

Ocean threats and ocean governance: match or mis-match?



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“The oceans are doomed” – can they be saved by closing the high seas to fishing?



This presentation

1. Ocean facts and ocean threats
2. Ocean governance
3. Regional Fisheries Management Organizations
4. Will a new UN Convention save the oceans?



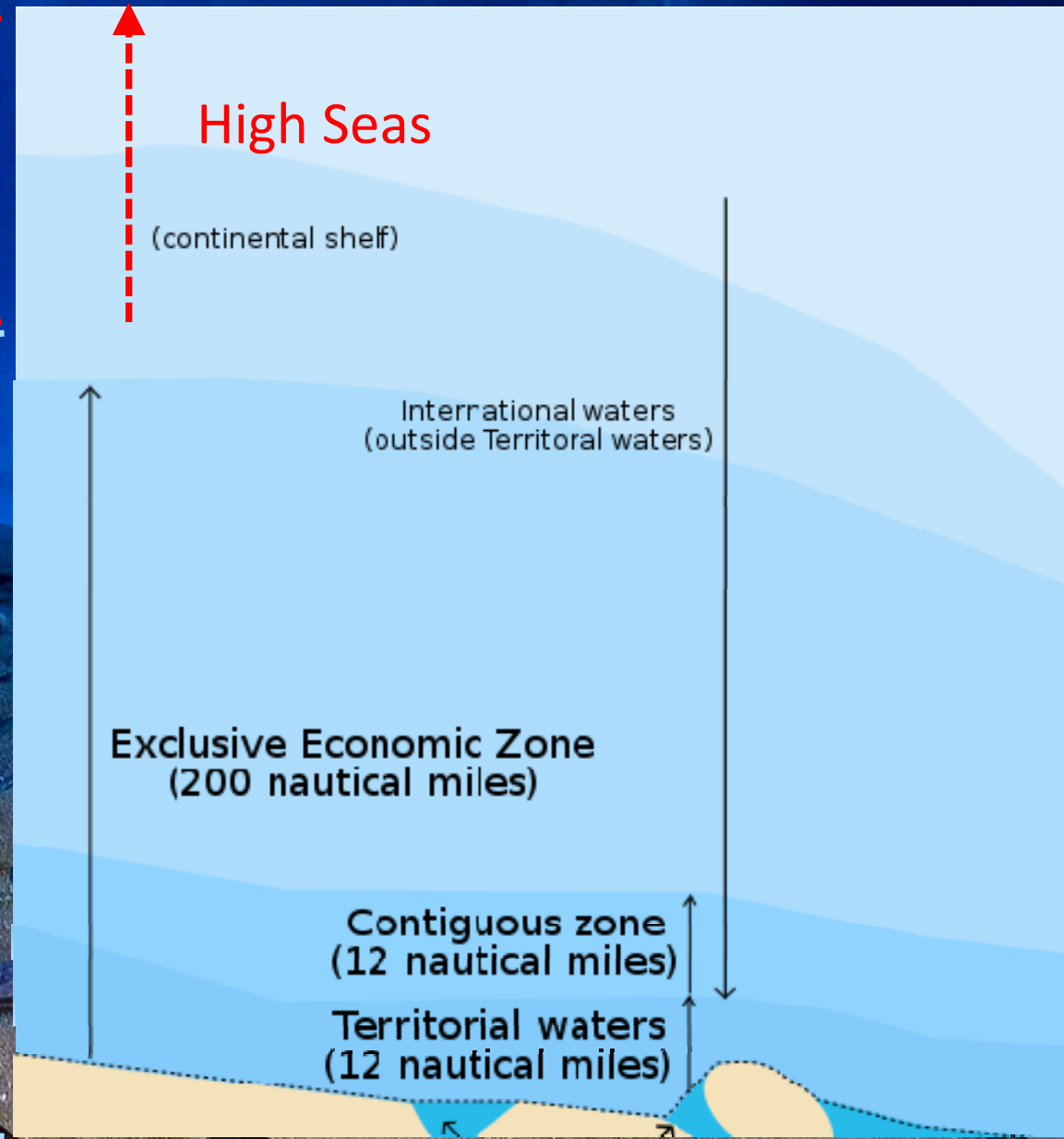
1. Ocean facts and ocean threats



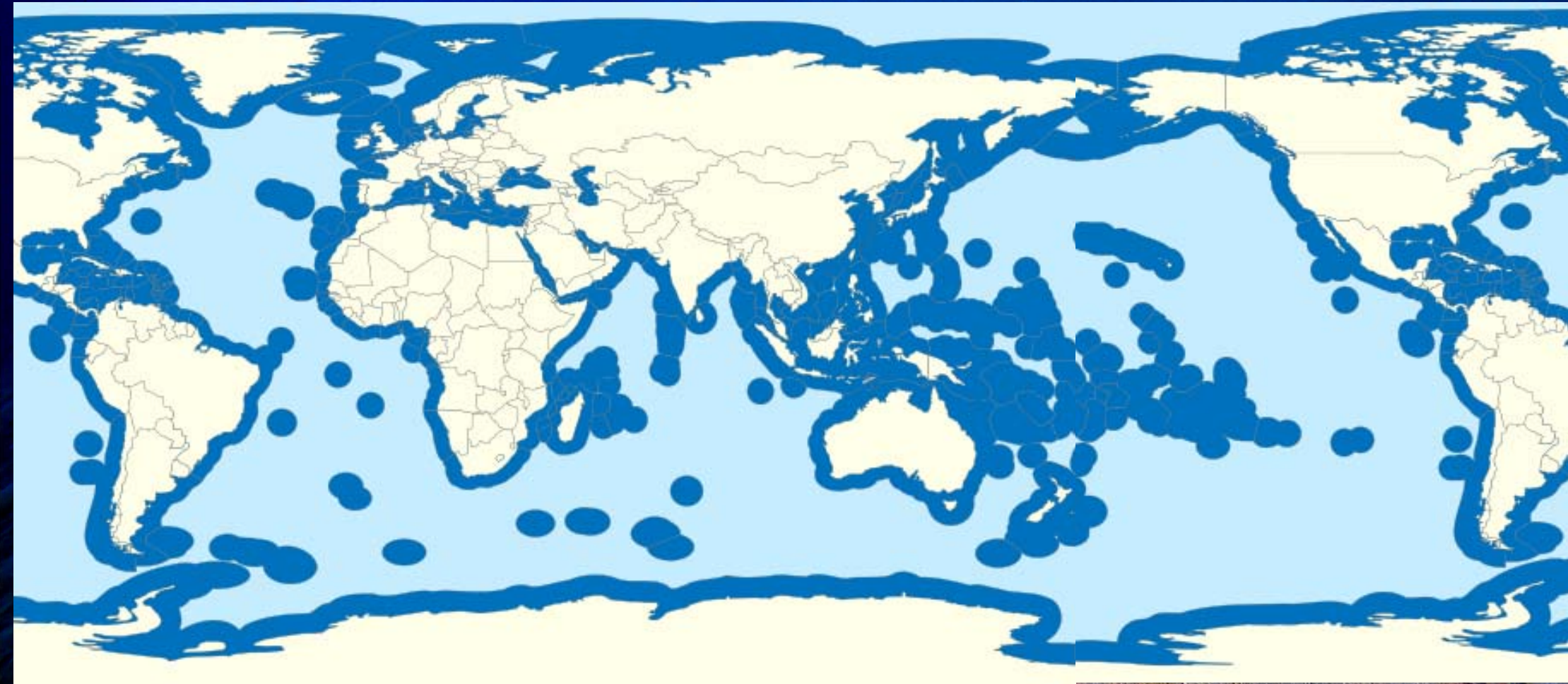
UNCLOS: Maritime Zones

Areas Beyond National Jurisdiction (ABNJ)

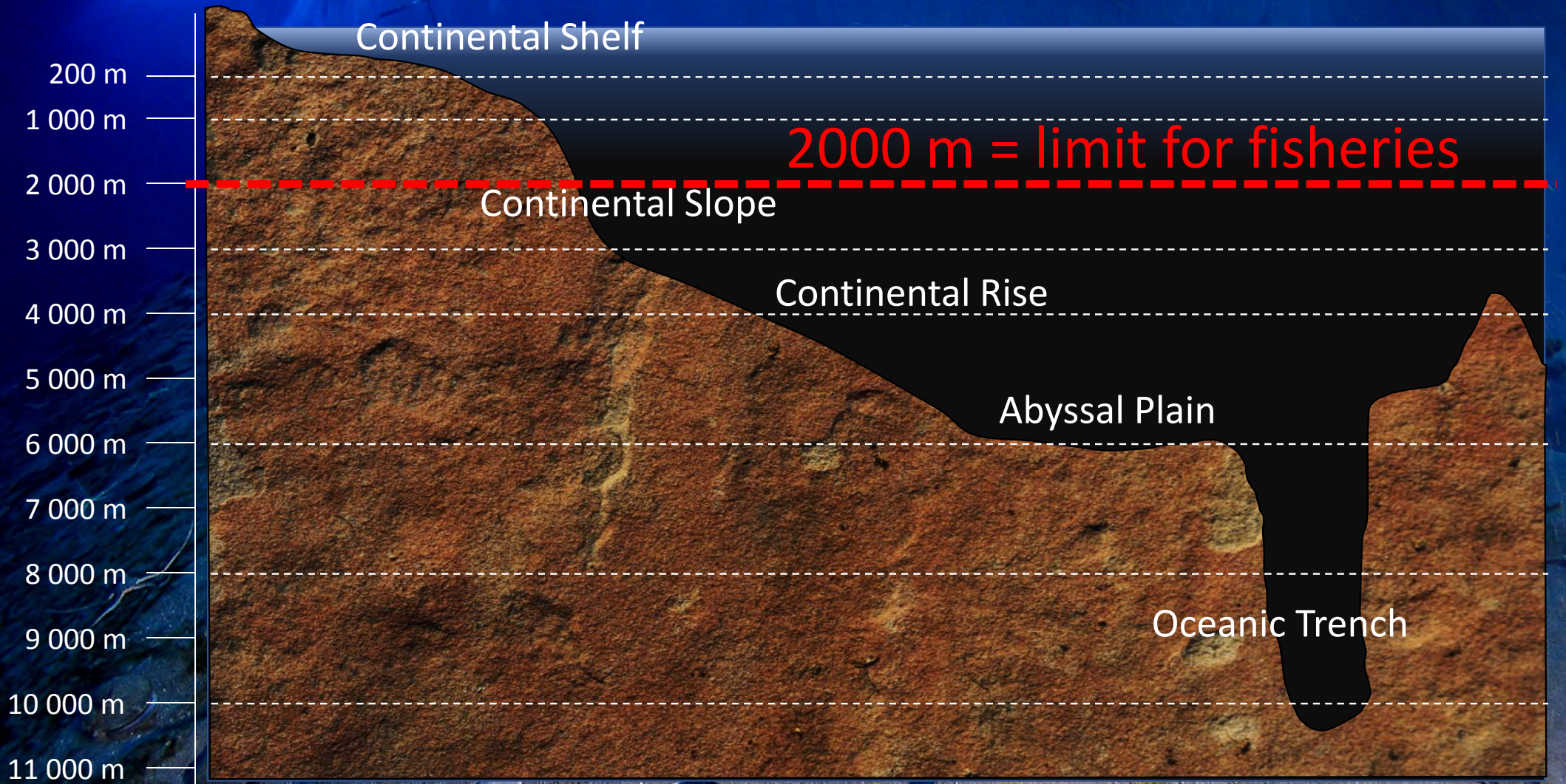
Areas Under National Jurisdiction (ABNJ)



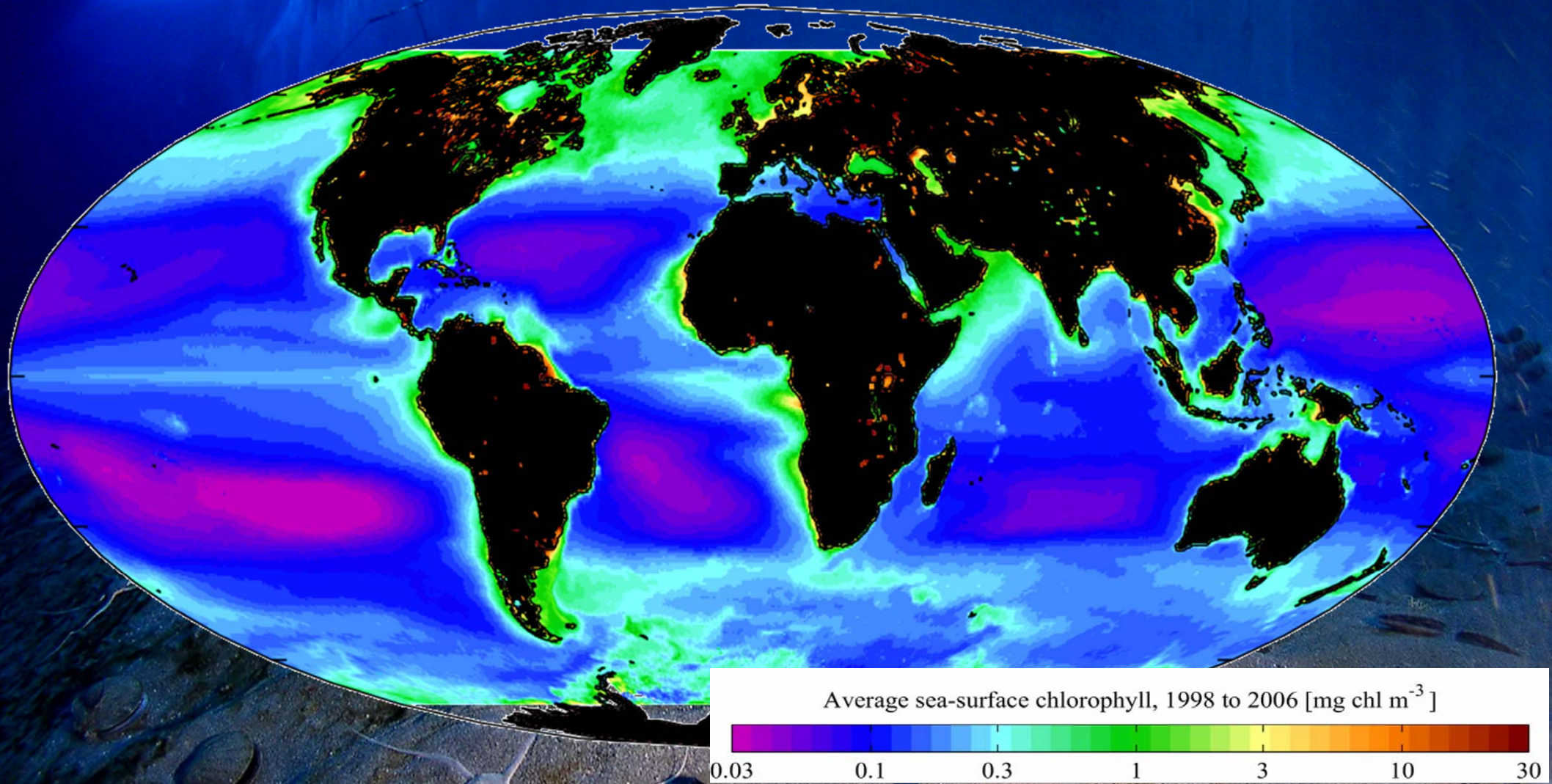
The oceans cover almost two-thirds of Earth's surface



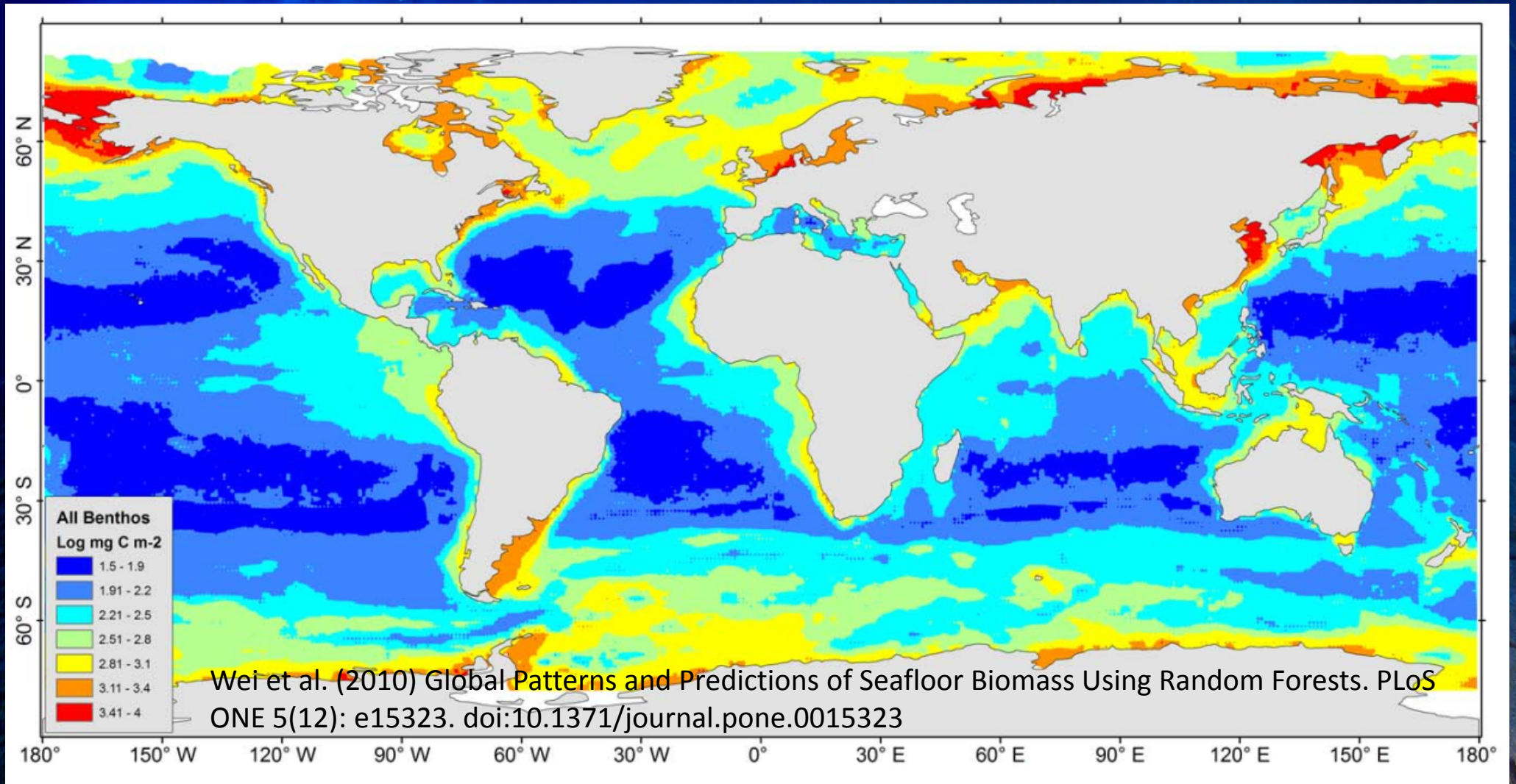
Over 80% of the oceans are deeper than 2,000 m



Marine primary productivity

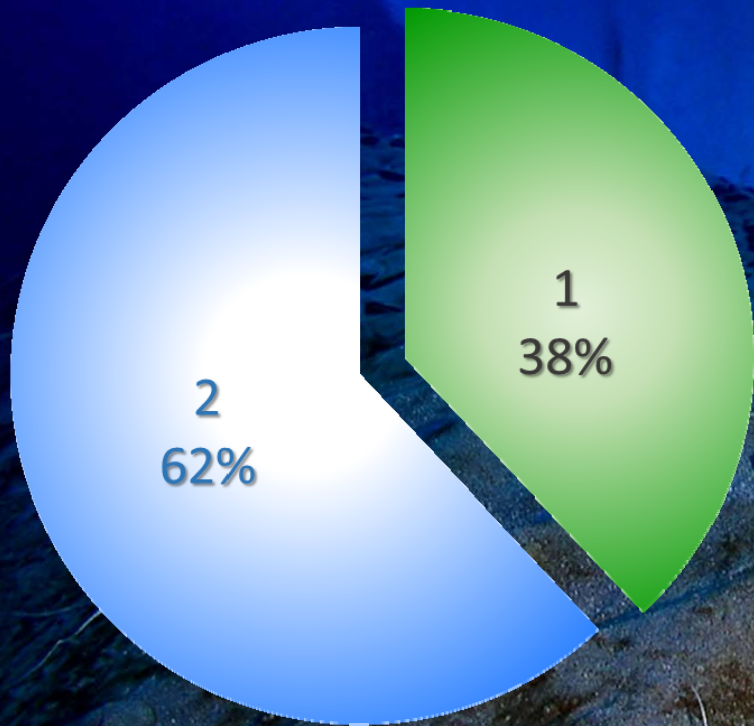


Seafloor biomass



Most ocean areas are beyond national jurisdiction

Ocean Surface Area

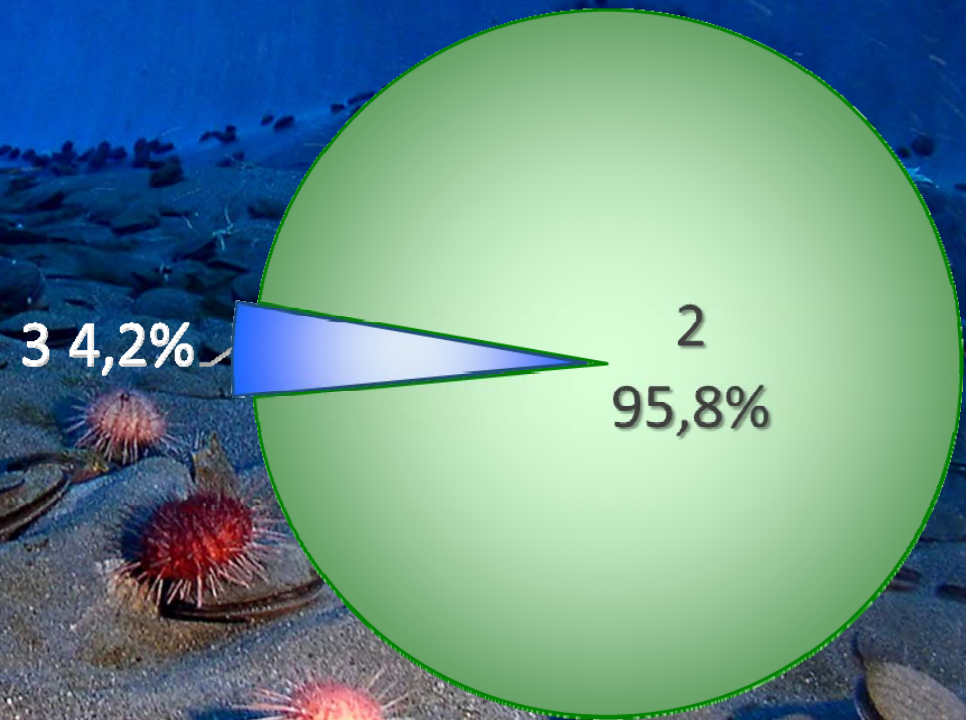


but marine life concentrates along the coasts and requires national conservation laws

Most ocean areas are beyond national jurisdiction

Wild catches 2009-2014

But most fishes are caught in areas under national jurisdiction and require national management



Major threats to the oceans

- Climate change, e.g.
 - Acidification
 - Warming
 - Ocean currents
- Human activities, e.g.
 - Organic & toxic wastes from agriculture, industries and cities
 - Plastics and other garbage from land and vessels
 - Overfishing and destructive fishing methods
 - Mining destroys seabed habitats
 - Aquaculture affects coastal habitat (e.g. deforestation, contamination)

Biological Impacts

- Habitat loss
- Biodiversity loss
- Change in species composition
- Distributional shifts of marine species
- Declining populations
- Coral reef bleaching

2. Ocean governance

- National jurisdiction
- International jurisdiction



Ocean Governance: Areas under national jurisdiction

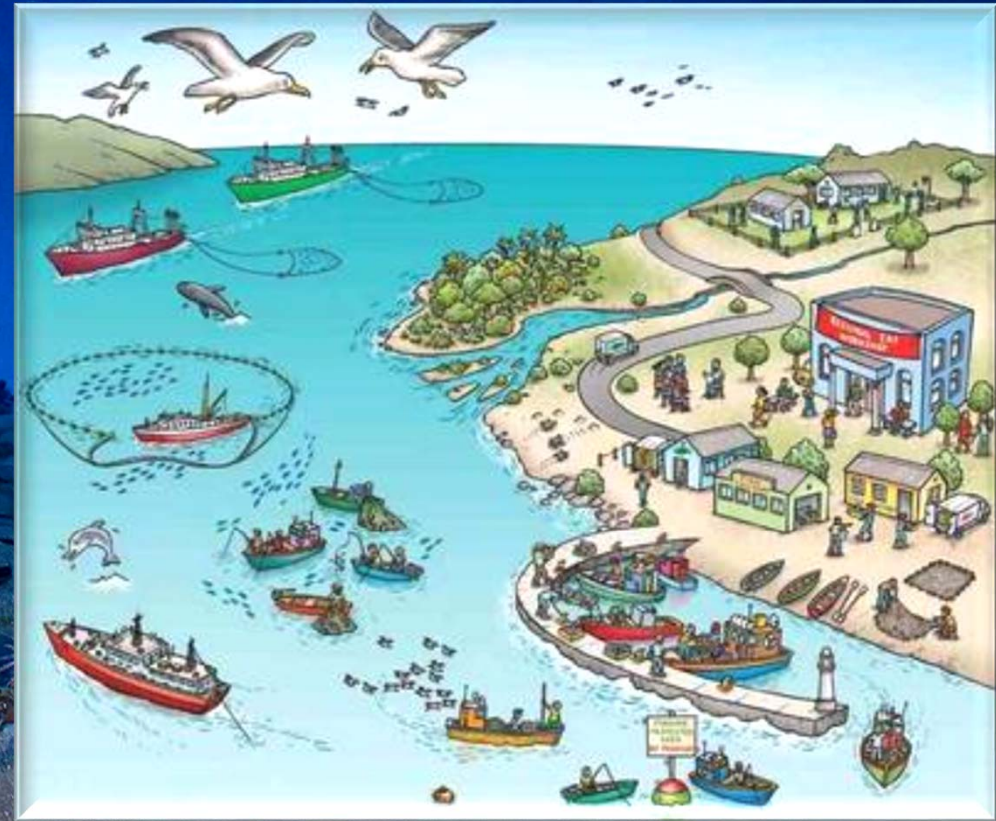
Good ocean governance should involve:

- Cooperative planning & decision making by relevant government agencies
Fisheries, Agriculture, Environment, Transport, Mining, Trade, Tourism, Health, Municipalities, etc
- Data collection and environmental/biological assessments
Governments, universities, industry
- Monitoring and Enforcement
Coastguard, navy, ports, health insp., police, courts
- Stakeholders
Resource users, tourism, farmers, vessel owners, conservation agencies, NGOs

Ocean Governance: Areas under national jurisdiction

Ocean governance is costly and must cover the coasts and the 200 miles of the EEZ. This is challenging for many coastal States.

- There are about 150 coastal States in the world.
- Over 100 are developing States and of these
- 58 are Small Islands Developing States



Ocean Governance: Areas under national jurisdiction

Challenges faced by many coastal States:

- Lack of funds and technical know-how
- Incomplete ecological & biological data
- Inadequate legislation and poor enforcement
- Limited cooperation and coordination of government activities
- Unresolved conflicts between stakeholders
- Lacking participation of stakeholders



Ocean Governance: Areas Beyond National Jurisdiction

Global Agreements and Institutions

1982 UN Convention on the Law of the Sea (UNCLOS)

Jurisdiction

- International Tribunal for the Law of the Sea (ITLOS)
- International Court of Justice, ICJ)

Climate change

- 1992 UN Framework Convention on Climate Change (UNFCCC) (UN Secretariat)

Mining

- International Seabed Authority (ISA)

Transport and Pollution

- 1948 UN Convention on the International Maritime Organization (IMO) - Secretariat
- 1973 IMO Convention for the Prevention of Pollution from Ships (MARPOL)

Ocean Governance: Areas Beyond National Jurisdiction

Global Agreements and Institutions

1982 UN Convention on the Law of the Sea (UNCLOS)

Conservation, biodiversity and vulnerable species

- 1973 UN Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) – Secretariat
- 1992 UN Convention on Biological Diversity (CBD) - Secretariat
- Global Environmental Facility (GEF) UN Environment Programme (UNEP)
- International Union for Conservation of Nature (IUCN)

Fisheries Management

- 1993 FAO Compliance Agreement
- 1995 UN Fish Stock Agreement
- 1995 FAO Code of Conduct for Responsible Fisheries (voluntary)
- 2001 FAO Reykjavík Declaration on Responsible Fisheries in the Marine Ecosystem
- 2009 Port State Measures Agreement (PSMA)
- UN Food and Agriculture Organization (FAO)

Ocean Governance: Regional Institutions

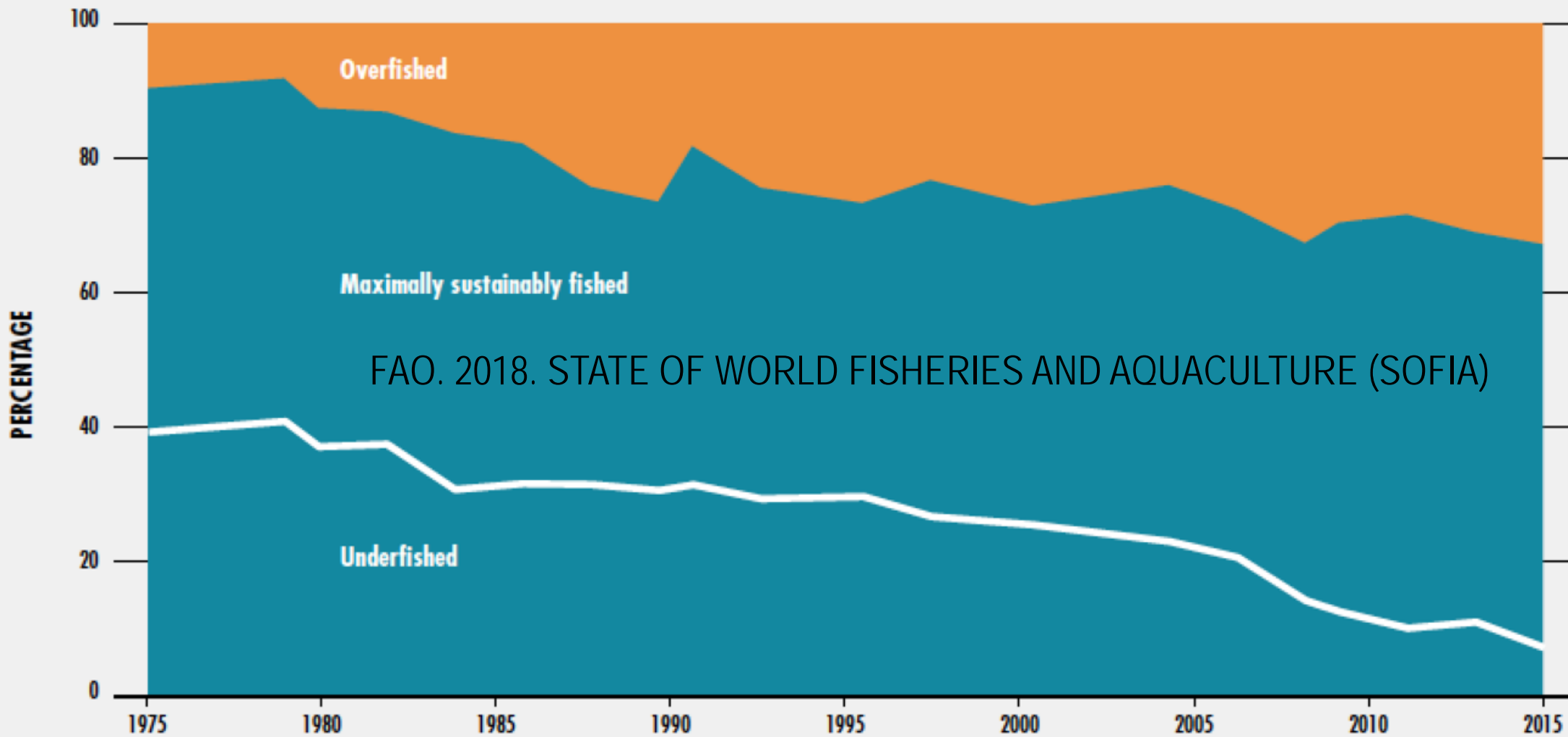
Regional Fisheries Management Organizations (RFMOs)

- General RFMOs (8)
- Tuna RFMOs (5)
- Specialised RFMOs (6)

Regional Seas Agreements

- 1959 Antarctic Treaty
- 1986 Convention for the Protection of Natural Resources and Environment of the South Pacific Region (SPREP)
- 1992 Convention on the Protection of the Marine Environment of the North East Atlantic (OSPAR)
- 1995 Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention)

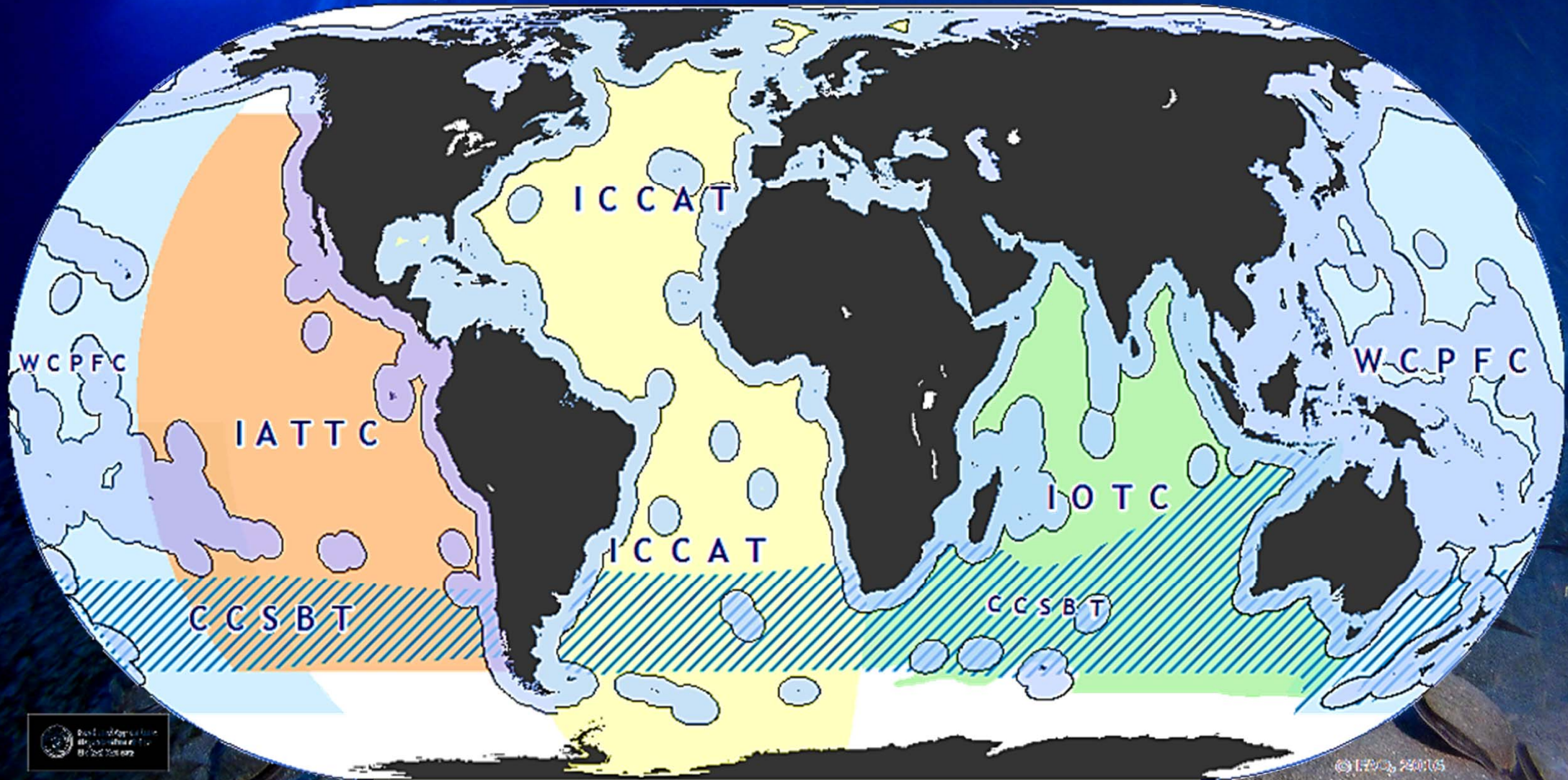
Overfishing – a serious threat to the oceans



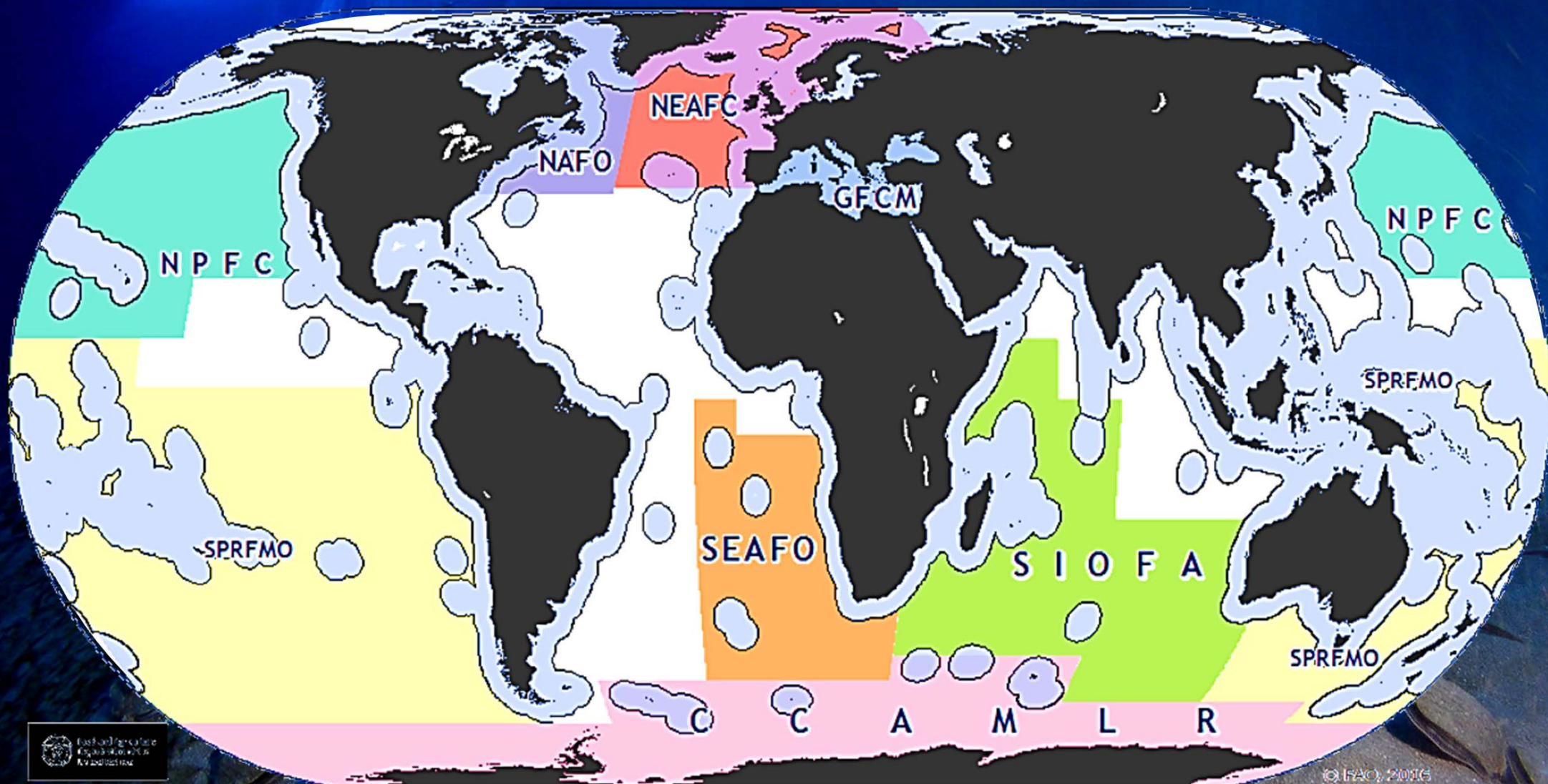
3. Regional Fisheries Management Organizations (RFMOs)



Tuna RFMOs

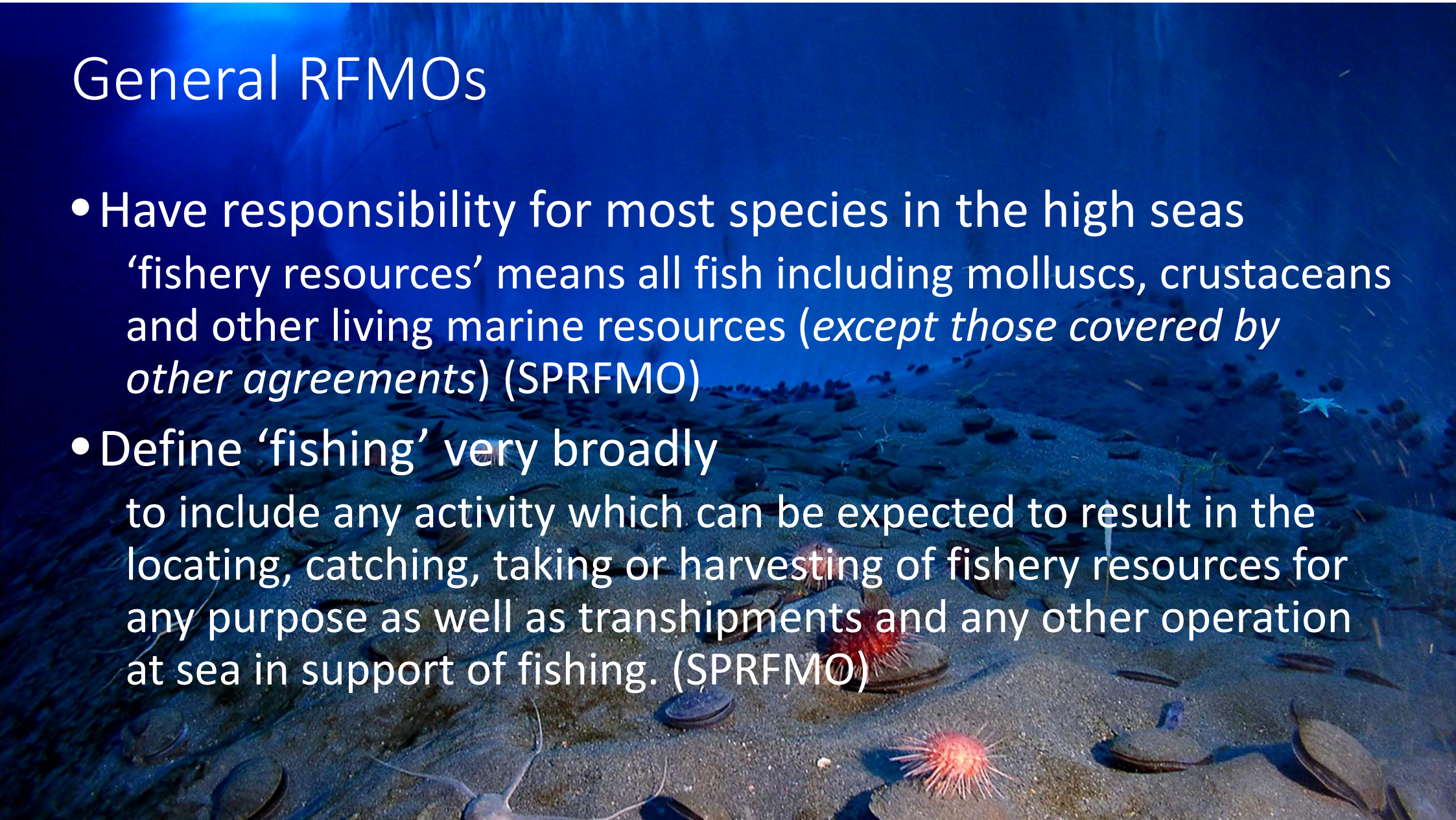


General RFMOs



General RFMOs

- Have responsibility for most species in the high seas
‘fishery resources’ means all fish including molluscs, crustaceans and other living marine resources (*except those covered by other agreements*) (SPRFMO)
- Define ‘fishing’ very broadly
to include any activity which can be expected to result in the locating, catching, taking or harvesting of fishery resources for any purpose as well as transshipments and any other operation at sea in support of fishing. (SPRFMO)



General RFMOs: Mandate includes the conservation or protection of biodiversity and ecosystems

RFMO	Biodiversity conservation	Ecosystem Approach
CCAMLR	implicit	explicit
GFCM	implicit	implicit
NAFO	explicit	explicit
NEAFC	explicit	implicit
NPFC	explicit	explicit
SEAFO	explicit	explicit
SIOFA	explicit	explicit
SPRFMO	explicit	explicit

Typical Setup and Tasks of a general RFMO



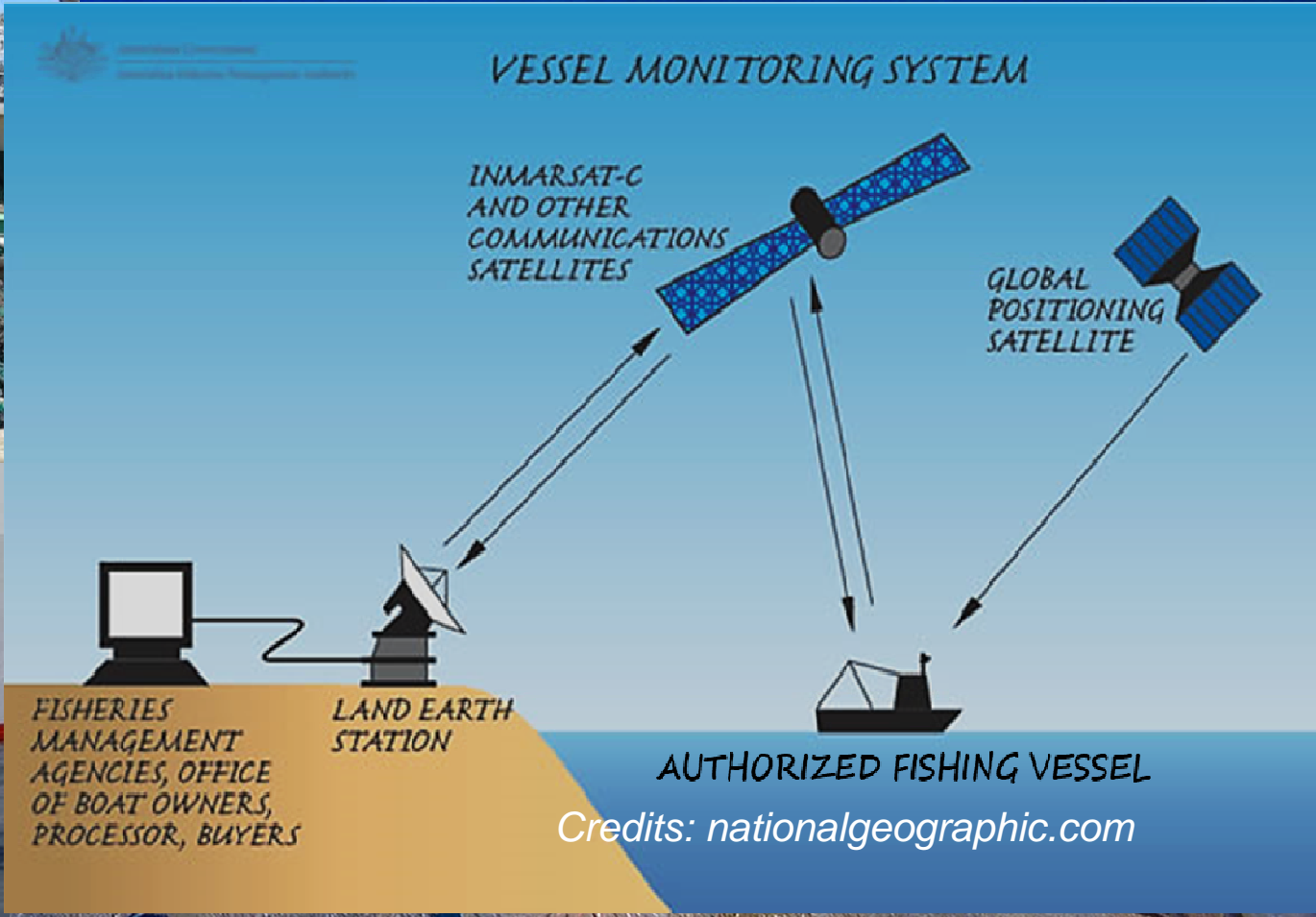
Conservation & Management Measures (SPRFMO)

- CMM 01-2018 *Trachurus murphyi*
- CMM 02-2018 Data Standards
- CMM 03-2018 Management of Bottom Fishing
- CMM 04-2017 List of IUU Vessels
- CMM 05-2016 Commission Record of Vessels Authorised to Fish
- CMM 06-2018 Vessel Monitoring System
- CMM 07-2017 Minimum Standards of Inspection in Port
- CMM 08-2013 Gillnets
- CMM 09-2017 Minimising Bycatch of Seabirds
- CMM 10-2018 Compliance and Monitoring Scheme
- CMM 11-2015 Boarding and Inspection Procedures
- CMM 12-2018 Regulation of Transshipment and Other Transfer Activities
- CMM 13-2016 New and Exploratory Fisheries
- CMM14b-2018 Exploratory Potting Fishery
- CMM 15-2016 Vessels without Nationality
- CMM 16-2018 Observer Programme

Monitoring, Control and Surveillance (SPRFMO) (63%)

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Monitoring, Control and Enforcement (MCS)



Illegal, Unreported and Unregulated (IUU) fishing



SPRFMO COMM-03 (2015) ANNEX E

South Pacific Regional Fisheries Management Organisation

Final 2015 IUU List

Name of vessel	AURORA (PACIFIC CONQUEROR)	DAMANZAIHAO (LAFAYETTE)
Flag of vessel	Russian Federation (Peru)	Peru (Russian Federation)
Name & Address of Owner	Albatros Company Limited, ul. Portovaya 8, Korsakov 694020, Russian Federation	Sustainable Fishing resources S.A. C. Calle Amador Merino Reyna No. 307 Piso 9 San Isidro, Lima, Peru

SPRFMO IUU List 2015

Summary of information that justifies the inclusion of the vessel on the List, together with reference to all relevant documents informing of and evidencing those activities

(Indicate in former details)

Fishing in the SPRFMO Convention Area without authorisation (air photographs from New Zealand) and prolonged unauthorised presence in the SPRFMO Area (evidence from Chile).

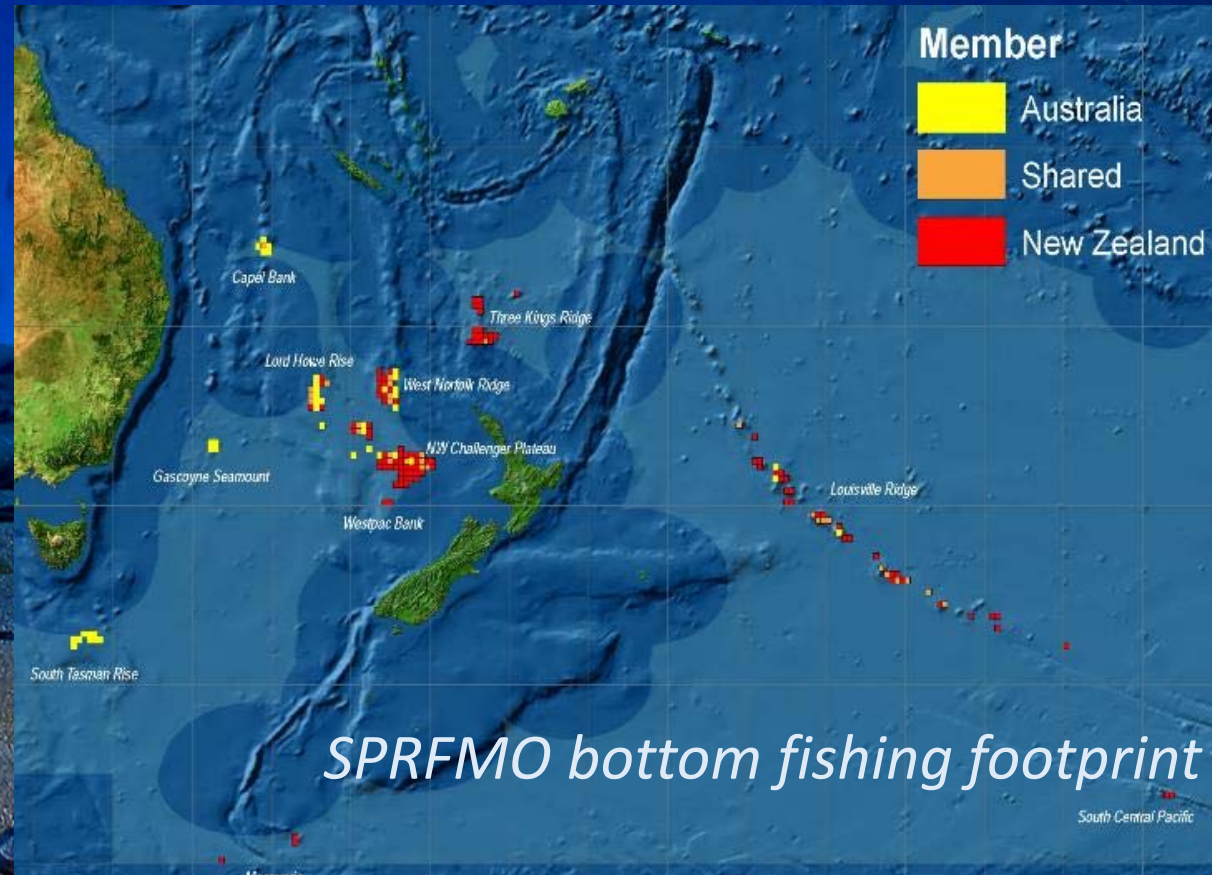
Prolonged presence in the SPRFMO Area without authorisation and providing support to five authorised Peruvian trawlers according to evidence provided by Chile and Peru.

Vessels on the IUU List:

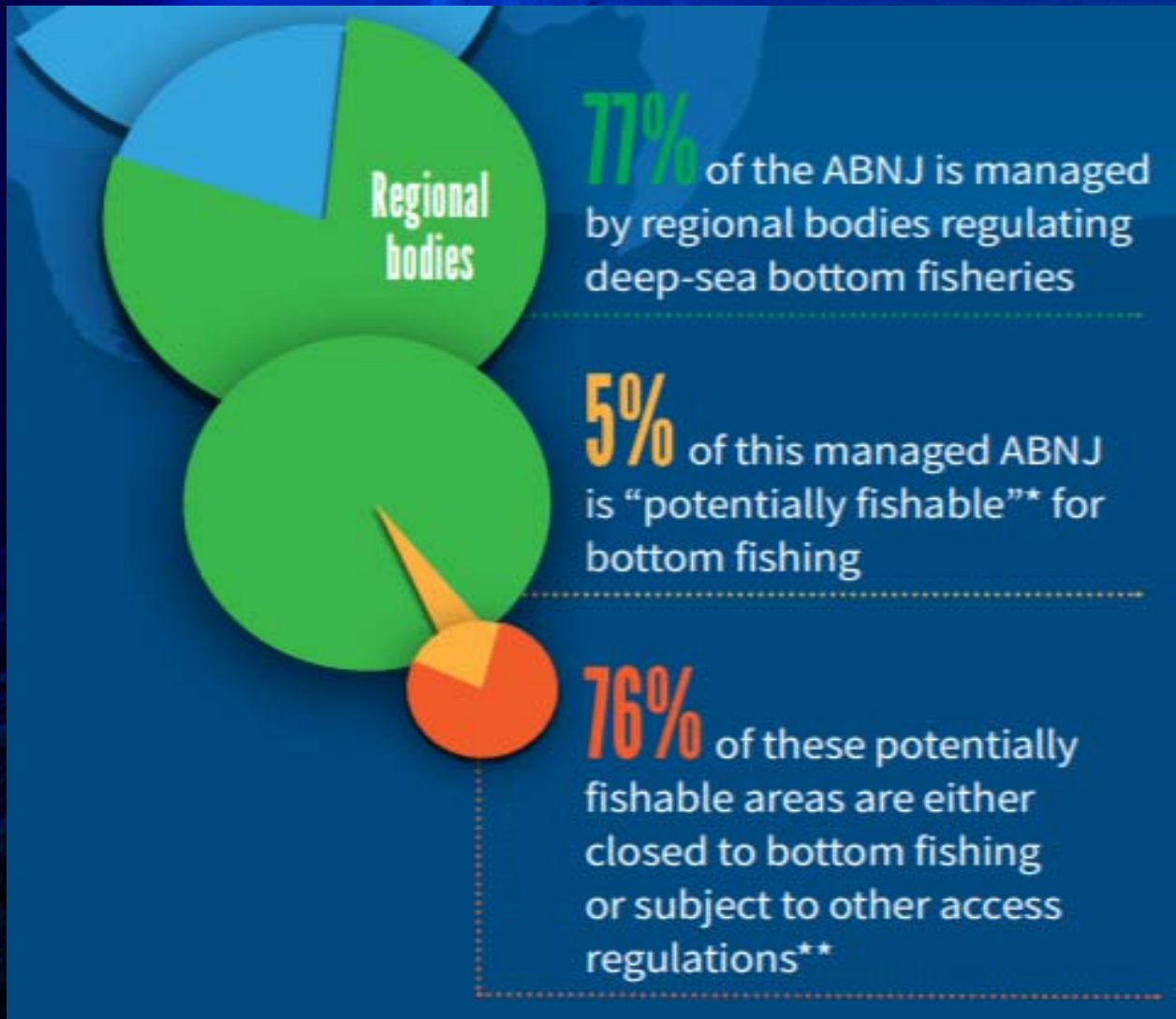
- Will not receive a fishing permit
- Will not receive support from other vessels
- Are prohibited from entering foreign ports
- Will not be granted another flag
- Cannot trade their catch

Deepsea fishing measures adopted by general RFMOs

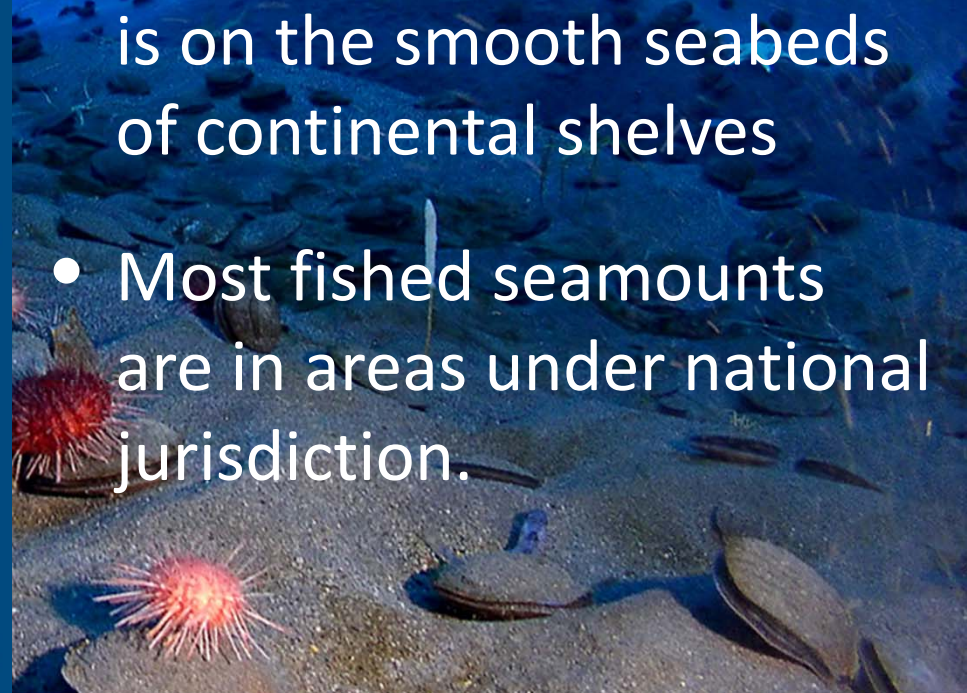
- Defining bottom fishing footprints and prohibiting fishing outside
- Requirement of Impact Assessments (IAs) for new fishing areas
- Closure of most seamounts to fisheries
- Gear restrictions (e.g. prohibition of bottom trawl)
- Encounter protocols



FAO 2017: Bottom fishing in areas beyond national jurisdiction (ABNJs)



- Most deep-sea fishing is not in the ABNJ
- Most ABNJ bottom fishing is on the smooth seabeds of continental shelves
- Most fished seamounts are in areas under national jurisdiction.



RFMOs and VMEs

FAO Report on VME processes and practices in the high seas:

It is clear that these deep-sea fisheries are being progressively managed according to an ecosystem approach to fisheries and it is expected that this will continue in the future.



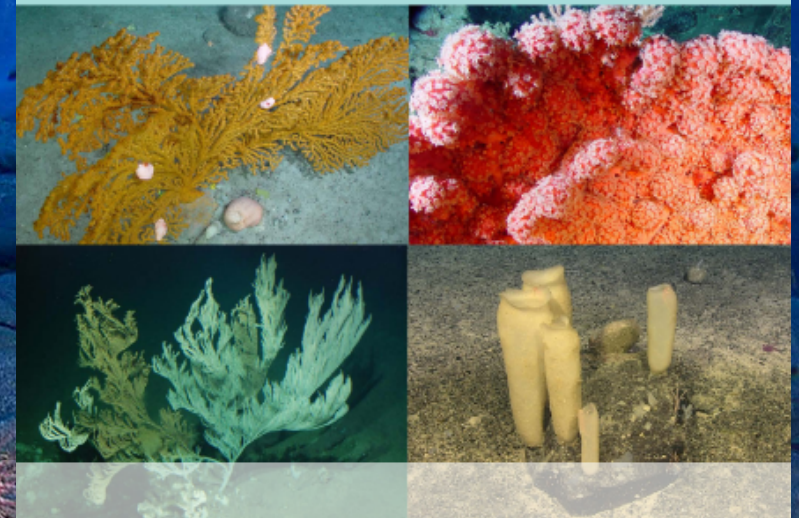
Food and Agriculture
Organization of the
United Nations

FAO
FISHERIES AND
AQUACULTURE
TECHNICAL
PAPER

595

Vulnerable marine ecosystems

Processes and practices in the high seas



RFMOs

- provide **governance** in the high seas
- promote **international ocean cooperation**
- establish **best practices** with benefits for coastal fisheries management of developing States
- offer a **forum for coastal States** to address their concerns, issues and achievements
- lend support for **capacity development** of coastal States
- are mandated to **protect ecosystems and biodiversity**
- monitor **compliance** and sanction noncompliance
- perform regular **reviews of their effectiveness**

4. Will a new UN Convention close the high seas to fishing and thus save the oceans?



A/RES/72/249 Resolution adopted by the General Assembly on 24 December 2017

1. Decides to convene an intergovernmental conference ... to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the **conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction** ...
2. Also decides that negotiations shall address ... in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, measures such as **area-based management tools, including marine protected areas**, environmental impact assessments and capacity-building and the transfer of marine technology;

....

An Urgent Wake Up Call to Protect our Oceans

 By Kumi Naidoo

This week, in New York, countries across the globe are meeting at UN to negotiate the next governments to sustain life on Earth

Could the High Seas Be Closed to Fishing?

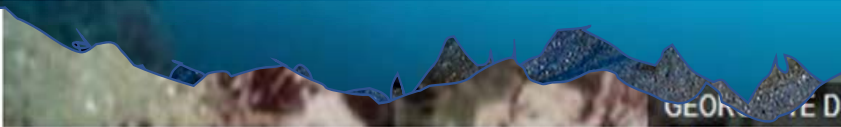
by

'Make new rules' to save the oceans

By Roger Harrabin
BBC environment analyst

© 12 July 2017

**The oceans' last chance:
'It has taken years of
negotiations to set this
up'**


New rules are urgently needed to protect life in the open warned.

Wildlife in most of the lawless high seas faces an existential threat from fishing, shipping and the military. Next month, a landmark UN conference could finally bring hope

by [Robin McKie](#)

Closing the high seas to fishing ?

Potential benefits:

- Highly migratory pelagic species would be safer in international waters
- Currently fished VMEs in the high seas would have a chance to regenerate
- Economic impact would be low – catches are low and fishing expensive

Potential risks:

- Fisheries in the high seas provide an important incentive for regional cooperation through RFMOs
- Without RFMOs, a vital tool for the promotion of best practices will be lost
- Without RFMOs, scientific sampling in the high seas will be reduced
- Without RFMOs, MCS in the high seas will be jeopardized
- Without MCS, there is a high risk of increased IUU fishing

An underwater photograph of a seabed covered in mussels and sea urchins. The scene is illuminated by a blue light source, creating a deep blue environment. The mussels are dark and clustered together, while the sea urchins are bright red and spiky. The seabed is sandy and textured. The text "Summary and conclusions" is overlaid in white in the center of the image.

Summary and conclusions

Summary

- Climate change poses the biggest threat to the oceans
- Non-climate ocean threats derive mainly from land-based/coastal activities
- National ocean governance varies and many countries face severe difficulties with the implementation of sound management regimes
- Regional fishery cooperation in the high seas is functional, has legal authority, provides for MCS and strives to implement best management practices
- Closing the high seas to fishing could diminish vital regional ocean cooperation

Conclusions:

1. The existing international ocean governance is comprehensive and has the potential to adequately address threats from marine activities in the high seas.
2. Land-based and coastal threats to the oceans are significant. Effective ocean conservation must focus on supporting national efforts in finding solutions.
3. Regional cooperation encourages the national implementation of best practices and should continue.