

# EEF IN ABNJ

*How far have we come?*

Serge M. Garcia  
Chair IUCN-CEM-FEG



FAO/GEF/GOF Workshop on Linking global and regional levels in the management of marine areas beyond national jurisdiction. Rome, 17-20/02/2015. Session 2. Achieving sustainable fisheries in ABNJ







# WHERE WE STAND?

## ASSESSMENTS

- ▶ Assessment of some **target stocks** not regular and not yet easily accessible. Assessment of **non-target stocks** are rare
- ▶ **Biodiversity** considerations are only implicitly and indirectly “factored” in assessments
- ▶ Most stock parameters do not yet account for **trophic relations** or **environmental conditions**. Idem in EEZs
- ▶ Impacts on **habitats** rarely considered. They are documented in older RFMOs and considered as a priority for future work in over half of the new or developing RFMOs
- ▶ Except in few cases (e.g. MSE ) robustness of **harvest strategies** to uncertainties in biodiversity considerations are not being tested

Some leading RFMOs show the way. Capacity-building is an issue



# WHERE WE STAND?

## POLICY & MANAGEMENT

- ▶ Many RFMOs have changed **policies and management**, sometimes even **basic texts**.
- ▶ RFMOs recognize **biodiversity-related requirements and risks** as well as EAF, PAF and SD. RFMOs are aware of **bycatch** issues but focus is on reporting on amount and composition. **Management** measures are put in place but their **performance** is still unassessed.
- ▶ **Harvest strategies** have been adopted for most reviewed stocks. The role of **forage species** is recognized.
- ▶ RFMOs progressively adopt more explicit and complete provisions regarding **trophic relationships, other dependencies and** benthic habitats. How to maintain structure and function is still to be formalized
- ▶ Information and provisions regarding stocks under **Exploratory Fishing protocols** are hard to find on RFMOs websites.



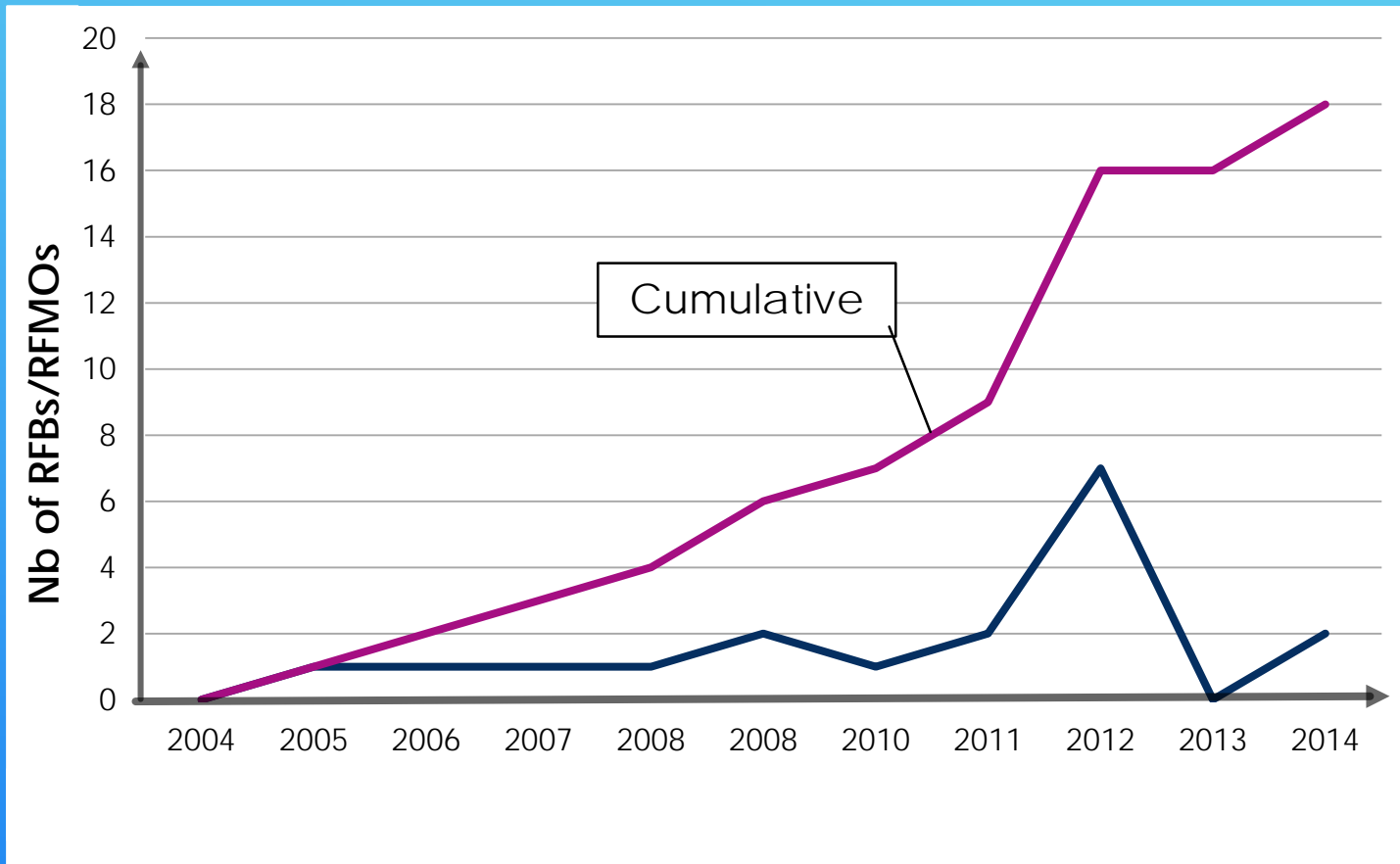
# WHERE WE STAND?

## POLICY & MANAGEMENT (2)

- ▶ A lot of effort is being made on VMEs (identification, mapping, move on protocol, etc.) in parallel and with some cooperation with the CBD process on EBSAs that needs to grow further
- ▶ Efforts have also been made to clarify the potential role of MPAs in fisheries in both EEZs and the high seas which has relevance for the EAF implementation

# WHERE WE STAND?

## PERFORMANCE ASSESSMENT





# FINAL THOUGHTS

- ▶ Policy frameworks and information systems progressed but are still deficient, and ecosystem processes particularly regarding habitats, dependent and associated species and ecosystem processes;
- ▶ Assessments have improved in pilot areas. In general, however, they are not yet ecosystemic in nature. A lot more is needed on non-target species.
- ▶ Even in advanced areas, management is still at the level of impact reduction and mitigation. The full implementation of the governance of a social-ecological system will require more time. Financial instruments might be given more consideration.
- ▶ The social and economic implications of EAF have not received much attention yet in ABNJ where they are likely to be more limited than in EEZs
- ▶ The institutions dealing respectively with fisheries and biodiversity have started to cooperate on specific issues (destructive fishing; Monitoring) and this trend needs to grow if common and specific goals of the agencies concerned are to be achieved.



THANKS FOR YOUR ATTENTION

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# CHALLENGES

The EAF concept and guidelines apply equally in the EEZs and ABNJ but there are specific implementation challenges:

- ▶ **The information needed** is more complex and less easy to get
- ▶ **The legal framework:** is layered with lots of trans-boundary, cross-sectoral issues and enforcement problems (Flags and Ports of convenience; IUU)
- ▶ **The institutions in place:** are distinct, with partially converging agendas and governance streams.
- ▶ **The instruments and processes** are are not generally common, slowing down integration
- ▶ **Implementation:** suffers from low evolution of the legal and institutional frames as well as lack of capacity and/or political will

Where do we stand?

# ACTION POINTS

## 1. LEGAL FRAMEWORKS AND POLICIES

- ▶ **Improve connections** between RFMOs and between them and RSAs: join data, assessments & decision-making
- ▶ Require EIAs and SEAs. Promote **systematic monitoring** and reporting. Formalize **performance assessment**.
- ▶ Develop frames for integrated **marine spatial planning** of activities in or having an effect on ABNJ and biodiversity conservation. Insert **area-based measures** in management plans
- ▶ Improve frames for **trans-boundary habitats, resources & impacts** (at the EEZ/High sea and Extended shelf/High sea interfaces)
- ▶ The **Implementation Agreement** may help filling gaps and accelerating changes but the weak link remains the States and their capacity or willingness.



# ACTION POINTS (2)

## 2. ASSESSMENT

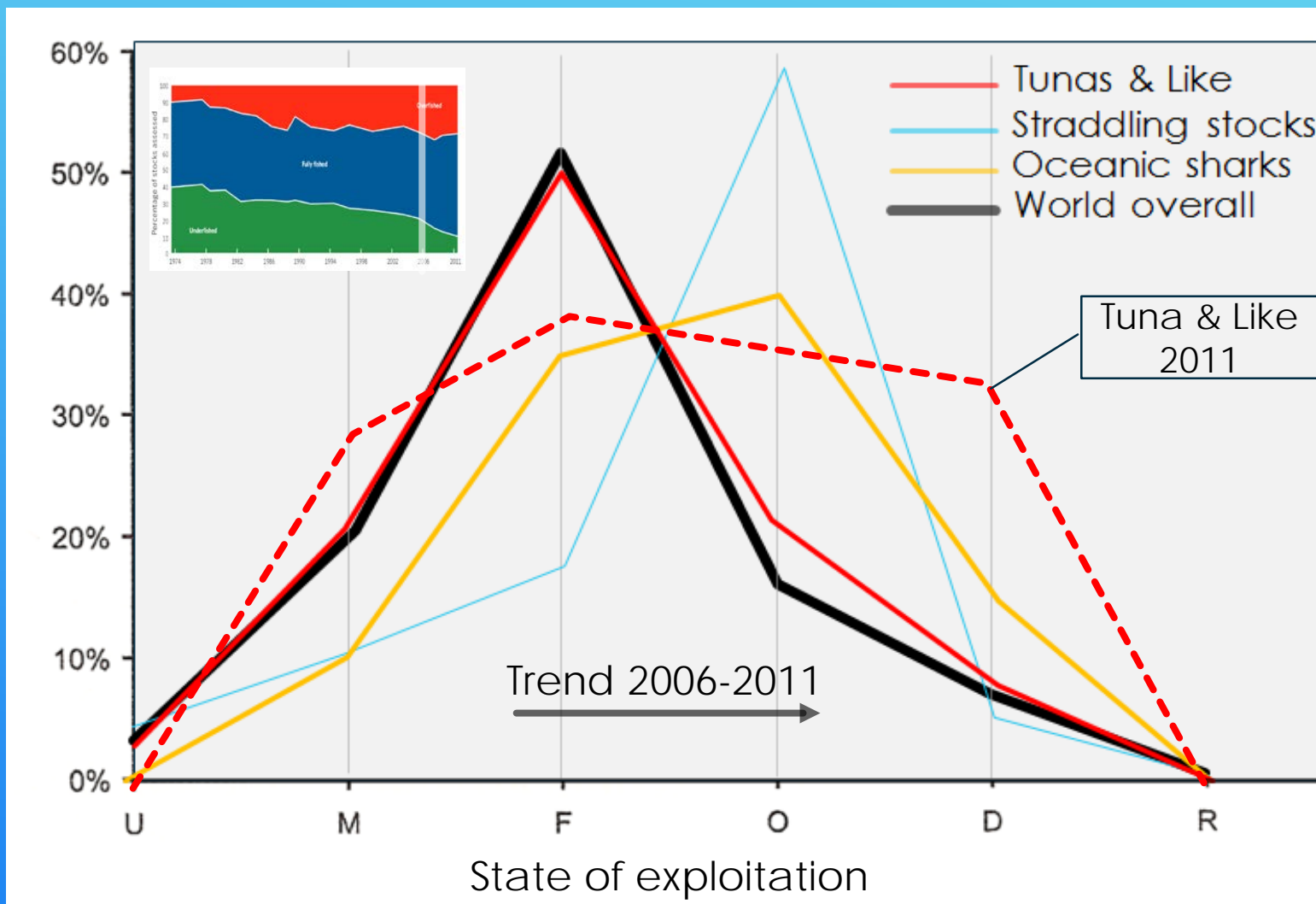
- ▶ Inter-operational or joint **databases**; common space-based assessment **toolbox**; and joint assessment **WGs**
- ▶ **Better access to analytical assessments**: transparency; quality assurance. Solve confidentiality problems
- ▶ Review of biodiversity provisions of **RFMO conventions** and regulations on environmental matters and decision-making processes. **Coordinate MCS** efforts.
- ▶ More explicit provisions for **Exploratory/New Fisheries** Protocols
- ▶ Establish/improve **MSE procedures** to test the robustness of harvest Control Rules to biodiversity considerations. Generalize **risk assessment**. Put a special explicit focus on **red-listed species**
- ▶ Study susceptibility to **climate change**. **Develop foresight**
- ▶ Generalize **EIA and SEA** (capacity-building)

# ACTION POINTS

## 3. MANAGEMENT

- ▶ **Improve cooperation/coordination** along common or similar habitats/resources/fisheries
- ▶ Adopt EAF-compliant and adaptive **management plans**
- ▶ Strengthen **compliance & enforcement** and cooperate and share information on IUU
- ▶ Generalize the use of **mandatory observers**. Harmonizing reporting protocols. Sharing data as appropriate
- ▶ Develop **key indicators**. Formalize **monitoring and performance assessment**
- ▶ **Increase resources** at disposal of RFMOs for new tasks
- ▶ States to fully comply with their **flag-State's and port-State's duties**

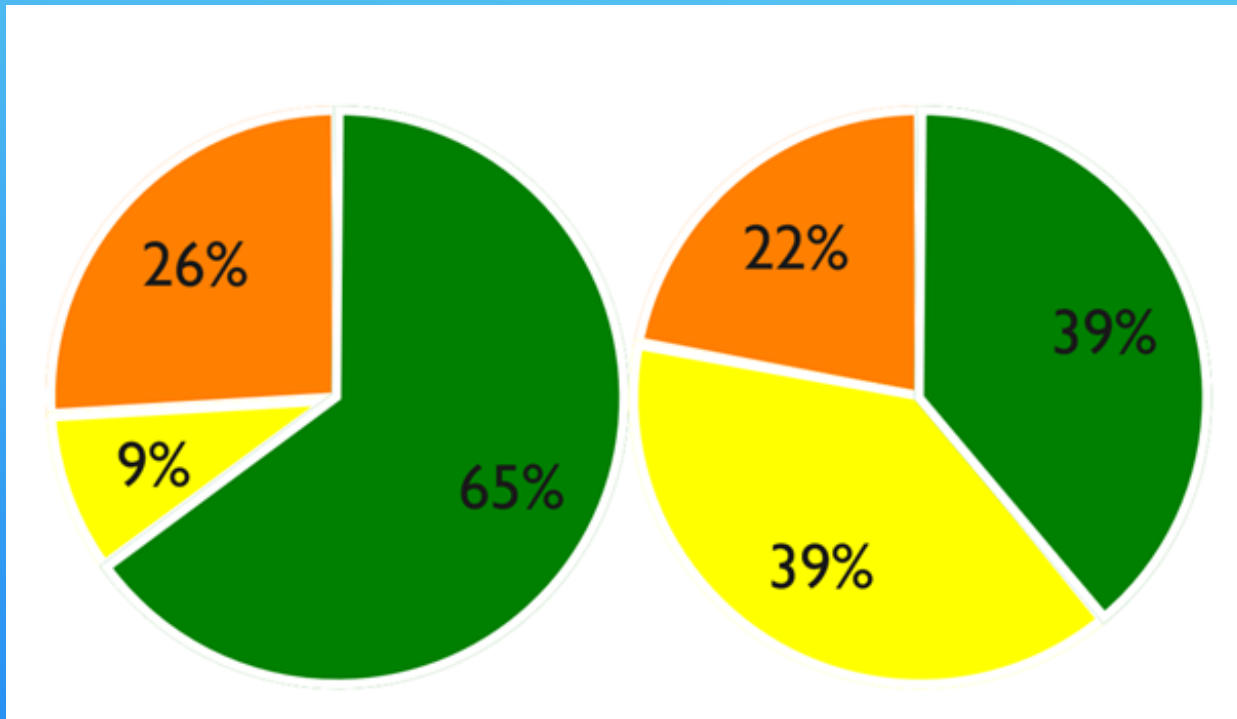
# STATE OF STOCKS AND BIODIVERSITY



Maguire et al. 2006. The state of highly migratory, straddling and high seas fishery resources and associated species. FAO Fish. Tech. Pap. 495: 84 p.

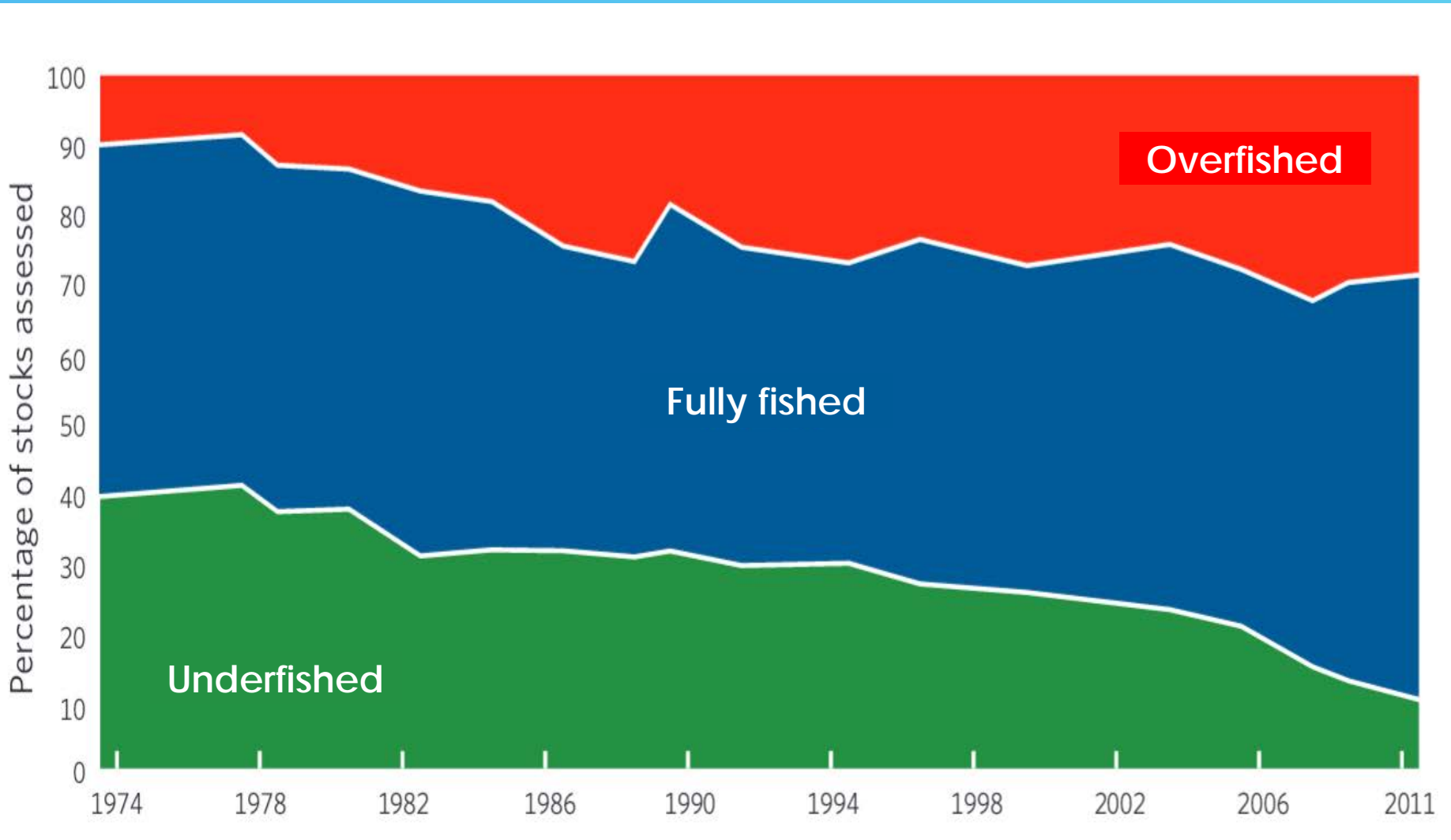


# STATE OF TUNA STOCKS



ISSF. 2014. ISSF Tuna Stock Status update 2014 : Status of the world fisheries for tuna. ISSF Technical Report 2014/09. International Seafood Sustainability Foundation, Washington, D.C., USA.

# STATE OF ASSESSED STOCKS





# EAF IN ABNJ: CHALLENGES (1)

The EAF concept and guidelines apply equally in the EEZs and ABNJ but there are specific implementation challenges:

- ▶ **Information needs:** distances, size, costs, collaborations . *Big Data may help to some extent. VME and EBSAs databases; OBIS; MCS information is increasingly shared; VMS and AIS satellite remote sensing is increasing. Uncertainties in catch volume, composition and ecosystem functioning. Need shared data systems and joint assessments.*
- ▶ **Layered legal framework:** *The Implementation Agreement will add one layer but could help if it adds political will*
- ▶ **Separate institutions:** *in competing albeit converging governance streams. Need further integration of policies, programmes and processes.*

Can EAF in ABNJ develop faster than in EEZs?



## EAF IN ABNJ: CHALLENGES (2)

- ▶ Instruments: EBSAs, VMEs and MPAs not yet integrated thinking. Ecosystemic targets, indicators, and harvest control rules still not widely available. *Need joint assessment mechanisms and joint monitoring (ex: FAO efforts towards IUU assessment)* .
- ▶ Implementation: MCS loopholes; flags of convenience; Ports of convenience; RFMOs adaptation costs and lag times; Lack of interest or capacity of developing countries. *Capacity building; increases international collaboration; Systematic performance assessment.*

Could the Market really be an alternative to States, with freely marketable use rights?

Would the «best economic operator» also be environmentally and socially conscious?

# A SELECTION OF RELEVANT PROJECTS

## Areas Beyond National Jurisdiction Program (ABNJ) – Common Oceans (2014-).

The complex multi-partners Program deals with (1) Tuna fisheries and biodiversity; (2) Deep-sea fishery resources and ecosystems; (3) Partnerships; and (4) capacity-building.

<http://www.commonoceans.org/deep-seas-biodiversity/en/>.

The **Ecosystem Approach** is central to the project which intends to promote a more sustainable use and conservation of ABNJ resources and ecosystem services through: (1) Improved management; (2) reduced/elimination of IUU; and (3) Reduced impact on associated species. Activities focus on areas of work include: (a) **Policy and legal frameworks**; (b) **Partnerships**; © **Instruments for reducing adverse impacts on VMEs and EBSAs**; (c) **Planning and adaptive management**; and (d) **Area-based planning**. .

# BACKGROUND ON IUU PROCESSES

- ▶ 1993 FAO Compliance Agreement
- ▶ 1995: UNFish Stocks Agreement
- ▶ 1995 Code of Conduct for responsible Fisheries
- ▶ 1999 FAO Ministerial Declaration calls for an IPOA on IUU
- ▶ **2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU)**
- ▶ 2003 Deep-Sea International Conference
- ▶ 2003 COFI agrees on the principles of regional MOUs on Port States measures
- ▶ COFI discussions: 2003, 2005, 2007
- ▶ 2005 FAO model scheme on port State measures to combat IUU
- ▶ 2009 FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas
- ▶ **2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (adopted by the FAO Conference)**

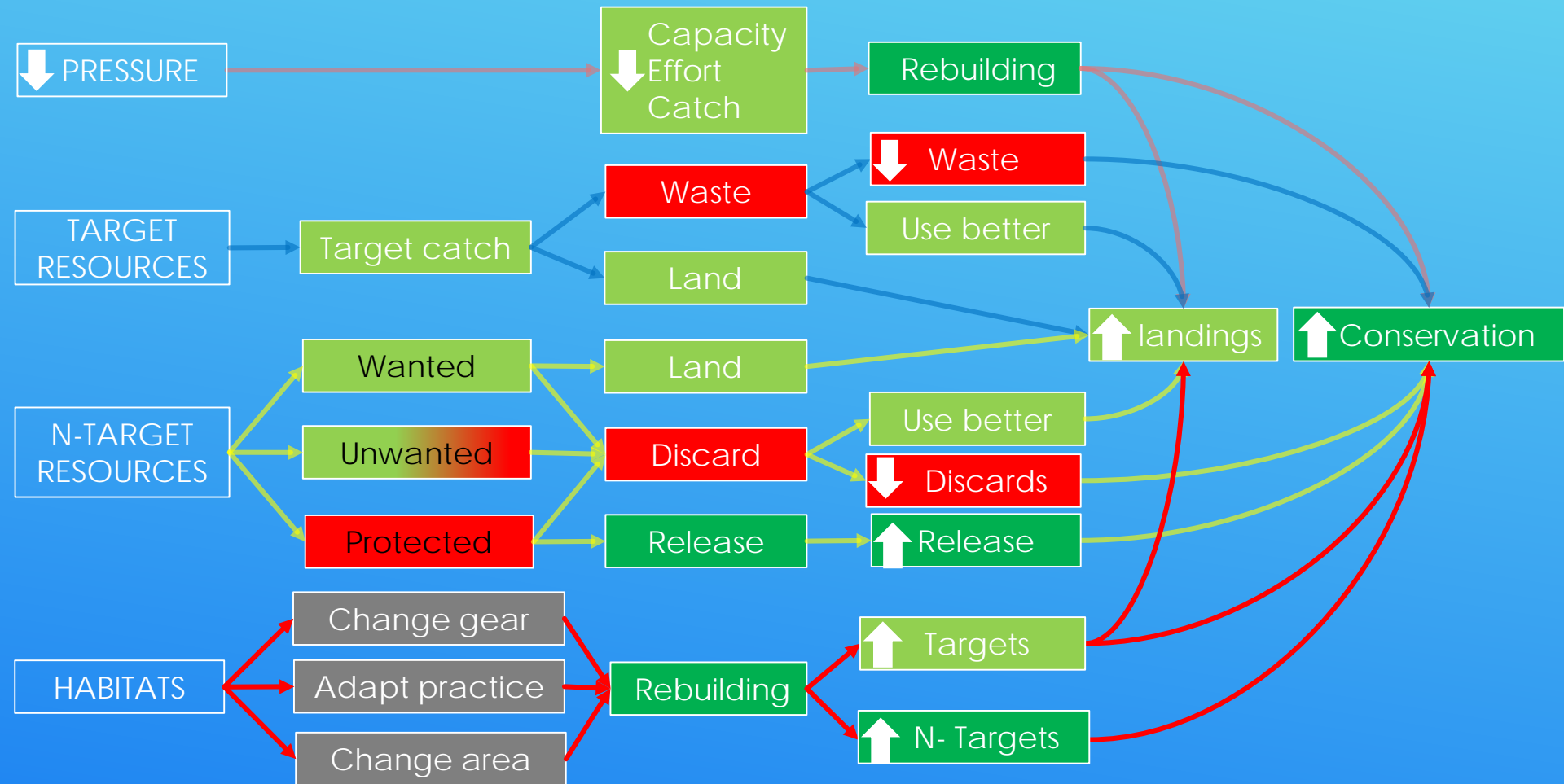
# REFERENCES

- ▶ FAO. 2012. EAF toolbox. The ecosystem approach to fisheries. FAO, Rome, 171 p.
- ▶ Rice, J. ; Goulet, R. and Negrin Dastis J. 2012. Background study to review the extent to which biodiversity concerns are addressed in fisheries assessments. CBD FAO UNEP Expert Workshop on addressing biodiversity concerns in sustainable Fisheries. Bergen, Norway, 7-9-December 2013. UNEP/CBD/JEM.BC-SF/12 34 p.
- ▶ Rice, J. 2011. Review of Progress on Implementation of the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas – Experience of RFMO/As with identifying and protecting VMEs. Discussion paper 2 in: FAO. Report of the FAO Workshop on the Implementation of the International Guidelines for the Management of Deep-sea Fisheries in the High Seas – Challenges and Ways Forward, Busan, Republic of Korea, 10–12 May 2010. *FAO Fisheries and Aquaculture Report*, 948: 74p.
- ▶ FAO. 2011. Report of the FAO Workshop on the Implementation of the International Guidelines for the Management of Deep-sea Fisheries in the High Seas – Challenges and Ways Forward, Busan, Republic of Korea, 10–12 May 2010. *FAO Fisheries and Aquaculture Report*, 948: 74p.
- ▶ Druel, E. 2012. Ecologically or Biologically Significant Marine Areas (EBSAs): the identification process under the Convention on Biological Diversity (CBD) and possible ways forward. IDDRI Working Papers N°17/2012: 24 p.

# USEFUL LINKS

- ▶ EAFnet (FAO): <http://www.fao.org/fishery/eaf-net/topic/166267/en>
- ▶ EBM Tools (EBM tools network). <http://www.ebmtools.org>

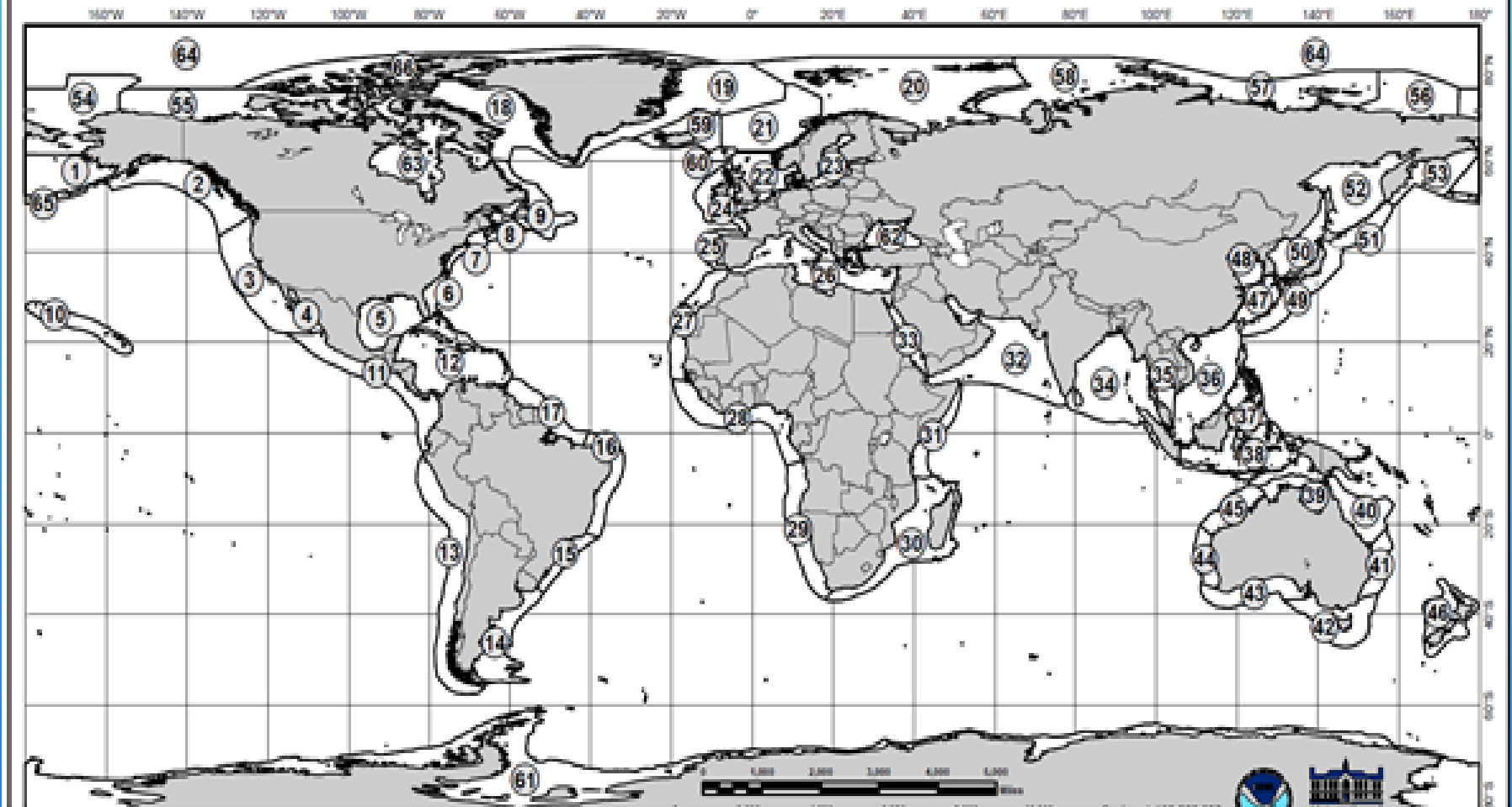
# EAF ON THE WAY: BIOECOLOGY



Social & economic costs implications are not visible in this diagram

# LARGE MARINE ECOSYSTEMS

Large Marine Ecosystems of the World



The Areas Beyond National Jurisdiction are not covered

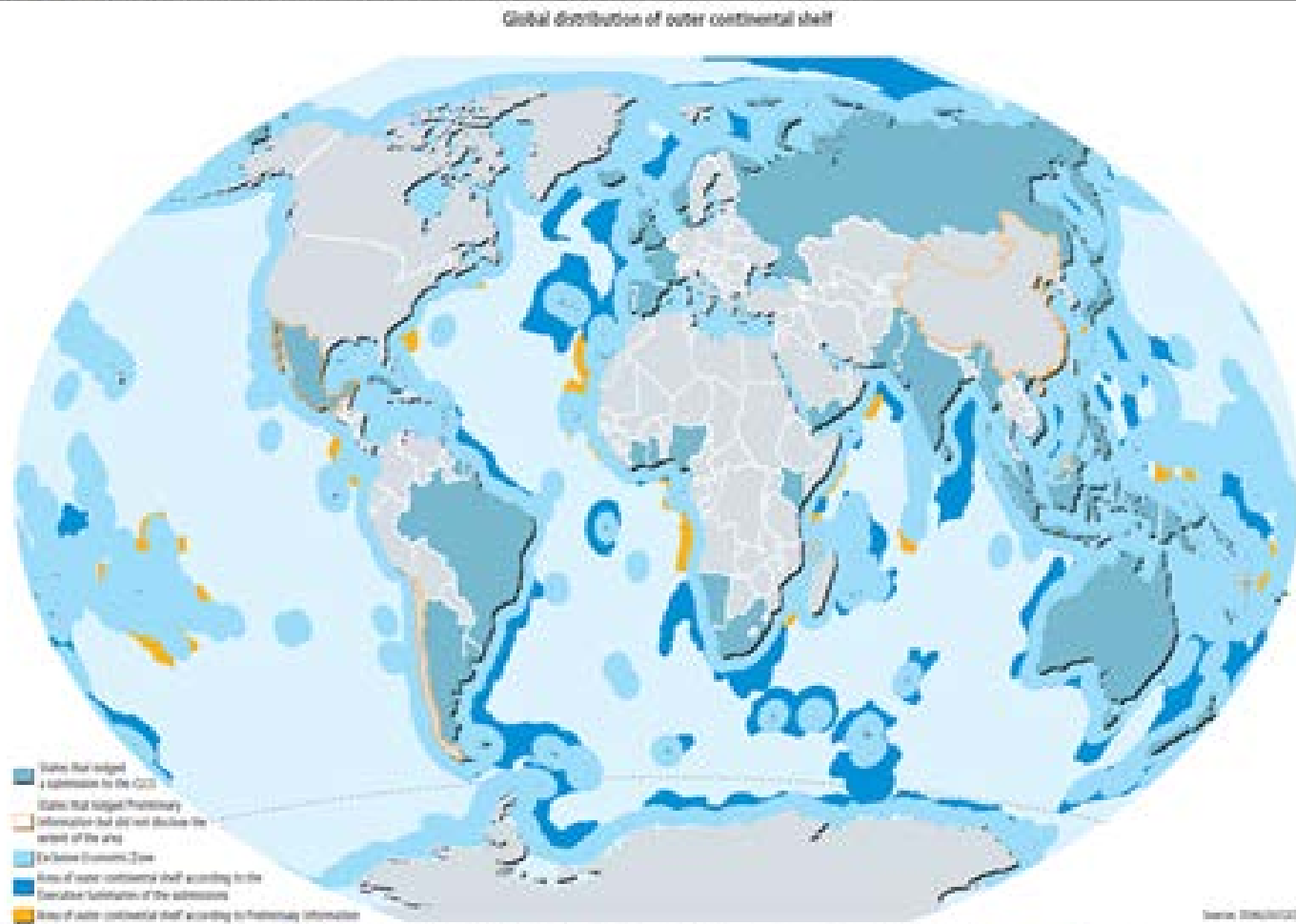
# CBD WORKSHOPS ON EBSAS





# CONTINENTAL SHELVES BNJ

Figure 1. Global distribution of outer continental shelves as of September 2010



**Figure 8. Regional seas organisations with and without a high seas component**

