

## UNICPOLOS-7 HIGHLIGHTS:

TUESDAY, 13 JUNE 2006

On Tuesday, delegates to the seventh meeting of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS-7 or Consultative Process) reconvened in a Discussion Panel on ecosystem approaches and oceans. In the morning, presentations were made and a discussion was held on moving to implementation: implications for enabling elements. In the afternoon, delegates addressed lessons learned from implementation of ecosystem approaches at the national level in developed States. In the evening, a Friends of the Co-Chairs group chaired by Renée Sauv  (Canada) convened to prepare draft elements for recommendations to the General Assembly, to be considered in plenary on Friday.

### DISCUSSION PANEL ON ECOSYSTEM APPROACHES AND OCEANS

**MOVING TO IMPLEMENTATION: IMPLICATIONS FOR ENABLING ELEMENTS: Presentations:** Jake Rice, Department of Fisheries and Oceans, Canada, discussed science advisors' role in implementing the ecosystem approach. He noted that meaningful change in management will not be swift, and warned that waiting for integrated management and governance will delay possible conservation actions. Rice said despite a lack of comprehensive information for implementing the ecosystem approach, the ability to provide useful advice is currently available. He acknowledged the difficulty of advising on the indirect effects of human activities on predator/prey/competitor interactions. Rice highlighted the need to facilitate regional and global marine assessments by broad-based teams of policy-independent but government-supported experts.

Serge Garcia, FAO Fisheries Resources Division, presented the FAO implementation framework and agenda for the ecosystem approach to fisheries, emphasizing that successful implementation depends upon achieving political and community support, economic and social viability, and sufficient administrative and research capacity. He reported that the implementation of the ecosystem approach to fisheries is embryonic and must be progressive, adaptive, multifaceted and trans-institutional. Garcia said existing problems of open access, perverse subsidies, illegal fishing, ineffective high seas governance, under-funded research, and weak administration need to be solved in order for the ecosystem approach to fisheries to be successful.

Michael O'Toole, Benguela Current LME Programme, explained that this joint initiative between Angola, Namibia and South Africa aims to improve their capacity to deal with

transboundary management issues and achieve sustainable and integrated management of the region's marine resources. He listed key components of the programme, including: joint assessment of shared fish stocks; harmonization of monitoring and management procedures; assessment of seabed mining impacts; establishment of an early warning system for extreme events; and assessment and conservation of marine biodiversity. O'Toole highlighted the development and implementation of an ecosystem approach for fisheries management in the Benguela Current LME, and cooperation and partnerships with regional and international bodies.

John Richardson, European Commission (EC), discussed the EU's Green Paper on a future maritime policy and its significance for ecosystem-based management. He highlighted challenges to implementing an ecosystem-based approach, including: fragmented governance structures and ecosystem models; the difficulty of balancing scientific and economic data because of shifting baselines; and the need for a decentralized implementation framework adapted to diverse ecosystems. On the way forward, he stressed: a move from piecemeal instruments to integrated arrangements; stronger stakeholder participation to achieve social agreement on goals; and improved surveillance for effective monitoring and enforcement.

**Discussion:** On areas beyond national jurisdiction, the EU noted the governance gap in these areas and called for the development of an agreement for the protection of these marine ecosystems. With the NRDC, the EU also called for the adoption of interim measures in high seas areas where no RFMO exists. IUCN - The World Conservation Union underlined its support for an interim prohibition of high seas bottom trawling.

On scientific information, the US underscored the importance of impartial scientific advice for implementing the ecosystem approach. Rice stressed that scientific advice can inform policy and lead to greater compliance without leading to greater complexity.

On regional cooperation, the EC opposed the view that RFMOs have failed to fulfill their conservation mission. The GEF outlined the LME programme process, which includes: establishing interdepartmental government committees in member countries; performing cooperative transboundary scientific research and analysis; and developing a strategic action programme to address transboundary concerns. THAILAND stressed the need for cooperation in response to threats to critical ocean zones, and emphasized the regional differences of ecosystem-based approaches. NORWAY underscored the need for intersectoral coordination, and questioned the meaning of "inclusive governance." Co-Chair Ridgeway underlined the role of the UN as an integrating body. On stakeholder engagement,

the US noted the need to provide incentives for all sectors to participate in ecosystem-based management. CANADA underscored the importance of achieving joint stakeholder ownership of shared objectives.

On resources for implementing the ecosystem approach, Garcia called for greater assistance to developing countries and noted that under-investing in the ecosystem approach may lead to greater long-term economic costs. Garcia advocated that costs be borne by both environment and fisheries institutions. Richardson explained that the EU will use synergies and reduce sectoral incompatibilities and duplication to improve management using existing resources. UNEP stressed that moving from a sectoral approach to an integrated approach requires time and capacity building.

**LESSONS LEARNED FROM IMPLEMENTATION OF ECOSYSTEM APPROACHES AT THE NATIONAL LEVEL IN DEVELOPED STATES: Presentations:** Campbell Davies, Australian Commonwealth Scientific and Industrial Research Organisation, outlined the Australian context for implementation of ecosystem-based management, noting key elements such as adaptive management, the application of the precautionary approach, and stakeholder participation. He highlighted significant progress towards ecosystem-based management through the discussion of three case studies: the Great Barrier Reef Marine Park; the South East Regional Marine Plan; and the transition to ecosystem-based management in Commonwealth fisheries. He noted the importance of strong enabling legislation, the iterative development of ecological spatial frameworks based upon best available scientific advice, and representative MPAs for conserving ecosystem-level biodiversity.

Camille Mageau, Department of Fisheries and Oceans, Canada, outlined the Canadian legislative framework for ecosystem-based management, noting the use of both top-down property-based and bottom-up activity-based approaches. On lessons learned, she emphasized that ecosystem approaches require: a simple but gradual approach; good, but not perfect scientific knowledge; and multidisciplinary scientific advice. She stressed the importance of incorporating socioeconomic considerations, engaging all stakeholders, and revisiting decisions as new information becomes available. On developing an international work plan, she called for using existing governance bodies and guidance documents and developing common scientific advice to guide decision making.

Erik Olsen, Institute of Marine Research, Norway, discussed the Norwegian ecosystem-based management plan for the Barents Sea and areas off the Lofoten Islands. He explained that the process involved assessing the status of available science, carrying out sectoral studies, and examining overall pressures. Olsen explained that sectoral impact analysis demonstrates that expansion of the petroleum industry will be the main change in human activity through 2020. He noted that despite sound scientific basis for the management plan, gaps in knowledge exist and require further research and surveys. He underscored that the plan sets up new ways to allow for cooperation between ministries and other public institutions.

Johann Sigurjonsson, Marine Research Institute, Iceland, reported on domestic implementation and practical considerations relating to ecosystem-based fisheries management. He suggested determining management actions on the basis of a comparative valuation of different marine resources. Noting that single-species fisheries management can move incrementally towards ecosystem-based management, Sigurjonsson outlined an inventory for mapping ecosystem aspects of single-species management that could help identify gaps and research needs, raise stakeholder awareness, and later contribute to a more holistic ecosystem approach to management.

**Discussion:** On threats to the marine environment, the NRDC said harmful undersea noise is often left out of current ecosystem analysis and management. The INTERNATIONAL OCEAN NOISE COALITION encouraged regional ecosystem-based management to prevent noise pollution impacts, particularly upon commercially-valuable species and MPAs. Olsen reiterated that all human impacts on the ecosystem, including noise, need to be assessed. The SEA TURTLE RESTORATION PROJECT called for ecosystem-based management approaches to include a review of the status of endangered marine species, giving the example of the need to protect leatherback turtles in the Pacific from longline fishing.

On implementing the ecosystem approach, the DAVID SUZUKI FOUNDATION urged States to: implement marine reserves and moratoria to protect vulnerable ecosystems; adequately fund ecosystem-based management implementation activities; and define thresholds and measurable targets for ecosystem values. Mageau stressed the need to consider non-traditional ecosystem-based management performance measures and to carry out rigorous assessments. ITALY said the ecosystem approach may be considered as an evolution of integrated management, outlining a number of initiatives in the Mediterranean that contribute to an ecosystem-based approach. CANADA highlighted the presentations' common key elements for success, including the use of broad tool kits and flexibility.

On stakeholder engagement, the INTERNATIONAL COALITION OF FISHING ASSOCIATIONS inquired how incentives and disincentives were used to gain community and stakeholder support and what trade-offs were necessary. Davies stated that providing examples demonstrating the benefits of an ecosystem approach can maintain the resolve for action, and participatory processes that maintain transparency and accessibility can increase stakeholder understanding, awareness, and support for the approach. He gave the example of participation by both the fisheries and the recreational sectors in the evaluation process for the closure system in order to build ownership. Olsen noted that an open and participatory process is required to reconcile opposing views, but that the ultimate decision is political. On scientific knowledge, AUSTRALIA highlighted that scientists need to develop monitoring and assessment strategies to fill gaps in knowledge.

On high seas management, GREENPEACE urged delegates to evaluate the implementation examples outlined by the panel, and select elements, such as protection of spawning and nursery grounds, that can be applied to achieve ecosystem-based management of the high seas.

### IN THE CORRIDORS

Discussions on ecosystem approaches moved forward cordially on Tuesday and sparked lively collegial debates. Noting the conceptual nature of this discussion panel topic and suggesting that ecosystem approaches are still in the design and development stages, more than one delegate quietly raised the concern that few tangible outcomes may come out of the meeting's deliberations. Given the procedural changes introduced by the Co-Chairs, and with the bulk of the meeting's agenda devoted to a relatively uncontroversial issue, some felt confident that UNICPOLOS-7 would be remembered for its smooth operation and streamlined process.

However, issues that led to a deadlock last year, such as marine noise pollution and high seas governance, resurfaced in plenary, leading one participant to suggest that the meeting may simply be experiencing the calm before the storm. It remains to be seen if positions will polarize within the Friends of the Co-Chairs group, which has just begun its work.