



# Implementation of Rio+20 Ocean Outcomes: Challenges and Opportunities

## Policy Brief for the International Marine Protected Areas Congress (IMPAC3), Marseille and Corsica, October 21-26, 2013

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### **Implementation of Rio+20 Ocean Outcomes: Challenges and Opportunities**

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#### **INTRODUCTION**

This paper reviews important developments at the global level relevant to the achievement of ecosystem-based, integrated governance of oceans and coasts with an emphasis on the processes and outcomes of the United Nations Conference on Sustainable Development (Rio+20) and on the implementation of Rio+20 outcomes. The paper first provides a general commentary on the Rio+20 outcomes, followed by a specific discussion on the ocean outcomes of Rio+20, focusing especially on how these relate to existing global commitments on oceans emanating from the 1992 United Nations Conference on Environment and Development (UNCED) and the 2002 World Summit on Sustainable Development (WSSD). A subsequent section addresses issues in the implementation of Rio+20 outcomes. A concluding section addresses what needs to be done at global, national, and regional levels to achieve Rio+20 implementation and the full implementation of global ocean commitments from the 1992 and 2002 summits.<sup>1</sup>

The 3<sup>rd</sup> International Marine Protected Areas Congress (IMPAC 3), taking place in Marseille and Corsica, France, 21-27 October 2013, provides an opportunity to review progress made and major lessons learned from efforts undertaken, or lack thereof, to implement major commitments emanating from UNCED, the WSSD, and Rio+20. Additionally, as IMPAC 3 takes place more than a year after the Rio+20 Conference, it is also an appropriate time to consider how the global ocean community can best engage in the post-Rio+20 process to ensure that oceans have a prominent place in the future sustainable development framework.

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<sup>1</sup> This paper builds on a presentation by Biliana Cicin-Sain to the Conference on “Good Governance for Sustainable Marine Development,” organized by the Drager Foundation, Cascais, Portugal, June 3-5, 2013, and on a forthcoming article to be published in the Environmental Policy and Law Journal.

This paper has been prepared for the 3<sup>rd</sup> International Marine Protected Areas Congress to contribute to the policy discussions organized by the French Marine Protected Areas Agency.

## THE RIO+20 SUMMIT

Called by the President of Brazil, “The most participatory conference in history..., a global expression of democracy,” the United Nations Conference on Sustainable Development, held in Rio de Janeiro on June 20-22, 2012 (Rio+20) brought together 191 countries, 44,000 participants, 79 heads of state, and involved over 3,500 events on all aspects of sustainable development. The Rio+20 outcome document, *The Future We Want* (53 pages, 283 paragraphs), contained a strong emphasis on oceans. Over 700 voluntary commitments to implement the Rio+20 outcomes were made by all stakeholders—governments, UN system, IGOs, private sector and civil society, and \$500 billion in actions were pledged towards sustainable development.

The Rio+20 summit had three major purposes:

1) *To secure renewed political commitment for sustainable development.* In our view, there was good achievement of this goal generally. For oceans, the achievement on this purpose can be rated as excellent given the great mobilization on the part of countries, civil society, and others that took place in the Rio+20 process, ensuring a central place for oceans in the Rio+20 outcome document.

2) *To assess progress on implementation gaps in meeting previously agreed commitments.* In our view, the outcome here was weak generally with insufficient analysis carried out on what had worked and had not worked. In oceans, however, the outcome was very good, since major assessments and reports on implementation progress (and lack thereof) on international ocean goals established in the 1992 and 2002 earth summits were mobilized and discussed extensively in the Rio+20 deliberations.

3) *To address new and emerging challenges,* with a special focus on:

--*Green economy in the context of sustainable development and poverty eradication.* This aspect turned out, in our view, to be relatively weak, with no agreement on concrete targets, or on a road map. For oceans, however, there was considerable discussion of the green economy in the context of oceans, with the Pacific Island nations, for example, emphasizing that for island states “the green economy is the blue economy.”

--*Improvements in the institutional framework for sustainable development*—this also turned out to be rather weak, with many of the important decisions being “punted” to the UN General Assembly for further decision, e.g., on the following issues:

High level body to replace the Commission on Sustainable Development

Address options for a financing strategy

Facilitation mechanism for development/transfer of clean and environmentally sound technologies

Launch an inclusive process to devise a set of Sustainable Development Goals

Decide on the development of an implementing agreement to UNCLOS on ABNJ by 2014

Decide on modalities for the 3rd international conference on Small Island Developing States (SIDS) in 2014 (follow-up to Barbados 1994 and Mauritius 2005).

Some reasons for the UNCSD outcome document being somewhat “soft,” and “punting” to other fora, in our view, could be explained by the following:

--There was no underlying conceptual framework underpinning the Rio+20 process (compared, for example, to the Brundtland report, *Our Common Future*, which, in 1987, provided the conceptual basis and the blueprint for action for the 1992 Earth Summit;

--There was not enough time to develop a conceptual agreement and roadmap on the green economy, with many concerns among nations about the formation of new trade barriers that would work against developing countries and other matters

--The negotiating process was very short

--There were/are significant political differences among the countries, and some developed countries were not in a generous mode.

The overall assessment of a national delegate at Rio+20 (from Switzerland) that, “We made progress but missed the historic opportunity,” is correct, in our view. But this assessment must be tempered by the tremendous mobilization of national leaders, UN agencies, civil society groups, industry, and academia which took place at Rio and around the world. This is very solid base on which new tangible accomplishments will be built.

## OCEANS AT RIO+20

Oceans took center stage at Rio+20. Oceans received great attention in the Rio+20 process and at Rio+20 summit itself. There was great political mobilization on oceans during the Rio+20 process. At the beginning of the Rio+20 process, there was little mention of oceans; by November 2011, in inputs to the Rio+20 “zero draft,” 67% of nations and 100% of all political groupings referred to oceans. In the Rio+20 outcome document, *The Future We Want*, oceans are treated in 20 paragraphs, receiving central attention. A major accomplishment of the Rio+20 process is that oceans and their role in planetary survival and human well-being are now firmly established on the global agenda. As so eloquently said by Ms. Elizabeth Thompson, Co-Executive Coordinator for the Rio+20 Conference at Oceans Day at Rio+20 (organized by the Global Ocean Forum and partners): *“Oceans are the point at which planet, people, and prosperity come together. And that is what sustainable development is about. It is about all of us as shareholders of Earth, incorporated, acknowledging and acting on our responsibility to the planet, to the people, and to its bloodstream, the oceans.”*

In the Rio+20 outcome document, there was considerable reinforcement of existing ocean goals from 1992 and 2002, as well as the setting forth of new goals, such as reducing marine debris in the oceans by 2025; independent review of Regional Fishery Management Organizations to increase transparency and accountability; improvement of market access, including for small-scale, artisanal, women, indigenous, and local fishworkers; and a commitment for a decision by the UN General Assembly (UNGA) on the development of an instrument for the conservation and sustainable use of marine biological diversity in Areas Beyond National Jurisdiction (ABNJ).

## PROGRESS MADE ON 1992 AND 2002 OCEAN COMMITMENTS AND NEW OCEAN COMMITMENTS MADE AT RIO+20

This section provides a summary of evaluations made by a research team from the Global Ocean Forum (GOF) on progress achieved (or lack thereof) of major global ocean commitments made at the previous earth summits—the Earth Summit in 1992 and the World Summit on Sustainable Development in 2002, and provides an overview of the ocean-related commitments made in the Rio+20 outcome document, *The Future We Want* (available at: <http://sustainabledevelopment.un.org/futurewewant.html>) (summary reported in Van Hoeven 2013). The summary of progress made on the 1992 and 2002 ocean commitments is based on the GOF report, *Oceans at Rio+20: How Well Are We Doing in Meeting the Commitments from the 1992 Earth Summit and the 2002 World Summit on Sustainable Development?* (available at <http://www.globaloceans.org/sites/udel.edu.globaloceans/files/Rio20SummaryReport.pdf>). The GOF developed report cards summarizing the extent of effort, the extent of progress, and the timing of effort for each issue area.

## GOF Report Card on Ecosystem-Based Management/Integrated Coastal Management (EBM/ICM)

Extent of Effort	Extent of Progress	Timing
Medium	High	Some Delay

Use of EBM/ICM has been widely accepted by the international community and has been implemented by a growing number of countries, as well as at the regional level, including through the Large Marine Ecosystem (LME) programs. Despite the increase in the scope of implementation, there is a need to: further expand implementation of EBM/ICM, supported by improvements in institutional decisionmaking processes, at both the national and regional level; improve integration in the UN system to achieve more coherence; and apply EBM/ICM in areas beyond national jurisdiction. Effective EBM/ICM has been hampered by lack of data regarding ecosystem structure and function, lack of effective decisionmaking frameworks and legal competence, and limited funding to support scientific and management institutions.

*The Rio+20 outcome document stressed the importance of an ecosystem approach to the management of activities impacting the marine environment.*

## GOF Report Card on Protection of the Marine Environment from Land-Based Activities

Extent of Effort	Extent of Progress	Timing
Medium	Medium	Some Delay

Since its establishment in 1995, the Global Programme of Action for the Protection of the Marine Environment (GPA) has focused on providing guidance and supporting implementation at the national level to reduce marine pollution from land-based sources. Over 70 countries have developed National Programmes of Action through the GPA, and regional programmes to mitigate marine pollution have been advanced through the Regional Seas Programmes. Success has been mixed, and some of the most serious sources of marine degradation have not been adequately addressed, including sewage, nutrients, marine litter, and physical habitat alteration and degradation. Challenges include the lack of public education and awareness, limited political will, financial and human resources, fragmentation of legal and institutional arrangements, as well as lack of compliance, enforcement, and reporting. The goal of achieving substantial progress by 2006, as stated in the Montreal Declaration, has not been achieved.

*The Rio+20 outcome document called for States to take action to reduce the incidence and impacts of marine pollution, including through the implementation of the relevant conventions of the International Maritime Organization and through the GPA, and called for significant reduction in marine debris to prevent harm to coastal and marine environments by 2025.*

## GOF Report Card on Integrated Water Resource Management (IWRM)

Extent of Effort	Extent of Progress	Timing
Medium	Medium	Some Delay

According to a report by UN-Water, developed countries have advanced Integrated Water Resource Management (IWRM) in all major issue areas, while developing countries have seen improvements in the IWRM planning process. As a whole, the percentage of countries with IWRM plans that have been completed or are in the implementation phase has increased. A set of indicators and a Roadmap have been developed by UN-Water and the Global Water Partnership (GWP) to provide guidance in IWRM. Despite this progress, there are a number of key areas that must be addressed to improve IWRM, including increased public awareness, gender mainstreaming, addressing implementation gaps, and more effective and consistent development and application of tools across regions. In addition, more effective water efficiency plans are needed.

*The Rio+20 outcome document highlighted the need to implement IWRM planning at all levels, address flood-related impacts, water scarcity, and imbalances between water supply and demand, and to consider non-conventional water sources. As well, mobilization of resources, capacity building, and technology transfer were recognized as essential to implementing effective IWRM. There was also support for national actions to better manage key ecosystems that play a role in maintaining water quality and quantity. There was a further commitment to reduce water pollution, improve water quality, and improve wastewater treatment and efficiency. The need for international cooperation and assistance was stressed in this regard.*

## GOF Report Card on Biodiversity and Marine Protected Areas

Extent of Effort	Extent of Progress	Timing
Medium	Low/Medium	Significant Delay

While there has been growing recognition of the value of biodiversity among the public and policymakers, including new studies that examine the socio-economic value of marine biodiversity, the global goal of 10% MPA coverage by 2012 has not been met, and the trend in biodiversity loss has continued. Many countries have established networks of marine protected areas, and there have been improvements in multilateral cooperation through the Regional Seas and LME Programmes, however, management of area-based approaches must be improved and embedded within broader EBM frameworks to improve their effectiveness. Challenges to more effective management include the lack of standardized data and reporting, as well as the lack of understanding of the relationship between biodiversity and ecosystem services.

*The Rio+20 outcome document reaffirmed a number of commitments from the 10<sup>th</sup> Conference of the Parties to the CBD, including the recent commitments under the Aichi Targets and Nagoya Protocol. There was recognition of the importance of area-based measures, including MPAs, to conserve biodiversity, and called for wider application of traditional knowledge and engagement of local communities in the conservation and sustainable use of biodiversity. It also called for the mainstreaming of the socio-economic benefits of biodiversity, and supported initiation of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services to provide improved information to decisionmakers. With regard to areas beyond national jurisdiction, the Rio+20 outcome document called for a decision on the development of an international instrument under UNCLOS for conservation and sustainable use of marine biodiversity in ABNJ before the end of the 69<sup>th</sup> session of the General Assembly in 2014.*

## GOF Report Card on Small Island Developing States

Extent of Effort	Extent of Progress	Timing
Medium	Medium	Some Delay

The special circumstances, vulnerabilities, and needs of SIDS have been recognized by the international community through the Barbados Plan of Action (BPOA) and the Mauritius Strategy of Implementation (MSI), yet implementation of important commitments related to SIDS and oceans has lagged, and institutional and financial support has been lacking. While SIDS have increasingly invested in the protection of their natural marine capital, including through designation of MPAs and the use of EBM frameworks at both the national and regional level, they have not been able to equitably benefit from their marine resources, and are in need of the human, financial, and institutional capacity to realize these gains. Despite growing focus at the global and regional levels on the threats posed to SIDS by climate change, these concerns have not resulted in the needed international commitments to reduce emissions, and adaptation funds to address climate change are inadequate.

*The Rio+20 outcome document reiterated the commitments of the BPOA and MSI, and called for a third international conference on SIDS in 2014, which will be held in Samoa. It also called for the strengthening of the UN system's support for SIDS, including support for new and emerging challenges. Rio+20 supported improving national capacity to manage and realize the benefits of sustainable resource use, including through improved market access for small-scale, artisanal, and women fishworkers, as well as indigenous people and communities.*

## GOF Report Card on Sustainable Fisheries and Aquaculture

Extent of Effort	Extent of Progress	Timing
Medium	Low/Medium	Significant Delay

Despite the fact that 78 nations have ratified the Fish Stock Agreement, over 90% of FAO member states have developed or implemented fisheries management plans, and 80% have taken steps to develop or implement plans to address illegal, unregulated, and unreported (IUU) fishing, the number of stocks classified as overexploited, fully exploited, depleted, or recovering from depletion have only increased in recent years, indicating that much more progress is needed. Overcapacity also remains a major problem, even though many states have taken action to reduce overcapacity through the International Plan of Action for the Management of Fishing Capacity. In the high seas, UN General Assembly resolutions aimed at mitigating the impacts of bottom trawling on vulnerable ecosystems have been adopted, but implementation, especially at the regional level and in the high seas, is still a major issue. There is a clear need for improved enforcement by flag and port states, as well as expanded efforts to mitigate destructive fishing practices. There is a need to address harmful subsidies and the incentive structures that contribute to overfishing and illegal, unregulated, and unreported (IUU) fishing, and to develop management plans that focus on long-term sustainability, not short-term losses.

*The Rio+20 outcome document contained a number of commitments intended to reduce overfishing and IUU. It called for the intensification of efforts to meet the 2015 JPoI target to restore stocks to maximum sustainable yield (MSY) levels, within the shortest possible timeframe. Science-based management plans were supported. Management actions to address bycatch and destructive practices were called for, in addition to enhanced*

*actions to protect vulnerable ecosystems, including the use of environmental impact assessment (EIA). Support for implementation of the UN Fish Stocks Agreement, the Code of Conduct for Responsible Fisheries, and the JPoI to address IUU fishing was reiterated, and countries were urged to ratify the Port State Measures to Prevent, Deter, and Eliminate IUU Fishing to bring it into force. The outcome document also called for national action to prevent and combat IUU activities, as well as the elimination of subsidies, including capacity building for improved monitoring, control, surveillance, compliance and enforcement systems. At the international level, Rio+20 called for the conclusion of World Trade Organization negotiations to address fishing subsidies in a manner that considers development priorities. RFMOs were encouraged to undergo independent review to increase transparency and accountability, and to implement the recommendations that emerge from these reviews. Increased market access, and access by subsistence, small-scale, artisanal, women, and indigenous fishers was observed.*

### **GOF Report Card on Addressing Critical Uncertainties for the Management of the Marine Environment and Climate Change**

Extent of Effort	Extent of Progress	Timing
High	Medium/High	Some Delay/Significant Delay

There has been a mobilization of scientific effort to adapt scientific priorities to address pressing environmental concerns related to climate change. As a whole, improved sampling systems and networks of monitoring sites have resulted in a deeper understanding of ecosystem processes. However, more effective monitoring and reporting, and improved global coverage, as well as implementation of the Global Ocean Observing System (GOOS) is required. The cumulative impacts of human activities need to be addressed by a multi-sectoral, multi-dimensional approach, and there is a need for systematic environmental data exchange between nations and the international community. The challenges of lack of capacity in developing countries, including technology transfer, education and training, and limited financial capacity have hampered implementation.

*The Rio+20 outcome document called for states to consider the findings of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment following its completion. The outcome document also stressed the need to consider the precautionary approach in ocean fertilization activities. Although not ocean-specific, the Rio+20 outcome document also called on states to improve early warning systems for disaster risk reduction, including capacity building, and called for the strengthening of risk assessment and risk reduction instruments, including integration with climate change adaptation strategies.*

### **GOF Report Card on Coordination of UN Activities on Oceans**

Extent of Effort	Extent of Progress	Timing
Low	Low	On Time

UN-Oceans has been operating since 2005 on a regular basis, and with transparency. Work has been carried out through task forces, and has provided a forum for communication among UN agencies. However the activities of UN-Oceans have been limited, largely due to the lack of a lead authority, secretariat, staff and funding support, including through the individual agencies to support group activities. The different governing bodies, processes, timelines, and budgets for each of the UN agencies involved makes coordination difficult. Actions

have been time bound, and there has been limited NGO involvement. A clear lead authority, a position at a higher level within the UN system, and specific funding is required to make UN-Oceans more effective.

*The Rio+20 outcome document did not mention UN-Oceans, nor did it reference inter-agency cooperation in relation to oceans.*

### **GOF Report Card on a Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects**

Extent of Effort	Extent of Progress	Timing
Medium	High	Significant Delay

The Regular Process was established as an international process guided by international law, including UNCLOS and other relevant international instruments, though the scope and scale of establishing it was slow and hampered by a lack of resources to carry out the start-up phase. The Assessment of Assessments, which synthesizes information from existing assessments on the state of the marine environment was recently completed and was widely accepted by the research community, although the assessments gave less attention to areas beyond national jurisdiction and economic and social factors. The first cycle is underway, and is expected to be completed in time for review in 2014. While there has been improved participation by developing countries, the management of the Regular Process by States has limited the involvement of other key actors and the resources they could provide.

*The Rio+20 outcome document called on states to consider the findings of the Regular Process following its completion in 2014 and subsequent review by the assembly.*

### **GOF Report Card on Capacity Development**

Extent of Effort	Extent of Progress	Timing
Low/ Unavailable	Low	Significant Delay

Capacity development was a major focus of Chapter 17 of Agenda 21 (the outcome document of the 1992 Earth Summit), and continues to be a major area of importance. There have been many efforts since 1992 to respond to the capacity development needs expressed at UNCED and at the WSSD on the part of various entities: educational institutions, UN agencies, multilateral and bilateral donors, and NGOs, but there is currently no entity tracking effort and expenditures, aggregate impact, effectiveness, or extent to which current and emerging needs have been met, making assessment of effort difficult in this area. The absence of strategies and guidance at the international level, as well as a lack of indicators and timelines at the national level, have slowed capacity development. Funds are limited, there are no tracking mechanisms for funds that have been provided, and there is no integration among the many actors that assist in capacity development. Capacity building efforts need to be integrated into long term development strategies, and will need to include human and institutional capacity building in addition to public education.

*In the Rio+20 process, developing countries identified the lack of capacity development as one of the major gaps at the international level. In the outcome document, capacity building for oceans, coasts, and SIDS was highlighted to enable developing countries to implement their global commitments and to benefit from the conservation and sustainable use of their resources, including technology transfer, to provide support for*

*monitoring, control, surveillance, compliance and enforcement systems to prevent and combat IUU fishing, and to improve implementation of integrated water resource management. Support for sustainable tourism was also included in the outcome document, though this was not specific to coastal tourism.*

## **RIO+20 IMPLEMENTATION AND OCEANS**

Implementation of the Rio+20 ocean commitments, as well as continuing implementation of the global prescriptions on oceans from 1992 and 2002, will require concerted action by national governments, the UN system, civil society, academia, and industry. There must be continuous watch of and participation in the various fora that will be addressing Rio+20 implementation, especially the UN General Assembly. The voluntary commitments made on oceans, coasts, and small island developing States (SIDS), need to be implemented in concert and synergy with one another to achieve maximum impact. Nations such as the People's Republic of China and the Republic of Korea, which are leading the way on the implementation of the green economy in the context of oceans, need to be supported and thanked. And there must be insistence that capacity building in integrated ocean governance, a major priority of the 1992 and 2002 earth summits, must now take center stage to enable national and local ocean leaders around the world to lead the way to a low-carbon economy and society.

The evolving picture on Rio+20 implementation depicted here is based on several meetings held, respectively, by the Global Ocean Forum (in November 2012) and by the UN Division of Economic and Social Affairs (UNDESA) (in April 2013) to examine the implementation of the oceans sections of the Rio+20 outcome document, and on participation in UN processes related to Rio+20 implementation and to areas beyond national jurisdiction.

### **The Post-Rio+20 Process**

As noted earlier, many of the key Rio+20 outcomes spawned a set of parallel intergovernmental deliberations. Table 1 summarizes the most important processes related to Rio+20 implementation, noting the major entities involved, the projected timing of the actions, and the extent to which civil society organizations may provide input to the process. It should be noted that, in contrast to the Rio+20 process, opportunities for participation by civil society in the UNGA-centered processes are quite limited.<sup>2</sup>

The Rio+20 Conference launched “an inclusive and transparent intergovernmental process on SDGs that is open to all stakeholders with a view to developing global sustainable development goals to be agreed by the United Nations General Assembly” (*The Future We Want*, Para 248). This established an Open Working Group (OWG) of the UN General Assembly tasked with developing a set of sustainable development goals (SDGs). This Open Working Group, composed of a group of 30 countries, will prepare a proposal on SDGs, by March 2014, for consideration by the UN General Assembly. As well, a UN task team is providing technical support, including analytical inputs and background material, to the deliberations of the Open Working Group.

Another integral part of the ongoing deliberations for post-Rio+20 implementation is the planning for the Third Global Conference on Small Island Developing States in 2014. The Rio+20 outcome also called for the creation of a High-Level Political Forum on Sustainable Development, which will eventually replace the Commission on Sustainable Development. Following a series of deliberations after the Rio+20 Conference, the first meeting of the High-Level Political Forum was held in September 2013 during the 68<sup>th</sup> session of the UN General Assembly, to be followed by subsequent meetings under the auspices of the UN Economic and Social Council (ECOSOC).

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<sup>2</sup> Table 1 has been prepared by Joseph Appiott. See also Appiott 2013.

In parallel with the development of a set of SDGs is a process aimed at outlining the post-2015 development agenda, which will define the future development framework that will succeed the UN Millennium Development Goals (MDGs). As with the SDG process, the post-2015 development process is composed of a number of separate parts, including the UN Secretary-General's High-level Panel of Eminent Persons on the Post-2015 Development Agenda. This panel assembled representatives from civil society, private sector, academia and local and national governments and published its report with its vision and recommendations on a global development agenda beyond 2015 in May 2013. Consultations have also taken place supporting the articulation of development priorities of various stakeholders at the national and regional levels. The post-2015 process is also supported by a UN System Task Team, providing substantive input, including through the recent publication of a report on the elements of a renewed global partnership for development, as well as specific issue-area briefs.

### *Oceans in the Post-Rio+20 Process*

In contrast to the prominent role oceans played in the discussions during the Rio+20 process and in the Rio+20 outcome, oceans have not factored significantly into the deliberations on SDGs and the post-2015 development agenda thus far. Despite being a prominent topic at the Rio+20 Conference, oceans and coasts have received relatively inadequate attention in the Post-Rio+20 process toward the development of SDGs. There are very few proposals for SDGs at the moment that focus centrally on oceans and coasts. As well, the discussions of the Open Working Group on SDGs have not paid adequate attention to ocean issues in context of other closely-related areas, such as food security. On a related topic, the UN Secretary-General's High-Level Panel on Eminent Persons on the Post-2015 Development Agenda does not cite oceans as a central element of its recommendations to the Secretary-General.

However, increasing political support and mobilization from civil society is aiming to address this problem. Some governments have shown strong leadership on oceans in the SDG process thus far. In particular, the government of Palau has outlined a specific proposal for an SDG for oceans, which was subsequently endorsed by the Pacific Island States.<sup>3</sup> The Palau proposal focuses on the two overarching elements of sustainable fish stocks and a healthy marine environment, with specific targets and indicators for areas such as IUU fishing, ocean acidification, and marine pollution. The government of Colombia was one of the first countries to propose the creation of Sustainable Development Goals and has also been a strong supporter of oceans throughout the Rio+20 process. Colombia has incorporated oceans and coasts into its priorities for SDGs, namely including oceans into both its individual proposal for SDGs<sup>4</sup> and in a concept note put forth in collaboration with the governments of Peru and the United Arab Emirates.<sup>5</sup> The Seychelles also highlighted the need for an SDG on oceans during the first meeting of the High-Level Political Forum.

In addition to the leadership of some key governments, there have been progressive discussion and analyses by various member of civil society. In particular, the Foundation for International Environmental Law and Development (FIELD) organized a workshop discussion on “Sustainable development goals and oceans-related issues” on 7 November 2012. As well, a recent report by Visbeck, et.al. (2013), takes an in-depth look at the opportunities and challenges faced in creating a Sustainable Development Goal for oceans. The

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<sup>3</sup> Oceans Sustainable Development Goal proposed by the Government of Palau available at:  
<http://palauun.files.wordpress.com/2013/05/oceans-sustainable-development-goal-and-brief-palau-17-april-2013.pdf>

<sup>4</sup> Proposal for Sustainable Development Goals by the Government of Colombia. Available at:  
<http://www.sdgseinventory.org/searchauthordetails.php?proposalId=16&sdgAuthorId=60>

<sup>5</sup> Concept Note on Sustainable Development Goals by the Governments of Colombia, Peru, and United Arab Emirates. Available at:  
<http://www.sustainabledevelopment2015.org/einventory/searchauthordetails.php?proposalId=34&sdgAuthorId=131>

report touches on a number of essential issues related to oceans and sustainable development and stresses the need for an integrated, multi-level ocean governance framework for oceans.

Despite support from some coastal states and small island nations and the organization of an expert group meeting on oceans by UNDESA, the essential role of oceans in supporting not only the environmental pillar, but the social and economic pillars of sustainable development seems to have been forgotten by many.

As a key participant in the SDG development process, Paula Caballero (Colombia) notes (in a note to the UNDESA Expert Group Meeting on Oceans in April 2013):

*The post 2015 agenda must focus on poverty eradication as a priority, and it must be “people-centered.” Unfortunately, for many, the focus on “people” still translates into a perspective that excludes the natural resource base and in fact, often seems to pit people against what is broadly referred to as “the environment” ..... There have been failures in articulating to a broader audience the centrality of functional, healthy, resilient oceans to human development .*

*The definition of the new development agenda will be a complex process. The ocean community needs to position itself early on, and to work diligently on all fronts over the coming years. It is vitally important that oceans are not marginalized from the new development agenda.*

The bottom line is that oceans, so far, are not faring well in this process, and that remobilization of governments and civil society must happen again, “constant advocacy” on oceans is needed.

<b>Table 1</b> <b>Post-Rio+20</b> <b>and Related</b> <b>Processes</b>	<b>Process</b>	<b>Entrusted to</b>	<b>Timing/Next Steps</b>	<b>Civil Society Participation*</b>
<b>Post Rio+20 Process</b>	Development of a set of Sustainable Development Goals (SDGs)	UN General Assembly --Through Open Working Group on SDGs --Supported by UN Technical Support Team	Open Working Group to develop proposal on SDGs by March 2014	<u>Low/Medium</u> Major Groups can submit input  No civil society representatives in Open Working Group
	Process to create a High-Level Political Forum (HLFP) to replace the Commission on Sustainable Development	UN General Assembly --Through informal consultations and expert working groups	First meeting of High-Level Political Forum convened at 68 <sup>th</sup> UN General Assembly (2013)  Scientific Advisory Body to be formed and housed at UNESCO  Eight-day session of the HLPF to be convened under ECOSOC in June 2014	<u>Medium</u> Major Groups can submit input  Some civil society participation in expert working groups
	Development of a sustainable development financing strategy	UN General Assembly --through Expert Committee	Work to conclude by 2014	<u>Low</u> No clear opportunities for input

	Decide on development of an implementing agreement to UNCLOS for ABNJ	UN General Assembly --through the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (BBNJ Working Group)	UN General Assembly to make decision on whether to negotiate a new instrument before the end of the 69 <sup>th</sup> UNGA (2014)  To support UNGA decision, BBNJ Working Group will meet three times before 69 <sup>th</sup> UNGA to discuss the scope, parameters and feasibility of an international instrument under UNCLOS	<u>Low/Medium</u> Accredited NGOs can make statements during BBNJ Working Group meetings Many closed door sessions of Working Group
	Convening of the Third International Conference on SIDS, Samoa, September 1-4, 2014	UN General Assembly --UNDESA to support	Inter-regional preparatory meeting held August 2013  First meeting of global intergovernmental preparatory process to occur early in 2014	<u>Unclear</u> Will depend on nature of preparatory process
	Facilitation mechanism for development/transfer of clean and environmentally sound technologies	UN Secretary General	Intergovernmental preparatory working group to decide on details of a technology facilitation mechanism and report to the High-Level Political Forum before the end of 2013	<u>Medium</u> Major Groups can submit input  Civil society participation in substantive workshops

<b>Post-2015 Development Agenda</b>	Post-2015 Development Agenda (advance the United Nations development agenda beyond 2015)	UN Secretary General --Supported by UN System Task Team	UN System Task Team has released two reports and ten think pieces  UN Secretary General to provide recommendations	<u>Low-Medium</u> Online consultations and voting for priorities
	Support to UN Secretary General for Post-2015 Development Agenda	High-Level Panel of Eminent Persons on the Post-2015 Development Agenda	<u>Completed</u> Submitted report to UN Secretary General on May 30, 2013	<u>Medium</u> A number of panelists are from civil society  Civil society can provide input online
<b>Other Relevant Process</b>	UN Secretary-General's Oceans Compact	UN Secretary General -Through High-Level Committee on Programmes	Oceans Compact Advisory Group to be formed	<u>Low</u> -No civil society input or review of the Oceans Compact

Table prepared by Joseph Appiott, University of Delaware and Global Ocean Forum, May 2013—updated October 2013

\*Criteria for assessment: Civil society representatives involved in processes; degree to which input from civil society is incorporated (statements during meetings, input documents, etc.); civil society review and input on outputs of processes.

## **Rio+20 Implementation: Action by International Agencies and Member States**

Discussion of Rio+20 implementation related to oceans took place at two expert group meetings<sup>6</sup> convened, respectively, by the Global Ocean Forum, and UNDESA. The implementation activities discussed at these meetings represent encouraging news: There is considerable action taking place on the part of States and of international agencies and NGOs to implement the various parts of the oceans package emanating from Rio+20. However, the emphasis is on the implementation of sectorally-based initiatives (e.g., pollution, marine tourism, shipping, etc.), with less emphasis being given to the cross-sectoral aspects of ecosystem-based integrated governance. This represents a recurrent problem and relates to the fact that no single UN agency has responsibility for the integrated governance of oceans.

## **Management of Areas Beyond National Jurisdiction (ABNJ)**

As is well known, marine areas beyond national jurisdiction (ABNJ), comprise 64% of the oceans and represent the world's last remaining commons. At the heart of the debate on ABNJ among nations is the issue of what kind of regime and what kind of governing principles will be put into place to govern this area and how will this be done. After six years of very conflictual UN negotiations on areas beyond national jurisdiction, the Rio+20 outcome document called for a UNGA decision on development of an instrument for ABNJ by the end of 2014. There is strong support for beginning formal negotiations on an UNCLOS implementing agreement on ABNJ (especially on the part of G77 and of the EU), with a number of countries generally against (e.g., US, Canada, Japan, Norway, Iceland). Two UN workshops were convened in May 2013 (May 2-3, and May 6-7) to explore two major aspects related to marine biodiversity beyond national jurisdiction: 1) the management of marine genetic resources and questions of access and benefit sharing, and 2) area-based management tools. Some reflections on these discussions are as follows.

The general tone of the discussions was more positive and civil than in previous sessions, and involved probing questions about the uncertainty involved in these topics and about possible avenues forward.

On marine genetic resources, it is clear that much uncertainty still exists in knowledge in this area, especially about determining value in the long chain of events (and actors) that are involved between an initial take of a genetic sample in the ABNJ and possible eventual development of a product useful to society (most likely spanning a period of 10-15 years). The industry has not been involved in these deliberations and it would be useful to involve the industry from the several developed countries that engage in this business to better understand marine biotechnology processes, as well as to determine how capacity on these processes can be built in developing countries.

On area-based management tools, this debate has been largely shaped by international environmental groups and for many it essentially means marine protected areas. It should be recalled that marine protected areas are most effective when they form part of a broader system of integrated, ecosystem-based ocean governance.

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<sup>6</sup> On November 12, 2012, the Global Ocean Forum convened a brainstorming discussion on implementation of the oceans package emanating from Rio+20, hosted by the World Bank. The intent of the meeting was to strategize about the implementation of the Rio+20 oceans package and related ocean commitments from 1992 and 2002, to explore how various ongoing initiatives can be used to achieve maximum synergy and forward movement, and to take advantage of key forthcoming meetings and other opportunities to advance the global ocean agenda. The event brought together over 45 ocean experts from government, intergovernmental organizations, non-governmental organizations, and academia that will be involved in implementing various aspects of the oceans package.

The Expert Group Meeting on Oceans, Seas and Sustainable Development: Implementation and follow-up to Rio+20 was organized by the United Nations Department of Economic and Social Affairs (UNDESA) in New York on 18-19 April 2013. It aimed to provide an opportunity for different stakeholders to engage in discussions on how to enhance the conservation and sustainable use of oceans, seas and their resources and on how to implement and follow-up Rio+20 decisions. The meeting was attended by 40 ocean experts, including representatives of Member States, UN and international organizations, civil society and academia.

Following the example of ocean area-based management in areas within national jurisdiction, area-based management in ABNJ should be construed as multiple-use regional ocean planning and, eventually, management.

## **WHAT NEEDS TO BE DONE TO PROMOTE RIO+20 IMPLEMENTATION AND CONTINUING IMPLEMENTATION OF THE OCEAN GOALS FROM THE 1992 AND 2002 SUMMITS?**

In this section, we put forward some recommendations for action in the next phase, at global, national, and regional levels. This follows the thrust of the Global Ocean Forum's Strategic Directions 2013-2018 regarding implementation of the ocean prescriptions of the 1992, 2002, and 2012 earth summits.

### **I. Actions at the Global Level**

#### **1. Promote active engagement of the oceans community in the Rio+20 implementation process and in the Post-2015 processes**

--Oceans are now firmly on the political global agenda, but this must be constantly maintained, rekindled, and advanced

--There must be coordinated engagement of the ocean community in the Post-Rio and Post-2015 processes, especially in the development of a Sustainable Goal on Oceans and Coasts

#### **2. Maintain the high-level political attention on ocean and coastal issues achieved at the Rio+20 Conference**

--Develop a roadmap for achieving Rio+20 commitments with the input of ocean stakeholders from all sectors and backgrounds, in countries around the world

--Bring together the various Rio+20 voluntary initiatives on oceans to achieve synergy and maximum impact

--Feature Rio+20 implementation at the sixth Global Ocean Conference (2014) to keep this issue high on the agenda of decisionmakers

--Support the Third International Conference for Small Island Developing States in 2014 and assist the SIDS in developing integrated ocean governance approaches that insure benefits to SIDS countries from the exploitation of resources in their Exclusive Economic Zones

--Advance the Blue Economy approach, working especially with countries such as China, Korea, and SIDS countries which have embraced the concept and are working on its implementation<sup>7</sup>

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<sup>7</sup> The State Oceanic Administration, China, and the Global Ocean Forum co-organized the APEC Blue Economy Forum, in December 2012, bringing together leaders from APEC (the Asia Pacific Economic Cooperation) to develop consensus on next steps in establishing regional cooperation in the development of the Blue Economy, e.g.: The development of regional guidelines for mainstreaming Blue Economy into domestic economic development agendas; establishment and expansion of a regional Blue Economy Cooperative network; development of an international standard of classification for Blue Economy; improvement of knowledge and statistical capacity on ocean-related job trends and other economic developments and integration of relevant data into national statistics; and strengthening of individual and institutional capacity to achieve Blue Economy development at national and local levels.

In South Korea, the Yeosu Declaration on oceans was issued in August 2012 as a major output of the Yeosu Expo 2012 to carry forth the spirit of the Expo and translate it into meaningful action. The Yeosu Declaration aims to catalyze international action in pursuit of the new vision of "green growth from the sea," which looks to the ocean as an engine of sustainable economic growth, while keeping the ocean healthy and ensuring harmony of the sea and humankind.

### **3. Track Progress on the Achievement of Major Ocean-Related Goals Emanating from UNCED, WSSD, and Rio+20**

--Undertake systematic and unbiased review of progress on major global goals and commitments related to oceans, coasts, and small island developing States (SIDS) from UNCED, WSSD, and Rio+20. Periodic systematic assessments of progress achieved (or lack thereof) will be conducted every five years with the input of ocean leaders from around the world. This should be coordinated with efforts to track on-the ground ocean conditions (such as through the World Marine Assessment, the Ocean Health Index, and ocean indicators related to an SDG on oceans)

--Analysis and exchange of best practices in implementing integrated ocean governance, including by managers and high-level decisionmakers

--Identify key gaps in implementation and develop a roadmap for assisting nations in filling gaps

### **4. Strengthen Capacity for Ecosystem-Based Management of ABNJ**

--Operationalize a twofold strategy: 1) to assist nations at the global level to achieve agreement on the application of ecosystem-based integrated approaches to ABNJ governance, 2) to work with regional entities (RFMOs, Regional Seas, LMEs) to experiment with area-based management approaches in different regions

--Organize cross-sectoral policy dialogues to: 1) link global and regional processes on ABNJ, and 2) to learn lessons among regions on what ecosystem-based approaches may most usefully be applied in various regions

--Strengthen the capability of decision-makers, especially from developing countries, to manage activities in ABNJ and to participate in global and regional processes related to ABNJ

--Improve and broaden public understanding of the ecosystem threats and services related to ABNJ, particularly by high-level decision-makers

### **5. Promote Integrated Ocean Governance at Global Level**

--The UN-Oceans mechanism for coordination is working only in a limited away

--Elevate oceans to the highest levels of the UN system to enable a cross-cutting approach and appropriate and timely response to major threats and opportunities.

-Establish a UN Secretary-General or other high-level coordination mechanism on oceans

-Develop a UN Secretary-General Ocean Budget report

--Link various ocean-related fora (Law of the Sea processes, Convention on Biological Diversity, UN Framework Convention on Climate Change, UN Food and Agriculture Organization, International Maritime Organization, etc.)

--Consider the need for new international agreements, e.g.: Carbon capture and storage, offshore oil development, offshore aquaculture, marine debris

## **II. Actions at the National Level**

At the national level, national ocean leaders need support to scale up successful national and sub-national efforts in EBM/ICM to include larger portions of the coast and ocean

- Strengthen integrated institutions and ocean and coastal decisionmaking processes, including through the enactment of ocean and coastal laws
- Develop the capacity of decisionmakers and managers to address challenges facing marine resources and coastal communities in a long-term, integrated manner and to equitably benefit from their marine resources
- Identify best practices, success stories, and lessons learned from various national experiences
- Develop a global strategy for “ocean readiness,” mobilizing expertise and partnerships to ensure that national governments and institutions have the skills, knowledge, and capacity to develop Blue Economy frameworks, and to address major ocean-related challenges
- Enhance capacity development on the interrelated issues of ocean and coastal management, climate change, and biodiversity, especially:
  - 1) among high-level leaders
  - 2) among the next generation of leaders through investment in university programs
  - 3) among local community leaders
- Foster the development of multi-stakeholder ocean fora at the national level around the world to facilitate inclusive, cross-sectoral policy dialogue and improved policy development and implementation at the national level
- Promote multi-stakeholder input into the development of national ocean policies
- Improve capacity to conduct national reporting on the status of ocean resources and management and to contribute to the achievement of global commitments and the development of multilateral ocean policies

## **III. Actions at the Regional Level**

At the regional level, there is a need to accelerate the development and implementation of EBM/ICM in regional and transboundary areas, including the Regional Seas, Large Marine Ecosystems, and RFMOS, encouraging the adoption of regional protocols on EBM/ICM to guide action at regional and national levels.

- Articulate and improve understanding of major ocean-related concerns, challenges, and priorities in different ocean regions around the world
- Identify best practices, success stories, and lessons learned from various regional experiences
- Promote improved information-sharing and dialogue among global and regional policy processes
- Promote regional interconnections among Regional Seas, RFMOs and LMEs to move toward EBM/ICM at the regional level

## **IV. At All Levels: Promote Understanding and Action on Ocean and Climate Issues**

- Improve understanding of ocean and climate issues by policymakers, managers, and the general public
- Support coastal nations, especially developing countries and SIDS, in bringing ocean and coastal issues into the UN Framework Convention on Climate Change negotiations
- Launch an ocean and climate information service providing a web-based platform for access to critical information on issues related to climate change and the ocean, including sea-level rise, coastal adaptation, ocean warming, ocean acidification, and mitigation using the ocean.

## **CONCLUDING COMMENTS**

As we move forward, although the ocean issues are facing difficulty in the post-2015 development agenda, a united ocean community can move forward with a sense of confidence and renewed purpose: We have a detailed set of global prescriptions on oceans from 1992, 2002, and 2012; we know what has/not worked; we have a high level of political support; we have mobilized very large coalitions that will continue to work hard in advancing oceans at global, regional, and national levels.

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