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Unedited case studies on policies and institutional arrangements to enable cross-sectoral cooperation to achieve ocean related objectives associated with Sustainable Development Goals (compiled)

Case studies on policies and institutional arrangements to enable cross-sectoral cooperation to achieve ocean related objectives associated with Sustainable Development Goals

Achieving Sustainable Development Goals requires cross-sectoral cooperation. For example, addressing pollution sources require action on the side of sectors that are associated with these sources, such as navigation, fisheries, agriculture and mining. Cross-sectoral approaches have been promoted these days at various levels; local, national, regional and global. When we focus on the 'marine ecosystems', such cooperation at the regional seas level (for example, Baltic Sea, Western Indian Ocean and Southern Ocean) is highlighted. Several examples have started emerging recently and providing different models for coordinated policy development and institutional cooperation between/among the regional organisations.

Under the United Nations Enviornment Programme – European Commission project, "Integrated Management and Governance Strategies for Delivery of Ocean-related Sustainable Development Goals" in which exchanging practical experiences and synthesize guidance on: (i) effective application of area-based management measures; and (ii) policy interactions and institutional arrangements to support the implementation of Ocean-related Sustainable Development Goals in different regional and national contexts, a component was created to collect and collate information on the experiences of existing cross-sectoral cooperation frameworks to highlight usefulness of such cross spectral regional ocean governance to achieve ocean related objectives, which may or will be associated and aligned with Ocean related Sustainable Development Goals. This aims at justifying a regional ocean governance approach in consolidating efforts at various levels across the relevant sectors to achieve agreed regional and global ocean related objectives. In order to achieve this, this component will produce a paper summarizing the experiences of the existing cross spectral cooperation frameworks at the regional level, including the elements of successful cooperation, challenges faced, and opportunities. The report will also include a set of recommendations for the regional organisations to start into cross spectral dialogue for cooperation with particular aim of harmonized and ecosystem-wise implementation of the Ocean related Sustainable Development Goals. The report will be used for further international discussion on the implementation of the SDG14 to review the possible use of regional ocean governance frameworks and partnerships to promote implementation and follow-up of SDG14.

The case studies compiled to date for the above-noted purposes include the following:

- Mediterranean Sustainable Development Strategy and Commission (Mediterranean Action Plan);
- Mediterranean cooperation on protection of marine ecosystems between GFCM, MAP and others (IUCN, WWF, MedPAN, ACCOBAN) (GFCM)
- Helsinki Commission Shipping cooperation (Helsinki Commission)

- Memorandum of Understanding on the oil pollution response and cooperation among the Northwest Pacific Action Plan member States (Marine emergency response centre supported by UNEP and IMO)
- Black Sea Commission and Danube Commission cooperation (Black Sea Commission)
- 2050 Africa's Integrated Maritime Strategy and African Ocean Governance Strategy (UNEP)
- CPPS Integrated Ocean Policy discussion (CPPS to be prepared in Spanish with support from IASS)
- ROPME Ecosystem based Management strategy and cooperation with RICOFI (ROPME and/or UNEP)
- Abidjan Convention and Sub-regional Fisheries Commission cooperation on ecosystem approach (Commission Sou Regional des Peches)
- OSPAR cross sectoral cooperation framework, including OSPAR-NEAFC Collective Arrangements, OSPAR-IMO MOU. OSPAR-ISA MOU (OSPAR)

Below are the first draft case studies, which are yet to undergo technical editing and further review. It is proposed that a synthesis of the experiences and lessons learnt in such cross-sectoral cooperation and policy coherence be produced together with the finalized case studies.

Delivering the Mediterranean Strategy for Sustainable Development 2016-2025 through a highly inclusive process to translate the 2030 Agenda and its SDGs at the regional level

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Context and Background

The objective of this case study on cross-sectoral cooperation is to demonstrate through the example of the Mediterranean Strategy for Sustainable Development (MSSD) review process:

1) the added value of a highly inclusive/participatory process, following a transversal approach, to deliver a sustainable development policy to translate the 2030 Agenda for Sustainable Development (2030 Agenda) and its Sustainable Development Goals (SDGs) at the regional level,;

2) the importance of the Mediterranean Strategy for Sustainable Development 2016-2025 (MSSD 2016-2025) implementation and monitoring for the Mediterranean region and people; and,

3) the potential for replication of such an inclusive process as appropriate in other regions of the world.

To address the common challenges of marine environmental degradation, the Mediterranean Coastal States and the European Community approved in 1975 the Mediterranean Action Plan (MAP), the first Regional Seas Programme under UNEP's auspices followed by the adoption in 1976 of the Barcelona Convention. After 40 years of regional cooperation, the UNEP/MAP-Barcelona Convention system (MAP system) continues to be relevant and has ambitious objectives with a number of strategic decisions adopted at the most recent 19th Ordinary Meeting of the Contracting Parties of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention, COP 19, Athens, Greece, February 2016).

Established in 1995 – when the Contracting Parties of the Barcelona Convention (Contracting Parties) conveyed their commitment to sustainable development and to the effective implementation, at the regional and national levels, of the decisions of the Earth Summit (Rio, 1992) and the UN Commission for Sustainable Development (UN-CSD) –,the Mediterranean Commission on Sustainable Development (MCSD) is one of the regional bodies to ensure the interaction between environmental protection and sustainable development policies established by the MAP system. The MCSD is an advisory body to the Contracting Parties and other regional or local actors to assist them in their efforts to integrate environmental issues in socioeconomic programmes and, in so doing, promote sustainable development policies in the Mediterranean region.

The MCSD holds an ordinary meeting on a biannual basis and extraordinary sessions on a need-be basis. At the commencement of the first sitting of each meeting, the MCSD elects its Steering Committee (MCSD SC), which includes four members representing the Contracting Parties, including ex officio the President of the Bureau of the Contracting Parties, and three representatives from the six categories foreseen by the Terms of Reference of the MCSD. The MCSD SC oversees the work of the MCSD between sessions.

In 2005, at COP 14 (Portoroz, Slovenia), the MCSD adopted its innovative modalities of participation and engagement of civil society organisations and other major stakeholders. The MCSD is unique in its composition, as not only government representatives, but local communities, socioeconomic actors, IGOs and NGOs can all participate in the MCSD on an equal footing. As such, the MCSD includes various Major Groups and Stakeholders (MGS), such as the Socio-economic Stakeholders Group, the NGOs Group, the Scientific Community Group, and the IGOs Group.

Acknowledging the implications of the outcomes of UN Conference on Sustainable Development (Rio+20) on the MCSD regarding the upgrading of the UN-CSD into a High Level Political Forum, the 18th Ordinary Meeting of the Contracting Parties to the Barcelona Convention (COP 18) in its Decision IG.21/12 (Istanbul, Turkey, December 2013) requested the MCSD reform through revising its composition to ensure even greater representativeness and sharpening its role.

This reform was achieved at COP 19 in February 2016, through Decision IG.22/17, which brings the total number of MCSD members from 37 to 40, including representatives of an additional key MGS, the Parliamentarians Group.

The objective of a strengthened MCSD is the further integration of the environment pillar into public policies, brought through focusing on the interface between environment and development, and thus building on its successes and potential. In line with this objective, the UNEP/MAP-Barcelona Convention Secretariat (the Secretariat) has been requested to support the MCSD to forge partnerships and coordinate between various actors, including the World Bank, the Union for the Mediterranean, and other UN actors besides UNEP such as the UNFCCC and the UNDP, in order to improve the MSSD 2016-2025 implementation through coordinated action. In addition, the MCSD has to encourage, through its meetings and operations, the exchange of good practices and to establish an on-line consultation platform for these purposes.

Committed to address environmental protection of marine and coastal environment and promote sustainable development, the Contracting Parties adopted in 2005 the Mediterranean Strategy for Sustainable Development (MSSD, with subtitle: A Framework for Environmental Sustainability and Shared Prosperity), which was built under the MCSD coordination.

As such, the MSSD 2005-2015 provided an integrative policy framework for achieving the vision of a sustainable Mediterranean region, as well as for the deployment of sustainable development policies of riparian countries. It was a regional response to the global and regional sustainable development agenda, such as the Millennium Development Goals and the Euro-Mediterranean Partnership.

In light of international developments and the end of the MSSD cycle of 2005-2015, COP 18, in its Decision IG. 21/12, requested not only the reform of the MCSD, but also the review of the MSSD, in

order to reflect at the regional level, global processes to better embed sustainability following the Rio+20 Conference.

"The future we want" outcome document and its acknowledgement on the importance of the regional and sub-regional dimensions, was a basis for the review process and throughout the review it was ensured that international negotiations on the parallel development of the SDGs were well reflected in the review.

Objectives of Cooperation during the MSSD review process

Building on the "Future we want" outcome document, the aim for the MSSD review was to ensure that MSSD 2016-2025 will facilitate sustainable development on the regional level, based *inter alia* on (i) the assessment of the impact of the initial MSSD and of national sustainable development processes, as well as on (ii) a shared vision of sustainable development challenges facing the region.

In line with the above, the objectives of cooperation during the MSSD review process were to build on the outcomes of Rio+20, COP 18 Decisions (especially Decision IG. 21/12) the recommendations of the 15th MCSD Meeting (Malta, June 2014), with a view of developing a renewed Strategy through an inclusive process and submitting a revised MSSD for consideration of the Contracting Parties to their 19th Ordinary Meeting.

Enabling Conditions and Dialogue Process – Cross-sectoral cooperation in practice

In 2014-2015, the MSSD review was led by the MCSD, under the Maltese Presidency, with the assistance of the Secretariat through its Plan Bleu Regional Activity Centre (PB/RAC) and with the support of the other MAP Components. The Strategy was developed through a highly inclusive process, in which all Contracting Parties and key stakeholders had the opportunity to participate.

During the participatory process, a key challenge was to propose suitable means and ways to ensure ownership by regional and national decision-makers and stakeholders. The review process had to pay specific attention to regional organisations, particularly the MCSD Members and organisations officially accredited as MAP partners, aiming to enlarge the partnership framework and consolidate MAP relationships with other regional organisations. This challenge was mitigated by various outreaches with key stakeholders and information shared on regular basis on the review by the Secretariat. In addition, the MCSD President, Malta, made specific visibility events around the review to ensure engagement.

The MSSD Review was formally launched during a ceremony held in Malta (14 February 2014), which opened the first phase of the review. This Phase1 contained a stakeholder consultation (online), which took place between 10 April-9 May 2014, asking feedback on the new MSSD vision and on a set of issues to be addressed in the new strategy. In total 60 detailed responses were received during this consultation, both from individuals and from organizations representing a variety of sectors and geographic division across the Mediterranean.

Figure 1: Issues mentioned during the first online consultation (April-May 2014)

On the basis of the outputs of this first stakeholder consultation exercise, the MCSD SC at its 15th meeting (Malta, 11-12 June 2014) approved the vision and structure in recommending six cross-cutting themes: 1) Seas and coasts; 2) Natural resources, rural development and food; 3) Climate; 4) Sustainable cities; 5) Transition towards a green economy; and 6) Governance. Those themes merged the results of the first stakeholder consultation with the SDGs Focus Areas.

The second phase of the MSSD Review consisted of establishing the six thematic working groups (TWGs), following the six cross-cutting themes approved by the MCSD SC, each by one thematic expert, plus one Sustainable Development Senior Adviser for coordinating the groups. In parallel to the three online consultation sessions per group, participatory workshops were organized for the TWG 5 (30 September 2014, Marseille, France), back-to-back with a consultation workshop on the Regional Action Plan on Sustainable Consumption and Production in the Mediterranean, which was also under development, and then for the five other TWGs (19-20 November 2014, Sophia-Antipolis, France).

Having mobilized about 450 participants from March until December 2014, the exchanges and consultations allowed a collective formulation of the main strategic directions for each theme and the identification of the corresponding concrete actions at national and regional scales, which address recommendations for all categories of stakeholders in the Mediterranean. These collaborative works also focused on current or possible flagship initiatives and provided monitoring and assessment indicators (towards a new dashboard of sustainability of human activities in coastal and marine areas).

Several tools were used to achieve this great involvement of participants in the review process. During Phase 1, the consultation document presented above was sent with a specific (encouraging) message to a very large list of actors, including the UNEP/MAP-Barcelona Convention and PB/RAC National Focal Points, MCSD Members, MAP Partners, as well as key intergovernmental and regional organizations having an interest for sustainable development, next to key stakeholders of the private sector, scientific community (academia), and civil society in the topics covered by the Strategy.

They were invited to register on-line, via the Platform dedicated to the MSSD Review process, and fill-in a form for expressing their interest. Secondly, based on the provisional structure of the MSSD 2016-2025, six multi-stakeholder TWGs comprised key stakeholders in the relevant field were supported by thematic experts.

Thanks to on-line and face-to-face exercises of stakeholder consultation, their responsibility was the drafting of the specific axes, strategic directions, and actions of the Strategy. On-line tools, such as teleconferences, email exchanges, and other electronic platforms, completed face-to-face participatory workshops, plus a conference.

The outputs of the TWGs were compiled and reported on by thematic experts facilitating the process, with support of the Core Team (i.e. the MCSD Presidency, the Secretariat and PB/RAC). To ensure commitment of the participants, several specific letters were sent to them by the UNEP/MAP-Barcelona Convention Coordinator. They were also regularly informed thanks to several "MSSD Review – Stakeholder News Briefs". Their engagement and participation were essential for making the Strategy truly reflect the aspirations and opportunities of the region.

In January 2015, as an outcome of discussions in these TWGs, with the participation of more than 450 experts, a draft of the MSSD 2016-2025 was delivered to the MAP National Focal Points (NFPs), MCSD members, organizations accredited as MAP Partners, as well as participants of the previous consultation phases and other key stakeholders. It is worth to mention here that, at the end of the process, the "MSSD Review Stakeholders Full List" contained more than 1,000 contacts.

The Maltese Government hosted the Conference on the Review of the MSSD, which gathered about 100 participants (Floriana, Malta, 17-18 February 2015), from all major groups representing the whole of the Mediterranean. The aim was to discuss the draft MSSD 2016-2025 with key stakeholders in order to get their feedback, comments, inputs and suggestions. On the basis of the Conference outputs and of the – about 500 – written comments, the draft Strategy was revised and the implementation plan was clarified.

The Moroccan Government hosted the 16th Meeting of the MCSD (Marrakesh, 9-11 June 2015), where the revised draft MSSD 2016-2025 was endorsed. The MCSD members and observers welcomed with appreciation the document, endorsed the proposed structure and content, and praised the work done for its preparation. They commended the process for its inclusiveness and the quality of the document for its novelty, ambition and completeness. The discussions led to some adjustments of the text to be reflected in the final draft, before it was officially submitted to the MAP NFPs Meeting (Athens, Greece, 13-16 October 2015) and then adopted at COP 19 (Decision IG.22/2).

Successful elements of cooperation

The MSSD 2016-2025 is the result of over two years of intensive collaborative work within the MAP system. Involvement, support, and substantial contributions from many regional and national organizations and stakeholders were crucial to develop the Strategy. The diversity of actors who devoted their expertise and experiences raised the awareness of their synergies, confirming that cross-sectoral and multi-stakeholders cooperation lead to rich outputs. The process revealed very positive achievements and offered exemplary learnings for promoting a regional dialogue based on broader participation towards achieving sustainable development in the Mediterranean.

Built upon a broad consultation process, which involved more than 1,000 participants all over the Mediterranean, representing various sectors and geographic areas, the MSSD 2016-2025 is a strategic guiding document for all stakeholders and partners to translate the 2030 Agenda at the regional, sub-regional and national levels. The Strategy aims at providing an integrative policy framework to secure a

sustainable future for the Mediterranean region; to adapt international commitments to regional conditions, to guide national strategies, and to stimulate regional cooperation in the achievement of sustainable development objectives; to link the need to protect the environment to socio-economic development.

The vision of the MSSD 2016-2025 is **"*A prosperous and peaceful Mediterranean Region, in which people enjoy a high quality of life and where sustainable development takes place within the carrying capacity of healthy ecosystems. This is achieved through common objectives, cooperation, solidarity, equity and participatory governance*"**. This must be achieved through common objectives, strong involvement of all stakeholders, cooperation, solidarity, equity, and participatory governance.

It should be noted that the vision of the UNEP/MAP Mid-Term Strategy 2016-2021 (MTS 2016-2021) (Decision IG.22/1) – "*a healthy Mediterranean with marine and coastal ecosystems that are productive and biologically diverse contributing to sustainable development for the benefit of present and future generations*" – is inspired by the vision of the MSSD 2016-2025. The following elements of the MSSD 2016-2025 have contributed to the vision of the MTS 2016-2021: (a) Investing in environmental sustainability to achieve social and economic development, and (b) Addressing cross-cutting issues that lie in the interface between environment and development.

The MSSD 2016-2025 is based on the principle that socio-economic development needs to be harmonized with the protection of the environment and of natural resources. As highlighted in its subtitle (***Investing in environmental sustainability to achieve social and economic development***), the Strategy is underpinned by the conviction that investment in the environment is the best way to secure long-term sustainable job creation and socio-economic development for the present and future generations.

The 2030 Agenda acknowledges the importance of the regional and sub-regional dimensions, regional economic integration and interconnectivity in sustainable development. Regional and sub-regional frameworks are recognized as facilitating the effective translation of sustainable development policies intro concrete action at the national level. Furthermore, the 2030 Agenda welcomes the cooperation of regional and sub-regional commissions (such as the MCSD) and organizations for follow-up and review, and encourages states to identify the most suitable regional fora in which to engage. The MSSD 2016-2025 responds exactly to those provisions of the 2030 Agenda. It was developed in parallel with the process of definition of the SDGs and was informed by that process (Table 1).

Table 1: Links between SDGs and MSSD 2016-2025

MSSD 2016-2025 Objectives	Sustainable Development Goals
1. Ensuring sustainable development in marine and coastal areas	14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development
2. Promoting resource management, food production and food security through sustainable forms of rural development	2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss 6. Ensure availability and sustainable management of water and sanitation for all

3. Planning and managing sustainable Mediterranean cities	11. Make cities and human settlements inclusive, safe, resilient and sustainable 7. Ensure access to affordable, reliable, sustainable and modern energy for all
4. Addressing climate change as a priority issue for the Mediterranean	13. Take urgent action to combat climate change and its impacts
5. Transition towards a green and blue economy	8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation 12. Ensure sustainable consumption and production patterns
6. Improving governance in support of sustainable development	16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels 17. Strengthen the means of implementation and revitalize the global partnership for sustainable development
Cross-cutting sustainable development goals related to social issues	1. End poverty in all its forms everywhere 3. Ensure healthy lives and promote well-being for all at all ages 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all 5. Achieve gender equality and empower all women and girls 10. Reduce inequality within and among countries

Efforts for policy coherence

The MSSD 2016-2025 and its review process highlighted the importance of environmental services to achieve sustainable development in the region. This important realization, which was highlighted many times during the stakeholder process was also reflected in the vision of the MTS 2016-2021, which is a "Mediterranean with marine and coastal ecosystems that are productive and biologically diverse contributing to sustainable development for the benefit of present and future generations.

The MSSD 2016-2025 addresses key areas impacted by human activity, from the marine and coastal environments, using ecosystem-based approach and planning tools such as ICZM, to urban settlements and the rural and agricultural systems. It also focuses on climate change, which is expected to impact severely the Mediterranean. Furthermore, it introduces emerging approaches that help in turning political will into reality: e.g. a green and blue economy approach combined with SCP.

The MSSD 2016-2025 follows a structure based on six objectives that lie in the interface between environment and development. They were chosen to provide scope for an integrated approach to address sustainability issues. The first three objectives of the Strategy reflect a territorial approach, while the other objectives are cross-cutting, addressing key policies and areas, as follows:

1. Ensuring sustainable development in marine and coastal areas;
2. Promoting resource management, food production and food security through sustainable forms of rural development;
3. Planning and managing sustainable Mediterranean cities;
4. Addressing climate change as a priority issue for the Mediterranean;
5. Transition towards a green and blue economy;
6. Improving governance in support of sustainable development;

A set of Strategic directions is formulated for each of the six overall objectives. The Strategic directions are complemented by national and regional Actions, as well as Flagship initiatives and Targets.

The way forward, lessons learned, and challenges faced

After the adoption of the MSSD 2016-2025, the challenge is now its implementation: the participation of all stakeholders will be crucial for the delivery of the Strategy, from national and local governments to civil society, academia, private sector, and the support of regional institutions. Its development was a collective effort and its implementation can be done also only in a coordinated manner, through which the sum will be much greater than the addition of the parts, thanks to the synergies.

Efficient coordination and a collaborative process with the involvement of Mediterranean decision-makers and stakeholders, beyond the field of the environment, will be essential for implementing the Strategy. Therefore, similar to the inclusive process for its elaboration, the Strategy offers excellent opportunities during its implementation period too, for inter sectorial collaboration at regional, sub-regional and national levels.

Indeed, the MSSD 2016-2025 specifies as its key implementation steps: (i) means of implementation (including resource mobilization); and (ii) governance, as follows:

- The MAP system provides leadership and guidance with respect to implementing the Strategy. The UNEP/MAP regional frameworks and action plans formulated with a view to implementing the Protocols of the Barcelona Convention, as well as other key existing regional mechanisms and instruments, are essential tools for implementing the Strategy. The MCSD is a key structure within the MAP system for supporting the implementation of the Strategy.
- The Contracting Parties are invited to use the Strategy as a framework for a better integration of sustainable development into their national policies and to build horizontal synergies between different government sectors and vertical synergies between different levels of government, from local to central and vice-versa.
- Intergovernmental and regional and sub-regional organizations also have a very important role, working in tandem with each other and with the MAP system, to facilitate synergies with the Contracting Parties using the Strategy as a common platform.
- For the civil society, the Strategy contains a set of strategic directions that inform its work along with other partners, and provides fertile grounds for the development of projects.
- The private sector is another key partner, notably in the emerging green and blue economy, not only through corporate social responsibility, but also through more sustainable consumption and production processes.
- The analytical tools that will allow the forecasting, planning and assessment of sustainable development-related impacts and actions need to be developed with the scientific community, which itself needs to direct its research capacity in support of policymaking.
- For funding bodies, the Strategy contains a set of widely-agreed regional objectives, as well as strategic directions within these objectives, which will help such bodies to position and assess funding proposals aimed at advancing sustainable development in the region.

Putting in place adequate institutional structures is a key priority in providing for effective implementation of the MSSD 2016-2025. The Strategy in this area rests on two main pillars:

1) Put in place or strengthen structures for sustainable development implementation at national and regional scale. Following the MCSD Reform (COP 19 Decision IG.22/17), an innovative simplified peer review mechanism (SIMPEER) has been launched, as a framework for mutual learning and improvement from past experiences and other national approaches. The SIMPEER aims at engaging a dialogue between volunteer Contracting Parties, on equal participation, for a mutual improvement and learning process on National Strategies for Sustainable Development (NSSDs). The SIMPEER seeks to establish the exchange of experiences, policies and practices on implementing NSSDs. It represents an important incentive to enable NSSDs' review in line with the MSSD 2016-2025 and as a contribution to the 2030 Agenda.
2) Establish regional processes for the implementation and monitoring of the Strategy, such as: (a) Development of the MSSD 2016-2025 implementation indicators and, based on them, a Mediterranean Sustainability Dashboard; (b) Completion of this dashboard with data delivered by Contracting Parties and key stakeholders; (c) Based on this populated dashboard, development of the State of the Environment and Development Report in 2019. Through a new collaborative process, the PB/RAC is supporting the process to define a Mediterranean Sustainability Dashboard, in relation with the adaptation of the SDGs to the Mediterranean region.

It is especially important that the MSSD 2016-2025 monitoring indicators are developed and subsequently followed-up, not only by environmental experts or NGOs, which are usually active in the process, but by a wider selection of stakeholders, such as business and industry. Therefore, the need to engage with key stakeholders to strengthen the MSSD 2016-2025 ownership, implementation and follow-up, as well as the approach aiming at fostering multilateral dialogue on sustainable development at the regional and national level, remain as important as they were during the MSSD Review process.

Case Study title: Fostering cooperation in the Mediterranean and the Black Sea in the context of SDG 14: ongoing efforts promoted by the General Fisheries Commission for the Mediterranean of the FAO

Author(s): Abdellah Srour, Executive Secretary, GFCM; Nicola Ferri, Legal and Institutional Officer, GFCM

1. **Brief introduction to/ description of the initiative/ arrangement: What is the approach taken to enable cross-sectoral cooperation?**
   Please provide general introductory information on the initiative to develop coordinated policies or institutional cooperation with and involving other sectoral organisations:
   a. *What was the key issue that triggered the cross-sectoral cooperation?*
   b. *Cooperation between or among whom? Please list the organisations involved.*
   c. *Briefly describe when the initiative started, and the current status.*
   d. *What was the identified need for cooperation or coordinated action? Please list any scientific background/evidence to demonstrate this need.*
   e. *What are the key elements of the cooperation?*
   f. *Please list any legal documents or statutory provision of relevance for cooperation in general (decision of the Commission, Conference of the Parties or other governing bodies, Convention article)*
   g. *Please describe any budgetary implications of the cooperation for the organisations involved.*

   The General Fisheries Commission for the Mediterranean of the FAO (hereafter, "GFCM") is among those organizations operating at the regional level which are directly concerned by the implementation of SDG 14 and, most importantly, tasked to support countries in meeting the targets set therein. The importance of a regional approach to the implementation of SDG 14 has been recently reaffirmed by the "*Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating Progress towards the Aichi Biodiversity Targets*" (26 to 28 September 2016, Seoul, Republic of Korea). In the outcome document of this meeting, participants have recognized that the level of ambition posed by SDG 14 necessitates action at multiple scales, while identifying lack of cross-sectoral coordination as one of the challenges potentially hampering its implementation. Furthermore, participants have affirmed the essential role played by regional organizations in supporting and facilitating actions by countries in making progress towards SDG 14. To this end, the GFCM has adopted, on occasion of the 40th session of the Commission (30 May to 3 June 2016, St Julian's, Malta), "*Resolution GFCM/40/2016/2 for a mid-term strategy (2017–2020) towards the sustainability of Mediterranean and Black Sea fisheries*" (hereafter, the "mid-term strategy"). The thrust of this case study is therefore to explain how the mid-term strategy will enable cross-sectoral cooperation at the Mediterranean and Black Sea level, supporting countries in assessing their progress towards SDG 14.

a. Fishing has a tremendous cultural, social and economic importance in the Mediterranean and the Black Sea, yet roughly 90 percent of the scientifically assessed stocks in this region are currently considered to be fished outside safe biological limits, according to the data available to the GFCM. Because SDG 14 sets 2020 as the deadline to restore fish stocks to levels that can at least produce maximum sustainable yield and, more generally speaking, sets several other targets which are relevant to the work of the GFCM, it was determined that cross-sectoral cooperation would be needed to achieve these objectives. Informal consultations were held with those organizations that have a memorandum of understanding (hereafter, "MoU") in place with the GFCM, with a view to finding a practical manner to move beyond a sectoral approach and meet the targets in SDG 14, while also taking stock of existing roles and different mandates. In this regard, the GFCM proposed a number of tailor-made actions, taking into account the specificities of the region, encouraging a unique interdisciplinary partnership to enable cross-sectoral cooperation, and ultimately, triggering the elaboration of the mid-term strategy.

b. Informal consultations with those organizations having a MoU in place with the GFCM were held in the context of the cooperative network maintained by the GFCM. This network, which has been established consistent with Article 16 of the GFCM constitutive agreement as well as consistent with the FAO Strategy for Partnerships with Civil Society Organizations, has allowed the GFCM to extend cooperation to a wide array of other organizations and institutions. These include regional seas conventions, neighbouring regional fisheries bodies, non-governmental organizations and academic institutions. Thirteen MoU have been concluded thus far by the GFCM and the list includes (in alphabetical order of acronym):

- The Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic area (hereafter, "ACCOBAMS");
- The Ministerial Conference on Fisheries Cooperation Among African States Bordering the Atlantic (hereafter, "ATLAFCO");
- The Commission on the Protection of the Black Sea Against Pollution (hereafter "BSC");
- The International Center for Advanced Mediterranean Agronomic Studies – Agronomic Institute of Zaragoza (hereafter, "CIHEAM-IAMZ");
- The International Organization for the Development of Fisheries in Central and Eastern Europe (hereafter, "Eurofish");
- The International Council for the Exploration of the Sea (hereafter, "ICES");
- The Centre for Marketing Information and Advisory Services for Fishery Products in the Arab Region (hereafter, "Infosamak"),
- The International Union for Conservation of Nature – Center for Mediterranean Cooperation (hereafter, "IUCN-Med");
- The Mediterranean Advisory Council (hereafter, "MED-AC");
- The Network of Mediterranean marine protected area managers (hereafter, "MedPAN");
- OceanCare;
- The Mediterranean Action Plan of UNEP (hereafter, "UNEP-MAP"); and
- The World Wildlife Fund-Mediterranean (hereafter, "WWF-Med").

All MoU have been adopted following extensive bilateral discussions with each counterpart organization in order to identify relevant areas of cooperation. The negotiating process culminated in the endorsement of the institutional arrangement by the respective governing bodies (where existing). All MoU are currently in force and they are a pillar of the implementation of the mid-term strategy.

c. *See preamble.*

d. *See a.*

e. The mid-term strategy revolves around five targets. These are:
1) Reverse the declining trend of fish stocks through strengthened scientific advice in support of management;
2) Support livelihoods for coastal communities through sustainable small-scale fisheries;
3) Curb illegal unreported and unregulated (hereafter, "IUU") fishing, through a regional plan of action;
4) Minimize and mitigate unwanted interactions between fisheries and marine ecosystems and environment; and
5) Enhance capacity-building and cooperation.
While each target is directly linked to the mandate of the GFCM, it also touches upon, to varying degrees, that of other regional organizations having adopted a MoU with the GFCM. Meeting each of the five targets therefore represents the main driver for cooperation under the mid-term strategy which, in turn, relies on the execution of all MoU in place. This is because areas of cooperation identified under each MoU, and joint actions stemming therefrom, are fully consistent with one or more targets. As an instance, Target 4 primarily relies on the execution of the MoU between GFCM and the two regional seas conventions operating in the Mediterranean and the Black Sea, respectively UNEP-MAP and BSC.[1]

f. *See a and b*.

g. Cooperation is often instrumental to cut costs. In the experience of the GFCM, this has been confirmed by joint activities that have been launched together with other organizations under existing MoU. The same holds true for joint side events and publications. When it comes to the implementation of the mid-term strategy, costs foreseen for the implementation of joint activities will be mainly in-kind, in that time will have to be devoted by the staff in the respective organizations to ensure follow up and action. Some minor expenditures might be needed to organize ad-hoc coordination meetings. However, meeting the targets under the mid-term strategy will prove exceedingly beneficial for all organizations involved. Consequently, all costs to be incurred can be earmarked under existing budgets and resources devoted to annual work-

[1] Having considered the scope of case studies sought through this initiative, information provided under this case study will focus in particular on Target 4 of the mid-term strategy.

plans. For this reason, the mid-term strategy has not been dubbed the "GFCM mid-term strategy". Consistent with the decision by Contracting Parties to the GFCM, which often happen to be Contracting Parties or stakeholders in other organizations having a MoU in place with GFCM, the mid-term strategy must be conceived as a common regional strategy to support riparian countries in assessing progress towards SDG 14.

2. **Objective of Cooperation** (1-2 paragraphs)**:** *What objectives were set for coordinated policy development or institutional cooperation? Please indicate relevant Sustainable Development Goals and associated targets which are relevant to the objectives of this cooperation: In how far does the initiative have the potential to support the implementation of these goals/targets?*

   The mid-term strategy furthers the shared goals of regional organizations engaged in the conservation of marine ecosystems and the sustainable use of marine living resources at the Mediterranean and Black Sea level. Building upon the MoU currently in place, the mid-term strategy provides avenues for coordinated policy development under its five targets, which have been elaborated in a way that tailors UN SDG 14 to the specificities of the Mediterranean and the Black Sea. The grid below clearly details how the expected contributions towards meeting the five targets of the mid-term strategy are relevant vis-à-vis corresponding SDG 14 targets:

Mid-term Strategy Targets	SDG 14 targets
Reverse the declining trend of fish stocks through strengthened scientific advice in support of management	14.2; 14.4;
Support livelihoods for coastal communities through sustainable small-scale fisheries	14.7.b
Curb IUU fishing, through a regional plan of action	14.4; 14.7.c
Minimize and mitigate unwanted interactions between fisheries and marine ecosystems and environment	14.2; 14.5
Enhance capacity-building and cooperation	14.7.a

3. **Dialogue processes/ Cross-sectoral cooperation in practice** (half a page)**:** *Please describe briefly the evolving dialogue processes under the initiative to achieve the set objectives. Who did initially reach out to the other sector organization(s) and how? What were the motives and incentives for their involvement? What were the means of communication and interaction initially and how have they evolved to date? Which other stakeholders (than the ones being formal partners of the initiative) have been consulted in the process and at which level (local, national, regional and global)? What are the format and frequency of meetings and other forms of interaction?*

   Dialogue processes involving the GFCM have evolved over the years in connection with the execution of MoU in place, eventually resulting in a pledge for broader cross-sectoral cooperation in the context of the mid-term strategy. The commitments being agreed upon in various international fora (e.g. UN, CBD, FAO, etc.) have also proven decisive for promoting

synergies at the Mediterranean and Black Sea level. Ultimately, when SDG 14 was adopted, there was a general understanding that no single organization in the Mediterranean and the Black Sea could arguably be in a position to guarantee its swift implementation by working in isolation. The mid-term strategy can be thus regarded as the end result of the increasing pressures made – by States, international organizations, civil society and public opinion – to avoid a piecemeal approach. This was progressively achieved insofar as interactions have evolved over the years, spanning from initial informal consultations to the finalization of formal arrangements (i.e. MoU). As the latter create legitimate expectations, parties concerned are expected to report to relevant stakeholders on progress made in the execution of joint activities (e.g. in the case of the MoU between GFCM and UNEP-MAP, these stakeholders are the national administrations of fisheries and environment). The mid-term strategy raises the bar further and brings about unprecedented opportunities for interaction, such as the upcoming "*High-level United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development*" (5 to 9 June 2017, UN HQs). Consistent with OP3 (d) of UNGA resolution 70/303 on "*Modalities for the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development*", this conference will share the experiences gained at the regional level in the implementation of SDG 14. As far as the Mediterranean and the Black Sea are concerned, this will also include experience gained through the mid-term strategy.

4. **Perceived successful elements of cooperation (*What works?*)** *(max 1 page): How much of the set objective has been achieved to date? What is considered to be a success?/ What are the elements of success in this cooperation? What indicators/benchmarks, if any, were used to measure successful cooperation? If so, results of measuring of the indicators/benchmarks? Possible items for consideration include, but are not limited to: scientific knowledge and data promoting cooperation, setting success criteria, political will and how it could be leveraged, firm agreement in official documents.*

As the mid-term strategy was adopted very recently, it's not yet possible to provide successful elements of cooperation. Nevertheless, having regard to Target 4 of the mid-term strategy, elements of success in the cooperation between GFCM and UNEP-MAP in particular can be considered since they have prepared the ground for this target. In the document GFCM:40/2016/Inf.6 "*GFCM framework for cooperation and arrangements with non-Contracting Parties and party organizations*", which has been submitted at the aforementioned fortieth session of the Commission, a matrix was included by the Secretariats of GFCM and UNEP-MAP to report on the progress made in the execution of their MoU. This contained relevant indicators and benchmarks, such as joint meetings, documents and initiatives undertaken in the execution of the MoU. Among more meaningful results, it is worth mentioning the coordinated work which led to the adoption in 2013 of resolution GFCM/37/2013/1 "*on area based management of fisheries, including through the establishment of Fisheries Restricted Areas (FRAs) in the GFCM convention area and coordination with the UNEP-MAP initiatives on the*

establishment of SPAMIs". This instrument builds upon coordinated technical work by GFCM and UNEP-MAP on area based management tools, with a view to facilitate a concerted approach to the protection of Mediterranean marine biodiversity. Being a resolution formally adopted by the Contracting Parties to the GFCM (which, as far as Mediterranean countries go, are also the same Contracting Parties of UNEP-MAP), this specific result entails strong political will at the level of respective national administrations (i.e. fisheries vs. environment). Other results linked to relevant indicators and benchmarks are reported in the matrix, which is annexed to this case study.

5. **Effort for policy coherence** *(half a page): Was there an effort to pursue a coherent policy between/among the regional organisations/mechanisms, such as a joint policy on marine protected areas, establishment of a sustainable development policy/strategy? If so, please describe such policies. Further, please elaborate on the process of pursuing such policy coherence and how it was achieved, highlighting the key elements for success. If not, please elaborate on a potential need to pursue the development of a coherent policy and its focus/ topic.*

In terms of policy coherence, the mid-term strategy will contribute to the alignment of priorities among the regional organizations committed to meeting the relevant targets therein. This will, in turn, imply efforts to pursue complementary policies, which will vary in relation to the targets in the mid-term strategy. The below grid groups those organizations that are concerned by the five targets set, according to the MoU in place with GFCM, whose priorities are expected to be aligned throughout the implementation of the mid-term strategy.

Mid-term Strategy Target	Organizations concerned
Reverse the declining trend of fish stocks through strengthened scientific advice in support of management	ICES, IUCN-Med, MED-AC, WWF-Med
Support livelihoods for coastal communities through sustainable small-scale fisheries	IUCN-Med, MED-AC, MedPAN, WWF-Med
Curb IUU fishing, through a regional plan of action	ATALFCO, MED-AC, WWF-Med
Minimize and mitigate unwanted interactions between fisheries and marine ecosystems and environment	ACCOBAMS, BCS, IUCN-Med, MedPAN, OceanCare, UNEP-MAP, WWF-Med
Enhance capacity-building and cooperation	CIHEAM-IAMZ, Eurofish, Infosamak

Regarding Target 4, policy coherence is being pursued through the ongoing development of a "*Joint Strategy between ACCOBAMS, FAO/GFCM, UNEP/MAP-RAC/SPA, IUCN-Med and with the collaboration of MedPAN for the spatial conservation and sustainable use of the marine environment in the Mediterranean Sea*", which sets out to investigate ways to pool expertise for the coordinated establishment and management of spatial based measures in the Mediterranean Sea at different governance levels. Whereas the mid-term strategy will hopefully contribute to meeting common targets to minimize and mitigate unwanted interactions between fisheries and marine ecosystems and environment, this instrument envisages

improving policy coherence by: (i) strengthening coordination in the adoption of spatial based management and conservation measures, with particular regard to Mediterranean high seas and deep seas areas; (ii) harmonizing activities in support to marine spatial planning; and (iii) taking advantage of existing agendas to ensure a fully-encompassing approach. A draft proposal of the joint strategy is expected to be submitted to the governing bodies of the organizations involved for endorsement. If endorsed, this will result in unparalleled policy coherence on area-based management tools for the protection and sustainable use of marine biodiversity in the Mediterranean Sea.

6. **Challenges faced *(What doesn't work as planned and why?)*** *(max 1 page); What are challenges faced for cooperation or coordinated policy development between/among organisations? How have these challenges been perceived and identified by collaborating organisations? Possible items for consideration include, but are not limited to: lack of understanding of the mandate of the other partner organization(s) and its operation, limited identification of mutual benefits, difficulties in setting up cooperation/dialogue platform, mobilisation of resources/lack of resources, and difficulties in setting common objectives. Further it is recommended to discuss the gaps in the implementation of the cooperation framework, particularly from the perspective of the Sustainable Development Goals.*

   The main challenge facing enhanced cooperation remains the sectoral approach that has been traditionally promoted under international law of the sea. Discussions on fragmentation of international law in this domain, including at UNGA level, have been extensive as a factual separation exists in the mandates of relevant organizations. Although this is understandable, in that a sectoral approach is based on thematic expertise, there has been a shift towards a holistic vision in recent years, as corroborated by the adoption of SDG 14. Targets set therein are interlinked and, unlike in the past, there is a unique opportunity to now promote commonalities in a transversal fashion. Despite SDG 14's enabling of a cross-sectoral cooperation, political support by countries will remain crucial. Ultimately, the responsibility to harmonize positions in the context of regional organizations in place rests with them. Instruments such as the mid-term strategy are vehicles to improve coordination at the national level and foster internal consultations among different administrations concerned (e.g. fisheries vs. environment). Such instruments represent promising solutions to fill gaps in the implementation of a cooperative framework because in areas like the Mediterranean and the Black Sea, where all relevant institutions have already been established, the priority becomes finding ways to work as a cohesive unit.

7. **Lessons learnt and/or recommendations** (max 1 page, ideally bullet-point style)
   a. *For the initiative: What would be future opportunities for continued or increased cooperation among the organisations in question, particularly from the Sustainable Development Goal perspective? What would need to happen in order to fully achieve the set objectives of the initiative?*

- Ensuring that a regional approach to the implementation of SDG 14 is promoted, building upon ongoing cooperation arrangements (i.e. the MoU) and bearing in mind common priorities and the need for targets which are responsive to the specificities of the Mediterranean and the Black Sea;
- Constant liaison so that cooperating organizations can act as a bridge between the different national administrations concerned with the implementation of SDG 14, primarily, the national administrations in charge of fisheries and environment;
- Awareness of developments in relevant international fora (e.g. "*High-level United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development*") to ensure that progress towards the implementation of SDG 14 is reported in a timely fashion and that regional initiatives are adjusted in line with any guidance provided;
- Joint dissemination of the activities carried out and the results achieved in order to highlight the benefits of enhanced horizontal coordination, which is key to underpinning an ecosystem approach;
- Support to policy coherence through projects/strategies endorsed by relevant governing bodies;
- Cross-sectoral cooperation as a means to bridge the gap among countries with different levels of development, having regard to the current geopolitical situation in the Mediterranean and the Black Sea; to this end, capacity building should be one of the main drivers behind this cooperation and support a concerted approach to the achievement of the SDG 14.

b. <u>For other initiatives</u>*: If other regions are set to embark on cross-sectoral cooperation/ dialogue, what recommendations should be given to them? Thus, what should be considered key elements of success and how should the establishment of such an initiative be approached? What advise can you give to launch an initiative? How can stakeholder engagement from different sectors be achieved? What are the key benefits of cross-sectoral cooperation or the limitations of a purely sectoral approach? How can the most suitable policy and/or legal instruments as well as potentially institutional arrangements be identified? Please also elaborate on how the identified challenges could be overcome based on your experience.*

- Assess whether existing organizations operating in the same region and having shared/similar goals are on the same level in terms of capacity, geographical scope, participating countries, etc. (e.g. a given Regional Fisheries Management Organization and the correspondent Regional Sea Convention);
- Depending on the existence of comparable regional organizations, identify potential areas where cooperation could be promoted in a feasible and

practical manner. This will depend on political willingness of participating countries to support formal cooperation at an intra-governmental level;

- Draw the attention of participating countries to synergies that could be fostered through enhanced cooperation while reminding them of international commitments to which they have agreed in the context of SDG 14, as well as the importance of a regional approach to ensure progress accordingly;
- Look at existing best practices on intra-governmental cooperation and seek the support of participating countries to champion any institutional arrangements that could be adopted by existing organizations operating in the same region;
- Make sure that any form of cooperation is formalized. Informal cooperation is useful for existing organizations, as a first step to better understand their respective roles and identify commonalities, however, insofar as cooperation does not stem from an institutional arrangement (e.g. MoU), little progress might be expected in tackling common issues and priorities.

8. ***References and weblinks*** *– Please list up all reference materials used in the case studies. Weblinks should also be included in this section. Each source should also be clearly referenced in relevant paragraphs of the main text.*

- http://www.fao.org/gfcm/en/ (GFCM website)
- http://www.fao.org/3/a-ax825e.pdf (GFCM Agreement)
- http://www.fao.org/3/a-ax822e.pdf (GFCM Rules of Procedure)
- http://www.fao.org/3/a-i3443e.pdf (FAO Strategy for Partnerships with CSOs)
- http://www.fao.org/3/a-ax392e.pdf (Resolution GFCM/37/2013/1 "*on area based management of fisheries, including through the establishment of Fisheries Restricted Areas (FRAs) in the GFCM convention area and coordination with the UNEP-MAP initiatives on the establishment of SPAMIs*")
- http://www.un.org/depts/los/general_assembly/general_assembly_resolutions.htm (UNGA resolution 70/303 on "*Modalities for the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development*")
- Document GFCM:40/2016/Inf.6 "*GFCM framework for cooperation and arrangements with non-Contracting Parties and party organizations*"
- *Resolution GFCM/40/2016/2 for a mid-term strategy (2017–2020) towards the sustainability of Mediterranean and Black Sea fisheries*
- https://www.cbd.int/doc/?meeting=SOIOM-2016-01 (Outcome of the Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating Progress towards the Aichi Biodiversity Targets, held in Seoul from 26 to 28 September 2016 - "*Seoul Outcome*")

MATRIX ON THE PROGRESS IN THE EXECUTION OF THE MOU BETWEEN GFCM AND UNEP/MAP

***Note to the reader*:**

Green colour is used in the second column when implementation of activities has been undertaken/is being undertaken

Red colour is used in the second column when no activity has been undertaken

Black colour is used in the first and the third colour to list areas of cooperation and outcomes/plans thus far

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
Promoting ecosystem-based approaches for the conservation of the marine and coastal environment and ecosystems and the sustainable use of its living and natural resources	Contribute to the formulation/implementation of a regional framework strategy based on the ecosystem approach and on agreed indicators and reference points (ecological, biological, etc.) to monitor the status of the marine environment and coastal ecosystems and that of marine living natural resources (ONGOING)	- First MedSuit Regional Workshop (November 2014) which led to the proposal of common indicators to measure GES for commercially exploited fisheries in the Mediterranean Sea. - GFCM inputs to the EcAp process in relation to EO3. - COP 19 adopted the Mediterranean Integrated Monitoring and Assessment Programme. For EO3, indicators were proposed by GFCM. Further collaboration required to develop the monitoring and assessment programme for EO 4 and 6. - COP 19 Decision on IMAP put the obligation on the Mediterranean countries to develop national monitoring programmes in line with IMAP. In this regard, collaboration MAP/GFCM should continue further in providing coordinated support to countries, as well as using, where appropriate, regional assessment approaches for EO3.
	Cooperate in undertaking assessments of the state of marine environment and ecosystems and of marine living resources, including socio-economic aspects relating to the impact of the exploitation of fisheries on the marine environment and ecosystems, the impact of the establishment of marine protected areas on marine living resources, and the impact of coastal and marine aquaculture (ONGOING)	- GFCM Working Group on MPAs (met twice already). - Creation of an intra-governmental network on MPA-related issues. - Regional Conference on Small-Scale Fisheries, including a panel on the integration of SSF into MPAs. - Collection of socio-economic data on fisheries. - Preparation of a socio-economic report by MAP (Plan Bleu) addressing fisheries.

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
		- Exchange of data, information and collaborative approaches between both organizations
	Collaborate in the formulation/development and implementation of key regional strategies to integrate the environment within social and economic development, especially in relation to fisheries and aquaculture (ONGOING)	- Joint Strategy between ACCOBAMS, GFCM, UNEP/MAP-RAC/SPA, IUCN, and MedPAN for the spatial conservation and sustainable use of the marine environment in the Mediterranean (first draft prepared and expected to be reviewed in a joint meeting in May 2016). - The background document for the Joint Strategy addressing mandates of each organization finalized. - Bilateral consultation on the development of GFCM recommendations to ensure compatibility with the Barcelona Convention and the SPA/BD Protocol.
Mitigating the impact of fisheries and aquaculture activities on the marine habitats and species	Collaborate in the elaboration, including extra-budgetary fundraising, of a joint regional project on the evaluation and mitigation of by-catch of endangered and non-target species and of the impact of fishing gears on marine habitats (ONGOING)	- GFCM has finalized a proposal for a monitoring programme on by-catch which will be submitted to the Commission at its fortieth session - Under ActionMed Project, socio-economic analysis included for pollution prevention/reduction measures related to aquaculture. - Joint ACCOBAMS-GFCM project on mitigating the interactions between endangered species (cetaceans, marine turtles, marine birds and cartilaginous fishes) and fishing activities with RAC/SPA as partner
	Consider initiatives to develop the concept of marine spatial planning in a manner that takes into account fisheries and aquaculture activities, activities for the preservation of marine habitats and associated species, and possible conflicts between these activities and other uses of the sea (e.g. shipping, marine renewable energies, etc.) (ONGOING) Exchange data and information on deep see habitats in order to further the knowledge of these habitats, their biodiversity and their living resources for the purpose of better management (ONGOING)	- Joint Strategy between ACCOBAMS, GFCM, UNEP/MAP-RAC/SPA, IUCN, and MedPAN for the spatial conservation and sustainable use of the marine environment in the Mediterranean. - UNEP/MAP is participating in two projects funded by the EC related to MSP: WestMED led by France and EastMed led by Italy. Possible GFCM participation is being explored. - GFCM is collecting additional information on deep sea fisheries in the Mediterranean Sea and this will appear in the upcoming FAO publication on deep-sea fisheries.
	Collaborate in initiatives that raise awareness and mitigate major impacts such as those related to reduce amount of	- UNEP/MAP has prepared a project funded by the EU on marine litter management. The project aims at

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
	fishing gear as litter, etc.	establishing a coordination mechanism for the ML regional Plan as well as promoting best practices in fishing for litter. The project is expected to start in July 2016. GFCM participation in the coordination group and other project activities is expected.
Identification, protection and management of ecologically or biologically significant marine areas (EBSAs), marine areas of particular importance (hot spots of biodiversity, areas with sensitive habitats, essential fish habitats, areas of importance for fisheries and/or for the conservation of endangered species, coastal wetlands)	Enhance collaboration with other relevant organizations as appropriate, including those whereby other MoUs have been signed, to create a common regional database of sites of particular importance for biodiversity conservation and for fisheries management, complementary to and coherent with the MAP database on pollution and biodiversity monitoring (ONGOING)	- Both UNEP/MAP and GFCM have concluded additional MOU, such with ACCOBAMS, IUCN and Black Sea Commission, which provide the grounds for fostering cooperation towards the establishment of a regional database or the compilation of existing databases. Further collaboration with SPA/RAC and INFO/RAC is needed to enhance information systems and data sharing.
	With regard, respectively, to the Specially Protected Areas of Mediterranean Importance (SPAMIs) and the Fisheries Restricted Areas (FRAs), in particular those located partially or wholly on the Areas Beyond National Jurisdiction (ABNJ), the Parties will collaborate to harmonize existing respective criteria to identify those areas, for the cases where their location may be coincident and in the selection of mechanisms needed for their establishment (ONGOING)	- Resolution GFCM/37/2013/1on area based management of fisheries, including through the establishment of Fisheries Restricted Areas (FRAs) in the GFCM convention area and coordination with the UNEP/MAP initiatives on the establishment of SPAMIs - The Joint Strategy for the spatial conservation and sustainable use of the marine environment in the Mediterranean is expected to address also issues related to SPAMIs, FRAs including those located wholly or partially in ABNJs.
	The Parties will cooperate to promote respective Parties adoption of eventual Management Schemes developed within SPAMIs and FRAs to ensure that measures are consistent with the objectives pursued and are respectful to the mandates of both organizations. Measures with potential impact on fisheries in SPAMIs will be discussed by the Parties with the spirit of optimizing common goals	- COP 19 adopted the Roadmap for a Comprehensive Coherent Network of Well-Managed MPAs to Achieve Aichi Target 11 in the Mediterranean, which recommends to the Parties to identify and propose area-based conservation/management measures for listing in the regionally recognized area-based management classifications, including SPAMIs and FRAs. The roadmap also encourages regional organizations, such as MAP and GFCM, to facilitate for joint scientific surveys in Mediterranean high sea zones with the view of providing data for the establishment of SPAMIs, FRAs or the implementation of other relevant area-based conservation measures.
	Monitor the status of the species listed in	- Joint ACCOBAMS-GFCM project on

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
	Annexes 2 and 3 to the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean; pursue activities to ensure that exploitation of all species included in Annex 3 is regulated, following Article 12, paragraph 4 of the SPA/BD Protocol	mitigating the interactions between endangered species (cetaceans, marine turtles, marine birds and cartilaginous fishes) and fishing activities, with RAC/SPA as partner. - Promote existing research proposals developed under the regional cartilaginous Action Plan to funding agencies (PoW 2016-2017).
	Cooperate in undertaking assessments of the state of coastal lagoons and other relevant coastal wetlands to be used for the formulation and dissemination of sustainable management measures and sustainable use of its living resources (ONGOING)	- GFCM publication on coastal lagoons
Integrated Maritime Policy	Study the impacts of climate change on the marine environment and ecosystems and their marine living resources (ONGOING)	- UNEP/MAP will prepare and publish the Quality Status Report in 2017. Efforts will be made to also address the impacts of climate change.
	Contribute to the formulation and adoption of appropriate fisheries and aquaculture adaptation and mitigation measures to climate change in relation to the environment, and including enhancing knowledge and communication (ONGOING)	- COP 19 adopted the Regional Strategic Framework on Climate Change Adaptation in the Mediterranean.
	Strengthening scientific advice on issues of common interest, including the negative effects of pollution of the marine environment and ecosystems on marine living resources and ways to better address cumulative impacts (ONGOING)	- The GFCM SAC has devoted significant attention to this topic at its last sessions, including with regard to issues such as alien species. - The GFCM is in the process of entering into a MOU with OceanCare with a view, among others, to addressing the issue of ocean noise pollution, thus contributing to the EcAp process further. - COP 19 adopted IMAP and candidate indicators related to noise that were developed together with ACCOBAMS.
	Explore new fields of investigation applied to the conservation of the marine environment and marine ecosystems and the sustainable use of marine living resources to promote an integrated approach to environmental and fisheries related issues (ONGOING)	- The GFCM has been following with attention the consultations in NY for a legally binding agreement on the protection of marine biodiversity in ABNJ, which is expected to also include fisheries
	Collaborate in initiatives related to the implementation and monitoring of the Integrated Coastal Zone Management (ICZM) approach and marine spatial planning as well as other zoning approaches	- Both GFCM and UNEP/MAP are very active in the context of DG MARE meetings on ICZM and have been observers to the MSP EU funded

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
	(ONGOING)	project on the Adriatic-Ionian initiative.
	Develop and implement a joint pilot project	- New above-mentioned projects on MSP EastMed and WestMed offer opportunities to develop a pilot project.
Legal, institutional and policy related cooperation	Consult regularly on policy issues of common interest to identify synergies (ONGOING)	- There is constant ongoing consultation.
	Promote exchanges of information and data as appropriate, and share the results of this cooperation through a website (ONGOING)	- There is constant ongoing exchange of information and data.
	Participate (as permanent member in the case of the GFCM) to the Mediterranean Commission on Sustainable Development so as to formulate sustainable development frameworks and guidelines for coastal areas management (ONGOING)	- The GFCM has been participating in the work of the Mediterranean Commission on Sustainable Development - UNEP/MAP has been participating in the meetings of GFCM and its committees, increased presence is being considered.
	Exchange views regarding the governance of the Mediterranean, with particular regard to those areas located beyond national jurisdiction and take part, where possible, in ongoing initiatives aimed at improving said governance (ONGOING)	- There is constant exchange of views and participation in joint initiatives.
	Organize joint side events, where necessary and including together with other organizations, while attending meetings held in other international fora that could be relevant to the further promotion of the goals and objectives of this MoU (ONGOING)	- UNEP/MAP and GFCM participated and made a joint presentation in the Ocean Governance Worksop held in Brussels in November 2015 and co-organized by UNEP and the EC.
	Promote cooperation and exchange of information at the level of their compliance committees, as set up under UNEP/MAP and the GFCM framework, to address issues of common concern (discharges into sea, illegal, unreported and unregulated [IUU] fishing, etc.)	- Consider the possibility for organizing back to back meeting as appropriate for the CoC and exchange information of common interests
	Be involved, as appropriate, in those projects implemented by the other Party (ONGOING)	- There is constant involvement in the respective projects.
	Be invited to regional/sub-regional meetings and subsidiary bodies meetings of interest as organized respectively by each Party, such as SPA/RAC meetings and	- There are regular invitations sent.

AREA OF COOPERATION	ACTIVITIES CARRIED OUT/ONGOING	OUTCOMES/PLANS THUS FAR
	meetings related to the implementation of the ecosystem approach (ONGOING)	
	Coordinate positions within international fora which involve both Parties	- Consider organizing a joint side event at CBD fora to demonstrate the established cooperation MAP/GFCM in the Mediterranean and its added value for the conservation of marine biodiversity.

CASE STUDY: HELCOM cross sectoral cooperation and partnerships on clean and safe Baltic Sea shipping

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Abstract
Clean shipping a prime example of a marine management topic calling for good coordination between different national administrations, across international and regional cooperation structures as well as partnerships between "private" and "public" fields of human activity.

In the Baltic Sea and the Helsinki Commission (HELCOM) such cross –sectoral cooperation and partnerships on clean shipping have emerged as a particularly successful dimension of long term regional cooperation.

Recent regulatory breakthroughs at IMO facilitated by this regional cooperation include the 2016 decisions to reduce NOx emissions and sewage discharges from ships to the Baltic Sea as well as ship´s ballast water mediated introductions of invasive species globally. The IMO rules on SOx emissions reduction for the Baltic Sea agreed in 1997, revised in 2008 and fully implemented in 2015, bringing health benefits for the citizens in the region and improving the marine environment via the use of cleaner fuels, is another example of a major regulatory development prepared within HELCOM.

Partnerships between the maritime and environmental authorities in the region, the industry and environmental NGOs have been essential in these recent developments in the region, but also earlier.

This case study aims to inspire contributions to global goals via regional cooperation on clean and safe shipping in other sea areas, regional seas conventions and action programmes by giving an overview and lessons learned of the HELCOM cooperation on cleaner and safer shipping in the Baltic Sea.

1. Introduction

Maritime traffic, or shipping, is one of the most common uses of world's seas and a necessity for the global economy (UNCTAD 2016). It is also a source of pollution, and thus among the key human activities to be addressed in initiatives aiming for cross-sectoral, ecosystem based marine management (Rice et al. 2005; Sherman and Duda 1999). Ecosystem approach to management of human activities is best applied on a sea basin scale (Rice et al. 2005; UNEP 1975; Sherman and Duda 1999).

However, due to its global nature and the strong mandate of the UN International Maritime Organization (IMO), ship traffic is a topic which is rarely addressed in substance and systematically within a regional organization beyond response arrangements to accidental spills (UNEP 2016). One exception to this general rule is the Baltic Sea and the Helsinki Commission (HELCOM, www.helcom.fi) where substantial work on clean and safe shipping is carried out on a regular basis by the coastal countries and EU (HELCOM 2010b). Consequently, we present HELCOM work as an example that effective cross sectoral cooperation on ship based pollution can be carried out within a regional seas convention for the benefit of the marine environment and according to the existing maritime law.

Even if purely regional recommendations have occasionally been adopted, the core of the clean shipping work within HELCOM has been, based on the HELCOM Convention Annex IV, to support IMO processes by the preparation of proposals for new measures, and regionally harmonized implementation of existing, global regulations by the Baltic Sea coastal states within a number of topics. This includes designation and implementation of MARPOL "special areas" where more stringent regulations apply.

This strong link to IMO work has practically eliminated concerns of a separate and parallel regional regime in the Baltic Sea due to HELCOM work. In contrast, it can be argued that IMO has benefited of the initiatives emerging from the Baltic, including in the work to develop environmental regulation of shipping globally.

For the Baltic Sea the benefits of the intense regional cooperation on clean and safe shipping are evident. Largely due to this synergy with IMO work, environmental issues related to maritime traffic in the Baltic Sea has been one of the most efficient areas of HELCOM work. Over the years several successful initiatives on cleaner shipping have been launched from the Baltic Sea and the HELCOM maritime cooperation to IMO (see Annex 1).

Two milestones reached in 2016 include IMO decisions on the Baltic Sea as a MARPOL (Anon. 1978) special area for sewage from passenger ships (MARPOL Annex IV) and NOx emissions from ships (MARPOL Annex VI), the latter complementing the 1997 designation of the Baltic Sea as SOx Emission Control Area. These decisions will cut nutrient loads and thus reduce marine eutrophication, a key environmental issue in the Baltic Sea (HELCOM 2010a; HELCOM 2007).

HELCOM provided a platform for the coastal countries of the Baltic Sea (Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Sweden and Russia) to discuss and agree on appropriate action towards IMO for these two measures for approval by IMO members. As binding agreements, the measures will make a concrete positive contribution to the implementation of HELCOM Baltic Sea Action Plan (2007), to achieve a good environmental status by 2021, and the 2030 Agenda for Sustainable Development of the UN.

Another milestone is the upcoming IMO Ballast Water Convention (Anon. 2004) entry into force on 8.9.2017 based on the fulfillment of the tonnage criteria by the September 2016 ratification by Finland, a Baltic Sea country. Based on agreement at HELCOM, Denmark, Finland, Germany, Sweden and Russia have ratified the convention by 2016 and the remaining Baltic Sea coastal countries are all in different stages of the ratification process. The implementation of this convention will safeguard Baltic Sea biodiversity from ballast-mediated invasive species.

Besides vertical coordination needs, from global IMO to regional and national levels, clean shipping is also, like environmental issues related to fisheries (UNEP 2016), a prime example of a marine management topic calling for good coordination across different national administrations as well as between "private" and "public" fields of human activity. In order to enable substantial progress in such a context the HELCOM intergovernmental cooperation on maritime issues has developed into a close partnership between the maritime and environmental authorities, industry and environmental NGOs.

In order to inspire cooperation on clean and safe shipping in other sea areas and regional seas conventions and action programmes, this case study aims to give the reader an overview of the HELCOM cross sectoral cooperation on cleaner and safer shipping in the Baltic Sea. The focus is the work within the maritime working group, the dedicated advisory body of HELCOM.

Even if every region and context are different we hope that some of the lessons learned have general validity. We will for this reason conclude with some overall suggestions to regional initiatives on intergovernmental clean shipping cooperation based on experiences from the Baltic Sea.

2. Baltic Sea maritime cooperation as an example of cross sectoral cooperation

The HELCOM Maritime group embodies cross sectoral cooperation over three main dimensions where the national administrations from environment and transport, as well as the European Commission representing the European Union, industry groupings and other non-governmental organizations, have learned to work together regionally and globally to ensure sustainability of maritime transport in the Baltic Sea.

The first dimension of this cross sectoral work is across the different national and EU administrations. In contrast to some other fields of HELCOM work the national delegations to the Maritime working group have since the start been mainly from national maritime authorities or their parent ministries responsible for transport matters -as this is where concrete regulation of sea based pollution sources is prepared nationally. Since the adoption of the revised 1992 Convention on the protection of the marine environment of the Baltic Sea (Helsinki Convention) (Birnie 1996; HELCOM 1992) also industry groupings and NGOs have had access to the maritime group as observers and participate actively to the concrete work.

The second dimension is across public administration and industry as efficient participation of the relevant industry, particularly ship-owners, including the European ship-owners´association ECSA, and ports, including the Baltic Ports Organisation (BPO) and the European Sea Ports Organisation (ESPO), is crucial in order to make a real world impact. Also other non-governmental bodies such as environmental organisations have an important role. Particularly the involvement and activity of industry observers within HELCOM has expanded over the years and recent initiatives have drawn several new stakeholders to the process. An example is the Cruise Lines International Association (CLIA), which has contributed substantially to the regional work on sewage from passenger ships. Nominations to the group are done nationally or by the central Observer contact points and the Secretariat keeps the lists of members updated.

Full list of industry and civil society observers participating in HELOCM maritime work can be found in Annex 2.

The third dimension is across different levels of governance from global to regional and national. Regulation of pollution from ships is an international matter under International Maritime Organization (IMO) and regulated by a number of IMO Conventions, particularly the International Convention for the Prevention of Pollution from Ships (MARPOL) but also other treaties. Due to this fact a large part of the practical work within the group has always been ensuring efficient and early regional implementation of IMO decisions, particularly MARPOL and the Ballast Water Management Convention, as well as preparations for new initiatives to IMO.

In addition to IMO also the European Union has grown in importance for environmental regulation of shipping in the Baltic Sea region. Even if EU is not a signatory of IMO instruments such as MARPOL, EU is based on European legislation competent in some issues such as SOx emissions from ships as well as port reception facilities, which requires coordination by the Baltic Sea EU Member States in these fields.

3. Description of arrangement: what approach has been taken?

The Baltic Sea Marine Environment Protection Commission (HELCOM) works on regional aspects of sea based pollution sources, including operational pollution from ships, based on the Helsinki Convention (originally signed 1974, revised in 1992) ratified by the coastal countries of the Baltic Sea (Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Sweden, Russia) and the EU.

The regional HELCOM Maritime working group (hereafter maritime group) was established in 1975 to advise the Commission in matters related to pollution from ships, especially on the implementation of what are today 1992 Helsinki Convention Articles 8-12[2] and Annexes IV "Prevention of pollution from ships" and VI "Prevention of pollution from offshore activities". Even if the cooperation has thus been facilitated by an explicit legal mandate later experience has shown that similar work can also be carried out without such explicit mandate under the more general provisions of the Convention.

[2] 8 "Prevention of pollution from ships", 9 "Pleasure craft", 10 "Prohibition of incineration", 11 "Prevention of dumping", 12 "Exploration and exploitation of the seabed and its subsoil"

As pollution from ships was included as an integral part of 1974 Helsinki Convention with a dedicated Annex and thus in the work of HELCOM by the coastal countries already during the preparations of the Diplomatic Conference of 1974 it is challenging to identify details of the original motives. It is true that in some other regions like the North East Atlantic, but also elsewhere, pollution from ships was left outside formal regional cooperation with the motivation that ship pollution is dealt with at IMO.

Based on available meeting records the initiative to establish a dedicated maritime group came in 1975 from Sweden. The first meeting of the HELCOM maritime group was consequently organized in Stockholm, Sweden 1976 chaired by Mr. Per Eriksson of the Swedish National Administration of Shipping and Navigation (HELCOM 1976). It is worthwhile to note that all coastal countries attended and the national delegations included the competent national shipping authorities, not only environmental ministries or authorities. Further, even if formal observer arrangements for NGOs did not exist, shipping industry was present as Maersk attended as part of the Danish delegation and the Finnish ship owners participated as part of the Finnish delegation (HELCOM 1976).

The maritime authorities of the Baltic Sea countries were thus themselves supportive of this dimension of HELCOM cooperation, possibly even behind it. A likely incentive and motive to continue the cooperation is the still existing practical need for a regional cooperation and coordination platform on sea based pollution, including the need to ensure the efficient implementation of existing, and regional coordination of new, IMO initiatives.

4. Objective of Cooperation

In terms of substance and concrete decisions the core task of HELCOM maritime cooperation is to protect the Baltic Sea Area from pollution from ships (Helsinki Convention, Article 8). This is a wide task and naturally includes many different elements and sub-tasks. Some of the overall key issues which have been on the agenda over a number of years and where success is indisputable include reduction of airborne emissions (NOx and SOx), sewage discharges, matters related to ballast water management as well as oil pollution from ships operating in the Baltic Sea.

These topics involve naturally several sub-topics including port reception of wastes, on-board technology, enforcement (including how to implement exception clauses) and monitoring.

According to its Terms of Reference the maritime group aims to discharge its duties in advising the Helsinki Commission by:

- Identification of current and emerging issues related to sea-based sources of pollution and proposals for actions to limit emissions and discharges,

- Identification of current and emerging issues related to maritime safety and proposals to enhance the safety of navigation with a view to prevent pollution from ships,

- Ensuring successful convictions of offenders of anti-pollution regulations

- Co-operating with other international organizations

The Sustainable Development Goals and associated targets which maritime group directly supports in implementing include: prevent and significantly reduce marine pollution of all kinds by 2025 (target 14.1); sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts by 2020 (14.2); enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea (14c); substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination by 2030 (3.9); upgrade infrastructure and retrofit industries to make them sustainable, with increased resource-use efficiency and greater adoption of clean and environmentally sound technologies and industrial processes, with all countries taking action in accordance with their respective capabilities (9.4);.

5. Dialogue Process/ Cross sectoral cooperation in practice

The overall lead of the work of the HELCOM Maritime working group is the Chair, elected by the meeting participants on a biannual basis, who is supported by two vice-chairs. The Secretariat

provides overall support to the Chair but has also the power to submit initiatives for the consideration by the group.

The group is formally an advisory body to the Helsinki Commission, the main decision making body of HELCOM. Final decisions on adoption and decisions on publishing material prepared (excluding information material), are taken by the Commission or intersessional meetings by the Heads of Delegations (HODs).

As has been described above, a large majority of national delegations represent different ministries than those attending the decision making body. There is nevertheless well functioning coordination of national (governmental) positions and a high perceived ownership by the transport authorities, likely supported by the fact that the maritime working group has, according to the established rules, certain autonomy within the remit of its terms of reference and work programme. Based on the work programme the group can e.g. establish intersessional Correspondence Groups by itself, to prepare material for the next meeting, or propose a new topic for the meeting.

The group can also delegate tasks and rely on the reporting from a number of long and short term sub-groups on specific topics, meeting in person. Currently these include sub groups on Port Reception Facilities, Safety of Navigation, Automatic Identification System (AIS) ship position data, Ballast Water Management, and Clean Ship Technology/Alternative Fuels.

There is no dedicated budget for the Maritime group beyond the salary of the Professional Staff at the Secretariat, who is also responsible for other similar groups. Based on need the Executive Secretary and the Heads of Delegation may use smaller funds from HELCOM general fund for dedicated projects.

Based on common priorities the individual Contracting Parties may also fund specific activities they are interested in. Targeted externally funded smaller and larger projects are also applied by HELCOM with substance preparations carried out by the Secretariat.

Physical meetings are important as this is where the competent national authorities and observers can meet their counterparts, forge regional agreement and simply build human relationships and mutual trust. Internet-based communication facilitates intersessional information exchange.

Meetings of the main maritime group, as well as the sub groups, take place in general once per year.
Costs for participating in meetings are outside HELCOM budget and handled nationally.

In 1992, following the Soviet Union break-up, and the signing of the new Convention by all the Baltic Sea states, including the Russian Federation, Estonia, Latvia and Lithuania as well as the European Commission on behalf of the European Union, the Group expanded to cover all the new Baltic States, the European Commission, as well as industry and civil society observers. The inclusion and increased activity of industry and environmental stakeholder representatives to the group since 1992 (see Annex 2) has developed the original inter-state cooperation to a transparent and flexible regional platform with considerable public-private interaction and partnerships.

This essential synergy with IMO work is facilitated by the fact that the same organizations, in some cases even the same persons, attending the maritime group are also attending the relevant IMO bodies, especially the IMO Marine Environment Protection Committee (MEPC).

6. Examples of recent issues considered within the group

Examples of recent issues considered within the group include reduction of airborne emissions (NOx and SOx), sewage discharges, matters related to ballast water management as well as oil pollution from ships operating in the Baltic Sea. An overall compilation of HELCOM maritime activities and milestones during 1975-2016 is included as Annex 1.

Sewage from Passenger Ships

As one of the latest[3] regulatory steps to reduce sewage pollution from passenger ships the IMO designated in 2011 the entire Baltic Sea as a special area for sewage emissions from passenger ships vis-a-vis MARPOL Annex IV, based on an application developed within the Group. Prior 2011, the exiting, at that time, international law did not provide a basis for establishment of such

[3] Earliest include e.g. HELCOM Recommendation 1/1 (1980) "Recommendation Concerning Measures To Ensure The Use Of Reception Facilities For Wastes From Ships" (superseded)

special areas beyond territorial waters anywhere in the world, which has changed with amending MARPOL upon a proposal by the Baltic Sea countries.

According to the 2011 IMO decision the enforcement dates of the special area status was depending on a notification on the availability of adequate port reception facilities for sewage in the region, Accordingly, the maritime group launched a regional cooperation platform on port reception facilities for sewage which provided an overview of the situation in the region and shared best practices. Importantly this cooperation has included partnerships with industry, both ports (BPO & ESPO) as well as ship owners/operators (CLIA and Interferry), and WWF.

As a result of regional developments from this initiative, but also previous work carried out within the maritime group, the coastal countries could inform to IMO MEPC in April 2016 that the port reception facilities for sewage in the Baltic Sea passenger ports were considered as adequate (IMO 2016b). IMO consequently decided that the MARPOL Annex IV Baltic Sea special area regulations for passenger ships would be effective from 2019 for new ships and 2021 for existing ships (IMO 2016c). A two year extension to 2023 was agreed for direct voyages between St. Petersburg area in Russia and the North Sea (IMO 2016c).

The coastal countries have thus initiated a new binding legal regime under IMO, which will practically eliminate discharges of untreated sewage in the Baltic Sea, largely via cooperation within the HELCOM maritime group.

Airborne emissions/exhaust gases

The maritime group has prepared two successful proposals for IMO MARPOL special area measures to reduce exhaust gas emissions from ships (MARPOL Annex VI).

A proposal for a special area status for the Baltic Sea in terms of Sulphur Oxide (SOx) emission was prepared and submitted to IMO in 1990s (adopted in 1997). The group has also worked on harmonized regional implementation and enforcement of SOx Emission Control Area (SECA) rules. The revised MARPOL Annex VI adopted by IMO in 2008 brought stricter SOx emission regulations which entered into force in 2015 , The implementation of this regulation in the Baltic Sea SECA area has reduced SOx emissions from ships by more than 90% of the emissions level ten years ago (Johansson and Jalkanen 2016).

A similar proposal for a Nitrogen Oxide (NOx) special area was prepared 2007-2016 and submitted to and adopted by IMO in 2016 (IMO 2016a). This regulation covers new ships and will be enforced ~~to~~ new ships built 2021 or after and will require that these ships use technology, or alternative fuels such as LNG, which can cut NOx emissions in the order of 80%.

Other purely regional means to address airborne exhaust gases have also been agreed, including regional recommendations on economic incentives for environmentally friendly ships as well as the new cooperation on promoting increased use of green ship technology and alternative fuels. An annual report by the Finnish Meteorological Institute on emissions from shipping in the region (e.g. Johansson and Jalkanen 2016) has been an important basis for overall maritime group discussions on airborne emissions.

Ballast Water Management

Another current topic is ballast water of ships -an important carrier of harmful aquatic alien species globally but also in the Baltic Sea. Since 2004 the region has been preparing for the entry into force of the IMO Ballast Water Management Convention including the drafting of a series of IMO circulars on Ballast water exchange together with other regional sea conventions in Europe, as well drafting and adoption of a comprehensive harmonized regional procedure to granting exemptions from the requirements of the BWMC (HELCOM 2016b). HELCOM has cooperated closely with OSPAR Commission for the protection of the North-East Atlantic on the topic and had a joint sub-group on exemptions since 2012.

The latter incorporates a regional list of target species, port sampling protocol, risk assessment model and the needed administrative aspects (HELCOM & OSPAR 2013). The joint, freely accessible HELCOM/OSPAR online system includes a fully operational risk assessment tool and port species database. It aims to smooth the way for ratification and provide for effective and harmonized implementation for the benefit of the Baltic Sea marine environment. The harmonized approaches provide also predictability and likely cost savings for the involved parties.

Oil pollution

Reduction of operational oil spills from ships was an early focus topic of the maritime group and among the clearly visible success stories of clean shipping in the Baltic Sea. The coastal countries have made joint efforts i.a. to ensure adequate port reception facilities for oily waste and organization of aerial surveillance to detect elicit activities and enable persecution of polluters. As

a result the number of observed oil spills from ships has reduced by more than 90% compared to the levels of late 1980s/ early 1990s, from more than a thousand to less than a hundred (HELCOM 2016a).

7. Perceived successful elements of cooperation

A common feature to the successes of the HELCOM maritime cooperation is that they are the result of persistent work by the competent authorities of the coastal countries and observers over a long period of time and using all the available means from informal discussions, regional recommendations to binding IMO regulation. Long-term perspective to the work enables building competence and understanding of the existing governance framework at all levels both within the HELCOM Secretariat, the group and the whole organization.

The maritime group, an enabling factor, continues to attract the competent national authorities as well as other stakeholders for a truly cross sectoral cooperation on clean and safe shipping. Besides the substantial progress in clean shipping this can in itself be seen as a success.

8. Efforts for policy coherence

Firstly, the mentioned coherence with global work within IMO is a key feature for any successful work to reduce pollution from ships regionally. This has been a precondition for HELCOM maritime work and is mainly ensured by the involvement of the same authorities representing coastal states at IMO as well as by the Secretariat.

The second priority is national coordination. As the Maritime group is embedded within the HELCOM framework the work on ensuring policy coherence takes place within national cross sectoral correspondence commonly carried out when preparing for HELCOM meetings, for the maritime group as well as other groups. This fertilization of national cross sectoral cooperation, commonly out of sight in international arenas, is likely a key success factor for regional cooperation on reducing ship pollution in the Baltic Sea.

As eight out of the nine coastal countries are also members of the EU coherence with European policy processes is also important, especially in areas where EU has competence.

In terms of policy coherence across organizations HELCOM maritime group has, besides mentioned observer arrangements with industry groupings, created close cooperation and joint

initiatives with relevant regional intergovernmental cooperation structures including the Baltic Sea Hydrography Commission (BSHC) of the International Hydrographic Organization (IHO) who is implementing the joint HELCOM-BSHC re-survey plan to ensure safety of navigation, and thus avoiding polluting accidents, via better sea charts in the Baltic Sea. Also the Baltic Pilotage Authorities Commission (BPAC) has actively participated in the work of the maritime group.

Some of the coastal countries are also members of nearby regional organizations. In the HELCOM case this means especially the OSPAR cooperation for the North East Atlantic and via Russia the Black Sea as well as the geographically more distant North-West Pacific. In some issues like Ballast water, synergies with OSPAR have been optimized by a joint group as well as joint recommendations and policy documents. The global network of regional sea conventions and actions plans under UN-Environment is also important as it provides a unique and common platform for exchanging experiences and finding synergies with other sea-basin regions working with, or interested in, ship pollution such the Mediterranean covered by REMPEC cooperation.

9. Challenges faced

Maritime traffic, like all human activities, societies and technology is changing at an accelerating speed. Consequently national priorities and support to various forms of regional cooperation will change over time. Flexibility and adaptation of agendas and structures are needed if cooperation structures, including HELCOM work in clean shipping, are to retain relevance. In the Baltic Sea the strengthening of EU cooperation on shipping as well as relevant work within the macroregional EU strategy for the Baltic Sea region (EU SBSR) (EC 2009), has required adjustments to the modes of HELCOM work on clean shipping to cater for coastal countries active in the EU fora.

In general the Baltic Sea is an area with a high number of cooperation structures for both different coastal country national administrations, regions and cities, industry sectors and the civil society. International research projects and other initiatives add to the mix. This complex network of interactions makes it challenging to be fully aware of all the different activities and ensure synergies while limiting overlap.

However, as true progress needs all available resources the high level of activity in the region is in the end a positive factor. The key players in ensuring coherence in such a set-up are naturally the national delegations and administrations wherever they work, in different cooperation structures at different levels in the region and internationally.

10. Lessons learned/recommendations

For the HELCOM Maritime cooperation

The task to minimize pollution from human activities such as shipping is a continuous one which will likely always be needed in the Baltic Sea region and elsewhere. However, this work can be carried out in many different ways and within various organizational arrangements. Even if the Helsinki Convention provides a formal incentive the HELCOM maritime group will continue its substantial work only as long as the Contracting Parties, particularly the competent authorities of the Contracting Parties, find it as a useful arena. This fact calls for constant renewal of the forms of cooperation and agenda setting to cater for the needs of the HELCOM members, namely the coastal states and the EU.

This includes providing innovative solutions to the implementation of existing regulations as well as keeping a constant eye on new scientific observations of potential environmental threats related to shipping, as well as new technological and operational innovations providing solutions to the identified threats. Actions to address other human activities at sea as well as on land may influence future agenda as well. HELCOM holistic assessments of the status and pressures on the marine environment and overviews of maritime activities provide a broader context to pursuing clean shipping in the Baltic Sea.

For other initiatives:
One overall conclusion that could be drawn is that effective cooperation on clean shipping can be organized on a sea basin scale and within existing regional cooperation structures. A mandate and legitimacy to regionally deal with a clean shipping topic, or some aspects of it, is a decision of coastal countries concerned irrespective if already part, or not, of the current regional mandate.

From the experience in the Baltic maritime cooperation, one can conclude that a similar cross-sectorial cooperation mechanism or approach could be utilized for other topics that need to be

addressed to achieve regional targets related to oceans and seas and thus contribute to the 2030 Agenda. This is already practiced within HELCOM, based on more or less explicit mandate in the Helsinki Convention, regarding response to pollution accidents, fisheries and aquaculture, agriculture, and maritime spatial planning jointly with VASAB.

Based on the regional work within the HELCOM maritime group the following general recommendations could be highlighted:

- Ensure the participation and direct involvement of the competent national authority or authorities of the subject matter at hand.
- Ensure the participation of the key industry and civil society actors with clear indication of their expected role and contribution.
- Ensure ownership of participants by agenda setting and products which corresponds to their needs.
- Focus on solutions which require a high degree of technical specificity, and competence, as opposed to general or principle discussions which typically are challenging to resolve.
- Invest in competence of staff, e.g. of an organization secretariat, who is to facilitate the cooperation process and represent it towards external stakeholders, for credibility and trust building early in the process.
- Work persistently, with long and short term aims as decisions commonly take long time, for instance over a decade from regional conception to IMO decision.
- Build in constant renewal, by renewal of work programs and priorities, rotating chairmanship, rotating secretariat staff and openness to new initiatives from participating states and industry/NGOs/academia.
- Work for high level political agreement on commitments (ministerial etc.) to create overall support for concrete technical work.

11. Acknowledgements

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Annex 1. Timeline with examples of HELCOM work in clean and safe shipping 1974-2016

This is a compilation of HELCOM maritime related milestones and activities based on Meeting records, HELCOM Recommendations and publications in the HELCOM BSEP series. The latter included annual "Overview of Activities" and "Activities of the Commission" reports published 1980-2015, the report "Intergovernmental activities in the framework of the Helsinki Convention 1974-1994" published in 1994 (BSEP 56), "Ten years after the signing of the Helsinki Convention" published in 1984 (BSEP 10) and are available from www.helcom.fi .

Milestone	**Year**
Signature of the 1974 Helsinki Convention. Interim Commission starts work before establishment of HELCOM with ratification by all coastal states in 1980. The Convention includes measures commits all HELCOM countries to ratify the IMO MARPOL Convention.	1974
First meeting of the HELCOM Maritime Working Group, established in 1975 to advise Interim Commission on matters related to pollution from ships and especially to provide a regional forum for harmonized implementation of IMO measures.	1976
Coordination meetings of Baltic Sea coastal states held regularly in connection to IMO MEPC, later called Baltic Maritime Co-ordinating Meetings (BMCMs) and in 2000s largely replaced with EU coordination for EU states.	early 1970s and onward
HELCOM booklet on port reception facilities for oily residues, sewage and garbage in the Baltic Sea countries.	1979
IMO approves a Danish-Swedish proposal on the use of pilots in certain ships when navigating in the Sound Area following consensus by Baltic coastal countries at HELCOM.	1979
A number of regional recommendations on port reception facilities for oily residues, sewage and garbage in the Baltic Sea countries as well as on ship safety including the BAREP Baltic Sea ship position reporting system adopted.	1980 &1981
HELCOM Publication on the provisions of the Helsinki Convention for distribution to mariners trading in the Baltic Sea Area.	1981
Abatement of harmful effects on the marine environment due to the use of pleasure craft considered as a new issue.	1982

HELCOM study on ship casualties in the Baltic Sea published	1982
Joint statement by the HELCOM countries at IMO MEPC 22 on implementation of MARPOL provisions on hazardous and noxious substances carried in bulk in the Baltic Sea.	1983
New routeing Measures in the Danish straits approved by IMO Maritime Safety Committee following consensus by Baltic coastal countries at HELCOM.	1983
HELCOM Study on ship casualties in the Baltic Sea 1979-1981 published	1984
HELCOM Recommendation concerning cooperation in investigating violations or suspected violations of discharge and related regulations for ships and dumping regulations (6/11)	1985
Seminar on progress made in the protection of the Baltic Sea Area from pollution caused by noxious liquid substances carried in bulk by ships.	1986
All HELCOM countries have ratified MARPOL convention. MARPOL related IMO decisions do not need to be transposed to HELCOM Recommendations.	1986
Sub-group on port reception facilities.	1986
Booklet on reception of wastes from ships in the Baltic Sea area.	1986
HELCOM Clean Seas Guide –the Baltic Sea Area, a MARPOL special area	1986
Air pollution (esp. quality of fuel oil), IMO particularly sensitive sea areas (PSSAs) and Maritime safety in connection with traffic under winter conditions included as new items to the Long Term plan for the work of the HELCOM Maritime group (MC 13).	1987
Proposal by the Baltic Sea countries developed within the HELCOM maritime group submitted by Germany to MEPC 29 on use the standard 15ppm as maximum oil content in bilge water discharges for the amendment of the IMO circular Guidelines for the arrangements for handling of oil wastes in machinery spaces in ships.	1988
Proposal on the application of MARPOL Annex IV (sewage) by the Baltic Sea countries developed within the HELCOM maritime group submitted by Germany to IMO MEPC 29.	1988
Proposal aiming at reduction of air pollution from ships by the Baltic Sea countries developed within the HELCOM maritime group submitted by Sweden to MEPC 29.	1988
HELCOM establishes a sub-group on reduction of air pollution from ships	1988/89

(MC AIR) under the Maritime working group.	
HELCOM seminar on a Baltic PSSAs	1990
Restrictions on the use of antifouling paints containing TBT in the Baltic Sea considered	1988
HELCOM compiles national data on air pollution from ships.	1990
Early measures to reduce Sulphur and improve quality of marine fuel oils.	1990
HELCOM establishes a sub-group to discuss new requirements on constructional arrangements for tankers to avoid spills in the case of an accident.	1990-
Data compilation on control measures and investigations of violations.	1990
Coastal countries and EU negotiate and agree on a new revised 1992 Helsinki Convention replacing the old 1974. New signatories include former USSR legacy states Russia, Estonia, Latvia and Lithuania. Industry and NGO participation via observer arrangements established.	1992
HELCOM Seminar on Port Reception facilities	1992
Communication procedures with between the newly established Paris MoU.	1992
HELCOM study of the transportation of packaged dangerous goods by sea in the Baltic Sea area and related environmental hazards.	1993
A joint Baltic Sea States submission to IMO on the concept of "special area" under the new draft annex of MARPOL 73/78 on prevention of air pollution from ships drafted within HELCOM maritime.	1993
Informal HELCOM expert meeting on investigation of violations of anti-pollution regulations and bringing evidence to court.	1993
The Baltic Sea Strategy on improved PRFs in the Baltic drafted within HELCOM. A new sub-group established on port reception facilities under the Maritime working group (MC REFAC) for implementation.	1994
HELCOM and IMO visits on the needs for investments for reception facilities in the former USSR ports.	1994-95
HELCOM releases study on discharges of sewage from passenger ships in the Baltic Sea	1994
Work within IMO for more stringent requirements on transport of dangerous goods in packaged form and harmful substances in bulk in the Baltic Sea.	1994
HELCOM considers for the first time harmful marine organisms carried in ballast waters	1994

Submission by the Baltic Sea States at IMO to consider the Baltic Sea as a "Special Area" for Sulphur Oxide emissions (SECA) under the new Annex to MARPOL on air pollution.	1995
Two HELCOM Recommendations concerning strengthening the cooperation in investigation of violations of anti-pollution regulations	1995
HELCOM approves comprehensive Baltic Strategy for Port Reception Facilities for Ship-generated Wastes and Associated Issues and its follow-up. This includes a harmonized fee system including the "no special fee" principle, enhanced enforcement and a technical IMO assistance programme with 37.5 million USD investment needs.	1995
HELCOM considers IMO Ballast Water Working Group work programme and schedule of tasks for the issue of ballast waters.	1995
The HELCOM countries provide supplementary information on the proposed Baltic SECA to IMO MEPC 39.	1995
Joint work on upgrading PRFs in post-soviet states by IMO, HELCOM , Nordic Investment Bank (NIB) and World Bank	1996-
First HELCOM meeting of the competent authorities for investigations of anti-pollution regulations	1997
Based on the proposal by the coastal countries, the Baltic Sea is designated as a SECA by IMO as part of the new MARPOL Annex VI on air pollution.	1997
HELCOM adopts Baltic Legal Manual on prosecution of violations of anti-pollution regulations in the Baltic Sea Area and Guidelines for ensuring successful convictions.	2000
Baltic Carrier accident, the largest oil spill in the Baltic Sea for 20 years catalyses regional work on safety of navigation.	2001
Environment and Transport Ministers adopt the HELCOM Copenhagen Declaration -a new package of measures to improve the safety of navigation in the Baltic Sea. 1992 Helsinki Convention amendments on safety of navigation.	2001
HELCOM risk assessment and traffic overview for enhanced response capacity.	2001
First Meeting of the HELCOM AIS EWG on a regional network for sharing AIS information on ship movements in the Baltic Sea.	2002
HELCOM maritime establishes sub group on transit routeing (group renamed 2012 to group of experts on safety of navigation or HELCOM SAFE NAV)	2003

HELCOM Maritime Accident Response Information System (MARIS)	2004
The Baltic Sea Area PSSA established by IMO Resolution MEPC.136(53) on the basis of a submission by eight coastal countries (Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden) to cover their sea areas.	2005
Workshop on "Ballast water introductions of alien species into the Baltic Sea" leads to a series of HELCOM projects on BWM (HELCOM ALIENS 1,2 & 3).	2005
HELCOM considers further measures on air pollution from ships including stricter IMO rules as well as regional work on economic incentives.	2005
HELCOM AIS network for the Baltic region in operation	2005
Agreement to develop proposal to IMO on the Baltic Sea as a MARPOL Annex IV special area on sewage from passenger ships.	2007
Decisions to carry out cost benefit analyses and to designate the Baltic Sea as a NOx emission control area (NECA) under IMO MARPOL	2007-2010
Joint HELCOM-OSPAR and HELCOM-OSPAR-REMPEC voluntary guidance on ballast water exchange circulated as IMO Circulars	2008, 2009 & 2012
HELCOM launches an online Transit Guide for the Baltic Sea	2008
Proposals to enable MARPOL Annex IV special areas on sewage from passenger ships and the Baltic Sea as such an area, drafted through HELCOM's Maritime Group, is sent to the IMO.	2010
HELCOM Cooperation Platform on Port Reception Facilities (PRF) starts to work to clarify remaining issues with sewage PRFs.	2010
IMO amends the MARPOL Convention Annex IV, and designates the Baltic Sea as a special area for sewage. However, it will only be applied when coastal countries confirm that adequate sewage port reception facilities are available.	2011
HELCOM and OSPAR establish joint Task Group on regional aspects of Ballast Water Convention implementation, especially exemptions (Reg. A-4).	2012 onwards
HELCOM and OSPAR adopt Joint Harmonised Procedure on Ballast Water convention exemptions in the Baltic and North East Atlantic.	2013
HELCOM establishes within the framework of the maritime group a sub-group to promote public private cooperation for the uptake and use of green technology and alternative fuels is shipping in the Baltic Sea and promotion of alternative fuel bunkering facilities in the region in cooperation with BPO.	2014 onwards

All HELCOM countries have informed IMO that adequate facilities for sewage are available. IMO declares that the special area for sewage discharges from passenger ships will go into effect by latest 2021, with an extension until 2023 for direct passages between St. Petersburg and the North Sea.	2016
The IMO Ballast water Management Convention will enter into force on 8.9.2017 as the remaining tonnage criteria was fulfilled with the ratification of Finland 8.9.2016.	2016
HELCOM countries submit NECA application to IMO in parallel with a similar proposal from the North Sea countries. IMO approves the proposals for circulation and final decision by MEPC 71 in May 2017.	2016

Annex 2: List of Observer organisations with participation in HELCOM maritime meetings (2000-2016)

Intergovernmental Organisations

International Maritime Organization(IMO)

IHO Baltic Sea Hydrographic Commission (BSHC) (represented by Finland)

OSPAR

The Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC)

Cooperation organisations of municipalities and regions

Conference of Peripheral Maritime Regions of Europe - Baltic Sea Commission (CPMR)

Alliance of Maritime Regional Interests in Europe (AMRIE) (discontinued)

KIMO -Local Authorities International Environmental Organisation.

Port organisations

Baltic Ports Organisation (BPO)

European Sea Ports Organisation (ESPO)

Federation of European Private Port Operators (Feport)

Ship owner/operator organisations

Baltic and International Maritime Council (BIMCO)

Cruise Lines International Association Europe (CLIA) (former European Cruise Council, ECC)

European Community Shipowners' Association (ECSA)

Interferry

INTERTANKO

International Chamber of Shipping (ICS)

Environmental NGOs

World Wide Fund for Nature (WWF)

Other

Baltic Pilotage Authorities Commission (BPAC)

European Boating Association

Regional co-operation on marine pollution preparedness and response in the Northwest Pacific Region

Authors: Seong-Gil Kang, Yoon Young Back, Jeong-Hwan Oh, Si-Yeon Lee, and Chang Gyun Kim

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1. Brief introduction to/ description of the initiative/ arrangement: what is the approach taken to enable cross-sectoral cooperation? (max 1.5 pages) Please provide general introductory information on the initiative to develop coordinated policies or institutional cooperation with and involving other sectoral organizations.

a) What was the key issue that triggered the cross-sectoral cooperation?

Oil and Hazardous & Noxious Substances (HNS) spill incidents remain one of the major pollution threats in the ocean[4]. Preventing and significantly reducing marine pollution of all kinds is 2030 Agenda target 14.1 under the Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development. The area covered by the Northwest Pacific Action Plan[5], shared by the four states, namely Japan, People's Republic of China, Republic of Korea and the Russian Federation, is exposed to high risk of HNS pollution incidents due its high shipping density and high levels of industrial and economic development along the coasts[6]. In fact, over 310 oil spill and 60 HNS spill incidents over 10 tons have occurred in the region. A total of 17 major oil spills and 11 HNS spills over 1,000 tons have occurred during the last 25 years in the NOWPAP region which include the well-known major spill incidents Sea Prince (1995, 4,150 tons), Nakhodka (1997, 5,304 tons), and Hebei Spirit (2007, 10,766 tons).

Examples of major oil spill incidents occurred in the Northwest Pacific region (Sea Prince (1995) (left), Nakhodka (1997) (middle), Hebei Spirit (2007) (right)). Sea Prince and Nakhodka oil spills that occurred in the late 90s triggered development of a regional cooperation framework on marine pollution prevention and

[4] The First Global Integrated Marine Assessment: World Ocean Assessment I. United Nations Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects (Innis, L. and Simcock, A., Joint Coordinators). United Nations, New York, NY, 2016. Available at: http://www.worldoceanassessment.org/

[5] The geographical scope of NOWPAP covers the marine environment and coastal zones from about 121°E to 143° E longitude and from approximately 33° N to 52°N latitude.

[6] State of the Marine Environment Report for the NOWPAP Region (SOMER-2), 2014. (V.M. Shulkin and A.N. Kachur, Eds). Vladivostok, Russia. Available at: http://dinrac.nowpap.org/documents/2015/POMRAC-SOMER2.pdf

response in the NOWPAP region

The establishment of a regional cooperation mechanism in the field of marine pollution prevention and response among the four North Pacific nations proceeded in parallel with the adoption of the Action Plan for the protection, management and development of the marine and coastal environment of the Northwest Pacific Region (NOWPAP). Such cooperative mechanism was defined as one of the environmental priorities in the NOWPAP region. The large scale oil spill incidents (i.e., Sea Prince (1995) and Nakhodka (1997)) in late 90s have caused NOWPAP member states to take high risks of oil and HNS spill in the region seriously and develop appropriate response measures.

b) Cooperation between or among them? Please list the organizations involved.

In order to effectively implement regional activities in the field of marine pollution prevention and response in the NOWPAP region, the Marine Environmental Emergency Preparedness and Response Regional Activity Center (MERRAC) was established at the Korea Research Institute of Ships and Ocean Engineering (KRISO) in Daejeon, R. Korea in 2000. MERRAC was established as one of the four Regional Activity Centers (RACs)[7] of NOWPAP. Also, the Competent National Authorities (CNAs) were nominated to actively implement the designated regional cooperation activities. The relevant national agencies, namely China Maritime Safety Administration (MSA), Japan Coast Guard (JCG), Korea Coast Guard (KCG) and the Marine Rescue Service of Rosmorrechflot (MRS) of Russia joined forces as the CNAs of MERRAC. The MERRAC secretariat acts as a regional coordination mechanism supporting implementation of joint activities. MERRAC was established by the Memorandum of Understanding between the International Maritime Organization (IMO) and the United Nation Environment Programme (UNEP). The MERRAC Focal Points meetings with the participation of higher-level officials from CNAs are held annually since 2001 to discuss MERRAC implementation issues and approve its activities.

c) Briefly describe when the initiative started, and the current status.

Establishment of a regional cooperation mechanism was initiated with adoption of NOWPAP and by holding the first regional forum under the NOWPAP framework in 1994. The forum aimed at implementing the NOWPAP activities related to development of effective measures for regional cooperation in marine pollution preparedness and response. Later, the forum was renamed as 'MERRAC Focal Points Meeting' in 2001 where high level officers of each national agency have been invited to discuss detailed implementation measures. These meetings have become the core institutional basis for the MERRAC activities.

d) What was the identified need for cooperation or coordinated action? Please list any scientific background/ evidence to demonstrate this need.

The NOWPAP member states are geographically contiguous. Consequently, oil and HNS spill incidents, depending on their size and scale, can affect the neighboring countries because of its transboundary nature. In order to establish a regional cooperation framework, it was important that the member states exchange information on national policies and resources (personnel and equipment), develop joint response measures and collectively identify oil and HNS risks in the

[7] The other three are Special Monitoring and Coastal Environment Assessment Regional Activity Centre (CEARAC) hosted by the Northwest Pacific Region Environmental Cooperation Centre (NPEC) in Toyama, Japan; Data and Information Network Regional Activity Centre (DINRAC) at the China-ASEAN Environmental Cooperation Center (CAEC) of the Ministry of Environmental Protection (MEP) in Beijing, People's Republic of China; and Pollution Monitoring Regional Activity Centre (POMRAC) at the Pacific Geographical Institute (PGI) of the Far East Branch of the Russian Academy of Sciences in Vladivostok, Russian Federation.

region. It was also equally important that the activities are technically and scientifically supported at the national and regional level.

e) What are the key elements of the cooperation?

The main element of the cooperation is the oil and HNS spill prevention and response in the NOWPAP region. The NOWPAP member states have agreed to work together on the preparedness and response to oil and HNS spill incidents under the NOWPAP framework. The latter remains the only intergovernmental regional cooperation mechanism on marine and coastal environmental protection in the Northwest Pacific and was a natural fit.

f) Please list any legal documents or statutory provision of relevance for cooperation in general

The NOWPAP member states established the following operational frameworks to insure regional cooperation in the field of marine pollution prevention and response in the NOWPAP region:

- 'Memorandum of Understanding on Regional Co-operation Regarding Preparedness and Response to Oil Spills in the Marine Environment of the Northwest Pacific Region' signed by ministerial level (2004)

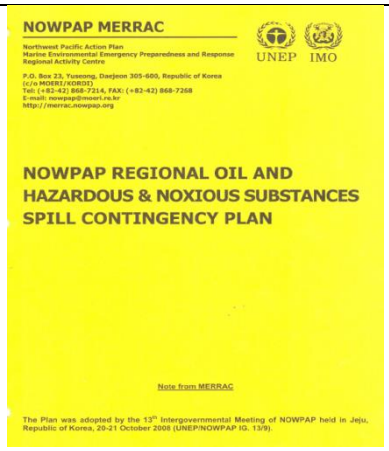
- The NOWPAP Regional Oil and HNS Spill Contingency Plan (adopted for oil spills only in 2003 and later revised to include HNS spills in 2009).

The MERRAC activities also extend to cover sea-based marine litter activities under the NOWPAP Regional Action Plan on Marine Litter (RAP MALI) approved by member states in 2008.

- MERRAC activities are financially supported from the NOWPAP Trust Fund replenished annually by member states and directly from the Korean government (Korea Coast Guard) providing resources for operation of the MERRAC secretariat. Each NOWPAP member state, through the national agencies, provide additional in-kind contributions for the conduction of joint response exercises, organization of MERRAC expert meetings, and etc.

2. Objective of Cooperation (1-2 paragraphs)

- Because of the transboundary nature of oil and HNS spill incidents, the international community has developed cooperatively means to enhance the response capabilities by introducing the International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC 90) and Protocol on Preparedness, Response and Co-operation to pollution incidents by Hazardous and Noxious Substances (OPRC-HNS Protocol) under the framework of IMO. In line with the concerns on oil and HNS spill, the NOWPAP member states also initiated development of effective measures for regional cooperation in marine pollution preparedness and response as one of major priorities of NOWPAP in order to promote regional cooperation and to enhance existing national and regional capabilities and subsequently, the NOWPAP Regional Oil and HNS Spill Contingency Plan (RCP) was developed and adopted in 2003 as technical and operational guidelines for regional co-operation to address oil and HNS spill emergencies in the NOWPAP region.



The NOWPAP Regional Oil and HNS Spill Contingency Plan

Signature of the MoU for the NOWPAP RCP (November 2004, Busan, Republic of Korea)

3. Dialogue processes/ Cross-sectoral cooperation in practice (half a page)

- Since establishment of NOWPAP in 1994, the IMO has been involved directly in the marine pollution prevention and response activities of the NOWPAP region by providing technical support to MERRAC activities under the joint MoU with UNEP. Other similar regional/international organizations such as Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMREC), Centre of Documentation, Research and Experimentation on Accidental Water Pollution (CEDRE), European Maritime Safety Agency (EMSA) and Baltic Marine Environment Protection Commission-Helsinki Commission (HELCOM) and international NGOs such as International Tanker Owners Pollution Federation (ITOPF), International Oil Pollution Compensation (IOPC) Funds and Oil Spill Response Limited (OSRL) have also been actively participating in the MERRAC activities. The NOWPAP member states, through various communication channels such as annual MERRAC Focal Points Meetings and Competent National Authorities Meetings, trainings and exercises and MERRAC specific projects, have taken the lead in implementation of the MERRAC activities. Especially, in the early phase of the MERRAC activities in early 2000, communications took place more actively in both direct and indirect ways and the cooperative activities were initiated under the IMO technical guidance.

- The annual MERRAC Focal Points Meetings and NOWPAP Intergovernmental Meetings (IGM) discuss strategic and operational issues and approve budgets and workplans. The MERRAC Expert Meetings are also held biannually in various forms, i.e., training, symposium or workshop and help the NOWPAP member states to expand its networks and introduce new issues into its work program. Response exercises are an important form of cooperation between the NOWPAP member states which are supported under the MERRAC framework: the BRAVO (communication) exercises and DELTA (operational) exercises are held on a regular basis (twice a year and once a year, respectively) for the decision-makers of each member state to participate and communicate with each other.

4. Perceived successful elements of cooperation (what works?) (max 1 page)

- Since its establishment, MERRAC has built a strong relationship among the NOWPAP members and carried out the designated activities in the field of marine pollution prevention and response

in the NOWPAP region in cooperation with the relevant national agencies of each NOWPAP member state. Within the framework of the Regional Contingency Plan (RCP), MERRAC has organized annual Focal Points Meetings as a mean to discuss and promote development of measures for more effective regional cooperation. In addition, a series of Expert Meetings have also been organized biannually to undertake specific advisory functions relating to scientific and technical issues. Various topics were covered during MERRAC Expert Meetings including marine pollution incidents preparedness and response in the Sea of Okhotsk (2010), HNS spill response (2013) and oiled wildlife response (2015), etc[8]. Furthermore, IMO training courses (IMO Level 2 Course) have also been conducted in 2002 and 2003 in a form of an Expert Meeting.

18th MERRAC FPM & 10th CNA meeting,
25-28 August 2015, Busan, Republic of Korea

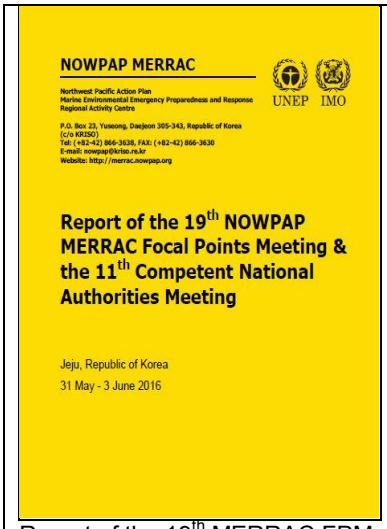
19th MERRAC FPM & 11th CNA meeting,
31 May-03 June 2016, Jeju, Republic of Korea

2013 MERRAC Expert Meeting,
15-18 October 2013, Qingdao, China

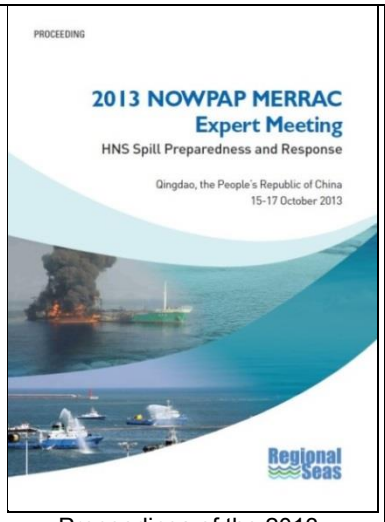
2015 MERRAC Expert Meeting,
20-22 October 2016, Vladivostok, Russia

Group photos of the recent MERRAC FPM and CNA meetings and Expert Meetings

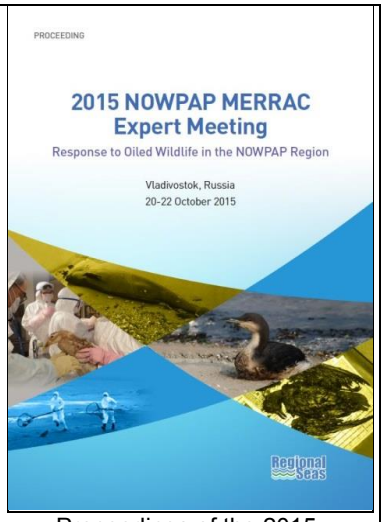
[8] http://merrac.nowpap.org/publication/connector/1/data/meeting/basic/Glist/1//



Report of the 19th MERRAC FPM and 11th CNA Meeting



Proceedings of the 2013 NOWPAP MERRAC Expert Meeting



Proceedings of the 2015 NOWPAP MERRAC Expert Meeting

The MERRAC FPM and CNA meetings are organized annually between May and June, to discuss and enhance the regional cooperation for oil and HNS spill preparedness and response in the NOWPAP region. The Expert Meetings are also held biannually to undertake specific advisory functions relating to scientific and technical issues of the tasks.

- To build practical response capacities under the RCP, the “NOWPAP Regional Joint Exercises and Guidelines Regarding Oil Spill Preparedness and Response” were adopted in 2005 as a reference for joint exercises in the NOWPAP region. Since then several regular oil spill exercises have been conducted under the leadership of the NOWPAP members. In total, five ‘Synthetic Exercises’ (ALPHA) were conducted to recall the roles and actions of leading and assisting members in accordance with the general procedure of the RCP, seventeen ‘Alarm Exercises’ (BRAVO) were held twice a year to test procedure and communication systems to be used in case of large-scale oil spills and other maritime incidents. Lastly, since 2006 six ‘Operational Exercises’ (DELTA) were held biannually to increase the level of preparedness of the NOWPAP members to jointly respond to major marine pollution incidents within the framework of the RCP.

The 6th NOWPAP DELTA Exercise conducted in accordance with the RCP
(Weihai, Shandong Province, China, 14 July 2016, led by China MSA and KCG)

- To provide practical assistance during oil spill incidents, the NOWPAP members have been

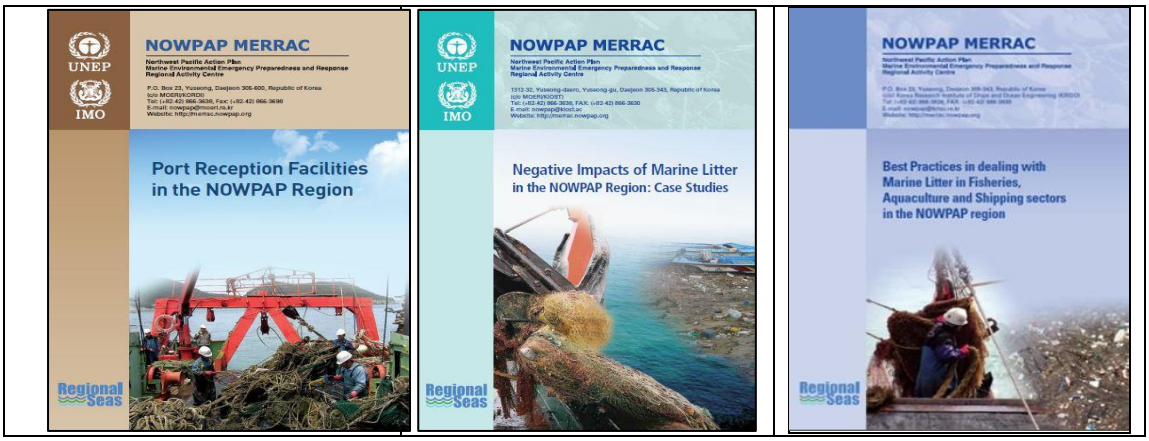
exchanging the Pollution Reports (POLREPs) as a tool to share information among the relevant authorities when major marine pollution incidents occur or when a threat of such incident is present in the region. Also, through the implementation of the MERRAC routine tasks, MERRAC has been annually maintaining and updating the contacts of the NOWPAP members dealing with marine pollution prevention and response, list of oil and HNS spill incidents (data from 1990) and also the information system to collect data on existing lists of equipment, institutions and experts, and national performance standards and/or regulations related to the marine pollution preparedness and response in the NOWPAP region.

- In addition, MERRAC together with expert groups of the NOWPAP members have implemented various specific projects to facilitate the designated mandates of MERRAC under the NOWPAP/4: Development of Effective Measures for Regional Cooperation in Marine Pollution Preparedness and Response. MERRAC has published over 14 guidelines and reports on sensitivity mapping, shoreline cleanup, use of dispersants, HNS operation and Database, and legislation and practices related to civil liability and compensation etc.

Examples of MERRAC technical reports published under MERRAC specific projects

- Following the decision of the 10th NOWPAP Intergovernmental Meeting (IGM) (2005), MERRAC implemented activities related to sea-based marine litter under the MALITA (Marine Litter Activity) project (2006-2007). MERRAC serves as the main NOWPAP center on sea-based sources of marine litter working collaboratively with the NOWPAP Regional Coordinating Unit (RCU), MERRAC Focal Points, and Marine Litter Focal Points. Under the project, MERRAC published several guidelines for marine litter monitoring and management in different sectors. The sea-based marine litter activities continued under the NOWPAP Regional Action Plan on Marine Litter (RAP MALI) since 2008. MERRAC published various technical reports on marine

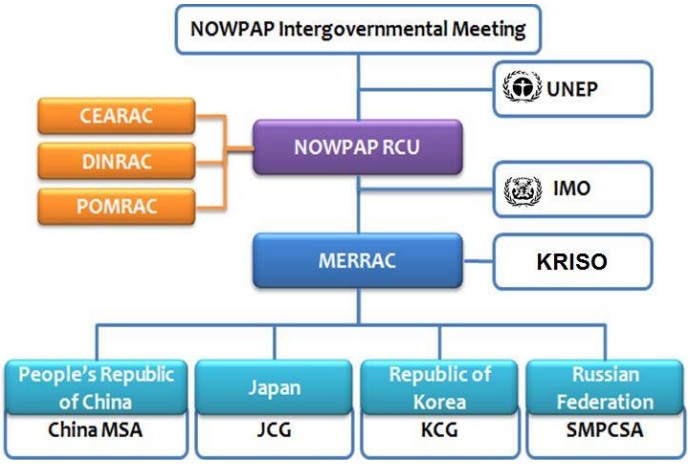
litter management, negative impacts and best practices in dealing with sea-based marine litter etc.



Examples of MERRAC technical reports published under MERRAC RAP MALI Projects

5. Efforts for policy coherence (half a page)

- The RCP sets-up the cooperation framework under which the Competent National Authorities of each NOWPAP member state are equally and horizontally participating and contributing to the regional cooperative activities. Having the RCP as a non-binding mechanism, it was important that the NOWPAP member states demonstrate their political will by adopting the RCP and signing the MoU. Furthermore, the RCP provides a formal institutional arrangement under which the member states' relevant national institutions/organizations can work together. At the same time, the overall NOWPAP institutional setting that includes various ministries in member states allows for better integration of MERRAC activities into the overall environmental cooperation framework of the NOWPAP.



Institutional arrangement of MERRAC

- In parallel to the regional cooperation framework developed under the RCP, the NOWPAP member states have also established their own national policies and strategies to strengthen oil and HNS spill response capacities and its effectiveness at national level. In a bid to strengthen the regional capacity as a whole, it is important that each member state makes progress at a horizontal level. Through consistent exchange of information and communication, the NOWPAP

member states were able to identify common goals and vision and also to build necessary national oil and HNS spill response capacities.

6. Challenges faced (what doesn't work as planned and why? (max 1 page)

- In order to be able to promptly, efficiently and effectively respond to major oil and HNS spill incidents in the NOWPAP region, it is important to secure regional cooperation in advance and on a continuous basis. Efficient mobilization of resources including equipment and expertise is a key factor for successful response to oil/HNS spill incidents. For the NOWPAP RCP to be functional and easily accessible, it needs constant reviews with detailed implementation plans, improvement in the customs and immigration process for prompt assistance among the member states, and also technical solutions for a more effective and smooth compensation system.

- Establishing efficient oil and HNS spill prevention policies are as important as having response policies. However, member states' political and financial support tends to decrease in absence of 'significant' oil/ HNS spill incidents in the region. Sustaining interest and support of the NOWPAP member states are required to establish firm preventive measures even in the absence of major oil spills.

- Recently, HNS spill issues have come to the fore due to an increasing number of HNS spill incidents and its impacts. On the other hand, a completely different set of response skills and expertise is demanded for HNS spill incidents compared to the oil spills, and its response system is more complicated than the oil spill response system. The NOWPAP member states have continued its efforts individually to establish own national system but regional cooperation on HNS remains a challenge.

- The MERRAC secretariat's capacity needs to be further strengthened: the activities of the secretariat have been restricted because of the limited budget and expertise. In order to sustain and expand regional cooperation mechanism on oil and HNS spill preparedness and response, additional external funds have to be mobilized, especially to cover the HNS issues. In addition, some of the NOWPAP member states see the need for MERRAC to implement other IMO related maritime activities and MARPOL convention related activities (i.e. ballast water under Ballast Water Management Convention, greenhouse gas emissions from shipping, Carbon Capture & Storage (CCS) under Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter/1996 Protocol to the LDC (LDC/LDP)) at the regional level, to be aligned with global environmental agendas. However, as such possibility was reviewed it was suggested that MERRAC would better concentrate on oil and HNS issues due to current budget constraints and limited expertise and under the existing MERRAC institutional framework. In order to initiate new activities, it is crucial to review and arrange a new implementation mechanism which will include securing related expertise, financial resources and also building a close network between relevant national organizations/institutions.

7. Lessons learnt and/or recommendations (max 1 page, ideally bullet-point style)

By reviewing the case of MERRAC, it can be asserted that the following five core elements are required for successful regional cooperation:

- **Political will**: Members' active support is a key element for successful implementation of regional cooperative activities. Besides, non-binding cooperation frameworks have difficulties in promoting and implementing substantial activities and require efforts to sustain strong political will over time. The Northwest Pacific Action Plan is not a legally binding instrument but a cooperation-based mechanism. The region is politically sensitive which means that environmental and technical cooperation can always come to a halt in case of major social or political challenges. Therefore, it is important to secure regional cooperation framework with strong political support of member states. The Northwest Pacific Action Plan (NOWPAP) which is a Regional Seas Programme of UNEP and the MoU with IMO provide an important political umbrella for MERRAC. Under this solid groundwork, the member states' relevant national agencies have also established bilateral and multilateral relationships by signing MoUs.

- **Workplan for activities with detailed roadmaps**: It is important to implement the regional cooperative activities based on detailed roadmaps and programmes. The NOWPAP Regional Oil and HNS Spill Contingency Plan (RCP) was adopted in 2005 as technical and operational guidelines for regional cooperation and the overall cooperation mechanism has been systematized under this RCP. Furthermore, as the MERRAC activities require political supports of its member states, identifying common needs and setting up joint goals are important. Having a continuous dialogue is also necessary for successful implementation of joint activities. The implementation plans have been discussed on a regular basis during the MERRAC Focal Points Meetings, to support the implementation of the NOWPAP Medium Term Strategy (MTS).

- **Participation of the Competent National Authorities**: Activities for oil and HNS spill response and preparedness require very practical measures of cooperation and a close relationship between the related national agencies in the region. Providing a regular forum for the MERRAC Focal Points to meet and have discussions is a key factor for successful regional cooperation in the NOWPAP region.

- **Securing sustainable finance**: Securing finance is also an important element for an effective regional cooperation. The MERRAC operation is financially supported by the Korean government (KCG) and the activities are funded by the NOWPAP Trust Fund. In-kind contributions are also made from member states to supplement the trust fund, in conducting joint oil spill response exercises and organizing MERRAC expert meetings etc.

- **Capacities of the Secretariat**: The secretariat plays an importation coordination role in implementing and mediating the activities. The activities have been technically supported by International Maritime Organization (IMO), the NOWPAP Regional Coordinating Unit (RCU) and United Nation Environment Programme (UNEP). In addition, the capacity of the MERRAC secretariat has further been enhanced by being hosted in a national research institution relevant to the MERRAC mandate - Korea Research Institute of Ships and Ocean Engineering (KRISO), the main national research institute for ships and offshore plant engineering in Korea.

8. References and web links

http://merrac.nowpap.org/ (all MERRAC publications are downloadable from this website)

***Case Study title**:* Cooperation in the Danube-Black Sea basin: example of the Commission on the Protection of the Black Sea Against Pollution (Black Sea Commission) and International Commission on the Protection of the Danube River (ICPDR)

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The ecological state of the coastal waters of the Western Black Sea has improved significantly since the late 1980s and early 1990s. These improvements are based on reduced nutrient inputs which have led to reduced eutrophication and fewer algal blooms, recovery of animal populations on the seafloor and an improved regeneration of macrophytes. At the same time. nutrients still enter the Black Sea from the land based sources, and in particular, through rivers. The Danube river accounts for over half of the nutrient input to the Black Sea. In addition, inputs of other harmful substances, and especially oil, continue to threaten the Black Sea ecosystem. Oil enters the environment as a result of accidental and operational discharges from vessels, as well as through land based sources. Almost half of the inputs of oil from land based activities are brought to the Black Sea via the Danube River [1]. The long practice of the overfishing has also depleted many fish stocks [2]. To help to overcome these problems, the Regional Sea Convention for the Black Sea and the Danube River Commission were created.

Nowadays, the Convention on the Protection of the Black Sea Against Pollution, also known as Bucharest Convention [3], is one of the most known Regional Sea Conventions and instruments of the International Environmental Law, which was signed and ratified in 1992 and 1994, accordingly, and provided the legal ground for combating pollution from land-based sources and maritime transport, achieving sustainable management of marine living resources and sustainable human development in the Black Sea Region. It is also the only existing legal instrument in the field of marine environment which has all the Black Sea riparian countries as signatories. There is no doubt that the activities implemented so far by the relevant Convention' bodies allowed to significantly increase the public involvement, address transboundary environmental issues and to introduce the sound environmental decision-making related to the sustainable use of the resources of the Black Sea. At the same time, Bucharest Convention is a so called 'shoreline convention', i.e. it itself holds no power over the inland activities of the States within the hydrographic drainage area discharging to the overall Black Sea (Black Sea proper, Sea of Azov).

The Black Sea Commission was created as an executive body to implement the provisions of the Bucharest Convention, and is responsible for promoting the implementation of Bucharest Convention and its four Protocols, it was established to, inter alia, monitor and assess pollution, control pollution from land-based sources, ensure conservation of biological diversity, address environmental safety aspects of shipping, address environmental aspects of management of fisheries and other marine living resources and, last but not least, promote integrated coastal zone management and maritime policy. The updated version of the Strategic Action Plan for the Environmental Protection and Rehabilitation of the Black Sea (BS SAP) was adopted during the Ministerial Conference in Sofia (Bulgaria) in April, 2009, and is currently in

force serving as the main document reflecting the obligations of Contracting Parties of the Bucharest Convention towards preservation of the environment of the Black Sea.

The BS SAP 2009 reflects the progress achieved after adoption of BS SAP 1996 (updated in 2002), at the same time, it reorganizes the priorities and actions, describes the policy actions required to meet arising environmental challenges by introduction of a series of management targets. BS SAP 2009 is based on three key environmental management approaches, such as (1) Integrated Coastal Zone Management (ICZM); (2) Ecosystem Approach; and (3) Integrated River Basin Management (IRBM). The four selected for the BS SAP 2009 Ecosystem Quality Objectives (EcoQOs) are the following: EcoQO 1: Preserve commercial marine living resources; EcoQO 2: Conservation of Black Sea Biodiversity and Habitats; EcoQO 3: Reduce eutrophication; EcoQO 4: Ensure Good Water Quality for Human Health, Recreational Use and Aquatic Biota. The relevant actions regarding these four targets are reflected in the so called EcoQO Matrices, annexed to the document.

Also, the LBS Protocol, *inter alia*, sets the obligations to control, monitor and assess pollution from land-based sources, including the riverine loads, ensure conservation of biological diversity of the Black Sea and implementing activities in order to achieve and maintain a good ecological status of the Black Sea, including its marine and coastal ecosystems.

The International Commission for the Protection of the Danube River (ICPDR) is a transnational body, which has been established to implement the Danube River Protection Convention [4]. The main objective of the Convention is to ensure that surface waters and groundwater within the Danube River Basin are managed and used sustainably and equitably. This objective, *inter alia*, involves the measures to reduce the pollution loads entering the Black Sea from sources in the Danube River Basin.

The ICPDR is formally comprised by the Delegations of all Contracting Parties to the Danube River Protection Convention, but has also established a framework for other organizations to join. The EC signed the Danube Convention in 1994. In 2000, the ICPDR contracting parties nominated the ICPDR as the platform for the implementation of all transboundary aspects of the EU Water Framework Directive (WFD) [5]. In 2007, the ICPDR also took responsibility for coordinating the implementation of the EU Floods Directive in the Danube River Basin. This Convention is a 'hydrographic basin convention', i.e. it itself holds power over the transboundary impact via the drainage network of the River Danube Basin (valid only for Contracting Parties to this Convention).

Since its creation in 1998 the ICPDR has promoted policy agreements and the setting of joint priorities and strategies for improving the state of the Danube and its tributaries. This includes improving the tools used to manage environmental issues in the Danube basin, such as (1) the Accident Emergency Warning System [6]; (2) the Trans-National Monitoring Network [7] for water quality, and the information system for the Danube (Danubis).

In order to meet the objective of the WFD, for a set of selected hazardous substances called priority substances, limit values were set on the European level which are

defining "good chemical status". To meet these and other supporting objectives, the ICPDR developed its first "Danube River Basin Management Plan" (DRBM Plan) in 2009, including assessments and measures towards the achievement of 'good status' by 2015 (to be updated in 2015 and 2021). The DRBM Plan – Update 2015 includes updated assessments on the main pressures impacting the Danube basin's waters, updated information on water status and progress achieved, as well as the joint further actions agreed by the Danube countries to be undertaken until 2021.

The ICPDR is also a member of the DABLAS Task Force, which was set up in November 2001 as a platform for co-operation between international financial institutions (IFIs), donors and beneficiaries with regard to the protection of water and water-related ecosystems along the Danube River and in the Black Sea. Apart from ICPDR, the task force includes representatives from the countries in the region, the Black Sea Commission, IFIs, the EC, interested EU Member States, and other bilateral donors, as well as other regional and international organizations.

The cross-sectoral cooperation between Danube and Black Sea regional bodies is triggered due the following reasons:

- Despite common goals and objectives with regard to prevention of pollution loads and conservation of riverine and marine environment and ecosystems, the approaches of both organizations differ: different Contracting Parties, non-binding nature of the EU legislation for the Bucharest Convention, indicators for assessment(s) etc.;

- Despite availability of specific legal instruments and implementation bodies jointly created between the Danube and the Black Sea Commissions (BSC-ICPDR MoU, work of JTWG etc.), there is a need to harmonize the assessment methodologies and ensure the regular exchanges of data on loads of pollution from the Danube to the Black Sea;

- Existence of multitude legal instruments in the field of environmental protection in the Danube and Black Sea basins, i.e. Espoo Convention, Aarhus Convention, Ramsar Convention and relevant EU legislation (*inter alia*, WFD and MSFD Directives), requires compliance with their provisions, commitment to establish a broader cooperation aimed at harmonizing their activities, avoiding duplications and promoting synergies;
- Despite existence of multitude of environmental projects in the Danube-Black Sea region, the joint problems of this LME are not properly addressed (no dedicated projects to support activities of both Commissions addressing the issues of common concern).

The institutional cooperation between the Danube and the Black Sea Commissions could contribute to the implementation of the SDG #14. Among concrete objectives are: development of the regional monitoring program which would envisage the ecological status indicators, assessment methodologies and mutual reporting in line with ICPDR

and BSC requirements, as well as taking into account the MSFD and WFD provisions and other relevant legal instruments in the field of environmental protection in the Danube and Black Sea basins. Such harmonization may contribute to the assessment of nutrient loads and further better coordination of efforts (including investments) of the Contracting Parties of the both conventions.

Given the fact that Danube River provides high river inflow to the Black Sea and changes within the river basin are having an important contribution to the ecologic status of the sea, ICPDR has joined forces with the Black Sea Commission to remedy the environmental degradation of the Black Sea. Cooperation between the two commissions started in 1997 on a preliminary basis, and was reinforced by granting mutual observership status and signing of a Memorandum of Understanding (MoU) at a ministerial meeting in Brussels in November, 2001.

Later on the Danube – Black Sea Joint Technical Working Group (JTWG) was established between these two organizations. This body is currently drafting guidelines for achieving good environmental status in the coastal waters of the Black Sea, in line with EU legislation and takes into account the following considerations: (1) common goals and objectives with regard to prevention of pollution loads and conservation of riverine and marine environment and ecosystems; (2) recognition of the importance of compliance with provisions of relevant legal instruments in the field of environmental protection in the Danube and Black Sea basins, i.e. Espoo Convention, Aarhus Convention, Ramsar Convention and relevant EU legislation (inter alia, WFD and MSFD Directives), intending to establish a broader cooperation aimed at harmonizing their activities, avoiding duplications and promoting synergies through the relevant Memorandum of Understanding (MoU) [8].

The overall objective of the GTWG is to create a common base of understanding and agreement on the changes over time of the Black Sea ecosystem, and the causes of these changes, and to report to both Commissions on the results, recommending strategies and practical measures for remedial actions.

This *Ad hoc* JTWG: (1) analyzes the Information Exchange between ICPDR and the Black Sea Commission; (2) exchanges data on loads of pollution from the Danube to the Black Sea; (3) exchanges data on indicators for the assessment of the ecological status of the Black Sea; (4) harmonizing the assessment methodologies for point and diffuse pollution (based on the ICPDR experience on the Emission inventories, Hot Spots analysis and review of ranking methodologies). Important issue of concern is the development of reporting format and procedures, ensuring the periodic reporting (for BSC – every 5 years, for ICPDR – every 6 years) on measures taken for the reduction of nutrients and hazardous substances in the Danube River Basin (DRB) in line with the ICPDR's 2009 DRBDMP [9] and its updated version of 2015 and in the Bucharest Convention area in line with the BS SAP (2009) [10].

The challenges of the implementation of the MoU and work of the JTWG are the following:

- Different assessment methodologies reflected in the statutory documents, non-legally binding nature of EU legislation under Bucharest Convention (only 2

countries – Bulgaria and Romania – are members to the EU, EU is not a Contracting Party to the Bucharest Convention);

- Exchange of data on loads of pollution from the Danube to the Black Sea is not regular and information QA/QC is not always adequate;
- Lack of enforcement procedures under Bucharest Convention to ensure that annual national information will be timely reported to the Secretariat;
- Lack of financing of the work of the JTWG and implementation of the MoU in general.

In 2014, the JTWG elaborated the document "BSC – ICPDR Reporting format", aimed at assessing the current status of monitoring and assessment of Danube loads on the Black Sea ecosystems, reinforcing the cooperation and developing appropriate mechanisms for the implementation of the MoU between the BSC and the ICPDR on common strategic goals (2001) where the Commissions agreed to regularly exchange the necessary data flows. In accordance with this document, the data from the Danube related to loads of Pollution is being presented each year based upon the TNMN water quality yearbook. This load assessment is generated based upon data collected at the Reni Water Quality station by Romania (Romania has made an assessment of the loads at Reni compared to a combination of loads from the three arms of the Danube and found that the loads at Reni are representative of the Danube loads). The table of parameters of official data presented to the Black Sea was attached to the reporting format. In its turn, the BSC is expected to present the annual summary report showing data in selected stations from Bulgaria, Romania and Ukraine (with short explanation on the significance of selected indicators) reflecting the effect of the Danube loads on the marine ecosystem, based on the set of indicators, using the data provided by BSC Advisory Groups on Pollution Monitoring and Assessment (PMA), Land-Based Sources (LBS) and Conservation of Biodiversity (CBD). This "Provisional List of indicators to demonstrate changes over time in Black Sea Ecosystems due to nutrient inputs" was attached to the reporting format. Therefore, a short written report assessing the Black Sea ecosystem together with selected data on the above indicators supposed to be presented to the ICPDR by the end of the respective year. This report would be the official Black Sea report that would involve synthesis and interpretation of the data from the Advisory Groups of the Black Sea Commission on the ecosystem status of the Black Sea.

This document was later on introduced as Annex 10 of the draft Black Sea Integrated Monitoring and Assessment Program (BSIMAP), the second most important document of the Black Sea Commission, reflecting and regulating efforts to monitor and assess the environmental challenges in the Black Sea. The updated draft BSIMAP for years 2017-2022 was adopted by the Black Sea Commission at its 32nd BSC Regular Meeting (12-13th October, 2016). The abovementioned monitoring program also takes into account the relevant MSFD, GFCM and ACCOBAMS requirements and provides a legal basis for cooperation on MSFD and other relevant EU directives with ICPDR.

Currently the Commissions plan to carry out the next meeting of the JTWG to discuss the modalities of the implementation of commitments under Annex 10 of the BSIMAP "BSC – ICPDR Reporting format".

The adoption of the "BSC – ICPDR Reporting format" within BSIMAP for 2017-2022 can be considered as step towards elaboration of the coherent policy between the RCS and the fresh water convention, it will allow to ensure timely and qualitative assessment of the current status of Danube loads on the Black Sea ecosystems. These efforts will also contribute to the implementation of the requirements of the WFD and MSFD directives in the Black Sea region and to harmonize the policies with other relevant regional actors and global approaches, including the implementation of relevant SGDs in the Danube-Black Sea region.

In order to fully achieve the objectives set up earlier, the both Commissions may take efforts to:

- Harmonize the assessment methodologies;
- Ensure exchange of data on loads of pollution from the Danube to the Black Sea on a regular basis and adequacy of QA/QC;
- Support the Contracting Parties in their efforts to monitor and provide annual national information to be timely reported and exchanged between the Secretariats;
- Seek for appropriate financial resources in order to sustain the work of the JTWG and implementation of the MoU in general;
- Implement a dedicated project on the regional level to support the abovementioned activities;
- Ensure coordination of efforts, harmonization of approaches and exchange of relevant information with other LMEs, RSCs and other organizations as appropriate.

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8. Memorandum of Understanding between the International Commission for the Protection of the Black Sea (ICPBS) and the International Commission for the Protection of the Danube River (ICPDR) on common strategic goals, signed by BSC and ICPDR in 2001.
9. Danube River Basin District Management Plan 2009-2015, adopted by Contracting Parties to the Danube River Protection Convention in 2009.

10. Strategic Action Plan on the Protection and Rehabilitation of the Black Sea, adopted by Contracting Parties to Bucharest Convention in 2009.

2050 Africa's Integrated Maritime Strategy and African Ocean Governance Strategy

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The African continent is endowed with rich biodiversity and landscapes. This is widely due to a number of factors, including the continent's geographical position on the globe, straddling the equator, bordering with different seas and oceans and geology. As such, Africa's coasts host an important variety of ecosystems, such as estuaries, coral reefs, mangrove forests, wetlands and dunes, which provide habitats to a large variety of species, in particular fish populations.[9] The resources and services drawn from the ecosystems support the livelihoods of local communities and contribute to national economies. A number of sectors have developed through the centuries on the basis of the coastal and marine resources and ecosystems services, including but not limited to fisheries and aquaculture; transportation, navigation and shipping; energy, oil and gas / coastal mining; tourism; ocean survey and research; industry.

With the growing populations of the coastal communities, traditional maritime activities have intensified (e.g. fisheries) and others have emerged (e.g. offshore turbines/renewables). However, the lack of appropriate governance and sustainable management frameworks has led to unrestricted use and uncontrolled exploitation of resources and therefore to degradation and depletion of these resources. Issues of maritime safety and insecurity, illegal trafficking or the serious effects of climate change only aggravate the existing state of the coastal and marine environment in Africa. As a result of bad management and acute depletion, coastal communities and national economies experience revenue losses.

For example, especially West African countries have concluded access agreements with the European Union for the exploitation of the fisheries by commercial industry, but there a lot of condemnation because very few economic and social benefits accrued reach directly the coastal people and actually improve the standards of their living.[10] At the same time, coastal communities are one of the most vulnerable groups of climate change - coastal erosion has devoured important part of Grand-Lahou, Côte d'Ivoire, has led people to abandon their homes and move some 20km inland.[11]

While loss of biodiversity or environmental degradation are key issues, humans tend to react only if there is a direct impact on them. And the impact here is poverty and reduced growth rates. Governments have soon realized that to address poverty eradication and promote shared growth, there was a need act in a coordinated manner across the sectors.

It is against this background that on 6 December 2012,[12] the African Union (AU) 2nd

[9] Nature places, African wildlife, http://www.bbc.co.uk/nature/places/Africa
[10] Africa Environment Outlook 2 – Our Environment our wealth, Chapter 5, Coastal and marine environments, http://www.unep.org/DEWA/Africa/docs/en/aeo-2/chapters/aeo-2_ch05_COASTAL_AND_MARINE_ENVIRONMENTS.pdf
[11] http://www.worldbank.org/en/news/feature/2016/06/02/building-a-resilient-west-african-coastal-community .
[12] The conference was organized back-to-back with the 5th African maritime cross-sectoral Experts Workshop, 3-4 December 2012, and the High Level African maritime cross-sectoral Senior Officials meeting on 5 December 2012.

Conference of African Ministers in Charge of Maritime Related Affairs in Addis Ababa, adopted the **2050 Africa Integrated Maritime (AIM) Strategy**.[13] The vision of the strategy is to foster increased wealth creation from Africa's oceans and seas by developing a sustainable thriving blue economy in a secure and environmentally sustainable manner,[14] as well as increased national, regional and continental stability, through collaborative, concerted, cooperative, coordinated, coherent and trust-building multilayered efforts to build blocks of maritime sector activities in concert with improving elements of maritime governance (paras. 18-19). The guiding philosophy is founded on information sharing, communication, collaboration, cooperation, capacity-building and coordination (or IC5) (para. 22). It recognizes (para. 24) a large diversity of stakeholders, including AU Member States, local communities, specialized regional institutions and associations, the African maritime private sector, strategic development partners and the international community as a whole. The Strategy is to be interpreted and implemented along with all relevant AU, national and international regulatory frameworks and on-going maritime initiatives in Africa (para. 27). The strategic objectives are a set of ambitious goals to be achieved and include inter alia the establishment of a Combined Exclusive Maritime Zone of Africa, engagement of civil society and all other stakeholders to improve awareness on maritime issue, protection of populations or promotion of the ratification, transposition and implementation of international legal instruments.

To operationalize their aspirations stated in the Strategy, Governments adopted a **Plan of Action**[15] to accompany the Strategy. The Plan of Action is a roadmap and timeline with the major activities/actions identified, the measures of output, the lead and other institutions responsible for the implementation of the activities. The objectives cover projections for new institutions and structures, wealth creation and human resource development, as well as capacity building for maritime governance.

A couple of years later, in April 2016 ~~March 2015~~, at the ~~Fifteenth~~ Sixteenth ~~Ordinary~~ Session of the African Ministerial Conference on Environment (AMCEN),[16] in Cairo, Egypt, African Ministers of Environment adopted the Cairo Declaration on Managing Africa's Natural Capital for Sustainable Development and Poverty Eradication (or Cairo Declaration). States agreed (see para. 14) to develop an ocean governance strategy in Africa in accordance with the United Nations Convention on the Law of the Sea (UNCLOS), Regional Seas Conventions[17] as well as the Strategies set by the AU, namely the AIMS 2050 and **Agenda 2063: Africa We Want**.[18]

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[13] Available on the Internet at http://pages.au.int/sites/default/files/2050%20AIM%20Strategy%20%28Eng%29_0.pdf

[14] The term "blue economy" has been developed to refer to the ocean-related components of the green economy, i.e. an economy that aims at reducing environmental risks and ecological scarcity, and aims for sustainable development without degrading the environment. Green economy was a main theme of the United Nations Conference on Sustainable Development, or Rio+20, that took place in Rio de Janeiro, Brazil on 20-22 June 2012 culminating to the adoption of ground-breaking guidelines on green economy policies (https://sustainabledevelopment.un.org/topics/greeneconomy).

[15] http://pages.au.int/sites/default/files/Annex%20C%2C%20PoA%20%28Eng%29.pdf .

[16] About AMCEN see http://web.unep.org/regions/roa/amcen/about. Also: http://web.unep.org/regions/roa/amcen/15th-ordinary-session-amcen

[17] Specifically in relation to the following regimes, including treaties (conventions and protocols) and action plans, as relevant: the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention), the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention, the Convention for Co-operation in the protection and Development of the Marine

Although the two initiatives appear to be distinct, their objectives, the activities at large and the actors involved are similar. They both arise from the need to address fragmented governance in coastal and marine ecosystems of Africa, to promote inter-sectoral and inter-governmental cooperation and to address poverty and development concerns. Although the fora where they were adopted were different, on the one hand the African Union and on the other hand AMCEN, serviced by UN Environment, they were both endorsed by official Government representatives: the AIMS 2050 by the ministers responsible for maritime affairs and the Cairo Declaration by ministers responsible for environment affairs.

As the one adopted last, the Cairo Declaration specifically refers to the 2050 AIM Strategy, so there is no doubt that actions under the two initiatives are to be coordinated. In particular, the outcomes of the AMCEN initiative, i.e. the gap analysis and the strategy would further inform and contribute in the implementation of the 2050 AIM Strategy. The Action Plan accompanying the 2050 Strategy details the actions to be taken to achieve the Strategy and for each action it identifies the responsible executing partner/agency. The AU is responsible for the execution of most actions and the UN is specifically mentioned as a partner to support the AU for peace and humanitarian intervention in maritime governance.

The AIM Strategy claims to be the outcome of crosscutting inputs from a wide pool of stakeholders, including African experts that includes inputs from AU Member States, international organizations, academia, local communities, specialized regional institutions and associations, the African maritime private sector and strategic development partners.[19]

It goes without saying that the two initiatives cannot be seen in isolation of the Agenda 2063 and the **2030 Agenda for Sustainable Development**,[20] the former stipulating a pan-African again vision and a 50-year strategy on how to use the continent's overall resources for the benefits of Africans, the latter a global vision, including a set of 17 sustainable development goals (SDGs) to be achieved through a collective effort of the international community by 2030. This is why, the Cairo Declaration specifically refers to both documents. SDGs 1 (end poverty in all its forms everywhere) and 14 (conserve and sustainably use the oceans, seas and marine resources) are directly linked to the ongoing efforts for an integrated African ocean strategy and most of the targets are relevant in the context of this initiative. But other goals are also supported by the envisaged action, namely SDG 2 (end hunger, achieve food security and improved nutrition and promote sustainable agriculture); SDG 3 (ensure healthy lives and promote well-being for all at all ages); SDG 8 (promote inclusive and sustainable economic growth, employment and decent work for all), SDG 12 (ensure sustainable consumption and production patterns) or SDG 13 (take urgent action to combat climate change and its impacts).

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and Coastal Environment of the West and Central African Region (Abidjan Convention) and the Convention for the Conservation of the Red Sea and Gulf of Aden Environment (Jeddah Convention).

[18] http://agenda2063.au.int/en/documents/agenda-2063-africa-we-want-popular-version-final-edition.

[19] See AIM Strategy, Executive Summary.

[20] http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E.

The AIM Strategy is to be acclaimed for the wide participatory process - consultations for its adoption and constant engagement of all possible stakeholders during the implementation and for its holistic approach – intersectoral, intergovernmental, interagency and transnational cooperation. From an institutional point of view, the Strategy Task Force was set up on 3 June 2011. To further implementation, a set of other bodies was to be established, i.e. the Department of Maritime Affairs (DMA), regional DMA inter-agency committees with designated focal points to monitor progress and review the implementation of the strategy, the African Naval Architects and Marine Engineers Forum (ANAMEF), the African Safety of Navigation Forum (ASNF) and the Capital Fund (2050 AIMSCAF) to sustain maritime viability, but providing research funds and equity venture capitals to marine project in the continent. In addition, to mobilize political and financial resources for its implementation, the Strategy provided for the establishment of the High Level College of Champions (2050 AIM Strategy HLC2) composed of very high profiled African leaders.

There is of course a long way to go until 2050, but it appears that there is not much action undertaken since the adoption of the Strategy. The latest news and events on the dedicated web site (http://pages.au.int/maritime) are from summer 2015, whereas according to the action plan certain actions had to be implemented by 2013 or 2015. There is lack of information about the status of implementation of those actions, as the last update of the plan of action available on the Internet is from 2 May 2013. The Plan of Action should be reviewed and updated every three years, so there should be a review by May 2016 already available.

One of the major challenges of the Strategy is the financial implications of the actions. While at the time of its adoption, the financial implications could not be accurately estimated, the Plan of Action should identify sources for each activity. There is no update on the mobilization of resources or the work of the 2050 AIM Strategy HLC2. Consequently, with uncertain financial support or even a specific approach and scheme for the mobilization of resources, the feasibility of the Strategy is put at stake.

Through the 2016 Cairo declaration, Ministers reiterated their commitment, explicitly referred to critical documents all aiming at the continent's development and emphasized UNEP's role, specifically: "the need for strengthening [UNEP's] strategic regional presence it the continent to provide the requisite leadership and support to member states and ensure implementation of the environmental dimension of the sustainable development goals and enhance the capacity of UNEP to support implementation of programmes and projects at national and regional level that address various environmental challenges" (see Cairo Declaration, preambular paragraph 13). Ministers recognized the political guidance provided by African representatives in various fora, and agreed to honour their commitments for the implementation of the 2030 Agenda and Agenda 2063 (paras. 1-10).

The advantage of the UN environment servicing AMCEN is that it is the forerunner in coordinating intergovernmental processes in the area of the environment. There is vast amount of experience gathered from the various programmes and projects developed by and run by UN Environment and also a deep understanding of cross-sectoral issues by the UN in general, which can only add value to the AMCEN process as compared to the process led by AU. As such, the UN will not only support the AU in

attaining objectives relating to peace and humanitarian intervention in maritime governance, but will uplift implementation of the 2050 Strategy as a whole.

Moreover, there is a regular practice of coordination and meetings within AMCEN. It was established in 1985 and meetings have been held in regular intervals to review implementation of the mandate to provide advocacy for environmental protection in Africa; to ensure that basic human needs are met adequately and in a sustainable manner; to ensure that social and economic development is realized at all levels; and to ensure that agricultural activities and practices meet the food security needs of the region (http://web.unep.org/regions/roa/amcen/about). As long as there is appropriate interministerial coordination at the Governments' level (ministries of environment, maritime affairs, etc.), AMCEN is envisaged to bring in the missing connectivity among the various processes at the global and pan-African level, with a view to address the countries' concerns. The vision is there, but UNEP and AMCEN introduce a clear direction to achieve the vision and require better policy coherence.

As a follow up, on 19 October 2015, the heads of Secretariats of the four Regional Seas Conventions in Africa (Abidjan Convention, Barcelona Convention, Nairobi Convention and Jeddah Convention) met in Istanbul and agreed to conduct a scoping/mapping exercise to outline existing strategies and governance mechanisms, identify and analyze gaps.

It is probably too early to speak about lessons learned or recommendations about this cooperation. The key point is that the State actors involved acknowledge the need for cooperation, insist on inter-ministerial cooperation at the Government level and also on coordination with all relevant stakeholders at the continent and global level. The involvement of UNEP will only benefit this cooperation.

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UPDATE OF THE DESIGN OF AN INTEGRATED REGIONAL OCEAN POLICY FOR THE PERMANENTE COMMISSION FOR THE SOUTH PACÍFIC.

Guayaquil, 23th November, 2016

Secretary General CN(RA) Julián Augusto Reyna Moreno

Background

Since 1952, the Permanent Commission for the South Pacific (CPPS) is the appropriate organization to coordinate regional maritime policies in order to adopt concerted positions of its Member States (Chile, Colombia, Ecuador and Peru) in international negotiations, development of the Law of the Sea, International Environmental Law and other multilateral initiatives. CPPS is also engaged in capacity building processes at the national and regional levels in scientific, socio-economic, policy and environmental areas. The geographic scope of the CPPS covers the marine and coastal environment of the South-East Pacific.

At the VIII.CPPS Meeting of Ministers of Foreign Affairs,in Puerto Ayora, Galapagos, Ecuador, on 17 August 2012, the Ministers agreed on a series of decisions related to the governance of the South-East Pacific in the so-called "Commitment of Galapagos for the XXI. Century". In paragraph I.1, the Ministers "[…} express their commitment to the new strategic orientation of the Organization, according to which the CPPS, in view of the challenges of the XXI Century, will support Member Countries to achieve in an integrated perspective, their sustainable development. This, as defined in the 1992 Rio Declaration on Environment and Development and the Agenda 21, taking into account, among others, the Ecosystem Approach, the Precautionary Principle and the international instruments aimed at the protection of seas and oceans, respecting national policies and mechanisms in effect in each country. This orientation applied in the areas of sovereignty and jurisdiction of Member States of the CPPS, will also guide its projection beyond that zone, including the Pacific basin".

Global trends towards integrated ocean policies have been recognized by the 2012 United Nations Conference on Sustainable Development (Rio+20), and have been confirmed by the post-2015 development agenda ´Transforming our world: the 2030 Agenda for Sustainable Development´. This highlights the conservation and sustainable use of oceans, seas, and marine resources through Sustainable Development Goal # 14.

Already in 1952, the Santiago Declaration in its preamble stated that "governments are bound to ensure their people´s access to necessary food supplies and to furnish them with the means of developing their economy".

Later at the United Nations Conference on Environment and Development (UNCED) held in 1992in Rio de Janeiro, Brazil, world leaders agreed on the Agenda 21 and the Rio Declaration on Environment and Development, which advocates the widespread application of the Precautionary Principle as a key governance principle in the following terms:

”In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation”.

Both the Santiago Declaration and the Precautionary Principle have been recognized in the Commitment of Galapagos and have become framework elements of CPPS’ future action.

Another important element incorporated in the Commitment of Galapagos for the XXI. Century is the Ecosystem Approach, which “is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. Application of the ecosystem approach will help to reach a balance of the three objectives of the Convention [on Biological Diversity]. It is based on the application of appropriate scientific methodologies focused on levels of biological organization which encompass the essential processes, functions and interactions among organisms and their environment. It recognizes that humans, with their cultural diversity, are an integrated component of ecosystems” .

All these commitments complement the Santiago Declaration and facilitate its modern interpretation. To ensure coherency of the CPPS statutes and other strategic documents, and in light of these developments, the CPPS considers a process to formulate a proposal for an integrated regional ocean policy document for the South-East Pacific.

Based on commonly agreed ocean governance principles for the region, it could be feasible to design a regional ocean policy that ensures also a strong position of the region in international forums.

CPPS Workshop on Integrated Regional Ocean Policy

In view of these developments, the Secretary General of the Permanent Commission for the South Pacific has invited the Partnership for Regional Ocean Governance (PROG), an initiative launched in 2015 by the United Nations Environment Programme (UNEP), the Institute for Advanced Sustainability Studies (IASS) and the Institute for Sustainable Development and International Relations (IDDRI), to provide support in organizing and implementing, in conjunction with the CPPS, a workshop which will gather 55 experts from the CPPS, and other international and regional organisations, civil society and research centres, in Bogota, Colombia, from 28th to 30th October 2015.

The aim of this workshop is to discuss a vision of an integrated regional ocean policy within the national jurisdiction of CPPS Member States and adjacent waters beyond national jurisdiction (ABNJ) and inform related decision-making within the CPPS and its Member States.

Specifically, this workshop treated:

- Exploration of the relationships between national ocean policies designed and developed in Chile, Colombia, Ecuador, Panama and Peru, their connexions with other global ocean governance

issues, such as the governance of ABNJ, and the overall role of Regional Seas programmes and Regional Fisheries Management Organisations in this context;

- Lessons learnt from integrated ocean policies in other regions and explore their possible application to the South-East Pacific;

- Identified possible options and steps forward towards an integrated regional ocean policy for the South-East Pacific;

- Explored possible means of implementing the United Nations Sustainable Development Goals, particularly Goal 14 on the conservation and sustainable use of the oceans, seas and marine resources for sustainable development, and will identify the linkage between the implementation of the ecosystem approach to broader issues related to sustainable development, such as food security, land-based activities, employment, health, and other important factors.

Results

The results of the First Integrated Regional Ocean Policy (IROP en English or PROI in Spanish) Workshop of the CPPS, held in Bogota, Colombia from October 28 to 30, 2015, were as follows:

Summary of Recommendations of the Legal Group

The Assembly considers the design and eventual adoption of an integrated Regional Ocean Policy. Accordingly, it is suggested that, if this initiative is approved, a working group of experts with the representation of the four countries should be established to draw up a proposal.

The terms of reference of the working group should include as general basis for the development of this policy, the values, principles and standards of sustainable development, as well as the Law of the Sea, International Maritime Law and the Environment, and Consider the participation of legal, scientific and technical experts, and civil society.

The Assembly instructs the General Secretariat of the CPPS, in close coordination with the Executive Committee, to evaluate the nature of the instrument contained in the Integrated Regional Ocean Policy.

Summary of Recommendations Social, Scientific and Economic Group

The General Assembly of the CPPS should consider the need to generate an Integrated Regional Ocean Policy that guides member countries on the implementation of policies related to the sea, according to the competencies of each country.

The Integrated Regional Ocean Policy should include among its elements, general guidelines on: promoting the generation of knowledge of the sea in scientific, technological and innovation research topics that support decision making; Incorporate methodologies on integrated marine spatial planning; consider governance for common regional activities; take into account the economic and social dimension of the sea; suggest mechanisms for the implementation of commitments derived from

international instruments and regional initiatives, and the inclusion of other emerging issues in maritime areas established in the Law of the Sea, and other relevant international legal instruments.

As a consequence of the analysis of the policies in force and in process of generation by the member countries, it has been determined that there are three major common areas of participation that are: environmental; economic and social, the same as those that are seriously addressed by intersessional working groups; including an intersectoral and multidisciplinary working group, which complementarily structures the Integrated Regional Ocean Policy (IROP).

Conclussions

These recommendations were made in the framework of the General Assembly of the CPPS at the XII Ordinary Assembly, held on November 27, 2015 in Puerto Ayora, Galapagos.

The Assembly recognized the importance of the project IROP for the region, however determined that all the countries of the CPPS should first advance in the process of elaborating their own national ocean policies, since two of them are in the design process, and another is reviewing it.

Once this national process has concluded in the CPPS States, the topic should be resumed by the Secertary general to search the design of an integrating document of the oceanic policies in the region.

Currently, there are two countries that prepare their national documents and it is expected that in a period of approximately one year, they finalize the internal process, so CPPS could resume the initiative to propose the Integrated Regional Ocean Policy (IROP).

Potential cooperation between ROPME and RECOFI for the development of a Regional Ecosystem-Management Strategy for the ROPME Sea Area

Authors: Kanako Hasegawa, Hassan Awad and Piero Mannini,

Contents

1. Introduction

In April 1978 the eight Governments of the region (Bahrain, Islamic Republic of Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates) agreed on the Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution (Kuwait Convention) and the Action Plan for the Protection and Development of the Marine Environment and the Coastal Areas (Kuwait Action Plan). A year later, the Regional Organization for the Protection of the Marine Environment (ROPME) was established to coordinate the ROPME Member States' efforts towards the protection of water quality in the ROPME Sea Area[21] (**Annex 1**) and protect the environment system as well as marine life and to abate the pollution caused by development activities of the Member States. Since then, ROPME has been playing a pivotal role in unifying the exerted efforts of the Member States towards the implementation of the Action Plan for the protection of the ROPME Sea Area.

The ROPME Sea Area is the sea area surrounded by the ROPME Member States. The sea area has unique biodiversity characterized by shrimps, demersal fishes, coral reefs, mangroves and seagrass beds. Some of the fish species are commercially important and the fisheries sector provides employments to more than 100,000 people in the region (Mannini 2010), making fish as the second most important natural resources in the region (Van Lavieren et al. 2011).

Over recent decades, the ROPME Sea Area has experienced a rapid change from the fasts economic development and population growth in the region. The total population increased from 46.5 million in 1970 to approximately 150 million in 2010 (ROPME 2013) and the economic growth was supported by the prosperous petroleum industry.

ROPME regularly assess the state of the ROPME Sea Area and summarize the finding in the Status of the Marine Environment Reports (SOMER). While the region has experienced economic growth, the SOMER report in 2013illustratedthe continuous environmental degradation of the ROPME Sea Area. To better manage the sea area, the SOMER report recommended the adoption of the Ecosystem-Based Management (EBM) approach.

Recognizing that EBM is an effective management approach for sustainable development[22], the 16th ROPME Council held in 2013 stressed the importance of an integrated approach through Decision CM 16/7. The decision promoted "*Ecosystem Based Management Approach as a Road Map towards the sustainability of the marine environment, its resources and its services*".

To implement the Decision expressed by the environmental ministers in the region, the ROPME Secretariat proposed to develop a Regional EBM Strategy for the ROPME Sea Area (hereafter the ROPME EBM Strategy). Based on more than 30 years of cooperation with the United Nations

[21] Article II of the Kuwait Convention, the ROPME Sea Area (RSA) is defined as extending between the following geographic latitudes and longitudes, respectively: 16°39'N, 53°3'30"E; 16°00'N, 53°25'E; 17°00'N,56°30'E; 20°30'N, 60°00'E; 25°04'N, 61°25'E.

[22] The international community endorses this approach. For example, the Convention on Biological Diversity recognizes the ecosystem approach

Environment Programme (UNEP) Regional Seas Programme, the ROPME Secretariat contacted UNEP to facilitate the process to develop the ROPME EBM Strategy.

The first step was to conduct brainstorming between ROPME and UNEP. The original idea was to involve all relevant ocean sectors such as navigation, oil, fisheries, coastal development, and tourism to develop the EBM Strategy because EBM is inherently cross-sectoral[23]. To move forward, ROPME and UNEP agreed to organise the first brainstorming workshop to identify key stakeholders and to discuss possible elements of the Strategy.

During the preparation period of the workshop, however, it was suggested to start working with four key sectors given the regional characteristics: environment, fisheries, oil, and coastal development sectors. After further discussions between ROPME and UNEP, in consideration of resource availability, it was decided to take a step-by-step approach to involve multiple sectors in this process. The ROPME Secretariat proposed that the fisheries sector be the first sector to be involved in this process considering the close linkage between the environment sector and the fisheries sector. Mutual understanding had already existed between the two sectors that healthy ecosystems are the foundation for sustainable fish production.

Taking this step-by-step approach, the first workshop entitled "*Toward the Development of a Regional Ecosystem Based Management Strategy for ROPME Sea Area*" was held from 4-7 April in Dubai, UAE in order to conduct brainstorming sessions for the development of the EBM Strategy. The ROPME Secretariat invited participants both from the environment sector and fisheries sector. In this way, the workshop formally initiated the process to develop the EBM Strategy and decided to form a Working Group for the purpose of preparing the EBM Strategy. The workshop participants also recommended establishing an effective and viable cooperation framework between ROPME and the Regional Commission for Fisheries (RECOFI) [24]. Furthermore, they suggested that relevant regional and international organisation such as RECOFI be part of the Working Group. Following the recommendations and preliminary work plan adopted by the workshop, the First Working Group meeting was organised from 15 to 16 October 2016 in Tokyo, Japan[25]. At the meeting, the Working Group members adopted its terms of reference and the following work plan for the development of the ROPME EBM Strategy[26]:

Phase	***Activity***
	• Preparation of three reports on: - Inventory of existing policies, activities, projects and institutions relevant to EBM based on information provided by the countries;

[23]UNEP (2013) Taking Steps toward Marine and Coastal Ecosystem-Based Management
[24] http://www.fao.org/fishery/rfb/recofi/en Also see: ROPME/WG-171/2 Annex VIII Workshop Recommendation Paragraph 10
[5] Available at: http://ropme.org/552_EBM_WG1_EN.clx
[26] Available at: http://www.ropme.org/Uploads/Events/EBM-WG1/WD/5-ROPME-EBM-WG1-Provisional_WP(updated).pdf

Phase I	- Scoping study, which will identify elements for the EBM Strategy; - Ecosystem assessment and valuation in the RSA • Draft an outline of the Strategy • Preparation of national report on existing policies and activities related to the EBM Strategy • Organization of national inter-ministerial committees for the EBM Strategy in each Member State • Identification and analysis of stakeholders, individuals, organizations and agencies across sectors. • Identify common goals, interests and objectives
Phase II	• Organization of a training for the working group members on communication methods to facilitate the process • Organization of brainstorming meetings with decision makers on Ecosystem-Based Management. • Organization of a Regional multi-stakeholders workshop on EBM to agree on approaches for the development of an Regional EBM Strategy • Preparation of region wide assessment of state-of-the-art in the management of RSA ecosystem with identification of management gaps • Preparation of an outline for strategy (strategic framework) to be reviewed by key stakeholders • Organization of multi-stakeholders meetings to agree on a strategic framework Wider stakeholder consultation in the region (such as online-public consultation) • Establishment of a module for EBM in the ROPME integrated Information System (RIIS) for the network of professionals in the region
Phase III	• Preparation draft of the EBM Strategy • Conduct rounds of stakeholders to review the draft of the EBM Strategy • Finalization of the Regional EBM Strategy document • Submission of the EBM Strategy to the ROPME Council for adoption
Phase IV	• Development of monitoring and follow-up scheme • Application of Regional EBM Strategy • Implementation of operational strategy, follow up and monitoring. • Develop the institutional reform if needed

2. Objective of Cooperation

The objective of cooperation between ROPME and RECOFI is to develop the Regional EBM Strategy for the ROPME Sea Area. At this stage, the modality of implementation of the EBM Strategy at the national and regional levels remains to be discussed further.

The ROPME EBM Strategy is envisioned to be aligned with the Agenda 2030 for Sustainable Development. This cooperation is particularly relevant to SDG 14.2 but the implementation of this EBM Strategy will be relevant to the other targets under SDG 14, and other ocean-related targets including SDG 2.4 on food security and SDG 13 on climate change (**Annex 2**).

3. Dialogue processes

Based on the decision to start working with the fisheries sector to develop the EBM Strategy, the ROPME Secretariat reached out to the RECOFI Secretariat, and the national authorities that handle fisheries and invited them to the abovementioned workshop in Dubai. The intention was to conduct brainstorming sessions between the two sectors to start developing the ROPME EBM Strategy.

An official invitation letter was sent to the RECOFI Secretariat from the ROPME Secretariat. It should be noted that ROPME has had an observer status at the RECOFI commission and invitations to sessions has sometimes been sent from the RECOFI Secretariat to the ROPME Secretariat.

From the Member States, participants from the two sectors were invited. In addition, it was requested that those who are familiar with the national policies, and those who are familiar with the science of their respective sectors, participate in the workshop.

At the first workshop, the following stakeholders from the international, regional and local levels also participated in the meeting[27]: Regional Clean Sea Organization (RECSO), Islamic Development Bank (IDB), Convention on Migratory Species (CMS), Division for Ocean Affairs and the Law of the Sea (DOALOS), Emirates Wildlife Society (WWF), Environment Agency – Abu Dhabi (EAD), North East Atlantic Fisheries Commission (NEAFC), Regional Organisation for the Conservation of the Environment of the Red Sea and Gulf of Eden (PERSGA), Food and Agriculture Organization of the United Nations (FAO), New York University, Abu Dhabi Global Environmental Data Initiative (AGEDI), and Japan International Cooperation Agency (JICA).

After the workshop in Dubai, an informal discussion was made between the ROPME Secretariat and the RECOFI Secretariat to advance the cooperation by formalizing it through a memorandum of understanding (MOU). As of now, no regular meetings have been set between the two Secretariats.

[27] ROPME/WG-171/2 Annex III Available at:
http://www.ropme.org/Uploads/Events/EBM/EBM_Report_of_the_Workshop.pdf

4. Perceived successful elements of cooperation

The process to develop the ROPME EBM Strategy officially initiated in 2016 and the results are yet to be seen. But one of the successes of this process is the endorsement from the countries for the cooperation between ROPME and RECOFI as expressed by the workshop recommendations[7]. As the two mechanisms have the same member states and the same geographical coverage, the countries clearly understood the value of cooperation for the EBM Strategy, which is in line with the FAO-promoted Ecosystem Approach to Fisheries[28] (EAF) component.

The step taken by the two secretariats to consider formalizing the cooperation mechanisms through MOU is also an outcome, which the region should be proud of. Signing of MOU between ROPME and RECOFI will be a milestone for the cooperation. In the future, other indicators may be set to measure the progress of cooperation for the development and implementation of the EBM Strategy.

5. Effort for policy coherence

When fully developed and implemented, the Regional EBM Strategy will enhance policy coherence across relevant ocean-sectors in the ROPME Sea Area by guiding national and sectoral activities under a shared vision. Current scope of the cross-sectoral cooperation is between the environment and the fisheries sectors, but other sectors may decide to join and implement the Strategy in the future.

By setting a common vision shared by the eight countries for the sustainable management of the ROPME Sea Area, the EBM Strategy will help coordinate management efforts by the countries and by individual sectors. It is envisioned that specific ecological objectives be set for the monitoring of the ROPME EBM Strategy implementation. Relevant sectors will work towards achieving such common regional objectives. To set such ecological objectives, it was proposed to align the targets with the SDGs and the Aichi Biodiversity Targets[7]. By doing so, the regional strategy will assist Member States deliver on the ocean-related SDGs and the Aichi Biodiversity Targets.

6. Challenges faced

Developing a full-fledged EBM strategy with the participation of all relevant sectors is very resource and time intensive. So, the first challenge was to determine the initial set of sectors to be involved in the process. In an ideal situation, all relevant sectors should be involved but in reality, resource limitations need to be considered.

This makes a gap in taking a fully integrated approach to the management of the ROPME Sea Area. Given the particular importance of the petroleum sector and the coastal development sector in the region, these sectors' involvement will be important to apply EBM and to achieve the ocean-related SDGs in the ROPME Sea Area.

[28] http://www.fao.org/fishery/eaf-net/en

Second, the lack of understanding on the institutional mechanisms and processes between ROPME and RECOFI is a challenge. The Working Group members[29] are familiar with either the ROPME mechanism or RECOFI mechanism. In advancing the cooperation, it is necessary to understand each organisation's mandate, working modalities and decisions making process. This would help developing the Strategy and to implement it in a collaborative manner in the future.

Third, the support of the higher decision makers for the Working Group members to achieve their responsibility[30] is crucial for the successful development of the ROPME EBM Strategy according to the work plan. The Working Group in its first meeting strongly recommended organizing national brainstorming meetings with the decision makers to ensure their involvement and support during the whole process.

Fourth, the national cross-sectoral coordination could be a challenge. The first EBM Working Group meeting recommended that the members organise cross-sectoral national coordination meetings as appropriate[31]. As the cross-sectoral cooperation at the regional level needs to be underpinned by the national cross-sectoral coordination, these national meetings will be a key process for the cooperation between the two sectors.

7. Lessons learnt and recommendations

a. For the initiative

The cooperation between ROPME and RECOFI will facilitate coordinated regional support to the eight Member States in the region for their achievements of the ocean-related SDGs. By setting a common Regional EBM Strategy in line with the SDGs, the Member States will be able to deliver on the SDGs through working towards the regional objectives. The regional platform also allows sharing lessons learnt and best practices in relation to the implementation of the SDGs.

The preliminary ecosystem assessment being conducted for the ROPME Sea Area under this initiative[32] will also serve as the baseline for ocean-related SDGs. Under the framework of the ROPME EBM Strategy, the ROPME mechanism may also serve as a mechanism to review the progress towards the ocean-related SDGs as compared to the baseline study.

This initiative is still at an early stage and further discussion will be made to finalize the Strategy. After the Working Group prepares a draft, it will be submitted for the approval of the ROPME Ministerial Council, each Member State, and RECOFI members at the Commission's plenary session. In this process,

[29] ROPME/WG-173/2 Available at: Annex III: http://ropme.org/Workshops/2016_EBM/docs_japan/EBM-Report_of_the_Meeting_Japan_Oct_2016.pdf
[30] ROPME/WG-173/2 Available at: http://ropme.org/Workshops/2016_EBM/docs_japan/EBM-Report_of_the_Meeting_Japan_Oct_2016.pdf
[31] ROPME/WG-173/2 Annex IX Available at: http://ropme.org/Workshops/2016_EBM/docs_japan/EBM-Report_of_the_Meeting_Japan_Oct_2016.pdf
[32] ROPME/WG-171/2 Available at: Annex VIII Available at http://www.ropme.org/Uploads/Events/EBM/EBM_Report_of_the_Workshop.pdf

public consultation will be of paramount importance in securing the future uptake at the national and local levels. Thus this consultative process needs to be well coordinated at the regional and national levels.

b. For other initiatives

A key recommendation from this initiative is to consider taking a step-by-step approach in engaging different sectors for a region-wide integrated strategy development. It is tempting to invite all relevant ocean sectors in the discussion from the beginning but it would be very time and resource consuming in organising such a process from the onset. It is worthwhile starting with a few key sectors and inviting other relevant sectors at a later stage.

To initiate this type of initiative, it is important to have political endorsement from the decision makers and also from government officers at the technical level. This process is underpinned by the ROPME Ministerial Council Decision and is also supported by relevant technical officers from the Member States[33]. These political endorsements are crucial in advancing this type of process.

Last but not least, partnership with relevant international, regional and national organisations is crucial. In this case, JICA plans to provide technical support such as training related to EBM to the Working Group members, within the framework of the signed partnership MoU with ROPME. These partnerships with donors are effective in accelerating the process and in developing the capacity for the implementation of EBM at the national level.

The best process and arrangements may vary from region to region and implementation mechanisms of a regional Strategy may also vary from country to country. But it is our hope that these lessons learnt will be an inspiration to other countries and regions in the future.

8. References

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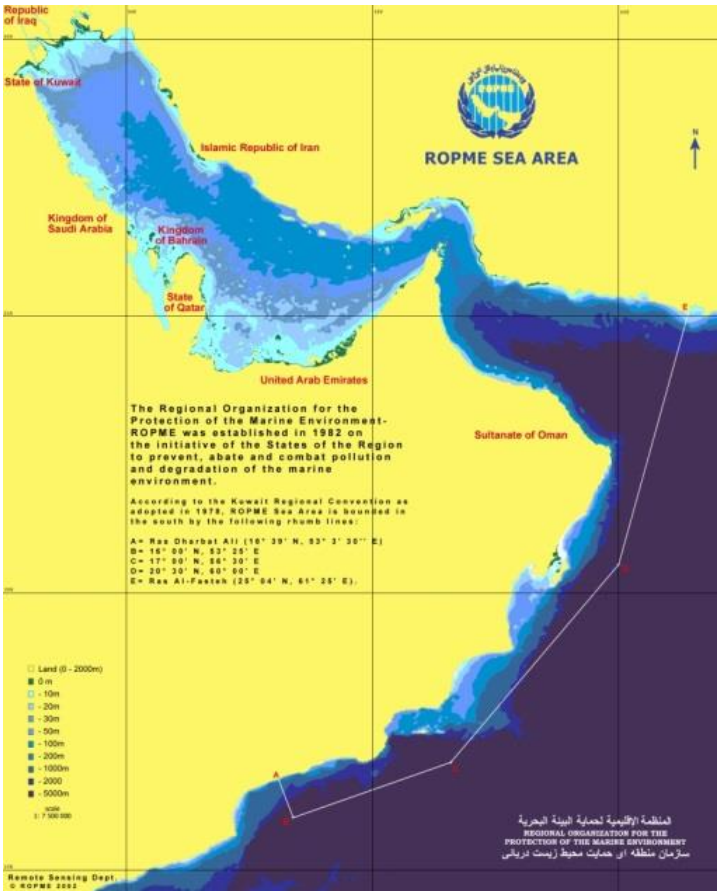
[33] http://www.ropme.org/Uploads/Events/EBM-WG1/WD/4-ROPME-EBM-WG1-ToR(Updated).pdf

Annex

Annex 1: Map of the ROPME Sea Area



Annex 2: Preliminary list of relevant SDGs to the ROPME EBM Strategy

Goal 2. End hunger, achieve food security and improved nutrition, and promote sustainable agriculture.

2.4 By 2030 ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters, and that progressively improve land and soil quality

Goal 6. Ensure availability and sustainable management of water resources and sanitation for all

6.3 By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and sager reuse globally

6.5 By 2030, implement integrated water resources management at all levels, including through transboundary cooperation as appropriate

6.6 By 2030, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, Aquifers and lakes

Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable

11.6 By 2030, reduce the adverse per capita environmental impacts of cities, including paying special attention to air quality and municipal and other waste management

Goal 13. Take urgent action to combat climate change and its impacts

13.1 Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries 13.2 Integrate climate change measured into national policies, strategies and planning

Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development

14.1 By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution

14.2 By 2020, 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

14.3 Minimize and address the impacts of ocean acidification, including through enhanced scientific cooperation at all levels

14.4 By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics

14.5 By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information

14.6 By 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the World Trade Organization fisheries subsidies negotiation (Footnote 2: Taking into account ongoing World Trade Organization negotiations, the Doha Development Agenda and the Hong Kong ministerial mandate)

14.7 By 2030, increase the economic benefits to Small Island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism

14.a Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries

14.b Provide access for small-scale artisanal fishers to marine resources and markets

14.c Enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in UNCLOS, which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of The Future We Want

Coopération entre la Convention d'Abidjan et la Commission Sous-Régionale des Pêches

I. Introduction

Le secrétariat de la Convention d'Abidjan a pour fonction et mandat la coopération pour la Protection, la Gestion et le Développement de l'environnement marin et côtier de la région de l'Afrique de l'Ouest, du Centre et du Sud.
La Convention est née de la nécessité d'adopter une approche régionale pour la prévention et la réduction des risques côtiers. La Commission Sous-Régionale des Pêches (CRSP) est quant à elle, composée des 7 Etats situés en Afrique de l'Ouest, dont l'objectif est le renforcement de la coopération et de la coordination des politiques des Etats membres, en vue de l'amélioration de la gestion des ressources halieutiques.

La coopération entre nos deux entités est née de l'existence d'objectifs communs, partagés, visant à la protection, la mise en valeur des ressources naturelles, y compris marines, dans notre région. Nous souhaitions que ces valeurs partagées prennent forme dans une collaboration œuvrant pour l'atteinte de ces buts et objectifs, dans le cadre de nos mandats respectifs. Le 29 mai 2012, le Secrétariat de la Convention d'Abidjan et la CSRP signaient un Mémorandum d'Accord, en vigueur jusqu'à fin 2016.
Les objectifs de ce Mémorandum seraient atteints grâce à des dialogues réguliers entre les deux parties et l'application d'un «instrument juridique distinct entre les parties, afin de définir et mettre en œuvre des activités, projets et programmes conjoints[34]».
À ce jour, la collaboration entre les deux Parties est financée sur la base des fonds de projets de chacune des deux organisations, le protocole d'accord en vigueur n'incluant pas d'implications financières.

La signature de ce Mémorandum s'est inscrit dans un contexte marqué par différents besoins :

- Le manque de collaboration/coopération entre les Organisations Régionales sur les Océans et les Organisations Régionales sur les Pêches ;
- La mise en évidence de liens existants entre la baisse des stocks de ressources halieutiques et la pollution du milieu, ainsi que la dégradation des habitats ;
- L'avènement de l'ODD #14 (portant sur les Océans) ;
- La fragmentation dans la gouvernance des océans.

[34] Mémorandum d'Accord entre le Secrétariat de la Convention d'Abidjan et la Commission Sous-Régionale des Pêches, signé le 5 mai 2012.

II. Objectif de la Coopération, Processus de dialogue & Cohérence des politiques

- Objectifs

Au terme de l'accord, la Convention d'Abidjan et la CSRP ont identifié les objectifs suivants :

a) La délimitation du plateau continental, conformément à l'article 76 de la Convention des Nations Unies sur le droit de la mer ;
b) La lutte contre la pêche non déclarée et non réglementée dans la région ;
c) La cohérence des politiques et législations en matière de pêche ;
d) L'établissement, dans le cadre de l'approche écosystémique de la gestion des pêches, d'un réseau fonctionnel et représentatif des aires marines protégées dans la région de la CSRP ;
e) Le renforcement des capacités des Etats membres à travers des campagnes d'information et de sensibilisation.

Ces différents objectifs répondent à la cible 4 de l'objectif 14 de Développement Durable : « D'ici à 2020, réglementer efficacement la pêche, mettre un terme à la surpêche, à la pêche illicite, non déclarée et non réglementée et aux pratiques de pêche destructrices et exécuter des plans de gestion fondés sur des données scientifiques, l'objectif étant de rétablir les stocks de poissons le plus rapidement possible, au moins à des niveaux permettant d'obtenir un rendement constant maximal compte tenu des caractéristiques biologiques[35]. »
Les différents moyens permettant de parvenir à l'atteinte de ces objectifs, sont envisagés dans les parties suivantes.

À l'issue de l'identification des différents objectifs, les Parties ont envisagé différents moyens permettant de les atteindre :

a) L'une des premières décisions a porté sur la nécessité de tenir de manière régulière des réunions bilatérales sur des questions d'intérêt commun, en conformité avec un ordre du jour qui devra être défini préalablement. Ces réunions, qui devront se réunir deux fois par an, auraient pour objet l'élaboration ou le suivi d'un projet. Elles comprendront, entre autres, les points suivants :
   - Des questions techniques et opérationnelles liées au renforcement du protocole ;
   - L'analyse de l'avancement des travaux entrepris par la CSRP ;
   - La coordination des activités d'évaluation, de formation et de sensibilisation du public.

[35] http://bj.one.un.org/content/unct/benin/fr/home/omd-apres-2015/ODD-14.html

b) D'autres réunions bilatérales sont également prévues dans le mémorandum. Celles-ci seraient bilatérales, et mises en place au niveau des bureaux et des experts. Outre les réunions en lien unissant strictement les deux parties, le Mémorandum prévoit que lorsqu'une des deux parties organisent une réunion avec un acteur extérieur, durant laquelle des questions de politique générale liées aux but de ce mémorandum sont examinées, la CSRP et la Convention d'Abidjan doivent s' inviter mutuellement.

- Effort de cohérence des politiques

Dans le cadre de ce Mémorandum, différents projets, s'inscrivant dans le dessein d'une politique commune, ont été mis en place afin d'élaborer une politique cohérente de gouvernance régionale.

a) La CSRP a appuyé la Convention d'Abidjan de la cadre de la réalisation de différents documents :
   - Contribution en tant qu'expert, à la partie relative à la pêche, dans le projet de gouvernance des océans en Afrique, de la Convention d'Abidjan ;
   - Contribution à l'élaboration du livre bleu sur la gouvernance des océans ;
   - Contribution aux amendements des textes de la Convention d'Abidjan, portant sur la pêche en tant qu'écosystème.

b) Le cas du navire russe dans les eaux territoriales du Sénégal

c) Collaboration dans le cadre du projet CCLME, dans le groupe de travail sur la qualité de l'eau, la biodiversité et l'habitat.

d) Au cours du mois de novembre 2016, la Convention d'Abidjan, en partenariat avec le gouvernement sénégalais et USAFRICOM, a organisé un symposium portant sur la Judiciarisation du droit de l'environnement en Afrique de l'Ouest, auquel la CSRP a participé en donnant notamment une présentation portant sur « le droit des pêches face à une situation de raréfaction des ressources halieutiques au Sénégal». Au cours de cette présentation, la CSRP a révélé l'ampleur de la pêche illégale, la surexploitation des ressources halieutiques.

   Le but de cette participation était de former les magistrats de la sous-région au droit de l'environnement en vue d'une harmonisation et un durcissement des législations environnementales des différentes Etats africains.
   Cette participation s'inscrit dans l'un des objectifs communs aux deux Parties, la nécessité d'entreprendre une gouvernance régionale et une approche globale intégrée pour répondre aux problématiques, en termes de ressources naturelles, auxquelles la sous-région fait face. Cette approche répond également à l'Objectif 14

des ODD : «Conserver et exploiter de manière durable les océans, les mers et les ressources marines aux fins du développement durable[36]».

Outre la coopération avec la CSRP, la Convention d'Abidjan envisage de travailler, sur la mise en place d'une politique commune sur les Aires Marines Protégées, de concert avec le Réseau des Aires Marines Protégées en Afrique de l'Ouest.
Le RAMPAO a pour mission "d'assurer à l'échelle de l'écosystème marin ouest-africain, le maintien d'un ensemble cohérent d'habitats critiques nécessaires à l'exploitation de processus écologiques dynamiques, essentiels à la régénération des ressources naturelles et à la conservation de la biodiversité au profit de la société[37].»
Du fait de sa mission, l'organisation partage, avec la Convention d'Abidjan des objectifs communs en matière de conservation «de protection, de mise en valeur et de soutien des ressources naturelles[38].»

Le RAMPAO et la Convention d'Abidjan sont liés par un Memorandum of Understanding (MoU) qui n'a pas encore été mis en œuvre du fait d'un manque de financement. Toutefois un plan d'actions, à mener, a été élaboré. Des moyens financiers adéquats permettraient de poursuivre la collaboration, dans le cade de la mise en place d'une politique régionale des AMP dans la région.

III. Éléments de coopération réussis et challenges

- ### Les éléments de coopération réussis

Nous considérons cette coopération comme un succès en vue des différentes actions qui ont pu être établies et des différentes recommandations résultant des réunions.

Le symposium de Dakar, portant sur la judiciarisation du droit de l'environnement représente l'un des principaux succès, permettant de former différents magistrats de la sous-région au droit de l'environnement et d'établir le cadre pour l'établissement d'un Tribunal régional pour l'environnement.

- ### Défis relevés

Les difficultés rencontrées au cours de la coopération sont d'ordre financier et liés en partie au fait qu'aucun accord financier n'ait été signé préalablement. Parmi les défis s'ajoutent la fréquence des réunions et la fragmentation des problématique de la pêche et de l'environnement. Ces entités, pourtant complémentaires, sont traitées de manières distinctes au sein du mandat de nos institutions.

[36] http://www.un.org/sustainabledevelopment/fr/oceans/
[37] Mémorandum d'Accord entre le Secrétariat de la Convention d'Abidjan et le RAMPAO
[38] *Ibidem*

IV. Leçons apprises et recommandations

A. Pour l'initiative:

➢Possibilités futures de coopération, en vue de l'atteinte des ODD :

- Dialogue récent, en Corée, initié par la Convention sur la Biodiversité, entre les organisations de pêches et les organisations régionales sur les océans. Ceci constitue une opportunité de travail à envisager en coopération avec la CSRP.

- La mariculture, peut-être également envisagée comme un cadre futur de coopération entre nos deux instituions, avec pour avantage la création de richesse, d'emplois et la gestion des ressources halieutiques.

➢ Actions à entreprendre pour l'atteinte des objectifs

- Réaliser des actions de sensibilisation avant, pendant et après le projet ;
- Elaborer des indicateurs quantifiables.

B. Recommandations pour les autres organisations :

➢ Les éléments de réussites afin d'envisager une telle initiative

- Établir des objectifs au préalable ;
- Obtenir le soutien politique des Etats ;
- Associer les populations concernées ;
- Prévoir des projets de démonstrations à fort impact local ;
- Impliquer les partenaires techniques et financier actif dans le domaine des pêches et de l'environnement ;
- Réaliser des campagnes de sensibilisation à chaque strates du projet ;
- Élaborer dès le départ des indicateurs quantifiables des actions communes.

➢Les avantages d'une telle coopération

- La mutualisation des ressources ;
- La possibilité d'anticiper plusieurs risques au même moment ;
- La création d'emploi ;
- L'efficacité afin de parvenir à différents résultats ;
- Partage des compétences.

V. Références et liens internet

- Site internet du CCLME : http://www.canarycurrent.org/fr
- Site internet de la CSRP : http://www.spcsrp.org/fr

Draft: OSPAR cooperation with the North East Atlantic Fisheries Commission and other relevant inter-governmental organisations, with particular reference to area based management

This draft paper is produced largely based on the Information Paper written by Stefán Ásmundsson, Secretary of NEAFC, and Emily Corcoran, Deputy Secretary of OSPAR. It remains in draft subject to comments/contributions on the processes described in this paper from colleagues at NEAFC, ISA and IMO. Darius Campbell, Executive Secretary, OSPAR. (see a copy of the above information paper at: http://www.ospar.org/documents?v=35111).

Introduction; approach to enable cross-sectoral cooperation.

1. The initiative described in this paper is an example of a process to embody the ecosystem approach, reflecting the need to engage across the sectors. This has been via the development of a cooperation mechanism between organisations with differing and separate competences for management of human activities in the seas in areas beyond national jurisdiction. The focus of the paper is an initiative on area based management that grew out of two of meetings; in Madeira in 2010 and Paris in 2012. This initiative is the called 'collective arrangement' in short-hand. The paper will also describe the broader process of engagement with the relevant organisations through MoUs.

2. The core organisations that have currently adopted the collective arrangement are the North East Atlantic Fisheries Commission (NEAFC) and the OSPAR Commission for the Protection of the Marine Environment in the North East Atlantic (OSPAR). It is hoped that in due course at least two other organisations with key interests will adopt the collective arrangement; the International Maritime Organisation and the International Seabed Authority. For organisations that have not joined the collective arrangement and are cooperating informally at the Secretariat level, the existing MoUs provide a more general basis for on-going cooperation.

3. The need identified at the meetings in Madeira and Paris was the recognition that protection of areas in the high seas against the impacts of human activity needed coordination, given the differing competences of the existing organisations with responsibilities in areas beyond national jurisdiction. This was core to delivering an ecosystem approach so often talked about. Human activities, for instance related to dumping, shipping, fisheries and mining were administered separately by the relevant organisations, therefore coordination was required to avoid one organisation undermining the objectives of another organisation, despite the fact that both organisations may in fact include the same Contracting Parties. Put more positively, a collective arrangement could help enhance the objectives each organisation has for an area management within the high seas and at the same time help deliver an ecosystem approach.

4. The focus of the collective arrangement is on sharing information on where the areas managed are, and the objectives for the management actions in place. This naturally leads on to

more general sharing of relevant information between the organisations, this can then influence further decisions/actions taken within their respective mandates. There are no direct budgetary implications from the collective arrangement, apart from the travel and meeting costs for the face-to-face meetings as they arise (two meetings so far in the 2 years since the collective arrangement was agreed.

5. The collective arrangement and relevant MoU texts can be found at:

http://www.ospar.org/news/collective-arrangement; http://www.ospar.org/about/international-cooperation/memoranda-of-understanding

Objective of Cooperation

6. From the OSPAR perspective the aim for the institutional cooperation is to help deliver an ecosystem approach as embodied in the objectives of OSPAR's High Seas Marine Protected Areas. These MPAs are understood as areas for which protective, conservation, restorative or precautionary measures are instituted for the purpose of protecting and conserving species, habitats, ecosystems or ecological processes of the marine environment. OSPAR does not however have the mandate to take measures to achieve all these objectives. So in this regard for OSPAR, the objectives of NEAFC in adopting measures to protect the marine ecosystem from potential negative impacts of fisheries are of great interest.

7. Given the above objectives, the Sustainable Development Goal 14 on oceans is most relevant. At this distance from land (more than 200 nautical miles), as far as human impacts are concerned the potential issues of interest will more likely to be related to fisheries, mining, shipping and climate change and ocean acidification.

Cross-sectoral cooperation in practice

8. OSPAR adopted an Annex (V) on biodiversity to its convention in 1998 and NEAFC started to look more widely at the effects of fisheries on the marine ecosystem in the late 1990s. The led to a substantive overlap in objectives between the two organisations, therefore some of the Contracting Parties starting a process to harmonise their positions in NEAFC and OSPAR. At this stage several Contracting Parties were criticised for holding apparently inconsistent positions in the respective organisations, principally deriving from the differing ministries in the national administrations.

9. At that time the Secretariats of the two organisations started initial consultations, which in due course were accompanied by more interaction at the national level. Following a joint meeting of the Heads of Delegation of the two organisation in 2005, a genuine will on both sides to increase cooperation and coordination was expressed, but there was also some way to go in developing understanding regarding respective objectives and practices of the each organisation. A Memorandum of Understanding between the two organisations agreed in 2008 helped in bridging these issues. This clarified respective legal competences and established participation by the

Secretariats in the relevant committees of the other organisations. The MoU facilitated increased participation in each other's processes, as a result cooperation was better instituted into working practices of both organisations as well as initiating joint work on a few specific projects together. Current participation by secretariats involves attendance at at least two meetings per year (the annual meeting and the key biodiversity related committee meeting of each organisation) in addition to informal Secretariat meetings and the (so far) annual meetings under the collective arrangement.

Perceived successful elements of cooperation

10. The main substantive benefits of the increased cooperation and coordination between NEAFC and OSPAR related to the MoU and the collective arrangement's contribution to establishing a more comprehensive approach to management in areas beyond national jurisdiction, while still respecting the different organisations' mandates and competences. In dealing with any particular challenge for one organisation which relates to limitations in legal competence or substantive expertise, a solution can be found in cooperating and coordinating with those who already have the relevant legal competence and substantive expertise for that issue.

11. One clear example of the new cooperative spirit between NEAFC and OSPAR was the identification of ecologically or biologically significant marine areas (EBSAs) for the process under the Convention on Biological Diversity (CBD). In the North East Atlantic region, NEAFC and OSPAR cooperated with the CBD to hold a workshop to identify candidate EBSAs. NEAFC and OSPAR not only jointly organised the workshop but then worked together on various stages of the follow-up to it. This included jointly submitting the results of the workshop to ICES for review, and then formulating a joint request for ICES to work further on particular aspects of the report. This then led to the two organisations being very close to completing together the task of identifying candidate EBSAs. In fact, the issue which then led to this process being halted was concerns by some Contracting Parties relating to jurisdictional issues which were separate from the joint conclusions at NEAFC/OSPAR. EBSAs remain an example of good cooperation between the two organisations in that it involved compromises in the differing processes that NEAFC and OSPAR normally use to come to scientific advice and decisions, as well as tackling the rather protracted process of agreeing decisions across two annual meetings held at differing times. It also should be noted that OSPAR and NEAFC were already cooperating in relation to their substantive (but separate) area-based management decisions/designations in the areas beyond national jurisdiction in the North East Atlantic.

12. Another example of a specific issue on which NEAFC and OSPAR are cooperating is marine litter. OSPAR is leading work on this issue. However, NEAFC undertook the task of gathering fisheries-related information that was then submitted to OSPAR to enhance the overall efforts in this context.

13. The collective arrangement is the final example in this section. The collective arrangement focuses on selected areas of the North East Atlantic, these areas are identified by each of the

organisations. The participants jointly maintain an annex to the collective arrangement that includes information on the areas that they have identified as relevant to the arrangement. This includes the coordinates of the borders of such areas as well as information on what measures apply to the areas. This means that the collective arrangement, with its annexes, is intended to provide an opportunity to find the relevant information on area management in the North East Atlantic all in one place. However, more importantly, it should ensure that decision-makers have access to information on what others have done before making their own decisions regarding particular areas.

14. The general approach for the collective arrangement is set out in the context of the relevant international instruments and internationally agreed principles, standards and norms, and makes it explicit that any work pursuant to the collective arrangement shall be based on scientific evidence. There is a list of relevant international instruments, but this is a non-exhaustive list which should not require amendments if new relevant instruments are adopted. Paragraph 6 of the collective arrangement sets out how the participants should cooperate pursuant to the collective arrangement. The text describes six areas for cooperation and coordination: To this end the international organisations should:

a. inform each other, as appropriate, of any relevant updated scientific information and environmental assessment and monitoring data;

b. notify and inform each other of existing and proposed human uses relating to any area in Annex 1 [of the collective arrangement];

c. cooperate, where appropriate, on environmental impact assessments, strategic environmental assessments and equivalent instruments;

d. consult annually to review their respective objectives in relation to the areas listed in Annex 1, the status of the areas concerned and existing measures;

e. cooperate to obtain a better knowledge of the areas concerned through, where appropriate, developing exchange of data, sharing of databases and collecting data in standardised formats;

f. consult the coastal State in those cases where the areas listed in Annex 1 are superjacent to areas under national jurisdiction, as appropriate.

15. While it is clear that there is no intention under the collective arrangement of establishing joint management for the relevant areas, given the separate legal competences, there is clearly an intention to significantly increase cross-sectoral cooperation and coordination.

16. The two organisations formally adopted the collective arrangement in 2014. Since then there have been two face to face meetings (2015 and 2016), including with Chairs/President,

Contracting Parties, secretariat and observers (FAO, UNEP, ISA Secretariat, Abidjan Convention and the Canary Current Large Marine Ecosystem Project). These early meetings have concentrated on the six areas identified in the list above. Among the substantive issues that have been considered (and this is an evolving process): better understanding of the detailed objectives and actions of each organisation by the Contracting Parties and potential cooperation on environmental impact assessments, exchange of data, common objectives related to protection of particular species and interaction on marine litter. The engagement process also is leading to cooperation on approaches/presentations to the forums related to the global agenda such as on the Sustainable Development Goals and the United Nations Law of the Sea developments related to biodiversity beyond national jurisdiction (UNBBNJ).

Collective Arrangement meeting 2017 aide memoire: http://www.ospar.org/documents?v=31983

Effort for policy coherence.

17. Policy Coherence has been a key driver for OSPAR in its engagement with other regional and global organisations. In fact this was one of the key drivers for NEAFC and OSPAR to work together, given the dissonance detected in positions of individual Contracting Parties in the two conventions. In fact the process of working on, for instance, the EBSAs and the collective arrangement has been beneficial not only in dealing with policy coherence between the two organisations, but also in driving better coordination at the national/ministry level in the contracting parties common to both organisations.

18. However it should be noted that, while objectives have been compared and on particular issues are very similar - if not the same, there has been a clear distinction drawn with management actions. Here in fact it builds trust and avoids complication if the separate mandates/competence for action are respected. So complementary and coordinated actions are advisable, but not joint management actions, this in particular respects those contracting parties who may be more sensitive about inter-sectoral competence issues.

19. In terms of work with both the International Seabed Authority (ISA) and the International Maritime Organisation (IMO), one key issue has been the difference between decisions taken by regional organisations with limited numbers of contracting parties and organisations like ISA and IMO which have global remit and membership. This issue has been a practical barrier so far to enlarging the collective arrangement to the relevant global organisations, given the concerns expressed by some countries in these conventions. NEAFC and OSPAR, and their Contracting Parties, are continuing efforts to progress cooperation via the collective arrangement; possible future developments in global discussions on implementation of biodiversity provisions of the United Nations Law of the Sea may assist in resolving this issue. Not withstanding this particular issue, the Secretariats of OSPAR, IMO and ISA are able to collaborate under agreements of cooperation/memorandums of understanding agreed between the respective organisations. Furthermore, OSPAR Contracting Parties are able to work together and coordinate with their

national representatives in the other global fora to propose initiatives in keeping with OSPAR agreements. Reciprocally, OSPAR also acts to implement globally agreed actions at the regional level. A good example of this is the OSPAR-HELCOM cooperation to help implement provisions of the (IMO) Ballast Water Convention in the Baltic Sea-North Sea.

ISA/IMO: http://www.ospar.org/about/international-cooperation/memoranda-of-understanding;
Ballast Water Convention:
https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwiknMe6p8HQAhVQF8AKHZpsB48QFggdMAA&url=http%3A%2F%2Fwww.ospar.org%2Fdocuments%3Fv%3D33060&usg=AFQjCNFmOh7yt-rpsf6w2ONDva6YNzLb1Q&sig2=FmmC9cF-29NtkRWdOFzcIA
http://jointbwmexemptions.org/ballast_water_RA/apex/f?p=100:LOGIN:10141742005710

Challenges faced

20. The key issue to be tackled in enhancing cooperation is the need for better coordination at national level between administrations/ministries representing different sectors/interests. Beyond this however it has to be accepted that there will remain a tension between perspectives on maximising social, economic and environmental objectives, however this tension should not be destructive but constructive. Most of the barriers have already been described in the above sections, but these will be set out again in bullets below:

- *Different working practices* – This can include meeting times, the way science advice is sought, nature of decisions etc.
- *Different principles or definitions of principles* – NEAFC and OSPAR tend to use different terms for related concepts (for example, NEAFC referring to "the precautionary approach" and OSPAR referring to "the precautionary principle"). In practice it was found that using the term 'the applicable internationally agreed principles, standards and norms' without being too specific solved potential wrangling on terms, or the risk that text would become quickly out of date.
- *Making sure gaps between mandates do not exist.* OSPAR and NEAFC's collaboration has helped define who knows what and does what, and who else may need to be involved.
- *Different geographical coverage.* This could be a problem even for similarly regional conventions such as OSPAR and NEAFC. In practice the areas we have collaborated on have been within the overlapping geographical mandates. The tension between mandates of organisations with global and regional coverage has already been highlighted.
- *Not all Contracting Parties common to [both] collaborating organisations.* OSPAR and NEAFC do not have entirely common parties, nevertheless our collaboration has been able to progress. One could envision this is not always the case. Setting up collaboration with for organisations that have a wider geographical remit or membership (for instance Tuna bodies) can therefore require more effort to engage with the Parties that are not common to both organisations. We have nevertheless overcome this with say our MoU with the North Atlantic Salmon Conservation Organisation.

- *As in all negotiations Parties can block progress for unrelated issues – bargaining chips*. Of course all such negotiations can be scuppered by one party or other raising a problem that is not in fact resolvable within the two organisations planning to cooperate.

21. The final challenge to be set out here is to turn high-level agreement to collaborate into more practical day to day activities that demonstrate the benefits of such collaboration. OSPAR and NEAFC have focused initially on facilitating data exchange on the relevant areas; raising issues related to species which both organisations aim to protect and; to looking at emerging issues such as marine litter in the food chain.

Lessons learnt and recommendations

22. The lessons learnt and recommendations from in the collaboration between OSPAR and NEAFC are rather simple and pragmatic and include the following:

- Engage with the Contracting Parties and ensure they lead the way in coordination nationally across the sectoral divide. This process then becomes iterative where the increasing cooperation at regional level also drives increased coordination at national level and vice-versa.
- Be clear about respective mandates and respect them. If there are issues of concern related to the actions under the mandate of the other organisation raise/describe the issue (impact/effect) of concern but do not attempt to tell the other party how to resolve it under their mandate – respect their expertise is very likely to be better.
- Respect each other's ways of doing things and try to accommodate them. Bureaucratic traditions in other organisations may not seem particularly sensible or efficient from the outside, but working with them rather than trying to change them from the outside is far more productive.
- If relevant, find neutral sources of advice or peer review, e.g. legal or technical or scientific. These sources can be used to facilitate agreement on common products or approaches.
- Accept that the process may well be (frustratingly) slow. This may also allow for gradual adjustment of views.
- Face to face contact and regular communication in order to build trust is essential. Without trust inevitable minor difficulties or mistakes become barriers to progress. With trust difficulties are not insurmountable.