

# ‘Enhancing the Knowledge Base for Cross-Sectoral Management and Ocean Governance in ABNJ of the Southeast Atlantic’

Dialogue Workshop organised by the Abidjan Convention Secretariat with the STRONG High Seas Project

16-17 February 2021



Workshop Participants © STRONG High Seas Project, 2021

The workshop agenda can be found in Annex 1.

The workshop presentations can be found [here](#).

For more information about the STRONG High Seas project, please visit: <https://www.prog-ocean.org/our-work/strong-high-seas/> or contact: [stronghighseas@iass-potsdam.de](mailto:stronghighseas@iass-potsdam.de)

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## Workshop summary

The [STRONG High Seas](#) ('Strengthening Regional Ocean Governance for the High Seas') project with its partner the [Abidjan Convention Secretariat](#) co-hosted the third Dialogue Workshop titled 'Enhancing the Knowledge Base for Cross-Sectoral Management and Ocean Governance in ABNJ of the Southeast Atlantic', which took place online on 16-17 February 2021. This workshop was part of a series of workshops organised under the STRONG High Seas project in the Southeast Atlantic region to bring together stakeholders to discuss the status and challenges of global and regional ocean governance, as well as foster exchange and build new networks. The workshop brought together 42 participants from member States of the Abidjan Convention as well as global and regional organisations, scientific institutions, academia, and civil society.

## Key messages

- The **Dialogue Workshop offered a space** for Abidjan Convention member States, the Abidjan Convention Secretariat, sectoral organisations, academia, and civil society **to present their work and discuss critical aspects relevant to marine areas beyond national jurisdiction (ABNJ)**, particularly to the conservation and sustainable use of marine biodiversity in these areas (BBNJ). Workshop participants highlighted **the importance of organising these Dialogue Workshops** in the Southeast Atlantic region.
- Workshop participants **recognised the progress of the STRONG High Seas project and stressed the important opportunity for States and stakeholders in the Southeast Atlantic region** to participate in the project and its planned activities beyond this Dialogue Workshop.
- Participants **emphasised the current and potential future role of the Abidjan Convention and its Secretariat** as a key convener of States and for coordinating efforts in the Southeast Atlantic region.
- Workshop participants highlighted that there is a **strong need for African States and stakeholders of the Southeast Atlantic region to enhance efforts** regarding the ongoing BBNJ negotiations and issues related to ABNJ. To support this, **awareness raising and political engagement are essential** through all areas of society.
- There is also an important need for initiatives, such as the STRONG High Seas project, to continue **to support capacity-building efforts in African States and help to enhance their participation and role in the BBNJ negotiations and in ABNJ issues** more broadly.
- Many of the key provisions in the draft BBNJ Agreement are still in brackets and further negotiations are needed to finalise the agreement and to ensure that it is ambitious and robust. While COVID-19 has caused a delay in the BBNJ negotiations, **there remains significant opportunities for States and stakeholders, including in the Southeast Atlantic region, to be involved in the BBNJ negotiations.**
- **Socioeconomic assessments of ABNJ, including in the Southeast Atlantic region, are limited** and there is still a **need for more scientific research** on this topic. Several blue economy activities are viewed as promising sources of development for the region. However, if these activities are not well managed, they are likely to increase the pressure on marine

ecosystems and could negatively impact local communities rather than supporting sustainable growth and social inclusion.

- Conservation measures, such as area-based management tools (ABMTs), are appropriate for use in ABNJ. However, **capacity-building, political will and stakeholder interest to ensure compliance with legal regulations**, through for instance the use of Monitoring, Control and Surveillance (MCS) tools, **must be enhanced** to ensure their full implementation and contribute towards the conservation and sustainable use of BBNJ.

### Outlook and next steps

This Dialogue Workshop was the third in a series organised in the Southeast Atlantic region under the STRONG High Seas, a project funded through the German International Climate Initiative (IKI), with two more planned by 2022. In 2021, the project plans to publish a socio-economic assessment of the importance of marine biodiversity in ABNJ of the Southeast Atlantic (and the Southeast Pacific, as the other project focus region) as well as a report with proposals for concrete conservation measures for the conservation and sustainable use of BBNJ. A report with proposals to strengthen monitoring, control, and surveillance of human activities in ABNJ will also be prepared and a workshop on this topic will be organised for the Abidjan Convention region in May 2021.

Stakeholder participation will be promoted by strengthening links between the Southeast Pacific and Southeast Atlantic regions, as well as with other relevant marine regions. To this end, interactive inter-regional meetings will be organised in 2021. In addition, other webinars and a capacity-building workshop will be organised later this year. Abidjan Convention member States and stakeholders in the Southeast Atlantic region 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 BBNJ negotiations and their relevance to the region can be found on the [High Seas Abidjan Convention website](#) and more about the project can be found on [the project website](#) as well as through [Facebook](#) and [Twitter](#).

### Summary of the presentations and discussions

#### Welcome

Welcome to the workshop 'Enhancing the Knowledge Base for Cross-Sectoral Management and Ocean Governance in Areas Beyond National Jurisdiction of the Southeast Atlantic' on behalf of the Abidjan Convention Secretariat and the STRONG High Seas Project.

**Mr. Abou Bamba**, Head of the [Abidjan Convention Secretariat](#), welcomed the workshop participants and highlighted that the COVID-19 pandemic has not slowed down the progress of global debates on the governance and management of ABNJ. He pointed out that the workshop is in line with the objectives of the Abidjan Convention and the STRONG High Seas project to establish a regional framework for exchange on the current challenges and issues around regional ocean governance. It contributes to bringing together the member States of the Abidjan Convention to discuss these important topics to enable the region to act as one voice during the ongoing BBNJ negotiations.

**Mr. Ben Boteler**, co-lead of the STRONG High Seas project and based at the [Institute for Advanced Sustainability Studies \(IASS\)](#), welcomed the participants on behalf of the project and expressed his hope that the STRONG High Seas project in general and this workshop in particular can make collective strides towards marine conservation. He highlighted the numerous regional and global initiatives in ocean governance that are underway, including the ongoing BBNJ treaty negotiations, and emphasized the importance for stakeholders of the Southeast Atlantic region to actively participate in these discussions. He highlighted that the main objectives of the workshop were to discuss with participants the current state of the BBNJ treaty negotiations; provide a setting for member States of the Abidjan Convention and other stakeholders in the Southeast Atlantic region to exchange in regard to lessons learnt and best practices in regional ocean governance; and present and discuss STRONG High Seas scientific findings and planned assessments.

### **Session 1: The importance of the marine environment and update on the ongoing BBNJ Negotiations**

#### **Update on the STRONG High Seas project activities relevant to the Southeast Atlantic region and the BBNJ Negotiations**

**Mr. Ben Boteler (IASS)** gave an introduction about the importance of ABNJ and the ongoing BBNJ treaty negotiations. The ocean covers 71% of planet, of which 46% are ABNJ. ABNJ are legally divided into the high seas and the Area. The high seas are defined by the United Nations Convention on the Law of the Sea (UNCLOS) as the water column beyond the limits of national jurisdiction while the Area is defined as the seabed, ocean floor and subsoil thereof located beyond the limits of national jurisdiction. ABNJ are full of marine life and provide important ecosystem services, which are increasingly threatened. Pressures from human activities are not limited to coastal areas but extend to ABNJ. The whole planet is connected, driven by ocean currents and the migration of animals, and as a result, activities in coastal zones impact ABNJ and vice versa. Effective conservation and sustainable use of biodiversity in ABNJ will contribute to a healthy ocean and global wellbeing of current and future generations.

The STRONG High Seas project carries out transdisciplinary scientific assessments to provide decision-makers, both in the target regions (the Southeast Atlantic and the Southeast Pacific) and globally, with improved knowledge and understanding on BBNJ. At the regional level, decision-makers benefit from improved knowledge and understanding about the gaps, challenges and opportunities in the legal and governance framework; current status of, as well as key pressures and threats on BBNJ; the links between BBNJ and human wellbeing; as well as possible options for the management of human activities impacting BBNJ and the implementation, monitoring and enforcement of these management approaches.

Both the Southeast Atlantic and Southeast Pacific regions are characterized by important oceanic currents contributing to high marine productivity. Working through regional organizations, States in these regions have recognized the need to strengthen ocean governance at this level for the conservation and sustainable use of biodiversity, including in ABNJ. Together with stakeholders in both target regions, the STRONG High Seas project will co-develop and propose targeted measures to support the coordinated development of integrated and ecosystem-based approaches for ocean governance in ABNJ.

A list of webinars and scientific reports published under the STRONG High Seas project to date can be found in Annex 2.

### **A preliminary analysis of the draft high seas biodiversity treaty**

**Ms. Klaudija Cremers (IDDRI)** provided an overview of the current status of the BBNJ negotiations, including the draft treaty text, which will be, once it is adopted, the third implementing agreement under UNCLOS. The BBNJ treaty negotiations formally started in September 2018 following a 2017 UN General Assembly Resolution to start the negotiations towards a BBNJ Agreement. The final session of the Intergovernmental Conference (IGC 4) to negotiate this agreement was planned for March 2020 but had to be postponed due to the COVID-19 pandemic. Inter-sessional discussions have taken place online since September 2020, with IGC 4 set to take place in August 2021 (dependent on the COVID-19 situation). It remains unclear whether States will be able to finalize the negotiations during the next IGC session, so a fifth session of the IGC might be necessary.

The current elements of the negotiations include the “package deal” : Area-based Management Tools (ABMTs), including Marine Protected Areas (MPAs); Environmental Impact Assessment (EIAs); Marine Genetic Resources (MGRs) including questions on the sharing of benefits; Capacity Building & Transfer of Marine Technology (CB&TT) as well as general provisions and institutional arrangements. The preamble of the draft agreement is currently rather short, with limited references to key instruments, principles, and objectives. It highlights threats facing ABNJ, emphasises the inherent value of marine biodiversity and ecosystem services, and reflects on the importance of science-based decision-making and effective enforcement. The future agreement will require an institutional structure, e.g. a Conference of the Parties (COP), clearing-house mechanism or scientific and technical bodies. The current draft agreement text gives the COP the mandate to establish additional bodies for the implementation of the agreement. The clearing-house mechanism is only mentioned in the context of MGRs, EIAs and CB&TT, with no specific function planned for ABMTs nor a specific role for monitoring, control and surveillance (MCS). There is also an emphasis at the beginning of the draft text on the need to enhance international cooperation.

There is a broad understanding that access to MGRs should rely on notification rather than a permit system, with no impediment to access. Less attention is given to commercial reward; most of the MGR research does not necessarily lead to monetary benefits, so the focus of the negotiations has shifted to non-monetary benefits. There is still no consensus on various provisions. The principle of Common Heritage of Mankind is included in the introductory part of the draft agreement, but not in the section on MGRs. Although MGRs do not have to be recognised as Common Heritage of Mankind, important topics such as stewardship or solidarity could still be included. This section of the draft agreement also includes a provision on traditional knowledge.

There is agreement that ABMTs, including MPAs, should be based on the best available science, the precautionary approach, and the ecosystem approach. In terms of the ABMT process, it is not clear as to whether only State parties to the agreement will submit proposals or if other stakeholders can be involved. There are currently no provisions on interim or emergency conservation measures. In the current draft text, a COP will be established, but the scope of its mandate is not yet fully fleshed out. There is currently no provision in the draft agreement text that empowers the COP to adopt measures when other competent organisations may not.

There is currently no consensus on how the application of EIAs should be operated or on what the threshold for the application of EIAs would be. The question remains whether a specific list of activities requiring an EIA should be included in the draft text or whether the Scientific and

Technical Body should be empowered to develop additional guidelines on the conduct of EIAs. Additionally, it is not yet decided what the effect of an assessment will be, i.e. whether it would be advisory only, with State parties to the agreement ultimately deciding whether the activity may proceed, or whether the COP will be responsible for providing such authorisation. Another question remains as to whether an external body should be established to monitor and review EIAs.

The draft agreement text contains a non-exhaustive list of types of CB&TT that should be included or considered in the final agreement text. The COP will be able to amend this list in the future. The question remains whether participating in CB&TT will be voluntary or mandatory for State parties to the agreement.

Many of the key provisions in the draft BBNJ Agreement are still in brackets and further negotiations are needed to finalise the agreement and ensure that it is ambitious and robust. While COVID-19 has caused a delay in the BBNJ treaty negotiations, there remain significant opportunities for States and other stakeholders, including in the Southeast Atlantic region, to be involved.

## Discussion

- Although the foreseen 4<sup>th</sup> and last round of BBNJ treaty negotiations had to be postponed due to the COVID-19 pandemic, intersessional negotiations organised online since September 2020 have helped to continue the discussions on the conservation and sustainable use of marine biodiversity in ABNJ. The African Group has been exchanging on this matter, working well together, and bringing their position together.
- It was noted by workshop participants that African countries are not always well represented at BBNJ treaty negotiations meetings, including during the online Intersessional discussions, which is mainly due to limited resources and capacities. It was highlighted that reinforcing African countries' capacities was important to ensure their participation in the BBNJ treaty negotiations. Participants also noted that the COVID-19 pandemic gives them more time to engage and discuss these important issues.
- Of particular importance to the Southeast Atlantic region, are the topics of financing and capacity building. Some questions posed by participants include what type of capacity building activities are needed to build the capacities of African countries for the BBNJ treaty negotiations as well as their capacities for the implementation of the BBNJ Agreement? Which provisions on capacity building and financing need to be included in the BBNJ Agreement text? What prevents States from sharing information and what is needed to support them?
- Countries in the Southeast Atlantic region face various challenges, including significant impacts from climate change, and ABNJ may therefore feel very far away for them, both in terms of geography and in terms of pressing issues to tackle. Recently, a new MPA was established within the EEZ of Ivory Coast, which shows an encouraging development for the region.
- Within the Southeast Atlantic region, workshop participants highlighted the importance of the BBNJ Agreement and the need to work together as most countries have limited capacities to work on BBNJ issues. Participants highlighted the important role of the Abidjan Convention as a convening platform for member States to discuss BBNJ and to develop capacities.

Furthermore, it was noted that there is a need for the region to look into the mandate of the Abidjan Convention in more detail and discuss whether an expansion into ABNJ is necessary. Collaboration and communication with other regions were also highlighted as important.

- It was noted that not all countries in the region necessarily realise the role that the Abidjan Convention can play, particularly in terms of increasing the visibility of the BBNJ topic in the region. Within the Southeast Atlantic, the main challenges around the topic of BBNJ include a lack of awareness in terms of an enabling environment and capacity, both at the individual and institutional level. It was also highlighted that there is a need for a larger number of national institutions to be present during discussions on BBNJ, including at the STRONG High Seas Dialogue Workshops.
- Transparency was highlighted as an issue, indicating that it is also important for citizens in the countries to know what is happening on Ocean and BBNJ issues so that they can participate and provide comments. It was recommended that the Abidjan Convention Secretariat intensifies its effort to make sure that such issues are known by the public and capture the voices of the people. This could be done through (online) workshops and seminars to popularise BBNJ topics and thereby ensure that people are aware of the benefits to and challenges in the region. The importance of associating Foreign Affairs Ministries with international organisations to make more substantive progress during the BBNJ treaty negotiations was also mentioned during the workshop. Furthermore, workshop participants also highlighted the need to have more information regarding the process of the ABNJ Working Group under the Abidjan Convention.
- Scientific research was considered as important to inform and guide the implementation of the future BBNJ Agreement. Good research is also necessary to underpin policy decisions. Other relevant projects with activities in the region include: [One Ocean Hub which](#) undertakes collaborative research to work towards a more integrated governance framework to balance multiple ocean uses with conservation by empowering communities in South Africa, Namibia, Ghana, Fiji and the Solomon Islands. [Mission Atlantic](#) is working with a research team of deep-sea ecologists on broad scale habitat maps to support spatial planning and to assess the present and future status of Atlantic marine ecosystems under the influence of climate change in exploitation.

## **Session 2: Update on STRONG High Seas work activities**

### **Study on the socio-economic importance of ABNJ in the Southeast Atlantic region**

**Ms. Claudette Spiteri (MCL Environmental Consulting)** presented the STRONG High Seas project's socio-economic assessment on the importance of high seas biodiversity for the Southeast Atlantic. The study seeks to characterise and assess the costs and benefits associated with human activities in ABNJ. Rather than following a standard cost-benefit analysis, this study was conducted based on a literature review and interviews with stakeholders, following a narrative approach built around a selection of case studies. The study focuses on human activities, pressures that impact the state of marine biodiversity, efforts for conservation and for applying management measures, economic and human wellbeing benefits, as well as the costs linked to environmental degradation. The study applied an ecosystem services approach, including non-provisioning ecosystem services into the assessment. When looking at socio-economic interests, the study put supporting services at the core, with links to other types of services. The study also

tried to make a distinction between consumptive and non-consumptive activities, as well as activities that are dependent on the state of the marine ecosystem and those that are not.

The topic of ABNJ is relatively new in the Southeast Atlantic region and there is a feeling amongst those interviewed for this study that this area is out of reach and inaccessible. This study also showed that it is difficult to find socio-economic studies for this region, so there is still a great need for scientific research on this topic, as well as studies on how to increase capacities and technology transfer in this region. Finally, COVID-19 impacts blue economy sectors, but the pandemic should be turned into an opportunity to recover more sustainably and equitably. Highlights of some of the case studies in the report and their main findings include:

- **Fishing profitability in ABNJ**
  - Higher income countries are responsible for most (97%) of the fishing undertaken in the ABNJ of the Southeast Atlantic region, with five countries exerting 80% of the ABNJ fishing effort. Distant water fishing nations gain most of the revenue from fishing in this region, which brings up issues of equity and justice.
  - Although fishing is one of the most important socio-economic activities that take place in the Southeast Atlantic region – representing about 1% of global revenue – most of the fishing that takes place in this region is artisanal fishing or fishing undertaken in countries' EEZ. Most of the coastal countries in the Southeast Atlantic region cannot afford vessels and equipment necessary to fish in ABNJ.
  - Without subsidies, fishing would offer limited profitability in the ABNJ part of the Southeast Atlantic region. European countries (i.e. Spain) as well as Japan receive the most subsidies to fish in the Southeast Atlantic region.
  
- **Access and Benefit Sharing from MGR**
  - Most (84%) of the patents for MGRs come from companies based in Europe and the United States. The majority (47%) of the patents are from one company, BASF, which is registered in Germany.
  - Stakeholders within the Southeast Atlantic have suggested that non-monetary benefits of MGR (e.g. access to samples and sharing of information), including from sharing the knowledge and technology transfer, is a priority for the region within the BBNJ negotiations.
  
- **Environmental degradation and erosion as a result of increased levels of port infrastructure**
  - Coastal erosion is a relevant issue for the Southeast Atlantic region and it is partially due to the increase in transport and maritime activities in ABNJ. This increase in maritime transportation has led to a need for coastal infrastructure with consequent coastal alterations and erosion, which have social and economic implications and costs for countries. This highlights the importance of connectivity between ABNJ and coastal areas.

### **Options for Strengthening MCS of Human Activities in the Southeast Atlantic Region**

**Ms. Klaudija Cremers (IDDRI)** presented the work on MCS done under the STRONG High Seas project, including the development of the report 'Options for Strengthening Monitoring Control and Surveillance (MCS) of Human Activities in the Southeast Atlantic region'.

MCS is an implementing tool for States to meet international obligations regarding human activities in ABNJ. There is a great variety of MCS tools available, however, there are three main challenges: 1) reliance on flag State responsibility, which means that States must be able and willing to fulfil their responsibility; 2) governance gaps in ABNJ and overlapping mandates across organisations; and 3) not all States have enough capacity to acquire tools, or human resources to work on MCS issues. There is no one-size-fits-all approach to MCS, and options for MCS depend on the rules that need to be enforced. However, cooperation and coordination are key to all MCS initiatives. There are three easy ways to strengthen MCS through the BBNJ Agreement: 1) reinforce MCS obligations and principles; 2) create a strong role for MCS in the clearing-house mechanism; and 3) require a strategy for MCS to be included in future proposals for area-based management tools (ABMTs). Current preliminary observations regarding the Southeast Atlantic region are that most projects on MCS focus on countries' EEZ and on one specific part of the region, i.e., not the whole Abidjan Convention area. Studies also tend to focus mostly on Illegal, Unreported, and Unregulated (IUU) fishing and observations on domestic vs international fishing fleets. International funders working on improving MCS tend to focus on technical means but do not always focus on governance issues.

There are already many actors and projects working on strengthening MCS in the Southeast Atlantic region, therefore the focus of the report that will be published under the STRONG High Seas project will focus on port State measures and how these can strengthen MCS in this region. Questions that will be addressed include: How is the FAO Port State Measures Agreement being implemented? What can be improved? The next steps on the MCS work under the STRONG High Seas project will be to organise an online expert workshop and interviews with MCS experts in the region. Participants are invited to [contact the project](#) if they have information or contacts to share for the interviews and if they would like to be involved in the development of the study or take part in the upcoming online workshop.

### **Session 3: Interactive session on conservation, sustainable use, and integrated management of BBNJ**

**Ms. Leticia Greyling and Dr. Shannon Hampton (IOI-SA)** introduced Session 3 on the interactive session on conservation, sustainable use, and integrated management of BBNJ.

An area-based (or spatial) management tool is an approach that enables the application of management measures to a specific area to achieve a desired policy outcome. A wide variety of area-based management tools (ABMTs) exist, each with their own purpose, and established and managed by organizations with their specific mandate, and authority. Some tools are focused on managing individual activities in a specific area, such as fisheries closure areas, pollution maritime traffic control in sensitive areas, and seabed mining exclusion areas. Other tools, such as marine spatial planning (MSP) and integrated coastal zone management (ICZM), seek to coordinate several types of activities within the same area. Regulation of activities may be required to support blue growth and sustainable development, conservation of critical habitats such as coral reefs or marine features such as seamounts, and to align with provisions or requirements set out in national or regional policies and legislation. A commonality to all these tools is that the management measures they include are applied to a geographically defined area, usually through the creation and implementation of a management plan. Management plans guide implementation of the tool by outlining tool objectives, dedicated management measures, and monitoring and review requirements, which helps support and track progress towards a desired goal or commitment.

### Participant responses from the interactive session in break out groups

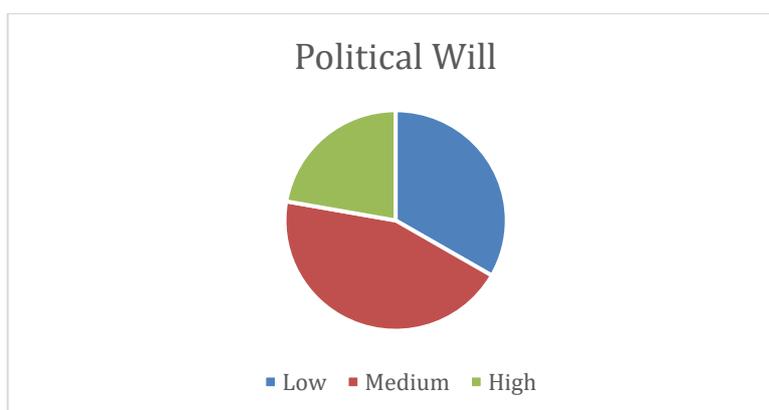
Question 1: Are you aware of any additional measures used for the management and conservation of biodiversity and natural resources in ABNJ? If so, please name the additional measures and what they cover.

#### Participant responses to question 1:

- Important Bird and Biodiversity Areas (IBAs).
- Tools such as Vessels Monitoring Systems (VMS), port authority vessels tracking, and satellite-based tools.
- No-take areas for trawlers.
- Southeast Atlantic Fisheries Organisation (SEAFO) closures can be further split into longlining closures and bottom trawl closures.
- Impact Reference Zones (IRZ) and Preservation Reference Zones (PRZ) are both spatial management measures to support monitoring of seabed mining activities in ABNJ.
- Marine spatial planning (MSP) will be extremely important for ABNJ.
- Importance of conservation based on traditional and ancestral knowledge.

Question 2: What is the current political interest and/or support for conservation measures in ABNJ?

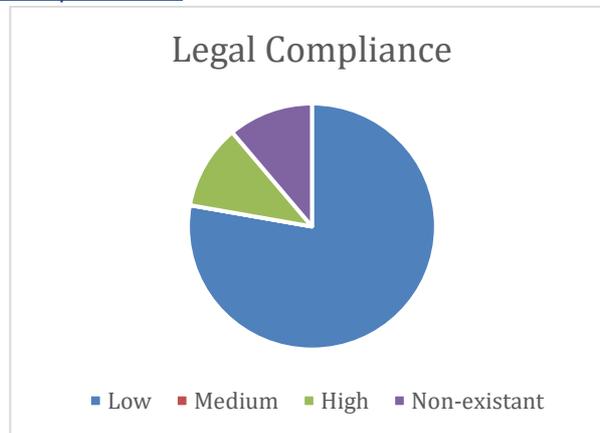
#### Participants responses to question 2:



- Political interest only exists within national jurisdiction.
- There is a lack of interest from governments, as the topic of ABNJ is new to some of them. There is an awareness of BBNJ, but most interest is around tuna fishery.
- There are different levels of interest depending on the country. On the African continent, for example, there is much talk and awareness about conservation measures in ABNJ, but not much action. If there would be more political will, there may be more action. The political will is negatively affected by economic interests.
- Governments in the Southeast Atlantic region have very little financial means to do research in ABNJ, but they are interested in these areas after this was first raised and discussed under the Abidjan Convention.
- There is currently a lack of political support as the conservation of BBNJ represents a new challenge.
- Political will is moderate given that international agreements and commitments made by countries as part of the United Nations 2030 Agenda exist but have not yet been reached.

Question 3: What is the current legal compliance for conservation measures in ABNJ?

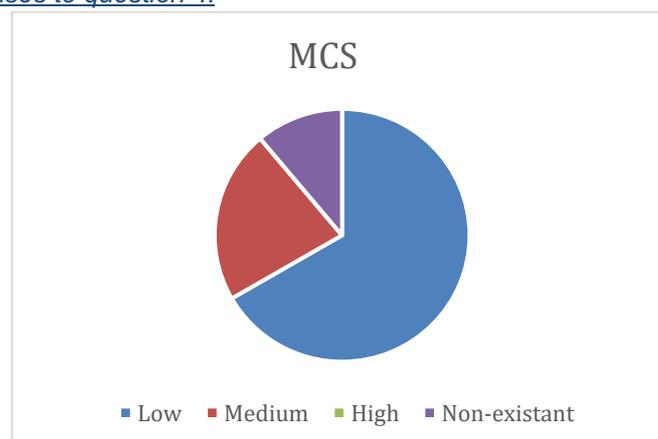
*Participants responses to question 3:*



- Conservation measures are not clear in ABNJ.
- Limited ability to monitor compliance and known IUU fishing in this region.
- There is currently very little compliance with conservation measures on the high seas (e.g. IUU fishing). The legal regime is very new. As capacity is built and monitoring is improved, compliance may improve.
- There are several laws and organisations juxtaposed, which do not solve the problem as a whole. There is therefore the need for a binding global agreement on BBNJ.
- There is no political will.

Question 4: Rate current monitoring, control, and surveillance for conservation measures in ABNJ?

*Participants responses to question 4:*

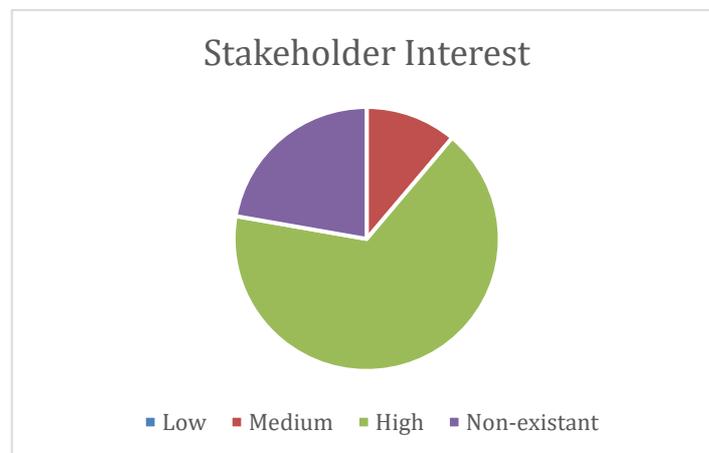


- There is limited capacity to monitor compliance, but there are remote methods available and SEAFO can put observers on vessels.
- Weak monitoring.
- There has been improvement due to advancements in technology, but enforcement remains poor.

- At the moment, the implementation of management measures within national jurisdiction in our jurisdictions is low, but this is something that States must not lose sight of.
- Lack of means for the monitoring of ABNJ.
- There is a lack of logistics, financial means, and qualified personnel (expertise).

Question 5: Rate the current stakeholder interest and/or support for conservation measures in ABNJ?

Participants responses to question 5:



- There is high awareness and support amongst stakeholders. There is high interest amongst different governments, NGOs, industry sectors, civil society, researchers, etc.
- Private sector stakeholders' interest in ABNJ.
- There may be stakeholders who are not aware that they have a possible stake in ABNJ.
- Governments of the Southeast Atlantic region have a high interest because of the importance of ABNJ issues, but they do not have the financial means.
- Knowledge about BBNJ exists as it is a measurable resource that needs to be guaranteed for future generations.
- State control and surveillance in the area.

Question 6: Which other aspects should be considered for improved effectiveness of conservation measures, going forward? Please make use of examples, where you can.

Participants responses to question 6:

- Monitoring and communication.
- Use existing measures more effectively, for example designation of Area of Particular Environmental Interest (APEI) prior to any mining licences being granted and not after.
- Better coordination between existing measures, for example, if the Convention on Biological Diversity (CBD) identifies an Ecologically or Biologically Significant Marine Area (EBSA), then the International Seabed Authority (ISA) is required to consider it as an Area of Particular Environmental Interest (APEI) and Regional Fisheries Management Organisations (RFMOs) are required to regulate fishing activities, etc.
- Better surveillance, monitoring, and enforcement, including consequences for flag States when they break the rules.
- Better traceability of products, e.g. fish and minerals, in the supply chain so that consumers can choose not to buy from rule breakers.

- Open, inclusive and transparent consultation and assessment.
- Capacity building to support State obligations.
- Connecting scientific and technical groups with international affairs diplomats.
- It is necessary to develop a synergy of actions between South-North and South-South States in order to help support one another.
- Capacity building and technology transfer.
- Environmental, ecological, oceanographic and climate-related aspects.
- Increased cooperation between the Abidjan and Nairobi Conventions and others.

Question 7: Please share any additional inputs and insights related to these conservation measures, especially reflecting on your ideal measures required for biodiversity management in ABNJ.

Participants responses to question 7:

- Create mechanisms that allow for better implementation of legal instruments for protection and conservation, for example, in MPAs.
- Strengthen EIA instruments, especially for activities that cause very significant negative impacts on the marine environment.
- Cross-sectoral management is desperately needed, so that each industry is not managed in a silo.
- Inclusion of local and traditional knowledge stakeholders in decision-making.
- Importance of using evidence-based knowledge that can easily be translated into the different stakeholders' management approaches.
- Shift from a typical hierarchical approach to an approach where all stakeholders have an equal say, to support information sharing, common approaches and understanding.
- Basis for the identification of marine protected areas, the application of environmental impact assessment and the formulation of Marine Spatial Planning proposals to include traditional knowledge and traditional knowledge holders.
- We need a management body with oversight of the whole marine ecosystem that has the mandate and ability to act to ensure sustainable management of the ecosystem, taking into consideration cumulative impacts. This body should have the ability to manage human activities across multiple sectors, using area-based management tools, and based on the ecosystem approach. It should be able to be proactive in responding to climate change and other arising human impacts. It also needs the ability to monitor and enforce rules, and there needs to be consequences for breaches of rules.
- Conflicts of interests should be avoided, for instance the International Seabed Authority gains financially from granting mining licences in the Area while at the same time being the regulator.
- There is also a need for the application of strategic environmental assessments (SEAs) of the whole region. This should be managed by the management body, not by the industry. Data should be archived by the management body. Environmental Impact Assessments (EIAs) can be done by the industry in the context of the application of SEAs, but the industry must hand over the data to the management body.
- Creation of MPAs in ABNJ.
- It would be desirable for the established ABNJ Working Group of the Abidjan Convention to contribute and ensure the promotion of these conservation measures and strategies for managing biodiversity in ABNJ and encourage discussions at the national level on these conservation measures and the sustainable use of marine biodiversity in ABNJ.

## Wrap Up of the workshop and outlook

**Mr. Ben Boteler** (IASS) began his presentation by offering several general reflections on the Dialogue Workshop. He noted the widespread recognition of the importance of conservation and sustainable use of marine biodiversity in ABNJ, and the importance to engage further in debates at the national, regional and global level. While there is notable ongoing research, a robust link between science and policy processes must be ensured. In addition, collaboration, coordination, and communication between sectors are needed. This could be aided by a regional (or inter-regional) mechanism or platform for sharing knowledge and data.

Area-based management tools are appropriate for use in ABNJ. Capacity building, technology transfer, and improved tools and policy support for monitoring, control and surveillance are required to ensure the full implementation of the BBNJ Agreement objectives. He also observed that activities offering economic revenues, such as fishing, shipping, offshore oil and gas, as well as marine genetic resources, are of interest to States, but the potential can only be fully realised when implemented in a sustainable way. A sustainable blue economy is important to ensure the socio-economic development and halt biodiversity loss in the high seas, which threatens coastal livelihoods and activities in the EEZ.

Upcoming publications of the STRONG High Seas project include the socio-economic report developed by Ms. Claudette Spiteri, a report on options for strengthening MCS for ABNJ in the Southeast Atlantic, and a report planned for later in 2021 on conservation measures for BBNJ in the Southeast Atlantic. A regional workshop on MCS as well as a capacity building workshop will be held this year. Furthermore, [a stakeholder website](#) providing information on the conservation and sustainable use of BBNJ, including the BBNJ negotiations, has been developed by the project.

Representatives of the STRONG High Seas Project closed the workshop by thanking participants for their effort and commitment, expressing hope about the progress of existing initiatives, and once again stressing the importance of further advancing the sustainable use of the high seas.

## Annex 1: Workshop Agenda

Day 1 – 16 February 2021	
13:45 – 14:00	<p><b>Online platform open for participants to login</b>                      Day 1 Facilitated by Ms. Carolina Hazin (BirdLife International)</p>
14:00 – 14:15	<p><b>Welcome on behalf of the Abidjan Convention Secretariat and the STRONG High Seas Project</b>                      Mr. Abou Bamba (Abidjan Convention Secretariat) &amp; Mr. Ben Boteler (Institute for Advanced Sustainability Studies)</p>
14:15 – 14:20	<p><i>Mini tour de table in break-out rooms</i></p>
14:20 – 14:50	<p><b>Session 1: BBNJ Negotiations</b>  <b>Importance of the marine environment and the ongoing BBNJ Negotiations</b>  <i>Presentation on the importance of conserving and sustainably using marine biodiversity in areas beyond national jurisdiction (BBNJ) for the Southeast Atlantic region and the ongoing BBNJ negotiations at the United Nations, including the revised draft BBNJ negotiations text and intersessionals, its implications for the upcoming 4<sup>th</sup> round of BBNJ negotiations, and the role of regional organisations in supporting the implementation of the BBNJ Agreement</i>                      Ms. Klaudija Cremers (IDDRI) &amp; Mr. Ben Boteler</p>
14:50- 15:55	<p><b>Discussion with States and Stakeholders on ongoing and upcoming activities</b>  <i>States and stakeholders will be asked to share their views and discuss the following questions:</i></p> <ul style="list-style-type: none"> <li>• What new activities have you or your organisation/ministry/department/etc. undertaken in the last year related to the conservation and sustainable use of the marine environment, including in Areas Beyond National Jurisdiction?</li> <li>• Have you or your organisation/ministry/department/etc. participated in the BBNJ negotiations to date, including the recent intersessionals? What key take away messages or lessons have you drawn from this participation, particularly with regard to considerations for States and stakeholders of the Abidjan Convention region?</li> <li>• Looking forward, what important steps and/or activities do you identify as essential to conclude the BBNJ negotiations and successfully implement the instrument in the Abidjan Convention region?</li> </ul> <p>Facilitated by Ms. Carolina Hazin, with Mr. Ben Boteler, Ms. Klaudija Cremers, and Ms. Carole Durussel (Institute for Advanced Sustainability Studies)</p>
15:55 – 16:05	<p><b>10-minute break</b></p>
16:05 – 16:30	<p><b>Session 2: Update on STRONG High Seas work activities</b>  <b>Study on the socio-economic importance of areas beyond national jurisdiction (ABNJ) in Southeast Atlantic region</b>  <i>Presentation on the STRONG High Seas assessment and importance to regional stakeholders.</i>                      Ms. Claudette Spiteri (MCL Environmental Consulting)                      Followed by Q&amp;A</p>

<b>16:30 – 16:55</b>	<p><b>Options for Strengthening Monitoring, Control and Surveillance of Human Activities in the Southeast Atlantic Region</b></p> <p><i>Presentation on the upcoming work and report for the region, including identifying engagement from regional stakeholders.</i></p> <ul style="list-style-type: none"> <li>What kind of recent initiatives are you aware of that aim to strengthen monitoring, control and surveillance of human activities, especially in areas beyond national jurisdiction, in your country or region?</li> </ul> <p>Ms. Klaudija Cremers Followed by Q&amp;A</p>
<b>16:55 – 17:00</b>	<p><b>Wrap up of workshop and outlook for day 2</b></p> <p>Mr. Ben Boteler</p>
<b>17:00</b>	<p><b>Close of workshop</b></p>

<b>Day 2 – 17 February 2021</b>	
<b>13:45 – 14:00</b>	<p><b>Online platform open for participants to login</b></p> <p>Day 2 Facilitated by Ms. Paule Myriam Bane (Abidjan Convention Secretariat)</p>
<b>14:00 – 14:05</b>	<p><b>Welcome to Day 2</b></p> <p>Mr. Ben Boteler</p>
<b>14:05 – 14:30</b>	<p><b>Session 3: Interactive session on conservation and sustainable use and integrated management of BBNJ</b></p> <p><b>Introduction to session</b></p> <p><i>The session will be used to discuss with participants the importance of ocean governance for BBNJ and gather views in regard to available options for its conservation and sustainable use. The session will be instrumental for informing future assessments and outputs of the STRONG High Seas project.</i></p> <ul style="list-style-type: none"> <li>What management measures are you aware of that deal with conservation, natural resources and/or biodiversity in the ABNJ, and what successes or challenges have you encountered regarding these conservation measures?</li> </ul> <p>Ms. Shannon Hampton (IOI-SA), Ms. Letcia Greyling (IOI-SA) and Ms. Carolina Hazin (BirdLife International) Followed by Q&amp;A</p>
<b>14:30 – 16:35</b>	<p><b>Interactive session</b></p> <p><i>Break-out groups</i></p> <p>Participants to take 10-minute break during session</p>
<b>16:35 – 16:50</b>	<p><b>Plenary discussion</b></p> <p><i>Reporting back from break-out groups</i></p>
<b>16:55</b>	<p><b>Wrap up of workshop and outlook</b></p> <p>Mr. Ben Boteler</p>
<b>17:00</b>	<p><b>Close of workshop</b></p> <p>Mr. Abou Bamba</p>

## Annex 2: List of webinars and scientific reports published under the STRONG High Seas project to date

### STRONG High Seas Reports

- Durussel, C., Wright, G., Wienrich, N., Boteler, B., Unger, S., Rochette, J., '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', STRONG High Seas Project, 2018, [https://www.prog-ocean.org/wp-content/uploads/2019/03/Online\\_IASS\\_Report\\_190227.pdf](https://www.prog-ocean.org/wp-content/uploads/2019/03/Online_IASS_Report_190227.pdf)
  - Summary for Decision-Makers, [https://www.prog-ocean.org/wp-content/uploads/2019/03/Online\\_IASS\\_Summary\\_EN\\_190227.pdf](https://www.prog-ocean.org/wp-content/uploads/2019/03/Online_IASS_Summary_EN_190227.pdf)
  - Résumé à l'intention des décideurs, [https://www.prog-ocean.org/wp-content/uploads/2019/03/Online\\_IASS\\_Summary\\_FR\\_190228.pdf](https://www.prog-ocean.org/wp-content/uploads/2019/03/Online_IASS_Summary_FR_190228.pdf)
- Wright, G. and Rochette, J., 'Regional Ocean Governance of Areas Beyond National Jurisdiction: Lessons Learnt and Ways Forward', STRONG High Seas Project, 2019, [https://www.prog-ocean.org/wp-content/uploads/2019/03/STRONG-HS\\_Lessons-Learnt-Report.pdf](https://www.prog-ocean.org/wp-content/uploads/2019/03/STRONG-HS_Lessons-Learnt-Report.pdf)
  - Summary for Decision-Makers, [https://www.prog-ocean.org/wp-content/uploads/2019/03/STRONG-HS\\_Lessons-Learnt-Report-Sum\\_EN.pdf](https://www.prog-ocean.org/wp-content/uploads/2019/03/STRONG-HS_Lessons-Learnt-Report-Sum_EN.pdf)
  - Résumé à l'intention des décideurs, [https://www.prog-ocean.org/wp-content/uploads/2019/03/STRONG-HS\\_Lessons-Learnt-Report-Sum\\_FR.pdf](https://www.prog-ocean.org/wp-content/uploads/2019/03/STRONG-HS_Lessons-Learnt-Report-Sum_FR.pdf)
- Boteler, B., Wanless, R., Dias, M., Packeiser, T., Awad, A., Yannicelli, B., Zapata Padilla, L.A., Aburto, J., Seeger, I., Hampton, S., Jackson, L., Wienrich, N., Ajagbe, A., Hazin, C., Castellanos Galindo, G.A., Naranjo, L.G., Suárez, C.F., Prussmann, J., Valenzuela, S., Gomez Giraldo, L.S., Higgins, M.L., Contreras, C., Luna, G., Luna, N., Munizaga, M., Sellanes, J., Tapia, C., Thiel, M., 'Ecological Baselines for the Southeast Atlantic and Southeast Pacific: Status of Marine Biodiversity and Anthropogenic Pressures in Areas Beyond National Jurisdiction', STRONG High Seas Project, 2019, [https://www.prog-ocean.org/wp-content/uploads/2020/01/STRONG-HS\\_Ecological-Baselines-Report.pdf](https://www.prog-ocean.org/wp-content/uploads/2020/01/STRONG-HS_Ecological-Baselines-Report.pdf)
- Cremers, K., Wright, G., Rochette, J., "Strengthening Monitoring, Control and Surveillance in Areas Beyond National Jurisdiction", STRONG High Seas Project, 2020, <https://www.prog-ocean.org/wp-content/uploads/2020/01/Cremers-Wright-and-Rochette-2019.-Strengthening-Monitoring-Control-and-Surveillance-in-Areas-Beyond-National-Jurisdiction-1.pdf>
- Cremers, K., Wright, G., Rochette, J., "Options for Strengthening Monitoring, Control and Surveillance of Human Activities in the Southeast Pacific Region", STRONG High Seas Project, 2020, <https://www.prog-ocean.org/wp-content/uploads/2020/11/STRONG-HS-MCS-CPPS-Report-1.pdf>

### STRONG High Seas Policy Briefs

- Gjerde, K., Boteler, B., Durussel, C., Rochette, J., Unger, S., Wright, G., 'Conservation and Sustainable Use of Marine Biodiversity in Areas Beyond National Jurisdiction: Options for Underpinning a Strong Global BBNJ Agreement through Regional and

Sectoral Governance', STRONG High Seas Project, 2018, [https://www.prog-ocean.org/wp-content/uploads/2018/08/STRONG-High-Seas-Policy-Brief\\_Options-for-underpinning-BBNJ-agreement.pdf](https://www.prog-ocean.org/wp-content/uploads/2018/08/STRONG-High-Seas-Policy-Brief_Options-for-underpinning-BBNJ-agreement.pdf)

- Klaudija Cremers, Glen Wright, Julien Rochette, 'Keeping an Eye on the High Seas: Strengthening Monitoring, Control and Surveillance through a New Marine Biodiversity Treaty', STRONG High Seas Project, 2019, <https://www.prog-ocean.org/wp-content/uploads/2019/08/Cremers-et-al-2019-Keeping-an-Eye-on-the-High-Seas.pdf>
- Gjerde, K. and Wright, G., "Towards Ecosystem-based Management of the Global Ocean: Strengthening Regional Cooperation through a New Agreement for the Conservation and Sustainable Use of Marine Biodiversity in Areas Beyond National Jurisdiction", STRONG High Seas Project, 2019, [https://www.prog-ocean.org/wp-content/uploads/2019/12/PB\\_Ecosystem-based-management\\_191213.pdf](https://www.prog-ocean.org/wp-content/uploads/2019/12/PB_Ecosystem-based-management_191213.pdf)
- Gjerde, K.M., Wright, G., and Durussel, C., Strengthening high seas governance through enhanced environmental assessment processes: A case study of mesopelagic fisheries and options for a future BBNJ treaty, STRONG High Seas Project, 2021, <https://www.prog-ocean.org/wp-content/uploads/2021/02/Gjerde-K.M.-Wright-G.-and-Durussel-C.-Strengthening-high-seas-governance-through-enhanced-environmental-assessment-processes.pdf>

#### **STRONG High Seas Webinars**

- STRONG High Seas Webinar – [Marine Biodiversity Beyond National Jurisdiction in the Southeast Pacific and Southeast Atlantic](#) (08/2018)
- STRONG High Seas Webinar – [Marine Genetic Resources: Building Capacities for Ocean Governance](#) (11/2019)
- STRONG High Seas Online Seminar – [Strengthening Monitoring control and surveillance through a High Seas Treaty](#) (11/2020)
- STRONG High Seas Online Seminar (Spanish) – [Strengthening MCS in the Southeast Pacific](#) (11/2020)

## About STRONG High Seas

The STRONG High Seas project is a five-year project that aims to strengthen regional ocean governance for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. Working with the Secretariat of the Comisión Permanente del Pacífico Sur (CPPS; Permanent Commission for the South Pacific) and the Secretariat of the West and Central Africa Regional Seas Programme (Abidjan Convention), the project will develop and propose targeted measures to support the coordinated development of integrated and ecosystem-based management approaches for ocean governance in areas beyond national jurisdiction.

The STRONG High Seas project has the following overarching objectives:

1. Facilitate the development of improved management approaches for the conservation and sustainable use of biodiversity in areas beyond national jurisdiction in the Southeast Pacific and Southeast Atlantic regions;
2. Identify best practices and provide support to regional institutions and national authorities for implementing existing regional instruments;
3. Develop options for regional governance in a future international instrument under UNCLOS and transfer regional lessons learned to the global level to promote ocean governance.

For more information about the STRONG High Seas project, please visit the [website](#) or contact: [stronghighseas@iass-potsdam.de](mailto:stronghighseas@iass-potsdam.de)

## Partners of the STRONG High Seas project



International Ocean Institute  
African Region



Supported by:



Federal Ministry  
for the Environment, Nature Conservation  
and Nuclear Safety

The STRONG High Seas project is part of the International Climate Initiative (IKI). The Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) supports this initiative on the basis of a decision adopted by the German Bundestag.

based on a decision of the German Bundestag