

**WORLD OCEAN DAY:
UNCLOS 1982 AND THE WORLD OCEAN CONFERENCE
BY
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1. In the context of commemorating the World Ocean Day, it is important to recollect some provisions of UNCLOS 1982 regarding the protection and the preservation of marine environment, such as:
 - Article 192: "States have the **obligation** to protect and preserve the marine environment" ;
 - Article 193: Although states have the sovereign rights to exploit their natural resources, they should do so " in accordance with their **duty** to protect and preserve the marine environment";
 - Article 194 (5): In taking measures to prevent, reduce and control pollution of the marine environment, states should also" protect and preserve **rare or fragile ecosystem** as well as the **habitats** of depleted, threatened or **endangered species** and **other forms of marine life**" ;
 - Article 197: "States shall **cooperate** on global basis and, as appropriate, on a regional basis.....in formulating and elaborating international rules, standards and recommended practices and procedures for the protection and preservation of the marine environment....";
 - Article 200: States shall **cooperate**..... for the purposes of promoting studies, undertaking programs of scientific research and..... shall endeavor to participate actively in regional and global programs to acquire knowledge for the assessment of the nature and extent of pollution, exposure to it, and its pathways, risks and remedies";
 - Article 202 and 203 stipulate that **developing states** shall be assisted through technical assistance and other measures in protecting and preserving the marine environment.
2. It is common knowledge now that the earth is getting warmer and the ice in the Arctic and Antarctic, Himalayas, and even in Kilimanjaro (Africa) and Puncak Wijaya (Papua) are diminishing and maybe vanishing in the next 50 years or so. For instance, in 1980 (towards the end of the negotiation before the adoption of UNCLOS 1982) at the end of the summer in September the North Pole was covered by 3.01 million square of ice, in 1999 it has been reduced to 2.39 million square, in 2005 to 2.16 million square, and in 2008 to only 1.81 million square of ice (National Geographic, May 2009).
3. Along with the increasing warmth of the earth, sea level is also rising, and the coral reefs are threatened, fisheries resources are affected and the coastal areas

and its environment, particularly of the small low lying islands are increasingly threatened. Indonesia alone could loose about 2000 islands by 2030 if the sea level rise continues and no sufficient mitigation and adaptation efforts are being taken. Some countries in the Pacific like Tuvalu and Kiribati and in the Indian Ocean like the Maldives are facing serious problems.

4. Indonesia is very concern with these matters, especially because it strides the so-called highway of the Ocean, between the Indian and the Pacific Oceans. So do other countries in the area which are also rich with the coral resources (the Philippines, Malaysia, Timor Leste, PNG and Solomon Islands *The so-called the Coral Triangle Countries*). The coral triangle region covers only about 2% of the surface of the World Oceans, yet it contains some 76% of all the coral species on earth. It is populated by some 120 million people who are dependent upon fisheries for their livelihood and income. The value of coral resources in that area is calculated about US\$ 2.3 billion/year.
5. Indonesia has some 61.000 km² of the coral reefs that could absorb 73.5 million ton of Co₂/year. In addition Indonesia also has some 93.000 Km² of mangrove forest which could also absorb some 75,4 million ton of Co₂/year.
6. In view of the above, particularly the obligation of states parties to UNCLOS 1982 to protect and preserve the marine environment and the specific location of Indonesia as the largest Archipelagic State in the world, lying between two oceans, President Susilo Bambang Yudhoyono of Indonesia, since taking office at the end of 2004, has seen the need to protect the oceans within the context of climate change and its influence on Indonesian coastal areas and the survival of the Indonesian coral reefs.
7. Therefore:
 - In the meeting of the APEC Ministers of Oceans and Fisheries in Bali in September 2005, an APEC Bali Plan of Action on Oceans was approved.
 - President Susilo Bambang Yudhoyono later sent a message to the Biological Biodiversity Conference in Brazil in 2006 expressing the importance of conserving biodiversity and announced Indonesian commitment to achieve 10 Million Ha of Marine Protected Areas (MPA) by 2010 and 20 Million Ha of MPA by 2020 (Significantly, during the World Ocean Conference (WOC) in Manado in May 2009, Indonesia has achieved and declared 13.4 Million Ha of Marine Protected/Conservation Areas, the last was in Sawu Sea, thus bypassing the target for 2010);
 - He also announced the intention of Indonesia to organize the World Ocean Conference in Manado in May 2009.;
 - President Susilo Bambang Yudhoyono later also sent a message to the APEC meeting in Sydney in September 2007 proposing an initiative to promote cooperation of the 6 Coral Triangle Countries. The APEC Meeting later on welcome the CTI in its Declaration in 2007;

- During the COP 13th of UNFCCC in Bali in December 2007 there was one Ocean Topics namely, Coral Triangle Initiative as suggested by Indonesia;
 - COP 14th of UNFCCC in Poland in 2008 the Ocean Issues were barely discussed out of so many sessions.
8. Indonesia proposed that the 6 Coral Triangle Countries have a summit Meeting during of the Manado Ocean Conference in 2009 to give the highest possible political commitment to protect the corals in 6 countries.
 9. Indonesia is also concerned with the increasing problems of IUU Fishing in the region. In this context in cooperation with its neighbors Indonesia has been cooperating in the context of Arafura and Timor Sea Experts Forum (ATSEF) and in Sulu - Sulawesi Marine Eco-Region (SSME).
 10. President Susilo Bambang Yudhoyono also took initiatives to joint various Regional Fisheries Management Organizations (RFMO's) such as the Indian Ocean Tuna Commissions (IOTC) and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT). Last month Indonesian Parliament also ratified the UN Fishstock Agreement of 1995. Hopefully Indonesia would also ratify in the immediate future the Honolulu Convention 2000 establishing the Western and Central Pacific Fisheries Commissions (WCPFC).
 11. The World Ocean Conference (WOC) was organized in Manado on 11-15 May 2009. The theme of the Conference was the Oceans and the Climate Change. The Conference was widely regarded as very successful. There was no opposition either domestically or regionally or internationally that expressed criticism or opposition to the Conference. The Conference was attended by more that 420 delegates from 87 countries and international intergovernmental organizations. It produced **the Manado Ocean Declaration (MOD)**, expressing commitments by the participants to protect and preserve the marine environment of the oceans.
 12. While the Declaration contains some 13 considerations and 21 points political commitments, it also welcomes the efforts of the Coral Triangle Initiative as one of the means of carrying forward the visions of the WOC 2009 and reiterates the importance of achieving an effective outcome of the 15th UNFCCC in Copenhagen at the end of 2009, and invite them to consider how the coastal and ocean dimensions could be appropriately reflected in their decisions.
 13. It is also interesting to note that a number of academic symposiums on oceans has also taken place during the WOC. Hundreds of papers written by Indonesian as well as world scientists were discussed as side events. Indonesia also took the opportunity to increase the awareness of the Indonesian people to ocean affairs by organizing writing competition on ocean matters. 320

articles were written by 56 journalists either national as well as provincial, plus 86 articles by 61 non journalist writers from 30 provinces of Indonesia.

14. At the end of the WOC, a Summit Meeting of the 6 Coral Triangle Countries was held on the 15 of May. The Summit also produced the Coral Triangle Initiative Declaration on coral reefs, fisheries, and food security. The Declaration emphasized the need for collaborative actions. They also agreed on **CTI Regional Plan of Actions** to conserve and sustainably manage coastal and marine resources within the Coral Triangle region. They also agreed to **establish the Secretariat** for the coral reefs, fisheries, and food security and cooperation in the CTI. The CTI has been positively received by the CTI partners particularly by the USA, Australia, World Bank Global Environmental Fund (GEF), Asian Development Bank, various non-governmental organizations particularly the Conservation International (CI), The Nature Conservancy (TNC), World Wildlife Fund (WWF) and other supporters.
15. Some US\$ 250 Million has been committed by the CTI countries and their supporters to implement the CTI Regional Plan of Actions. In addition each CTI countries have also developed their own respective **National Plan of Actions** to protect and conserve the coral reef in their own respective countries.
16. Finally, it could be mentioned that the Declaration of the Ocean Conference and the Declaration of the Coral Triangle Initiative are also contributions to the Commemoration of the World Ocean Day in order to promote the protection and the preservation of the marine environment of the Ocean as stipulated by the UNCLOS 1982 and other Conventions and Agreements on Oceans and the Seas.

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