

Oceans

Regional Seas

(1) Introduction

In May 2016, the Resolution 2/10 Oceans and seas of the Second Session of the United Nations Environment Assembly (UNEA-2) of the United Nations Environment Programme (UNEP) reemphasized the importance of the Regional Seas Programme as the regional mechanism for the conservation and sustainable management of the oceans and seas. Among others, the aforementioned Resolution 2/10 encouraged the UNEP to continue to participate in the process initiated by the General Assembly in its Resolution 69/292 on the development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of the marine biological diversity of areas beyond national jurisdiction (para 9). Furthermore, it pointed out to reinforce cooperation, coordination, communication and sharing of best practices and information among the existing regional seas conventions and action plans across different geographical areas, in line with the UNEP Regional Seas Strategic Directions 2017–2020 (para 11).

Few months later, and more precisely, from 30 September to 1 October 2016, the 18th Global Meeting of Regional Seas Conventions and Action Plans was held in the G-Tower, Incheon, the Republic of Korea. The meeting addressed five topics: (1) regionally coordinated national actions and reporting for the Sustainable Development Goals (SDGs); (2) assessments and indicators for SDG implementation tracking; (3) Regional Seas implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA); (4) Regional Seas engagements in the process of the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ); and (5) Implementation of the Regional Seas Strategic Directions (RSSD 2017-2020).

The aforementioned topics were discussed by stressing the importance of making concerted efforts at the regional level through an action-oriented programme, while focusing not only on the mitigation or elimination of the consequences, but also on the causes of environmental degradation. Regional Seas Programme should have a comprehensive, integrated, result oriented approach to combating environmental problems through the rational management of marine and coastal areas.

(2) Baltic Sea

During the 37th Meeting of the Baltic Marine Environment Protection Commission (HELCOM) – which took place in Helsinki, 10 and 11 March 2016– it was adopted the Recommendation on sustainable aquaculture (Recommendation 37-3). The Recommendation gives tools for the Baltic Sea region to develop this growing sector based on the Best Available Technologies (BAT) and Best Environmental Practices (BEP) for minimizing or eliminating potential negative impacts on water and air from emissions and discharges by providing control strategies. Among other strategies, it recommends to employ regional planning as an instrument for directing aquaculture activities to suitable areas and for mitigating conflicts between aquaculture and other uses of that area. Indeed, fish farms should not be placed in areas reserved for nature protection, if that might conflict with the aims of protection for that area.

In addition, three other HELCOM Recommendations were adopted by the Meeting, helping to improve the status of the Baltic marine environment: Recommendation on Conservation of Baltic

Sea species categorized as threatened (Recommendation 37-2), Recommendation on Safety of winter navigation with updated part on correspondence between Ice Classes (Recommendation 25/7), as well as Recommendation concerning co-operation and coordination of research vessel based monitoring and procedures for granting permits (Recommendation 37-1).

On 1st July 2016 the European Union (EU) took the chairmanship of the HELCOM, until 30 June 2018. Its work plan is based on three main priorities: reaching a healthy Baltic Sea ecosystem by 2021; promoting innovation for a sustainable Blue Economy; and tackling the challenge of regional governance. The priorities of the EU Chairmanship also include responding effectively to key pressures by implementing the regional action plan for marine litter, among others. The EU intends to promote knowledge and innovation in the Baltic Sea and to foster a well-managed network of marine protected areas.

(3) East-Asian Seas

At the Sustainable Ocean Summit, held in Rotterdam, Netherlands from 29 November to 2 December 2016, the Partnerships in Environmental Management for the Seas of East Asia (PEMSEA) announced a new partnership with the World Ocean Council (WOC), which is an international business leadership alliance dedicated to Corporate Ocean Responsibility. The partnership between PEMSEA and WOC is relevant in terms of achieving a regional coalition of forward-thinking ocean industry focused on building a blue economy through the protection, conservation and sustainable use of oceans and coasts in East-Asian Seas.

In addition, the PEMSEA initiated the review and updating of the Sustainable Development Strategy for the Seas of East Asia (SDS-SEA), as well as the development of new regional targets post-2015 for the East Asian Seas region. The Technical Working Group (TWG) comprised of representatives from PEMSEA Country and Non-Country Partners, recommended to create a new strategy on climate change adaptation, which serves as a cross-cutting strategy that is linked with the other six existing strategies of the SDS-SEA.

(4) Mediterranean Sea

At their nineteenth ordinary meeting held in Athens, Greece, from 9 to 12 February 2016, the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention) and its Protocols –namely the 21 Mediterranean countries and the European Union–, reached important achievements. During the meeting, the Contracting Parties adopted the Athens Declaration as well as several thematic decisions in order to respond effectively to the growing environmental challenges that face the region and boost the implementation of the Barcelona Convention and its Protocols.

Particularly, the Athens Declaration was adopted on 11 February 2016 in order to celebrate the 40 years of the regional cooperation framework established through the Mediterranean Action Plan and the Barcelona Convention and its Protocols (Preamble, par. 2). By adopting the Athens Declaration, the Contracting Parties renewed, among others, their commitment and step up their efforts to address together the challenges related to environmental protection towards the application of the ecosystem approach as an overarching principle to contribute to sustainable development of the Mediterranean Sea and coast within the global framework of the 2030 Agenda for Sustainable Development (Points 1 and 3). At the same time, they also committed themselves to enhance measures to reduce pressures on marine and coastal environment, to stop the decline of endangered species and to safeguard and promote ecosystem services, and resource efficiency (point 4) and to take the necessary measures to ensure the effective implementation of the National Action Plans in

accordance with the LBS Protocol of the Barcelona Convention and the related Regional, with a particular focus on marine litter (point 7).

Furthermore, the Athens Declaration, welcomed, among other thematic decisions, the adoption of the revised Mediterranean Strategy for Sustainable Development (point 6). The Strategy was informed fully by the preparation of the 2030 Agenda for Sustainable Development and was underpinned by the conviction that investment in the environment is the best way to secure long-term sustainable socio-economic development. The main aims of the Strategy are as follows: to provide a strategic policy framework to secure a sustainable future for the Mediterranean region; to adapt international commitments to regional conditions, to guide national strategies and to stimulate regional cooperation in the achievement of sustainable development objectives; to link the need to protect the environment to socio-economic development.

Good progress were made in other thematic areas, such as the protection of biodiversity and the defining of nomination and selection criteria for the Environment Friendly City Award, which had been established by the Contracting Parties at their eighteenth meeting in Istanbul and would be conferred on coastal Mediterranean cities. In terms of compliance, the Compliance Committee had offered advise assistance, although more progress was required in that area. In addition, the importance of the 19th meeting was also showed by setting the direction of the Mediterranean Action Plan for the next six years and, with regard to the sustainable development agenda, the next 10 years.

As final remarks, the meeting contributed to establish a new narrative on, and trajectory for, sustainable development and the actions needed to combat global warming. It paved the way for a truly integrated approach towards economic progress of the Mediterranean Sea, which could not be addressed without taking into account sustainability and equity.

(5) Northwest Pacific

On the 21th Intergovernmental Meeting of the Northwest Pacific Action Plan (NOWPAP), held in Seoul, Korea, on 23-25 November 2016, where it was underlined the duty and responsibility to cooperate to create new value and generate common benefits resulting from marine environmental protection for current and future generations. During the meeting, it was stressed the need to continue assessing state of the marine biodiversity and ecosystems, working on oil spill preparedness and response and addressing marine litter issues.

One of the major goals of this meeting was the adoption of the Recommendations on future vision of the Chairperson of the 21st NOWPAP Intergovernmental Meeting (UNEP/NOWPAP IG. 21/10 Annex 2) where it were welcomed the efforts and measures taken by NOWPAP member states to strengthen and stabilize the NOWPAP institutional framework and enhance its activities responding to complex challenges to the Northwest Pacific environment with the renewed trust in the value and relevance of the Northwest Pacific Action Plan (point 7).

It was also underlined the further implementation of the NOWPAP at the regional, national and sub-national levels, with the application of the ecosystem approach as an overarching principle (point 10) and the adoption of the NOWPAP Mid-Term Strategy for 2018-2023 at the Twenty-Second Intergovernmental Meeting of the NOWPAP and start thereafter its implementation, as the strategic framework for wise use, development and management of the coastal and marine environment of the Northwest Pacific region and consistent with the 2030 Agenda and the Sustainable Development Goals and targets (point 11).

The importance of this meeting was to start discussing NOWPAP future that should be connected to the evolving global and regional oceans agenda.

(6) Polar Waters

At its November 21-25, 2016 meeting, the IMO's Maritime Safety Committee (MSC) adopted a resolution [Res. MSC.416(97)], which amends the 1978 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), in relation to revised training requirements for masters and deck officers on board ships operating in polar waters. The revised training requirements in STCW provides international standards for seafarer's education and training. The hazards of vessel operations in the polar water showed the relevance of those amendments in order to effectively implement the International Code for Ships Operating in Polar Waters (Polar Code) –and related amendments to make it mandatory under both the International Convention for the Safety of Life at Sea (SOLAS) and the International Convention for the Prevention of Pollution from Ships (MARPOL)–, which entered into force on the 1st January 2017 only for new ship, while in 2018 for existing ship.

The Polar Code supplements existing IMO instruments in order to increase the safety of ships operation and mitigate the impact on the people and environment in the remote, vulnerable and potentially harsh polar waters. While Arctic and Antarctic waters have similarities, there are also significant differences. Hence, although the Code is intended to apply as a whole to both Arctic and Antarctic, the legal and geographical differences between the two areas have been taken into account.

(6.1) Antarctic

The Thirty-fifth Annual Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR-XXXV) was held in Hobart, Tasmania, Australia, from 17 to 28 October 2016. On this occasion, the CCAMLR took a landmark decision for the Antarctica regarding the establishment of the world's largest Marine Protected Area (MPA). All member countries agreed to a joint USA/New Zealand proposal to establish a 1.55 million km² area of the Ross Sea. The new MPA, to come into force in December 2017, mainly purses to conserve marine living resources, maintain ecosystem structure and function, protect vital ecosystem processes and areas of ecological significance, and promote scientific research. In order to reach those goals, seventy-two percent of the MPA is a 'no-take' zone, which forbids all fishing, while other sections permits some harvesting of fish and krill for scientific research. This is a major step for CCAMLR and for the Antarctic Treaty System. It clearly demonstrates that the governments that are part of the Treaty System are willing and able to make progress in areas that are important for Antarctic policy. At the same time, it also represents a significant milestone towards a comprehensive and more effective international ocean governance.

Other major topics discussed at this meeting included: the status of CCAMLR-managed fisheries; CCAMLR fisheries regulatory framework; ongoing efforts to establish a sustainable funding base for the organisation; assessment and avoidance of incidental mortality of Antarctic marine living resources. Attention was also paid on new and exploratory fisheries; the System of Inspection and the Scheme of International Scientific Observation; compliance with conservation measures in force, including the implementation of CCAMLR's Compliance Evaluation Procedure; review of existing conservation measures and adoption of new conservation measures. Looking at the future,

dialogue was also addressed to the further development of CCAMLR's Catch Documentation Scheme and the Vessel Monitoring System; management under conditions of uncertainty and cooperation with other international organisations, including within the Antarctic Treaty System and agreement to commission a second performance review.

Significant progress was also achieved in the fight against Illegal, Unreported and Unregulated (IUU) fishing. Members strengthened the obligations related to vessel authorisation and tightened the rules of the IUU listing procedures.

(6.2) Arctic

In 2016 the Arctic sea ice appears to have reached a record low wintertime maximum extent, according to scientists at the NASA-supported National Snow and Ice Data Center (NSIDC) and NASA. Combating climate change is an urgent common challenge for the international community and requires immediate global action. The European Union (EU) is aware of the pressing need to mitigate and adapt to climate change in the Arctic. On 27 April 2016, the EU Commission and the EU High representative for foreign affairs and security adopted a Joint Communication "An integrated European Union policy for the Arctic" (JOIN(2016) 21 final), which should guide the EU's actions for the coming years on three priority areas: climate change and safeguarding the Arctic environment; promoting sustainable development in the region; and supporting international cooperation on Arctic issues.

On 19 September 2016 it was celebrated the Arctic Council's 20th anniversary, where the Arctic States reaffirmed their commitment to the principles of the 1996 Ottawa Declaration, to work together and with the indigenous Permanent Participants, and to promote prosperity, development, and environmental sustainability for the benefit of generations to come (*A joint statement from Ministers of the Arctic States on the occasion of the Arctic Council's 20th anniversary*). On that occasion, Ambassador David Balton, the current Chair of the Senior Arctic Officials, underlined the possibility to expand the Arctic Council's roles from policy-shaping to policy-making. Under the U.S. chairmanship (2015-2017), a Task Force on Arctic Marine Cooperation (TFAMC) has been identifying additional needs for coordinating Arctic States actions and policies concerning the Arctic Ocean and considered possible mechanisms for meeting those needs. On 1-2 June 2016 the third meeting of the TFAMC took place in Reykjavik, Iceland, where it was underlined that Arctic marine environment is changing rapidly, and these changes mean new challenges and opportunities in the realm of marine cooperation. TFAMC may ultimately lead the Council to make a truly significant, positive impact on the Arctic region in the future.

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