Sustainable development and sea protection: Trade on fish and fishery product

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Abstract. Wealth over natural resources in the ocean is a superior potential for countries. In implementing its regulations, the state has a large portion in order to achieve a fair, independent and sustainable marine resource. Cases that occur on damage on the sea environment and its habitat are cases caused by high economic value. Sustainable marine regulation will become a mandatory benchmark for countries in the inclusion of legal and policy arrangements.

1. Introduction
Indonesia is the largest archipelago country in the world, has a coastline length of 81,000 km and sea area of about 3.1 million km². Indonesia is an archipelago consisting of about 17,504 islands with a coastline of approximately 81,000 km. This geographical is potential for natural resource wealth also by economic potential. This maritime position is a national asset that acts as a source of natural wealth, an energy source, a source of food, inter-island cross-sea media, trade zone, as well the defense and security area.

Indonesia's coastal and oceanic regions are known for their richness and diversity of natural resources. Indonesia is known as the country with the pivotal marine biodiversity in the world, because it has distinctive coastal ecosystems such as mangrove forests, coral reefs and sea grass beds. There are two groups, namely renewable such as fisheries, mangrove forests, coral reefs, etc. and non-renewable groups such as oil and gas and minerals or other mining materials.

For centuries the sea has been seen as a hunting ground to catch fish for the fulfillment of biological protein needs or as a media for shipping traffic. However, the dichotomy of this use has also developed along with various patterns of utilization for marine access. Since the 21st century various countries have been optimizing their steps in the mastery and use of the sea for a better life.

At present the sea has been seen as an inter-continental and inter-ocean highway, and as a biological and mineral resource to support life. In the 21st century it is certain that there will be a race between nations to master and use the sea for a better life. Utilization of marine resources aims to meet the needs and improve human welfare. This become urgent because of the rapid population growth and the increasingly narrow feel of the land, asking us to divert economic activities to the sea in meeting the needs of life for food, minerals and raw materials. However, the use of marine (fisheries and fishery products in particular) turned out to be a scourge that was
alarming, in fact it was found that destructive fishing including Illegal, Unreported and Unregulated (IUU) fishing caused damage to the habitat and even threatened marine ecosystems.

This opportunity for developing resources has not been fully utilized, mainly due to constraints of lack of knowledge, both on the basis of understanding and its application. In this regard, various parties directly involved in the exploitation of marine fisheries need to get proportional attention.

2. Method
The paper uses normative legal research methods in discussing and finding solutions to the problems above. Legal analysis is done by collecting data taken from literature, laws, articles, and cases that occur in countries.

3. Trade and Environmental: trade on fish and fishery product
Each country in carrying out its functions will seek to optimize its competitive value in the form of natural resources, agriculture, marine and or non-natural resources. One that is generally and geographically dominated by the state is marine resources. These resources would not be run out if being used carefully and even brings valuable economic for state income. The following definition of natural resources is:

natural resources as “stocks of materials that exist in the natural environment that are both scarce and economically useful in production or consumption, either in their raw state or after a minimal amount of processing”. Note the qualifier “economically useful” in this definition. For example, sea water is a natural substance that covers much of the earth’s surface, but it is of limited intrinsic or direct value for consumption or production. Goods must also be scarce in the economic sense to qualify as natural resources; otherwise people could consume as much as they wanted at no cost to themselves or to others [1].

From the above definition it can be concluded that resources as a part of the environment still need a process to make it a commodity that has economic value. If the amount of these resources is excessive, it will affect the value, because if there is a lot available, the price will decrease economically.

The World Trade Organization (WTO) further stated that:

two important exceptions in this report relate to fish and forestry products, which are normally classified under agriculture in WTO trade statistics, but which are treated here as natural resources. Both fish and forestry products can be cultivated, for example in aquaculture for fish or through forest management for wood. However, traditionally they have simply been taken from existing natural stocks, and still are for the most part. Unfortunately, it is impossible to distinguish between cultivated and non-cultivated varieties of these products in standard databases on international trade, but some effort has been made to identify these in the case of fish.

The WTO also concluded that fisheries and marine products are differentiated in the WTO regulations for the trade stage and remain included as a part of natural resources. This is based on the consideration that both can be harvested and produced.

3. 1. Trade on fish and fishery product: Potential economy
Included in the category of marine natural resources certainly has the potential for trade as practiced by countries. In fact, this trade also seeps into the structure of the global economy and especially the resource-producing countries:

The on-going “globalization” of natural resources trade continues to transform not only the nature of commodity markets but also the structure of the global economy. The huge expansion in the volume and range of natural resources on world markets in recent decades has helped to open up and equalize access to raw materials, lowering prices for many resources, encouraging
investment in new, geographically dispersed sources, and generally contributing to global economic expansion [1].

Based on economic growth, it appears that the model and trends in the market have changed. Not only does it persist in a limited model of general types of natural resources such as oil and gas but also changes in the potential of other natural resources such as wind, water and even fisheries.

The consumption pattern of the use of natural resources that shapes the global economy is a chain of patterns of needs and demands. The more needs there are, the greater the demand for their use. Potential economic, in contradiction, also come with the negative excess. At the same time, the expansion of natural resources trade – and its contribution to growing global consumption – may have implications for resource depletion and negative environmental spillovers [1].

The need for the use of natural resources also becomes a pattern of dependency, which also creates positive implications for economic transactions. On the other hand, the demands of the pattern of needs also cause dredging and even become destructive environmental degradation.

The negative impact on the utilization of natural resources, especially marine has become a scourge for countries. The data from World Ocean mentioned [2]: While some economists still stick with the model of weak sustainability, scholars in other scientific disciplines consider it a write-off: today it is generally accepted that not every form of natural capital is indiscriminately substitutable. If we consider the scale and the consequences of the destruction of natural capital today, the limits of substitutability become very much clearer than in economic models. This is particularly true of multifunctional natural capital, i.e. forms of capital which fulfill several functions simultaneously. Oceans, for example, supply food, are an income source for fishers or aqua culturists and a recreational zone for millions of tourists. Completely replacing the multifunctional habitat of the ocean is impossible – hence, the idea of substitutability is obsolete. A similar argument is valid for forests with their many function. The findings from World Ocean go from Various cases had noted that there has been damage to the marine sector, which has drastically changed the multifunctional habitat of the sea that has brought negative impacts on the environment and society.

3. 2. Trade on fish and fishery product: Cases and rising threat

Economic acceptance of maritime not only occurs officially but also illegally. This is also supported by the high demand for marine products. Pramoda [3] mentioned the targets market for fish and fishery product are sourcing practices in the principal seafood market states such as USA, Japan and EU can have rippling effects on management practices in developing countries. It can be seen that the trade in natural resources especially in fish and fishery products also presents other threats. The condition of marine that was initiated by United Nations and The World Bank said that marine as part of "blue economy" is also inseparable from the challenges and threats of extinction behind the potential welfare that it presents.

The components of "blue economy" on United Nations and The World Bank as:

The potential to develop the blue economy is limited by a series of challenges. For much of human history, aquatic ecosystems have been viewed and treated as limitless resources and largely cost-free repositories of waste. These resources, however, are far from limitless, and the world is increasingly seeing the impacts of this approach. The narrow coastal interface is oversubscribed by myriad sectors and is increasingly affected by climate change [4].

Some important points were obtained for threats to marine access, namely the issue of waste, climate change and the narrow way of thinking that still considers the sea as an unlimited resource. The emergence of large-scale crime and exploitation in the marine sector is also the biggest threat to the sea. Food and Agriculture Organization of the United Nations stated:

Illegal, Unreported and Unregulated (IUU) fishing poses a significant problem to the sustainable management of fish stocks world-wide. With 58% of global fish stocks fully
utilized and 31% exploited at unsustainable levels, IUU fishing practices can have a major impact on food security, livelihoods and economic growth in developing countries [5]. The occurrence of IUU fishing as a significant economic benefit for the perpetrators because the increasing demand of healthy fish as healthy food in almost parts of the world. OECD stated: We should be in no doubt that Illegal, Unreported and Unregulated (IUU) fishing is a serious global problem. Recent reports put the worldwide value of IUU catches at between $4bn and $9bn per year, including at least $1bn/yr for sub-Saharan Africa. IUU fishing does not respect national boundaries [5].

That IUU has posed a serious global threat and is detrimental to income in general. This is what drives anticipatory and integral efforts to maintain the sustainability and condition of marine ecosystems for countries and marine actors.

4. Sustainability issues on the sea and fisheries

4.1. The concept of sustainable development

The concept of sustainability has actually been around since there have been many cases of environmental damage. This concept was later confirmed in 1987 through the Bruntland Commission [7]. The Bruntland Commission published its report, Our Common Future, in an effort to link the issues of economic development and environmental stability.

The aim of the concept of sustainability is to align economic development and environmental sustainability [8]. The United Nations and World Bank Group said that the framework for managing sustainable of the sea. The importance of strengthening the ocean for sustainable development then develops and the timeline of consensus to the international community is accepted in the form of:

The 1982 UN Convention on the Law of the Sea (UNCLOS) and its implementation agreement approving the law in all activities in the oceans and seas must be carried out and have strategic importance as a basis for national, regional and global action and cooperation in the marine sector. Then followed by Agenda 21, the Johannesburg Implementation Plan, various decisions taken by the Sustainable Development Commission, on the Rio+20 outcome document The Future We Want was emerged a blue economy concept that is supported and managed by management conservation and sustainable management based on the premise that healthy ocean ecosystems are more productive and form a vital basis for sustainable ocean-based economies, according to the premise of Aggregate 2030 for Sustainable Development. [4].

The UN General Assembly adopted resolution 70/226 on December 22, 2015 To support Fiji and Sweden, Presidents of the Conference with technical expert advice for preparing the Conference, an Advisory Group consisting of relevant entities of the United Nations system and other stakeholders was established in April 2016, the assembly declare: to “convene the high-level United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development to support the implementation of Sustainable Development Goal 14.” [4].

The inclusion of marine conservation preservation points in the 14th SDGs gives hope to every country to reflect on their government rules and policies.

The United Nation and The World Bank stated that Sustainable development implies that economic development is both inclusive and environmentally sound, and to be undertaken in a manner that does not deplete the natural resources that societies depend on in the long term. The need to balance the economic, social, and environmental dimensions of sustainable development in relation to oceans is a key component of the blue economy. It is also a difficult balance to reach in practice, given that ocean resources are limited and the health of the oceans has drastically declined due to human activities—ranging from damage caused by carbon dioxide
emissions to nutrient, chemical, and plastics pollution, unsustainable fishing, habitat degradation and destruction, and the spread of invasive species [4].

As a counterweight to limited damage of marine resources due to human activities (damage caused by carbon dioxide emissions to nutrient, chemical and plastic pollution, unsustainable fishing, habitat degradation and destruction, and the spread of invasive species) the need to balance the economic, social and environmental dimensions of sustainable development in relation to the ocean is a key component. The World Ocean Assessment provides validation that global ocean is facing pressure for misconduct in marine management. This negative impact will affect not only the environmental damage but also socially and economically.

4.2. Sustainable development of fisheries
The United Nation and World Bank Group mentioned, the Blue Economy as part of sustainability bridge for sea protection and also the resource management. The “blue economy” concept seeks to promote economic growth, social inclusion, and the preservation or improvement of livelihoods while at the same time ensuring environmental sustainability of the oceans and coastal areas [2]. At its core it refers to the decoupling of socioeconomic development through oceans-related sectors and activities from environmental and ecosystems degradation. It draws from scientific findings that ocean resources are limited and that the health of the oceans has drastically declined due to anthropogenic activities. These changes are already being profoundly felt, affecting human well-being and societies, and the impacts are likely to be amplified in the future, especially in view of projected population growth [4].

The "blue economy" concept of the marine sector aims to encourage economic growth, social inclusion, and preservation or enhancement of livelihoods while at the same time ensuring the preservation of the marine environment and coastal areas. With sustained efforts, it is expected to be able to provide a better life for the community.

Under “business as usual,” the costs of marine ecosystem degradation from human uses should be high, but they are not quantified or accounted for. At the same time, the economic contribution of the ocean to humankind has been significantly undervalued (Economist Intelligence Unit 2015) [4], in particular where the value of non-market goods and services, such as carbon sequestration, coastal protection and recreation, and cultural and spiritual values, are concerned. In contrast, a new form of understanding the oceans, and which incorporates environmental and social dimensions, requires a paradigm shift—acknowledging and valuing all ocean benefits [4].

In calculating the use of the marine sector, the costs of degradation of the marine ecosystem from human use should be set higher, and incorporating environmental and social dimensions that assess all the benefits of the sea [9]. Towards the occurrence of IUU FAO provides alternative solutions with several changes in international policing and, recently, the implementation of the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA) in 2016 [10]. With the recording steps, trade in fish and fishery products will make it easier to track and facilitate the documentation of marine products in countries.

5. Conclusion
Management of marine and fisheries that is fair, independent, and sustainable is intended for the greatest prosperity of the community. In order to achieve sustainability, countries must implement a legal framework that becomes an international regulatory agreement as outlined in their countries. Violations in the form of Illegal, Unreported and Unregulated (IUU) fishing to the damage to the marine environment are expected to be made from the beginning and are subjected to severe sanctions in the field.
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