

Governance and Regulations

Governance of oceans has become a global priority, and the international community is considering how to improve conservation and sustainable use of the marine environment with increasing urgency. New legal frameworks, more cooperation between diverse actors, and emerging technologies are all contributing to the developing governance landscape. What this will mean for fisheries is as yet unclear.

Overview

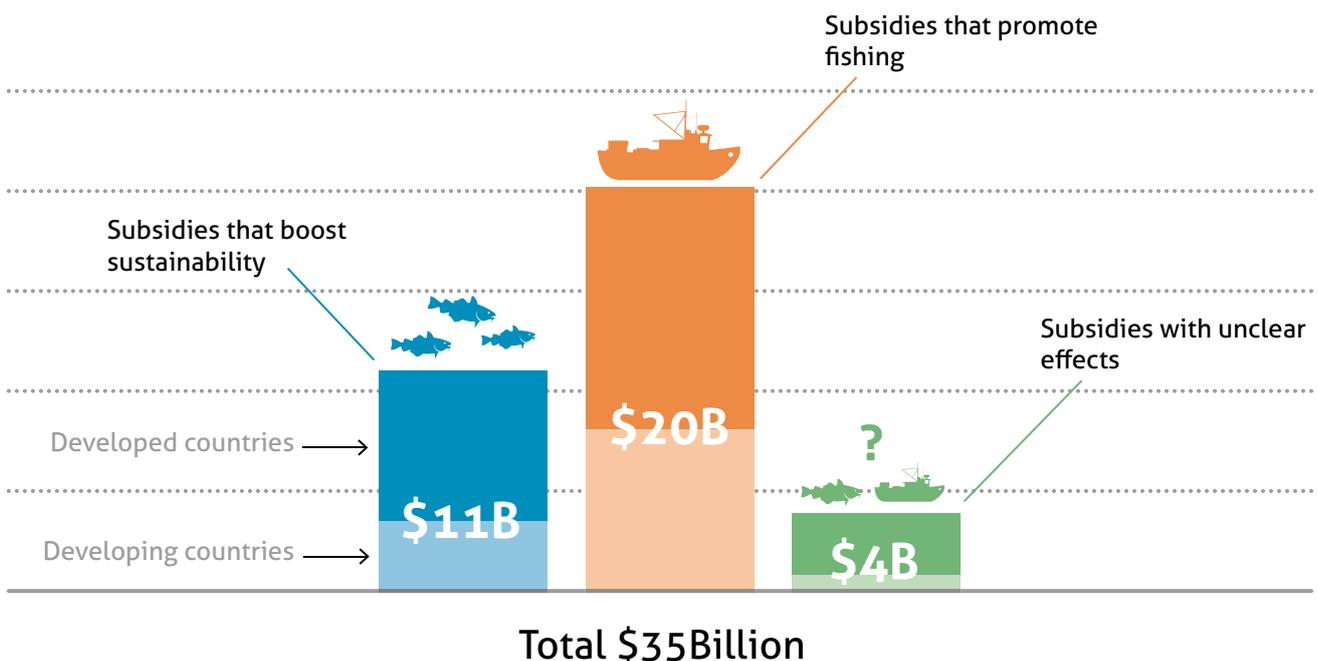
The regulation of ocean space has progressively increased, in particular since the early 1970s, when Exclusive Economic Zones (EEZ) were first established around the world. Growing concerns about the status and protection of marine resources and ecosystems are stimulating a drive to further improve and develop national and international fisheries management.

Improving fisheries management

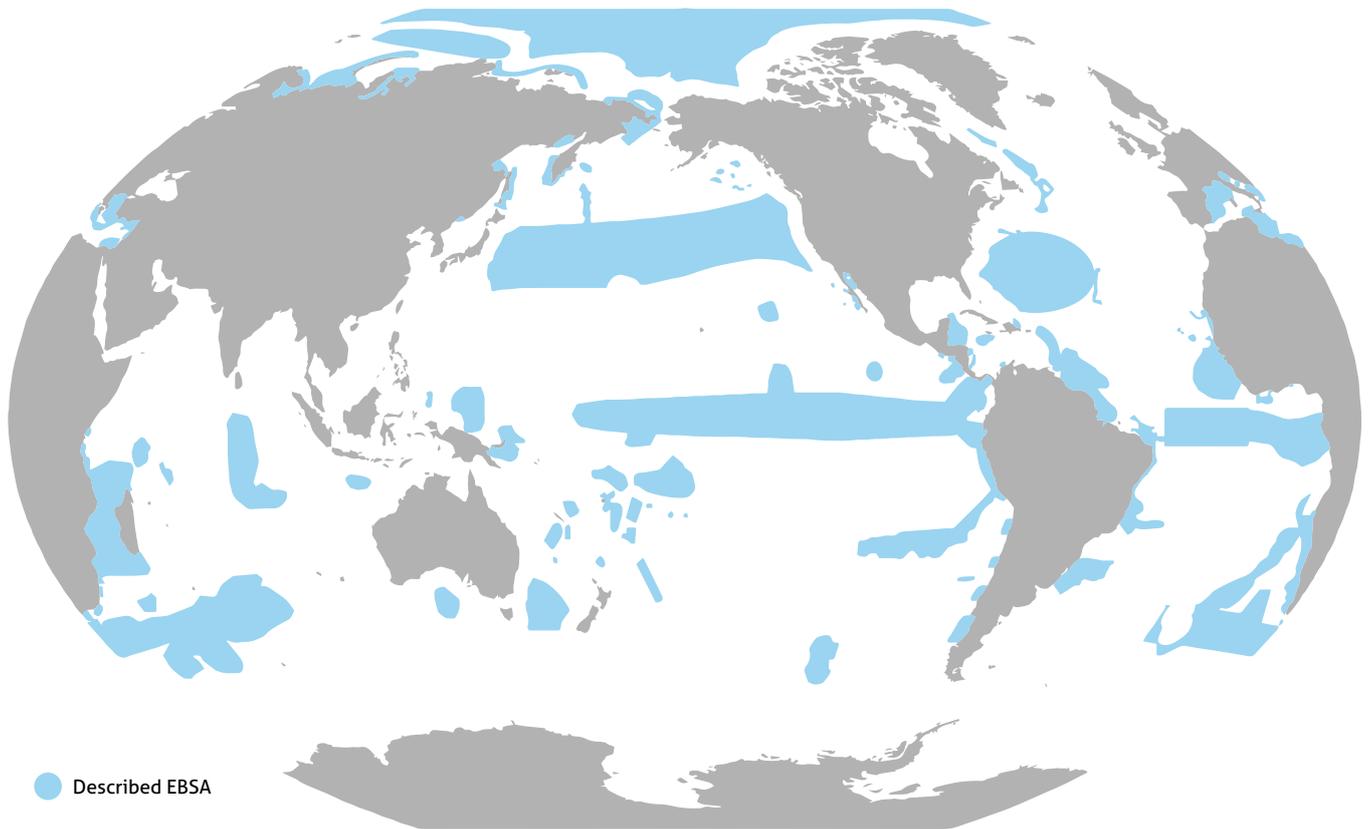
North America and Europe have invested substantial scientific and technological capacity in fisheries management following the establishment of EEZs around the world. Relatively well-managed fisheries in these regions benefit from a scientific understanding

of the biological dynamics, a clear management framework, substantial institutional capacity, active involvement of the fishing industry, resources for monitoring and enforcement, and clear incentives to comply with the rules^{1,2}.

Tools aimed at improving sustainability include developing long-term management plans, securing individual fishing rights, and creating protected areas. Subsidies, on the other hand, are acknowledged to undermine rather than support sustainability. A recent estimate of global fisheries subsidies showed that capacity-enhancing subsidies accounted for more than US\$20 billion (out of US\$35 billion in total)³.



Estimated global fishing subsidies in developing and developed countries, according to the extent that they boost sustainability, promote fishing or have unclear effects. Adapted from Sumaila et al. 2016 [3].



Map of 203 Ecologically or Biologically Significant Areas (EBSAs). These areas may inform ocean conservation efforts, including United Nations talks on marine protected areas on the High Seas. Adapted from Bax *et al.* 2016 [7].

Major challenges remain

Not all fisheries are managed within a well-developed institutional framework; nor are they benefitting from proper scientific assessments. This is particularly evident in the global South, primarily in West Africa and South East Asia. Here, stocks are often poorly managed⁴, and limited governance capacity is associated with higher levels of Illegal, Unregulated and Unreported (IUU) fishing⁵. Similarly, many Regional Fisheries Management Organisations (RFMOs), responsible for tuna and other internationally shared stocks, have been described as operating with insufficient governance capacity.

Significant technological developments are improving efforts to monitor and enforce compliance worldwide, not only in the North but also in the South, and in areas beyond national jurisdiction. A global policy focus on IUU fishing has resulted in new governance frameworks (including the Global Ports State Measures Agreement and the EU IUU and Control regulations). Traceability tools such as catch documentation schemes are emerging, and there are increasing demands for improved transparency in both management and fisheries operations. These are improving capacity to manage fisheries effectively.

Governance of global common resources

In 2015, the United Nations General Assembly (UNGA) adopted a resolution to establish a legally-binding instrument to conserve and sustainably use biological resources in areas beyond national jurisdiction⁶. This

is a strong signal that the international community is taking a renewed interest in global common resources beyond the EEZs of nations. However, the negotiation, ratification, and entry into force of a new legal instrument of this kind will probably take many years.

For instance, a number of Ecologically and Biologically Sensitive Areas (EBSAs) have been identified⁷, but how far any new arrangement will further increase their protection, if at all, is not known.

UNGA's progress towards legally-binding regulation of areas beyond national jurisdiction is taking place at the same time as discussions about the costs and benefits of closing the High Seas to fishing, so that depleted stocks can recover⁸. Such ideas have not been shaped into policy proposals at this stage, but, if implemented, would have substantial implications for the long-term development of global fisheries.

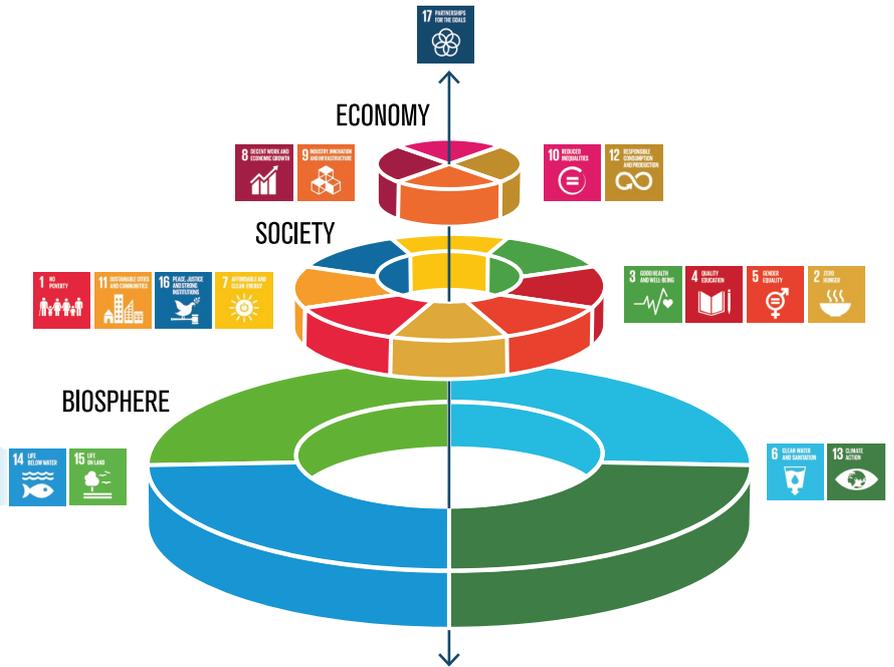
Dealing with globalisation

National governments are primarily responsible for managing fisheries. However, the increasing globalisation of seafood production, processing and trade highlights the importance of fishery reform that targets the activities and incentives of transnational seafood companies⁹.

In that context, cooperation between nation states and other actors is crucial. For instance, fisheries managers are increasingly working with Interpol to

GOAL 14
 CONSERVE AND SUSTAINABLE USE OF THE OCEANS, SEAS AND MARINE RESOURCES

- By 2025, prevent and significantly reduce marine pollution
- By 2020, sustainably manage and protect marine and coastal ecosystems
- Minimize and address the impacts of ocean acidification
- By 2020, effectively regulate harvesting and end overfishing and IUU
- By 2020, conserve at least 10 per cent of coastal and marine areas
- By 2020, prohibit certain forms of fisheries subsidies
- By 2030, increase the economic benefits to Small Island developing states
- Increase scientific knowledge, develop research capacity and transfer marine technology
- Provide access for small-scale artisanal fishers to marine resources and markets
- Enhance the conservation and sustainable use of oceans and their resources, by implementing e.g. UNCLOS (United Nations Convention on the Law of the Sea)



The Sustainable Development Goals portrayed as a “wedding cake” where the biosphere goals, including Goal 14 for the oceans, represent the foundation for human societies and economy.

improve compliance¹⁰ with regulatory requirements, and collaboration between the fishing industry, environmental NGOs and government agencies has been critical for reducing IUU fishing of Patagonian toothfish harvested in the Southern Ocean¹¹. The value of informal information-sharing of this kind will increase as globalisation reduces the cost of communication, and as access to technologies extends.

A new framework for sustainability

The United Nations Sustainable Development Goals (SDGs) represent a new framework for engaging with sustainability. They specify 17 overarching goals, in the context of which existing fisheries governance and regulations need to be considered. Goal 14: *Conserve*

and sustainably use the oceans, seas and marine resources presents the global commitment to making activities affecting oceans sustainable, as a vital contribution to improving human wellbeing.

Transnational seafood corporations have a direct stake in Goal 14, as making our oceans sustainable is a critical foundation for the long-term financial sustainability of the seafood industry. However, this goal can only be achieved if companies actively engage in constructive new coalitions with each other, and with environmental organisations, governments and science. Working together will help all those involved to become better stewards of the world’s oceans.



United Nations General Assembly hall in New York City. Photo: Basil D Soufi [CC BY-SA 3.0]

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