



Exclusive: The UN starts toward new control over the world's oceans

By George Russell

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The United Nations has launched a far-reaching initiative that could give U.N.-sponsored authorities sway over the biological resources of the high seas—all the waters that lie outside national territories and economic zones.

The potential shift in power involves multi-trillion-dollar issues, such as whether large areas—conceivably, as much as 30 percent—of the world's international waters should be designated as no-go areas to protect biological diversity; whether and how to require elaborate "environmental impact assessments" for future ocean development projects; and how to divide up the economic benefits from the future development of "marine genetic resources."

Eden Charles, a diplomat from Trinidad and Tobago who is serving as the chairman for a U.N. preparatory committee that began the discussions this week underlined to Fox News that the talks are at a "very, very preliminary stage."

Overall, the hoped-for treaty will cover "two-thirds of the oceans, almost half the planet," says Lisa Speer, a senior official of the National Resources Defense Council (NRDC), which is in turn a lead member of a squadron of 33 environmentalist groups banded together as the High Seas Alliance to lobby for protectionist measures during the talks.

The rationale behind the discussions: easing the rising pressure on the world's undersea biodiversity wrought by over-fishing, pollution, the drainage of nutrients and other substances from surrounding lands, disturbance of underwater seabeds, and fears of even greater threats from underwater industrial technology, including underwater exploration for hydrocarbons.

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In U.N. terms, the discussions are proceeding at something like flank speed—that is, a lot slower than a melting iceberg bobbing in the north Atlantic. They began with the initial meeting on March 28 of the preparatory committee-- "prep-com" in U.N.-speak—of nations to discuss preliminary ideas until Friday, April 8. Another two-week prep-com session will take place in August, and two more next year.

These are expected to result by the end of 2017 in draft language for a planned oceans treaty that could then be chewed over for another year or two in broader international sessions.

The agreement that ensues from *those* discussions, however, is seen by some involved in its hoped-for creation as the salt-water equivalent of the Paris Agreement on climate change, which will be formally signed at an April 22 ceremony in New York—a global, permanent and legally-binding deal for the management of Earth's last frontier, which will spawn further layers of regulation in years to come.

"The climate negotiations showed the possibilities for us to come together," Speer told Fox News.

Like the climate treaty, the intended oceans treaty envisages transfers of marine technology and investment to developing nations as part of the deal, along with some still far-from-specified portion of the wealth derived from marine biological discoveries, including genetic breakthroughs.

"One of the things we are looking at is how marine genetic resources will be conserved, sustainably used, and how the dividends will be shared," says Speer.

One of the biggest backers of the preliminary talks is the Obama Administration. Even though the U.S. has never ratified the 1982 U.N. Law of the Sea Convention—the new talks are aimed at creating an "implementing agreement" under the Law of the Sea umbrella—the Administration is deeply involved in the negotiations, as are some of the world's most powerful environmental

organizations.

The U.S. also has a legal precedent for its involvement: its ratification in 1996 of another "implementing agreement" under the Law of the Sea Convention that orchestrated the activities of a variety of regional fisheries management organizations across international waters, allowed for international enforcement, and a variety of other measures.

Ocean bio-preservation is also one of the 17 nebulous Sustainable Development Goals endorsed by all the world's governments, including the U.S. last September.

"The United States strongly supports conservation and sustainable use of the ocean and its resources, both within and beyond national jurisdiction," a State Department official told Fox News.

That included "increased cooperation and coordination among states, international bodies, and relevant stakeholders to achieve better conservation and management of high seas resources," not to mention "better management and planning for multiple uses and activities where they occur in areas beyond national jurisdiction."

The Administration has already acted up domestically on some of the big-ticket possibilities under discussion, with, among other things, its huge expansion by executive order in September 2014 of the Remote Pacific Islands National Marine Monument in the central Pacific Ocean into a half-million-square-mile oceans preserve.

U.S. environmental groups are lobbying now for additional marine monument areas off the coast of New England, site of some of the U.S.'s most important Atlantic fisheries.

Such preserves—known as marine protected areas or MPAs, in Law of the Sea jargon—are a major focus of attention for the U.S.-based Pew Charitable Trusts, which has been lobbying governments around the world for years to create them.

So are environmental impact assessments, or EIAs, which are a focus for the High Seas Alliance as well—a bid to create not only environmental protection standards but also public review processes that will give non-governmental environmentalists a greater voice in what would pass muster as acceptable future ocean resources development.

Pew is the organization lobbying most loudly for a 30 percent set-aside of the high seas for preservation purposes—"although not completely no-take, no-use areas," according to Elizabeth Wilson, director of the non-profit organization's international ocean policy program, who attended several days of the New York meeting.

Pew has also been funding pilot projects for satellite observation of protected zones as an efficient means of supporting law enforcement in the vast reaches of ocean that would be involved, as well as financing research that offers backing for the preserve concept.

As the first prepcom session neared its end, Wilson said the diplomatic talks "had gotten a lot further into the details than we expected it to do at this stage," and that "people were feeling pretty comfortable" with the concepts involved in the mammoth ocean discussions.

Comfort with concepts, and agreement on terms, however, are still two greatly different things.

Participants in the meeting were divided over such questions as whether a new accord would create a new international oceans authority to administer the exploitation of the world's undersea biological resources, or whether ways could be found to expand existing authorities such as the regional fisheries management organizations and the International Seabed Authority, a U.N.-sponsored creation that is currently supposed to regulate undersea mining.

One of the "most animated" areas of discussion, prep-com chairman Charles told Fox News, was how the rewards of the world's undersea bio-heritage could be shared. "We do not yet have a legal code for their exploitation," he declared.

Some countries were arguing that all such resources be considered the "common heritage of mankind," a code term for a socialist-leaning vision of shared international ownership.

Other countries were emphasizing traditional "freedom of the seas," which apparently would leave more room for private initiative.

In the case of MPAs, he said, "some member states say we first need to take stock to determine if the need for an MPA is there," while others "say not in all circumstances." There is also conceptual disagreement on whether such protections always need to be

permanent, he said.

According to some scientific experts, there is also reason to question whether the undersea set-aside approach was really going to be all that effective in dealing with some of the world's most pressing ocean problems, such as over-fishing.

Ray Hilborn, an internationally known fisheries expert at the University of Washington in Seattle, is one of the skeptics. Co-author of a recent study that is the groundbreaking effort to estimate the historical extent of global fish stocks, he told Fox News that while over-fishing is a serious issue, "in the big picture, we are not close to calamity at all."



The study he co-authored shows that "about 20 percent of the globe's fish stocks are over-fished," he said, and stocks of many of the major species that are commercially exploited "are in better shape than smaller fish stocks, essentially because they are better managed."

Many of the worst problems are in Pacific fisheries exploited by Asia, where the bigger issue is getting countries such as China and Korea to honor existing fisheries management organizations.

While reforms of fisheries management are needed, the study says, "recovery can happen quickly, with the median fishery taking under 10 years to reach recovery targets."

Closed-off ocean areas, Hilborn says, "are the crudest possible tool for fishing management. All it does is move boats somewhere else."

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