Blue Economy and Marine Spatial Planning in the Western Indian Ocean

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RD&I: Ocean and Coastal Governance
CSIR Coastal Systems

Marine Spatial Planning and Area-based Planning Tools – Workshop
Seychelles
13-14 November 2017
• Decision CP8/10: Blue and Ocean Economy (4) “... developing area based management tools such as marine spatial planning to promote the blue economy pathways in the Western Indian Ocean Region.”

• Decision CP8/13: Enhancing Cooperation, Collaboration and Support with Partners (3) ...capacity building, implementation and sharing of experiences on integrated marine spatial planning in support of blue economy.

One of the most prominent tools to assist the implementation of the Blue Economy is the development of marine spatial planning as a national policy mechanism.
A sustainable ocean (or “blue”) economy emerges when economic activity is in balance with the long-term capacity of ocean ecosystems to support this activity and remain resilient and healthy. Economist Intelligence Unit (2015)

**Sectors** (Park et al. 2014)
- Fisheries
- Marine mining
- Offshore oil & gas
- Shipping and Port
- Marine leisure and tourism
- Marine construction
- Marine equipment manufacturing
- Shipbuilding and repair
- Marine business services
- Marine R&D and education
- Marine administration
- Others
# Blue Economy Guidance

<table>
<thead>
<tr>
<th>Scale</th>
<th>Institution</th>
<th>Policy</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Global</td>
<td>United Nations Environmental Programme (UNEP) &amp; others</td>
<td>Green Economy in a Blue World; Blue Economy: Sharing Success Stories to Inspire Change</td>
<td>(UNEP et al. 2010; UNEP 2015)</td>
</tr>
<tr>
<td>Regional</td>
<td>United Nations Conference on Trade and Development (UNCTAD)</td>
<td>The Oceans Economy: Opportunities and Challenges for Small Island Developing States</td>
<td>(UNCTAD 2014)</td>
</tr>
<tr>
<td></td>
<td>Western Indian Ocean Science Association (WIOOMSA)</td>
<td>Building the Blue Economy in the WIO Region</td>
<td>(Kelleher 2015)</td>
</tr>
<tr>
<td></td>
<td>WWF International</td>
<td>Reviving the Western Indian Ocean Economy: Actions for a Sustainable Future</td>
<td>Obura et al, 2017</td>
</tr>
</tbody>
</table>
“Marine spatial planning (MSP) is a public process of analyzing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic, and social objectives that are usually specified through a political process” (Ehler & Douvere 2009).

1. According to the Blue Economy definition for Africa (UNECA 2016) MSP is essential for implementing the Blue Economy.

2. Several countries in the WIO are pursuing Blue/Ocean Economy & MSP initiatives.

Ehler & Douvere 2009
Marine Spatial Planning

**Planning**
- Define Goals & Objectives
- Define the Study Area

**Data Evaluation**
- Data Acquisition
- Data Gap Identification
- Data Content & Quality

**Ecosystem Characterization**
- Socioeconomic Analysis
- Oceanographic Analysis
- Biological Analysis
- Habitat Analysis

**Management Applications**
- Planning for Alternative Energy
- Managing Marine Resources
- Minimizing Conflicts
- Designing Marine Protected Areas
Coastal vs Ocean Governance

Integrated Coastal (ICM) vs Integrated Ocean Management (IOM)

Coastal Spatial Planning (CSP) vs Marine Spatial Planning (MSP)
1. Identifying the need and establishing authority
2. Obtaining financial support
3. Organising the process
4. Stakeholder participation
5. Existing and future conditions
6. Spatial management plan
7. Implementation and enforcement
8. Monitoring and evaluation
9. Adapting the process

ICM Policy Process

MSP Policy Process
1. Issue identification and assessment
2. Programme preparation
3. Formal adoption and funding
4. Implementation
5. Evaluation

Built around a common objective!!!
Why persist with and strengthen ICM to support SDGs? (lessons learnt to enable MSP)

- The early and intentional agreement on investment in ICM. The ICM institutions and governance structure enables a process whereby science can become an important informant of coastal growth and development.

- Regional political agreement on the importance of ICM even though implementation of ICM beyond policy formulation remains challenging. Moving beyond policy to actual management intervention will require substantial resources and knowledge-base.

- Creates intuitions and legal frameworks, although other key enabling conditions are the more ethereal and uncontrollable issues such as political will and leadership.

- ICM creates structure for coastal governance, in most cases a forum for interaction between a wide range of stakeholders, and a feedback mechanism for the expression of management needs and the connection of science with management.

- ICM requires access, accessibility to, and useable data and data governance. Emphasises the need for spatial data infrastructure
# Policy Progress: a) Ocean Policy; b) Ocean Economy; c) Marine Spatial Planning

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Not started or conceptual only with no process or public domain awareness. Components of the domain is being addressed</td>
</tr>
<tr>
<td>1</td>
<td>Process has been initiated and is in the early stages of completion</td>
</tr>
<tr>
<td>2</td>
<td>Process is advanced with clear direction and objectives</td>
</tr>
<tr>
<td>3</td>
<td>Process is nearing completion with some objectives achieved</td>
</tr>
<tr>
<td>4</td>
<td>Technical and political process is complete and policy has been or is being implemented</td>
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## Ocean Policy

1. Agenda setting, awareness, and sensitization
2. Coordination in formulating the Blue Economy policy
3. Building national ownership of the Blue Economy policy
4. Sector identification and prioritisation
5. Designing the Blue Economy Policy
6. Policy Implementation
7. Monitoring and Evaluation

## Ocean Economy

1. Identifying the need and establishing authority
2. Obtaining financial support
3. Organising the process
4. Stakeholder participation
5. Spatial management plan
6. Monitoring and evaluation
7. Implementation and enforcement
8. Monitoring and evaluation
9. Adapting the process

## Marine Spatial Planning

1. Existing and future conditions
2. Spatial management plan
3. Implementation and enforcement
4. Stakeholder participation
5. Monitoring and evaluation
<table>
<thead>
<tr>
<th>Country</th>
<th>Ocean and Coastal Policy Framework</th>
<th>Blue/Ocean Economy Policy and Institutions</th>
<th>Marine Spatial Planning Policy and Institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Somalia</td>
<td>Unknown, probably limited.</td>
<td>Unknown, probably limited.</td>
<td>Unknown, probably limited.</td>
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<tr>
<td>Kenya</td>
<td>National Oceans and Fisheries Policy 2008, ICZM Policy and draft Ocean Policy for management and exploitation of offshore natural resources. Many other marine and maritime policies are in support of ocean governance, e.g., Fisheries Development and Management Act 2016; National Climate Change Policy; Education for Sustainable Development Policy; Marine Pollution Act 2013; Port State Measure Agreement and Aquaculture Strategy etc.</td>
<td>Institutional recognition through State Department of Fisheries and Blue Economy. In practice there is no ministry that has been delegated the responsibility of developing the Blue Economy. The State Department of Fisheries and Blue Economy practically limited to fisheries issues.</td>
<td>Proposed Kenya Coastal and Marine Environment Clearinghouse Mechanism fundamental aspect of MSP</td>
</tr>
<tr>
<td>Tanzania</td>
<td>A number of relevant and supporting mechanisms such as National Fisheries Policy 2015, Fisheries Act 2013, etc. ICZM Framework supports integrated coastal management.</td>
<td>Unknown, probably limited</td>
<td>Unknown, probably limited</td>
</tr>
<tr>
<td>Zanzibar</td>
<td>National Fisheries Policy 2016</td>
<td>Unknown, probably limited</td>
<td>Project-based Development of coastal and marine SDI (ZAN-SDI)</td>
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<tr>
<td>Mozambique</td>
<td>Ministry of the Sea, Inland Waters and Fisheries (MiMAIP) is currently drafting an Ocean Policy and Implementation Strategy</td>
<td>Ocean Policy provides framework for Blue Economy planning. Technical Consultation Forum of the MiMAIP is commissioning a task force responsible for developing a roadmap for the implementation of the Blue Economy</td>
<td>Forms part of the Ocean Policy planning process</td>
</tr>
</tbody>
</table>
National (South Africa) actions to enable MSP
1) ICM Implementation (ICM Act 2008). Enabling ABM: a) through definition of planning domains; b) creating vision for sustainability (i.e. SDGs)

![Image showing coastal zone]

2) Ocean Economy Implementation (Big Fast Results Oceans Lab 2014). Enables ABM: a) promoting sustainable ocean economy; b) creates requirement for MSP to management use of space

![Image showing ocean economy]

3) Marine Spatial Planning Implementation (MSP Bill & Framework 2016). Enables ABM: a) rapid expansion of MPA network; b) protection and use of areas not in MPA; c) reduce spatial conflict
When ICM meets MSP

National Case Study: Folding MSP into the ICM framework (provided there is recognition of the marine boundaries within ICM) (Taljaard et al 2013; Taljaard & van Niekerk, 2013)
**Terrestrial Planning and management (land & coast)**

- Coastal Spatial Planning Workgroup (SPLUMA, EIA & ICM Act)
- ICM (coast & sea)

**Marine Spatial Planning (sea & ocean)**

- Lack of integration
- Scale of spatial planning units
- Stakeholders
- MSP Bill & Framework

**Ocean Economy**

- Urgency of MSP process reduced
- Transparency and trust
- Unclear institutional structures

**National Environmental Management: Protected Areas Act** – 22 new MPA proposed – conflict with stakeholders

**Oceans Act (sea & ocean)**

- MSP Bill & Framework

**Coastal Spatial Planning Workgroup (SPLUMA, EIA & ICM Act)**
1. Issue identification and assessment
2. Programme preparation
3. Formal adoption and funding
4. Implementation
5. Evaluation
Marine Spatial Planning

• The CSIR acknowledges the elementary importance of an MSP Act in order to govern the allocation, exploitation and management of ocean resources in a manner that is sustainable, equitable, transparent and administratively responsible;

• The MSP Bill is therefore a critically important step towards the development of such an Act; and,

• The comments provided below are intended to improve the development of an MSP Act that is incorporated within the existing legislative framework intended to govern the inseparable and seamless coastal and ocean environment.
Four Fundamental Challenges

In recognition of at least 4 fundamental challenges facing the current MSP Bill:

• Disproportionate effort to value;
• Unreasonably asymmetry;
• Insufficient transparency, inclusion and participation; and,
• Unclear and incomplete administrative governance
A challenge of disproportionate effort to value

The value of ocean resources requires commensurately meticulous attention to the legal framework that will govern the use of the space and the resources. The ICM Act, amongst others, provides an example and precedent for the development of legislation intended to govern national resources.

- Reasonable to expect that ocean governance be underpinned by a legislative framework at least as comprehensive as the National Environmental Management: Integrated Coastal Management Act of 2008 (ICM Act) that was created to manage the valuable coast of South Africa.
A challenge of unreasonably asymmetry

Terrestrial and coastal spatial planning is framed and supported by an extensive and comprehensive set of legislation. This includes, but are not limited to the Spatial Planning and Land Use Management Act (No. 16 of 2013); National Environmental Management Act (No. 107 of 1998), ICM Act; Municipal Systems Act (No. 32 of 2000) and regulations dealing with Environmental Impact Assessments, and many others:

• The lack of legislation for the National Environmental Management of the Oceans (NEMO) is the most critical weakness of this, or any version of the MSP Bill. Without the NEMO enacted, the MSP Bill is inadequate as a proxy and lacks the overarching framework for ocean governance, and the effective and coordinated role of MSP.
A challenge of insufficient transparency, inclusion and participation

The Bill promotes the sentiment of “out of sight, out of mind”. It is an indisputable truth that ocean resources are held in trust by the State on behalf of South Africans. The Bill concentrates power at the national sphere of government that is not indicative of a willingness to consider the critical role of provincial and local government; and civil society, including private sector, amongst others.

• Effective governance can be conceived as a framework of accountability and responsibility to users, stakeholders and the wider community that also includes formal and informal arrangements, structures and functions, institutions, and organizational traditions and values that have been put in place to achieve its objectives in an effective and transparent manner
A challenge of unclear and incomplete administrative governance

The current version of the Bill does not create the relationship between the data intensive marine planning process and the burden of accountability required for spatial data with the SDI framework. It also fails to provide mechanisms for the policy process.

- The Bill neglects to reference the Spatial Data Infrastructure Act (Act 54 of 2003) (SDI Act) as the national regulatory framework for the provision and maintenance of spatial data from government entities; and,

- There is no governance mechanisms to inform, govern or monitor the implementation of the marine area plans.
Conclusion

• An MSP Act located within the framework of an “Oceans Act” is critically important for South Africa;

• However, the Bill does not compensate for the lack of an “Oceans Act” previously initiated as the National Environmental Management of the Oceans;

• The MSP Bill is positioned in a legislative vacuum;

• The MSP is not sufficiently comprehensive as a “proxy” for an Oceans Act; and,

• All efforts should be focused on the development of an Oceans Act at least as comprehensive as for the coastal environment.
<table>
<thead>
<tr>
<th>MSP/ICM/MPA (ABM)</th>
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</table>
| **Scale**  
(Transboundary, National, Subnational) | **Governance**  
(State & Civil Society, due process) | **Data Infrastructure**  
(access, accessibility, usability) |