

The CPLP strategy for the oceans

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The oceans cover 70% of the earth's surface and are the lifeblood for humankind, and biodiversity. Oceans produce more than half of the oxygen in the atmosphere, are the most important carbon sink and 44 % of the world's population live in costal areas using the ocean as a source of food, livelihood, jobs, and recreation. Seas are also vital for international trade, commerce and for maritime transportation. Approximately 90% of the world's trade is carried by sea, which is by far the most cost-effective way to move large amount of goods and raw materials. Seas and oceans contain a huge potential of living and non-living resources essential for the world's economy as we know it in our days. Oceans were also a key element for the expansion of the first global empire in history, initiated in 1415 with the conquest of Ceuta by the Portuguese Infant D. Henrique, who set off the epic of the age of the Portuguese Discoveries where the foundations of the Community of Portuguese Speaking Countries (CPLP) laid.

The importance of the oceans was first raised by the Dutch jurist Hugo Grócio in 1609, who contested the Portuguese *Mare Clausum* (closed sea) policy used to defend Portuguese monopoly of the East Indian Trade, established after the 1494 Treaty of Tordesillas, which allocated the newly discovery lands outside of Europe to the east of the meridian 370 leagues to Portugal and the lands to the west of it to Castile¹.

However, it was only after World War II that the sea became one of the central issues in the national and international agendas, due to the growing interest of states to ensure access to marine natural resources, particularly those on the continental shelf. The importance of ensuring a clear regulatory framework for seas and oceans was raised by the Maltese ambassador to the United Nations Avid Pardo, (UNGA 1967) after being recognized in the First United Nations Conference on the Law of Sea in Geneva, in 1958, where four international conventions addressing different issues regarding oceans were approved (I UNCLOS 1958). Nonetheless, a comprehensive and integrated international treaty was only reached in the Third United Nations Conference on the Law of the Sea, and after almost ten years of international negotiations. The United Nations Convention on the Law of the Sea (UNCLOS) approved in 1982 in Jamaica is today the fundamental regulatory framework for seas (III UNCLOS, 1982). Since then ocean affairs have been widely discussed at the United Nations General Assembly and their pre-eminence is expected to expand over the next decades, both at national and international level. Seas were given a minor role in the Millennium Development Goals, despite their important role in the three dimensions of sustainable development. In contrast, the post-2015 Development Agenda dedicates a stand-alone goal for the oceans; goal 14 which is to “*conserve and sustainably use the oceans, seas and marine resources for sustainable development.*”

By the same token, many countries and international organizations, such as the European Union and the Community of Portuguese Speaking Countries (CPLP), are developing policies and strategies aimed at defining a comprehensive and long-term integrated approach for seas and maritime affairs, taking into account a multidimensional perspective that is required by the nature of oceans.

The CPLP is an international organization with administrative and financial autonomy, established in 1996, by an international agreement signed by seven official Portuguese-speaking countries: Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal, São Tomé and Príncipe (CPLP, 1996). Timor-Leste joined immediately after its independence in 2002, and Equatorial Guinea was integrated at the Dili Summit in 2014.²

The CPLP is a community joined by a shared language and a common heritage, which operates as a multilateral forum for political and diplomatic coordination based on the common principles of

¹ Despite being recognized by the Pope, the Treaty of Tordesillas lead to protests from many countries, which did not accept the hegemonies of oceans by Portugal and Castile.

² Georgia, Japan, Namibia, Mauritius, Senegal, Turkey were granted the statute of associated observer states. Macau has also been a strategic partner to CPLP, particularly regarding trade and economic cooperation, through its Economic Forum serving as a platform to connect the community and China.

non-interference, independence of states, cooperation, equal treatment, international promotion of the Portuguese language, and development promotion.

The CPLP is a maritime community (Brás, 2010,47). The oceans are an historic and vital element of the CPLP, which is highlighted in its flag that symbolizes the seas. The CPLP flag is represented by a blue circle, divided into right equal wavy shapes representing the sea, as a primary bond linking the community. Indeed, all CPLP countries are coastal states, having all together a maritime area larger than 7.6 million km², which represents 2.5% of the global sea surface spread over three main oceans: the Indian, the Pacific and the Atlantic, which gives the community a central role in terms of maritime security (Palmeira, 2014, 194). For this reason, it is not surprising that CPLP countries have universally ratified the UNCLOS and have approved basic legal frameworks at domestic levels to regulate the definition of maritime zones, and other key areas. Four of its member states (Cape Verde, Guinea-Bissau, São Tomé and Príncipe, and Timor-Leste) are small island development states facing tremendous challenges when it comes to rising sea levels.

The Community as a whole holds huge reserves of hydrocarbons. It is expected that the CPLP will become in 2025 the forth-largest oil producer in the world. Accordingly, many of them (Angola, Brazil, Portugal, Mozambique, and a joint submission by Cape Verde, Guinea, Guinea-Bissau, Gambia, Mauritania and Senegal) have already initiated the procedures to extend their continental shelf beyond 200 nautical miles, as provided by the UNCLOS (CLCS, 2015). As a community with deep maritime traditions, oceans represent a central geostrategic and geopolitical potential that have been incorporated in the CPLP's formal agenda since 2007.

The role of the seas was first addressed in the CPLP Council of Minister's³ annual meeting in 2007, which gathered together Ministers of Foreign Affairs and External Relations to define, adopt and implement the main CPLP policies and programs of action. As a result of the meeting, a resolution was enacted (CPLP, 2007) that emphasized the importance of the oceans to protect and preserve environment and to achieve sustainable development as set out in the CPLP's articles of incorporation. The resolution stressed also the importance of international cooperation among the member states, and urged the community to adopt an integrated and common vision to promote sustainable development of the oceans under its jurisdiction.

In 2008, the CPLP Ministers of Fisheries undertook the first meeting to address sustainable management of fisheries within the community. The Maputo Declaration addressed the importance of fisheries and aquaculture to food security and poverty reduction and pointed out the community commitment to promote partnerships to combat illegal, unreported and unregulated fisheries. In the same year, representatives from the CPLP navies institutionalized the Navy Symposium as a shared platform of knowledge and experiences related to oceans and seas. Likewise, representatives from ports created the Portuguese Language Ports Association (APLOP, 2008) aimed at promoting cooperation and increasing commercial maritime activities.

Following this, and embedding the spirit that underpinned the community's will to make the seas the top priority, the 2008 Heads of the State and Government annual meeting urged the member states to convene a formal meeting on sea affairs, and also called for the creation of a CPLP Centre for Maritime Studies as a platform for information and knowledge sharing and to bring together university researchers to boost scientific production, promote the establishment of information networks and to encourage database harmonization (CPLP, 2008). As a parallel event to the 2009 annual Council of the Ministers, an informal meeting was organized between the CPLP Ministers and Senior Officials responsible for sea affairs. They were given the task to prepare the CPLP strategy for the oceans and to create the procedures to institutionalize the CPLP Meeting of Ministers of Sea Affairs.

The first formal meeting took place in 2010, and approved two key documents: the internal regulations⁴ for the Ministerial Meeting of Sea Affairs, and the CPLP strategy for the oceans. The

³ The original articles of incorporation of the CPLP set forth four main organs of the organization: i) the Conference of Heads of State and Government, ii) the Council of Ministers, iii) The Standing Committee for Consultation, iv) The Executive Secretariat. After some revisions, three other organs were created: i) Sectorial Ministerial Meetings, ii) Focal Points for Cooperation Meetings, and iii) Parliamentary Assembly.

⁴ Sectorial Ministerial Meetings are set forth in the CPLP articles of incorporation as an organ that is aimed at gathering together CPLP Ministers and Senior Officials in key areas for the community. CPLP articles of

internal regulations establish the main rules for the organization of the CPLP Ministerial Meetings of Sea Affairs. In accordance with the regulations, the Member States are represented by the Government member that holds responsibility on seas, in accordance with their own domestic rules. So it is up to each country, not to the CPLP, to nominate its representative. It is also possible to invite representatives from the countries that hold the Statute of Associate Observer or representatives from organizations categorized as Consultative Observer (CPLP, 2015)⁵.

The CPLP Ministerial Meeting on Sea Affairs as a CPLP organ is responsible for: i) promoting political coordination among the member states on matters related to oceans and seas; ii) promoting, coordinating and monitoring cooperation initiatives on the sector; iii) coordinating common positions in international *fora*; iv) following up actions for sustainable use of the oceans. By rule, CPLP ordinary Meetings of Ministers of Sea Affairs are organized every two years. However, it is also possible to organize extraordinary meetings, if necessary. Ordinary or extraordinary meetings are organized in plenary sessions and can only take place if at least six member states are represented. In terms of the decision-making process, the meeting follows the general norm of consensus that applies as a golden rule in the CPLP. The meetings are chaired by the Minister of Sea Affairs of the country that chairs the CPLP itself, which rotates every two years.

The first CPLP Meeting of Ministers of Sea Affairs is also referred as a milestone because it approved the CPLP strategy for the oceans. The strategy recognizes the importance of the oceans as a common heritage for the community, points out the role of the seas for sustainable development, particularly for coastal communities, and emphasizes the oceans as a vehicle for strengthening institutional relations within the community. The strategy is divided into four chapters. The first chapter sets forth its principles and objectives. The second chapter identifies potential areas for cooperation. The third chapter refers to the governance mechanism and the fourth chapter identifies different initiatives to be prioritized.

As stated, in the first chapter, the CPLP strategy for the oceans is based on the core principles of the community and on national policies. The strategy respects and supports a common vision, but takes into account the economic, social and geographic diversity of the member states. The strategy identifies general objectives to be pursued, such as i) promote the principles set forth in the UNCLOS; ii) improve oceans management and sustainable development, by adopting a multi-sectoral approach through international cooperation; iii) promote the creation of marine protected areas within the member state's national jurisdiction; iv) promote measures for climate change adaptation in coastal areas; v) contribute to strengthen the human resources capacity to develop an integrated policy for oceans; and, vi) promote measures to encourage economic use of marine resources, including business partnerships.

Since these objectives are very general the second chapter prioritizes 13 key sectors, as follows:

1. International cooperation: political and diplomatic cooperation at international level is in place and coordinated internally through ministerial meetings.
2. knowledge: scientific knowledge, information sharing, and human resources capacity building are also pillars that support the strategy. Knowledge about the oceans will be expanded through scholarships and by raising the civil society awareness for the importance of oceans.
3. Environmental protection: the strategy highlights the importance of measures for climate change adaptation in coastal areas, the need to design an integrated management system of marine protected areas, and to adopt methods to prevent marine pollution.
4. Maritime spatial planning: maritime spatial planning is envisaged as a key tool to promote oceans governance, to improve coastal areas management and to ensure the development of an efficient and sustainable maritime economy.
5. Security and maritime surveillance: joint controlling, monitoring and information systems should be prepared in key areas, particularly in search and rescue activities, and combatting illegal fishing, human trafficking and other crimes.

incorporation do not list or identify sectorial meetings, which have been created over time considering the community's will. It is up to each sectoral meeting to approve its internal regulations based on the guidelines issued by the Council of the Ministers.

⁵ A list of all CPLP Consultative Observers is available at CPLP website.

6. Continental shelf extension: the formal procedures to extend the continental shelf are complex and expensive, so member states are encouraged to cooperate and share technical information about this common objective.
7. Seabed area: it is stated as a common goal for the community to extend knowledge regarding natural resources lying under the seabed.
8. Biotechnology: CPLP will support knowledge and information sharing, the development and the application of new technologies as well as the development of research networks in this area.
9. Maritime clusters: the creation of maritime clusters is essential to strengthen the maritime sector. The creation and development of successfully maritime clusters will depend on the private sector and key stakeholders' engagement, and the coordination with public sector.
10. Energy: in order to encourage the use of alternative energy sources, such as energy from waves, maritime biomass, wind offshore energy, and taking into account that CPLP holds significant reserves of hydrocarbons, the strategy recognizes the complexity of the energy issue and calls for information sharing among member states.
11. Fisheries and aquaculture: considering the important social and economic role of traditional and commercial fisheries, particularly for coastal communities, as well as aquaculture activities, the strategy identifies the need to implement capacity building programs, to increase information sharing, and to intensify cooperation activities to combat illegal fishing, as priorities to be implemented.
12. Port activities, transport, shipbuilding, ship-repair and ship dismantling: since international trade is essentially transported by sea, port related activities, such as transport, shipbuilding, ship-repair and ship dismantling, along with vocational training sessions, are areas that should be increased, especially considering the CPLP community is geographically spread over three oceans.
13. Tourism: maritime ecotourism is an area that represents a meaningful sector for a coastal community like CPLP. Nautical spots and the creation of thematic maritime routes based on the common cultural heritage that oceans represent to the CPLP, are possibilities to be developed and implemented.

After identifying the key priority areas, the CPLP strategy for the oceans refers to the mechanism for governance. When it comes to this issue, it is recognized that within the community there are different stakeholders involved and different regional features that apply. This diversity calls for a proper and comprehensive governance mechanism that allows the strategy to be sustainable. For this reason, the institutional framework adopted by the CPLP needs to be flexible and might be adjusted not only to connect different member states' policies, but also to coordinate the member states' positions at international *fora*. It is expected that this cooperation can be developed and achieved through the institutionalization of the sectoral Meeting of Ministers of Sea Affairs, backed by the technical and support services.

Cooperation between member states is the key element widely identified as a starting point to implement the CPLP strategy for the oceans. So, the document identifies four activities to be prioritized and jointly implemented. Firstly, the creation of the CPLP Maritime Study Centre. This centre will work as a common platform to encourage knowledge and information sharing, scientific research, and monitoring maritime issues, and provide technical information to support CPLP political decisions. A CPLP Atlas of the Oceans is also envisaged to support and foster cultural ties between the Member States and to create a sense of cultural and historic community based on a common ocean's heritage.

Extension of the continental shelf and associated projects are also identified as vital priorities. The strategy determines that member states can benefit from other member states experiences through knowledge sharing and mutual support in the preparation of the extension projects themselves. It also recommends cooperation to acquire technical capacity to explore the seabed considering the economic importance of its resources.

In its final part, the strategy highlights the importance of promoting the international projection of CPLP through the oceans and seas. In order to achieve this goal, it is proposed the community can play a collective role in international organizations, for instance, assuming common positions on different issues, issuing a common declaration and supporting CPLP citizens to be elected for positions to the UNCLOS organs. The CPLP strategy for the oceans acknowledges that it is the first

step towards the development of a more comprehensive CPLP policy for the oceans. However, so far, the CPLP has only made a commitment to revise the oceans strategy in 2016 and to prepare and implement a plan that supports the execution of activities and initiatives targeted as priorities. This revision is going to be presented and eventually approved in the third CPLP ordinary meeting of Ministers to be held in Dili, Timor-Leste in May 2016.

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