



The Road to a Strong High Seas Treaty Final Stop: IGC5, 2022

*High Seas Alliance recommendations on the
5th Intergovernmental Conference (IGC5) on Biodiversity Beyond National Jurisdiction
(BBNJ)
United Nations, 15-26 August 2022*

The greatest opportunity to protect the largest reservoir of biodiversity on Earth is now.

From the 15th to the 26th of August, world governments will gather at the United Nations (UN) headquarters in New York for the **5th negotiating conference** (IGC5) to finalize a landmark new treaty under the United Nations Law of the Sea Convention (UNCLOS) on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ) (which comprise the seabed and the high seas).

Comprising nearly half the planet, the high seas are **a true global common**, vital for our planet's survival. Since discussions at the UN first began on this critical issue twenty years ago, the **climate and biodiversity crises have dramatically worsened**, with increasing dire consequences for the lives of millions of people worldwide. Protecting the ocean is critical to those dependent on a healthy marine environment for their food and livelihood. It is also a key **natural climate solution**. The ocean helps regulate the global climate, mediates temperature and acts as the largest carbon storage, providing **essential services for reducing climate change risks globally**.

Adopting a strong High Seas Treaty in 2022, one with powers to protect and restore the ocean, can trigger the transformative change needed for our global commons; for marine biodiversity, Earth's climate and the well-being of generations to come.

The High Seas Alliance and our 50 members call on governments to seize this historic opportunity and:

- Champion the conclusion of a strong High Seas Treaty in 2022, during bilaterals with other nations and through every high level political opportunity available;
- Commit high level political presence at the UN IGC5, to deliver the successful conclusion of a strong High Seas Treaty;
- Mandate significant improvement of governments' positions where these currently fail to reflect the urgency and need to move beyond the status quo responsible for the ocean crisis.

Time to turn political pledges into an ambitious High Seas Treaty

Political momentum for a stronger High Seas Treaty has been building. A number of States, including small island States, have been leading the way with their ambitious positions. In February, a 'High Ambition Coalition', now counting 48 countries, was launched, committing to adopt an ambitious treaty in 2022. In May, G7 foreign affairs and climate, energy and environment ministers committed to strive for a future-proofed treaty that protects the oceans, including through highly and fully protected areas on the high seas. More recently, governments reiterated the need for a strong High Seas Treaty at the UN Ocean Conference in Lisbon.

We are concerned that these ambitious calls are not yet sufficiently reflected in State positions and the negotiations so far. We strongly urge you to ensure that your pledges are matched with equally ambitious positions in the technical yet crucial details of what is being negotiated. Ambition should not be limited to meeting the 2022 timeline. A transformative **High Seas Treaty, that takes us beyond the status quo** must:

- **Deliver a representative network of MPAs, including highly and fully protected areas in areas beyond national jurisdiction (ABNJ), essential to achieving the target of conserving at least 30% of the ocean and seas by 2030.**

Currently, only 1% of the high seas is highly and fully protected. It is critical that the Treaty gives authority to the Conference of the Parties (CoP) to establish MPAs with a management plan and **concrete measures** to achieve their objectives. Failing to adopt such measures would result in paper parks - marine areas protected on paper but not on the water- and would perpetuate the status quo that has led to the ocean crisis. MPAs remain one of our most effective tools in the fight against climate change and when properly managed, such areas can help conserve marine biodiversity and the life-supporting services that the ocean provides.

- **Dramatically strengthen environmental assessment and management of human activities that impacts on marine biodiversity in ABNJ.**

The Treaty must include provisions to ensure that “sustainable use” of the high seas is in fact sustainable, including at least i) minimum, modern and precautionary environmental assessment standards for all sectors, as well as (ii) mandatory independent scientific review for all activities that may have more than a minor or transitory effect on marine biodiversity in ABNJ, regardless of where those activities take place, (iii) a requirement that all activities are assessed and managed to prevent significant adverse effects on marine biodiversity in ABNJ or not be allowed to proceed, and lastly, (iv) provisions for COP decision-making to avoid EIAs of convenience and sub-standard decision-making;

- **Ensure adequate and significant funding that supports the core functions of the High Seas Treaty, and the provision of financial, scientific and technical support for States that require it, including on Capacity Building and Transfer of Marine Technology (CBTMT);**
- **Ensure the inclusion of a fair and equitable mechanism for benefit sharing for marine genetic resources (MGRs); and**
- **Agree a voting procedure for situations where all good faith efforts to reach consensus have been exhausted, to ensure that one or two countries cannot hold hostage progress on an issue that is supported by an overwhelming majority of States.**

The “package” of elements included in the new Treaty are not just intrinsically linked, but mutually supportive. It is vital that all countries can equitably benefit from the sustainable use of marine biological diversity and fulfill obligations to conserve biodiversity in our shared global ocean.