



PLENARY SESSION

Theme 3

New Solidarities for sustainable ocean governance: engagement of women and youth.

Thursday 8 November 2007

9:30-11:15

Chameleon Suite

Corinthia Palace Hotel, Attard, Malta

Given the differences between realities, interests and expectations among women and youth in developing and developed countries, the conference has sought to provide a common framework for new solidarities and opportunities for socio-economic equity, as well as adjustments to current institutional arrangements and constraints that would empower both women and youth to become more effective participants. The emphasis has been placed on realistic and practical solutions and sustained follow-up actions. The sessions under this theme have facilitated an open debate where all views were heard and commitments made with a view to determine what each of us might do in promoting the goals, objectives and outcomes of the conference.

Chair: Salvino Busuttil

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Regional Governance in the Mediterranean (An almost metaphysical note)

Salvino Busuttil

At the Palazzo Pubblico of Siena, Italy, there hangs the celebrated painting *Securitas* by A. Lorenzetti (1290-1348), bearing a scroll: “May everyone move freely and without fear and without fear devote himself to work in the fields while our lady security governs the community and shelters it from arbitrary power”.

That scroll, applied not just to the rural but also to the maritime environment, encapsulates medieval thought on community governance, the primary object of which was to provide security and ingeance from arbitrary power. Arguing against a rule, or a regime negating it, the *Securitas* message implies that the search for the common good is the real basis of governance.

A millennium before Lorenzetti, Isidore of Seville (560-636), the last of the Western Latin Fathers, in his outstanding *Etymologies*, had already enunciated that “laws are enacted for no private profit, but for the common good of the Citizens”.¹ And Aquinas (1225-1274) anticipating the Siena legend, postulated that while “law belongs to that which is a principle of human acts, because it is their rule and measure”, yet “since one man is part of the perfect community, the law has to regard properly the relationship to human happiness”, thus echoing Aristotle’s views in *Ethics*.² For Aquinas, governance has to strike a balance between law and freedom, the criterion being the pursuit of harmony through the common good. In a Thomistic context, enlightened governance should set that yardstick as its basic ethos.

Five centuries later, Immanuel Kant (1724-1804) argued that the common good, and therefore the governance based on it, had to be founded on the concept of globalized rights (as distinct from the definitions in the Universal Declaration of Human Rights) through a *ius cosmopoliticum*³, whereby “the peoples of the earth have thus entered in varying degrees into a universal community, and it has developed to the point where a violation of rights in one part of the world is felt everywhere”.

In *The Conflict of the Faculties*, Kant offers the view that in the new ‘republic of Europe’, “there would be more charity and less strife in lawsuits, more reliability in keepings one’s word”, i.e. Trust, but not in one’s own religion or nation, but in a mutually sustainable international community governed by law.

Kant, like Aquinas before him, pleads for harmony of which the *ius cosmopoliticum* is the highest expression, since that *ius* guarantees security, prosperity and above all, for Kant, Kultur, the one norm expressing all human feeling. He insists on the cosmopolitan right that “All nations stand originally in a community of land”; though not of rightful community of possession (*communio*) and so, of use of it, or of prosperity in it; instead they stand in a community of possible physical interaction (*commercium*), that is in a thorough-going relation of each to all the others, of offering to engage in commerce with any other; and each has a right to make this attempt; i.e. “since it has to do with the possible union of all nations with a view to certain universal laws for their possible commerce”, which is the *ius cosmopoliticum*. But that *ius* is restricted to the conditions of universal hospitality, i.e. the right of all persons to be allowed free access to any part of the world.⁴

As we know, well before Kant, Hugo Grotius (1583-1645) had in his seminal *De Jure Praedae* (*On the Law of Prize and Booty*), published in 1609, advocated the *Mare Liberum*, which *de facto*

¹ Isidore of Seville, *Etymologies*, Book 21

² Thomas Aquinas, *Summa Theologica*, question 90, article 2.

³ *Cosmopolitan Right*

⁴ Immanuel Kant, *The Metaphysics of Morals*



implicitly negated maritime governance in favour of the “freedom of the seas, with free access to the ocean for all humanity”.

Arvid Pardo, in his 1967 epic speech to the U.N. General Assembly, launched the process whereby International Law was completely transformed through the doctrine of the common heritage of humankind, first applied to the peaceful uses of ocean-bed resources beyond national jurisdiction.⁵ It was this fundamental principle that, once accepted, called for global governance of the ocean if humanity were not to follow a babylonian ocean regime.

It is precisely the notion that there are resources which, of their nature, should not be appropriated by any one state or corporation that renders necessary ocean governance. That the international ocean regime, set up by the United Nations, has not satisfactorily delivered is perhaps to be attributed to insufficient work on governance itself. The United Nations does not, of course, govern (in the sense of government) but seeks to promote governance which, not synonymous with government, refers to a “new method by which society is governed”, i.e. governance as a process, for ordered rule and collective action, through “a set of instructions and actions that are drawn from but also beyond government”.⁶

In this perspective, ocean governance appears less utopian applied at the regional, rather than at the universal level, validating that subsidiarity which, until recently, evaded the United Nations and its Agencies. Indeed, the first regional instrument drawn up, under the aegis of the U.N., was the 1976 Barcelona Convention on the Protection and Conservation of the Mediterranean Sea which, to some extent, seeks to apply regionally the U.N. Convention on the Law of the Sea.

In evaluating the arrangements to carry out this Mediterranean agreement as an exercise in governance, one should underline that, in its original text, the Barcelona document was limited in its scope and in its reach, stressing that somewhat narrower environmental dimension written into the conclusions of the U.N. Conference of the Environment held in Stockholm four years earlier.

The mandate to convert the Convention into practice was given to the Mediterranean Action Plan (M.A.P.). Administratively linked to the United Nations Environment Programme (U.N.E.P.), the M.A.P. enjoyed the advantage of operating under U.N. auspices, but, at the same time, suffered the consequences of that nexus in two important ways.⁷ In the first place, the original wording of the Convention betrayed the phraseology of the Stockholm 1972 U.N. Conference, i.e. the definitions of what constituted the environment were much narrower than the sustainable development notions which we embrace today. Secondly, the M.A.P. was a somewhat hybrid creation in that while the Convention assigned its operation to the U.N., its governance was placed under the authority of the Contracting Parties and de facto delegated to a Bureau composed of Ministers so elected by the representatives of the Contracting Parties at their biannual meetings.

Notwithstanding its undoubted success, which spurred other Regional Seas to have their own convention and related administrative machinery, the M.A.P. has been hampered precisely by the heterogeneous nature of its governance. U.N.E.P. implicitly tried to interpret that governance as if M.A.P. belonged fully to it, evidently a turf-minding exercise designed to assign a secondary role to other potential contenders (e.g. the International Maritime Organization). What was originally meant to be a U.N. programme became a U.N.E.P. entity. That dependence had a marked, and not always positive, impact on the operations of the M.A.P., particularly when in the late 1980s and 1990s some of the Contracting Parties wished to give M.A.P. a wider political role.

The Contracting Parties, as the sovereign governors of the Convention, at various times wanted to widen the reach of the Convention, conscious of the need to go beyond the 1976 limitations. To some extent, this wider scope was achieved through some of the Protocols to the Convention, which implicitly extended its coverage to the shores, sites, species, and eventually cities boarding

⁵ Arvid Pardo (1914-1999) was the Head of the Malta Mission to the U.N.

⁶ Gerry Stoker, 1998, Governance as theory: five propositions, *International Social Science Journal*, vol. 155, (1998): 17-28.

⁷ The U.N. Mediterranean Action Plan was set up in 1975, its legal framework being enshrined in the 1976 Barcelona Convention.



the Mediterranean rim. Given that 75% of the populations in Mediterranean countries live very close to the sea, the potential areas of governance introduced an important political element in Mediterranean affairs.⁸

This circumstance was not lost on the European Union (then called the E.E.C.), itself a Party as such to the Convention. Brussels became increasingly aware of the socioeconomic divide between the northern and southern part of the Mediterranean littoral, with mounting social and political pressures in Maghreb States. Approached to widen environmental governance to include social and economic development, on the clear realization that one could not protect the environment unless one substantially developed physical and human resources, the European Union was initially reluctant to embark on the process which eventually was to lead to the creation of the Mediterranean Commission for Sustainable Development in 1995. That cautious view was also comforted, if in a veiled manner, by high officials within the U.N.

With such covert opposition, the E.U. was itself was not initially convinced of the validity of widening that governance beyond immediate ecological concerns, even if that included human ecology. It was the joint efforts of the Chairman of the Bureau, Atef Ebeid, then Egypt's Minister for Development and Environment (and subsequently Prime Minister) and of the present writer (then Co-ordinator of the M.A.P) that, in 1992, finally persuaded the E.U. to join hands with its Mediterranean partners, both within and outside the E.U., to work together towards sustainable development.

The foregoing "historical" note begs the question: what sort of governance can a region such as the Mediterranean have, and for what purpose?

Understood simply as a loose (and somewhat vague) network providing the conditions for ordered rule and collective action, Mediterranean governance would produce meagre results.⁹ Collective action would be limited to environmental protection and conservation and would not, as such, extend to sustainable development. Indeed, this was the view held by the E.U. and by the U.N.E.P. secretariat, both running somewhat scared that any widening of the Convention's scope would have political connotations, as if environmental governance could be treated in isolation from socioeconomic realities.

For can governance be divided, or is it to be construed as one indivisible overall entity which, in a Mediterranean context, would imply a supra-national mechanism of subsidiary bodies with heterogenic ethnic, religious, political and socioeconomic characteristics? James Rosenau offers, in his defining work *Governance without Government*, a concept of governance as "a set of regulation mechanisms in a sphere of activity which functions effectively, even though they are not endowed with formal authority" which would fit in well with a Mediterranean Sea regime.¹⁰

Such a definition serves to clarify, to some extent, the divided nature of governance, one that is limited to a given sphere of activity, i.e. the protection and conservation of the Mediterranean Sea. Not calling for a formal authority, Rosenau's concept of governance would not have the ambitions of those, who eager to have a truly functional Mediterranean governance, look to the Mediterranean Commission for Sustainable Development as providing, if in a limited manner, scope for a pan-Mediterranean Authority with "a set of rules, principles and procedures that come into play in the regulation of overlapping activities" rather than as a regime existing in a well-defined area.

The essence, then, of governance would be the maintenance of regional order confined, for example, to strictly environmental parameters. But, and this is the question that all concerned with widening the original scope of the Barcelona Convention posed: can one have effective regional governance if (a) it is limited to a specific area of activity (e.g. environment); and (b) if it

⁸ See, in particular, the *Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources*, adopted in 1980 and the *Protocol concerning Mediterranean Specially Protected Areas*; adopted in 1982.

⁹ See G. Stoker.

¹⁰ J.G. Rosenau and E.O. Czempeil, 1992, *Governance without Government: Order and Change in World Politics* (Cambridge University Press), p.5



lacks the machinery to impose sanctions or penalties on those Contracting Parties contravening their engagements?

It may be retorted that the very fact that the M.A.P. has functioned answers that question affirmatively, but this would imply a somewhat narrow evaluation of its performance. Perhaps, M.A.P.'s lasting contribution was that it took the initiative, supported mainly by Malta and Tunisia, to set up the M. C.S.D.

In theory, the governance introduced for M.C.S.D. is, in itself, an original institutional arrangement whereby the main stakeholders enjoy a level playing-field. Governments, including Governmental organizations, and civil society (through non-governmental organizations) are represented on its governing board on a basis of parity.

In the vision of its prophets, M.C.S.D. was to provide a vehicle for governance of the Mediterranean not just as a Sea with its resources but as the home of communities around its shores. Sustainable development for the Mediterranean was, in their view, the essential element for carrying out the basic mandate of the convention "to take appropriate measures.... to prevent, abate and combat pollution and to protect the marine environment". Those appropriate measures had, as their underlying philosophy, as M.A.P. stated in 1986, "to organize a system which would, on a permanent basis, monitor the health of the Mediterranean; to identify the main environmental problems and their causes; to generate practical proposals for solving these problems and to harmonize national legislation with the spirit and goals of the Barcelona convention".¹¹

Aware that these stated goals were not much more than pious hopes, the Mediterranean governments felt it was necessary to provide teeth to the convention by adopting, at the same time, the Protocol on Dumping from Ships and Aircraft and the Protocol on Dealing with Emergencies. Other Protocols, as pointed out earlier, were added later, culminating in that for the establishment of M.C.S.D.

It is, therefore, important to point out that :
governance was recognised as a sine qua non to carry out the Convention's obligations;
that this governance called for a system, and
that implicitly that system, even within the narrow pollution confines, had wide-ranging political implications.

The overriding merit of the Barcelona Convention lay in the fact that it was signed by all Mediterranean countries and by the E.E.C., a political act of the highest order especially as the world was, in 1976, still in the throes of the Cold War. That States, even in situations of quasi or de facto belligerence among themselves, could formally agree that environmental concerns in the Mediterranean required their joint commitment to a system, originally limited to pollution in and conservation of the Sea, broke new ground in international relations.

What was possible for the environment, it was eventually argued, could in time be extended to other areas of regional cooperation initially through a system of networks. Indeed a measure of opposition to the creation of M.C.S.D. largely instigated by the fear that its system of governance could become too important and ruin hegemonic ambitions of control of the Mediterranean. Those antagonistic to this approach conveniently used two routes: the *lunga manus* approach, whereby some officials at U.N.E.P and elsewhere carried the torch towards a *pax Americana* in the Mediterranean, and, more subtly, by warning that, as a U.N. entity, U.N.E.P. should give preference to global concerns rather than to regional concentration.

At issue, in 1995, then as now, is indeed the nature of governance for the Mediterranean. The questions posed here remained largely unanswered in practice except through the important consideration that, somehow or other, it works. But that is not enough.¹²

¹¹ See the *Mediterranean Action Plan*, a booklet published by M.A.P. and the Programme Activity Centre for Oceans and Coastal areas, 1986

¹² See Salvino Busuttill, 1995, The Governance of the Mediterranean, in *The Future of the Mediterranean*, ed. S. Busuttill (Malta: 1995)



It seems to me that the real problem of Mediterranean governance lies in that clientelism still prowling the Mediterranean landscape. And that includes the E.U. itself. It is to bilateral rather than multilateral cooperation that M.E.D.A., the E.U.'s Mediterranean Programme, consigns priority, the former obviously strengthening patronage. In this sense, the American and the European stances on the Mediterranean are not far apart.

To achieve meaningful Mediterranean governance, the Mediterranean States have themselves to agree, as they did in 1976 in Barcelona, and twenty years later in the same city with the formal creation of M.C.S.D., to set up working mechanisms for socioeconomic development. M.C.S.D. as at present constituted and run cannot do justice to the tasks ahead. The necessary institutional machinery, the M.C.S.D. framework apart, be it in security, finance and banking, art and culture, migration, the operation and exploitation of Exclusive Economic Zones, is still basically lacking.

In truth, such intergovernmental organizations as C.I.H.E.A.M. (International Centre for Higher Studies in Mediterranean Agronomy) and I.C.S.E.M. (the International Commission for the Scientific Study of the Mediterranean) could become part of a system of pan-Mediterranean governance, which would include both M.A.P. and M.C.S.D. themselves.

It is through a rethinking and restructuring of an M.C.S.D. with effective responsibility for the wider concerns mooted above that Mediterranean governance could move from being a loose system consisting of rather disparate, if in themselves valuable nodes, to one where it becomes an organic institution, characterized by dialogue, dedicated to improving the quality of life of all Mediterranean States, thus facilitating governability to embrace that common good (idealistically embraced by Plato and Kant), which is the criterion of proper governance. For even if it is regionally common, that good pertains to the whole species without which the common heritage of mankind would have no significance.

What is required is not so much a Mediterranean Government (which, in its strict sense, would languish as a chimera), but that proper system of governance that a robust, by statute and by resource, M.C.S.D. could eventually offer. It is true that the Euro-Mediterranean Parliamentary Assembly now seems to be taking off, with its role eventually strengthened in coming years. But what, above all, should be pursued is the overall governance of which the Assembly could form an important part. Holistic in its conception and action, that governance could provide an enlightened and autonomous mechanism, in which both governments and civil society would be represented, to deliberate and act on interrelated common concerns. Identifying them must be a common task, since it must not be left to governments to choose them. Issues relating to security and stability, understood not just in their military or defence connotations, but extended to what we all need to sustain and improve the quality of our lives, should predominate.

The several strands of governance operating in the Mediterranean (including the Five Plus Five process, the Stability Pact and the three major Mediterranean intergovernmental organizations, C.I.H.E.A.M., I.C.S.E.M and M.A.P. as well as M.C.S.D. itself) could contribute, in their different callings, to weaving an overall tapestry not to hang in a Mediterranean Museum, but as a living entity dedicated not to rule but to spur and guide the proper pursuit of the common good for the peoples of the Mediterranean.

Sustainable development should cover, for the Mediterranean as a whole, environment, agriculture, fisheries, tourism and, above all, water. Indeed, if we were to give priority, in a Mediterranean setting, to a given area of governance, it could well be, apart from the ocean itself, water, with its wide security problems especially in terms of its ownership and distribution (e.g. in such countries as Turkey, Lebanon, Iran, Iraq and Syria).

Declaring water as a common property for the region (following the common heritage doctrine) could furnish a major building-block in the structure of Mediterranean governance. Uruguay in



2004 enshrined water in its constitution (the first in the world).¹³ In consequence, Uruguay has now to implement a national policy on the sustainable management of water as a commonly-owned resource. In a country liberally supplied with water, the security of that resource is threatened rather than by its quantity, by a potentially deteriorating quality arising from pesticides and toxic agricultural chemical agents. Lest individual private corporate interests take over the administration of water basins, Uruguay promotes a system of water governance composed of the authorities, the technicians and, above all, its owners, i.e. the users.¹⁴

That type of governance could well be suited to the Mediterranean, not just in water management but also in those resources which could be branded as Mediterranean (e.g. maritime, touristic, agro-alimentary). It would be, admittedly, a modest start. But we would, at least, stir the Mediterranean waters to produce energy and synergy rather than dissent and belligerence. The mechanism mooted above has to be one which does not just administer or coordinate, but governs.

Such, too, should be the wider role of M.C.S.D. Unlike its parent M.A.P, it should not be the bureaucratic arm of a U.N. body or of an intergovernmental agency. It should lead not through parroting the modus operandi of U.N.E.P. or through the U.N. Commission on Sustainable Development itself, but through providing ways and means towards reaching a commonly recognised set of goals.

The M.C.S.D. could provide that mechanism if it is reformed for authentic Mediterranean governance. Thus Kant's cosmopolitan ius will have been translated into a pan-Mediterranean right, exercised through an efficient system, one which, rather than being a tool enforced by authoritarian rule, would be freely and collectively put in place by all the Mediterranean peoples as the expression of their sovereign but participatory will.

¹³ The Constitution was amended by Referendum in October 2004, when 64.58% of the voters established, that drinking water and sewage systems are fundamental human rights.

¹⁴ See Mauricio Rabuffette, When Water Becomes a Political Challenge, *UNESCO Courier* (March 2006)



The World Ocean Council: Developing Corporate Ocean Responsibility and Young Ocean Entrepreneurs

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Abstract

Oceans and coasts provide the majority of the world's ecosystem benefits. The trans-boundary connectivity of the marine environment requires interaction by key stakeholders on sustainable development. The private sector is the principle ocean user group, and much of business and industry is directly dependent on ocean goods and services, for example through maritime transport. Unfortunately, there is limited coordinated private sector engagement with the governments, intergovernmental bodies and civil society organizations that are developing the international ocean management regime. Private sector efforts to understand and address ocean sustainability are occurring, but these are often being undertaken only by a single industry sector, or only in a limited geographic area, and/or only on a specific issue.

A cross-sectoral "Ocean Council" is now being established to bring together and work with the diverse ocean business community operating in the global marine environment, e.g. oil and gas, shipping, ports, fisheries, aquaculture, etc. This creates the opportunity for business and industry to interact in a more coordinated comprehensive way to address "Corporate Ocean Responsibility", i.e. operating sustainably in the shared global ocean ecosystem. For young "ocean entrepreneurs", the Ocean Council provides the means and opportunity to help ensure a sustainable future for the oceans through participation in a global network of private sector leaders from the ocean business community. The Ocean Council will also: create information exchange and interaction on ocean sustainable development issues and work with companies and industry associations to develop ocean strategies; provide a structure and process for collaboration among the diverse components of the ocean business community; catalyze synergies and partnerships within the ocean business community to develop innovative approaches and solutions to "Corporate Ocean Responsibility"; facilitate the ocean business community engaging in international processes regarding the oceans and expand the private sector participation in key multi-stakeholder ocean processes, such as *Pacem in Maribus* and the Global Forum on Oceans, Coasts and Small Islands; develop, demonstrate, disseminate and promote the adoption of best practices in "Corporate Ocean Responsibility"; and enhance stakeholder understanding of the ocean business community and its efforts to address ocean sustainability and foster partnerships between members of the ocean business community and other stakeholders.

The creation of the Ocean Council builds on previous efforts to engage the global ocean business community, through private sector panels and business and industry leader ocean roundtable meetings of the Global Forum on Oceans, Coasts and Islands.

Introduction

Oceans and coasts provide the majority of the world's ecosystem benefits, with trans-boundary connectivity requiring interaction of key stakeholders on sustainable development. The private sector is the principle ocean user group and much of business and industry is directly dependent on ocean goods and services (e.g. transport). Unfortunately, there is limited private sector involvement with the governments, intergovernmental bodies and civil society organizations that are developing the international ocean management regime. Private sector efforts to understand and address their ocean responsibilities are occurring, but are usually on a single sector basis (e.g. oil and gas), in a limited area, and/or a single issue basis (e.g. impacts of noise on marine mammals).

A comprehensive, cross-sectoral "World Ocean Council" is needed to bring together the diverse ocean business community (oil and gas, shipping, fisheries, cruise ships, dredging, etc) operating in the global marine environment. Business and industry will need to develop a shared sense of "Corporate Ocean Responsibility" if they are to operate sustainably in this shared global ecosystem – and this will become a key issue for future "ocean entrepreneurs".

The World Ocean Council provides a private sector network on oceans to ensure information exchange and interaction on the sustainable ocean stewardship, a vehicle for industry input to international processes and fosters understanding and interaction between the private sector and other stakeholders. Private sector panels (2001, 2003, 2006) and business and industry leader



oceans roundtable meetings (2005, 2006) have been organized in conjunction with the Global Forum on Oceans, Coasts and Islands. These events assembled a cross-section of ocean-related industries that outlined the trends and challenges facing business in relation to sustainable ocean development and identified the needs and opportunities for addressing these through a more structured global network organization.

The key functions of the World Ocean Council are to:

- Create a coalition of like-minded private sector representatives to develop and address the business case for addressing ocean sustainability issues comprehensively.
- Provide information exchange and interaction on ocean sustainable development issues and a vehicle for industry input to international processes.
- Provide a basis to collaborate among the diverse components of the ocean business community - and enable the community to collectively engage other stakeholders in meaningful efforts to address ocean sustainable use.
- Support the Global Forum on Oceans, Coasts and Islands by increasing and expanding the private sector participation in roundtables, working groups and the global ocean conference.
- Develop, demonstrate, disseminate and promote the adoption of best practices.
- Enhance stakeholder understanding of the ocean business community and the efforts and opportunities to address ocean sustainability.
- Create the focus and synergies to develop innovative approaches and solutions of mutual value and by achieving economies of scale, e.g. through combined research efforts on ocean environmental issues affecting industry.

For young “ocean entrepreneurs”, the World Ocean Council provides the means and opportunity to help ensure a sustainable future for the oceans through participation in a global network of private sector leaders from the ocean business community.

Global Ocean – Global Industries – Global Impacts on the Marine Environment

The ocean is in trouble around the world. Recent studies show that almost no part of the global ocean is unaffected by human impacts. Marine biodiversity is being degraded, destroyed and overexploited at an ever increasing rate and global scale. This is affecting the coastal inhabitants and communities worldwide that depend on marine areas for food and livelihood, many of whom are poor and marginalized. Degradation of the natural functions of the ocean may also affect its critical role in regulating the climate. As the primary user of ocean space and resources, the private sector is key to the future of the ocean.

Oceans support a significant, unique component of the world’s biological diversity in a dynamic, interconnected, three-dimensional water world covering over 70% of the earth’s surface. Due to the fluid, international nature of the ocean, its biological and ecological richness and resources often extend over vast geographic scales. The marine environment provides 59% of the world’s ecosystem benefits, with 5 % comprising the nearshore marine environment, i.e. estuaries, coastal wetlands, mangroves, coral reefs, and continental shelves, alone providing 38 % of the world’s ecosystem goods and services.

A substantial proportion of business and industry is entirely dependent upon ocean resources, services and space, e.g. marine transport, offshore oil and gas, ports, fisheries, aquaculture, marine tourism, and seabed mining. The worldwide economic value of ocean goods and services is estimated at USD 6-21 trillion.

Ocean industries such as shipping, oil, fisheries, aquaculture, and tourism are big and are expanding rapidly, bringing ever increasing impacts to the marine environment and its biodiversity. Seaborne shipping accounts for about 90% of global trade. US container shipments quintupled from 1980 to 2006, and worldwide cargo will double or triple by 2020. Cruise ship passenger capacity doubled in the past 20 years and continues to expand. Shipping impacts on marine biodiversity include oil spills from tankers and fuel tanks, invasive species, and waste discharge at sea. Ship borne air pollution is projected to increase by 150% over the next 30 years.



Ocean oil industry activity increased 9% in recent years, with Mexico's production alone expanding 70%. About 4,000 ocean wells exist around the world and exploration is expanding to ever deeper areas, particularly in many developing countries. Oil and gas industry operations in the marine environment result in a range of impacts, including, seismic testing, platform spills, drilling waste, etc. In the area of fisheries, human consumption of fish grew from 20 - 85 million tonnes during 1960 – 2002 and 70% of fish stocks are now considered to be fully exploited or overexploited. Fisheries impacts include overharvesting, excessive bycatch, trawling of ocean bottom habitat and direct and indirect impacts on marine mammals, seabirds and other endangered wildlife. Other growing ocean industries include aquaculture, seabed mining, bio-prospecting and offshore wind energy - all creating their own sets of impacts and user conflicts.

The Rules That Rule the Oceans

Sustainable development of the dynamic, interconnected global ocean "commons" - for which everyone, and no one, is completely responsible - presents unique challenges. The international "playing field" and "rules" for the sustainable development of the ocean are being established through numerous organizations, programs, and agreements, most of which are UN related: e.g. Agenda 21's Chapter 17 on oceans and coasts and the World Summit on Sustainable Development targets; the UN Convention on the Law of the Sea (UNCLOS), which provides a global legal framework; and the Convention on Biological Diversity (CBD), which has promulgated the "Jakarta Mandate" on marine and coastal biodiversity conservation and sustainable use.

Numerous other international agreements cover more specific aspects of the sustainable development of oceans and coasts. These include: the International Maritime Organization (IMO) conventions on marine pollution from sea-based sources; the UN Environment Program (UNEP) Global Program of Action for Protection of the Marine Environment from Land-Based Activities; the UN Food and Agriculture Organization (FAO) Code of Conduct for Responsible Fisheries; the Convention on the International Trade in Endangered Species (CITES); and several Regional Seas Conventions.

Although the private sector is by far the main user of ocean space and resources, and responsible for the impacts that governments are seeking to manage, with a few exceptions, business and industry are largely not included, or only operate on the margins of these international ocean management processes. At the same time, governments and international bodies lack the capacity needed for surveillance and management of the global marine environment.

The Tragedy of the Ocean Commons

The conservation of marine biodiversity is inherently multi-sectoral and international, requiring the participation of all stakeholders. As the primary user of the marine environment, and source of many ocean impacts, the private sector is best placed to develop and drive solutions, but is often not doing so in a way that addresses the global scale of the issues. Industry efforts to address its impacts are usually piecemeal and reactive, usually undertaken by one company in a limited area.

The problem is that there are few incentives for leadership in environmental responsibility and collaboration in a shared global ocean ecosystem. It is often not clear how, and with whom, to work on the complex, intertwined, international marine issues. In this "tragedy of the commons", actions taken by one company to be a good ocean steward generate costs that are not perceived to have benefits, resulting in a competitive disadvantage and few incentives to tackle shared environmental problems.

Although there are few incentives to take on shared environmental problems, some companies try to do business in a more environmentally sustainable way. Unfortunately, the efforts of one company or even a whole industry sector are not enough to address global, cumulative impacts of growing ocean use by a diverse range of industries. At the same time, some UN agencies, governments, and NGOs are working to address marine environmental problems, but are not engaging with ocean industries. A new approach is therefore needed to overcome the limitations of government and international community capacity to manage the seas and the lack of a critical mass of private sector commitment.



Global Ocean – Global Solutions: The World Ocean Council

The health, productivity and biodiversity of the world's ocean cannot be secured without proactive, collaborative private sector leadership. Our work with ocean industries has confirmed that responsible companies want to address environmental impacts, differentiate themselves from poor performers, collaborate within and across sectors, and engage other ocean stakeholders. The problem is that there has been no structure and process to make this happen.

The World Ocean Council has been formed to transform the way ocean sustainability is addressed, by bringing together the responsible actors from a wide range of ocean industries to catalyze leadership and collaboration in ocean sustainability and stewardship – creating a culture of “Corporate Ocean Responsibility”.

The World Ocean Council (WOC) is a fundamentally new and innovative approach and is working with ocean industries to contribute to the sustainability of the seas in several ways:

(a) *International alliance on the science and solutions to marine environmental problems.* We are bringing together companies to develop a cooperative industry program of support for independent research into shared marine environmental problems, creating economies of scale in finding practical, cost-effective, operational solutions to collective issues such as ships collisions with marine mammals and waste discharge at sea.

(b) *Ocean industry collaboration with other stakeholders.* The WOC is organizing cross-sectoral industry working groups on priority marine conservation issues, such as marine protected areas and the Arctic, to increase industry understanding, willingness and ability to engage ocean conservation. We will facilitate constructive industry input to multi-stakeholder forums on these issues, for example, through industry participation in NGO workshops on designing high seas marine protected areas.

(c) *Sustainability strategies to improve companies' marine environmental performance.* We are working with companies to document their ocean ecological footprint, develop ocean sustainability strategies to reduce their marine environmental impacts, measure their performance, and publicly report their results.

The oceans need the efforts of young entrepreneurs in the private sector who can develop and implement Corporate Ocean Responsibility across all of the business sectors operating in the oceans. There is an opportunity for young professionals in the ocean industries to be the leaders in ocean sustainability. The World Ocean Council provides the means and opportunity to help ensure a sustainable future for the oceans through participation in a global network of private sector leaders from the ocean business community.

The French humanist and moralist Andre Gides once wrote, “Man cannot discover new oceans unless he has the courage to lose sight of the shore”. In this presentation, Mr. Sujit Chowdhury, President and CEO of World Trade University Global Secretariat, challenges a new generation of young entrepreneurs to take their boats far from shore and anchor them deep into the ocean of unanswered questions: what will it take to develop peaceful, sustainable ocean governance? What should this governance look like? Who should manage it? The challenge of ocean governance offers us many riddles, but at stake is the estimated \$21 trillion US in services that the ocean provides. Indeed, it is the source of our very livelihoods and the future health of the planet. Yet, a strong commitment is developing from this urgency. Mr. Chowdhury explains how the solidarity of young, globally-minded emerging leaders offer us hope, so that we may begin charting an ambitious new way forward in ocean governance.