

Perspective: The growing importance of regional oceans cooperation

By Alf Håkon Hoel

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A valuable development in international oceans governance is the growing importance of regional cooperation. According to the UN Food and Agriculture Organization (FAO), there are currently about 60 international organizations that deal with regional oceans governance. The increase in the number of these organizations is partly driven by the regional nature of many of the challenges confronting the oceans, as is the case for the Arctic. Other important drivers are the provisions on regional cooperation in the 1982 Law of the Sea Convention and the 1995 UN Fish Stocks Agreement.

The organizations identified by the FAO are a diverse group. Some, such as the International Council for the Exploration of the Sea (ICES), deal with science; others such as the Northeast Atlantic Fisheries Commission (NEAFC) deal with fisheries management; while others such as the North Atlantic marine environment organization OSPAR deal with the marine environment.

Regional cooperation in fisheries

In fisheries there are currently about 20 regional bodies with mandates to establish legally binding management measures. Roughly 140 states are members of one or more of these bodies. Two major developments relevant to regional cooperation in fisheries have taken place over the past two decades, namely:

- New bodies have been established for areas where none previously existed.
- Existing organizations have modernized their statutes according to the standards laid out in the UN Fish Stocks Agreement, including a precautionary approach to management and enhanced cooperation on enforcement of regulations.

Regional fisheries management organizations (RFMOs) fall into one of three categories:

1. One of the five international tuna organizations established under the Law of the Sea Convention provisions for highly migratory species.
2. General RFMOs which manage straddling fish stocks that exist both in waters under national jurisdiction and in the high seas beyond the national Exclusive Economic Zones (EEZs).
3. Specialized organizations addressing specific functions such as science or specific species such as salmon.^[1]

How well is regional fisheries management working?

The performance of the RFMOs is mixed and often subject to debate. A number of fisheries managed by RFMOs target stocks that are overexploited, and it could be argued that the regional organizations are not implementing the standards of the UN Fish Stocks Agreement in these cases. It could also be argued, however, that these organizations are no better than their members allow them to be and that criticism should also be addressed to the governments that are resisting adequate management measures and their enforcement.

In recent years the RFMOs have conducted performance reviews yielding recommendations for improvement. These reviews are crucial for strengthening the performance of these organizations and their role in oceans governance overall. Also, the international cooperation within these organizations contributes to a better understanding of the need for sustainable management of resources and mutual understanding of the challenges each country is facing.

The future for regional cooperation

Looking more broadly, it is clear that regional cooperation will be increasingly important in the years ahead, not only for fisheries but for general oceans governance and other topics. This is evident in the Arctic, where a number of new regional agreements have emerged in less than a decade addressing search and rescue, oil spill prevention, international cooperation in science (all negotiated under the auspices of the Arctic Council), shipping (under the Polar Code of the International Maritime Organization), coast guard cooperation, and fisheries management.

Finally, regional cooperation in oceans governance is now a global issue, particularly in the ongoing negotiations of a UN treaty addressing conservation and sustainable use of biodiversity in areas beyond national jurisdiction (BBNJ). The role of regional bodies is open to discussion, with some actors arguing for more global governance and others favoring regional solutions that build on the existing international framework based on the Law of the Sea Convention.

For us in the High North, the regional model is much to be preferred.

[1] As an example of what regional cooperation looks like for a nation, Norway is party to a number of such RFMOs. In the tuna group, Norway participates in the International

Commission for the Conservation of Atlantic Tunas (ICCAT), the world's largest regional fisheries organization. In the group of general regional organizations, Norway is party to four: The Northeast Atlantic Fisheries Commission (NEAFC), the Northwest Atlantic Fisheries Organization (NAFO), the Southeast Atlantic Fisheries Organization (SEAFO), and the Commission for the Conservation of the Antarctic Marine Living Resources (CCAMLR). In the third group of specialized organizations, Norway participates in the North Atlantic Marine Mammals Commission (NAMMCO) and the North Atlantic Salmon Organization (NASCO). In addition, Norway is a member of the International Council for the Exploration of the Sea (ICES) which provides scientific advice for management to the coastal states and to regional organizations. Norway is also a signatory to the Agreement to Prevent Unregulated Fishing in the Central Arctic Ocean which is not yet in force.

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