

Marine Spatial Planning: Commercial Shipping Concerns and Requirements

Arthur Bowring
Managing Director
Hong Kong Shipowners Association

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Menu

- Setting the scene
- Commercial Shipping's essential role
- 'Sustainable' development
- Concerns and Requirements

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The Commons

- Garrett Hardin, 1968
- The *Tragedy of the Commons* that he described mirrors today's *Tragedy of the Oceans*
- "Freedom in a Commons brings ruin to all"
- "Every new enclosure of the Commons involves the infringement of somebody's personal liberty"

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UNCLOS

- United Nations Convention on the Law of the Sea
- Signed 1982, Effective 1994
- The Preamble is important...

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"Recognizing the desirability of establishing through this Convention, with due regard to the sovereignty of all States, a legal order for the seas and oceans which will facilitate international communication, and will promote the peaceful uses of the seas and oceans, the equitable and efficient utilization of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment"

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European Union

- Proposal for a Directive of the Parliament and Council
- March 2013
- To establish a framework for maritime spatial planning and integrated coastal management
- Deals with the high and rapidly increasing demand for maritime space for different purposes

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Commercial Shipping

- As trade barriers are dismantled, world trade grows
- Increasing efficiency of shipping encourages growth of world seaborne trade
- Ships carry over 90% of world trade
- About 50,000 ships of over 300gt

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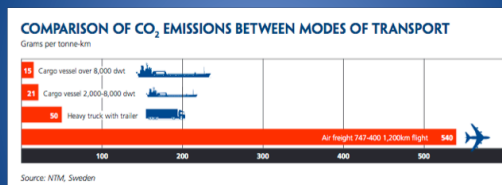
Growth of World GDP & Global Trade



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Most efficient transport



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Environmental recognition

- Global regulations to restrict oil pollution
- Global ship efficiency regulations, to reduce CO₂ emissions
- Global regulations to reduce air pollutants
- Global regulations to manage ballast water discharge
- Global regulations also for sewage, rubbish (including hold cleanings), etc.

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“Sustainability” is not just about the environment...

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3 legs of Sustainability



With thanks to ICS

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So far...

- Growth in world trade is essential to improve standards of living
- Shipping is the servant of world trade
- Shipping is an essential ingredient for the growth of world trade
- Shipping is increasingly efficient and environmentally friendly
- But shipping must be sustainable

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Concerns and Requirements

- UNCLOS – 166 ratifications, including China (in 1996), but not the United States
- UNCLOS has the following provisions:

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Coastal State obligations

- Art 17 – “Ships of all States, whether coastal or land-locked, enjoy the right of innocent passage through the territorial sea”
- Art 22 – Sea lanes and traffic separation schemes
- Art 24 – No denial or impairment of innocent passage
- Art 26 – No discriminatory charges, if any

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Straits used for International Navigation

- Art 38 – The right of transit passage shall not be impeded
- Art 41 – States bordering straits may designate sea lanes and prescribe traffic separation schemes

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High Seas

- Art 87 – Freedom of the High Seas, comprises *inter alia* freedom of navigation, with due regard for the interests of other States in their exercise of the freedom of the high seas

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Concerns and Requirements

- Shipping recognises and appreciates the increasing demand for maritime space
- Restrictions on shipping, however, will be restrictions on world trade
- Large deviations make shipping less efficient
- Charts are notoriously inaccurate (while GPS is notoriously accurate)
- Navigating on thin margins is dangerous

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Concerns and Requirements

- Sea lanes and traffic separation schemes are necessary in areas of high demand for space
- Restricting increasing traffic flow to narrow channels could lead to more accidents
- Adequate sea room must be retained for ships to manoeuvre safely to avoid collision, navigate in heavy weather or cope with emergencies

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Minimum Distance

- Needed by vessels to comply with collision regulations
- Starboard Side of any Route
 - 0.3nm + 6 ship lengths + 500 meters
- Port Side of any Route
 - 6 ship lengths + 500 meters
- Designed before multiple structures such as windfarms were developed

From: Shipping Advisory Board North Sea

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Concerns and Requirements

- Sufficient allowance must be retained for ships constrained by draft or other limitations
- Due account must be taken of visibility requirements, including night vision
- Competing use of maritime space needs well developed rules
- Monitored and regulated from ashore
- But leaving the Master in charge of his ship

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Concerns and Requirements

- Virtual Aids to Navigation will have their place, but must not replace 'looking out of the window'
- Ships must be encouraged to use safe transit routes and safe anchorages
- Not discouraged from entering port limits
- States must recognise their obligation to protect shipping from attack

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Conclusion

- Shipping is an essential service, one that benefits the global economy
- Shipping recognises and is addressing its environmental obligations and responsibilities
- Shipping recognises the increasing demand for maritime space
- But needs to retain 'room for error'

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Remember – if you build or anchor a structure in a shipping lane, a ship is guaranteed to hit it...

Thank you for listening!

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