### Beyond the Horizon

The relevance of mapping to conserving the ocean beyond national boundaries

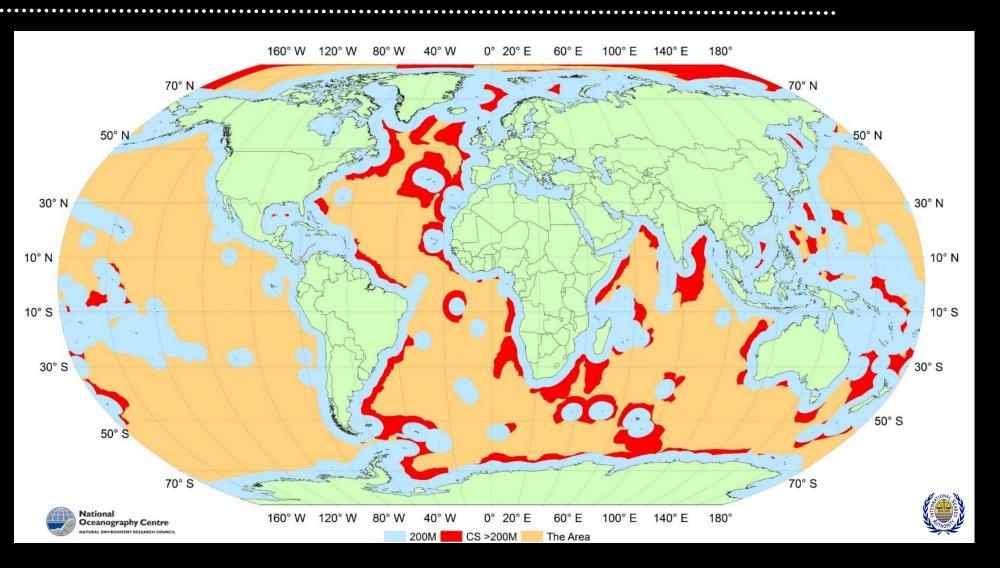
Kristina Maria Gjerde
Wycliffe Management, Sp zoo
IUCN Global Marine and Polar Programme
Middlebury Institute of International Studies at Monterey
Honorary Fellow, University of Edinburgh School of Geosciences

#### A Lawyer's map: International legal boundaries

Exclusive Economic Zones

Extended continental shelf

**International** seabed Area

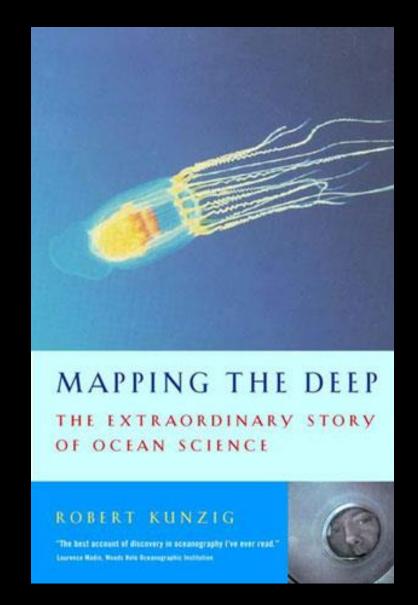


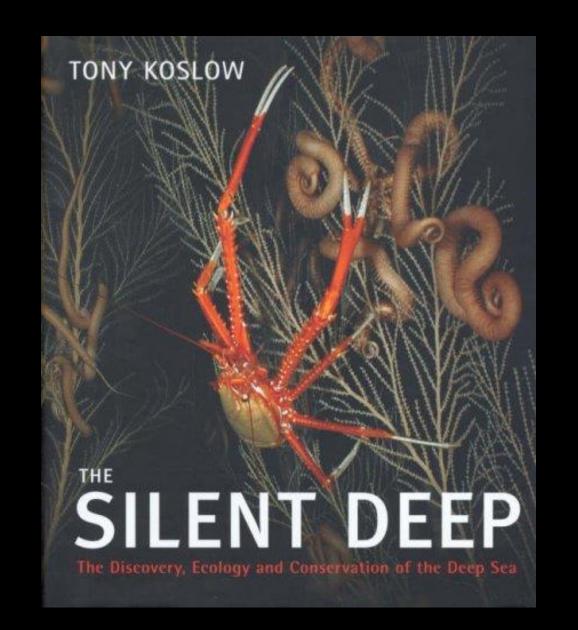


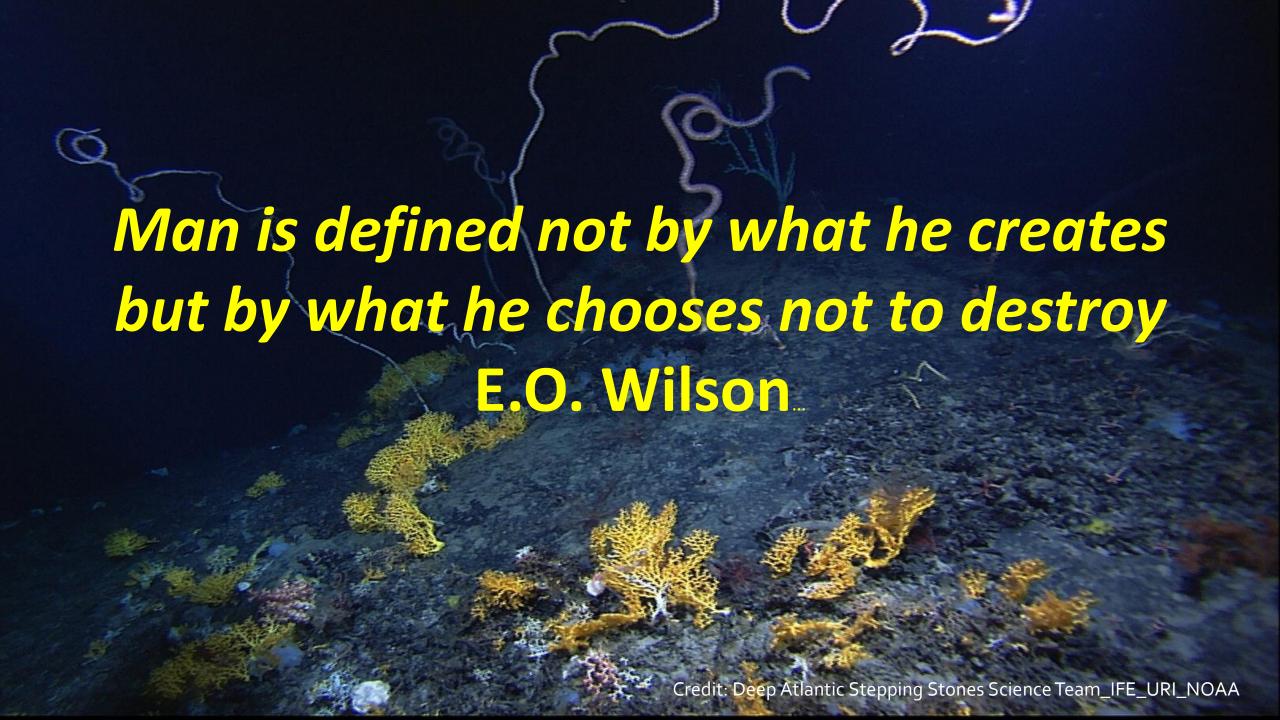




### My journey to the deep







# HALF-EARTH

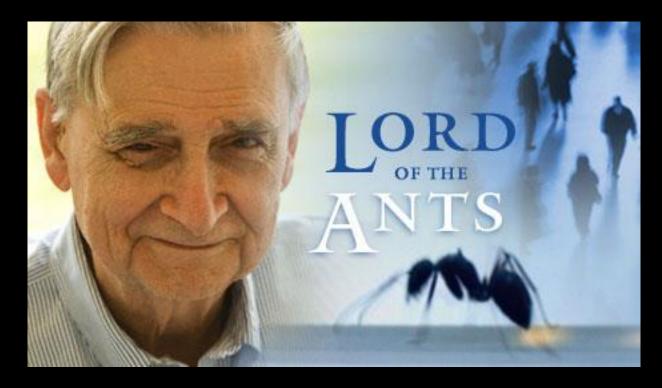


Our Planet's Fight for Life

EDWARD O. WILSON

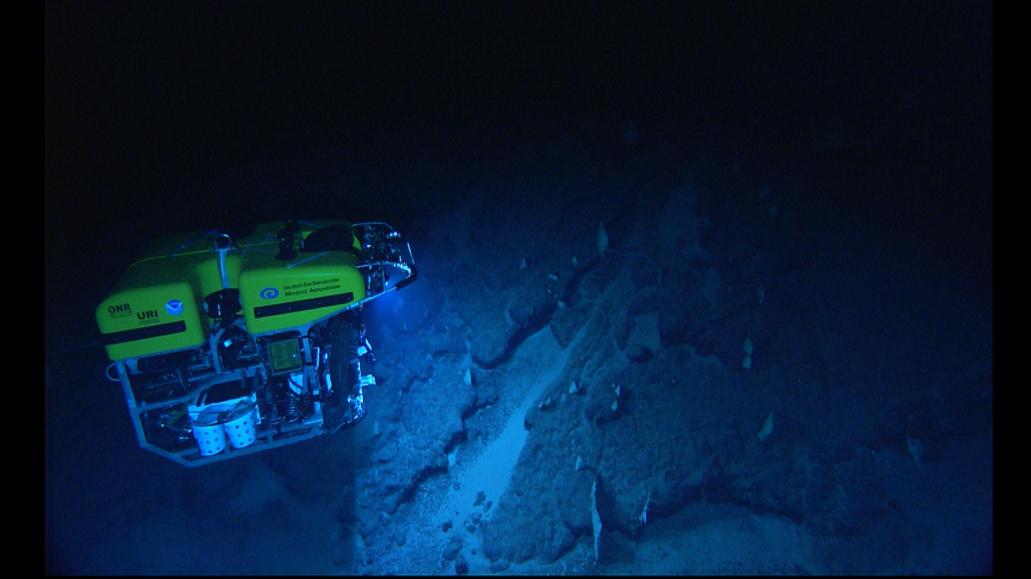
WINNER OF THE PULITZER PRIZE

"To save biodiversity, we need to set aside about half the earth's surface as a natural reserve" — Edward O. Wilson



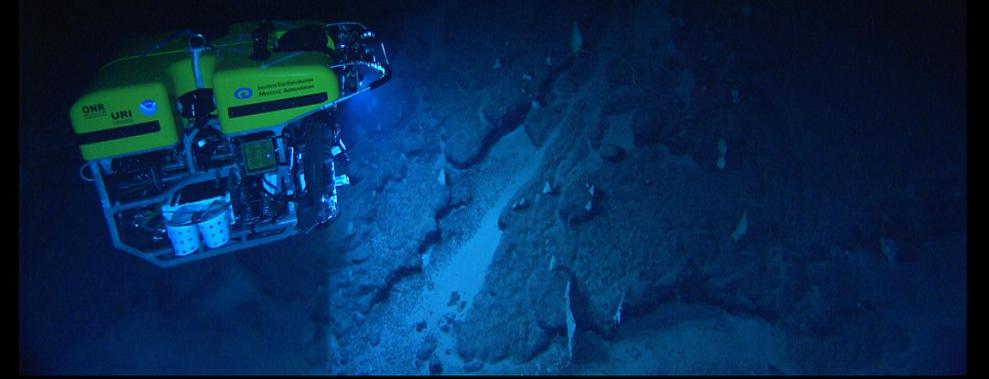
http://www.pbs.org/wgbh/nova/nature/lord-ants.html

### Key takeaway message: mapping matters



### Key takeaway message: mapping matters

- Provides context for biological observations
- Only way to appreciate patterns of marine life
- Key tool for designing networks of marine protected areas



## Ocean Life Diversity, Distribution, Abundance































#### One Ocean



































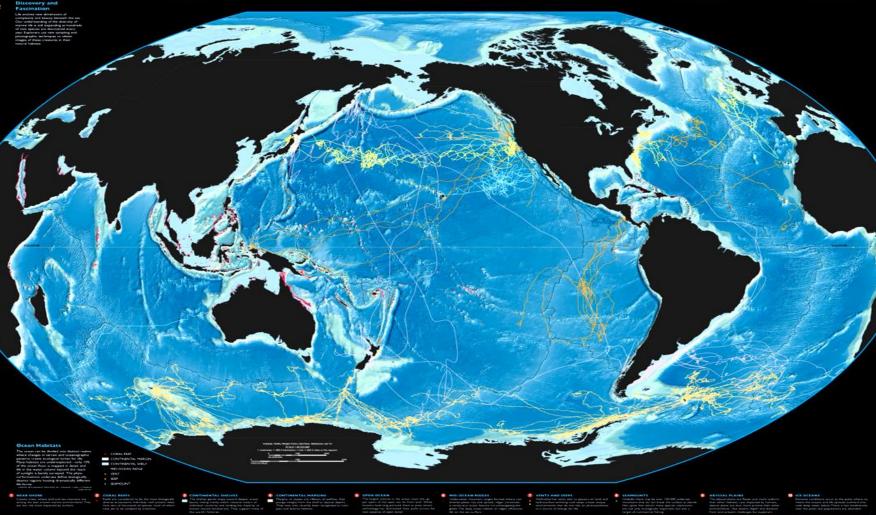








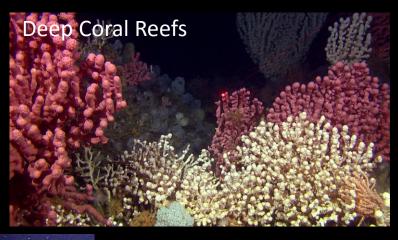




### Discovered a wealth of biodiversity







Slide credit Lisa Levin, AAAS, 2014

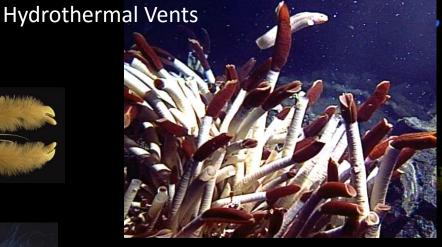




**Seamounts and Canyons** 



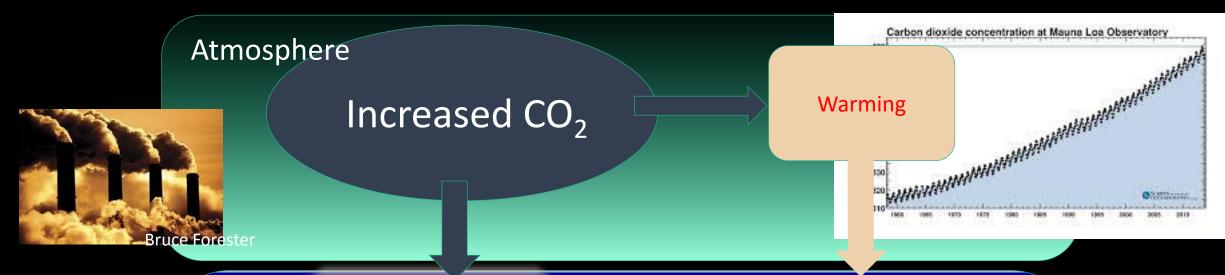


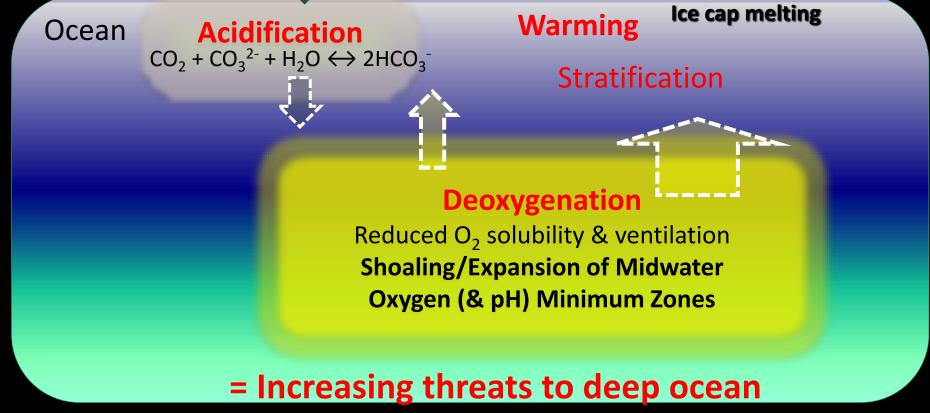




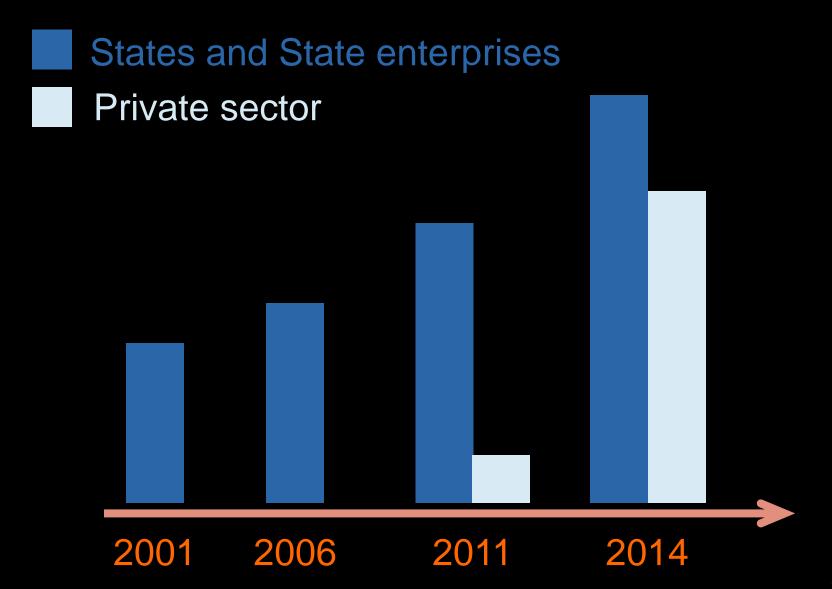




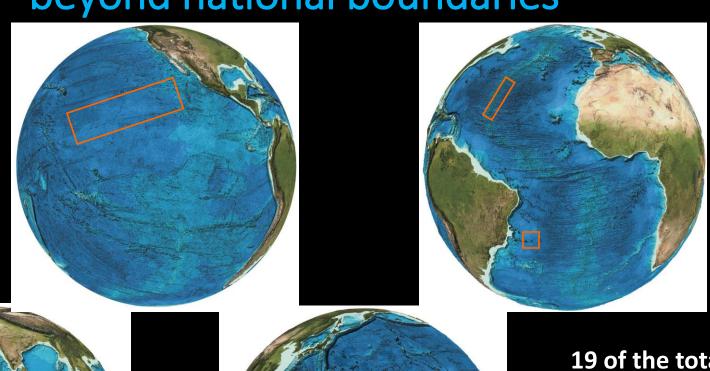


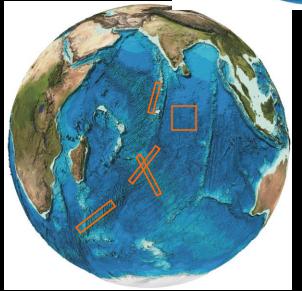


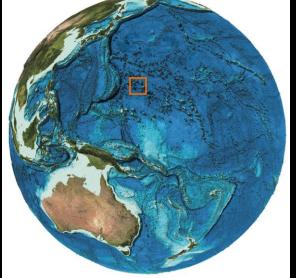
#### Current status of Deep Seabed Mining



# 1,000,000 km<sup>2</sup> = area of 27 seabed exploration contracts beyond national boundaries







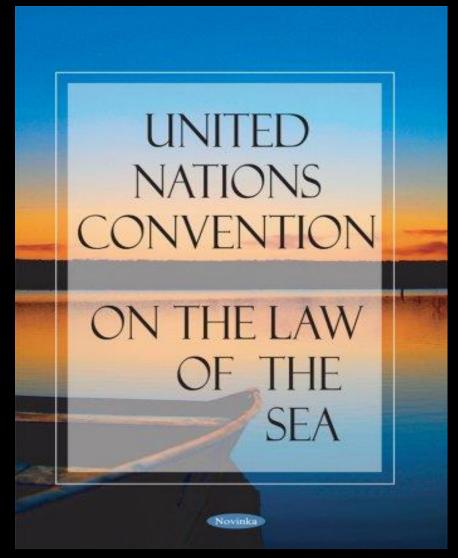
19 of the total of 27 exploration claims for deep-sea minerals approved by the ISA have been granted since 1 Jan 2011

#### **Existing legal regime**

# United Nations Convention on the Law of the Sea UNCLOS, 1982

#### Supplemented by:

1) 1994 Agreement relating to Implementation of Part XI of UNCLOS (mining)



A new concept for the deep seabed:

Common Heritage of Mankind

"Race to be the first to possess ocean floor resources should give way to an international authority to oversee development of this shared resource."

Arvid Pardo, Ambassador of Malta, November 1967



Amb. Arvid Pardo, http://legal.un.org/avl/ha/uncls/uncls.html

### A new concept for the deep sea: Common Heritage of Mankind

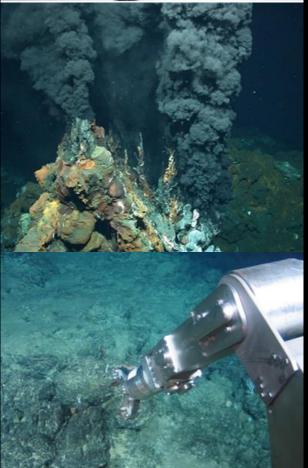
"The seabed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction (the Area), as well as its resources "are the common heritage of mankind"

UN General Assembly resolution 2749 (XXV) of 17 December 1970



Amb. Arvid Pardo, http://legal.un.org/avl/ha/uncls/uncls.html





# "The Area and its resources are the Common Heritage of Mankind"

No sovereignty

Rights vested in humankind

Benefit of "mankind"

**Sharing of economic benefits** 

# UNCLOS Art. 145: Necessary measures shall be taken .....to ensure effective protection for the marine environment from harmful effects



#### **UNCLOS Art. 143:**

# Marine scientific research shall be carried out "for the benefit of mankind as a whole"



#### UNCLOS Art. 153:

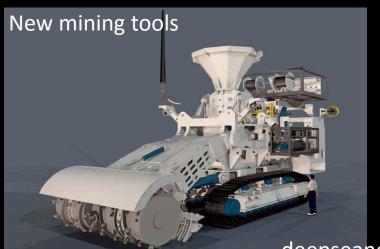
ISA shall exercise control necessary to secure compliance



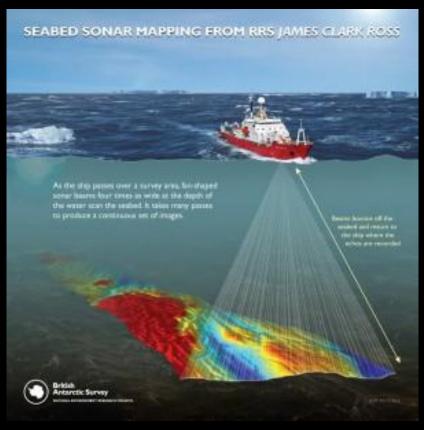
### Technology - The enabler



en.wikipedia.org



Mapping Tools



Slide credit Lisa Levin, AAAS, 2014

#### New Cables and gear to reach deep



Nature.com



Offshoreenergytoday.com

#### **The Mining Code**

Annex III to UNCLOS (Conditions of exploration and exploitation)



Polymetallic nodules (2000)



Polymetallic sulphides (2010)



Cobalt-rich crusts (2012)

ISA Regulations on Prospecting and Exploration

Exploitation Regulations under development

# Role of States: National rules and regulations to be "no less effective than international rules and regulations"



- 1. Due diligence
- 2. Precautionary approach
- 3. Best environmental practices
- 4. Environmental impact assessments

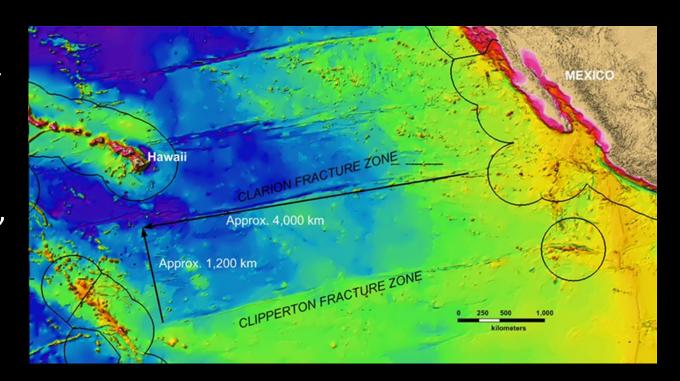
Seabed Disputes Chamber of the International Tribunal for the Law of the Sea Advisory Opinion on "Responsibilities and Obligations of States Sponsoring Persons and Entities with Respect to Activities in the Area" (Feb. 1, 2011)

# Gathering baseline data requires good seafloor maps

#### 15. Data to be addressed should include:

•••

- (e) For biological communities, using high-resolution bathymetric maps to plan the biological sampling strategy, taking into account variability in the environment:
- (i) Gather data on biological communities, taking samples of fauna representative of variability of habitats, bottom topography, depth, seabed and sediment characteristics, abundance and mineral resource being targeted;



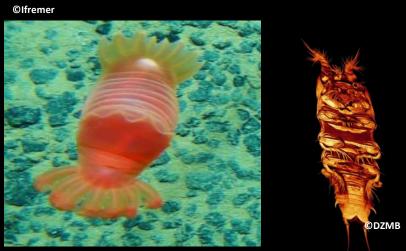
Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area ISBA/19/LTC/8

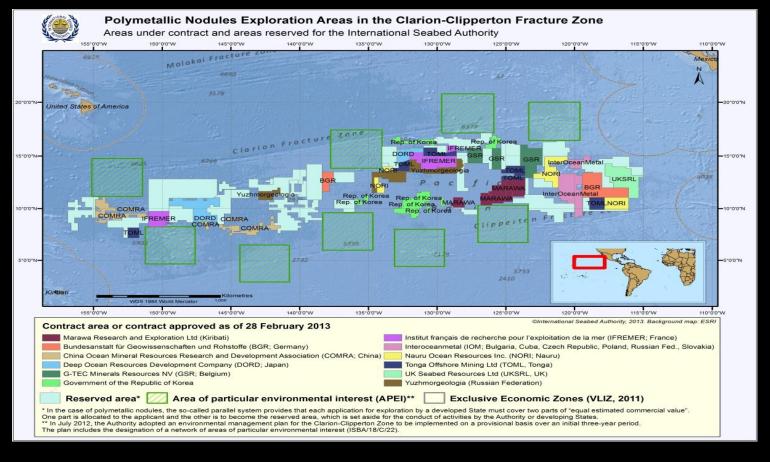
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#### Clarion Clipperton Zone Environmental Management Plan

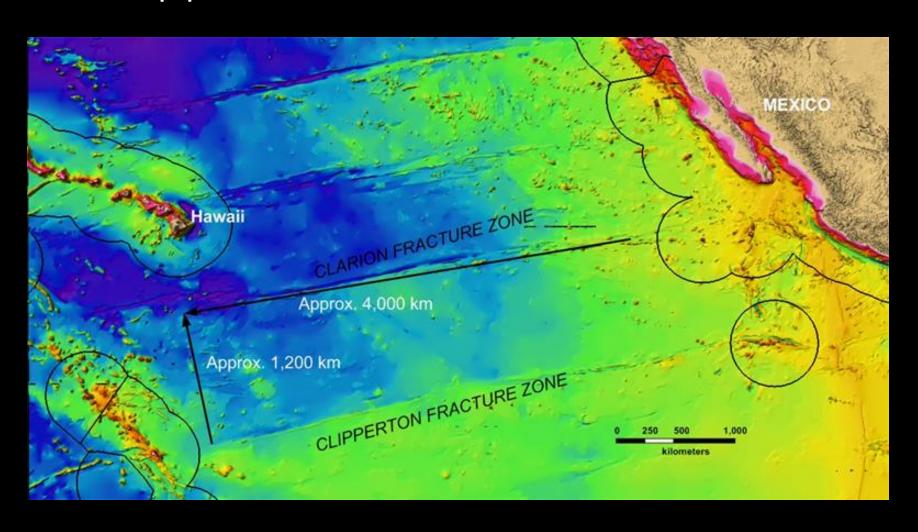
(2012) (ISBA/17/LTC/7)



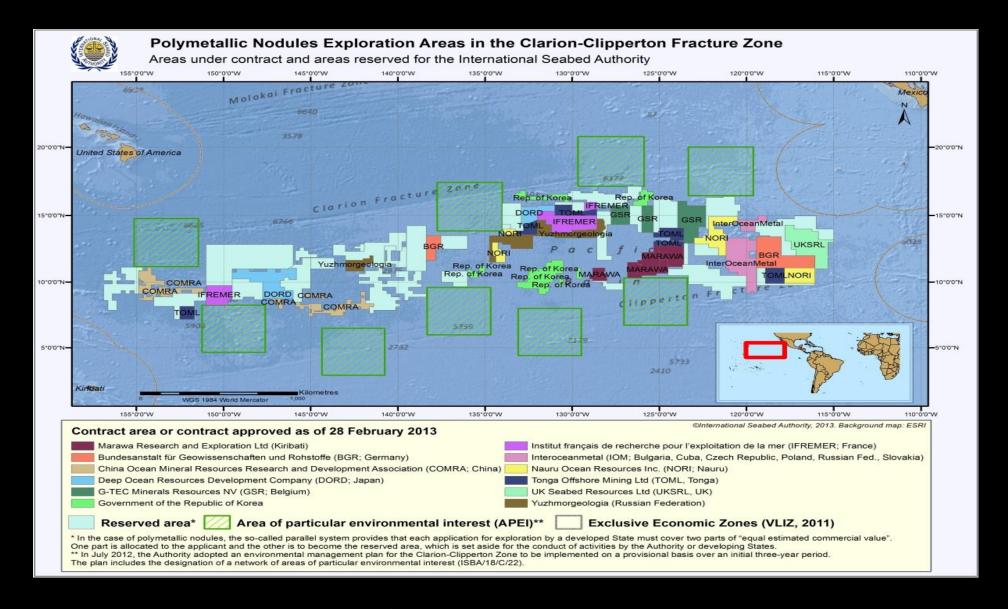




# Goals: ... Maintain regional biodiversity, ecosystem structure and ecosystem function across the Clarion-Clipperton Zone



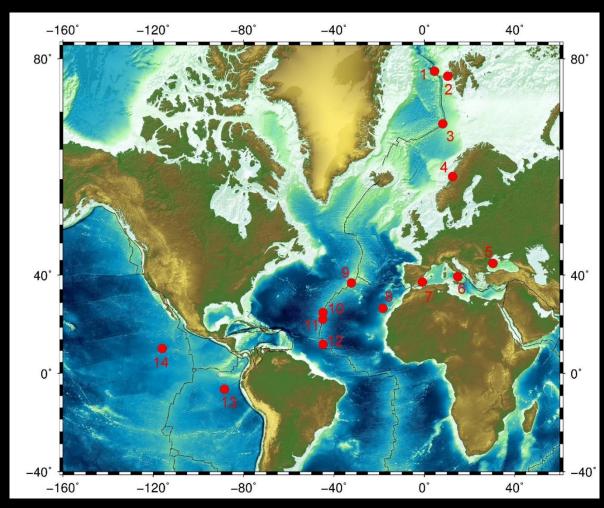
#### CCZ EMP: Nine "Areas of Particular Environmental Interest"



To enable the preservation of representative and unique marine ecosystems



### MANAGING IMPACTS OF DEEP SEA RESOURCE EXPLOITATION



#### **Project Objectives**

- 1. To identify the scale of possible impacts, and their duration;
- 2. To develop workable solutions and best practice codes;
- 3. To develop cost-effective technologies for monitoring impacts and recovery;
- 4. To work with policy makers to enshrine best practice in international and national regulations





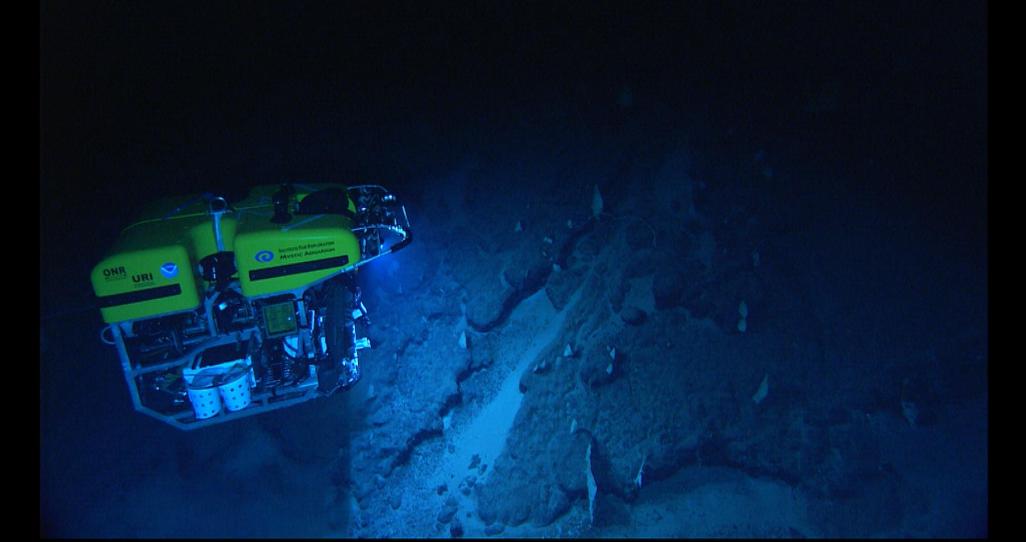
## JC120 UK MIDAS Cruise Clarion-Clipperton Zone

15 APRIL TO 19 MAY 2015 - MANZANILLO TO MANZANILLO, MEXICO Contact Daniel Jones@NOC for further info





# Key takeaway message: mapping matters: but is only the first step



### Connectivity questions



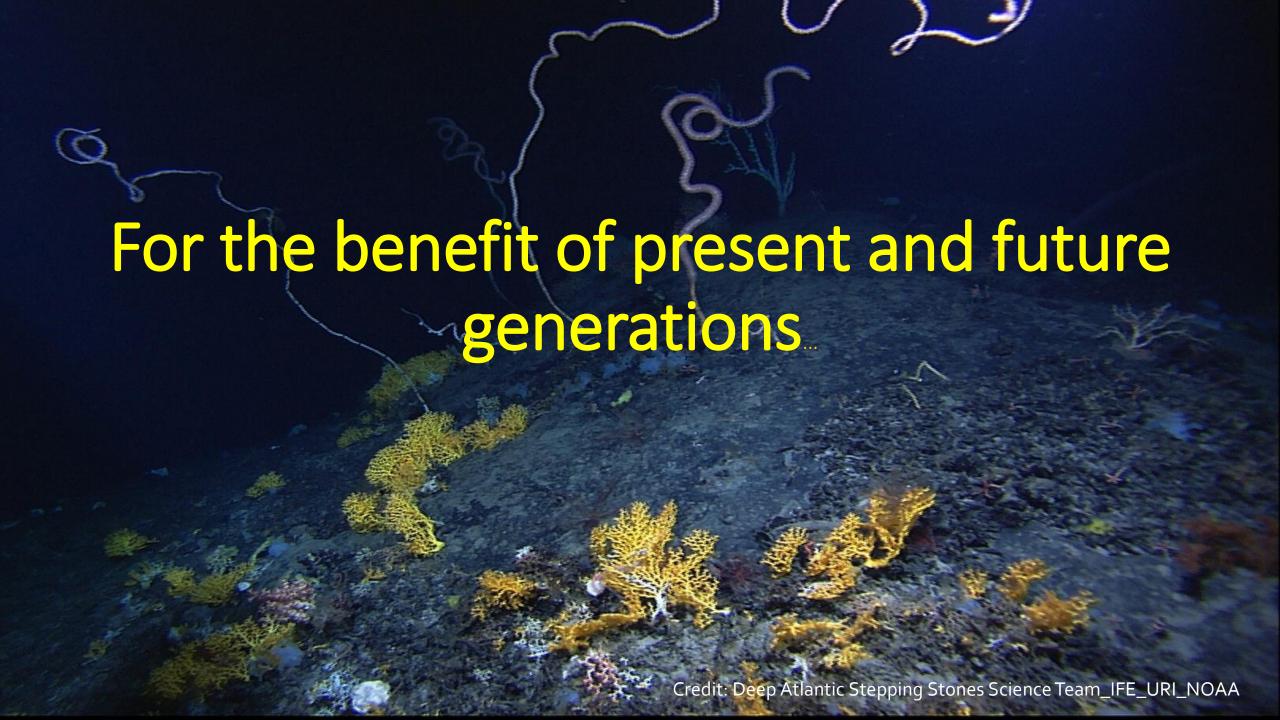
### The water column above



OF MARINE LIFE

### New decade of exploration!

- Mapping the Deep
- Studying Life in a Changing Ocean
- Grounding management and conservation in science
  - ISA seabed mining regulations
  - New UN Agreement on conservation and sustainable use of marine biodiversity beyond national jurisdiction



# Thank you for your attention!

MIDAS is funded by the European Union's Framework 7 Programme under the theme "Sustainable management of Europe's deep sea and sub-seafloor resources", Grant Agreement 603418.

Credit: Deep Atlantic Stepping Stones Science Team\_IFE\_URI\_NOAA

#### Additional resources

- Vanreusel, A., Hiliario, A., Ribeiro, P.A., Menot, L. & Arbizu Martinez, P. (2016). "Threatened by mining, polymetallic nodules are required to preserve abyssal epifauna," Scientific Reports 6, doi:10.1038/srep26808. Open access online.
- L. M. Wedding, A. M. Friedlander, J. N. Kittinger, L. Watling, S. D. Gaines, M. Bennett, S. M. Hardy and C. R. Smith (2013), From principles to practice: a spatial approach to systematic conservation planning in the deep sea, Proc. R. Soc. B 2013 280, 20131684,
- Jaeckel, A, Ardron, J.A., Gjerde, K.M. (2016), "Sharing benefits of the common heritage of mankind is the deep seabed mining regime ready?" Marine Policy, Volume 70, August 2016, Pages 198–204 (free download through 3 August 2016) <a href="http://authors.elsevier.com/a/1TChJ,714MRO-8">http://authors.elsevier.com/a/1TChJ,714MRO-8</a>
- Wedding, L.M., Reiter, S.M., Smith, C.R., Gjerde, K.M., Kittinger, J.N., Friedlander, A.M., Gaines, S.D., Clark, M.R., Thurnherr, A., Hardy, S.M., Crowder, L.B. (2015). "Managing mining of the deep seabed" 349 SCIENCE 144-145
- MIDAS (Managing Impacts of Deep Sea Resources Exploitation) project: <a href="http://www.eu-midas.net">http://www.eu-midas.net</a>
- Deep Ocean Stewardship Initiative: <a href="http://dosi-project.org/">http://dosi-project.org/</a> (new members welcome!)