

A National Ocean Policy for Malaysia: Rationale and Proposed Components

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Malaysia's maritime sector is a multifaceted fabric made-up of social (economy, security and cultural) and natural parameters. These parameters are interlinked and are influenced by internal as well as external factors (e.g., international trends, conventions and treaties). In this sense, the sector is dynamic and continuously changing, providing goods and services and in turn being affected by its utility. The management of Malaysia's seas should therefore be based on balancing the need to continue or perpetuate the provision of goods and services from the sea while allowing for development and economic activities. It is widely acknowledged that maritime affairs in Malaysia are generally managed in a sectoral manner. This management approach is based on a tiered system structured around the federal and state government, ministries and agencies and to a lesser extent the local authorities. The management system is dependent on each tier of governance performing planning and coordination, implementation and enforcement, and developmental roles within the confines of their jurisdiction as defined by the constitution, laws and governmental directives.

In theory, this approach provides a fairly reasonable coverage of sectoral issues. However, the extent and effectiveness of the coverage is subject to discussion, contestation and contention especially where cross-sectoral issues are concerned. This is true for example in the management of certain ecosystems which straddle two or more physical jurisdictional areas such as estuaries, which incorporates freshwater as well as salt water systems. Similarly there are also arguments that the present system is not adequate to address issues such as prevention of land-based pollution; provision of an integrated transport system; and conflicts arising from multiple uses of the coastal areas.

There are also sectoral problems which need to be resolved such as enhancing the performance of the maritime economy, arresting the decline in fisheries resources, ensuring the sovereignty



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and security of the country's maritime boundary and enforcement of maritime laws. Besides national issues, managing Malaysia's sea areas is also about fulfilling Malaysia's obligations to the international community. As a signatory to the United Nations Convention on the Law of the Sea and other maritime conventions, Malaysia is obliged to manage its seas in accordance with the principles of international law and this entails incorporating such instruments into national laws and management practices.

Recognising this problem the Government has undertaken some steps to work towards a more integrated ocean management. But many of these activities are still at the research stage while some recommendations made by previous studies have yet to be acted upon. One of the primary reasons for this is that these activities are undertaken in a policy vacuum. The many issues besetting the managers of Malaysia's seas requires an over-arching policy solution which would address both the sectoral as well as inter-sectoral or cross sectoral issues. The solution to the problems has to provide Malaysia with a set of clear objectives for its maritime sector in all areas of concern be it economic development, security, resource management, environmental protection or international law. Similarly, the solution has to be integrated in nature and has to provide the necessary room and guidance towards integrating ocean management in Malaysia.