



PROTECT THE GLOBAL OCEANS

Why we need a Global Ocean Treaty

GREENPEACE



RAINBOW WARRIOR

“We need to protect the ocean, as if our lives depend on it, because they do.”

- Dr. Sylvia A. Earle



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OUR GLOBAL OCEANS - AKA HIGH SEAS

Greenpeace is calling for an ambitious Global Ocean Treaty to give our oceans the protection they urgently need. The Treaty must create a global system, a “one-stop shop”, for creating and effectively implementing ocean sanctuaries on the high seas.

Nearly half of the planet’s surface - more than 64% of the world’s oceans - is a vast blue wilderness, set apart from the boundaries of flags, languages and national divisions.

These are **our global oceans**. Also known as the high seas¹, these open oceans and deep seabed areas cover 230 million square kilometres – bigger than every single continent combined – and they belong to us all.

The global oceans are rich and diverse natural environments. They provide critical support for our whole planet and play an important role² in slowing climate change. They encompass remarkable habitats like deep-sea coral fields and seamounts. The global oceans are home

to an extraordinary variety of life, including whales, tuna, sharks, turtles and rays.

In fact, they teem with life that scientists have only just started to discover. They are some of the least explored and least protected areas on Earth. Only 1% of our global oceans are currently protected.³

A PERFECT STORM

Until the last century, the global oceans were out of reach of human exploitation. Too distant, too deep, too rough, too cold and too dangerous. Fishing, mining for minerals and drilling for oil and gas were activities confined to the ocean near the coast. That meant the global oceans were *de facto* ocean sanctuaries: safe havens for ocean life. But fast-developing technology has changed this.

Today, industrial fishing vessels can fish further out at sea and to depths of thousands of metres, reaching areas such as the Arctic and Antarctic that were once too remote. Add to this developments in mining and drilling technology that permit industrial activity far out in the global oceans and it's clear: there are no longer any safe havens.

The situation is made worse by the intense pressures caused by climate change, increasing ocean acidification and pollution. Together, it all adds up to a perfect storm.⁴

A healthy ocean is critical to global food security, the livelihoods of billions of people, and a stable climate that can support human life.⁵ Our fate and the fate of our oceans are intimately connected. If ocean ecosystems continue to take this kind of damage year after year, the consequences will be profound and disastrous.

THE SOLUTION

The science tells us that to avoid the worst effects of climate change and safeguard wildlife, **we need to protect at least 30% of our oceans by 2030.**⁶

That means creating a global network of ocean sanctuaries, stretching beyond areas of national jurisdiction and bringing an end to the unsustainable plunder of the global oceans.

Ocean sanctuaries - or marine reserves - are areas that are off limits to all extractive and destructive uses like mining and industrial fishing. Ocean sanctuaries are the most cost-effective way to reverse the current ocean crisis, to restore damaged ecosystems and to build ocean resilience.⁷

GLOBAL OCEANS GOVERNANCE

The United Nations Convention on the Law of the Sea (UNCLOS) is the constitution for the oceans. It sets out the rights and obligations of States operating in the global oceans, including the responsibility to protect ocean life from harm.⁸

However looking back over the past 30 years, many governments have focused on exercising their right to exploit the global oceans without taking on much responsibility to protect them. If a State or corporation wishes to fish, drill or mine in these waters, a range of organisations will enable them to do so (see Table "Map about RFMOs").

This has led to a sector by sector approach to ocean management and created a complex web of global and regional organisations and agreements which are not designed to advance global biodiversity objectives.⁹ To make things worse, there is little or no coordination or cooperation between these different actors.



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There is still no global mechanism in place to deliver conservation in the global oceans. There are no global rules to create ocean sanctuaries, let alone to monitor, manage and enforce them in most of the oceans (see Table “*Map of Limited Competences of Regional Organisations*”).

As things stand, there is no global framework to assess the cumulative impact of human activities and climate change. We cannot effectively undertake environmental impact assessments when a potentially harmful activity like geoengineering is proposed in the global oceans.

The first UN world ocean assessment¹⁰ concluded that the greatest threat to the ocean comes from the failure to deal quickly with the many problems affecting them. Delay in solving these problems would result in greater environmental, social and economic costs.

But right now, for the first time in history, the world is coming together to tackle the challenges and create a plan: **a Global Ocean Treaty.**

At last, we have a chance to turn the tide.



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GLOBAL OCEAN TREATY

After a long journey, governments at the United Nations have agreed to develop a new set of rules to protect marine life in the global oceans. This is a historic opportunity that will shape global ocean protection for generations to come.

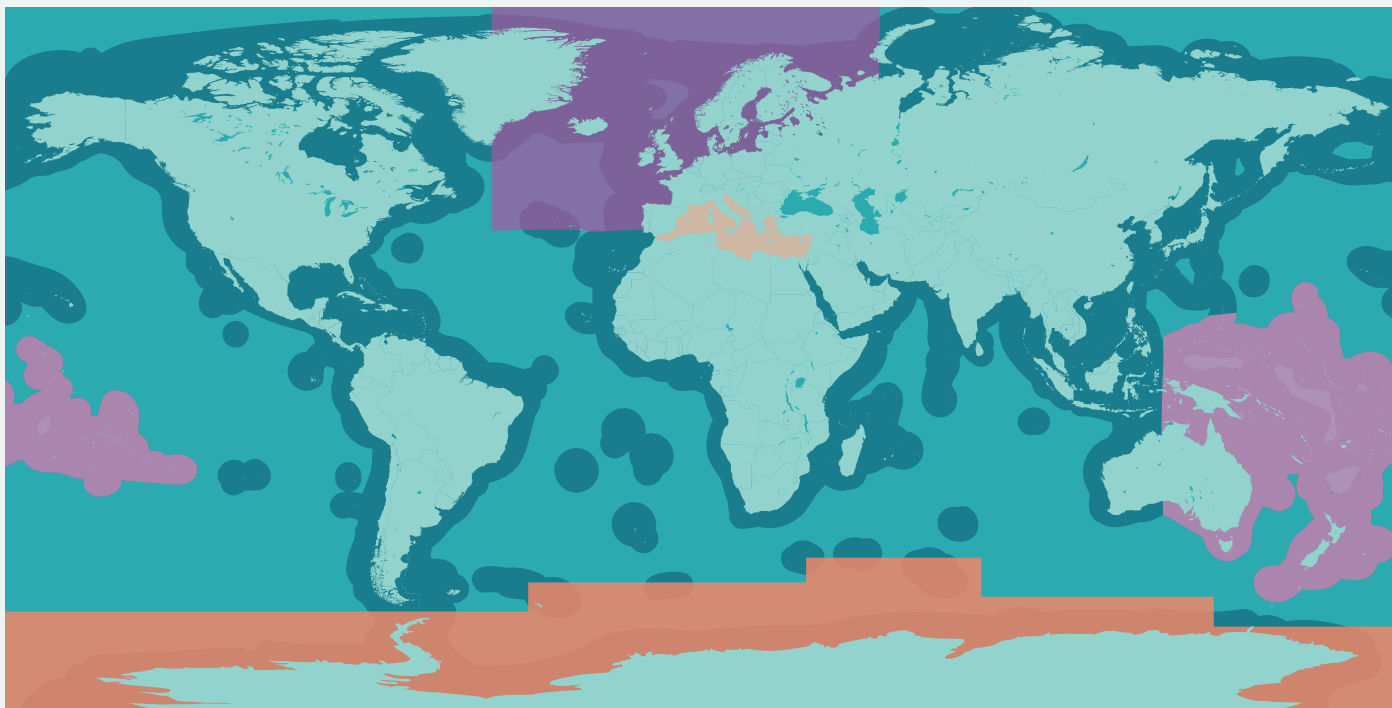
If successful, the Treaty could be agreed as early as 2020. It could set the foundation for how governments can create and effectively implement ocean sanctuaries across the global oceans.

It is time to take bold political action to protect the half of the planet that belongs to all of us. A strong Global Ocean Treaty must be negotiated and adopted as soon as possible, in order to protect what protects us all.

Greenpeace is calling for a Global Ocean Treaty under UNCLOS that provides:

1. A clear objective and a legal duty to cooperate to protect,¹¹ preserve and restore ocean health and resilience through a network of ocean sanctuaries across the global oceans.
2. The global identification, designation and implementation of ocean sanctuaries in the global oceans. The process must include a time-bound consultation with stakeholders including civil society and organisations with competence over relevant human activities¹² and lead to the adoption of sanctuaries with clear protection measures.
3. The assessment of the multiple and cumulative impacts of human activities in the global oceans before such activities are authorised.
4. A robust institutional framework with decision-making, review and monitoring powers such as a Conference of the Parties, a Secretariat, a Scientific/Technical Committee and a Compliance Committee.
5. Simple and effective decision-making procedures, such as majority voting, when consensus is not possible.
6. A framework for improved coordination and cooperation among different competent organisations.
7. Monitoring, reporting, review and compliance mechanisms to ensure that the Treaty is implemented by all.
8. Clear enforcement obligations for Parties, including to investigate and prosecute violations and adopt adequate sanctions.
9. Fair rules for the access and equitable benefit sharing from the utilisation of marine genetic resources in the global oceans.
10. Fair rules on capacity building, transfer of marine technology and financial mechanisms to allow States, especially developing countries, to comply with the Treaty and meet its objectives.

Map showing the limited competence of regional organisations



Note: this map is not to scale and is for illustration purposes only

Regional Seas Organisations

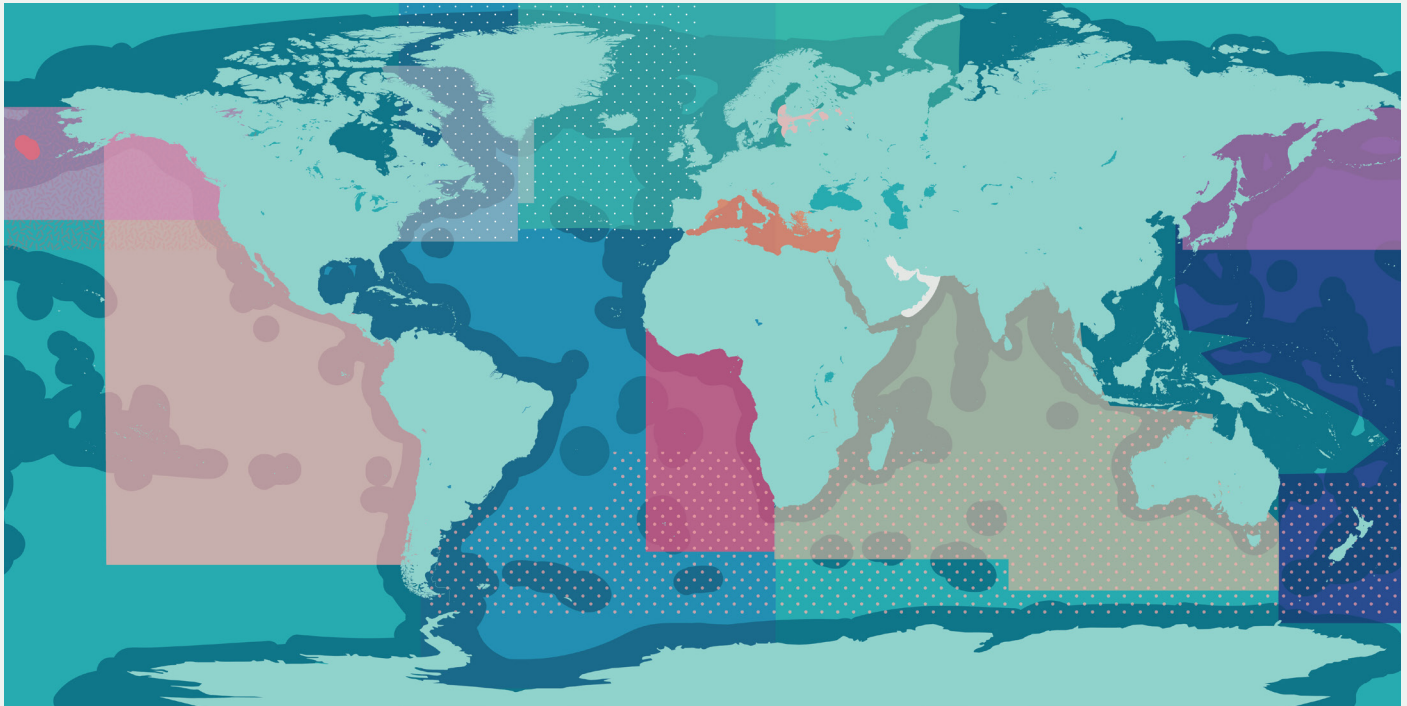
There are only a few regional organisations with the ability to conserve marine ecosystems on the global oceans. Their mandate is limited.

















A small number of them, like the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) or the Commission for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) can designate, through their Parties, marine protected areas in the global oceans.

However, progress is slow because most of these organisations do not have the ability to directly protect against the full range of activities that may impact on biodiversity inside the protected areas, like fishing, shipping, or mining.

Too often, the result is the creation of so called "paper parks" - areas of the ocean protected on paper but not in reality. Moreover, regional agreements are only legally binding for their member States and can be ignored by non members.

Map showing the complex patchwork of RFMOs responsible for fisheries management on the global oceans



 CCBST	 IAATC	 IPHC	 NEAFC	 SEAFO
 CCBSP	 ICCAT	 NAFO	 NPAFC	 SIOFA
 GFCM	 IOTC	 NASCO	 RECOFI	 SPRFMO
 WCPFC	Note: this map is not to scale and is for illustration purposes only			

Regional Fisheries Management Organisations

(RFMOs) are established to manage target fish stocks in specific regions. There are still geographical gaps in their coverage, for example in the Arctic.

RFMOs do not have biodiversity conservation as a primary objective and they lack the ability to address impacts from other sectors or to protect areas from threats other than fishing.

They do however have obligations to address the impact of fishing on non-target species and habitats. Most RFMOs have not met these obligations due to their sectoral focus, lack of expertise and lack of political will.¹³ In addition, RFMOs suffer from limited communication and coordination between each other, which makes overall fishing impact on our oceans impossible to estimate.

The Global Ocean Treaty would complement and strengthen the work of RFMOs, by providing comprehensive protection against conflicting human activities and improving their ability to deliver upon their obligations. It would provide scientific expertise, guidance and a platform for triggering action and addressing cumulative impacts, so enhancing coordination among different sectors.

The Treaty would do the same for the **other sectoral global organisations and agreements** that regulate activities on the global oceans. These include the International Maritime Organisation (shipping), the International Seabed Authority (deep sea mining); and the London Convention (dumping of waste), to mention just a few .



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ENDNOTES

- 1 In this briefing the term “global oceans” or “high seas” are used to refer to high seas and the seabed beyond the jurisdiction of States or else “areas beyond national jurisdiction” (ABNJ)
- 2 See Paris Agreement, Preamble, at: https://unfccc.int/files/meetings/paris_nov_2015/application/pdf/paris_agreement_english_pdf
- 3 Marine Conservation Institute's MPAtlas at <http://www.mpatlas.org/map/mpas/>
- 4 L. Woodall, C. Stewart, A. Rogers “Functions of the High Seas and Anthropogenic Impacts, Science Update 2012-2017, University of Oxford at <http://highseasalliance.org/sites/highseasalliance.org/files/HS%20Synthesis%20Oxford%20%28110717%29.pdf>
- 5 <http://www.greenpeace.org/international/Global/international/briefings/climate/COP23/Oceans-Climate-Briefing.pdf>
- 6 E.g. B. O'Leary, Callum M. Roberts and al. “Effective Coverage Targets for Ocean Protection” at <http://onlinelibrary.wiley.com/doi/10.1111/conl.12247/epdf>. See also 2016 IUCN World Conservation Conference, Resolution 053 “Increasing marine protected area coverage for effective marine biodiversity management at <https://portals.iucn.org/congress/motion/053>
- 7 Callum M. Roberts, B. O'Leary, D. J. McCauley and al. “Marine reserves can mitigate and promote adaptation to climate change” at <http://www.pnas.org/content/114/24/6167.full>
- 8 For more on ocean governance gaps see <https://www.greenpeace.org/archive-international/Global/international/publications/oceans/2013/High-Seas-Biodiversity-Agreement.pdf>
- 9 Dire Tladi, The Proposed Implementing Agreement: options for coherence and consistency in the establishment of protected areas beyond national jurisdiction in *IJMCL* 30 (2015) 654-673
- 10 http://www.un.org/Depts/los/global_reporting/WOA_RegProcess.htm
- 11 Where protection also includes prevention of damage to or degradation of the marine environment.
- 12 See organisations described in the boxes below ‘Regional Fisheries Management Organisations’ and ‘Regional Seas Organisations’
- 13 See http://www.savethehighseas.org/wp-content/uploads/2016/08/DSCC-Review-2016_Launch-29-July.pdf

