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New treaty to protect the world's oceans may hurt vulnerable African fisheries

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Following two decades of fierce negotiations, over 60 countries recently signed a UN [Ocean Treaty](#) to conserve biodiversity on the high seas.

The “[high seas](#)” are all ocean areas which aren’t under a specific country’s direct ownership or regulation. They make up [two-thirds](#) of Earth’s oceans, providing 90% of the habitat available for life.

The [treaty](#) has been celebrated as [historic](#). It’s the first time that action will be taken against unregulated use of resources in this ungoverned space.

It’s [estimated](#) that 90% of the world’s marine fish stocks are now fully exploited, overexploited or depleted. Although less than [10%](#) of the total global fish catch is from the high seas, the unregulated nature of fishing there has a [harmful impact](#) on marine life.

The treaty consists of 76 articles. Their goals include the protection and sustainable management of the marine environment, preserving the integrity of ocean ecosystems – such as coral reefs – and conserving biological diversity. Once ratified, the treaty will allow the establishment of marine protected areas in the high seas.

Though it doesn't explicitly prohibit commercial fishing in the high seas, it includes language that may allow for their "sustainable use". So, the establishment of a protected area in the high seas is expected to address unsustainable fishing activities in the space, but only if fully implemented.

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Part of my expertise lies in maritime and natural resource governance in Africa, so I've been following this development. There are reasons to celebrate the Oceans Treaty for what it represents – an extra mechanism to protect our oceans and their resources. But my main concern – which has also been flagged by others – is that the treaty could drive distant water fleets (fishing outside their own territory) to fishing grounds closer to land. And many of the most lucrative grounds belong to African countries.

The treaty has been described as "extremely broad" and lacking specifics. Clear regulations must be put in place by the treaty's implementing agency. It's not yet clear who that will be. The treaty calls for state parties to allow for the establishment of various committees and working groups, together with a Conference of the Parties to guide implementation.

I argue that clear regulations must ensure that fisheries subsidies to vessels that once relied on the high seas must be cut. Subsidies given to distant water vessels can encourage the overexploitation of vulnerable species.

Attractive fishing grounds

Having lost access to fish on the high seas, fleets will need new fishing grounds. African waters are an attractive target for various reasons.

Firstly, they're rich in diverse species.

Secondly, these waters are not properly monitored, which means countries can take advantage of them. Illegal, unreported and unregulated fishing already costs Africa over US\$2.3 billion annually.

Thirdly, coastal African states appear willing to enter into new agreements with nations that fish outside their own borders.

This is worrying because it's going to put Africa's vulnerable fish stocks at risk. Distant-water vessels are already known to be exploitative.

Who are these vessels?

About 97% of [high-seas fishing](#) is done by vessels flagged to high-income countries – the vast majority (86%) are from China, Taiwan, Japan, South Korea and Spain.

Vessels from some of these countries, such as [China](#), [South Korea](#) and [Spain](#), already have fisheries arrangements with countries in Africa. And they're known to contribute to the [overexploitation](#) of fish on the continent through legal and illegal fishing.

Harmful subsidies

These high-sea fishing vessels come from the [top 10 countries](#) providing fisheries subsidies.

Fisheries subsidies are financial support given by governments to help the private sector, including [distant-water vessels](#), to catch more fish. Some of these subsidies have been shown to be [harmful](#), particularly to vulnerable species.

Harmful subsidies [encourage](#) overfishing, as the money is spent on capacity-expanding activities such as artificially lowering fuel and vessel construction costs. This allows large vessels to catch more fish than is sustainable by fishing farther out to sea and for longer periods. Many industrial fleets [wouldn't be profitable](#) without these subsidies.

The treaty doesn't clearly address subsidies, but they are the subject of the World Trade Organization's 2022 [Fisheries Subsidies Agreement](#). This, however, has not come into force as two thirds of the signatories have not yet accepted the deal. Under the proposed agreement, signatory countries must commit to stop providing harmful subsidies.

If harmful subsidies aren't effectively addressed, a ban on fishing on the high seas could end up contributing to increased fishing activities within the jurisdictions of coastal countries.

What must happen

Aside from the treaty being effectively implemented, several measures and strategies can be deployed to ensure African countries are protected.

There must be more support from the international community for regional fisheries bodies – such as the Fisheries Committee for the West Central Gulf of Guinea and [Regional Fisheries Commission for the Gulf of Guinea](#) – for countries in west Africa. The regional bodies must be in a better position to guide member states on sustainable fisheries practices, enforce regulations where they exist or update regulations as needed.

Leia mais: [Fisheries subsidies fuel ocean depletion and hurt coastal communities](#)

There must be increased support in monitoring fishing. Partners and non-governmental organisations [share data](#) from satellite technology and vessel tracking systems that helps coastal states monitor what goes on in their waters. The international community must provide further support so that coastal states can enforce existing regulations by sharing capacity, technological know-how and assets.

By combining these strategies and fostering international cooperation, it is possible to strike a balance between implementing the treaty and fishing sustainably in Africa's oceans.