



THE FUTURE WE WANT FOR THE OCEAN

Pew Environment Group Position Paper: Response to the Zero Draft

The Pew Environment Group welcomes the circulation of the zero draft by the Co-Chairs of the Bureau for United Nations Conference on Sustainable Development (UNCSD or Rio+20). The draft provides a solid foundation for initial discussion at the UNCSD preparatory meetings and is an appropriate starting point for negotiating. Pew recognizes the strong efforts of the Bureau to produce a balanced draft which includes a comprehensive set of elements addressing the concerns of UNCSD stakeholders. Pew is encouraged by many of the elements included in the zero draft, particularly those relating to ocean issues.

However, a number of key issues and actions were omitted from the zero draft. Pew recommends that the negotiation draft reflect the need for States to:

- Enhance science-based decision making at all levels and relevant fora;
- Provide assistance to developing States in order to strengthen monitoring, control and surveillance capacity in the area of natural resource management, including fisheries management;
- Recognize that sustainable fisheries and oceans management is a key component for creating and ensuring job opportunities;
- Take precautionary, science-based action at all levels to restore global fish stocks to sustainable levels, including maintaining or urgently restoring depleted fish stocks to levels that can produce maximum sustainable yield (MSY), and implement science-based management plans to rebuild stocks by 2015, including reducing or suspending catch and effort for all stocks being overfished or at risk of overfishing;
- Ensure transparency and accountability of regional fisheries management organizations and arrangements (RFMO/As) including through UNGA oversight;
- Urgently implement the Johannesburg Plan of Implementation (JPOI) commitments on illegal, unreported and unregulated (IUU) fishing and overcapacity, which are long overdue;
- End destructive fishing practices, as set forth in the JPOI, which damage vulnerable marine ecosystems; and recognize that bottom fishing in violation of previous UNGA resolutions is IUU fishing and should cease immediately;
- Recognize that deep sea bottom trawling is the single most destructive fishing method on the high seas and agree to phase out this practice by 2015;
- Recognize that illegal fishing is a criminal activity and often linked to organized crime; and ensure that appropriate resources are deployed to combat this form of crime;
- Implement effective monitoring, control, surveillance, compliance and enforcement measures to ensure that conservation and management measures are implemented and enforced;
- Combat IUU fishing through the use of flag State, port State, national and market measures, particularly by encouraging States to become parties to the FAO Agreement

on Port State Measures to Prevent, Deter and Eliminate IUU Fishing (PSMA), and by promoting timely implementation of this Agreement;

- Include sustainable fisheries as a Sustainable Development Goal priority area;
- Eliminate by 2020 subsidies that contribute to overcapacity and overfishing, and which threaten food security.

Framework for action and follow-up

The zero draft contains a section on the “Framework for action and follow-up,” which includes priority/key/thematic/cross-sectoral issues and areas (paragraphs 63-104). The areas identified within this section include food security, water, energy, cities, green jobs-social inclusion, oceans and seas, SIDS, natural disasters, climate change, and forests and biodiversity. Throughout the UNCSD preparatory process, States, political groups and civil society have insisted on the need to take action to address these priority areas in order to achieve sustainable development. However, there is currently a significant lack of operational text. This could considerably inhibit progress towards successfully addressing the identified issues. Pew strongly encourages the incorporation of action-oriented text with timeframes for implementation in order to achieve meaningful progress towards sustainable development.

Ocean related text

Recognizing the importance of providing support to developing countries to achieve sustainable development, and cognisant of the important role oceans play in that development, Pew recommends that **paragraph 42**, include reference to the need for strengthening monitoring, control and surveillance capacity in the area of natural resource management, including fisheries management.

Paragraph 74 draws the connection between green jobs and sustainable land and water management practices. Though the paragraph touches on enhancement of natural capital through various sustainable management practices, it neglects to note the importance of sustainable fisheries and ocean management. The ocean is critical to the survival of the global economy and supports the livelihoods of tens of millions. Sustainable fisheries and oceans management is critical, both in the near and long term, for green jobs and a green economy and this idea should be incorporated.

Pew supports and strongly endorses **paragraph 80** which recognizes the urgent need to initiate the negotiation of an implementing agreement to the United Nations Convention on the Law of the Sea (UNCLOS) to address the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. Inclusion of this text demonstrates unprecedented and crucial political will to address legal gaps in current management of high seas biodiversity, and reflects the broad support of States and civil society to take this step.

Pew recalls the commitment in the JPOI which specifically references maintenance or restoration of depleted fish stocks to levels that can produce MSY by 2015. **Paragraph 83** of the zero draft appears to call for recommitment to this target, but does not specifically mention MSY, which is itself a minimal standard of sustainability. Throughout the UNCSD preparatory

process, a number of States have called for the implementation of this JPOI target. Moreover, political groups suggested a commitment to implement science-based management plans for rebuilding stocks by 2015, including reducing or suspending fishing catch and effort for all stocks being overfished or at risk of overfishing. The negotiating draft for the UNCSD outcome document should be amended to reflect both these elements, as well as the broader need to integrate stronger, precautionary science-based decision making to ensure the sustainable use of marine resources. Fishing should be prohibited if precautionary, science-based management measures are not in place, or if the fishing is not in accordance with international commitments.

The zero draft also overlooked a crucial issue identified by many States as key – elimination of destructive fishing practices. Destructive fishing practices, particularly high seas bottom trawling, have been identified as ecologically unsustainable. This practice causes substantial harm to deep-sea ecosystems and eliminating it is critical to achieving a healthy ocean. Language on this issue should be integrated into the negotiating document. Pew calls on States to end destructive fishing practices and to recognize that bottom fishing in violation of previous UNGA resolutions is IUU fishing and should cease immediately. Pew also urges States to recognize that deep sea bottom trawling is the single most destructive fishing method on the high seas and to phase out this practice by 2015.

IUU fishing undermines efforts to sustainably manage global fisheries. It also deprives many coastal States of crucial natural resources and threatens economic development. **Paragraph 84** addresses the need to implement effective tools to combat IUU fishing including through the PSMA. However, it does not acknowledge the missed JPOI target to implement the UN Food and Agriculture Organization's (FAO) international plan of action to prevent, deter and eliminate IUU fishing (IPOA-IUU) by 2004 nor does it give specific reference to other tools that should be utilized such as enhanced flag State, port State, national and market measures. Language on effective monitoring, control, and surveillance, compliance and enforcement and acknowledgement that illegal fishing is a criminal activity are also missing.

In line with the UNCSD objective of assessing the progress to date and remaining gaps in the implementation of the outcomes of major summits on sustainable development, the negotiation text should include reference to previous commitments which have not yet been met. These include, among others, the aforementioned commitment on IPOA-IUU, as well as the JPOI commitment to implement the FAO international plan of action for the management of fishing capacity by 2005 (IPOA-capacity). The negotiation text should also reference progress made at the Convention on Biological Diversity (CBD)¹ with regard to its Programme of Work on marine and coastal biodiversity.

¹ Aichi Target 6: "By 2020, all fish and invertebrate stocks and aquatic plants are managed and harvested sustainably, legally and applying ecosystem based approaches, so that overfishing is avoided, recovery plans and measures are in place for all depleted species, fisheries have no significant adverse impacts on threatened species and vulnerable ecosystems and the impacts of fisheries on stocks, species and ecosystems are within safe ecological limits."

Also absent from the draft is a commitment to ensure transparency and accountability of regional fisheries management organizations and arrangements (RFMO/As). Principle 10 of the Rio Declaration stresses the elements of transparency, including access to information and public participation in decision-making, and is widely recognised as crucial to good governance. Governance mechanisms such as international conventions and UN oversight and review mechanisms are critical. We recommend obligatory accountability and oversight by the UN at the global level, as critical to the conservation and sustainable utilization of ocean resources, and to sustainable development.

Pew supports the inclusion of oceans as a priority area to be addressed by the Sustainable Development Goals (SDGs). However, sustainable fisheries are notably absent from **paragraph 107** which lists the additional priority areas that will be addressed by SDGs. Currently, global fisheries are unsustainable—FAO reports that 85% of global fish stocks are fully exploited, overexploited, depleted or recovering from depletion. Charting a sustainable future cannot be achieved without ensuring sustainable fisheries, which are key to food security and economic prosperity.

Throughout the UNCSO preparatory process, States have highlighted the need to tackle harmful subsidies which are incompatible with sustainable development objectives. Particular emphasis was placed on the importance of tackling harmful subsidies to achieve development priorities including poverty reduction and food security concerns. **Paragraph 126** calls for the phase out of harmful subsidies, including fishing subsidies, but it does not address the essential importance of tackling this issue to address food security concerns and other development priorities. Pew recommends the inclusion of text supporting CBD Aichi biodiversity target 3² on subsidies and addressing the need to eliminate harmful subsidies to achieve sustainable development objectives including food security.

There can be no healthy planet, no “green economy” and indeed no sustainable future without a healthy ocean. States should aim for a bold and courageous agreement at UNCSO to ensure the future viability of ocean ecosystems. This must begin with a strong and holistic negotiating text which addresses the aforementioned ocean elements to move towards sustainable development goals and in tandem create an enabling environment for much needed change.

This is the future we want.

² “By 2020, at the latest, incentives, including subsidies, harmful to biodiversity are eliminated, phased out or reformed in order to minimize or avoid negative impacts, and positive incentives for the conservation and sustainable use of biodiversity are developed and applied, consistent and in harmony with the Convention and other relevant international obligations, taking into account national socioeconomic conditions.”

Pew Environment Group | international@pewtrusts.org | www.PewEnvironment.org/ip

Philadelphia, Pa. 19103
Tel. +1 215-575-2000

Washington, D.C. 20004
Tel. +1 202-552-2000

1050 Brussels, Belgium
Tel. +32 (0) 2 274 1620