

**Workshop on Governance of Marine Areas Beyond National Jurisdiction: Management  
Issues and Policy Options  
November 3-5, 2008, Singapore Botanic Gardens, Singapore**

**Compendium of Materials**

**I. Materials Sent by Participants and Global Forum Working Group Members (sent to  
workshop participants under separate cover via University of Delaware Dropbox)**

**Salvatore Arico, UNESCO**

Pisupati, B., D. Leary and S. Arico. 2008. [Access and Benefit Sharing: Issues Related to Marine Genetic Resources](#). Asian Biotechnology and Development Review 10(3):49-68.

BioMarine: The World Marine and Maritime Forum, 20- 24 October, 2008, Toulon and  
Marseille, France. Session Summaries. Available:  
<http://biomarine.org/index.php/gb/Downloads/Session-Summaries>

The World Ocean in Globalization: Challenges for Marine Regions, 21-23 August 2008, Oslo,  
Norway. Compendium of Summaries

**Lucien Chabason, IDDRI**

Revised concept note on an intergovernmental science-policy platform on biodiversity and  
ecosystem services: Building on the global strategy for follow-up to the Millennium  
Ecosystem Assessment (MA) and the consultative process towards an International  
Mechanism of Scientific Expertise on Biodiversity (IMoSEB)

Governance of marine biodiversity beyond national jurisdictions: issues and  
Perspectives, Julien Rochette and Raphaël Billé (IDDRI)  
Report of the International Seminar on Towards a New Governance of High Seas Biodiversity,  
March 20-21, 2008, Monaco

**Duncan Currie, Greenpeace**

Suggested Draft High Seas Implementing Agreement for the Conservation and Management of  
the Marine Environment. Available:  
<http://www.greenpeace.org/raw/content/international/press/reports/suggested-draft-high-seas-impl.pdf>.

Summary of Suggested Draft High Seas Implementing Agreement for the Conservation and  
Management of the Marine Environment

**Maria Rowena Eguia, SEAFDEC-AQD, Philippines**

Perspectives on the Role of Developing States in the Sustainable Use and Management of  
Marine Genetic Resources in Global Oceans

## **Matthew Gianni, Deep Sea Conservation Coalition**

Preliminary review of the regional implementation of the provisions of UN GA 61/105 related to the management of high seas bottom fisheries, September 2008

## **Kristina Gjerde, IUCN**

10 Principles for Governance of the High Seas, as launched by IUCN's President Valli Moosa at the World Conservation Congress in Barcelona

Outcomes of the World Conservation Congress relevant to areas beyond national jurisdiction:  
*New Impetus for the High Seas following IUCN World Conservation Congress, 24 October 2008,*  
News story

Available: <http://www.iucn.org/index.cfm?uNewsID=1994>

Identifying ecologically and biologically significant marine areas beyond national jurisdiction:  
Summary of German Environment Ministry and Bureau for Nature Conservation (BfN) and IUCN initiative for preparatory work for CBD COP10

IUCN Workshop on High Seas Governance for the 21st Century, New York, October 17-19, 2007. Co-Chairs' Summary Report. December 2007

IUCN Marine Series:

- Elements of a Possible Implementation Agreement to UNCLOS for the Conservation and Sustainable Use of Marine Biodiversity in Areas beyond National Jurisdiction

Available: [http://cmsdata.iucn.org/downloads/iucn\\_marine\\_paper\\_4.pdf](http://cmsdata.iucn.org/downloads/iucn_marine_paper_4.pdf)

- The Mid-Atlantic Ridge: A Case Study on the Conservation and Sustainable Use of Marine Biodiversity in Areas beyond National Jurisdiction

Available: [http://cmsdata.iucn.org/downloads/iucn\\_marine\\_paper\\_3.pdf](http://cmsdata.iucn.org/downloads/iucn_marine_paper_3.pdf)

- Options for Addressing Regulatory and Governance Gaps in the International Regime for the Conservation and Sustainable Use of Marine Biodiversity in Areas beyond National Jurisdiction

Available: [http://cmsdata.iucn.org/downloads/iucn\\_marine\\_paper\\_2.pdf](http://cmsdata.iucn.org/downloads/iucn_marine_paper_2.pdf)

- Regulatory and Governance Gaps in the International Regime for the Conservation and Sustainable Use of Marine Biodiversity in Areas beyond National Jurisdiction

Available: [http://cmsdata.iucn.org/downloads/iucn\\_marine\\_paper\\_1\\_2.pdf](http://cmsdata.iucn.org/downloads/iucn_marine_paper_1_2.pdf)

## **David Johnson, OSPAR**

Hello El Cachucho: The latest addition to the Network of Marine Protected Areas of the OSPAR Commission is a fascinating deep water ecosystem within the Spanish Exclusive Economic Zone in the warm waters of the Cantabrian Sea. Press Release

MAR/Charlie Gibbs Fracture Zone – First steps in implementing the roadmap

Proposals for further possible MPAs in ABNJ Presented by Germany on behalf of the ICG-MPA

Progress on Biodiversity Protection in Areas Beyond National Jurisdiction by the OSPAR Commission for the Protection of the North-East Atlantic: Note to the Global Forum

**Gwenaelle Le Gurun (on behalf of Michael Lodge), ISA**

Briefing Note on Relevant Activities of the International Seabed Authority

**David Leary, UNU-IAS, and University of New South Wales**

International symposium Looking beyond the International Polar Year: Emerging and Re-emerging Issues in International Law and Policy in the Polar Regions, 7-10 September 2008, University of Akureyri, Iceland. Programme. Other information available: [www.ias.unu.edu/polarlaw](http://www.ias.unu.edu/polarlaw)

Leary, D. 2008. Bi-polar Disorder? Is Bioprospecting an Emerging Issue for the Arctic as well as for Antarctica? *RECIEL* 17(1):41-55.

Leary, D. 2008. Bioprospecting in the Arctic. UNU-IAS Report

Leary, D. 2008. Greenland's new legislation on commercial and research-related use of biological resources: implications for the International Polar Year and later. *Polar Record* 44(229):97-106

Leary, D., M. Vierros, G. Hamon, S. Arico and C. Monagle. Marine genetic resources: A review of scientific and commercial interest. *Marine Policy* (in press)

**Christophe Lefebvre, French Marine Protected Areas Agency**

2012 Marine Targets: European Marine Strategy and Issues in High Seas, Brest, France, December 9-11, 2008

- Draft Agenda
- Note to Global Forum Workshop Participants

**Joji Morishita, Fisheries Agency, Government of Japan**

Challenges in the Fisheries Management in Marine Areas beyond National Jurisdiction

Morishita, J. 2008. What is the Ecosystem Approach for Fisheries Management. *Marine Policy* 32(1):19-26.

### **Jean-Francois Pulvenis, FAO**

International Guidelines for the Management of Deep-sea Fisheries in the High Seas

Available: [ftp://ftp.fao.org/FI/DOCUMENT/tc-dsf/2008\\_2nd/2\\_1e.pdf](ftp://ftp.fao.org/FI/DOCUMENT/tc-dsf/2008_2nd/2_1e.pdf)

FAO Report of the Technical Consultation on International Guidelines for the Management of Deep-sea Fisheries in the High Seas. Rome, 4–8 February and 25-29 August 2008.

*FAO Fisheries and Aquaculture Report*. No. 881. Rome/Roma, FAO. 2008. 43p.

International Treaty on Plant Genetic Resources for Food and Agriculture

- Text
- Status

Garcia, S.M.; Zerbi, A.; Aliaume, C.; Do Chi, T.; Lasserre, G. 2003. The ecosystem approach to fisheries. Issues, terminology, principles, institutional foundations, implementation and outlook.

*FAO Fisheries Technical Paper*. No. 443. Rome, FAO. 2003. 71 p. Available:

<ftp://ftp.fao.org/docrep/fao/006/y4773e/y4773e00.pdf>

FAO Fisheries Department. 2003. The ecosystem approach to fisheries. *FAO Technical*

*Guidelines for Responsible Fisheries*. No. 4, Suppl. 2. Rome, FAO. 2003. 112 p. Available:

<ftp://ftp.fao.org/docrep/fao/005/y4470e/y4470e00.pdf>

Reykjavik Conference on Responsible Fisheries in the Marine Ecosystem, 1-4 October 2001, Reykjavik, Iceland. Conference documents and full report. Available:

<ftp://ftp.fao.org/fi/document/reykjavik/default.htm>

Extracts from the FAO Committee on Fisheries (COFI) reports regarding the Ecosystem Approach to Fisheries

### **Rosemary Rayfuse, University of New South Wales**

Rayfuse, R. and R. Warner. 2008. Securing a Sustainable Future for the Oceans Beyond National Jurisdiction: The Legal Basis for an Integrated Cross-Sectoral Regime for High Seas

Governance for the 21st Century. *The International Journal of Marine and Coastal Law* 23:399–421.

### **Lori Ridgeway, DFO, Canada**

Improvements in Sectoral Authorities and Processes

### **Charlotte Salpin, UN DOALOS**

C. Salpin and V. Germani, "Patenting of Research Results Related to Genetic Resources from Areas beyond National Jurisdiction: The Crossroads of the Law of the Sea and Intellectual Property Law", *Review of European Community & International Environmental Law*, 2007, Volume 16, Issue 1, p.12-23.

**David Vousden and Magnus Ngoile, Agulhas and Somali Current Large Marine Ecosystems Project**

ASCLME Presentation to the Workshop on Governance of Marine Areas beyond National Jurisdiction

**Robin Warner, University of Wollongong**

Options to Strengthen the Environmental Regulation of Marine Genetic Resource Exploitation in Areas beyond National Jurisdiction

**From Other Global Forum Working Group Members**

Ecosystem-based Management and Integrated Coastal and Ocean Management

Management of Marine Genetic Resources in Areas Beyond National Jurisdiction

## Other Materials Available<sup>1</sup>

### A. Recent Developments and Workshops on Governance of Marine Areas Beyond National Jurisdiction

1. Strategic Planning Workshop on Global Oceans Issues in Marine Areas Beyond National Jurisdiction in the Context of Climate Change, January 23-25, 2008, Nice, France
  - [Co-Chairs' Report](#) (Pages 1-10 of the Submission of the Global Forum to the Ad-Hoc Open-Ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond national jurisdiction)
2. Workshop on Ecosystems and Uses in Marine Areas Beyond National Jurisdiction, April 5, 2008, Hanoi, Vietnam
  - [Co-Chairs' Report](#) (Pages 11-15 of the Submission of the Global Forum to the Ad-Hoc Open-Ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond national jurisdiction)
3. Second Meeting of the UN 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, April 28-May 2, 2008, New York
  - [Co-Chairs' Report](#)
4. International Conference on Marine Affairs and the Law of the Sea, August 21-23, 2008, Fridtjof Nansen Institute, Oslo
  - Web Link: <http://www.fni.no/conference/>

### B. Policy Options for Moving Toward Ecosystem-Based Management of Marine Areas Beyond National Jurisdiction

#### *Use of Codes of Conduct*

Department of the Environment, Heritage and Local Government, Ireland. 2006. Code of Practice for Marine Scientific Research at Irish Coral Reef Special Areas of Conservation. Available: <http://www.marine.ie/NR/rdonlyres/8DBA2793-B01E-4576-B2BF-C9403ACD06FA/0/file3654en.pdf>

Food and Agriculture Organization of the United Nations (FAO). 1995. Code of Conduct for Responsible Fisheries. FAO, Rome, Italy Available: <ftp://ftp.fao.org/docrep/fao/005/v9878e/v9878e00.pdf>

---

<sup>1</sup> Some of the materials listed are available on the Global Forum website ([www.globaloceans.org](http://www.globaloceans.org)) and other sources on the Internet as indicated. All other materials listed may be requested from the authors directly.

International Maritime Organization (IMO). 2001. Code for the Construction and Equipment of Mobile Offshore Drilling Units. IMO. 140 pp.  
[http://www.imo.org/Safety/mainframe.asp?topic\\_id=641](http://www.imo.org/Safety/mainframe.asp?topic_id=641)

International Seabed Authority (ISA). 2005. Seabed Council Approves Finance Committee Report, Including Appointment of Independent Auditor for Authority; Resumes Consideration of New Draft Code. Press Release. Eleventh Session, Kingston, Jamaica, 15-26 August 2006. Available: <http://www.isa.org.jm/en/documents/PRESS/PRESS-2005/SB-11-12.pdf>

Jones, A.T. and C.L. Morgan. 2003. Code of Practice for Ocean Mining: An International Effort to Develop a Code for Environmental Management of Marine Mining. *Marine Georesources and Geotechnology* 21:105-114.

Mason, P. 1997. Tourism Codes of Conduct in the Arctic and Sub-Arctic Region. *Journal of Sustainable Tourism* 5(2):151-165

OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic. 2008. OSPAR Code of Conduct for Responsible Marine Research in the Deep Seas and High Seas of the OSPAR Maritime Area. OSPAR 08/24/1, Annex 6. Available: [http://www.ospar.org/v\\_measures/get\\_page.asp?v0=08-01e\\_code%20of%20conduct%20marine%20research.doc&v1=5](http://www.ospar.org/v_measures/get_page.asp?v0=08-01e_code%20of%20conduct%20marine%20research.doc&v1=5)

Secretariat of the Convention on Biological Diversity. 2008. Options for Preventing and Mitigating the Impact of Some Activities on Selected Seabed Habitats, and Ecological Criteria and Biogeographic Classification System of Marine Areas in Need of Protection. Background document to the note by the Executive Secretary on options for preventing and mitigating the impact of some activities to selected seabed habitats, and ecological criteria and biogeographic classification systems of marine areas in need of protection (UNEP/CBD/SBSTTA/13/4). Available: <http://www.cbd.int/doc/meetings/sbstta/sbstta-13/information/sbstta-13-inf-13-en.doc>

### ***Enhanced Enforcement and Compliance***

Burnett, Douglas R. Legal Jurisdiction over International Submarine Cables.

CBD. 2005. The International Legal Regime of the High Seas and the Seabed Beyond National Jurisdiction. CBD Technical Report No. 19. <http://www.cbd.int/doc/publications/cbd-ts-19.pdf>

Raaymakers, S. 2003. Maritime Transport and High Seas Governance – Regulation, Risks and the IMO Regime. Paper presented at the International Workshop on Governance of High Seas Biodiversity Conservation, June 17-20, 2003, Cairns, Australia.

United Nations Environment Programme (UNEP). 2001. Guidelines on Compliance with and Enforcement of Multilateral Environmental Agreements. Available: <http://www.unep.org/DEC/docs/UNEP.Guidelines.on.Compliance.MEA.pdf>

Warner, R. 2008. Protecting the Diversity of the Depths: Environmental Regulation of Bioprospecting and Marine Scientific Research beyond National Jurisdiction, *Ocean Yearbook* (2008), 22:411-443

***Improvement of Fisheries Management Organizations (RFMOs) and Development of Other Regional Regimes***

Alder, J. and L. Wood. 2004. Managing and Protecting Seamount Ecosystems, pp. 67-73. In T. Morato and D. Pauly (eds.). *Seamounts: Biodiversity and Fisheries*. Fisheries Centre Research Report 12(5).

Balton, D.A., Zbicz, D.C. 2004. Managing Deep-sea Fisheries: Some Threshold Questions. *The International Journal of Marine and Coastal Law*. 19(1):247-258.

Clark, M.R. and J.A. Koslow. 2007. Impacts of fisheries on seamounts. Chapter 19. p. 413–441 In Pitcher, T.J., Morato, T., Hart, P.J.B., Clark, M.R., Haggan, N., Santos, R.S. (eds). *Seamounts: ecology, fisheries, and conservation*. Blackwell Fisheries and Aquatic Resources Series 12. Blackwell Publishing, Oxford. 527 pp.

Clark, M.R., V.I. Vinnichenko, J.D.M. Gordon, G.Z. Beck-Bulat, N.N. Kukharev and A.F. Kakora. 2007. Large scale distant water trawl fisheries on seamounts. Chapter 17. p. 361–399. In Pitcher, T.J., Morato, T., Hart, P.J.B., Clark, M.R., Haggan, N., Santos, R.S. (eds). *Seamounts: ecology, fisheries, and conservation*. Blackwell Fisheries and Aquatic Resources Series 12. Blackwell Publishing, Oxford. 527 pp.

Food and Agriculture Organization of the United Nations (FAO). 2007. Countries agree to strengthen controls in ports to combat illegal fishing. FAONewsroom. 12 March 2007, Rome. Available: <http://www.fao.org/newsroom/en/news/2007/1000508/index.html>

Gianni, M. 2004. High Seas Bottom Trawl Fisheries and Their Impacts on the Biodiversity of Vulnerable Deep-Sea Ecosystems: Options for International Action. IUCN – The World Conservation Union, Gland, Switzerland.

Hayashi, M. 2004. Global Governance of Deep-Sea Fisheries. *The International Journal of Marine and Coastal Law*. 19(1):289-298.

Henriksen, T., G. Hoenneland, and A. Sydnes. 2006. Law and politics in ocean governance: The UN fish stocks agreement and regional fisheries management regimes. Leiden (Netherlands): Brill Academic Publishers.

Holland, K.N. and R.D. Grubbs. 2007. Fish visitors to seamounts: tunas and billfish at seamounts. Chapter 10A. p. 189-201. In Pitcher, T.J., Morato, T., Hart, P.J.B., Clark, M.R., Haggan, N., Santos, R.S. (eds). *Seamounts: ecology, fisheries, and conservation*. Blackwell Fisheries and Aquatic Resources Series 12. Blackwell Publishing, Oxford. 527 pp.

Kimball, L.A. 2004. *Deep-sea fisheries of the high seas: the management impasse*. *International Journal of Marine and Coastal Law* 19(3): 259-287.

Lack, M., K. Short and A. Willock. 2003. Managing Risk and Uncertainty in Deep-sea Fisheries: Lessons from Orange Roughy. Traffic Oceania and WWF Endangered Seas Programme. Available: <http://wwf.org.uk/filelibrary/pdf/orangeroughy.pdf>

Lodge, M.W., D. Anderson, T. Lobach, et al. 2007. Recommended Best Practices for Regional Fisheries Management Organizations. Report of an independent panel to develop a model for improved governance by Regional Fisheries Management Organizations. The Royal Institute of International Affairs, Chatham House, London

Meltzer, E. 2005. Global overview of straddling and highly migratory fish stocks: maps and charts detailing RFMO coverage and implementation. *International Journal of Marine and Coastal Law* 20(3-4):571-604.

Molenaar E. 2004. Multilateral Hot Pursuit and Illegal Fishing in the Southern Ocean: The Pursuits of the Viarsa 1 and the South Tomi. *The International Journal of Marine and Coastal Law*. 19(1):19-42.

Molenaar, E.J. 2004. Unregulated Deep-Sea Fisheries: A Need for a Multi-Level Approach. *The International Journal of Coastal Law*. 19(1):223-246.

Morato, T. R. Watson, T.J. Pitcher and d. Pauly. 2006. *Fishing down the deep*. *Fish and Fisheries* 7:24-34.

Morato, T., W. W. L. Cheung, and T. J. Pitcher. 2006. *Vulnerability of seamount fish to fishing: fuzzy analysis of life-history attributes*. *Journal of Fish Biology* 68:209-221.

Morato, T. and M.R. Clark. 2007. Seamount fishes: ecology and life histories. Chapter 9. p. 170–188. In Pitcher, T.J., Morato, T., Hart, P.J.B., Clark, M.R., Haggan, N. Santos, R.S. (eds). *Seamounts: ecology, fisheries, and conservation*. Blackwell Fisheries and Aquatic Resources Series 12. Blackwell Publishing, Oxford. 527 pp

Morishita, J. 2007. Limitations and Challenges in Flag State Responsibilities in the High Seas Fisheries. Submitted to the IUCN Workshop on High Seas Governance for the 21st Century, 17-19 October 2007, New York, for discussion only.

Mormede, S. and I.M. Davies. 2001. *Heavy metal concentrations in commercial deep-sea fish from the Rockall Trough*. *Continental Shelf Research* 21:899-916.

Munro, G.R. 2007. The New Member Problem, Free Riding and the Stability of Regional Fisheries Management Organizations. Submitted to the IUCN Workshop on High Seas Governance for the 21st Century, 17-19 October 2007, New York, for discussion only.

Owen, D. 2007. Practice of RFMOs Regarding Non-members. Recommended Best Practices for Regional Fisheries Management Organizations: Technical Study No. 2. Chatham House.

Pitcher, T.J., T. Morato, P.J.B. Hart, M.R. Clark, N. Haggan and R.S. Santos. 2007. The depths of ignorance: an ecosystem evaluation framework for seamount ecology, fisheries, and conservation. Chapter 21. p. 476–488. In Pitcher, T.J., Morato, T., Hart, P.J.B., Clark, M.R., Haggan, N. Santos, R.S. (eds). *Seamounts: ecology, fisheries, and conservation*. Blackwell Fisheries and Aquatic Resources Series 12. Blackwell Publishing, Oxford. 527 pp

Probert, P.K., D.G. McKnight and S.L. Grove. 1997. Benthic invertebrate bycatch from a deep-water fishery, Chatham Rise, New Zealand. *Aquatic Conservation* 7:27–40.

Riddle, K.W. 2006. *Illegal, Unreported, and Unregulated Fishing: Is International Cooperation Contagious?* *Ocean Development and International Law* 37:265-297.

Schmidt, C.-C. 2005. Economic Drivers of Illegal, Unreported and Unregulated (IUU) Fishing. *The International Journal of Marine and Coastal Law* 20(3-4):479-507.

Shotton, R., Editor. 2003. Deep Sea 2003: Conference on the Governance and Management of Deep-sea Fisheries. Part 1: Conference reports. 1–5 December 2003, Queenstown, New Zealand.

Vanderzwaag, D. and B. Worm. 2007. High-Seas Fisheries: Troubled Waters, Tangled Governance, and Recovery Prospects. *Behind the Headlines* 64(5). Canadian Institute of International Affairs and The Centre for International Governance Innovation. Available: [http://myweb.dal.ca/bworm/Worm\\_VanderZwaag\\_2007.pdf](http://myweb.dal.ca/bworm/Worm_VanderZwaag_2007.pdf)

#### ***Area-based management options***

Chape, S., J. Harrison, M. Spalding and I. Lysenko. 2005. Measuring the extent and effectiveness of protected areas as an indicator for meeting global biodiversity targets. *Philosophical Transactions of the Royal Society* 360:443-455.

CIESM (The Mediterranean Science Commission). 1999. Scientific Design and Monitoring of Mediterranean Marine Protected Areas – Porto Cesareo 21-24 October 1999. CIESM Workshop Series No. 8. Available: [www.ciesm.org/online/monographs/porto.pdf](http://www.ciesm.org/online/monographs/porto.pdf)

Convention on Biological Diversity (CBD). 2005. Options for Cooperation for the Establishment of Marine Protected Areas in Marine Areas beyond the Limits of National Jurisdiction. Note by the Executive Secretary. Ad Hoc Open-ended Working Group on Protected Areas. First meeting, 13-17 June 2005, Montecatini, Italy. UNEP/CBD/WG-PA/1/2. 20 April 2005. Available: <http://www.biodiv.org/doc/meetings/pa/pawg-01/official/pawg-01-02-en.doc>

Convention on Biological Diversity (CBD). 2005. The International Legal Regime of the High Seas and the Seabed beyond the Limits of National Jurisdiction and Options for Cooperation for the Establishment of Marine Protected Areas (MPAs) in Marine Areas beyond the Limits of National Jurisdiction. Note by the Executive Secretary. Ad-Hoc Open-Ended Working Group on Protected Areas. First Meeting, Montecatini, Italy, 13-17 June 2005. 28 April 2005. UNEP/CBD/WG-PA/1/INF/2. Available: <http://www.biodiv.org/doc/meetings/pa/pawg-01/information/pawg-01-inf-02-en.doc>

Convention on Biological Diversity (CBD). 2006. Summary Report of the Current Status of the Global Marine Protected Area Network, and of Progress Monitoring Capabilities. Note from the Executive Secretary. Conference of the Parties to the Convention on Biological Diversity eighth Meeting, Curitiba, Brazil, 20-31 March 2006. UNEP/CBD/COP/8/INF/4. 8 March 2006. Available: <http://www.biodiv.org/doc/meetings/cop/cop-08/information/cop-08-inf-04-en.doc>

CBD.2007. Synthesis and Review of the Best Available Scientific Studies on Priority Areas for Biodiversity Conservation in Marine Areas beyond the Limits of National Jurisdiction. UNEP/CBD/SBSTTA/13/INF/11. Available: <http://www.cbd.int/doc/meetings/sbstta/sbstta-13/information/sbstta-13-inf-11-en.doc>

Earth Negotiations Bulletin (ENB). 2006. Summary of the CBD Expert Workshop on Protected Areas: 17-18 March 2006. Available: <http://www.iisd.ca/biodiv/paws/>

Gjerde, K. and G. Kelleher. 2006. ABCs of HSMPAs: Legal Options for Cooperation for High Seas Marine Protected Areas. In IMPAC1 [The First International Marine Protected Areas Congress, Geelong, Australia 23-28 October 2005] Oral Papers. Available: [www.impaccongress.org/IMPAC%20orals%20final.pdf](http://www.impaccongress.org/IMPAC%20orals%20final.pdf)

IMPAC1. 2006. The First International Marine Protected Areas Congress (IMPAC1), Geelong, Australia, 23-28 October 2005. Oral Papers. Available: [www.impaccongress.org/IMPAC%20orals%20final.pdf](http://www.impaccongress.org/IMPAC%20orals%20final.pdf)

IMPAC1. 2006. The First International Marine Protected Areas Congress (IMPAC1), Geelong, Australia, 23-28 October 2005: Outputs. Available: [http://www.impaccongress.org/new\\_page\\_1.htm](http://www.impaccongress.org/new_page_1.htm)

International Maritime Organization (IMO). 2005. Revised Guidelines for the Identification and Designation of Particularly Sensitive Sea Areas. IMO Assembly Resolution A.982(24). Available: [http://www.imo.org/includes/blastDataOnly.asp/data\\_id%3D14373/982.pdf](http://www.imo.org/includes/blastDataOnly.asp/data_id%3D14373/982.pdf)

International Union for the Conservation of Nature (IUCN). 2004. Ten-year High Seas Marine Protected Areas Strategy: A ten-year strategy to promote the development of a global representative system of high seas marine protected area networks. Summary Version. IUCN, Gland, Switzerland

International Union for the Conservation of Nature (IUCN). 2006. Marine Protected Areas: discussions and decisions in the CCAMLR context. Eighth meeting of the Conference of the Parties to the Convention on Biological Diversity (COP8), Curitiba, Brazil, 20-31 March 2006.

International Union for the Conservation of Nature (IUCN). 2008. Identifying ecologically and biologically significant marine areas beyond national jurisdiction: Summary of German Environment Ministry and Bureau for Nature Conservation (BfN) and IUCN initiative for preparatory work for CBD COP10

- James, D. 2006. IMPAC1 Outcomes and Future Directions for Marine Protected Area Management. Abstract. The East Asian Congress 2006. Available: [http://www.pemsea.org/eascongress/docs/sessions/abstracts/3\\_MPA\\_James\\_IMPAC1\\_Report.pdf](http://www.pemsea.org/eascongress/docs/sessions/abstracts/3_MPA_James_IMPAC1_Report.pdf)
- Morling, P. 2004. The Economics of Marine Protected Areas in the High Seas. *Ocean Stewardship* 21(4):49-61. Available: The George Wright Forum (<http://www.georgewright.org/>)
- National Academy of Sciences. 2007. *Marine Protected Areas: Tools for Sustaining Ocean Ecosystems*. National Academies Press. Available: <http://www.nap.edu>.
- OSPAR Commission. 2003. OSPAR Recommendation 2003/3 on a Network of Marine Protected Areas. Available: [www.jncc.gov.uk/pdf/ANNEX09\\_MPA%20Recommendation%202003.pdf](http://www.jncc.gov.uk/pdf/ANNEX09_MPA%20Recommendation%202003.pdf)
- Salm, R.V., A. Green, L.Z. Hale, P. Kramer, E. McLeod, G. Miles, S.E. Smith and S. Wear. 2006. Building resilience into MPAs: Impact from sites to global policies. IMPAC1 Oral Papers. Extended Abstract #010. Available: [www.impaccongress.org/IMPAC%20orals%20final.pdf](http://www.impaccongress.org/IMPAC%20orals%20final.pdf)
- Santos, R.S., A. Colaço and S. Christiansen, Editors. 2003. Planning the Management of Deep-sea Hydrothermal Vent Fields MPA in the Azores Triple Junction (Proceedings of the workshop). *Arquipélago. Life and Marine Sciences*. Supplement 4: xii + 70 pp. Available: <http://www.horta.uac.pt/editions/suplementos/supplement%204%20management.pdf>
- Scovazzi, T. 2004. Marine Protected Areas on the High Seas: Some Legal and Policy Considerations. *International Journal of Marine and Coastal Law*. Volume 19(1):1-17.
- Staub, F. and M.E. Hatzios. 2004. Score Card to Assess Progress in Achieving Management Effectiveness Goals for Marine Protected Areas. World Bank, Washington DC, USA. Available: [http://www.icriforum.org/mpa/SC2\\_eng\\_nocover.pdf](http://www.icriforum.org/mpa/SC2_eng_nocover.pdf)
- WWF. 2006. Towards a framework for Transboundary Marine Protected Areas. Recommendations from European Examples and the Application of EIA and SEA Legislation. Available: [http://www.ngo.grida.no/wwfneap/Projects/Reports/WWF\\_Transboundary\\_MPAs.pdf](http://www.ngo.grida.no/wwfneap/Projects/Reports/WWF_Transboundary_MPAs.pdf)
- WWF. 2006. Towards and OSPAR approach to High Seas conservation and High Seas Marine Protected Areas (HSMPA). Available: [http://www.ngo.grida.no/wwfneap/Publication/Submissions/OSPAR2003/WWF\\_BDC03\\_HSMPAsAnnex.pdf](http://www.ngo.grida.no/wwfneap/Publication/Submissions/OSPAR2003/WWF_BDC03_HSMPAsAnnex.pdf)
- Young, O.R. et al. 2007. Solving the crisis in ocean governance: Place-based management of marine ecosystems. *Environment* 49(4):20-32.

### ***Environmental Impact Assessment***

Convention on Biological Diversity (CBD). 2006. Cross-cutting Issues – Progress Report and Consideration of Proposals for Future Action: Protected Areas, Incentive Measures, Alien Species that Threaten Ecosystems, Habitats or Species, Impact Assessment, Liability and Redress, Biodiversity and Climate Change. Conference of the Parties to the Convention on Biological Diversity eighth Meeting, Curitiba, Brazil, 20-31 March 2006. UNEP/CBD/COP/8/27. 18 January 2006. Available: <http://www.biodiv.org/doc/meetings/cop/cop-08/official/cop-08-27-en.doc>

Convention on Biological Diversity (CBD). 2006. Voluntary Guidelines on Biodiversity-Inclusive Impact Assessment. Note by the Executive Secretary. Conference of the Parties to the Convention on Biological Diversity Eighth Meeting, Curitiba, Brazil, 20-31 March 2006. UNEP/CBD/COP/8/27/Add.2. 9 January 2006. Available: <http://www.biodiv.org/doc/meetings/cop/cop-08/official/cop-08-27-add2-en.doc>

Energy and Biodiversity Initiative. n.d. Good Practice in the Prevention and Mitigation of Primary and Secondary Biodiversity Impacts. Offshore Operations. pp. 18-26. Available: <http://www.theebi.org/pdfs/practice.pdf>

Esso Highlands Limited. 2005. Environmental Impacts and Mitigation Measures – Offshore. PNG Gas Project.

Gontier, M. B. Balfors and U. Mörtberg. 2006. *Biodiversity in environmental assessment–current practice and tools for prediction*. Environmental Impact Assessment Review 26:268-286.

Mandelik, Y., T. Dayan and E. Feitelson. 2005. *Planning for Biodiversity: the Role of Ecological Impact Assessment*. Conservation Biology 19(4):1254-1261.

Morgan, C.L., N.A. Odunton and A.T. Jones. 1999. *Synthesis of Environmental Impacts of Deep Seabed Mining*. Marine Georesources and Geotechnology 17:307-356.

Pritchard, D. 2005. *International biodiversity-related treaties and impact assessment–how can they help each other?* Impact Assessment and Project Appraisal 23(1):7-16. Strategic Environmental Assessment (SEA) Information Service. 2007. About SEA. Available: <http://www.sea-info.net/content/overview.asp?pid=94>

Rayfuse, R. et. al. 2008. Ocean Fertilisation and Climate Change: The Need to Regulate Emerging High Seas Uses. The International Journal of Marine and Coastal Law 23:297-326

Treweek, J., R. Therivel, S. Thompson and M. Slater. 2005. Principles for the use of strategic environmental assessment as a tool for promoting the conservation and sustainable use of biodiversity. Journal of Environmental Assessment Policy and Management 7(2):173-199.

Working Group on Environment of the Multilateral Financial Institutions (MFI-WGE). 2003. A Common Framework: Converging Requirements of Multilateral Financial Institutions. 1. Environmental Impact Assessment.

Worm, B., E.B. Barbier, N. Beaumont, J.E. Duffy, C. Folke, B.S. Halpern, J.B.C. Jackson, H.K. Lotze, F. Micheli, S.R. Palumbi, E. Sala, K.A. Selkoe, J.J. Stachowicz and R. Watson. 2006. *Impacts of Biodiversity Loss on Ocean Ecosystem Services*. Science 314(3):787-790.

### ***Expanded UNICPOLOS***

Ridgeway, L. 2007. Marine Genetic Resources: Outcomes of the United Nations Informal Consultation Process (ICP) and Policy Implications of the Debate. ITLOS Symposium on Marine Genetic Resources, forthcoming publication, in press.

UNDOALOS. 2007. Background information on the United Nations Open-ended informal consultative process on oceans and the law of the sea. Available: [http://www.un.org/Depts/los/consultative\\_process/consultative\\_process\\_background.htm](http://www.un.org/Depts/los/consultative_process/consultative_process_background.htm)

United Nations General Assembly (UNGA). 2007. Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its eighth meeting. 30 July 2007. A/62/169. Available: <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/62/169&Lang=E>

### ***Expanded UN-Oceans***

IOC-UNESCO. 2007. About UN-Oceans. Available: [http://ioc3.unesco.org/un-oceans/index.php?option=com\\_content&task=view&id=13&Itemid=27](http://ioc3.unesco.org/un-oceans/index.php?option=com_content&task=view&id=13&Itemid=27)

IOC-UNESCO. 2007. UN-Oceans Fifth Session Report, Paris, May 2007. Available: [http://ioc3.unesco.org/un-oceans/images/documents/report\\_un\\_oceans-5%20final.pdf](http://ioc3.unesco.org/un-oceans/images/documents/report_un_oceans-5%20final.pdf)

### ***Expanded International Seabed Authorities***

Second Meeting of 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, April 28-May 2, 2008. Report of the Secretary-General of the International Seabed Authority. Biodiversity, species range and gene flow in the abyssal Pacific nodule province: predicting and managing the impacts of deep seabed mining. Available: <http://www.un.org/Docs/journal/asp/ws.asp?m=A/AC.276/1>

International Seabed Authority (ISA). 2000. Decision of the Assembly relating to the regulations on prospecting and exploration for polymetallic nodules in the Area. International Seabed Authority Resumed sixth session. Kingston, Jamaica, 3-14 July 2000. ISBA/6/A/18. Available: [http://www.isa.org.jm/en/documents/OFFICIAL\\_DOCUMENTS/DOC\\_2000/ISBA\\_6\\_A\\_18\\_E.pdf](http://www.isa.org.jm/en/documents/OFFICIAL_DOCUMENTS/DOC_2000/ISBA_6_A_18_E.pdf)

International Seabed Authority. 2004. SEABED AUTHORITY ENDS TENTH ANNIVERSARY SPECIAL SESSION EXPERT PANEL DISCUSSES ITS FUTURE

DIRECTIONS. International Seabed Authority Press Release. May 26, 2004. Available: [http://www.isa.org.jm/files/documents/EN/Press/Press2004/sb\\_10\\_7.pdf](http://www.isa.org.jm/files/documents/EN/Press/Press2004/sb_10_7.pdf)

International Seabed Authority. 2004. Workshop for the Establishment of Environmental Baselines at Deep Seafloor Cobalt-Rich Crusts and Deep Seabed Polymetallic Sulphide Mine Sites in the Area for the Purpose of Evaluating the Likely Effects of Exploration and Exploitation on the Marine Environment. 6-10 September 2004. Kingston, Jamaica. Available: [http://www.isa.org.jm/files/documents/EN/Workshops/2004/Wkshp\\_Sum.pdf](http://www.isa.org.jm/files/documents/EN/Workshops/2004/Wkshp_Sum.pdf)

International Seabed Authority. ISA Endowment Fund Collaborative Marine Scientific Research. Available: <http://www.isa.org.jm/en/efund>

Scovazzi, T. 2004. Mining, Protection of the Environment, Scientific Research and Bioprospecting: Some Considerations on the role of the International Sea-Bed Authority. *International Journal for Marine and Coastal Law* 19(4):383-409.

### ***Stewardship Council/Trusteeship Council/Public Trusteeship***

Englund, A. 1979. OTEC: A Cornerstone of International Cooperation. Cambridge University. Preprints: 6<sup>th</sup> Ocean Thermal Energy Conversion (OTEC) Conference: "Ocean thermal energy for the 80's." 1-12.

Independent World Commission on the Oceans. 1998. The Ocean, our Future. The Report of the Independent World Commission on the Oceans, pp. 45-46. Cambridge University Press.

Rayfuse, R. and R. Warner. 2008. Securing a Sustainable Future for the Oceans Beyond National Jurisdiction: The Legal Basis for an Integrated Cross-Sectoral Regime for High Seas Governance for the 21st Century. *The International Journal of Marine and Coastal Law* 23:399–421.

Sand, P.H. 2004. Sovereignty Bounded: Public Trusteeship for Common Pool Resources? *Global Environmental Politics* 4:1, February 2004.

Sand, P.H. 2007. "Green" Enclosure of Ocean Space – Déjà vu? *Marine Pollution Bulletin* 54:374-376.

### ***Overall Framework***

Greenpeace. 2007. Black Holes in Deep Ocean Space: Closing the Legal Voids in High Seas Biodiversity Protection. Submitted to the IUCN Workshop on High Seas Governance for the 21st Century, 17-19 October 2007, New York, for discussion only.

Greenpeace. 2008. Suggested Draft High Seas Implementing Agreement for the Conservation and Management of the Marine Environment in Areas Beyond National Jurisdiction.

Report of 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. Available: <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/61/65&Lang=E>

Letter dated 15 May 2008 from the Co-Chairpersons of 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 addressed to the President of the General Assembly. Available: <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/63/79&Lang=E>

Oceans and the law of the sea. Report of the Secretary-General. Addendum. 2007/62nd session. Available: <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/62/66/Add.2 &Lang=E>

### **C. Management of Marine Genetic Resources: Identifying Opportunities, Intellectual Property Issues, Options for Access and Benefit Sharing, and Governance Gaps**

#### ***Identifying Opportunities, Enhancing Understanding of Values and Processes***

Arico, S., C. Salpin, and United Nations University-Institute of Advanced Studies, Yokohama, Japan. 2005. *Bioprospecting of genetic resources in the deep seabed: Scientific, legal and policy aspects*. Yokohama, Japan: United Nations University-Institute of Advanced Studies.

Vierros, M. 2008. Note on Access and Benefit Sharing in Relation to Marine Genetic Resources. Paper prepared for the Workshop on Ecosystems and Uses in Marine Areas Beyond National Jurisdiction, April 5, 2008, Hanoi, Vietnam

#### ***Relevant Experiences with and Options for Access and Benefit-sharing***

Colazingari, Marco. 2008. Economic Perspectives on Marine-Derived Products, Ocean Yearbook, Volume 22:219-248.

IISD. 2007. ABS-Management Tool: Best Practice Standard and Handbook for Implementing Genetic Resource Access and Benefit-sharing Activities. Available: [http://www.iisd.org/pdf/2007/abs\\_mt.pdf](http://www.iisd.org/pdf/2007/abs_mt.pdf)

Secretariat of the Convention on Biological Diversity. 2002. Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization. Montreal: Secretariat of the Convention on Biological Diversity. Available: <http://www.cbd.int/doc/publications/cbd-bonn-gdls-en.pdf>

Secretariat of the Convention on Biological Diversity. 2008. Access and Benefit-Sharing Arrangements Existing in Specific Sectors. Available: <http://www.cbd.int/doc/meetings/abs/abswg-06/information/abswg-06-inf-04-rev1-en.doc>

Secretariat of the Convention on Biological Diversity. 2008. Report of the Ad Hoc Open-Ended Working Group on Access and Benefit Sharing on the Work of Its Sixth Meeting. Available: <http://www.cbd.int/doc/meetings/cop/cop-09/official/cop-09-06-en.doc>

### ***Addressing Governance Gaps***

Arico, S., C. Salpin, and United Nations University-Institute of Advanced Studies, Yokohama, Japan. 2005. *Bioprospecting of genetic resources in the deep seabed: Scientific, legal and policy aspects*. Yokohama, Japan: United Nations University-Institute of Advanced Studies.

Glowka, L. 1998. A Guide to Designing Legal Frameworks to Determine Access to Genetic Resources: Environmental Policy and Law Paper No. 34. IUCN, Gland, Switzerland.

Glowka, L. 2003. *Putting marine scientific research on a sustainable footing at hydrothermal vents*. *Marine Policy* 27:303-312.

### **D. Funding Considerations in Moving Toward Ecosystem-Based Management of Marine Areas Beyond National Jurisdiction: Possible Approaches and Possible Role for the Global Environment Facility**

Laughlin, T. 2007. Partnership(s) of the Deep Sea (PODS) - Biodiversity Discovery and Exploration. Submitted to the IUCN Workshop on High Seas Governance for the 21st Century, 17-19 October 2007, New York, for discussion only.

Decision on the Fifth Replenishment of the GEF Trust Fund

[http://www.gefweb.org/uploadedFiles/Documents/Council\\_Documents\\_\\_\(PDF\\_DOC\)/GEF\\_C34/C.34.10%20Decision%20on%20Fifth%20Replenishment.pdf](http://www.gefweb.org/uploadedFiles/Documents/Council_Documents__(PDF_DOC)/GEF_C34/C.34.10%20Decision%20on%20Fifth%20Replenishment.pdf)