

Development of Ocean Governance at the National and Local Level under the Framework of UNCLOS, the Future We Want and SDGs

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1. Establishing Legal and Policy Frameworks for Ocean Governance

- Dramatic rise of world's population
- Marine pollution
- Resource depletion and environment degradation
- Rapid and unplanned development of coastal areas

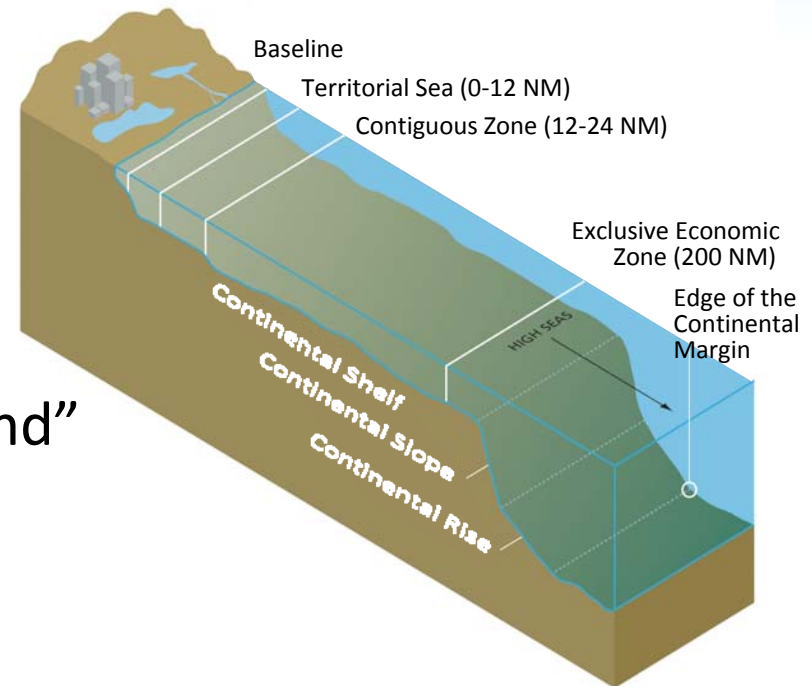


Adoption of UNCLOS and Agenda 21

UNCLOS: UN Convention on the Law of the Sea

Adopted in 1982 and came into effect in 1994

- Twelve mile territorial waters
- The archipelagic regime
- 200 mile Exclusive Economic Zone
- Continental Shelf system
- “Area-common heritage of mankind”
- Protection and preservation of marine environment
- Marine scientific research
- Development and transfer of marine technology
- Settlement of disputes



Legal Regime of the Exclusive Economic Zone

The exclusive economic zone is an area beyond and adjacent to the territorial sea, subject to the specific legal regime established in this Part, under which the rights and jurisdiction of the coastal State and the rights and freedoms of other States are governed by the relevant provisions of this Convention (Art. 55).

In the EEZ, the coastal states has:

a. sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds;

b. jurisdiction as provided for in the relevant provisions of this Convention with regard to:

- i. the establishment and use of artificial islands, installations and structures;
- ii. marine scientific research;
- iii. the protection and preservation of the marine environment;

c. other rights and duties provided for in this Convention. (Part 1, Art 56)

Agenda 21, WSSD Plan of Implementation and The Future We Want

- United Nations Conference on Environment and Development, the Rio Earth Summit (1992) adopted “Sustainable Development” principles and Agenda 21, program of action for SD
- Chapter 17 of Agenda 21 – a policy framework on the Ocean Governance
- World Summit on Sustainable Development (2002) adopted WSSD Plan of Implementation
- Rio+20 (2012) adopted The Future We Want
- UN Sustainable Development Summit 2015 decided Transforming Our World: The 2030 Agenda for Sustainable Development. The new Agenda announced 17 sustainable Development Goals with 169 associated targets

The Future We Want

IV. Institutional framework for sustainable development

75. The importance of a strengthened institutional framework for sustainable development...

76. Effective governance at the local, subnational, national, regional and global levels representing the voices and interests of all is critical for advancing sustainable development... the institutional framework for sustainable development, which will;

a. Promote the balanced integration of the three dimensions of sustainable development;

b. Be based on an action- and result-oriented approach

c. Underscore the importance of interlinkages among key issues and challenges and the need for a systematic approach to them at all relevant levels;

d. Enhance coherence, reduce fragmentation and overlap and increase effectiveness, efficiency and transparency, while reinforcing coordination and cooperation;

e. Promote full and effective participation of all countries in decisionmaking processes;

f. Engage high-level political leaders

g. Promote the science-policy interface

h. Enhance the participation and effective engagement of civil society

i. Promote the review and stocktaking of progress in the implementation

The Future We Want

V. Framework for action and follow-up

oceans and Seas

158. We recognize that oceans, seas and coastal areas form an integrated and essential component of the Earth's ecosystem and are critical to sustaining it...

162. marine biodiversity beyond areas of national jurisdiction

163. marine pollution, including marine debris, especially plastic, persistent organic pollutants, heavy metals and nitrogen-based compounds

164. alien invasive species

165. sea-level rise and coastal erosion

166. ocean acidification and the impacts of climate change

167. potential environmental impacts of ocean fertilization.

168. maintain or restore stocks to levels that can produce maximum sustainable yield

170-173. illegal, unreported and unregulated fishing, Fisheries management

176. coral reefs and mangroves

177. area-based conservation measures, including marine protected areas

small island developing States

178. a special case for sustainable development

179-180. a third international conference on small island developing States

The Future We Want

VI. Means of implementation

Capacity-building

277. We emphasize the need for enhanced capacity-building for sustainable development and, in this regard, we call for the strengthening of technical and scientific cooperation, including North-South, South-South and triangular cooperation. We reiterate the importance of human resource development, including training, the exchange of experiences and expertise, knowledge transfer and technical assistance for capacity-building, which involves strengthening institutional capacity, including planning, management and monitoring capacities.

Transforming Our World: The 2030 Agenda for Sustainable Development

Preamble

All countries and all stakeholders, acting in collaborative partnership, will implement this plan.

The **17 Sustainable Development Goals** and **169 targets** will stimulate action over the next **fifteen years**:

- 1. poverty, 2. hunger, 3. healthy lives, 4. education, 5. gender equality, 6. water and sanitation, 7. energy, 8. employment and work, 9. resilient infrastructure, 10. inequality within and among countries, 11. cities and human settlements, 12. sustainable consumption
- 13. Take urgent action to combat climate change and its impacts**
- 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development**
- 15. terrestrial ecosystems, 16. peaceful and inclusive societies
- 17. the global partnership for sustainable development**

Transforming Our World: The 2030 Agenda for Sustainable Development

Goal 13. **Take urgent action to combat climate change and its impacts***

13.1 Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries

13.2 Integrate climate change measures into national policies, strategies and planning

13.3 Improve education, awareness-raising and human and institutional capacity

***Acknowledging the UNFCCC**

Transforming Our World: The 2030 Agenda for Sustainable Development

Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development

14.1 By 2025, prevent and significantly reduce marine pollution

14.2 By 2020, sustainably manage and protect marine and coastal ecosystems

14.3 Minimize the impacts of ocean acidification

14.4 By 2020, effectively regulate harvesting and end overfishing, IUU fishing and destructive fishing

14.5 By 2020, conserve at least 10 per cent of coastal and marine areas

14.6 By 2020, prohibit certain forms of fisheries

14.7 By 2030, increase the economic benefits to SIDS

Transforming Our World: The 2030 Agenda for Sustainable Development

Goal 17. Strengthen the means of implementation and revitalize **the global partnership for sustainable development**

- Finance
- Technology
- Capacity-building
- Trade
- Systemic issues
 - Policy and institutional coherence
 - Multi-stakeholder partnerships
 - Data, monitoring and accountability

Transforming Our World: The 2030 Agenda for Sustainable Development

Follow-up and review

73. Operating at the **national, regional and global levels**, it will promote accountability to our citizens, support effective international cooperation.

74 Follow-up and review processes at all levels will be guided by the following principles:

a. They will take into account different national realities, capacities and levels of development and will respect policy space and priorities. **The outcome from national level processes will be the foundation for reviews at regional and global levels.**

76. We will support developing countries, particularly African countries, LDCs, SIDS and LLDCs, in **strengthening the capacity of national statistical offices and data systems** to ensure access to high-quality, timely, reliable and disaggregated data

PEMSEA: Partnerships on Environmental Management for the Seas of East Asia

- PEMSEA started as a GEF/UNDP/IMO project in 1994, addressing environmental hotspots and ICM
- Adoption of “Sustainable Development Strategy for the Seas of East Asia – SDS-SEA” in 2003
- Adoption of “Haikou Partnership Agreement on the Implementation of Sustainable Development Strategy for the Seas of East Asia” in 2006
- Adoption of “Manila Declaration” in 2009
- Transformation of PEMSEA to a regional mechanism with its own secretariat in 2009
- Adoption of “The Changwon Declaration” in 2012
- Updates of “SDS-SEA” in 2015

2. Challenges in Implementing the UNCLOS/Agenda 21 Framework

- Marine Pollution over increasingly wider areas
- Integrated management and sustainable development of coastal areas and the marine environment
- Sustainable management of marine biological resources and proper management of fisheries and control on IUU fishing
- Increase in transnational crimes at sea
- Disputes over border delimitations



Harmonization between the UNCLOS/Agenda 21 regime and the implementation by individual states is necessary

Development of National Ocean Governance - Developed Countries

	Japan	USA	UK	Australia
Act on Ocean Policy	Basic Act on Ocean Policy (2007)	Ocean Law (2000) Presidential Order 13547 (2010)	Marine and Coastal Access Act (MCAA, 2009)	Act (NA) *Environment Protection and Biodiversity Conservation Law covers Ocean area
Plan on Ocean Policy	Basic Plan on Ocean Policy (2008, 2013)	Blue print of Ocean in 21centuries (2004) Action Plan of National Ocean Policy (2013)	Decantation of Ocean Policy based on MCAA (2011)	Australian Ocean Policy (AOP, 1998)
Institutional Arrangement	Headquarter of Ocean Policy	National Ocean Commission	Marine Management Organization (MMO) under DEFRA	Line Ministries and States' Governments
ICM*	Act (NA) Guideline (2000)	Coastal Zone Management Act (1972/1990) Coastal and Marine Spatial Plan (CMSP)	Marine Spatial Plann is set for regional sea	Coastal Water (1980) Federal Coastal Policy (1995) National Collaboration Approach for ICM (2006)
Management of EEZ **	Act on EEZ and continental shelf (1996) Act for LWL conservation (2010)	EEZ decreed by Presidential Declaration 5030 (1983) Management Plan under CMSP	Act on Continental Shelf (1964) MCAA describe EEZ setting (2009)	10 years Management Plan for Regional Sea (2012)
MISC	Arctic Policy is decided (2015)	National Ocean Policy Implementation Plan (2013)	Crown Estate Law (1964) Energy Law (2004)	Setting of Federal Marine Protected Area is decided (2013)

** Exclusive Economic Zone

Development of National Ocean Governance - OPENEAR members

	Japan	China	RO Korea	Indonesia	Singapore	Malaysia
Act on Ocean Policy	Basic Act on Ocean Policy (2007)	Act (NA) *National Ocean Agenda 21	The Ocean and Fishery Act (2002)	The National Ocean Policy (2014)		Drafting National Ocean Policy (NOP)
Plan on Ocean Policy	Basic Plan on Ocean Policy (2008, 2013)	5 years Development Plan of National Ocean Project (2011-2015)	Basic Plan of The Ocean and Fishery Development (2011-2020)	National Ocean Council (2007)	Sustainable Singapore Blueprint (SSB, 2015)	National Blue Ocean Strategy (2015)
Institutional Arrangement	Headquarter of Ocean Policy	National Ocean Commission (2013)	Ministry of Oceans and Fisheries (MOF, 2013-)	The Ministry of Maritime Affairs and Fisheries (MMAF)	Coastal and Marine Environment Policy Committee	
ICM*	Act (NA) Guideline (2000)	National Ocean Use and Management Act (2001)	ICZM Act (2001, 2013) The 2nd ICZM Plan (2011-2021)	Law Concerning the Management of Coastal Zones and Small Islands (2007)	Integrated Urban Coastal Management (IUCM) Framework and Implementation Plan (2009)	
Management of EEZ **	EEZ and continental shelf Act (1996) Act for LWL conservation (2010)	EEZ and continental shelf Act (1998) National Ocean Functional Area (2011-2020)	EEZ Act (1996) Ocean Management Act (2007, 2013)			
MISC	Arctic Policy is decided (2015)	Sea Islands Conservation Plan (2011-2020)	Law on Conservation and Uses of Biodiversity (2013)		Technical Committee for the Coastal and Marine Env. (2009)	11th Malaysia Plan (2016-2020)

A New Type of Partnership collaboration Islands and Oceans Net

“The Islands and Oceans Net (IO Net)” is an international collaborative network for the organisations and individuals (called “Partners”) who support the Joint Policy Recommendations “For the Better Conservation and Management of Islands and Their Surrounding Ocean Areas”, and collaborate and cooperate on a voluntary basis to implement it.

The OPRI-SPF (former OPRF) has launched this network together with the ANCORS and others involved in ocean and island matters at a side event organized during the Third International Conference on Small Island Developing States held in Samoa in September 2014. The first general meeting held in May 2015 at Tokyo.



A New Type of Partnership collaboration

Islands and Oceans Net

Conservation and Management of Islands

Development of Island Management Strategies(2-1.a)

Increased Safety and Resilience of Island Communities(2-1.b)

Implementation of Waste Management(2-1.c)

Development of Renewable Energy(2-1.d)

Conservation of Coral Reefs and Mangrove Forests(2-1.e)

Management of Surrounding Ocean Areas

Establishment of Baselines and Maritime Limits(2-2.a)

Implementation of Practical Fisheries Management Policies(2-2.b)

Maintenance and Securing of Shipping Services(2-2.c)

Exploitation of Marine Mineral Resources and Preservation of Marine Environment (2-2.d)

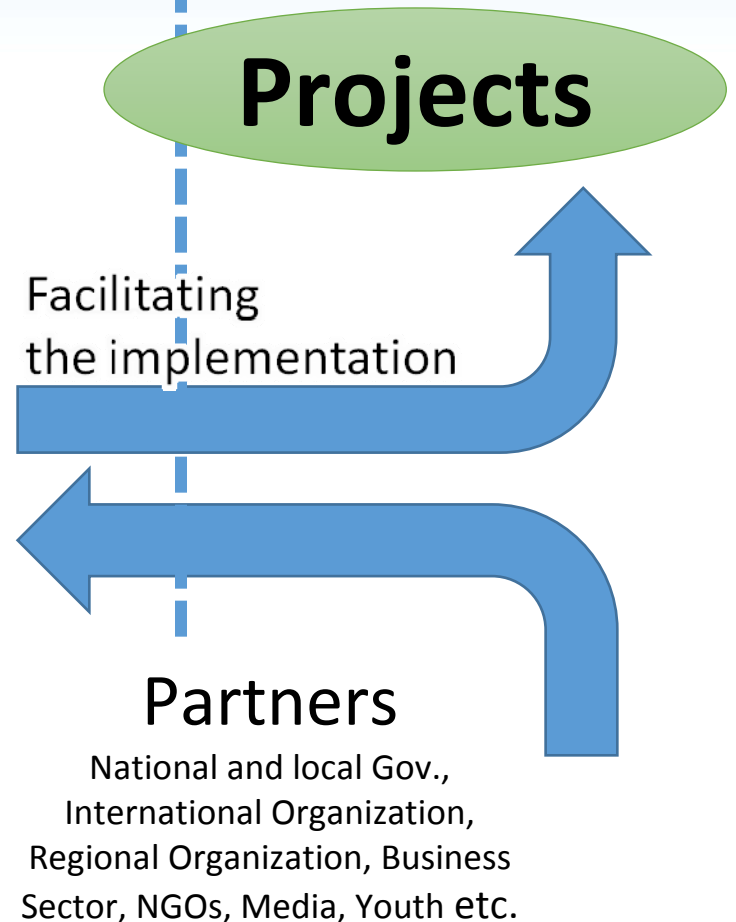
Conservation and Sustainable Use of the Marine Environment and Marine Biodiversity (2-2.e)

Response to Climate Change and Variability

Adaptation to Climate Change and Variability by Island Societies (2-3.a)

Response to International Law Issues Related to Climate Change(2-3.b)

Capacity Building and Institutional Strengthening



A New Type of Partnership collaboration Islands and Oceans Net - TOR -

The Islands and Oceans Net (hereinafter referred to as “IO Net”) is a network to be composed of the organisations and individuals that agree upon the following:

1. IO Net is an international collaborative network for the organisations and individuals (called “Partners”) **who support the Joint Policy Recommendations** “For the Better Conservation and Management of Islands and Their Surrounding Ocean Areas”-and **collaborate and cooperate on a voluntary basis** to implement it.
2. IO Net is a basis on which the aforementioned Partners provide their respective capabilities and mutually collaborate to launch and **implement concrete projects** towards implementing the Joint Policy Recommendations.
3. To achieve its objective, IO Net is to facilitate the collection and sharing of relevant information and the development and implementation of projects to be undertaken by the Partners.
4. The specific projects will be formulated through the discussion of the interested partners. Upon the formation of the project, its members will manage it autonomously.
5. OPRI-SPF will serve as a secretariat for IO Net until otherwise determined.

The information is available at <http://blog.canpan.info/ionet/> 20

Thank you for your attention

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