

# The New Initiative on Comprehensive Ocean Policy and the Basic Act on Ocean Policy of Japan

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The UNCLOS regime parceled up vast and originally integrated ocean spaces of up to 200nm from shorelines and entrusted the management of these spaces to individual coastal states. While the preamble to UNCLOS states that "...the problems of ocean space are closely interrelated and need to be considered as a whole," it neither provides concrete measures for individual States to implement nor indicates a concrete framework for how States are to coordinate and cooperate in securing a legal order on the oceans to promote peaceful use, conserve natural resources, and protect the environment.

The difficulties we are facing include marine pollution over increasingly wider areas, depletion of marine biological resources and IUU fishing, and a rapid increase in transnational crimes at sea.

Concerted efforts by the States concerned are necessary to cope with these problems and harmonize the UNCLOS/Agenda 21 regime and initiatives by individual States.

In this regard, Japan has recently taken rapid, concrete steps to form its own comprehensive ocean policy, with a Basic Act on Ocean Policy proposal being adopted by the Diet.

The main impetus behind this movement was "the Proposal for a 21st Century Ocean Policy", prepared by the Ocean Policy Research Foundation and presented to the Chief Cabinet Secretary and the ruling Liberal Democratic Party in November of 2005. At the initiative of the LDP, it was decided to form a multi-partisan Basic Ocean Law Study Group. It consisted of many political leaders, scholars and experts in various ocean fields, and observers from relevant government ministries and agencies. It began meeting in April 2006.

The Ocean Law Study Group, after exhaustive discussion of ocean policy, the systems necessary for its promotion, and the contents of a Basic Ocean Law, published an Ocean Policy Guideline, setting out the goals and enunciating a guiding philosophy and, based on these, presented the general form and substance the Law would eventually take. The text of the Basic Bill on Ocean Policy was then drafted, based on the Ocean Policy Guideline by the Study Group. The bill was presented to the Diet by MPs from ruling and opposition parties in April 2007. The Basic Act on Ocean Policy came into force in July 2007.



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The Basic Act on Ocean policy consists of 4 chapters. Chapter 1 stipulates General Provisions including provisions on 6 basic principles. Chapter 2 sets out the Basic Plan on Ocean Policy. It stipulates that the Government shall formulate a basic plan on Ocean Policy in order to comprehensively and systematically promote measures regarding the oceans. Chapter 3 sets out 12 Basic Measures. Chapter 4 mandates the Headquarters for Ocean Policy

The background, contents, and challenge of the new Japanese Basic Act on Ocean Policy will be presented.