

Results of the Survey on Capacity Development in Marine Areas Beyond National Jurisdiction (ABNJ)

Part of the Global Environment Facility (GEF)/Food and Agriculture Organization of the United Nations (FAO)/Global Ocean Forum (GOF) Project on Strengthening Global Capacity to Effectively Manage ABNJ, part of the GEF/FAO Common Oceans Program

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Marine areas beyond national jurisdiction (ABNJ) comprise 64% of the ocean's surface. ABNJ contain ecosystems, marine resources, and biodiversity of great ecological, socioeconomic, and cultural importance. A variety of human activities take place in ABNJ; however, lack of knowledge of marine biodiversity and ecosystems in ABNJ, difficulties in enforcement of existing conservation and management measures, and disagreements over appropriate policy responses have hindered the sustainable management of ABNJ. The GEF/FAO/GOF have developed a capacity project aimed at strengthening global capacity to effectively manage ABNJ. The project's desired outcomes are to strengthen and broaden dialogue and policy coordination, build the capability of decision-makers to participate in international and regional processes for management and coordination of ABNJ activities, and develop the public's understanding of the issues and threats to ABNJ.

As part of the GEF/FAO/GOF project, a capacity assessment was designed to determine existing capacity as well as the desired capacity in the management of ABNJ. A capacity assessment is an analysis of current capacities against desired future capacities, which generates an understanding of capacity assets and needs, which in turn leads to the formulation of capacity development strategies (UNDP 2007). This capacity needs assessment involves the determination of existing capacity and the future/desired/needed capacity in the management of marine areas beyond national jurisdiction (ABNJ) for developing countries and small island developing States (SIDS) at the national and regional levels. The results of the survey will be used to inform decision-makers at national, regional, and global levels involved in policy-making, management, and sustainable use of marine resources in ABNJ about capacity development needs related to ABNJ and possible avenues for addressing capacity development gaps.

Between June 13 and July 14, 2016, 250 global, regional, and national decision-makers were invited to participate in this assessment via a letter of introduction and a link to an online survey. These decision-makers were leaders in global organizations (such as FAO, the United Nations Environment Programme (UNEP), the United Nations Educational, Scientific, and Cultural Organization (UNESCO), and the United Nations Development Programme (UNDP)), regional organizations (such as Regional Seas Programmes, Regional Fisheries Management Bodies, the Caribbean Community (CARICOM), the Permanent Commission for South Pacific, and regional conventions (such as the Nairobi Convention)), and national organizations (which includes permanent missions, other government organizations, nongovernmental organizations, and academic and research institutions). There were 138 responses (full and partial), for a response rate of 55%. Most of the respondents were from national and regional organizations. The position of the respondents varied, ranging from officers/advisors/counsellors, scientists/specialists, to Executive Secretary/Director.

Respondents were asked how often they used legal and policy frameworks governing ABNJ; results are shown in Table 1. Respondents report using UNCLOS the most to “carry out essential functions” of their jobs, with 40% reporting UNCLOS as an essential framework for their work. MARPOL and the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention/Protocol) (1972) were tied for the least used to “carry out essential functions” of their jobs, with 10% of respondents reporting this to be the case. The FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas and Regional Seas Conventions and Action Plans had the most respondents wanting to know more (16%). Respondents were asked how often they use various tools and approaches that could be used for the management of ABNJ (Table 2). Respondents report using the ecosystem-based approach the most to carry out their jobs at 51%, while using Particularly Sensitive Sea Areas under the IMO and Special Areas under the IMO/MARPOL the least (5%).

Table 1: Use of legal and policy frameworks in ABNJ.

Question	Use to do my job	Use regularly or sometimes	Use rarely/never	Want more info
United Nations Convention on the Law of the Sea (UNCLOS) (1982)	40%	60%	8%	3%
Agreement relating to the implementation of Part XI of the UNCLOS of 10 December 1982 (1994)	19%	46%	39%	8%
1995 UN Fish Stocks Agreement	30%	54%	20%	8%
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention/Protocol) (1972)	10%	48%	42%	8%
The International Convention for the Prevention of Pollution from Ships (MARPOL)	10%	49%	40%	8%
Convention on Biological Diversity (CBD) (1992)	23%	58%	16%	6%
FAO Code of Conduct for Responsible Fisheries	29%	50%	19%	10%
International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported, Unregulated Fishing	27%	45%	25%	12%
FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas	25%	36%	30%	16%
Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing	21%	49%	24%	11%
Regional Seas Conventions and Action Plans	26%	36%	29%	16%
Large Marine Ecosystem and associated frameworks	18%	54%	24%	15%

Table 2: Use of tools and approaches for management of ABNJ.

Question	Use to do my job	Use regularly or sometimes	Use rarely/never	Want more info
Integrated ocean management approach (multi-sector)	32%	47%	15%	11%
Ecosystem-based Approach	51%	37%	7%	11%
Ecosystem Approach to Fisheries (under FAO)	30%	53%	18%	7%

Sector-led Area-based Management Approaches	12%	48%	26%	26%
Vulnerable Marine Ecosystems (under FAO)	18%	49%	26%	11%
Particularly Sensitive Sea Areas (under the IMO)	5%	43%	40%	18%
Special Areas (International Maritime Organization/ MARPOL)	5%	42%	47%	14%
Areas of Particular Environmental Interest (under the ISA)	8%	36%	49%	15%
Marine Protected Areas under the regional seas conventions	23%	42%	30%	11%
Ecologically or Biologically Significant Marine Areas (under CBD)	21%	48%	25%	11%
Marine Spatial Planning	21%	49%	24%	13%
Environmental Impact Assessment/ Risk Assessment	25%	52%	20%	10%

Respondents were asked if capacity was a constraint in the management of ABNJ at the national and regional levels (Table 3 and 4). Capacity was a major or somewhat a constraint for 81% and 83% of national and regional respondents respectively.

Table 3: Level of constraint for ABNJ management at the national level

Answer	Percentage
Major constraint	59%
Somewhat a constraint	22%
Little constraint	3%
No constraint	10%
N/A	5%

Table 4: Level of constraint for ABNJ management at the regional level.

Answer	Percentage
Major constraint	45%
Somewhat a constraint	38%
Little constraint	5%
No constraint	0%
N/A	13%

Respondents were asked to specify what capacity was needed at the national and regional level if capacity was a constraint (Table 5 and 6). Respondents identified scientific/technical capacity is most needed to reduce capacity constraints at both levels, followed by capacity on policy and legal factors. Respondents were asked what factors constrained collaboration in ABNJ (Table 7). Financial factors were the highest reported constraining factors.

Table 5: Needed capacity to reduce constraints to the management of ABNJ at the national level

Needed Capacity	Percentage
Scientific/technical	23%
Policy/legal	18%
Awareness/understanding	18%
Human resources	17%
Financial	13%
Enforcement	6%
Education	3%
Other	3%

Table 6: Needed capacity to reduce constraints to the management of ABNJ at the regional level

Needed capacity	Percentage
Scientific/technical	18%
Policy/Legal	16%
Does not apply or not specific	16%
Financial	13%
Other	12%
Human resources	10%
Awareness/understanding	10%
Enforcement	3%
Education	1%

Table 7: Factors constraining collaboration in ABNJ.

Constraining factors for collaboration	Percentage
Financial	24%
Capacity/human	17%
Technical/scientific	16%
Lack of collaboration/information sharing	10%
Awareness	8%
Lack of interest or political will	3%
Conflicting or varied priorities/mandates;	3%
None/not specified	5%
Other	14%

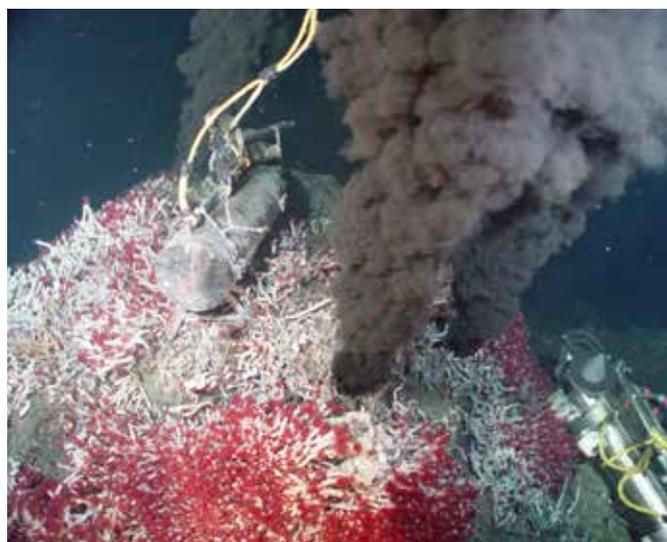


Table 8 shows the extent to which, if any, the institution had utilized the IOC-UNESCO Criteria and Guidelines on the Transfer of Marine Technology for ABNJ activities at the national level. In this regard, 52% of respondents have not used the guidelines, and 65% would like to know more about the guidelines.

Table 8: Use of the IOC-UNESCO Criteria and Guidelines on the Transfer of Marine Technology.

Answer	Percentage
Would like to know more	65%
Have not used the Guidelines	52%
Received requested marine technology after submitting the Transfer of Marine Technology Application	5%
Submitted a Transfer of Marine Technology Application	2%
Donated requested marine technology after receiving the Transfer of Marine Technology Application	2%
Received technical training from the IOC concerning the transfer of marine technology	2%

Respondents were given a specific set of capacity development approaches and asked to identify which would be most useful, and were allowed to select all that applied (Table 9). The top 3 priorities identified include: 1) A short course on ABNJ held at the regional level, 2) a primer on ABNJ issues (including socio-economic aspects) and frameworks aimed at decision-makers, and 3) Policy dialogues among global, regional, and national decision-makers focusing on developments in ABNJ at global, regional, and national levels.

Table 9: Approaches for building capacity.

In your view, what specific types of capacity development approaches would be useful?	% of Responses
A short course on ABNJ held at the regional level	78%
A primer on ABNJ issues (including socio-economic aspects) and frameworks aimed at decision-makers	74%
Policy dialogue among global, regional, and national decision-makers focusing on developments in ABNJ at global, regional, and national levels	71%
Policy dialogue among different regions to compare different approaches and lessons learned from different regions working on ABNJ management	67%
An academic course on ABNJ	57%
Discussion of a code of stewardship ethics toward the ABNJ for decision-makers and the public	53%
Ways of involving the public in deliberations on ABNJ	52%
A short course on ABNJ held at the global level with participants from various regions	48%
Other (specify)	16%

When asked what approaches would be useful for building capacity at the national level, respondents identified awareness raising as the most needed approach (30%) (Table 10) followed by Workshops/Technical Trainings/Internships (mentioned by 22% of respondents). At the regional level, as seen in Table 11, respondents identified Workshops/Trainings/Internships as the most needed (28%) followed by Collaboration/Partnership Mechanisms/Methods of Exchange (20%).

Table 10: Approaches for furthering capacity building at the national level

Approaches for Furthering Capacity Development at the National Level	Percentage
Awareness Raising	30%
Workshops/Technical Trainings/Internships	22%
Technical and scientific tools (information/data, scientific research, mgmt tools)	14%
Academic programs	10%
Other	10%
Legal/policy training/capacity building	9%
Access to manuals/documentation	4%

Table 11: Approaches for furthering capacity building at the regional level

Approaches for Furthering Capacity Development at the Regional Level	Percentage
Workshops/Trainings/Internships	28%
Collaboration/partnership mechanisms/methods of exchange	20%
Other	13%
Technical tools (information, data, management tools)	11%
Awareness raising	9%
Academic programs	7%
Legal/policy development and discussion	7%
Funding	4%

Discussion

Respondents reported high levels of constraint for ABNJ management, 59% of respondents at the national level and 45% at the regional level reported capacity was a major constraint to ABNJ management. Scientific/technical and policy/legal capacity were specified as being needed the most to ease management constraints. These responses included data gathering, scientific research or assessment, and the need to understand legal frameworks and international agreements. Responses on awareness/understanding of ABNJ issues indicated a higher level of understanding of ABNJ issues and management at the regional level. This may be in part due to some regional organizations already working in ABNJ, though several respondents noted that

many regional (and global) organizations are driven by the needs/desires of the States that make up those organizations. Therefore, building awareness/understanding, especially for decision-makers, policy makers, negotiators, and legal experts at the national level may help increase awareness/understanding at the regional and global levels and decrease constraints to ABNJ management. Financial constraints accounted for 13% of responses for constraints to ABNJ management at the national and regional levels, and ranked as the highest constraint for collaboration in ABNJ (24% of respondents). Transfer of marine technology has been discussed widely in deliberations on capacity on ocean management in general. However, when asked whether and how their institutions had used the



Participants and organizers from the capacity building program, 2016 ABNJ Regional Leaders Program, at UN-DOALOS.

IOC-UNESCO Guidelines for Technology Transfer, 52% indicated that they had never used the guidelines, and 65% of respondents noted that they want to know more.

Responses to the survey indicate capacity building should not be limited to technical/scientific matters, but should also include trainings and workshops for policy makers, legal advisors, and negotiators. Building awareness on ABNJ, including opportunities for management and the connection to EEZs, was desired at the national level, indicating that building this capacity may help drive policy development both within ABNJ and within national jurisdictions. Even though

enforcement is often discussed as a major constraint to ABNJ management, it was at the bottom of responses to constraints to capacity. Some responses also indicate the need for more education in schools and universities, stressing the need to build future awareness and capacity early. Courses at the regional level on ABNJ are a top desire to build capacity. These courses could be tailored to be region specific to emphasize particular needs or issues of the region. Lastly, dialogues surrounding ABNJ should involve leaders from the national, regional, and global levels. Respondents indicated these dialogues are important for building cooperation, learning from experiences, and increasing coordination.



UN Side Event on Capacity Development and ABNJ: Regional and National Perspectives Examples from Africa, Latin America and the Caribbean, Asia and the Pacific Islands, August 2016

