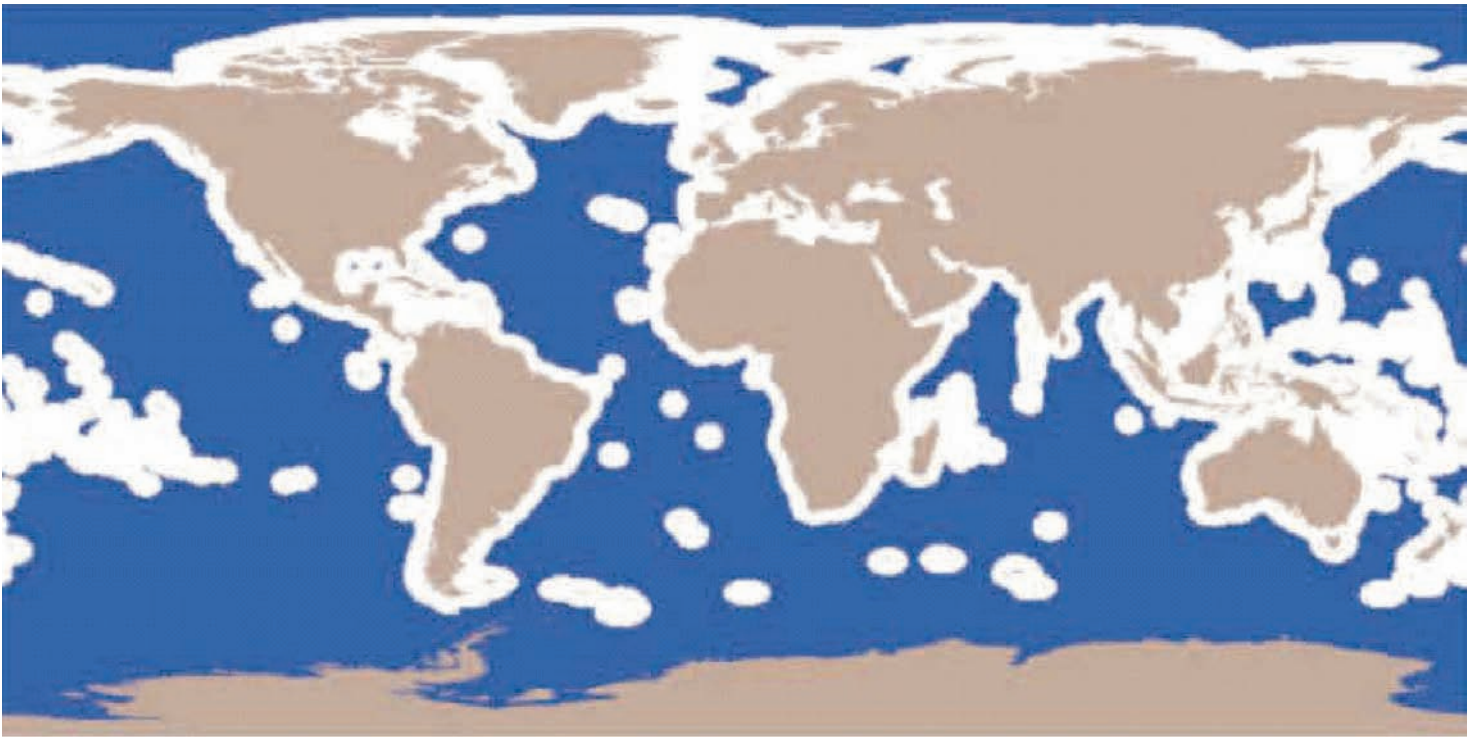


Strategic Planning Workshop on Global Oceans Issues in Marine Areas Beyond National Jurisdiction in the Context of Climate Change

Workshop Program and Participants



January 23-25, 2008
Nice, France



*Strategic Planning Workshop on Global Oceans Issues in Marine Areas
Beyond National Jurisdiction in the Context of Climate Change*

**Hotel Beau Rivage
Nice, France
January 23-25, 2008**

Workshop Program and Participants

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Strategic Planning Workshop on Global Oceans Issues in Marine Areas Beyond National Jurisdiction in the Context of Climate Change

Hotel Beau Rivage

January 23-25, 2008, Nice, France

Workshop Program and Participants

Workshop Program

Workshop Background and Purpose

The Strategic Planning Workshop on Global Oceans Issues in Marine Areas Beyond National Jurisdiction in the Context of Climate Change will consider the challenges and opportunities in improving the governance of marine areas beyond national jurisdiction and envisioning what activities could be feasible and beneficial to carry out in this area in the next ten years.

The question of governance of the 64% of the oceans that lies beyond national jurisdiction looms as a major issue that countries will need to address and negotiate over in the next decade. This is an area where many ocean industries operate producing important benefits to the global and regional economies. While there has been substantial progress in recent years in achieving integrated oceans governance in areas under national jurisdiction and in regional seas areas, governance of areas beyond national jurisdiction at present remains largely sectorally-based and fragmented. This means that it is difficult to address inter-connected issues (such as fishing issues; extraction of genetic resources; maritime transportation; pollution; offshore oil and gas development; marine scientific research; climate change; carbon sequestration and storage) through an integrated and ecosystem-based approach. There are, moreover, significant differences of opinion among developed and developing countries, industries, and environmental interests, on what, if anything, needs to be done to improve governance of these important ocean areas.

The Global Forum on Oceans, Coasts, and Islands is convening the Strategic Planning Workshop as a first step of an informal process to bring together major relevant interests to facilitate open and constructive multistakeholder dialogue aimed at informing and

supporting the formal processes which have been or may be established by the UN General Assembly regarding this issue. The intent is to contribute to clarifying the issues, laying out various perspectives, developing options, and identifying possible avenues for consensus-building among disparate interests. This is the first of a series of three workshops which the Global Forum will convene in 2008 on this issue (please see leaflet at the end of this document).

The Workshop is organized by the Global Forum on Oceans, Coasts, and Islands; the Gerard J. Mangone Center for Marine Policy at the University of Delaware; NAUSICAA, Centre National de la Mer, Boulogne-sur-Mer, France; the World Ocean Network; and Le Centre de Decouverte du Monde Marin, Nice, with principal support from the Nippon Foundation, Japan, and with additional funding support by Canada's Department of Fisheries and Oceans, and UNESCO. The Workshop will be held in Nice at the Hotel Beau Rivage.

Workshop Materials

Workshop participants are kindly invited to consult the following materials prepared for the Workshop: Briefing Volume on Key Sources of Information and Summary of Participants' Perceptions on Major Issues Reflected in Pre-Workshop Interviews.

Workshop Schedule

Tuesday, January 22, 2008 Arrival

Workshop Registration, Lobby, Hotel Beau Rivage,
1:00 PM to 6:00 PM

Informal Meeting Point, 8:00 PM, Hotel Bar

Day 1 Wednesday, January 23, 2008

9:00 to 10:30 Opening and Welcome

Welcome by Workshop Co-Chairs

Biliana Cicin-Sain, Global Forum on Oceans, Coasts, and Islands

David Freestone, World Bank

Welcome by Local Hosts

Richard Chemla, Le Centre de Decouverte du Monde Marin, Nice

Philippe Vallette, NAUSICAA, Centre National de la Mer, Boulogne-sur-Mer, and Co-Chair, World Ocean Network

Professor Alain Piquemal, on behalf of the Honorable Christian Estrosi, Minister of Overseas Territories, France, and President of the Department des Alpes-Maritimes

Introduction of Participants

Overview of the Workshop

Biliana Cicin-Sain, Co-Chair and Head of Secretariat, Global Forum on Oceans, Coasts, and Islands

Discussion on Workshop Goals and Modalities

10:30 to 12:30 Segment 1: The Status of Scientific Knowledge Regarding Marine Areas Beyond National Jurisdiction

Nature of Marine Ecosystems in Areas Beyond National Jurisdiction

The Protection of Marine Biodiversity in Areas Beyond National Jurisdiction

Threats to Marine Biodiversity in Areas Beyond National Jurisdiction

Defining Regions in Areas Beyond National Jurisdiction

Understanding the Effects of Climate Change on Marine Ecosystems Beyond National Jurisdiction

Discussion Leaders/ Resource Leaders (participants noted by an asterisk have been invited to give a short presentation):

**Marjo Vierros*, UN University-Institute of Advanced Studies

**Miriam Balgos*, Global Forum on Oceans, Coasts, and Islands

Robert Danovaro, Census of Marine Life

Dong Sung Kim, Korea Ocean Research and Development Institute

Patricio Bernal, IOC/UNESCO

**Gunnar Kullenberg*, Independent Consultant

12:30 to 2:00 Lunch at Hotel Beau Rivage

2:00 to 3:30 Segment 2: The Status of and Future Prospects for Human Uses in Marine Areas Beyond National Jurisdiction

The Range of Current and Prospective Human Uses of the Ocean Beyond National Jurisdiction

Status and Future Outlook for Industries Represented at the Workshop: Fishing, Maritime Transportation, Submarine Cables

Bio-prospecting, Marine Scientific Research, Mining, Offshore Oil and Gas

Other Emerging Uses of the Ocean Beyond National Jurisdiction: Carbon Sequestration and Storage, Ocean Fertilization, Floating Energy and Mariculture Facilities

Implications of Climate Change Effects on Human Uses of the Ocean Beyond National Jurisdiction

Problems/Opportunities Among Human Uses of the Ocean Beyond National Jurisdiction and Problems/Opportunities from Human Uses on the Marine Environment

**Mick Green*, International Cable Protection Committee

**Stetson Tinkham*, International Coalition of Fishing Organizations

**Erik Ranheim*, INTERTANKO

**Salvatore Arico*, UNESCO

**Matt Gianni*, Deep Sea Conservation Coalition

3:30 to 5:00 Segment 3: Policy and legal issues related to governance of marine areas beyond national jurisdiction and varying perspectives on these issues

The nature of the current regime governing marine areas beyond national jurisdiction

Perspectives on the adequacy of the existing regime, including possible gaps and problems

Differences among nations, especially between developed and developing nations, and among various stakeholders on the adequacy of the existing regime

Capacity of the current regime to address climate change effects on ecosystems and human uses of areas beyond national jurisdiction

Perspectives on the range of possibilities for enhancing the regime governing marine areas beyond national jurisdiction moving toward an integrated, ecosystem-based approach. Similarities/differences between nations and stakeholders on the range of possibilities.

Perspectives on principles that are applied or should/could be applied to governance of areas beyond national jurisdiction. Similarities/differences among nations and stakeholders on the principles that should/could be applied.

Perspectives on issues related to benefit-sharing and capacity development regarding human uses of marine areas beyond national jurisdiction. Similarities/differences among nations and stakeholders on the principles that should/could be applied.

Perspectives on funding issues. Alternative options for funding enhanced capacity for cross-sectoral governance of marine areas beyond national jurisdiction.

Important recent milestones in United Nations negotiations related to governance of areas beyond national jurisdiction. What lessons are emerging from the experiences to date?

**David Freestone, World Bank*

**Gabrielle Goettsche-Wanli, UNDOALOS*

**Norma Taylor Roberts, Ministry of Foreign Affairs, Jamaica*

**Douglas Burnett, International Cable Protection Committee*

**Lori Ridgeway, DFO Canada*

**Kristina Gjerde, IUCN*

5:00-6:00 Reflections of discussions on Day 1, preparations for discussions on Day 2; Identification of Priority Topics for Breakout Groups

Fuensanta Candela Castillo, European Commission

Sivu Maqungo, South Africa

Jean-Francois Pulvenis de Seligny, FAO

Ambassador Mary Seet-Cheng, Singapore

Free evening

Day 2 Thursday, January 24, 2008

9:00-9:30 Review of participants' perspectives on the issues from the pre-workshop informal interviews (see workshop materials)

9:30 -11:00 Visioning/strategizing for the next decade

What might elements of a common vision be? For example:

- healthy ecosystems, healthy and sustainable human uses
- enhanced knowledge of ecosystems and of human uses
- enhanced management of sectoral activities
- enhanced cross-sectoral institutional capacity
- an orderly process for resolving problems among various ocean uses
- a predictable environmental review process
- consensus on and application of basic governing principles
- capacity to understand and to respond to unforeseen developments
- capacity for continued sustainable ocean development and capacity to take advantage of new economic opportunities

—benefit-sharing with developing countries and SIDS
 —enhancing the capacity of developing countries and SIDS to participate in ocean uses and in the governance regimes
 —requirements for improved funding mechanisms and capacity development

Jean-Louis Bissuel, Maritime Affairs, Principality of Monaco

Jihyun Lee, Convention on Biological Diversity

Stetson Tinkham, International Coalition of Fishing Associations

Jens Ambsdorf, Lighthouse Foundation

Formal and informal opportunities for advancing discussion and consensus-building on governance of marine areas beyond national jurisdiction

Vladimir Golitsyn, Russia

Lucien Chabason, Institute for Sustainable Development and International Relations, France

Annick de Marffy, International Consultant

12:30-2:00 Lunch at Beau Rivage Hotel

2:00-4:00 Conclusions and Next Steps

- Discussion of Contents of Co-Chairs' Workshop Report

-Discussion of next steps, including input to the Workshop on Ecosystems and Uses in Marine Areas Beyond National Jurisdiction (part of the Fourth Global Conference on Oceans, Coasts, and Islands: Advancing Ecosystem Management and Integrated Coastal and Ocean Management by 2010 in the Context of Climate Change) and channeling of workshop outcomes to the 2nd Meeting of the UN Ad-Hoc Informal Working Group

4:00-5:00 Closing Ceremony

Remarks by *Christian Estrosi*, President, Departement des Alpes Maritimes, Secretary of State, French Overseas Territories

Remarks by Workshop Co-Chairs, *Biliana Cicin-Sain*, Global Forum on Oceans, Coasts, and Islands and *David Freestone*, World Bank

Remarks by Workshop Hosts, *Richard Chemla*, Le Centre de Decouverte du Monde Marin, and *Philippe Vallette*, NAUSICAA and World Ocean Network

**8:00 Gala Dinner – Chez Cicion Restaurant (in the heights above Nice)
 Hotel departure at 8:00 PM by bus**

Post-Workshop, Saturday, January 26, 2008

10:00 to 12:00 Planning Meeting for Global Forum on Oceans, Coasts, and Islands, and Global Oceans Conference, Hanoi, Vietnam (all invited)

12:30 Departure for optional trip to Musee Oceanographique de Monaco

11:00-12:30 Break-out Groups

12:30-2:00 Lunch at the Beau Rivage Hotel

2:00-5:00 Break-out groups

5:00-5:30 Workshop plenary to review discussions in break-out groups

6:00-7:00 Walking visit of Old Nice

8:00 Group Dinner in a typical Nice restaurant *Le Safari*, Cours Saleya, Old Town (10 minute-walk)

Day 3 Friday, January 25, 2008

9:00-12:30 Plenary Discussion

- Discussion of Break-out Group Outputs

- Discussion of Major Workshop Outcomes/Findings

Workshop Participants

Workshop Co-Chairs:

Biliana Cicin-Sain, Co-Chair and Head of Secretariat, Global Forum on Oceans, Coasts, and Islands, and University of Delaware (Project Director)

David Freestone, Senior Adviser, Legal Vice Presidency, World Bank (also Editor, International Journal of Marine and Coastal Law)

Facilitators:

Salvatore Arico, UNESCO Ecological Sciences and Global Forum Expert Working Group on Governance of Marine Areas Beyond National Jurisdiction Co-Chair

Miriam Balgos, Global Forum on Oceans, Coasts, and Islands (Project Coordinator)

Marjo Vierros, United Nations University–Institute of Advanced Studies

Rapporteurs:

Caitlin Snyder, Global Forum on Oceans, Coasts, and Islands

Kateryna Wowk, Global Forum on Oceans, Coasts, and Islands

Jordan Diamond, Boalt Hall School of Law, University of California, Berkeley

Participants from Governments:

Lori Ridgeway, Department of Fisheries and Oceans, Canada, and Co-Chair of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea, Department of Fisheries and Oceans, Canada

Jennifer Mooney, Department of Fisheries and Oceans, Canada

Fuensanta Candela Castillo, Acting Head of Unit International Policy and Law of the Sea, European Commission

Daniela Chitu, Maritime Affairs Coordinator, European Commission

Mary Seet-Cheng, Ambassador of Singapore to Panama

Christian Estrosi, President, Departement des Alpes Maritimes, and Minister of Overseas Territories, France

Sivu Maungo, Minister Counsellor, Legal Expert on Oceans and Law of the Sea, Permanent Mission of South Africa to the United Nations

Jean-Louis Bissuel, Director of Maritime Affairs, Principality of Monaco

Anne Medecin, Chef de Division, Direction des Affaires internationales, Principality of Monaco

Patrick Van Klaveren, Ministre Conseiller, Délégué Permanent auprès des organismes internationaux à caractère scientifique, environnemental et humanitaire, Principality of Monaco

Norma Taylor Roberts, Director, International Organizations Department, Ministry of Foreign Affairs, Jamaica, Former Coordinator for G-77

Porfirio Alvarez-Torres, Director for Regional Integration, Ministry of Environment and Natural Resources, SEMARNAT

Participants from Intergovernmental Organizations

Gabriele Goettsche-Wanli, Principal Ocean Affairs and the Law of the Sea Officer, UN Division for Ocean Affairs and the Law of the Sea

Jean-François Pulvenis de Séligny-Maurel, Director, Fisheries and Aquaculture Economics and Policy Division, Food and Agriculture Organization

David Freestone, Senior Adviser, Legal Vice Presidency, World Bank (also Editor, International Journal of Marine and Coastal Law)

Patricio Bernal, Executive Secretary, Intergovernmental Oceanographic Commission, UNESCO

Salvatore Arico, Programme Specialist, UNESCO Ecological Sciences (Global Forum Expert Working Group Co-Chair)

Jihyun Lee, Environmental Affairs Officer for Marine and Coastal Biodiversity, Secretariat of the Convention on Biological Diversity

Francois Bailet, UN Division of Ocean Affairs and Law of the Sea

Participants from Industry

Stetson Tinkham, International Coalition of Fishing Organizations

Erik Ranheim, Manager, Research and Project Section, INTERTANKO

Mick Green, Chairman, International Cable Protection Committee (ICPC)

Douglas R. Burnett, International Cable Law Advisor, International Cable Protection Committee (ICPC)

Participants from Academia/NGOs

Biliana Cicin-Sain, Global Forum on Oceans, Coasts, and Islands, and Director, Gerard J. Mangone Center for Marine Policy, University of Delaware (Project Director)

Richard Chemla, Le Centre de Decouverte du Monde Marin, Nice

Kristina Gjerde, High Seas Policy Advisor, IUCN

Lucien Chabason, Institute for Sustainable Development and International Relations (IDDRI), Paris

Dong-Sung Kim, Korean Ocean Research and Development Institute, Korea

Gunnar Kullenberg, Independent Consultant, former Executive Secretary, Intergovernmental Oceanographic Commission, UNESCO

Marjo Vierros, United Nations University–Institute of Advanced Studies, Yokohama, former Programme Officer for marine biodiversity, Convention on Biological Diversity

Miriam Balgos, Global Forum and University of Delaware (Project Coordinator)

Annick de Marffy, International consultant and former Director, UNDOALOS

Philippe Vallette, World Ocean Network and NAUSICAA, France

Matt Gianni, Deep Sea Conservation Coalition

Vladimir Golitsyn, Professor, Moscow State University of International Relations, former Director, UN Division for Ocean Affairs and the Law of the Sea

Roberto Danovaro, Census of Marine Life, Italy

Alain Piquemal, Director of the Law of the Sea and Marine Activities Centre (CERDAME), University of Nice

Participants from Foundations

Jens Ambstdorf, Lighthouse Foundation, Germany

Philippe Mondielli, Scientific Director, Fondation Prince Albert II De Monaco

Logistical Information

Hotel Information

The meeting will be held at the Hotel Beau Rivage, located along the Promenade des Anglais overlooking the Mediterranean Sea.

Hôtel Beau Rivage
24 Rue Saint François de Paule
06300 NICE
Tel: +33 4 9247 8282

Hotel Contacts

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E-mail: ca-franck@nicebeaurivage.com
<http://www.nicebeaurivage.com>

Transport from Airport

Taxi stands are located at Gate A1 (Terminal 1) and Gate A3 (Terminal 2). The average cost of a taxi from the airport to Nice is 20-30 Euros. Additional information on airport transport can be found online at http://www.nice.aeroport.fr/acces_stationnement_en/taxi/default.asp.

Global Forum Secretariat Contacts

Members of the Secretariat will be arriving at the Hotel Beau Rivage on Monday, January 21, 2008 and can be contacted at the hotel starting on that date.

Dr. Biliana Cicin-Sain
Director, Gerard J. Mangone Center for Marine Policy
Co-Chair and Head of Secretariat, Global Forum on Oceans, Coasts, and Islands
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Research Associate, Gerard J. Mangone Center for Marine
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Program Coordinator, Global Forum on Oceans, Coasts,
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Local Host Contacts

Richard Chemla
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Next Global Forum Events

*Workshop on Ecosystems and Uses in Marine Areas
Beyond National Jurisdiction* (part of the Fourth Global
Conference on Oceans, Coasts, and Islands: Advancing
Ecosystem Management and Integrated Coastal and Ocean
Management by 2010 in the Context of Climate Change to
be held in Hanoi, Vietnam, April 7-11, 2008), (April 3-4,
2008)

*Workshop on Management Issues and Policy Options for
Improved Governance of Marine Areas Beyond National
Jurisdiction*, to be held in Singapore, November 12-14,
2008, kindly hosted by the Ministry of Foreign Affairs,
Government of Singapore

Other Events

**Institute for Sustainable Development and
International Relations (IDDRI)**
International seminar: *Towards a New Governance of High
Seas Biodiversity*.
March 20-21, 2008
Principality of Monaco

UNGA

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

Convention on Biological Diversity (CBD)

Ninth meeting of the Conference of the Parties to the
Convention on Biological Diversity (COP 9)
May 10-30, 2008
Bonn, Germany

IUCN

World Conservation Congress
October 5-14, 2008

World Ocean Conference

May 11-19, 2009
Manado, Indonesia

*See also Global Forum on Oceans, Coasts, and Islands,
Strategic Planning Calendar to 2016 (to be distributed at
workshop).*

Existing Members – Global Forum Expert Working Group on Governance of Marine Areas Beyond National Jurisdiction

Co-Chair

Salvatore Arico, Programme Specialist for Biodiversity,
Division of Ecological and Earth Sciences, UNESCO

Working Group Members

Frida Armas-Pfirter, Austral University, Argentina

Miriam Balgos, Global Forum on Oceans, Coasts, and
Islands

Awni Behnam, International Ocean Institute

Thia-Eng Chua, Partnerships in Environmental
Management in the Seas of East
Asia (PEMSEA)

Biliana Cicin-Sain, Global Forum on Oceans, Coasts, and
Islands

Bruno Corréard, Independent Consultant and Responsible Fishing Alliance

John Dolan, Ocean Policy Research Foundation, Japan

David Freestone, World Bank

Anne Frenette, Department of Fisheries and Oceans, Canada

Serge Garcia, formerly with Food and Agriculture Organization (FAO)

Valentina Germani, UN Division for Ocean Affairs and the Law of the Sea (UNDOALOS)

Matthew Gianni, Deep Sea Conservation Coalition

Kristina Gjerde, The World Conservation Union (IUCN)

Lyle Glowka, Convention on Biological Diversity (CBD)

Vladimir Golitsyn, Professor of International Law Moscow State University of International Relations (MGIMO-University)

Barbara Hanchard, Pacific Islands Forum Fisheries Agency

Arlo Hemphill, Great Wilderness

Paul Holthus, formerly with Marine Aquarium Council

Elie Jarmache, Prime Minister's Office, France

Sam Johnston, Institute of Advanced Studies, United Nations University (UNU-IAS)

Kim Juniper, University of Victoria

Lee Kimball, formerly with The World Conservation Union (IUCN)

Gunnar Kullenberg, Independent Consultant, former Executive Director, International Ocean Institute

Jihyun Lee, CBD Secretariat

Rebecca Lent, NOAA Fisheries International Office

Eric Mathur, Synthetic Genomics, Inc.

Jennifer Mooney, Department of Fisheries and Oceans, Canada

Akari Nakajima, Ocean Policy Research Foundation, Japan

Daniel Owen, Fenners Chambers, United Kingdom

Rosemary Rayfuse, University of New South Wales

John Richardson, European Commission

Lori Ridgeway, Department of Fisheries and Oceans, Canada

Julien Rochette, High Seas Governance, IDDRI

Karen Sack, Greenpeace International

Charlotte Salpin, UN Division for Ocean Affairs and the Law of the Sea (UNDOALOS)

Renée Sauvé, Department of Fisheries and Oceans, Canada

Tullio Scovazzi, University of Milano-Bicocca

Norma Taylor Roberts, Ministry of Foreign Affairs, Jamaica

Hiroshi Terashima, Ocean Policy Research Foundation, Japan

Chris Tompkins, Department for Environment, Food, and Rural Affairs, UK

Philippe Vallette, NAUSICAA, France

Monica Verbeek, Seas at Risk

Marjo Vierros, United Nations University – Institute for Advanced Studies



Governing the Oceans Beyond National Jurisdiction: Multistakeholder Policy Analyses and Policy Dialogues for Improved Ocean Governance

A Project of the Global Forum on Oceans, Coasts, and Islands and the Gerard J. Mangone Center for Marine Policy, University of Delaware, with principal funding from the Nippon Foundation, Japan, and additional support from the Ministry of Foreign Affairs, Singapore, Department of Fisheries and Oceans, Canada, and UNESCO

BACKGROUND

The Problem of Governance of Marine Areas Beyond National Jurisdiction

Almost two thirds of the world's oceans are found more than 200 miles from the coast of any nation, and therefore, in principle beyond the limits of national jurisdiction. While in the past the ocean's capacity to resist or recover from human impacts was thought to be limitless, it is becoming increasingly apparent that humans are impacting all aspects of the ocean system. Key issues in areas beyond national jurisdiction include illegal, unreported and unregulated (IUU) fishing, overfishing, destructive fishing practices, extraction of marine genetic resources, pollution (including ocean acidification), and climate change, among others. To date there is no consensus on the various legal and policy issues surrounding marine areas beyond national jurisdiction, and there are many different options being elaborated and discussed about how these issues should be resolved.

PURPOSE

This project of the Global Forum on Oceans, Coasts, and Islands and the Gerard J. Mangone Center for Marine Policy will carry out policy analyses and multistakeholder policy dialogues to facilitate international dialogue on issues relating to the governance of marine areas beyond national jurisdiction. This project builds on work carried out in connection with the *Third Global Conference on Oceans, Coasts, and Islands: Moving the Global Oceans Agenda Forward* (organized by the Global Forum on Oceans, Coasts, and Islands) in January 2006 at UNESCO, Paris, France (see the Working Group Co-chairs Report from the Third Global Conference at <http://globaloceans.org/highseas/pdf/HighSeasReport-Paris.pdf>).

MAJOR PROJECT ELEMENTS

Examine the Status of Information on Governance of Areas Beyond National Jurisdiction

August 2007-January 2008

The project will assemble existing information on governance of areas beyond national jurisdiction. A database with annotated summaries of information will be developed and placed online on the Global Forum and Nippon Foundation websites.

Strategic Scoping and Planning

September 2007-February 2008

The project will organize a Strategic Planning Workshop on *Global Oceans Issues in Marine Areas Beyond National Jurisdiction in the Context of Climate Change* involving high-level officials from all sectors, on January 23-25, 2008, in Nice, France, to consider the challenges and

opportunities in improving the governance of marine areas beyond national jurisdiction and envisioning what activities could be feasible and beneficial to carry out in this area in the next ten years.

Policy Analyses and Multistakeholder Policy Dialogues on Governance of Areas Beyond National Jurisdiction: Ecosystems and Uses

Policy Analyses: January-May 2008,

Workshop: April 5, 2008, Hanoi, Vietnam

This work will examine the patterns of use as well as the extent of knowledge on the status, vulnerability, and monitoring of ocean ecosystems beyond national jurisdiction.

Topics to be addressed include:

—*Consideration of syntheses of the scientific knowledge of ecosystems, their status, and vulnerabilities* (including consideration of, inter alia, ongoing work by the Convention on Biological Diversity (CBD) on addressing gaps in scientific knowledge relating to ecosystems, their status and vulnerabilities, as well as the January 2007 workshop by Mexico, Australia and IOC-UNESCO on the scientific aspects of marine protected areas beyond national jurisdiction).

—*Patterns of human uses of ocean areas beyond national jurisdiction*—including fishing, shipping, mining, marine scientific research, marine biotechnology, other.

—*Economic value of human uses, stakeholder perspectives on the needs, constraints, and opportunities facing each use.*

—*The nature and level of interest in marine biodiversity beyond national jurisdiction* (i.e., level of commercial interest in marine biotechnology).

—*The role and operation of public-private partnerships for marine biotechnology.*

—*Consideration of environmental impacts of human activities* (including IUU fishing, bottom trawling, shipping, noise pollution, marine scientific research, other activities), as well as the nature of actions taken by states to address and mitigate these impacts.

Policy Analyses and Multistakeholder Policy Dialogues on Governance of Areas Beyond National Jurisdiction: Management Issues and Policy Options

Policy Analyses: June-November 2008

Workshop: November 12-14, 2008 (tentative), Singapore Botanic Gardens, Singapore

Analyses under this theme will be organized into the following categories and will consider: applicable principles, management approaches,



SINGAPORE



CANADA



capacity building requirements, options for benefit sharing, and interface with intellectual property rights obligations under international law.

- 1) Conservation and sustainable use of marine biodiversity
- 2) Marine scientific research in areas beyond national jurisdiction and marine biotechnology
- 3) High seas fisheries management
- 4) Environmental impacts of shipping
- 5) Marine surveillance and enforcement in the high seas
- 6) New and emerging uses
- 7) Marine protected areas beyond national jurisdiction
- 8) The interface among the issues above

Applicable Principles

There are differences in opinion regarding what principles should guide the discussions regarding biodiversity in areas beyond national jurisdiction particularly with regard to marine genetic resources of the deep seabed (e.g., freedom of use versus common heritage of mankind). Analysis will consider the extent of application of international principles in areas beyond national jurisdiction and will identify where there is common agreement and where there are differences of perspectives among nations and stakeholders, with the intent of identifying possible avenues for moving toward greater consensus.

Management Approaches to be Considered

Although there is not yet international consensus on ways forward, possible approaches to address the issues related to governance of marine areas beyond national jurisdiction may include, among others:

- 1) Enhanced implementation of existing international instruments and their coverage
- 2) A voluntary code or codes of conduct
- 3) A new implementing agreement to the United Nations Convention on Law of the Sea (UNCLOS) to implement new provisions relating to areas beyond national jurisdiction
- 4) An amendment to UNCLOS
- 5) A joint protocol between the CBD and UNCLOS
- 6) A new Global Programme of Action on biodiversity beyond national jurisdiction
- 7) Amending or extending mandates of existing institutions such as Regional Fishery Management Organizations (RFMOs) and Regional Seas programs
- 8) Forming new regional institutions as required
- 9) Other possible approaches to be determined

Capacity Building Requirements

Consider the development of targeted training for developing countries, small island developing States, and economies in transition, on key topics such as: i) implementation and enforcement of existing and any new regulations; ii) principles for governance and management; iii) marine scientific research; iv) intellectual property rights and patent issues; v) socio-economic and environmental impacts of the industries (e.g., fishing, marine biotechnology); vi) other related legal and scientific aspects.

Options for Benefit Sharing

Consider the development of options for benefit sharing, including monetary as well as non-monetary arrangements, such as exchange of information on research programs and outcomes of research efforts, as well as increased participation in joint ventures and partnerships. Also consider technology transfer and capacity development as forms of benefit sharing.

Options for Improving Coherence

Consider the development of options for improving the coherence and compatibility of management actions within, among, and between global and regional organizations and states.

Intellectual Property Rights (IPR)

Consider the convergence and applicability of IPR obligations to marine scientific research and their relation to other principles regarding marine areas beyond national jurisdiction, reflected in UNCLOS and in other relevant instruments.

PROJECT ORGANIZATION

The project will be coordinated at the Gerard J. Mangone Center for Marine Policy, University of Delaware, USA, where the Secretariat of the Global Forum on Oceans, Coasts, and Islands is based. The work will be carried out by Center staff and a diverse International Working Group with approximately 80 experts from both developed and developing nations, reflecting a broad range of sectors including national governments, UN agencies, intergovernmental organizations, nongovernmental organizations, industry, and academia, with the guidance of a Steering Committee.

Contact Information:

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