



PSA-022-Decline of Ecosystems-Worlds Oceans

How do we save coral reefs?

Vic Ferguson

The World Federation for Coral Reef Conservation 281.971.7703 P.O. Box 311117 Houston Texas 77231



• **Laws to protect marine resources still a long way off**

Image credit: James Morgan/Panos

Speed read

- Oceanic resources such as fish stocks and coral reefs need legal protection
- Developing countries could miss out on resources due to tech limitations
- The UN may only decide in 2018 whether to start developing a legal framework

Legislation to protect ocean areas beyond national borders is moving dangerously slowly, a summit on ocean resources has heard.

The meeting heard that many oceanic resources, such as fish stocks, minerals and coral reefs, need to be legally protected as soon as possible.



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Marine resources in many areas are covered by UN convention on the law of the sea, but this does not contain provision for resources in sea areas beyond national jurisdictions, commonly called the high seas.

Because of this, such resources are especially vulnerable to exploitation as they are not governed by specific laws, participants heard.

Concerns were also raised that developing countries could miss out on resources from the deep ocean as this area is often only accessible to nations with advanced — and damaging — extraction [technologies](#). The summit by the UN's Food and Agriculture Organization (FAO) ran from 17 to 20 February in Rome, Italy.

There has been some progress on the issue, with the UN-established International Seabed Authority [granting at least 26 deep sea mineral prospecting licences](#) to seven countries in 2014.

“Nations are increasingly aware of the role they play in managing the high seas as stewards of the oceans.”

Biliana Cicin-Sain, Global Ocean Forum

The process to determine whether it would be helpful to create a broader protective law for the high seas started last month under the coordination of the Global Environmental Facility (GEF), an independent partnership that addresses [environmental](#) issues. To begin this process, GEF has created a committee to assess the need for such a framework and what it might cover.

But this committee is not expected to make recommendations until the end of 2017. Only then will the UN decide, sometime in 2018, whether it wants to formally start developing a legal framework.

“This is despite the fact that in documents the language is always ‘urgent, urgent, urgent’,” says Liesbeth Lijnzaad, a representative for the Netherlands in cases before the International Tribunal for the Law of the Sea. “This is a bit off, if it then takes you a decade to go through a process to create an international legal instrument.”

The decline of [ecosystems](#) in ocean waters beyond national borders disproportionately affects small island states, whose marine biodiversity depends on healthy open seas, the conference heard. According to the FAO, around 300 million people depend on the high seas for their livelihood, and protecting these resources is part of the draft Sustainable Development Goals.

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- [Scientists call for tougher treaty to protect the deep ocean](#)
- [Island states splits may sap their bargaining power](#)
- [Small island states told to build wider ocean expertise](#)

Smaller states without the capacity to access resources deep under the high seas also lose out on scientific discovery, resource exploitation and fishing, conference participants warned. This is becoming a problem as new hi-tech activities such as deep sea mining, oil drilling and geoengineering damage the environments before less developed nations have a chance to explore them, the conference heard.

One problem is that high sea resources are solely defined as mineral resources under the current law of the sea, says Eden Charles, the UN ambassador for Trinidad and Tobago.

“But a lot of biodiversity is found in these areas,” he says. “They should be explored and exploited in a sustainable manner, for the benefit of the international community as a whole.”

Meanwhile, the UN negotiations on creating a legal framework for the high seas could be stalling even before the committee reports its recommendations.

Countries participating in the discussions disagree over whether new legislation is needed or whether existing laws need to be better implemented. One insider in the talks told the conference that this could be a major stumbling block, further delaying action.

Biliana Cicin-Sain, a policy adviser to the UN and president of the Global Ocean Forum, an independent organization focused on improving ocean governance, also criticized the slow procedure. She pointed out that the UN Conference of the Parties to the UN Convention on Biodiversity raised alarm over the state of the high seas during its Kuala Lumpur conference in 2004.

“Nations are increasingly aware of the role they play in managing [the high seas] as stewards of the oceans,” she says.

But the legislative process around this must take into account national and regional initiatives and laws, and this is bound to take time, Cicin-Sain adds.



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President/Founder
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Houston, Texas 77231
vic.ferguson@wfcrc.org
www.wfcrc.org
281.971.7703 (office)
281-309-1201 (cell)*