Lessons that have been identified are (i) the collective arrangement is a part of a development which represents something of a departure from a purely sectoral approach and a step towards ambitions of a more comprehensive and cross-sectoral approach, without amending the legal competence participating organisations. (ii) While full participation of other organisations would be ideal, nevertheless a fully comprehensive approach could be achieved if other sectoral organisations closely engage even without being fully signed participants of the arrangement (NEAFC and OSPAR 2015) (iii) early on, informal relationships are very important to build mutual understanding and trust; however later it is important to establish arrangements so that regular discussion is a matter of course and does not depend on individual initiative. (iv) there can be an advantage of seeking 'arrangements' that involve some form of written understanding but stop short of being a formal legal agreement as this can reduce barriers to organisations joining the arrangement; (v) there is a feeling from those involved that complementary and coordinated actions are advisable, including working on specific projects together, whereas joint management actions are not (NEAFC and OSPAR 2015).

### **Future priorities**

The collective arrangement has been the inspiration behind other multi-sectoral approaches elsewhere. The experience of the collective arrangement is that having the relationship/structure of an arrangement rather than agreement provides a midway between informal communication and formal joint management/intersectoral negotiators, which can be helpful for facilitating multi-sector engagement. Some barriers still exist for the participation of global inter-governmental organisations in regional cooperation, and it is of interest whether the BBNJ framework may be able a means to facilitate such participation in the future.



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## Case Study 5: CLME+ Partnership: Interim Coordination Mechanism for the Sustainable Management, Use and Protection of shared Living Marine Resources in the Caribbean and North Brazil Shelf Large Marine Ecosystems

### Format and date of agreement

MoU, 2017, signed by eight Intergovernmental organisations (the Secretariat for the Cartagena Convention represented by CAR/RCU (UNEP 2019), WECAFC, UNESCO-IOC, OECS, CRFM, OSPESCA, CCAD, CARICOM).

### Objectives of agreement and motivation for establishment

The formal agreement signed in 2017 established an interim coordination mechanism in the Caribbean & North Brazil Shelf Large Marine Ecosystems. Objectives are to improve the transboundary governance and management of shared living marine resources in the region through enhancing regional coordination and collaboration and promoting actions towards the achievement of the vision of the CLME+ Strategic Action Programme (SAP) 2015-2025 (United Nations Development Programme/GEF Project: "Catalysing Implementation of the Strategic Action Programme for the Sustainable Management of shared Living Marine Resources in the Caribbean and North Brazil Shelf Large Marine Ecosystems [CLME+] 2013). This includes establishing a permanent coordination mechanism, that is politically acceptable and economically sustainable, supporting the region to deliver on global targets such as SDG14, and widening the partnership (CLME+ 2021a). The SAP has three over-arching strategies focused on strengthened regional governance, and three ecosystem type strategies covering reefs, the continental shelf and pelagic ecosystems. Across the 6 strategies, the SAP focuses on 3 transboundary issues: habitat degradation, pollution and unsustainable fisheries, also giving consideration to the potential impacts of climate change (United Nations Environment Programme Caribbean Regional Coordination Unit [UNEP CAR/RCU] et al. 2017). Four sub-strategies have been added on implementing the ecosystem approach for four fisheries in the CLME+ region.

### Results and impact arising from collaborative agreement:

Collaboration on preventing, reducing and mitigating the impacts of pollution

Pollution is one of the three priority transboundary issues that is addressed in the Strategic Action Plan. The UNEP Caribbean Environment Programme is the proposed lead on enhancing regional governance in relation to pollution and habitat degradation (Strategy 1 of the Strategic Action Plan (CLME+ 2013)) and a Nutrients Strategy and Action plan is being developed through the Cartagena Convention Secretariat with funds from the CLME+ project.

### Collaboration on strengthening the effectiveness of area-based management tools

The SAP Strategy 4 (Reefs and associated ecosystems) includes an action (4.4) to coordinate and enhance regional and national efforts for the conservation of the biodiversity of reef and associated habitats, including through the strengthening of networks of MPAs. The target of success is at least 10% are protected through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and OECMs.

### Collaboration on enhancing application of ecosystem approach

A core goal of the CLME+ partnership is to build capacity for ecosystem-based management and the ecosystem approach to fisheries, including defining operational objectives and performance indicators. The SAP identifies habitat degradation as one of the 3 priority transboundary issues. A Habitats Strategy and Action plan is being developed through the Cartagena Convention Secretariat with funds from the CLME+ project. The four sub-strategies focus on delivering an ecosystem approach to the spiny lobster, queen conch, large pelagic species and flying fish fisheries.

### Collaboration on strengthening monitoring and data/information sharing

A CLME+ Knowledge Management Hub is under development, and the SAP has a Strategic Action Programme Monitoring and Evaluation Mechanism. Whalley (2019) identified that achievements have included cooperation on joint reports such as the State of the Marine Environment and Economies (SOME) report (CLME+ 2021b). It is clear that data is available, but it is spread across several sources and there is no consistent approach to standardize such information.

### Other coordination and cooperation that has taken place

In addition to the 2017 MoU, an MoU 'to enhance the regional governance for sustainable fisheries' was signed by CRFM, OSPESCA and FAO-WECAFC in 2016, forming the basis of the interim fisheries coordination mechanism that is currently operating until the permanent mechanism comes into force. The 2019 meeting of the Cartagena Convention decisions included a request (Decision IX) that the Secretariat continue to participate, inter alia through virtual discussions involving the Bureau, Monitoring Committee and/or all Contracting Parties of the Cartagena Convention, in the process towards the establishment of the Coordination Mechanism and the development of a Sustainable Financing Plan for Ocean Governance. In 2020, parties made substantial progress towards the text for a new MoU through which the permanent coordination mechanism will be created, with anticipation of the MoU being signed in 2021).

### Factors contributing to success

The 2017 MoU, and the ongoing interim coordination mechanism that it established, has been facilitated by the two GEF projects in the region (CLME, CLME+) which had a specific focus of strengthening regional ocean governance. A core output of the first CLME project (2009-2014) was the SAP, developed through dialogue between sister UN agencies, global and regional institutions, and organizations, and more than 20 countries from the CLME+ region. This participatory process enabled development of a shared long-term vision for regional ocean governance in the region, together with objectives and indicators of success. A 2019 review of progress concluded that progress has been achieved in a stepwise process of building trust between the intergovernmental organisations, leading to joint achievements (Whalley, 2019). Whalley (2019) identified that the SAP has resulted in greater mutual participation by IGOs at meetings of the Cartagena Convention as well as governance meetings of other IGOs and technical meetings, leading to harmonized decisions across different IGOs. The review by Whalley (2019) also identified that progress so far has been supported and enabled by the CLME and CLME+ Project Coordination Unit, to the extent that many aspects would have been highly unlikely without PCU support (for example, the CLME+ PCU has acted as a secretariat to the meetings of the Fisheries ICM and SAP-ICAM); and provided a mechanism for information synthesis (e.g. the State of the Marine Environment and Economies report and development of a shared data hub).

### Challenges and lessons learned

26 countries and 18 overseas territories are involved in the partnership and therefore coordinating across countries can be time-consuming and requires capacity in terms of resources. Development of the SAP was tied to the development of a solid monitoring and evaluation scheme to it. A review by Whalley (2019) noted lessons identified by the IGOs as including:

- Trust established during initial regional diagnostic phase provided a solid basis for development and implementation of the SAP, leading to shared coordination mechanisms
- Experience has been gained on how to use groups of technical experts in effective ways: teams established to address time-bound problems to provide guidance and advice to the countries via the project

A need for diversified funding at sustainable levels was identified as essential for long-term success. The report of the 2018 meeting of the SOI Global Dialogue also notes that there is a need to engage shipping and tourism sectors (page 27).

The need to build a strengthened governance framework at the regional level can support existing organizations as well as enhancing and strengthening interactions between them. The interim mechanism is helping to inform the ways of working upon which a more permanent mechanism can be established.

### Future priorities

A GEF-7 project has been submitted that will pave the way for the establishment of a future permanent mechanism. There are options for the structure and format of this and these are yet to be decided.

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## Case Study 6: Nairobi Convention and the South West Indian Ocean Fisheries Commission (SWIOFC)

### Format and date of agreement

Recalling an existing MoU between UNEP and FAO signed in September 2014, FAO on behalf of the SWIOFC and UNEP on behalf of the Nairobi convention agreed an MoU that was signed in March 2019.

### Objectives of agreement and motivation for establishment

The Nairobi Convention and SWIOFC share a geographic scope and many of the same Member States (within the exception of Maldives and Yemen). In addition, their mandates have overlapping elements in relation to fisheries and biodiversity.

The 10 countries of the Western Indian Ocean – Comoros, France, Kenya, Madagascar, Mozambique, Mauritius, Seychelles, Somalia, South Africa, and Tanzania – face common constraints with regard to ocean governance, especially in the fisheries sector and sectors dependent on associated coastal and marine ecosystems. The fisheries resources and supporting ecosystems are largely regional, and activities or decisions regarding the uses of these resources undertaken in one country can affect the others. One main weakness is in regional institutional capacity and coordination through which countries can take collective or coordinated decisions to improve the sectors. Enhanced regional cooperation is therefore paramount to ensure coordinated approaches for the management and the sustainable use of coastal resources, and to share experiences that would lead to improving the uptake of management concepts such as Ecosystem Based Management (EBM), the Ecosystem Approach to Fisheries (EAF), Rights Based Management (RBM), Integrated Coastal Zone Management (ICZM) and Marine Spatial Planning (MSP) at national levels.

The MoU between the Nairobi Convention and SWIOFC provides a framework for co-operation with the overall objective of increasing and integrating the services provided by the Nairobi Convention and SWIOFC to their members to fulfil the common vision to conserve and sustainably manage the marine and coastal ecosystems and their resources in the Western Indian Ocean region. The Parties identified specific areas of collaboration around:

1. Protection of biodiversity from anthropogenic impacts
2. Management of current and emerging negative environmental impacts that can affect fisheries
3. Promotion of the application of Ecosystem Based Management (EBM) and Ecosystem Approach to Fisheries (EAF) for the sustainable use of marine resources
4. Promotion and application of area-based management tools
5. Adaptation and mitigation of the impacts of climate change
6. Promotion of policy coordination between the fisheries and environment sector
7. Supporting States in the development, promotion and implementation of Blue Economy Initiatives, approaches and strategies, including:
  - i. Joint studies or projects on specific thematic areas
  - ii. Capacity building and training, including internships, fellowships, lectures, as appropriate, and
  - iii. Knowledge-sharing and dissemination of information

### Results and impact arising from collaborative agreement:

The Partnership project for Marine and Coastal Governance and Fisheries Management for Sustainable Blue Growth, is pegged on the Nairobi Convention - SWIOFC MoU. The 5-year project has a total budget of USD 8.6 million, funded by the Swedish International Development Cooperation Agency, and involves the 10 member states of both Parties, including Maldives and Yemen that are signatories of SWIOFC. The project aims to strengthen collaboration between fisheries and environmental management to improve food security and resilience and increase participation in management of the use of natural resources amongst youth, women and men in coastal communities, particularly fishing communities. The project implementation is anchored on three components:

- i. Enhancing resilience of livelihoods based on the Western Indian Ocean marine and coastal ecosystem and habitats, including through Marine Spatial Planning and restoration of degraded coastal habitats;
- ii. Sustainable management of coastal fisheries and livelihoods options using the Ecosystem Approach to Fisheries; and
- iii. Enhancing cooperation and coordination between fisheries and environmental management institutions and field interventions, at national and regional levels, including setting up a functional knowledge-sharing system.

## 4. Discussion

The combination of desk-based review, case studies and semi-structured interviews has enabled the compilation of a detailed summary of existing instances of formal cooperation between Regional Seas and other IGOs. In addition to assessing the recent growth in formal cooperation agreements, this report has aimed to review progress in relation to previously-recognised priority actions and priority areas for cooperation, as well as reflect on how recent experience has confirmed understanding of factors for success. Findings are discussed in the following sections, followed by reflections on progress in relation to multi-sector cooperation, and the view ahead.

### 4.1 Growth in formalised cooperation, and the role of informal cooperation

The last 20 - 30 years have seen widespread and repeated calls to enhance cooperation and coordination in regional ocean governance, in recognition of the pressures and threats to the ocean that can only be addressed through cross-sectoral approaches, as well as the benefits of enhancing efficiencies and coherence between existing inter-governmental organisations. In response, as documented in this report, the last 10-15 years has seen a rapid increase in instances of formalised cooperation between Regional Seas and other IGOs, and this hasn't yet slowed. Since 2011, there has been a notable increase in the number of arrangements formed between Regional Seas and RFBs. In addition, a number of multi-sector initiatives are underway, though still largely in development. Continued efforts to establish formal cooperative agreements highlight the momentum and ambition of regional organizations to improve upon existing regional ocean governance frameworks to address environmental issues.

While the focus of this review is on formal cooperation agreements, informal cooperation (which may be between Secretariats, and/or

interested Member States) has a vital role to play in the stages preceding and preparing for the establishment of formal cooperation (UNEP 2017b), and subsequently in supporting and facilitating the formal process (NEAFC and OSPAR 2015). In addition, the Global Dialogues between Regional Seas Organisations and Regional Fisheries Bodies, held by SOI, have provided a global-level informal forum that is widely recognised being highly effective for sharing experiences and identifying opportunities and priorities to enhance cooperation. As illustrated in the case studies and elsewhere (e.g. UNEP 2017b), formalising cooperation is valuable for establishing common interests and objectives, documenting recognition of organizational mandates, securing or mobilizing time and resources for building and maintaining cooperation, and providing a mechanism to support accountability and transparency. Informal dialogue and cooperation complements this by building strong relationships and mutual understanding.

As such, it is clear that formal agreements do not mark the beginning or end of efforts to enhance cooperation. Rather, these agreements capture a moment and particular ambition within an ongoing process. When effective, a formal cooperation agreement furthers both formal and informal cooperation, coordination and collaboration and enables a cross-sectoral approach to issues of regional and global concern. Increased understanding and articulation of how formal and informal cooperation can complement and enhance each other will be valuable, though quantifying the extent and growth of informal cooperation and its inter-dependence with formal cooperation is a challenging task.

### 4.2 Priority actions, and the role of context and review

From the review, the most commonly agreed actions found in existing agreements are commitments

to exchange information and to participate at each other's meetings, thereby keeping each other informed. These activities are widely recognised as essential for building and maintaining mutual trust and understanding. As recognised at the 2016 meeting of the SOI Global Dialogue, there is a great variety in regional contexts, which affects the appropriate steps to take to enhance cooperation. For some regions, information-sharing is the appropriate form of cooperation under the existing context.

However, the overview in this report found that two-thirds of the existing agreements between Regional Seas and IGOs have objectives that seek to pursue and extend joint activities, including joint technical assessments, exploration of harmonizing data collection, and joint programmes of work. Examples from the overview and case studies include joint assessments (e.g. OSPAR and NEAFC workshops to identify Ecologically and Biologically Significant Areas; and the State of the Marine Environment and Associated Economies in the Wider Caribbean); joint workshops (e.g. Black Sea Commission and GFCM); joint projects (for example the jointly-developed and recently-approved GEF-7 project between GCFM and UNEP-MAP; and the Nairobi Convention-SWIOFC project discussed in Case Study 6); capacity building (e.g. Permanent Commission for the South Pacific (CPPS) and IATTC; South Asia Co-operative Environment Programme (SACEP) and IMO); and influencing policy or management measures through one IGO providing invited inputs to another (e.g. HELCOM and IMO; COBSEA and ASEAN). These actions represent forms of coordination and collaboration, corresponding to Steps 2 and 3 on the cooperation ladder (Figure 1).

The implication of a context-specific approach is that, like other relationships, formalised cooperation will benefit from periodic joint review, refresh and restatement to ensure that objectives and actions remain appropriate to the current and changing context, and to emerging threats and opportunities that require, or would benefit from, a cross-sectoral approach. Six of the 31 agreements identified here have already gone through a phase of review, and

this may be an approach that is valuable to extend more widely to enable cooperation to revitalise and grow as contexts and needs change.

### 4.3 Progress in relation to the four priority areas for cooperation

The 2018 meeting of the SOI Global Dialogue identified four priority areas for collaboration as being relevant to the core mandates of both Regional Seas Organisations and Regional Fisheries Bodies, sufficient to motivate cooperative effort (Box 2).

In relation to *strengthening monitoring and data sharing*, the overview and case studies presented here identified many examples of exchanging information and commitments to joint assessment. A gap however remains on gender disaggregated data by age, sex and key populations to fine tune policy responses according to local contexts and needs of specific users. While there is frequently a resource cost to these, and some data sharing may be difficult (e.g. the history of vessel location data being considered as sensitive), there are also frequent opportunities for win-win forms of cooperation, allowing deepening of shared understanding and efficiency of resource use. Examples include sharing data on the status of species of interest to both parties (e.g. Collective arrangement Case Study 4), and pooling resources to generate a state of the marine environment report (e.g. CLME+ Partnership Case Study 5) or developing fisheries indicators that are used in assessments (e.g. UNEP-MAP and GCFM Case Study 1).

*For preventing, reducing and mitigating the impacts of pollution*, the high profile and high economic impacts of oil spills are strong motivators for deep and mature collaboration. While we were unable to find all of the original texts of the six existing MoUs between Regional Seas Organisations and the IMO, it is evident that deep and productive collaborative relationships exist, for example the close and effective relationship between HELCOM and IMO in which HELCOM both informed decision-making at

the IMO and facilitated subsequent implementation; and the regional emergency response centres for the Mediterranean Sea and Caribbean (REMPEC and REPEITC) which are administered by IMO in cooperation with UNEP-MAP and the Caribbean Environment Programme, respectively. In all cases, the cooperation and collaboration built upon an initial focus on oil spills is now leading to a broadening of the cooperation to cover other areas related to pollution.

What is more challenging is to build cooperation where mutual gains for both parties are not as clear, and to build cooperation that is strong enough to lead to impact when thematic areas could entail, or can be perceived to entail, trade-offs rather than simple win-wins. Such areas can include, or can be perceived to include, area-based management, the ecosystem approach, and some forms of pollution.

The challenges of building cooperation and coordination in relation to area-based management include current gaps in mandates of existing intergovernmental organisations, particularly in relation to Regional Fisheries Bodies and also to some Regional Seas Organisations in relation to areas beyond national jurisdiction (UNEP-WCMC 2018). However, there is also a history of MPA planning being found to be controversial, with differences in views on when to use MPAs and what they can achieve (Food and Agriculture Organisation [FAO] 2011). An additional challenge arises from the subtle differences between guiding principles used by Regional Fisheries Bodies and Regional Seas Organisations: for example the differences between the ecosystem approach to fisheries and ecosystem-based management. However, the use of participatory approaches with an emphasis on stakeholder engagement has been demonstrated as an effective means to establish strong and positive collaboration between Regional Seas Organisations and Regional Fisheries Bodies. Examples are the collaboration between UNEP-MAP and GFCM and other organisations in the Mediterranean region with regard to their collaboration to harmonize criteria for Specially Protected Areas of Mediterranean Importance (SPAMIs) and the Fisheries Restricted

Areas (FRAs); and the collaboration between OSPAR and NEAFC in the North East Atlantic, through the collective arrangement. Other initiatives are also underway, for example in the Indian Ocean, through the new MoU and associated project between the Nairobi Convention and SWIOFC (Case Study 6).

In relation to the ecosystem approach, the challenges of developing objectives, indicators and implementation mechanisms, (UNEP 2001) have been met with work over the last decade to elaborate on principles and approaches. For example, in 2002 the 5th COP to the CBD adopted 12 complementary and interlinked principles of the ecosystem approach, as well as five operational guidelines for its application (COP Decision V/6 on Ecosystem Approach), and the UN Environment Programme has developed extensive guidelines for ecosystem-based management (UNEP 2011). But it is recognised that there are still challenges in articulating what an ecosystem approach means in practice to all parties, and there is a long way to go still to embed the ecosystem approach across all regions in a full and measurable way. However, as shown in Case Study 5, within the CLME+ Partnership, parties and intergovernmental organisations in the region have developed a strategic action plan, informed by the ecosystem approach, that has created specific and shared objectives, with measurable time-bound targets and indicators. This has been supported by a well-resourced participatory process funded through GEF. Both the UNEP-MAP and GFCM, and ROPME and RECOFI MoUs include implementation of the ecosystem approach as a core objective, and are also embarking on approaches to undertake this. Other initiatives are also underway, for example through the IKI Strong project in the South East Atlantic and South East Pacific, and the Nairobi Convention-SWIOFC project in the Indian Ocean (Case Study 6). Further, the SDGs and post-2020 global biodiversity framework provide a basis with which to clearly articulate mutual interests and targets, and this may be key to enhancing cooperation in more difficult areas.

## 4.4 Factors for success

Not all instances of formalised cooperation have led to clear onward steps or activities. In this review there were 6 cases where we were unable to find information on activities arising, and a further 6 cases where we were able only to find information on participation at each other's meetings. As noted above, this may be for a variety of reasons, including limited information on activity being presented on websites, limited time having elapsed since the formalised cooperation was established, or that exchange of information is the appropriate level for cooperation. However, it is also possible for a formal cooperation agreement to be left unattended and inactive after signature, or alternatively for it to create a resource-heavy process that absorbs resources that could be used for more direct conservation and sustainable use purposes.

The findings of this report endorse previous identification of factors that can have a strong impact on whether a formalised cooperation is able to lead to positive impact on the ground. These include having clear objectives, particularly those that make it clear that coordination will increase effectiveness and efficiency for work that is core to both parties (UNEP 2015; SOI 2016; UNE 2017a; Wright et al. 2017); establishing regional coordination on scientific aspects as well as managerial aspects, which can include using the same scientific advisors (SOI 2016; UNEP 2017a; SOI 2018; Wright and Rochette 2019); and recognising that regional contexts vary, and that a step-by-step approach can be helpful, including taking time to build mutual understanding (UNEP 2017a).

In addition, it is well-evidenced that having funding to resource cooperation (hosting coordination meetings; funding joint assessments), and to support the participating organisations themselves, is also a key factor in success (Rochette et al. 2015; Wright et al. 2015). The GEF-funded large marine

ecosystems projects have demonstrated how 5-10 years of funding can be effective. Several other large projects are currently being developed e.g. 1) UNEP-led project to strengthen and enhance cross-sectoral capacity building under the FAO – led Common Oceans Programme; and 2) UNEP/MAP-GCFM GEF-7 Project; and 3) the CLME+ GEF concept with aims to support cross-sectoral cooperation in the Pacific, Mediterranean and Caribbean regions, respectively, over the next 5 years. Nevertheless, the challenge remains to set up sustainable financing for ongoing, post-project, systems for cooperation and coordination.

## 4.5 The multi-sector approach

An emerging feature of regional ocean governance is the discussion underway to broaden partnerships beyond bilateral partnerships to multi-sector partnerships. This is a model pioneered by the North East Atlantic collective arrangement (2014; Case Study 4), whose key motivation has been to enable a holistic approach to area-based planning in the North East Atlantic. In addition to the collective arrangement, development of a multi-sectoral approach is also underway in the Caribbean (Case Study 5), with an MoU signed in 2017 and further MoU anticipated for 2021, and in the Mediterranean (Case Study 1) where cooperation on spatial-based protection and management measures is being developed among the Secretariats of UNEP-MAP and its regional activity centre SPA/RAC, GFCM, ACCOBAMS and IUCN-Med. The CLME+ Partnership case study (Case Study 5) has illustrated how the availability of funding, staff and technical capacity over a ten year period has enabled the bringing together of multiple sectors, and has played a critical role in the building of a shared vision, including shared objectives relating to pollution, the ecosystem approach and fisheries (Whalley et al. 2019). This has led to a regional action plan with shared time-bound targets and indicators to measure progress, together with plans for periodic review and refresh of the plan. In addition, key to this process has been commitment and willingness from the Parties to develop a holistic and coherent vision for the region.



Also emerging are efforts to establish formalised cooperation with Regional Economic Commissions. For example, the cooperation being fostered by the Nairobi Convention with Regional Economic Commissions, arising from Nairobi Convention CoP Decisions in 2018 and taking the form of a collective workshop. Cooperation between the Black Sea Commission and Black Sea Economic Cooperation has also arisen from a CoP Decision, and outputs so far include a meeting to discuss future projects. In both examples, cooperation is currently at the stage of shared interest to cooperate and initiating exchange of information and is not yet at the stage of identifying specific activities. This may be the next stage of a step by step approach. Many frameworks exist that could help this articulation of specific cooperative activities (for example, Sustainable Blue Economy, Marine Spatial Planning, Integrated Coastal Zone Management and the Ecosystem Approach). Support for Regional Seas Organisations and Regional Economic Commissions on how to translate these frameworks into priority actions may be an area of interest over the next 5 years.

Challenges remain in terms of establishing multi-sector cooperation between regional and global intergovernmental organisations, and between regional organisations that have different memberships (Darius Campbell, pers comm). The BBNJ process could offer an opportunity to facilitate or articulate frameworks for establishing these sorts of multi-sectoral relationships.

## 4.6 The view ahead

Drawing on the findings of this report, we have identified the following opportunities that could support the enhancement of cooperation in regional ocean governance over the next 3-5 years:

- i. As noted in previous recommendations, a factor for success in cooperation is having clear and mutually agreed objectives. Over the next few years:
  - Strong examples are now being established on forms of successful collaboration

between Regional Seas Organisations and Regional Fisheries Bodies in relation to **area-based management** (for example, Northeast Atlantic, Mediterranean) and the **ecosystem approach** (for example, Caribbean, Mediterranean, ROPME Sea Area) and in examples of a **multi-sector approach**. Over the next few years there will be a strong body of learning in all three areas that can be shared with others.

- The formalised cooperation between Regional Seas Organisations and the **IMO** have exemplified strong cooperation and impact. UNEP and IMO could consider a joint discussion to explore opportunities for further cooperation.
  - Dialogues between Regional Seas Organisations **and Regional Economic Commissions** are emerging and important. There are few examples yet of specific objectives for this cooperation and support for development of proposed objectives and forms of joint activity could be valuable.
- ii. Periodic review of formal cooperation agreements can be useful: it allows a review of emerging threats and opportunities that would benefit from cross-sectoral working; it allows a review of what is working most effectively; and it provides a forum for discussion that in turn builds informal relationships, and can create opportunities for evolution of the relationship.
  - iii. The hosting of regional dialogues could complement the global dialogues hosted by the Sustainable Ocean Initiative and support relationship-building and discussion in the intervening periods. Hosting of global informal dialogues on specific themes could also add value.
  - iv. The experience of 2020 has accelerated learning of the potential for using

- virtual means of engagement. While the assumption is that face-to-face meetings remain the most effective for building relationships, assumptions on this have evolved over the last year. Virtual engagement offers opportunities for cooperation through providing cost- and time- effective means to engage with each other and could be built on further.
- v. Information on existing formalised cooperation is quite scattered and hard to find. Visibility could be enhanced by streamlining the collation of information in a common online repository, and this could enable and enhance shared learning.
  - vi. Several Regional Seas either have a mandate for the High Seas (e.g. OSPAR, CCAMLR, SPREP, and UNEP/MAP) or have given particular consideration to implications of adjacent ABNJ for their mandates (e.g. Nairobi, Abidjan), but the majority do not. As such, there is merit for the Regional Seas to build linkages with other regional sea organizations such as the Regional Fisheries Bodies and the Large Marine Ecosystems. The on-going negotiations under UNCLOS to secure an International Legally Binding Agreement for the Conservation and Sustainable Use of Biodiversity Beyond National Jurisdiction (BBNJ) could offer an opportunity to facilitate or articulate frameworks for establishing multi-sectoral relationships.
  - vii. The SDGs and post-2020 global biodiversity framework provide a basis with which to clearly articulate mutual interests and targets, and this may be key to enhancing cooperation in more difficult areas. For example, the proposed 30 x 30 target for protected areas will require consideration of ABNJ and Other Effective Conservation Measures, requiring collective effort from IGOs and MEAs. Additionally, the integration of gender equality and human rights in cooperation frameworks is essential should the world aim to achieve the SDGs by 2030. Cooperation remains crucial in ensuring that the SDGs are achieved in a more coherent way.

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