

**Overview of the Regional Hearings and other work done
by IOI Centres for the Independent World Commission
of the Oceans**

This overview summarises and examines the issues arising out of the work of the IOI Centres. This is done in the framework of the major themes and issues decided by the Commission at its meeting in Rio de Janeiro in July, 1996, namely:

- . the legal and institutional framework for use and protection of the oceans;
- . sovereignty, security and peaceful use of the oceans;
- . ocean economics in the context of sustainability;
- . promises and challenges of science and technology;
- . awareness, decision making and societal participation;
- . partnership, solidarity and ocean governance.

The overview will also go on to examine the different perspectives--local, national, regional, international--and indicate the issues arising therefrom.

Legal and institutional framework

UNCLOS: There was a general consensus that it was not always easy to render the laws of each nation compatible with the Law of the Sea Convention. In Japan out of nearly 80 laws involved, only 8 had been amended so far; in Oceania, the effort was considered so costly and time consuming that some countries had not even ratified the Convention; in China the work of harmonising domestic laws with UNCLOS was an ongoing process; in India also the process is taking time.

In this connection the Japanese Commission has suggested international cooperation for helping developing countries to enact relevant domestic laws. The Commission also suggests an international system of research in this regard.

Implementation: The position regarding implementation of UNCLOS was reported to be unsatisfactory. In Oceania the importance of geological surveys for proper fixing of boundaries was raised while concern was expressed over the lack of technology to take advantage of the benefits accruing to the countries of the region. The same concern was apparent from the responses received from Indian Ocean countries by IOI India. In India and China, which are among the most advanced of the developing countries in science and technology, fears were expressed about inappropriate technology being brought in by

transnational corporations (TNCs) interested only in quick profits. TNCs had also in the past been guilty of bypassing environmental regulations.

The Japanese Commission has pointed out the danger of conflictual situations arising out of overlapping boundary claims. This would be especially so if developing countries did not have the requisite scientific and technological capabilities to properly delineate their oceanic boundaries. This point will be dealt with later.

At the ground level there was dissatisfaction with the large number of laws being promulgated. This meant that before one law was fully implemented it was replaced by another. It was better, in the view of various NGOs, to implement properly "imperfect" regulations rather than replacing them every few years by more "perfect" laws. Some NGOs even expressed the view that this was due to vested interests and pressure groups (industrialists, builders) not wanting environmental regulations to be enforced.

Sovereignty, security and peaceful uses

The fear was expressed that unless properly handled the new law of the sea may lead to conflict. One reason was the likelihood of border disputes--both national and international. The possibility of such disputes arising between the states and the federal government was raised in Canada and Australia; the fear of major powers "appropriating" the resources of the oceans due to superior technology and power was expressed in India and Oceania. In Oceania the fear was both regarding security as well as the economy.

The Japanese Commission has suggested the use of joint management, joint use and joint development of the seas as a way out. In India the suggestion was for the developing countries to cooperate on a regional basis regarding development of geological and other surveying methodologies so that boundary delimitation of the EEZs could be done properly.

In the hearings in India the need was expressed for a new geopolitics based on management of the oceans against the traditional "mastering of the oceans" concept of the big maritime powers. The new concept should be based on cooperation, integrity of ecosystems and joint development of technology.

Ocean economics in the context of sustainability

There are many issues arising from the hearings and other documents. The main issues are:

- . one of the main problems of land-based pollution was related to urbanisation and release of untreated sewage into the sea (Canada, China, India, Oceania, Senegal, China);

- . the presence of poverty and not providing the basic needs of coastal communities was the biggest threat to the oceans and the coasts (Canada, India, Oceania, Senegal);
- . globalisation of the economy had led to destruction of ecosystems due to growth of megacities, industries and inappropriate tourism (India, Senegal).

It was the consensus that: the oceans had tremendous potential for augmenting the process of national development; the growth rate of the marine sector was much higher than that of the rest of the economy; there was, however, a danger that the negative factors (adverse impacts on coastal villages, the pressure on coastal ecosystems due to increasing urban sprawls, unregulated industrialisation etc.) could lead to the "bads" overcoming the "goods" of the development process.

The view was expressed that:

- (i) appropriate technology, adequate finance etc. should be made available to coastal communities and villages (Canada, India);
- (ii) integrated plans should be drawn up for coastal cities so that they are "green" (India, Canada);
- (iii) developed countries should provide official developed assistance (ODA) specifically earmarked for the development and conservation of the oceans (Japan);
- (iv) community based management was essential for sustainable development (Canada, India, Oceania);
- (v) aquaculture and mariculture should be encouraged subject to a careful scrutiny being made about their ecological impacts (India, Japan, Senegal);
- (vi) renewable energy systems based on the seas should be developed (India, Japan);
- (vii) seawater should be utilised in the coastal zone so as to reduce the pressure on underground aquifers.

Promises and challenges of science and technology (S&T)

It was recognised that while technology was absolutely necessary for exploiting marine resources, there was a big gap between North and South. The suggestion was to close this gap at the earliest opportunity as otherwise there was a danger of sustainability not being achieved. The need was expressed for:

- . building up S&T capacity in developing countries through both South-South and North-South cooperation (China, India, Japan, Oceania, Senegal);

- . there being international and regional cooperation on an equal basis between North and South and South and South (China, India, Japan);
- . reviewing the entire system of technology transfer and capital movement and thereafter drawing up an international action programme (Japan);
- . developed countries providing technology and capital to developing nations in the fields of aquaculture, mariculture, ocean energy and underwater mineral resources (Japan);
- . biotechnology being used for maintaining biodiversity and sustainability fisheries (India);
- . ocean research should be undertaken after: pooling resources; avoiding duplication; being integrated; being linked to industries; being relevant and properly planned (Canada and India).

It should be noted that many NGOs in India and Canada expressed their reservations about scientific results and felt that scientists, local communities and NGO's need to collaborate so that socio-economic issues get factored into the research system.

Awareness, decision making and societal participation

Questionnaires were issued by IOI's Canada, India and South Pacific. What is revealed by the answers to the questionnaire reveals that:

- . there is a lack of awareness of the provisions of UNCLOS and Agenda 21 even among the elite let alone the grassroots level;
- . sealevel rise, atmospheric sources of pollution, ocean dumping etc. are not considered serious problems in Oceania and the Indian Ocean region while disposal of untreated waste, unregulated growth of urban sprawls etc. are;
- . in Canada and India there is general dissatisfaction with the measures taken so far for sustainable development;
- . at the ground level strong voices have been raised for co-management by local communities in Canada, for decentralisation of the decision making structure in India, and for community-based management in Oceania.

The recommendations made are for:

- . translating laws into local languages and widely disseminating them (India and Oceania);

- . making people environmentally conscious by explaining matters to them in a simple manner and linking them to their cultural values (China, India, Japan, Oceania);
- . including environmental education in school curricula taking children to see the beaches, mangroves, coral reefs etc. (Canada, India, Oceania);
- . linking scientists with NGO's and local communities, demystifying R&D and making decision making transparent (India);
- . having integrated management systems as a combination of top-down and bottom-up approaches (Canada, India);
- . integrating national and local decision making systems (Canada, India).

Partnership, solidarity and ocean governance

The question of man's philosophical relation with the oceans was gone into in Japan, India and Oceania.

The need was expressed for:

- . reevaluating the value of oceans as a source of food, linking up the oceans with forests as one ecosystem (Japan);
- . not polluting the sea with chemical substances (India and Japan);
- . prohibiting transport of noxious substances and nuclear material by sea (India and Japan);
- . preventing pollution of the sea by unsatisfactory ships through port state control (India and Japan);
- . utilising traditional customary marine tenure systems for achieving sustainable development (Oceania);
- . going back to the mythic past to find the cultural symbols delineating man's relationship with the oceans (India).

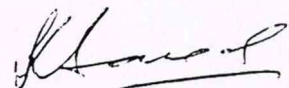
Issues arising from the differing perspectives

As is apparent from the above there are differing perspectives on the oceans both region-wise and level-wise. This raises a number of questions:

- . can sustainable development of a global eco-system like the oceans be attained if no change in perspective takes place?

- . what is the integrated system of global governance that can tackle the diversity of perspectives?
- . what is the harmony to be achieved between different cultures, economic systems and societies, and how?
- . at different levels--local, national, regional, international--there are differences in:
 - * legal and institutional framework;
 - * ocean economics;
 - * science and technology;
 - * awareness and decision-making;
 - * systems of ocean governance.

How are these to be handled? This is a big issue and needs deep consideration.



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