

## Project information

### Keywords

arctic, governance, ecosystem approach, marine biodiversity, areas beyond national jurisdiction, BBNJ

### Project title

Towards a global treaty on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction – implications for Arctic Ocean biodiversity governance? (ARCTIC-BBNJ)

### Year

2018

### Project leader

Vito De Lucia

### Geographical localization of the research project in decimal degrees (max 5 per project, ex. 70,662°N and 23,707°E)

n/a

### Participants

Project leader(s)/institutions: Vito De Lucia, K.G. Jebsen Centre for the Law of the Sea, (JCLOSE), UiT Arctic University of Norway. [vito.delucia@uit.no](mailto:vito.delucia@uit.no)

### Project participants/institutions:

JCLOSE: Vito De Lucia, Ingvald U. Jakobsen and Kristine Dalaker Kraabel

Fridtjof Nansen Institute (FNI): Christian Prip

Faculty of Biology, Fisheries and Economics, UiT – Arctic University of Norway (BFE): Raul Primicerio

Institute of Marine Research (IMR): Maria Fossheim, Ulf Lindstrøm

Administrative responsible for lead institution: Christin Skjervold. [christin.skjervold@uit.no](mailto:christin.skjervold@uit.no)

### Flagship

Arctic Ocean

### Summary of Results

The overall aim of the project is to improve understanding of opportunities and obstacles for Arctic Ocean (AO) marine biodiversity and ecosystem governance in light of a possible new agreement on marine biodiversity in area beyond national jurisdiction under the Law of the Sea Convention, and to improve a multi and interdisciplinary understanding of the key issues related to biodiversity and ecosystem governance in the AO.

The project, considering its limited budget, has only addressed some of its original part objectives, and in a preliminary manner. These are:

1. Evaluate the ongoing negotiation process towards a new implementing treaty under LOSC on BBNJ against the current regimes relevant for AO governance.
2. Map the uncertainties and knowledge gaps related with the governance of a remote, rapidly changing, large marine ecosystem in order to inform policy choices.
3. Gain better understanding of the tension between individual coastal AO states' interests and interests of protecting biodiversity in the AO as a global common
4. Map and understand the institutional complexities that affect AO governance, and discuss ways and means to reconcile and integrate regional and global approaches to AO biodiversity governance in light of existing institution, bodies and legal instruments potentially involved in the implementation of effective ecosystem approaches to AO governance

The project also established the relation between arctic governance and the new BBNJ agreement under negotiation as a thematic focus, something which was well appreciated by delegates present at the project side event, especially from Arctic and near Arctic delegations. Project members held several presentations at workshops and conferences during the project period offering preliminary results related to the part objectives listed above. The project also delivered publications, including a letter accepted by the journal Nature

### Master and PhD-students involved in the project

#### Published Results/Planned Publications

- V. De Lucia, Christian Prip, K. Kraabel and R. Primicerio, "Arctic Marine Biodiversity in the High Seas between Regional and Global Governance", *Arctic Review of Law and Politics*, 9:1, 2018, pp.264-266
- Vito De Lucia, Raul Primicerio, Christian Prip, Kristine Dalaker Kraabel, "Arctic protection can't wait for global treaty", *Nature* 565, 161 (2019) doi: 10.1038/d41586-019-00021-3
- We are in the planning stage of an interdisciplinary research paper which will summarize results so far. The aim is to submit it to the journal *Marine Policy* (submission targeted for Q1 2019)

#### Communicated Results

1. SEPTEMBER 2018: The project organized a UN Side Event to the first substantive session of the intergovernmental conference towards a treaty on marine biodiversity in areas beyond national jurisdiction, 12 September 2018, New York, UN Headquarters. Several contributions:
  - a. Vito De Lucia (Chair)
  - b. Christian Prip ("Arctic marine cooperation – how well is bio-diversity protected in the Central Arctic Ocean?")
  - c. Raul Primicerio ("Arctic Marine Ecosystems Conservation and Management")
  - d. Kristine Dalaker ("The Hybrid Approach: Implications for the Conservation and Sustainable Use of BBNJ in the Arctic")
  - e. Amb. David Balton ("A New Fisheries Agreement For the Central Arctic Ocean"), external to the project.
2. OCTOBER 2018: Polar Law Symposium, Tromsø, Norway. Two contributions
  - a. Kristine Dalaker ("Possible Interactions between a BBNJ Treaty and Arctic Marine Governance")
  - b. Christian Prip ("Arctic Marine Governance – quo vadis?")
  - c.
3. NOVEMBER 2018: Circumpolar Arctic Dialogue Seminar
  - a. Vito De Lucia, invited expert, participated to the workshop "Governance of the Arctic Ocean and Arctic Fisheries"

#### Interdisciplinary Cooperation

- The side event to the UN Side Event included speakers from across disciplines.
- The two publications were co-authored across disciplines (Vito de Lucia and Kristine Dalaker Kraabel from JCLOS, Christian Prip from FNI and Raul Primicerio from BFE)
- EU Circumpolar Arctic Dialogue Seminar, included an interdisciplinary set of experts

Budget in accordance to results

Budget is in accordance to results.

Could results from the project be subject for any commercial utilization

No

Conclusions

The project deliverables have been met and exceeded:

The deliverables were:

DELIVERABLE 1:

organization of one or two 1-day workshops to

a) review the evaluation and organize the revision for next year's round of applications

b) coordinate and plan work towards the production of an article where the primary themes will be addressed from the double perspective of law and ecology

RESULT:

These objectives were all met and exceeded. Two communications were submitted, one to nature (pending) and one to Arctic review of Law and Politics (accepted, forthcoming). There will be a third workshop (a writing workshop) to consolidate the production of the research article.

DELIVERABLE 2:

participate (within the limits of the budget) to the UN meeting in September, with the organization of a side event, in order to present the issues and preliminary research that we will have done prior to that

RESULT:

4 project members participated to the UN negotiating meeting in September; the project organized a side event to the UN meeting and 4 project members participated (1 chair, 3 speakers)