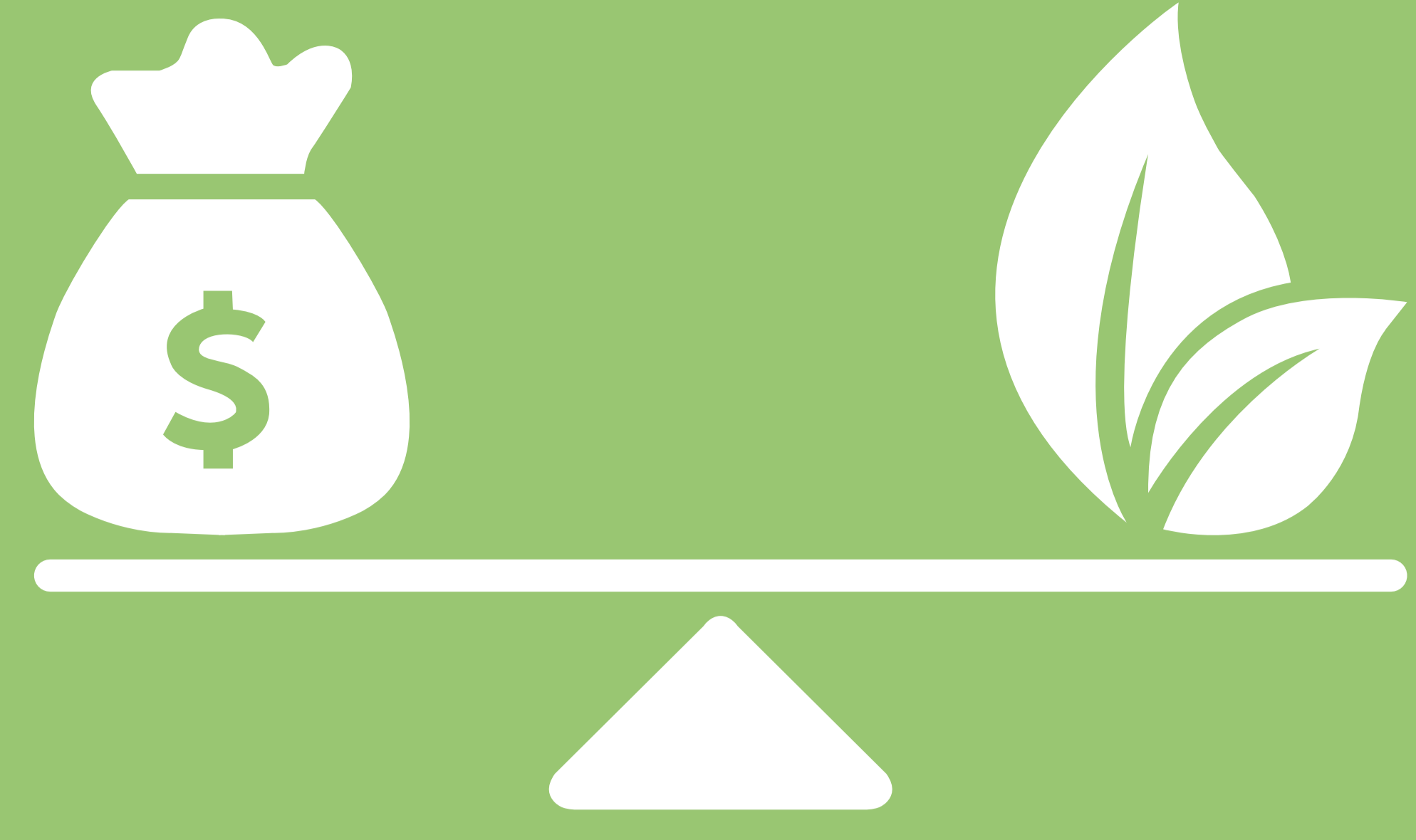


GREEN ECONOMY

Who Owns the Ocean?



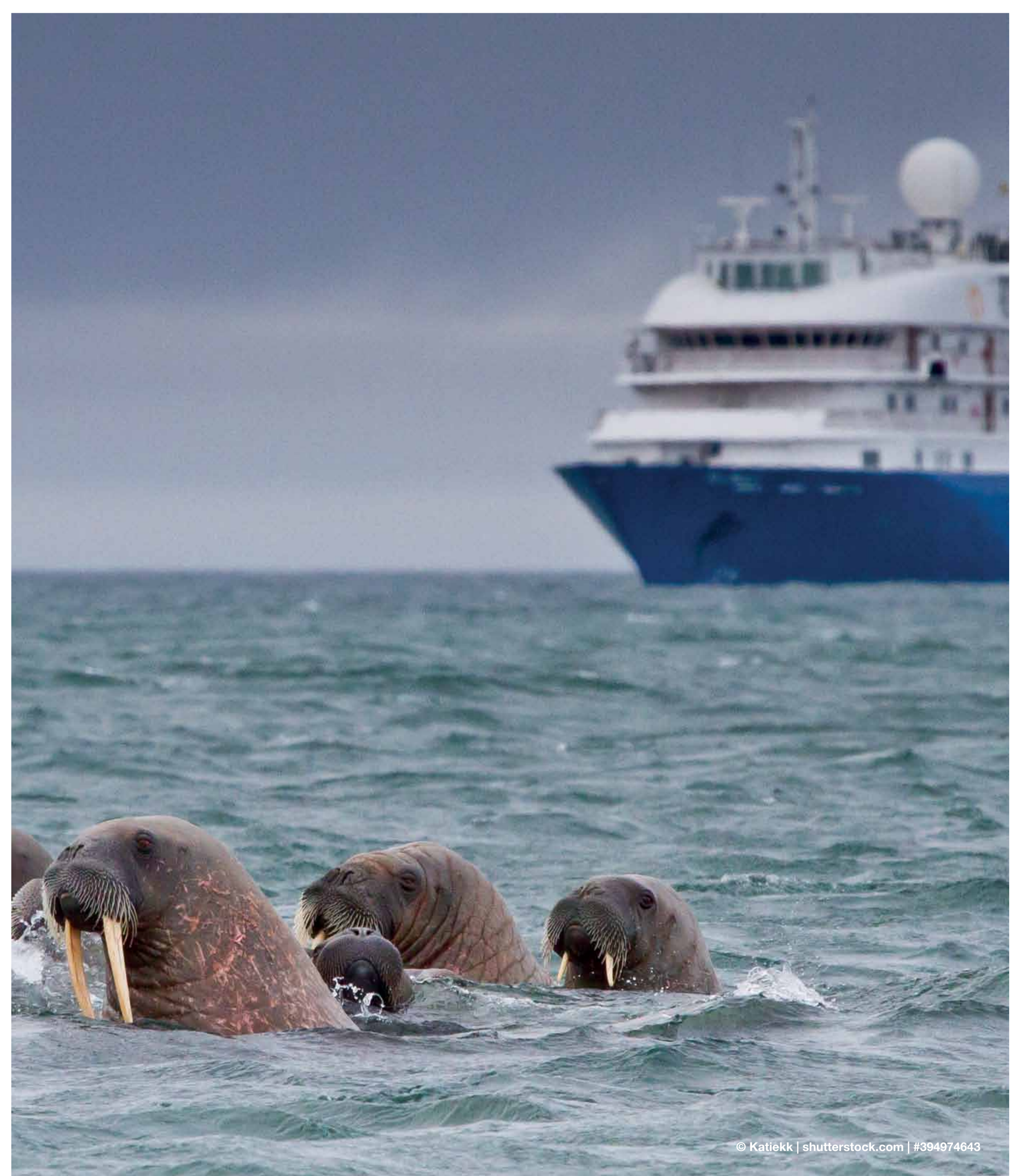
The Ocean – Our Largest Ecosystem

Oceans cover about 70 percent of our planet; they provide us with food and oxygen, and are home to exceptional biodiversity. Oceans harbor valuable raw materials; they serve as the most important transport and trade routes, and the coasts of more than 200 countries attract tourists from all over the world. Oceans are also a source of renewable energy. Our exploitation of this wide range of benefits has led the world's largest ecosystem to become badly damaged and polluted.

The United Nations Convention on the Law of the Sea (UNCLOS) came into force in 1994. The agreement divides the ocean into three zones. The twelve-mile zone – the coastal area – is national territory. The 200 nautical miles adjoining the coastal area is called the “exclusive economic zone”. The nation to whom the coast belongs claims the resources found there, setting fishing quotas and granting licenses for exploration and mining of raw materials. The third zone is the high sea, which is defined as the “common human heritage”. A country or a company that wants to exploit resources on the seabed in this area must apply for a license at the International Seabed Authority in Jamaica.

Absence of International Laws

The high seas themselves, however, are open to all nations for a broad array of activities such as fishery, shipping and scientific research. The UNCLOS covers the protection of the marine environment, but every nation can apply its own environmental standards. No binding international directives or laws are currently in place. Furthermore, there is no central institution that is responsible for coordinating all the different sectors of ocean protection. Instead, multiple authorities and regional instruments for the protection of the high seas exist: MARPOL, an international convention to prevent ocean pollution, the United Nations Environmental Programme (UNEP), Food and Agriculture Organization (FAO) and International Maritime Organization (IMO), to name only a few. Seventeen different international fishing organizations, all of which work independently, are charged with the task of maintaining and managing regional fish stocks. These are difficult preconditions for protecting the ocean effectively.



Protection Measures Being Negotiated

During the Earth Summit in Rio de Janeiro in 2012, adequate protection measures were discussed. Considerations included establishing protected areas and introducing environmental impact assessments (EIA)* which are also required by law prior to interference with valuable terrestrial ecosystems. Negotiations chaired by the United Nations on legally binding agreements for the protection of the high seas are currently in progress. An agreement to this effect is due to be adopted in 2018.

The negotiating parties agree on one point: the ocean as an ecosystem must be protected, and at the same time its economic potential should be promoted sustainably and for the benefit of humanity.

Shortly before the Rio summit was held in 2012, the World Bank¹³ initiated a worldwide partnership involving governments, non-governmental organizations, scientists and corporations. Its main goal is to fund and provide money for ocean protection. One issue the partnership is focused on is supporting the expansion of controversial aquacultures or fish farms.

*Environmental Impact Assessment (EIA)

Possible consequences of intervention in the environment are examined within the EIA. The findings inform the decision on whether a given project should be realized or not. Yet even if the EIA determines that a project would have a negative impact on the environment, the project can go ahead anyway in many cases, as the EIA is not legally binding.

¹³Jonathan Watts (February 24, 2012): World Bank launches global coalition for marine protection. The Guardian retrieved from <https://www.theguardian.com/environment/2012/feb/24/world-bank-coalition-marine-protection>