



Regional Workshop

Science for Solutions: Bringing Stakeholders Together to Improve Ocean Planning and Governance in ABNJ of the Southeast Pacific

13-15 March 2019, Guayaquil, Ecuador



**Workshop report
(April 2019)**

Key messages

- The workshop highlighted the **progress of the ABNJ Deep Seas and STRONG High Seas** (Strengthening Regional Ocean Governance for the High Seas) projects in the Southeast Pacific. The ABNJ Deep Seas project is ending in August 2019 and the STRONG High Seas project is in its second year of implementation (continuing until May 2022).
- Secretariat of the Comisión Permanente del Pacífico Sur (CPPS) member States reiterated the **importance of the ABNJ Deep Seas and STRONG High Seas** project for the region.
- This workshop offered a space for CPPS member States, the CPPS Secretariat, sectoral organisations and academia to present their work and discuss critical aspects relevant to areas beyond national jurisdiction (ABNJ) and marine biodiversity beyond national jurisdiction (BBNJ) issues. Workshop participants highlighted the importance of organising these **dialogue workshops in the region** to discuss issues related to ABNJ, and particularly in relation to the BBNJ process.
- The CPPS member States reiterated the **importance of ABNJ** for their country and their **commitment to the BBNJ process** under the UN for the development of an international agreement on the conservation and sustainable use of marine biodiversity in ABNJ.
- The **BBNJ negotiations** are challenging in many ways. CPPS member States have created an **ABNJ Working Group** under the umbrella of the CPPS to discuss BBNJ issues and help develop national positions and coordinate where possible to ensure a strong regional voice at the negotiations.
- Workshop participants highlighted the **need to coordinate and strengthen links between the BBNJ process and other ongoing processes**, such as under the International Seabed Authority (ISA) with regard to the development of the mining code, Convention on Biological Diversity (CBD) with regard to the identification of Ecologically or Biologically Significant Areas (EBSAs) or the Intergovernmental Oceanographic Commission of UNESCO (IOC-UNESCO) with regard to technology transfer.
- The **role of CPPS** with regard to ABNJ will depend on the development of the BBNJ negotiations and the legal and institutional framework that will be adopted. CPPS can play an important role in ensuring **coordination and cooperation** between its member States, by assessing the state of the negotiations and coordinating common positions on BBNJ within the region.
- Marine research is very costly, particularly in ABNJ, and knowledge about the marine environment in the Southeast Pacific is currently very limited. There is a need to **generate, manage and standardise information to fill knowledge gaps about ABNJ** in the region, including on species distribution and how human activities affect the marine environment. There is also a lack of data to build strong data models. Ensuring the **exchange of scientific knowledge and technology transfer** within the region is of particular importance. Workshop participants highlighted the **importance of existing information tools**, such as SPINCAM Atlas (Southeast Pacific data and information network in support to integrated coastal area management), and the need to seek support from academia to fill these gaps.
- The importance of **sharing knowledge and experience between regions**, such as on marine spatial tools and the identification of existing legal frameworks for their use in ABNJ, was underscored.
- Workshop participants highlighted the **role of coastal States in the management of ABNJ** as they can, for instance, take complementary measures with respect to marine

protected areas or environmental impact assessments within their Exclusive Economic Zones (EEZs).

- Civil society needs to be strongly involved in the BBNJ negotiation process through the development of **effective public consultation mechanisms**, such as through open participation or academic committees.
- Workshop participants identified **marine genetic resources (MGRs)** and **intellectual property rights** as being topics for which capacity building is needed. It was shown during the workshop that technology to work on genetic resources is accessible in the region and that there is a need to **train future researchers within the region** to be able to use this technology.
- A **multi-level stakeholder engagement platform** for the region will require clear objectives, a common vision on the needs and interests of the different stakeholders of the region, sufficient financial resources to guarantee its long-term use, and be cost-effectively managed. In this regard, workshop participants also emphasised that **cooperation amongst academics** in the region is required as well as more science to underpin the development of policies.

Perspectives and next steps

ABNJ Deep Seas Project

The ABNJ Deep Seas project will end in August 2019. The project is currently working on the finalisation of project reports, including a synthesis bringing together all key messages from each of the project outcomes. The Ocean+ Initiative and MiCO project (Migratory Connectivity in the Ocean) will continue beyond the end of the ABNJ Deep Seas project and can help to improve access to—and the use of—marine data related to biodiversity in the region to support countries track progress towards international targets and inform the region about ecological connectivity, respectively. Based on the feedback received during the workshop, a draft methodology for marine spatial planning will be updated and circulated to Member States for review. The methodology will be finalized in August 2019 and will be made available through the Common Oceans website. Outcomes of the ABNJ Deep Seas project will be presented at the third session of the BBNJ negotiations in August 2019. A final evaluation will be carried out at the end of 2019 to determine the impact of the project. Work is currently underway to develop a second phase of the project, led by FAO.

STRONG High Seas Project

This workshop was the second dialogue workshop organised under the STRONG High Seas project, with three more dialogue workshops planned until 2022. Within the next year, the project will publish a report on ecological baselines for the region as well as undertake a socio-economic analysis on the importance of high seas biodiversity for the Southeast Pacific region. An evaluation of the legal framework for the monitoring, control and surveillance (MCS) of human activities in ABNJ will also be done and a MCS workshop for the CPPS region will be organised in the second half of 2019. Stakeholder participation will be promoted by strengthening links between the CPPS and the Abidjan Convention regions, as well as with other relevant marine regions. To this end, a joint workshop with the Noumea Convention and another with the Nairobi Convention are planned. In addition to further scientific analysis on underpinning the global BBNJ process through sectoral and regional governance for the upcoming BBNJ negotiations and the organisation of webinars, another capacity building workshop and expert meeting will be organised during the third session of the BBNJ negotiations in August 2019. CPPS member States and stakeholders are invited to participate actively in the project, by contributing to and reviewing technical documents and scientific assessments, participating in expert meetings, dialogue workshops, capacity building workshops as well as other project events organised during the BBNJ negotiations in New York. More information about the project can be found on the project website (<https://www.prog-ocean.org/our-work/strong-high-seas/>) as well as through Facebook, Twitter and a biannual newsletter.

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I. INTRODUCTION

The Secretariat of the Permanent Commission for the South Pacific (CPPS), the ABNJ Deep Seas Project and the STRONG High Seas Project jointly organized the workshop “Science for Solutions: Bringing Stakeholders Together to Improve Ocean Planning and Governance in ABNJ of the South-East Pacific”. The workshop took place from 13 to 15 March 2019 at the Radisson Hotel in the city of Guayaquil, Ecuador.

The ABNJ and STRONG High Seas projects have been implemented in the Southeast Pacific region since 2016 and 2017 respectively. Both projects address aspects of conservation, management and governance of marine areas beyond the area of national jurisdiction (ABNJ). Aspects of personal and institutional capacity building as well as dialogue between different stakeholders with competence in ABNJ are essential components of these projects.

ABNJs cover approximately half the planet's surface, are highly biodiverse and provide important ecosystem services. While there is growing economic and political interest in the exploitation of marine resources in areas beyond national jurisdiction, to date there is no comprehensive legal regime for the conservation and sustainable use of marine biodiversity in these areas. In this regard, the international community agreed in 2015 to develop a legally binding global agreement on the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction under the United Nations Convention on the Law of the Sea (UNCLOS). In accordance with United Nations General Assembly Resolution 72/249 of December 2017, negotiations on this instrument began in September 2018.

The CPPS Secretariat has incorporated some activities of the ABNJ and STRONG High Seas projects in its Operational Plan, which are considered key for the support to the countries in the current negotiation process of this new instrument.

This workshop had the following objectives:

1. Present and characterise the state of play for ocean governance in the Southeast Pacific, from both a regional and State perspective, especially with regard to the conservation and sustainable use of marine biodiversity, with a focus on areas beyond national jurisdiction and ongoing UN negotiations.
2. Present, discuss and review the scientific work done under the STRONG High Seas project, particularly on the legal and institutional framework and ecological status of the Southeast Pacific;
3. Present, discuss and review the scientific work done under the Common Oceans ABNJ project, particularly the methodology for cross-sectoral area-based management planning for ABNJ;
4. Identify opportunities for the development of long-term strategies and approaches for stakeholder engagement and capacity development in the Southeast Pacific region;
5. Exchange and discuss initiatives in other marine regions relevant to the conservation and sustainable use of marine biodiversity in ABNJ; and
6. Discuss issues relevant to the BBNJ negotiations, including the access and benefit sharing of marine genetic resources and the use of environmental impact assessments.

The workshop was divided into eight sessions in which national and institutional stakeholders gave presentations; technical aspects related to ABNJ and the UN process on the conservation

and sustainable use of marine biodiversity in areas beyond national jurisdiction (BBNJ) were reviewed; group exercises on area-based planning were conducted, and expert panels were organized. In addition, future activities under both projects were reviewed. This report includes the main aspects addressed by the speakers and highlighted during the discussions. The agenda of the event is included as Annex 1.

II. PARTICIPANTS

The workshop was attended by 56 people, including delegates from the five countries of the region, representatives of international organizations, representatives from the two projects, representatives of academia, non-governmental organizations, invited experts and officials from the CPPS Secretariat. The list of participants is included as Annex 2.



III. INAUGURATION OF THE EVENT

In a brief opening ceremony, Ambassador Méntor Villagómez, Secretary General of the Permanent Commission for the South Pacific (CPPS), Dr. Carole Durussel of the STRONG High Seas Project and Ms. Rachael Scrimgeour of the ABNJ Deep Seas Project, welcomed the participants. In their opening speeches, they highlighted the importance of proper management of marine resources in areas beyond national jurisdiction for the benefits that high seas biodiversity and ecosystems provide to humanity. They also highlighted the importance of both projects in the current process on negotiating a new international instrument on biodiversity beyond national jurisdiction (BBNJ) by supporting countries through creating spaces for dialogue and capacity building.

IV. SESSION 1: PROJECT UPDATES

4.1. Review of the status of the STRONG High Seas Project. Ben Boteler, IASS.

Mr. Boteler reported that the STRONG project started its activities in June 2017. It is a 5-year project (2017-2022) funded by the Ministry of Environment of the Federal Government of Germany through the International Climate Initiative (IKI). Its objective is to strengthen regional governance for the conservation and sustainable use of biodiversity and to develop integrated ecosystem approaches in two focal regions: the Southeast Pacific and the Southeast

Atlantic. The project has a collaborative approach: The CPPS Secretariat and its Member States are key actors in the region, as well as other institutions including the Institute for Advanced Sustainability Studies (IASS), Institute for Sustainable Development and International Relations (IDDRI), WWF Colombia and WWF Germany, the Universidad Católica del Norte (UCN), BirdLife International, the International Ocean Institute (IOI), among others. The project has three components: 1) strengthening ocean governance in the two focal regions; 2) strengthening the dialogue between marine regions; and 3) linking regional governance with global governance through the BBNJ process.

Mr. Boteler also described the activities carried out in both regions until the end of 2019 in component I, such as workshops, capacity building workshops and the participation in the BBNJ negotiations in March/April and August 2019. He also referred to the scientific assessments and publications that will be carried out on legal and institutional aspects, ecological baselines and technological tools for monitoring, control and surveillance (MCS) in ABNJ. A capacity needs assessment will be carried out and a platform for the involvement of relevant stakeholders will be developed. He also reported on other advances in components II and III of the project in relation to inter-regional dialogues between relevant stakeholders and the organization of expert workshops for the negotiators of the [BBNJ](https://www.prog-ocean.org/blog/category/strong-high-seas-news/) process. All events and publications of the STRONG High Seas project can be accessed under the following links: <https://www.prog-ocean.org/blog/category/strong-high-seas-news/>; <https://www.prog-ocean.org/our-work/strong-high-seas/strong-high-seas-resources/>.

4.2. Review of the progress of the ABNJ Deep Seas project and plans for its final months. Rachael Scrimgeour, UNEP-WCMC.

Ms. Scrimgeour reported that this five-year project is funded by the Global Environment Facility (GEF) through the Food and Agriculture Organization of the United Nations (FAO), and that the project is in its final year. The ABNJ project is being implemented in the pilot regions of the Southeast Pacific Ocean and the Western Indian Ocean. The objectives of component 4 of the project include developing and testing a spatial planning methodology for ABNJ and strengthening national capacities on spatial planning tools for ABNJ; supporting the BBNJ process; testing area-based methodologies; and providing policy advice.

Four workshops have been held in the region to share experiences with different relevant stakeholders. As part of the activities, a capacity assessment has been carried out to determine the existing level of spatial planning in ABNJ. Countries are providing information in this area to measure progress. A report on the spatial planning tools currently used in ABNJ was also published recently, showing their usefulness in these areas. A Spanish version has been prepared and will be shared soon. A review of the way in which data is being managed in the region has also been done as well as studies on connectivity between the Exclusive Economic Zones (EEZs) and ABNJ. An online seminar on cumulative impacts in the region will soon be available as well. With regard to governance, a 2017 paper on the subject was published, which provides background information on the different sectors that are currently operating in ABNJ and analyses the prospects for intersectoral coordination.

The key aspect of the project is the development of an area-based planning methodology for ABNJ, which is currently still in draft form. The document highlights the importance of marine spatial planning as an underlying conceptual framework. Finally, she highlighted the benefits of the project which include, among others, a better understanding of the characteristics of ABNJ and the activities carried out, the development of knowledge on spatial planning, the

development of the region's capacity to engage in planning processes and support to the BBNJ working group.

After her presentation there was a short debate on the following topics:

- The importance of sharing knowledge and experience on spatial tools between regions, including the identification of existing legal frameworks that will allow such tools to be applied.
- On the connectivity between EEZs and ABNJ; a policy brief has been produced that summarizes the connectivity between both zones, including the migration of marine megafauna and analysing the cumulative impacts within these zones.
- The toolbox developed as part of the project includes an analysis of governance frameworks, the process under the Convention on Biological Diversity (CBD) on the identification of marine areas of ecological or biological importance (EBSA) and marine spatial planning for cross-sectoral management. These will be available in Spanish. The intention is to test this methodology to include relevant stakeholders.
- On the exchange platform, an inventory is being considered with different types of information on environmental, social, and other aspects. The idea is to use an available product that people can consult.
- How to best define biodiversity as the projects do not have a formal definition of the word. Instead, the CBD definition of 'biodiversity' is used in relation to species and ecosystems, integrating social and oceanographic aspects.

V. SESSION 2: ENGAGEMENT RELATED TO ABNJ AND BBNJ IN THE REGION

5.1. Work in progress in the CPPS region, with a particular focus on BBNJ. Gustavo Arévalo, CPPS.

Dr. Arévalo reported that CPPS has been working for the interests of the countries in the region for more than 60 years. He reviewed the scope of the Santiago Declaration, the founding document of CPPS, which enshrined the principle of ensuring the conservation and protection of natural resources. The organizational structure of CPPS consists of an Assembly, an Executive Committee, the General Secretariat and the Working Groups. Eight policy statements have been made by Ministers of Foreign Affairs over the years.

The Galapagos Commitment (2012) includes a mandate for states to coordinate positions in the BBNJ process. For this reason, a working group was created in 2013 to study and make recommendations on biodiversity in ABNJ. This group is composed of delegates from countries of different disciplines and led by the chancelleries. Within the framework of this group, three declarations have been elaborated, which have been brought forward during the BBNJ negotiations. The working group is currently reviewing recently circulated documents regarding questions on the positioning of States as well as the President's Aid document for the BBNJ negotiations.

He also described the elements of convergence of the negotiation package concerning marine genetic resources, area-based management tools, environmental impact assessments and capacity building and technology transfer.

Participants discussed the following points with the speaker, among others:

- Generation and management of information in the region to fill knowledge gaps on ABNJ.
- The capacity of the CPPS secretariat to coordinate activities such as those carried out within the framework of the Protocol on the Study of the El Niño Phenomenon in the Southeast Pacific Region (ERFEN) that include research expeditions of the last 22 years. However, it is recognized that there is no possibility to lift data confidentiality due to data sensitivity linked with fishing activities. The CPPS Secretariat is also the secretariat of the GOOS Regional Alliance for the Southeast Pacific (GRASP) for which the objective is the generation of oceanographic information.
- Concerns about the decision of the United States not to continue funding for oceanographic monitoring in the Central Pacific and the need to find alternatives to compensate for it.
- The potential effect of recent advances at the International Seabed Authority (ISA) on the BBNJ process.

5.2. States Presentations on State of Play related to ABNJ/BBNJ.

Presentation by Chile. Salvador Vega, Ministry of Foreign Affairs.

Chile has always had a vision directed towards the ocean with its EEZ of 3 million km², which includes the extensive oceanic areas provided by its archipelagos. The ocean has been important for the country's economic, environmental and social development. In international matters, Chile has always taken part in all initiatives related to the ocean, is very committed to achieving Agenda 2030 and its objective 14 and is also aware of the transversality of the other objectives. Chile hosted the Our Ocean Conference in 2015. It hopes that countries will assume clear commitments at the next Ocean Conference that will take place in Lisbon. 42% of Chile's EEZ are marine protected areas (MPAs) (1.3 million km²), including marine parks and very large marine protected areas, some of which are classified as "no take" zones. Management plans for the implementation of these MPAs are currently being finalized. The current challenge is to manage them.

The country has made advances in the fight against illegal, unreported and unregulated (IUU) fishing and recently updated its fishing law, which declares illegal fishing a crime and imposes heavier fines. Chile is a member of regional fisheries bodies such as South Pacific Regional Fisheries Management Organisation (SPRFMO) and the Inter-American Tropical Tuna Commission (IATTC). In March 2018, Chile's national ocean policy was passed, which covers all maritime aspects such as conservation, sovereignty, etc. Chile is currently working on an ocean program to implement this new policy.

Mr. Vega stressed the importance of ABNJ for his country and reiterated Chile's commitment to the BBNJ process at the UN, which seeks a balanced, inclusive and workable agreement. He highlighted the need to coordinate and strengthen links with other processes that are being carried out simultaneously, such as for instance the process under the ISA on the development of a mining code. This also applies for EBSAs under the CBD and for IOC-UNESCO on the issue of technology transfer. Mr. Vega mentioned as a challenge the need for coastal States to position themselves in the BBNJ process.

Presentation by Colombia. Kelly Moreno, Ministry of Environment.

Aspects related to ABNJ are of special relevance to Colombia, not only because of the riches and shared resources they hold, but because marine species do not adhere to jurisdictional boundaries. With respect to the BBNJ process, Colombia is very interested in constructively contributing to the new BBNJ agreement for the sustainable use of biodiversity, maintaining a balance within the agreement. Although Colombia is not a State party to UNCLOS, it is working and contributing to the process in a constructive manner as the instrument seeks to coordinate with other existing instruments pertaining to the regulation of the high seas.

Another challenge is the immensity of the area to be regulated. The High Seas represent very large areas and achieving control and management of these areas will be a challenge. The issue of connectivity is also important for Colombia. Ms. Moreno also mentioned that improved knowledge of ABNJ will help to better manage connectivity and advance scientific knowledge. Ensuring integration between sectors with competence in ABNJ and not undermining existing mandates are two of the issues being sought by Colombia.

Presentation by Ecuador. Carlos Zapata, Directorate of Maritime Interests of the Navy.

ABNJ are an important issue for Ecuador because the country has a maritime zone five times bigger than its terrestrial area (1.35 million km²). Ecuador is working on the extension of its continental shelf under the ISA, which will increase its maritime domain even further. Mr. Zapata reported on the creation of an Inter-institutional Ocean Committee, which takes actions with regard to ocean governance. An important milestone of the Committee was the publication of the marine and coastal policies. In 2017, the plan for the application of marine spatial planning in coastal areas (2017-2021) was published and a roadmap for the oceanic areas is currently being drafted. ABNJ also have implications for the Galapagos Islands, responsible fishing, illegal fishing, the efficient use of resources, the management of protected areas, combating pollution and combating illegal activities. As a result, the institutional framework in place in Ecuador has been improved to ensure in this respect consideration of areas beyond its maritime borders.

Challenges identified for the BBNJ negotiations include the definition and management of protected areas, the application of the ecosystem principle, the distribution of benefits resulting from the use of marine genetic resources, and the lack of information available for coastal and oceanic areas. Mr. Zapata said that ecosystem connectivity needs to be addressed in other aspects of high seas governance as well. Key actors in Ecuador include the Ministry of Foreign Affairs, the Vice-Ministry of Fisheries, the Ministry of the Environment, the Galapagos National Park and the Ministry of Defence.

Presentation by Panama. Bolívar Cañizales, Ministry of Foreign Affairs.

Panama is interested in strengthening its initiatives related to the management of its maritime area. Since the first ocean initiative elaborated by the government, Panama has worked on various projects and programs, including in the fight against ghost nets. Two large marine protected areas have recently been declared to meet the Aichi targets.

Panama has asked to host the Our Ocean Conference in 2021. It recognizes the assistance provided by Chile in the development of its ocean policy with a view to enhancing its maritime activities. Aspects related to the BBNJ process, generating knowledge on the natural history of marine resources, building capacities on marine spatial planning (MSP) and technology transfer are all aspects that are high relevance for Panama. Mr. Cañizales considered the need to promote exchange in technical cooperation and to define mechanisms that allow for effective implementation as challenges. In terms of ecosystem connectivity, Panama sees it as

essential to protect marine and coastal ecosystems in order to restore the health of the oceans. Mr. Cañizales highlighted the importance of integrated coastal management (ICM), MSP, Large Marine Ecosystems (LME) and sustainable fisheries approaches. Other relevant aspects include area-based management tools, marine genetic resources, scientific research and human activities taking place in the oceans.

Presentation by Peru. Samuel Rosadio, Ministry of Foreign Affairs.

Peru's development has been linked to the ocean since ancient times. Peru signed several agreements such as the Fisheries and Agriculture Organization (FAO) Port State Agreement and is a member of fisheries bodies such as SPRFMO and IATTC. At the Our Ocean Conference, Peru registered four voluntary commitments, one of them for the creation of the Grau National Reserve. Peru is committed to managing illegal fishing. Peru is currently working on its Ocean Policy. Through ecosystem connectivity, Peru's interests go beyond the 200 nm EEZ.

Among the main challenges is the fact that Peru is not part of UNCLOS as well as the need to ensure that its rights and interests as a coastal state are respected in the new BBNJ agreement. Identified knowledge gaps in the BBNJ process include the intellectual property rights related to the use of marine genetic resources. The future BBNJ instrument should promote intersectoral integration and interdependence. It is necessary to define the links between the different existing conventions, the levels of coordination, the intersectoral links and coordination, etc. The ABNJ Deep Seas and STRONG High Seas projects are expected to help CPPS member States by strengthening their capacities on the issue of marine genetic resources (MGRs) and associated intellectual property rights. The Instituto del Mar del Perú (IMARPE), the Consejo Nacional de Ciencia, Tecnología e Innovación Tecnológica (CONCYTEC) as well as international organizations are key players. Peru has actively participated in the BBNJ process since its inception.

5.3. Panel discussion with country representatives moderated by Ambassador Méntor Villagómez, Secretary General of CPPS.

Representatives of the countries who made presentations were invited on the panel to answer the following questions: 1) What are the main challenges of the BBNJ agreement for the countries and the region? 2) How could the projects strengthen the participation of the countries in the BBNJ process? 3) What is the role of CPPS in ABNJ and its relationship with other international organizations?

Chile: There are challenges at various levels; at the national, regional and global level. That is why CPPS member States have created a working group on ABNJ that coordinates national positions of the member States to define how to reconcile sectoral interests, achieve a strong position and identify clear boundaries. Chile considers that there are particular challenges in each of the package elements. Chile has reviewed the *President's Aid to Discussion* document, which shows that there are still many options left open. Balancing fisheries issues in this context will be a challenge. At the regional level, there are also several challenges, for example, how we as States can position ourselves in front of existing blocs; how States in the region can pass on issues of interest and influence existing blocs. It is not yet clear what the dynamics of the negotiations will be, whether they will take place in plenary or in working groups. An additional challenge is to be able to attend the negotiations with multidisciplinary teams on the State delegations.

Knowledge of the marine environment is very limited in relation to marine genetic resources (MGR) and what is happening in the Pacific basin. There is a need to generate baselines of knowledge regarding species and how human activities influence the ocean.

On the role of international and regional organizations, Mr. Vega indicates that they are what their member States want them to be. The BBNJ process is still under development and hence the role to be assigned to the CPPS Secretariat will depend on the progress made in the negotiations. There are still no concrete agreements in the negotiation process. What can be identified are principles, such as coordination and cooperation. The CPPS Secretariat could also strengthen the voice of individual States: four countries speaking in a coordinated manner of specific issues previously agreed on has more impact than one country speaking alone. The role of the CPPS Secretariat may be different depending on the outcome of the negotiations, i.e. whether a regional, global or hybrid approach is taken.

Colombia: The main challenge for Colombia is to negotiate within the framework of a convention to which they are not a party. The resulting BBNJ instrument must be universal. Colombia also considers it a challenge to be present in person in the negotiations as well as to maintain the balance between the conservation and sustainable use of biodiversity.

With respect to the lack of knowledge: marine research is very costly and therefore requires technology transfer and appropriate management of information. In addition to the issue of connectivity, it is necessary to move forward on issues related to ecosystem functionality. Regarding the role of the CPPS Secretariat, Colombia believes that it is still too early in the negotiations to define it.

Ecuador: Ecuador hopes that the new instrument will not conflict with the mandate of other regional organizations and should rather be complementary. The extrapolation of national experiences in EEZs to ABNJ is necessary as is the transfer of experiences between other countries in the region. It was highlighted that one of the major constraints is the lack of information, as marine scientific expeditions at sea are very expensive. This problem grows exponentially for ABNJ. Sharing information and ensuring its standardization are key, as well as using remote sensing instruments for tracking. Ecuador deems that the CPPS Secretariat has great strength as a coordination mechanism and considers that it should be a centre for experience exchanges and articulating actions.

Panama: Panama is committed to ocean governance. The articulation of regional positions on concepts and terminology within the framework of the negotiations is key. More scientific knowledge is needed. Panama considers it convenient to have commonality in the Southeast Pacific with regards to the governance of the high seas. The lack of information on marine genetic resources is a challenge, as is the implementation of electronic monitoring mechanisms for boats and illegal activities. Technological capacity is an issue to be addressed through the two projects. On the role of the CPPS Secretariat, Panama considers that work has already been initiated on this regard. Other coordination mechanisms, such as GRULAC and CICA, have not been fully functioning so far.

Peru: As Peru is not a State party to UNCLOS, the new agreement should be universal in scope. Peru nonetheless applies the principles outlined in UNCLOS. It recognized that there are shortcomings in terms of intellectual property rights and area-based management tools. The preparatory process of the negotiation was complex and Peru foresees that the negotiation of the BBNJ instrument will be even more difficult. Peru is not in a position to bring a very large delegation.

On the role of the CPPS Secretariat, Peru agrees that it is a little premature to define it, but thinks that certain ideas can be outlined, such as evaluating the state of the negotiations and coordinating common positions between the CPPS member States.

During the following Q&A session, participants and panellists addressed the following topics:

- The relevance of systems for sharing information managed by the CPPS Secretariat (e.g. SPINCAM Atlas) to support the BBNJ process, in which standardized indicators, data and metadata have been collected.
- Information is available from regional cruises that have been collecting data for the last 20 years and that require more in-depth analysis. For example, there is a lack of data to ensure the development of adequate models; also, support from the scientific community is needed.
- The importance of integrating new stakeholders from countries that have not participated in the BBNJ process.
- The countries have done a lot of important work in relation to information, ocean policies, governance, institutionality and coherence among agencies, which will be very important for the BBNJ negotiations.
- The four package elements of the BBNJ negotiations represent great challenges. The countries have made progress in addressing these challenges, especially for MPAs. There is an *acquis* that is interrelated and coordinated through the CPPS Secretariat.
- What is the role of civil society in these processes and how to make it effective? The issues associated with MGRs imply patents, royalties and costs for users. The current negotiation will impact civil society in the future. On the subject, Chile mentioned a mechanism known as Civil Participation Council, for which citizens can apply and be a part of. Ecuador shared its experience with regard to its civil society consultation done during the diffusion process prior to joining UNCLOS.
- The impact of climate change and marine resources on both EEZs and ABNJ.
- The role of marine protected areas (MPAs) to protect species threatened by fishing fleets. The BBNJ process could be an opportunity to improve this.
- The role of coastal States in relation to the management of ABNJ, including the legal aspects associated with MGRs. In the case of MPAs close to the EEZ, countries could take complementary measures, as is the case with environmental impact assessments.

5.4. Panel discussion of ABNJ/BBNJ with relevant institutional actors.

Mr. Sandor Muslow. Former director of the Office of Environmental Management and Mineral Resources (OEMMR) at the International Seabed Authority.

Mr. Muslow indicated that the International Seabed Authority (ISA) falls under the umbrella of the Division for Ocean Affairs and the Law of the Sea (DOALOS). Regarding the issue of mineral resources which is being discussed in the BBNJ process, he pointed out that the issue is very complex because mining will cause significant environmental impacts on benthic biodiversity and will affect the biochemical processes that occur at the interface between sediment, water and rocks – processes that are related to the sequestration of greenhouse gases that could be released into the atmosphere. Mr. Muslow stressed that this is the ‘common heritage of mankind’, so the precautionary principle has to be at the heart of the BBNJ negotiations.

He informed that UNCLOS was created with the principle of Common Heritage of Mankind. Part XI deals with The Area but part XII, which deals with the protection of the marine environment, is not always taken into account. In the CPPS member States, access to funding

to generate information regarding deep-sea ecosystems is limited; UNCLOS obliges countries to send this information regarding ecosystems under their jurisdiction. Of the 169 ISA member countries, only 17 have submitted this information. Mr. Muslow criticized the use of the term "best practices" when referring to the seabed as there is still a large knowledge gap to allow for the use of this word.

He stressed the importance of environmental services provided by the ocean, including the ones that are intangible, such as the fossil record in manganese nodules. Mining concessions will destroy the seabed and with them other ecosystem services will be lost. The seabed is as active as any sediment. International waters and seabed belong to everyone and are what maintains life on the planet.

Mr. Sebastian Rodriguez. Secretary General of the South Pacific Regional Fisheries Management Organization (SPRFMO).

Mr. Rodriguez reported that SPRFMO is one of the partners of the ABNJ Deep Seas project. He also highlighted the fact that the SPRFMO Secretariat has just signed a Memorandum of Understanding with the CPPS Secretariat in February 2019.

He reported that his institution has four objectives: improve the implementation of policies and legal frameworks; reduce the adverse impacts of fishing activities; develop technology; and further adaptation. It was founded in 2012 to ensure the conservation, sustainable use and management of non-coastal fish resources. There are currently 15 member countries and 4 cooperating non-parties. The main fishery is the Pacific jack mackerel, but also giant squid. Most of the vessels fish giant squid (about 400 vessels), those fishing jack mackerel are about 125. The fleet catches about 400,000 tons of each of these resources. All vessels have observers on board. The entire bycatch is recorded.

The organization is implementing spatial management in relation to bottom fishing, in accordance with the ABNJ Deep Seas project. Another management measure adopted at its last meeting has to do with the distribution of quotas on deep-sea fish of the two countries fishing in the South Pacific (Australia and New Zealand), without exceeding the amount recommended by the scientific committee. Reducing impacts on vulnerable marine ecosystems (VME) is a priority. SPRFMO conducts risk and ecological impact assessments based on recommendations from the scientific committee. It uses software to detect vulnerable ecosystems to close them to fishing activity or to open areas that will generate environmental impacts. In this way, the protection of these ecosystems has increased from 65% to 86%. SPRFMO has established powerful and flexible tools at the disposal of decision makers. Mr. Rodriguez showed an example of spatial management tools, through which vulnerable zones have been perfectly defined.

Mr. Shane Griffiths, Inter-American Tropical Tuna Commission (IATTC).

Mr. Griffiths reported on the tuna species regulated and conserved by his organization. IATTC has developed an information-based management system. The Antigua Convention governing IATTC entered into force in 2010. Marine areas should be harvested respecting the sustainable limits and ensuring that other associated areas are maintained. Mr. Griffiths' specialisation is in environmental risk mitigation, using a methodology with presence-only data that do not need to be taken in a systematic manner. IATTC is making good progress in terms of management despite, the lack of data to evaluate fish mortality and biomass, and is using population models.

Most of the catches of the IATTC-regulated fleet come from ABNJ so there is a high level of management of those areas. IATTC tries to put together databases on pelagic systems and has a dolphin monitoring program and an on-board fishing observer program. However, it has difficulties in obtaining information on longline and other fisheries, particularly artisanal fisheries. Much progress is being made towards ecological sustainability. Mr. Griffiths noted that there is a lot of biodiversity in ABNJ. IATTC has a lot of information available to share if required, including information on bycatch.

After the presentations, there was a discussion with the participants during which the following topics were addressed:

- The importance of good information for the successful management of fisheries.
- How RFMOs deal with compliance assessments: the SPRFMO representative indicated that they are conducted every 5 years. The last one was done through an independent panel that made its assessment through a questionnaire and made 69 recommendations. A date was given to address each of them. For IATTC, the first evaluation was done in 2016 and there were several recommendations on technical issues and human resources. A 5-year strategic plan is being implemented that defines the Commission's objectives and aims to implement specific programs.
- There have been no external reviews of tuna stocks but IATTC is more advanced than other RFMOs in this area and has ecosystem models that allow for the evaluation and definition of scenarios. IATTC is able to use risk assessment models, which show long-term sustainability mechanisms and species at risk. The idea is to recover 100% of the fisheries and sustain them in the long term.

VI. SESSION 3: AREA-BASED PLANNING IN ABNJ

6.1. Cross-sectoral area-based planning. Holly Brooks, UNEP-WCMC.

Ms. Brooks gave a brief introduction on area-based management. Generally speaking, ABNJ is a geographic area where multiple activities are carried out and hence the impacts of each of these activities on the others have to be taken into consideration. At the moment, management of ABNJ is done sectorally through regional fisheries organizations (RFMOs), the International Maritime Organization (IMO) and the International Seabed Authority (ISA). With the increase of activities in ABNJ, potential conflicts are looming and intersectoral management is needed.

Area-based management in the BBNJ context has not been defined. This is relevant as one of the four elements of the negotiation package is area-based management tools. There are two definitions for area-based management tools: 1) a tool implemented in a specific area in ABNJ to achieve specific objectives; 2) a defined geographical area where different sectoral activities are managed to achieve particular conservation objectives.

An example of an area-based management tool is marine spatial planning (MSP). It is a multisectoral tool that defines a framework for achieving economic and environmental objectives. It includes an ecosystem approach, uses the best science-based information and is participatory. It is being used in some countries within their EEZs, but not in ABNJ. Existing experiences are important and should be applied to ABNJ.

The key elements of MSP are: identifying clear objectives, leadership and stakeholder involvement, monitoring and collaboration. The cycle includes participation, development of a

management plan, monitoring and evaluation, and adaptation. Financial support and an established governance framework are required. Ms. Brooks then described the methodology and cross-cutting elements such as stakeholder identification and the definition of the institution that will lead the process and responsibilities. Governance and financial capacity are key in this process, as well as an understanding of the legal frameworks.

The process begins by analysing existing conditions and available tools. The management plan identifies the planning measures from the beginning. The implementation of conservation and sustainable use measures gives rise to the other measures. Biodiversity must be monitored and evaluated. Finally, an adaptive review should be carried out.

6.2. Development and testing of an area-based planning methodology. Rachael Scrimgeour, UNEP-WCMC.

Ms. Scrimgeour reported that the methodology was developed based on the elements and guidelines defined in existing planning frameworks in waters under national jurisdiction with a view to their applicability in ABNJ – basically what could be done and how the activities could be carried out and by whom. The methodology approach first seeks to understand how marine spatial planning can be incorporated into the currently sectorised governance framework. In order to try to understand the future needs of the region, in terms of intersectoral planning, it proposes to carry out exercises under fictitious scenarios. The methodology will be tested using different governance options. These options describe different legal and institutional arrangements and the consequent levels of interaction that are possible between organisations.

For this work the workshop participants were divided into groups and given several worksheets: one with instructions, another describing the scenario (activities and governance) and a third to explore a hypothesis regarding the elements of marine spatial planning. The participants worked for two hours on this exercise and then presented the results.

VII. SESSION 4. CAPACITY BUILDING AND STAKEHOLDER INVOLVEMENT

7.1. Area-based planning capacity in ABNJ. Louise Lieberknecht, GRID-Arendal.

Ms. Lieberknecht presented a report based on 2016 data and recent surveys. This evaluation focuses on the capacity of the CPPS Secretariat to carry out planning in ABNJ. Capacity is defined as the ability to perform functions effectively and sustainably. This analysis will enable to build capacities in the region.

She explained the methodology used which is based on a framework with three components that have three different elements. The three elements are internal attributes (structure), resources (information, financing) and enabling environment (authority, mandates, incentives, legal and political frameworks). The methodology for each element, 20 in total, was scored on a three-fold scale (sufficient, partial and low capacity). The information comes from workshops held in the region in 2016 and 2017. However, CPPS States have expressed concerns regarding the mechanisms used for the validation of the document. It was agreed not to continue with the planned exercise and to follow the previously agreed path whereby each country will send the results of the survey.

7.2. Capacity Building for ABNJ/BBNJ and other associated aspects. Tim Packeiser, WWF Germany.

Mr. Packeiser indicated that the STRONG High Seas project seeks an integrated approach to the governance of the Southeast Pacific, coordinated with other regions and integrated within the future BBNJ instrument. In that sense, capacity building to participate in negotiations and to implement management and conservation measures in ABNJ is key. He described the framework of the project and the expected results. By 2021 countries will have successfully developed that capacity through training on governance approaches in ABNJ. These trainings will focus on both individual and institutional capacity building, based on national needs to avoid duplication of efforts. In this regard, Mr. Packeiser stressed the flexibility of the project, which will allow adjustments to be made as required in coordination with the CPPS Secretariat. Capacity building issues include legal, policy and management issues, ecosystem approach, intersectoral ocean management, access to genetic resources and benefit schemes, area-based tools, environmental impact studies, and marine data collection and management.

Mr. Packeiser reported on different didactic tools such as workshops, courses, webinars and other types of platforms yet to be defined. He also highlighted the need for an assessment of training needs, in relation to national capacity for effective participation in negotiations and at the regional level in relation to the design and implementation of management measures in ABNJ.

7.3. Development of a stakeholder platform in ABNJ. Jaime Aburto, Universidad Católica del Norte (UCN).

Mr. Aburto began his presentation by showing the results of the Cali workshop on stakeholder analysis in ABNJ. The STRONG High Seas project has among its activities the development of a platform for the communication among relevant actors. In order to achieve this, it is necessary to define some conditions and to define who participates as well as who should not participate. He stressed the importance of intersectoral coordination for the conservation of BBNJ. Governments and intergovernmental organizations are the most interested institutions. Ministries of Foreign Affairs are key to coordinate with national institutions as well as with the CPPS Secretariat to facilitate coordination among its member States.

Weaknesses included gaps in socio-economic information and economic actors, lack of coordination and a common vision in scientific research, lack of coordination mechanisms and lack of coordination among stakeholders. The public and private sectors and civil society must be part of the decision-making process. CPPS was identified as an important actor to convene relevant stakeholders in the region and to manage a data repository.

It was recommended, among other things, to have a common regional vision for ABNJ, to draft a document that allows countries to agree on principles, to hold inter-institutional meetings and to create a consultative group. It was also identified that there is a lack of information exchange mechanisms and a platform led by the Secretariat and the member states of CPPS is also missing. However, it is necessary to take into account power relations, how they are composed, who the relevant actors are, at what level they participate and how they are motivated, among others.

Mr. Aburto identified two options: to continue as before with continuous meetings and workshops, or work online through working groups, e-mail lists, a website, etc.

Among the topics discussed by the participants, the following stood out:

- It was suggested that perhaps the problem is not the platform itself, but how it is managed. It is an issue of cost-effectiveness to make the process effective. In order to do this, it is necessary to have clear objectives that respond to the needs of the actors. Without being clear about what should be reported, it is not possible to define the platform. What is appropriate is to think of a multi-level platform. How do we ensure the engagement of stakeholders and that there is feedback? Leadership is required to encourage use, but first a common vision and monetary resources are needed.
- Cooperation among academics is required, because more science is needed for public policy.
- It is necessary to raise the priority of the BBNJ process in the countries because marine issues would not be as relevant to countries.

VIII. SESSION 5: THE STATE OF BIODIVERSITY IN THE SOUTHEAST PACIFIC

8.1. Progress on the ecological baseline analysis undertaken by the STRONG High Seas project. Luis Zapata, WWF Colombia.

Mr. Zapata presented the progress of a regional scale assessment that compiles the most relevant and up-to-date information from ABNJ of the Southeast Pacific for decision-makers. The analysis includes the main characteristics of the marine environment and the existing or potential human activities that impact these areas. The geographical scope is Area 87 as designated by FAO. The area was divided into three biogeochemical provinces for their particular characteristics and scales of variability.

The analysis includes oceanographic characteristics, known and potential areas of ecological importance, key biodiversity, distribution of living and non-living resources, present and future human activities, past and future trends and information gaps. The information comes from scientific literature, global databases, and regional and local experts. For this purpose, expert workshops will be held, the first of which was recently held in Guayaquil in February 2019. Mr. Zapata presented some thematic maps with compiled information including on EBSA areas, VMEs, megafauna movements, e.g. turtles, hydrothermal vents, minerals and fishery resources.

The next steps include completing the compilation of information, presenting results and inviting experts from the region to contribute and peer-review the document. The report is expected to be published in 2019. Mr. Zapata noted that the STRONG High Seas project will seek to integrate the information with ongoing regional initiatives and identify information gaps.

IX. SESSION 6: GOVERNANCE AND BIODIVERSITY IN ABNJ

9.1. Strengthening Regional Governance of the Oceans for the High Seas: Opportunities and Challenges for Improving the Legal and Institutional Framework of the Southeast Atlantic and Southeast Pacific. Carole Durussel, Institute for Advanced Sustainability Studies (IASS).

Dr. Durussel presented the results of a study on strengthening governance in the region, the first in a series of documents that will be published by the STRONG High Seas project. This study evaluated the current legal and institutional framework for the conservation and sustainable use of marine biodiversity in ABNJ in the Southeast Pacific and Southeast Atlantic,

identified the challenges and opportunities for conservation in the BBNJ process and SDG 14, and identified challenges and opportunities for strengthening regional governance. The study is based on expert opinions, the review of legal and policy documents in the two pilot regions, as well as on previous studies.

In relation to the BBNJ process, the study focuses on the four most important elements under discussion: area-based management tools, environmental impact assessments, marine genetic resources, and capacity building and technology transfer. In relation to SDG 14, it focuses on the issues of marine pollution (14.1), management and protection of marine ecosystems in ABNJ (14.2. and 14.5) and illegal fishing (14.4).

The main conclusions of the report are: 1) regional organizations have a diverse and non-exhaustive or limited mandate to address BBNJ issues; the three organizations in the region have complementary mandates; 2) there is limited intersectoral cooperation within regions; and 3) participation in regional and global agreements is varied and uneven, especially in the Southeast Atlantic.

The report proposes the following options for strengthening governance:

- 1) More states in the region could join key international conventions.
- 2) Strengthen intersectoral coordination and cooperation.
- 3) Develop a solid scientific basis and give States greater capacity to propose and establish measures in ABNJ to complement sectoral measures.
- 4) Empower regional bodies to intervene on conservation issues in ABNJ.
- 5) Form coalitions among countries to promote issues of mutual interest.
- 6) Presence in global and regional fora to propose management measures.
- 7) Application of a common regional approach or policy on conservation priorities.
- 8) Considering the BBNJ agreement as an opportunity to improve intersectoral cooperation and regional integration mechanisms and to strengthen governance.

9.2. Regional governance in areas beyond national jurisdiction, what we learned and how to move forward. Glen Wright, IDDRI.

Mr. Wright referred to nine regional management initiatives, including different RFMOs and Regional Seas Programs. The report reviews what is working, what we can learn and what we can use for the BBNJ negotiations. He showed the example of the North Atlantic, where institutions such as OSPAR and NEAFC have designated MPAs and VMEs closed to fishing. He also referred to the Sargasso Sea initiative in the Northwest Atlantic, which is an exclusively oceanic area. This initiative led by an NGO and the government of Bermuda has achieved in five years the commitment of other countries to conserve and implement the most appropriate management measures for this area. Other initiatives included CCAMLR for Antarctica and the Southwestern Pacific region.

Lessons learned from the work of these institutions include: 1) the need to develop effective mechanisms for cooperation and coordination; 2) the role played by champions and leaders; 3) the need to develop a dynamic science-policy interface; and 4) the need to strengthen the legal framework.

9.3. Monitoring, control and surveillance of the high seas. Glen Wright, IDDRI.

Mr. Wright also reported on the activities that his institution has been undertaking in the areas of monitoring, control and surveillance (MCS). Experts have participated in these activities related to the use and availability of technologies and the best options for monitoring human activities in the high seas, which could be useful in the framework of the BBNJ process. He indicated that traditional methods based on patrols, observers and record books are not sufficient. Currently, automatic identification systems (AIS), static and dynamic buoys, VMS systems for the tracking of fishing vessels used by countries and RFMOs are used, but new methodologies are more powerful, and include, for example, synthetic opening radar (SAR) to accurately identify the type of vessels, visible infrared (VIIRS) radio imagery showing light images from satellites, CCTV/electronic monitoring systems (EMS) that are cameras providing real-time imagery, and drones for near-shore monitoring.

Mr. Wright then referred to several case studies using these new technologies that are examples of transparency. For example, the fishing company Argos Froyanes uses electronic logbooks, observers, VMS, 24-hour CCTV and even sensors in the fishing nets. Another case is FISH-i Africa, a cooperative project to combat illegal fishing which collects systematic information and analysis in coordination with States to take coordinated action to prevent access to vessels, discover fraudulent licenses, dismantle illegal vessels, spot false vessel identities, and track and locate fleeing vessels. He also referred to the Global Fishing Watch initiative, which uses different layers of information and technologies to monitor fishing vessels and to identify the footprint left by each vessel. They can even identify what type of fishing gear they are using and whether there are transshipments taking place at sea, an activity not regulated by RFMOs. It also allows for identification of the "dark fleet", which do not have a tracking system in place.

As lessons learned he mentioned:

1. Currently technology is not a limiting factor for monitoring in ABNJ.
2. There is a need for coordination and cooperation, as vessels can work in different regions.
3. Connections between sectoral management, conservation and sustainable use.
4. Take into account all stakeholders.
5. MCS is not just about fishing, it also involves environmental data.
6. MCS is not only about technologies, it is about coordination and cooperation on regulation and management, fisheries subsidies, national interests and geopolitics.

MCS needs a governance framework to address key challenges, clear standards, cooperation mechanisms, transparency, information exchange and capacity building. It can contribute to the effective implementation of the new BBNJ instrument, supporting AMBTs, EIAs, and marine science in general.

During the discussion with participants, it was highlighted that the use of these technologies, which have already been available for five years, is limited by the application and enforcement of measures and inter-institutional cooperation. The need for countries and RFMOs to work together and build more transparent processes was highlighted.

X. SESSION 7: FOCUS ON THE BBNJ NEGOTIATIONS

10.1. Guidelines for Environmental Impact Assessments (EIA) under the Seabed Authority (ISA). Sandor Muslow, Former director of the Office of

Environmental Management and Mineral Resources (OEMMR) at the International Seabed Authority.

Mr. Muslow reported that ISBA/19/LTC/8 (as revised by the Assembly and the Council) and ISBA/24/LTC/7 are the documents containing the ISA guidelines for mineral exploration. There are currently 29 contractors in the world authorized to conduct underwater mining exploration. Before 2017 there was no directive in force (as they were not yet ready to start the exploration work) for the submission of environmental impact assessments to ISA. ISA had to create a process in order to be able to evaluate the environmental impact assessments submitted. The process has three phases: 1) structure, consistency and content (accepted or not for review) (20 days); 2) technical review (30 days), for which three independent reviewers were hired; and 3) evaluation (10 days).

The guidelines state that when the exploration plan exceeds an area greater than 10,000 m², a management plan must be implemented. It describes the technical operation that will be carried out, which includes the removal of the surface, as deep as 50 cm of sediment, with pressure pumps in a zigzag pattern. There are three types of impacts: the weight of the dredge, the material removed and dispersed material, so it will be difficult to evaluate the overall impact generated. Mr. Muslow considers that the environmental impact assessments (EIA) undertaken by the two contractors lack subsequent monitoring, as they only consider impacts occurring up to one year after extraction. The fact that the disturbance resulting from alteration of the ocean floor can last for many years has not been taken into account. The legal technical commission of the ISA is reviewing the documents. There is still no approval from this commission although exploration is expected start soon.

Mr. Muslow also showed the beta version of the Geovisor, which contains data from the ISA database and is publicly accessible. In this software, areas that have been assigned for exploration, for example within the Clarion-Clipperton zone, can be selected. The Geovisor contains 900 variables and can be searched by different criteria, e.g. by contractor, country or minerals. The viewer immediately highlights areas that meet the selected criteria. It also includes biological or geological data and a library of files, reports, photos, videos, etc. The public can download all the information.

Workshop participants were interested in two following topics presented by the speaker:

- The criteria for defining conservation areas within the areas assigned for exploration, which are public and can be consulted in the documents describing those areas in the ISA portal.
- The need to develop public consultation mechanisms for species in ABNJ. It was proposed that this should be done as with the mining code through open participation, but this will require an effort and staff to attend to all requests. Another way is to start working within countries and in particular within the scientific community through committees as well as lower the technical level when presenting the subject to allow people to better understand and cooperate.

10.2. The potential of marine genetic resources and biotechnologies within the framework of the BBNJ negotiation process. Virna Cedeño, Concepto Azul.

Dr. Cedeño indicated that the use of marine genetic resources (MGRs) must be properly managed. MGRs include all material that is passed on hereditably with potential or actual value. It is associated with capacity building (legal and technical aspects) and technology

transfer (biological prospecting and biotechnologies). She described some general aspects of how genetic information becomes functional information through proteins.

Metabolites are generated from the functionality of organisms. The complete study of genomes, proteins or metabolites is known as omics methodologies. This is important when we study marine resources because we must study them all together. There is a microbial world invisible to our eyes that sustain life. Most research on the seabed has been directed precisely at micro-organisms. Through traditional microbiology less than 1% of what is actually out there can be identified. New techniques make it possible to access and quantify 100% of the genetic material. Once all the samples have been analysed, it can then be determined what type of proteins are generated and who is generating them. This methodology is used by pharmaceutical companies to find active compounds to counter, for example, antibiotic resistance. Dr. Cedeño also showed some examples of bioactive compounds obtained from seabed microorganisms.

Dr. Cedeño acknowledged that there is a disparity between countries in terms of technologies and economic resources available, but insisted that the technology is currently accessible to CPPS member States. Capacity building is therefore needed to enhance technology transfer. She stressed that technologies are already available in CPPS countries, but that strategies need to be developed to create a critical mass of researchers. Therefore, with her research group, they are developing an international master's degree in biotechnologies to train researchers in Ecuador, which could be extended to the entire CPPS region.

10.3. Access and Benefit Sharing of Marine Genetic Resources. Jane Collins, Ecoast Marine Research.

Ms. Collins referred to biodiscoveries, benefits and their link to the BBNJ negotiations, how this applies to ABNJ and how this can be regulated. To do this, it is necessary to be clear in terms of which type of information is needed to achieve benefits and to generate a balanced regime when the BBNJ agreement is implemented. She highlighted the potential of microorganisms as a source of MGRs. She explained the differences between genetic material and genetic resource and described the process of obtaining products from proteins and metabolites. The biodiscovery line consists of several phases: sampling, clinical trials, FDA (U.S. Agency on Drugs) and market. You can start with 10,000 products and end up with just one. Sometimes, developing a medical product can take decades, a cosmetic resource can take 10 years. Therefore, it is important to not underestimate the costs, as there is a lot of research involved.

On Access and Benefit Sharing (ABS) and how to implement it in the BBNJ process, she indicated that there are three key elements: access, benefit sharing and compliance. We have to define which benefits we are going to share, with whom and for what, so that access can be regulated to make this work. We have to consider what kind of access and how we want to transfer it, because there are monetary and non-monetary benefits. It is important to regulate access and link it to the benefits to be shared. For this we need information, which requires monitoring inside and outside of ABNJ on who is using MGRs and what kind of research has generated results.

There are several aspects related to access that need to be considered: time scale and geographical scope (e.g. ABNJ, EEZ), sampling, storage, access to data and databases. The sampling steps are in situ, ex situ (stored samples) and in silica (biotechnology). Ex situ access could be the initial step for access to benefits. How are monetary or non-monetary benefits

going to be accessed? By whom? How much? And who sets the conditions? What type of data is shared and where is it stored? This has a cost as well. What is the specific technology required and how and with whom to share it. The same would apply to training and monetary benefits.

To be able to have a balanced regime, the time needed for the generation of benefits, the cost of such benefit regime, the time of the transaction, the beneficiaries and the infrastructure required to share benefits need to be taken into account. It must be clear that if this balance is not achieved, there will be no research or anything to share. Equity is a priority. It is necessary to promote the inclusion of interested States, provide facilities for access to research, legal certainty, predictability and stability of the industry, and the effective application of regulation.

For access, it has been suggested to develop an online notification system instead of permits, conditional access (less good an option) and embargo periods for publication of results. In order to share the benefits, biorepositories, metadata and raw data sharing (including MGRs), the possibility of extending the embargo period in exchange for a fee, among others, must be implemented in a mandatory manner.

10.4. Perspective of the Secretariat of the Convention on Biological Diversity (CBD) on ABNJ. Joseph Appiott, Coordinator of the Marine and Coastal Programme of the CBD.

Mr. Appiott indicated that the CBD is a result of the 1992 Rio Convention. It has 196 Parties. Its objective is the conservation and sustainable use of biodiversity to share its benefits. How does the CBD apply to ABNJ? Articles 4 and 5 relate to cooperation on ABNJ issues and Article 42 promotes the implementation of the Convention under UNCLOS. Thus, the CBD has a key role as advisor to the United Nations on biodiversity and ecosystem approaches. Mr. Appiott reported on experiences in the application of the ecosystem approach through the process to identify Ecologically or Biologically Significant Marine Areas (EBSAs), which is based on scientific information and criteria that provide a flexible framework for identifying characteristics and mapping areas that are important for ecosystem functionality. The discussion continues on the modality and scope of EBSAs. EBSAs have been described within and beyond national jurisdiction. They are not MPAs or areas closed to fishing. All the information is available on the CBD website.

The EBSAs process has provided the framework for different management tools, including Marine Spatial Planning (MSP). This process can help to understand how human activities are affecting these areas and how to address threats. EBSAs provide a set of guidelines for selecting areas and establishing a representative network of MPAs. Another important area of work of the CBD is the voluntary guidelines for strategic environmental impact assessments, which describe scoping, assessment and monitoring. These guidelines are voluntary and can be implemented in oceanic areas. They describe the role of stakeholders and authorities and how to identify thresholds.

Mr. Appiott highlighted the key role of regional organizations in the implementation of activities and how to report them. They are working with the FAO to identify and promote cross-sectoral collaboration through the SOI (Sustainable Ocean Initiative). There have been two SOI meetings so far, in 2016 and 2018, and the next one is being prepared for 2020. The process has been recognized by the UN Assembly, the FAO and within the BBNJ process.

The discussion focused mainly on the issue of derivatives and other sub products of genetic resources that need to be included in the discussions for a new BBNJ instrument, and this is also being addressed by the CBD in areas under its jurisdiction. It is also necessary to consider sequences of genetic material as part of marine genetic resources. Along with these issues, reference was also made to certain aspects associated with intellectual property.

XI. SESSION 8. NEXT STEPS

11.1. Next steps under the STRONG High Seas project. Carole Durussel, IASS.

Dr. Durussel reported on the five dialogue workshops planned under the STRONG High Seas project until 2022, of which two have already been organised, and on the other activities to be carried out under the different components of the project.

Under Component I, a scientific assessment of ecological characteristics and a socio-economic analysis of the importance of biodiversity are planned. Regarding the monitoring, control and surveillance (MCS) of activities in ABNJ, an evaluation of the legal framework, a publication on technological tools and a workshop will be organised in the CPPS region.

Under Component II, scientific analyses of the legal and institutional framework of other regions will be undertaken. Stakeholder participation will be promoted by strengthening links between the CPPS and the Abidjan Convention regions. A joint workshop will be organized with the Noumea Convention and another with the Nairobi Convention. In addition, the PROG Marine Regions Forum will be organised.

Under Component III, a new scientific analysis on sectoral and regional governance will be undertaken, stakeholder participation will continue to be supported through the organisation of capacity building workshops during the IGC2 and IGC3 intergovernmental meetings as well as through the organisation of webinars. Dissemination of the project reports and outcomes will be done through the website: <https://www.prog-ocean.org/our-work/strong-high-seas/>. She also invited everyone to subscribe to the newsletter – the first one of which was published earlier this year – as well as the project's Facebook and Twitter.

She invited everyone to actively participate in the project. There are many ways to do this, for example, by reviewing technical documents and scientific assessments, participating in expert and stakeholder workshops, as well as attending side events at the BBNJ intergovernmental meetings.

11.2. Next steps under the ABNJ Deep Seas Project. Rachael Scrimgeour, UNEP-WCMC.

Ms. Scrimgeour reported that next steps include finishing five reports currently under development. One of them is a synthesis of the key messages from each of the project outcomes. It is expected to be ready in July 2019. There is another document that describes the methodology developed for area-based planning, which will be based on the interactive session that took place during the workshop. The first draft of the methodology will be updated using the results of this workshop. The complete products will be available online, either using the links found in the brochure or on the Common Oceans website.

She also reported on cumulative impact reports and data, policies and case studies. Finally, she referred to the MiCO (Migratory Connectivity in the Ocean) initiative on migratory species

movement, which is being developed alongside the project. On the activities still pending, she informed that there will be a side event on ecological connectivity on 1 April in New York (meeting room 12) where the MiCO platform will be launched (<https://mico.eco/>). UNEP-WCMC will also participate in the Deep Sea Symposium organized by FAO (May 2019) and in the Third Intergovernmental Conference BBNJ in August 2019.

Ms. Scrimgeour invited workshop participants to learn about the Ocean+ initiative, which seeks to link available data with the needs of decision-makers in the context of sustainable use of marine resources. She stressed the importance of establishing collaborations and sharing experiences and data. There are currently four products available: 1) Ocean+ Data Viewer; 2) Ocean+ Library; 3) Protected Planet; and 4) Ocean+ Habitats. Further products will be built according to the needs of countries and regions by providing fine-scale information for decision making. She invited collaboration on new ideas.

After project closure in August 2019, a final evaluation will be carried out to determine the impact of the project. Work is underway on the development of a second phase of the project, a process led by FAO to continue the ABNJ theme. She invited participants to visit the Common Oceans and MiCO websites.

The Secretary General of the CPPS invited country representatives and other workshop participants to comment on the next steps of the ABNJ Deep Seas project.

The representative of Colombia stated that they agree with other countries on the need to carry out new training on marine genetic resources, their derivatives and intellectual property, creating spaces for the countries to debate the challenges and scope on this matter. It is necessary for countries to receive clear training invitations in order for them to correctly identify the relevant delegates that will participate in them.

The representative of Chile expressed his interest in actively participating in the evaluation of the ABNJ Deep Seas project. He highlighted that it is first necessary to evaluate how it went and from then on consider participating in a next stage. With respect to the STRONG High Seas project, he indicated that it offers many opportunities and indicated that it should generate new training opportunities once the target audience has been identified. He also considered it necessary to open the spectrum for participation to other institutions, for which the issues and the level of representation have to be better defined. He suggested holding a workshop on environmental impact assessments with national experts for them to share their vision. In December 2019, the COP 25 on climate change will take place in Chile, where the ocean will have a high profile, which can help other initiatives.

The representative of Ecuador identified marine genetic resources and their derivatives, satellite monitoring of ships and marine spatial planning as issues for capacity development. He also considered it important to continue creating spaces with multidisciplinary teams to participate in future BBNJ negotiations.

The importance of addressing illegal fishing issues in these dialogues was also highlighted. ABNJ issues should be brought closer to the private sector. He recognized that the private sector is an actor that we need in these spaces and that it helps to calm concerns about the issues being addressed, and clarified that the responsibility for conservation also falls on those private sectors.

11.3. MiCO Ocean Migratory Connectivity Initiative. Corrie Curtice, Duke University.

Ms. Curtice indicated that the MiCO initiative led by Duke University researchers will be officially launched on April 1, 2019 during the BBNJ negotiation, but that it goes beyond the process of providing information to relevant stakeholders on ecological connectivity. Among other things, it provides knowledge on how coastal waters are connected to areas beyond national jurisdiction through the presence and movement of migratory species, showing examples of migratory movements of humpback whales and sea turtles in the region, species that face many threats in areas within and beyond national jurisdictions. MiCO attempts to fill gaps in how these species are affected on their migratory routes in order to support decision-making.

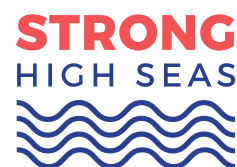
It recommends that the emerging policy forums on ABNJ should incorporate these issues. MiCO hopes to provide a database of findings, which will be available to researchers and decision-makers on a permanent basis. It is a consortium of about 30 people showing how connectivity data can be included in planning. They hope to get feedback from politicians, to know what kind of information is needed to make decisions.

Ms. Curtice reported on how they explore connectivity at sea, providing spatial-temporal information on the habitat use of migratory species and how areas connect in space and time. They hope to continue to involve new partners and receive telemetry, photo ID, acoustic, and isotope data, among others, which will provide more information on ecosystem functionality.

XII. CLOSING

In a brief closing ceremony, Ambassador Méntor Villagómez, representing the CPPS Secretariat, and Ms. Rachael Scrimgeour and Carole Durussel of the ABNJ Deep Seas and STRONG High Seas projects, respectively, thanked the participants for their interest and active participation in the workshop and wished them a good return to their countries.

ANNEX 1: WORKSHOP AGENDA



WORKSHOP AGENDA

Science for Solutions: Bringing Stakeholders Together to Improve Ocean Planning and Governance in ABNJ of the South-East Pacific

Day 1 – 13 March 2019	
8:30 – 9:00	Registration
09:00 – 09:30	Welcome on behalf of the CPPS Secretariat, the ABNJ Deep Seas Project, the STRONG High Seas Project, host country Ecuador and Germany & overview of objectives of the workshop
09:30 – 09:45	Ice Breaker
09:45 – 10:30	Session 1: Project updates STRONG High Seas Project State of Play <i>Overview of the state of play in the STRONG High Seas project</i> Ben Boteler, IASS ABNJ Deep Seas Project <i>Overview of progress of the ABNJ Deep Seas project and plans for the final months of the project</i> Rachael Scrimgeour, UNEP-WCMC
10:30 – 11:00	Session 2: Engagement related to ABNJ and BBNJ in the region CPPS Presentation on State of Play related to ABNJ/BBNJ <i>Presentation on ongoing work in the CPPS region, with a particular focus on BBNJ</i> Dr. Gustavo Arévalo, Secretaría de CPPS
11:00 – 11:30	Coffee Break
11:30 – 13:00	States Presentations on State of Play related to ABNJ/BBNJ <i>Presentations by Chile, Colombia, Ecuador, Peru and Panama</i>
13:00 – 14:00	Lunch Break
14:00 – 14:30	States Panel discussion on State of Play related to ABNJ/BBNJ <i>Discussion on the presentations by States</i>
14:30 – 15:30	Stakeholder Presentations on State of Play related to ABNJ/BBNJ <i>Presentations on stakeholders' perspective and ongoing work progresses on ABNJ</i> Sandor Muslow (ISA) Sebastian Rodríguez (SPRFMO) Joseph Appiott (CBD)
15:30 – 16:00	Coffee Break

16:00 – 17:00	Stakeholders Panel discussion on State of Play related to ABNJ/BBNJ <i>Discussion on the presentations by stakeholders</i>
19:00	Social dinner

Day 2 – 14 March 2019	
09:00 – 11:00	Session 3: Area-based planning in ABNJ <ul style="list-style-type: none"> • Presentation: Cross-sectoral area-based planning <i>Presentation outlining what cross-sectoral area-based planning involves, lessons from other ABNJ regions and relevance to BBNJ discussions</i> Holly Brooks, UNEP-WCMC • Presentation: Area-based planning methodology <i>Presentation describing what the methodology for area-based planning that has been developed under the ABNJ Deep Seas project is, how it has been developed and how and why it can be used</i> Rachael Scrimgeour, UNEP-WCMC • Exercise: Testing a methodology for area-based planning <i>Participants will be split into working groups to test an area-based planning methodology using different scenarios. Instructions will be provided via a short presentation and materials will be provided in both English and Spanish (UNEP-WCMC)</i>
11:00 – 11:30	Coffee Break
11:30 – 12:30	Exercise continued <i>Continuation of exercise to test area-based planning methodology (UNEP-WCMC)</i>
12:30 – 13:00	Plenary Discussion <i>Working groups report results and share insights and experiences in testing the area-based planning methodology (UNEP-WCMC)</i>
13:00 – 14:00	Lunch Break
14:00 – 15:00	Session 4: Capacity building and stakeholder engagement <ul style="list-style-type: none"> • Presentation: Area-based planning capacity <i>Presentation outlining the results from the ABNJ Deep Seas Project's capacity assessment for the Southeast Pacific</i> Louise Lieberknecht, GRID Arendal • Exercise: Breakout group discussions on priority elements from the capacity assessment
15:00 – 15:30	Coffee Break
15:30 – 16:30	<ul style="list-style-type: none"> • Presentation: Capacity needs assessment for BBNJ in the Southeast Pacific <i>Presentation on ongoing and upcoming work on developing and conducting a capacity needs assessment on BBNJ/ABNJ for the Southeast Pacific towards future workshops and initiatives</i> Tim Packeiser, WWF Germany • Presentation: Developing a stakeholder platform <i>Presentation on the progress of the development of a stakeholder platform, and links to discussions and inputs from the first Dialogue</i>

	<p><i>Workshop held in Cali, Colombia, in June 2018</i></p> <p>Jaime Aburto, UCN</p> <p>Followed by discussion.</p>
16:30 – 17:00	<p>Session 5: The state of biodiversity in the Southeast Pacific</p> <ul style="list-style-type: none"> Presentation: Ecological baselines report <i>Presentation on the progress of the ecological baselines report and links to discussions and inputs from the first Dialogue Workshop held in Cali, Colombia, in June 2018</i> Luiz Zapata, WWF Colombia <p>Followed by discussion.</p>

Day 3 – 15 March 2019	
09:00 – 10:00	<p>Session 6: Governance and biodiversity in ABNJ</p> <ul style="list-style-type: none"> Presentation: Legal report titled 'Strengthening Regional Ocean Governance for the High Seas: Opportunities and Challenges to Improve the Legal and Institutional Framework of the Southeast Atlantic and Southeast Pacific' <i>Presentation on the outcomes of the legal report and links to discussions and inputs from the first Dialogue Workshop held in Cali, Colombia, in June 2018</i> Carole Durussel, IASS Presentation: Updates & lessons learnt from other regions <i>Presentation on lessons learnt from other regions, incl. from the Southwest Pacific and the Southeast Atlantic regions</i> Glen Wright, IDDR Presentation: Activity progress on Monitoring, Control and Surveillance (MCS) of Human Activities in ABNJ <i>Presentation of current findings on MCS</i> Glen Wright, IDDR <p>Followed by discussion.</p>
10:00 – 11:00	<p>Session 7: Focus on the BBNJ Negotiations</p> <p><i>Session focusing on the issues of marine genetic resources (MGRs) and environmental impact assessments (EIAs) (CPPS Secretariat)</i></p>
11:00 – 11:30	Coffee Break
11:30 – 13:00	<p>Focus on the BBNJ Negotiations (continued)</p> <p><i>Session focusing on the issues of marine genetic resources (MGRs) and environmental impact assessments (EIAs)</i></p> <p>Virna Cedeño. the potential of genetic marine resources and biotechnology within the framework of the ongoing process on BBNJ negotiations.</p> <p>Jane Collins. legal and policy frameworks governing marine biodiversity about Marine Genetic Resources (MGRs) within the framework of the ongoing process on ABNJ.</p> <p>Sandor Muslow. Environment impact assessment (EIA) guidelines under the International Seabed Authority on ABNJ</p>

	Joseph Appiott. Environment impact assessment (EIA) guidelines under the Convention on Biological Diversity (CBD)
13:00 – 14:00	Lunch
14:00 – 14:30	Focus on the BBNJ Negotiations (continued) <i>Session (continued) focusing on the issues of marine genetic resources (MGRs) and environmental impact assessments (EIAs)</i>
14:30-15:30	Open discussion <i>Opportunity for participants to discuss ABNJ and BBNJ needs of the region and future areas of work</i>
15:30 – 16:00	Coffee break
16:00 – 16:30	Session 8: Next steps STRONG High Seas Project next steps <ul style="list-style-type: none"> • <u>Presentation:</u> Next steps for project and future work of the STRONG High Seas project in the region Carole Durussel, IASS ABNJ Deep Seas Project next steps <ul style="list-style-type: none"> • <u>Presentation:</u> Next steps for project and future work of the ABNJ Deep Seas project in the region Rachael Scrimgeour, UNEP-WCMC
16:30 - 17:00	Closing of the Workshop - CPPS Secretariat, the ABNJ Deep Seas Project, the STRONG High Seas Project, host country Ecuador and Germany

ANNEX 2: LIST OF PARTICIPANTS

Name	Organisation	City, Country
Jorge Samaniego	WWF Ecuador	Guayaquil, Ecuador
Salvador Vega	Ministry of Foreign Affairs	Santiago, Chile
Cristóbal Hernández	Ministry of Foreign Affairs	Santiago, Chile
María Ovalle	Ministry of Environment	Santiago, Chile
Cristian Espinoza	Undersecretary of Fisheries	Santiago, Chile
Esteban Restrepo	Ministry of Foreign Affairs	Bogotá, Colombia
Kelly Moreno	Ministry of Environment and Sustainable Development	Bogotá, Colombia
Paula Rojas	Ministry of Environment and Sustainable Development	Bogotá, Colombia
Iván Garcés	Viceminister of Fisheries	Quito, Ecuador
Marco Estrella	Ministry of Foreign Affairs	Quito, Ecuador
Rebeca Espinoza	Viceminister of Fisheries	Manta, Ecuador
David Carranza	Navy of Ecuador	Quito, Ecuador
Jorge Costain	Viceminister of Fisheries	Manta, Ecuador
Xavier Santillán	Navy of Ecuador	Guayaquil, Ecuador
Pablo Pazmiño	Navy of Ecuador	Guayaquil, Ecuador
Carlos Zapata	Navy of Ecuador	Quito, Ecuador
Lenin Naranjo	Navy of Ecuador	Quito, Ecuador
Willington Renteria	Navy of Ecuador	Quito, Ecuador
Víctor Masson	Navy of Ecuador	Quito, Ecuador
Bolivar Cañizales	Viceminister of Fisheries	Panama City, Panamá
Roberto Seminario	Viceminister of Fisheries	Lima, Perú
Samuel Rosadio	Viceminister of Fisheries	Lima, Perú

Ruslan Pastor	IMARPE	Lima, Perú
Sandor Mulsow	Expert of marine geology	Kingston, Jamaica
Alvaro Vallejo	IUCN South America	Quito, Ecuador
Shane Griffiths	IATTC	La Jolla, USA
Sebastian Rodriguez	SPRFMO	Wellington, New Zealand
Martha Vides	INVEMAR	Colombia
Virna Cedeño	Concepto Azul	Ecuador
Jane Collins	Ecoast Marine Research	Belgium
Javier Gaviola	IMARPE	Lima, Peru
Cristian Laborda	Laborda Abogados Spa	Santiago, Chile
Pilar Ycaza	CIIFEN	Guayaquil, Ecuador
Ivonne Montes	International Council for Science - Scientific Committee on Oceanic Research (SCOR)	Perú
Sonia Yáñez	Milenium Institution on Oceanography (IMO); University of Universidad de Concepción	Concepción, Chile
Julián Reyna	Universidad del Pacífico	Guayaquil, Ecuador
Ben Boteler	IASS	Potsdam, Germany
Carole Durussel	IASS	Potsdam, Germany
Jana Fasheh	IASS	Potsdam, Germany
Glen Wright	IDDR	Paris, France
Jaime Aburto	UCN	Coquimbo, Chile
Beatriz Yannicelli	UCN	Coquimbo, Chile
Luz Gómez	WWF Colombia	Cali, Colombia
Luis Zapata	WWF Colombia	Cali, Colombia
Tim Packeiser	WWF Germany	Hamburg, Germany
Louise Lieberknecht	Grid-Arendal	Norway
Corrie Curtice	Duke University	Durham, USA
Holly Brooks	UNEP-WCMC	Cambridge, UK
Rachael Scrimgeour	UNEP-WCMC	Cambridge, UK
Carmen Morales	Universidad de Concepción	Concepción, Chile
Joseph Appiott	Convention on Biological Diversity	Montreal, Canada
Méntor Villagómez	Comisión Permanente Pacífico Sur	Guayaquil, Ecuador
Fernando Félix	Comisión Permanente Pacífico Sur	Guayaquil, Ecuador

Gustavo Arévalo	Comisión Permanente Pacífico Sur	Guayaquil, Ecuador
Marcelo Nilo	Comisión Permanente Pacífico Sur	Guayaquil, Ecuador
Maria de Grau Avila	Comisión Permanente Pacífico Sur	Guayaquil, Ecuador
Veronica Avila Pazmiño	Comisión Permanente Pacífico Sur	Guayaquil, Ecuador