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24 March 2017

Ms. Ling Wang
Ms. Alice Hicuburundi
Correspondence via e-mail attachment

Dear Meses. Wang and Hicuburundi,

Pursuant to the letter dated 27 February 2017 (DESA-17/00373) from Mr. Wu Hongbo, Undersecretary General for Economic and Social Affairs and Secretary General for the United Nations Conference to Support Implementation of Sustainable Development Goal 14, The Pew Charitable Trusts submits for your kind consideration the following inputs to the concept papers on the themes of the Conference's partnership dialogues. We thank the Undersecretary General for the opportunity to make this contribution and look forward to a robust series of partnership dialogues and an ambitious Conference outcome.

Partnership Dialogue 2: Managing, protecting, conserving and restoring marine and coastal ecosystems

Among the many tools needed to implement SDG 14, large, fully protected marine reserves and Marine Protected Areas (MPAs) are acknowledged to be among the most essential for protecting marine and coastal ecosystems.¹ A worldwide system of such reserves, both within and beyond areas of national jurisdiction, is a long-overdue contribution to global marine stewardship.

SDG 14 recommitted States to a target initially agreed under the Convention on Biological Diversity to, "by 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on best available scientific information." *Target 14.5 should be considered a progress marker, but not sufficient for achieving sustainable oceans, because scientific advice suggests the target should be higher.* A 2016 study suggests that the 10% target is not sufficient to protect biodiversity, preserve ecosystem services and achieve socioeconomic priorities, and that protecting several tens-of-percent of the sea is required (average 37 per cent).² In 2016, the IUCN World Conservation Congress (WCC) issued a resolution calling on States to "designate and implement at least 30% of each marine habitat in a network of highly protected MPAs and other effective area based conservation measures, with the ultimate aim of creating a fully sustainable ocean, at least 30% of which

¹ Sarah E. Lester, et al., "Biological Effects Within No-Take Marine Reserves: A Global Synthesis," *Marine Ecology Progress Series* 384 (2009): 33–46, <http://dx.doi.org/10.3354/meps08029>.

² Bethan C. O'Leary et al., "Effective Coverage Targets for Ocean Protection," *Conservation Letters* 9:6 (2016): 398-404, <http://onlinelibrary.wiley.com/doi/10.1111/conl.12247/pdf>.

has no extractive activities, subject to the rights of indigenous peoples and local communities.”³ This target would be the most effective for conserving biodiversity, supporting fisheries productivity, and ensuring maximum economic, cultural, and life-supporting benefits.⁴

While there may be a perception that there is an over-reliance on MPAs in ocean management, the *ecological benefits of fully protected MPAs are well studied and understood*⁵.

- Marine reserves are climate reserves. Fully protected marine areas promote resilience to ecological changes associated with climate change, protect food security, secure livelihoods, and minimize loss. Marine protected areas can reduce climate-related impacts and contribute to climate change mitigation via the maintenance of healthy oceans.⁶
- MPAs result in more fish, bigger fish, higher fish biomass, and higher fish diversity.⁷
- MPAs have been found to be most effective when they are large, established for a long time, permit no fishing, are isolated from human populations, and are well-enforced.⁸ Large-scale MPAs often exhibit most or all of these attributes and have been highly effective at achieving conservation goals.

A global network of MPAs must include portions of areas beyond national jurisdiction. There is currently no mechanism to establish comprehensive and integrated MPAs in areas beyond national jurisdiction, a problem which should be addressed by a new implementing agreement under UNCLOS.

In September 2016, The Pew Charitable Trusts and the Bertarelli Foundation announced a new, \$30 million (US) partnership to work with governments and coastal communities around the world to create large, fully protected marine reserves set aside from extractive activities. This global network of great marine parks would bring the world significantly closer to the waypoint of 10 per cent of the ocean protected by 2020 and the 30 per cent called for by the WCC.

Partnership Dialogue 4: Making Fisheries Sustainable

Partnership Dialogue 7: Enhancing the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea.

These dialogues are closely intertwined. Achieving sustainable fisheries will require a more dedicated application of international law as reflected in the Convention and its implementing agreements, particularly the United Nations Fish Stocks Agreement.⁹ In particular, progress must be made on at least

³ WCC-2016-Res-050-EN, Increasing marine protected area coverage for effective marine biodiversity conservation (Honolulu, Hawai‘i: 6–10 September 2016), <https://portals.iucn.org/library/sites/library/files/documents/IUCN-WCC-6th-005.pdf>

⁴ International Union for Conservation of Nature, “A Strategy of Innovative Approaches and Recommendations to Enhance Implementation of Marine Conservation in the Next Decade” (22 December 2014), <http://worldparkscongress.org/downloads/approaches/ThemeM.pdf>.

⁵ O’Leary et al., 2016.

⁶ Fiorenza Micheli, et al. “Evidence That Marine Reserves Enhance Resilience to Climatic Impacts,” PLoSONE 7(7) (2012), <http://dx.doi.org/10.1371/journal.pone.0040832>.

⁷ Lester et al., 2009.

⁸ Graham J. Edgar et al., “Global Conservation Outcomes Depend on Marine Protected Areas With Five Key Features,” Nature 506, no. 7487 (2014): 216–20, doi:10.1038/nature13022.

⁹ United Nations General Assembly, The United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling

two critical fronts: ending illegal fishing and integrating modern management tools into international fisheries governance.

Ending illegal fishing

Illegal, unreported, and unregulated (IUU) fishing continues to threaten marine biodiversity and fish stock sustainability. It robs coastal and developing States of billions of dollars' worth of fish every year and is linked to such crimes as money laundering, fraud, human and drug trafficking, and corruption. Fortunately, common-sense measures and effective coordination can address this challenge. For instance:

- Last year, some States took a major step forward in combatting IUU fishing with the entry into force of the Port State Measures Agreement. As of this writing, 42 countries have ratified the agreement, but more must follow to ensure that vessels fishing illegally are denied the opportunity to land their catch and profit from their illegal activity. Moreover, it is critical that this Agreement be effectively implemented at the national level, both by the parties to the Agreement as well as those looking to join the treaty, and that the Agreement's information-sharing mechanism is set up as soon as possible.
- The European Union, ten regional fishery management organizations (RFMOs), and two other regional fisheries bodies have adopted requirements that fishing vessels of a certain size should have unique, permanent, globally verifiable identification numbers, assigned by IHS Maritime and Trade on behalf of the IMO. These numbers provide an independent and continually updated audit trail. The challenge now is to ensure that these requirements are effectively enforced and extended to all eligible vessels fishing beyond their national jurisdiction.
- Properly implemented and maintained vessel monitoring systems (VMS) are also necessary for effective fisheries management because they allow for monitoring of vessel activity and position. These systems can alert authorities to potential illegal activity and deter wrongdoing. They can also provide flag States with vital information about their compliance with international obligations. Strong VMS must become a universal requirement of fisheries management, ensuring that information is shared among all concerned states, centralized by RFMOs where possible, and effectively monitored by national authorities.

But ending IUU fishing will also require increased collaboration by all stakeholders. In 2013, The Pew Charitable Trusts commenced a 10 year program bringing together governments, the private sector, and civil society to build a new tool to combat illegal fishing. The result, Project Eyes on the Seas, has produced a system that can provide enforcement officials in any jurisdiction with access to clear and up-to-date information from a central, reliable source so they can take action against illegal fishing, all with a single click of a computer mouse or text message. Working together are:

- Catapult, a United Kingdom-based satellite applications incubator and innovator. It has supplied the satellite technology that makes monitoring and surveillance possible, even in capacity-constrained jurisdictions. It provides a risk index on fishing vessel behavior to help countries carry out enforcement in their waters, and can assist retailers to understand better the risks in their supply chain.
- FISH-i Africa, a consortium of eight East African nations committed to cooperative action to combat illegal fishing in their waters. FISH-i countries are already collaborating successfully in

this regard and will be one of the first regions to leverage this satellite technology, along with strengthening key policies, to demonstrate the system's full viability.

- INTERPOL, which effectively supports the project by ensuring that states have the most up-to-date information on illegal fishing vessel activity and associated fisheries crime. It benefits in turn from the submission of information that the partners collect, which can be incorporated into its global enforcement network and facilitate prosecution and deterrence.

This Ocean Conference presents an opportunity to introduce all States to this partnership and potentially expand its scope and participation. To that end, we would suggest that Tony Long, Director of Pew's Ending Illegal Fishing Program, serve as a distinguished expert for Partnership Dialogue 4 or 7. Mr. Wu's letter suggests that we communicate details regarding this suggestion to a separate point of contact, but on request we would be happy to provide you with any further information that might be helpful.

Modernizing fisheries management

Successive reports on the State of World Fisheries and Aquaculture by the United Nations Food and Agriculture Organization (FAO) indicate that many of the world's fish stocks continue to deteriorate because of ineffective fisheries management. At a meeting convened in 2016 to review the implementation of the Fish Stocks Agreement, States committed once more to fully implement conservation and management measures for straddling fish stocks and highly migratory fish stocks in accordance with the best-available scientific information and the precautionary and ecosystem approaches.¹⁰

To be effective, these management measures must incorporate science-based total allowable catch limits, including target and limit reference points and harvest control rules to ensure that those catch limits are not exceeded. These strategies are more than just best practices; they are legal obligations on States pursuant to the terms of the Fish Stocks Agreement. Yet RFMOs continue to set catch limits with insufficient precaution and allow fishing of stocks to dangerously low levels. To date, no regional fisheries management body has adopted harvest strategies for more than 25 percent of a region's stocks.

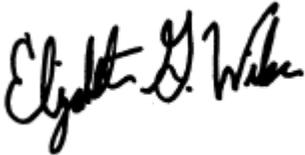
In addition, too many vessels fishing for highly migratory species such as tunas are not equipped with systems to ensure the sufficient and timely submission of data, which undermines assurances that catches are in accordance with scientific advice and the regulations of the fishery. Tuna longline vessels, in particular, fall short of providing data that is regularly provided by vessels that use other fishing gears. Electronic systems, including cameras, are practical and should be installed on these vessels to report and monitor catches for scientific and compliance purposes.

Harvest strategies can help to achieve Target 14.4 by putting in place pre-agreed rules to sustainably manage stocks before a crisis occurs, and agree on recovery measures for depleted stocks. Further progress on this target will come from improving the data submitted to scientists and verifying that catches are within the rules set by regional management organizations. The Ocean Conference represents a chance for States to build new partnerships and commitments toward further advancing modern, precautionary, and science-based methods.

¹⁰ United Nations, Report of the Resumed Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (2016), <http://undocs.org/A/CONF.210/2016/5>.

We thank you for your kind attention and ask that you please not hesitate to contact us if you have any questions regarding the foregoing or if we can be of further assistance to help ensure the Conference's success.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth D. Wilson". The signature is written in a cursive, flowing style.

Elizabeth Wilson
Director, International Ocean Policy
The Pew Charitable Trusts