OCEAN AND HUMAN RIGHTS PLATFORM Briefing Series

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What is the issue?

SDG 14 or "Life below water" calls on the world to "Conserve and sustainably use the oceans, seas and marine resources for sustainable development." This goal, one of 17 UN Sustainable Development Goals (SDGs), represents a major breakthrough for the global ocean that had previously been overlooked in global development agendas. SDG 14 is elaborated in seven targets and related indicators. These targets are all interconnected and SDG 14 is also interlinked with the other SDGs. For example overfishing plays a central role in endangering the food supply in large parts of the world where fish is a primary source of protein (see separate Fishing & Aquaculture briefing).

Despite the UN Secretary General's Special Envoy for the Oceans' clear and direct message that "the ocean is in trouble," SDG 14 is one of three SDGs showing the least progress since 2015. It is the least reported on and is perceived to be one of the lowest-priority goals by public sector and private sector alike. This is a worrying trend, as the ocean is deeply intertwined with the other development goals and human rights more broadly. The SDG targets reflect specific provisions of international human rights instruments.

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ABOUT THE OCEAN AND HUMAN RIGHTS PLATFORM

Led by the Institute for Human Rights and Business and the Rafto Foundation, the Ocean and Human Rights Platform is a collaborative movement to raise awareness to prevent and address adverse human rights impacts across the ocean's industries. The Ocean Platform works with a global network of business, government, human rights defenders, civil society partners, academia and national human rights institutions.

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Whose human rights are impacted?

The rights-holders impacted by ocean activities include:

Coastal communities

Pollution from marine sources as well as from land based activities (agriculture, industrial and domestic) discharged into the seas – a critical cause of marine pollution – negatively affects human health and well-being. Pollution also degrades the marine resources that local communities rely on, which puts food security at risk. Such pollution along with acidification linked to climate change, as well as habitat destruction to make way for tourist or other infrastructure can interfere with the ability of communities to have an adequate standard of living.

Indigenous peoples

Over 30 million coastal indigenous communities rely on fishing and ocean resources both as part of traditional and customary practice, upholding cultural and spiritual identity as well as for livelihoods. Pollution and ecosystem degradation can impact the natural availability of flora and fauna for indigenous communities.

Increasing scientific knowledge, research capacity and transfer of marine technology can help address ocean challenges and contribute to development objectives, in particular for Small Island Developing States (SIDS) and Least Developed Countries (LDCs). However, accessing and using the knowledge, innovations and practices of indigenous peoples and local communities relevant for the conservation and sustainable use of biological diversity, should require free, prior and informed consent (FPIC) and the fair and equitable sharing of benefits.

Small Scale Fishers (SSF)

Overfishing, particularly among industrial fleets, has impacts not only at the macro-economic level, but at the community level where fish are often a vital source of protein. This is compounded by unfair competition and inequalities present in current arrangements for fishing licenses and rights. Actions to increase their access to resources, including by eliminating illegal, unreported, and unregulated (IUU) fishing and restoring fish stocks generate livelihoods and promote ocean stewardship.

Workers

As women are often the backbone of the fisheries sector, improving working conditions with a gender-informed lens can contribute to broader gender equality. IUU fishing is often linked to severe labour rights abuses so eliminating IUU should address both scourges in tandem. Marine Protected Areas (MPAs) can help generate decent work in tourism and research.

Consumers

Preventing and reducing marine pollution reduces the contamination of seafood eaten by millions and improve diets. Consumers have a role to play in changing their consuming and disposal habits, including around single-use plastics that contribute to at least 14 million tons of plastic that ends up in the ocean every year.

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Which businesses should pay attention?

There are a wide range of businesses that impact oceans and related human rights issues, and that should therefore take action to contribute to a heathy and sustainable ocean:

Businesses with direct ocean activities

This includes at a minimum the **following sectors**, some of which are already actively engaged as individual businesses or through industry or multistakeholder initiatives:

- · fishing and aquaculture;
- tourism;
- · shipping;
- ports;
- offshore renewables;
- offshore oil and gas;
- · marine mining;
- · marine genetic prospecting;
- · desalination; and
- blue carbon/marine carbon capture and storage.

This also includes wider ecosystem of businesses that supply goods (equipment suppliers, shipbuilding facilities, shipbreaking facilities etc.) and services (marine engineering, marine servicing, construction firms, logistics, financiers, accountants, lawyers etc).

Businesses that indirectly impact the ocean

Many land-based businesses are having significant impacts on ocean health. This includes industries contributing to climate change as ocean acidification is a direct consequence of increasing levels of carbon dioxide (CO₂) in the Earth's atmosphere. More than the pollution generated at sea, a critical cause of marine pollution is from litter and waste originated from domestic, agricultural, commercial and industrial land-based activities. The majority (~80%) of marine litter, also known as marine debris, originates from land-based sources. Therefore, companies implicated in ocean pollution through their economic activities should also pay attention.

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While there have been estimates for the overall funding needs of the SDGs, there has been far less focus on SDG 14 despite the growing enthusiasm for "blue growth." Most of the funding for SDG 14 is coming from philanthropic and development aid. Official Development Assistance (ODA) for sustainable ocean economy represents only 1% of global ODA with only 8% coming from the private sector, which is far less than for other goals. Even in blended finance vehicles that combine public and private sector financing, SDG 14 received the least funding in a survey by OECD published in 2019.

Given the growing interest in the ocean, ocean finance and specialised funding such as blue bonds, there is come cautious optimism that organisations like the UNEP's Financial Initiative (UNEP FI) have observed. If financing instruments can incentivise a move away from economic activities that generate negative externalities to supporting positive externalities, that would be a small start.

At the same time, experts such as UN Special Rapporteur Philip Alston caution against an over-reliance on private financing to achieve the SDGs. The trend towards privatisation can have very poor outcomes for human rights. Alston offers the example of the privatisation of transportation in the UK which has made it too expensive for low-income individuals to get to their place of employment or hospitals. The achievement of the SDGs must find a balance between public and private financing.



What should businesses do?

- Support the SDGs while ensuring that human rights are prioritised: The 2030 Agenda and human rights are interwoven and inextricably tied together. Therefore, "[f]or businesses, the most powerful contribution to sustainable development is to embed respect for human rights in their activities and across their value chains." This means that the achievement of a particular SDG should not be at the cost of human rights violations and human rights due diligence, as articulated in the UN Guiding Principles.
- Take action on climate change which is having devastating affects on the ocean, including through ocean acidification. The ocean has been a super-absorber of carbon dioxide and plays a vital role in protecting the planet from climate devastation. However, the ocean cannot continue to play this role at current rates of acidification. Climate change can have systematic impacts across not just businesses, but financial markets and institutions themselves as well as the human rights of most of the world's population. Undertaking climate action must be at the core of business models (whether or not they are directly linked to the ocean).
- Reduce pollution, including terrestrial pollution that may end up in the ocean: Businesses around the globe accounting for the production of 20% of all plastic packaging have shown progress towards their 2025 targets to create a circular economy for plastics, but that is not enough to solve the plastic pollution crisis. Much more focus is urgently needed on eliminating single-use packaging. Mismanagement of plastic waste has led to contamination of the entire marine environment.

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- Participate in sector-specific, multi-stakeholder actions that address both the environmental and social impacts of business activity on the marine environment and that focus on a just transition that shares the benefits of transformative shifts and leaves no one behind.
- Participate in marine spatial planning (MSPs) with broad and meaningful participation: MSPs are intended to establish a more thoughtful use of marine space. The World Ocean Assessment II found that "[m]arine spatial planning and management frameworks are most effective when they engage affected communities and incorporate economic, environmental and social perspectives, including traditional knowledge." Businesses should seek to only engage in MSP that is genuinely inclusive, and that seeks to recognise and respect historical, pre-existing tenure of coastal communities and indigenous populations.



RESOURCES: International

International Standards

- UN Guiding Principles on Business and Human Rights (2011)
- **OECD** Guidelines for Multinational Enterprises (2011)
- Sustainable Development Goals (2015)

Guidance

- Danish Institute for Human Rights, Responsible Business Conduct as a Cornerstone of the 2030 Agenda – A Look at the Implications (2019)
- UN Global Compact, WBCSD, GRI SDG Compass for Business
- UN Global Compact, The SDGs **Explained for Business**



RESOURCES: Some useful

- **UN Global Compact, Sustainable** Ocean Business Action Platform
- UN SDG Knowledge Hub: SDG 14
- **UN Registry of Voluntary** Commitments to SDG 14 -**Private Sector**
- SDG Tracker: SDG 14
- SDG Bergen
- Danish Institute for Human Rights, The Human Rights Guide to the Sustainable Development Goals
- WBCSD, SDG Hub