

# Global Processes in Ocean Policy: An Opportunity to Create Coherence in Governance Frameworks and Support the Achievement of Conservation Goals

Ben Boteler, Carole Durussel, Sebastian Unger and Torsten Thiele

## 1. Introduction: Marine Biodiversity, Ecological Connectivity, and Global Processes for Conservation

The ocean is essential to all life on the planet. It covers more than 70% of the earth's surface and regulates the climate, provides essential resources and ecosystem services, hosts immense biodiversity and underpins human activities, such as fisheries, offshore oil and gas, and international trade, as well as recreational, educational and cultural activities (Wright et al. 2017). Pressure on marine biodiversity is largely caused by increasing human activities such as fishing and shipping, but also coastal and land-based activities such as oil and gas extraction, port development, agriculture, industry, urban expansion and tourism (Wright et al. 2017). Emerging activities such as deep seabed mining have the potential to cause further impacts on the marine environment in the future (Boteler et al. 2019a). Pressures from human activities include, amongst others, extraction of living species, physical disturbance to and destruction of the seabed, pollution from land and sea, and underwater noise and light (Boteler et al. 2019a). Compounding effects due to increases in anthropogenic CO<sub>2</sub> emissions have resulted in rising ocean acidity, declining oxygen levels, warming waters and shifting ocean currents (Boteler et al. 2019a). The recent reports from the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES 2019) and the Intergovernmental Panel on Climate Change (IPCC 2019) confirm that ocean health continues to degrade, including from climate change, and necessitates increased efforts from states to protect and sustainably manage marine ecosystems (Boteler et al. 2019b).

The ocean is legally divided into different zones. States can declare marine areas of up to 200 nautical miles (based on determining a national baseline) as national jurisdiction comprising the territorial sea, contiguous zone or the exclusive economic zone (EEZ). Not all states exercise this right. Marine areas beyond 200 nautical miles are known as areas beyond national jurisdiction (ABNJ) and include both the

water column and the seabed beyond national jurisdiction, known as the high seas and the area, respectively. They are legally distinct and states can claim extended entitlements over the continental shelf, meaning that there is less of the area than the high seas in ABNJ. While ABNJ and waters under national jurisdiction are legally established as distinct entities, they are highly connected ecologically. The same also applies to the high seas and the area. Hence, pollution, overfishing, mining or geoengineering experiments in the high seas and/or the area can result in ecological and socioeconomic impacts in coastal waters or the water column—and vice versa.

Ecological connectivity, both vertically within the water column and horizontally across ocean basins, is due to two factors: First, small marine organisms such as plankton and larvae, which cannot actively swim in the water column, and pollution, such as plastics, ghost fishing gears or oil, are transported through passive connectivity within the water column by ocean currents (Dunn et al. 2019; Popova et al. 2019). The strength and direction of ocean currents influence the temporal scale by which impacts from human activities may be identified or realized, ranging from within a few weeks to months, or even years, depending on the location of the impact (Boteler et al. 2019a). As ocean circulation shifts due to changes in seasonal, inter-annual and multi-decadal climate patterns, this can in turn affect e.g., the distribution of plankton or the location of upwelling and downwelling areas. In severe cases, this can result in a shift in species range and ultimately can affect marine ecosystems (Boteler et al. 2019a). Second, the active movement of marine species within the water column and across ocean basins, such as between feeding and breeding grounds, is recognized as active or migratory connectivity (Dunn et al. 2019; Popova et al. 2019). Many migratory species cross vast distances and straddle the boundaries between ABNJ and national waters in their life cycle, thereby connecting distant ecosystems (Dunn et al. 2019; Popova et al. 2019). Many of these species will also spend different stages of their lives (e.g., larval and adult) within different areas, with timescales ranging from a few hours to days or months (Di Franco et al. 2012; Dunn et al. 2019; Popova et al. 2019; Rogers et al. 2019). To be effective, ocean conservation efforts must consider both passive and active ecological connectivity, as well as between ocean basins (Dunn et al. 2019).

The existing ocean governance structure to sustainably manage human uses on and in the ocean and ensure conservation of marine species and ecosystems is fragmented, has legal and institutional gaps, and lacks full implementation and enforcement (Durussel et al. 2018; Gjerde et al. 2018). There is currently no comprehensive approach or coherent structure to bring together the legal, institutional or policy framework established for ocean conservation. The 1982 United Nations

Convention on the Law of the Sea (UNCLOS) provides for rules governing uses of the ocean and its resources, including ABNJ, and is considered the umbrella convention for the protection of the marine environment and sustainable use of ocean resources (UNGA 1992). However, these rules are limited and do not specify how states should conserve and sustainably use biodiversity in ABNJ. An uneven governance framework was created through the numerous regional and sectoral agreements, covering sectors such as fisheries, shipping and others adopted independently, both before and after UNCLOS came into force in 1994 (Durussel et al. 2018; Gjerde et al. 2018). For these reasons, the current ocean governance framework does not address the cumulative impacts placed on the marine environment due to human activities. Compounding this, numerous practical challenges also exist. For example, it is inherently difficult to convince institutions to cooperate on shared challenges or goals, and there is a general reluctance from states to commit funds on a sustained and sustainable basis to promote ocean governance as a priority within and across institutions. At the same time, not all institutions or actors across the ocean governance framework may be prepared to address or even be aware of global conservation goals, or coordinate to actively achieve and co-implement management measures (e.g., through data and knowledge exchange), or implement common sustainability principles, such as the precautionary principle, ecosystem approach, or participatory decision-making processes (Boteler et al. 2019b). Such lack of coordination also exists between the various national government agencies, further exacerbating challenges of ocean management and conservation. Hence, strengthening ocean governance at all levels and across all actors will be necessary to achieve global conservation goals.

Building on political momentum, three major global processes are currently underway in regard to global ocean governance under the umbrella of the United Nations. First, the development of an international legally binding agreement under UNCLOS for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction (BBNJ) is being negotiated (from here on referred to as BBNJ process) (UNGA/RES/69/292 2015). Second, under the Convention on Biological Diversity (CBD), 20 Aichi Biodiversity Targets were adopted in 2010 as part of the CBD Strategic Plan for Biodiversity 2011–2020, in an effort to reduce pressures on biodiversity, promote its sustainable use and safeguard ecosystem functions (from here on referred to as CBD process). These policy targets are currently being discussed under the umbrella of the CBD and will lead to the development of updated and new biodiversity targets that will be adopted at the 15th Conference of the Parties (COP) to the CBD in October 2020 as part of the Post-2020 Global Biodiversity Framework (CBD/COP/DEC/14/34 2018). Third, the United Nations 2030 Agenda for Sustainable

Development, which focuses on 17 Sustainable Development Goals (SDG), including SDG 14 on the ocean, coasts and marine resources, aims to holistically address current global challenges to sustainability, including those specifically negatively affecting the oceans and their ecosystems (from here on referred to as SDG process) (UNGA 2015). Momentum for SDG 14 implementation has been triggered in particular through the 2017 UN Ocean Conference and voluntary commitments for ocean action by states and other actors (Neumann and Unger 2019). Despite these efforts and progress towards global conservation goals, marine biodiversity and ocean health continue to decline (IPBES 2019). Taking into account the BBNJ, SDG and CBD processes, this chapter highlights the need to ensure coherence across these global processes for marine conservation, and provides ways in which ocean governance can be strengthened to support global processes and marine conservation goals.

## **2. Understanding Global Processes for Marine Conservation**

While specifics of the BBNJ, CBD and SDG processes differ, ultimately they have common overarching objectives to reduce the negative impacts from human activities on the marine environment and to ensure the conservation of marine ecosystems and sustainable use of marine resources. The most important difference is that the BBNJ process will create a legally binding global instrument which will establish rules and guidelines for how humans interact with ABNJ, while the post-2020 biodiversity framework and SDG processes set out policy targets and goals to guide state and societal actions. Viewed together, the BBNJ process, the Aichi Targets and the SDGs present an important opportunity for states to strengthen the overall ocean governance framework both globally and at the regional level, and thereby contribute to sustainable development and economic growth. Considering ecological connectivity, it is essential to consider conservation efforts and sustainable management of human activities, both within and beyond national jurisdiction. Particularly, strengthened collaboration and cooperation between global, regional (i.e., marine regions) and sectoral organizations will be needed to boost ocean governance efforts and will be an important step towards underpinning actions for the conservation and sustainable use of BBNJ, the targets of the Post-2020 Global Biodiversity Framework, and the SDGs.

### *2.1. Understanding the Scope and Nature of the BBNJ Negotiations, the Targets of the Post-2020 Global Biodiversity Framework, and the SDGs*

The BBNJ process is a political process currently underway to negotiate an international legally binding agreement under UNCLOS on the conservation and

sustainable use of BBNJ. After a decade of discussions in a working group, the United Nations General Assembly (UNGA) decided in 2015 to begin negotiating a BBNJ Agreement. A Preparatory Committee was established to make recommendations to the UNGA on the elements of a draft text and, since 2018 through the Intergovernmental Conference (IGC), to elaborate the text of the agreement (UNGA/RES/72/249 2018). Four elements provide the structure for negotiations (UNGA/RES/69/292 2015) and are:

- marine genetic resources (MGRs), including questions of their access and sharing of their benefits;
- area-based management tools (ABMTs), including marine protected areas (MPAs);
- environmental impact assessments (EIAs);
- and capacity building and the transfer of marine technology.

The effective implementation of the BBNJ Agreement will offer an opportunity to improve coordination between and among existing global and regional institutions. However, to do this will require a clear and coherent legal and institutional framework, both within marine regions (i.e., multiple states with a common interest in a specific marine ecosystem) and at the global level with regard to managing sectoral activities (Gjerde et al. 2018; Gjerde and Wright 2019). Although the BBNJ negotiations are markedly narrower in scope than the CBD and SDG processes, the legally binding nature of the future BBNJ Agreement makes this process much more politically sensitive than political declarations achieved under the CBD and SDG processes. Indeed, whereas the BBNJ process is still in the negotiation phase, it is expected to have some mechanism by which to enforce the agreed upon obligations, ensuring that states, or activities under state flags, adhere to the agreement.

Under the CBD, 20 Aichi Targets were adopted in 2010 by which states commit themselves to take action towards reaching specific biodiversity related objectives (UNEP/CBD/COP/DEC/X/2 2010). However, unlike the BBNJ Agreement, these are policy targets that create no legal obligations. Parties to the CBD submit National Biodiversity Strategies and Action Plans (NBSAPs) for the conservation and sustainable use of biodiversity or adapt existing national strategies or plans to reflect the objectives of the CBD. They also have to integrate, as far as possible and as appropriate, the conservation and sustainable use of biodiversity into relevant sectoral or cross-sectoral plans, programs and policies (UNGA 2015). The Aichi Targets, many of which are relevant to marine and coastal biodiversity, are reflected in the SDGs, and many of them are set for 2020. Of particular note, CBD Aichi Target 11 establishes that 10% of coastal and marine areas are conserved through ecologically representative and well-connected systems of protected areas and other

effective area-based conservation measures by 2020. Compatible goals in regional strategies and policy objectives reflect this global goal. For example, this can be seen in the MPA network designated in the Baltic Sea region (HELCOM 2016). Indeed, efforts both in EEZs and ABNJ have been made to establish marine protected areas. These Aichi targets are currently being reviewed and it is expected that updated and possibly more ambitious, as well as new biodiversity targets, will be adopted at the upcoming CBD COP in 2020, as part of the Post-2020 Global Biodiversity Framework (CBD/COP/DEC/14/34 2018).

The UNGA adopted, in 2015, Resolution 70/01 on the 2030 Agenda for Sustainable Development, which sets out a global ‘plan of action for people, planet and prosperity’. The 2030 Agenda puts forward a set of 17 globally applicable SDGs with 169 underlying targets (UNGA 2015). These goals take into consideration the need for economic, social, and environmental sustainability, and thus include a wide range of aspirations, from conservation and protection, to sustainable modes of production and consumption to peaceful and inclusive societies (UNGA 2015). SDG 14 is explicitly dedicated to the conservation and sustainable use of the oceans, seas and marine resources for sustainable development. The 10 targets set in SDG 14 mostly reflect existing policy agreements, such as the 2002 World Summit on Sustainable Development (WSSD) (UN 2002) or the CBD Aichi Targets. All SDGs are applicable to the whole of the marine environment and to all states, whether developing or developed, island or continental, but their implementation must take into account states’ national capacities, priorities and policies, and levels of development (UNGA 2015). The SDGs and their related targets are ‘integrated and indivisible’ and therefore must be considered and implemented as a whole (UNGA 2015). This means that the oceans, just like the other issues tackled by the 2030 Agenda, play a cross-cutting role across all SDGs, so that any SDG, including SDG 14, cannot be implemented in isolation from the other SDGs (Schmidt et al. 2017). Thus, SDG 14 provides a unique opportunity to consider, through the lens of ocean governance, the complex interlinkages between sustainability issues highlighted by the wide array of SDGs that are sometimes contradictory (Schmidt et al. 2017).

## *2.2. Ensuring Coherence across Global Processes for Marine Conservation*

Although these processes differ in terms of their specific nature and scope, there exist numerous benefits for considering them holistically and coordinating efforts in achieving their objectives. Moreover, given their global scale and similarities, it is important to ensure coherence between actions (e.g., spatial coverage, sectoral coverage, and inclusion of key ocean governance principles) taken within these three

processes to achieve ocean conservation. By considering these processes jointly and taking a coherent approach to their achievement, efficiency gains can also be made. These include utilizing data and information, and therefore resources, across multiple uses and functions, as well as building capacity to understand underpinning ocean science and implement and review the needed actions towards conservation goals.

The ongoing BBNJ negotiations represent a major opportunity for states to create a legally binding instrument by which to conserve and sustainably manage marine biodiversity in ABNJ, but also the potential for states to underpin actions taken to achieve global conservation goals. It may even be argued that the Aichi Targets and SDGs, particularly SDG 14, will not be fully achieved without the BBNJ Agreement, as ocean conservation is currently not fully delineated under the current legal framework. A critical difference is that the BBNJ Agreement will be a legally binding agreement, whereby the Aichi Targets and SDGs are non-binding. Through its legally binding nature, the BBNJ Agreement could: enhance the role of multi-level governance in ocean processes; ensure coordination and collaboration amongst states as well as relevant organizations; offer the means for new arrangements for data collection and information exchange; support capacity building and financing for ocean conservation and related initiatives (e.g., research vessels, data platforms, etc.); as well as ensure that key lessons and best practices are shared across states, organizations, and stakeholders. Ultimately, it may also be expected that conservation gains within the Aichi Targets or SDG 14 (e.g., the establishment of marine protected areas within states' national waters) will contribute to the objectives within the BBNJ process to protect marine biodiversity in ABNJ due to the ecological connectivity of the ocean, and vice versa. Furthermore, by taking such connections into account (e.g., when establishing marine protected areas), ecological links between national marine waters and ABNJ can be included, thus creating synergistic effects, such as conservation goals and restoration effects.

### **3. Improving Ocean Governance to Support Global Processes and Marine Conservation Goals**

Achieving global conservation goals will require the international community to take a holistic approach to address sustainability issues. States and organizations will therefore need to go beyond established single-sector and state-centric ocean governance approaches (Wright et al. 2017). States cannot effectively manage ocean challenges working in isolation as marine ecosystems (e.g., the Sargassum ecosystem in the Atlantic, the Costa Rica Dome in the Pacific, etc.) and marine species (e.g., fish stocks, migratory species such as turtles, sharks or marine mammals) do

not respect national borders, and threats to biodiversity are often transboundary in nature (e.g., marine pollution) (Boteler et al. 2019a). Thus, enhanced cooperation and coordination, particularly at the marine region level and across sectors, offer an opportunity for improving the conservation and sustainable use of marine biodiversity (Boteler et al. 2019b).

Regional and sectoral organizations can support the achievement of global conservation goals and targets by developing, implementing and enforcing regionally or sectoral-based agreements in alignment with global targets (Gjerde et al. 2018; Durussel et al. 2018). Such agreements could reflect the specificity of each region, their challenges and needs, and allow organizations to develop new initiatives to strengthen or complement existing efforts, and even adopt more stringent measures when needed (Gjerde et al. 2018; Durussel et al. 2018). Regional organizations have a long history of bringing states and regional bodies together to collaborate on marine issues, including through conducting scientific assessments, forming working groups, issuing protocols and guaranteeing compliance (Gjerde et al. 2018; Durussel et al. 2018). Such cooperation and coordination amongst actors can also increase transparency within decision-making processes. Thus, efforts at the marine regional level and through sectoral organizations can, and should, play a crucial role in global ocean governance and delivering ocean sustainability by providing for cooperation and coordination across organizations and across boundaries (UN Environment 2017). The current BBNJ negotiations offer a unique opportunity to build the institutional arrangements or mechanisms essential to creating a holistic approach to ocean governance and enable the achievement of Aichi Targets and targets of the Post-2020 Global Biodiversity Framework and SDGs.

The regional level can offer a particularly efficient means to implement global conservation goals. Ensuring the implementation of regionally agreed targets and indicators that are in line with globally agreed goals will be important to deliver the global conservation goals, while taking into account the priorities, challenges and needs of the regions (Boteler et al. 2019b; Institute for Advanced Sustainability Studies e.V. (IASS) et al. 2020). Implementation at the regional level is also particularly well-suited as it can build on existing regional initiatives and thereby ensure strengthened regional cooperation amongst stakeholders and across sectors (Boteler et al. 2019b; Institute for Advanced Sustainability Studies e.V. (IASS) et al. 2020). The regional level could also be used as a regional follow-up and review mechanism to monitor and track down the achievement of global conservation goals, including SDG 14 (UN Environment 2018; Unger et al. 2017).



### *3.1. Coordinating Efforts and Taking Joint Action*

Ocean governance is complex and evolving, meaning that a diverse range of contexts, interests, and capacities must be coordinated (Wright et al. 2017). The costs to coordinate and cooperate across this complex governance system can be costly, both in human and financial resources, ultimately impeding the achievement of tangible benefits for ocean sustainability (Wright et al. 2017). Indeed, limited resources are a common problem for many organizations and their contracting parties, and developing needed capacities and ensuring long-term funding for strategic global, or national, processes is a challenge (Wright et al. 2017). Although cooperation and coordination of efforts can be expensive, working collaboratively can also create new value for organizations (e.g., access to new data, capacity building, sharing of best practices and resources).

Coordination arrangements could be created or improved to pursue ecosystem-based management in coastal waters and ABNJ (Gjerde and Wright 2019). Regional arrangements have been shown to build understanding and political support for ocean governance, provided they also build links with regional multi-purpose organizations (UN Environment 2017). Cross-sectoral coordination can foster dialogue and exchange amongst stakeholders, thereby helping to build trust and political will, and can lead to the development of joint programs of work and largescale planning projects (Gjerde et al. 2018). It is also necessary to foster collaboration at the national level amongst ministries so that states take a harmonized position in the various regional, sectoral and international organizations (Gjerde et al. 2018). This can be a major challenge, preventing a coherent approach to ocean governance and sustainable management. This underscores the need to strengthen capacity at the national level in an effort to ensure that national representatives can meaningfully participate in and contribute to regional, sectoral and global processes (Gjerde et al. 2018).

Furthermore, strengthening intra-regional, inter-regional and region-to-global cooperation will be crucial. Establishing dialogue platforms are an option to facilitate learning processes and to gather organizations and actors from different regions to broaden the scope of existing approaches and develop new solutions. Such an approach provides an opportunity for different actors to meet informally to share experiences and good practices, discuss common initiatives, highlight options to tackle key challenges, and identify pathways toward improved cooperation for the achievement of global conservation goals (Durussel et al. 2018).

### *3.2. Capacity Building and Information Exchange as a Cornerstone for Ocean Action*

Capacity building is a cross-cutting topic throughout the 2030 Agenda and referenced in SDG 14 and many other SDGs, especially in SDG 17 (Cicin-Sain et al. 2018a). Capacity building is a long-term and continuous ‘process by which individuals, organizations, institutions and societies develop abilities to perform functions, solve problems and set and achieve objectives’ (UN Economic and Social Council 2006). As such, ‘the development of a country’s human, scientific, technological, organizational, institutional and resource capabilities’ forms the basis for the implementation of global conservation goals (Cicin-Sain et al. 2018a). The transfer of marine technology is one of the tools that can be used to build capacities in countries where access to data and technology is limited (Cicin-Sain et al. 2018a). Through the negotiation of a future BBNJ Agreement under UNCLOS, states will have the opportunity to legally strengthen these issues by establishing more detailed provisions on capacity building and technology transfer than those that can currently be found in UNCLOS, including a set of requirements and measures to build capacity and ensure the transfer of marine technology in developing countries, including small island developing states (SIDS) and less developed countries (LDCs) (especially in regard to Art7, Art10, Art11, Art42, Art43, Art44, Art45, Art46, Art47, Art49, Art51, and Art52 in (UNGA 2019)). These legally binding provisions can contribute to setting basic requirements for capacity building and technology transfer and help to meet the goals of the Aichi Targets (and targets of the Post-2020 Global Biodiversity Framework) and the SDGs.

The regional level, as well as sectoral organizations, can greatly contribute to implementing these provisions and ensuring that they adequately reflect the reality and needs of the regions or stakeholders (Institute for Advanced Sustainability Studies e.V. (IASS) et al. 2020). Regular capacity building workshops can underpin the ongoing exchange of knowledge and data. At the same time, initiatives are needed to strengthen national, regional and sectoral institutions, as well as individual capacity, to ensure that national representatives are able to effectively participate in sectoral, regional and global processes and to design and implement actions towards global objectives (Gjerde et al. 2018).

Increased support for scientific cooperation programs could improve the ability of national, regional and sectoral organizations, to implement ecosystem-based management approaches. The regional level, for instance, could underpin this by establishing, or expanding, regional scientific knowledge hubs, similar to the International Council for the Exploration of the Sea (ICES). Such initiatives could provide regionally targeted scientific and technical advice, and disseminate

knowledge and data to different regional organizations, thereby boosting cross-sectoral cooperation and exchange (Gjerde et al. 2018).

### *3.3. Long-Term and Consistent Financing Is an Enabler for Action*

Ensuring long-term and consistent funding for ocean measures, including for science and capacity building, that deliver the necessary protection of marine biodiversity and support common ocean conservation objectives, is an essential component and enabler for other ocean actions (Laffoley et al. 2019). Total funding available from public sources is insufficient to deliver the agreed marine protection goals. Innovative financing sources, including from capital markets, offer significant potential to support the delivery of ocean solutions across initiatives, including for coastal ecosystems in national waters, as well as for ABNJ (Thiele and Gerber 2017). Lessons can be drawn from sustainable development and climate financing approaches which are already in place. Potential sources include accessing private capital, as well as creating new mechanisms to inject funding into ocean initiatives. For example, climate bonds demonstrate how private sector finance for renewables has been used. Potential “blue bonds” for ocean solutions (Roth et al. 2019) can provide a means to provide capital to conservation projects, and could include performance-based components that would also allow the sharing of risk and encourage an efficient delivery of actions. The Nordic Investment Bank successfully raised US\$ 200 million through a blue bond to deliver cheaper funding to multiple water treatment projects along the Baltic coast, and the Seychelles used a sovereign blue bond to help fund the implementation of marine protection. Such efforts could also bring together public and private actors in partnerships, which in turn, can support greater inclusion of stakeholders and transparency (Cicin-Sain et al. 2018b). The BBNJ process needs to include robust financing mechanisms, in order to develop new funding initiatives for ABNJ efforts. It needs to consider the Aichi Targets and SDGs and create links to enable, or enhance, the financing of ongoing and future initiatives underway through these processes (Claudet et al. 2019).

### *3.4. Lessons Learned from Past and Ongoing Marine Initiatives Should Be Leveraged for the Future*

The analysis of ocean governance approaches and sharing of experience, in particular at the regional level or from sectoral organizations, can provide useful lessons that can facilitate the further development of new initiatives and help to strengthen existing frameworks (Mahon et al. 2015; Mahon and Fanning 2019). It also helps to inform the construction of efficient and effective means to support the joint

achievement of objectives for ocean conservation, through the BBNJ Agreement, the Aichi Targets and targets of the Post-2020 Global Biodiversity Framework, and the SDGs. In many cases, lessons or options to overcome challenges may be regionally specific (e.g., due to available funding), while there is still a strong case for identifying common challenges and exchanging key lessons gained within such a specific context. In particular, lessons can be gained on effective arrangements for cooperation and coordination between organizations; achievements in successful capacity building efforts; the development of science and tools to inform decision making; the role played by champions and leaders with the political will to drive processes and gather support for improved management; developing innovative financing mechanisms; and the importance of developing a dynamic science–policy interface that can provide policy-relevant scientific information to decision makers and stakeholders. Such lessons need to be harvested from established processes and institutions and organizations—potentially through organizing workshops and events for dialogue and exchange or through funding research and development projects by which to collect, assess, and disseminate key lessons or best practices.

#### **4. Conclusions**

Strengthened collaboration and cooperation between global, regional and sectoral organizations will be necessary to enhance ocean governance and to underpin actions for the conservation and sustainable use of BBNJ, the Aichi Targets and targets of the Post-2020 Global Biodiversity Framework, and the SDG Targets. The facilitation of joint actions and coordinated efforts through dialogue platforms and participatory learning processes to share experiences and good practices will also be crucial for the achievement of global conservation goals. Capacity building and information exchange, including through the transfer of technology, expanded support for scientific cooperation programs or regional scientific knowledge hubs, and long-term and consistent funding for ocean initiatives, can further help to boost cross-sectoral and multi-level cooperation and exchange, which represent important cornerstones for ocean action. The current BBNJ negotiations provide the opportunity to create institutional arrangements for cross-sectoral collaboration embedded in a binding legal instrument. Such a collaborative approach could help to overcome the currently fragmented approach to ocean governance and thereby foster critical conditions to achieve the Aichi Targets and targets of the Post-2020 Global Biodiversity Framework, and SDGs.

Regional and sectoral organizations can help to underpin global conservation goals and targets by developing, implementing and enforcing regional or

sectoral-based agreements. Enhanced cooperation at the scale of marine regions can play a particular role in specifying global ambitions and objectives into relevant and regionally achievable, harmonized and measurable targets. Ensuring the implementation of regionally agreed targets and indicators will be important to deliver the global conservation goals while taking into account the priorities, ecological characteristics, challenges and needs of the regions. Regional ocean governance strategies or cooperation platforms should be established in support of the 2030 Agenda and to bring together states, regional and global organizations, different sectors, and a broad spectrum of stakeholders, including non-governmental organizations, research centers, and private sector actors, and donors. A follow-up and review mechanism at the regional level can also be relevant to monitor and track down the achievement of global conservation goals and their legal regional implementation.

The BBNJ negotiations represent a major opportunity for states to create a legally binding instrument that can help to underpin actions taken to achieve global conservation goals. It can particularly outline more detailed provisions on capacity building, technology transfer and funding initiatives that are currently found in UNCLOS. Without this agreement, it can be argued that the Aichi Targets and targets of the Post-2020 Global Biodiversity Framework and SDGs will not be fully achieved as ocean conservation is currently not fully delineated under the current legal framework, in particular in ABNJ which covers almost half of the Earth's surface.

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