

Cross cutting issues 3 April

Monday 3 April 2017 Day 6

**Working Group Cross cutting issues
Greenpeace, and High Seas Alliance**

Thank you, Mr Chair acting as facilitator. It is a great pleasure to see you in both capacities and we join others in offering our support.

This intervention is being given by Greenpeace on behalf of the High Seas Alliance. We also associate ourselves with the IUCN intervention.

We join Ecuador for the G77 in suggesting that we will need a Secretariat, a Decision-making body (such as a COP), a Scientific and technical body with advisory competence, and an ABS mechanism, to which we would add a Compliance Committee and necessary mechanisms for dispute resolution and good governance.

We also join Nauru for the PSIDS as well other delegates in calling for an inclusive approach involving all stakeholders, as transparency is critical for good governance.

We have discussed geographical scope; we have discussed in other working groups the need to address all activities that have impacts on ABNJ. We also associate ourselves with Mauritius' suggestions, including that the new IA should establish a framework to facilitate collaboration and cooperation including regulatory authority, a clear mandate to conserve the ecosystem as a whole and the ability to manage across multiple sectors

Mr Facilitator, a few words on the meaning of the term that the process should not 'not- undermine existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies' in paragraph 3 of resolution 69/292. We believe, as was noted in paragraph 110 of the Chair's non-paper, that the most coherent meaning is that the process should not reduce the effectiveness of existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies. An analysis of the use of the term "not undermine" used 8 times in the Fish Stocks Agreement makes this clear. What this means in practical terms is that the new international Instrument can enhance, strengthen and complement, rather than undermine, existing processes and bodies.

It is not enough to leave implementation of the ABMT provisions of the new Instrument solely in the hands of existing bodies. We note that no existing bodies have membership or participation broad enough to account for the full spectrum of interests in ABNJ. Regional seas conventions, even those with wider functional remits in terms of biodiversity protection, like OSPAR, BARCON or CCAMLR, remain limited within their specific geographical regions and ability to regulate multiple activities.

What is lacking, in our view, is a global management approach that is integrated with regional efforts and activities in ABNJ to enable effective ecosystem-based management, to ensure that sectoral and regional efforts deliver on global obligations.

Mr Facilitator, the new international Instrument is an important opportunity to integrate and mainstream biodiversity considerations into the work of regional and sectoral organizations. Several examples may be helpful:

Firstly, a wide consultation process including competent regional and sectoral organisations and relevant stakeholders would ensure that the most effective measures are identified based on best available science, building on expertise of existing bodies and therefore without undermining their competence.

Secondly, competent international organizations could be invited to adopt specific measures necessary to achieve the conservation objectives of the new Instrument and to regularly report on their progress.

Thirdly, they could be requested to develop and implement biodiversity strategies and action plans as a tool to integrate biodiversity considerations into management and decision-making.

Mr Facilitator, turning to how to address the situation where there is no competent sectoral or regional body: a Conference of the Parties and/or its relevant subsidiary bodies could identify and adopt measures to meet the conservation objective of the Agreement, based on the based available science, following the recommendation by a Scientific Committee, following a broad consultation process with Parties, regional/sectoral bodies, and all relevant stakeholders.

Lastly, on an even happier note, we look forward to seeing you all for refreshments at the High Seas Alliance event at the 29th floor at the Millennium Hotel at 1 UN Plaza after this meeting.

Thank you Mr Facilitator