



#OceanAction 19759

The Rights of the Pacific Ocean as a Legal Entity: A science-based feasibility study by Institut de Recherche pour le Développement (IRD) (Scientific community)

"At the beginning was the Ocean..."

The Pacific Ocean is more than water or food cellar for most Pacific Islanders. It is part of their lives, of their family, of their blood. Land, Sea and Men are a whole. The Ocean has its mana (spiritual authority) and mauri (life force).

To recognize the Pacific Ocean as a legal person is in keeping with Pacific Islands cultures.

Recognizing rights to Nature as person is not only a legal possibility nowadays but probably the best next step in environmental protection policies. Whanganui, Ganges and Yamuna Rivers, Nature in Ecuador and Bolivia have opened the way to think big in terms of Rights of the Nature.

Our commitment is to undertake multi-disciplinary scientific studies to enhance knowledge on the Ocean, to identify possible rights to be recognized to the Ocean on its own, in compliance with existing international law, to improve existing national laws and propose new ones to treat and protect the Ocean as a person, enhance its resilience in the wake of Climate Change, over-exploitation of marine biodiversity and past and future man-made pollutions and give it a legal voice in its own right.

The final objective is to draft with participatory methods by 2020 a convention on the Rights of the Pacific Ocean open for signature for all countries. the Secretariat of this Convention would be the *parens patriae* for the Pacific Ocean, its guardian and its voice in the legal and political arena.

We intend to work in a peaceful and constructive approach with national governments, intergovernmental organizations, citizens, private sector stakeholders etc. without any discrimination.

If successful, this commitment could be replicated for other Oceans and Elements of Nature.

**Centre international de Droit Comparé de l'environnement (CIDCE), SPREP
and Conservation International (Pacific) are IRD 's Partners in
the Voluntary Commitment.**

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SDG 14 Targets covered

14.1

By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution

14.3

Minimize and address the impacts of ocean acidification, including through enhanced scientific cooperation at all levels.

14.4

By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics.

14.5

By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information.

14.6

By 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the World Trade Organization fisheries subsidies negotiation.

14.7

By 2030, increase the economic benefits to Small Island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism.

14.a

Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries.

14.b

Provide access for small-scale artisanal fishers to marine resources and markets.

14.c

Enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in UNCLOS, which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of The Future We Want