High Seas Treaty

Why in news

The UN member states agreed on a treaty for protecting marine life in international waters that lie outside the jurisdiction of any country.

What are the high seas?

- According to the *1958 Geneva Convention on the High Seas*, they are the parts of the sea that are not included in the territorial waters or the internal waters of a country.
- It is the area beyond a country's *Exclusive Economic Zone* which extends up to *200 nautical miles or 370* km from the coastline & till where a nation has jurisdiction on living & non-living resources.

No country is responsible for the management and protection of resources on the high seas.

How important are the high seas?

- **Hub of marine life –** The high seas account for more than 60% of the world's ocean area and cover about half of the Earth's surface, which makes them a hub of marine life.
- **Role in climate change –** The high seas regulate the climate by playing a fundamental role in planetary stability by mitigating the effects of climate change.
- They absorb carbon and store solar radiation and distribute heat around the globe.
- **Resources –** It provides a wealth of resources, like seafood and raw materials, genetic and medicinal resources, and air purification.

What are the concerns associated with high seas?

- **El Nino –** They are affected by phenomena like the El Nino, and are also undergoing acidification, all of which endanger marine flora and fauna.
- Several thousand marine species are at a risk of extinction by 2100 if current warming and acidification trends continue.
- **Anthropogenic pressures –** These include seabed mining, noise pollution, chemical spills and fires, disposal of untreated waste, overfishing, introduction of invasive species, and coastal pollution.
- **Least protected –** Despite the alarming situation, the high seas remain as one of the least-protected areas, with only about 1% of it under protection.

What is the treaty about?

- The draft agreement recognises the need to address biodiversity loss and degradation of ecosystems of the ocean.
- It places 30% of the world's oceans into protected areas, puts more money into marine conservation and covers access to and use of marine genetic resources.

A marine protected area (MPA) is defined as a geographically defined marine area that is designated and managed to achieve specific long-term biodiversity conservation objectives and may allow, where appropriate, sustainable use provided it is consistent with the conservation objectives.

What is the timeline of the treaty?

- **UNCLOS –** In 1982, the UN Convention on the Law of the Sea (UNCLOS) was adopted, which delineated rules to govern the oceans and the use of its resources.
- However, there was no comprehensive legal framework that covered the high seas.
- The UNGA decided in 2015 to develop a *legally binding instrument* within the framework of UNCLOS.
- The Intergovernmental Conference (IGC) was convened to frame a legal instrument on *Marine Biodiversity of Areas Beyond National Jurisdiction (BBNJ).*
- The *European Union launched the High Ambition Coalition* on BBNJ to finalise the agreement.
- **30x30 pledge –** At the Conference of Parties of the Convention on Biological Diversity (COP15), countries agreed to protect 30% of oceans by 2030, as part of the '30 x 30 pledge'.

The 30x30 pledge was made by the historic Kunming-Montreal Global Biodiversity Framework (GBF), at the COP15.

What are the key features of the treaty?

- **Benefit-sharing committee –** The activities concerning marine genetic resources of areas on high seas should be in the interests of all States and for the benefit of humanity.
- They have to be carried out exclusively for peaceful purposes.
- **Environmental impact assessments –** Signatories will have to conduct environmental impact assessments before the exploitation of marine resources.
- **Rights over genetic resources –** No State can claim its right over marine genetic resources of areas beyond national jurisdiction, the draft adds.
- **Clearing House Mechanism (CHM) –** Members will have to provide CHM, established as part of the treaty, with details like the objective of the research, geographical area of collection, names of sponsors, etc.
- **Funding –** A special fund will be established which will be fixed by the conference of parties who will also oversee the functioning of the treaty.

References

1. The Hindu │How did the treaty on the high seas come through?
2. Live Mint │ Curb on deep sea mining, overfishing: UN's historic ocean treaty explained
3. World Economic forum │ Why the High Seas Treaty is a breakthrough for the ocean and the planet
4. UN News │ UN delegates reach historic agreement on protecting marine biodiversity in international waters

