

MPA NEWS



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What the UN agreement to launch negotiations for a high seas treaty means for MPAs: Interview with Kristina Gjerde

In January of this year, the United Nations agreed to develop a legally binding treaty on high seas biodiversity ([Notes & news](#)", MPA News 16:3). This decision by UN Member States is a promising development for high seas conservation. Effectively, such a treaty could provide a worldwide framework for conserving the 64% of the global ocean that is beyond national waters, including by enabling a system of high seas MPAs.

Kristina Gjerde has spent the past decade advocating for such a treaty, both in her role as high seas policy adviser for IUCN and as a member of the High Seas Alliance (<http://highseasalliance.org>). In a statement following the UN agreement in January, she said there were high hopes for the forthcoming treaty but that the final results of the treaty-drafting process remain uncertain. MPA News spoke with her.

MPA News: What could the range of outcomes be from the forthcoming process?

Kristina Gjerde: Call me an eternal optimist. I think that the January decision demonstrated that governments are now willing and able to tackle the pernicious problem of managing our vast global commons of the high seas and seabed in areas beyond national boundaries, for the benefit of present and future generations.

The ideal outcome will be a science-driven agreement with overarching objectives of a healthy, productive, and resilient global ocean beyond national boundaries. This would include an ecologically representative and well-connected system of MPAs based on the UN Convention on Biodiversity's Aichi target 11 - which calls for at least 10% of marine and coastal areas to be protected through such a system by 2020. It would also include ecosystem-based and precautionary management for all human activities likely to affect marine biodiversity and ecosystems beyond national jurisdiction.

A less-than-ideal system would be something that leaves us with little better than the status quo, where areas are subject to ad hoc management by different sectors, with no coordination, no overarching goals or objectives, and no accountability for outcomes - and, ultimately, little protection for biodiversity. Fortunately the tide has turned in favor of a more ambitious regime.

The final results of the forthcoming process are nevertheless uncertain as high seas MPAs and other conservation tools such as environmental impact assessments are part of a wider package of issues that will need to be addressed in the new treaty. That means governments will need to agree on fair and equitable provisions for benefit-sharing of marine genetic resources, capacity building, and technology transfer. This should not be too hard, but may require some creativity and targeted funding.

MPA News: Under the UN Convention on Biological Diversity, there has been a process to describe Ecologically or Biologically Significant Areas (EBSAs) on the open ocean or deep sea (www.cbd.int/ebsa). Do you anticipate that some of the EBSAs will eventually become MPAs under the forthcoming treaty?

Gjerde: To date, over 200 EBSAs have been described and officially recognized by the Parties to the UN Convention on Biological Diversity (CBD). These are areas of ecological or biological significance meeting the scientific criteria adopted by the CBD in 2008. According to CBD reports, 47 EBSAs either straddle or are entirely located beyond national boundaries. Some of these are vast, such as the Sargasso Sea or North Pacific Transition Zone, and others are discrete places such as the White Shark Café.

EBSAs provide a good starting point for future MPAs, as these areas have already undergone a rigorous scientific review process as to their importance. But not all EBSAs need to become MPAs. Some may just require improved fisheries management measures to address bycatch issues through, for example, dynamic or temporal fisheries closures. But those that would benefit from a more comprehensive management focus should be considered as potential MPAs.

At the same time, not all ecologically or biologically significant areas have been captured by the CBD process. We still need further data, information, and tools to identify important, distinctive, or even representative areas. Additional targeted research remains essential, as well as environmental impact assessments that require project proponents to assess the ecological or biological significance of potentially affected areas.

MPA News: What is the timeline for the treaty drafting?

Gjerde: We anticipate that a preparatory committee (Prep Com) will be convened in early 2016 and span over two years. The Prep Com is technically to make "substantive recommendations" to the UN General Assembly (UNGA) on elements of a draft text of an internationally legally binding instrument under the Convention. By the end of 2017, the Prep Com is to report to the UNGA on its progress. The UNGA, during the course of 2018, is charged with taking the decision to convene an intergovernmental conference, which has the ultimate responsibility to elaborate and adopt the final treaty text. Many of us hope the intergovernmental conference could finalize its work by the end of 2018.

For more information:

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BOX: Want to help the process to develop a high seas treaty?

Kristina Gjerde of IUCN says the global MPA community can play a significant role in the process of developing a treaty on high seas biodiversity:

1. Share information and data about places of ecological or biological significance in the open ocean and deep sea, and help improve understanding of underlying ecosystem processes and functions and their connections to coastal concerns.
2. Promote improved protection for areas in the remote ocean as well as closer to home, to build public and political understanding of the importance of MPAs in sustaining marine and coastal biodiversity and ecosystems.
3. Join with the High Seas Alliance at international meetings to share research and findings relating to the science behind MPAs and the importance of connectivity, representativeness, and resilience in the design of systems of MPAs.
4. Sign "An Open Letter from International Scientists on the Need for a High Seas Biodiversity Agreement" posted on the High Seas Alliance website <http://highseasalliance.org/content/scientists-support-high-seas-biodiversity-agreement>

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