

# Policy Forum 99-02: Prospects for Marine Governance in the Northwest Pacific: Poor?

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## Energy, Security and Environment in Northeast Asia Network

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NE Asian Marine Issues - #3

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### **I. Introduction**

This essay is the third in a series of essays on energy-related marine issues in the regional seas of Northeast Asia. The energy, environmental and security aspects of such issues are explored with the purpose of engaging a broad community of experts, policymakers, non-governmental organizations, and interested citizens in a dialogue on ocean policies in the Northeast Asian region. The essay is based on a paper ("Prospects for Effective Marine Governance in the Northwest Pacific Region") by Dr. Peter M. Haas, a professor of political science at the University of Massachusetts at Amherst. Dr. Haas has published widely on marine issues including pollution control in the Mediterranean, Baltic and North Seas. He is author of *Saving the Mediterranean: The Politics of International Environmental Cooperation*.

In this essay Haas examines the prospects for effective regional action to protect the Northwest Pacific marine environment. Marine governance in Northeast Asia is discussed relative to each of five factors: national leadership, involvement of international institutions, establishment of transnational scientific networks, active presence of non-governmental organizations (NGOs), and significant public concern. Haas concludes that at present the outlook is not promising for effective regional environmental governance in the Northwest Pacific.

## II. Haas Essay

"Prospects for Marine Governance in the Northwest Pacific: Poor?"

### **1. Introduction**

This essay examines the prospects for effective regional action to protect the Northwest Pacific environment. Effectiveness is taken to mean that international provisions are established that are likely to influence state behavior and contribute to improved marine quality. The region faces a wide variety of environmental threats, yet has not developed an adequate set of governance arrangements to significantly address the problems. The region faces many of the generic political problems that often inhibit effective collective action on environmental issues in general and on marine issues in particular. For instance, decades of rapid national economic growth have generated environmental externalities in the region, and environmental legislation enacted since the 1970s has resulted in a kaleidoscope of incommensurate national standards which must be coordinated in order to yield effective governance. In addition to the fact that the states are not willing to sacrifice economic growth for the sake of environmental protection, they are also reluctant to modify pre-existing standards when such actions may entail additional economic costs and potentially threaten

competitiveness.

In order to evaluate the prospects for effective regional marine environmental governance in Northwest Pacific, the lessons and experience over the last 25 years from the United Nations Environment Programme (UNEP)'s Regional Seas Program are reviewed with an eye to comparing them with the situation in Northeast Asia. UNEP has facilitated adoption of 34 treaties (of which 29 are in force) concluded between 1976 and 1996, as well as agreements to protect the North Sea and the Baltic Sea. These cases span over a hundred countries across all levels of economic development, political systems, and cultural backgrounds. They reflect experiences from regions with highly disparate levels of economic development within the region, such as the Mediterranean and Caribbean, as well as cases where the climate of political antagonism was potentially quite high, such as the Mediterranean and Gulf of Kuwait.

## **2. Factors in Marine Environmental Governance**

The experience from UNEP's Regional Seas Programme with regional marine governance suggests that five factors are key in constructing regional environmental regimes: 1) national leadership, 2) involvement of international institutions, 3) establishment of transnational scientific networks, 4) active presence of non-governmental organizations (NGOs), and 5) significant public concern. Each of these factors will be discussed in the sections below.

Different combinations of these factors have generated different regulatory forms and patterns of regime compliance. In the absence of any of these factors, collective efforts are likely to be weak and generate only commitments which are tolerable to the least interested party ("lowest common denominator" responses). The most effective regimes have been those with strong international institutions developed in conjunction with a transnational scientific network. (This is true, for instance, with the regional seas programs for the Mediterranean, Southeast Pacific, South Pacific, and possibly the Black Sea). Where this combination of factors has been present, comprehensive arrangements that take an effects-based approach to environmental protection have resulted.

### **2.1 Public Concern and NGOs**

While potentially contributing to effective regional governance, domestic pressure and NGOs have not played a strong role in regional marine management to date in Northeast Asia. Surveys of public concern in Japan and South Korea are consistent with global observations that marine pollution rates low in terms of public interest in opinion polls. While 66% of Japanese expressed "a great deal or a fair amount of personal concern about the environment," and 80% in South Korea; focused concern about marine issues was much lower, with 43% of Japanese surveyed responding that they thought pollution of rivers, lakes and oceans was "very serious," with 49% of South Koreans expressing such concern. In Japan only 12% volunteered environmental problems as the most important problem facing the nation, with 9% in South Korea.

NGOs have also been generally absent in regional marine governance debates in Northeast Asia. Though environmental NGOs are present in the Northwest Pacific region, they are unlikely to exercise a strong political role in marine governance in Northeast Asia for two reasons. First, few of the environmental NGOs focus on problems of the appropriate regional geographic scale. Most are organized locally or globally, focusing on global issues such as global warming, or local issues such as industrial siting. Second, NGOs lack political access and legitimacy in many of the region's countries. Only in Japan and South Korea are environmental NGOs significantly engaged in the domestic political process.

### **2.2 National Leadership**

The guidance of a single country capable and willing to exercise leadership is often regarded as a key ingredient of successful regional cooperation and governance. State leadership may be important for agenda setting, guiding negotiations, and for enforcing compliance. If the leader commands respect it may be able to exercise leadership without expending a great degree of political influence, and induce support and compliance through positive inducements. However, if other states are suspicious of the leader, or fearful about the distribution of costs from compliance then political leadership is much more challenging and enforcement may well rely on threats of sanctions, and the governance arrangements may well collapse once the leader's hegemony erodes or if it fails to pay close attention to states' compliance. The Northwest Pacific region appears to lack a leader state. Most of the governments in the region are distracted by economic issues and are still responding to the Asian financial crises. Japan would seem like a logical leader state, but has not yet chosen to focus intently on regional marine issues.

### 2.3 International Institutions

International institutions, when permitted by their member states, can play an important role in promoting regional governance. International institutions can help build more comprehensive regimes and encourage compliance by providing a venue for international cooperation, by building national capacity, and by building political will. Northeast Asia is one of the most under-institutionalized regions of the world. There are no regional-scale environmental institutions; environmental campaigns have been only briefly waged by outside international institutions with much larger membership, such as the Asia-Pacific Economic Cooperation Forum (APEC), the Association of Southeast Asian Nations (ASEAN), the Economic and Social Commission on the Asia-Pacific (ESCAP), the United Nations Environment Programme (UNEP), the World Bank, the International Maritime Organization (IMO), the United Nations Development Programme (UNDP), and the Asian Development Bank (ADB)); and regional marine efforts are swamped by broader concerns such as economic cooperation around the Pacific Rim or global climate change.

The primary functions performed by international institutions in facilitating regional marine governance are 1) establishing the contractual setting, 2) enhancing national capacity for addressing environmental threats, and 3) building national concern.

#### Improving the Contractual Environment

Improvement in the "contractual environment" within which environmental diplomacy is conducted can be obtained through such efforts as providing regular meetings to small numbers of parties, supplying environmental monitoring data, verifying national policies and compliance, conducting talks at an appropriate level, linking negotiations and discussions to other areas of collective concern and thus improving the possibility for compromise, and nesting discussions within an overarching shared framework. The small number of countries involved in the Northwest Pacific region greatly facilitates the logistics of meetings, and of monitoring and verifying national actions. It can also facilitate horizontal linkages between marine issues and issues which command more attention in the region, such as global climate change.

#### Enhancing National Capacity

International institutions have successfully overcome national reluctance to engage in multilateral environmental protection efforts by enhancing national capacity for environmental protection. Such efforts have the effect of providing additional benefits or inducements for states that are indifferent to the environment, as well as enabling states to formulate environmental policy domestically, and to enforce the policies. For countries, particularly developing countries, which are suspicious of international initiatives arising from the North, building domestic institutions makes these

governments more confident negotiators and thus more willing to acquiesce to collective deals.

Capacity building has generally occurred by such activities as transfer of technology, establishment of information clearinghouses about pollution control technology, and conducting training seminars for government officials in coastal zone management or for scientists in monitoring techniques. In the short term such capacity building activities often merely provide an expedient justification for appearing to consult science policy; but in the longer term they may transform states' willingness to rely on science policy by enhancing the domestic political standing of the community, and also alerting the state to possible benefits from its use.

### Building National Concern

By building state concern about the environment, international institutions can improve the prospects for multilateral efforts at environmental protection. Building national concern about environmental threats occurs in two ways. Directly, institutions may provide information to governments and elites that may increase their willingness to commit resources domestically and collectively to environmental protection. Indirectly, institutions may provide information to the mass public, which will then be channeled up to governments as demand for environmental action. International institutions have been able to magnify domestic pressures on governments through publicity and involvement of national NGOs and scientists. The provision of public education programs, the creation and strengthening of NGOs, and the promotion of findings and the individual status of scientists involved in transnational scientific networks have enhanced national concern.

In Northeast Asia domestic social and political institutions capable of aggregating and articulating interests for the government are quite weak. Japan and South Korea are political democracies with a fair degree of preexisting domestic environmental concern, but Russia, North Korea, and China, may all be relatively immune to such institutional efforts to mobilize organic political concern. Freedom House ranks China among the countries where the press is the least free. International institutions may have a better chance at public education and mobilizing environmental concern in the "free" presses of South Korea and Japan, or the "partly free" press of Russia.

### 2.4 Transnational Scientific Networks and Communities of Expertise

Another key element to creating effective regional marine regimes is developing a "community of expertise" or transnational network of experts. Systemic inclusion of science in regional environmental governance provides a firm technical foundation for collective action. In its absence political action will be driven by compromise and anticipated potentials for short-term gain. It is only in those cases where regional marine scientists have been involved in collective political efforts that governance structures have emerged that contain long-range planning and research components are based on ecologically justified principles. While institutionalized science leads to more comprehensive and judicious efforts, it is slow to develop. A second feature of communities of expertise is their independence from national governments and ability to operate as a transnational network. Transnational networks of scientists can serve as consultants and advisors, and synchronize policy advice across countries.

## 3. Conclusion

Regional environmental governance works best when it is multilateral. But, prospects are not promising for effective regional environmental governance in the Northwest Pacific. International institutions are weak; knowledge is only weakly organized and appears difficult to mobilize; and no country appears willing to commit economic or diplomatic resources towards regional leadership on the regional marine environment. The absence of transnational channels and institutional

mechanisms in the region is a consequence of deeper regional realities. No government is at present willing to push for establishing strong regional institutions. There are two basic options in the region for formulating a long run strategy in pursuing effective marine environment governance. One is to seek to apply the lessons from other regions on marine environmental governance. This includes strengthening regional scientific networks and regional civil society. Another (complementary) strategy is to address the underlying causes for the absence of a fertile ground for effective regional cooperation. Here the focus needs to be on changing the larger political and cultural conditions that inhibit effective marine governance.

**Read the full version of**  
**["Prospects for Effective Marine Governance in the Northwest Pacific Region"](#)**

The Nautilus Institute Invites Your Responses

The Energy, Security, Environment in Northeast Asia Network invites your responses to this essay. Please send responses to: [esena@nautilus.org](mailto:esena@nautilus.org). Responses will be considered for redistribution to the network only if they include the author's name, affiliation, and explicit consent.

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