

MARINE SPATIAL PLANNING (MSP) AND MANAGEMENT OF OCEANS AND SEAS (MOS) - CONFLICTS AND ADR



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● Introduction and Background

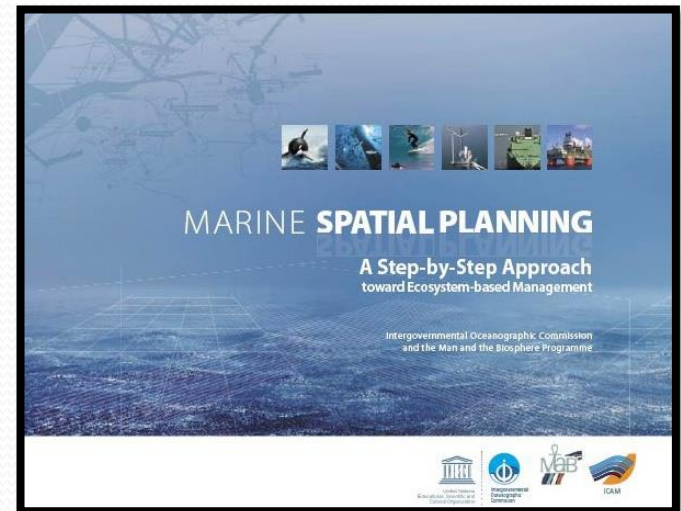
- Human uses of seas - evolution
 - Increased human uses → Incompatibility → Conflicts and Disputes
- Distant past conflicts were resolved by battle i.e. force. Hence,
 - Management of human uses of sea
 - Need for Development of MSP.



- Overall goals of MSP and sea/ocean management
- Over arching framework of marine space to nation states
- ❖ Territorial
- ❖ EEZ
- ❖ Contiguous zone and
- ❖ Continental shelf
- ❖ High seas
- Current practice - poor MSP/MOS → Conflicts
- Addressing use of different sectors
- Overlapping objectives.



- MSP / MOS
 - One size fits all policy unfeasible due to different political culture.
- MSP aspect / consideration
 - Top down/Bottom up approach of all stake holders.
- MOS aspect / consideration
 - No clear lease. More of no mans space.



- Types of Conflicts - User – User
User – Ecological and Environment Interests (ECO)
- Areas of Conflicts - MSP
MOS
- Combining both - MSP - User – User
User – Eco
MOS - User – User
User – Eco



- Litigation The normal courts.
- ADR Outside courts
- Typical ADR's
 - Early neutral evaluation-
 - Human Use of Sea/Ocean Space
 - Negotiation
 - Conciliation
 - Mediation
 - Arbitration

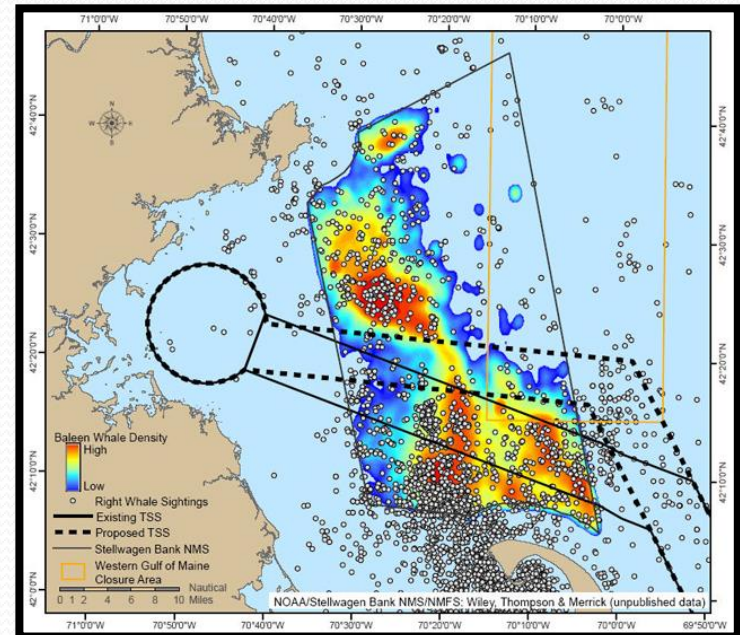
Scope for ADR in financial impact Assessment.



● Case Studies

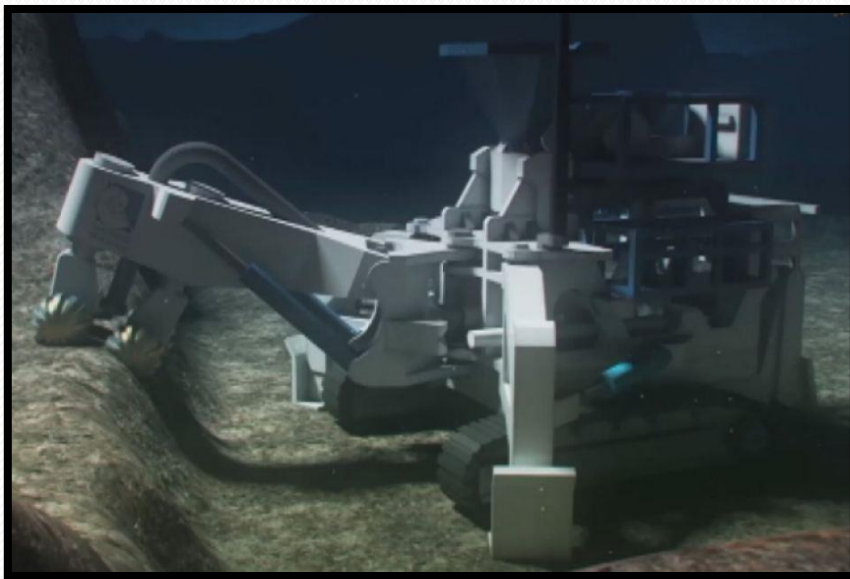
- MSP - KG Basin India
- MOS - Deep Water Horizon US
- MSP - Success story

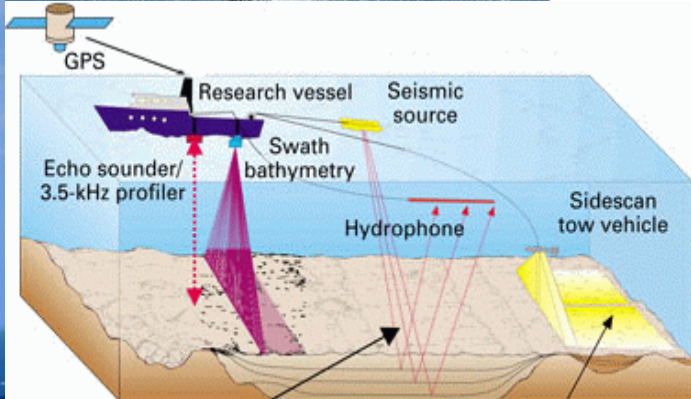
Adjusting Boston Shipping Lanes.
To protect endangered whales.



- **The Way Ahead**

- Economic Potential - Deep Sea Mining.
- Regulatory questions.
- Evolution of International Seabed Authority ?
- Are we ready for complex ADR requiring multi discipline and multidimensional skills ?





SEISMIC REFLECTION
(subsurface coverage)

SIDESCAN-SONAR
(areal coverage)

