See the world clearly...

With foreign policy analysis of international issues by the students at the Patterson School of Diplomacy.

In March 2013, British Petroleum, in collaboration with other oil companies, announced the drilling of twelve new oil wells in the North Sea. Only two weeks later, Lundin Petroleum announced the discovery of new oil fields along the Norwegian Continental Shelf, also in the North Sea. The exploitation of offshore resources is clearly a growing subset of the petroleum industry. This pattern is especially true in countries not endowed with vast land-based fossil fuels. Access to oil and natural gas resources reinforces a state's regional and global relevance as energy fuel is a commodity which enjoys consistent demand. For example, the demand for natural gas has increased steadily over the last thirty years. To meet this high demand, global production of natural gas has more than doubled in the same time span.

However, despite the strong economic incentives, the current frantic pursuit of offshore petroleum resources has intense environmental ramifications. Offshore drilling creates harmful byproducts that are discharged into surrounding waters during the drilling process. Additionally, drilling equipment is prone to failure and deterioration, which can lead to dangerous accidents and catastrophic oil spills or gas leaks. Furthermore, as demand for petroleum products continues to increase, oil and gas companies have begun drilling deeper and deeper wells to access previously untapped deposits. The exploitation of deeper fields is generally more challenging to execute, resulting in a greater probability of pollution occurring. Pollution resulting from these aspects of offshore drilling is not only an issue of moral concern, but also has a tangibly negative impact on marine wildlife and the high risk of spills and leaks. The presence of strong domestic policy has lessened the need for regulatory bodies and potential Syria. Italy and Spain also operate a few hundred oil drilling operations in the western region of the sea. The regional institutions in the Mediterranean Sea still raise key environmental concerns. Scientific literature on the environmental conditions of the Mediterranean Sea still raises key environmental concerns. Scientific literature on the environmental conditions of the Mediterranean Sea still raises key environmental concerns. Scientific literature on the environmental conditions of the Mediterranean Sea still raises key environmental concerns. Scientific literature on the environmental conditions of the Mediterranean Sea still raises key environmental concerns. Scientific literature on the environmental conditions of the Mediterranean Sea still raises key environmental concerns. 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This pattern is especially true in countries not endowed with vast land-based fossil fuels. Access to oil and natural gas resources reinforces a state's regional and global relevance as energy fuel is a commodity which enjoys consistent demand. For example, the demand for natural gas has increased steadily over the last thirty years. To meet this high demand, global production of natural gas has more than doubled in the same time span.

However, despite the strong economic incentives, the current frantic pursuit of offshore petroleum resources has intense environmental ramifications. Offshore drilling creates harmful byproducts that are discharged into surrounding waters during the drilling process. Additionally, drilling equipment is prone to failure and deterioration, which can lead to dangerous accidents and catastrophic oil spills or gas leaks. Furthermore, as demand for petroleum products continues to increase, oil and gas companies have begun drilling deeper and deeper wells to access previously untapped deposits. The exploitation of deeper fields is generally more challenging to execute, resulting in a greater probability of pollution occurring. Pollution resulting from these aspects of offshore drilling is not only an issue of moral concern, but also has a tangibly negative impact on neighboring states. Regulation of some kind is necessary in order to promote environmentally safer and more sustainable drilling practices and curb the pollution caused by offshore drilling.

In order to assess the role of regulation in the prevention of pollution from offshore drilling, this article comparatively assesses the policies espoused and enforced by regional sea institutions, specifically in the instances of offshore drilling in the Mediterranean Sea and North Sea. The regional regimes in each of these seas are markedly different. The Mediterranean Sea regime is robust with strong mechanisms of enforcement and high degrees of compliance. Despite the strength of the regime, the regional institutions in the Mediterranean Sea offer less guidance on pollution from offshore drilling as the widespread extraction of offshore resources is a relatively new regional phenomenon. The North Sea regime, on the other hand, lacks many of the institutionalized mechanisms of the Mediterranean Sea. However, regional states have a much more well-established offshore drilling industry, one that has more thoroughly permeated the regional economy. As such, regional states in the North Sea have actively pursued domestic policies to curb the water pollution from offshore drilling.

Through the analysis of the Mediterranean Sea and North Sea regional regimes, this article will argue that the reduction of pollution from offshore drilling is not dependent on the presence of strong regional sea institutions. Additional factors, such as strong domestic environmental policies, can contribute to pollution reduction in regional seas.

Combating Pollution: The Mediterranean Sea

Unlike other offshore drilling operations, the exploration of oil and gas reserves in the Mediterranean Sea is a relatively new endeavor. In fact, it wasn’t until 2013 that identified natural gas in its coastal waters. In late 2010 that other Mediterranean states began more actively seeking offshore petroleum sources. Shortly after Israel’s discovery, other eastern Mediterranean states also found and began exploring offshore petroleum resources. States currently operating offshore drilling rigs in the eastern Mediterranean include Greece, Turkey, Cyprus, and potentially Syria. Italy and Spain also operate a few hundred oil drilling operations in the western region of the sea. As a relatively new industry, the Mediterranean region is still adapting politically and economically to the discovery of offshore petroleum reserves.

Despite its youth as an industry, offshore drilling in the Mediterranean Sea still poses key environmental concerns. Scientific literature on the environmental conditions of the Mediterranean Sea particularly points to the significance of oil pollution on marine wildlife and the high risk of spills and leaks. The long history of serious accidents on drilling platforms in the
Mediterranean have also contributed to the intense regional concern over the effects of oil pollution. Finally, there is a unique concern in the Mediterranean region regarding offshore drilling, since the Mediterranean's close proximity to the surrounding countries, especially for ship traffic, means that pollution from offshore drilling is a very real threat that has lasting implications. These instances of pollution point to the need for environmental regulation of offshore drilling either through regional institutions and treaties or strong domestic policies. The following section will further explore the current framework of regional sea regimes, highlighting the specific characteristics of the regimes in the Mediterranean and North seas.

Regional Regimes

The most prevalent international institution for the governance of regional seas is the United Nations' Environment Program's Regional Seas Program. The Regional Seas Program seeks to address the increasing degradation of oceans and seas around the world through the creation of sustainable management protocols. Through the Regional Seas Program, the United Nations Environment Program (UNEP) coordinates and monitors regional state action. UNEP administers 13 Regional Seas programs, coordinates seven non-UNEP programs, and monitors five independent programs. For example, the regional institutions on the Mediterranean Sea are administered by the UNEP and are a part of the formal Regional Seas Program. On the other hand, the North Sea does not have such a formal system of regional institutions. Rather, the North Sea is partly governed by some of the North-East Atlantic instruments. These institutions, which are highly associated with the North-East Atlantic entities, are classified as an "independent program" by the UNEP.

In addition to the formalized regional organizations, regional sea governance also includes multilateral agreements between regional states and domestic environmental policies. In order to better understand the effectiveness of regional sea action, it is important to study the impact of offshore drilling, this article now turns to an analysis of the governance schemes of the Mediterranean Sea and the North Sea.

Regional Sea Regimes: The Mediterranean Sea

The primary actor in the Mediterranean Sea region, as indicated previously, is the UNEP through its Regional Sea Program. The UNEP provides a framework structure for negotiations between states on environmental policies for the Mediterranean Sea. Currently, twenty-two actors participate in the UNEP's Mediterranean Sea program. Established in 1975, the Mediterranean Sea program enacted the Mediterranean Action Plan which focused on creating a unitary environmental policy in the region through four main avenues: adoption of regional treaties, coordination of research and monitoring, integration of planning, and administrative and budgetary support. The most important initiative of the Mediterranean Action Plan was the creation of the Land-Based Sources Protocol in 1980, which established limits on emissions into the Mediterranean Sea from neighboring states.

In addition to this overarching framework of the Mediterranean Sea program, the region also consists of more specialized protocols and conventions to address specific instances of pollution and environmental degradation. Yet, in the instance of pollution from offshore drilling, there is surprisingly little regional policy, likely because the industry did not develop in the region until recently. However, in a stroke of foresight, the North Sea does have a protocol in October of 1994, entering force in 2011. The Madrid Offshore Protocol implement two important mechanisms for the limitation of oil and gas pollution from offshore drilling in the Mediterranean Sea. First, to encourage compliance, it declared that sanctions would be placed upon any member state that breached the obligations set out in the Protocol. Second, the Protocol also mapped out quality monitoring mechanisms in order to accurately document the effectiveness of off-shore pollution control over time. The inclusion of a quality monitoring mechanism is a testament to the overall strength and robustness of the Mediterranean Sea regime.

The creation of a specific protocol to deal with pollution from offshore drilling is very much a function of the highly institutionalized nature of the Mediterranean Sea regime. However, the mechanisms by which states seek pollution abatement are quite different when a strong, overarching institution does not exist, as is the case in the North Sea region.

Regional Sea Regimes: The North Sea

Unlike the Mediterranean Sea regime, the North Sea region does not have a large umbrella institution to oversee regional environmental policy or to act as a forum of discussion between regional states. Instead, the North Sea is included in the jurisdiction of several smaller institutions, several of which are monitored by the UNEP as "independent programs." A few of these institutions are the OSPAR Commission, the Committee of North Sea Senior Officials, the North Sea Network, and the North Sea Commission. The North Sea has created a quality management regime. For example, the OSPAR Commission administers the OSPAR Agreement, which seeks to address environmental concerns in the entire area of the Northeast Atlantic, and they include the North Sea in their definition of this jurisdiction. As a side note, it is curious to note that the UNEP does not include the North Sea in its definition of the Northeast Atlantic. Perhaps this variance in definition is in fact impeding the creation of an overarching regional institution for this region.

As in the Mediterranean Sea, state actors and non-institutionalized multilateral agreements are also important parts of the North Sea environmental regime. Due to the lack of a robust, key regional institution, state actors have a more dominant role in the monitoring and assessment of policy and goals. There are nine states that have passed domestic environmental legislation for the North Sea. However, the North Sea, through the cooperation of the international and regional communities, the domestic commitment of states to environmental standards strengthens the regional approach to combating issues of pollution, even without the presence of a robust, overarching international governance structure, such as the UNEP.