



Capacity building challenges in ocean affairs and the Law of the Sea - the experience of UNDP's GEF International Waters portfolio

Andrew Hudson, Principal Technical Advisor, International Waters,
United Nations Development Programme – Global Environment Facility

Abstract: UNDP-GEF has an operational portfolio of projects in the GEF International Waters focal area of about \$200 m. The portfolio is presently providing capacity building support to promote and sustain integrated, ecosystem-based management in over a dozen multi-country Large Marine Ecosystems (LME) through policy and legal reform, institutional development, training, knowledge management, etc. This presentation will provide an overview of UNDP's experience over the last 15 years of some of the key challenges, and selected approaches to overcoming these challenges, related to building capacity for ocean and coastal management in LMEs. <http://www.undp.org/gef/portfolio/iw.html>

This brief paper will review capacity building challenges broadly covering six main thematic areas, including:

- Policy and Legal Frameworks
- Institutional Arrangements
- Financing
- Private Sector & Community Involvement
- Communication and Advocacy
- Training and other Capacity Building

Most of the observations are drawn from UNDP's Large Marine Ecosystem Portfolio as well as the significant contributions from the PEMSEA programme in the East Asian Seas for the last 15 years.

Policy and Legal frameworks

An important challenge identified by PEMSEA is that the development and implementation of national integrated ocean policy and ICM programs can in turn help facilitate the development of skilled human resources for coastal and ocean governance at both national and local level. PEMSEA has observed that:

- National programmes for ICM need to provide clear direction to local governments and other implementers on their capacity development needs; and
- While national officials are often among the first given opportunities for training, they sometimes remain untapped given that no comprehensive plan to use this expertise towards ocean and coastal governance has been developed in many countries

PEMSEA's response has been to use surveys and assessments of East Asia's capacity building needs in ocean and coastal governance to identify and fill capacity gaps, and to implement training on new ICM issues and skills in areas such as Integrated River Basin and Coastal Area Management, Coastal Use Zoning, Integrated Information Management Systems, Natural Resource Damage Assessment, etc.

In LMEs where legal frameworks are being pursued, such as the Benguela Current LME, an important challenge is to ensure that the Treaty 'speaks' to each national government's policy and legal framework, and to ensure these national frameworks are up to date and reflect regional and international trends and modern paradigms in sustainable development planning and implementation.

A related challenge is not only to ensure national policies and laws are on par with regional and international norms, but also that these are designed to accommodate transboundary cooperation, monitoring and assessment, planning, management and decision making.

Since management actions required at national level for sustainable use of shared LMEs, such as harmonization of legislation, institutional and coordination arrangements, and mobilization of financial resources, ultimately require support from members of state parliaments to be actualized, one project, Yellow Sea LME, has demonstrated effective application of parliamentary conferences as a means to raise awareness and promote informed decision-making by members of Parliament from the involved countries.

UNDP-GEF's Pacific Oceanic Fisheries Management project has identified a number of key capacity challenges the Pacific region faces with regards to fisheries governance, including:

- The lack of clear fisheries management objectives and systems of accountability to progress towards achievement of these objectives;
- Weaknesses in national fisheries governance;
- The lack of clear policy directions and planning in fisheries administrations;
- Insufficient technical knowledge;
- Lack of highly competent and appropriately skilled fisheries managers; and
- Generally low levels of capacity, transparency and effectiveness

Institutional Arrangements

A key challenge identified by the Benguela Current LME programme is ensuring that all relevant sectors who are contracting parties to the Benguela Current Commission (BCC), especially non-fisheries ones, are aware of the benefits derived from being part of the BCC and can participate equally in the activities of the Commission. In support of this, the project is taking steps to "market" the Commission to other sectors and by doing so, highlight the benefits from cooperative planning, implementation and decision making towards optimising sustainable resource use and rents for each sector.

In addition to state parties, the benefits of LME commissions also need to be highlighted to community groups, civil society, NGOs, the private sector and donors so that all stakeholders understand their roles and responsibilities in achieving objectives articulated through Strategic Action Programmes, and are able to participate in achieving these objectives, and thus enable the Commission to be supported across all levels of public, private and civil society.

Financing

For nascent LME management programmes, several key financing challenges have emerged, including:

- The challenge of transitioning away from heavily donor funded components to more government and user-derived funding;
- Securing and sustaining funding for LME Secretariat operations;
- Ensuring countries meet their financial obligations to Commissions and Secretariats in a timely manner;
- Financing needed to support requisite science activities to maintain informed decision-making; and
- Financial support to ongoing training and capacity building needs.

In general, LME programmes have identified the need to quantitatively demonstrate the socioeconomic benefits – and costs – of moving from unsustainable to sustainable marine resource management practices as a very useful tool to promote decision-making which helps mobilize and sustain the flow of financial resources.

In the Pacific, domestic development opportunities for the fisheries sector for many Pacific countries are faced with competing foreign multi-national companies and a growing need to balance fisheries development with conservation. Significant challenges remain to enable coastal communities to derive benefits from oceanic fisheries. On the processing side, PICs are often unable to compete with low-wage countries and lose the chance to secure this value added to their economies.

In the Pacific, the sometimes low levels of government focus on fisheries and revenues from fisheries are reflected in weak public sector infrastructure for fisheries management services and insufficient financial resources. Increasing regional responsibilities and activities associated with offshore fisheries have also tended to divert attention and resources away from coastal fisheries.

Private Sector and Community Involvement

LME projects share the challenge of building broad coalitions of support for legal, institutional and other measures for sustainable LMEs. One approach that has been used is to establish national stakeholder groups, with representation from relevant umbrella industry and community bodies. In addition to involving such stakeholders directly in programme activities, use of such groups can empower these stakeholders to meaningfully participate in treaty development processes and in the planning and implementation of community and private sector projects that address LME management objectives.

Communication and Advocacy

A key challenge in LME communication and advocacy is not only to inform stakeholders about the LME commission, its mandate and its projects, but also how it affects them, how they can participate and what is required of them. This is doubly important because marine resource use planning and management is ultimately about changing people and their behaviour and attitudes toward vital marine resources. In addition, information regarding the financial impact of action vs. inaction needs to be related to societal values, costs and benefits so that people can

understand and relate to the need for improved conservation, integrated transboundary management and ecosystem-based approaches to managing LMEs.

Another challenge relates to the task of consolidating and communicating complex scientific and technical information concerning the functioning of LMEs to policy makers in a form that allows them to understand and make decisions. The precautionary approach can be useful but some projects are adopting application of a 'weight of evidence' approach upon which decision-makers can act more rapidly while accepting that the science may need 'fine-tuning' in the longer-run.

In the Pacific Island Countries, broader stakeholder communication is considered inadequate, with levels of engagement from stakeholders, particularly the private sector, with government regulatory bodies often far from ideal. In addition, the pace at which some Pacific countries are expected to absorb and implement W/C Pacific Fisheries Convention and other region-driven and international initiatives may be unrealistic; consequently, national and regional capacity building efforts need to ensure a high level of resources devoted to supporting science and national work programmes.

The Pacific region has established a number of regional organisations that act as "centres of excellence" to build country capacity on fisheries management. These regional academic institutions can contribute towards building high-calibre fisheries managers, but this needs major investments in both staff and keeping curricula current. Linkages between regional institutions need to be improved to address areas of training and applied research to ensure training programmes are relevant to the needs of the Pacific countries for improving oceans governance.

Training and other capacity building

With often intense competition for at times limited pools of technically trained staff and often not very competitive salaries in the public sector, a key challenge is to come up with new, innovative ways of generating non-monetary incentives to attract and retain staff involved in LME programs, particularly in Sub-Saharan Africa. LME projects are exploring incentives such as technical exchange visits among institutions, mentoring and mentorship programmes, improved publishing opportunities, formal and informal training opportunities, and participation in projects and other scientific activities.

PEMSEA has identified a key capacity challenge in how to produce a critical mass of mid-level professionals and coastal and ocean managers with broad-based perspectives on coastal and ocean affairs who can initiate, develop and implement coastal and ocean programs effectively. People need skills beyond just those acquired through university graduate programs, they need experience on the ground. This underscores the need for a good postgraduate curriculum on integrated coastal and ocean governance which can be delivered in the field at local or national level. PEMSEA is thus beginning to build a network of universities that can provide graduate training using a standardized postgraduate curriculum. Expected outputs of this initiative will be people who are able to identify and develop the needed coastal and marine policy and management frameworks, who have good organizational and communication skills to coordinate sectoral and stakeholder interests, and who have the ability to build political commitments, mobilize funding, and promote and secure investment opportunities with the private sector, bilateral and multilateral funding institutions.

A related challenge is that of maintaining and upgrading capacity for ICM, including:

- The lack of qualified and experienced lecturers in academic institutions with practical experience and in-depth knowledge on ICM;
- The need to ensure continuity of programs and upgrading of trainers and trainees;
- The availability and accessibility of learning institutions offering ICM-related curricula;
- The need to establish accredited ICM knowledge repository centers; and the
- Lack of facilities, training materials and textbooks in local languages.

Linked to this is the challenge of creating employment opportunities for trained coastal management professionals. The current job market for graduates of ICM/Marine Affairs can be quite limited as they are not within traditional job categories of government offices. And, there is sometimes limited appreciation of the usefulness of coastal planners and managers in many local governments.

PEMSEA has strategically identified the need to pursue ICM certification schemes as it will help create demand for new professionals for ocean and coastal governance such as ICM auditors and certifiers. Specifically, PEMSEA's response to address this challenge has included:

- Training of Trainers (TOT);
- Development and application of ICM model courses;
- Promotion of ICM Code and recognition; and
- Networking with Centers of Excellence

PEMSEA also notes the need to ensure sufficient *investment* in the development of educational networks and postgraduate ICM curricula;

- Most ICM initiatives in the past were donor/consultant-driven with lack of local ownership and capacity for sustainability;
- While there is strong positive response from local governments to have staff trained on ICM, allocating budget to hire new staff that can take over responsibilities of staff who will be on study leave can be problematic;
- Universities have expressed a willingness to pursue long-term postgraduate programs on ICM, but are often constrained by lack of funding;
- There is also the need to match training needs and available supply providers; and
- Lastly, the need to package trainings and curricula in a way that is attractive to donors.

In response to these challenges, PEMSEA is helping match country needs with donor interests and is helping develop post-graduate ICM courses.

An additional challenge is developing the new skills required to address emerging issues related to coastal and ocean governance, such as ocean acidification:

- Even in countries where a number of ICM trainings have been conducted and capacity built, continuous ICM trainings and 'upgrades' are still considered important;
- There is increasing emphasis and demand for trainings on emerging issues and needs such as climate change, ecosystem-based management, and water use and supply management

In response, PEMSEA has been developing specialized skills training courses such as coastal use zoning; contingency planning; sensitivity mapping; vulnerability assessment; coastal fisheries; and water supply and use management.