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Draft Concept paper on further cooperation under the Arctic Council on EBM of Arctic marine ecosystems

The need for ecosystem-based management (EBM) to ensure sustainable use and protection of the marine environment is widely recognized by the international community, the Arctic Council, and the Arctic States and Permanent Participants of the Council. EBM, therefore, is a suitable framework for efforts to enhance cooperation on Arctic marine stewardship under the Arctic Council. This concept paper explores the case for enhanced transboundary cooperation and coordination of Ecosystem Based Management of the Arctic marine environment. A set of actions is proposed to develop such cooperation further in the coming four years.

The case for enhanced cooperation and coordination

The concept of Ecosystem Based Management (EBM), or the Ecosystem Approach to management (EA), has been around for more than 30 years, and was adopted as the core principle for the Arctic Council's Arctic Marine Strategic Plan already in 2004. Since then, EBM has been the overarching approach to cooperation related to management and conservation of the Arctic marine environment. In the 2013 Kiruna Declaration, Ministers agreed to the following definition of EA:

"Comprehensive, integrated management of human activities based on best available scientific and traditional knowledge about the ecosystem and its dynamics, in order to identify and take action on influences that are critical to the health of ecosystems, thereby achieving sustainable use of ecosystem goods and services and maintenance of ecosystem integrity".

According to this definition, EA has four main elements: 1) it is explicitly about management of human activities; 2) it is based on the best knowledge available about the ecosystem; 3) the purpose is to make appropriate and effective management decisions; and 4) the goal is to ensure sustainable use while maintaining ecosystem integrity.

The Arctic Council has also developed a framework for implementation of the Ecosystem Approach to management of human activities in Arctic marine and coastal environments, consisting of six related elements making up an iterative marine stewardship cycle:

1. Identify the geographic extent of the ecosystem;
2. Describe the biological and physical components and processes of the ecosystem including humans;
3. Set ecological objectives that define sustainability of the ecosystem;
4. Assess the current state of the ecosystem (Integrated Ecosystem Assessment);
5. Value the cultural, social and economic goods produced by the ecosystem; and
6. Manage human activities to sustain the ecosystem.

Cooperative work under the Arctic Council has so far been undertaken mainly on the first five of these elements. While tools for area-based marine management has been developed by PAME, there has so far been few efforts to expand the cooperation to transboundary coordination of management and conservation measures.

EBM is a useful framework also for such coordination and cooperation. It includes a spectrum of management and conservation approaches, such as MPAs and other area-based

conservation measures, single-and multi-species conservation measures, regulation of individual activities, and the precautionary approach, as well as other measures carried out under existing national and international policy and legislative frameworks. This also includes the Indigenous Peoples' concepts of conservation and overall management.

Most of the work on implementing the ecosystem approach takes place at the national level, as this is where the legal, financial and administrative means implement EBM in practice exist. But ecosystems, habitats and ranges of species are defined and delineated by environmental factors, not by jurisdictions. Transboundary cooperation is therefore needed to ensure effective and coordinated management of shared ecosystems and populations.

The Arctic Marine Environment has a number of characteristics that calls for transboundary cooperation and coordinated management action;

- Arctic marine species are typically wide ranging, with populations extending across national jurisdictions and also into areas beyond national jurisdiction (ABNJ).
- Many Arctic marine species, habitats and ecosystems have a circumpolar distribution, such as the marginal ice-zone (MIZ), and species linked to sea-ice.
- Many Arctic marine species also migrate between different parts of the Arctic, as well as in and out of the Arctic, throughout the season.
- This means that species and populations will often depend on habitats within more than one national jurisdiction, as well as in ABNJ and outside of Arctic waters.
- Arctic Marine ecosystems and species are under rapidly increasing pressure from climate change and ocean acidification, leading to transboundary shifts in the geographical distribution of species and ecosystems. These changes are expected to continue and possibly accelerate for decades to come. Changes and reductions in the distribution of sea-ice habitats are of particular concern.
- Levels of activity in Arctic waters are increasing and expanding into new areas. Many of these activities, such as shipping, fisheries or oil and gas activities, are transboundary in nature, or may have transboundary impacts.

Together, these factors underscore the case for transboundary cooperation on EBM, including conservation measures. They also indicate that transboundary cooperation and coordination is needed in order to ensure effective adaptation of management and conservation measures to rapid climate change. Transboundary cooperation has the potential to make the sum of national efforts more effective, improving the odds for reaching management and conservation targets. While bilateral and regional arrangements already cover some of these needs, including for fisheries through the Regional Fisheries Management Organizations and the new *Agreement to Prevent Unregulated High Seas fisheries in the Central Arctic Ocean*, there is likely to be a case also for more coordination and closer cooperation on EBM and marine conservation at the circumpolar level through the Arctic Council.

The Arctic Marine Strategic Plan 2015-2020 includes a number of Strategic Actions in relation to EBM which are pointing in the same direction:

- *Promote the implementation of the ecosystem approach to management in the Arctic through synthesis and application of the results of relevant work by the Arctic Council and associated efforts by relevant organizations.*

- *Identify and assess threats and impacts to areas of heightened ecological and cultural significance and how such areas may be influenced in the future by climate change and other human induced changes and activities.*
- *Encourage the Arctic states to implement appropriate measures, – or to pursue such measures at relevant international organizations to protect Arctic marine Areas of Heightened Ecological and Cultural Significance. Focus should be on species and ecosystems particularly at risk from climate change and cumulative impacts, including areas of refuge for ice-associated species that are, or are expected to become particularly important to Arctic marine biodiversity under future climate conditions.*
- *Develop a pan-Arctic network of marine protected areas, based on the best available knowledge, to strengthen marine ecosystem resilience and contribute to human wellbeing, including traditional ways of life.*

The recommendations from the 2013 *Arctic Biodiversity Assessment* also includes a number of important recommendations, not least with regard conservation measures for species and ecosystems particularly at risk from climate change. It is also worth noting that the *AC Task Force on Arctic Marine Cooperation*, in the second phase of their work (TFAMC II), identified two functional needs for enhanced cooperation that were not covered by present AC work or addressed through complementary enhancements suggested by the task force. Those were: (1) extending cooperation throughout the marine stewardship cycle and (2) integration across sectors and jurisdictional boundaries. TFAMC II concluded that further work is also required to fully address regional cooperation on area-based measures. The primary recommendation from the TFAMC II was the establishment of a SAO-based mechanism to guide the marine work of the Arctic Council and improve coordination on marine issues in the Arctic Council.

Below, potential actions to fill those needs through enhanced cooperation on EBM is discussed, and a set of actions to move this agenda further is proposed.

Towards a more coordinated implementation of EBM

Ongoing and planned activities on EBM and area-based management measures under the Arctic Council already contributes to some level of coordination across Arctic marine areas, which is effectively underpinned by common monitoring programmes and assessments conducted by AMAP and CAFF. Concrete transboundary coordination and cooperation on implementation of measures, is, however a more demanding task than elaborating common monitoring and knowledge, guidelines or management tools that states can use on a voluntary basis. More concrete coordination of measures requires a higher level of **political commitment**, and **common ambitions** and **priorities**.

In order to enhance the role of the Arctic Council as a forum for coordination of **management measures** across national jurisdictions, there are several options that could be considered depending on the level of ambition and commitment. There is likely a considerable potential for further coordination simply by making more use of common, voluntary **guidelines**, **frameworks** and **management tools** developed under the Arctic Council in national marine management. Some activity to report and map progress in national EBM-efforts, and how these AC products are used by Arctic states in their national efforts on EBM and area-based management, could be useful in this regard. Such a mapping would also be useful as a basis for further discussions at the SAO-level on how to enhance the role of the Arctic Council in marine stewardship.

Other options that could be explored is to establish some kind of **Circumpolar Action Plan** or **cooperative mechanism** related to EBM and area-based marine management. It could be broad in scope or limited to protection and sustainable use of particular Arctic marine species, habitats or ecosystems of common interest:

- An action plan for protection of vulnerable species linked to sea-ice and their key habitats in light of climate change could be worth exploring.
- A broader concept could be a plan to link area-based conservations measures across jurisdiction and develop pan-Arctic networks of MPAs and OECMs.
- An even broader approach could be an action plan for Ecosystem Based Management of the Arctic Marine Environment through a wide range of coordinated measures built on the experiences with similar broad action plans, for example under HELCOM.

Action plans are not new to the Arctic Council. In 1996, an Action plan for establishing a Circumpolar Protected Areas Network was released by CAFF. An Arctic regional action plan on marine litter in the Arctic is now near finalization. Another example is the framework titled "*Enhanced Black Carbon and Methane Emissions Reductions: An Arctic Council Framework for Action*", adopted by the Arctic Council in 2015. The framework for Action is guided by a common, aspirational goal for BC emission reduction across the Arctic, and includes a system of national reporting. An Expert Group on Black Carbon and Methane was established to help implement key commitments in the Framework.

Any new such initiatives would have to be supported by scientifically founded activities such as circumpolar **gap analysis** of conservation efforts and assessment of the implications of climate change for management and conservation priorities. Due to the pace and scale of Arctic climate change, scenarios and models for assessing future changes and impacts on Arctic marine biodiversity and living resources, including on the geographical distribution of species and their habitats, could also be of great value for coordinated management and conservation planning. The need for biodiversity **scenarios** and **models** as decision support for adaptive management strategies; and choice of policy options has been underlined also by the IPBES. In light of the projected dramatic future changes in the Arctic marine environment described by IPCC in their *Special Report on the Ocean and the Cryosphere in a Changing Climate*, a project assessing the likely future changes to Arctic Marine ecosystems and biodiversity under different emission scenarios in more detail would be of great value for future cooperation on EMB. Such a project could also improve the knowledge base for a targeted follow-up of key recommendations in the 2013 *Arctic Biodiversity Assessment* to adapt marine conservation measures to climate change. Ongoing and new projects to assess the impacts and risks from ongoing and new activities in the Arctic would also be useful to support action plans or similar initiatives.

Any new initiatives would also benefit from some preferably simple mechanisms to coordinate and oversee **implementation** and report on progress in measures taken nationally. This could be organized at the working group level and supervised by SAOs through the SMM. New efforts along these lines must take into consideration the non-legally binding nature of the Arctic Council. While this is a limitation, it also offers opportunities to choose approaches to enhanced cooperation on issues of common interest, as well as levels of commitments that all members of the Arctic Council would be comfortable with.

A set of actions to explore the options

A process to explore the options and develop a more concrete cooperation on implementation of EBM and area-based conservation and management could draw on an interplay between the AC working groups, and the SAO level through the SMM. On the working group level, the process could be anchored jointly in PAME's Expert Group on Ecosystem Approach and the Expert Group on MPAs.

There is already a wide array of EBM-related activities at the WG level in the Arctic Council that could be built on and developed further to underpin more concrete coordination of implementation. Some highly relevant project activities are already included in the draft workplan of PAME and the EA expert group for 2021-23. This includes a project to revise the existing EBM Guidelines and its framework for EBM of the Arctic marine environment. The main aim for this revision is to incorporate monitoring and scientific advice more clearly as elements in the framework, and to clarify and explain EBM better as an iterative management cycle. This project also intends to compile EBM-relevant information produced under the Arctic Council and relevant scientific bodies such as ICES and PICES. The project will assess how this information could be used to strengthen EBM of Arctic marine ecosystem, and what kind of information is missing.

This assessment could at some point of its elaboration be presented for discussion by the SAOs in connection with a meeting under the SAO Marine Mechanism, as a basis for discussions on further cooperation on EBM and area-based measures. This could take place some time during the Russian chairmanship, or alternatively at an early stage of Norway's chairmanship.

A framework for a pan-Arctic network of marine protected areas (MPAs) has been developed by PAME, aiming to inform the development of MPAs and networks of MPAs that are located within the national jurisdiction of Arctic States, and chart a course for future collaborative planning and actions for conservation and protection. It covers a wide variety of area based conservation measures, including measures usually categorized as Other Effective Conservation Measures (OECMs), and can support and enhance transboundary cooperation and coordination among Arctic States on area based conservation measures. Under the Arctic Council, tools for area-based marine conservation are also being developed through PAME's "Toolbox" project. The framework will be revisited the next two years, and the toolbox will be developed further. A new project on Arctic OECMs is also on PAME's draft workplan for 2021-23.

Another important activity on the workplan for 2021-23 is an update of the Arctic Council's Arctic Marine Strategic Plan. In particular the revision of the plan's Strategic Actions could provide direction for further cooperation on implementation of EBM and area-based conservation measures, and for the scope of an eventual future Action Plan to this end.

The process could also benefit from involving a wider audience of interested parties, through thematic workshops at the working group level, the next Arctic Biodiversity Conference scheduled for 2022, and the planned third Arctic Marine EBM Conference in 2023. The planning of such a conference under Norway's AC chairmanship is already on the draft workplan of PAME for 2021-23. Transboundary cooperation on area-based measures and adaptive management in light of climate change could be among the thematic issues to be discussed at this conference. Such a conference could also be designed to take stock of national and regional EBM-efforts and provide targeted input to the need for and scope of an eventual Action Plan.

Hopefully, such a conference will provide additional input to the process of identifying ways forward for a closer cooperation on implementation of EBM and area-based management

measures in the Arctic. We envisage that a proposal for follow-up activities and projects is developed through a targeted process after the conference, including a conference-report and another SMM-meeting, which could eventually result in an Action Plan or some other form of document reflecting an agreement on the elements of a more action-oriented cooperation on EBM to be adopted by ministers in 2025..

As soon as one or more thematic issue for enhanced cooperation are identified by the AC, this could be supported by more targeted scientific activities, such as pan-Arctic gap-analysis, identification of priority areas for management and conservation measures, and others. Hopefully, new, targeted project activities can be started up at the latest in 2023 to inform the overall process. The upcoming update of the Arctic Marine Strategic plan could contribute to the identification of such key activities.

Tentative timeline and major milestones

Chairmanship	Russia		Norway	
	2021	2022	2023	2024
Revision of existing EBM-framework. Compilation and assessment of relevant information (project)	X	X		
Revision of AMSP to provide direction on future cooperation on EBM and area-based management	X	X		
Planning of new projects to support enhanced cooperation, potentially also a project to establish an Action Plan	X	X		
3rd EA conference - planning and preparation	X	X		
Arctic cooperation on EBM and area based marine management measures special theme at 3. Arctic Biodiversity Congress		X		
SMM to discuss revisions to EBM-framework and way forward for cooperation on EBM		X	(or X)	
3rd EA conference in Norway			X	
Report from EA conference			X	
SMM to discuss elements of future coordination of implementation (potentially an Action Plan)			X	
New project activities to support enhanced cooperation (potentially development of Action Plan)			X	X
SMM to discuss draft document/Action Plan				X
Finalize document reflecting agreement on future cooperation on EBM (possibly in the format of an Action Plan)				X