

Ocean Policy to Promote Blue Economy of Bangladesh – Need of Today

Capt A N M Didarul Alam, (L), NUP, psc, BN



Introduction

Oceans are the greatest common heritage of mankind that exerts a profound impact on all forms of life on earth. Today, oceans are regarded as the last key frontier on earth for the exploration and exploitation of resources to sustain mankind in the coming days. Albeit, man has been able to trace only a tiny part of these riches, the core drawback is inadequate knowledge of the oceans. Bangladesh is endowed with the natural blessings of 710 km of coastline. Country has also resolved its maritime boundary delimitation issues with both of its neighboring countries amicably through ITLOS and PCA verdict and achieved 1,18,813 sq.

km maritime area. There is evidence of the good probability of having huge energy and mineral resources in our sea areas. Besides, more than 90% of trade in Bangladesh is seaborne. To date, the ocean affairs of Bangladesh have been characterized by a few sectoral approaches using some isolated sub-policies. It is, therefore, imperative for Bangladesh to adopt an Ocean Policy which is a national guideline aimed at ensuring the conservation of marine biological diversity while exploring, exploiting, and managing marine resources for the development of the blue economy of the nation. All of these factors validate the requirement and importance of an Ocean Policy to deliver a comprehensive national

approach to protecting and managing maritime interests. Many of the Ocean-bound countries like Australia, Japan, Malaysia, Papua New Guinea, Fiji, India, etc. have already introduced their Ocean Policy.

Concept and Need for Ocean Policy in Bangladesh

Ocean would become not only a bone of contention; it would also offer massive promises and potential benefits for the blue economy. It is, therefore, necessary to provide comprehensive direction regarding the use of the ocean and regulate those uses both within Bangladesh and in the international milieu. In the maritime sector, some individual industries, agencies, or maritime infrastructure carry out their tasks quite well, but there is a lack of coordination and cooperation observed amongst the maritime stakeholders.

A need, therefore, exists for policies that consider the ocean's functioning and synergies within its various subsystems; and policies that ensure balance and set priorities that will confirm the success of any ocean management programs. The approach to maritime matters and the development of a maritime culture has to be interdisciplinary, with historians, lawyers, economists, and political scientists working with engineers, biologists, chemists, and physicists on expected ocean benefits. Above all, an Ocean Policy should outline a comprehensive commitment that will translate the policy into a program of activities to help us to attain national interests.

Objectives of an Ocean Policy

Conservation of Marine Biological Diversity. The main objective of the Ocean Policy should be to ensure the excellent health of marine ecosystems and the preservation of marine biological diversity.

Maintenance of Ecosystem Integrity. The ecological links between the land and ocean and within and between ocean ecosystems must be considered in ocean planning and management. The foremost endangered ecosystem includes mangrove swamps, coral reefs, turtle nurseries, prawn fishing areas, and areas used to produce algae.

Multiple Ocean Use. Ocean management's priority includes settling conflicting uses. Management of multiple ocean uses contains the integrated distribution of resource access which is equitable and transparent.

Specific Sectoral Measures



The Ocean Policy should also provide guidelines for specific sectoral measures, which are mostly for fisheries and aquaculture, energy and minerals, shipping and trade, port management, marine engineering and

shipbuilding, marine biotechnology, marine tourism, marine environment and pollution control, national heritage and marine parks, marine safety - security and surveillance, marine governance, marine education, research and development.

Present Maritime Policies in Bangladesh

Bangladesh is bestowed with a notable sea area which is almost 80% larger than our total land area. An Exclusive Economic Zone (EEZ) of 83,449.7 square kilometers, excluding Internal Water, Territorial Sea, and Continental Shelf, where Bangladesh can exploit natural resources. We have a limited number of sectoral maritime laws, but many of them require revision. Key sectoral maritime legislation includes:

Maritime Delimitation and Ocean Governance

- The Territorial Waters and Maritime Zones (Amendment) Act, 2021

Maritime Transportation and Shipping

- The Inland Shipping Ordinance, 1976
- The Bangladesh Merchant Shipping Ordinance, 1983
- The Bangladesh Flag Vessels (Protection of Interest) Act, 2019

Trade and Carriage of Goods

- The Bills of Lading Act, 1856
- The Carriage of Goods by Sea Act, 1925

- Customs Act, 1969

Marine Fisheries

- Marine Fisheries Act, 2020

Port Management & Security

- Ports Act, 1908
- Pilotage Ordinance, 1969
- The Chittagong Port Authority Ordinance, 1976
- The Mongla Port Authority Ordinance, 1976
- Land Port Authority Law, 2001
- Payra Port Authority Act, 2013

Maritime Claim and Disputes

- Marine Insurance Act, 1906
- Admiralty Court Rules, 1912
- The Admiralty Court Act, 2000

Marine Pollution and Environment

- The Bangladesh Petroleum Act, 1974
- The Bangladesh Environment Conservation Act, 1995 (amended in 2010)

Law Enforcement

- Navy Ordinance of 1961 (Amendment 1977)
- The Coast Guard Act, 2016

There are also legislation/conventions/international agreements ratified/signed by the Government of Bangladesh and in force in Bangladesh, which include:

Maritime Delimitation and Ocean Governance

- United Nations Convention on the Law of the Sea, 1982

Maritime Transportation and Shipping

- International Convention for Safe Containers (CSC), 1972
- International Convention for the Safety of Life at Sea, 1974 (SOLAS Convention)
- International Convention on Salvage, 1989
- The International Convention of the Arrest of Ships, 1999
- Maritime Labour Convention, 2006

Trade and Carriage of Goods

- The Hague-Visby Rules - The Hague Rules as Amended by the Brussels Protocol, 1968
- United Nations Convention on the Carriage of Goods by Sea (Hamburg, 1978)
- United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (New York, 2008) (the "Rotterdam Rules")

Marine Fisheries

- Agreement for Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 1995

Port Management & Security

- International Ship and Port Facility Security Code, 2002

Marine Pollution and Environment

- Convention on Preventing Marine Pollution by Dumping of Wastes and Other Matter, 1972
- International Convention for the Prevention of Pollution from Ships, 1973/78 (MARPOL Convention)
- International Convention on Oil Pollution Preparedness, Response, and Cooperation, 1990
- International Convention on Civil Liability for Oil Pollution Damage, 1992
- The International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001
- International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004
- The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009

Though Bangladesh has enacted many maritime laws and ratified many international conventions on the ocean, but a comprehensive national legal framework is necessary to promote the blue economy in our country. There has been no dedicated maritime court as well in Bangladesh. A comprehensive Ocean Policy can address all these issues and uphold our interest in the blue economy.

Ocean Policy in Regional and International Context for Bangladesh

The world's oceans are interconnected, and many ocean management processes are part of a

more significant regional or global concern that can only be looked after through international cooperation. Following areas need to be focused to ensure such cooperation:

Conservation of Maritime Resources. Bangladesh should establish a regional cooperative management regime for straddling highly migratory fish stocks and maritime heritage like Sundarban to ensure the conservation of marine resources.

Maritime Safety, Search & Rescue and Pollution. Bangladesh should take bilateral/ multilateral arrangements for rapid regional response to prevent maritime pollution and marine accident, ensuring standard state of ships by common port state control measures and effective regional Search & Rescue organization.

Crime Prevention. Patrolling, surveillance, and intelligence in the Bay of Bengal would help prevent maritime crimes.

Ocean Observing System. Bangladesh should actively participate in regional programs to promote knowledge of the dynamic marine environment, climate forecast, and form a coordinated ocean observing system.

Hydrographic and Seismic Survey. Seismic survey can determine the genuine hydrocarbon reserve in the Bay of Bengal and Hydrography can assist in updating our nautical charts and publications.

Marine Scientific Research. Regional marine scientific research programs in oceanography, energy, marine resources, weather, etc., are a significant regional cooperation area.

Education, Training, and Information Exchange. There is a necessity for arranging education and training on maritime management in each other's maritime institutes within the neighboring countries.

Conclusion

The sea is a primary source of natural resources, and the sea lanes are the lifeline of the national economy. During peacetime, the SLOCs (Sea Lines of Communication) serve as commercial trade routes. Still, during the war, these routes are considered strategic pathways to retain the national economy and war machines fully oiled. Throughout the world, there is a substantial movement of population and economic events in the coastal areas, which have made exploiting oceanic resources and preserving the marine environment a foremost priority for all nations to ensure food, shelter, energy, and other necessary commodities. Hence, Bangladesh is bound to show a positive interest in its adjacent ocean, which is rich in massive untapped natural resources. Those interests include not only maritime security and law and order at sea. Instead, they also cover the exploration and exploitation of maritime resources, ensuring foreign investment, marine scientific research, and many more.

But currently, Bangladesh's maritime interests and resources are not well

managed. There is significant duplication of efforts among the maritime agencies. It demands the formulation of a comprehensive Ocean Policy that comprises the entire assembly of ocean uses and resources and the long-term public interest in the ocean. Such policy should be multi-disciplinary and organized in consultation with government agencies, private maritime industries, the wider community, and other stakeholders. Through the development of Ocean Policy, the government would join in a partnership with the general public to ensure a healthy, sustainable ocean: nurtured and harnessed sensibly to promote our blue economy.

To start, the policy should aim to attain integrated ecosystem- based ocean planning to ensure ecosystem integrity and the conservation of marine biological diversity. It should also protect vulnerable marine species and delineate marine protected areas. The

Ocean Policy should also indicate specific sectoral actions commensurate with the government's broader goals. All concerned maritime agencies and stakeholders should pursue these actions. But the major challenge of the Ocean Policy will be to raise the managerial and technical skills of the people to develop community understanding and awareness of the general mass. Since Ocean Policy has a vast international connotation, guidelines should also be provided in identifying the common areas for regional cooperation with our neighboring countries. It is the right time for our government to put an Ocean Policy in place before the oceans' problems become intractable.

Writer: Captain A N M Didarul Alam, (L), NUP, psc, BN is the General Manager (Administration) of Khulna Shipyard Limited.

Email:

a_n_m_didarul_alam@yahoo.com

