



HIGH SEAS TREATY - ENVIRONMENT AND GS III MAINS

Q. The High Seas Treaty represents a landmark agreement in global ocean governance. Examine the prospects of India on ratifying the treaty. (15 marks, 250 words)

News: India to ratify High Seas Treaty

What's in the news?

- Recently, the Indian government said it would soon sign and ratify the High Seas Treaty, a new international legal architecture for maintaining the ecological health of the oceans.

High Seas Treaty:

- It is the **first-ever treaty to protect the world's oceans that lie outside national boundaries.**
- It is also known as the **'Paris Agreement for the Ocean.'**

Backdrop:

- The treaty is built on the legacy of the UN Convention on the Law of the Sea (UNCLOS), which is the last international agreement on ocean protection, signed 40 years ago in 1982.
- UNCLOS established an area called the high seas.

Features:

- It is a **legally binding treaty** that aims at protecting, caring for, and ensuring the responsible use of the marine environment, maintaining the integrity of ocean ecosystems, and conserving the inherent value of marine biological diversity.

Members:

- Till June 2024, **91 countries** have signed the treaty so far, with 8 of them having ratified it. It will become legally binding 120 days after 60 countries ratify it.

Highlights of the Treaty:

1. Aim:

- It aims to place **30% of the seas into protected areas by 2030** (a pledge made by countries at the UN biodiversity conference in 2022).

2. Legal Provision:

- It will provide a legal framework for establishing vast marine protected areas (MPAs) to protect against the loss of wildlife and share out the genetic resources of the high seas.

3. Coverage:

- It also covers environmental assessments to **evaluate the potential damage of commercial activities**, such as deep-sea mining.



- The treaty aims to ensure that the benefits from commercially valuable ocean organisms, either through scientific research or commercial exploitation, are shared equally among all countries.
- This will help developing countries to fully utilise the benefits of the oceans while also contributing to their conservation.

High Sea - Definition:

- According to the **1958 Geneva Convention on the High Seas**, parts of the sea that are not included in the territorial waters or the internal waters of a country are known as the high seas.
- It is the area beyond a country's Exclusive Economic Zone (that extends up to 200 nautical miles from the coastline) and till where a nation has jurisdiction over living and non-living resources.
- No country is responsible for the management and protection of resources on the high seas.

Significance of High Seas Treaty:

1. Environmental Conservation:

- The High Seas Treaty is crucial for protecting marine biodiversity and addressing pressing issues such as overfishing and pollution.

2. International Co-operation:

- By establishing a robust institutional framework and decision-making processes, the High Seas Treaty facilitates greater international cooperation and coordination in ocean governance.

3. Contribution to Sustainable Development Goals (SDG):

- The successful implementation of this treaty will significantly contribute to the achievement of SDG 14 (Life Below Water).

4. Achieve Ocean Related Goals:

- It is also vital for achieving ocean-related goals and targets of the 2030 Agenda for Sustainable Development, and the Kunming-Montreal Global Biodiversity Framework.

Challenges of the Treaty:

1. Marine Genetic Resources:

- The issue of sharing and exchanging information on marine genetic resources was a contentious point during negotiations.
- Debates focused on monitoring information sharing and the potential hindrance to bioprospecting research.

2. Definition and Language:



- The use of phrases like “promote” or “ensure” in different parts of the treaty, particularly regarding benefit sharing, sparked heated debates.

3. Adjacency Issue:

- Negotiations were prolonged due to the need for provisions allowing coastal states to exercise sovereign rights over seabed and subsoil in areas beyond their jurisdiction.
- The interests of landlocked and distant states further complicated decision-making.

4. Opposition to the Treaty:

- Several developed countries opposed the treaty due to their support for private entities involved in advanced research and development of marine technology.
- Russia and China also expressed reservations, with Russia ultimately withdrawing from the treaty.

The High Seas Treaty represents a landmark agreement in global ocean governance. India's decision to ratify the treaty is a significant step that could have far-reaching implications for the conservation and sustainable use of marine resources worldwide.

