



High Seas

The treasures of the high seas - 50% of the planet - are up for grabs and undefended: some marine life could be disappearing before it is even discovered. With fishing, mining and pollution encroaching ever further and deeper into the Ocean, the existing legal and governance framework is out of date and out of its depth. The current process to negotiate a new high seas treaty must lead to a robust agreement fit for guarding Ocean life against 21st century perils, and for the benefit of all.

TALKING POINTS: COMMON HERITAGE, COMMON RESPONSIBILITY

- The high seas are the international waters covering over two thirds of our Ocean that are owned by everyone and no-one. That's nearly 50% of the planet's surface area and if you start to think in 3 dimensions - which you have to, because of the depth of the Ocean, it is so much more of the habitable space on Earth!
- The high seas are part of the global commons and governed collectively by all nations. Once thought to be barren and devoid of life, it is now known that the high seas are one of the largest reservoirs of biodiversity on Earth.
- Many marine species, such as whales, tunas, and sharks, spend much of their lives on the high seas, migrating along the highways and byways of the great Ocean basins from feeding to spawning and breeding grounds, and back again.
- Other species spend their entire lives in the high seas, living and breeding along the mighty submerged mountain ranges that span the global Ocean.
- Discoveries being made in ancient, deep-sea coral fields and on seamounts teeming with life are yielding potentially life-saving medicines and enhancing our understanding of global biodiversity. Yet more people have ventured into outer space than to the deepest depths of our Ocean and we know more about the surface of the Moon than we do about the deep-sea bed of the high seas.
- At its deepest point the Ocean is nearly 11 km deep (over 2 km deeper than Mount Everest is high), yet the deep sea seems a whole different world away. Only 0.0001% of the deep seafloor has so far been studied and it is

estimated that millions of species living there are yet to be discovered, as well as potential cures for fatal diseases.

- The high seas provide critical ecosystem services for our planet – from fisheries to climate regulation. As examples, current estimates of the economic value of carbon storage by the high seas range from US\$74 billion to US\$222 billion per year while high seas fisheries raise up to US\$16 billion annually in gross catch.
- So why has so little (only 1.2%) been protected? Firstly, the high seas are not the responsibility of any one State, but belong to all of us. And whilst it is pretty straightforward to protect areas within national waters, for most of the high seas there are no clear rules, which has meant that for too long protecting high seas marine life has been placed on the “too difficult pile”.
- The United Nations Law of the Sea Convention (UNCLOS), an international treaty that many call ‘the Constitution of the Ocean’ was negotiated through the 1990s to determine which marine areas States have jurisdiction over, and which are areas of international responsibility. Since then, several agreements have been made to regulate specific activities, like seabed mining and fishing for highly migratory and straddling fish stocks. Under these treaties, particularly for fishing, a plethora of organizations have been set up to manage different types of fishing or specific species on the high seas, which the Global Ocean Commission coined as a ‘spaghetti soup’ of acronyms.
- It is an expensive, ungainly and ineffective system that needs fixing. And it still leaves major gaps in coverage. With a focus on organizing States around extracting life from the Ocean, inadequate attention has been focused on organizing the protection of high seas marine life.
- Currently, there is no legal mechanism with which to establish fully protected marine areas in most parts of the high seas, no mechanism to undertake environmental impact assessments and no agreement for access and benefit sharing of marine genetic resources in areas beyond national jurisdiction.
- Increasing impacts from human activity, continue to negatively affect biodiversity on the high seas. For example, Fish stocks are in trouble because dwindling stocks nearer to shore mean that boats are going further and deeper looking for fish. Destructive fishing practices, such as bottom trawling, and illegal fishing are threatening high seas marine life. And new and emerging unregulated activities are adding another layer of concern. Combine these threats with the impacts of a changing climate, and you have a very unhealthy cocktail that is poisoning our blue planet.

WHAT NEEDS TO HAPPEN?

- For the Ocean to carry on functioning as a key life-support system, providing food, jobs and oxygen to name just a few of the things we term economic “services”, we cannot ignore the 2/3 of the Ocean that makes up the high seas (as this [short film](#) shows).
- For over a decade, negotiators at the United Nations have been discussing what best to do to protect marine life in the high seas.
- A breakthrough was reached in early 2015, followed by a UN Resolution (69/292) which established a two-year official process to development of a new treaty under the Law of the Sea Convention to protect life in the global Ocean.
- Following two years of negotiations, finally on the 24th December 2017, the UN General Assembly made the [historic decision](#) to formally start negotiations for a new UN [landmark treaty to protect the high seas](#), to be concluded by 2020. Negotiations are still underway.
- This agreement will address area-based management tools, including a possible framework for the establishment of marine protected areas and reserves in these areas, environmental impact assessments, the access to and fair sharing of marine genetic resources, as well as capacity building and the transfer of marine technology. It should also incorporate modern environmental governance -principles such as requirements for transparency and implementing the precautionary approach.
- Given what we now know about the impacts of climate change on the Ocean and the critical role of a healthy Ocean as a carbon sink and source of oxygen, the sooner this agreement gets finalized and enters into force, the better.
- This would be the first global treaty process focused specifically on protection of marine biodiversity for that part of the Ocean beyond national boundaries (the high seas and its seabed floor below).
- Securing the health of the global Ocean is critical if we want to build resilience to change and secure the health of the world’s biosphere for future generations. We need government leaders to encourage their negotiators to work quickly for a strong agreement to secure the health of the global Ocean and meet the ambition of the Paris climate deal.
- Now is the time for a robust international agreement that reflects the realities of the 21st century and turns the tide so that instead of destroying life in the sea, we revitalize and rebuild it.
- For more information visit <http://highseasalliance.org/>

