



# The Role of Regional Cooperation Efforts for the High Seas of the Southeast Pacific

Dialogue Workshop organised by the STRONG High Seas Project and its regional partner the Permanent Commission for the South Pacific (CPPS)

26-27 May 2021



Workshop Participants © STRONG High Seas Project, 2021

The workshop agenda can be found <u>here</u>. The workshop presentations can be found <u>here</u>.

For more information about the STRONG High Seas project, please visit: <a href="https://www.prog-ocean.org/our-work/strong-high-seas/">https://www.prog-ocean.org/our-work/strong-high-seas/</a> or contact: stronghighseas@iass-potsdam.de





#### **Workshop summary**

The <u>STRONG High Seas project</u> 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 (BBNJ). Collaborating with the Secretariat of the Comisión Permanente del Pacífico Sur (CPPS; Permanent Commission for the South Pacific), the project aims to develop and propose targeted measures to support the coordinated development of integrated and ecosystem-based management approaches for ocean governance in the Southeast Pacific.

The workshop 'The Role of Regional Cooperation Efforts for the High Seas of the Southeast Pacific', which took place online on 26-27 May 2021, is the fourth in a series of five Dialogue Workshops organised under the STRONG High Seas project in the Southeast Pacific region (see workshop agenda in Annex 2). The workshop series aims to bring together stakeholders to discuss current challenges as well as opportunities for global and regional ocean governance, foster exchange of knowledge and information, and build new networks. These Dialogue Workshops apply an interactive approach to enable information exchange between participants and explore various topics relevant to the conservation and sustainable use of BBNJ.

A total of 108 participants - representatives from Colombia, Chile, Ecuador and Peru (CPPS member States), global and regional organisations, regional scientific institutions, academia, the private sector and NGOs took part in the workshop (see Figures 1 and 2, and Annex 1). The workshop provided a setting for States and stakeholders to exchange about lessons learnt and best practices as well as challenges and potential points for increased collaboration in ocean governance, particularly with regard to the conservation of BBNJ. During the workshop, the scientific work done under the STRONG High Seas project, particularly on the current or potential contributions of marine areas, and in particular ABNJ of the Southeast Pacific, to wellbeing (i.e. socioeconomic iobs livelihoods benefits, and and ecosystem services); on measures to support conservation efforts for marine biodiversity in ABNJ for the Southeast Pacific; and capacity considerations were presented and discussed. **Upcoming** scientific work under the project on crosssectoral management of ABNJ, with a particular focus on the Southeast Pacific, and the identification of opportunities for collaboration with stakeholders in the region on this work was also discussed.



Figure 1: Geographic location of workshop participants

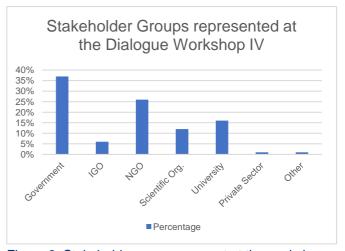


Figure 2: Stakeholder groups present at the workshop





The workshop also offered the opportunity to identify opportunities for stakeholders to engage with regional and global processes as well as considerations for capacity and knowledge in the Southeast Pacific region in the form of new information and knowledge exchange.

#### **Outlook and next steps**

All workshops and events under the project are planned in close consultation with the CPPS Secretariat, its member States, and other stakeholders to identify topics of relevance, need and interest for the Southeast Pacific region as well as adequate methodological approaches. CPPS member States and other stakeholders are welcome to continue proposing specific topics to be presented and discussed at future STRONG High Seas workshops and to continue to actively participate and collaborate in the development of the scientific assessments under the project, including through the contribution of knowledge, expertise and data.

#### **Key messages**

- Marine areas beyond national jurisdiction (ABNJ) provide important ecosystem services (including provisioning, regulation and maintenance, support, and cultural services) and support human wellbeing.
- Negotiations and global policy discussions and decisions that were originally planned to be concluded in 2020 were stalled and postponed due to the COVID-19 pandemic (ex. BBNJ negotiations, seabed mining regulations). This delay has potentially critical impacts on ocean conservation, although the full extent of the impacts is not yet known.
- Negative effects of the COVID-19 pandemic on ocean governance processes and activities, including in the Southeast Pacific region include, inter alia, delay in policy processes at the national and regional levels, including for updating and revising proposals for new regulatory frameworks and conservation measures; an almost total paralysis of academic processes; limited research and postpone scientific expeditions to explore the high seas; reduce monitoring, control and surveillance, including in terms of observer coverage on fishing vessels; increased illegal activities, particularly illegal fishing and species trafficking; reduced tourism; decreased financial resources; increased use of single-use plastics and wastes derived from the pandemic (ex. masks); shift in priorities away from conservation.
- Positive effects of the COVID-19 pandemic on ocean governance processes and activities, including in the Southeast Pacific region include, inter alia, a shift to online meetings, which has allowed actors who were not previously involved to participate; the possibility to disseminate information on ABNJ issues to a broader audience; anthropogenic pressures have decreased as a result of reduced economic activity (ex. from fishing operations); the quality conditions of beaches and coastal waters has potentially improved.
- The CPPS plays a fundamental role in coordinating efforts in the Southeast Pacific region. It is in the process of developing its new Strategic Plan, which is based on six strategic themes:

  a) Sustainable fishing; b) Marine pollution; c) Climate change; d) International Ocean Governance; e) Marine and coastal biodiversity; f) Training, communication, and dissemination.
- It is important to consider the knowledge and experience gathered by relevant bodies, including
  regional fisheries management organisations or the CPPS, for the implementation of the future
  BBNJ Agreement, as these bodies potentially have a role to play in the implementation of the
  instrument.





- It is important that national agencies that have a mandate related to ABNJ management have
  the capacity to contribute to national, regional and global discussions on the conservation and
  sustainable use of BBNJ, and to effectively implement the future BBNJ Agreement.
- There is a need for improved ocean literacy and particularly increase knowledge in the management of ABNJ. It is important to ensure knowledge transfer between all actors and stakeholders, including local and indigenous communities.
- Measures to support conservation efforts will need to consider the socio-economic importance of biodiversity in ABNJ to the Southeast Pacific region and beyond.
- Activities in ABNJ require high up-front investment and operating costs, due to the long distances required to reach resources in ABNJ, the long timeframes required to create profits, and the advanced technologies needed. The exploitation of common resources within ABNJ across all industries is dominated by a limited number of States and/or companies, mostly from beyond the Southeast Pacific region. It is important to note that some uses of the ocean compete with biodiversity conservation, so maximising them at the ecosystem level does not necessarily imply maximising their economic value.
- Regional cooperation supports the conservation and sustainable use of marine biodiversity. Benefits of cooperation include: improved policy outcomes; increased political consensus among a limited number of parties that share a similar history, culture, and interests in the region; access to new information, data, tools or ideas, and hence contribute to efficient use of resources; and reinforce existing cross-sectoral management frameworks, as many organisations have limited mandates.
- Regional cooperation in the Southeast Pacific region could help to combat illegal, unregulated and unreported (IUU) fishing, ban unsustainable and destructive fishing practices, deal with invasive species, tackle marine pollution, protect migratory species, coordinate marine protected areas, advance tourism guidelines, transfer technology and build capacity, research and scientific collaboration. There is qualified personnel to address research and knowledge challenges at the regional level, but support is needed in terms of research infrastructure, including access to technology.
- Regional cooperation could be done through, for instance, creation a shared financial
  mechanism, establishing a specialised independent Ocean 'Secretariat' in each of the CPPS
  member States to help coordinate at the regional level, establishing a regional data sharing
  platform, creating a regional science council for research and data sharing, technical collaboration,
  and formalised cooperation mechanisms.
- The work and outputs of the STRONG High Seas project are an important contribution to the CPPS, its member States and the Southeast Pacific region.





#### **Summary of presentations and discussions**

**Welcome and Opening of the Workshop** 

Ambassador Méntor Villagómez, General Secretary of the Permanent Commission for the South Pacific (CPPS), welcomed participants to the Dialogue Workshop 'The Role of Regional Cooperation Efforts for the High Seas of the Southeast Pacific'. He highlighted that due to the COVID-19 pandemic, this is the first Dialogue Workshop for the Southeast Pacific region to be held online. Despite not having participants meet in the same room, the format allows the workshop to reach a large audience, and thereby strengthen and broaden idea and knowledge exchange within the region. Ambassador Villagómez also emphasized the fundamental role that countries and regional organisations will play in the implementation of the future legally binding agreement on the conservation and sustainable use of marine biodiversity in ABNJ (BBNJ Agreement). Regional cooperation is seen as an important mechanism to work towards the implementation of the agreement. This therefore requires the regions to be ready for the implementation by strengthening regional capacity and regional collaboration. He notes that, in his view, there are three components that are required to strengthen regional cooperation to help address the problems and challenges of governance for the conservation and sustainable use of biodiversity and other marine-related issues: a) it has to support and build on coastal management systems that are already implemented by communities and are working well, such as the traditional marine management systems of indigenous peoples and local communities; b) ensure the protection and management of economically, socially and culturally important species and habitats in ABNJ, addressing both individual and cumulative pressures through e.g. bycatch prevention, effective fisheries management and prevention of ship strikes by large mammals, as well as new dynamic techniques for marine protected areas and other area-based management tools; and, c) it has to identify the essential actors that should play a key role in the development and implementation of the recommended cooperation/action. Ultimately, regional cooperation efforts for the high seas of the Southeast Pacific work requires mechanisms for effective coordination and collaboration between sectoral institutions and levels of government, the strengthening of trust and greater involvement of stakeholders so that everyone has a voice, including those not normally involved in management processes, and the incorporation of the best available science, including traditional knowledge, into management, particularly where scientific data is inadequate.

**Dr. Carole Durussel**, IASS and Co-lead of the STRONG High Seas project, noted that, although the COVID-19 pandemic has forced many policy processed to come to a sudden halt in 2020 and 2021, this new decade remains very important for the ocean. Several global gatherings are set to take place and will help mobilise the world community to tackle common ocean challenges as well as take the needed steps towards global sustainability objectives. Dr. Durussel stressed the key role that the ocean, including ABNJ, play in sustaining life on Earth and the importance of taking into account the ecological connectivity of the ocean. She reiterated that the STRONG High Seas project is dedicated to making tangible scientific contributions not only to strengthening ocean governance at the regional level but also to ensuring a link and coherence between the development of an international instrument on BBNJ and regional initiatives. The knowledge exchange that takes place through the STRONG High Seas project, and particularly during these two days of dialogue workshop, will provide an important opportunity to enhance the understanding of and the role of regional cooperation, and therefore contribute towards a better understanding of how to improve ocean governance, both within the region and globally.

#### Session 1: Update from ongoing activities and BBNJ negotiations

The first session of the workshop focused on providing an update on the STRONG High Seas project, the work done under the Permanent Commission for the South Pacific (CPPS), and the progress to date of the <u>ongoing negotiations taking place at the United Nations</u> for a legally-binding instrument under the UN Convention on the Law of the Sea (UNCLOS) on BBNJ.





#### **Update on the STRONG High Seas project**

**Dr. Carole Durussel** (<u>IASS</u>) introduced marine areas beyond national jurisdiction (ABNJ) and their special legal status, highlighting that high seas represent about 60% of the ocean. ABNJ are important because they are connected to national waters (ecological connectivity), are full of life, are essential (they provide essential food, raw material, climate regulation, nutrient recycling, allow us to use them for a variety of activities, etc.), and are also under increasing pressures from current and prospective human activities.

Dr. Durussel then gave a brief presentation of the STRONG High Seas project. The STRONG High Seas project is a five-year project (2017-2022) funded through the International Climate Initiative (IKI) of the German Federal Ministry for the Environment, Conservation and Nuclear Safety (BMU). It is coordinated by the IASS and implemented together with IDDRI, BirdLife International, the International Ocean Institute (IOI) – Southern Africa, the Universidad Católica del Norte (UCN), WWF Colombia, and WWF Germany. Working with the Secretariat of the CPPS and the Secretariat of the West and Central Africa Regional Seas Programme, this project focuses on two focal regions, namely the Southeast Pacific and Southeast Atlantic. The three main objectives of the project are: a) to facilitate the development of improved or new management approaches for the conservation and sustainable use of BBNJ in the Southeast Pacific and Southeast Atlantic regions; b) to identify best practices and provide support to regional institutions and national authorities for implementing existing regional instruments; and c) to develop options for regional governance in a future BBNJ international instrument and transfer regional lessons learned to the global level to promote ocean governance.

The project's contributions to the Southeast Pacific region include: a) providing scientific support to the region in its decision-making processes on issues related to regional ocean governance and the conservation and sustainable use of BBNJ, including for the negotiations on a BBNJ Instrument; b) organising regional capacity building workshops on issues related to regional ocean governance and the conservation and sustainable use of BBNJ, including for the BBNJ negotiations; c) developing an interactive website to ensure exchange of knowledge and information on issues related to regional ocean governance and the conservation and sustainable use of BBNJ; d) ensuring the exchange of knowledge and best practices between marine regions as well as between regions and the global level.

Since the last Dialogue Workshop in Lima, Peru, in February 2020, the STRONG High Seas project organised two expert meetings to discuss conservation and management measures in the Southeast Pacific, as well as webinars on strengthening monitoring, control and surveillance (MCS) of human activities in ABNJ. A list of reports, policy briefs and webinars produced by the STRONG High Seas project to date can be found in Annex 3. More information on events and publications by STRONG High Seas can be found on the <u>project website</u>.

In the coming year, the project will publish further reports providing recommendations for integrated and ecosystem-based conservation and management measures in the Southeast Pacific region, as well as recommendations for stakeholder engagement and capacity building in ocean governance. Further events to take place in 2021 include a capacity building workshop series, a series of exchanges with other marine regions, as well as an expert meeting to discuss recommendations for integrated and ecosystem-based conservation and management measures in the Southeast Pacific region. The next Dialogue Workshop will take place towards the end of 2021 or early 2022. Workshop participants interested in contributing to the project's scientific assessments or in taking part in future events are welcome to contact the project management team: stronghighseas@iass-potsdam.de.

**Victor Casique** (<u>WWF Colombia</u>) introduced the <u>STRONG High Seas Interactive Website</u>, which was launched earlier this year. The website provides detailed information in Spanish about the conservation and sustainable use of marine biodiversity in ABNJ, with a special focus on the Southeast Pacific region,





as well as about the ongoing negotiations for a BBNJ Agreement. The website can also be accessed from the CPPS' webpage (under 'Areas de Trabajo' -> Projecto ABNJ).

#### Update on the BBNJ negotiations and other global policy processes

Gustavo Arévalo (CPPS) provided an update on the BBNJ negotiations that are taking place at the United Nations Headquarters in New York, USA. He started by highlighting that the exploitation of resources in ABNJ is in the hands of a few States, the ocean governance framework is fragmented, and there is no efficient coordination between States and existing agencies. Therefore, a BBNJ Agreement is required to ensure the sustainable use of resources in ABNJ. During the 2002 Johannesburg Summit, States recognised the loss of biodiversity because of accelerated environmental degradation, which led to the development of the sustainable development agenda. Since 2018, States have been negotiating an international legally binding instrument under the United Nations Law of the Sea Convention (UNCLOS) on the conservation and sustainable use of marine biodiversity in ABNJ (BBNJ negotiations). The negotiations revolve around four elements, namely marine genetic resources, area-based management tools including marine protected areas, environmental impact assessments, and capacity building and the transfer of technology. Due to the COVID-19 pandemic, the BBNJ negotiations have been postponed, though intersessional meetings have been organised online to ensure continued discussions between States. Regional groups have also been meeting to continue developing their positions. The fourth and currently final negotiation conference is tentatively set to take place in August 2021.1

Article 5 of the draft BBNJ Agreement highlights the general principles and approaches that will be applicable under the agreement.<sup>2</sup> These will become minimum requirement standards that States have to follow. Not complying with them would generate consequences for States since the agreement will be legally binding. Therefore, it is important for States to discuss whether and which principles to incorporate, as well as whether these should be principles or approaches. The current draft BBNJ Agreement text also establishes a scientific and technical body, which will review the measures proposed by States. Furthermore, there will be a Secretariat, a clearing house mechanism for information exchange, as well as a Conference of the Parties (COP). There is consensus amongst States on the establishment of a COP, though there is still debate as to whether decisions should be taken by consensus or be based on a majority vote. However, the relationship between the BBNJ Agreement and existing agreements is not fully determined, though what is clear is that existing legal and institutional frameworks as well as the future BBNJ Agreement cannot be undermined. Regional instruments will play a key role in implementing and enforcing measures adopted under the BBNJ Agreement.

The <u>Post-2020 Global Biodiversity Framework</u> under the Convention on Biological Diversity (CBD) is being developed and negotiated in parallel to the BBNJ negotiations. Its 2050 vision is to 'liv[e] in harmony with nature' with 'biodiversity [...] valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people'.<sup>3</sup> The CBD was signed in 1992 in Rio de Janeiro, Brazil, and its COP meets every 2 years. The 20 Aichi Targets provide States with objectives towards terrestrial, coastal, and marine biodiversity conservation. A report on biodiversity concludes that, although there has been progress, none of the 20 targets have been met so far. Currently, 66% of marine life is threatened by plastic pollution; urban areas are growing, putting marine areas further at risk; subsidies that harm biodiversity (agriculture or fisheries) have not been eliminated; and biodiversity loss continues to increase. However, some progress has been achieved: There has been an improvement in the availability of scientific information and data; where

<sup>&</sup>lt;sup>1</sup> Shortly after this Dialogue Workshop took place, the fourth meeting of the Intergovernmental Conference (IGC 4) was officially postponed to 2022. See: <a href="https://www.un.org/bbnj/sites/www.un.org.bbnj/files/igc-4">https://www.un.org/bbnj/sites/www.un.org.bbnj/files/igc-4</a> - <a href="letter\_to\_delegations.pdf">letter\_to\_delegations.pdf</a>.

<sup>&</sup>lt;sup>2</sup>The current draft BBNJ Agreement text dates from 18 November 2019.

<sup>&</sup>lt;sup>3</sup> See: https://www.cbd.int/decision/cop/?id=12268.





fisheries management measures are in place, there has been an adequate recovery of fish stocks; the number of marine protected areas has increased (15% of land areas and 7% of the ocean are under protective measures). There is a growing awareness of the importance of conserving biodiversity, and the COVID-19 pandemic has also been important in highlighting the relationship between human health and the environment. It will thus be necessary to rethink the objectives for the post-2020 period. The slow progress towards achieving the Aichi targets as well as the targets set under the Sustainable Development Goals (SDGs) poses serious issues in terms of reaching targets related to climate change. The next CBD COP is set to take place in October 2021 in China.

The <u>United Nations Decade of Ocean Sciences for Sustainable Development</u> (2021-2030) has been adopted in 2017 to boost ocean research and aims to provide a common framework to ensure that ocean science supports country actions to sustainably manage the ocean and to achieve the 2030 Agenda for Sustainable Development ('The Science We Need for the Ocean We Want'). The Intergovernmental Oceanographic Commission (IOC) of UNESCO oversees this process. This initiative will help to strengthen connections between communities to study, conserve and sustainably use the ocean, considering international cooperation, responsibilities, and societal needs. At the moment, there is limited investment in ocean science, and only a few countries contribute significantly to the study of the ocean. The Ocean Sciences Decade has a total of 7 priority areas, amongst them, the development of a digital atlas for the ocean.<sup>4</sup>

The challenge to implement all these processes is enormous, and this demands a collective effort between all actors, including States and civil society. Individual actions are insufficient. In this respect, several paths can be contemplated: a) take regional measures to promote mutual cooperation actions; b) strengthen national conservation and sustainable use policies; c) take advantage of common social, political, environmental and environmental characteristics; d) strengthening negotiation capacities in international forums; e) exchange of experiences at the inter-sectoral level; f) increased awareness of the importance of preserving biodiversity (within international organisations). The CPPS plays an important role for regional cooperation in the Southeast Pacific.

#### **Update from the CPPS Secretariat**

Marcelo Nilo (CPPS) provided an update from the CPPS Secretariat. He highlighted the fundamental role played by CPPS in coordinating scientific efforts in the Southeast Pacific region. A Strategic Plan is currently being developed, which is based on six strategic themes: a) Sustainable fishing; b) Marine pollution; c) Climate change; d) International Ocean Governance; e) Marine and coastal biodiversity; f) Training, communication, and dissemination. Knowledge is required to take action to achieve the objectives that have been set.

The new mission of the CPPS is: 'To facilitate, strengthen and articulate among its member states, political, technical and scientific cooperation and coordination for the conservation and sustainable use of the ocean and its resources, for the benefit of its people'. The new vision of the CPPS is: 'To be the strategic alliance in the Southeast Pacific that ensures the sustainability of the ocean, for the integral wellbeing of its people'. The values of the CPPS are: Collaboration, Commitment, Respect and Transparency. Its general objective is to: 'Strengthen spaces for dialogue and participation to reach agreements and cooperation and coordination mechanisms for the sustainable management of living and non-living resources in waters within and beyond national jurisdiction'. It is important to move from declarations to actions. Further support is required in terms of capacities, improvement of competencies as well as financial support.

#### Session 2: Update from the Southeast Pacific region

<sup>4</sup> For more information about the UN Ocean Decade, including its priority areas, see: https://www.oceandecade.org/about





The second session focused on advances at the global, regional, and national level with regard to the conservation and sustainable use of BBNJ, with a special emphasis on the Southeast Pacific region.

# Discussion with States and stakeholders on ongoing and upcoming activities in the Southeast Pacific region

Focusing on four questions, workshop participants shared their ongoing and upcoming activities in the region. A summary of the answers can be found below:

- 1) 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 ABNJ?
  - Research;
  - Analysis of the working documents for the BBNJ negotiations;
  - Participation in informal dialogues for the BBNJ negotiations process, sharing criteria and positions on the negotiation package (through the Core Latin American Countries (CLAM) group;
  - Organisation of workshops, online seminars, and meetings on topics related to BBNJ;<sup>5</sup>
  - Participation in workshops and meetings on BBNJ, including those organised by the STRONG High Seas project;
  - Organisation and participation in workshops and webinars with government delegations and other stakeholders to help unpack key issues under the BBNJ Agreement;
  - Webinars, workshops and scientific outreach conferences on ocean acidification and marine biodiversity;
  - Development of capacity building workshops with authorities and key stakeholders, and at different levels of government;
  - Publication of peer-reviewed articles and technical reports on topics related to ABNJ;<sup>6</sup>
  - New SPRFMO measures have been adopted, particularly with respect to exploratory fisheries and the prevention of significant adverse impacts on VMEs;<sup>7</sup>
  - Marine spatial planning, ocean health index and integrated management of the coastal marine zone of Northern Peru are being developed within the framework of the Multisectoral Commission for the Management of the Coastal Marine Environment (COMUMA);
  - The creation of a national reserve Dorsal de Nasca within the Peruvian jurisdictional sea is being promoted;
  - Coordination of intergovernmental work;
  - Developed various peer-reviewed scientific studies and communication products that provide the scientific rationale and policy recommendations on how to protect one of the most important biodiversity hotspots on the high seas - the Salas y Gomez and Nazca ridges.<sup>8</sup>

For instance, Webinar Knowledge Series on Biodiversity beyond national jurisdiction available

https://www.iucn.org/theme/marine-and-polar/our-work/international-ocean-governance/unclos/bbnj-knowledge-series 
<sup>6</sup> Publications cited include: 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 <a href="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">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</a>; Ortuño Crespo et al, (2020) "Beyond static spatial management: scientific and legal considerations for dynamic management in the high seas".

<sup>(2020) &</sup>quot;Beyond static spatial management: scientific and legal considerations for dynamic management in the high seas". Marine Policy; Maxwell et al, "Mobile protected areas for biodiversity on the High Seas" Science, 17 January 2020 - Vol 367 Issue 6475; Gjerde and Varmer, 2021, The Sargasso Sea: An Innovative Approach to Governance in Areas beyond National Jurisdiction in Frontiers in International Law: Essays in Honor of David Freestone (Barnes and Long (eds) Brill; Gjerde et al (Editors). 2020

<sup>&</sup>lt;sup>7</sup> See: http://www.sprfmo.int/meetings/comm/9th-commission-meeting-2021/

<sup>&</sup>lt;sup>8</sup> All of these are publicly available via our website at www.coralreefshighseas.org





- Process for the creation of a new marine protected area (Nazca and Salas y Gomez submarine ridges);
- WWF Colombia, through an agreement with the National Authority of Fisheries and Aquaculture (AUNAP), collected information about marine ecosystems and key actors to recommend fishing management measures in marine conservation areas within the EEZ;
- Marine and Coastal Spatial Planning for the Gulf of Guayaquil;
- Communication strategy regarding the advantages of UNCLOS for the Ecuadorian State;
- Collaborate in the preparation of a new UNEP-GEF project on cross-sectoral cooperation and coordination in ABNJ in pilot regions;
- Advances in maritime Gross domestic product (GDP);
- Instructions to resume reporting of vessels suspected of IUU fishing activity;
- Development of a definition of marine ecosystems for the Southeast Pacific Ocean;
- Dissemination of relevant information and the identification of needs related to issues such as the exploitation of living and non-living resources in the Area;
- Exploration of definitions/boundaries for the ecosystems that characterise the South-Eastern Pacific, using available time series on physical and biogeochemical variables for oceanic and coastal areas at the surface, 100m and 200m zones. This will allow for better area-based management, specifically in ABNJ.
- Regulations have been issued for the protection of species such as whale sharks, sawfish, giant killifish as well as to regulate minimum distances for whale watching;
- Peru has implemented the FAO Port States Measures Agreement and has also issued an opinion for the use of Peruvian ports by foreign vessels operating on the high seas under DS 016-2016-PRODUCE;
- Participation as scientific and technical advisor in meetings held by Colombian governmental entities;
- Efforts to improve governance of the seas at the regional and national level;
- Work on the Galapagos Islands: Piloted the methodology of experimental ecosystem
  accounts for artisanal fisheries in the islands; assessment of the importance of
  Galapagos artisanal fisheries in food security of the islands; make the contribution of
  women in artisanal fisheries visible.
- 2) From your perspective, which effect(s) has the COVID-19 pandemic (had) on the Southeast Pacific region in terms of conservation and sustainable use of the marine environment, including ABNJ, as well as on related policy processes?
  - Negatively affected the organisation of the STRONG High Seas Workshop in Chile scheduled for 2021, which more than anything else influences its importance at a national political and scientific level;
  - Stalled negotiations and important policy decisions that were originally planned to be concluded in 2020 (BBNJ negotiations, seabed mining regulations) have been postponed;
  - Delay in the process of updating/revising proposals for new regulatory frameworks in the coastal marine area;
  - Consultation and participation processes with local communities have been delayed or halted, including a reduction in meetings to advance activities with communities on fisheries management issues;
  - Postponement or rescheduling of meetings of regional organisations to review conservation measures;





- An almost total paralysis of academic processes, as well as an added difficulty in carrying out training activities. Organising classes and meetings online has helped, but not being able to meet in person makes some processes more difficult;
- All SPRFMO meetings have needed to go virtual with an associated focus on priority actions and reduced time for discussions (although associated with increase in meeting participation). There has been a change in some fisheries particularly with respect to port call and foreign fleet activities. Budgets have come under increasing pressure. Some workshops have been postponed due to the necessity of in-person discussions;
- A positive impact has been the massification of online meetings, which has allowed actors who were not previously involved to participate in these issues. In addition, it has been possible to disseminate more information on ABNJ issues.
- An increase in wastes derived from the pandemic (ex. masks);
- Increased use of single-use plastics;
- Shift in priorities from conservation support processes to the rush to resolve the effects
  of the pandemic. Conservation issues could decrease their relative importance in the
  agendas of the countries in the face of the sanitary emergency and especially its
  economic consequences;
- Drop in domestic demand for trade and production, reduction in tourism, negative effects on population's health;
- Reduction of monitoring, control and surveillance;
- It has not been possible in some cases to embark observers on fishing vessels;
- Increased pressure from illegal fishing in the region (ex. In August 2020, despite the
  pandemic, Ecuador was confronted with the presence of a foreign-flagged fleet off the
  coast of the Galapagos insular territorial sea, some 260 vessels were fishing mainly for
  giant squid);
- The economic crisis generated by COVID-19 has led to a resurgence of illegal activities, including species trafficking;
- Foreign fishing fleets with more presence than national authorities:
- Anthropogenic pressures from some extractive activities, such as fishing, have decreased as a result of reduced economic activity;
- The quality conditions of the beach and coastal waters has improved significantly;
- Decrease in financial resources, including for research and monitoring;
- Several scientific expeditions to explore the high seas of this region were postponed;
- Reduction in fishing operations, as commercialisation has decreased;
- It was not possible to maintain research monitoring;
- Research on marine resources, but more in the areas of national jurisdictions and limited by the COVID pandemic;
- Perhaps, less focus on talk, more effort on action?;
- Relevant publications cited: 'COVID lessons from the global south Face masks invading tourist beaches and recommendations for the outdoor seasons' (Thiel et al. 2021)<sup>9</sup>; Chilean salmon farming vulnerability to external stressors: The COVID 19 as a case to test and build resilience (Soto et al. 2021)<sup>10</sup>; COVID-19 impacts on beaches and coastal water pollution at selected sites in Ecuador, and management proposals post-pandemic (Ormaza-González et al. 2021)<sup>11</sup>.
- 3) If you or your organisation, ministry, department, etc. have been engaged with the BBNJ process to date (including the recent Intersessionals), what key take away messages or

<sup>9</sup> https://www.sciencedirect.com/science/article/pii/S0048969721025572

<sup>10</sup> https://www.sciencedirect.com/science/article/abs/pii/S0308597X2100097X

<sup>11</sup> https://www.frontiersin.org/articles/10.3389/fmars.2021.669374/abstract





# lessons have you drawn from this participation, particularly regarding considerations for States and stakeholders of the Southeast Pacific region?

- Cooperation and coordination are indispensable to improve ocean governance. Particularly, cooperation between countries is important;
- Adequate exchange of information and, above all, sustainable cooperation to strengthen the national and regional position with respect to the BBNJ negotiation package;
- The need for effective collaboration and action tools, beyond networks towards executing coordinated actions and projects;
- Work should be done on linking agreements and address the issues related to compliance;
- To learn about the efforts that are being made in different parts of the region with respect to marine conservation;
- The importance of these topics is having greater impact and more stakeholders are joining in;
- The diversity of opinions has nurtured the negotiation process. However, there are national positions that have proven to be inflexible to the common interest;
- There is a need for better alignment between science and policy processes;
- The conceptual difference with respect to political issues regarding how each country sees UNCLOS or EBSAs as a tool;
- As long as we are engrained in sectoral visions, national ownership, and do not innovate substantially in the new BBNJ Agreement, we will be stuck in words and intentions, and we will not advance in actions;
- It is necessary to agree on policies and strategies for the conservation of BBNJ;
- There is qualified personnel to address some research and knowledge challenges at the regional level, but support is needed in capacity building, mainly infrastructure;
- It is important that capacity is built among national agencies with a mandate related to ABNJ management and governance to be able to participate in the regional and global discussions on the conservation and sustainable use of BBNJ, and to be able to effectively participate in the implementation of a new BBNJ Agreement;
- There is still a lot of uncertainty in terms of implementation;
- Need for increased knowledge in the management of ABNJ and for coordinated work, which will allow in the near future to work together to suppress illicit activities in ABNJ;
- Great challenge given the high connectivity and complexity of natural systems, and also given the principle of 'not undermining' the existing institutional set-up;
- The interest in deep-sea fishing could be affected by the use of ABMTs;
- The participation of States in managing high seas areas;
- We have to leave aside the national and regional approach and think from the perspective of biodiversity conservation at the level of all humanity and future generations;
- A functioning ocean is vital to everyone on Earth. We need a robust high seas treaty so we can conserve the largest portion of our ocean for all of us and future generations;
- The importance of how to manage, conserve and protect BBNJ resources;
- The difficulty in reaching political concessions on the subject and the complexity of joining forces at the State level for the protection of vulnerable ecosystems;
- To be able to intervene in areas outside of jurisdiction, once the BBNJ agreement is operational, a strong regional body such as the CPPS is necessary;
- The need for Ocean literacy on a global scale;
- Some countries do not want a high degree of protection, for example in EIA;
- We have many common issues for the BBNJ negotiations;





- Knowing how other countries in the region are approaching the issue.
- 4) Looking forward, what important steps and/or activities do you identify as essential to conclude the BBNJ negotiations and successfully implement the BBNJ instrument in the Southeast Pacific region?
  - Establishment of dedicated funds exclusively to advance scientific knowledge of ABNJ in the region and improved surveillance;
  - Informative workshop(s) with local communities;
  - It is urgent that CPPS member States grant the highest relevance and funding resources necessary for regional ocean governance;
  - Strengthening of regional ocean governance to identify and enhance scientific synergies and in monitoring and control;
  - Educate more actively all direct and indirect actors and stakeholders on the issue, including local communities;
  - Strengthen the dissemination of the importance of ABNJ and their influence on economic resources to all relevant actors in coastal countries to make potential and risks visible;
  - It is also important to consider what would be the best alternative to a negotiated agreement, in case the BBNJ instrument is not agreed upon;
  - Define the key actors of each of the parties to reach consensus;
  - Define key actors to establish feasible commitments for implementation and applying tools in a transparent way;
  - Simplify the BBNJ treaty to those aspects that are relatively resolved or on which there
    is majority support and leave the more contentious parts for a later additional instrument
    (or part of it in the future), thus establishing the one that can be reached by 2021. The
    risk of not doing so now is that we simply will not get to a new treaty with the bare
    minimum to halt biodiversity loss now or in 10 years' time;
  - Empowering civil society;
  - It is important to ascertain a strong support for a new BBNJ agreement on the part of national agencies who will have the responsibility of implementing the agreement;
  - Ensure that the parties' technical teams devote greater attention to the negotiations and have greater analytical capacity on the specific issues in view of the final BBNJ agreement;
  - More information to the public within the principles of transparency and knowledge, as well as greater participation of academia in these processes, taking into consideration the great contribution that we can make from science;
  - Indigenous communities and/or ancestral cultures are intimately linked to the species
    and ecosystems of the region. Therefore, from the point of view of their competence, it
    is important to include them or maintain their voice in these negotiation processes;
  - Further deepen the issue of access and benefit sharing of marine genetic resources;
  - Align positions of the CPPS countries on all issues of the BBNJ package deal;
  - Regional unity as CPPS countries;
  - Reaching consensus, regional cooperation and aligning the interests of the CPPS countries (common minimums);
  - A face-to-face meeting, implementation, consensus in the negotiating blocs;
  - Participation through the Core Latin American Countries (CLAM) group generates
    positive results in terms of presenting the position of the countries of the region in
    informal dialogues that suggest progress towards the fourth round of BBNJ
    negotiations;
  - Reach an agreement among all parties and commit to its implementation;





- Financial sustainability for treaty implementation in the region;
- CPPS could be a channel of expression at the level of international organisations
  participating as observers so that, after coordination with their member States, they can
  ratify and/or complement their specific negotiating positions as coastal States of the
  Southeast Pacific region without limiting their participation in the framework of the
  regional groups;
- Cooperative consensus must be reached among the various negotiating blocs. It should be noted that in the negotiation history, the G77+China group and the Group of likeminded Latin American countries presented differences in the options or alternatives for drafting the provisions of the future BBNJ Agreement. Greater convergence was observed among the South Pacific coastal States;
- Reach consensus on the final text of the agreement.

#### Considerations for capacity: biodiversity conservation in ABNJ

**Tim Packeiser**, <u>WWF Germany</u>, highlighted the objectives of the STRONG High Seas project to support knowledge and information exchange in the Southeast Pacific region, particularly to support participation in the BBNJ negotiations and conservation efforts in ABNJ. Workshop participants were then asked to provide inputs about specific topics related to ocean or ABNJ governance that they would like to address in future webinars and workshops. The topics highlighted by workshop participants are:

- Linking the governance of Exclusive Economic Zones (EEZ) and ABNJ;
- How to align ABNJ actions with the new post-2020 CBD Global Biodiversity Framework;
- Implementation of the future BBNJ Agreement, incl. financial and dispute resolution mechanisms;
- Interaction of the future BBNJ Agreement with other international instruments, incl. the role of RFMOs in a future BBNJ Agreement;
- Marine protected areas, and how can these be established in ABNJ in the future;
- Options for cross-sectoral marine spatial planning in ABNJ;
- Marine genetic resources, their access and benefit sharing;
- Environmental impact assessments;
- Technology transfer & information exchange mechanisms;
- Monitoring, control and surveillance, incl. for addressing IUU fishing;
- Marine pollution;
- Biodiversity management in the context of food sovereignty and climate change.

#### Session 3: STRONG High Seas project work

The third session of the workshop focused on presenting the recently completed and ongoing scientific assessments of the STRONG High Seas project.

#### Presentation of the socio-economic report

Marcelo Olivares, Universidad Católica del Norte (UCN), provided an overview of the newly published STRONG High Seas report on socio-economic importance of BBNJ in the Southeast Pacific region. BBNJ provide various important ecosystem services (including provisioning, regulation and maintenance, support, and cultural services) and thereby supports human wellbeing. It is important to note that some uses compete with biodiversity conservation, so maximising them at the ecosystem level does not necessarily imply maximising their economic value.

According to Sala et al. (2018), the largest share of fishing revenues in the ABNJ of the Southeast Pacific is obtained by China (38.7%), Ecuador (12.8%) and Spain (10.6%). Fishing activities concentrate around upwelling areas of the South Pacific, with greater intensity close to the jurisdictional areas of Peru and Ecuador. The main species caught are the jumbo flying squid (about 38.9% of catches), the





Chilean jack mackerel (about 24% of catches), and tunas (particularly skipjack and bonito). Major fisheries generate direct and indirect economic benefits for the population of the region and other countries, in the form of food, employment and the development of complementary industries. Given the trans-oceanic and migratory nature of many of the species that support or are incidentally caught in these fisheries (and their different ecological roles), the way in which they are managed will determine the impacts that may be generated not only on the ecosystems of the ABNJ, but also on those of the adjacent exclusive economic zones (EEZs) and their respective coastal communities.

Research and development for marine genetic resources (MGRs) involve lengthy and costly processes, which generate co-benefits in terms of information, scientific cooperation, environmental and capacity building. There is a high concentration of ownership, with 98% of patented sequences located in 10 developed northern countries and with the firm BASF registering 47% of all marine sequences in genetic patents. It is currently not possible to anticipate and understand today the effects that knowledge and development of MGRs could have on human welfare and their distributional effects in the future.

To date, there are no seabed mining initiatives in the ABNJ of the Southeast Pacific. There are barriers to the entry into these activities due to capital endowment. These activities include possible extraterritorial grabbing and distributional implications on the wealth of coastal and global countries, as well as costs of loss of biodiversity and associated deep ocean regulating and supporting ecosystem services. Mining activities in the deep sea are very likely to have high impacts beyond the locations of mining activities, with effects on the water column (vertically and horizontally) as well as long distance impacts through ocean currents.

The modulation of global atmospheric temperature has profound effects on regional and distant continental climates. Migratory fauna from high latitudes can enhance carbon sequestration through biological production, which is something that is not yet quantified for the Southeast Pacific region, but it is globally significant.

Tourism is also an important activity that results in economic benefits. Megafaunas (e.g. marine mammals, turtles) spend about 45-75% of their time in ABNJ and tourist sightseeing tours provide economic benefits to coastal communities.

Overall, activities in ABNJ have high investment and operating costs, leading to a small number of actors, mostly from other distant regions which participate in these industries. There are limited possibilities to evaluate and resolve the distribution and sustainability of resources based on markets, and uncertainty about the evolution of scientific knowledge and understanding of ecosystem dynamics, as well as social preferences for activities carried out in ABNJ. The access to ABNJ is not independent of countries' historical processes or established economic interests. Distribution of economic outcomes depends on the initial endowment of participants and influences the definition of political power, and thus the institutional frameworks and opportunities in society. Institutional processes are reflected in industrial policies and innovation possibilities, which are key in the framework of the 'blue economy'. In addition, differences ultimately translate into inequalities in access to financing and technology for the development and deployment of capacities in the ABNJ. It is therefore important to recognize uncertainty and the possibilities of cooperation in monitoring and scientific development, considering justice in access to benefits but also with respect to the environmental costs of activities. Finally, the regional benefits of ocean and conservation activities cannot be directly assimilated from global approaches and require consideration of the existing economic structure and the historical and cultural processes of the countries.

Presentation of the conservation measures report





**Gustavo Castellanos**, <u>WWF Colombia</u>, presented the status of the conservation measures report, which is currently being developed by the STRONG High Seas project. The report aims to compile and present in a language suitable for decision-makers relevant and up-to-date information on existing and potential conservation measures in ABNJ in the Southeast Pacific. It will specifically highlight existing measures and tools, analyse and present possible measures and their benefits/disadvantages to the region, and highlight the role of regional cooperation to achieve effective conservation of these areas. In preparation of this report, WWF Colombia organised two online expert workshops in January and March 2021, which covered the topics of area-based management measures, indigenous communities and conservation, the Eastern Tropical Pacific Marine Corridor, the conservation hotspots of the Sala y Gomez & Nazca Ridges, structural challenges for conservation, common interests and responsibilities, Rapa Nui and conservation processes, and the Pacific Islands Cartel and the conservation of its fishery resources.

Mr. Castellanos started by emphasising the need to protect marine biodiversity in ABNJ due to the exponential increase of human activities in the ocean, including in the high seas, in recent decades. Several sectoral conservation measures are in place and there are other conservation tools that exist that can add value. He presented some of the existing measures and tools, including Vulnerable Marine Ecosystems (VMEs), Ecologically or Biologically Significant Marine Areas (EBSAs), Areas of Particular Environmental Interest (APEIs) or Particularly Sensitive Sea Areas (PSSAs). Regional Fisheries Management Organisations (RFMOs) also have several conservation and management measures in place. Other noteworthy tools include UNESCO World Heritage Sites, Important Bird and Biodiversity Areas (IBAs), Important Marine Mammal Areas (IMMAs) or Key Biodiversity Areas (KBAs). There is currently only a limited number of conservation measures implemented in ABNJ, which is insufficient to adequately protect marine biodiversity and are poorly coordinated with each other. The role of regional cooperation will therefore be determinant to reach the conservation and sustainable use of marine biodiversity in these regions.

#### Session 4: Interactive session on the role of regional cooperation for ABNJ

The fourth session of the workshop focused on discussing cooperation and integrated management among States and international organisations with a mandate to work in the high seas.

Carolina Hazin, <u>BirdLife International</u>, introduced the interactive session on the role of regional cooperation in the conservation and sustainable use of biodiversity in ABNJ, which aimed at encouraging participants to identify existing cooperation opportunities in global and regional processes for the Southeast Pacific region or suggest new options, and at supporting the preparation of the STRONG High Seas report on this subject.

Cooperation, coordination, and collaboration are terms sometimes used interchangeably, but they do not have the same meaning: Cooperation, as the opposite of 'competitive', is when parties establish independent goals through agreements so as to not interfere with each other; Coordination, on the other hand, is about efficiency: the different actions of users are directed in such a way as to achieve a common goal; Collaboration is about using existing information to create together something new. It is established to solve problems and anchors in the pursuit of a specific result. At present, the draft text of the BBNJ Agreement only mentions cooperation and coordination, but not collaboration. Different types of regional cooperation exist, including shared projects, joint scientific bodies, regional assessments, joint strategies (common vision and objectives), co-management, joint capacity building programmes, partnerships for funding, etc.

The benefits from cooperation are numerous and include: a) improved policy outcomes, which thus underpin global initiatives and standards and move towards shared or similar objectives; b) provide an appropriate scale for the implementation of an ecosystem approach to conservation and sustainable





management; c) support political consensus among a limited number of parties that share a similar history, culture, and interests in the region; d) provide access to new information, data, tools or ideas, hence being more resource-efficient; and e) reinforce existing cross-sectoral management frameworks, as many organisations have limited mandates.

Several instruments have legal obligations for States to cooperate (ex. UN Convention on the Law of the Sea (UNCLOS) Art. 197, UN Fish Stocks Agreement, Convention on Biological Diversity, Sustainable Development Goals). At the regional level, cooperation has been mainly formalised through Memorandum of Understanding (MoUs). Examples include the Collective Arrangement between OSPAR and the North-East Atlantic Fisheries Commission (NEAFC) in the Northeast Atlantic; the work done under the Sargasso Sea Commission in the Western Atlantic; the Sustainable Ocean Initiative (SOI) led by the CBD; or the establishment of the Pelagos Sanctuary in the Mediterranean to protect marine mammals. In the Southeast Pacific, regional cooperation takes place on a number of topics through the CPPS – including through the Lima Convention (to which Panama is also a member State) and its Plan of Action to protect the marine environment of the Southeast Pacific. The CPPS has also signed several MoUs with relevant actors in the region, including the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the Inter-American Tropical Tuna Commission (IATTC). CPPS member States have also recently signed a declaration on tackling illegal, unregulated and unreported (IUU) fishing in the region. The Eastern Tropical Pacific Marine Corridor (CMAR) is another collaborative initiative between Costa Rica, Panama, Colombia and Ecuador focusing on the Eastern Tropical Pacific region.

#### **Interactive Session**

Focusing on four questions, workshop participants shared their views and suggestions on strengthening regional cooperation in the Southeast Pacific region. A summary of the answers can be found below:

- 1) What, if any, issues or challenges in ocean governance for the conservation and sustainable use of biodiversity in the Southeast Pacific could be better addressed through strengthened regional cooperation?
  - The main problem would be to improve control on the high seas to combat and reduce IUU fishing;
  - Invasive species, migratory species, tourism management and coordination of marine protected areas;
  - The main challenges are the transfer of marine technology and capacity building in the region, as well as securing funding for compliance with the BBNJ instrument;
  - Unsustainable and destructive fishing practices, pollution, lack of funding for adequate cooperation and technology transfer between countries;
  - The problem is that there is fragmentation at the regional and sectoral level, there is
    no unified global approach that prevails over the interests or mandates or measures
    that have been taken at the regional level. The challenge is to reconcile this global
    approach into a legal instrument based on scientific knowledge that considers the
    conservation and sustainable use of marine biodiversity in ABNJ;
  - Regional research to understand the behaviour of shared hydrobiological resources, as well as possible areas of high biodiversity;
  - Scientific collaboration in the region is still lacking; a regional actor is needed;
  - Data and evidence collection. Lacking good data in what is going on in the high seas & impact on environment and biodiversity;
  - Activities in ABNJ also has an impact on national jurisdictions. It is important that we understand this connection;





- Common understanding of threats and consequences. The challenge is that people have different priorities and interests. How do we bridge these?
- 2) How could these issues be addressed effectively: through which approaches (e.g. legal, scientific, political) and through which instruments (e.g., agreements, tools, etc.)? Please also consider existing efforts, ongoing initiatives, and opportunities to build on them.
  - To develop marine scientific research in the high seas, with more effective regional cooperation and clear, friendly and expeditious mechanisms;
  - Availability of financial resources, and mechanisms ranging from the simplest, i.e. that
    each country contributes what it can and offers availability to other countries, to the
    most complex, i.e. the creation of a common fund;
  - State-of-the-art technology, under fair technology transfer mechanisms to achieve technological independence;
  - Improved control on the high seas to reduce IUU fishing could be addressed through
    cooperation with other countries and taking the experience that these countries have
    implemented. Also, the political decision of the participating countries is required,
    since without this it is complicated to reach an agreement, and the actions being taken
    by RFMOs should also be taken into account, as well as participating in their annual
    meetings;
  - Capacity building and technology transfer must be addressed within the framework of BBNJ, based on the principle of not undermining, considering actions such as those of the Intergovernmental Oceanographic Commission (IOC) and what has been established in initiatives such as the Decade of Ocean Sciences for Sustainable Development;
  - It would help if each State had a specialised independent Ocean 'Secretariat', which could feed into regional level coordination;
  - Strengthen CPPS, to articulate through a commission the different institutions related
    to biodiversity (museums, research, licensing, regulation, conservation), in addition
    to linking with other regional initiatives, e.g., regional fisheries bodies. Additionally,
    strengthening the technical and scientific capacity of the region's institutions;
  - There is a need for a regional data sharing platform;
  - An option could be the creation of a regional science council for research, data sharing and cooperation which would cover national jurisdictions and ABNJ;
  - We need a baseline so that we can monitor changes over time. Need indicators of environmental quality, socio economic uses, etc.;
  - Biodiversity conservation in the region through a transboundary approach (standardising assessment methodologies and compatible management measures);
  - Permanent monitoring of biodiversity is needed (e.g., data on whales, sharks);
  - We need a good understanding of who the actors involved in the high seas are, what they are doing (activities) and their strategy;
  - Financial cooperation for the implementation of agreements;
  - It is important to establish political will and to maintain cooperation;
  - Technical collaboration to provide scientifically based support for cooperation;
  - Define legal aspects to shape and formalise cooperation.
  - Through consensus, agreements between the parties forming the cooperation. The
    challenge, given the diversity of socioeconomic and political realities of the parties,
    can be solved by identifying shared or common objectives and visions in the region.
- 3) Who are essential actors who should play a key role in the development and implementation of the recommended cooperation/action?





- States, government agencies, Chancellery, Ministries of Environment of each country;
- Academia, civil society, international/regional/subregional organisations, nongovernmental organisations, local communities, research institutes, private enterprise and entities in charge of regulation;
- CPPS is an essential actor, which could be in a prime position to support wider regional cooperation and data sharing, given its long history in the region and wide support.
- 4) When could such cooperation take place considering relevant, current and future, national, regional, and global policy timeframes?
  - The region is already cooperating in the negotiation process through the Core Latin American Countries (CLAM) group with the purpose of having a regional position. Regarding the implementation process, it is difficult to establish a time frame, as it will depend on the results of IGC 4;
  - Short/medium term.

During the workshop, it was also mentioned that it would be important for States in the region to collaborate on the development of a proposal for the protection of the Sala y Gomez & Nazca Ridges in ABNJ.

#### **Closing of the Workshop and Acknowledgements**

The workshop 'The Role of Regional Cooperation Efforts for the High Seas of the Southeast Pacific' was closed on 27 May 2021 by Ambassador Méntor Villagómez, General Secretary of the Permanent Commission for the South Pacific (CPPS) and Dr. Carole Durussel, Co-lead STRONG High Seas project. The Dialogue Workshop convened numerous decision-makers and stakeholders to share expertise, experiences and knowledge and to discuss topics of key importance regarding marine biodiversity in ABNJ in the Southeast Pacific. The workshop organisers wish to thank all participants for their active engagement and contribution to this event and look forward to continuing the collaboration over the coming years.





## **Annex 1: List of Participants**

Name		Organisation
Aburto Frias	Jaime	Universidad Católica del Norte (UCN)
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Alonso Carvajal	David	Invemar
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Arévalo	Gustavo	Permanent Comission for the South Pacific (CPPS)
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Balgos	Miriam	Global Ocean Forum
Barrera Lozada	Hiram	Ministry of Production
Bhola	Nina	UNEP-WCMC
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Bouvet	Morgane	Institute for Sustainable Development and International Relations (IDDRI)
Bueno	Paula	WWF Colombia
Campi	Pamela	ESPOL
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Carvajal	Raul	Conservation International Ecuador
Casique	Víctor	WWF Colombia
Castellanos	Gustavo	WWF Colombia
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Gjerde	Kristina	IUCN Marie Programme
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# **Annex 2: Workshop Agenda**

Day 1 – 26 May 2021			
9:15 – 9:30	Online platform open for participants to login		
(GMT-5)	Day 1 facilitated by Zuleika Pinzón (Permanent Commission for the South Pacific, CPPS)		
9:30 - 9:40	Opening of the workshop and housekeeping rules		
	Zuleika Pinzón (CPPS)		
9:40 - 9:50	Welcome on behalf of the CPPS Secretariat & the STRONG High Seas project		
	Ambassador Méntor Villagómez (General Secretary, CPPS) Dr. Carole Durussel (Institute for Advanced Sustainability Studies, IASS)		
9:50 – 10:00	Workshop objectives Short introduction to the objectives of these two days of workshop		
	Zuleika Pinzón (CPPS)		
10:00 – 10:15	Short introduction round in small groups Poll followed by tour de table in small break-out groups		
40-45 40-05	Facilitated by Zuleika Pinzón (CPPS)		
10:15 – 10:35	Session 1: Update from ongoing activities and BBNJ Negotiations Update on the STRONG High Seas project This presentation will introduce the STRONG High Seas project, the project		
	work to date and plan for the last year of project implementation. It will also		
	provide a short introduction to the STRONG High Seas Interactive Website.		
	Dr. Carole Durussel (IASS) Victor Casique (WWF Colombia)		
	Followed by Q&A		
10:35 – 10:55	Update on the BBNJ Negotiations & other global policy processes This presentation will provide an overview of the negotiations for a legally binding international instrument under the United Nations for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction (BBNJ Negotiations) as well as other relevant global policy processes.		
	Gustavo Arévalo (Director of Legal Affairs, CPPS)		
40.55 44.45	Followed by Q&A		
10:55 – 11:15	Update from the CPPS Secretariat  This presentation will provide an overview of the CPPS work since the last Dialogue Workshop in February 2020		
	Marcelo Nilo (Director of Scientific Affairs, CPPS)		
	Followed by Q&A		
11:15 – 11:20	Group Picture		
11:20 – 11:30	Short break (10 minutes)		
11:30 – 12:10	Session 2: Update from the Southeast Pacific region Discussion with States and stakeholders on ongoing and upcoming activities in the Southeast Pacific region Workshop participants will be asked to share their views and discuss the following questions:		
	1) 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 environments		
including in ABNJ?	nment,	
2) From your perspective, which effect(s) has the COVID-19 pa (had) on the Southeast Pacific region in terms of conservation sustainable use of the marine environment, including ABNJ, as on related policy processes?	ion and	
3) If you or your organisation, ministry, department, etc. hav	e been	
engaged with the BBNJ process to date (including the Intersessionals), what key take away messages or lessons had drawn from this participation, particularly regarding considerat States and stakeholders of the Southeast Pacific region?  4) Looking forward, what important steps and/or activities do you as essential to conclude the BBNJ negotiations and succ implement the BBNJ instrument in the Southeast Pacific region.	recent ave you ions for identify essfully	
	11:	
Facilitated by Zuleika Pinzón (CPPS Secretariat)  12:10 – 12:25 Considerations for capacity: biodiversity conservation in ABNJ		
This presentation will provide a discussion regarding consideration	ons for	
capacity.		
Luis German Naranjo & Tim Packeiser (WWF Colombia & WWF Germany)		
Followed by Q&A		
12:25 – 12:30 Close of day 1		
Zuleika Pinzón (CPPS Secretariat)	1	
Zuleika Pinzón (CPPS Secretariat)  12:30 – 13:00 Social event		
12:30 – 13:00 Social event		
12:30 – 13:00 Social event  Optional social event for workshop participants		
12:30 – 13:00 Social event  Optional social event for workshop participants  Day 2 – 27 May 2021  9:15 – 9:30 Online platform open for participants to login  Day 2 facilitated by Paula Bueno (WWF Colombia)		
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	In which ways could the STRONG High Seas project further support		
	you or your organisation, ministry or department's work in the future?		
	Facilitated by Paula Bueno (WWF Colombia)		
10:35 – 10:50	Short Break (15 minutes)		
10:50 – 11:10	Session 4: Interactive session on the role of regional cooperation		
	for ABNJ		
	Introduction to the session		
	The session will introduce the interactive session		
	Facilitated by Carolina Hazin, BirdLife International		
	Followed by Q&A		
11:10 – 11:55	Interactive session		
	Break-out groups discussions. Workshop participants will be asked to share their views and discuss the following questions:		
	<ol> <li>What, if any, issues or challenges in ocean governance for the conservation and sustainable use of biodiversity in the Southeast Pacific could be better addressed through strengthened regional cooperation?</li> <li>How could these issues be addressed effectively: through which approaches (e.g. legal, scientific, political) and through which instruments (e.g., agreements, tools, etc.)? Please also consider existing efforts, ongoing initiatives, and opportunities to build on them.</li> <li>Who are essential actors who should play a key role in the development and implementation of the recommended cooperation/action?</li> <li>When could such cooperation take place considering relevant, current and future, national, regional, and global policy timeframes?</li> </ol> Facilitated by Carolina Hazin, BirdLife International		
11:55 – 12:25	Plenary discussion		
	Discussion in plenary		
12:25 – 12:30	Facilitated by Carolina Hazin, BirdLife International  Closing of the workshop by the CPPS Secretariat & the STRONG High		
12.20	Seas project		
	Ambassador Méntor Villagómez (General Secretary, CPPS) Dr. Carole Durussel (IASS)		





**Annex 3:** List of webinars and scientific reports relevant to the Southeast Pacific region 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, <a href="https://www.prog-ocean.org/wp-content/uploads/2019/03/Online">https://www.prog-ocean.org/wp-content/uploads/2019/03/Online</a> IASS Report 190227.pdf
  - Summary for Decision-Makers, <a href="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</a>
  - Resumen para tomadores de decisiones, <a href="https://www.prog-ocean.org/wp-content/uploads/2019/03/Online\_IASS\_Summary\_ES\_190227.pdf">https://www.prog-ocean.org/wp-content/uploads/2019/03/Online\_IASS\_Summary\_ES\_190227.pdf</a>
- Wright, G. and Rochette, J., 'Regional Ocean Governance of Areas Beyond National Jurisdiction: Lessons Learnt and Ways Forward', STRONG High Seas Project, 2019, <a href="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</a>
  - Summary for Decision-Makers, <a href="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</a>
  - Resumen para tomadores de decisiones, <a href="https://www.prog-ocean.org/wp-content/uploads/2019/03/STRONG-HS\_Lessons-Learnt-Report-Sum\_ES.pdf">https://www.prog-ocean.org/wp-content/uploads/2019/03/STRONG-HS\_Lessons-Learnt-Report-Sum\_ES.pdf</a>
- 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, <a href="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</a>
  - Summary for Decision-Makers, <a href="https://www.prog-ocean.org/wp-content/uploads/2020/05/STRONG-HS\_Ecological-Baselines-Sum\_Southeast-Pacific EN.pdf">https://www.prog-ocean.org/wp-content/uploads/2020/05/STRONG-HS\_Ecological-Baselines-Sum\_Southeast-Pacific EN.pdf</a>
  - Resumen para tomadores de decisiones, <a href="https://www.prog-ocean.org/wp-content/uploads/2020/05/STRONG-HS\_Ecological-Baselines-Sum\_Southeast-Pacific\_ES.pdf">https://www.prog-ocean.org/wp-content/uploads/2020/05/STRONG-HS\_Ecological-Baselines-Sum\_Southeast-Pacific\_ES.pdf</a>
- Cremers, K., Wright, G., Rochette, J., "Strengthening Monitoring, Control and Surveillance in Areas Beyond National Jurisdiction", STRONG High Seas Project, 2020, <a href="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">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</a>
- 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, <a href="https://www.prog-ocean.org/wp-content/uploads/2020/11/STRONG-HS-MCS-CPPS-Report-1.pdf">https://www.prog-ocean.org/wp-content/uploads/2020/11/STRONG-HS-MCS-CPPS-Report-1.pdf</a>
  - o Versión en español: <a href="https://www.prog-ocean.org/wp-content/uploads/2021/02/STRONG-HS-MCS-CPPS-Report ES.pdf">https://www.prog-ocean.org/wp-content/uploads/2021/02/STRONG-HS-MCS-CPPS-Report ES.pdf</a>





- 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, <a href="https://www.progocean.org/wp-content/uploads/2021/02/Gjerde-K.M.-Wright-G.-and-Durussel-C.-Strengthening-high-seas-governance-through-enhanced-environmental-assessmentprocesses.pdf</a>
  - Spanish version in preparation
- Olivares-Arenas, M., Yannicelli, B., Zapata-Padilla, L. A., Sfeir, R., Castellanos-Galindo, G., Aburto, J. Boteler, B. y Guerrero, P. 'Estudio sobre la importancia socioeconómica de las áreas fuera de la jurisdicción nacional (ABNJ) en la región del Pacífico Sudeste'. Proyecto STRONG High Seas, 2021, <a href="https://www.prog-ocean.org/wp-content/uploads/2021/06/Olivares-Arenas-M.-et-al.-Estudio-sobre-la-importancia-de-las-ABNJ-en-la-region-del-Pacifico-Sudeste-1.pdf">https://www.prog-ocean.org/wp-content/uploads/2021/06/Olivares-Arenas-M.-et-al.-Estudio-sobre-la-importancia-de-las-ABNJ-en-la-region-del-Pacifico-Sudeste-1.pdf</a>
  - English version in preparation

### **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, <a href="https://www.prog-ocean.org/wp-content/uploads/2018/08/STRONG-High-Seas-Policy-Brief">https://www.prog-ocean.org/wp-content/uploads/2018/08/STRONG-High-Seas-Policy-Brief</a> Options-for-underpinning-BBNJagreement.pdf
  - Spanish version in preparation
- 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, <a href="https://www.prog-ocean.org/wp-content/uploads/2019/08/Cremers-et-al-2019-Keeping-an-Eye-on-the-High-Seas.pdf">https://www.prog-ocean.org/wp-content/uploads/2019/08/Cremers-et-al-2019-Keeping-an-Eye-on-the-High-Seas.pdf</a>
- 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, <a href="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</a>
  - Spanish version in preparation

### **STRONG High Seas Online Seminar**

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





#### **About the STRONG High Seas Project**

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. It is coordinated by the Institute for Advanced Sustainability Studies (IASS) and implemented together with the Institute for Sustainable Development and International Relations (IDDRI), BirdLife International, the International Ocean Institute (IOI) – Southern Africa, the Universidad Católica del Norte (UCN), WWF Colombia, and WWF Germany. 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:

- 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: <a href="https://www.prog-ocean.org/our-work/strong-high-seas/">https://www.prog-ocean.org/our-work/strong-high-seas/</a> or contact: <a href="mailto:stronghigh-seas/">stronghigh-seas/</a> or contact: <a href="mailto:stronghigh-seas/

#### Partners of the STRONG High Seas project



















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based on a decision of the German Bundestag

The STRONG High Seas project is part of the International Climate Initiative (IKI; <a href="http://www.international-climate-initiative.com/en/">http://www.international-climate-initiative.com/en/</a>). 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.