

STRONG High Seas

Dialogue Workshop III

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

Atelier de dialogue III

**‘Améliorer la base de connaissances pour la gestion
intersectorielle et la gouvernance des océans dans les
zones marines situées au-delà de la juridiction
nationale de l’Atlantique du Sud-Est’**

16 & 17 February 2021 / 16 et 17 février 2021

Agenda / Programme de l'atelier

Day 1 – February 16th, 2021 / Jour 1 – 16 février 2021

14:00 – 14:15	<p>EN – Welcome on behalf of the Abidjan Convention Secretariat and the STRONG High Seas Project</p> <p><i>FR – Bienvenue au nom du Secrétariat de la Convention d'Abidjan et du projet STRONG High Seas</i></p>	<p>Abou Bamba (Abidjan Convention Secretariat)</p> <p>Ben Boteler (Institute for Advanced Sustainability Studies)</p>
14:15 – 14:20	<p>EN – Mini tour de table in break-out rooms</p> <p><i>FR – Mini tour de table en petits groupes</i></p>	
	Session 1: BBNJ Negotiations / Négociations du BBNJ	
14:20 – 14:50	<p>EN – Importance of the marine environment and the ongoing BBNJ Negotiations</p> <p><i>FR – L'importance du milieu marin et les négociations en cours sur la BBNJ</i></p>	<p>Klaudija Cremers (IDDR)</p> <p>Ben Boteler</p>
14:50 – 15:55	<p>EN – Discussion with States and Stakeholders on ongoing and upcoming activities</p> <p><i>FR – Discussion avec les États et les parties prenantes sur les activités en cours et à venir</i></p>	<p>Facilitated by Carolina Hazin (BirdLife International), with Ben Boteler, Klaudija Cremers, and Carole Durussel (Institute for Advanced Sustainability Studies)</p>
15:55 – 16:05	<p>EN – 10 minute comfort break</p> <p><i>FR – 10 minutes de pause</i></p>	

Agenda / Programme de l'atelier

Day 1 – February 16th, 2021 / Jour 1 - 16 février 2021

	Session 2: Update on STRONG High Seas work activities / Mise à jour sur les activités de travail du projet STRONG High Seas	
16:05 – 16:30	<p>EN – Study on the socio-economic importance of areas beyond national jurisdiction (ABNJ) in Southeast Atlantic region</p> <p><i>FR – Étude sur l'importance socio-économique des zones situées au-delà des limites de la juridiction nationale (ZAJN) dans la région de l'Atlantique du Sud-Est</i></p>	Claudette Spiteri (MCL Environmental Consulting)
16:30 – 16:55	<p>EN – Options for Strengthening Monitoring, Control and Surveillance of Human Activities in the Southeast Atlantic Region</p> <p><i>FR – Options pour le renforcement du suivi, du contrôle et de la surveillance des activités humaines dans la région de l'Atlantique Sud-Est</i></p>	Klaudija Cremers
16:55 – 17:00	<p>EN – Wrap up of workshop and outlook for day 2</p> <p><i>FR – Conclusions de la première journée de l'atelier et perspectives pour le deuxième jour</i></p>	Ben Boteler
17:00	<p>EN – Close of workshop</p> <p><i>FR – Clôture de l'atelier</i></p>	

Agenda // Programme de l'atelier

Day 2 – February 17th, 2021 / Deuxième Jour - 17 février 2021

14:00 – 14:05	EN – Welcome to Day 2 <i>FR – Bienvenue au deuxième jour</i>	Ben Boteler (Institute for Advanced Sustainability Studies)
	Session 3: Interactive session on conservation and sustainable use and integrated management of BBNJ / Session interactive sur la conservation et la gestion durable et la gestion intégrée de la BBNJ	
14:05 – 14:30	EN – Introduction to session <i>FR – Introduction à la session</i>	Shannon Hampton (IOI-SA) Leticia Greyling (IOI-SA) Carolina Hazin (BirdLife International)
14:30 – 16:35	EN – Interactive session <i>FR – Session interactive</i>	
16:35 – 16:50	EN – Plenary discussion <i>FR – Discussion en plénière</i>	
16:55 – 17:00	EN – Wrap up of workshop and outlook <i>FR – Conclusions de la première journée de l'atelier et perspectives</i>	Ben Boteler
17:00	EN – Close of workshop <i>FR – Clôture de l'atelier</i>	Abou Bamba (Abidjan Convention Secretariat)

Discussion

- EN – 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?

FR – Quelles sont les nouvelles activités que vous ou votre organisation/ministère/département/etc. avez entreprises au cours de l'année écoulée en matière de conservation et d'utilisation durable du milieu marin, y compris dans les zones situées au-delà de la juridiction nationale?

- EN – Have you or your organisation/ministry/departement/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?

FR – Avez-vous, ou votre organisation/ministère/département/etc., participé aux négociations sur la BBNJ jusqu'à présent, y compris les récentes réunions intersessionnelles? Quels messages clés ou enseignements avez-vous tirés de cette participation, notamment en ce qui concerne les considérations pour les États et les parties prenantes de la région de la Convention d'Abidjan?

- EN – 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?

FR – Pour l'avenir, quelles sont les étapes et/ou activités importantes que vous jugez essentielles pour conclure les négociations du BBNJ et mettre en œuvre avec succès l'instrument dans la région de la Convention d'Abidjan?

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English

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Veillez lire notre avis de confidentialité avant de participer aux événements en ligne de l'IASS. Vous pouvez le trouver [ici](#). Pour des raisons techniques, il ne vous est malheureusement pas possible de participer à des événements en ligne avec DFNconf, GoToMeeting / GoToWebinar, webex, zoom ou YouTube et de NE PAS consentir au traitement de vos données. Par conséquent, la participation aux événements en ligne de l'IASS avec DFNconf, GoToMeeting / GoToWebinar, zoom ou YouTube nécessite votre consentement au traitement de vos données par l'IASS, par les partenaires de coopération lors de l'événement en question et par DFNconf, GoToMeeting / GoToWebinar, zoom ou YouTube.

Update: STRONG High Seas activities relevant to Abidjan Convention area and BBNJ Negotiations

16 & 17 February 2021 / 16 et 17 février 2021

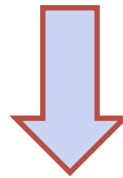
Ben Boteler

Institute for Advanced Sustainability Studies (IASS)

STRONG High Seas:

Strengthening Regional Ocean Governance for the High Seas

- 5-year project (June 2017 – May 2022)
- Funded by the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) through the International Climate Initiative (IKI)
- Objective: To **strengthen regional ocean governance** for the **conservation and sustainable use of biodiversity**



- To develop **integrated and ecosystem-based approaches**
 - within our two focal regions
 - between marine regions
 - between the regional and global level

Supported by:



Federal Ministry
for the Environment, Nature Conservation
and Nuclear Safety

Why are Areas Beyond National Jurisdiction important?

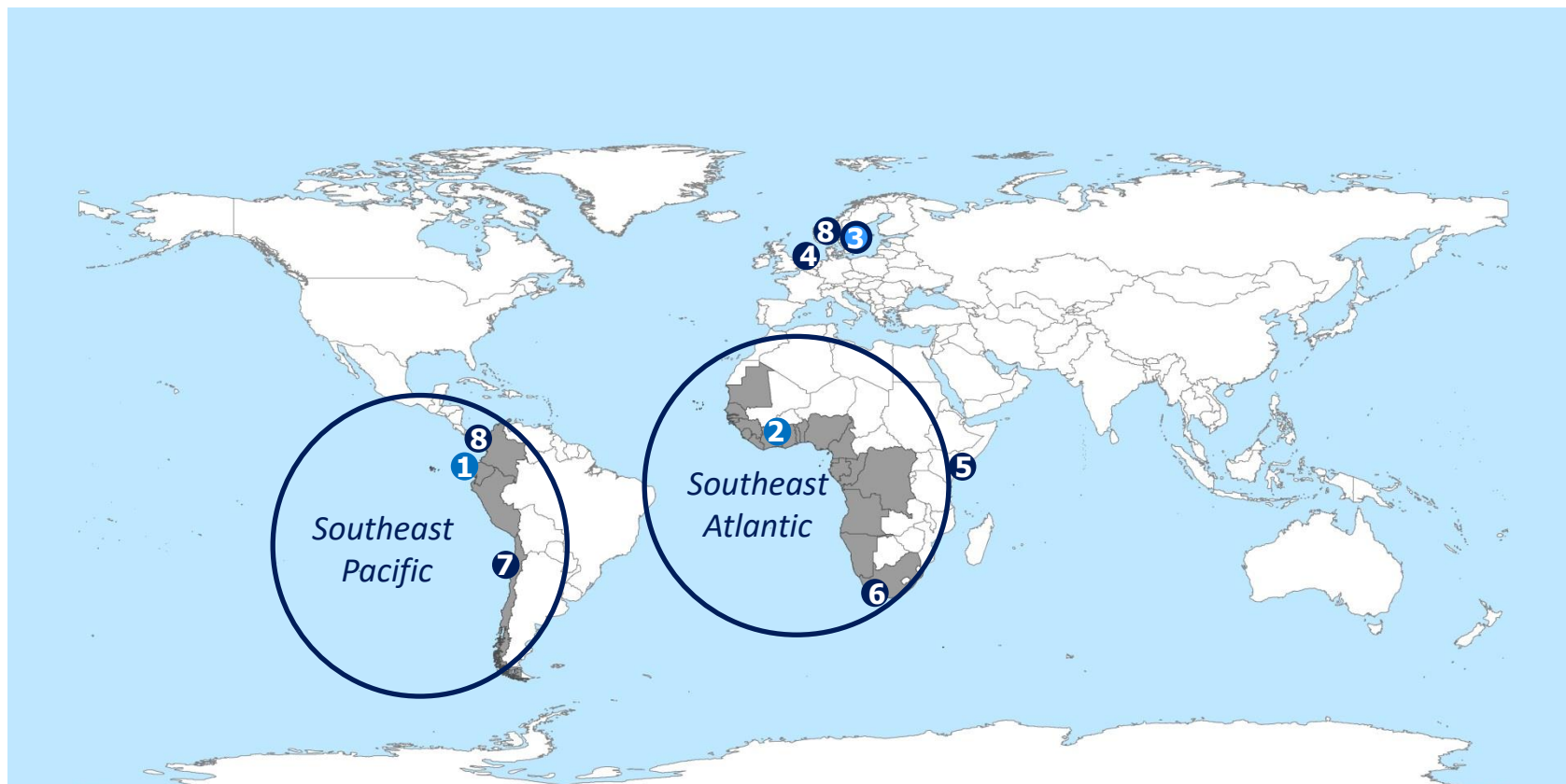
Areas Beyond National Jurisdiction are connected to national waters → Clear-cut jurisdictional and geopolitical distinction between ABNJ and national waters, but ecological connectivity (circulatory (passive) through transport of plankton and larvae & migratory (active) connectivity through tuna, whales, turtles, etc.).

Areas Beyond National Jurisdiction are full of life → unique species; unique oceanographic and biological features, e.g. seamounts, hydrothermal vents and cold seeps; highly productive ecosystems; largely unexplored and understudied.

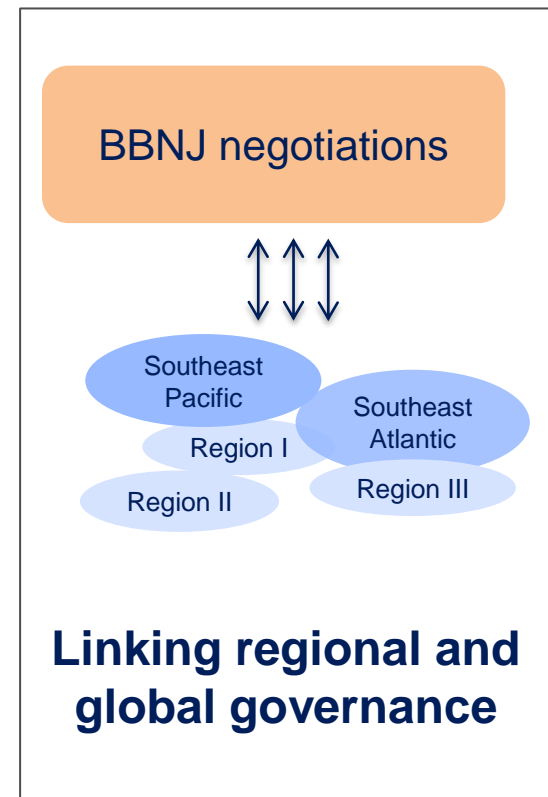
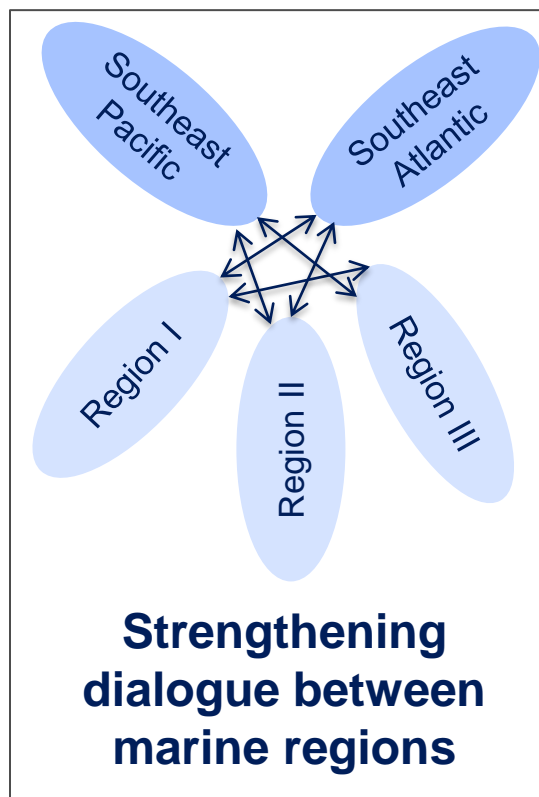
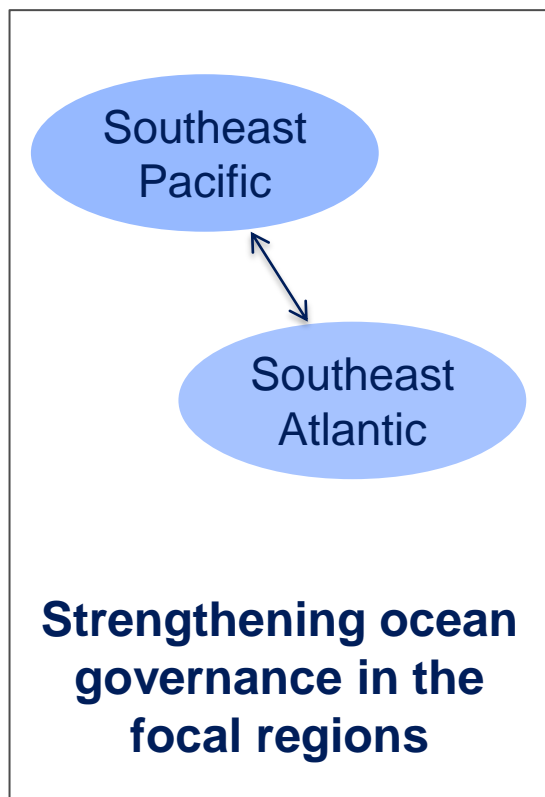
Areas Beyond National Jurisdiction are essential and provide → food, raw materials, genetic and medicinal resources, climate regulation, carbon sequestration, air purification, habitats, nutrient recycling, primary production, recreation, spirituality, history, science and education.

Areas Beyond National Jurisdiction are under increasing pressure → from shipping, fishing, pollution, climate change, etc.

STRONG High Seas Partners



Project Focus



Support **integrated and ecosystem-based governance approaches** for the conservation and sustainable use of biodiversity in ABNJ at the regional level.

What does **STRONG High Seas** bring to the region?

Work with the region to **build knowledge of processes and issues regarding regional governance for conservation and sustainable use of marine biodiversity** in the ABNJ for decision making, including for negotiations on the BBNJ

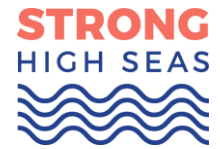
Support **regional capacity building on ocean governance and marine biodiversity conservation and sustainable use** issues in ABNJ, including for BBNJ negotiations;

Develop **a stakeholder platform to ensure information exchange** on issues of ocean governance and conservation and sustainable use of marine biodiversity in the high seas

Support **the exchange of knowledge and best practices between marine regions**

Boost **knowledge sharing between regions and the global level**

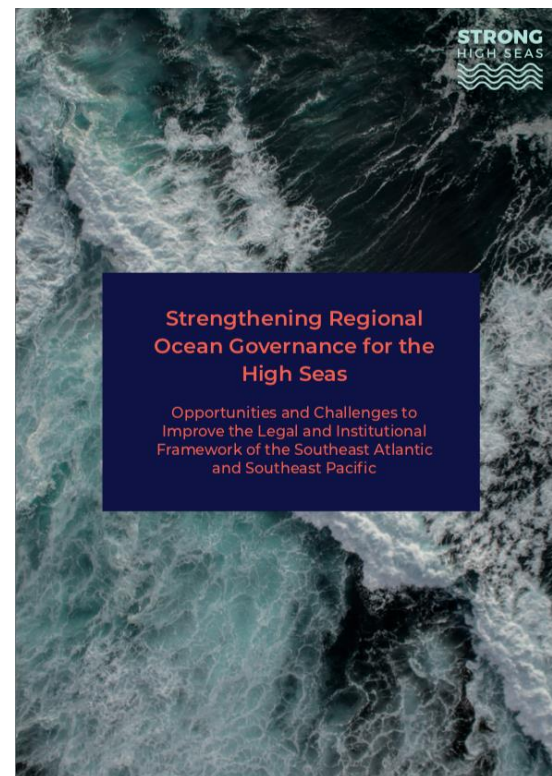
Recent events and workshops (in the region) (organised by or with support from STRONG HS)



- *Dialogue Workshop 2: Science for Solutions: Bringing Stakeholders Together to Improve Ocean Planning and Governance of ABNJ in the Southeast Atlantic and Western Indian Ocean (06/2019, Cape Town)*
- *Capacity Building Workshop: Marine Biological Diversity in Areas Beyond National Jurisdiction (BBNJ) in the Southeast Atlantic region (11/2019, Cape Town)*
- *Online Seminar – Strengthening Monitoring control and surveillance through a High Seas Treaty (11/2020, online)*
- *Open Question Session for ABNJ Working Group Members (10/2020, online)*
- *Abidjan Convention and Nairobi Convention: Collective Meeting (06/2019, Cape Town)*
- *Abidjan Convention: First ABNJ Working Group Meeting (06/2019, Cape Town)*
- *Abidjan Convention: Second ABNJ Working Group Meeting (7/2020, online)*

New publications and resources

- Strengthening Monitoring, Control and Surveillance in Areas Beyond National Jurisdiction (01/2020)
- Strengthening High Seas Governance Through Enhanced Environmental Assessment Processes (01/2021)
- Marine Biological Diversity Beyond National Jurisdiction and the Abidjan Convention Region – (01/2021)



New
website!!

<http://www.highseas-abidjanconvention.org/>

In the pipeline

- Study on the **socio-economic importance of Areas Beyond National Jurisdiction** (ABNJ) in Southeast Atlantic region (3/2021)
- Options for Strengthening **Monitoring, Control and Surveillance of Human Activities in the Southeast Atlantic Region** (upcoming in 2021) (working title)
- Recommendations for **conservation measures and integrated management in the Southeast Atlantic Region** (upcoming in 2021) (working title)
- Capacity Building Series (upcoming in 2021) (working title)
- Dialogue workshop (late 2021) (working title)

Want to get
involved? Get in
touch!

Objectives of this workshop

- Provide a snapshot of the **current state of the BBNJ negotiations** as well as the underlying work done by the STRONG High Seas
- Provide **a setting for participants to exchange** in regard to their activities and lessons learnt in regional ocean governance
- Particularly with regard to **conservation measures and integrated management** of biodiversity in areas beyond national jurisdiction
- Present and discuss the **recent findings on the current or potential contributions of marine areas, and in particular areas beyond national jurisdiction**, to human well-being such as economic benefits, jobs and livelihoods and ecosystem services
- Present and discuss **upcoming research on the monitoring, control and surveillance of human activities** in areas beyond national jurisdiction focusing on the Southeast Atlantic



Find out more!

<https://www.prog-ocean.org/our-work/strong-high-seas/>

<https://www.prog-ocean.org/our-work/strong-high-seas/strong-high-seas-resources/>



Thank you!



Supported by:



based on a decision of the German Bundestag



Ben Boteler

Co-Lead, STRONG High Seas

Email: ben.boteler@iass-potsdam.de

Institute for Advanced Sustainability Studies e.V.

Berliner Strasse 130

D – 14467 Potsdam

Web: www.iass-potsdam.de & www.prog-ocean.org/

A preliminary analysis of the draft high seas biodiversity treaty

STRONG High Seas Dialogue Africa Workshop III, 16 February 2021

Klaudija Cremers

Research Fellow, International Ocean Governance

- **UN General Assembly Resolution opening the negotiations for a new treaty:** 24 December 2017
- **First session:** 4-17 September 2018
- **Last planned session (March 2020) postponed**
- **Meanwhile inter-sessional negotiations online:** September 2020 - February 2021
- **Next session in New York:** August 2021?

The latest draft text dates from November 2019.

12 parts, 70 articles, 2 annexes... and a lot of brackets [...].

Unclear whether States will be able to finalise the treaty during the next session.



The elements of the negotiation

- **The “package deal”, i.e. the substance**
 - Marine genetic resources (MGR), including questions related to the sharing of benefits;
 - Area-based management tools (ABMT), including marine protected areas (MPA);
 - Environmental impact assessments (EIA);
 - Capacity-building and transfer of marine technology.

- **General provisions and institutional arrangements**
 - General principles
 - Decision-making mechanisms: e.g. COP, Scientific and Technical Body

General provisions

- Six articles on the use of terms, objectives, scope of application, relationship to other treaties, general principles and approaches and international cooperation.
- Discussions focussed more on substantive provisions, so still many brackets and alternative options.

Reflections

- General objective: “**(long-term)** conservation and sustainable use”.
- Must “not undermine” existing instruments and bodies.
- Precautionary principle, ecosystem approach, “common heritage of mankind”.
- International cooperation & coordination.

Institutional arrangements

- Conference of the Parties (COP)
 - Voting by consensus; option to establish alternative rules.

- Scientific and Technical Body
 - Structure & relationship with existing bodies currently unclear.

- Secretariat
 - New body or existing organisation?

- Clearing-house mechanism – open-access web-based platform; modalities to be determined by the COP.
 - Passive or active role?
 - Hosting institution?
 - Network of experts and practitioners?
 - No specific function for ABMTs/MPAs. No specific role on MCS.

Marine genetic resources and access and benefit sharing

- Use of MGRs was not envisaged by the drafters of UNCLOS.
- Common heritage principle.
- No consensus on:
 - Foundational provisions
e.g. definition, scope of the treaty and objectives.
 - Benefit-sharing
e.g. mandatory/voluntary, monetary/non-monetary, threshold.
 - Traditional knowledge.
 - Responsibility for monitoring of the utilisation of MGRs.

Area-based management tools, including marine protected areas

- No mechanism for global MPAs or coordination of existing ABMTs.
- Objectives: e.g. enhancing cooperation and coordination in order to establish a “comprehensive system” of ABMTs/MPAs.
- Identifying areas – best available science, precautionary principle, ecosystem approach.
- Proposals “submitted by States Parties, individually or collectively”.
 - Will stakeholders be included in developing proposals?
 - Time-bound measures vs. long-term conservation.
 - MCS strategy?
 - Consultations: inclusive, transparent, and time-bound.
 - No option to adopt interim or emergency measures.

Area-based management tools, including marine protected areas (continued)

- Decision-making process: COP is responsible, but options for the scope of its mandate.
 - No provision for COP to take action where competent bodies do not:
 - COP should be entitled to take decisions binding on States Parties.
- Implementation
 - One option requires members of existing bodies to promote the adoption of measures in support of the goals of the BBNJ agreement.
- Reporting and monitoring
 - Parties report to COP on implementation; reports made publicly available.
 - Reporting frequency?
 - Option to request/require relevant bodies to report to COP.
 - ✓ Improves transparency and provides some global oversight.

Environmental impact assessments

- Little guidance in UNCLOS; no provisions on cumulative/strategic assessments.
- No consensus on:
 - Application - activities that have an impact in ABNJ or that take place in ABNJ?
 - Thresholds and criteria, e.g. “reasonable grounds for believing”.
 - List of activities?
 - Additional guidelines developed by Scientific and Technical Body?
- Responsibility on States Parties to:
 - Decide whether EIA is needed;
 - Conduct assessments.
- Cumulative/transboundary/strategic assessments?
- Effect of EIA: advisory vs. suspension of activities with adverse impacts.
- Monitoring and review: consequences?

Capacity-building and transfer of marine technology

- Limited implementation of UNCLOS provisions.
- Objective: ensure that developing States Parties have the capacity to develop, implement, monitor, manage and enforce.
- Annex II: non-exhaustive list of types of capacity-building & technology transfer.
 - COP can amend list to “reflect technological progress and innovation and to respond and adapt to the evolving needs of States, subregions and regions”.
- Voluntary or mandatory?
- Reporting by States Parties is voluntary and not compulsory.

- Is the draft sufficiently **ambitious** to deliver an **effective governance framework**?
- **COP can establish additional arrangements**, but this could slow down the operationalisation of the treaty. Important that **voting rules** allow States Parties to go beyond the consensus.
- Crucial to enhance **international cooperation** and encourage adoption of **complementary measures** within existing frameworks.
- Priority should be on drafting an **ambitious and robust agreement**.
- Room for manoeuvre to **increase the ambition...**

CONTACT

Klaudija Cremers, Research Fellow, International Ocean Governance
kcremers@iddri.org
[@CremersK](https://www.instagram.com/CremersK)

IDDRI.ORG

**Study on the socio-economic
importance of Areas Beyond
National
Jurisdiction (ABNJ) in Southeast
Atlantic region**

**Dr. Claudette Spiteri
Thierry Senechal**

Objectives of study

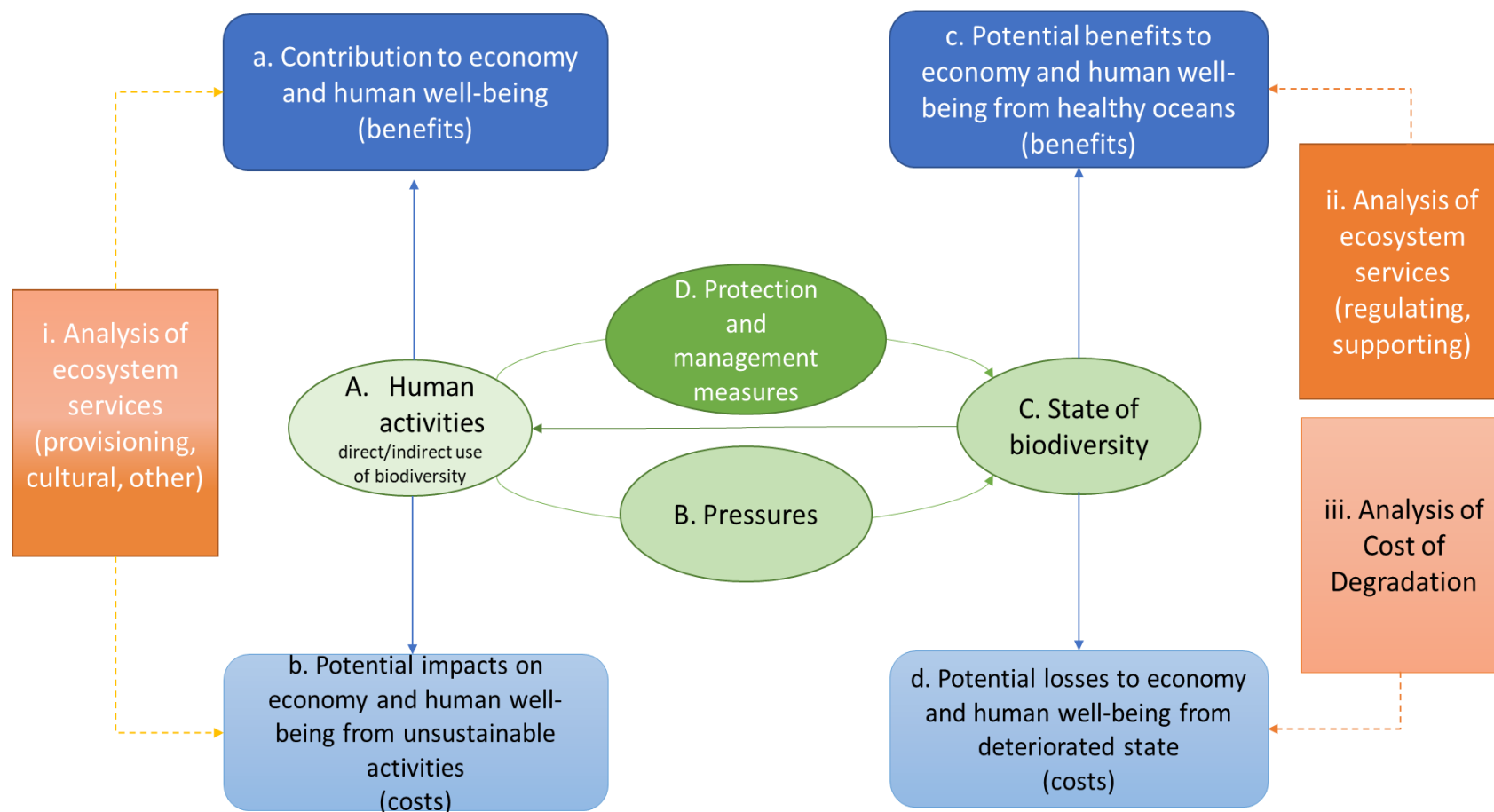
- To analyze the socio-economic importance of the **Areas Beyond National Jurisdiction (ABNJ)** adjacent to the countries within the Abidjan Convention Area in West, Central and Southern Africa
- To characterize and assess the actual and potential social and economic outcomes (costs and benefits) associated with the conservation and use (exploitation) of marine resources



Approach

- The term “**socio-economics**” is taken in a broad context to include:
 - **social aspects related to human well-being, livelihoods, impacts on communities, equity, socio-political systems, as well as economic ones**
- Such information is intended to support decision makers, including government officials, the private sector and other stakeholders to make informed decisions
 - to optimize environmental, social and economic benefits from ABNJ in the context of a new the internationally binding treaty for the conservation and sustainable use of marine biological diversity beyond national jurisdiction, the **BBNJ instrument**
- Narrative and forward-looking assessment on the key activities, based on literature review and available data (if any), supplemented by **stakeholder knowledge**
- The collected information was used to support the development of **storylines and case studies** - narrative,

Socio-economic analysis framework



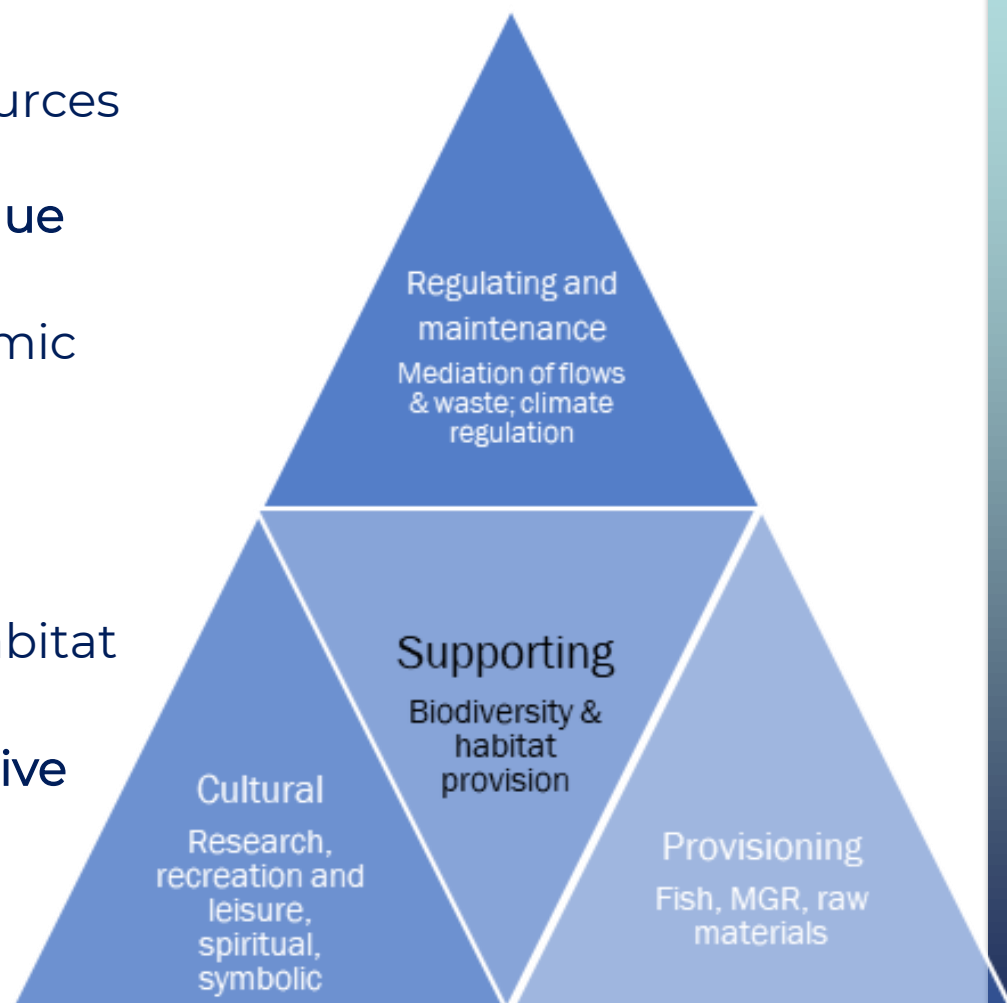
Source: : Elaborated from HELCOM (2018)

<http://stateofthebalticsea.helcom.fi/humans-and-the-ecosystem/activities-pressures-and-welfare-i>

Ecosystem service	Type	Socio-economic interests
<i>Consumptive activities</i>		
Provisioning (biotic)	Nutritional Nutritional Genetic resources/ Pharmaceuticals	Fisheries Sea-farming/aquaculture Marine Genetic Resources
Provisioning (abiotic; ecosystem-state independent)	Raw materials Raw materials/Energy	Deep sea mining Oil and gas
<i>Non-consumptive activities</i>		
Supporting	Biodiversity maintenance Habitat provision	Biodiversity management/conservation
Cultural	Research Recreation and leisure Spiritual, symbolic and other interactions with biota, ecosystems, and seascapes	Research and education Recreation, leisure and tourism Spiritual, symbolic and other interactions with biota, ecosystems, and seascapes
Regulating and maintenance	Mediation of flows Mediation of physical, chemical, biological conditions Mediation of waste, toxics and other nuisances	Water circulation Climate regulation Carbon sequestration and storage Waste disposal
Other (ecosystem-state independent)		Navigation and transport/shipping Submarine cables/telecommunications Maritime security

Socio-economic interests in ABNJ

- Underpinned by the **ecosystem services concept**
- Sustainable use of natural resources and ecosystem services are a prerequisite for a **sustainable blue economy**
- Interests go beyond the economic sectors
- **Strong dependency between different services** e.g. biotic provisioning (fisheries) and supporting (biodiversity and habitat provision)
- **Consumptive vs non-consumptive activities**
- **Ecosystem-state dependent vs independent**
- Ecosystem-state independent interests e.g. navigation and transport/shipping, seabed mining



Source: Earthwise Aware

<https://www.earthwiseaware.org/what-are-ecosystem-services>

Case studies



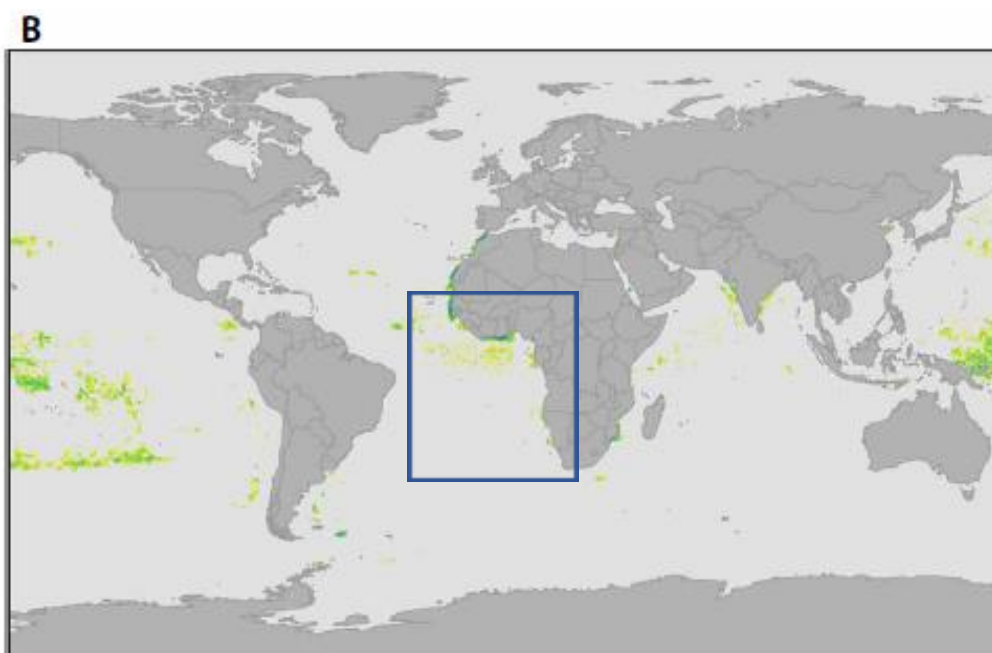
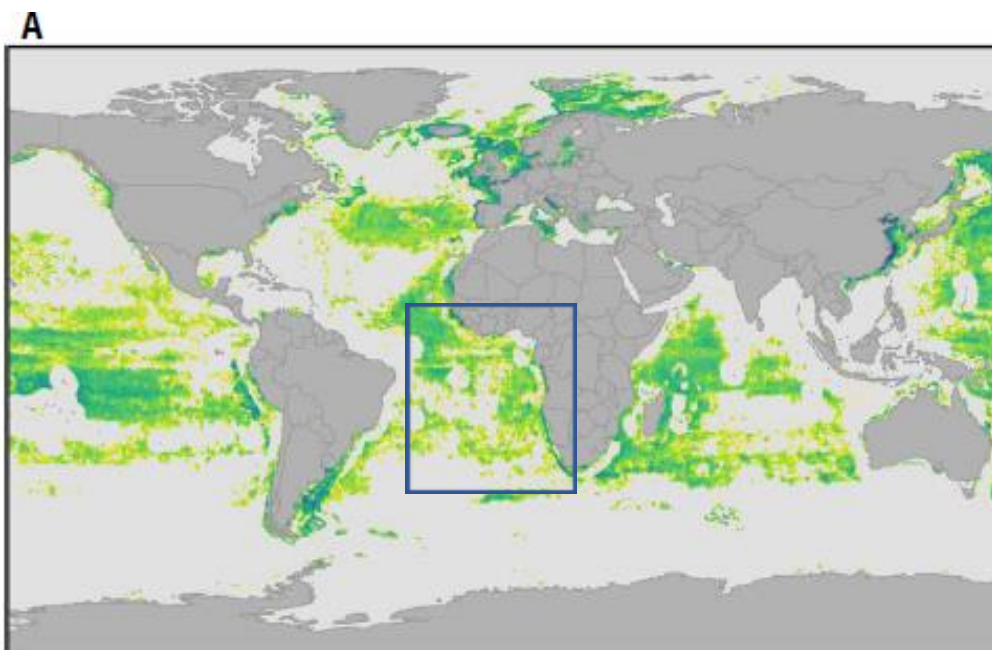
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|----|---|
| 1 | Is fishing in ABNJ economically profitable? |
| 2 | Is fishing in ABNJ socially equitable? |
| 3 | How illegal offshore crimes impact coastal livelihoods –
<i>the case of “Saiko” in Ghana</i> |
| 4 | What is the trade balance in fish and fishery products? |
| 5 | Overfishing decreases food security, reduces income, causes species extinction and disrupts ecosystems |
| 6 | Blue shark fishing and trading |
| 7 | Access and Benefit Sharing from Marine Genetic Resources – shifting the focus to non-monetary benefits |
| 8 | <i>“Unless and until it can be seen that mining of the international seabed will provide global net benefit, and equitably support the world’s poorest and most vulnerable populations, it should not be permitted to proceed”</i> (Deep Sea Conservation Coalition 2020) |
| 9 | The ocean as a new frontier for mining -
<i>Costs and benefits of offshore diamond mining in Namibia</i> |
| 10 | Environmental degradation and erosion as a result of increased levels of port infrastructure hosting ABNJ activities |
| 11 | The supporting services provided by biodiversity and habitats in ABNJ lie at the core of the other activities that either depend directly on them, or directly/indirectly impact the state of ocean ecosystem |
| 12 | A sustainable and equitable Blue Recovery for the post-COVID-19 era |

Case studies



- 1 **Is fishing in ABNJ economically profitable?**
- 2 Is fishing in ABNJ socially equitable?
- 3 How illegal offshore crimes impact coastal livelihoods –
the case of “Saiko” in Ghana
- 4 What is the trade balance in fish and fishery products?
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- 6 Blue shark fishing and trading
- 7 **Access and Benefit Sharing from Marine Genetic Resources –
*shifting the focus to non-monetary benefits***
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Is fishing in ABNJ
economically profitable?



Density distribution of global industrial fishing effort derived using automatic identification systems data

Vessels flagged to:

(A) higher-income countries

(B) lower-income countries

- 97 % of the trackable industrial fishing on ABNJ are vessels flagged to higher-income nations
- < 3 % of effort attributed to vessels flagged to lower-income nations

Source: McCauley et al. (2018)

ABNJ fishing is dominated by a handful of countries and industries which reap most of the benefits



Global

- The **top five countries** exert about **80 % of the ABNJ fishing effort**
 - » China, Taiwan, Japan, Spain, South Korea
- **China owns:**
 - » 838 vessels (highest no. of vessels; = 23 % of the overall vessels targeting ABNJ)
 - » 1523 thousand metric tonnes in 2016 (highest catch)
 - » US\$ 1624 Million revenue (= 20 % of the total global high-seas fishing revenue)
- Revenues go primarily to

Study region

- Although most countries in the study region rely heavily on fishing in EEZ, in particular artisanal fishing, **only five out of 22 countries are active in ABNJ**
- The combined catch and revenue of these countries is each limited to **~1 % of the global figures**
- Most countries **cannot afford the vessels and equipment** required for intense industrial and commercial fishing in the ABNJ, limiting their

Focus on Southeast Atlantic

Country (Flag State)	Catch (tonnes)	Revenue (US\$ Million)
Ghana	50.61	78.14
Côte d'Ivoire	2.51	4.26
Namibia	2.11	6.26
South Africa	0.37	1.35
Senegal	0.2	0.32
Total for study region	55.8 (1.3 %)	90.33 (1.2 %)
Total global	4390.67	7655.69

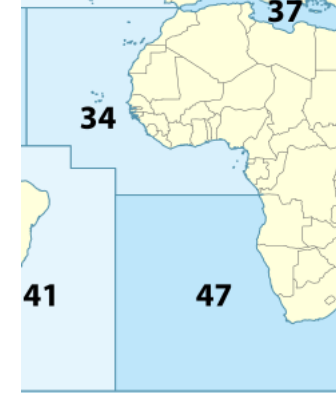
Source: Sala et al. (2018)

Is fishing in ABNJ economically profitable?

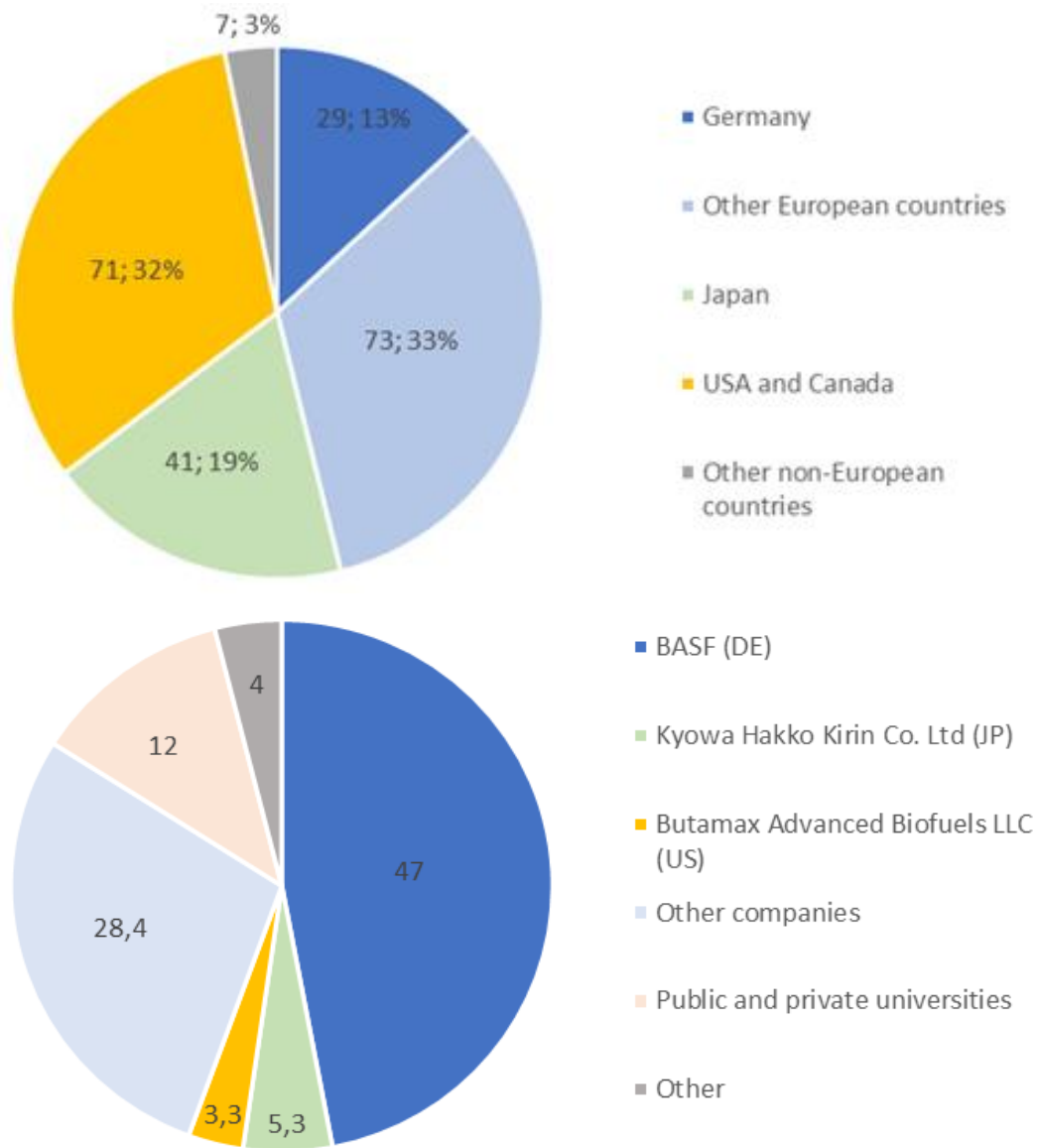
US\$ Million	FAO Major Area 34		FAO Major Area 47		Global	
Cost range	280.0	340.9	121.6	134.7	6200	8000
Revenues (landed value of the catch)	309.7		124.6		7600	
Loss/profit range <u>before</u> <u>subsidies</u>	-31.2	-9.8	-10.1	3.0	- 364	1400
Loss/profit range after subsidies	368.0	429.95	98.7	111.74	3800	5600
Subsidies	399.2		108.8		4200	

Source: Sala et al. (2018)

- Fisheries in ABNJs rely heavily on subsidies
- Without government subsidies, an estimated **54 % of current ABNJ fishing grounds would be unprofitable** at current exploitation rates
- Fishing profits are likely to vary over time as factors such as fuel price, fish price, climate, and fish stocks fluctuate



Access and Benefit Sharing
from Marine Genetic
Resources –
*shifting the focus to non-
monetary benefits*



- 221 solo companies located mainly in Europe and the USA (top) registered 84 % of all patents

- BASF, the world's largest chemical manufacturer headquartered in Germany, had registered 47 % of all patent sequences.
Dominance of a single transnational key actor

- Commercialization of MGR is in the hands of a few distinguished **“keystone actors”** stemming from the

Non-monetary benefits of MGR

Costs

- Economic value and potential profitability still largely unknown and speculative
- Expensive and long development process
- Associated risks of significant upfront costs that are not a guarantee of the potential future profits

Access and benefit-sharing mechanism for MGR, a major area of discussion during the BBNJ negotiations, still needs to be agreed upon and adopted

Benefits

- access to samples, data and knowledge including the publication and **sharing of scientific knowledge and research results**
- participation, collaboration and **international cooperation** in marine scientific research
- **capacity building and technology transfer** including scientific training and access to resources, research infrastructure and technology
- **other socio-economic benefits** (e.g. research directed to priority needs such as health and security).

Environmental degradation
and erosion as a result of
increased levels of port
infrastructure hosting ABNJ
activities

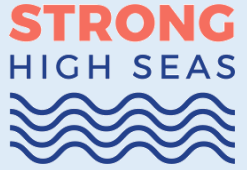
Navigation, port infrastructure, coastal erosion

- Greater volume of maritime traffic has significantly increased the **need for port infrastructure**
 - E.g. growth in the volume of West Africa's container trade has exceeded that of any other global region— doubling to almost 5 million twenty-foot equivalent units (TEUs)
 - Increased congestion at ports; lack of deep-water berths to handle more efficient, larger ships
- The construction of the seaports induces **significant coastal alterations**
 - West African coastal areas are hotspots in terms of coastline changes and have experienced severe coastal erosion (up to 23 – 30 m/year)
 - Significant social and economic costs for the impacted countries
 - The costs of coastal erosion for Benin, Côte d'Ivoire, Senegal and Togo have been estimated to be US\$ 3.8 billion or 5.3 % of the four countries' GDP
- Economic activities in ABNJ are intrinsically connected to socio-economics of coastal areas
- **Concept of connectivity**
 - Between areas within and beyond national jurisdiction

Key messages

- ABNJ are considered as a relatively new topic, out-of-reach and inaccessible
 - currently most countries in the study region have **limited capacity to access and to explore ABNJ** adjacent to their territorial waters or beyond;
- Oceans are the new frontiers
 - yet, region-specific studies on conserving and exploiting ABNJ are lacking
 - **increasing the knowledge on ABNJ** was identified by the countries as **an urgent need**
- BBNJ to facilitate capacity building, knowledge transfer, research and cooperation
 - **move on from the current phase of awareness-raising to a more comprehensive understanding of the benefits and costs associated with ABNJ;**
- Despite the current low levels of activities in the study region, the **discussion on the management of ABNJ is timely**
 - including those topics that are still emerging in the study region
 - allowing the countries to identify the future needs and challenges

What have we learned about strengthening MCS of human activities in ABNJ?



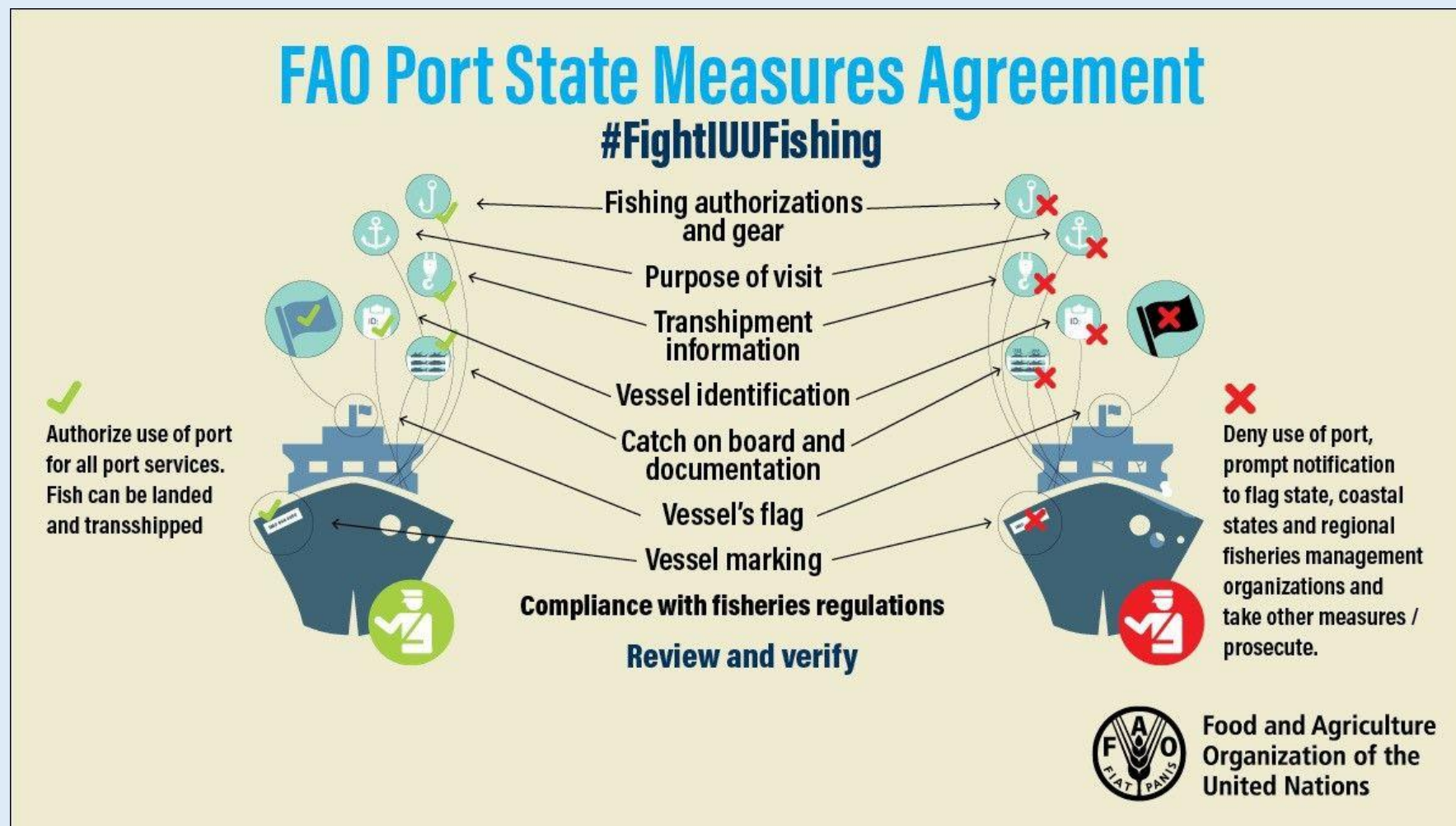
- MCS as implementing tool for States to meet international obligations regarding human activities on the high seas
- Great variety of MCS tools available, but 1) reliance on flag State responsibility, 2) governance gaps in ABNJ and 3) lack of capacity are main challenges
- No one size-fits-all approach to MCS
- Cooperation and coordination is key:
 - Chair of the FISH-i Africa Task Force: “the cheapest tool in fighting IUU fishing is the sharing of information and intelligence through cooperation among all MCS practitioners”
- 3 easy ways to strengthen MCS through the BBNJ treaty: 1) reinforce MCS obligations and principles, 2) strong MCS role in clearing-house mechanism and 3) MCS strategy in ABMT proposals

What are our preliminary observations regarding the Southeast Atlantic region?

- Not many human activities in ABNJ in the region (i.e. projects focus on EEZ)
- Most projects focus on one specific part of the Southeast Atlantic, but not the entire Abidjan Convention area
- Most MCS projects focus on IUU fishing (e.g. domestic versus foreign fleets)
 - Illegal fishing is responsible for a loss of US\$2.3 billion a year, of which only US\$13.8 million a year is recovered through MCS (Belhabib et al, 2019; Doumbouya et al, 2017)
- As part of the African Union's efforts to reform fisheries policy, increasing interest in governance, transparency and MCS
- International funders (e.g. WorldBank and EJP) focus on technical means, but do not always address the governance perspective

Focus of our research?

How can Port State measures strengthen MCS in the Southeast Atlantic?



Next steps?

- Organise (online) expert workshop
- Organise interviews with MCS “experts”
- Highlight needs, provide and disseminate recommendations

How to contribute?

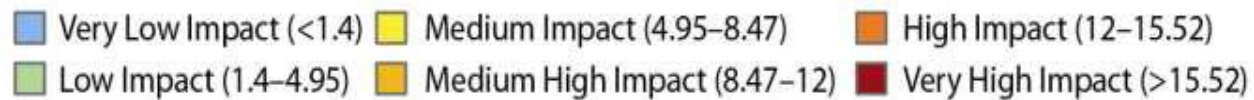
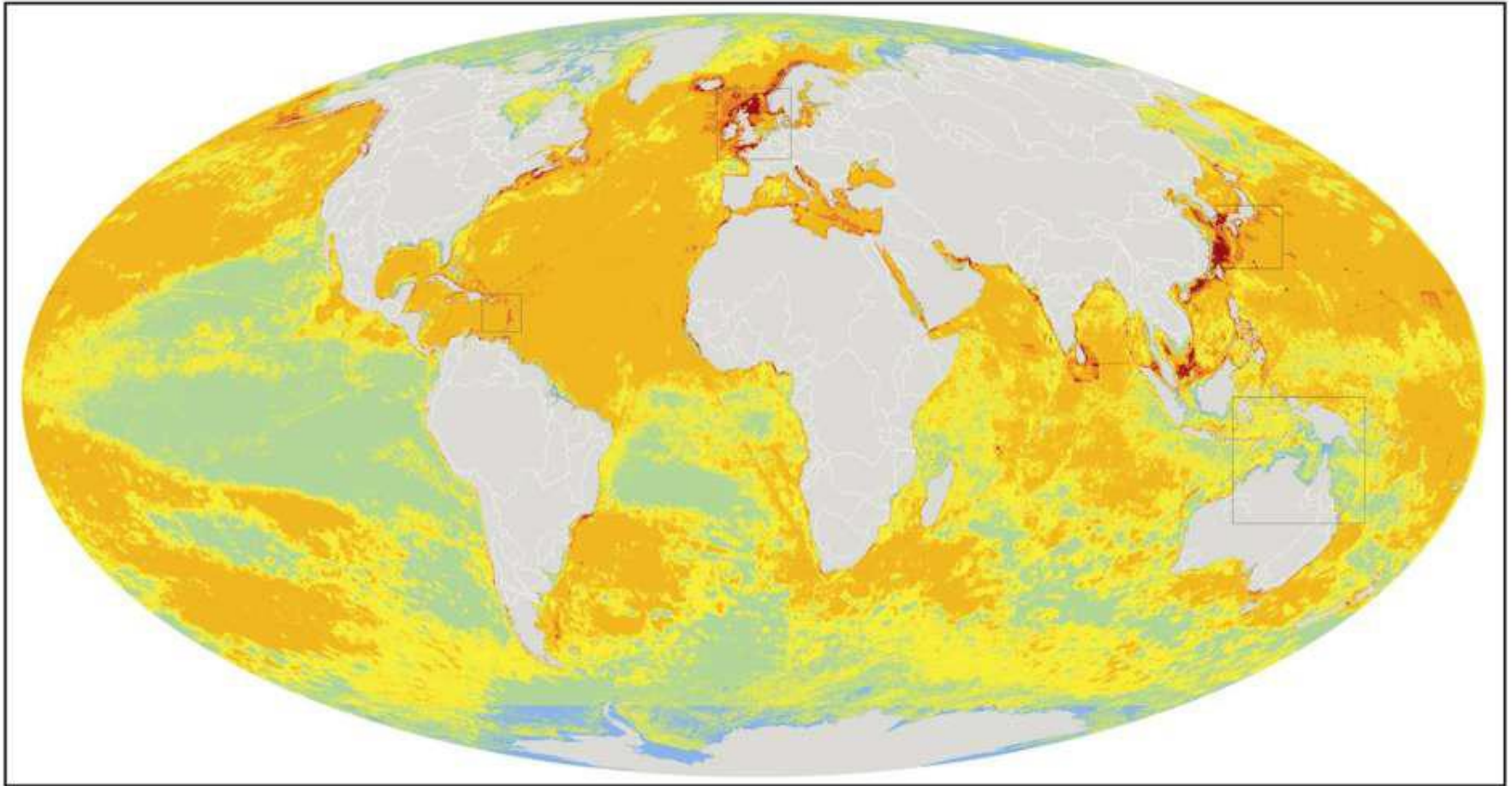
What kind of recent initiatives are you aware of that aim to strengthen MCS, especially in ABNJ, in your country or region?

- What needs/gaps do you see in the region in terms of MCS?
- What are your experiences with MCS in your country/region?
- Could you share some examples of MCS challenges or best practices in your country/region?
- How do you think MCS could be strengthened in your country/region?
- Are you or someone in your area working on something related to MCS?

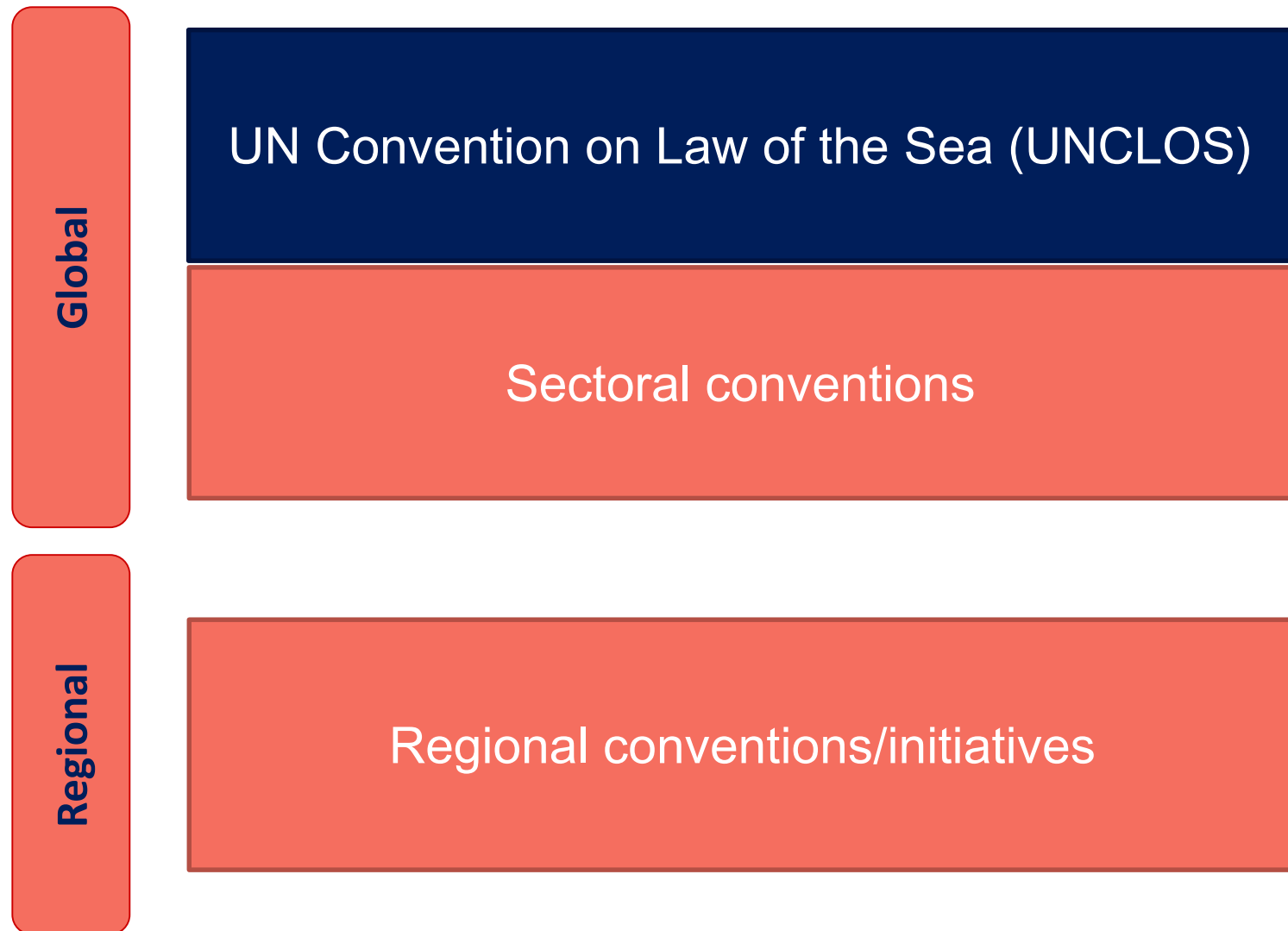
Discussion on Conservation Measures

Dr. Shannon Hampton
International Ocean Institute (IOI)

Environmental impacts



Overview of international legal framework



Legal Obligations

Duty to cooperate

- *UNCLOS, articles 61, 118 & 197*
- *UN Convention on Biological Diversity (CBD), article 5*
- *UN Fish Stocks Agreement (UNFSA), article 8*

Duty to prevent harm

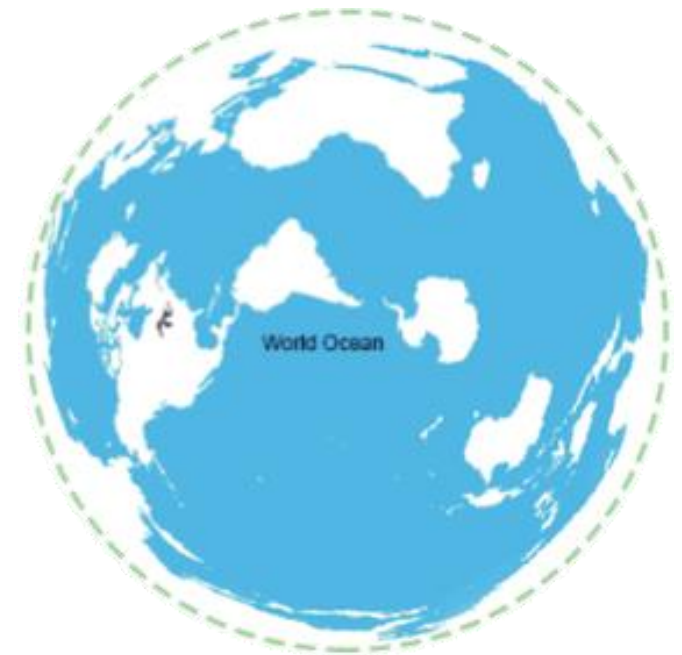
- *UNCLOS, article 194.2*
- *CBD, article 3*

Duty to protect the marine environment

- *UNCLOS, articles 192 & 194.5*

Duty to conserve marine living resources

- *UNCLOS, articles 61 & 119*



Navigation

- Rules on maritime safety
- MARPOL Convention
- Resolution on Particularly Sensitive Sea Areas

Fishing

- UN Fish Stocks Agreement (1995)
- FAO Guidelines
- UNGA bottom fishing resolutions

Seabed mining

- Part XI Agreement (1994)
- International Seabed Authority

Dumping

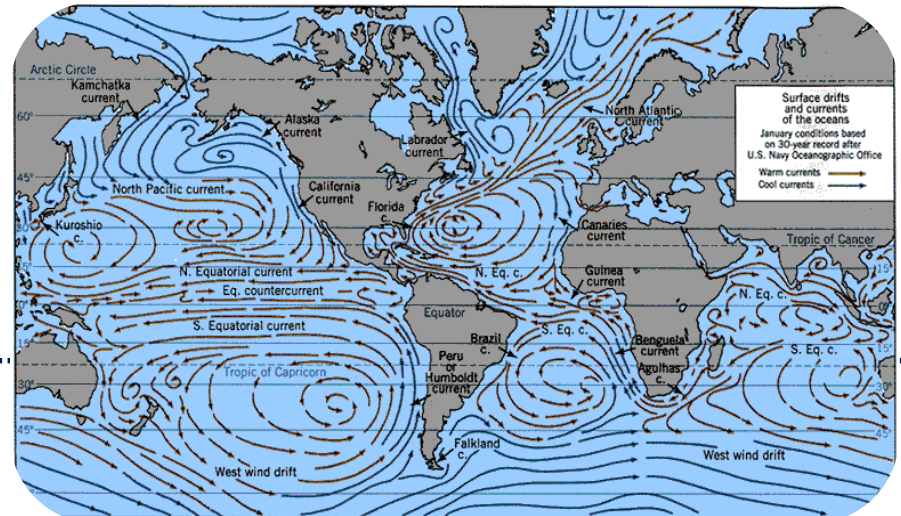
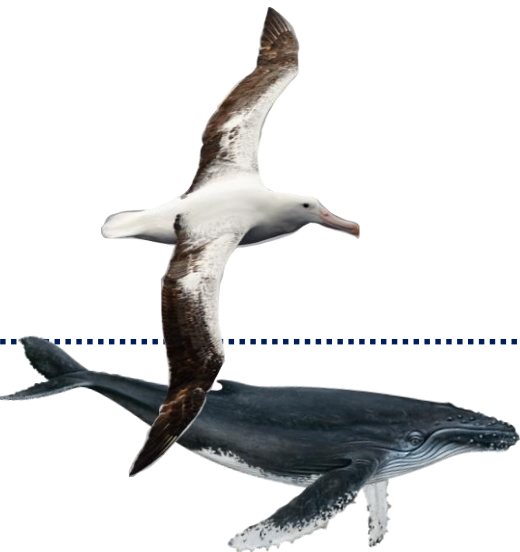
- London Convention/Protocol (1972/1996)
 - Resolution on ocean fertilisation (2008)

Biodiversity protection

- Convention on Biological Diversity
- Convention on Migratory Species
- Convention on Trade in Endangered Species

Conservation Measures and Management Tools

Conservation Measures broadly defined as techniques to acquire, preserve, create, enhance, restore, or manage biodiversity, including at the ecosystem, species and genetic levels. Most of these measures are defined under regional or global intergovernmental bodies and established in ABNJ upon State's decisions.



Guiding Principles

- Integrated approach
- Approach that builds ecosystem resilience to the adverse effects of climate change and ocean acidification and restores ecosystem integrity;
- Act so as not to transfer, directly or indirectly, damage or hazards from one area to another or transform one type of pollution into another;
- Endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment;
- Ensure accountability;
- Take into consideration flexibility, pertinence and effectiveness

Area Based Management Tools

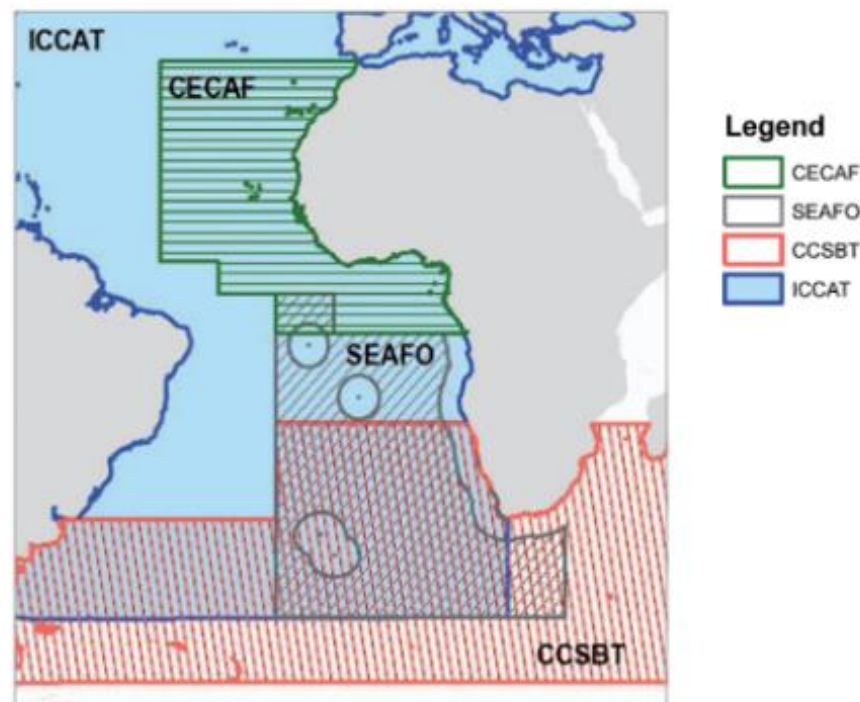
- Vulnerable Marine Ecosystems (VMEs)

VMEs are groups of species, communities, or habitats that could be vulnerable to impacts from fishing activities and typically include benthic communities associated with seamounts, hydrothermal vents, deep-sea trenches and submarine canyons, as well as oceanic ridges – such as cold water corals and sponge fields.

UNGA Resolution 61/105: ...close areas to bottom fisheries until appropriate measures have been put in place to prevent significant adverse impacts on vulnerable marine ecosystems (VMEs).

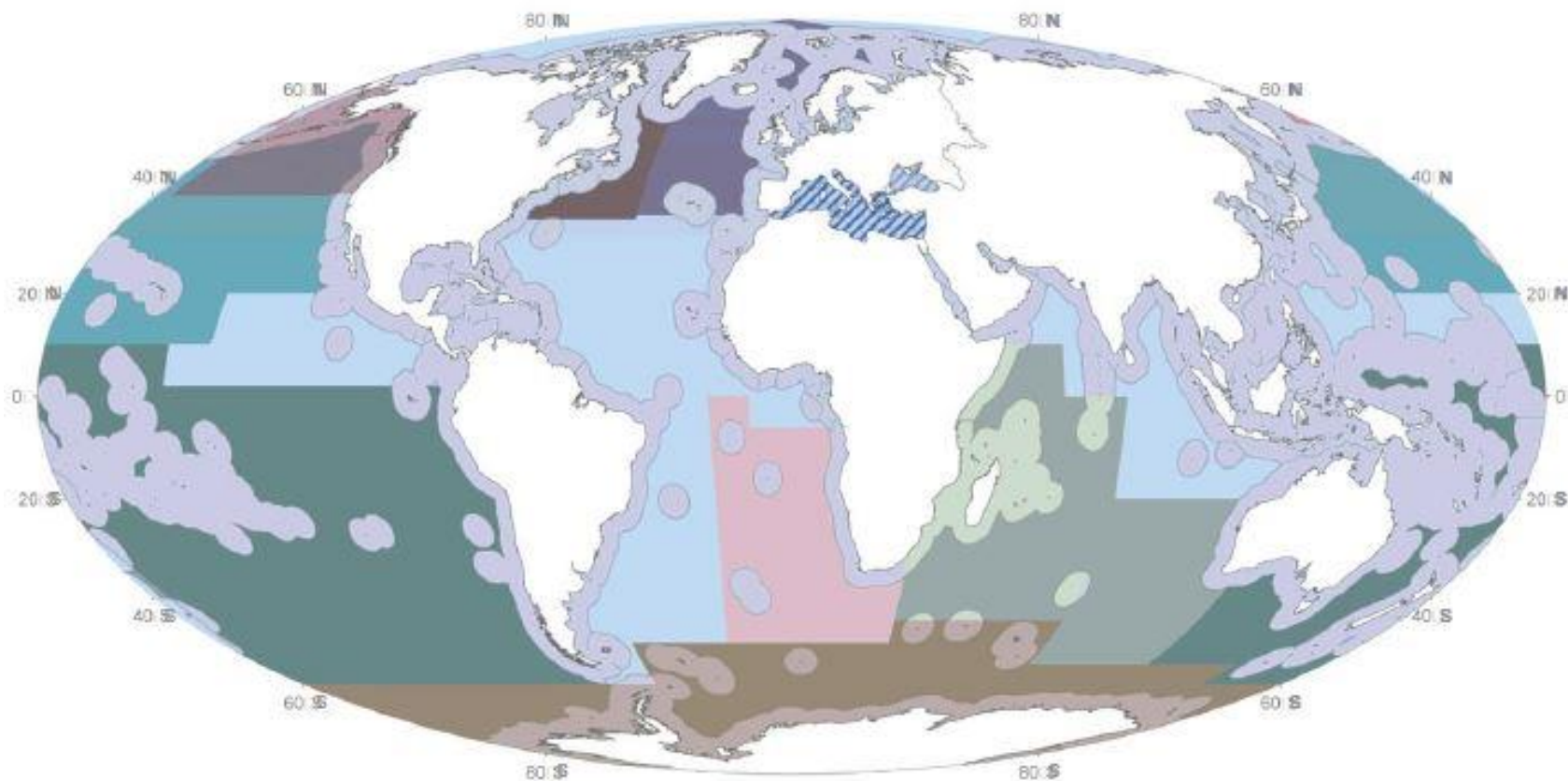


Food and Agriculture
Organization of the
United Nations



Regional Fisheries Management Organisations (RFMOs)

Non-Tuna



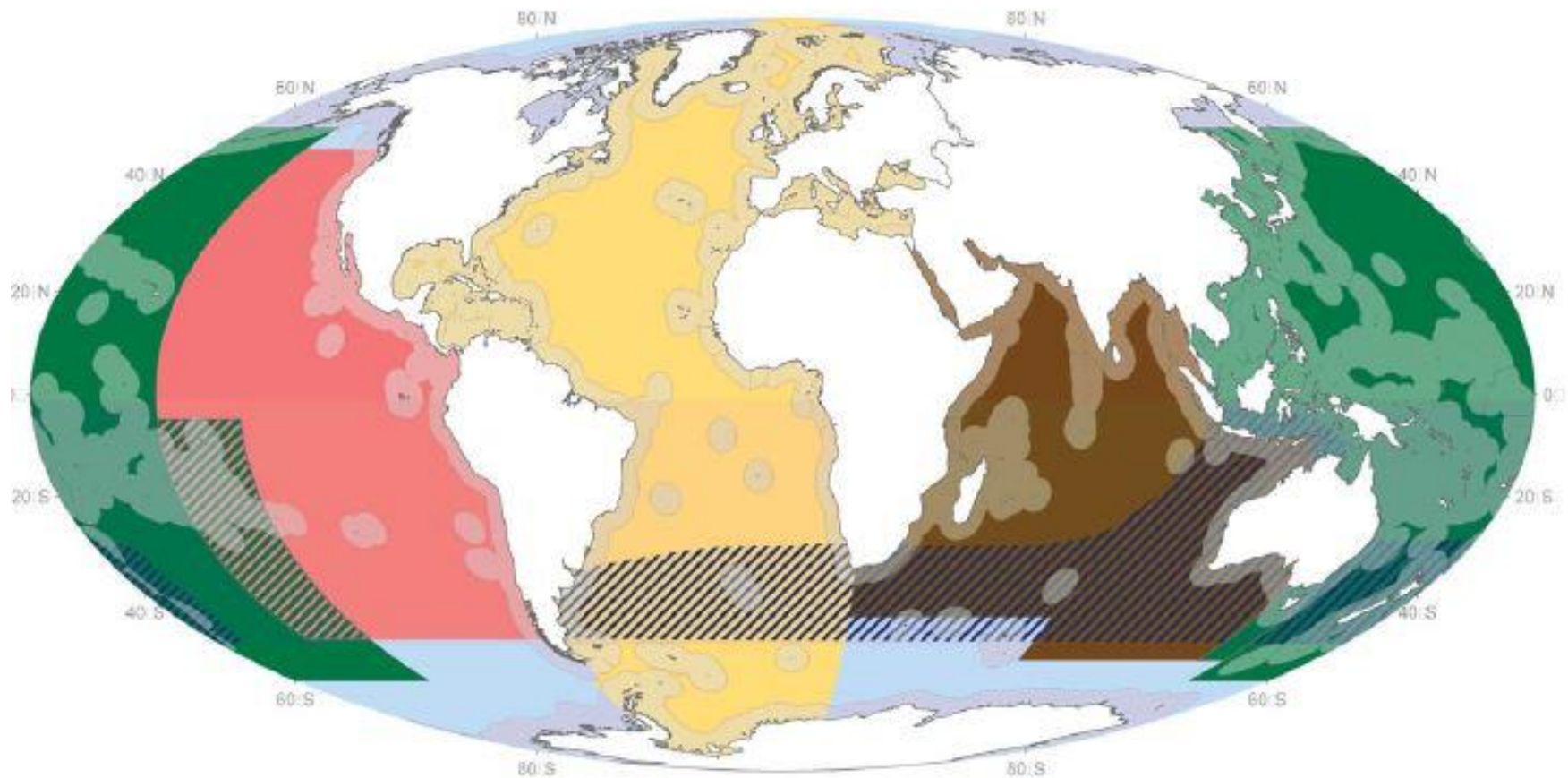
200nm limit

Non-Tuna Regional Fisheries Management Organizations

- Conv. on Cons. of Antarctic Marine Living Resources
- Conv. on Cons. & Mgmt of Pollock Resources in the Central Bering Sea
- General Fisheries Council for the Mediterranean
- International Pacific Halibut Commission
- Northwest Atlantic Fisheries Organization (NAFO)
- North East Atlantic Fisheries Commission (NEAFC)
- North Pacific Anadromous Fish Commission
- South East Atlantic Fisheries Organization (SEAFO)
- South Indian Ocean Fisheries Agreement (SIOFA)
- South Pacific Regional Fisheries Mgmt Org
- Southwest Indian Ocean Fisheries Commission

Regional Fisheries Management Organisations (RFMOs)

Tuna



200nm limit

Tuna Regional Fisheries Management Organizations

- Commission for the Conservation of Southern Bluefin Tuna
- Inter-American Tropical Tuna Commission (IATTC)
- International Convention for the Conservation of Atlantic Tunas (ICCAT)
- Indian Ocean Tuna Commission (IOTC)
- Western and Central Pacific Fisheries Commission (WCPFC)

Area Based Management Tools

- Particularly Sensitive Sea Areas (PSSAs)



A PSSA is an area that needs special protection through action by IMO because of its significance for recognized ecological or socio-economic or scientific reasons and which could be vulnerable to damage by international shipping activities.

At the time of designation of a PSSA, an associated protective measure, which meets the requirements of the appropriate legal instrument establishing such measure, must have been approved or adopted by the IMO to prevent, reduce, or eliminate the threat or identified vulnerability.

Particularly Sensitive Sea Areas (PSSAs)



Area Based Management Tool

- Areas of Particular Environmental Importance (APEIs)

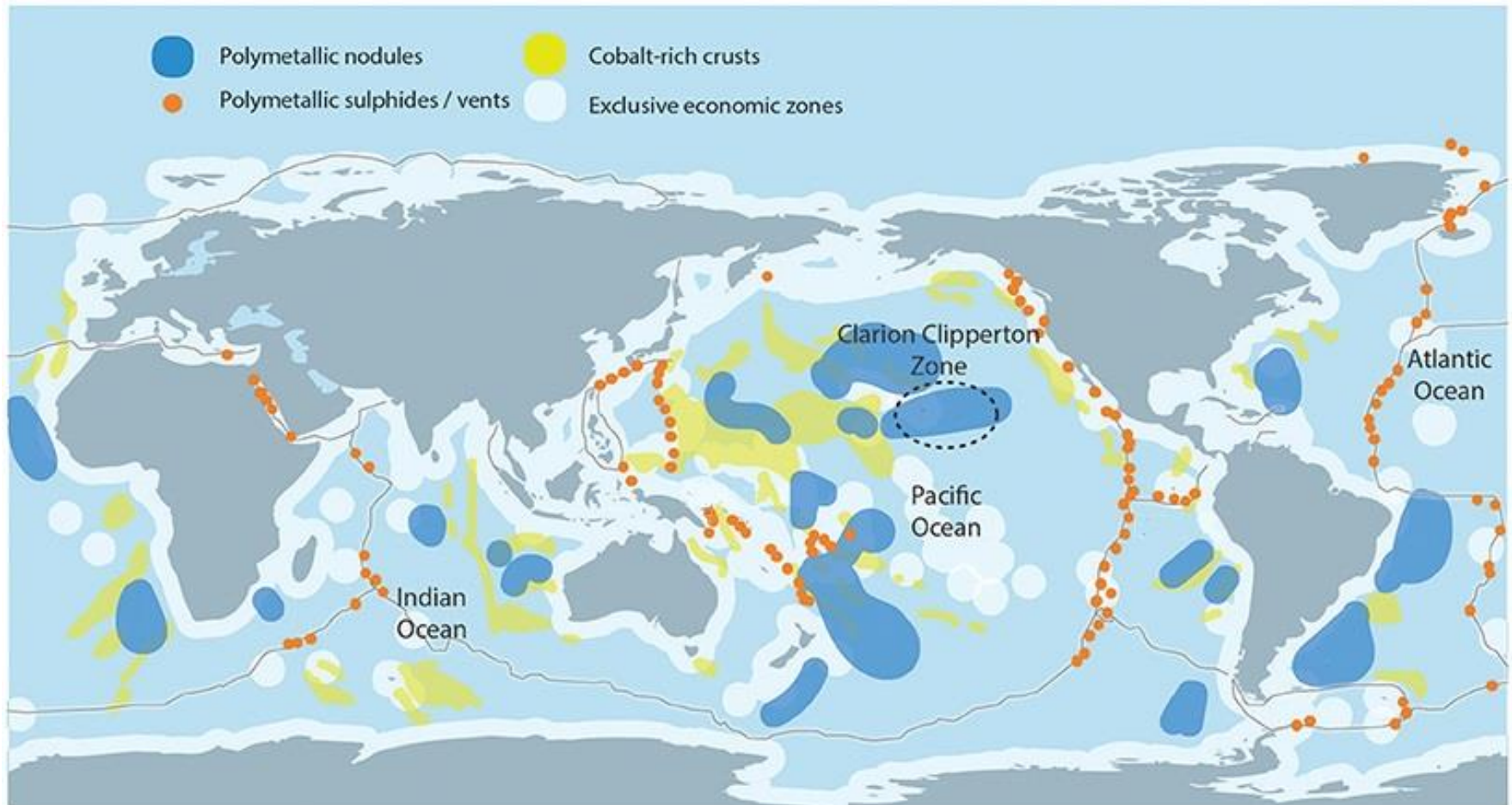


Areas thought to be representative of the full range of habitats, biodiversity and ecosystem structure and function within a defined management area that are closed to potential mining activities in order to protect and preserve the marine environment



The regulations provide a comprehensive basis for monitoring and protecting the marine environment in the Area by imposing obligations on the entities involved in prospecting or (future) exploitation. Obligations include assessment and monitoring of their activities and the development of oceanographic and environmental baseline studies

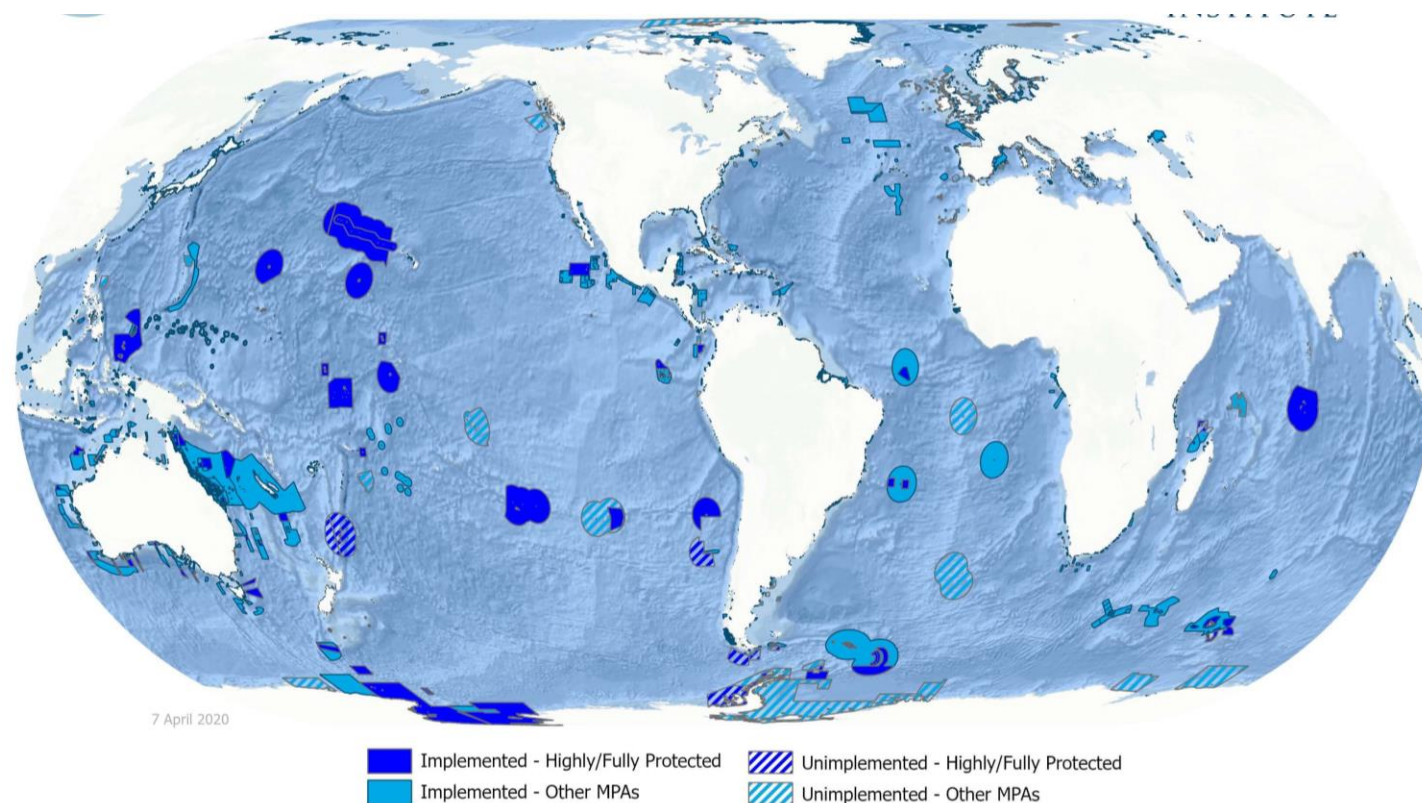
Location of deep-sea minerals



Adapted from: Miller et al. (2018) An Overview of Seabed Mining Including the Current State of Development, Environmental Impacts, and Knowledge Gaps.

Marine Protected Area (MPA)

A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values (IUCN, 2008).



Conservation Support Tools –

Not legally binding but trigger stringent
EIA process and can support the
demarcation of MPAs/MPA Networks

Conservation Support – Not legally binding

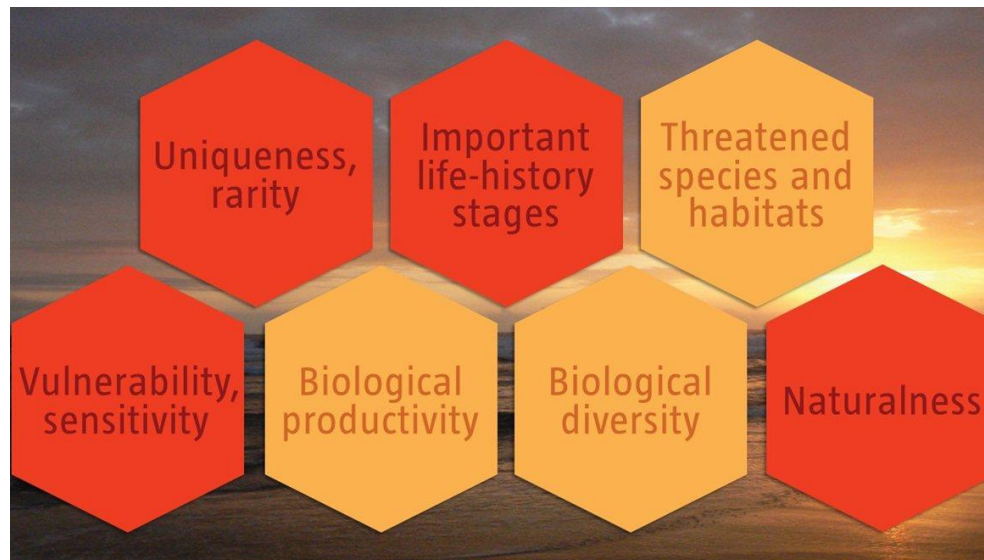
- Ecologically or Biologically Significant Areas (EBSAs)



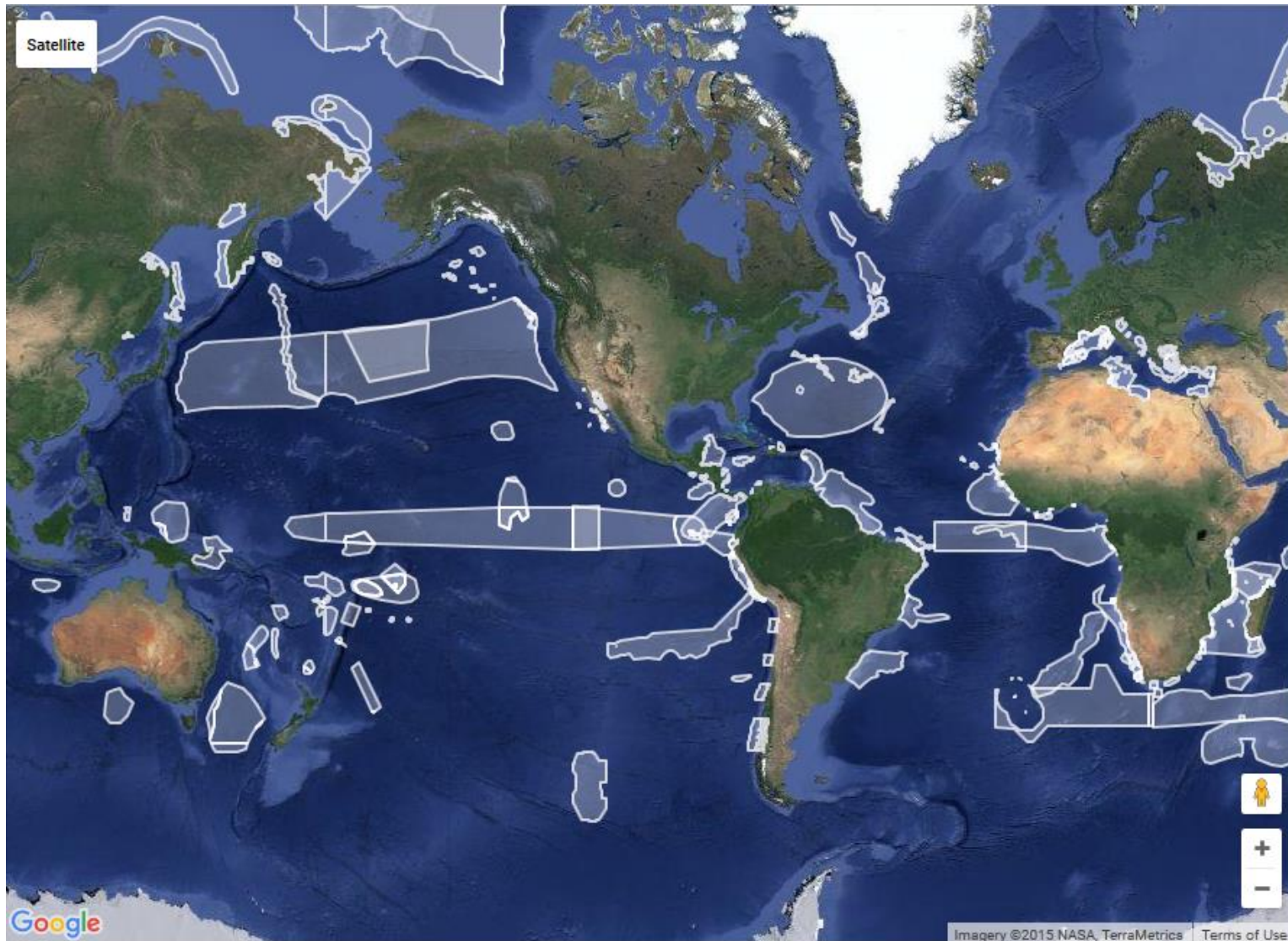
EBSAs are special areas in the ocean that serve, in one way or another, to support the healthy functioning of oceans and the many services that it provides. The identification of EBSAs is a scientific and technical process which has a legal basis under Articles 7 and 17-18 of the Convention on Biological Diversity (CBD) (CBD, 2017).



Convention on
Biological Diversity



Ecologically or Biologically Significant Marine Areas (EBSAs)



Sectoral Conservation



Agreement/body	Tool/process
Regional Fisheries Management Organisations	Fisheries management measures; closures to protect Vulnerable Marine Ecosystems (VMEs)
International Maritime Organization	Particularly Sensitive Sea Areas (PSSAs) MARPOL “Special Areas”
International Seabed Authority	Areas of Particular Environmental Interest (APEI)

Cross-Sectoral Conservation

Agreement/body	Tool/process
Regional Organisations/ States/ UNCLOS/CBD	Marine Protected Areas (MPAs)
Regional Organisations/ States/ UNCLOS/CBD	Marine Protected Area Networks

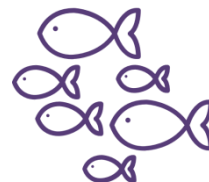
Other conservation & management tools



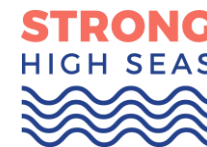
Agreement/body	Tool/process
International Union for Conservation of Nature (IUCN)	Key Biodiversity Areas (KBAs)
Convention on Biological Diversity (CBD)	Ecologically or Biologically Significant Marine Areas (EBSAs)
BirdLife	Important Bird Areas (IBAs)
Marine Mammal Protected Areas Task Force (MMPATF)	Important Marine Mammal Areas (IMMA)
International Convention for the Regulation of Whaling	Sanctuaries
UNESCO Convention for the Protection of the World Cultural and Natural Heritage	World Heritage Sites?
Marine Spatial Planning, CITES, Convention on Migratory Species, Large Marine Ecosystems...	



Regional Fisheries
Management Organisation
(tuna species)



Regional Fisheries
Management Organisation
(except tuna species)



SEAFO	Conservation of sharks
SEAFO	Reduce turtle mortality
SEAFO	Reduce seabird bycatch
SEAFO	Total Allowable Catch
SEAFO	Recommendations on banning gillnets
SEAFO	Recommendations on banning deep-water shark catches IUU monitoring
ICCAT	Observer programs
ICCAT	Bycatch management
ICCAT	FAD management

Break Out Groups – Session 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 it and indicate what it covers/protects.

English:

https://docs.google.com/forms/d/e/1FAIpQLSdmpJmrj2p7YRRdqCLgycB_a_R6SAilmAE7Vqbm8A0ut8RR3A/viewform?usp=sf_link

Avez-vous connaissance de mesures supplémentaires utilisées pour la gestion et la conservation de la biodiversité et des ressources naturelles dans les ABNJ/ZAjN? Si oui, Citez les mesures supplémentaires et ce qu'elles couvrent

French:

https://docs.google.com/forms/d/e/1FAIpQLSe1qmR7WzRq5hyRTY6joQup3Oyg7PgVM0jC93CGC5aEZzFZ8A/viewform?usp=sf_link

Break Out Groups – Session 2

Please rate the following (high, medium, low, non-existent, other) and explain your response:

- Political interest in conservation measures for ABNJ
- Legal compliance for conservation measures in ABNJ
- Current monitoring, enforcements and surveillance for conservation measures in ABNJ
- Current stakeholder interest in conservation measures in ABNJ

Which other aspects should be considered for improved effectiveness of conservation measures, going forward? Please make use of examples,

English:

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French:

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Break Out Groups – Session 3

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

If you would like to be part of the discussion on best practice conservation measures in the region, please share your email addresses below.

English:

https://docs.google.com/forms/d/e/1FAIpQLScpvr7Mac8srzOGcmAweWsp_JtjOR0Kyf0MGBdXzCCrriVhEg/viewform?usp=sf_link

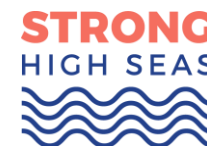
French:

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Thank you!



International Ocean Institute
African Region



Dr. Shannon Hampton
IOI-SA

Email: shampton@ioisa.org

Web: www.ioisa.org

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INTERNATIONAL
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ABIDJAN CONVENTION
CONVENTION D'ABIDJAN

IDDRI

