Enabling Factors in Achieving Sustainable Development of Oceans: Experiences with National and Regional Ocean Policies and Implications for the Implementation of Goal 14 on Oceans and Seas

Dr. Biliana Cicin-Sain
8 April 2015
16th Meeting of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea

• UNCLOS revolutionized ocean governance through the delineation of maritime zones and the rights and obligations of nations in the zones

• Sustainable development summits have added considerable detailed guidance to the nations on what they should be doing within the zones

• Integrated ecosystem-based ocean governance in the SD processes, echoing the UNCLOS preamble
1. Illustrate how nations and regions have already attempted to merge the three dimensions of sustainable development through integrated ocean governance at national and regional levels (15 nations, 4 regions)

Over the last two decades, countries and regions have undertaken concerted efforts to articulate and implement an integrated ecosystem-based vision for the governance of ocean areas under their jurisdiction, including:

--Goals and procedures to harmonize existing uses and laws
--Foster sustainable development of ocean areas
--Protect biodiversity and vulnerable resources and ecosystems
--Coordinate the actions of the many government agencies that are typically involved in ocean affairs

Response to the reality of serious conflicts of use in most national ocean zones, and to the prescriptions of both UNCLOS and the sustainable development summits
Purpose

2. **Underscore importance of enabling frameworks:**

- Legal framework
- Integration at the policy, planning and management levels
- Marine science
- Infrastructure, including technology and technology transfer
- Capacity building and resource mobilization
- Cooperation and coordination
- Systems for measuring progress in the integration of three dimensions

3. **Reflect on SDG 14 and its implementation in the context of existing national and regional ocean policies**
National and Regional Policies

Especially from Chapter 1:
A Comparative Analysis of Ocean Policies in Fifteen Nations and Four Regions

By Miriam C. Balgos, Biliana Cicin-Sain, and David L. VanderZwaag
### 15 nations and 4 regions

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<thead>
<tr>
<th>Nations</th>
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<tr>
<td><strong>Asia</strong></td>
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<td>India, Japan, Philippines, Vietnam</td>
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<td><strong>Caribbean</strong></td>
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Total area covered
--by countries included in the study: close to 50% of EEZ world total
--by regional efforts included in the study: 55% of EEZ world total

Work involved
--59 authors/contributors from government and academia

--Spanned the period of 2005 to 2015, with a kick-off meeting at The Ocean Policy Summit, Lisbon, Portugal (2005)

--Supported by the Nippon Foundation, Japan, the Global Environment Facility, the Portuguese government, and others

Caveat
--Should note that there are other nations and regions that have also moved toward integrated ocean governance which we were not able to include in the study, e.g., China, Colombia, France, Indonesia, Mauritius, Netherlands, Seychelles, South Africa, etc. Also, other regional efforts (Regional Seas, LMEs) are not included
15 Nations – Claimed EEZs

Claimed Exclusive Economic Zones
- Australia
- Canada
- Jamaica
- Mexico
- Norway
- New Zealand
- Philippines
- Portugal
- Russia
- United Kingdom
- United States
- Vietnam
- Other EEZs
Major Questions Posed

Common framework for analysis for understanding the dynamics of ocean policy formulation and implementation

Policy formulation

- The significance of oceans and coasts in different nations
- Motivation for the policy, how it got started
- Legal/policy basis: Was it based in a new law? Or executive policy? Product of an ocean commission?
- Scope and content
- Principles adopted
- Institutional arrangements
- Stakeholder engagement
Major Questions Posed

Policy Implementation

- Agency(ies) in charge of implementation
- Division of authority between national and subnational levels of government
- Evolution over time
- Implementation and evaluation over time
- Funding and monitoring mechanisms
- Outlook for the future
Common Catalysts and Trajectories

**Common Catalysts**

--multiple use conflicts, among uses, users, and agencies
--decline/degradation of coastal and marine areas
--recognition of the value of coastal and ocean resources in terms of ecological/ecosystem, social, and economic services
--encouragement from the international level
--inequities in benefits for foreigners vs locals in ocean areas under national jurisdiction

**Trajectories**

--typical national trajectory, starting with coastal management, then moving to entire EEZ
--at regional level, realization that separate sectoral policies need to be harmonized and linked (e.g., EU)
Getting Started

Typically:

--ocean commissions
--study commissions
--“white papers”
--inter-agency task forces
--wide stakeholder consultation, development of shared vision
--done at the highest levels of government
Importance of stakeholder consultations

• The consultation process demonstrated that the success of maritime policy would depend on the support of and sense of ownership of stakeholders, including regional actors already very active in developing integrated maritime actions. Furthermore, the maritime regions of Europe are so diverse and region-based that action had to be different in focus according to each region.

  (Gambert, EU case)
Common Principles Widely Adopted

Wide Adoption of Common Principles of Integrated Ocean governance and Sustainable Development

- Sustainable development/sustainability
- Integrated management
- Ecosystem-based management
- Good governance
- Adaptive management/best available science
- The precautionary approach
- The preservation of marine biodiversity
- Stewardship
- Multiple use management
- Economic/social development and poverty alleviation

- Note: Most nations/regions emphasize environmental and economic dimensions of sustainable development. Goals/targets related to social dimensions and poverty alleviation are less frequent (about ½ of national cases mentioned these factors).
## Principles Adopted in Ocean Policies

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<td>Japan</td>
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<td>Mexico</td>
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<td>New Zealand</td>
<td>National Oceans Policy – 2000 (initiated process) (L)</td>
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Institutional Aspects

Typically involve:
-- Inter-agency/inter-sectoral sectoral coordination mechanism
-- A lead implementing agency(ies)

Important considerations:
-- Clear terms of reference
-- Involve coordination at the highest political levels (e.g. Office of the Prime Minister)
-- Receive input from an external council of advisers
-- Be transparent and allow for public involvement
-- Have incentives for joint action, such as joint budgets
## Institutional Aspects of Ocean Policies

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<tr>
<th>Countries</th>
<th>Interagency Mechanism</th>
<th>Administrative Arrangement</th>
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<tbody>
<tr>
<td>BRAZIL</td>
<td>Inter-Ministry Commission for Sea Resources (CIRM) Integration Group of the Coastal Management</td>
<td>Lead Agency: Brazilian Navy</td>
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<tr>
<td>CANADA</td>
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<td>Lead: Department of Fisheries and Oceans</td>
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<tr>
<td>INDIA</td>
<td>Ocean Commission (proposed, Vision Perspective 2015)</td>
<td>Lead: Ministry of Earth Sciences</td>
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<tr>
<td>JAPAN</td>
<td>Headquarters for Ocean Policy</td>
<td>Secretariat of Headquarters for Ocean Policy</td>
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Lead Implementing Bodies

• Important to have a national ocean office to operationalize the national ocean policy and oversee implementation

• Separate budget and staff

• Typically prepare national ocean policy plan, “state of the ocean” reports; coordinate interagency activities, work with subnational authorities

• Example: Secretariat of Ocean Policy Headquarters in Japan, oversees Basic Act of Ocean Policy, has separate budget and about 30 staff members
Other Observations

• A number of cases involve *regional* ocean planning processes and bodies (e.g. Australia, US)

• Increased use of marine spatial planning (e.g., required in 2014 EU Directive on marine spatial planning)

• Dedicated and stable oceans funding a challenge in many cases. Efforts made to develop special funds (e.g. from oil and gas)

• In some cases, very good use of indicators which are tracked over time (e.g., Canada, PEMSEA)

• In some cases, evaluations from outside experts that prepare “report cards” on the national ocean policy (e.g., US)
Some Success Factors

• **Embracing and implementing common ocean principles**—much of the world has already adopted and put into practice major principles of integrated ecosystem-based national and regional policies

• **Achieving an integrated outcome through formal coordination institutions**—having formal coordinating institutions to guide the national and regional policies with independent input from stakeholders is essential

• **Ensuring and maintaining political support**—the ups and downs of ocean policies, ocean policy entrepreneurs in and out of government must continuously foster high-level political support
Success Factors

• **Promoting binding policies**—policy embedded in law tends to be more successful in the long run, executive action can all too often be reversed with changing administrations (only 4 out of 15 national ocean policies are based on legislation)

• **Enabling stakeholders**—essential for molding the policy and for maintaining political support in the long run

• **Ensuring adequate funding and other supporting elements**—consistent funding and other support elements (research, science, public education) essential in the steady and continued implementation of the policies over time
Brief Commentary on the Sustainable Goal Process and on Goal 14 on Oceans and Seas
The SDG Package and Goal 14

1. Global Ocean Forum very active in the Rio+20 process and in the subsequent SDG process (policy analyses, convening of Friends of the Ocean meetings, side events, commentaries on the processes, Oceans Day at Rio+20)

2. Open Working Group on SDG process—initially limited understanding of oceans and the three pillars, but after catalytic interventions and side events (especially from the Pacific SIDS and others), a marked change. Ultimately, more than 90 nations came to favor the stand-alone oceans SDG. And the OWG turned out to be a very open and transparent process.

3. Goal 14 on Oceans and Seas--very good (not perfect). A great accomplishment and will have major effects on advancing oceans and peoples issues in countries and regions around the world.

4. Goal 14 is rooted in most cases in existing global commitments on oceans and brings them together in concerted ways with a renewed sense of urgency. Some important new commitments, e.g. 14.7 on enhanced economic benefits for SIDS and LDCs.

5. Goal 14 must be understood in the context of the overall SDG package. Many of the other provisions of the package can be used to support oceans. The package is inspiring and visionary and will lead nations to truly wed all three dimensions of sustainable development.
SDG 14 on Oceans, Seas and Marine Resources

**Goal:** Conserve and sustainably use the oceans, seas and marine resources for sustainable development

**Targets:**

14.1: By 2025, prevent and significantly reduce marine pollution of all kinds, particularly from land-based activities, including marine debris and nutrient pollution

Reinforces 1992 provisions (17.22, 17.24-17.28), 2002 provision (33), and 2012 provisions (34a & b, 58e, 158, and 163). Emphasizes marine pollution of all kinds, including marine debris (first highlighted by Rio+20) and the ongoing reduction of nutrient pollution. Provides a 2025 time target in contrast to the 2020 time target of the Convention on Biological Diversity’s Aichi Biodiversity Target 8.

14.2: By 2020, sustainably manage, and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience and take action for their restoration, to achieve healthy and productive oceans

Reinforces 1992 provisions (17.5, 17.6, and 17.85), 2002 provisions (21, 30 c & d), and 2012 provisions (158, 165, 166, and 176). It is noteworthy that the target emphasizes both marine and coastal ecosystems, resilience, and restoration actions.
Targets:

14.3: Minimize and address the impacts of ocean acidification, including through enhanced scientific cooperation at all levels

Ocean acidification had not been addressed directly in the 1992 and 2002 summits since the phenomenon was not yet well understood. Echoes the 2012 provision (166), with a new emphasis on minimizing and taking action on ocean acidification.

14.4: By 2020, effectively regulate harvesting, and end overfishing, illegal, unreported and unregulated (IUU) fishing and destructive fishing practices and implement science-based management plans, to restore fish stocks in the shortest time feasible at least to levels that can produce maximum sustainable yield as determined by their biological characteristics

Building on 1992 provisions (17.79, 17.84, 17.86, and 17.87) and 2002 provisions (30 and 31,), it reinforces the 2012 commitments (168, 169, 170, and 171). Provides a 2020 time target replacing the 2015 time target of the 2002 Johannesburg Plan of Implementation. New time target is aligned with the Convention on Biological Diversity’s Aichi Biodiversity Target 6. Echoes the 2012 provision (168) to restore stock levels at maximum sustainable yield as determined by their biological characteristics and emphasizes the effective regulation of harvesting.
**Targets:**

14.5: By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on best available scientific information.

*Building on 1992 provisions (15.5g, 17.7, 17.8, 17.85, and 17.87) and 2002 provisions (32 and 44), it reinforces the 2012 commitments (177 and 198). Provides a 2020 time target in line with the Convention on Biological Diversity’s Aichi Biodiversity Target 11.*

14.6: By 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, and eliminate subsidies that contribute to IUU fishing, and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the WTO fisheries subsidies negotiation.

*Reinforces 2002 provision (32f) and 2012 provision (173). Time target is aligned with the Convention on Biological Diversity’s Aichi Biodiversity Target 3.*

14.7: By 2030 increase the economic benefits to SIDS and LDCs from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism.

*While building on past 2002 (31 and 58) and 2012 (174 and 175) provisions, this target represents an important new emphasis by clearly calling for an increase of economic benefits from marine resources to developing countries and SIDS by 2030, with specific reference to three sectors—fisheries, aquaculture, and tourism.*
Means of Implementation

14.a: increase scientific knowledge, develop research capacities and transfer marine technology taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular SIDS and LDCs.

While building on the capacity development provisions of the 1992 (17.40, 17.43, 17.68, 17.69, 17.92, 17.94, 17.95, 17.120a, and 17.136) and 2002 summits (10f, 30g, 32b, 33a & b, 36, and 58c), and building on the 2012 capacity development provisions emphasizing the IOC Criteria and Guidelines on the Transfer of Marine Technology (120 and 160), this Means of Implementation, for the first time, emphasizes the importance of the enhanced contribution of marine biodiversity to the development of developing countries, in particular SIDS and LDCs. It is important to note that the ability to study, collect, and sustainably use marine biodiversity resources is one of the major gaps in capacity in SIDS and LDCs.

14.b: Provide access of small-scale artisanal fishers to marine resources and markets

Reinforces 1992 provisions (17.81) and reiterates the 2012 provision (175). Does not mention subsistence fisherfolk, women, local communities, and indigenous people.

14.c: Ensure the full implementation of international law, as reflected in UNCLOS for states parties to it, including, where applicable, existing regional and international regimes for the conservation and sustainable use of oceans and their resources by their parties

Building on the 1992 provisions (17.117 and 17.120a), 2002 provisions (158-160, 162, and 165) of increasing cooperation on all levels, and including the 2012 provisions (75, 76, 159, 185) on implementing the obligations under UNCLOS, this Means of Implementation, broadly emphasizes the full implementation of UNCLOS and of other existing regional and international regimes for the conservation and sustainable use of oceans and their resources.
Other Relevant SDGs, Targets, and MOI

Proposed goal 1. End poverty in all its forms everywhere

1.5 - by 2030 build the resilience of the poor and those in vulnerable situations, and reduce their exposure and vulnerability to climate-related extreme events and other economic, social, and environmental shocks and disasters

This is especially applicable to island and coastal communities in over 150 coastal and island nations who will suffer climate-related impacts such as stronger hurricanes/typhoons/cyclones, sea level rise, ocean acidification, and changes in ocean circulation and salinity.

Proposed goal 2. End hunger, achieve food security and improved nutrition, and promote sustainable agriculture

2.3 - by 2030 double the agricultural productivity and the incomes of small-scale food producers, particularly women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets, and opportunities for value addition and non-farm employment

Allows for small-scale fishing communities to enhance their economic status and retain their cultural identity
Proposed goal 6. Ensure availability and sustainable management of water and sanitation for all

6.3 - by 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater, and increasing recycling and safe reuse by x% globally

*Chemicals and garbage make their way to the ocean, degrading the quality of the coastal and marine environments*

6.5 - by 2030 implement integrated water resources management at all levels, including through transboundary cooperation as appropriate

*Water resources are linked and better coordination will enhance coastal and ocean communities as well as improve the health and resilience of oceans and seas*

6.6 - by 2020 protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes

*Ecosystems are linked and restoration of these ecosystems (especially wetlands, rivers, and lakes) will enhance the prospects of achieving healthy and resilient oceans and seas*
Other Relevant SDGs, Targets, and MOI

Proposed goal 7. Ensure access to affordable, reliable, sustainable, and modern energy for all

7.a - by 2030 enhance international cooperation to facilitate access to clean energy research and technologies, including renewable energy, energy efficiency, and advanced and cleaner fossil fuel technologies, and promote investment in energy infrastructure and clean energy technologies

Relates to economic gains by investment in renewable offshore energy (wind, tidal, etc) and reduction in the use of fossil fuels will have beneficial effects on the health and resilience of oceans and seas

Proposed goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

8.9 - by 2030 devise and implement policies to promote sustainable tourism which creates jobs, promotes local culture and products

Coastal and marine tourism is one of the most important tourism sectors; this provision may help to boost employment and sustain the cultural identity of coastal and island communities
Proposed goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation

9.1 – develop quality, reliable, sustainable and resilient infrastructure, including regional and trans-border infrastructure, to support economic development and human well-being, with a focus on affordable and equitable access for all

Relevant to ports and other coastal infrastructure in coastal and island communities

Proposed goal 10. Reduce inequality within and among countries

10.6 – ensure enhanced representation and voice of developing countries in decision making in global international economic and financial institutions in order to deliver more effective, credible, accountable and legitimate institutions

Relevant to the needs of developing countries especially in relation to financing to support sustainable management of ocean and coastal resources
Proposed goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable

11.5 – by 2030 significantly reduce the number of deaths and the number of affected people and decrease by y% the economic losses relative to GDP caused by disasters, including water-related disasters, with the focus on protecting the poor and people in vulnerable situations

*Relevant to vulnerable coastal and island communities affected by disasters*

Proposed goal 12. Ensure sustainable consumption and production patterns

12.4 – by 2020 achieve environmentally sound management of chemicals and all wastes throughout their life cycle in accordance with agreed international frameworks and significantly reduce their release to air, water and soil to minimize their adverse impacts on human health and the environment

*Relevant, especially to vulnerable coastal and island ecosystems and communities whose health and livelihood could be adversely affected by chemicals and waste*

Proposed goal 13. Take urgent action to combat climate change and its impacts

13.1 – strengthen resilience and adaptive capacity to climate related hazards and natural disasters in all countries

*Responding to climate change in a timely manner will lessen future economic losses, loss of cultural identity of climate change displaced peoples, and environmental impacts of climate change on coastal and island communities and the marine environment*

13.2 – integrate climate change measures into national policies, strategies, and planning

*Planning for and creating policies and strategies to combat climate change will lessen future economic losses, loss of cultural identity of climate change displaced peoples, and environmental impacts of climate change on coastal and island communities and the marine environment*
13.3 – improve education, awareness raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction, and early warning

*Increasing the awareness of climate change impacts in vulnerable coastal and island communities can help in the preservation of life as well as reduce future economic losses and environmental impacts from climate change.*

13.a – implement the commitment undertaken by developed country Parties to the UNFCC to a goal of mobilizing jointly USD100 billion annually by 2020 from all sources to address the needs of developing countries in the context of meaningful mitigation actions and transparency on implementation and fully operationalize the Green Climate Fund through its capitalization as soon as possible

*Adequate financing will help coastal and island communities to adapt to and mitigate the impacts of climate change.*

Proposed goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

15.1 – by 2020 ensure conservation, restoration and sustainable use of terrestrial and inland freshwater ecosystems and their services, in particular forests, wetlands, mountains and drylands, in line with obligations under international agreements

*Ecosystems are interlinked (especially wetlands) and greater health of terrestrial and inland freshwater ecosystems will contribute to healthier oceans and seas.*
15.6 - ensure fair and equitable sharing of the benefits arising from the utilization of genetic resources, and promote appropriate access to genetic resources

Technology to sample and utilize marine genetic resources is rapidly increasing; thus access to and fair and equitable sharing of these resources is important for many nations (this relates to 14.a)

15.8 - by 2020 introduce measures to prevent the introduction and significantly reduce the impact of invasive alien species on land and water ecosystems, and control or eradicate the priority species

Invasive species can ruin ecosystems and cause native species to become extinct, leading to economic consequences for coastal and island communities, which depend on fishing, tourism, etc.

Proposed goal 17. Strengthen the means of implementation and revitalize the global partnership for sustainable development

17.3 – mobilize additional financial resources for developing countries from multiple sources

Relates to financing of sustainable development for healthy and resilient oceans and seas and coastal and island communities

17.6 – enhance North-South, South-South and triangular regional and international cooperation on and access to science, technology and innovation, and enhance knowledge sharing on mutually agreed terms, including through improved coordination among existing mechanisms, particularly at UN level, and through a global technology facilitation mechanism when agreed

Knowledge sharing may boost economic returns and help enhance skills and education for integrated, ecosystem-based management of oceans and seas
Other Relevant SDGs, Targets, and MOI

17.9 – enhance international support for implementing effective and targeted capacity building in developing countries to support national plans to implement all sustainable development goals, including through North-South, South-South, and triangular cooperation.

Enhanced skills and education of coastal and island communities may enhance economic development related to the marine environment and resources.

17.16 – enhance the global partnership for sustainable development complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, technologies and financial resources to support the achievement of sustainable development goals in all countries, particularly developing countries.

Global partnerships for sustainable development involving multi-stakeholder partnerships, are especially important for oceans and seas since these typically involve common pool, transboundary resources.
Next steps for Goal 14

Indicators: A good draft so far, but also has to be refined. As noted by the UN Statistical Committee, “new areas” need focused thinking, and also wide consultation with people on the ground who are already implementing related indicators. (GOF Working Group on Goal 14 Indicators).

Will need to especially emphasize the social and economic indicators, e.g., target 14.7

The implementation of Goal 14 will give added impetus to the national and regional ocean policies

Must address continuing gaps in capacity development for national and regional ocean leaders to enable effective implementation