

The need for a High Seas Biodiversity Agreement

No more “Wild West” oceans

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GREENPEACE



Image A school of mixed Fusiliers (*Caesionidae*) in the Great Barrier Reef.

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“The wholesale removal of marine life and obliteration of their habitats is stripping resilience from ocean ecosystems. Moreover, it is undermining the ability of the oceans to support human needs.”

– Callum Roberts, *The Unnatural History of the Sea*

Until the last century most of the world's oceans were too far, too deep, too rough, too cold or too dangerous to fish. Most of the oceans were *de facto* marine reserves, off-limits to fishing. However, technology has developed in leaps and bounds. Fishing vessels are now able to fish all over the world, including in the Arctic and Antarctic regions, and to depths of several kilometres. Vessels fish for months on end, using powerful sonar and satellite equipment to locate their catch. And now, companies are deploying new technologies to mine and drill in deep waters. There are no longer any safe havens for the life contained in our oceans.

More than 64% of the oceans lie beyond the jurisdiction of any one country, and are commonly known as the high seas. These areas belong to everyone, no matter if your country is on the other side of the planet, or even landlocked. The constitution for the oceans, the UN Convention on the Law of the Sea (UNCLOS), sets out the rights and obligations that countries have when operating in the high seas, including the responsibility to protect ocean life from harm.

Unfortunately, much more emphasis has been put on the “right” to plunder the oceans than on the responsibility to protect them, creating a “Wild West” approach to oceans management. If you want to fish, drill or mine the high seas, there are organisations and processes that enable you to do so. But if you want to protect the high seas – by creating a marine reserve to protect a fragile coral reef, for example – there is simply no clear way to do so. It is very difficult or even impossible at the moment to create marine reserves, let alone monitor and control them, in most high seas areas.

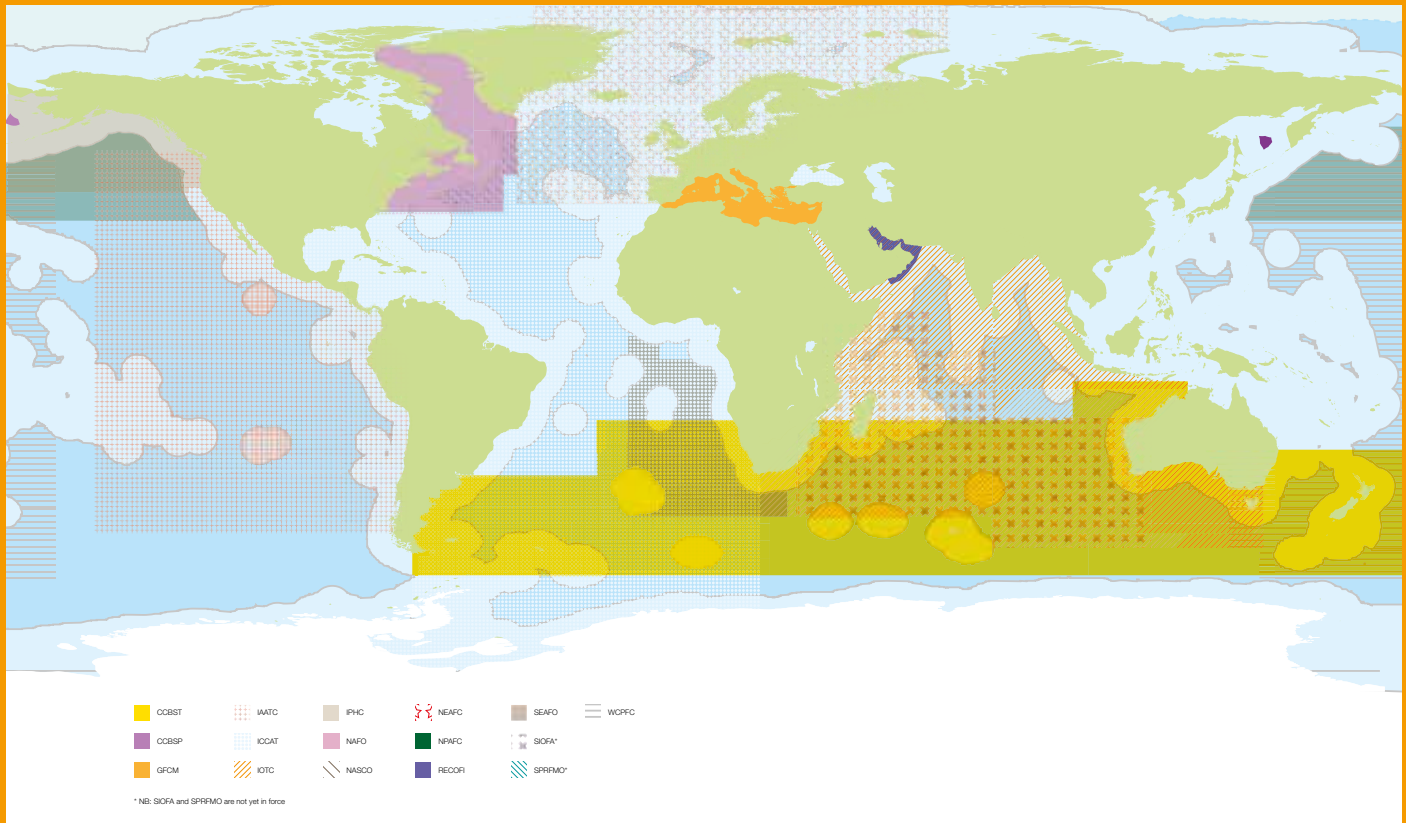
The way we manage our oceans looks like a patchwork quilt – one with many holes. There are a wide array of different organisations and agreements responsible for managing parts of the high seas, specific activities, or particular fish species. However, there is little or no coordination or cooperation between these different bodies. Of the various regional fisheries management organisations (RFMOs) that are responsible for the management of particular fish populations, many have been spectacular failures, taking species such as the bluefin tuna to the brink of collapse due to gross mismanagement. By comparison, there are very few regional and international organisations with the power to conserve marine ecosystems. There is also no centralised monitoring control and enforcement to ensure that conservation measures are respected in high seas waters or any process to undertake environmental impact assessments before any activity that potentially impacts our oceans takes place.

The current way of managing the high seas puts short-term corporate interests before the long-term health of our oceans. Unless action is taken to restore and protect the health of our oceans, they will be unable to sustain life on Earth. Although properly implementing existing ocean protection rules would greatly improve the situation, this alone will never be enough. With no institutions in place to ensure countries and industries respect and protect ocean life, our oceans – and the billions of people dependent on them for food and jobs – remain in peril. The numbers are daunting – as of 2012, less than 1% of the high seas are under some form of protection, despite global leaders agreeing to establish networks of marine protected areas by this date. The “Wild West” approach to oceans management needs to end if our planet and its people are to survive.

UNDER THREAT

MAP SHOWING THE PARTIAL AND COMPLEX PATCHWORK OF RFMOs RESPONSIBLE FOR FISHERIES MANAGEMENT ON THE HIGH SEAS

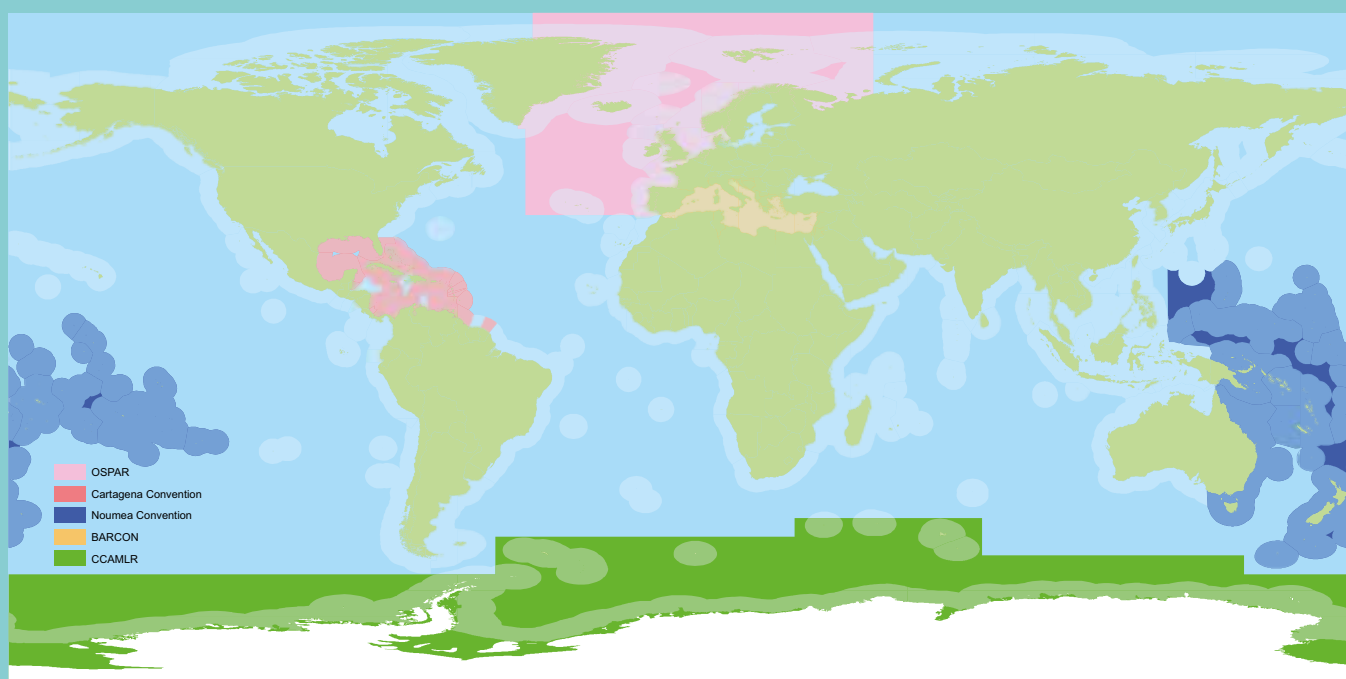
Please note that the areas on this map are best approximations, intended to show the complexity and gaps in high seas governance



RFMOs: There are many gaps in Regional Fisheries Management Organisations (RFMOs) governance – both geographically and in terms of fished species. Many RFMOs are not assessing or addressing the impacts of fishing on non-target species and vulnerable habitats such as seamounts and coral reefs. There is also limited communication and coordination between RFMOs, making the total fishing impact on our oceans overlooked.

Other Organisations: Many other global organisations and agreements are responsible for regulating different activities on the high seas, including the IWC (whaling), the IMO (shipping), ISA (deep sea mining) and the London Convention (dumping of waste). However, there is currently no coordination and cooperation between these bodies, and no mechanism to assess the impacts of all human activities on the high seas or to effectively monitor them.

MAP SHOWING THE SMALL PROPORTION OF THE HIGH SEAS COVERED BY ORGANISATIONS WITH A MANDATE TO PROTECT MARINE LIFE



For the vast majority of the oceans there are no agreements to protect marine life and their habitats from human activities, to assess these impacts, or to create and implement marine reserves.

Even in the areas covered by regional seas agreements, the standards and rules applied are not uniform. Some agreements only focus on single threats such as pollution, while others address a range of threats and can establish marine protected areas.

The new implementing agreement under the UNCLOS would address the gaps and fragmentation. It would help to identify, create and manage marine reserves, assess human impacts, organise the coordination of regional organisations and ensure agreed enforcement rules are respected by all.

LESS THAN 1% OF THE HIGH SEAS ARE PROTECTED

A High Seas Biodiversity Agreement

To bring about the end of the oceans “Wild West”, governments and industries must recognise the need to use the oceans responsibly, and that by managing their activities effectively they can ensure healthy and productive oceans for generations to come. A new agreement that protects life in the oceans and ensures sustainable use is urgently needed. This is why Greenpeace is demanding a high seas biodiversity agreement under UNCLOS.

A high seas biodiversity agreement would make clear the obligation of countries to protect ocean life that is found both in high seas waters and the seabed in areas that are beyond the jurisdiction of any one country. It would put in place a mechanism to identify, create and manage marine reserves. It would spell out the process that industry needs to follow to create and implement environmental impact assessments before extractive and potentially damaging activities are allowed to take place. It would coordinate existing regional organisations that regulate human activities (including fishing, drilling, mining, and shipping) and protect our oceans. It would also create a fair regime for the access and sharing of benefits from the exploitation of genetic resources in the oceans – so that developing countries can also benefit from such resources. An effective agreement must also include a monitoring and control and enforcement mechanism that will ensure agreed rules are respected by all.

The urgent crisis facing our oceans has made more and more leaders realise that the status quo is pushing marine life to the brink of collapse. Today, the large majority of countries support a global agreement to protect the high seas, but progress is currently blocked by a handful of powerful nations. At the Rio+20 Summit in Brazil in June 2012 governments committed to take a decision on the development of a global agreement under UNCLOS by the end of 2014 at the UN General Assembly, where issues can be taken to vote.

The oceans hang in the balance. There is no more time to waste. The large majority of countries in favour of high seas protection must now join forces and act together for healthy oceans and the millions of people that depend on them.

Calling for a high seas biodiversity agreement under UNCLOS


A high seas biodiversity agreement under UNCLOS is urgently needed to ensure healthy and productive marine ecosystems across the world's oceans. Only a global agreement can provide a coherent and integrated approach in all areas beyond national jurisdiction.

The agreement should provide:

- an explicit mandate for the protection, conservation and sustainable use of biodiversity in areas beyond national jurisdiction;
- implementation tools, such as a mechanism to establish, monitor and control marine reserves; and to undertake environmental impact assessments (EIAs) and strategic impact assessments (SEAs) in areas beyond national jurisdiction;
- harmonisation and coordination among relevant instruments or regional, international and intergovernmental bodies;
- a mechanism for the access and equitable benefit sharing of the utilisation of marine genetic resources (MGRs); and
- a centralised monitoring, control and compliance system with a register and database of all high seas fishing vessels.



Image Schooling fish swim over a coral reef near Nauru in the Pacific Ocean.

A full-page background image showing a vast, flat landscape, likely a frozen body of water or a salt flat, under a dramatic sky. The sky is filled with layers of clouds, with a bright, glowing area where the sun is setting or rising, casting a warm, golden light across the scene. The water or ice in the foreground reflects the light from the sky. Numerous small, dark ice floes are scattered across the surface.

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