

**Integrated Ocean Management
for the Conservation and
Sustainable Use of ABNJ in the
Southeast Atlantic and
Southeast Pacific**

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List of Abbreviations

ABNJ	Areas beyond national jurisdiction
ABMT	Area-based management tools
ATLAFCO	Fisheries Cooperation Among African States Bordering the Atlantic
B&BP	Business and Biodiversity Platform
BBNJ	Biodiversity beyond national jurisdiction
BCC	Benguela Current Commission
BCLME	Benguela Current Large Marine Ecosystem
CBD	Convention on Biological Diversity
CPPS	Permanent Commission for the South Pacific
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
CECAF	Fishery Committee for the Eastern Central Atlantic
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMAR	Tropical Eastern Marine Corridor
CMS	Convention on Migratory Species
COREP	Comité régional des pêches du Golfe de Guinée
EEZ	Exclusive Economic Zone
EIA	Environment Impact Assessment
FCWC	Fisheries Committee for the West Central Gulf of Guinea
IATTC	Inter-American Tropical Tuna Commission
ICCAT	International Commission for the Conservation of Atlantic Tunas
ICZM	Integrated coastal zone management
IMO	International Maritime Organization
IOC	Intergovernmental Oceanographic Commission
IOM	Ecosystem-base Integrated Ocean Management
IPBES	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
IPCC	Intergovernmental Panel on Climate Change
ISA	International Seabed Authority
MCS	Monitoring, control and surveillance
MoU	Memorandum of understanding
MPA	Marine protected area
OECD	Organisation for Economic Co-operation and Development
RFB	Regional fisheries body
RFMO	Regional fisheries management organisation
RSO	Regional seas organisations
SDG	Sustainable Development Goals
SEAFO	South East Atlantic Fisheries Organisation
SOI	Sustainable Ocean Initiative
SPINCAM	South Pacific Information Network in support to Integrated Coastal Area Management
SPRFMO	South Pacific Regional Fisheries Management Organisation
SRFC	Sub-Regional Fisheries Commission
UNCLOS	United Nations Convention on the Law of the Sea
UNFCCC	United Nations Framework Convention on Climate Change

Executive summary

The marine areas that fall beyond the national jurisdiction of States (ABNJ) are divided into two legally distinct maritime zones: the water column (high seas) and the seabed (the Area). ABNJ are vital areas for the exchange of nutrients, ocean regulation of global climate and biodiversity as well as for maritime transport, fishing, and other extractive uses. These high seas and international seabed areas are connected to coastal waters ecologically and oceanographically.

The United Nations Convention on the Law of the Sea (UNCLOS), alongside with other legal instruments and organisations, including Regional Fishery Management Organisations, provides the legal framework for managing marine areas in ABNJ and the Exclusive Economic Zones (EEZ). These instruments and organisations, however, focus on different sectors, issues, and marine areas, and lack coordination to address the multiple existing and emerging challenges related to the protection and use of the marine space, species, and resources. There is a need, for example, to consider emerging activities in ABNJ, such as seabed mining, and their impacts on other activities as well as on marine biodiversity and ecosystem services in the face of accumulating stressors, such as climate change. From a diverse and non-coordinated governance background emerges the need to apply an integrated approach to management to effectively conserve species, resources and manage activities in the ocean space. In turn, integrated management will need a whole-of-government and society approach, at all stages, to be fully effective.

Integrated ocean management (IOM) is an adaptive approach to managing human activities in the ocean, which is rooted in the ecosystem approach. It requires all dimensions of ocean space to be considered – physical, oceanographic, climatic, biological, social, economic spheres – and includes spatial and temporal dynamics of the system. It aims to create a framework for

a sustainable ocean economy. To achieve this ambitious aim, management processes need to be integrated across governance, stakeholders, knowledge, system-dynamics, and be transboundary, which will form the ‘pillars’ for effective integration. Key features of the proposed integrated approach to ocean management call for enhanced collaboration, knowledge sharing, transparency, coordination, and communication. Community views and values, and scientific, traditional, and local knowledge play key roles in defining the design and operationalization of the above-mentioned pillars.

The IOM approach has yet to be applied to ABNJ but is commonly applied to coastal waters. IOM will be increasingly important in ABNJ for addressing the rising challenges of achieving conservation and sustainable use of marine biodiversity. This report therefore aims to provide an overview on the application of IOM in the context of the conservation and sustainable use of marine biodiversity in ABNJ, particularly within the Southeast Atlantic and Southeast Pacific regions. It particularly aims at promoting IOM for ABNJ across sectors and ecological dimensions by considering the application of enabling conditions to achieve cooperation and collaboration between the various actors working in or affecting ABNJ. This report summarises the current challenges facing management of ABNJ, identifies opportunities to implement IOM across boundaries and provides recommendations for moving forward on this urgent priority, guided by the Sustainable Development Goals.

Addressing IOM in ABNJ is particularly relevant at this point in time as States are negotiating a new legally binding instrument for the protection and sustainable use of marine biodiversity in ABNJ (referred to in this report as the BBNJ Agreement). Therefore, an opportunity exists for States to embed provisions that will allow IOM to be fully operational in the framework of the BBNJ Agreement upon its adoption and ratification.

This report covers the concepts of IOM, its pillars, the importance of IOM for the conservation and sustainable use of marine biodiversity in ABNJ and the opportunities for strengthening IOM for BBNJ conservation in both STRONG High Seas project focal regions: the Southeast Atlantic and the Southeast Pacific. After analysing opportunities in these two regions, this report highlights some clear pathways by which this integrated approach can significantly support the conservation of biodiversity in ABNJ. Selected recommendations from this report are included below. For a more thorough set of possible actions and decisions that could be adopted by a range of actors to improve IOM, see Table 2 in Chapter 3.

- **Integrated governance** is a critical underpinning of IOM. Therefore, States need to consider ways to ensure a coherent conservation and sustainable management objective across all levels of governance including national, regional, and global, and integrate these objectives across all policy processes within which they engage to develop synergies and coherent governance processes (e.g., National: inter-ministerial or inter-departmental commissions or committees; multi-sectoral plans and strategies. Regional: Regional Fisheries Management Organisations; Regional Seas Conventions. Global: BBNJ Agreement; Convention on Biological Diversity; Sustainable Goal 14 and other Goals; International Maritime Organization; etc.);
- **Transboundary integration** is essential to ensure that resource extraction led by sectoral organisations, particularly those resources that straddle jurisdictions (e.g., fisheries) or where impacts might be experienced beyond the extraction site (e.g., from mining), is planned and implemented in coordination with other sectors, according to the mandates of these organisations and reflecting overarching biodiversity conservation and sustainable use objectives. Activities that would have a negative impact on activities undertaken by other sectors should be transparently discussed and agreed, and impacts on marine biodiversity avoided and minimized to advance global and regional goals and targets;
- **Knowledge integration** is essential to ensuring informed decision-making. For instance, knowledge will be critical for the application of environment impact assessments (EIA). States should create environmental impact assessment regulations that account for the impacts of activities undertaken in EEZ on ABNJ and procedures to account for cumulative effects, including those that have effect over time. Impacts considered should not be restricted to environment impacts on marine ecosystems, but also those that contribute to negative effects on social security;
- **Stakeholder engagement strategies and mechanisms** need to be applied and adapted to target issues more effectively. Engagements need to move from a theory to reality. Examples are working groups to address issues related to BBNJ, under different regional and global bodies, 'coalitions of the willing' to facilitate dialogue between decision-makers at different sectoral bodies;
- Multi-stakeholder participation in planning, decision-making, management, and monitoring and evaluation should be at the centre of IOM strategies, and should be reflected in national, regional and global processes led by States;
- To effectively **integrate the dynamics of complex socio-ecological systems**, States and other stakeholders will need to take into account interdisciplinarity (e.g., economy, ecology, sociology, traditional knowledge) in decision-making processes for integrated ocean management;
- Integration of system dynamics into adaptive management requires an understanding of the complex social-ecological systems that influence ecosystems, communities, and decision-making processes. This would enable making nimble responses to observed changes within the dynamic system, based on a continuously evolving and improving knowledge base;

-
- To achieve the above forms of integration, States will need to invest in collaborative research programmes to develop new knowledge, tools, and techniques to facilitate an advanced understanding of social-ecological system dynamics and ensure a science-policy interface that advances adaptive decision-making based on this new understanding of social-ecological system dynamics;
 - At the national ministerial level, States may also wish to establish a 'sustainable ocean' group to address issues that relate to conservation of biodiversity and sustainable use of resources in EEZ and ABNJ and their connectivity;
 - Similarly, coordination mechanisms at the global and regional levels based on shared objectives and targets will also be essential to enable effective ecosystem-based integrated ocean management within and across ocean basins, including ABNJ.

1. Introduction

1.1 Importance of integrated ocean management for the conservation and sustainable use of marine biodiversity in ABNJ

The ocean covers more than 70% of the planet and plays a key role in sustaining life on Earth through the provision of important resources and ecosystem services. It hosts rich marine biodiversity, plays an important role in the regulation of the global climate, and provides avenues for different recreational and economic activities, including fisheries and maritime transportation. With intensifying activities taking place in and on the ocean, the cumulative pressures on the marine environment represent a serious threat to marine ecosystems, undermining their health and resilience. Trends in global biodiversity loss and degradation of marine and coastal ecosystems also continue to increase, further exacerbated by global climate change (IPBES 2019; IPCC 2021).

The marine areas that fall beyond the national jurisdiction of States (ABNJ) represent about half of the planet's surface and are divided into two legally distinct maritime zones: the water column (high seas) and the seabed (the Area). By way of the continuous biological, chemical, and physical movements and exchanges that take place across all layers of the ocean, ABNJ are intrinsically connected to coastal areas, both through oceanographic connectivity and ecological connectivity (Popova et al. 2019; Ortuño Crespo et al. 2020).

Through ecological connectivity, human activities taking place in ABNJ have an impact on coastal waters and vice versa, making it important to consider conservation efforts, the sustainable use of resources, (cumulative) impacts

on the marine environment, and the adequate management of human activities both within and beyond national jurisdiction (Popova et al., 2019). Furthermore, as activities on land also affect the ocean either directly through run-off, or indirectly through climate-induced effects, ocean management needs to be considered more broadly within the land-ocean-atmosphere nexus. The conservation and sustainable use of marine biodiversity in ABNJ can therefore only be effectively achieved when these interdependencies are considered. Therefore, managing the ocean – including ABNJ – as a dynamic interconnected ecosystem, requires the application of an ecosystem-based integrated ocean management (IOM) (Lieberknecht 2020; Winther et al. 2020).¹ This is of critical importance for ocean health and improved ocean governance.

The United Nations Convention on the Law of the Sea (UNCLOS) is generally recognized as the umbrella legal framework setting out the rights and duties of States and international organisations with respect to maritime delimitations and the regulation of human activities at sea. Several global and regional institutions and agreements further complement this framework. For example, the International Maritime Organization (IMO) regulates shipping at the international level, the International Seabed Authority (ISA) is mandated to manage mineral-related activities on behalf of humankind as a whole, and various international conservation-focused agreements contribute towards the protection of marine species and ecosystems. These include the Convention on Biological Diversity (CBD), which highlights the need to integrate biodiversity conservation 'into relevant sectoral or cross-sectoral plans, programmes and policies' (CBD, art. 6b), the Convention on Migratory Species (CMS), which requires transboundary and

¹ In this report, for simplicity, we will refer to ecosystem-based integrated ocean management as integrated ocean management (IOM).

cross-boundary cooperation to protect migratory species of conservation concern, and the Convention on International Trade in Endangered Species (CITES), which seeks to stem illicit trade. At the regional level, around 20 regional fisheries management organisations (RFMOs) focus on either tuna-like species or other types of fish species beyond national boundaries, while most Regional Seas Organisations (RSOs) and Large Marine Ecosystem (LME) projects focus traditionally on transboundary waters within national jurisdiction, but with a growing interest and capacity to address biodiversity conservation beyond national boundaries. A significant challenge for effective IOM is therefore to build on the currently fragmented ocean governance framework to achieve a more coherent approach to implementing the core environmental obligations under UNCLOS and international environmental law. Considerations around IOM in ABNJ are particularly relevant at this point in time as States are negotiating a new legally binding instrument for the conservation and sustainable use of marine biodiversity in ABNJ (herewith referred to as the BBNJ Agreement). When negotiating the BBNJ Agreement, States will have the opportunity to agree on provisions that will allow IOM to be fully operational when the BBNJ Agreement is adopted, ratified, and then implemented.

Other relevant global policy processes currently underway include the development of a post-2020 Global Biodiversity Framework under the CBD, the negotiations on regulations for deep seabed mining in the Area under the ISA, the negotiations on global climate targets under the UN Framework Convention on Climate Change, and the implementation of the Sustainable Development Goals (SDGs) under the 2030 Agenda. The Global Biodiversity Framework under the CBD will include a set of agreed global conservation goals, targets, and milestones to be achieved by 2030. All of these will contribute towards achieving the 2050 vision to 'Live in Harmony with Nature'. These goals and targets are global in scope, and thus applicable to ABNJ, and provide for a whole-of-government and

society approach to achieve them. These global biodiversity goals will only be fully achieved through a collective effort, guided especially by the CBD and the implementation of the future BBNJ Agreement, and integrated with efforts by countries acting directly and through sectoral regional and global bodies (e.g., IMO, RFMOs, ISA), and/or under voluntary global mechanisms, such as SDGs.

However, there is a lack of coordination and cooperation between these organisations with a role in ocean management, both regionally and at the global level (Gjerde et al. 2018). Through its sectoral and fragmented approach, the ocean governance framework in place to manage human activities, ensure the sustainable use of ocean resources, and the conservation of marine biodiversity is currently insufficient to address the increasing threats to marine biodiversity in ABNJ (Durussel et al. 2018). In this regard, there is a need to facilitate an integrated and multi-tool approach across instruments and institutions to support their complementarity and effectiveness (Hampton et al. 2022). Particularly, linking measures to support conservation efforts within and beyond national jurisdictions is of paramount importance to ensure that ecological connectivity is considered, and integrated management is achieved (Hampton et al. 2022).

The IOM approach has not yet been effectively applied to ABNJ, and particularly for the conservation and sustainable use of marine biodiversity in ABNJ. This report therefore aims to provide an overview on the present and envisioned application of IOM in the context of the conservation and sustainable use of marine biodiversity in ABNJ, particularly within the Southeast Atlantic and Southeast Pacific regions. Recommendations from this report might also be considered in the BBNJ Agreement negotiations. A strengthened ocean governance framework that is expected with the adoption of this BBNJ Agreement may also enable strengthened cooperation.

1.2 Scope and objectives of this report

This report intends to provide an overview of challenges and opportunities for IOM in the Southeast Atlantic and Southeast Pacific regions and provide recommendations to enhance IOM for the conservation and sustainable use of marine biodiversity in ABNJ in these regions. It aims at promoting IOM for ABNJ across sectors and ecological dimensions to support effective conservation and sustainable use of marine biodiversity in ABNJ by considering the application of enabling conditions to achieve cooperation and collaboration between the various actors working in ABNJ.

This report focuses specifically on the focal regions of the STRONG High Seas project, namely the Southeast Atlantic and Southeast Pacific regions. For this report, the Southeast Atlantic is loosely defined as the Eastern side of the South Atlantic Ocean between Mauritania and South Africa, and the Southeast Pacific as the Eastern side of the South Pacific Ocean between Colombia and Chile (see Figure 1). It intends to pro-

vide States within these two ocean regions with a basis for reflections on what IOM entails, possible roles and responsibilities for actors to pursue it and therefore support future discussions and actions in this matter. By no means it is a comprehensive account of the theory or experiences on this matter.

1.3 About this report

This report was prepared as part of the STRONG High Seas project, based on a literature review of scientific publications and articles, stakeholder knowledge, and experience gathered through workshops led by the STRONG High Seas project held within each of the regions, as well as expert opinion. The report was reviewed by multiple experts to cross check findings and ensure robust results. It is targeted towards policy and decision-makers as well as others working on issues of ocean governance and interested in IOM, particularly in the Southeast Atlantic and Southeast Pacific regions.

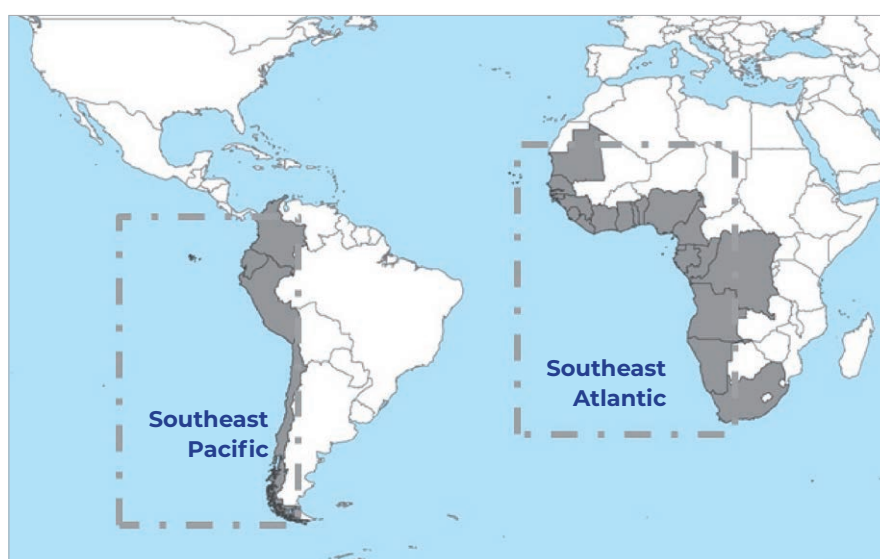


Figure 1: Focal regions of the STRONG High Seas project²

²Image credit: ESRI (2008): World countries 2008, ESRI Data and Maps.

It should be noted that this report is an assessment conducted within the scope of the STRONG High Seas project and does not necessarily reflect the views of the funding agencies, member States of the CPPS and the Abidjan Convention, or other stakeholders involved in its development. It does not present State positions on the management of ABNJ or the ongoing negotiations of the BBNJ Agreement. Recommendations made in this report are provided by the authors for the different stakeholder groups. In this context, the authors also acknowledge that not all States members to the CPPS and the Abidjan Convention may have ratified UNCLOS.

This report is part of a series of reports covering issues of ocean governance with a focus on the ABNJ of the Southeast Atlantic and Southeast Pacific and builds on previous studies published by the STRONG High Seas project. Further pro-

ject reports cover the legal and institutional framework of ABNJ, the ecological state of ABNJ, socioeconomic importance of ABNJ, options for management and conservation measures, and recommendations for stakeholder engagement and capacity building in ocean governance in these two regions. These reports are available through the STRONG High Seas website.³

After this introductory chapter, **Chapter 2** provides a background on IOM, including the pillars underpinning IOM. **Chapter 3** highlights opportunities for strengthening IOM for the conservation and sustainable use of marine biodiversity in ABNJ in the Southeast Atlantic and Southeast Pacific regions. This chapter also lists the underpinning actions and policies for enhanced IOM for each group of stakeholders. **Chapter 4** provides an overview of the key recommendations from this report, and **Chapter 5** provides a conclusion.

³ Available at: <https://www.prog-ocean.org/our-work/strong-high-seas/>

2. Understanding integrated ocean management

2.1 Integrated ocean management

Managing the ocean, including ABNJ, in a dynamic environment requires the application of integrated ocean management (Lieberknecht 2020; Winther et al. 2020). This is not only of critical importance to strengthen the current ocean governance framework, but also to facilitate and ensure effective implementation of biodiversity con-

servation and management measures in ABNJ (Hampton et al. 2022). The goal is to enable human society to live within ecological boundaries at planetary, regional, and local scales by halting and reversing biodiversity loss, pollution, climate change, ocean acidification, oxygen depletion and land and freshwater degradation while also lifting the social foundations to enable a life of quality for all (Lieberknecht 2020; see Figure 2).

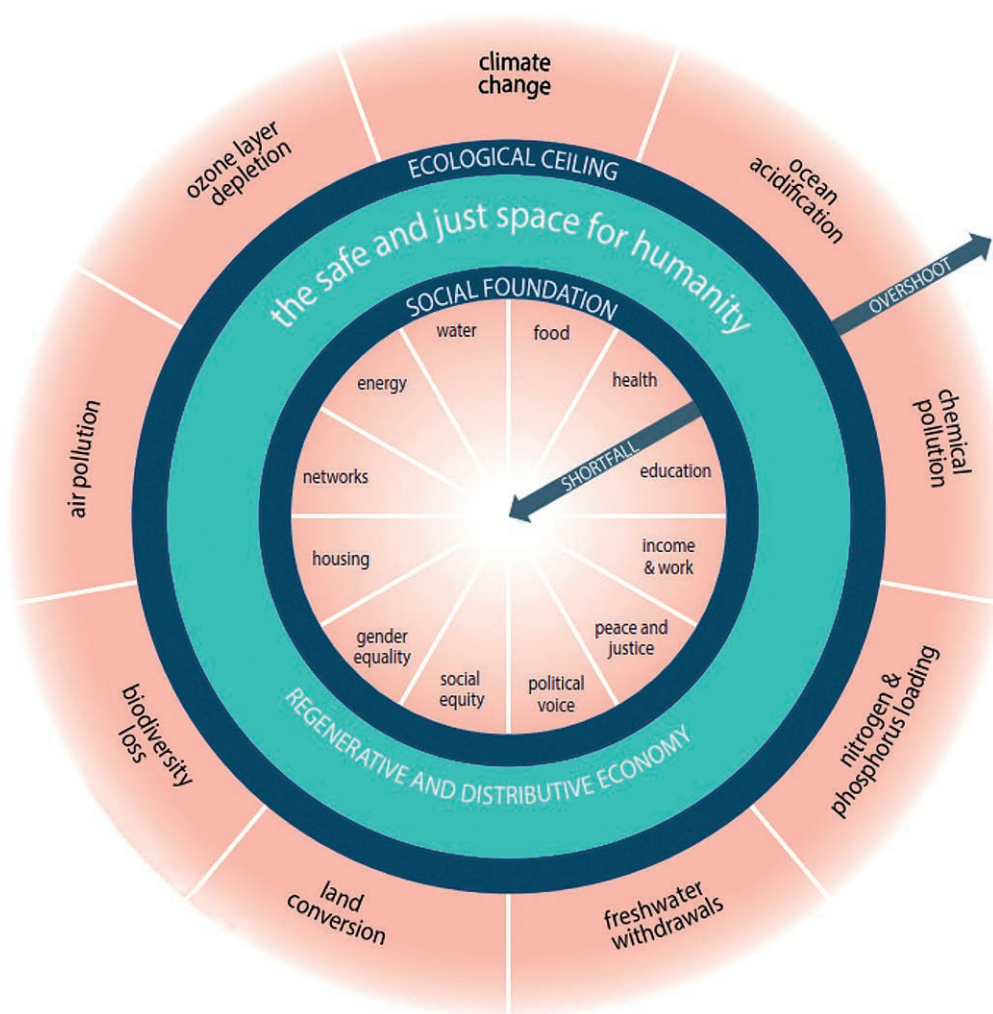


Figure 2: The Doughnut of social and planetary boundaries⁴

⁴Figure from <https://bluecapacityhub.info/resources-post/sbe-graphics-pack/>, adapted from Raworth, K. (2017), Doughnut Economics: seven ways to think like a 21st century economist. London: Penguin Random House (Credit: Kate Raworth and Christian Guthrie. CC-BY-SA 4.0).

IOM is an “adaptive approach for governing human activities at sea, rooted in the ecosystem approach, guided by the Sustainable Development Goals, with a strong focus on improving the ecological status of the ocean and on strategic integration across governance, knowledge and stakeholder silos’ (Lieberknecht 2020).

The application of IOM requires a scientific understanding of the natural environment, including about marine species, resource use, individual ecosystems and their linkages, and brings together multiple sectors, institutions, organisations, and processes to integrate and balance different ocean uses (Winther et al. 2020). And, as described below, it also requires integration at five levels: to support a sustainable ocean economy by maintaining healthy, resilient, and productive ecosystems and communities (Lieberknecht 2020; Winther et al. 2020).

The comprehensive scope of IOM thereby enables the timely, strategic, and inclusive consideration of ecological connectivity, biodiversity protection, cumulative impacts, and climate change implications to support the long-term conservation and sustainable use of marine biodiversity in ABNJ.

2.2 Pillars of integrated ocean management

As elaborated by Lieberknecht (2020), the application of IOM entails five complementary pillars that support and enhance the effectiveness of one another (see Figure 3): 1) Integration of governance; 2) Transboundary integration; 3) Integration of stakeholders; 4) Integration of knowledge; and 5) Integration of system dynamics. Together, they provide a useful framework for advancing towards IOM at the national, regional and global levels. Further exploration of these pillars, including examples of mechanisms through which they can be delivered, is provided in Chapter 3. Lieberknecht’s description of the five pillars is summarized below:

1) Governance integration entails creating mechanisms to facilitate horizontal cooperation amongst organisations and bodies with-

in each administrative tier at the national, regional, and global levels and vertically across administrative tiers from local to global. This often involves the creation of mechanisms for improving communication, information exchange, coordination, and collaboration between organisations that have a remit regarding activities taking place at sea as well as those with a conservation interest.

2) Transboundary integration recognizes the need to plan across geophysical and jurisdictional boundaries because marine ecosystems often span across both. At its core, transboundary integration requires knowledge-sharing, cooperation, and collaboration across institutions responsible for different jurisdictions, activities, and issues (e.g., area-based management tools, environment impact assessment).

3) Stakeholder integration refers to mechanisms that engage stakeholders in planning, decision-making, implementation, monitoring and evaluation of management measures. Stakeholder participation can help improve the quality of a process by ensuring it is just, transparent, fair, accountable, and inclusive. Stakeholder participation is also important for improving the quality and effectiveness of outcomes, for example, by generating goodwill and buy-in, and by bringing in a wide range of knowledge and perspectives to underpin robust decisions. As emphasized by Lieberknecht (2020), cross-sectoral engagement can bring significant benefits if there is sufficient capacity to bring multiple stakeholders together and facilitate their joint work.

4) Knowledge integration is key to ensure that decisions are based on sound information. This means using the best available science, reflecting multiple scientific disciplines and knowledge systems, that convey a holistic understanding of marine ecosystems, together with social and economic systems (Lieberknecht, 2020). Knowledge integration (including traditional and local knowledge) needs to take place also at many levels and disciplines (e.g., law of the sea and environmental

law, law with political sciences, game theory, and natural sciences). “Interdisciplinary” and “transdisciplinary” are more modern terms that seek to create new knowledge and theory across multiple academic disciplines (e.g., Earth systems science and governance) and deliberately incorporate non-academic participants such as resource managers, user groups and the public, to create new knowledge and theory to address a common question.

A growing number of tools can help model ecosystem dynamics and the ecosystem effects of human activities, while new technologies have created opportunities for dynamic approaches in management through implementing measures in response to real-time remote monitoring of ecosystems and human activities (Dunn et al. 2016; Maxwell et al. 2020). With continued advances in interdisciplinary modelling, computer technology and remote-sensing technology, such tools may soon become part of ocean managers’ standard repertoire.

5) System dynamics integration recognises that socio-ecological systems are interlinked and dynamic, subject to change in many ways over time. For example, policy changes can drive ecosystem change, and ecosystem changes can have direct and indirect economic and social ramifications.

Common features of IOM therefore include harnessing science and knowledge, establishing partnerships between public and private sectors, engaging relevant stakeholders through legitimate processes, improving capacity building, implementing regulatory frameworks, and developing adaptive management plans (Winther et al, 2020). An adaptive management approach is a vital component of IOM, as it enables dynamic and targeted responses based on a continuously evolving knowledge base.

2.3 Enabling conditions for integrated ocean management

To allow actors to perform effectively under each of the five IOM pillars, a suite of enabling conditions is needed. These include: participatory and inclusive approaches, outreach and communication, a whole-of-government approach, political will, equity, establishment of cooperation mechanisms, awareness and capacity, language, and resource mobilization (Lieberknecht 2020). These conditions are, in many cases, inter-dependent (e.g., capacity building relies on funding being available), and should be cross-cutting to all pillars.

Moreover, to enable effective cooperation within and across governance boundaries, IOM needs to be guided by principles that are shared by all stakeholders such as best available science, the precautionary principle/approach, and the ecosystem approach. These principles are essential when there are many centres of decision-making that generally operate independent of each other but are part of a shared ecological system. For example, a pre-agreed understanding of how the precautionary approach operates in the context of safeguarding ocean health can help to align competing interests that too often operate at cross-purposes in achieving global conservation goals (Gjerde and Yadav 2021).

The BBNJ Agreement provides an opportunity to operationalize these enabling conditions as well as overcome gaps in the current ABNJ governance framework that can stymie IOM (see Box 1). These gaps include generally applicable rules and norms to structure cooperation and coordination; cross-scale linkages for mutual deliberation and learning; mechanisms for accountability within the governance system; formal and informal conflict resolution mechanisms; and a functional institution at the global level with jurisdiction or scope of authority to stem the global decline of biodiversity (Gjerde and Yadav 2021).

To complement the BBNJ Agreement, the Decade of Ocean Science could further enhance knowledge sharing through a collaborative science programme for ABNJ. Such a programme could promote transboundary and knowledge integration through integrated ecosystem assessments that build a common understanding of the drivers, pressures, impacts, and available management responses. Such a programme could thereby provide the vehicle to drive cooperative action and adaptive management in a

dynamic and constantly changing environment. But the overarching enabler is “political will” or the “support from political leaders that results in policy change” (Post et al. 2008). “Political will” has been largely identified as determinant in the success or failure of biodiversity conservation efforts. Political will can stem from many sources to excite the collective will of a large array of actors, such as States, the international community, or the transnational private sector for long term commitments to progress on the water.

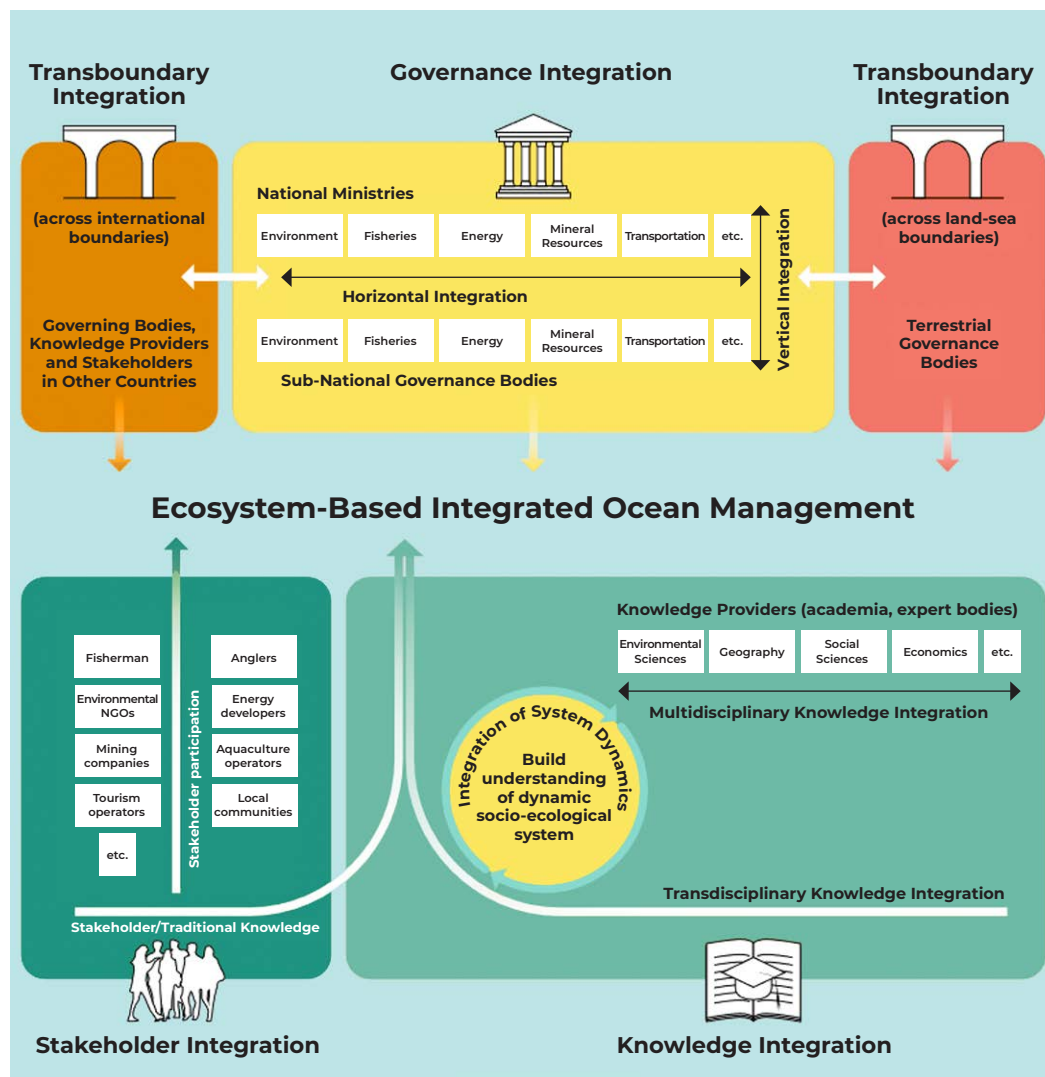


Figure 3: The five categories of integration in IOM⁵

⁵ From Lieberknecht 2020.

Box 1: The role of the future BBNJ Agreement in the development of integrated ocean management in ABNJ

The development of IOM in ABNJ could be accelerated through the establishment and development of mechanisms in the future BBNJ Agreement and throughout its implementation to support the five IOM pillars, to wit: 1) Integration of governance; 2) Integration of knowledge; 3) Integration of stakeholders; 4) Transboundary integration; and 5) Integration of system dynamics.

There are at least four ways the agreement could potentially support IOM:

First, the future BBNJ Agreement, once adopted, could **formalize the shared vision of a healthy, productive, and resilient ocean** to ensure that it is integrated into all sectoral and regional plans and policies. Global rules, standards, and recommended practices and procedures for marine environmental protection, as called for in UNCLOS Article 197, could set a minimum baseline to ensure consistency across sectors and with the regional level.

Second, the future BBNJ Agreement could **establish science-policy interface mechanisms to help facilitate common understanding**, as well as prevent and resolve conflicts before they arise. For example, the future BBNJ Agreement could call for integrated ecosystem assessments to underpin strategic environmental assessments and planning at ecologically meaningful scales. To ensure effective stakeholder engagement in the design of area-based management tools or in environmental impact assessment processes, a panel of experts skilled at facilitating effective and equitable engagement could be made available through the scientific and technical advisory body to be established under the future BBNJ Agreement.

Third, **financial, technical, and other resources could be made available** to strengthen regional and national capacities for ecosystem-based management across national boundaries and into ABNJ. Taken together, they could enhance the resilience of ocean institutions, ecosystems, and biodiversity to cope with growing pressures, uncertainty, and rapid changes in ABNJ. On this basis, Part V of the BBNJ Agreement that addresses capacity building and technology transfer gains a particular relevance as it will lay the grounds for a more inclusive and informed implementation of the objectives of this instrument.

Last, as the future authoritative framework for the conservation and sustainable use of marine biodiversity in ABNJ, the future BBNJ Agreement should act **as the convenor for regional and global players on this matter**. Hence, this instrument could foster a coordinated and systematic exchange between the various actors and stakeholders. In this respect, there would be a mutual respect for the mandates and expertise of all competent bodies acting in ABNJ. While the future BBNJ Agreement is expected not to undermine the effectiveness of the measures adopted by other organisations, such organisations could adopt action plans and conservation measures to reflect the guidance from the future BBNJ Agreement on matters related to marine biodiversity in ABNJ. The integrated approach, the ecosystem approach and the precautionary approach, as the cornerstone principles to guide the implementation of the future BBNJ Agreement, provide the necessary cross-cutting context to incorporate not only the roles and responsibilities of States, existing competent organisations, and a future global decision-making body, but also the responsibilities for implementation at the regional level.

3. Opportunities for strengthening integrated ocean management for BBNJ conservation in the Southeast Atlantic and Southeast Pacific regions

Taking into account the five pillars of IOM identified by Lieberknecht (2020) and described above, this chapter highlights possible actions and decisions that could strengthen the application of these pillars to improve the conservation and sustainable use of marine biodiversity in ABNJ. It also outlines responsibilities of key actors involved in ocean governance (i.e., States, regional and global intergovernmental organisations, the scientific community, the private sector, civil society) that are necessary to contribute to these actions, with a particular focus on the Southeast Atlantic and Southeast Pacific regions. In addition, this chapter considers both policy and conservation actions that contribute towards an effective IOM approach needed to achieve the conservation and sustainable use of marine biodiversity in ABNJ, with a particular emphasis on the future BBNJ Agreement.

For the purposes of exploring IOM within the Southeast Atlantic and Southeast Pacific regions and globally, IOM will be considered here as a process to bring decision makers and other stakeholders to agree on a shared vision, and to use that vision as a basis for adopting policies and practices to live within the ecological boundaries of nature and to avoid the loss of marine biodiversity in ABNJ. This vision could build directly on SDG 14.2, which aims to “[...] sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans”.⁶

3.1 Integration of governance

As highlighted in Chapter 2, achieving IOM requires not only cross-sectoral integration, but considering the multiple uses and pressures on the ocean, including climate change (Winther, 2020) as well as the connectivity between ABNJ and coastal areas. Existing scientific evidence of the role played by the ocean in climate regulation as well as of the ecological and circulatory connectivity between ABNJ and exclusive economic zones (EEZs), and between the seabed and water column, supports this wider approach.

Enhancing governance integration can be accomplished in many ways, including via the BBNJ Agreement, adoption of implementing legislation, other international agreements, and memoranda of understanding to clarify the remits and mandates of organisations and how each of them operates in relation to one another. An additional option is via interim and permanent governance organisations mandated to facilitate cooperation and even enact direct measures within specific regions or subregions.

To supplement the formalization of structures in support of governance integration, it is also valuable to look into the creation of less formal governance structures and processes, such as signing joint memorandum of understanding (MoU) for sharing information, adopting data sharing agreements, establishing joint working groups for planning actions and decisions, platforms for cross-fertilization, or joint decision-making, or implementing joint long-term monitoring and management programmes on issues of shared interest. In addition to these ‘operational’ options, political will, shared ethics, and most importantly, shared values, will be fundamental to underpin decision-making to achieve more effective IOM.

⁶ See: <https://sdgs.un.org/goals/goal14>.

National, regional and global governance levels need to operate in an integrated manner and be mutually supportive to contribute to effective IOM. In particular, the future BBNJ Agreement presents a unique opportunity for collective action towards the conservation and sustainable use of marine biodiversity and natural resources in ABNJ and has the potential to boost coordination and cooperation across global, regional, and sectoral organisations. Cross-sectoral management measures in ABNJ will be required to address the interdependencies between socio-economic interests and nature (through the benefits from ecosystem services), and the cumulative pressures resulting from activities impacting ABNJ space.

The Sustainable Ocean Initiative (SOI), coordinated by the Convention on Biological Diversity (CBD), for instance, offers a global platform to build partnerships across sectors. This initiative aspires to enhance cooperation and coordination among Regional Seas Organisations (RSOs) and Regional Fisheries Bodies (RFBs) through, among other things, scientific collaboration as well as the use of tools, approaches, and indicators in support of the ecosystem and precautionary approaches. By enhancing cooperation and coordination, SOI would be contributing to accelerate progress towards the CBD global biodiversity targets.

Other relevant arenas to consider in the efforts for enhanced integration are the national, regional, and global Business and Biodiversity Platforms (B&BP). They offer an opportunity to address the needed cross-sectoral management measures which are required to address the interdependencies between socio-economic interests, including in ecosystem services, in ABNJ and the cumulative pressures resulting from these activities. Businesses are the major users of the ocean's natural resources, making their participation in dialogues around conservation and sustainable use of marine biodiversity in ABNJ crucial. Decisions taken under these Platforms could thus drive real change. Taking into account that the establishment of such platforms were motivated to push and support businesses to implement global biodiversity goals by

mainstreaming biodiversity into sectoral policies and practices, they could expand their affairs to include marine biodiversity, currently neglected over terrestrial issues.

3.1.1 Considerations for integration of governance in the Southeast Atlantic and Southeast Pacific regions

Southeast Atlantic region

Organisations within the Southeast Atlantic region have varying, but limited mandates to address issues related to conservation and sustainable use of marine biodiversity in ABNJ. There is also limited cross-sectoral cooperation within the region, with individual organisations adopting their own principles, resolutions, and recommendations for addressing challenges related to marine biodiversity in ABNJ. Furthermore, there is varied and uneven participation of States from the Southeast Atlantic region in regional and global agreements.

Within the Southeast Atlantic region, there are four regional fisheries bodies that have a mandate to work in ABNJ, three of which are regional fisheries management organisations (RFMOs) with a management mandate (Durussel et al. 2018):

- The International Commission for the Conservation of Atlantic Tunas (ICCAT), responsible for the management and conservation of tunas and tuna-like species in the whole of the Atlantic Ocean;
- The Commission for the Conservation of Southern Bluefin Tuna (CCSBT), with the mandate to manage and conserve southern bluefin tuna, generally occurring in waters between 30° and 50° south;
- The South East Atlantic Fisheries Organisation (SEAFO), with the mandate to conserve and manage species such as alfonso, orange roughy, oreo dories, pelagic armourhead, sharks, Patagonian toothfish and deep-sea red crab in the southern part of the Southeast Atlantic region; and

➤ The Fishery Committee for the Eastern Central Atlantic (CECAF), a regional fisheries body with an advisory mandate, focuses mainly on research on fishery resources and capacity building of its member States.

Nevertheless, the region is not fully covered from a fisheries management perspective, lacking a strong RFMO to cover its northern part for issues related to the management of non-tuna fish species. To date, there is limited collaboration between these RFMOs, with only ICCAT and CCSBT having signed a MoU for cooperation.

The Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region, known as the Abidjan Convention, applies to marine areas within national jurisdiction of the Southeast Atlantic region. The Abidjan Convention is a regional seas programme with a focus on the prevention, reduction and combatting of marine pollution and the establishment of protected areas for fragile ecosystems and endangered species. Despite not having decision-making authority on matters related to ABNJ, member States to the Abidjan Convention have formally expressed interest in matters related to the conservation and sustainable use of marine biodiversity in ABNJ, globally and within the Southeast Atlantic region itself. Decision CP.11/10 was adopted at the eleventh Conference of the Parties to the Abidjan Convention (COP11) in 2014 which, among other matters, set up an ad hoc open-ended informal working group to study issues relating to the conservation and sustainable use of marine biodiversity in ABNJ (herewith referred to as the ABNJ Working Group). This decision was renewed in 2021 at the thirteenth COP to the Abidjan Convention (COP13).⁷

With a view to address land-sea integration, decisions adopted under the Abidjan Convention are drawn to drive member States to adopt and/or fulfil existing obligations. COP Decisions commit member States, for instance, to manage their marine and coastal environment and develop environmental impact assessments (EIAs).

Provisions exist under the Abidjan Convention on the prevention of pollution, including dumping, exploration and exploitation of the seabed, land-based activities, and ships. However, the Abidjan Convention is yet to strengthen actions to offshore waters, out to the edge of the 200 nautical miles EEZ, considering links with ABNJ. Under this framework, the Abidjan Convention could play a role in the Southeast Atlantic region in **catalysing collaboration and coordination for the conservation and management of marine biodiversity, and to ensure the implementation of integration approaches**. Furthermore, having overlapping objectives in terms of the conservation and sustainable use of marine biodiversity with the future BBNJ Agreement, the Abidjan Convention could become the natural regional body leading through its member States' ministries of environment the implementation of the future BBNJ Agreement at the regional level.

The Abidjan Convention has, for instance, formalized cooperation through MoUs with the OSPAR Convention and with COREP (Comité régional des pêches du Golfe de Guinée). In light of the diversity of bodies involved in global ocean governance, there is room for a significant expansion of coordinated efforts. The Abidjan Convention has also developed collaborative action at the LME level with regard to sustainable ecosystem-based fisheries management and, to a more limited extent, with regard to land-based sources of marine pollution and the development of the oil and gas sector. Initiatives, such as those highlighted above, are relevant and pertinent in the context of ocean governance and should be continued and replicated.

In addition, other organisations or initiatives provide the setting or can actively engage to enhance integration, such as the Benguela Current Commission, which is a multi-sector inter-governmental initiative between Angola, Nigeria and South Africa that has the objective of restoring and protecting the biological integrity of the Benguela Current Large Marine Ecosystem, and the Canary, Benguela, and Guinea currents Large Marine Ecosystems.

⁷ See: <https://www.prog-ocean.org/blog/2022/01/27/abidjan-convention-unanimously-passes-resolution-on-the-conservation-and-sustainable-use-of-marine-biodiversity-in-areas-beyond-national-jurisdiction-at-cop13/>.

Other relevant regional organisations in the Southeast Atlantic region that do not have an ABNJ mandate include the Ministerial Conference on Fisheries Cooperation Among African States Bordering the Atlantic (ATLAFCO), which has the objective of promoting and strengthening regional cooperation on fisheries development and the coordination and harmonisation of efforts and capacities of stakeholders for the conservation and exploitation of fisheries resources; and the Sub-Regional Fisheries Commission (SRFC), the Fishery Committee for the West Central Gulf of Guinea (FCWC) and the Regional Fisheries Committee for the Gulf of Guinea (COREP), which have an advisory role in promoting State coordination and cooperation in the management of fisheries, particularly to combat IUU fishing.

Representatives of RSOs and RFBs from the Southeast Atlantic region have attended the SOI dialogues, which serve as an opportunity to continue and strengthen regional integration. With regard to Business and Biodiversity Platforms (B&BP), only South Africa has a B&BP initiative within the Southeast Atlantic region.

In the Southeast Atlantic region, horizontal cooperation between and amongst organisations with regard to issues related to ocean governance, and particularly the conservation and sustainable use of marine biodiversity in ABNJ, is limited. To better promote the integration of governance in the region in this regard, there is **a need for more cross-sectoral cooperation and coordinated action between the various sectoral organisations. This includes, for instance, further exchange and coordination between ICCAT and SEAFO, as well as between these two RFMOs and the Abidjan Convention, through for instance signing of MoUs or joint programmes to build capacity and strengthen the common scientific basis for action** (Durussel et al. 2018).

Though the Abidjan Convention has no ABNJ mandate, this organisation, as well as the other regional fisheries bodies working within national jurisdiction, provide an important institutional basis for cooperation in the region on biodiversity and fisheries management issues. Particular-

ly, the Abidjan Convention ABNJ Working Group could provide an important technical platform for exchange on ABNJ issues, including for instance through the establishment of working groups, task forces or platforms within the region to tackle issues of common interest related to the conservation and sustainable use of marine biodiversity in ABNJ. Furthermore, as the ABNJ in the northern part of the Southeast Atlantic are not covered by an RFMO with a mandate to manage non-tuna fish species, there is also need for States to explore ways to fill this gap, including through transboundary cooperation. In this regard, cooperation, and coordination among neighbouring States with regard to the monitoring, control, and surveillance of human activities in ABNJ is also crucial (Cremers et al. 2021). Ratifying relevant international and regional conventions, including the future BBNJ Agreement, and translating these legal provisions into national law will also be important to provide the necessary legal and institutional basis for transboundary cooperative action. As outlined in Section 3.3 of this report, the inclusion of all relevant stakeholders and thus building of vertical cooperation across administrative tiers from local to global is also paramount.

Southeast Pacific region

Within the Southeast Pacific region, there are two regional fisheries management organisations that have a mandate to work in ABNJ (Durussel et al. 2018):

- The South Pacific Regional Fisheries Management Organisation (SPRFMO), responsible for the conservation and sustainable use of fishery resources within the South Pacific; and
- The Inter-American Tropical Tuna Commission (IATTC), responsible for the management and conservation of tunas and tuna-like species in the Eastern Pacific Ocean.

A third regional organisation, the Permanent Commission for the South Pacific (CPPS), has a jurisdictional mandate that includes both the national waters of its member States as well as in some cases the adjacent high seas areas of the Southeast Pacific, although the extent and scope of this competence is not clearly legal-

ly defined or outlined (see Durussel et al. 2018). CPPS is a strategic regional alliance among its member States (Colombia, Ecuador, Peru, and Chile) and also the host Secretariat for the Regional Seas Programme for the Southeast Pacific (which also includes the participation of Panama).

These three regional organisations have both complementary mandates and geographical scopes, though collaboration and cooperation between these organisations has been limited to date. CPPS has signed a MoU with both IATTC and SPRFMO, but no MoU has been signed between the two RFMOs. Representatives of CPPS and both RFMOs have attended the SOI dialogues.

The situation is quite similar in the Southeast Pacific region regarding the engagement of States with other organisations. There are a few thematic Committees in place that implement the mandates of international agreements or initiatives (e.g., SPINCAM⁸, CMAR⁹), usually under the direction of marine-related ministries or instances. These are examples of coordination and shared governance mechanisms that may be replicated at the national and regional levels, particularly, with lessons learned for the global

level for an effective and overall integration. With regard to Business and Biodiversity Platforms (B&BP), Chile and Peru launched their B&BP initiatives in 2013 and 2014 respectively.¹⁰

Integrated management is undertaken in the South Pacific within coastal zones, where three CPPS member States¹¹ are in a transition phase in the implementation of integrated coastal zone management (ICZM). ICZM seeks participation from all relevant stakeholders and the integration of goals and instruments from different sectors and levels of administration (Katone et al. 2017; Winther et al. 2020). In this respect, ICZM shares many of the principles and objectives of IOM, especially in terms of governance arrangements. These countries have national policies and/or strategies for ICZM in place, ICZM specialized technical support, and inter-institutional bodies as well as some national or regional instruments in place to implement ICZM. Peru and Panama are in the initial stages of developing an ICZM, indicating that there is room to improve in policies, norms, institutions, and instruments in order to achieve ICZM objectives. Table 1 below shows the level of (relative) development of the main aspects of IOM, where A: pre-initial, B: Initial, C: Transition, D: In Development, as well as the involved institutions in each country.

Table 1: Relative development of different aspects of ICZM in countries of the Southeast Pacific region¹²

Country	Politics	Normative	Institutions	Instruments	Progress	Principal institutions
Chile	D	C	D	B	C	Ministry of National Defense; Under-secretariat of the Navy – Under-secretariat of Defense. National Commission for the Use of the Coastal Border; Regional Commissions for the Use of the Coastal Border
Colombia	D	A	D	B	C	Ministry of Environment and Sustainable Development; Directorate of Marine Affairs, Coastal and Aquatic Resources; Institute of Marine and Coastal Research (INVEMAR)

⁸ Red de Información del Pacífico Sur en apoyo a la Gestión Integrada de Áreas Costeras.

⁹ Corredor Marino del Pacífico Este Tropical, see: <http://cmarpacifico.org/>.

¹⁰ See: https://www.cbd.int/business/National_Regional_BB_Initiatives.shtml.

¹¹ Chile, Colombia, and Ecuador. The Directorate of Marine, Coastal Affairs and Aquatic Resources of the Colombian Ministry of Environment and Sustainable Development notes here that Colombia has been working on Integrated Coastal Zone Management more than two decades, which has led in 2013 to the regulation of the Coastal Environmental Units and where a conceptual articulation of marine spatial planning is currently being attempted within Colombian national waters.

¹² Modified from Barragan Muñoz 2020.

Country	Politics	Normative	Institutions	Instruments	Progress	Principal institutions
Ecuador	D	C	D	B	C	Inter-institutional Committee of the Sea
Panama	A	B	B	B	B	Water Resources Authority of Panama (ARAP)
Peru	B	B	C	C	B	Ministry of the Environment; Multi-sectorial Commission for the Environmental Management of the Marine- Coastal Environment; General Directorate of Environmental Territorial Planning

In the Southeast Pacific region, considerations for integrated management at the national level outlined above could be extended to include ABNJ. The CPPS plays here an important role as a platform where such discussions, exchange, and transboundary cooperation with regard to ABNJ have taken place and could continue to take place in the future. Examples of this transboundary cooperation for issues related to ABNJ include, for instance, the Galapagos Declaration adopted in August 2012 and the Declaration on IUU Fishing adopted in August 2020 under the framework of the CPPS.¹³

Horizontal cooperation between and amongst organisations with regard to issues related to ocean governance, and particularly the conservation and sustainable use of marine biodiversity in ABNJ, is limited, particularly between the RFMOs with a mandate to work in the Southeast Pacific region. To better promote the integration of governance in the region in this regard, there is a need for **more cross-sectoral cooperation and coordinated action between the various sectoral organisations**. This includes, for instance, further exchange and coordination between IATTC and SPRFMO, as well as between these two RFMOs and the CPPS through, for instance, signing of MoUs or joint programmes to build capacity and strengthen the common scientific basis for action (Durussel et al. 2018). The **CPPS could** continue to **provide** an impor-

tant **technical platform for exchange on issues related to ABNJ**, including the conservation and sustainable use of marine biodiversity in ABNJ.

Also, continuation of cooperation and coordination among neighbouring States with regard to the monitoring, control, and surveillance of human activities in ABNJ is also crucial (Cremers et al. 2021). Ratifying relevant international and regional conventions, including the future BBNJ Agreement, and translating these legal provisions into national law will also be important to provide the necessary legal and institutional basis for transboundary cooperative action.

3.2 Integration of knowledge

Knowledge drives progress and IOM will rely on the best available information for effective conservation of biodiversity and management of ocean's natural resources. Thus, a transition to enhanced IOM will rely on relevant information, from various sources, being shared by all knowledge holders. Integration of knowledge will not only contribute to better conservation and management decisions due to the diversity of expertise that can be brought together, but it will also contribute to the integration of governance amongst organisations with influence on and/or activities in ABNJ, by fostering cooperation among relevant stakeholders.

¹³ See: http://cpps.dyndns.info/cpps-docs-web/secgen/2012/x_asam_ord_2012/compromiso.pdf and http://cpps.dyndns.info/consulta/documentos/xiii_asamblea_extra_declaracion.pdf.

For example, an integrated ecosystem assessment (IEA) framework, which aims to provide the science necessary to support IOM, must bring together academic experts and other stakeholders with different knowledge and expertise to build a shared understanding of socio-ecological systems, environmental risks, and their drivers to help them develop management scenarios to address risks. Considering that different knowledge systems would be useful to strengthen management in an integrated manner, access to such knowledge when related to indigenous peoples and local communities, needs to include consultation provisions and safeguards, as applicable and on the basis on the international law.

Integration will thus be facilitated by the existence of **knowledge repositories (in physical and/or electronic form) and platforms for professional exchange**. Neither platform nor repository would need to be centralized in one single event or place. The fundamental aspects to consider are **that integration helps to avoid duplication**, takes place at multiple levels, as needed (regional or global; public or private and are multi-disciplinary) and integration initiatives are under continuous and systematic review. One advantage of establishing a global knowledge repository on ocean management as the 'one stop shop' lies in its enhanced capacity to mobilize a wider array of knowledge holders on various subjects. An appointment of such global repository wouldn't imply the need to discourage regional ones, for instance. But rather, it would to a minimum link and integrate the most relevant ones.

The effective implementation of the future BBNJ Agreement will depend on the production and sharing of scientific and traditional knowledge and the exchange of experiences and lessons, including from implementation practices on the ground. Given that this agreement is to be adopted under the UN framework, it is plausible to consider other UN bodies with related mandates to lead and/or host the efforts to integrate knowledge. The UN Decade of Ocean Science for Sustainable Development (2021–2030) that is coordinated by the Intergovernmental Oceanographic Commission (IOC) under UNESCO could

also help to galvanize efforts towards an integration of knowledge on ocean ecosystems, including for ABNJ.

The Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects is an UN-led global mechanism to regularly review the environmental, economic, and social aspects of the state of the world's oceans, both current and foreseeable. The resulting 5-yearly publication entitled the World Ocean Assessment is also a good example where scientists from various areas of knowledge work collaboratively with the aim to improve the status of the ocean. However, it is limited in its ability to directly inform BBNJ management as there are few formal avenues for input.

The scientific and technical subsidiary body of the future BBNJ Agreement could take the role of identifying the knowledge gaps to progress with implementation of the future BBNJ Agreement, identify who could contribute to the production of such knowledge or locate where the knowledge exists and act to share and integrate this knowledge in a manner that it responds to the implementation needs. To this end, the World Ocean Assessment, the UNESCO/IOC at the global level, the Abidjan Convention, the Benguela Current Commission, civil society organisations with activities in the Southeast Atlantic region and that hold relevant knowledge would be prompt to cooperate and share knowledge. RFMOs operating in the region also hold relevant information on fish stocks, bycatch that must be shared and considered.

While having an integrated approach as one of its guiding principles, the draft text of the future BBNJ Agreement dedicates a whole part on capacity building and transfer of technology and explicitly refers to the commitment States must have in increasing, disseminating, and sharing knowledge on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction. Designing data and information products for the purpose of decision-making and for ensuring compliance will require good coordination among technology providers and users.

Equally relevant to mention the role of the private sector and regulators of resource users (e.g., RFMOs, ISA) in the collection of ocean data. The information produced by these actors is extremely relevant for ocean management. However, due to the economic interest intrinsic to the resources, there are impediments to access the information as they are usually taken as strategic and confidential – a challenge faced not only within both project regions, but globally. However, **businesses should be willing and prepared to share information which will support the conservation and sustainable use of marine biodiversity, including in ABNJ.** The role of governments is paramount in this regard. They can, individually, through regulations at national level; and collectively, through decisions and guidance at regional and global levels policy frameworks (e.g., IMO, ISA, RFMOs, etc.), **propel the private sector to progress in this direction.**

At the national level, governments will play a fundamental role in promoting knowledge exchange and funding and promoting relevant research to respond to marine biodiversity conservation and sustainable use needs, including in ABNJ. Conversely, at the regional and global levels, **States should promote the establishment of mechanisms that support knowledge exchange under relevant international bodies.**

3.2.1 Considerations for the integration of knowledge in the Southeast Atlantic and Southeast Pacific regions

Southeast Atlantic region

Within the Southeast Atlantic region, the ABNJ Working Group set up under the auspices of the Abidjan Convention could be a group to look into and/or lead the production and/or collection of information, data, and knowledge relevant for IOM and foster cross-fertilization among the various individual and/or institutional knowledge holders on ocean governance, particularly those working on issues relevant to the conservation and sustainable use of marine biodiversity in ABNJ. For example, the ABNJ Working Group works in alliance with the Partnership for Re-

gional Ocean Governance (PROG), which helps provide technical and scientific input on ocean governance-related issues through the STRONG High Seas project. The project has developed various policy briefs and technical reports on issues related to the ecology, socio-economy, policy and regulations and conservation measures of the Southeast Atlantic region that can be useful for future policy decisions and actions on ABNJ of the Southeast Atlantic region.¹⁴ Similarly, knowledge gathered by sectoral organisations, such as RFMOs, could be shared through for instance signing of MoUs or joint programmes to build capacity and strengthen the common scientific basis for action, as outlined in Section 3.1 above (Durussel et al. 2018). Given the size of the Southeast Atlantic region and number of neighbouring coastal countries, **regional knowledge hubs could also be established to facilitate the exchange and sharing of knowledge and data on a smaller scale.**

Southeast Pacific region

The CPPS has been playing and will continue to play an important role as a technical and scientific platform in the Southeast Pacific region. It hosts several different working groups and scientific committees looking into issues related to climate change (especially El Niño-La Niña Phenomenon), oceanography, marine pollution, tsunami prevention, IUU fishing, and marine biodiversity in ABNJ, to name a few. The Working Group on marine biodiversity in ABNJ (BBNJ Working Group) was established in 2013, with its terms of reference updated in 2019.¹⁵ This BBNJ Working Group will continue its work until the adoption of the future BBNJ Agreement but could also be transformed into a knowledge hub where various stakeholders could exchange and share knowledge and lessons learnt on ABNJ issues in the future.

The Southeast Pacific data and Information Network in support to integrated Coastal Area Management (SPINCAM) project has been implemented in four CPPS member States as well as Panama. Finishing its third phase, the project has aimed to establish baseline indicators for the

¹⁴ See: <https://www.prog-ocean.org/our-work/strong-high-seas/strong-high-seas-resources/>

¹⁵ See: <http://www.cpps-int.org/cpps-docs/gt/GT-BBNJ/TDR-GT-BBNJ.pdf>

integrated management of coastal areas at national and regional level in the Southeast Pacific region (COI-UNESCO/CPPS, 2016). SPINCAM has developed a regional atlas that provides sectoral and inter-sectoral information for management of coastal areas at sub-national and national levels in these five countries, which is of huge potential as to improve the effectiveness of the efforts in these areas. The project has been able to train specialists in ICZM and build a multi-disciplinary network of people and institutions from different sectors.

Another interesting model of technical and scientific platform to support marine conservation in the Southern Cone¹⁶ is the Patagonian Sea Conservation Forum (Foro para la Conservación del Mar Patagónico y Áreas de Influencia), which collaborates directly with scientists and experts in several fields and nations, using the best available science and local knowledge, thereby facilitating, and promoting education for improved management of marine ecosystems in the region. Through collaborative research efforts and capacity building, the Forum helps building a regional view on what is needed to conserve this large area.

Knowledge gathered by sectoral organisations, such as RFMOs, could also be **shared through for instance signing of MoUs or joint programmes to build capacity and strengthen the common scientific basis for action**, as outlined in Section 3.1 above (Durussel et al. 2018).

Both the Southeast Atlantic and Southeast Pacific region could also consider **establishing scientific organisations that could provide scientific and technical support to all relevant actors working on ABNJ issues**, as is already the case with ICES and PICES in the North Atlantic and North Pacific, respectively (Durussel 2015).

3.3 Integration of stakeholders

The ocean community includes a diverse range of actors: policymakers, researchers, educators, practitioners, managers, resource users, regula-

tors, funding agencies, civil society organisations and others, each with their own geographical mandate and areas of interest. Other relevant stakeholders which deserve attention are the ones belonging to vulnerable or less privileged groups, in certain cultures, such as women, youth and indigenous peoples and local communities. It is therefore not surprising that coordinating policies and actions that are based on a common denominator between such varied groups of ocean actors with different interests at stake is a challenging task, but one that is of utmost importance.

Long-term sustainability can only be achieved if best practices are applied across the public and private sectors, and more easily done where partnerships are established. Willingness to operate in an integrated, multi-stakeholder setting need to become the new reality and help to achieve compromises. These might lead to possible minor individual losses but achieve collective major gains.

Past failures in ocean governance, exemplified by several high-profile fishery collapses, led to an increase in participatory approaches that led to the broad involvement of coastal communities as well as civil society more broadly (Werle et al. 2019). Change is particularly expected from the private sector, given its drive on profit. **Businesses must incorporate the set of ‘ocean principles’ that have been developed to achieve a more sustainable ocean economy, notably by integrating biodiversity conservation concerns into the production sectors.**¹⁷

As highlighted in Chapter 2, responsibilities to contribute for a healthy ocean goal through an IOM approach will require multi-stakeholder participation in planning, decision-making, management, and monitoring and evaluation. **The engagement of stakeholders in these phases of ocean management should be reflected in national processes**, that is within States; regionally, that is among State parties to the Abidjan Convention, to the CPPS, to RFMOs, to the Africa Union, etc., and globally, that is among State parties to international organisations, such as the

¹⁶ See: <https://repositorio.cepal.org/handle/11362/29951>

¹⁷ See: <https://d306pr3pise04h.cloudfront.net/docs/publications%2FSustainable+Ocean+Principles.pdf>

IMO, the ISA, the future BBNJ Agreement, or the CBD. The **establishment of new and support to existing partnerships** to create communities of stakeholders could, for instance, advance the implementation of the future BBNJ Agreement at both national and regional levels.

On that basis, the range of stakeholders to involve should be as inclusive as possible as all have a stake in ocean health. Worth highlighting the climate change constituency. The role of ocean to climate change mitigation and adaption and the impacts that the climate change has been causing on ocean health calls for a close collaboration between those decision makers and practitioners on both areas.

The integration of stakeholders could also have various configurations, allowing for specific issues to be targeted more efficiently. For instance, RFMOs and regional seas organisations can address overfishing as an impact on biodiversity at the regional level; RFMOs and IMO can address vessel traffic; and regional seas organisations and the future BBNJ Agreement could lead the development and implementation of marine protected areas, together with relevant regional and global organisations; IMO, ISA, the future BBNJ Agreement and other relevant global organisations could address issues related to the application of environmental impact assessments (EIAs). It is important in this **respect that mechanisms be put into place to allow for coordinated and systematic exchange between the various actors and stakeholders. For this to happen, States and the secretariats of these regional and global organisations should take action to keep the communication channels open between all relevant stakeholders.** Stakeholders must be able to communicate and express their views. Broader-based deliberation that engages a wide range of stakeholders can develop social capital and relationships of trust, which can subsequently facilitate integration in other processes.

3.3.1 Considerations for the integration of stakeholders in the Southeast Atlantic and Southeast Pacific regions

The STRONG High Seas Project, alongside other initiatives that exist in the Southeast Atlantic

and Southeast Pacific regions, brings together stakeholders from the two focus regions, and beyond, and promotes dialogues to contribute towards sharing of knowledge, lessons learnt, and experiences on issues related to ocean governance, and particularly the conservation and sustainable use of marine biodiversity in ABNJ. These dialogues are examples of informal platforms that exist and that can contribute towards stakeholder integration. After the end of the STRONG High Seas project, these informal platforms could be continued within the regions, such as for instance through the CPPS Secretariat and the Abidjan Convention Secretariat. Other formal fora, such as the future BBNJ Agreement, could build upon these initiatives and benefit from them.

Southeast Atlantic region

Within countries of the Southeast Atlantic region, participatory events – consultative or deliberative – for matters related to the conservation and sustainable use of marine biodiversity is not yet a widespread practice. Businesses also haven't yet been much engaged in official dialogues at the national level nor in global intergovernmental fora related to ocean management. The development of Business and Biodiversity Platforms within the region, which offer a setting for cross-sectoral dialogue, is in its infancy.

The ABNJ Working Group under the Abidjan Convention could also, as part of its work, **identify relevant stakeholders and actors** within the Southeast Atlantic region that could be further involved in the informal platforms mentioned above. Through suggested governance and knowledge integration in Sections 3.1 and 3.2 of this report, **informal and more formal exchange between the various sectoral organisations and other stakeholders in the region could be strengthened** in order to gather all relevant knowledge and experiences with regard to ocean governance, and particularly conservation and sustainable use of marine biodiversity in ABNJ.

The African Union, an intergovernmental body that gathers 55 African countries, has a wide set of objectives, which encompass socio, economic and environment matters. State representation

is primarily of government officials. But given the wide scope of its programmatic areas, it can be one mechanism to facilitate enhanced stakeholder integration within the Africa region. The African Union has lately promoted discussions around the negotiations of the future BBNJ Agreement and could be a regional-wide fora to tackle implementation of the future BBNJ Agreement, including cooperation to this end with global and regional sectoral bodies.

The Abidjan Aquatic Wildlife Partnership is another example of a multi-stakeholder initiative established within the framework of the Abidjan Convention. The group is focused on increasing the awareness and action of governments, the private sector, and local communities in West and Central Africa, to slow and reverse the over-harvesting of aquatic mammals, birds and reptiles for human consumption, wildlife trade, fishing bait or other uses, many of which are illegal or unregulated.

Southeast Pacific region

Within the Southeast Pacific region also, suggested governance and knowledge integration as in Sections 3.1 and 3.2 of this report that would result in informal and more formal exchange between the various sectoral organisations and other stakeholders in the region could be strengthened in order to gather all relevant knowledge and experiences with regard to ocean governance, and particularly conservation and sustainable use of marine biodiversity in ABNJ. The CPPS plays a particularly important role in this effect and could also provide an informal platform for relevant stakeholders of the region to discuss and provide information with regard to ABNJ issues. Through its MoUs with SPRFMO and IATTC, the **links between relevant stakeholders within the region could also be strengthened.**

3.4 Transboundary integration

For the purpose of this report, transboundary integration encompasses geospatial (this relates to the connectivity between land and sea, i.e., the ecosystem approach), political (State territories), and institutional (the set of organisations that operate in ABNJ) integration. Particularly,

in relation to political transboundary integration, States will need to transcend concerns purely based on their sovereignty and sovereign rights to also consider medium to long-term, individual and collective, benefits resulting from the conservation and sustainable use of marine biodiversity. Although all ranges of political integration are valuable, this report focuses more strongly on regional or sub-regional integration, rather than bilateral integration.

States and intergovernmental organisations with a mandate to protect and/or manage marine resources and/or sites, businesses, and resource users in ABNJ, have a clear-cut relevance in promoting integration, including transboundary integration. To this end, States may explore undertaking and supporting innovative transboundary multi-state governance and biodiversity management approaches. This intent may be realized in various ways, for instance, it can be formalized through different types of instruments (e.g., MoUs) but also, where States are not able or willing to formalize arrangements, efforts could be directed towards enhancing informal collaboration and the implementation of effective conservation and management measures.

In respect to political and geospatial integration, States must be shaped politically and institutionally to reduce or halt negative impacts on biodiversity beyond their jurisdictional waters (both in ABNJ or in jurisdictional waters of a neighbouring State) that result from practices conducted at the national level. The rationale being that actions realized within the EEZ of a country can be felt beyond its borders due to ecological connectivity. Therefore, ecological connectivity requires concerted and integrated transboundary efforts that need to be considered and maintained over time.

The concept of transboundary conservation, which refers to the process of cooperation to achieve conservation goals across one or more international boundaries, could be applied to the conservation and sustainable use of marine biodiversity in ABNJ (Vasilijevic et al. 2015). According to Vasilijevic et al. (2015), transboundary conservation of landscapes and seascapes, including protected and multiple resource use

areas, also rely on cooperation, in addition to other central elements, such as multiple approaches to land use and tenure, multiple actor and multi-scale formal and informal governance arrangements, adaptive and collaborative governance, cooperative management of programmes, monitoring and evaluation, as well as political support.

3.4.1 Considerations for transboundary integration in the Southeast Atlantic and Southeast Pacific regions

Southeast Atlantic region

Countries of the Southeast Atlantic region are yet to adopt national policies that take into consideration this transboundary effect. The implications of measures taken at the national level to areas outside of these national borders are still not yet fully considered. In contrast, possible negative effects resulting from activities taking place in ABNJ or a neighbouring country and that would put pressure on national waters could be seen as a problem. To achieve effective IOM, however, responses must take place in both directions.

The transboundary integration between land and sea is more developed in the Southeast Atlantic region. In 2019, the Abidjan Convention adopted additional protocols that look at integration more explicitly. One of these protocols addresses pollution from land-based sources, recognizing the connectivity between land and sea; and the protocol on integrated mangrove and coastal zone management, recognizing that organisations acting in a shared space should coordinate. There is no such protocol or instrument in place under the Abidjan Convention to address ecological connectivity between the respective national waters of member States and ABNJ, but this is something that could be considered and pursued under the Abidjan Convention. However, even if there were to be a regulatory framework in place at the regional level, this would not be enough. Countries in the Southeast Atlantic region must internalize such regulations and put them into action.

The Benguela Current Commission (BCC) is an example of sub-regional integration that can be used as a valuable lesson learnt example. The

agreement was signed between the countries of Angola, Namibia, and South Africa, with the aim of restoring and protecting the biological integrity of the Benguela Current Large Marine Ecosystem (BCLME). The BCC focuses on fish stocks management, ecosystem health, pollution, marine diamond mining and oil and gas production. The extent to which these issues are tackled separately or collectively will characterize its contribution to a strengthened IOM.

As for institutional transboundary integration, it overlaps with the concept of integrated governance to some extent, in the sense that it tackles the way multiple organisations work to reach a common objective. As mentioned previously in this report, this type of integration is in its infancy within the Southeast Atlantic region. To date, the Abidjan Convention has formally set a cooperation agreement with ICCAT and CCSBT, just two out of four regional fisheries organisations that operate in the region. The Abidjan Convention has also signed an agreement with the OSPAR Convention and with COREP. However, all of these organisations, including the Abidjan Convention itself, still lack a coordinating arrangement to exchange with global organisations, such as IMO or ISA, which seems to be also the case for most regional organisations in other marine regions. When the future BBNJ Agreement is adopted, mechanisms will be required to achieve transboundary integration and thereby ensure compatibility of management efforts from a wide range of organisations acting within and beyond national jurisdiction.

Southeast Pacific region

There are several examples of existing regional integration mechanisms in the Southeast Pacific region that encompass environmental protection, even if these have been primarily established for commercial purposes (i.e., the Andean Community, MERCOSUR). Regional organisations, such as the American States Organization (OEA), the Amazon Cooperation Treaty Organization (OTCA), and even the Economic Commission for Latin America and the Caribbean (CEPAL), all include considerations for freshwater and marine ecosystem management, including particular strategies such as the need to cooperate among them, e.g., through MoUs.

Another important mechanism for collaboration towards marine conservation in the region is the Eastern Tropical Pacific Corridor (CMAR), which works through thematic networks and with the aim of implementing nationally agreed mandates. At the national level, this mechanism works through intersectoral committees under the regional action plan thematic areas. At the transboundary level, perhaps one of the most interesting developments is the identification of common control and surveillance issues and possible strategies to be undertaken by all countries, even though they still depend on each of the States to make their sovereign decision and allocate the necessary resources. As a result of the continued dialogue over the past 20 years, recent MPA creation and expansion by member States, such as Costa Rica and Ecuador, were made possible through information exchange and the joint generation of knowledge among the involved stakeholders.

3.5 Integration of system dynamics

Marine social-ecological systems are inherently complex to manage, as they involve multiple human activities and interacting environmental pressures, which combine to produce cumulative impacts on the marine environment. An advanced understanding and new scientific approaches and tools to assess complex interactions within the social-ecological system are needed to generate better and quantifiable descriptions of these linkages and their impacts. In turn, this would support decision makers to better understand the direct as well as indirect implications of policy and management decisions within these interconnected systems. More practically, this means a better understanding of the state of the marine ecosystem and its functioning, the services these ecosystems deliver, the pressures that impact them, and the causes of these pressures (economic and social, as well as the outcomes of ecosystem processes), including their thresholds and tipping points when impacted by changing drivers and pressures (Barbier et al. 2011; Borja 2014; Dolbeth et al. 2016).

Understanding ocean health and regular state-of-the-ocean reporting through global ocean assessments are critical to policy formulation and decision-making for effective ocean governance. As the UN World Ocean Assessment Report for 2016 has shown, the value of science and communication for pinpointing the most pressing environmental problems is enormous.¹⁸

This is particularly important for ocean ecosystems, where humankind is still discovering how the benefits and impacts interact in the marine environment. While some effects are evident within days (e.g., an oil spill reaching the seabed and coasts, the scarcity of specific commercial fish stocks), some still need to be understood in more depth. What has become clear to ocean management organisations to date is that management needs to consider the systemic nature and interconnectedness of marine ecosystems, by devising common strategies. That is the case of monitoring and surveillance platforms, such as the Global Fishing Watch network,¹⁹ which can contribute to ocean integrity by making available species distribution data across maritime jurisdiction.

However, legal and institutional arrangements in many countries may make it challenging to detect, track, and take into account cumulative effects, competing interactions, and conservation concerns stemming from activities within and beyond national boundaries. Cooperative arrangements with neighbouring countries may also be lacking. For the benefit of the social-ecological system, a defined mechanism to coordinate sector-based management and enhance collaboration within and among countries may thus be an essential first step for defining and advancing IOM regionally as well as globally.

3.5.1 Considerations for the integration of system dynamics in the Southeast Atlantic and Southeast Pacific regions

There are significant uncertainties associated with the evolution of ecosystems in time and space, especially as a result of incomplete knowledge about biological connectivity, feedbacks

¹⁸ See: <https://www.un.org/regularprocess/sites/www.un.org.regularprocess/files/woacompilation.pdf>.

¹⁹ See: <https://globalfishingwatch.org/>.

of natural systems and climate change. This may justify a precautionary approach to developing activities in the ABNJ of the Southeast Atlantic and Southeast Pacific, allowing time for their environmental impacts to be better understood and to increase conservation and capacity building efforts in the regions (Boteler et al. 2020).

These issues could be taken up by the ABNJ Working Group under the Abidjan Convention and the BBNJ Working Group under the CPPS, or through the knowledge hubs established in the regions to drive knowledge and stakeholder integration. Furthermore, the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) or the future BBNJ Agreement could also provide global platforms that could help integrate these different considerations from a scientific and technical perspective and actors within the two regions could, for instance, help provide the necessary expertise to feed into these processes.

3.6 Roles of organisations and stakeholders in integrated ocean management

In Table 2, we outline a non-exhaustive list of possible general actions and decisions that key actors involved in ocean governance could adopt to enhance integrated ocean governance, and thus help minimize the current fragmentation of ocean governance, including suggestions with regard to their roles and responsibilities. With these actions and decisions in place, integration under the other four pillars of IOM would have a strong foundation in place to operate. Therefore, we consider the integration of governance pillar as forming the foundational basis that is required to ensure the strengthening of the other IOM pillars to contribute to the conservation and sustainable use of marine biodiversity in ABNJ.

Table 2: Non-exhaustive list of possible actions and decisions that could be adopted by key actors involved in ocean governance to enhance IOM for the conservation and sustainable use of marine biodiversity in ABNJ, taking into account cross-sectoral integration, land-sea integration, and the climate-biodiversity nexus

States: At the national level	<p>At the national level, States could:</p> <ul style="list-style-type: none"> ➤ Set up groups or structures that foster multi-institution and cross-sectoral coordination at the national level (e.g., inter-ministerial and technical advisory bodies or committees focusing on ocean sustainability, including, for instance, on the four elements of the future BBNJ Agreement). ➤ Establish advisory bodies to contribute to building the positions of the country in international negotiations related to ocean governance and ensuring the linkages with the ocean in other international negotiations, such as those related more broadly to biodiversity conservation, pollution, or climate change. Subgroups could be created to address specific ABNJ-related topics, such as the establishment and management of area-based management tools (ABMTs), including marine protected areas (MPAs); sustainable use of marine genetic resources and the sharing of their benefits; environment impact assessments and strategic environmental assessments, etc. ➤ If necessary, formalise such groups through the adoption of relevant legislative or administrative instruments. ➤ Establish regulations that boost integration of sectors or relevant issues, both at the national and sub-national levels. Also set norms to facilitate data acquisition and sharing by all relevant actors and stakeholders, including the private sector.
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States: At the national level

- Develop coherent policies and plans to integrate biodiversity across sectors (i.e., productive, development and financial sectors), taking into account the climate-biodiversity nexus. For instance, cross-fertilize national biodiversity and development plans, climate change (NDCs) and biodiversity (NBSAPs) plans.
- When integration plans are developed, involve multiple stakeholders and underpin these plans with the best available technical and scientific data as well as traditional knowledge.
- Promote regular dialogues between focal points of the various relevant regional and global instruments.
- Ratify and translate international agreements into national policies that lead implementation at country level (e.g., the future BBNJ Agreement and related provisions in other international instruments such as under UNCLOS or the CBD).
- Align implementation activities committed to nationally under various international instruments (e.g., CBD, UNFCCC, fisheries agreements) and exercise greater coherence between governance levels.
- Adopt legislation to develop effective monitoring mechanisms and sanctions for wrong doing, including secure implementation of protocols on monitoring, control and surveillance (MCS) and port control and inspection measures. This is particularly important as weak governance mechanisms can enable illegal activities, such as illegal, unreported, or unregulated (IUU) fishing.
- Account for cumulative effects when assessing impacts on environment (through EIA or SEA) stemming from planned activities, including those that have effect over time, on marine ecosystems that contribute to negative effects on economic development, social security, and the marine environment, both within jurisdictional waters and in ABNJ.

States: At regional and global levels

At both regional and global levels, States could:

- Engage in the negotiations of the future BBNJ Agreement, including in meetings of its bodies that will follow suit after the adoption of this instrument, and propose provisions that set obligations, conditions, and incentives for a coordinated approach among the various sectoral organisations that have a mandate to work in ABNJ or in cases when their mandate is of relevance to ocean governance (e.g., climate-biodiversity nexus).
- Within the post-2020 Global Biodiversity Framework under the CBD, champion the inclusion of robust and smart goals and targets that include commitments for the development of sustainable blue economy practices, the implementation of nature-based solutions in the marine environment for climate mitigation and adaptation, and that have the appropriate means of implementation and enabling conditions to promote a sound and healthy marine environment.
- Strengthen engagement with the climate community, to follow up with implementation of ocean-related commitments made at the 26th Conference of the Parties (COP26) of the UNFCCC in Glasgow, UK, in November 2021.
- Ratify and implement ocean-related regional and global agreements and other instruments of relevance to ocean governance.
- Adopt decisions and resolutions to create and/or strengthen multi-institution and cross-sectoral coordination mechanisms. These could include temporary or permanent advisory bodies, including on issues related to the four elements of the future BBNJ Agreement.
- Form coalitions of countries to champion the establishment of mechanisms (e.g., communication, coordination) that promote ocean integration.

States: At regional and global levels	<ul style="list-style-type: none"> ➤ Work to promote coherence in decisions of various regional and global instruments to promote the integration of biodiversity conservation and sustainable use across sectoral policies and practices. ➤ Account for cumulative effects when assessing impacts on environment (through EIA or SEA) stemming from planned activities, including those that have effect over time, on marine ecosystems that contribute to negative effects on economic development, social security and the marine environment, both within jurisdictional waters and in ABNJ.
States under Regional Fish- eries Bodies (particularly Regional Fisheries Management Organisations, – RFMOs)	<p>Under Regional Fisheries Management Organisations (RFMOs), States could adopt and implement legally binding conservation and management measures, decisions, and resolutions:</p> <ul style="list-style-type: none"> ➤ that express commitments to cooperate regionally and globally to enhance the mainstreaming of biodiversity into fisheries policies and practices; ➤ that give Secretariat(s) the mandate and necessary conditions to support initiatives that will enhance such integration; ➤ that incorporate guidance, standards, criteria, and other key elements that reduce the negative impact of fisheries practices in marine biodiversity in ABNJ; ➤ on ecosystem-based management to fisheries; and ➤ to secure the application of monitoring, control, and surveillance mechanisms by flag States, ensuring the principles and related obligations of cooperation and coordination, transparency, and reporting. ➤ Conservation and management measures, decisions and resolutions should incorporate standards, guidance, and criteria on the conservation and sustainable use of biodiversity as reflected in the future BBNJ Agreement, the CBD, the SDGs, and others relevant instruments that set commitments for ocean sustainability, as well as under regional seas programmes. ➤ Implement a common approach or policy within a region on conservation priorities by championing flag State responsibility to impose regulations regarding areas or activities that are not currently covered by a competent management authority. ➤ Impose stricter standards than are required by competent management authorities. ➤ Provide regulation where relevant regional fisheries management organisations (RFMOs) or sectoral management bodies have not adopted measures.
State under Regional Seas Conventions and Action Plans	<p>Under the Abidjan Convention and Lima Convention:</p> <ul style="list-style-type: none"> ➤ Adopt decisions and resolutions that set obligations and conditions for enhanced cooperation. ➤ Create thematic advisory groups (including for the implementation of the four elements of the future BBNJ Agreement). ➤ Host groups to address matters related to ABNJ within their respective regions. These fora serve as cooperation platforms that can help the implementation of the future BBNJ Agreement and to address challenges and opportunities for enhanced integration with other relevant bodies and instruments.

States under global sectoral instruments (e.g., IMO, ISA)	<p>Under other (non-fisheries) global sectoral bodies, States can adopt decisions and resolutions that incorporate standards, guidance, and criteria that factor in the needs for conservation and sustainable use of biodiversity in ABNJ.</p> <p>On this basis, IMO member States could, for instance, improve maritime environment as well as security governance systems for shipping that reflect biodiversity concerns that embedded within the CBD, SDGs, and the future BBNJ Agreement on the negative impacts of shipping operations in ABNJ (e.g., underwater noise, ship collision with marine mammals, marine debris).</p>
Civil Society Organisations (CSOs)	<p>Civil society organisations, as non-decision-making actors in an intergovernmental setting, have an important role in advocating for international and national regulations and policies to drive cooperation and integrated management forward, for governance arrangements to be inclusive, transparent, and based on the best available science and traditional knowledge.</p> <p>They have also an important role in the production of technical and scientific knowledge that can be shared to inform decision-making processes and consequently to contribute towards improved governance. Non-governmental organisations (NGOs) particularly can play a facilitation role for knowledge exchange, project development, and search of alliances.</p> <p>In addition, civil society can serve as <i>bridging organisations</i> between States and international bodies, as well as with local communities that work under their own institutional arrangements.</p>
Research community and traditional communities	<ul style="list-style-type: none"> ➤ Scientists and traditional communities have a major role to play in contributing with relevant and valuable data and information, not only restricted to biodiversity and the environment, but also on other areas of knowledge. ➤ Social scientists may contribute with States, businesses, and other stakeholders, at the national, regional, and global levels, on the best available science to inform decision-making on, for example, behaviour change or social drivers for enhanced cooperation. ➤ Economists may inform on financial mechanisms, including incentives, that may optimize and/or support cooperative operations. ➤ Universities and research centres could direct and ensure their investigations respond to questions related to ocean governance integration.
Private sector	<p>As main users of marine natural resources, the private sector is a key actor in contributing towards effective IOM. All efforts should be made to engage with the public sector to develop a positive agenda for sustainability and good governance.</p> <p>The private sector can pro-actively develop and apply socio-environment responsibilities.</p> <p>In addition, they can adhere to regulations and guidance, standards and criteria set by national governments or international instruments, contributing to meet sustainable models of operation.</p> <p>They shall comply with policies of the public and finance sectors on responsible investments.</p>

4. Recommendations for strengthening integrated ocean management for BBNJ conservation in the Southeast Atlantic and Southeast Pacific regions

Through the analysis of the application of integrated ocean management pillars in both regions, there are clear pathways by which higher cooperation and coordination can secure improved protection of biodiversity in the high seas, including through:

Integrated Governance – is a critical underpinning of IOM. Therefore, States and other stakeholders need to create the environment for ocean governance to be solid and coherent.

- All geographical levels and dynamics of governance should be observed: national, regional and international as well as horizontal (e.g., across governmental ministries) and vertical (e.g., local to international);
- All relevant sectors and subjects should be taken into account in order for ocean governance to be truly integrated. That is, not only the sectors most active in the ocean space (e.g., fisheries, cable laying, transportation), but also those emerging activities (e.g., seabed mining, tourism) and cross-cutting issues (climate change);
- All elements that comprise ocean governance need to be worked on: regulatory framework, institutional arrangements, decision-making processes, the definition of standards and good practices;
- Finally, States need to ensure a coherent conservation and sustainable management objective is applied across all levels of governance including national, regional, and global and integrate these objectives across all policy processes within which they engage to develop synergies and coherent governance processes (e.g., BBNJ Agreement, Convention on Biological Diversity, Sustainable Goal 14 and other Goals, International Maritime Organization, Regional Fisheries Management Organisations, etc.);
- Models for operating integrated governance may vary. States shall consider, for instance, formal or informal exchange platforms, consultative or collective decision-making bodies.

Transboundary integration – the ocean is a dynamic and connected space. Activities taking place in one place will be felt elsewhere, including beyond the political boundaries of a State and into ABNJ.

- Decisions and actions by States and other stakeholders should take into account impacts on other jurisdictions, be it of another State or in international waters (that is in ABNJ);
- Resource extraction led by sectors, particularly those resources that straddle jurisdictions, need to be planned and implemented in coordination with other sectors, according to the mandates of these organisations and taking into account biodiversity conservation and sustainable use objectives. Activities that would undermine the activities of other sectors should be transparently discussed and agreed, and impact on marine biodiversity should be avoided or minimized to achieve biodiversity objectives;
- States should create Environmental Impact Assessment regulations and procedures to account for cumulative effects, including those that have effect over time, on marine ecosystems that contribute to negative ef-

fects on economic development, social security, and the marine environment, both within jurisdictional waters and in ABNJ.

Stakeholder integration – a myriad of actors has at least a marginal level of stake in ocean management. These stakes may range from the exploitation of resources to culture valuation of features and dynamics or governance responsibilities.

- Despite the possible models and solutions to engage stakeholders towards an integrated ocean management, States should seek to lead all to a common purpose of promoting conservation and a sustainable use of biodiversity;
- Explore and apply stakeholder engagement strategies and mechanisms, need to be applied and adapted to target biodiversity issues more effectively. Examples are working groups to address issues related to BBNJ, under different regional and global bodies, 'coalitions of the willing' to facilitate dialogue between decision-makers at different sectoral bodies;
- At the national ministerial level, States should consider the establishment of a 'sustainable ocean' group to address and coordinate issues that relate to conservation of biodiversity and sustainable use of resources in EEZ and ABNJ and their connectivity;
- Multi-stakeholder participation in planning, decision-making, management, and monitoring and evaluation must be at the centre of IOM strategies, and should be reflected in national, regional and global processes led by States.

Knowledge integration – Given the complexity of the system, the range of stakes and uses of the ocean space and resources and the immense array of values and benefits, IOM will obligatorily rely on integration of knowledge from various areas of expertise.

- States need to consider that the knowledge is not only a discrete collection of facts from various scientific and technical sources, but an amalgamation of such facts, including from indigenous peoples and local communities, that can inform decision-making on the conservation and sustainable use of biodiversity within and beyond national jurisdiction;

- States and other stakeholders need to take into account interdisciplinarity (e.g., economy, ecology, sociology, traditional knowledge) in decision-making processes for integrated ocean management;

- States should consider the establishment or strengthening of a multi-faceted clearing house-mechanism on ABNJ matters.

System integration – System dynamics integration recognises that socio-ecological systems are interlinked and dynamic, subject to change in many ways over time.

- States and management organisations should pursue an adaptive management approach which embeds understanding of the complex social-ecological system into decision-making processes. This would enable making targeted responses to observed changes within the dynamic system, based on a continuously evolving and improving evolving knowledge base;

- States should invest in research programmes to develop new scientific knowledge, tools, and technologies to advance understanding of social-ecological system dynamics and establish a science-policy interface to support adaptive decision-making based on this new understanding. Public and private funds need to be earmarked for dedicated research and policies need to be in place to facilitate linkages between scientific and policy communities.

Cross cutting – Climate change mitigation and adaptation and ocean health are often dealt with by different bodies and stakeholders. Decisions and practices under either of the topics are commonly disconnected, despite the existing scientific evidence of their interdependencies. States need to bring this interconnectedness to the attention of national, regional, and global dialogues and decision-making processes, and adopt decisions that reflect this matter.

A non-exhaustive list of possible actions and decisions that could be adopted by key actors involved in ocean governance to enhance IOM for the conservation and sustainable use of marine biodiversity in ABNJ, taking into account cross-sectoral integration, land-sea integration, and the climate-biodiversity nexus, is also provided in Table 2 of Chapter 3.6.

5. Conclusion

This report aims to kickstart discussions about IOM in the Southeast Atlantic and Southeast Pacific regions. It is by no means comprehensive and will benefit from further studies, considerations, and discussions. Recommendations from this report can be found in Table 2 of Chapter 3 and in Chapter 4.

Even though both regions could improve in terms of IOM, there is at least common recognition of the need to advance practical solutions to strengthen regionally coordinated efforts and enhance coherence across sectors. The initial attempts to progress can be built upon to achieve a more comprehensive and consistent approaches. In this respect, the future BBNJ Agreement, the CBD post-2020 Global Biodiversity Framework and SDG targets present opportunities for States to strengthen the ocean governance framework in their respective regions.

The Dialogue Workshops organised by the STRONG High Seas project as well as the SOI dialogues have provided useful mechanisms to bring relevant stakeholders together and discuss ways to strengthen ocean governance, both regionally and globally. The STRONG High Seas Dialogue Workshop series aimed at bringing together stakeholders from the Southeast Atlantic and Southeast Pacific regions 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 applied an interactive approach to enable information exchange between participants and explore various topics relevant to the conservation and sustainable use of marine biodiversity in ABNJ.²⁰

Representatives of RSOs and RFBs of both regions have attended the SOI dialogues, identified common purposes on their respective

regions and a suite of decisions and actions to contribute to a sustainable ocean. Building upon the draft plans of actions and recommendations from the meetings, States under these organisations could take the opportunity to continue to strengthen regional integration. With regard to Business and Biodiversity Platforms (B&BP), countries in the region should look into creating their national platforms and embed ocean and climate in the centre of the discussions and decisions. Only South Africa, Chile and Peru in the project regions have established such Platforms. With such low adherence to this model of integration, we argue that there is still an immense potential for escalation.

Other key findings of this report, which are particularly relevant to spur considerations on the need to strengthen integration, include the fact that, organisations within the regions have varying, but limited mandates to address issues related to BBNJ; there exists varied and uneven participation in regional and global agreements (for instance, numerous coastal countries are not Parties to any RFMO) and there is limited cross-sectoral cooperation within the region, with individual organisations adopting their own principles, resolutions and recommendations for addressing BBNJ challenges.

To accelerate progress, we hope that States will be inspired by this Report to establish ministerial level 'sustainable ocean' groups at the national level to address issues relating to conservation of biodiversity and sustainable use of resources in EEZ and ABNJ and their connectivity, and also support at the regional and global levels the establishment of coordination mechanisms to advance shared objectives and targets to enable effective ecosystem-based integrated ocean management within and across ocean basins including ABNJ.

²⁰ More information about the STRONG High Seas Dialogue Workshops, including summaries of these events, can be found here: <https://www.prog-ocean.org/our-work/strong-high-seas/strong-high-seas-resources/>.

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ViSdP

Prof. Dr. Mark G. Lawrence, Managing Scientific Director

May 2022



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. 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 (ABNJ). In this project, we carry out transdisciplinary scientific assessments to provide decisionmakers, both in the target regions and globally, with improved knowledge and

understanding on high seas biodiversity. We engage with stakeholders from governments, private sector, scientists and civil society to support the design of integrated, cross-sectoral approaches for the conservation and sustainable use of biodiversity in the Southeast Atlantic and Southeast Pacific. We then facilitate the timely delivery of these proposed approaches for potential adoption into the relevant regional policy processes. To enable an interregional exchange, we further ensure dialogue with relevant stakeholders in other marine regions. To this end, we set up a regional stakeholder platform to facilitate joint learning and develop a community of practice. Finally, we explore links and opportunities for regional governance in a new international and legally-binding instrument on marine biodiversity in the high seas.

Project duration: June 2017 – May 2022

Coordinator: Institute for Advanced Sustainability Studies (IASS)

Implementing partners: BirdLife International, Institute for Sustainable Development and International Relations (IDDRI), International Ocean Institute (IOI), Universidad Católica del Norte, WWF Colombia, WWF Germany

Regional partners: Secretariat of the Comisión Permanente del Pacífico Sur (CPPS), Secretariat of the Abidjan Convention

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Partners of the STRONG High Seas project:



International Ocean Institute
African Region

