

# ACTA DE GIRA / INSPECCIÓN DIRECCIÓN DEL DESPACHO

#### INFORME DE GIRA/INSPECCIÓN/REUNIÓN

FECHA DE SALIDA:	19 de setiembre de 2023	FECHA DE REGRESO:	27 de setiembre de 2023
NOMBRE DE FUNCIONARIA Y PUESTO:	Yolanda Chamberlain Gallegos, Profesional de Defensa de la Dirección de Calidad de Vida		
DESTINO:	Beijing y Qingdao, China		
MOTIVO / OBJETO DE LA GIRA Y DESTINO:	Asistencia a la Conferencia Internacional en Ambiente, Desarrollo y Derechos Humanos: Protección de la Ecología Marina en el Proceso de Modernización.		
OBJETIVOS DEL VIAJE:	Participación en la conferencia y exposición de ponencia de la Defensoría de los Habitantes		
ACUERDOS/LOGROS	<ul> <li>Se presentó la ponencia en la sesión paralela, la cual obtuvo comentarios positivos sobre las acciones que ha realizado la institución en la temática de protección del ambiente en materia de humedales, costas y océano.</li> <li>Se abre un espacio a la Defensoría para la publicación de artículos de opinión sobre derechos humanos en globalter.com, el cual es un medio de información y análisis internacional creado por un grupo de periodistas de diferentes partes del mundo.https://globalter.com</li> </ul>		



SEGUIMIENTO Y	Se incorpora a la Defensoría en un chat de los participantes, en el cual se puede intercambiar		
RECOMENDACIONES	información importante y tenerlos como referencia para futuras investigaciones.		

#### **ANEXOS DEL INFORME**









































































NTERNATIONAL CONFERENCE ON ENVIRONMENT, DEVELOPMENT AND HUMAN RIGHTS: MARINE ECOLOGICAL PROTECTION IN THE PROCESS OF MODERNIZATION

Lunch

11:40-13:00

#### **Parallel Forum**

14:00-17:00

Speeches and Discussions by the Guests 14:00-16:40
Tea Break 15:30-15:45
Concluding Remarks of Each Parallel Forum 16:40-17:00

#### Parallel Forum 1

#### International Experiences in Marine Environmental Governance

**Moderator: Wu Shicun**, Founding Dean of National Institute for South China Sea Studies and Chairperson of Huayang Research Center for Maritime Cooperation and Ocean Governance

#### **Guests:**

- 1. Mr. Antonio da Costa Gaspar, Counselor of the Mozambique's Embassy in China
- 2. Mr. Jonathan BERANG, Assistant of Central African Republic's Chargé d'affaires to China
- 3. Mr. Alfred Likokoto Sililo, Minister of the Zambian Embassy in China
- **4. Tay Yap Leong**, Senior Director, Comprehensive Defense and Security Research Centre, Malaysian Institute of Defence and Security (MiDAS)
- **5. Wang Xiaoxun**, Deputy Director-General, Qingdao Municipal Marine Development Bureau, Shandong Province
- **6. Fabio Marcelli**, Lawyer of Institute for International Legal Studies of the National Research Council
- 7. Tian Shichen, President of Global Governance Institution
- **8. Anna Rosario Malindog-Uy,** Director and Vice President for External Affairs of the Asian Century Philippines Strategic Studies Institute (ACPSSI)
- 9. Zhang Demeng, Vice President of Qingdao Bright Moon Seaweed Group Co., LTD.
- **10. Tang Yongliang,** Director of Research Division of Institute of Japanese Studies, Chinese Academy of Social Sciences

INTERNATIONAL CONFERENCE ON ENVIRONMENT, DEVELOPMENT AND HUMAN RIGHTS: MARINE ECOLOGICAL PROTECTION IN THE PROCESS OF MODERNIZATION

- 11. Yolanda Chamberlain Gallegos, Officer of Ombudsman Office of Costa Rica
- **12. Zhang Yanfeng**, Chief Editor of China Economic Times, Development Research Center of the State Council
- **13. Juan E. Serrano-Moreno**, Assistant Professor at the Institute of International Studies of the University of Chile, President of the Association of Spanish Scientists and Researchers in Chile
- 14. Chu Yazhou, Director of Beijing Jusers Law Firm
- **15. Wu Chengliang,** Associate Professor, School of Economics & Management of Beijing Forestry University
- **16. Dai Ruijun**, Fellow of Institute of International Law, Chinese Academy of Social Sciences
- 17. Luo Liang, Fellow, National Institute for South China Sea Studies Beijing Office
- **18. Geng Dongyang**, Technical and External Cooperation Division of Qingdao Municipal Marine Development Bureau, Shandong Province
- 19. Wang Dongxin, Qingdao Bright Moon Seaweed Group Co., LTD.
- 20. Xie Shubin, Qingdao Bright Moon Seaweed Group Co., LTD.
- 21. Yang Lichao, Associate Professor, School of Sociology of Beijing Normal University
- **22. Zhang Bingyi**, Doctoral Student, School of Social Development and Public Policy of Beijing Normal University
- 23. Zan Ruolin, Graduate Student, School of Social Development and Public Policy of Beijing Normal University
- **24.** Nashizara H. Singing, Republic of Malawi, Doctoral Student of Beijing Normal University
- 25. Huy Sreyleakhana, Cambodia, Doctoral Student of Beijing Normal University
- 26. Asha Mallya Mussa, Tanzania, Doctoral Student of Beijing Normal University

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#### Parallel Forum 2

#### Practical Difficulties and Countermeasures of Marine Ecological Conservation

Moderator: Pan Xinchun, Vice President and Secretary General of China Oceanic Development Foundation and Director of Marine Spatial Planning Academy

#### Guests:

- 1. H.E. Mr. Baudelaire Ndong Ella, Ambassador of the Gabonese Republic to China
- 2. H.E. Mr. Ian Marshall, Grenada's ambassador to China
- 3. Mr. SAMBANIAINA, Chargé d'affaires of Madagascar
- 4. Mr. Abdourahmane Diouf, Counselor of the Senegalese Embassy in China
- 5. Mr. Marcus Ramalho, Minister Counsellor of the Brazilian Embassy in China
- Mr. Alfred Likokoto Sililo, Minister Counsellor of the Embassy of the Republic of El Salvador in China
- 7. Mr. Thongsavanh Phyathep, Minister Counsellor of the Embassy of the Lao People's Democratic Republic in China
- 8. Mr. Chirdon Guirreh Ignoh, Secondary Counsellor of Djibouti Embassy to China
- Robert Lloyd Walker, Fellow of the British Academy of Social Sciences, Professor of School of Sociology of Beijing Normal University
- **10. Luo Gang,** Fellow of China Institute for Marine Affairs (CIMA), Ministry of Natural Resources
- 11. Ms. Tamara Kunanayakam, Former Chairperson/Rapporteur of UN Intergovernmental Working Group on the Right to Development, Former Sri Lankan Ambassador and Permanent Representative to the UN
- 12. Shi Yubing, Vice Dean of South China Sea Institute of Xiamen University and Chief Editor of China Oceans Law Review
- 13. Wang Weijia, Vice Dean of School of Journalism & Communication, Peking University
- 14. Tang Yingxia, Deputy Director of Human Rights Research Center, Nankai University
- 15. Razafy Nomenjanahary Rivo, Director of Marine Spatial Planning Programn (MSP)
- 16. Chen Haisong, Deputy Dean, Wuhan University School of Law
- 17. Arpana Pratap, Manager of Pacific Islands Development Forum Program

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- 18. Martín López, Research fellow, Center for Chinese Studies, Institute for International Relations, National University of La Plata (IRI-UNLP)
- **19. Chen Xiaochen**, Deputy Director of Institute of International and Regional Studies, School of Foreign Languages, East China Normal University
- **20.** Renato Peneluppi, Lawyer, Doctor in Publ. Administration, Researcher, CCG (Video Statement)
- **21. Zhang Aining,** Director, Human Rights Research Center of China Foreign Affairs University
- **22.** Marta Guilherme Zita, Technician in the Maritime Planning and Administration Division (Video Statement)
- 23. Cao Wei, Associate Professor, Renmin University of China Law School
- 24. Firehiywot Fikadu wukaw, Ethiopia, Doctoral Student of Beijing Normal University
- 25. You Luying, Doctoral Student of Faculty of Education, Beijing Normal University

#### Parallel Forum 3

Global Responsibility on Building a Maritime Community with a Shared Future

Moderator: Fan Daqi, Vice President of the Academy of Contemporary China and World Studies

#### Guests:

- 1. H.E. Ms. Soledad Cordova, Ecuador's ambassador to China
- 2. Mr. Tiberio Edu Okenve A., Representative of Ambassador of Equatorial Guinea to China
- 3. Mr. Jonathan Guzmán Obando, Costa Rica's Chargé d'affaires to China
- 4. Mr. Bernard GOLLONDO, Central African Republic's Chargé d'affaires to China
- **5. Ms. Nilamonh Khenkitisack**, Second Secretary of the Embassy of the Lao People's Democratic Republic in China
- 6. Mr. Turganbaev Tolon, Senior Specialist of Shanghai Cooperation Organization (SCO)
- 7. Mr. Manuel Carlos Eduardo, Counsellor of the Embassy of the Republic of Angola in China

INTERNATIONAL CONFERENCE ON ENVIRONMENT, DEVELOPMENT AND HUMAN RIGHTS: MARINE ECOLOGICAL PROTECTION IN THE PROCESS OF MODERNIZATION

- 8. Mr. Diane Sidikiba, Counsellor of the Embassy of the Republic of Guinea in China
- 9. Mr. Ail Alothman, Counsellor of the Embassy of the Kingdom of Saudi Arabia in China
- 10. Zhang Shengjun, Director of International Relations, School of Government of Beijing Normal University
- 11. Liu Hongchu, Executive Director, Center for Human Rights Research, Yunnan University
- 12. Ronnie Lins, Director of Center China Brazil: Research & Business
- 13. Chhort Bunthang, Deputy Director General of International Relations Institute of Cambodia, Royal Academy of Cambodia
- 14. Yue Shumei, Professor, School of International Law, Southwest University of Political Science & Law
- 15. Vladimir Petrovskiy, Senior Researcher, Institute of China and Contemporary Asia Studies, RAS
- 16. Javier García Fernández, Professor at Renmin University
- 17. Idriss Abdelkerim Foudissia, Chad Social Geographer, Diplomat
- 18. Richard Li, Patner of Global Headquarters, Beijing Yingke Law Firm
- 19. AILTON MANOEL, PEREIR, Brazil, Master, School of Social Development and Public Policy of Beijing Normal University
- 20. Harweling Shilling, Liberia, Doctor of Education, Beijing Normal University
- 21.AMATE NUNEZ, PATRICIA, Spain, Doctor of Sociology, Beijing Normal University &
- 22.BOIAN, LI, Russia, Graduate Student, School of Social Development and Public Policy of Beijing Normal University
- 23. Marcelo Perfetti, Argentine, Graduate Student, School of Social Development and Public Policy of Beijing Normal University
- 24. Fernando Pérez Kühn, Argentine, Graduate Student, School of Social Development and Public Policy of Beijing Normal University

MARINE ECOLOGICAL PROTECTION IN THE PROCESS OF MODERNIZATION

# **AGENDA**

Time: September 26, 2023 Venue: Capital Hotel, Beijing

#### **Opening Ceremony**

09:00-10:05

Moderator: Zuo Feng, Vice President and Secretary-General of China Foundation for Human Rights Development (CFHRD)

#### 09:00-09:05

The Moderator Announces the Opening and Introduces the Guests of Honor

#### 09:05-09:15

Remarks by Mr. Jiang Jianguo, Member of the Standing Committee and Vice Chairperson of the Committee on Ethnic and Religious Affairs of the National Committee of the Chinese People's Political Consultative Conference (CPPCC) and Former Deputy Head of the Publicity Department of the CPC Central Committee

#### 09:15-09:25

Remarks by Mr. Wang Guoqing, Vice President of China Foundation for Human Rights Development (CFHRD)

#### 09:25-09:35

Remarks by Mr. Du Zhanyuan, President of China International Communications Group (CICG)

#### 09:35-09:45

Remarks by Mr. Pan Xinchun, Vice President and Secretary General of China Oceanic Development Foundation and Director of Marine Spatial Planning Academy

#### 09:45-09:55

Remarks by Mr. Wang Antao, Deputy Director-General of the Department of International Cooperation (the Department of Maritime Rights and Interests), Ministry of Natural Resources

#### 9:55-10:05

Remarks by H.E. Mr. Alain Wong Yen Cheong, Mauritius Ambassador to China

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#### **Ceremony Session**

10:05-10:15

#### Release the joint initiative

"Strengthening Blue Cooperation for the Future of the World"

- Tay Yap Leong, Senior Director, Comprehensive Defense and Security Research Centre, Malaysian Institute of Defence and Security (MiDAS)
- 2. Ms. Tamara Kunanayakam, Former Chairperson/Rapporteur of UN Intergovernmental Working Group on the Right to Development, Former Sri Lankan Ambassador and Permanent Representative to the UN
- 3. Shi Yubing, Vice Dean of South China Sea Institute of Xiamen University and Chief Editor of China Oceans Law Review

Tea Break 10:15-10:30

#### **Keynote Speeches**

10:30-11:50

Moderator: Yu Tao, Vice President of China International Communications Group

- 1. Robert Lloyd Walker, Fellow of the British Academy of Social Sciences, Professor of School of Sociology of Beijing Normal University
- 2. Yu Yunquan, President of Academy of Contemporary China and World Studies
- 3. Marcio Pochmann, President of Brazilian Institute of Geography and Statistics
- **4. Luo Gang**, Fellow of China Institute for Marine Affairs (CIMA), Ministry of Natural Resources
- **5. Tay Yap Leong,** Senior Director, Comprehensive Defense and Security Research Centre, Malaysian Institute of Defence and Security (MiDAS)
- **6. Wang Xiaoxun,** Deputy Director-General, Qingdao Municipal Marine Development Bureau, Shandong Province  $^\prime$
- **7. Ms. Tamara Kunanayakam,** Former Chairperson/Rapporteur of UN Intergovernmental Working Group on the Right to Development, Former Sri Lankan Ambassador and Permanent Representative to the UN
- 8. Shi Yubing, Vice Dean of South China Sea Institute of Xiamen University, Chief Editor of China Oceans Law Review

#### Schedule

:00

7:00

#### Septemper 25, 2023

**Guest Registration** 

Location: Capital Hotel

Dinner Venue: Four Seasons, Lobby Level, Tower A

Dinner Time: 17:30-19:00

#### Septemper 26, 2023

Breakfast: 06:30-08:00

Venue: Four Seasons, Lobby Level, Tower A

Morning

Venue: Zi Yun Grand Ballroom

08:20-09:00 Registration

09:00-09:45 Opening Ceremony

09:45-11:15 Keynote Speeches

11:15-11:30 Initiative Release

Lunch: 11:30-13:00

Venue: Four Seasons, Lobby Level, Tower A

Afternoon

14:00-17:00 Parallel Sessions

Session 1

Venue: Maple Room

International Experiences in Marine Environmental Governance

Session 2

Venue: Plum Blossom Room

Practical Difficulties and Countermeasures of Marine Ecological

Conservation

Session 3

Venue: Pine Room

Global Responsibility on Building a Maritime Community with a

Shared Future

Dinner: 17:30-19:00

Venue: Four Seasons, Lobby Level, Tower A

#### **Service Information**

#### Hotel Information

Capital Hotel, Beijing

Address: No.3 Qian Men East Street, Beijing

Tel: (+86-10)58159988

#### Catering Service

Catering service will be provided during the conference. Guests are invited to have meals with meal vouchers.

#### Language Service

Simultaneous interpretation service will be provided both for the main forum and the parallel sessions.

The conference service team will be ready to help you during the conference, the contact details are as follows:

General coordinator for conference registration:

Tian LIN (+86)13755661598

#### General coordinator for guest reception:

Chinese Guests - Hanyue ZHANG (+86)17701326878 International Guests - Jiayue GUO (+86)18322413524

General coordinator for catering:

Ziqing WANG (+86)13501199386

General coordinator for accommodation and transportation:

Miao SUN (+86)18516891152

#### **Dress Code**

During the conference, business formal is required.

# INTERNATIONAL CONFERENCE ON ENVIRONMENT, DEVELOPMENT AND HUMAN RIGHTS: MARINE ECOLOGICAL PROTECTION IN THE PROCESS OF MODERNIZATION

SERVICE GUIDE September 25-26, 2023 Beijing, China

# Marine Resource Management: Experience from the Office of the Ombudsman

#### by Yolanda Chamberlain Gallegos Costa Rica

The Office of the Ombudsman, established in the year 1993, is an institution depending on the Congress, that ensures respect for the rights of the population in the face of actions, omissions, or wrongdoing by public institutions.

Throughout the years, multiple organizations have emphasized the significant contribution of natural resources, forests, and wetlands to the environment, and therefore, the obligation of the State to protect them has been demanded, taking into consideration the multiple national and international legislations that exist in this regard. However, the destruction of various ecosystems, including marine ecosystems, continues in the country for the benefit of various commercial, agricultural, and tourist activities. Likewise, the lack of urban planning by many local governments in the country jeopardizes different natural spaces, as the relevant authorities ignore warnings from various stakeholders about their proper protection.

Pursuant to Costa Rica's Political Constitution, article 50, and the Biodiversity Law, article 45, designates the State's obligation to prevent risks or dangers that threaten the permanence of ecosystems and must mitigate or restore environmental damage caused to the natural environment. In this regard, the Organic Law of the Environment highlights the actions that the State must take for the protection of the country's wildlife and indicates that activities aimed the conservation, improvement and recovery of biodiversity are of public interest, directed towards ensuring its sustainable use.

The ocean plays a crucial role in the global systems that make Earth a habitable environment for humanity, therefore, as part of the 2030 Agenda for Sustainable Development, the Ombudsman's Office has committed to the observance of the Sustainable Development Goals (SDGs) for the improvement of the population's quality of life. The Sustainable Development Goals (SDGs) recognize that the dignity of the human person is fundamental. Hence, one of their key messages is "Leave no one behind," embodying the principles of equality and non-discrimination to guarantee that people, regardless of their backgrounds, have rights and responsibilities to fulfill their potential in life, and lead decent, dignified and rewarding lives in a healthy environment. Goal 13<sup>th</sup> (take urgent action to combat climate change and its impacts) and goal 14<sup>th</sup> aims (conserve and sustainably use the ocean, seas, and marine resources) to preserve and ensure the sustainable use of the ocean, seas, and marine resources also taking action for climate change adaptation.

Since 2017, Costa Rica subscribed the National Wetlands Policy 2017-2030, which stipulates that the conservation and sustainable use of wetland ecosystems must be incorporated into sectoral and intersectoral activities, plans, programs, and strategies to integrate them into the national planning process. Wetlands are among the most productive environments in the world and provide a wide range of benefits due to their essential functions and values for marine ecosystems, the environment, and human health.

In this regard, Ramsar's Strategic Goal number 1 indicates that wetland benefits shall feature in national or local policy strategies and plans relating to key sectors. Likewise, this document points out that Ramsar wetlands will directly impact the Sustainable Development Goals related to water quality, food and drinking water, climate change adaptation, energy supply, human well-being, biodiversity, and sustainable use of ecosystems, among others.

Despite the scientifically proven effects of climate change, humanity continues to engage in unsustainable practices that negatively impact the environment and contribute to global warming. For example, seabed sediments are considered one of the world's largest reservoirs of carbon dioxide; however, practices that are still legal in many countries, such as bottom trawling, disturb the seabed and contribute year after year to increased climate change and rising global temperatures.

Costa Rica has 1,466 linear kilometers of coastline, which makes it an attractive territory for the development of tourist marinas, especially on the Pacific coast, due to its topography and favorable climate. It is part of the Costa Rica Thermal Dome (CRTD), situated in the Tropical Eastern Pacific, a zone naturally protected and recognized for species reproduction due to its favorable temperature conditions and nutrient-rich environment essential for marine life. In 2014, during the 12th meeting of the Conference of the Parties to the Convention on Biological Diversity (-COP12), this dome was declared as Ecologically or biologically significant areas (EBSAs), thereby promoting maritime conservation and research in the region concerning the migration and feeding habits of species such as blue whales (*Balaenoptera musculus*), leatherback turtles (*Dermochelys coriacea*), and common dolphins (*Delphinus delphis*).

In recent years, tourist marinas have emerged in the tourism development of Costa Rica as a new alternative to attract high-income tourism and foreign currency to the country. The construction of these marinas is favored by the national geography, favorable climate, and the extensive coastline, among other benefits mentioned earlier. However, according to research conducted by the Ombudsman's Office, marinas have a significant environmental impact on marine ecosystems. While it does not oppose this activity, there is an insistence on the need to create indices of marine environmental fragility, develop maps of coastal and marine sensitivity, as well as establish a marine-coastal planning strategy, as recommended by experts consulted in the country. The purpose of these measures is to ensure the protection and preservation of marine biodiversity.

In April 2007, Costa Rica subscribe the Convention on the Conservation of Migratory Species of Wild Animals. This international instrument recognizes the importance of conserving migratory species and the necessary measures for this purpose, paying attention to migratory species with an unfavorable status. Additionally, the States agree to take appropriate and necessary measures for the conservation of such species and their habitats.

In accordance with the SDG 14 (sustainable development of the ocean, seas and marine resources), the Ombudsman's Office launched the Cocos Initiative to prohibit bottom trawling throughout the world. In this context, as a National Human Rights Institution, with obligations that include the promotion and defense of human rights, the current initiative

aims to promote concrete climate action to reduce the effects of climate change and its impact on life on our planet. Scientific studies have shown that bottom trawling, in addition to negatively impacting marine biodiversity and diverse ecosystems, is also responsible for the annual release of significant amounts of carbon dioxide stored in the seabed.

The Ombudsman's Office has also issued recommendations on other issues involving marine resources, such as the protection of dolphins from harmful practices in tuna fishing and the use of devices in fishing gear to protect sea turtles, such as Turtle Excluder Devices (TEDs), shark finning, shrimp farming, among others.

As a member of the Inter-American Tropical Tuna Commission (IATTC), Costa Rica regulates the fishing of yellowfin and bigeye tuna in the Eastern Pacific Ocean. The IATTC works on scientific programs with observers on board to reduce dolphin mortality in tuna fishing.

In 1998, a group of countries established the International Dolphin Conservation Program (IDCP), resulting in a reduction of dolphin mortality to less than 1% in the Pacific Ocean. Observers on board have demonstrated their efficacy, as affirmed by the Costa Rican government. Furthermore, the country introduced a protocol for addressing irregularities in fishing practices, committing to seek appropriate methods for capturing large yellowfin tuna and ensuring their sustainability, in addition, it has regulated recreational fishing, with the practice of "catch and release", which involves returning the caught prey back into the environment. The Fisheries and Aquaculture Law reinforce this initiative along with Costa Rican regulations.

The Ombudsman's Office considers that Costa Rica has made efforts to control fishing activity and conserve dolphins. However, authorities should give emphasis to the need for transparency and monitoring to ensure compliance with international commitments and national regulations, to protect the ecosystem.

Regarding shark finning, the Ombudsman's Office has been monitoring the activity regulations, particularly the necessary actions and controls to prevent the practice of "finning," which involves cutting the fins of sharks and discarding the rest of the body at sea, to market only the parts that yield higher income due to their high market value. This practice is not just considered cruelty to animals but also disrupts the marine ecosystem. In 2012, Costa Rica published regulations to prohibit the import, transport, transfer, discharge, storage, and commercialization of products and byproducts of hammerhead sharks within jurisdictional waters, which has helped to control the activity to some extent; however, it is still conducted illegally.

In the last two years, in response to the inclusion of the hammerhead shark in the list of endangered species and illegal shark fishing, the Costa Rican government declared the Cocos Island National Park a natural sanctuary for sharks, expanded the boundaries of the island, established the Seamount Marine Management Area, and issued the regulation "Prohibition of capture, retention on board, transshipment, discharge, storage, and commercialization of products and byproducts of hammerhead sharks (Sphyrnidae)."

The Ombudsman's Office has been taking concrete actions to protect the marine ecosystems, environment, and human rights, such as the initiative to ban bottom trawling. Additionally, the institution has issued recommendations on topics such as dolphin protection in tuna fishing and the use of devices to protect sea turtles, as well as ban on shark finning, and the expansion of protected marine areas, among others.

Finally, it is important to point out that one of Costa Rica's main challenge lies in having the appropriate resources for effective protection of marine resources. This entails a need to increase the number of boats, allocate more economic resources for hiring specialized personnel, and reinforce state control in open waters. Additionally, is necessary to address the socioeconomic difficulties experienced by communities that depend on fishing as their livelihood, as well as the socioeconomic issues of populations dependent on fishing.