

Meeting at the Crossroads: Engaging New Actors in the Development of Marine Environmental Governance

Elizabeth A Kirk
University of Dundee



Changing Circumstances Changing Law?

- Oil Pollution
 - Torrey Canyon
 - 1969 International Convention on Civil Liability for Oil Pollution Damage
 - 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage
- Carbon Dioxide Storage
 - IPCC Special Report on Carbon Dioxide Capture and Storage, Cambridge University Press 2005 Summary For Policy Makers
 - 1996 Protocol to London Dumping Convention Article 3
 - Resolution LP.1(1) 2006 On The Amendment To Include CO₂ Sequestration In Sub-seabed Geological Formations In Annex 1 To The London Protocol

Advocacy-Coalition Framework

- “policymaking occurs in a policy subsystem inhabited by several multi-actor advocacy coalitions which compete to influence policy”
 - Adrian Smith ‘Policy Networks and Advocacy Coalitions: Explaining Policy Change and Stability in UK Industrial Pollution Policy?’ (2000) 18 *Environment and Planning C: Government and Policy* 95 at 98.

- Multi-Dimensional Policy Networks

- Key issues

- the ways in which interest groups interact with regimes and
- the ways in which interest groups forum shop to achieve their desired result

- Transnational Network Governance

- Key issues:

- relations between regulators and other government agencies at the international level and
- the ways in which they cooperate to create governance networks

M-DPN & The Whaling Moratorium: Introducing Conservation

- Lobbying at national and international levels by NGOs & States
- Forum shopping
 - Stockholm
 - CITES
 - Use of the media
- Stockholm 1972, Action Plan for the Human Environment Recommendation 33
- CITES Resolution on Trade in Certain Species & Stocks of Whales Protected by the IWC from Commercial Whaling 1979.
- CITES Report of the Fourth Meeting of the Conference of the Parties, 1983
Amendments to Appendices I and II

A Return To Whaling?

- Establishment of alternative normative context – North Atlantic Marine Mammal Commission
- Scientific advice
- Whale watching
 - Global potential US\$ 2.5 billion in yearly revenue & 19,000 jobs
 - By 2000 approximately 86% of whale watching was taking place within the jurisdiction of IWC members
 - Latin America
 - between 1998 and 2006 whale watching increased by 11.3% a year

The Dumping of Offshore Installations

Permitted

Oslo Convention Annex III on the Prevention and Elimination of Pollution and Elimination of Pollution from Offshore Sources

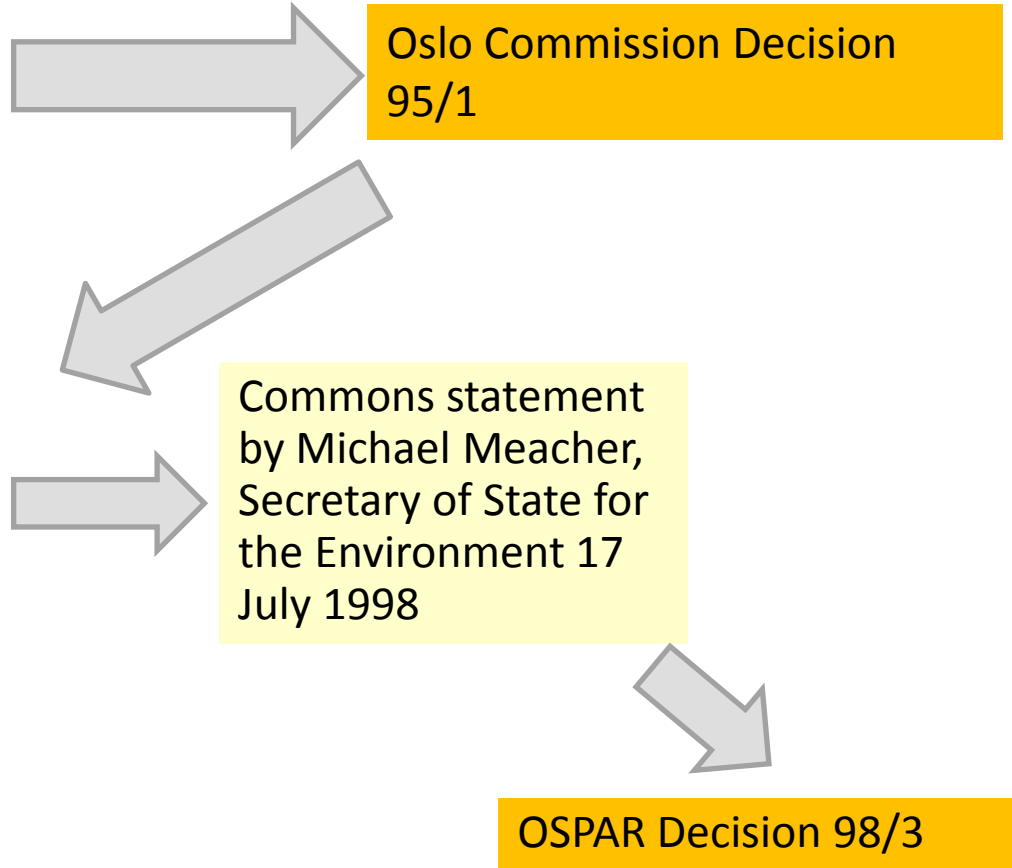
1996 Protocol to the London Dumping Convention

Prohibited

Oslo Commission Decision 95/1

Commons statement by Michael Meacher, Secretary of State for the Environment 17 July 1998

OSPAR Decision 98/3



Conclusion

- A dominant advocacy coalition may prevent the regime responding to threats
- Multi-dimensional policy networks provide a route to circumvent blockages to change
- Solution - broaden full participatory rights in decision-making to fully embrace all actors?