

Commission: Special Commission for the Governance of the Seas

Subject: Ensuring a Sustainable Governance for Seas and Oceans

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INTRODUCTION

Oceans and seas cover 70% of the earth surface and are essential for all life on earth. The well being of our oceans are inextricably linked to the well being of our entire planet and the human race itself. Not only do they provide more than half of the planet's oxygen but they also regulate our climate and weather patterns. For many countries, the oceans and seas are a vital source of revenue, generating employment, access to food and resources, and tourism.

Historically, coastal cities have prospered as their location allowed them to trade, explore and connect with the outside world, spreading goods, people and most importantly ideas. Such cities were centres of growth and prosperity. Great civilisations such as the Athenians, the Chinese or the Arabs utilized the seas and oceans as a tool for development.

More crucially, oceans are essential for life on Earth as they provide the oxygen that we breathe, and the climate we live in. In addition, oceans and seas are extremely valuable today as they are used for fishing, transporting goods and exploiting resources. Our global world wouldn't be able to function without them, and yet they are under the threat of pollution, neglect, and often subject of dispute.

These huge bodies of water are under serious threat from many sources. Increasing population and trade, pollution and global warming are all having a dramatic impact on the oceans and seas. Due to global warming, the waters are absorbing more heat than ever before, they are becoming more acidic, currents are altered, causing the extension of countless marine species: ecosystems are becoming devastated as a result.

These changes also affect our societies. Fishermen who depend on seas will scramble to keep up with the shifting aquatic ecosystems, and Arctic passageways may open more trade routes, sparking very serious tensions between the countries surrounding them. Ocean flooding is threatening low-lying lands and coastal cities.

The seas are changing, and in order to preserve and protect them we must be able to find order and resolutions for a better future.

In this committee, you will therefore be asked to find innovative solutions to the problems our oceans are facing today, in the hopes of creating a more sustainable future. To do this you must consider who will take charge of the governance of the world's oceans, and more importantly how to make sure that this governance will withstand the test of time, as it is running out at an alarming speed. Remember that you must not only handle the most current issues, but also take into account what future problems could arise, as we are aiming towards a sustainable future.

To help clarify some of the issues we are facing, and to give you an idea of the gravity of the situation, here is some information, which might come in hand for your research.

We have divided the issues into three categories: environmental, political and economic, in order to facilitate your research.

ENVIRONMENTAL ISSUES

Rising temperatures

Water levels are rising due to the thermal expansion of the warming ocean, the melting of mountain glaciers and the north and south poles melting. The polar ice caps have melted faster in the last twenty years, than they have in the last 10,000 years. Polar ice sheets are melting faster than ever, endangering the survival of many species.

The melting of the ice-caps and the changes to marine wildlife, caused by rising temperatures are global problems, which cannot be dealt with unilaterally.

During COP21, the Paris Agreement of 2016 was signed by 196 countries. It aims to limit the global temperature rise to below 2 degrees Celsius over the course of the century. Despite the United-States' recent withdrawal and the difficulties many of these countries encounter to respect its implementation, it is still on the agenda.

Water Level Rising

Every year the sea rises another 3.2 millimeters. Since 1880 the average sea level has risen by 23 centimeters with about eight of those centimeters gained in the last twenty-five years. The time between floods shortens as the sea level rises.

If current trends continue, 177 million people will be living in a place at risk of regular flooding by the year 2100. Eight of the ten large countries most at risk are in Asia. China leads the world in both emissions and the number of people exposed to flood risks.

Rising sea levels could cause widespread property and socio-economic damage in the coming century – especially for those living in coastal regions.

Three quarters of Venice was flooded. The flooding in the city is the worst it has been in a decade with levels reaching 1.5 metres – the fourth highest ever recorded. Venice and other low-lying cities face long term threats to their very survival.

Moreover, millions of people, especially islanders, will have to flee their home and become climate refugees.

Pollution

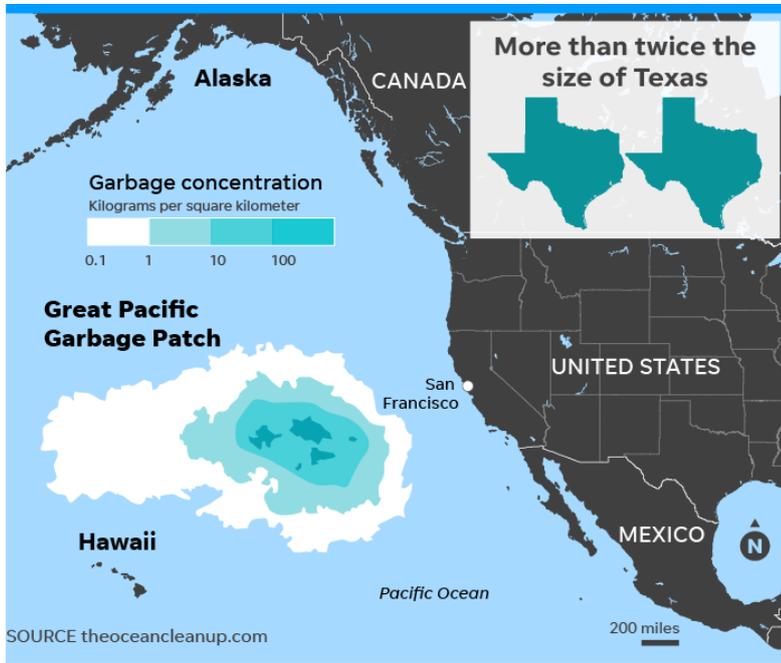
Oil, fertilisers, sewage, plastics and toxic chemicals are part of the waste that runs into rivers, then seas and finally oceans. The algae produced by fertilisers used on farms is killing marine life and creating dead zones in places such as the Gulf of Mexico and the Baltic. Untreated sewage still flows into the seas. Desalination plants are increasing the salinity and therefore toxicity of seas. Countries dump their rubbish and waste into the oceans, polluting ecosystems. Research suggests that by 2050 there will be more plastic than fish in the world's oceans. 80% of the pollution that has taken over our waters comes from our activities on land. Up to a million sea birds and 100,000 marine mammals and sea turtles die each year from eating plastic.

Oil Spills

For example, the *Atlantic Empress* oil spill in 1979 created a very large oil slick which entered multiple countries' Exclusive Economic Zone (EEZ), as well as causing tremendous damage to the surrounding environment when releasing 285,000 metric tons of petrol. More recently, the Deepwater Horizon drilling rig explosion in April 2010 released between 670 and 830 000 tons of oil in the Gulf of Mexico.

Rubbish Islands

Plastics that are dumped in the sea can form gigantic structures, which are often suspended just beneath the surface of the water. An estimated 5.2 trillion pieces of plastic weighing 269,000 tones is distributed across the oceans, mainly in the North Pacific, North Atlantic and Indian Oceans. These so called islands spread out over large expanses of the sea, killing marine life as they float along.



When rubbish floats out of a country's EEZ into international waters creating these islands, it becomes no longer the responsibility of the country, which had initially dumped them there. It is then up to the UN and NGOs to clean up the mess.

Here is the example of the Pacific garbage patch (or an island) that lies in and beyond the US EEZ. There has been little or no effort by the US government to try and resolve the problem. NGOs such as The Ocean Cleanup based in the Netherlands, are providing new solutions to clean up the plastic. With government support, these technologies could be used on a much larger scale.

Marine Life

Marine wildlife is suffering as its habitat is coming under threat. According to the Paris Agreement, drastic action is required to prevent the massive irreversible impact of ocean warming which is having a devastating effect on marine species and ecosystems. Only 13% of the world's oceans have intact ecosystems while the rest have been plundered and degraded. According to the latest World Wildlife Fund research the populations of some marine species have declined by 49%. There are 1349 species currently on the Red List. Whales, dolphins, manatees and sharks appear among the species listed as endangered.

Too summarize, there is a long list of actions (and inactions) that are being taken with little consideration of the short and long term implications for our oceans and consequently our planet. This is a problem of huge scale... Finding a solution to these increasingly pressing issues is vital to the survival of our planet.

POLITICAL ISSUES

Conflicts Over Resources

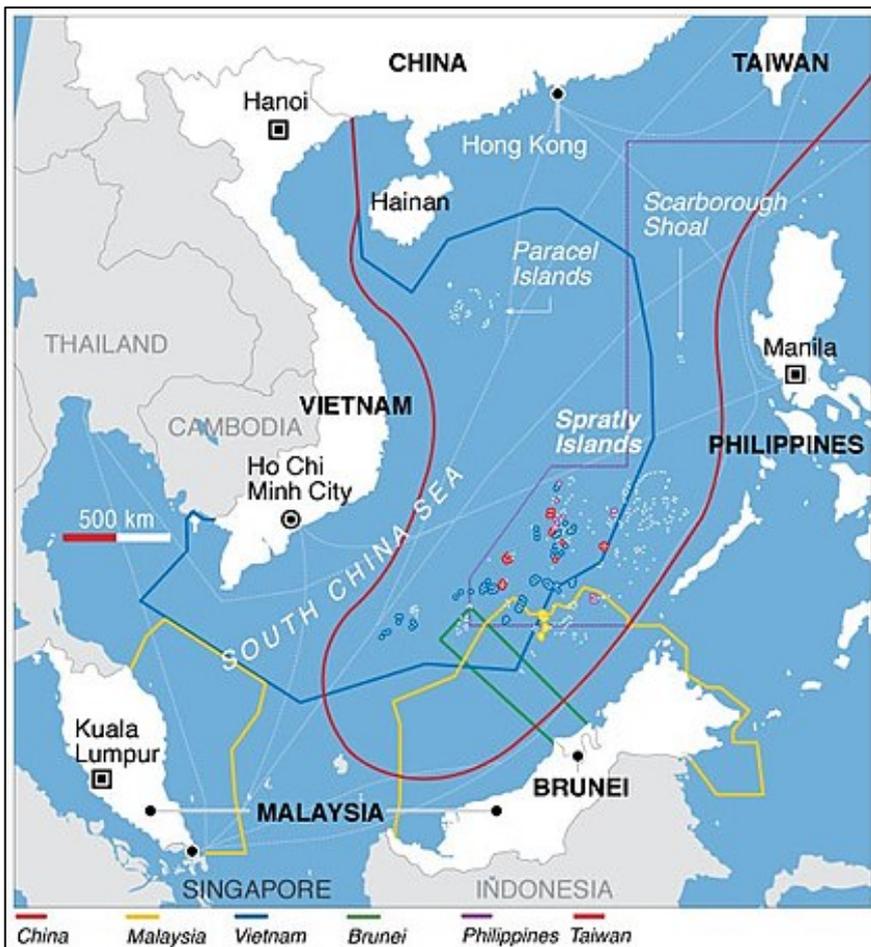
As land resources dwindle or become too costly to extract, more attention is being focused on the vast resources that can be found under the sea bed. At the same time, some of these are becoming more accessible due to significant melting, allowing for easier extraction, such as can be seen in the case of the polar regions or in the East Mediterranean where new oil reserves have been discovered. Countries are intensifying their bids to lay claim to such areas.

Exclusive Economic Zones (EEZ)

The United Nations Convention on the Law of the Sea (UNCLOS) defines an Exclusive Economic Zone (EEZ) as ‘generally extending 200 nautical miles from shore, within which the coastal state has the right to explore and exploit, and the responsibility to conserve and manage, both living and non-living resources’. Some proposals would calibrate certain disciplines depending on whether the subsidized fishing activity takes place within or beyond a member's EEZ.

These areas are significant for many reasons: they provide exclusive economic freedom and jurisdiction of the area. Since exclusive economic zones (EEZ) as they are currently defined often overlap, it is up to all nations concerned by this to negotiate a compromise. Problems arise when two countries disagree on the range of their EEZ's, and therefore their sovereignty. The UN has appointed this Special Committee in the hopes of navigating the discussions in a fair and reasonable way.

Most maritime disputes are a result of overlapping exclusive economic zones. Articles 55 and 56 of UNCLOS give coastal states “rights and jurisdiction” as well as “sovereign rights for the purpose of exploring and exploiting, It becomes evident that a sustainable rule of the seas must be ensured before serious conflicts arise, and it is this committee's job to suggest a way of governing this planet's oceans and ways of implementing the rules that follow.



The South China Sea dispute may be the most complex as it involves many overlapping claims to EEZs. This is because of the recent discovery of underground reserves of petrol and taxation rights of vessels moving through the strait of Malacca. Most importantly, there is one major player, China, that is beginning to build military bases on man-made islands in the disputed areas. These actions, paired with the fact that ASEAN (an organization that might be somewhat capable of opposing China's appetite) suffers from internal disputes and lacks military capabilities. This is a very recent dispute but has rapidly escalated since its start in May 2012, to the extent that it may possibly even result in an armed conflict.

International waters

Waters, which extend beyond the borders of EEZs are so called international waters. This means that no country can claim sovereignty over them. There is a significant amount of regulation governing international waters but because they are so rich in resources, some countries are exploring ways to claim territorial rights over these areas.

Human Trafficking/Smuggling

Trafficking in human beings and smuggling of migrants and goods by sea also is posing a large problem for the management of the seas. Migration to Europe from North Africa and the Middle East reached its peak in 2015 but is still responsible for many deaths (4500 in 2018) in the high seas. Efforts should be made to ensure that migration (which is a natural human phenomenon) is more effectively managed in order to decrease the deaths, especially when migrating over the sea. Once again, the question of responsibility is raised as some countries become overwhelmed by the burden.

Pirates

Seas of West Africa are the worst for pirate attacks. In 2005 nearly 300 ships were the victims of pirate attacks with the majority taking place off the coast of Indonesia, Somalia and Bangladesh. The most common targets for modern pirates are cargo ships, tankers and container ships. Heavily armed pirates often target the personal effects of the crew rather than the cargo as these objects are easier to sell. In some cases crew members have died at the hands of modern pirates. One of the reasons that piracy has flourished in recent years, is the captains reluctant to report pirate attacks as this usually leads to delays and additional expense.

The International Maritime Organization suggests that the UN takes more responsibility for monitoring and patrolling the waters where there is the great risk.

Exclusive Economic Zones

Oceans are gaining political importance. Maritime disputes are appearing on political agendas all over the world. As we are entering a new era for maritime politics, the potential for conflict over these spaces is rising. Although land territory has caused a lot more conflict throughout history, it seems that times might be changing stimulated by the growing demand for resources and rising sea levels have led to an increased focus on the governance and rights of the oceans.

Marine Disputes

- The Arctic Ocean dispute (or just Arctic dispute) is in many ways similar to the South China Sea dispute. Though this conflict is quite recent, claims in the area first started in 1925, with Canada's claim to some areas of the ocean. As ice recedes more and more due to climate change, new arctic routes for transporting goods and seasonal resource exploitation become increasingly popular and profitable.



ECONOMIC ISSUES

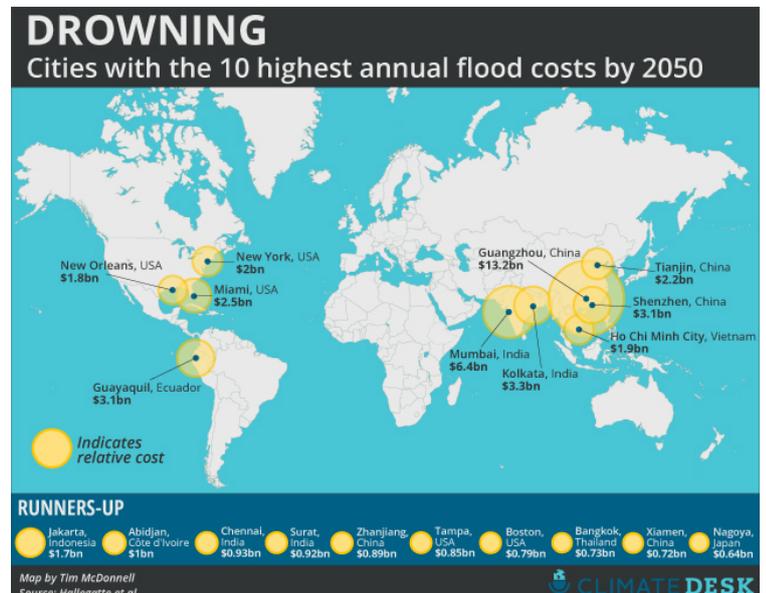
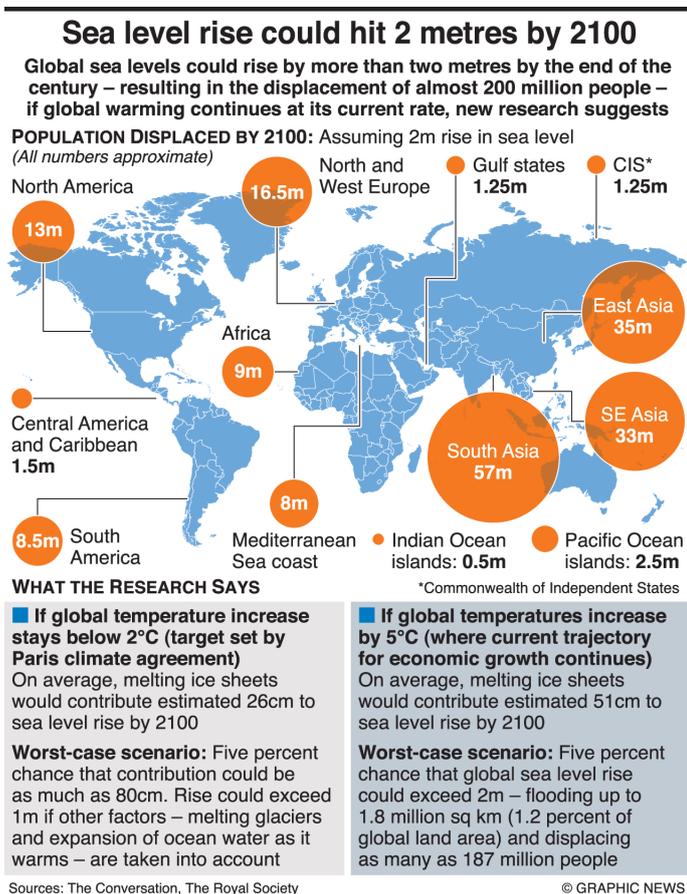
Tourism

With the development of global aviation, tourism has become a leading global industry, generating significant revenues for developed and developing countries. Many poor countries rely on the tourism and such countries are confronted with the costs of sustainable tourism needs to be implemented. However too much tourism is a bad thing.

Marine industries (including tourism) provide employment all over the world, making it a valuable source of income to many people and their well-being must also be taken into account.

Rising Sea Levels

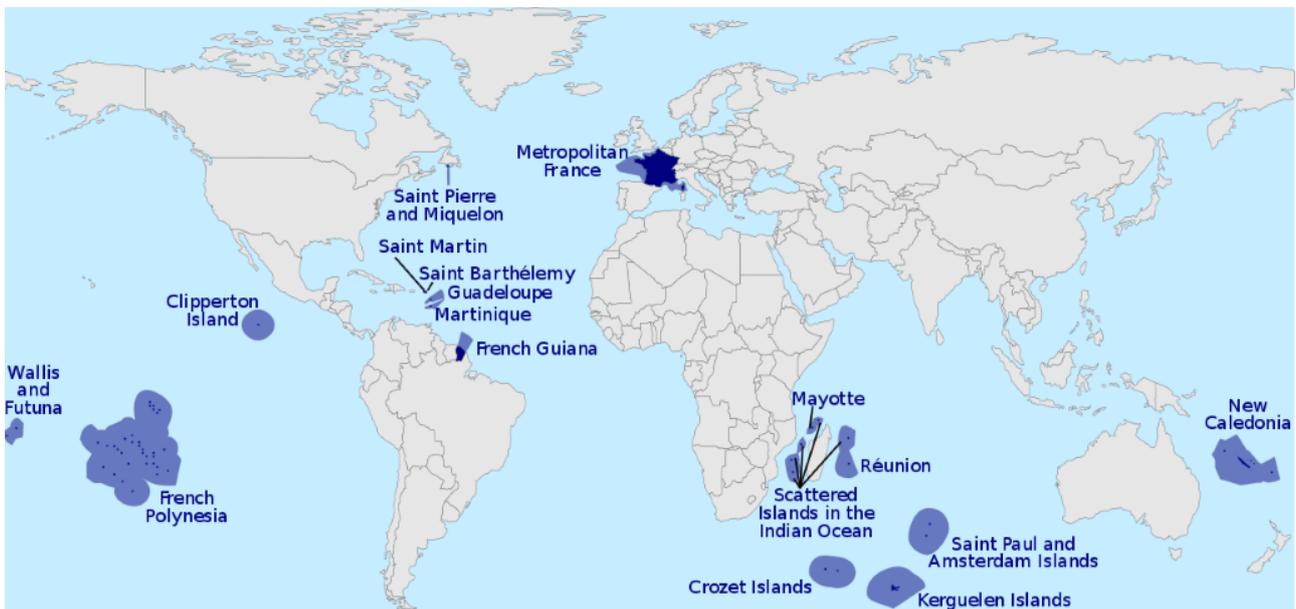
A study led by the UK National Oceanographic Centre (NOC) has found that flooding events could lead to dire economic consequences if global warming is not limited to two degrees Celsius. The researchers have estimated that flooding due to rising sea levels would cost the global economy up to \$14 trillion every year. With 11 percent of the world's 7.6 billion people living in areas less than 10 meters above sea level, rising seas and therefore coasts erosion pose a major risk to coastal populations, economies, infrastructure, and ecosystems around the world. Most large and prosperous cities in China are located along coastal regions and are thus likely to suffer huge economic impacts when a sea level rise occurs. The effects on coastal regions can also be transmitted to inland regions through movement of labor and trade, thus affecting regional disparity. Sea level rise could cause more unemployment in developed coastal regions, drive people to other developing inland regions, and even convert some mega-cities into middle-scale cities. Due to flooding and salt water intrusion into the soil, the salinity of agricultural lands near the sea increases, posing problems for crops that are not salt-resistant, especially in delta regions such as the Nile or the Mekong.



EEZ

Most maritime disputes are a result of overlapping exclusive economic zones (EEZ). Articles 55 and 56 of UNCLOS give coastal states “rights and jurisdiction” as well as “sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources” of this area. This is very important because countries have the right to exploit this area for resources like deep sea mining, and petrol extraction. In order to extend the area where coastal states have these rights, many countries try to claim other lands. These territories are often very small, like islands, but give nations a very large expanse of jurisdiction. France is a very good example of this phenomenon, as it is the largest exclusive economic zone in the world, but has an average sized coast line (according to the World Resource Institute (WRI) 33rd in the world) and not a particularly large territory (42nd).

Islands like those in French Polynesia extend exclusivity considerably, compared to Metropolitan France that does not extend very far.



Countries do this because economic benefits of exploitation are considerably large and this may provide countries with resources they may not have on land, like in the case of Japan. The examples given in the political section are good examples of how disputes may arise from exclusive rights of a resource in an area.

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UN INVOLVEMENT

The UN is currently responsible for governance of International Waters (all waters outside exclusive economic zones). The current treaty that regulates it is the United Nations Convention on the Law of the Sea (UNCLOS adopted and signed in 1982 and entering into force in 1994, this convention created 3 different institutions: The International Tribunal for the Law of the Sea (ITLOS), International Seabed Authority (ISA), Commission on the Limits of the Continental Shelf (CLCS).

The first, based in Hamburg, Germany, is responsible for dealing with disputes arising from the implementation of UNCLOS. It consists of 22 judges leading tribunals usually open to the public.

Kingston based ISA deals with regulation of mineral related actions in areas outside the limits of the national jurisdiction. It helps with the allocation of territory for contractor exploitation and dealing with overlapping claims. It also organises workshops for seabed exploration and protection of marine environment. In recent years, the question of deep-sea mining has risen to be one of the biggest issues for the association to tackle.

Finally, CLCS located at the UN Headquarters in New York, facilitates the implementation of UNCLOS legislation concerning continental shelves and their impact on Exclusives Economic Zones.

The Common Oceans program for Areas Beyond National Jurisdiction, a branch of the Food and Agriculture Organisation (FAO) and supported by Global Environment Facility (GEF), manages fisheries and ecosystems in ABNJ. They also support Coastal States by enabling them to better achieve their UNCLOS obligations, most importantly concerning conservation of high sea ecosystems.

DEFINITIONS

Areas Beyond National Jurisdiction (ABNJ): Areas outside any national EEZ, and beyond the limits of claimed continental shelf.

Coast: Land located beside a body of water.

Coastal State: country located on the coast of a body of water.

Continental Shelf: the area of seabed around a large land mass where the sea is relatively shallow compared with the open ocean. The continental shelf is geologically part of the continental crust.

Conveyor belt: this is a principal which describes the movement of ocean and sea water around the globe. The salinity and temperature are variable in different regions and are responsible for the movement of the water. This belt is responsible for climates throughout the world (for example why US cities on similar latitudes to European ones have colder climates than they trans-Atlantic counterparts.)

Exclusive Economic Zone (EEZ): Area 200 nautical miles off a country's coast (national waters), which becomes said country's national sovereignty, and therefore legislation.

Fishing: Human activity whose goal is to collect fish and marine life. There are two types; commercial (used for trade) and subsistence fishing (for personal/familial consumption).

Hydrography: the science of surveying and mapping bodies of water.

International Waters (IW): Part of a sea/ocean that is not included in the limits of any other EEZ. This area falls under international law – Law of the Seas defined by UN Commission so and so...

Large Marine Ecosystem (LME): Oceanic areas less than 200,000 km sq characterised by marine and hydrographic diversity.

Ocean: Large body of salt water (eg. Indian Ocean, Arctic Ocean...).

Resource: entity that can be exploited, transformed and used for human development (eg. water, petrol...).

Sea: Significant body of salt water (eg. Mediterranean Sea, Caribbean Sea...).

RELEVANT STAKE HOLDERS

- States
 - China
 - France
 - UK
 - USA
 - Russia
 - Canada
 - Australia
 - Indonesia
 - Japan
 - Brazil
 - (...)

- Shipping companies
 - Maersk
 - China Ocean Shipping Company Limited (COSCO)
 - Orient Overseas Shipping Line (OOSL)
 - Mediterranean Shipping Company (MSC)
 - Nautilus Minerals Inc.
 - American President Lines (APL)

- NGOs
 - The Nature Conservancy (TNC)
 - Sea Shepherd Conservation Society
 - Ocean Alliance (www.whale.org - not to be confused with OCEAN Alliance for Ocean Shipping Companies)
 - Ocean Conservancy
 - Coral Reef Alliance
 - Greenpeace
 - International Ocean Institute (IOI)

- Criminal organisations (trafficking: fish, natural resources, migrants...)
 - Somali pirates
 - Malay pirates

- International Organisations
 - European Union (EU)
 - Association of South East Asian Nations (ASEAN)
 - Regional Comprehensive Economic Partnership (RCEP)
 - North American Free Trade Association (NAFTA)

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https://www.un.org/Depts/los/nippon/unnff_programme_home/fellows_pages/fellows_papers/akohou_0708_benin_PPT.pdf

FAO, fishing & fisheries (ABNJ Program...)

<http://www.fao.org/in-action/commonoceans/en/>

<http://www.fao.org/3/a-i7539e.pdf>

NGOs links

<https://www.un.org/Depts/los/Links/NGO-links.htm>

World Ocean Review

<https://worldoceanreview.com/en/wor-4/politics-and-the-oceans/>

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Concerns

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Actions

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