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**DEEP SEABED MINING**

**AN EMERGING NEW INDUSTRY WITH UNKNOWN ENVIRONMENTAL IMPACTS**

The Kingdom of Tonga has become the first country in the world to put in place a law that manages seabed mineral activities within its national marine space and under its sponsorship in international waters. The Seabed Minerals Act 2014 received Royal Assent from the King of Tonga on 20 August 2014. It was prepared with the assistance of the Deep Sea Minerals Project, a partnership between the European Union (EU) and the Secretariat of the Pacific Community (SPC), and 15 Pacific Island countries. It positions Tonga at the forefront of good governance for this emerging new industry.

There is significant commercial interest in the seabed mineral potential in the marine territories of Tonga, Papua New Guinea, New Zealand and the Solomon Islands. Vanuatu has issued explora-tion licences and Cook Islands plans to seek bids for exploration licences this year. Along the Pacific Rim of Fire, as deep as 6000 metres underwater, are chimney-like structures on the sea-floor caused by hydrothermal activity, which hold large mineral deposits that are in global de-mand. In the territorial waters around the Cook Islands are nodules rich in manganese and cobalt, estimated at 10 billion tonnes. Tonga’s ‘seafloor massive sulphide’ deposits are currently being explored for copper, zinc, gold and silver. Trans-Tasman Resources Ltd has applied for approval to mine underwater iron-ore off New Zealand’s west coast and Chatham Rock Phosphate Ltd has applied to mine phosphate off the east coast of the South Island. Nautilus Minerals, a Canadian company, 40% of which is owned by an Omani billionaire and Russia’s richest tycoon, is pro-posing to start digging up a huge sulphide deposit 1600 metres underwater off the north coast of Papua New Guinea in 2017. To date no deep sea mining has occurred anywhere in the world; its viability and environmental impacts are yet to be determined.

Back to Tonga’s legislation. Professor Mike Petterson, Director of the SPC’s Applied Geo-science and Technology Division, has hailed Tonga’s Seabed Minerals Act as not only a world first but a world best. He says that it establishes a robust and transparent regulatory system, which prioritises good governance of natural resources and environmental management in line with inter-national best practice. It sets a stable and predict-able regime, with requirements for the precaution-ary approach, public consultation and ‘free, prior and informed consent’. It enables investment while protecting the long-term interests of the people of the Kingdom and the health of the oceans. Before any seabed mining can com-mence, the Act must be strictly followed and government is given enforcement powers to maintain compliance with required performance standards. Tonga will now proceed with programs of awareness-raising and the development of further regulations. For more information, visit [www.sopac.org/dsm](http://www.sopac.org/dsm) and [www.spc.int](http://www.spc.int).

But now, back to New Zealand. Trans-Tasman Resources Ltd had received approval from the Ministry of Business Innovation and Employment and only required a favourable assessment from the Enviromental Protection Authority (EPA). The EPA has torpedoed the proposal, citing its concerns for the effects of mining on the ocean environment and on existing fisheries and other interests. Philip McCabe, Chairman of Kiwis Against Seabed Mining, said it was only when the project came before the EPA that the people of New Zealand could enter the process. There were nearly 5000 submissions and 99.5% of these were opposed to it. ‘While we have the technological ability to mine the oceans, we don’t have the scientific understanding to predict the long-term effects…there needs to be a slow walk towards this as a possibility rather than the race that’s going on right now’.

‘Deep sea mining is coming faster than the scientific community can monitor it’, says Carlos Duarte, Director of the Oceans Institute, University of Western Australia.

Will the New Zealand EPA decision and Tonga’s legislation lead to wise and careful decisions in other countries? Will trade agreements have the power to overturn or penalise their decisions?

*Sources: SPC/PACNEWS,* [*www.spc.int*](http://www.spc.int)*;* [*www.radioaustralia.net.au*](http://www.radioaustralia.net.au)*; REUTERS/PACNEWS. Compiled and edited Alison Healey.*

**CANADA - EUROPE TRADE AGREEMENT - WHAT NEXT?**

On 13th August, the final proposed text of the controversial free trade agreement between Canada and the European Union (EU) was leaked by the German Public Television Station ARD’s program, “Tagesschau” (the daily show). The Comprehensive and Economic Trade Agreement (CETA) is meeting with criticism from numerous groups on both sides of the Atlantic who question many aspects of the deal. Two-thirds of this ‘new generation’ trade deal is about balancing power between governments and investors and only one-third is about trade. The Investor-State Disputes Settlement (ISDS) chapter is one of the most controversial issues in the agreement, because it gives investors the option to bypass a country’s court system, sue the country and have the case settled by a biased investor’s panel.

ISDS first appeared in the North American Free Trade Agreement (NAFTA) and, to date, Canada has had to pay $170 million in settlements. In addition, there are two disputes still to be settled. One, with a $250 million fine pending, is being pursued by a USA company, Lone Pine, because of Quebec’s moratorium on fracking[[1]](#footnote-1) and the impact of this on the company’s profits The other involves a fine of $500 million being pur-sued by the Eli Lilly drug company, because Canada refuses to extend patents that have expired on two drugs. The ISDS chapter was placed in NAFTA out of mistrust of Mexico, to protect companies from expropriation of their assets, but most of the dispute claims come from USA companies who claim their rights to profit over the rights of another country to legislate and regulate.

Following widespread resistance in Germany to ISDS in both CETA and the EU- USA Trans-Atlantic Trade and Investment Partnership (TTIP), the European Commission was forced to launch a public consultation on investment protection. A total of 149,399 submissions were received, the most ever for an EU consultation.

To date, the German government leads the other EU countries in its criticism of CETA’s ISDS clauses. Its Ministry of Economics wrote to the German Parliament that it ‘does not consider investor rights to be necessary in a trade deal between countries with developed legal systems’. This sparked speculation that the Germans might block CETA, but this is not sure. Germany might accept the ISDS chapter in exchange for certain concessions.

CETA appears more favourable to the EU than to Canada. For example, Canada opens its public procurements[[2]](#footnote-2) to European corporations which are much stronger and more numerous than Canadian companies when it comes to public tenders; and Canadian companies are not so willing to bid for European public procurements. Canada will open its dairy market, increasing imports from the EU of dairy products about 5% - 9%. This may bring lower prices and more variety in dairy to Canad-ian consumers but the income of dairy producers is likely to fall. The EU has agreed to open its markets more widely to Canadian meat, but EU consumers don`t want hormones in their beef and, while hormones are being gradually eliminated from Canadian beef, there is still a long way to go. The EU wants more unprocessed fish from Canada, but many jobs could be lost in Canadian fish processing plants. The cost of drugs will in-crease for Canadians by somewhere between $800 million and $1.4 billion, as a result of the EU’s demand for a two-year extension on patents.

Canadian critics are sceptical of CETA’s impact on public services, local job creation, water, the environment, health care, food sovereignty and farmers’ rights, cultural and communications sovereignty, indigenous peoples’ rights, jobs and labour rights, as well as democratic rights. While Canada’s deficit is likely to double, corporations

will win and people will suffer.

On 26th September, the Canadian and European Commission will meet in Ottawa for a ceremony declaring, once again, the conclusion of CETA negotiations. The deal then goes through a ratifi-cation process that could take two years. All EU countries must ratify it if it is to receive final ap-proval. The ISDS – the ‘worst judicial system in the world’ - is still in the text and its status not clarified. In the meantime, the Canadian govern-ment’s pro-CETA propaganda continues and so do protests.

*Sources: The Tyee, 14th Aug 2014; Trade Justice Network (TJN), 23rd Jly, 27th Aug 2014; The Greens and European Free Alliance 20th Sept 2014... Report by Mary Boyd.*

**CUBA’S ALLIANCE WITH PACIFIC ISLANDS**

As Pacific Island Forum leaders conclude a week of meetings in the Republic of Palau, the Carib-bean nation of Cuba has joined the annual Post-Forum Dialogue for the first time.

Maria del Carmen Herrera Caseiro is Cuba’s Ambassador Plenipotentiary in the region. ‘We are very pleased and very thankful to the Pacific governments for admitting Cuba as a Post-Forum dialogue partner. On the themes of the conference – the oceans, climate change and other issues – we share common values and positions with the Pacific,’ she said.

Beyond the two largest Forum members, Australia and New Zealand, island nations are expanding a range of bilateral and regional links with players old and new: colonial powers such as the USA and France, major aid donors such as Japan and the European Union, but also new actors which have launched small development initiatives in the region.

Cuba established diplomatic links with Vanuatu in 1983 (they both belonged to the Non-Aligned Movement), but other ties foundered in the Cold War atmosphere of the 1980s.  Regional engage-ment with Cuba increased in recent years, particu-larly after a September 2008 Cuba-Pacific summit in Havana. In early 2009, Cuba established formal diplomatic relations with Fiji and Samoa.

Over the last decade, Cuba has commenced a range of programs in the health sector.  From 2005, Cuba began sending doctors to different Pacific Island countries on their request and, as a way of developing their human resources, started granting scholarships for Pacific islanders to study medicine in Cuba. Cooperation on health care re-mains a central focus of the regional relationship. Cuba currently continues to supply medical staff to Pacific nations, while nearly 200 Pacific Island students have taken up study in medicine and primary health care in Havana.  The first medical graduates from Kiribati are back in Tarawa, work-ing in a kind of internship under Cuban doctors. Cuba is also exploring joint pro-grams with New Zealand to support health care in the Pacific.

Forum host, Tommy Remengesau Jr, the President of the Republic of Palau, stressing the importance to the Pacific Islands of a diverse range of relationships, said: ‘We don’t need politics, we need partners – people who are conscious of what our future is and wish to partner with us in achieving the right way forward’

Though dwarfed by the development assistance provided by key partners like Australia, Japan and the European Union, there is an increasing num-ber of players engaging with the Forum: at this year’s meeting, Spain and Turkey were accepted as Post-Forum Dialogue Partners.

Cuba and the Pacific Islands have a common bond in their membership of the Alliance of Small Island States (AOSIS) who are holding a summit conference in Samoa in September.

*Source: Nic McLellan, Koror,Palau, 1st Aug, 2014, see* [*www.islandbusiness.com/news/45th-pacific-islands-forum*](http://www.islandbusiness.com/news/45th-pacific-islands-forum)*. Edited Alison Healey.*

**‘BOUGHT FOR A HANDFUL OF SILVER…SOLD FOR A PAIR OF SANDALS’**

The Prophet Amos (Amos 8:6) paints a stark image of the treatment of human beings as commodities.

*Created in the image of God - Created like a slave*is a series of information-gatherings, in collabora-tion with the Dutch police, social services and the Dutch Foundation of Religious against Traffick-ing in Women(Stichting Religieuzen tegen vrouwenhandel – SRTV). The main aim is to inform volunteers from various churches, women’s groups, visitors to prisoners and those who may meet trafficked persons what signs to look out for, how best to approach the situation and whom to contact.

SRTVNetherlands has spent more than two dec-ades working to prevent human trafficking, pro-viding shelter for victims and assisting in their re-integration. SRTV has developed a significant resource-bank of educational materials, aimed at creating awareness amongst the wider public and particularly educating young people. Its work is such that it has featured in popular TV programs in Holland, in thrillers and even novels. By infil-trating into the everyday life of citizens, SRTV ensures that no Dutch national can say that they do not know about human trafficking. For more

information see [www.srtv.info](http://www.srtv.info)

*Source Renate Europe Newsletter, August 2014. Sent by Elly Koenig.*

**TRAFFICKING OF CHILDREN - C10 AWARD 2014**

The C (Child) 10 Award 2014 celebrates **ten global leaders** and their fight against the traf-ficking of children. The Sophie Stenbeck Family Foundation, World Childhood Found-ation and Reach for Change have come to-gether to co-found the award, to support and acknowledge entrepreneurial leaders in the field of child rights. The C10 Award Forum will be in Stockholm on 3rd November, 2014.

**Sunita Danuwar, President of Shakti Samuha, Nepal, is one of the ten leaders to be honour-ed this year*.***Shakti Samuha is the first org-anisation in Nepal to be established and run by survivors of trafficking. They implement a broad range of activities focusing on prevent-ion, empowering trafficked women and girls, educating key stakeholders, advocacy and services for survivors.

UFER (international movement for Fraternal Union among Races and Peoples, of which The Grail is a member) joined forces with Shakti Samuha to organise a meeting against trafficking in Nepal in March this year (see GJOP Bulletin, May 2014).

Of the ten awards this year, one each went to Nepal, Cambodia, Ghana and Nigeria and

three to both Russia and the USA.

*Source: Reach for Change,* [*www.reachforchange.org*](http://www.reachforchange.org) *Sent by Elly Koenig.*

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1. ‘Hydraulic fracturing’ is a controversial method of recovering natural gas trapped in shale rock deep beneath the earth’s surface. The stone is fractured and billions of gallons of water, sand and toxic chemicals are pumped in to force the gas to the surface. [↑](#footnote-ref-1)
2. Purchases by governments for public works and services [↑](#footnote-ref-2)