

Sensitive Marine Areas in the SCS Under International Law: *A Mapping Exercise*

24 October 2019

Humanitarian Dialogue, Manila

Context

- Research on defining and identifying sensitive marine areas in the South China Sea under international law
- Centre for International at the National University of Singapore founded in 2009. Ocean Law and Policy Programme includes research on the management and protection of the marine environment and works on several multi-disciplinary research projects with marine scientists as well as other natural and social sciences as relevant

Purpose of the Map

- Map seeks to include marine areas identified as ‘sensitive’ under different international and regional legal instruments (hard and soft law)
- ‘Sensitive’ is used broadly to include any area identified by an intergovernmental meeting as (1) having a particular ecological, socio-economic, cultural or scientific value, and therefore (2) potentially deserving stricter protection than the surrounding waters
- MPAs identified unilaterally outside the context of intergovernmental meetings are also included on the basis of the WDPA dataset

Description

- At international level:

- Ramsar wetland of international importance under the Ramsar Convention



RAMSAR Wetland



RAMSAR Wetland

- Areas of Outstanding Universal Value (OUV) under the World Heritage Convention



OUV



OUV (Tentative)

- Particularly Sensitive Sea Areas (PSSAs) under the IMO



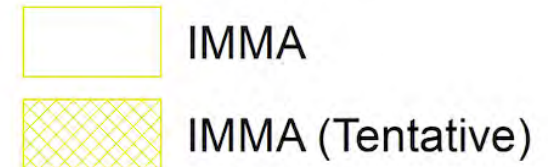
PSSA



PSSA (Tentative)

Description

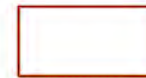
- At international level – Cont'd
- Ecologically or Biologically Sensitive Sea Areas (EBSAs) under the Convention on Biological Diversity (CBD)
- Important Marine Mammals Areas (IMMAs)



Description – Cont'd

- At regional level:

- ASEAN Heritage Parks



ASEAN Heritage Park

- Fisheries Refugia overseen by SEAFDEC



Fisheries *Refugia*

- Nominated sites in the East- Asia
Australasia Flyway Partnership (EAAFP)
(no legal instrument but partnership
between governmental entities)



EAAFP



EAAFP

- IOSEA Marine Turtles Network

Criteria generally shared across legally developed sets of criteria

Identify:

1. Areas that are unique or rare or have ecologically distinctive characteristics
2. Areas that are required for a population to survive and thrive/support critical life-history stages of individual species (eg breeding/nesting sites)
3. Areas containing habitat important for the survival and recovery of threatened/endangered/declining species and/or habitats and/or communities
4. Areas containing sensitive habitats or species that are functionally fragile or with slow recovery
5. Area containing high diversity of ecosystems/habitats/communities/species or high genetic diversity
6. Area with high degree of naturalness or ecological integrity
7. Biological productivity of an area / ability to support large aggregations

Description – Cont'd

- At domestic level:

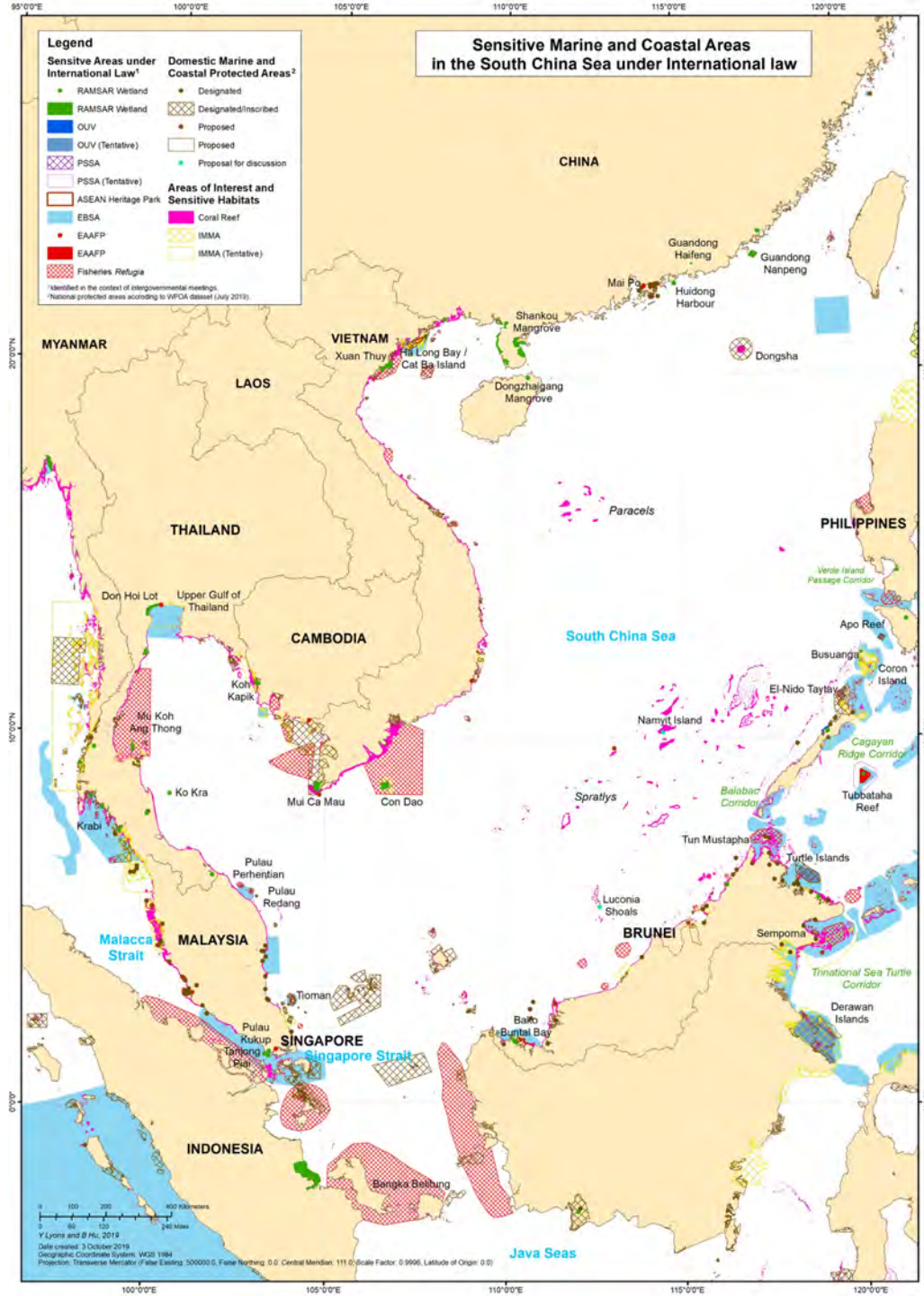
- Marine and coastal protected areas included in the dataset of the World Database of Protected Areas (WDPA) as updated in July 2019



- some terrestrial areas that appeared possibly coastal were included for review

Methodology

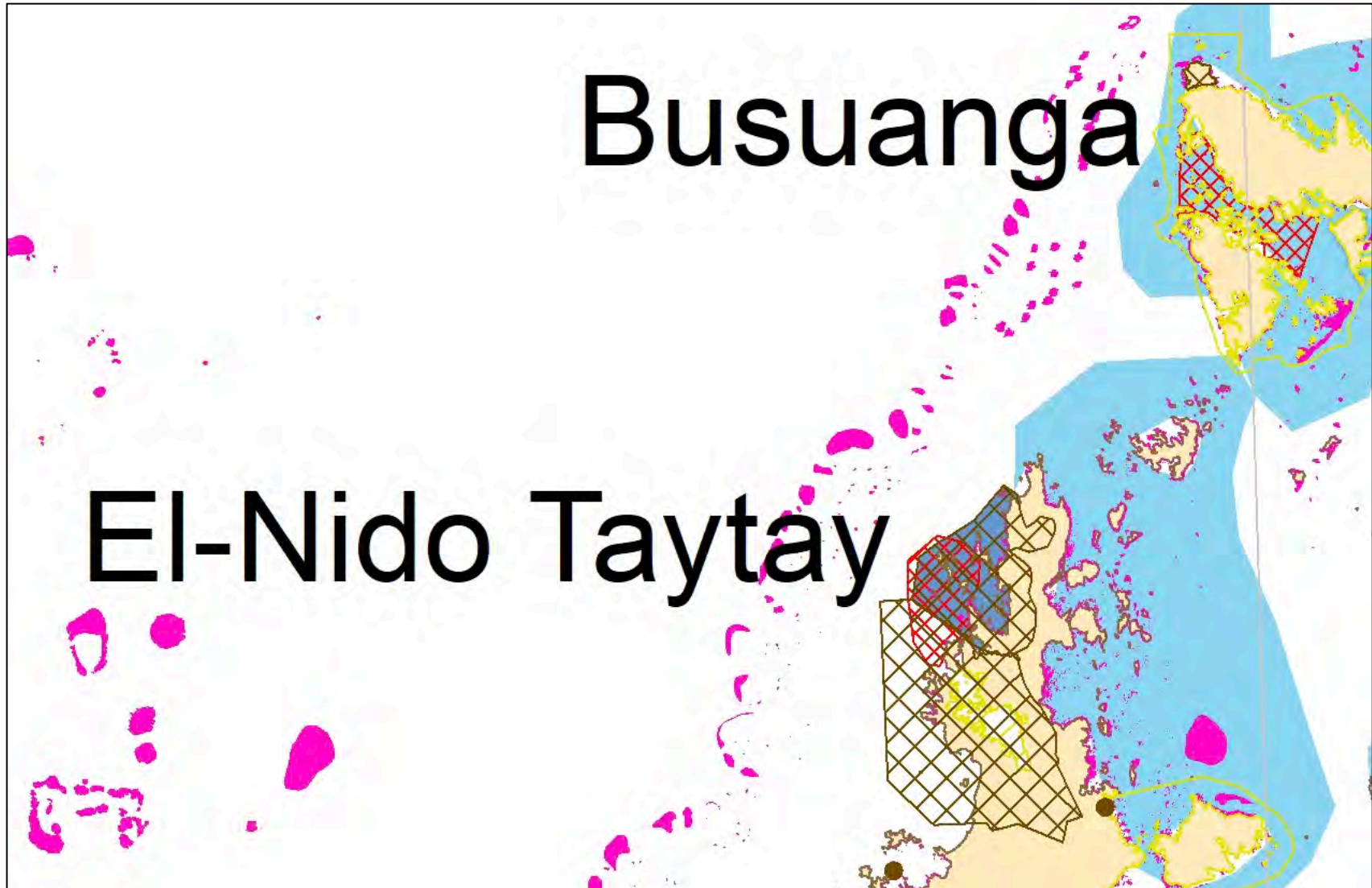
- Sensitive areas identified and hosted by international and regional intergovernmental bodies were extracted from original repositories and imported in ArcMap/ESRI in different layers for generation of maps
- Only domestic protected areas are based on WDPA database



Some Examples 1/5



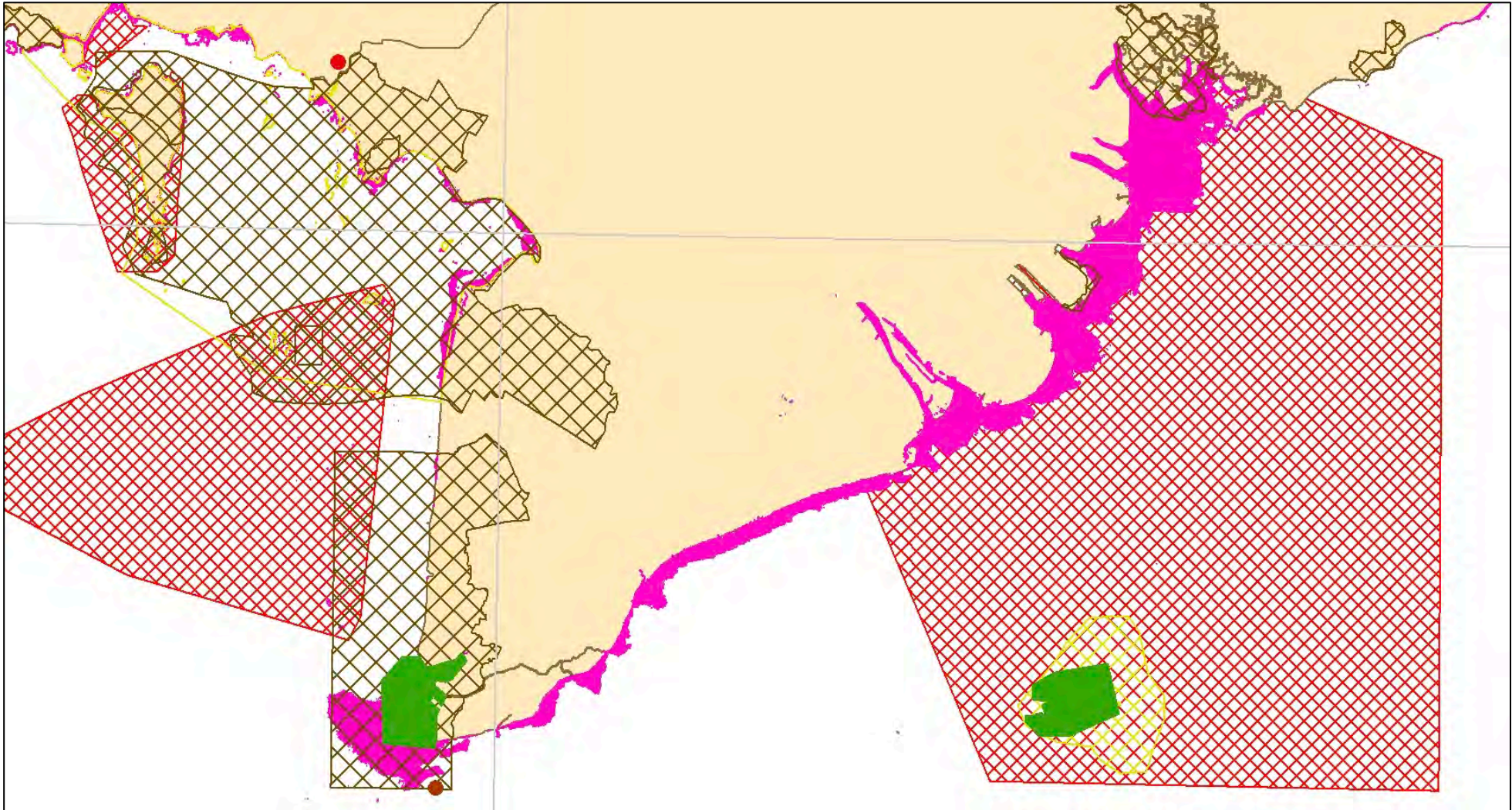
Some Examples 2/5



Some Examples 3/5



Some Examples 4/5



Some Examples 5/5

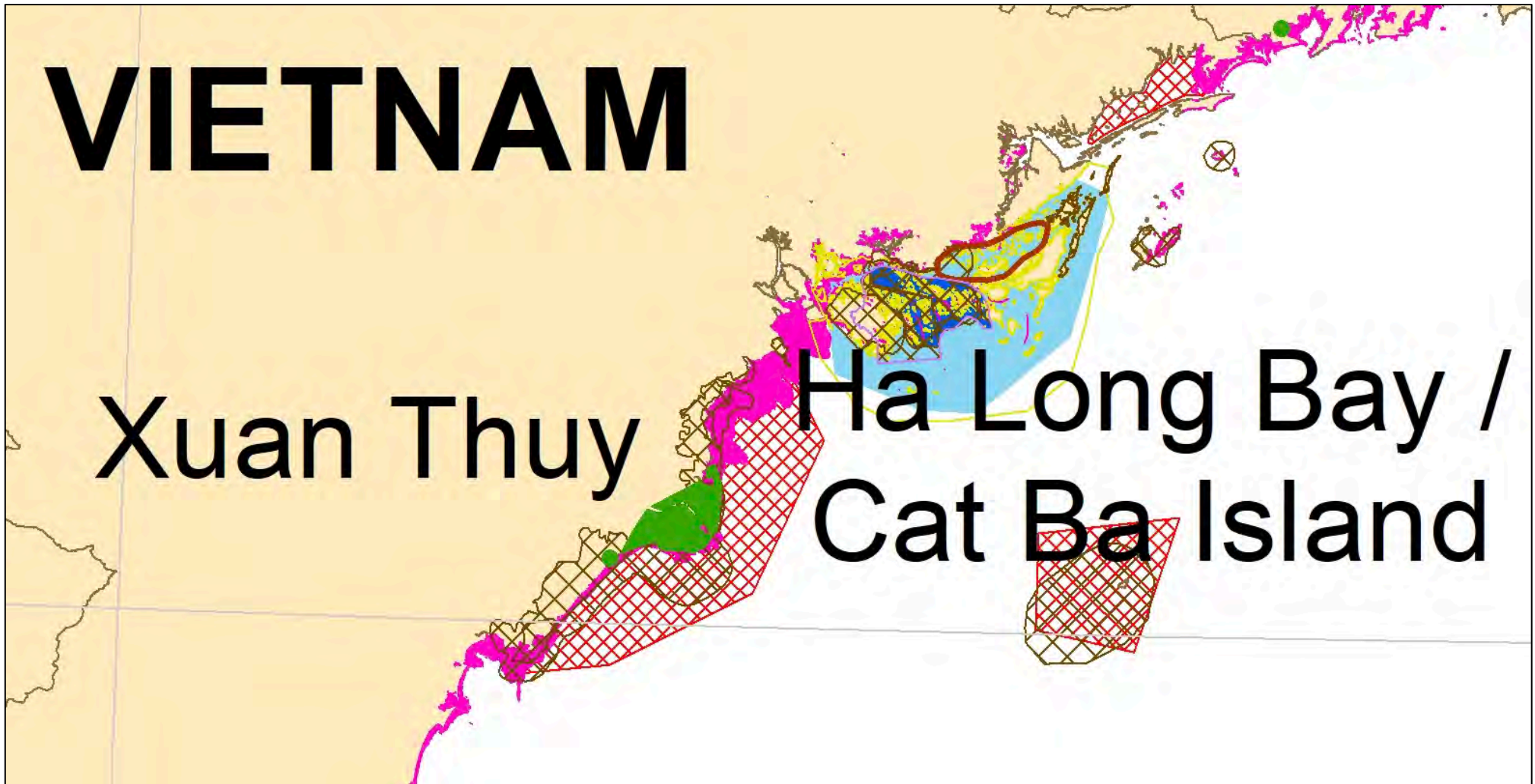
CIL

CENTRE FOR INTERNATIONAL LAW
National University of Singapore

VIETNAM

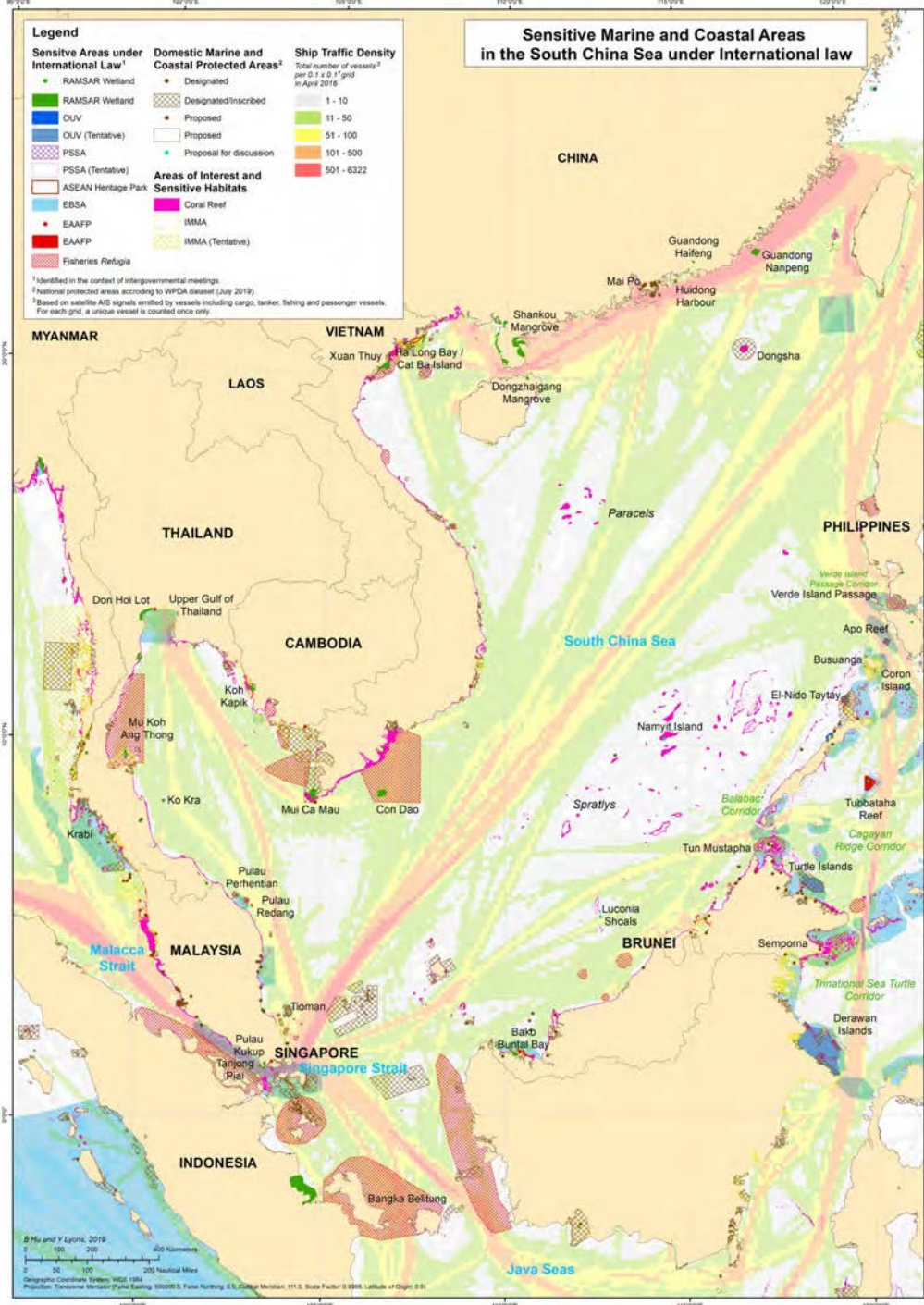
Xuan Thuy

Ha Long Bay / Cat Ba Island



Concluding notes

- Sensitive areas identified under international law benefit from high level of scientific and political legitimacy
 - Existing work streams can be leveraged and pursued
 - UNCLOS Art 194(5): obligation to protect rare and fragile ecosystems and the habitat of depleted, threatened and endangered species
-



All Maps to be available online on www.cil.nus.edu.sg

Any question?

younalyons@nus.edu.sg