

The Cultural Dimension of the Pacific Ocean

Recognising cultural values and rights in
marine areas beyond national
jurisdiction

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Introduction

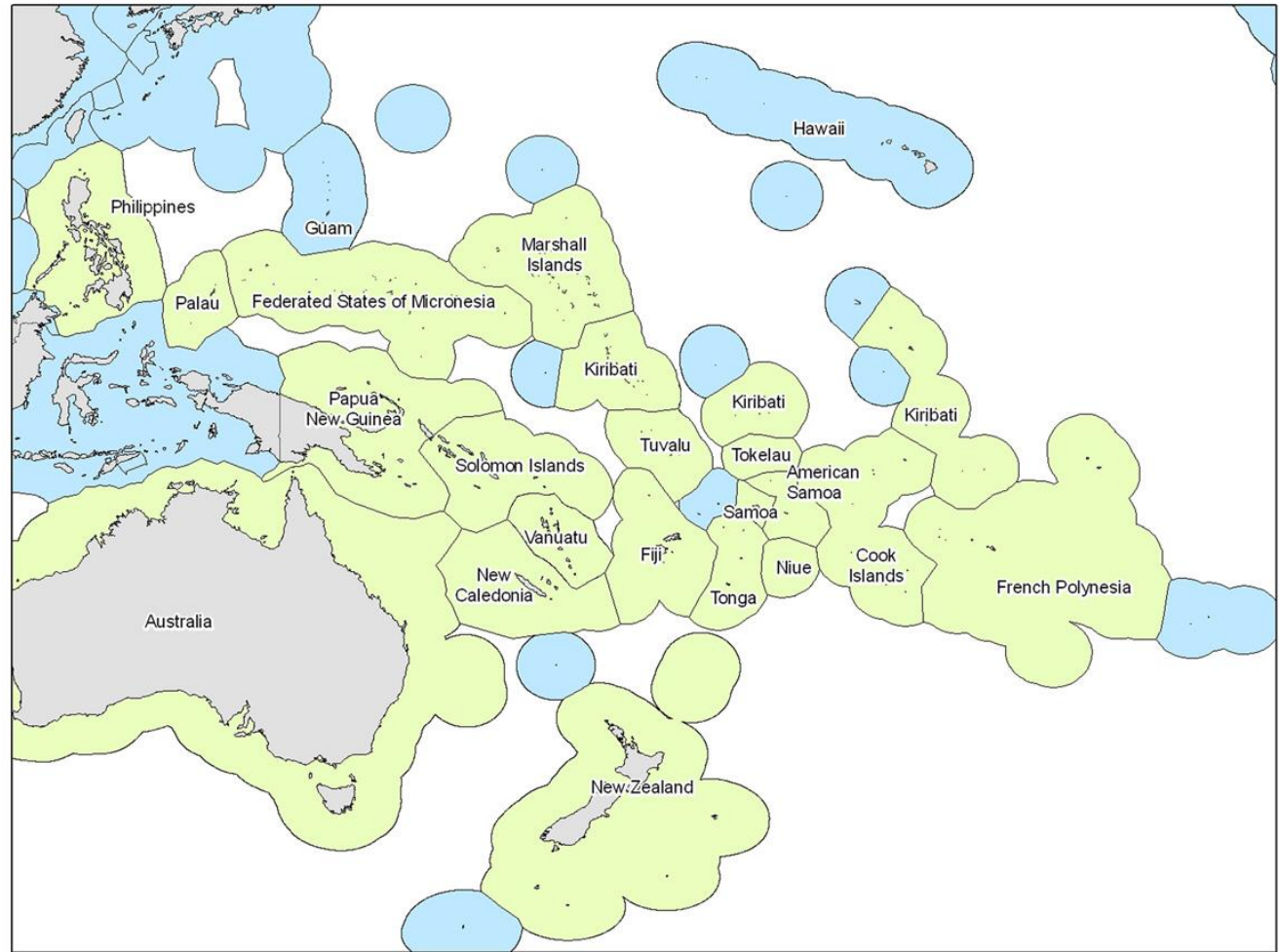
United Nations Convention on the Law of the Sea (UNCLOS) 1982

Marine Areas Beyond National Jurisdiction (ABNJ):

- 40% of the planet surface
- 64% of the ocean surface
- 96% of the ocean volume

Currently, only 3.5% of the world's oceans are protected

ABNJ in the Pacific Ocean



ABNJ in the Pacific Ocean



Source: www.greenpeace.org



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ABNJ: current issues

What is happening?

- Increasing exploitation of fisheries
- Deep sea exploration and resource exploitation and mining

Why is this a problem?

- Sustainability of fisheries = sustainability of livelihoods
- Environmental damage and pollution
- Loss of biodiversity
- Impact to entire Ocean system

ABNJ: position of the PSIDs

In the negotiations for a new treaty, and in the context of the UN's sustainable development goals, the PSIDs:

- put forward that the Pacific Ocean has a cultural dimension that is the shared heritage of the Pacific peoples
- argue the Pacific ABNJs are a special case
- aim to have their traditional knowledge and practices operationalize in the governance of the ABNJ
- aim to ensure access and equitable benefit sharing especially in relation to Marine Genetic Resources in the ABNJ

The 'cultural dimension' of the Pacific Ocean

To achieve this, there is a need to:

- define and understand the Ocean as a cultural seascape
- provide specific evidence of traditional ownership or custodianship of the Ocean
- identify mechanisms for including traditional knowledge and/or knowledge holders in the regulation of activities in the ABNJ

and . . . get this issue on the table at the UN.

This is human rights issue.

Our research

Aim of our research:

- to support the PSIDs in their negotiations around the ABNJ by:

Reviewing and collating substantive evidence of the shared knowledge, use and custodianship of the 'high seas' or ABNJ in the Pacific Ocean

The Ocean as a cultural space

Alignment with ICOMOS programs:

- 'Connecting practice': cultural-natural heritage (with IUCN)

http://openarchive.icomos.org/1561/1/Connecting_Practice_Report_IUCN_ICOMOS%23.pdf

- 'Our Common Dignity': Rights-Based Approaches in Heritage Management

<http://www.icomos.no/whrba/whrba/#more-492>

- Cultural landscapes (seascapes) and cultural routes

Concurrent research

- *Traditional Knowledge of IPLC in International Instruments*

Clement Yow Mulalap

- *World Heritage on the High Seas: and idea whose time has come.*

World Heritage Reports Vol 44

- *Human Dimensions of Large Scale Marine Protected Areas*

<https://bigoceanmanagers.org/>



'A sea of islands'
(Hau'ofa 1993)

Rock Islands, Palau © Stuart Chape 2009



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The cultural dimension of the Ocean

The ocean that surrounds us is the one physical entity that all of us in Oceania share. It is the inescapable fact of our lives. For us in Oceania, the sea defines us, what we are and have always been.

Epeli Hau'ofa 1998

When Pacific Islanders stand on a beach and look out to sea they do not see an horizon over which there is endless empty and forbidding distances of ocean – they see the path to relatives, friends, resources and their ancestors.

Greg Denning 2002

Most inhabitants of Remote Oceania were not bound by the sea but rather embraced it as both habitat and pathway to resources and opportunities beyond their home islands

Paul D'arcy, P. 2006.

'Ocean Declaration of Maupiti' 2009

The representatives of Pacific Countries and Territories

- **REAFFIRM** that, for many Pacific communities:
- The ocean is their identity, way of living, values, knowledge and practices that have sustained them for millennia
- **OBSERVE** that the loss of values associated with the ocean and its resources threatens the collective, physical, moral, spiritual well being, integrity and survival of many islands communities
- **RECOGNIZE** the need to safeguard knowledge, spirituality, traditional practices and their inter-relationships with land, sky and ocean.
- **URGENTLY CALL** to action all nations and the peoples of the World to join and protect, manage, maintain and sustain the cultural and natural integrity of the ocean for our ancestors and future generations.

(UNESCO Pacific World Heritage Workshop, Maupiti, 1-7 November 2009)

There is an inseparable connection between the outstanding seascapes and landscapes in the Pacific Islands region, which are woven together by the rich cultural, historical and genealogical relationships of Pacific Island peoples (*'The Pacific Appeal'* WHC-07/31.com/11c)



Reviewing published evidence

Literature review of Pacific Islander knowledge and use of the 'high seas'.

Bibliography of more than 70 references:

- Very few are contemporary
- Very few specifically refer to high seas
- Not in 'policy relevant' form

International recognition of shared cultural values

Focus on three types of evidence:

1. Transnational cultural values of World Heritage sites
2. International programs for the protection and transmission traditional voyaging, navigation and seafaring
3. International programs using customary knowledge and practices in the management of marine protected areas in the Pacific Islands

1. World Heritage Convention

- Papahānaumokuākea (Hawai'i)
- Taputapuātea Marae (French Polynesia)
- Yapese Stone Money (Palau and Yap, Federated States of Micronesia)



World Heritage Convention

ICOMOS Thematic Studies:

- *Cultural Landscapes of the Pacific Islands*

Smith, A and Jones, K. 2007

- *Early Human Expansion and Innovation in the Pacific*

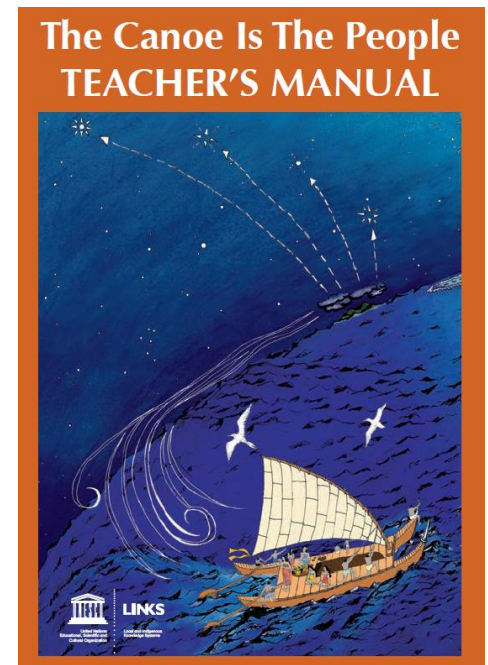
Lilley, I. (ed) 2010.

2. Traditional voyaging, navigation and seafaring

'The Canoe is the people: Indigenous Navigation in the Pacific'

UNESCO LINKS Program 2007

<http://www.canoeisthepeople.org/>



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Vaka Taumako Project

Theirs is a world connected by sea roads and star paths, populated by cultural heroes as universal archetypes, and embodied in their community and Kastom ways

George, M. 2012. Vaka Taumako Field Report, November 2012



Vaka Taumako Project
<http://vaka.org/>

3. Customary knowledge and governance in marine protected areas

Once Traditional Owners were given the opportunity to speak a picture of *culturally defined seascape* of Torres Strait began to take shape.

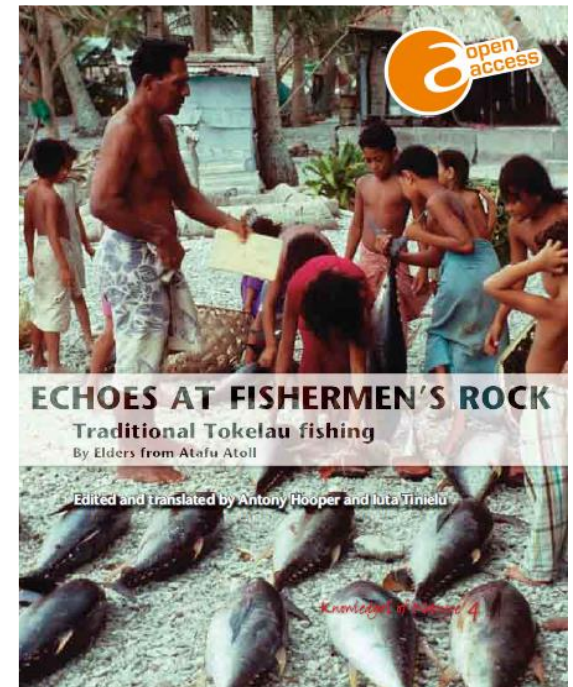
It turned out that what were just featureless expanses of seawater for the scientists were named Storyplaces in the sea - old reefs from legends, illustrating an ethic or sharing of fish associated with kinship, all part of a vast underwater topographic narrative.

Cordell 1988

'Echoes at Fishermen's Rock - Traditional Tokelau Fishing'

- UNESCO LINKS Program 2012

Traditional knowledge of fishing recorded by the Elders of Atafu Atoll, Tokelau.



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Outcomes

The research provides a body of evidence demonstrating international recognition of the unique shared cultural values of the Pacific Ocean

- a pathway connecting communities
- a resource for sustaining life, the use of which is subject to customary tenure, knowledge and practices
- a shared spiritual, storied and ancestral space.

Next steps

In 2017 at the UN Oceans meeting PSIDS successfully argued to have traditional knowledge captured as a general principle in the draft recommendations for the new treaty

To demonstrate and protect the customary rights and responsibilities of Pacific communities as custodians of the Ocean, research is needed to consolidate evidence for current cultural knowledge and practices

In conclusion

A case study of:

- Issues in evidencing and protecting shared values that cross jurisdictions
- Arguing for a right's based approach to the international protection of environmental values
- Operationalising the cultural values of in international legal instruments