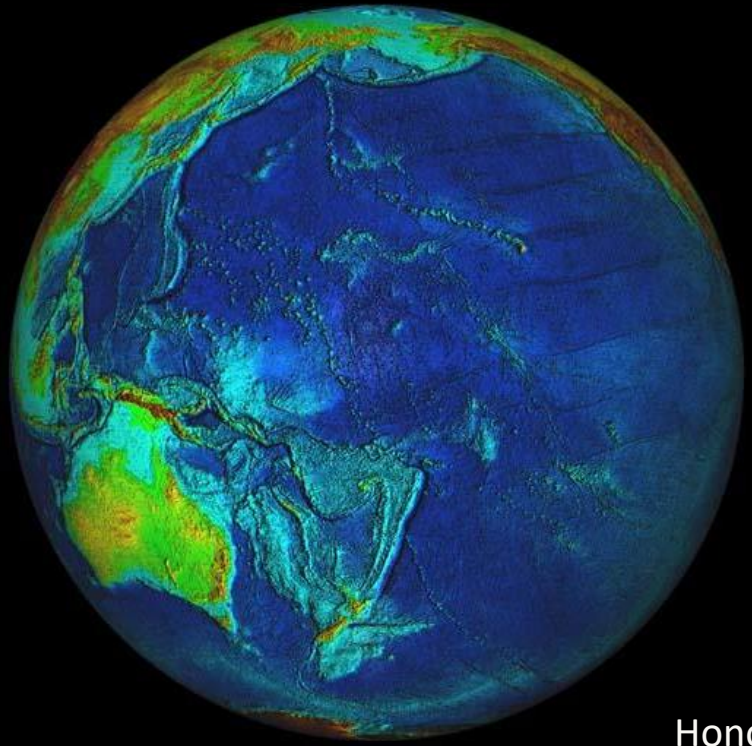
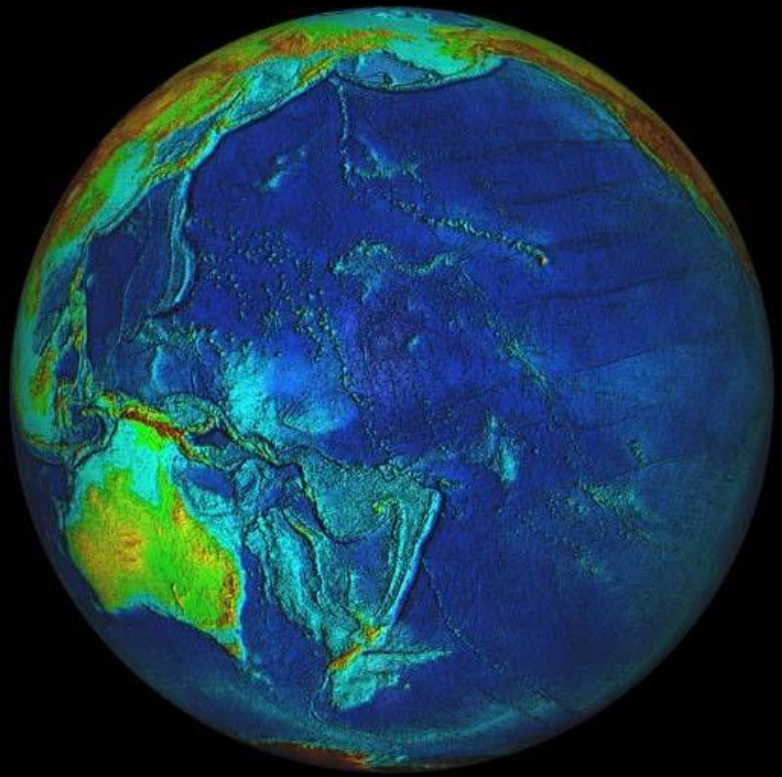
Towards a new instrument for marine biodiversity beyond national jurisdiction: A perspective on current BBNJ negotiations



Kristina M. Gjerde
Senior High Seas Advisor, IUCN
Global Marine and Polar Programme
Adjunct Professor, Middlebury Institute of International Studies at Monterey, California
Honorary Fellow, University of Edinburgh School of Geosciences

Global Ocean Biodiversity Governance: The newest science of what works and what doesn't
European Parliament, 17 October 2016



Overview

- Challenges to marine biodiversity
- Challenges to UNCLOS
- Opportunities for progress
- Opportunities for the European Union?

The Living Infinite?

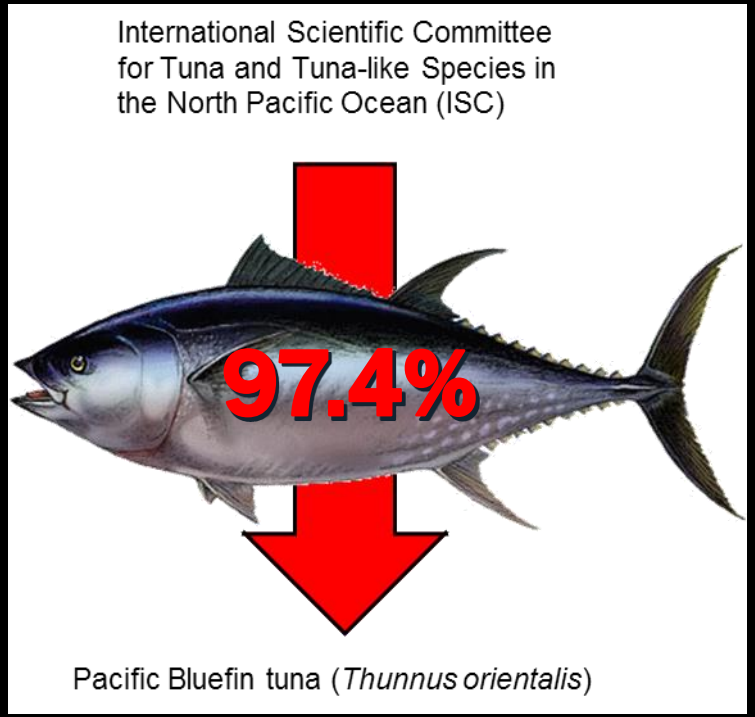
Photo credit: John B. Weller

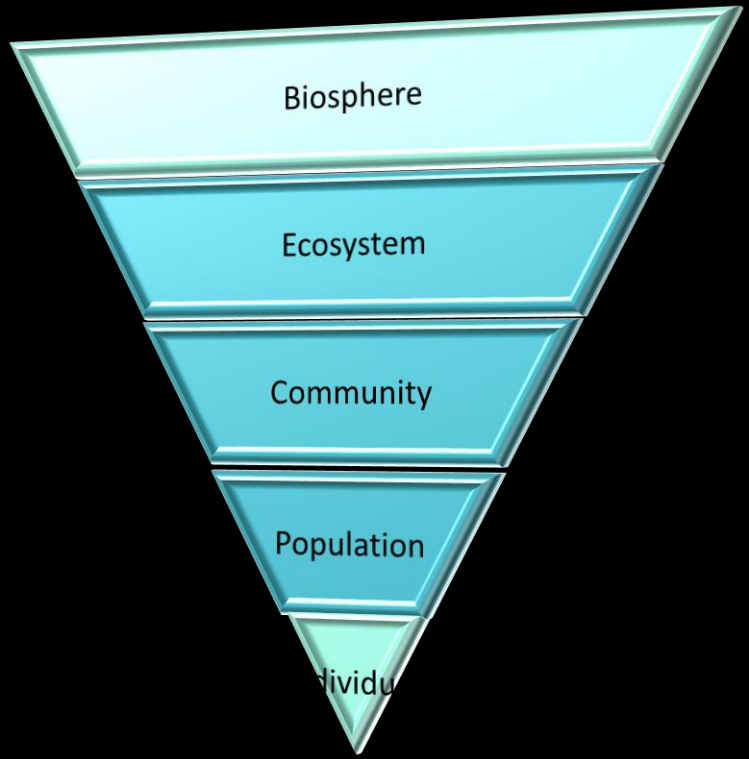
CO_2 Emissions 2006

Rising CO_2 has created a deadly trio of stressors

Slide courtesy Lisa A. Levin, PhD.
Center for Marine Biodiversity & Conservation,
Scripps Institution of Oceanography, La Jolla, CA

Reductions in biodiversity (species richness and density) reduces ecosystem resilience…





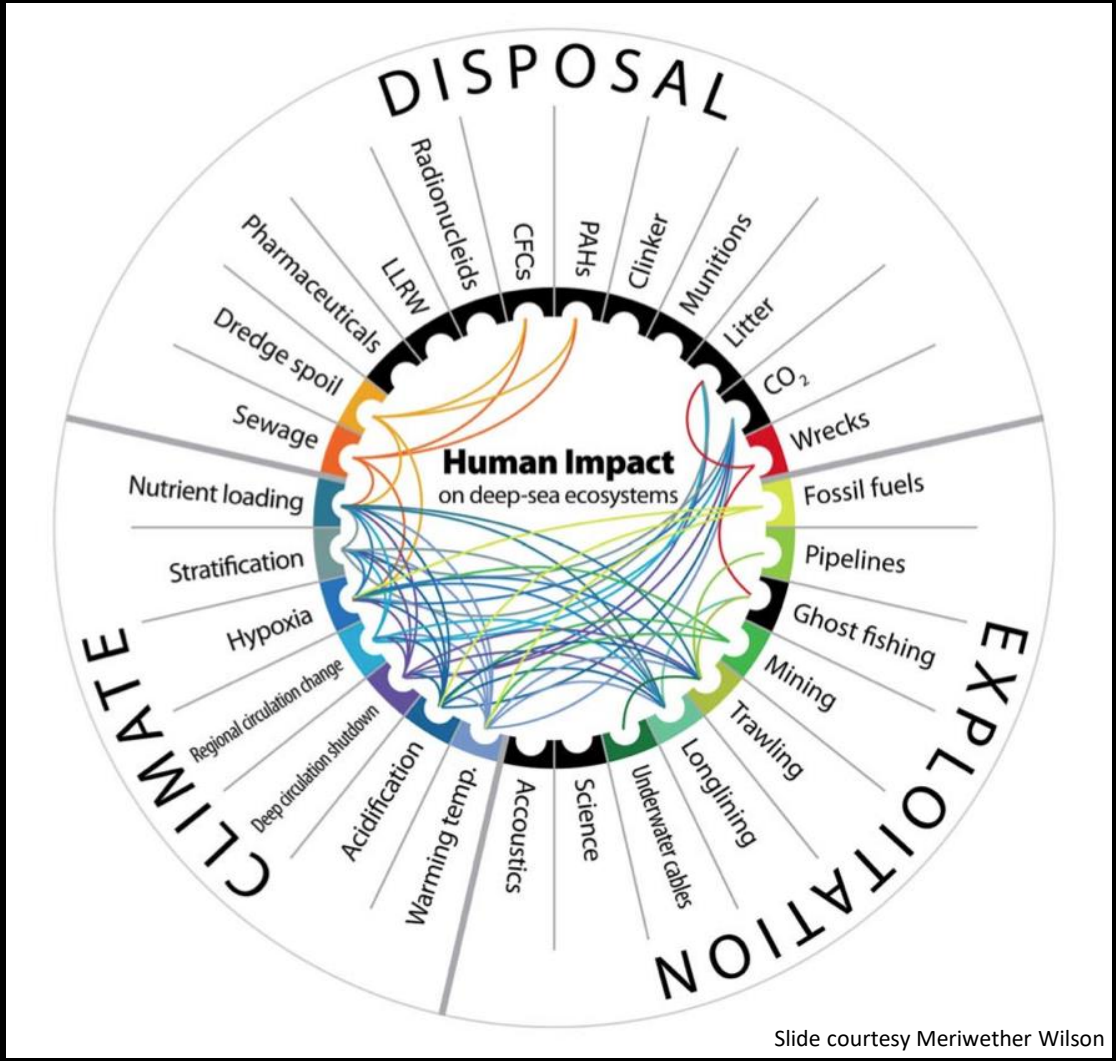
Ortuño Crespo, G., Dunn, D. C. (2016) Impacts of fisheries on open-ocean ecosystems. http://www.nereusprogram.org/policy-brief-bbnj-impacts-of-fisheries/

Greatest ocean impacts over time

1900-50s
Disposal

1950-2000s
Exploitation

2000s + future
Climate Change



Slide courtesy Meriwether Wilson

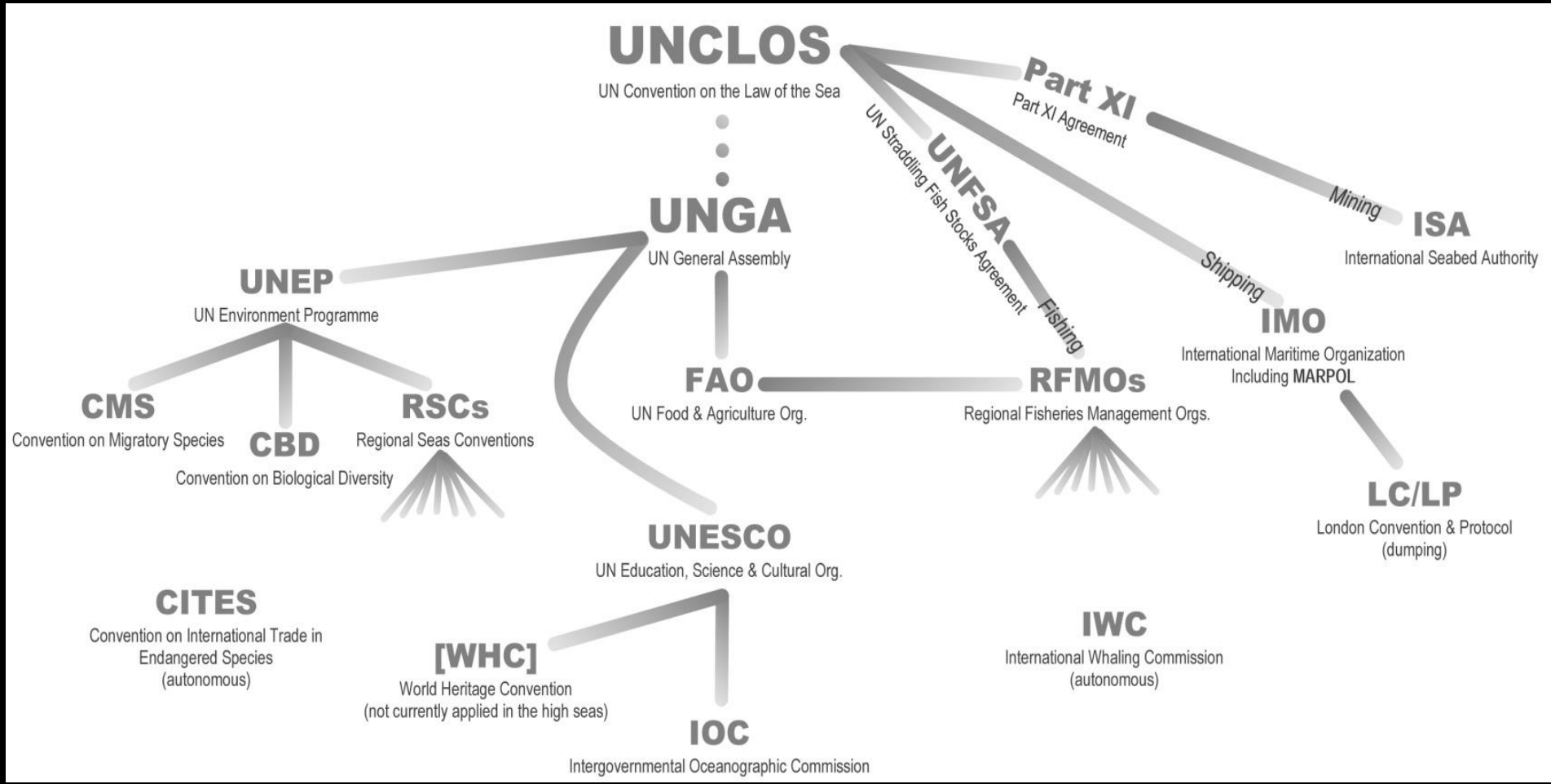
CENSUS OF MARINE LIFE

The lines link impacts that, when found together, have a synergistic effect on habitats or faunal communities.

Ramirez-Llodra et al. 2011

Is the UNCLOS regime for ABNJ fit for the coming storm?

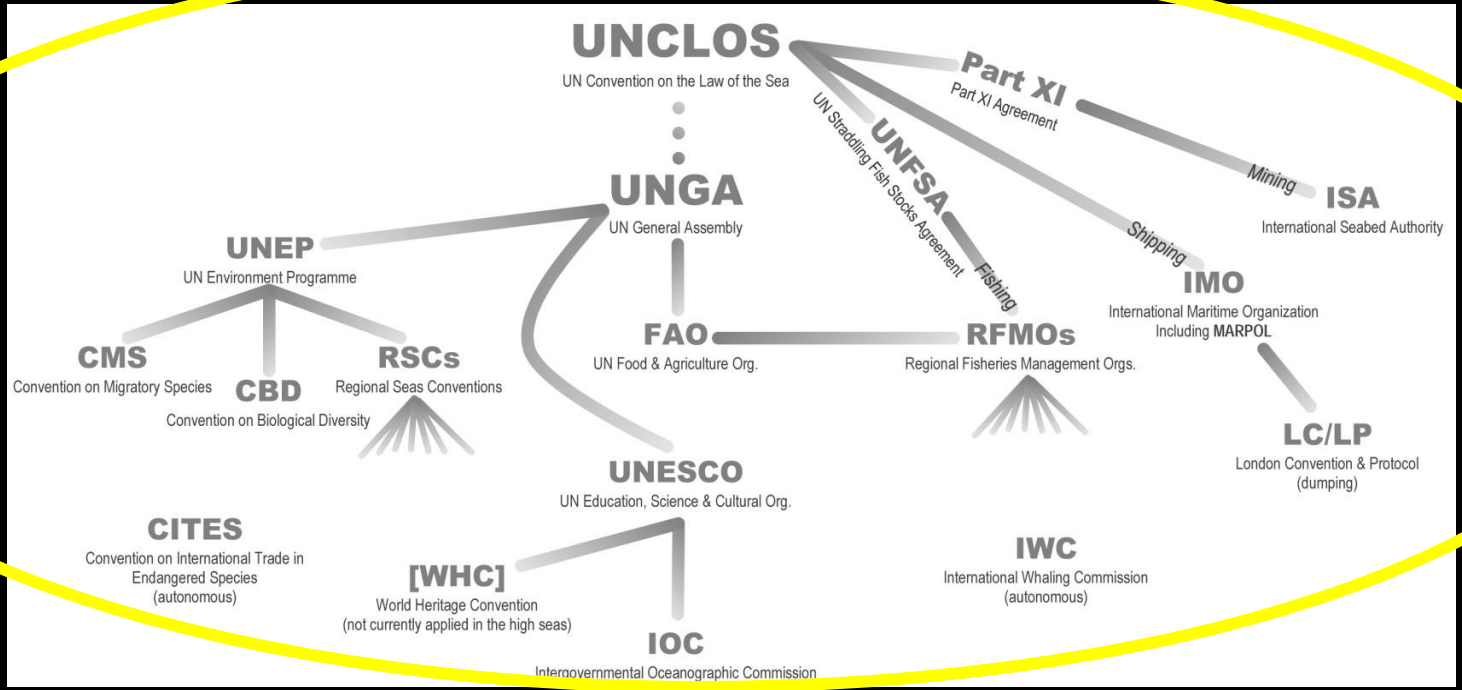

Ocean Life
Diversity, Distribution, Abundance
NATIONAL GEOGRAPHIC
CENSUS OF MARINE LIFE
CENSUS OF MARINE LIFE
Challenges to UNCLOS



Ardron J & Warner, R. 2015 Handbook of Ocean Resources, Earthcan Book

Enabling conditions for effective interplay: 1) non-hierarchical organizations; 2) a common purpose; and 3) shared principles

(Mahon et al, 2015)



Ardron J & Warner, R. (2015) Handbook of Ocean Resources, Earthcan Book

“Resistance to Precaution”

“While the Sargasso Sea Project has succeeded in gaining wide-spread recognition for the Sargasso Sea’s significance, the primary legally binding protective measure secured after six years of extensive work has been a closure of several seamounts to deep sea bottom fishing by the North-west Atlantic Fisheries Organization (NAFO). What we have learned is that the lack of common principles, common criteria and common evidentiary standards for conservation measures has hindered broader efforts for comprehensive management.”

Freestone and Gjerde, 2016

http://www.sargassoseacommission.org/storage/SargassoBrochure.FIN.pdf


Ocean Life
Diversity, Distribution, Abundance
NATIONAL GEOGRAPHIC
CENSUS OF MARINE LIFE
CENSUS OF MARINE LIFE
Opportunities for Progress

2004: “Ad-Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond national jurisdiction”

2011: Agreement on Package Deal

- Area-Based Management
- Environmental impact assessment
- Capacity building and tech transfer
- Marine genetic resources

2015: Agreement to develop legally binding instrument under UNCLOS

What's next: UNGA Resolution A/69/292, June 2015

- 2-Year Preparatory Committee
- Substantive recommendations
- Package deal
- Not undermine
- Not affect legal status

Sidney Kemble, the Netherlands, with **Gina Guillén-Grillo**, Costa

Chair **Eden Charles**, Trinidad and

Matthías Pálsson, Iceland

Photos by IISD/ENB | Mike Muzurakis

Role for a new implementing agreement

- Common purpose
- Common operating principles
- Conservation tools
- Promote compliance
- Address equitable concerns
- Build scientific basis

Image courtesy of NOAA Office of Ocean Exploration and Research, 2016 Deepwater Exploration of the Marianas


Obstacles ahead?
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“The time has come to acknowledge that national interests are best served by acting in the global interest.”

Ban Ki-moon, UN Secretary General, Paris, France, December 12, 2015


Not the End?
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