Geo-Agenda for the Future: Securing the Oceans

**Adoption of the Tokyo Declaration
on Securing the Oceans**

To work for the maintenance of peace and protection of the environment and resources in the oceans remain cornerstones of sustainable development and great challenges for society in the 21st century. In the Institute for Ocean Policy, Ship & Ocean Foundation, with such awareness in mind, our examination of traditional security ideas, which are military-oriented, led us to a study on the formulation of a new comprehensive security concept on the oceans that would also include perspectives of marine environment and maintenance of peace in the ocean.

For this reason, with the support of The Nippon Foundation, for over three years from 2002, we hosted international conferences to deliberate upon how to formulate this new concept of Securing the Oceans as well as on what measures are needed in order to give shape to the concept and bring to realization the protection of the marine environment and maintenance of peace in the oceans.

This year, for two days from December 2 and 3, we held the third international conference on Geo-Agenda for the Future: Securing the Oceans, where we had lively discussions on the new security concept of Securing the Oceans and adopted the Tokyo Declaration on Securing the Oceans which recommend concrete measures for its implementation. Distinguished experts on international law and ocean policy from Australia, China, India, Indonesia, Japan, Malaysia, Philippines, Singapore, USA, and PEMSEA (Partnerships in Environmental Management for the Seas of East Asia), which drew up the Sustainable Development Strategy for the Seas of East Asia in December, 2003, participated in this conference.

In the Institute for Ocean Policy, Ship & Ocean Foundation, based on this Tokyo Declaration on Securing the Oceans, we will continue our efforts to try to build political will and have proposals be implemented in all countries and in the international level towards the realization of the concept of Securing the Oceans from here on.

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Tokyo Declaration on Securing the Oceans

The concept of Securing the Oceans, which we advocate, regards the implementation of ocean governance as an integral part of comprehensive security. It requires that all aspects of ocean management, including military activities, the peaceful use of the oceans, resource extraction, environmental management, and scientific research should be addressed in an integrated manner.

The concept of Securing the Oceans provides a comprehensive and integrated approach to ocean problems as a whole. It promises a significant improvement on the pattern of sectoral specific initiatives.

Hoping that this concept will serve in developing a deeper appreciation of the importance of ocean governance, and encourage individual states to achieve harmony between the exercise of their sovereignty and ocean governance as espoused in the United Nations Convention on the Law of the Sea (UNCLOS) and Agenda 21;

Believing that this is the way forward to achieving peace and sustainable development in the world's oceans, and thereby to ensuring the survival and prosperity of mankind;

Reaffirming not only that the UNCLOS and Agenda 21 constitute international agreement, to which almost all countries are pledged to adhere, but that their implementation requires the full cooperation and coordination of all countries;

Trusting that it is now the time to clarify this in expressions of political will at both the national and international levels;

We therefore propose the following measures for building political will and implementing this new security concept of Securing the Oceans:

I Building political will

1-1 Proposals to individual states and international organizations

We propose to individual states, as well as the United Nations and other international organizations, to join in initiatives to realize and promote a new security concept, Securing the Oceans.

1-2 Creation of an international ocean think tank

An international think tank for Securing the Oceans should be established. Along with its policy studies and research activities, such a think tank should serve as a network center for national ocean research institutions in the region and host international conferences for ocean researchers.

1-3 Establishing outreach programs

Educational programs should be expanded and public awareness raised regarding the need for Securing the Oceans, in light of the importance of our common ocean heritage. As a part of these efforts, it is advocated that the introduction of an Ocean Ambassador program as well as the establishment of awards to formally recognize individuals who have contributed to Securing the Oceans should be instituted.

1-4 Establishment of a coordinating mechanism and cross-sectoral body for ocean affairs

Each state should establish a coordinating mechanism and cross-sectoral body to develop and apply integrated national approaches to ocean issues.

1-5 Holding "Securing the Oceans" international conferences on a regular basis

"Securing the Oceans" international conferences should be held on a regular basis, inviting broad participation, including that of individual states, intergovernmental and non-governmental organizations, academia, and local governments. Ocean Summit and ministerial level meetings should be held concurrently with the international conferences.

II　Towards implementation of Securing the Oceans

2-1　Conflict prevention and environment protection systems

Systems and strategies should be formulated in regional societies for confidence building and the prevention of conflict, and the protection of ecosystems and the environment. Codes of conduct regarding peace and the environment, standards for the pacific settlement of disputes, and pollution response manuals should be formulated.

2-2　Surveillance, monitoring, and enforcement systems

States should create surveillance, monitoring, and enforcement systems for piracy, maritime terrorism, illegal trade, fishing, the environment, and illegal dumping at sea.

2-3　Information sharing

States and regional organizations should share necessary information for Securing the Oceans such as on piracy, maritime terrorism, illegal trade, illegal fishing, environmental pollution, and marine ecosystems. They should work to create systems to facilitate such exchange of information.

2-4　Burden sharing

In recognition of coastal states' burdens in discharging their ocean governance responsibilities, user states should provide to coastal states appropriate financial and technological assistance. States and organizations should work to create systems to facilitate such cooperation.

2-5　International cooperation for capacity building

The capacity building necessary for Securing the Oceans requires international cooperation. User states are called upon to provide both material and human resource support especially to developing coastal countries.

This Declaration is the fruit of three years' deliberation by 26 eminent ocean law and policy experts and was adopted by the Third International Conference on Geo-Agenda for the Future: Securing the Oceans, hosted by the Institute for Ocean Policy, Ship & Ocean Foundation, at Tokyo, Japan, 2-3 December 2004.

3 December, 2004
Tokyo, Japan

Participants in the 3rd international conference
"Securing the Oceans"

Tadao Kuribayashi (Chair)	Professor, Toyo Eiwa University Professor Emeritus, Keio University, Japan
Etty R. Agoes	Professor, International Law, Padjadjaran University, Indonesia
Sam Bateman	Professorial Research Fellow, Centre for Maritime Policy, University of Wollongong, Australia
Robert Beckman	Associate Professor/Vice-Dean, Faculty of Law, National University of Singapore, Singapore
Chua Thia-Eng	Regional Programme Director, PEMSEA
John C DeSilva	Vice Admiral, PVSM, AVSM (Retd.) President Centre for Marine Conservation and Ocean Studies, India
Gao Zhiguo	Senior Research Fellow, China Institute for Marine Affairs(CIMA), China
Abd. Rahim Hussin	Director, Maritime Security Policy, National Security Division, Prime Minister's Department, Malaysia
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Kazumine Akimoto	Senior Researcher, Institute for Ocean Policy, Ship & Ocean Foundation, Japan

Significance of this New Concept

<The Role of the Ocean>

Mankind has depended on the ocean throughout history for its development and prosperity, and continues to do so today. This reliance includes use of shipping lanes for commerce, conservation of fishing resources, and development of the oil, natural gas, and mineral resources to be found on or below the ocean floor. It also includes use and development of coastal areas for residential purposes and industry. Moreover, the sheer volume of water making up the ocean environment plays an indispensable role in the support system for all life on the planet. Covering 70% of the earth's surface, it is no exaggeration to say that the oceans are the basis of our prosperity and even our survival.

<The Changing Relationship between Man and the Ocean and Changes in Security Concepts>

However, in recent years, military tensions have escalated at sea, with confrontations between sovereign states arising over the development and use of ocean resources. Meanwhile, with the collapse of the Cold War order, long-suppressed ethnic and religious tensions have burst into armed conflict in many parts of the world, along with unimaginable acts of terrorism. There have also been confrontations arising out of discontent with poverty and other living conditions.

At the same time, while science and technology in advanced nations increasingly orient their economies toward mass production, consumption, and disposal, the North-South gap continues to grow and poverty increases in parts of the world. This is accompanied by water pollution, over-exploitation of resources, the rapid development of coastal areas, and an increase in piracy, terrorism, and other unlawful acts at sea. As a result, degradation of the marine environment proceeds, and there is destruction of ocean and coastal ecosystems, depletion and sometimes exhaustion of ocean resources in areas around the world. The oceans are at risk from other global environmental problems as well. The release of greenhouse gases raises the temperature of the earth, causing global climate change and raising the sea level.

All of these developments threaten the safety and sustainable development and use of the world's oceans, not only compromising the progress and prosperity but threatening the very survival of the human race as well. The predominant view heretofore that the ocean is a bountiful expanse that can endlessly absorb all of mankind's activities, including pollution, now needs adjustment.

We should remember, however, that confrontations are also arising out of discontent with poverty and other living conditions. In today's world, it is no longer sufficient to define peace as simply "the absence of war"; rather, new thought urges that peace should mean "that condition in which people can fulfill their various desires as human beings." Regarding the guarantor of this, the security structure, there is increasing support for a new "comprehensive security" or "human security" oriented approach, characterized by a more inclusive and proactive focus.

< Harmonizing Ocean Governance with the Sovereignty of Coastal States >

UNCLOS, which came into effect in 1994, along with the Earth Summit, which was successfully concluded two years earlier, launched a new framework for the world's oceans, aiming for sustainable development of the ocean and the establishment of ocean governance. Regarding jurisdiction of ocean space, this new framework differs from the previous regime, in which the high seas, though theoretically open to all states, could in practice be developed and used only by those with the means to do so. With the new UNCLOS framework, management of some 40% of the high seas ocean space came under the sovereignty, sovereign right, and jurisdiction of coastal states.

However, while the UNCLOS regime parcels up vast, originally integrated ocean spaces of up to 200nm from shorelines, irrespective of function, to be managed by individual coastal states, it does not necessarily provide a concrete framework for how states are to cooperate in establishing a legal order on the oceans for promoting peaceful use, conserving natural resources, and protecting the environment. Too often this has resulted in inconsistencies between the comprehensive governance aims of the UNCLOS and Agenda 21 regime and the exercise of sovereignty by coastal states.

For example, on expanding the jurisdictional boundaries of coastal countries, territorial waters of two adjoining countries were determined by a line drawn between the two. However, authorities attempting to interdict persons committing crimes at sea are prevented from pursuing culprits beyond this line, allowing their escape. This state of affairs plays into the hands of border-straddling criminals such as smugglers, human traffickers, pirates, armed robbers and maritime terrorists. Conflicts also arise between states over possession of islands, and regarding EEZs and continental shelf borders. The control of pollution and conservation of natural resources also cry out for a multilateral solution, as these problems are no respecters of borders or national sovereignty and cannot be solved by individual states focused only on their own areas of ocean space.

Today the realization is spreading that ocean governance cannot be established without an international cooperative approach that transcends each country's area of ocean jurisdiction. Based on the Securing the Oceans concept, ways must be found to reconcile the exercise of coastal states' sovereignty with the ocean governance espoused in the UNCLOS and Agenda 21 regime. Building the cooperative and collaborative framework needed to do this is emerging as an issue of importance.

<The Need to Strengthen Cooperative Relationships for Comprehensive Ocean Governance >

One factor that has hampered the development of such a framework is that for a large number of countries, establishing effective sovereignty over their own affairs has been given the highest priority. When problems arise and are judged to affect their national sovereignty, the tendency among these countries has been to choose a national approach over international coordination.

However, it should not be forgotten that the ocean, being twice the size of the inhabitable land area, is by nature of an international character. It was in recognition of this fact that the UNCLOS and Agenda 21 regime was internationally agreed upon, in pursuit of sustainable development of the oceans for the survival and prosperity of mankind. Ocean Governance does not imply placing unfair restrictions on national sovereignty, or compromising the interests of individual states. Rather, it is a process by which each state contributes actively to the governance of the ocean in order to strengthen the foundations on which its own security rests. It is vital now that each country come to a full understanding of this, contribute to their own and mankind's benefit by helping to realize the Securing the Oceans concept, and commit to an active, effective, and harmonious implementation of the UNCLOS and Agenda 21 regime.