

Implementation of Marine Protected Areas in the High Seas

Ecological Connectivity, 30x30 Target, and Impact Assessment

By

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(Co-Chair of UN Ocean Decade Africa Task Force)

Workshop: For a better understanding of the place of fishing and MPAs
in the BBNJ Agreement and its implementation in the ATLAFCO region

May 18-19, 2026, Casablanca (Morocco)

The BBNJ Agreement: Legal Framework for High Seas Conservation

United Nations Agreement on BBNJ · Adopted 2023 · In force 17 January 2026

Part III - MPAs & Area-Based Management Tools (ABMTs)

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Part IV- Environmental Impact Assessment

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Mandatory EIA for activities with more than minor or transient effects on the marine environment (Arts. 27–40). First standardised EIA regime for the high seas.

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Why MPAs in the High Seas?

Areas Beyond National Jurisdiction cover ~61% of the global ocean surface yet hold some of the planet's most critical biodiversity

~61%

of the global ocean surface is ABNJ - 73% by volume (O'Leary et al. 2020; Szostek et al. 2026)

1.44–1.66%

of ABNJ is under any formal protection - a severe deficit (IUCN 2026)

~10%

of the global ocean now designated (MPAs + OECMs) but only 3.2% fully protected (WOPA/ProtectedPlanet, Apr 2026)

~25%

of assessed MPA coverage is unimplemented on the water; 1/3 incompatible with conservation (Pike et al. 2024)

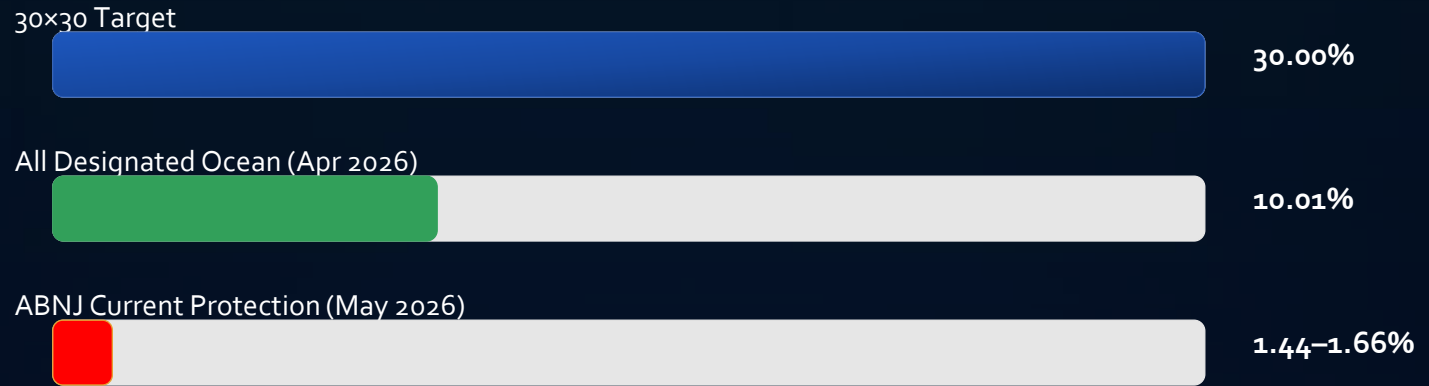
- **Data Gaps:** ABNJ contains <4% of benthic and <18% of pelagic global database observations; the scientific design baseline is still actively being built.

- **Enforcement Rules Outcomes:** MPAs drive fisheries spillover, trophic recovery, and carbon storage, but area protected doesn't guarantee results, enforcement matters.

- **The Decadal Challenge:** The BBNJ Agreement (effective Jan 2026) unlocks the first legal mechanism for high-seas MPAs; translating this treaty text into operational enforcement is the primary challenge.



Progress Toward the Global 30×30 Ocean Protection Target “The Arithmetical Gap”



Current ocean protection levels remain well below the global goal of protecting 30% of marine areas by 2030. Achieving the global mandate is **arithmetically impossible** without the High Seas.

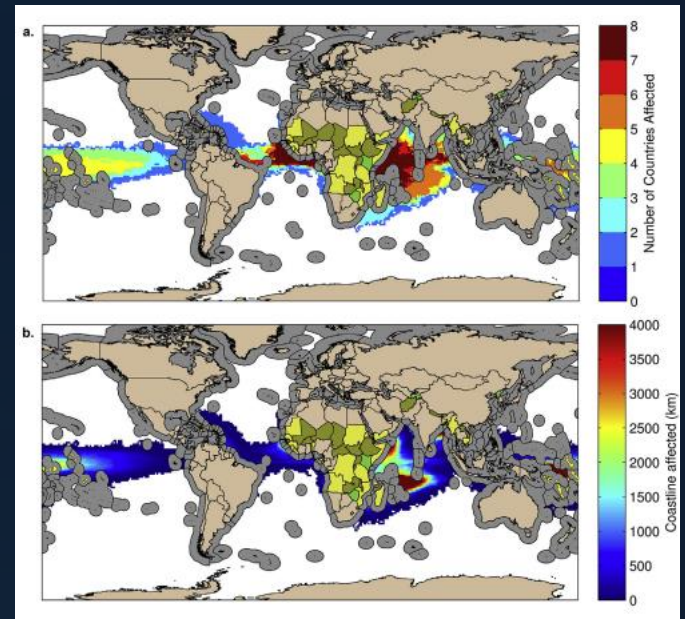
Ecological Connectivity: Five Dimensions Critical for High Seas MPA Design

IUCN WCPA High Seas Specialist Group Technical Note No. 22 (2024) — Connectivity in the Context of the BBNJ Agreement

Definition (CMS 2024 / IUCN WCPA 2024): Ecological connectivity = 'the unimpeded movement of species, connection of habitats without hindrance and the flow of natural processes that sustain life on Earth', encompassing both structural connectivity (habitat arrangement) and functional connectivity (how species use that space).

Ecological connectivity is a **legal treaty obligation** under BBNJ Art. 17(a). Designs must account for five dimensions:

- ↔ **Horizontal:** Larval/gene movement across EEZ↔ABNJ boundaries.
- ↕ **Vertical:** The "Active Biological Pump" moving carbon to depth.
- 🌊 **Oceanographic:** Currents physically steering propagule sinks.
- ➡ **Migratory:** Corridors for 829 species traversing ABNJ/EEZs.
- 🧬 **Genomic:** Maintaining diversity across fragmented seamounts.



Source: Popova, E., et al. (2019).

Deep-Sea and Vertical Connectivity: The Neglected Dimension (3D)

From sunlit surface to abyssal floor, a single connected system that MPAs must protect in three dimensions

Diel Vertical Migration (DVM)

Billions of organisms migrate 200–1,000m daily, actively transferring an estimated **0.15–0.72 Pg C yr⁻¹** from surface to depth, anchoring the global carbon pump. Oceans take up about 2 billion metric tons of carbon every year

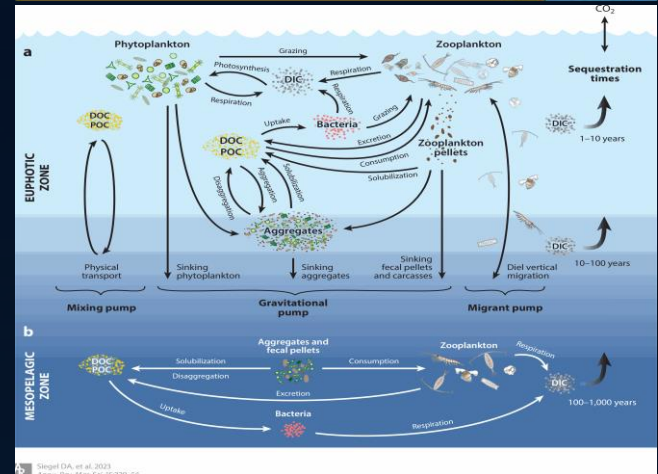
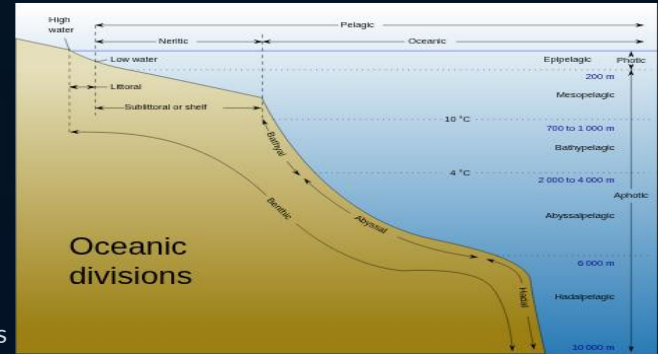
Benthopelagic Coupling

Surface "marine snow" feeds seamount and abyssal plain communities. Seamounts act as "nutrient elevators," enhancing mixing and pelagic productivity. (e.. Seamounts like Walvis Ridge act as "nutrient elevators," enhancing upward mixing and productivity.

Vertical Zoning Imperative

Commercial trawling impacts depths of **800–2,000m**, yet protection remains surface-focused. Management must shift to full-column, 3D spatial planning.

⚠ Management Gap: Most BBNJ MPA proposals ignore the deep column. Protecting the surface without the seabed is ecologically invalid; vertical fishing impacts alter deep-sea sequestration.



Environmental Impact Assessment: The BBNJ Framework in Practice

BBNJ Agreement Part IV (Arts. 27–40) — first mandatory, standardised EIA/SEA regime for activities in ABNJ

EIA trigger (Art. 30): A Party must conduct an EIA before authorising any activity under its jurisdiction or control in ABNJ that 'may have more than a minor or transitory effect on the marine environment'. This is the first time this obligation applies globally and standardly to the high seas.

What is the process for environmental impact assessments?

Parties are required to ensure that the process for conducting an EIA includes the following steps: (a) screening; (b) scoping; (c) impact assessment and evaluation; and (d) prevention, mitigation and management of potential adverse effects.

(a) Screening

Parties shall determine whether an EIA is required in respect of a planned activity under their jurisdiction or control

(b) Scoping

Parties shall ensure that key environmental and any associated impacts, as well as any alternatives to the planned activity are identified

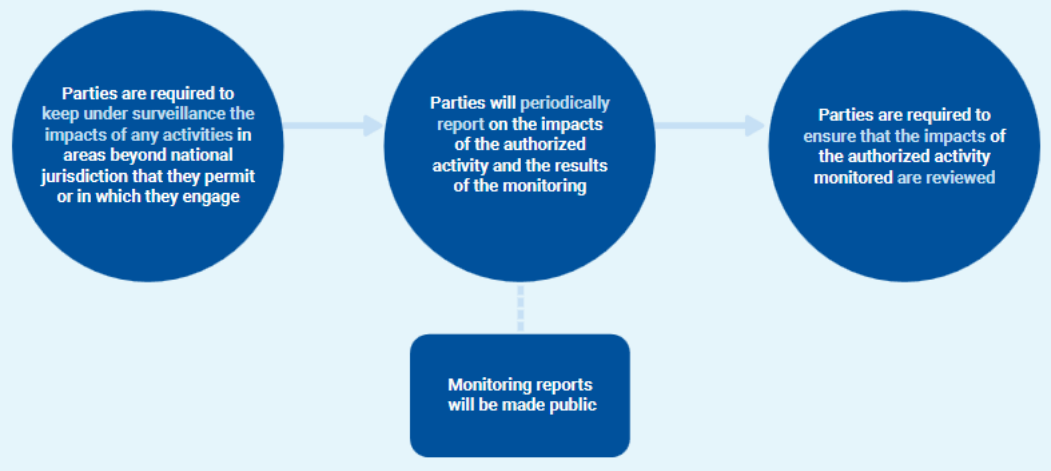
(c) Impact assessment and evaluation

Parties shall ensure that the impacts of planned activities, including cumulative impacts and impacts in areas within national jurisdiction, are assessed and evaluated

(d) Prevention, mitigation and management

Parties shall ensure that measures to prevent, mitigate and manage potential adverse effects of the planned activities under their jurisdiction or control are identified and analysed to avoid significant adverse impacts

Monitoring, reporting and review



From BBNJ Agreement Factsheet Part 4 EIAs. This factsheet focuses on environmental impact assessments (“EIAs”) (Part IV of the BBNJ Agreement)

Environmental Impact Assessment: A New Regime for the High Seas

Strategic Environmental Assessment (SEA)

Art. 39 encourages SEA for plans and programs, addressing cumulative and synergistic impacts across sectors. Critical for MPA network-level planning.

⚠️ Central Capacity Challenge for ATLAFCO Members

Most ATLAFCO member states lack national ABNJ EIA legislation, trained personnel and oceanographic data infrastructure required to conduct legally compliant assessments (Li & Zhang 2024).

High Seas MPA Proposals: Global Implementation Status (2026)

As of entry into force (Jan 2026), no MPA yet formally established under BBNJ; three regions lead

Pre-BBNJ Governance Model

NORTH-EAST ATLANTIC

- [The OSPAR Commission](#) established **12 ABNJ MPAs** between 2010–2021 (e.g., Charlie-Gibbs South, Josephine Seamount, NACES).
- **Key Lesson:** Cross-sectoral coordination with fisheries bodies (NEAFC) is required to prevent "paper parks" where nominal boundaries lack catch restrictions.
- Widely regarded as the leading precedent for institutional BBNJ implementation.

Regional Leadership: West Africa

CANARY–GUINEA CURRENT

- ECOWAS states are developing one of the earliest subregional BBNJ initiatives for the ecologically vital **Canary–Guinea Current convergence zone** (CBD EBSA).
- Involves **Nigeria, Senegal, Sierra Leone, Ghana, Benin, Guinea, and Guinea-Bissau**.
- Draft proposal aimed for associate with **BBNJ COP-1 (late 2026)**. **No formal MPA yet designated.**

South–South Cooperation

CHILE & INDIAN OCEAN

- **Chile:** Advancing ecosystem governance by promoting connectivity between national MPAs and adjacent ABNJ (e.g., Salas y Gómez/Nazca Ridge).
- **Seychelles–Mauritius:** Cooperative efforts around the **Saya de Malha Bank** demonstrate how SIDS can use BBNJ mechanisms for transboundary protection.
- Both demonstrate **South-South cooperation** models and strong political will from non-traditional ocean governance actors.

Management Insight: While OSPAR provides the structural blueprint, the **West Africa/ECOWAS** initiative positions ATLAFCO states at the forefront of BBNJ diplomacy. Regional actors reportedly aim to advance draft proposals by the first COP, transitioning high-seas protection from voluntary aspiration into binding regional law.

MPAs in ATLAFCO Waters : An Honest Assessment

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FORMALLY DESIGNATED HIGH SEAS (ABNJ) MPAS CURRENTLY EXIST IN THE ATLAFCO REGION

🚩 National EEZ Progress

- Most ATLAFCO members have **<5% protection** within national waters (UNEP-WCMC 2023).
- **IUU Threat:** Illegal fishing in West Africa remains the highest globally, significantly deterring conservation ROI (Simataa et al. 2022).

🌐 High Seas (ABNJ) Status

- **Legal Void:** Abidjan Convention's mandate is restricted to EEZs; no mechanism existed pre-BBNJ.
- **Institutional Silos:** Existing bodies (CECAF, ICCAT) lack explicit spatial conservation mandates for ABNJ.
- **SIDS Vulnerability:** Island states (Cabo Verde, Sao Tome) lack any legal shield for adjacent high-seas corridors.

Six Root Causes

Absence reflects structural deficits, not a lack of ecological justification



Legal Void (Pre-2026)

The Abidjan Convention lacks an ABNJ mandate, restricting regional governance to domestic EEZs until the recent BBNJ treaty implementation.



Governance Fragmentation

Fragmented mandates between CECAF, ICCAT, ISA, and IMO prevent integrated, cross-sectoral coordination for high-seas ecosystems.



Scientific & Data Deficits

Baseline biodiversity data remains significantly incomplete; formal identification of Ecologically or Biologically Significant Areas (EBSAs) is unfinished.



Capacity & Financial Constraints

Most member states face a severe lack of national ABNJ laws, specialized personnel, research vessels, and sustainable conservation financing.



Political Economy of DWFN Access

Heavy reliance on foreign licensing fees (DWFN) creates economic pressure against high-seas closures that shift effort back into national waters.



Institutional Inertia

Despite a 2014 mandate for an ABNJ working group, regional ocean governance has failed to produce a formal MPA proposal in over 12 years.

The Ecological Case: Priority Areas for High Seas MPA Designation in the ATLAFCO Region

Science-identified areas, formally documented in CBD EBSA processes and peer-reviewed literature

CANARY CURRENT (CCLME)

Formally designated EBSA (CBD 2014). One of four major Eastern Boundary Upwelling Systems globally and a top 9 biodiversity hotspot (Tittensor et al. 2010, Nature).

GUINEA DOME

Seasonal upwelling feature partly in ABNJ. Critical foraging and reproductive locus for sperm whales, yellowfin tuna, and mesopelagic groups (CBD 2014; CMS 2024).

WALVIS RIDGE (SE ATLANTIC)

Vast seamount chain with immense biodiversity value.

Status: Currently subject to zero (0) formal spatial conservation measures in ABNJ (FAO 2020).

▲ Threatened Species Tracker (IUCN 2023):

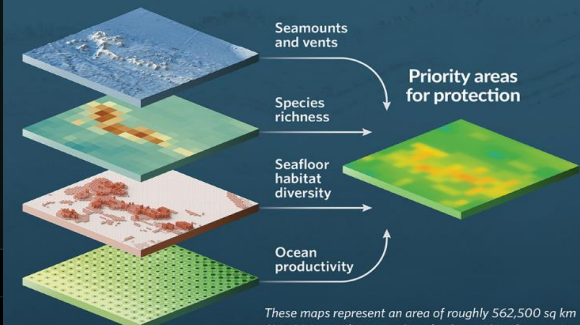
Confirmed presence of *Squatina aculeata* (CR), *Eretmochelys imbricata* (CR), and *Balaenoptera borealis* (EN). Direct tracking logs link these ABNJ blocks to national food security.



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Multiple Factors Determine Possible High Seas Protected Areas

Analysing conservation features highlights benefits of certain waters



These maps represent an area of roughly 562,500 sq km (217,200 sq mi) surrounding the Corner Rise Seamounts

Sources: CBD (2014) UNEP/CBD/EBSA/WS/2014/2/3; Tittensor et al. (2010) Nature; IUCN Red List (2023); CMS Framework; FAO VME Registry (2020).

Sources: UCSB analysis

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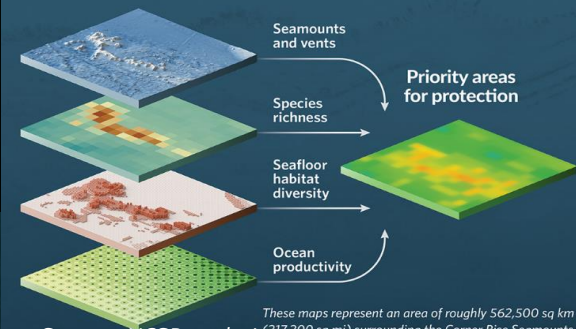
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Recommendations: Potential Actions for ATLAFCO to Address High Seas MPA Implementation?

From diagnosis to action, a six-point institutional roadmap grounded in peer-reviewed governance evidence

From Diagnosis to Action, A Six-Point Institutional Roadmap for the ATLAFCO Region

ACTION 1- Ratify & Designate Focal Points

All member states to ratify the BBNJ Agreement and designate empowered, inter-ministerial focal points. Establish a dedicated ATLAFCO High Seas Working Group to drive unified regional policy

ACTION 2- Advance ECOWAS Proposal

Formally endorse the Canary/Guinea Current MPA proposal through ATLAFCO mechanisms. Support EBSA mapping completion and mandatory stakeholder consultations ahead of BBNJ COP-1. *CBD (2014) EBSA data Matrix*

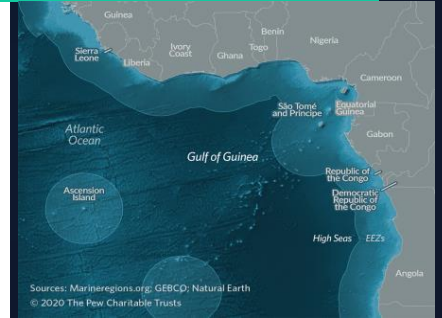
ACTION 3- Build Regional EIA Capacity

Establish a Regional EIA Support Facility under ATLAFCO and the Abidjan Convention. Develop standardized assessment templates and fully activate BBNJ Article 43 capacity obligations. *Li & Zhang (2014)*

News 31 Mar 2026

ECOWAS Leads Push for West Africa's First High Seas Marine Protected Area

The Economic Community of West African States (ECOWAS) is advancing a proposal for a high seas marine protected area (MPA) off the West African coast, following the entry into force of the Biodiversity Beyond National Jurisdiction (BBNJ) accord - commonly known as the High Seas Treaty - in January. The proposed area encompasses the convergence zone of the Canary and Guinea Currents, stretching from Cape Verde and Senegal in the north to Nigeria and São Tomé and Príncipe in the south, and is recognised as an ecologically and biologically significant marine area providing critical ecosystem services to over 300 million people. A BBNJ coordination committee comprising Nigeria, Sierra Leone, Ghana, Benin, Senegal, Guinea and Guinea-Bissau is leading the proposal, with Nigeria as co-chair, and a draft is being targeted for December ahead of the treaty's first Conference of Parties.



Sources: Marineregions.org; GEBCO; Natural Earth
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CONFÉRENCE MINISTERIELLE SUR LA COOPÉRATION HALIÉUTIQUE ENTRE LES ÉTATS AFRICAINS RIVERAINS DE L'Océan ATLANTIQUE

MINISTERIAL CONFERENCE ON FISHERIES COOPERATION AMONG AFRICAN STATES BORDERING THE ATLANTIC OCEAN

ABIDJAN DECLARATION

11th ORDINARY SESSION OF THE CONFERENCE OF MINISTERS
April 24, 2025

The Ministers and Delegates of the Member States of the Ministerial Conference on Fisheries Cooperation among African States Bordering the Atlantic Ocean -ATLAFCO- (Angola, Benin, Cameroon, Côte d'Ivoire, DR Congo, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Equatorial Guinea, Liberia, Morocco, Mauritania, Sao Tome and Principe, Senegal, and Togo), meeting in Abidjan, Republic of Côte d'Ivoire on April 24, 2025 on the occasion of the holding of the 11th Ordinary Session of the Conference of Ministers of the Member States:

- Encouraging** the consolidation of a concerted African position around the main components of the international treaty for the protection of the high seas and marine biodiversity or *BBNJ agreement* such as the creation of Marine Protected Areas, studies of the impact of human activities on the marine environment, as well as access to genetic resources and the equitable sharing of their benefits:
3. Encourage all Member States to adhere to relevant international legal instruments, including the Port State Measures Agreement (PSMA) and the International Treaty for the Protection of the High Seas and Marine Biological Diversity (BBNJ).



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Recommendations- Continued...

From diagnosis to action — a six-point institutional roadmap grounded in peer-reviewed governance evidence

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ACTION 4- Strengthen Data and Monitoring Infrastructure

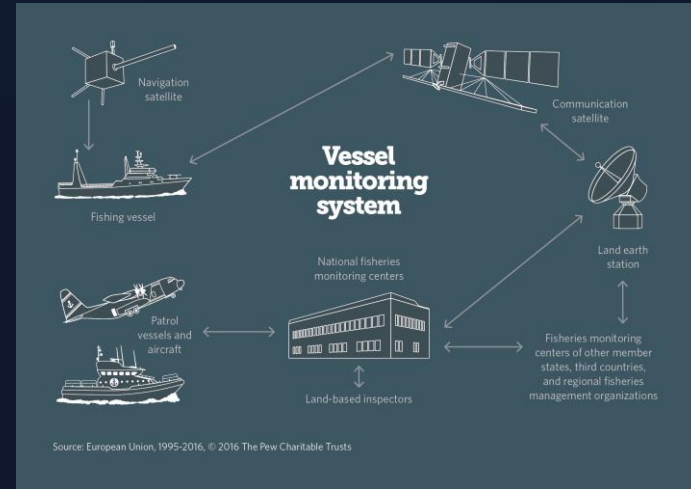
Invest in shared Vessel Monitoring Systems (VMS) and satellite surveillance for the SE Atlantic high seas. Expand CECAF and ICCAT data-sharing to protect vulnerable seamounts.

ACTION 5 - Mobilize Ocean Finance

Develop bankable MPA management project frameworks tailored for GCF and GEF-8 Blue Economy allocation windows. Engage bilateral donors. Note: existing ocean finance is heavily concentrated in EEZs of wealthier states , access requires deliberate institutional investment

ACTION 6- Advocate for Quality Standards

Lead within the BBNJ COP to demand strict quality baselines linked to clear enforcement commitments. Avoid "paper park" outcomes by ensuring mandatory no-take zones are implemented.



Governance Architecture: ATLAFCO Develop a Formal High Seas Body?

The Global Benchmark: OSPAR-NEAFC Model

- Regional Seas Convention with an explicit ABNJ mandate and binding decision-making.
- Formalized institutional cooperation with a regional fisheries body (NEAFC).
- **Regional Gap:** The ATLAFCO region currently lacks an equivalent unified legal framework.

Strategic Institutional Pathways

- **Option A:** Amend Abidjan Convention to include ABNJ mandate and decision-making authority.
- **Option B:** Establish a joint ATLAFCO-Abidjan Convention High Seas Body to integrate fisheries and conservation.
- **Option C:** Use BBNJ COP as the primary venue (Lower institutional cost / Less regional control).

The Core Challenge: ABNJ Enforcement

- Current enforcement is limited exclusively to flag-state jurisdiction.
- Strategic reliance on innovative, shoreline-based compliance: Port State Measures, trade tools, and vessel blacklisting and Satellite monitoring systems etc..



CONFERENCE MINISTERIELLE SUR LA COOPERATION HALIEUTIQUE ENTRE LES ETATS AFRICAINS RIVERAINS DE L'OCEAN ATLANTIQUE

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QUESTIONS?

THANK YOU

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BACKUP

Status of conservation and management of MPs in ABNJ and BBNJ in the WIO

Background document on the status of conservation and management of marine Areas Beyond National Jurisdiction (ABNJ) and marine Biodiversity of Areas Beyond National Jurisdiction (BBNJ) in the western Indian Ocean

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