in order of appearance: 16h10- 16h15: (5 minutes )

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“Environmental remote Heritage: Where, why, and how ?”

Can we speak about a “ remote marine environmental heritage ”? Scientific disciplines do not approach the “ marine heritage ” in the same way. From a legal perspective, it has always been difficult to speak about the marine environment as a “ heritage”, as soon as it is beyond waters under national jurisdiction, excepted the case of the “common heritage of mankind” which concerns - in the legal sense of the term - only the mineral or gas resources of the international zone of the seabed entitled “the Area” (article 136, UNCLOS). One’s understands Marine heritage first as national: the heritage of the Nation, State by State, often described from the coastal perspective (e.g. coral reef heritage). Are things evolving? The Intergovernmental conference (IGC5, August 2022) will gather State National delegations one last time and a revised version of the Agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ Treaty) will pe proposed. Is the acceptance of the idea of a marine heritage advancing? For example, in the latest draft text of this BBNJ treaty, on Article 5. Approaches or principles to allow the implementation of the Agreement, some delegations wish to an additional paragraph: “The stewardship of the areas beyond national jurisdiction on behalf of present and future generations by protecting, caring for and ensuring responsible use of the marine environment, maintaining the integrity of ocean ecosystems and preserving the inherent value of biodiversity of areas beyond national jurisdiction”. However, the shift towards recognition of a remote marine heritage is not yet buried. For their part, Marine science does not speak about assets, wealth or heritage but increasingly shows an interdependence between national waters (status of biodiversity in areas under jurisdiction) and other resources, ecosystems and ecological and physical functioning located beyond national jurisdiction (ABNJ). In scientific and geographical perspectives, like coastal zones, ABNJ makes up the geographical marine region to which coastal States belong. About “remote marine heritage ”,we can say what it is composed of, and why dedicate public policies and legislation to maintain its productivity and ensure its sustainable conservation for the region. This is of growing interest to coastal States, open to the idea of a "shared" heritage, divided between areas just in front of their national waters and continental shelves and to the idea to protect themselves from damages coming "from the sea", from damage from the sea, from neighbours, or from operators acting in the high Sea and Seabed that could affect their marine heritage in its value, its quality, its services, its aesthetic.

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