

The UN High Seas Treaty - A brief summary

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Shaping the Future of Shipping



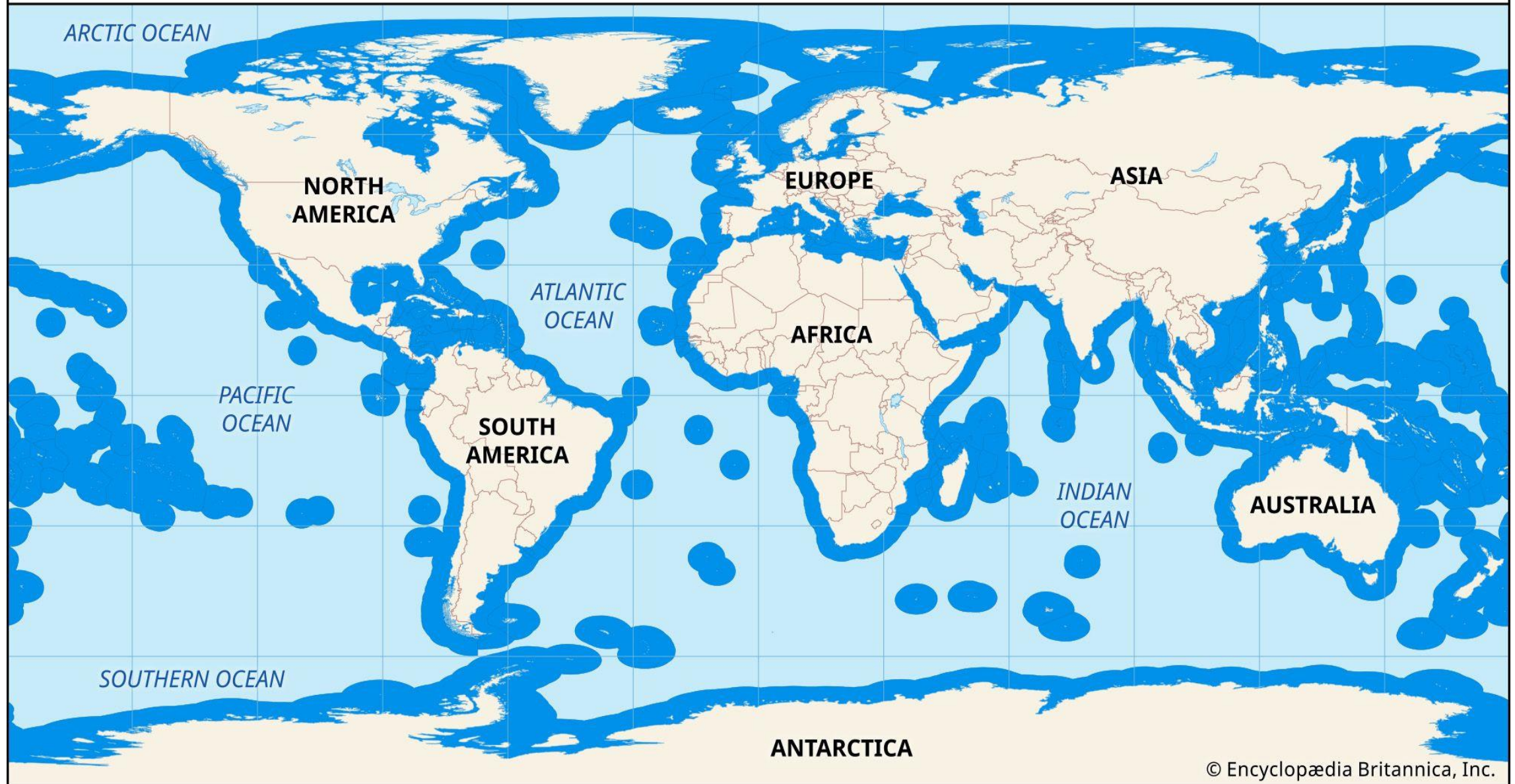


- Background
- The treaty
- Implications for shipping
- Next steps





WORLD'S EXCLUSIVE ECONOMIC ZONES





A legally binding instrument under the 1982 U.N. Convention on the Law of the Sea (UNCLOS)

Two over-arching principles:

- The freedom of the seas.
- the common heritage of humankind.

The treaty addresses:

- The conservation and sustainable use of marine genetic resources.
- Establishment of Area Based Management Tools (ABMTs), including Marine Protected Areas (MPAs).
- Environmental impact assessments.
- Capacity-building and the transfer of marine technology (CB&TMT).





Article 5.2 of the treaty:

“This Agreement shall be interpreted and applied in a manner that does not undermine relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies and that promotes coherence and coordination with those instruments, frameworks and bodies“





Key articles of the treaty that impact shipping are:

Part III Measures such as area-based management tools, including marine protected areas

- Article 19 Proposals.
- Article 20 Publicity and preliminary review of proposals.
- Article 21 Consultations on and assessment of proposals.
- Article 22 Establishment of area based management tools, including marine protected areas.

Part IV Environmental Impact Assessments

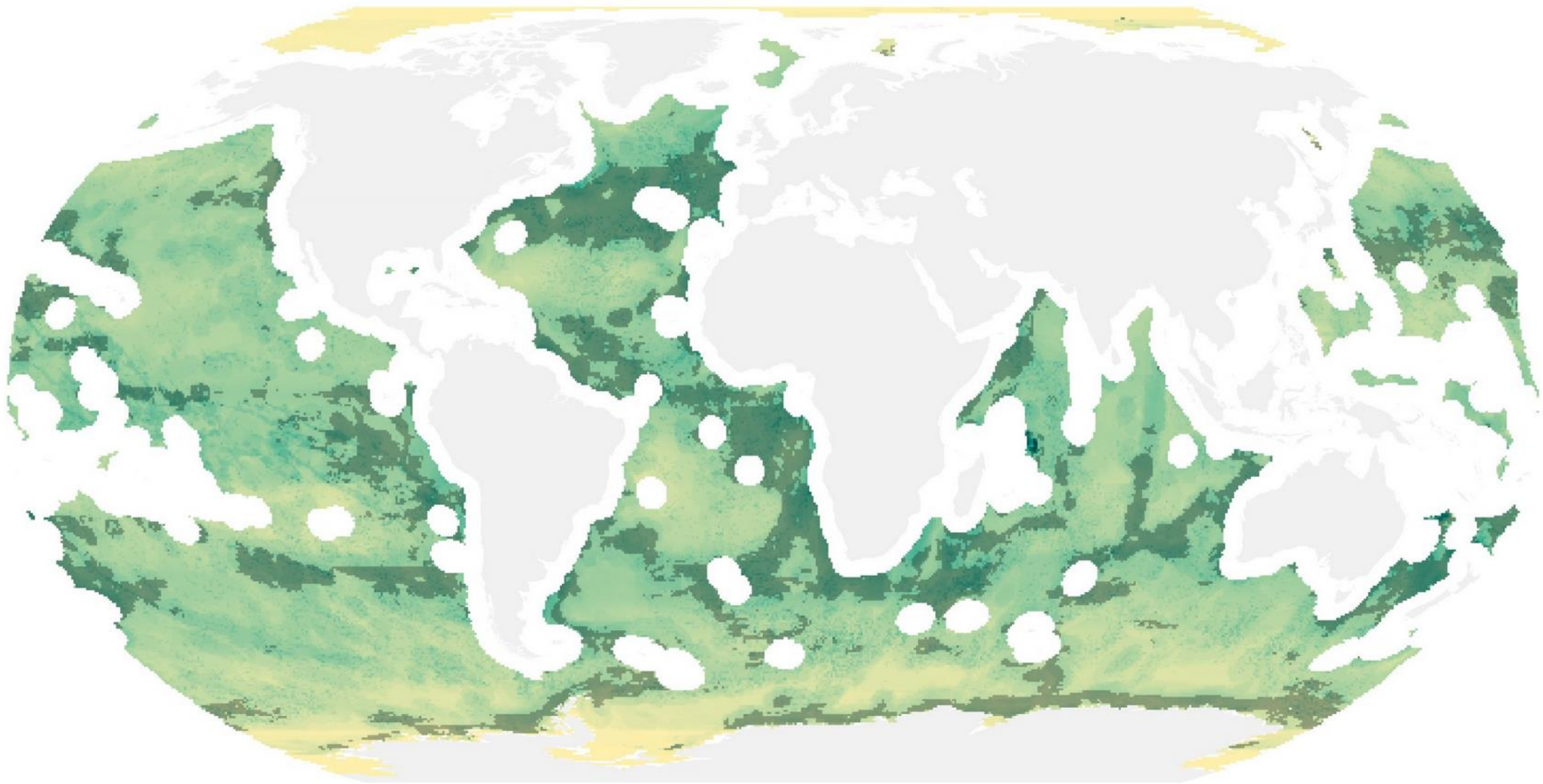
- Article 29 Relationship between this agreement and environmental impact assessment processes under relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies.



It will be some time before we see proposals for Area Based Management Tools (ABMTs) and it is as yet unclear what measures may be proposed. However, it has been suggested that limitations may be applied to:

- Fishing
- Mining
- Dumping
- Navigation
- Exhaust and other emissions
- Prohibition of vessel types
- Ship speed
- Underwater radiated noise
- Anchoring
- Salvage operations

Geographic extent of MPAs





- likely to be several years before any proposals for ABMTs or MPAs can be considered.
- Thereafter, proposals for the establishment of MPAs and ABMTs are subject to formal consultation.
- As previously mentioned, where competence for any proposed measures lie with other global or sectoral bodies, the Conference of parties can only recommend the adoption of measures.
- where IMO agrees to the adoption, it seems likely that measures would be implemented through PSSAs.



Thank You



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Thank you for your attention