#### **Transdisciplinary Approaches to Ocean Governance**

1) What do you feel is the most significant threat damaging the ocean ecosystem in your backyard?

2) What solution would you propose to respond to this threat?

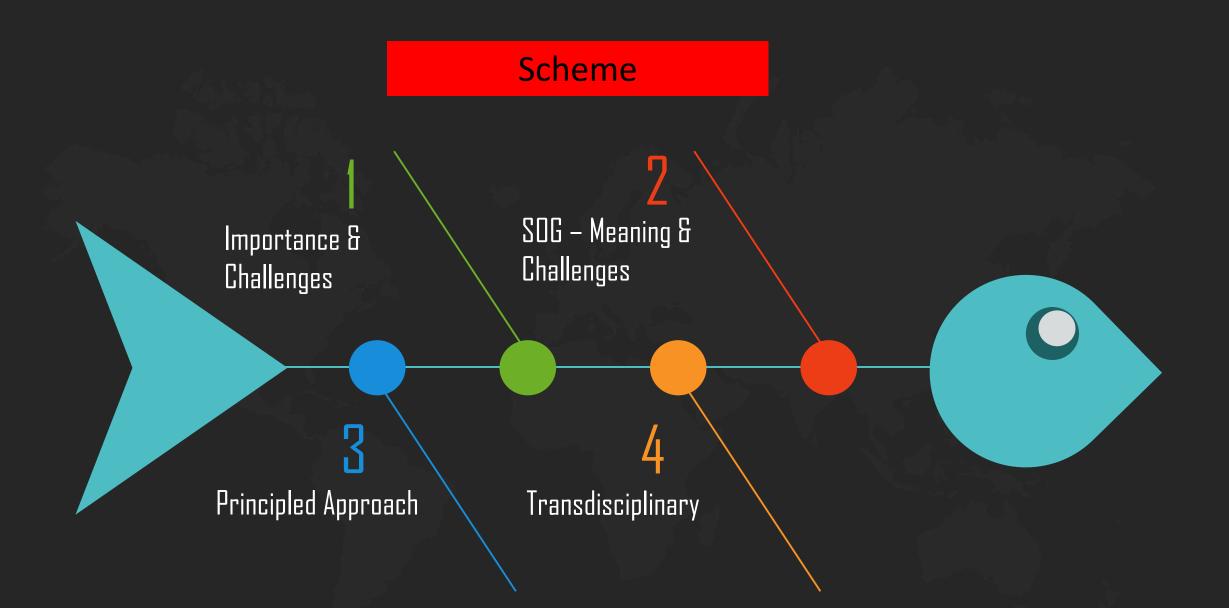
3) What approach (intra-, multi-, inter- or trans-) would you adopt to implement your solution?

## Attaining Sustainable Ocean Governance through "Trans-disciplinary" Approaches

*"Gentle Giants"*, François Baelen

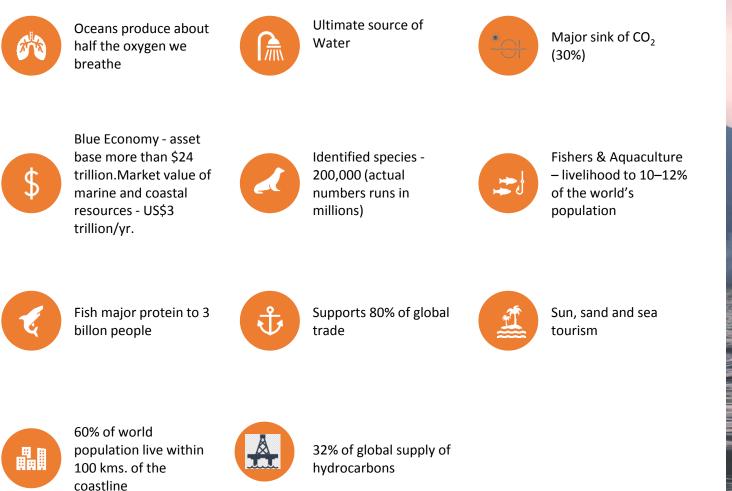
, Dr. Tony George Puthucherril Senior Research Fellow, IOI; Associate Professor , OP Jindal Global Law School , India





## I. Importance & Challenges

# I. Context: Importance of Oceans







Delhi; The Most Polluted City in the World ...

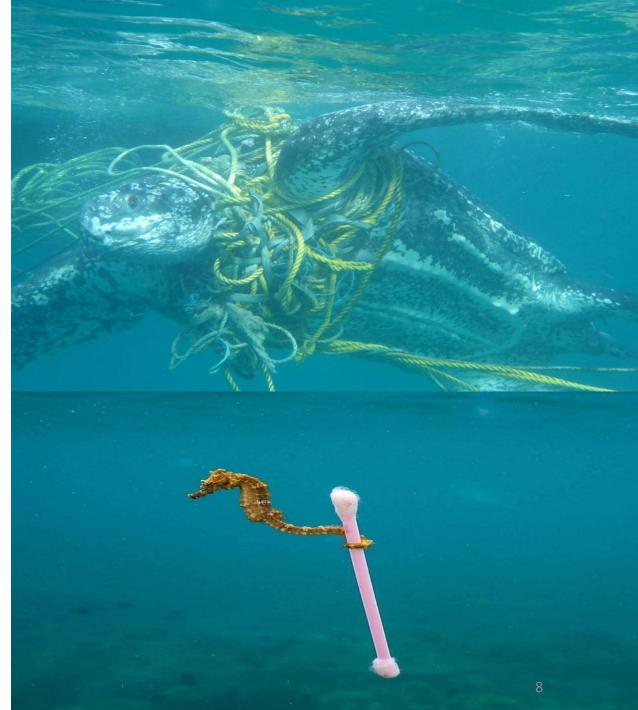
### . Context: Challenges

- Fragile ecosystems, less stable than terrestrial
- Rate of urbanisation very high (13 of the world's 20 megacities coastal)
- 87% of global fish stocks are fully or over exploited
- \$23 billion worth of fish is being illegally caught every year
- 100 million sharks are killed for their fins every year
- In the last 150 years, 29% of seagrass habitats lost
- 20 % coral reefs have been destroyed
- Migration by sea From Jan. Aug. 2018, 58,158 persons entered Europe by sea & 1,514 died during their journey.
- Piracy 233 incidents in 2018 with 57 incidents in the South China Sea

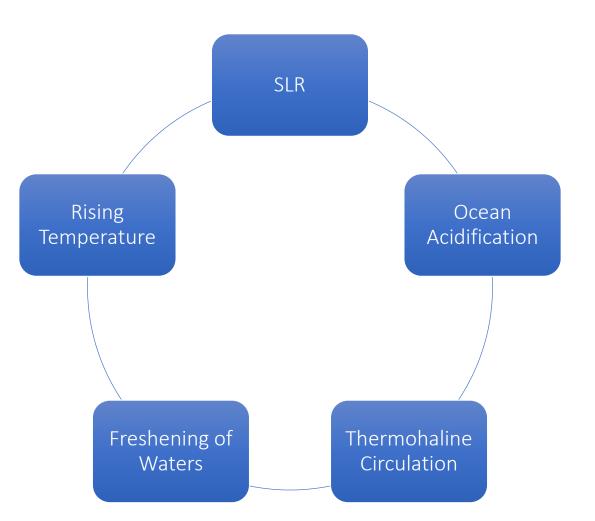


## I. Context: Challenges

- 40% of the ocean is heavily affected by pollution
- GPGP 1.6 million km<sup>2</sup> (twice the size of Texas & three times the size of France)
- Nearly 18,000 pieces of plastic litter in every square km. of ocean
- 100,000 turtles and marine mammals are killed by plastic marine litter
- 2050 plastics will outweigh fish



#### I. Context: Climate Change Impacts

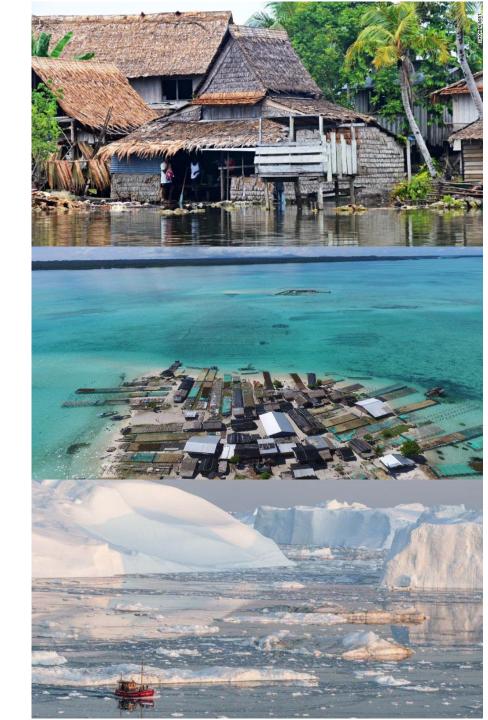


Thermal Expansion (steric effect) + melting of polar ice sheets and glacial ice + groundwater extraction (fossil water) + thawing of permafrost

IPCC in 4AR - by 2100, increase in sea level by 19 to 58 cm (based on the emission trajectory)

AR 5 - Between 2081-2100, RCP 8.5 (Rep. Concentration Pathway), the sea level rise – 0.45 to 0.82 meters I. Context: Climate Change Impacts (SLR)

- Inundation of low-lying areas, coastal erosion
- SIDS (58 SIDS) size, geography, & remoteness -Sinking islands phenomenon
- Contamination of coastal aquifers, estuaries
- Destruction of coastal agriculture & coastal infrastructure , Ports, tourism, fisheries
- Hurricanes & flooding
- Mangrove destruction; coastal squeeze due to human activity & SLR
- Ocean Warming has led to a decrease in the catch potential
- Migration Climate change refugees
- 2050 25 million to 1 billion





Ocean chemistry is changing faster than at any time in the last 300 million years - Coral Bleaching

## II. Sustainable Ocean Governance

#### II. Understanding Sustainable Development

- Modern avatar of SD Burtland Commission Report, 1987
- ..."environment" is where we live; and "development" is what we all do in attempting to improve our lot within that abode. The two are inseparable.
- "Development that meets the needs of the present generation without compromising the ability of the future generations"
- 1992 Earth Summit in Rio de Janeiro more than 178 countries adopted Agenda 21 & some path breaking Conventions
- 2000 Millennium Declaration & its eight Millennium Development Goals (MDGs)
- 2002 World Summit on Sustainable Development & the Johannesburg Declaration on Sustainable Development & the Plan of Implementation

## II. Understanding Sustainable Development

- 2012- Rio+20 "The Future We Want" decided, to launch a process to develop a set of SDGs to build upon the MDGs
- 2015 UN Sustainable Development Summit adopted the 2030 Agenda for Sustainable Development, with 17 SDGs
- Approaches to SD –
- 1. Hard Law [UNFCCC, CBD, Desertification]
- 2. Soft Law [ Agenda 21, Johannesburg Declaration on Sustainable Development, 2002, Rio+20 (2012)]
- 3. Action Oriented [UN Millennium Declaration & Millennium Development Goals, 2000 (8 international development goals to reduce extreme poverty by 2015; Johannesburg Plan of Implementation & Type II partnerships; 2030 Agenda for Sustainable Development)]

#### II. Sustainable Development & Sustainable Ocean Development: The 2030 Agenda



#### Sustainable Ocean Development



ISUPPORT

Enhance	Prevent	Minimize & address	Regulate	Conserve	Prohibit
conservation & sustainable use of oceans & their resources by implementin g UNCLOS	& significantly reduce marine pollution (LBSMP, 2025)	the impacts of ocean acidification	harvesting & end overfishing, IUU fishing & destructive fishing practices & implement science- based management plans	at least 10% of coastal and marine areas (2020)	Prohibit fisheries subsidies which contribute to overfishing, & IUU fishing

I SUPPORT Goal 14 Life Below Water

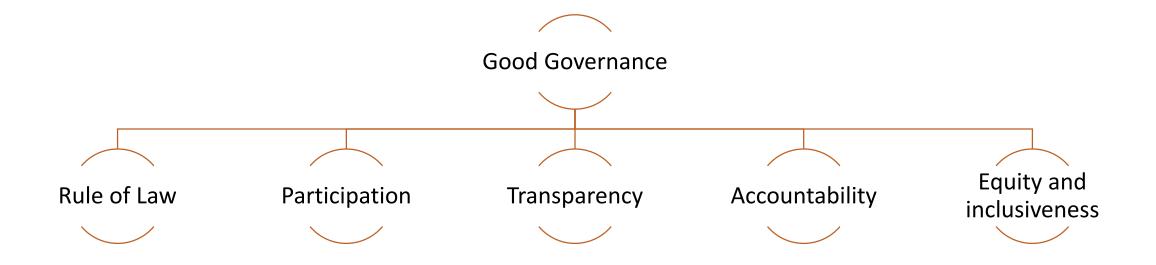
#### Sustainable Ocean Development

- Increase economic benefits to SIDS & LDCs by sustainable use of marine resources
- Provide small-scale artisanal fishers access to marine resources and markets
- Increase scientific knowledge, develop research capacity and transfer marine technology



- GG an *essential pre-requisite* for SD with focus on HUMAN DEVELOPMENT
- Johannesburg Plan of Implementation "<u>Good governance within each country</u> and at the international level is essential for sustainable development"
- GG- recognizes the joint participation of state & non-state actors, civil society & private sector

#### II. Sustainable Development & Good Governance



II. Meaning: Good Ocean Governance (GOG)

• "... the way in which ocean affairs are governed, not only by governments, but also by *local communities, industries and other 'stakeholders'*. It includes *national* and *international law, public* and *private law.* ... *custom, tradition and culture* and the *institutions and processes created by them.*"

• Elisabeth Mann Borgese



## II. Challenges



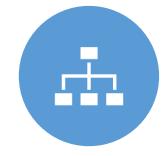
#### Sectoral governance



Multifarious bodies with diverse objectives



Overlapping jurisdiction & transboundary nature of issues



GOG as a 'functional' matter of institutions and processes; missing the key ingredient of guidance in terms of <u>Values</u>

## III. Principled Ocean Governance

# III. Towards Principled Ocean Governance



## Need for holistic good ocean governance



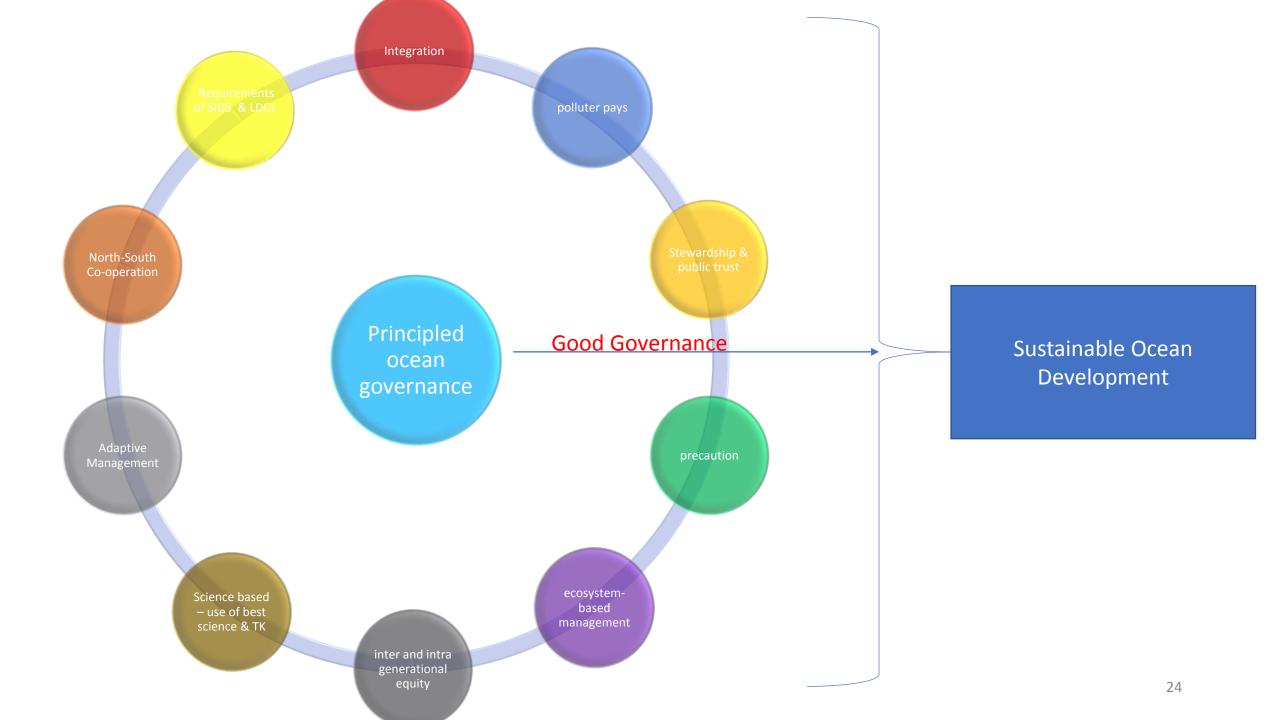
Linking governance with principles helps to secure coherence

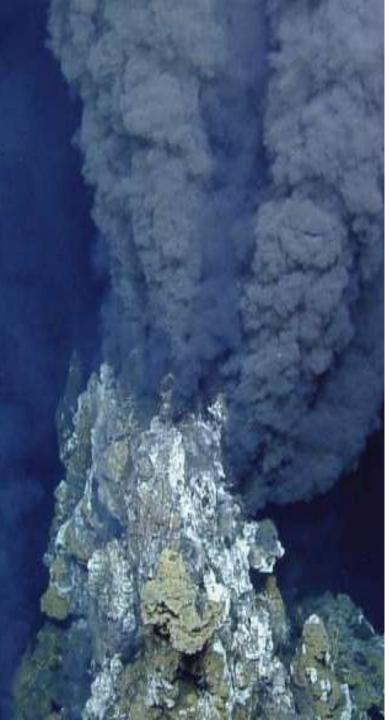


**Rooted in Values** 



Promotive of SD





# Applying the Principled Approach at the International Level

- Development of an international legally binding instrument under the UNCLOS on the Conservation and Sustainable use of marine biological diversity of areas beyond national jurisdiction (A/CONF.232/2019/6)
- promoting sustainable development (Preamble)
- Aspiring to achieve universal participation (Preamble)
- Integrated approach (art. 5)
- Ecosystem resilience & ecosystem integrity (art. 5)
- Polluter pays (art.5)
- Accountability (art.5)
- Precaution, EIA (Part IV), etc.

#### Applying the Principled Approach at a National Level

Preamble –





Canada Oceans Act, 1996 The Arctic, the Pacific and the Atlantic, are the common heritage of all Canadians;

the sustainable development of the oceans and their resources;

ecosystem approach, is of fundamental importance to maintaining biological diversity and productivity in the marine environment

promotes the wide application of the precautionary approach to the conservation

integrated management of oceans and marine resources

## IV. Transdisciplinary Perspectives

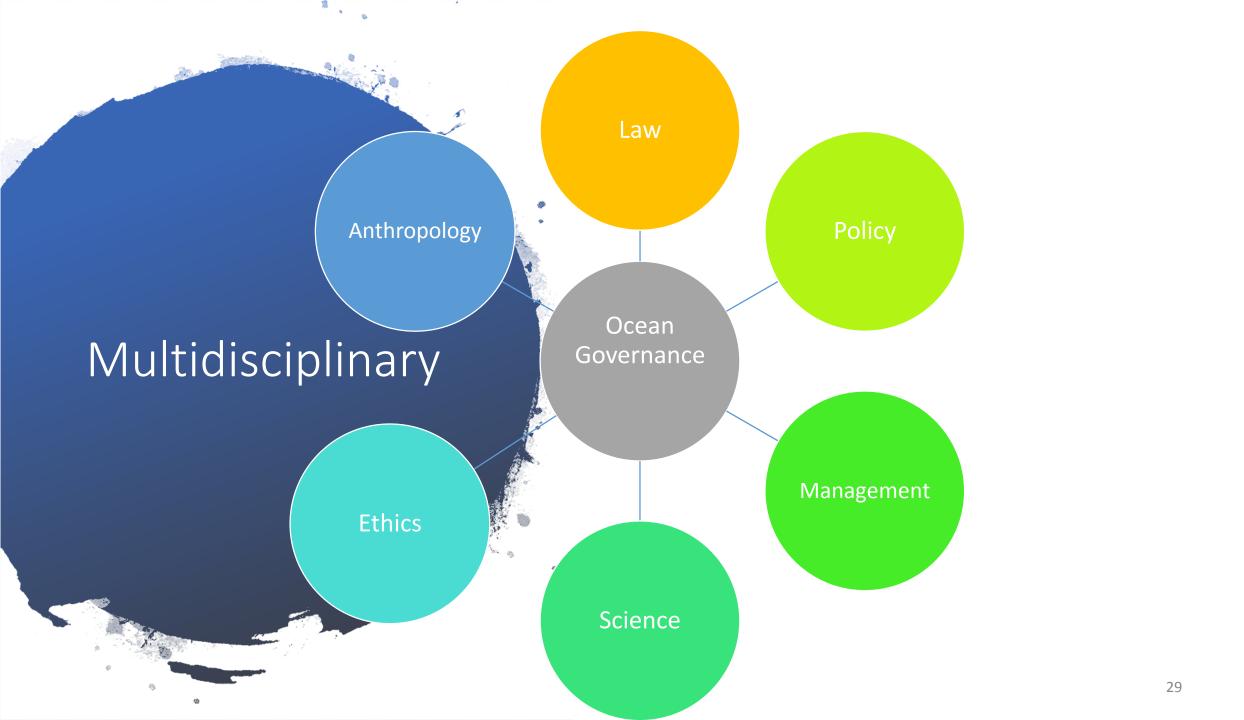
## Realizing Principled Ocean Governance

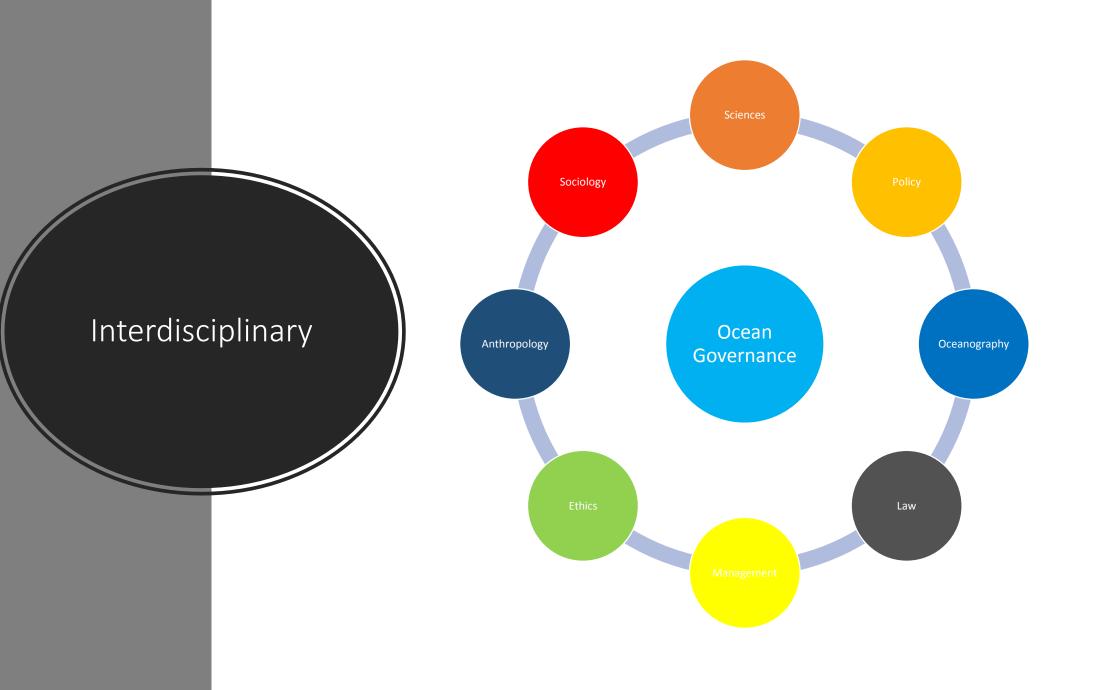
#### Intradisciplinary

#### Multidisciplinary

#### Interdisciplinary

#### Transdisciplinary





#### Trans-disciplinary Perspectives in Ocean Governance



Problems too complex (THE UNKNOWNS) & cannot be addressed through a one dimensional or a single-track perspective (Silo-based approach)



Scientists/Policy-Makers/Ocean Managers/Engineers/Lawyers may not have answers & may require inputs from experts in different fields & from stakeholders;



Collaborative/participatory process can produce better outcomes



Transdisciplinary perspective is an approach & not the solution

#### Transdisciplinary Perspectives

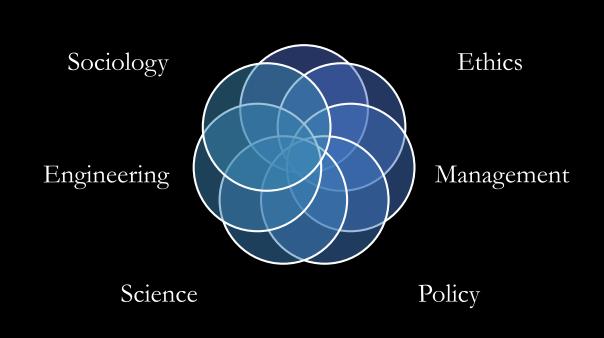
Problem-based & issue-driven;

relies on diverse expertise, knowledge & inputs from natural, & social sciences, from practitioners, resources users & community stakeholders

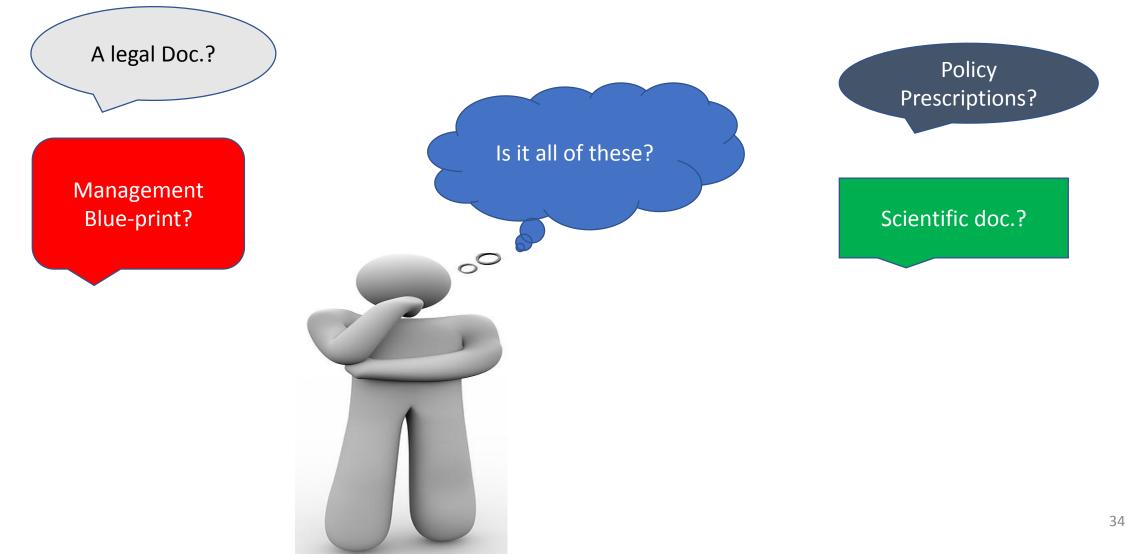
Enables the inquirer to involve in a transformative way of thinking Creative solutions– formulates solutions to complex problems through a transparent process (holistic approach)

#### Transdisciplinary Perspective in Ocean Governance

Law



# Locating Transdisciplinary Perspectives in UNCLOS (168 Parties)



## Transdisciplinary, the Precautionary Approach & Ocean Governance

- We know more about space, than about our oceans
- Insufficient information & uncertainty
- Difficulty in precisely defining ocean related problems
- Precautionary principle central to ocean governance
- PP better to err on the side of caution
- Principle 15 Rio Declaration "Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation".

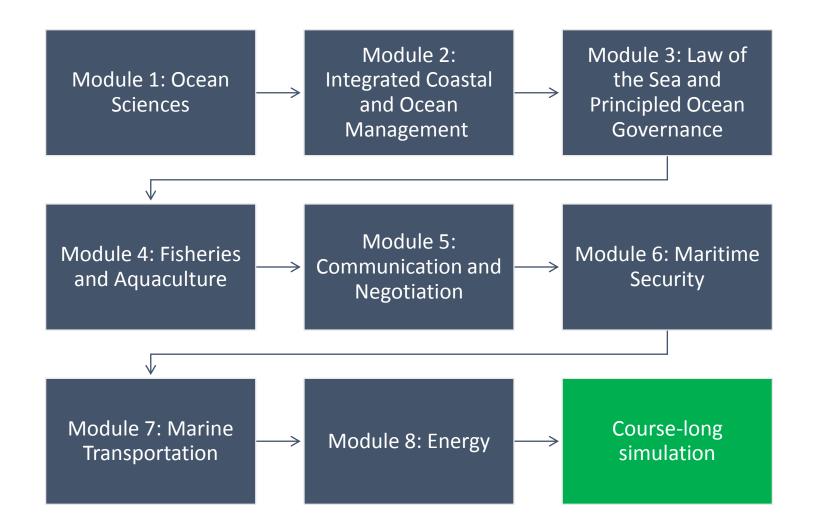
## Precautionary Principle & Transdisciplinarity







Transdisciplinary perspective as Pedagogy at IOI



#### V. Concluding Remarks

- One of the most challenging ecosystem to govern (unknown & unknowable)
- SD Vague & imprecise in content
- GOG based on a Principled Approach is the need of the hour
- Transdisciplinary approaches are key (EBM, ICZM, MSP, PP. etc.)





