

# Influence of Ocean Governance on Maritime Shipping

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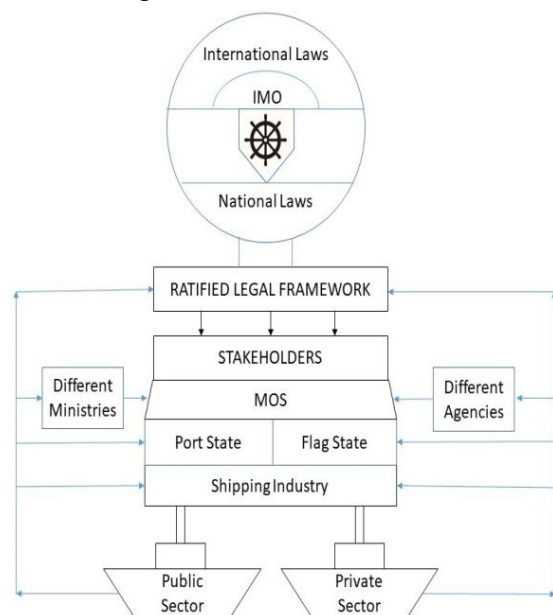
The oceans are the foundation of life, covering 72 percent of the earth's surface. The ocean is a comucopia of marine treasure providing protein, minerals, hydrocarbon, energy, and provider of routes for shipping. Increased people's dependency on oceans is also the cause of large-scale damage to such resources due to inadequate governance.

Ocean governance has come to the present stage through evolution over almost half a millennium and has been defined from different perspectives on legal aspects. The period from the beginning of the 16th century to the end of World War I (1918) may be put under stage 1 of evolution. During this period, the jurisdiction and responsibility of seas belonged to colonial powers, which encouraged them to expand territories on land and send vessels at sea to reach any desired destination. Stage II covered the period from 1918 to 1950, when the states and policymakers attempted to explore rules for conducting activities at sea and delimitating maritime boundaries. Stage III involved the period from 1950 to 1990. This period is significant primarily for the occurrence of the first and third conferences of the Law

of the Sea (LOS) (1958) and (1973-1982). Adaptations of the UNCLOS took place in 1982 and came into force in 1994. That generated scope of debates as there had been a rise in the number of interested parties consisting of state and non-state actors. New dimensions in maritime governance emerged considering sustainable developments at sea. Thus it became easier to argue that ocean governance involves ocean affairs which are governed by governments, local communities, industries, non-government organizations, and other related stakeholders through national and international laws, policies, customs, traditions, culture, and related institutions and processes. Out of all business and non-business activities, shipping is at the forefront as it is connected with the global supply chain, where human needs are closely reliant.

A simple conceptual framework of oceanic governance concerning maritime transportation is shown in Figure 1. It shows interconnections between stakeholders and different areas of interest to concerned parties. The issues of ocean governance are intensely complex,

overlapping, and diverse. Issues that are constantly influencing human need demand prioritized attention. Again matters related to safety, security, pollution, the greenhouse effect, etc., are central to governance actions.



However, it is not easy to rank these activities in order of priority. Some significant Maritime Governance matters which should get priority from stakeholders in the shipping sector are (1) Human Perception and Knowledge about the Ocean, (2) Shipping and Maritime Trade, (3) Port and Port States, (4) Legal Issues of IMO, UNCLOS, (5) Security Matters (Piracy), (6) Threat to Marine Environment (Pollution).

Shipping is quite a volatile industry, and every year, new challenges emerge. The rapid rise of technological development and the growth of industrialism influenced the mechanics of trade and international shipping. Different patrons face the challenges, say, builders, owners, agents, breakers, operators (seafarers), and the business people who use them. The economic and shipping cycles play a crucial role in the future of business, as it has in the past. Some people also call it a gambling business and talk about judicial use and controlling information. Those who can manage well usually survive. Figure 2 features the presence of the

shipping cycle relating to supply-demand criteria along the history of the business over the years. The shipping business looks simple, but it carries complexities, and investors interested in preparing better may study the whole process following the shipping cycle. Shipping is not a single industry covering simple activity; instead, it serves and enables almost every other industry worldwide.

More than 60% of ships are registered in Liberia, Panama, the Marshall Islands, Singapore, and Hong Kong (China). To secure the transportation of the goods vital for their economies, major sea powers need to protect ships owned by global private shipping companies registered in one of the small countries mentioned.

Governance of oceanic activities relating to the shipping industry demands a close understanding of the issues by the owners, operators, and regulators. UN ocean governance principles that directly impact shipping are accountability, transparency in respect of safe operation, pollution control, equitable management of human resources, etc. Customers look for efficient and safer ships. There are several indicators and ranking systems available globally. Owners, operators, and regulators of respective flag/port states must thoroughly understand the whole processes available. Owners need to have a general understanding of all facilitators available. 'Right Ship' is an international organization that renders service for operational improvements in the maritime industry. It incorporates various maritime datasets and expert reviews into one easy-to-understand score, benchmarking each vessel against the world fleet for the full view of global maritime safety. The output is a score out of five, where a vessel that has achieved a five out of five scores indicates best practice.

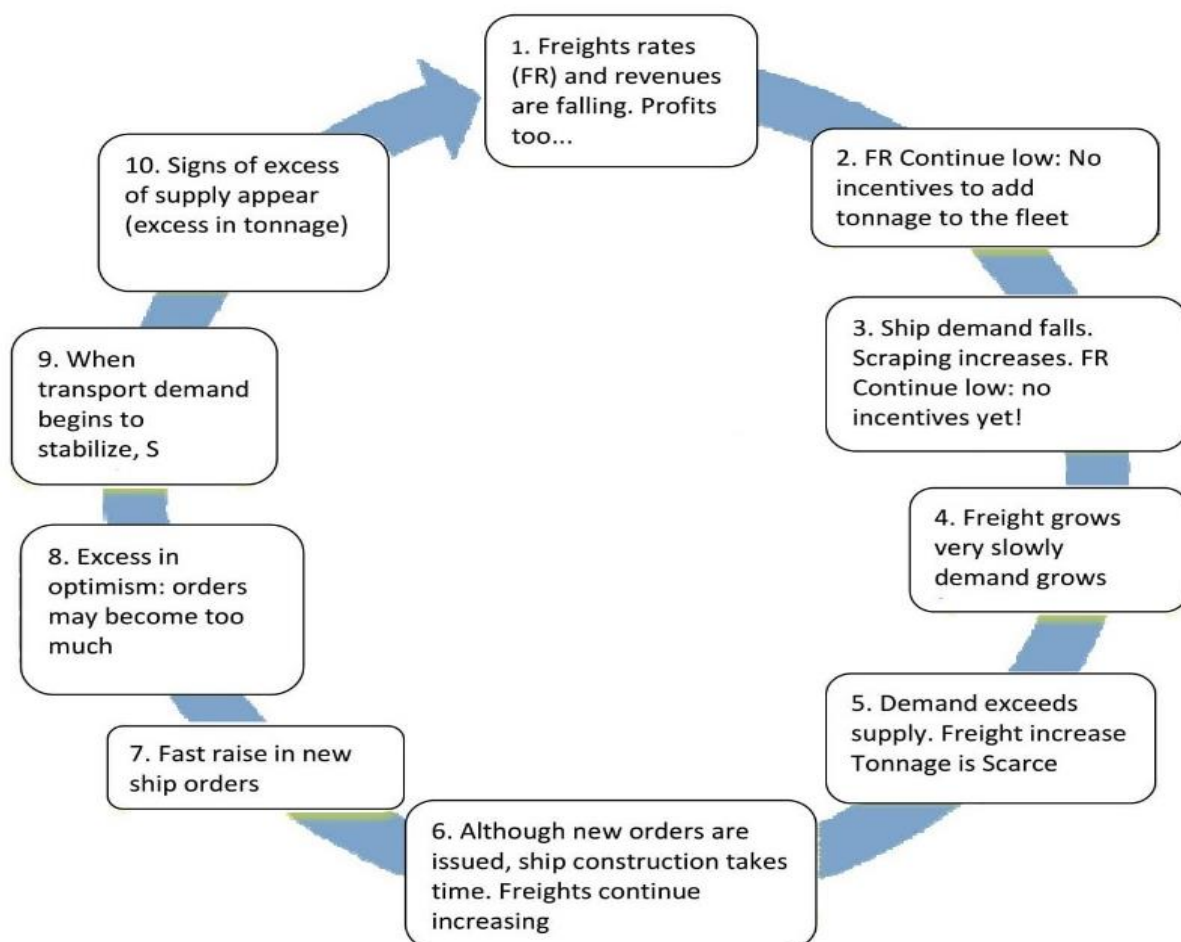
There is a regular drive globally to reduce costs and increase shipping efficiency. This has led to bigger and bigger ships with tiny multilingual crews visiting fewer

deep water hub ports and concentrating capital and complex risk. Classification societies ensure that ships are fit for purpose and seaworthy, port states ensure loading and discharge are safe, and environmental standards are met. The flag state has responsibilities for certifying that the ship is adequately equipped and the crew is appropriately qualified and trained. Monitoring the crews having the proper qualification and certification has always been challenging. Flag states' governance process must be transparent and strict in dealing with the HR aspects. Again, once at sea, the ship's behavior is progressively less regulated the further it is from land. Compared with its aviation equivalent - International Civil Aviation Authority (ICAO), the UN-based International Maritime Organization (IMO) has a very minimum touch on what happens at sea. If an aircraft disappears, the world knows within hours, if not minutes. Ships can disappear undetected for days or months. If an aircraft bound for Dhaka is hijacked

to Moscow, it is front page news at once. Unless many passengers are involved, a shipping casualty is often a statistic.

About 53000 merchant ships carry more than 8.5 billion tons of cargo yearly, rising at 2.5%. By 2060, it may grow up to 23 billion tons. According to the Baltic and International Maritime Council (BIMCO), there is a shortage of officers, and the demand will continue to outpace the supply of the global merchant fleet, which is also forecasted to continue to grow in the coming years. New generations need to be encouraged for the maritime profession, as young boys are more attracted to lucrative shore jobs, which was not the case about a quarter century to three decades ago.

International shipping is one of the oldest transnational industries, which has also increased the pressure on the marine environment through pollution of different categories. Shipping-related pollution is



caused by oil discharge/leakage, sewage, chemical, and waste discharges, fossil fuels and associated air and greenhouse gas emissions, and the discharge of (alien) species and organisms through ballast water. IMO has drafted more than 50 Conventions to ensure safe and sustainable shipping. However, implementation and enforcement of IMO's measures remain challenging.

IMO, in its efforts to enhance the safety of marine transport, has listed about 800 pollutants in Part 3 of the International Maritime Dangerous Goods (IMDG) Code. MARPOL Annex V (although the Annex is optional, it did receive a sufficient number of ratifications to enable entry into force on 31 December 1988. Today, more than 150 countries have signed up to MARPOL). Annex V seeks to eliminate and reduce the amount of garbage being discharged into the sea from ships. Unless expressly provided otherwise, Annex V applies to all categories of ships. Although there is some disagreement, several types of marine ecosystems are agreed mainly on: estuaries, salt marshes, mangrove forests, coral reefs, the open ocean, and the deep-sea ocean. Hence the rivers of Bangladesh have almost direct connections to the marine environments, and any pollution at

rivers by floating crafts and river ports can affect the hygiene of the marine environment. Thus following the MARPOL conventions by our riverine crafts (particularly vessels that cross bay) may be mandatory. A few recommendations are as follows:

- Put in place national and local strategies to address common challenges and opportunities, collaborating closely with countries and stakeholders from all relevant sectors;

- Develop funds for higher education and research for marine and maritime education, improving cooperation and information-sharing, and making maritime data publicly accessible;

Engaged in international and cross-sectorial forums to address the common challenge of ensuring safe, secure, clean, and productive use of oceans for all shipping and ocean-related activities.

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