



## **Meeting Report**

First meeting of the UN Environment coral reef policy advisory committee for the analysis of global and regional policy instruments and governance mechanisms related to the protection and sustainable management of coral reefs (UNEA/2/12, OP 10)

Venue: Maison des Oceans, Paris, France.

Dates: 19<sup>th</sup> to 20<sup>th</sup> June, 2018.

Meeting opened by Xavier Sticker, Ambassador for the Environment for the Republic of France, and Peter Thomson, Special Envoy for the Oceans of the United Nations Secretary General

Meeting chaired by Jerker Tamelander, Head of UN Environment Coral Reef Unit

Meeting rapporteurs: Gabriel Grimsditch, Programme Management Officer with UN Environment, and Tibor Vegh, Policy Associate with Duke University

## **Background**

UNEA Resolution 2/12 operational paragraph 10 'Requests the Executive Director, in cooperation with the International Coral Reef Initiative, other relevant international organizations and other relevant partners to prepare, by 2018, an analysis of global and regional policy instruments and governance mechanisms related to the protection and sustainable management of coral reefs'. To produce this analysis, Duke University has been selected as the technical partner, under supervision of the coral reef policy advisory committee, UN Environment and the International Coral Reef Initiative. The coral reef policy advisory committee comprises of coral reef and environmental policy experts nominated by member states, following a call for nominations by the Committee of Permanent Representatives to UN Environment in Nairobi. 14 member states recommended experts for the coral reef policy advisory committee.

In preparation for this first meeting, Duke University prepared a draft methodology for the policy analysis, as well as a draft list of policy instruments and governance mechanisms to analyze. Both documents were shared with the coral reef policy advisory committee six weeks before the meeting, to give the committee time to review them.

## **Objectives**

The main objectives of the meeting were to:

1. Review and provide recommendations for the methodology to conduct the policy analysis
2. Review and provide recommendations for the list of policy instruments and governance mechanisms to analyze
3. Discuss the types of recommendations to the UNEA that could be produced from the analysis
4. Determine a timeline of activities and meetings to finalize the policy analysis in time for UNEA-4 in 2019

## **Main findings and recommendations**

The overall methodology for the policy analysis was accepted by the advisory committee, addressing comments provided in the meeting. Additions were also made to the initial list of policy instruments.

### *Recommendations for the methodology for the policy analysis*

- The overall semi-quantitative methodology to analyze policy instruments and governance mechanisms was deemed appropriate by the advisory committee, with some recommendations for improvements in the classifying drivers.
- The methodology proposes a detailed analysis of policy instruments based on a content analysis to identify the obligations included to address the key drivers and their multiple characteristics, such as the type of obligation (including financial obligations), strength of agreement, components of delivery specified (e.g. targets, monitoring processes and enforcement mechanisms), etc.
- The focus of the analysis should be on strengths and gaps in design of policies and mechanisms, rather than effectiveness of implementation. This will include detailed analysis of the strength of the language used in various policies and mechanisms. Preconditions for policy effectiveness such as provisions for monitoring and reporting, financial provisions and specificity of actions, can also be included in the analysis.
- It was also recommended to analyze gaps in geographies covered by instruments and mechanisms. The analysis should focus on tropical to temperate coral reefs and not cold water corals, in accordance with the language of paragraph 10 of UNEA Resolution 2/12. Although Resolution 2/12 does mention the importance of cold water corals in several paragraphs, paragraph 10 does not specifically reference cold water corals and it was agreed that the analysis should focus on tropical to temperate coral reefs. The analysis should not include associated ecosystems such as cold water corals, mangroves or seagrass, due to the additional complexity posed. This could be a recommendation for future analysis.
- It is recommended that the analysis could also investigate to what extent policies and governance mechanisms are 'future-proofed' to ecological and potentially latitudinal shifts expected due to climate change.
- It was recommended to redefine the terms of the analysis, using human 'activities' and 'pressures' as variables rather than human drivers of change, and it was recommended to draw

the list from a global list of ocean activities and pressures developed by the European Union, the Commission Directive (EU) 2017/845 of 17 May 2017 amending Directive 2008/56/EC of the European Parliament and of the Council as regards the indicative lists of elements to be taken into account for the preparation of marine strategies (<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32017L0845&from=EN>). The table of activities and pressures to be used for the analysis can be found in Annex III. This allows for more complexity in analyzing pressures such as 'pollution' that have several components to them.

- Furthermore, new and emerging issues that currently may not be well covered by regulations should be included, for example artificial reefs, genetic manipulation of corals and assisted evolution.
- It was recommended to include analysis of the intersectionality of instruments and delivery mechanisms to identify overlaps, duplication and complexity in coral reef policy, and also to include a discussion of policy coherence (without in-depth analysis), e.g. between policy instruments in the environment sector and in other sectors.
- It was recommended to also include a broad analysis of resources allocated to instruments and governance mechanisms. This would include budgets provided by multi-lateral and bi-lateral donors.
- It was recommended to include national and international success stories of policy implementation for coral reef management in the analysis. ICRI will gather potential success stories to include in the analysis. Success stories would highlight political will, coalition-building and leadership.
- The report should not include a map of coral reef areas by national jurisdiction, due to political sensitivities and disputed regions.
- Policies and governance mechanisms should be assessed for their inclusion of gender considerations as well as indigenous peoples. Duke University will assess the feasibility of including these in the overall assessment. Concerns were noted about the potential for this to increase the scope of the review.
- Do the policies and mechanisms include prescription for monitoring, verification and enforcement? Do they include prescription for stakeholder participation? Duke University will assess the feasibility of including these in the overall assessment too.

#### *Recommendations for the list of policy instruments and governance mechanisms*

- It was recommended to distinguish between policy instruments and governance mechanisms in the table, and eliminate tiers to combine all instruments and mechanisms into one table
- It should be specified that the inventory only includes instruments already approved, not those under preparation.
- It should be specified that the term 'regional' refers to multi-national.
- Remove the following policy instruments and governance mechanisms from the analysis:
  - Regulations related to cold water corals by topic and/or region, e.g. Barcelona Convention, Oslo/Paris Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR)
  - European Regional Seas agreements
  - European Union Common Fisheries Policy only applies because of overseas territories – keep but specify this reason
  - Tourism Operators Handbook for Great Barrier Reef

- ICRI Procedures not needed, delete old version of ICRI document
- Add the following policy instruments and governance mechanisms, among others:
  - Voluntary code of conduct of tourism
  - Coordinating Body on the Seas of East Asia (COBSEA) Strategic Directions 2018-2022
  - COBSEA regional action plan on marine litter (2008, currently under revision)
  - South China Sea Strategic Action Programme
  - Regional economic agreements, e.g. South Asian Association for Regional Cooperation (SAARC), Association of Southeast Asian Nations (ASEAN), Economic Community of West African States (ECOWAS), etc.? East African Community Treaty?
  - International Convention for the Prevention of Pollution from Ships (MARPOL) and relevant annexes
  - Tropical Regional Fisheries Management Organizations (RFMOs)
  - ICRI resolutions
  - London Convention/Protocol annexes, e.g. from 2005, 2008, etc.
  - Indian Ocean Commission
  - Partnerships in Environmental Management for the Seas of East Asia (PEMSEA)

Members were also asked to provide additional documents post meeting.

*Types of recommendations to be produced from this policy analysis*

- Recommendations can focus on policy development/strengthening and filling of policy gaps; on policy implementation including e.g. need for resources; as well as identifying and reducing redundancy and overlaps.
- Recommendations should also be framed in the context of SDG 14 targets and indicators including periodic review of SDG implementation, as well as Aichi targets and development of successor targets.
- The proposed decision trees for recommendations may be different for each activity/pressure that is analyzed
- Linking the analysis with efforts in relation to paragraph 11 of UNEA Resolution 2/12 on the development of coral reef indicators and reporting would contribute to better tracking of outcomes of coral reef related policies as well as better/more science-based recommendations.
- The methodology for the analysis that is being used for this study could also be applicable for national level policy analyses. The template for the analysis should be provided for countries to conduct similar analyses at the national level, with appropriate guidance on its use.

*Recommendations for the review process*

- Advisory committee members will serve as reviewers of the analysis, methodology, analysis, interpretation and presentation of findings and recommendations.
- A broader pool of reviewers will also be nominated by member states in addition to selected experts nominated by UN Environment and ICRI, to conduct review primarily of interpretation, presentation of findings and recommendations.

- The request for nomination of reviewers by member states will be sent in August
- Guidance will be developed for selecting reviewers
- The review will request targeted feedback and review – reviewers will be guided by a template and selected questions
- Additional institutions for review will be selected. For example, Secretariats of Multilateral Environmental Agreements (Convention on Biological Diversity, Convention on International Trade in Endangered Species of Wild Fauna and Flora, Convention on Migratory Species, Ramsar, World Heritage Convention, Man and Biosphere Reserve Convention etc), Committee on Fisheries, Food and Agriculture Organization, Regional Seas Programmes. These will be contacted by UN Environment.

### **Proposed timeline for implementation**

- August – Reviewers nominated
- September 15<sup>th</sup> – First order draft report due
- September 15<sup>th</sup> to October – review of report
- Between October 1-15<sup>th</sup> – Second advisory committee meeting
- Between October 15-30<sup>th</sup> – Second order draft report due
- Early November – Second order draft report sent to reviewers nominated by member states, with early December deadline for review
- December 4-7<sup>th</sup> ICRI General Meeting – presentation of report
- December 15<sup>th</sup> – Final report due
- January 2019 – Translation to UN languages
- March 11-15<sup>th</sup> 2019 – UNEA-4

### **Action points**

Next important steps include:

- Duke University to assess the feasibility of considering gender, indigenous peoples, stakeholder participation and monitoring and verification in the analysis.
- Duke University to produce a first draft of the policy analysis, addressing comments on approach and list of policy instruments and governance mechanisms raised by committee members, by September 15<sup>th</sup>. This will be sent for review by the advisory committee and member state experts in advance of the second meeting of the coral reef policy advisory committee.
- UN Environment will send out a Doodle poll (or equivalent) to the policy advisory committee members to determine the dates of the next meeting, where the draft analysis report and recommendations will be reviewed. The meeting is scheduled to take place in the UN offices in Bangkok, Thailand, in the first half of October 2018.

## Annex I: Agenda

Chair: Jerker Tamelander, UN Environment

Rapporteurs: Tibor Vegh, Duke University; Gabriel Grimsditch; UN Environment; Aurelie Thomassin, France

<b>Day 1. June 19<sup>th</sup>, 2018</b>		
<i>Time</i>	<i>Individual / Organization</i>	<i>Topic</i>
9h – 9.45h	Peter Thomson, Special Envoy for the Ocean of the UN Secretary General	Welcoming address
	Xavier Sticker, French Ambassador for the Environment	Welcoming remarks
		Participants briefly introduce themselves
9.45h – 10h	Jerker Tamelander, Head of UN Environment Coral Reef Unit	Introduction: Status of coral reefs, UNEA Resolution 2/12, context for the analysis, overall strategy, and lessons learned from relevant efforts including marine litter policy analysis
10h – 10.30h	John Virdin and Tibor Vegh, Duke University	Presentation of tentative list of governance mechanisms and policy instruments including rationale for their inclusion, followed by discussion
10.30h – 10.45h	Coffee break	
10.45h – 13h	John Virdin, Duke University	Discussion on list of governance mechanisms and policy instruments continued. If this discussion finishes early, then the draft methodology and criteria for the analysis will be presented.
13h – 14h	Lunch break	
14h – 15.30h	John Virdin, Duke University	Presentation of draft methodology and criteria used to measure the scope, legal strength and mandate of governance mechanisms and policy instruments, followed by discussion
15.30h – 15.45h	Coffee break	
15.45h – 16.45h	John Virdin, Duke University	Discussion on methodology continued
16.45h – 17h	Jerker Tamelander, UN Environment	Recap of the day and any other business
<b>Day 2. June 20<sup>th</sup> 2018</b>		
9h – 10.30h	John Virdin, Duke University Jerker Tamelander, UN Environment Coral Reef Unit	Overview of types of recommendations expected from the analysis, followed by discussion
10.30h – 10.45h	Coffee break	

10.45h – 13h	John Virdin, Duke University	Discussion on types of recommendations expected from the analysis – tour de table
13h – 14h	Lunch break	
14h – 15.30h	John Virdin, Duke University	Presentation of annotated outline for the policy analysis and discussion
15.30h – 15.45h	Coffee break	
15.45h – 16.45h	Jerker Tamelander, Head of UN Environment Coral Reef Unit	Discussion on next steps, meeting report, review process and next meeting of the coral reef policy advisory committee
16.45h – 17h	Jerker Tamelander, Head of UN Environment Coral Reef Unit	Wrap up and any other business

## Annex II: Participants

Name	Country	Position	Institution	Contact
Sally Harman	Australia	Assistant Director, Planning	Great Barrier Reef Marine Park Authority	<a href="mailto:sally.harman@gbrmpa.gov.au">sally.harman@gbrmpa.gov.au</a>
Marc Kochzius	Belgium	Professor	Vrije Universiteit Brussel	<a href="mailto:marc.kochzius@vub.be">marc.kochzius@vub.be</a>
Ana Paula Leite Prates	Brazil	Director of Ecosystems Conservation	Ministry of the Environment	<a href="mailto:anaplprates@gmail.com">anaplprates@gmail.com</a> , <a href="mailto:paula.prates@mma.gov.br">paula.prates@mma.gov.br</a>
Yunjun Yu	China	Research Scientist	South China Institute of Environmental Sciences, Ministry of Environmental Protection	<a href="mailto:yuyunjun@scies.org">yuyunjun@scies.org</a>
Aurelie Thomassin	France	Chargée de mission	Ministère de la Transition Ecologique et Solidaire	<a href="mailto:aurelie.thomassin@developpement-durable.gouv.fr">aurelie.thomassin@developpement-durable.gouv.fr</a>
Brahmantya Satyamurti Poerwadi	Indonesia	Director General of Mairne Spatial Management	Ministry of Marine Affairs and Fisheries	<a href="mailto:brahmantya@kkp.go.id">brahmantya@kkp.go.id</a> , <a href="mailto:dirjenprl@kkp.go.id">dirjenprl@kkp.go.id</a>
Rudjimin Rudjimin	Indonesia	Counsellor for Economy	Embassy of Indonesia in Paris	<a href="mailto:rudjiminrudjimin@gmail.com">rudjiminrudjimin@gmail.com</a>
Tadashi Kimura	Japan	Chief Researcher	Japan Wildlife Research Center	<a href="mailto:tkimura@jwrc.or.jp">tkimura@jwrc.or.jp</a>
Rose Sallema Mtui	Tanzania	Head of Research Coordination Department and a Coordinator of Tanzania Coral Reef Task Force (TzCRTF)	National Environment Management Council	<a href="mailto:nrsallema@yahoo.com">nrsallema@yahoo.com</a>
Niphon Phongsuwan	Thailand	Research Specialist	Department of Marine and Coastal Resources	<a href="mailto:nph1959@gmail.com">nph1959@gmail.com</a>
Jane Hawkrige	UK	Head, Marine Ecosystems	Joint Nature Conservation Committee	<a href="mailto:Jane.hawkrige@jncc.gov.uk">Jane.hawkrige@jncc.gov.uk</a>
Gerlinde Schaeffter	UK	Policy Advisor	DEFRA	<a href="mailto:Gerlinde.Schaeffter@defra.gsi.gov.uk">Gerlinde.Schaeffter@defra.gsi.gov.uk</a>
Tibor Vegh	USA	Policy Associate	Nicholas Institute for Environmental Policy Solutions at Duke University	Tibor Vegh < <a href="mailto:tibor.vegh@duke.edu">tibor.vegh@duke.edu</a> >
John Virdin	USA	Director of the Ocean and Coastal Policy Program	Nicholas Institute for Environmental Policy Solutions at Duke University	John Virdin < <a href="mailto:john.virdin@duke.edu">john.virdin@duke.edu</a> >
Jerker Tamelander	UN	Head of Coral Reef Unit	UN Environment	<a href="mailto:tamelander@un.org">tamelander@un.org</a>
Gabriel Grimsditch	UN	Programme Management Officer	UN Environment	<a href="mailto:gabriel.grimsditch@un.org">gabriel.grimsditch@un.org</a>

Apologies from Fiji, the Netherlands, Sri Lanka, and the United States of America.



**Annex III: Summary of Key Anthropogenic Drivers of Change in Coral Reef Ecosystems. Final list of drivers agreed upon that will be used to classify the policy analysis.**

<b>Theme</b>	<b>Activity<sup>i</sup></b>	<b>Associated Pressures on Coral Reef Ecosystems<sup>ii</sup></b>	
Climate change	Activities resulting in emissions of greenhouse gases in the atmosphere	Elevated sea surface temperature causing thermal stress	
		Ocean acidification	
		Tropical cyclone damage	
Production from living resources	Harvesting of living resources by large-scale/industrial operators	Extraction of, or mortality/injury to, wild species (by commercial and recreational fishing and other activities)	
		Input of other substances (e.g. synthetic substances such as fishing nets)	
		Input of litter (solid waste matter, including micro-sized litter)	
		Physical loss (e.g. due to destructive fishing practices)	
	Harvesting of living resources by small-scale and/or subsistence operators	Extraction of, or mortality/injury to, wild species (by commercial and recreational fishing and other activities)	
		Input of other substances (e.g. synthetic substances such as fishing nets)	
		Input of litter (solid waste matter, including micro-sized litter)	
		Physical loss (e.g. due to destructive fishing practices)	
	Harvesting of living resources by recreational operators	Extraction of, or mortality/injury to, wild species (by commercial and recreational fishing and other activities)	
		Input of other substances (e.g. synthetic substances such as fishing nets)	
		Input of litter (solid waste matter, including micro-sized litter)	
		Physical loss (e.g. due to destructive fishing practices)	
	Hunting and collecting of living resources for other purposes (including 'bioprospecting')	Physical disturbance (temporary or reversible)	
		Physical loss	
	Coastal aquaculture (including 'ranching', seaweed cultivation)	Input of nutrients	
		Input of organic matter	
		Input of microbial pathogens	
		Input of other substances	
		Input or spread of non-indigenous species	
		Reduction in light penetration (i.e. 'shading')	
	Generation of land-based sources of pollution	Production and disposal of plastics	Input of litter (solid waste matter, including micro-sized litter)
			Waste treatment and disposal
		Input of nutrients	
		Input of organic matter	
Input of microbial pathogens			
Input of other substances (e.g. noxious, hazardous, or toxic chemicals)			
Sedimentation rate changes			

	Urban or industrial activities	Input of other substances (e.g. noxious, hazardous, or toxic chemicals)
		Input of nutrients
		Input of organic matter
		Input of microbial pathogens
		Sedimentation rate changes
	Agriculture	Input of nutrients
		Input of organic matter
		Input of microbial pathogens
		Input of other substances (e.g. noxious, hazardous, or toxic chemicals)
		Sedimentation rate changes
Extraction of non-living resources	Extraction of minerals (e.g. sand, coral mining)	Physical disturbance (temporary or reversible)
		Physical loss
	Extraction of oil and gas (including infrastructure)	Physical disturbance (temporary or reversible)
		Input or spread of non-indigenous species
		Input of other substances (e.g. noxious, hazardous, or toxic chemicals)
	Extraction of water (i.e. desalination)	Underwater noise changes
		Physical disturbance (temporary or reversible)
Production of energy	Transmission of electricity and communications (cables)	Changes to hydrological conditions
		Physical disturbance (temporary or reversible)
	Renewable energy generation (wind, wave and tidal power), including infrastructure*	Physical loss
		Changes to hydrological conditions
Physical restructuring of the coastline, rivers or seabed	Coastal land claim (e.g. mangrove loss)	Physical disturbance (temporary or reversible)
		Physical loss
		Changes to hydrological conditions
		Sedimentation rate changes
	Canalization and other watercourse modifications	Physical disturbance (temporary or reversible)
		Physical loss
		Changes to hydrological conditions
	Coastal defense and flood protection	Physical disturbance (temporary or reversible)
		Physical loss
		Changes to hydrological conditions
	Restructuring of seabed morphology, including dredging and depositing of materials	Physical disturbance (temporary or reversible)
		Physical loss
		Changes to hydrological conditions
Tourism and recreation	Tourism and recreation activities (e.g. resulting in anchor use on reefs, vessel groundings, diving and snorkeling)	Physical disturbance (temporary or reversible)
		Physical loss
		Disturbance of species due to human presence
		Input of litter (solid waste matter, including micro-sized litter)

		Input of nutrients
		Input of organic matter
		Input of other substances (e.g. from sunscreen)
	Tourism and recreation infrastructure	Physical disturbance (temporary or reversible)
		Physical loss
	Marine biota souvenirs to sell to tourists, exporters	Disturbance of species due to human presence
Physical disturbance (temporary or reversible)		
Transport	Transport - shipping	Physical loss
		Input of other substances (e.g. noxious, hazardous, or toxic chemicals, organic matter)
		Input or spread of non-indigenous species
		Input of organic matter
		Input of litter
		Physical loss
	Transport - infrastructure	Underwater noise changes
		Physical disturbance (temporary or reversible)
		Physical loss
		Input of other substances (e.g. noxious, hazardous, or toxic chemicals)

*\*List is not exhaustive, particularly for pressures linked to types of activities.*

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<sup>i</sup> Defined as an action or endeavor that may create pressures on coral reef ecosystems. Analogous to the term ‘anthropogenic driver of change’, which is defined as a human-caused factor that influences change in coral reef ecosystems.

<sup>ii</sup> Defined as the mechanism through which an activity has an effect (i.e. impact) on coral reef ecosystems. Analogous to the term ‘specific impact pathway’ for a given ‘driver of change’.