



JOURNAL OF INTERNATIONAL LAW, POLITICS AND SOCIETY

An International Open Access Double Blind Peer Reviewed

ISSN No.: 3108-0464

Volume 2 | Issue 1 (Jan.-Mar.) | 2026

Art. 02

The Blue Economy and Sustainable
Development in South Asia: Structural
Constraints, Developmental Opportunities, and
the Role of SAARC in Regional Maritime
Governance

Asif Iqbal

Assistant Professor (Law),

University School of Law,

Rayat Bahra University, Mohali, India

Recommended Citation

Asif Iqbal, *The Blue Economy and Sustainable Development in South Asia: Structural Constraints, Developmental Opportunities, and the Role of SAARC in Regional Maritime Governance*, 1 JILPS 15-30 (2026).

Available at www.jilps.in/archives/.

This Article is brought to you for free and open access by the Journal of International Law, Politics and Society by an authorized Lex Assisto & Co. administrator. For more information, please contact jilpslawjournal@gmail.com.

The Blue Economy and Sustainable Development in South Asia: Structural Constraints, Developmental Opportunities, and the Role of SAARC in Regional Maritime Governance

Asif Iqbal

Assistant Professor (Law),
University School of Law,
Rayat Bahra University, Mohali, India

Manuscript Received
07 Jan. 2026

Manuscript Accepted
10 Jan. 2026

Manuscript Published
15 Jan. 2026

ABSTRACT

The Blue Economy has emerged as a pivotal normative and policy framework within global sustainable development discourse, reconceptualizing oceans and marine ecosystems as engines of inclusive growth, environmental stewardship, and social resilience. For South Asia – home to extensive coastlines, strategically vital sea lanes, and ecologically rich maritime zones – the Blue Economy presents transformative possibilities for achieving sustainable development. Nevertheless, the region’s capacity to harness these opportunities remains constrained by environmental degradation, fragmented governance, technological limitations, and enduring geopolitical rivalries that impede collective regional action. This paper adopts a doctrinal and comparative methodology to critically examine the interface between the Blue Economy and sustainable development in South Asia, situating the analysis within the framework of the United Nations Sustainable Development Goals (SDGs). Particular emphasis is placed on the institutional role of the South Asian Association for Regional Cooperation (SAARC), which, despite its limited record of effective integration, continues to possess latent normative and coordinating potential. By embedding the Blue Economy within broader debates on regionalism, international law, and multilevel governance, this study identifies structural impediments and advances normative and policy-oriented recommendations. It argues that reinvigorating SAARC’s institutional mandate and prioritising regional maritime cooperation are indispensable for transforming South Asia’s oceanic resources into drivers of equitable, resilient, and future-oriented development.

KEYWORDS

Blue Economy; Maritime Governance; Regionalism; SAARC; Sustainable Development Goals

I. INTRODUCTION

The global pursuit of sustainable development has increasingly converged on the oceans as pivotal spaces where economic growth, environmental protection, and social equity intersect. In this context, the concept of the Blue Economy has emerged as a transformative framework that reimagines the governance of marine and coastal resources through the lens of sustainability, resilience, and intergenerational justice. Unlike conventional ocean-based economic models that prioritise extraction and short-term exploitation, the Blue Economy advocates a holistic approach integrating ecological preservation with inclusive economic development. This normative shift received formal international recognition at the United Nations Conference on Sustainable Development (Rio+20), which explicitly acknowledged oceans and seas as central to poverty eradication, food security, and sustainable livelihoods.¹

South Asia occupies a particularly critical position within this evolving maritime discourse. The region commands an extensive oceanic domain within the Indian Ocean and encompasses strategically vital sea lanes facilitating a substantial proportion of global trade. Coastal and island states such as India, Bangladesh, Sri Lanka, and the Maldives rely heavily on ocean-based sectors, including fisheries, shipping, port-led development, tourism, and emerging offshore renewable energy industries. Simultaneously, South Asia remains among the most climate-vulnerable regions globally, confronting rising sea levels, intensified cyclonic activity, coastal erosion, and marine ecosystem degradation. These environmental stressors pose existential risks not only to biodiversity but also to the livelihoods and food security of millions of coastal inhabitants whose survival is intrinsically linked to marine ecosystems.²

Despite this vast maritime potential, South Asia has struggled to articulate a coherent and coordinated Blue Economy strategy. National initiatives remain fragmented, largely shaped by domestic developmental priorities rather than a shared regional vision. This policy disaggregation has contributed to regulatory inconsistencies and

¹ United Nations Conference on Sustainable Development, *The Future We Want*, pp 158-177, U.N. Doc. A/RES/66/288 (July 27, 2012).

² Intergovernmental Panel on Climate Change, *Climate Change 2022: Impacts, Adaptation and Vulnerability* (Cambridge Univ. Press 2022), <https://doi.org/10.1017/9781009325844>

weakened responses to transboundary challenges such as illegal, unreported, and unregulated fishing, marine pollution, and climate-induced disasters. Given the inherently transnational character of marine ecosystems, unilateral governance approaches are structurally insufficient, underscoring the necessity of regional cooperation for effective and sustainable ocean governance.³

The South Asian Association for Regional Cooperation (SAARC), established in 1985 as the principal institutional framework for regional collaboration, has thus far played a marginal role in maritime governance and Blue Economy initiatives. Scholarly assessments frequently attribute SAARC's limited effectiveness to structural constraints, including its consensus-based decision-making architecture, weak institutional capacity, and persistent geopolitical rivalries – most notably between India and Pakistan – which have repeatedly paralysed collective action.⁴ As a result, South Asia continues to be one of the least integrated regions globally, particularly when contrasted with regional organisations such as the Association of Southeast Asian Nations (ASEAN) and the European Union (EU), both of which have developed substantive legal and policy frameworks for maritime cooperation and sustainable ocean governance.⁵

Nevertheless, dismissing SAARC as institutionally redundant risks overlooking its latent normative and coordinating potential. As the only region-wide multilateral forum encompassing South Asia's diverse political, economic, and ecological contexts, SAARC remains uniquely positioned to facilitate dialogue, harmonise policy approaches, and promote collective responses to shared maritime challenges. The Blue Economy, by its very nature, generates functional incentives for cooperation, as marine resources and environmental threats transcend national boundaries and necessitate coordinated governance mechanisms. From fisheries conservation and marine biodiversity protection to disaster risk reduction and climate adaptation, effective Blue Economy governance is inseparable from regional institutional engagement.⁶

This paper argues that the Blue Economy represents a strategically

³ Food & Agric. Org. of the U.N., *The State of World Fisheries and Aquaculture 2022: Towards Blue Transformation* (2022), <https://doi.org/10.4060/cc0461en>

⁴ T.C.A. Raghavan, *SAARC: Ineffectiveness and the Future of Regional Cooperation in South Asia*, 47 *Econ. & Pol. Wkly.* 35 (2012).

⁵ Yoshifumi Fukunaga & Akiko Isono, *ASEAN's Blue Economy and Regional Maritime Cooperation*, 14 *J. Ocean & Coastal Econ.* 1 (2021), <https://doi.org/10.15351/2373-8456.1129>

⁶ United Nations Env't Programme, *Blue Economy: Sharing Success Stories to Inspire Change* (2019).

underutilised opportunity to revitalise regional cooperation in South Asia and to reposition SAARC as a meaningful actor in sustainable development governance. By situating the Blue Economy within the normative framework of the United Nations Sustainable Development Goals—particularly SDG 14 (Life Below Water), SDG 13 (Climate Action), and SDG 8 (Decent Work and Economic Growth)—the study underscores the interdependence between ocean sustainability, economic resilience, and social justice. Employing a doctrinal and comparative methodology, the paper examines international legal instruments, regional governance practices, and comparative experiences from other regional organisations to assess both the constraints and prospects of Blue Economy development in South Asia.

The central contention advanced is that while South Asia's Blue Economy is constrained by ecological vulnerability, institutional fragmentation, and geopolitical rivalry, these challenges are not insurmountable. Strategic regional cooperation, anchored in a reoriented and functionally empowered SAARC, could transform the region's oceanic resources into engines of inclusive and sustainable growth. By reframing maritime governance as a shared regional responsibility rather than a site of competition, South Asia can harness the Blue Economy not merely as an economic strategy but as a pathway toward deeper regional integration and long-term environmental security.

II. LITERATURE REVIEW

The scholarly literature on the Blue Economy has expanded rapidly over the past decade, reflecting growing international concern with the sustainable governance of marine and coastal resources. Early conceptualizations of the Blue Economy were largely policy-driven, framed by international organisations as a mechanism for aligning ocean-based economic activities with environmental sustainability and social inclusion. The World Bank's articulation of the Blue Economy, for instance, emphasises the efficient use of ocean resources to support livelihoods, economic growth, and ecosystem health simultaneously, thereby challenging extractive development paradigms that historically characterised maritime economies.⁷ This policy-oriented framing has provided a foundational vocabulary for subsequent academic engagement, though it has also been critiqued for its normative ambiguity and limited legal precision.

A significant strand of scholarship interrogates the conceptual coherence of the Blue Economy itself. Scholars argue that while the concept aspires to integrate sustainability into maritime development, it risks

⁷ World Bank, *The Blue Economy: Opportunities for Sustainable Growth* (2017), <https://doi.org/10.1596/26810>.

functioning as a rhetorical umbrella under which environmentally harmful activities may be legitimised. Bennett et al. caution that without robust regulatory safeguards, the Blue Economy may reproduce inequitable power relations, marginalise small-scale fishing communities, and prioritise capital-intensive industries such as deep-sea mining and large-scale aquaculture.⁸ This critique underscores the need to distinguish between growth-oriented “blue growth” models and rights-based Blue Economy frameworks grounded in environmental justice and social equity.

Another influential body of literature situates the Blue Economy within the broader framework of international environmental law and ocean governance. Scholars highlight the fragmented nature of the existing legal regime governing oceans, which is dispersed across instruments such as the United Nations Convention on the Law of the Sea (UNCLOS), regional fisheries agreements, biodiversity conventions, and climate change frameworks.⁹ While UNCLOS provides a constitutional framework for ocean governance, its sectoral approach and limited enforcement mechanisms have been criticised for inadequately addressing contemporary challenges such as marine biodiversity loss, climate change impacts, and cumulative environmental harm. This has prompted calls for enhanced integration between Blue Economy initiatives and emerging legal developments, including the Agreement on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ Agreement).¹⁰

Regional perspectives on the Blue Economy further illuminate the importance of institutional design and cooperative governance. Comparative studies of ASEAN and the European Union demonstrate that regional organisations can play a pivotal role in harmonising maritime policies, facilitating information-sharing, and coordinating responses to transboundary environmental challenges.¹¹ In the ASEAN context, scholars note that flexible institutional mechanisms and functional cooperation have enabled incremental progress in marine environmental protection and sustainable fisheries management, despite political diversity among member states. Similarly, the European

⁸ Nathan J. Bennett et al., *Towards a Sustainable and Equitable Blue Economy*, 10 *Nat. Sustain.* 991 (2019), <https://doi.org/10.1038/s41893-019-0404-1>.

⁹ Rosemary Rayfuse, *International Law and the Governance of the Oceans*, 34 *Marine Pol’y* 533 (2010), <https://doi.org/10.1016/j.marpol.2009.10.005>.

¹⁰ David Freestone, *Governance of Areas Beyond National Jurisdiction: The New BBNJ Agreement*, 55 *Ocean Dev. & Int’l L.* 1 (2024), <https://doi.org/10.1080/00908320.2024.2311178>.

¹¹ Yoshifumi Fukunaga & Akiko Isono, *ASEAN’s Blue Economy and Regional Maritime Cooperation*, 14 *J. Ocean & Coastal Econ.* 1 (2021), <https://doi.org/10.15351/2373-8456.1129>.

Union's Integrated Maritime Policy is frequently cited as a model for aligning economic development with marine conservation through legally binding standards and coordinated governance structures.¹²

In contrast, the South Asian literature reveals a conspicuous gap in regional Blue Economy governance. Existing studies on South Asia tend to focus on country-specific maritime strategies, particularly India's port-led development initiatives and Bangladesh's post-delimitation engagement with maritime resource governance.¹³ While these analyses provide valuable insights into national policy trajectories, they often overlook the regional dimensions of ocean governance and the potential role of SAARC as a coordinating institution. Where SAARC is discussed, it is typically portrayed as institutionally weak and politically constrained, with limited capacity to address complex environmental and maritime issues.¹⁴ This prevailing pessimism has contributed to the marginalisation of SAARC within Blue Economy scholarship, reinforcing a narrative of regional fragmentation rather than exploring pathways for institutional renewal.

A growing interdisciplinary literature links the Blue Economy with climate governance and disaster risk reduction, particularly in climate-vulnerable regions such as South Asia. Scholars emphasise that coastal and marine ecosystems play a critical role in climate adaptation by acting as carbon sinks, buffering storm surges, and supporting climate-resilient livelihoods.¹⁵ However, they also note that climate-induced stresses exacerbate existing governance challenges, including weak regulatory enforcement, inadequate data-sharing, and limited stakeholder participation. This literature highlights the need for adaptive, multi-level governance frameworks capable of responding to dynamic environmental risks – an objective that regional institutions are uniquely positioned to advance.

Despite these contributions, the literature remains fragmented along disciplinary and geographic lines. There is a notable absence of doctrinal legal scholarship examining the Blue Economy through the lens of regional institutional law in South Asia. Existing studies rarely engage with questions of legal mandate, normative authority, or institutional reform within SAARC, nor do they systematically compare South Asia's

¹² Commission of the European Communities, *An Integrated Maritime Policy for the European Union*, COM (2007) 575 final.

¹³ Md. Saiful Karim, *Bangladesh's Maritime Zone and the Blue Economy*, 31 Int'l J. Marine & Coastal L. 723 (2016), <https://doi.org/10.1163/15718085-12341417>.

¹⁴ T.C.A. Raghavan, *SAARC: Ineffectiveness and the Future of Regional Cooperation in South Asia*, 47 Econ. & Pol. Wkly. 35 (2012).

¹⁵ Carlos M. Duarte et al., *The Role of Coastal Plant Communities for Climate Change Mitigation and Adaptation*, 14 Nat. Clim. Change 1 (2020), <https://doi.org/10.1038/s41558-019-0733-9>.

regional governance deficits with more integrated maritime regimes elsewhere. This lacuna limits the analytical depth of current debates and obscures the potential of the Blue Economy as a catalyst for reinvigorating regional cooperation.

This paper seeks to bridge this gap by synthesising insights from international environmental law, regional integration theory, and comparative institutional analysis. By foregrounding SAARC within the Blue Economy discourse, the study advances a legal-institutional perspective that has been largely absent from existing scholarship. In doing so, it contributes to a more nuanced understanding of how regional organisations in the Global South can adapt to emerging sustainability challenges and leverage ocean governance as a platform for cooperative development.

III. THEORETICAL AND LEGAL FRAMEWORK

The Blue Economy is best understood not as a standalone economic model, but as a composite normative framework situated at the intersection of international environmental law, law of the sea, sustainable development theory, and regional institutional law. Its legal significance derives from its capacity to operationalise sustainability principles within ocean governance, while simultaneously addressing developmental asymmetries between and within states. From a theoretical perspective, the Blue Economy reflects a gradual shift from sovereignty-centred resource exploitation toward a stewardship-based conception of ocean governance, grounded in intergenerational equity, precaution, and ecosystem integrity.

At the international level, the legal architecture governing the oceans is anchored in the United Nations Convention on the Law of the Sea (UNCLOS), which functions as the constitutional framework for maritime governance. UNCLOS establishes a jurisdictional order that balances coastal state rights over maritime zones with corresponding duties to protect and preserve the marine environment.¹⁶ While the Convention does not explicitly articulate the concept of a Blue Economy, its provisions on sustainable utilisation of living resources, marine environmental protection, and international cooperation provide a doctrinal foundation upon which Blue Economy initiatives can be legally constructed. However, the sectoral and zonal structure of UNCLOS has been widely critiqued for its limited capacity to address cumulative environmental impacts, climate change-induced oceanic transformations, and emerging economic activities such as deep-sea

¹⁶ United Nations Convention on the Law of the Sea arts. 56, 61–62, 192, Dec. 10, 1982, 1833 U.N.T.S. 397.

mining and offshore renewable energy.¹⁷

The Blue Economy also draws normative strength from the broader framework of sustainable development, particularly as articulated through the United Nations Sustainable Development Goals (SDGs). SDG 14 (Life Below Water) explicitly mandates the conservation and sustainable use of oceans, seas, and marine resources, while SDG 13 (Climate Action) and SDG 8 (Decent Work and Economic Growth) reinforce the interdependence between environmental protection, climate resilience, and inclusive economic development.¹⁸ The SDGs collectively function as soft law instruments that, while non-binding, exert significant normative influence on state behaviour and policy formulation. Scholars increasingly recognise the SDGs as contributing to the crystallisation of customary norms related to sustainability, especially when reinforced through consistent state practice and institutional implementation.¹⁹

From a theoretical standpoint, the Blue Economy aligns closely with principles of environmental constitutionalism and global administrative law. Environmental constitutionalism emphasises the entrenchment of environmental protection within legal and institutional frameworks, recognising ecological integrity as a prerequisite for the enjoyment of fundamental rights.²⁰ In the maritime context, this perspective underscores the obligation of states to manage ocean resources in a manner that safeguards the rights of coastal communities, indigenous peoples, and future generations. Global administrative law, by contrast, focuses on the procedural dimensions of governance, highlighting transparency, participation, accountability, and reasoned decision-making within transnational regulatory regimes. Applied to the Blue Economy, this approach foregrounds the need for inclusive governance mechanisms that incorporate scientific expertise, stakeholder participation, and cross-border coordination.

The regionalism constitutes a critical yet underexplored dimension of the Blue Economy's legal framework, particularly in the Global South. Regional organisations serve as intermediaries between global norms and national implementation, facilitating policy harmonisation and collective action in areas where unilateral approaches are ineffective.

¹⁷ Rosemary Rayfuse, *Climate Change and the Law of the Sea*, 30 Mar. Pol'y 213 (2010), <https://doi.org/10.1016/j.marpol.2009.08.001>.

¹⁸ G.A. Res. 70/1, *Transforming Our World: The 2030 Agenda for Sustainable Development* (Oct. 21, 2015).

¹⁹ Duncan French & Louis J. Kotzé, *Sustainable Development Goals and International Environmental Law*, 29 Eur. J. Int'l L. 339 (2018), <https://doi.org/10.1093/ejil/chy028>.

²⁰ Louis J. Kotzé & Paola Villavicencio Calzadilla, *Somewhere Between Rhetoric and Reality: Environmental Constitutionalism*, 15 Transnat'l Env't L. 1 (2017), <https://doi.org/10.1017/S2047102516000296>.

Comparative regional practice demonstrates that legally empowered regional institutions can significantly enhance ocean governance outcomes by coordinating fisheries management, combating marine pollution, and responding to climate-related disasters.²¹ In this respect, regionalism operates not merely as a political arrangement, but as a functional legal strategy for addressing transboundary environmental challenges.

Within South Asia, the South Asian Association for Regional Cooperation (SAARC) represents the primary institutional vehicle for regional governance. Although SAARC's founding charter prioritises economic and social cooperation, its mandate implicitly encompasses environmental protection and sustainable development.²² Subsequent SAARC declarations and action plans have acknowledged the importance of environmental cooperation, climate change adaptation, and disaster risk reduction. However, these commitments have largely remained programmatic, lacking binding legal force and effective enforcement mechanisms. The absence of a dedicated maritime or ocean governance framework within SAARC has further limited its engagement with Blue Economy initiatives.

Theoretical critiques of SAARC often emphasise its consensus-based decision-making structure, which grants individual member states veto power and constrains institutional autonomy. While this design reflects respect for state sovereignty, it has also resulted in institutional inertia and policy stagnation. From an institutional law perspective, this raises questions about the balance between sovereignty and collective action in regional governance. The Blue Economy, by creating functional interdependencies among member states, offers a potential pathway for recalibrating this balance. By framing ocean governance as a shared technical and environmental concern rather than a geopolitical issue, the Blue Economy could enable incremental institutional empowerment without necessitating formal treaty amendment.

Emerging developments in international ocean governance further reinforce the relevance of regional frameworks. The recently adopted Agreement on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ Agreement) underscores the importance of cooperation, capacity-building, and technology transfer, particularly for developing states.²³

²¹ Yoshifumi Fukunaga, *Regional Ocean Governance and ASEAN*, 12 *Asian J. Int'l L.* 327 (2022), <https://doi.org/10.1017/S2044251321000283>.

²² South Asian Association for Regional Cooperation Charter art. I (1985).

²³ United Nations, *Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas*

Although the Agreement operates at the global level, its effective implementation will depend heavily on regional coordination mechanisms. For South Asia, this creates both an obligation and an opportunity to strengthen regional institutional capacities in anticipation of new governance responsibilities.

Taken together, the theoretical and legal framework governing the Blue Economy reveals a complex interplay between global norms, regional institutions, and domestic legal systems. While international law provides the normative foundations and guiding principles, regional organisations such as SAARC possess the potential to translate these norms into coordinated action tailored to regional ecological and socioeconomic contexts. This paper situates the Blue Economy within this multilevel governance structure, arguing that legal and institutional reform at the regional level is indispensable for realising the transformative promise of sustainable ocean governance in South Asia.

IV. CHALLENGES TO BLUE ECONOMY GOVERNANCE IN SOUTH ASIA

The governance of the Blue Economy in South Asia is confronted by a complex constellation of legal, institutional, environmental, and geopolitical challenges that collectively undermine the region's capacity to pursue sustainable and cooperative ocean-based development. These challenges are not merely technical in nature but are deeply embedded within structural inequalities, fragmented regulatory regimes, and contested regional politics. As a result, the Blue Economy in South Asia remains largely aspirational, with limited translation into coherent governance outcomes.

A primary challenge lies in the fragmented legal and regulatory architecture governing marine and coastal resources across South Asian states. While most countries in the region are parties to the United Nations Convention on the Law of the Sea (UNCLOS), domestic implementation of its environmental and conservation obligations remains uneven. National maritime laws are often sector-specific, addressing fisheries, ports, shipping, or offshore energy in isolation, without an overarching framework for integrated ocean governance.²⁴ This compartmentalisation hampers ecosystem-based management and exacerbates regulatory conflicts between economic development objectives and environmental protection mandates. The absence of harmonised regional standards further compounds these challenges,

Beyond National Jurisdiction (BBNJ Agreement) (2023).

²⁴ Robin Warner, *Protecting the Oceans Beyond National Jurisdiction: Strengthening the Legal Framework*, 27 Int'l J. Marine & Coastal L. 1 (2012), <https://doi.org/10.1163/15718085-12341226>.

particularly in addressing transboundary issues such as migratory fish stocks, marine pollution, and shared marine ecosystems.

Environmental degradation presents an equally formidable obstacle to Blue Economy governance in South Asia. The region's marine ecosystems are under severe stress due to overfishing, coastal habitat destruction, land-based sources of pollution, and the accelerating impacts of climate change. Coral reefs, mangroves, and seagrass meadows – critical for biodiversity conservation and climate resilience – are declining at alarming rates.²⁵ Climate-induced phenomena such as sea-level rise, ocean warming, and intensified cyclonic activity disproportionately affect South Asia's densely populated coastal zones, increasing vulnerability to disasters and undermining long-term development planning. These environmental pressures strain already limited governance capacities and expose the inadequacy of existing legal frameworks to respond to cumulative and dynamic ecological risks.

Institutional weaknesses further constrain the effective governance of the Blue Economy at both national and regional levels. Many South Asian states lack specialised maritime institutions equipped with scientific, technical, and enforcement capabilities necessary for sustainable ocean management. Regulatory agencies often operate with overlapping mandates, limited coordination, and insufficient resources, resulting in weak compliance and enforcement.²⁶ At the regional level, SAARC has yet to develop dedicated institutional mechanisms or legally binding instruments addressing maritime cooperation or Blue Economy governance. Environmental and ocean-related initiatives within SAARC remain largely confined to soft-law declarations and project-based cooperation, lacking continuity, monitoring, or accountability structures.

Geopolitical tensions constitute one of the most significant impediments to regional Blue Economy governance in South Asia. Persistent political rivalries, particularly between India and Pakistan, have repeatedly disrupted SAARC's institutional functioning and impeded collective decision-making. These tensions have fostered a climate of strategic mistrust that extends into the maritime domain, where concerns over security, sovereignty, and strategic advantage often overshadow cooperative environmental objectives.²⁷ As a result, maritime issues are frequently securitised, limiting opportunities for confidence-building

²⁵ Intergovernmental Panel on Climate Change, *Special Report on the Ocean and Cryosphere in a Changing Climate* (2019), <https://doi.org/10.1017/9781009157964>.

²⁶ OECD, *Rethinking Innovation for a Sustainable Ocean Economy* (2019), <https://doi.org/10.1787/9789264311053-en>

²⁷ C. Raja Mohan, *Maritime Competition in the Indian Ocean*, 43 *Asian Affs.* 7 (2012), <https://doi.org/10.1080/03068374.2012.642511>.

and functional cooperation in areas such as fisheries management, marine scientific research, and disaster response. This securitisation stands in stark contrast to regions such as Southeast Asia, where functional maritime cooperation has progressed despite geopolitical diversity.

Socioeconomic inequalities and the marginalisation of coastal communities present additional governance challenges. Small-scale fishers and coastal populations across South Asia often lack meaningful participation in decision-making processes related to marine resource use and coastal development. Large-scale infrastructure projects, port expansion, and industrial aquaculture – frequently justified under Blue Economy narratives – have, in some instances, exacerbated displacement, livelihood loss, and social exclusion.²⁸ The failure to integrate social justice considerations into Blue Economy governance risks reproducing patterns of inequitable development and undermining the legitimacy of sustainability initiatives. From a human rights perspective, this raises concerns regarding the protection of the right to livelihood, food security, and cultural integrity of coastal and indigenous communities.

Capacity constraints and data deficiencies further impede informed decision-making in Blue Economy governance. Effective ocean governance depends on reliable scientific data, monitoring systems, and technological capacity to assess environmental impacts and manage resources adaptively. Many South Asian states face significant gaps in marine scientific research infrastructure, data-sharing mechanisms, and technological access.²⁹ These limitations hinder evidence-based policymaking and weaken the region's ability to engage effectively with emerging global ocean governance regimes, including those related to marine biodiversity beyond national jurisdiction and climate adaptation financing.

Finally, the lack of a coherent regional vision for the Blue Economy represents a critical strategic deficit. Unlike regions that have adopted integrated maritime strategies, South Asia has yet to articulate a collective framework that aligns national priorities with shared sustainability objectives. SAARC's limited engagement with maritime issues reflects broader challenges of institutional inertia and normative underdevelopment. Without a shared regional narrative that frames the Blue Economy as a collective good rather than a competitive arena, efforts toward cooperation remain sporadic and vulnerable to political

²⁸ Ratana Chuenpagdee et al., *Blue Justice for Small-Scale Fisheries*, 87 Mar. Pol'y 1 (2018), <https://doi.org/10.1016/j.marpol.2017.10.025>.

²⁹ United Nations Educ., Sci. & Cultural Org. (UNESCO), *Global Ocean Science Report* (2020), <https://doi.org/10.25607/OBP-89>.

disruption.

Taken together, these challenges reveal that the obstacles to Blue Economy governance in South Asia are deeply interconnected, spanning legal fragmentation, environmental vulnerability, institutional weakness, geopolitical rivalry, and social exclusion. Addressing these constraints requires more than isolated policy reforms at the national level; it necessitates a reimagining of regional cooperation grounded in legal harmonisation, institutional strengthening, and inclusive governance. The following section examines potential pathways for reform and the role that a reoriented SAARC could play in overcoming these challenges and advancing sustainable Blue Economy governance in South Asia.

V. PROSPECTS FOR REFORM AND THE ROLE OF SAARC IN ADVANCING THE BLUE ECONOMY

The preceding analysis demonstrates that the Blue Economy holds significant transformative potential for South Asia, yet its realisation remains constrained by fragmented legal regimes, environmental vulnerability, institutional weakness, and persistent geopolitical tensions. These constraints, while formidable, are neither inevitable nor immutable. Rather, they reflect structural deficiencies in regional governance that can be addressed through deliberate legal and institutional reform. This section argues that a reoriented and functionally empowered SAARC can play a pivotal role in translating the normative promise of the Blue Economy into a coherent regional governance framework aligned with sustainability, equity, and resilience.

A critical first step toward reform lies in articulating a shared regional vision for the Blue Economy. SAARC could serve as a platform for developing a non-binding but normatively significant regional Blue Economy framework that articulates common principles, priorities, and standards for sustainable ocean governance. Such a framework, grounded in international law and aligned with the Sustainable Development Goals, would provide strategic direction while respecting the sovereignty and developmental diversity of member states. Experiences from ASEAN and the European Union suggest that even soft-law instruments can exert substantial harmonising influence when accompanied by political commitment and institutional follow-up.³⁰

The legal harmonisation represents another essential avenue for reform.

³⁰ Yoshifumi Fukunaga, ASEAN's Approach to Ocean Governance, 12 Asian J. Int'l L. 327 (2022), <https://doi.org/10.1017/S2044251321000283>.

While South Asian states retain primary jurisdiction over their maritime zones, SAARC could facilitate the convergence of domestic legal standards in key areas such as fisheries management, marine environmental protection, coastal zone regulation, and marine pollution control. Model laws, regional guidelines, and best-practice standards developed under SAARC auspices could reduce regulatory fragmentation and enhance compliance with international obligations under UNCLOS and related instruments.³¹ Importantly, such harmonisation need not entail binding supranational authority but can operate through incremental convergence and peer-based coordination.

The institutional strengthening within SAARC is equally critical. The establishment of a dedicated regional mechanism or working group on ocean governance and the Blue Economy could provide continuity, expertise, and coordination across existing sectoral initiatives. This mechanism could facilitate data-sharing, joint scientific research, capacity-building, and coordinated responses to marine environmental emergencies. By fostering epistemic communities and technical cooperation, SAARC could gradually depoliticise maritime issues and insulate functional collaboration from broader geopolitical tensions.³²

The integration of climate governance into Blue Economy strategies offers further opportunities for reform. Given South Asia's acute vulnerability to climate change, regional cooperation on climate adaptation, disaster risk reduction, and ecosystem-based management is indispensable. SAARC could play a coordinating role in aligning national climate policies with ocean governance objectives, promoting nature-based solutions such as mangrove restoration and coral reef conservation. Access to international climate finance and technology transfer mechanisms could be enhanced through coordinated regional engagement, thereby strengthening adaptive capacity across member states.³³

Equity and social justice must constitute central pillars of any reformed Blue Economy governance framework. SAARC-led initiatives should prioritise the inclusion of coastal communities, small-scale fishers, and marginalised groups in decision-making processes. Regional guidelines on participatory governance, social impact assessment, and benefit-sharing could help ensure that Blue Economy development does not

³¹ Robin Warner, *Oceans Governance and Regional Cooperation*, 27 *Int'l J. Marine & Coastal L.* 1 (2012), <https://doi.org/10.1163/15718085-12341226>.

³² Timo Koivurova, *Environmental Cooperation in Regions*, 15 *Transnat'l Env't L.* 1 (2016), <https://doi.org/10.1017/S204710251600003X>.

³³ Intergovernmental Panel on Climate Change, *Climate Change 2022: Impacts, Adaptation and Vulnerability* (Cambridge Univ. Press 2022), <https://doi.org/10.1017/9781009325844>.

exacerbate existing inequalities. Embedding human rights considerations within ocean governance aligns the Blue Economy with broader international legal commitments and enhances its normative legitimacy.³⁴

Finally, the evolving global landscape of ocean governance underscores the urgency of regional preparedness. The implementation of the Agreement on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ Agreement) will place new obligations on states, particularly in areas of capacity-building, environmental impact assessment, and scientific cooperation. Regional coordination through SAARC could enable South Asian states to collectively meet these obligations, amplify their voices in global negotiations, and secure equitable access to shared ocean benefits.³⁵

The Blue Economy presents South Asia with both a challenge and an opportunity. While current governance deficits hinder its effective implementation, they also highlight the necessity of regional cooperation and institutional innovation. By repositioning SAARC as a facilitator of sustainable ocean governance, South Asia can move beyond fragmented national approaches toward a coordinated regional strategy that balances economic development with environmental stewardship and social justice. The success of the Blue Economy in South Asia will ultimately depend not only on policy ambition but on the willingness of states to embrace cooperative legal frameworks and shared responsibility for the region's oceanic future.

³⁴ Ratana Chuenpagdee et al., Blue Justice for Small-Scale Fisheries, 87 Mar. Pol'y 1 (2018), <https://doi.org/10.1016/j.marpol.2017.10.025>.

³⁵ David Freestone, Governance of Areas Beyond National Jurisdiction, 55 Ocean Dev. & Int'l L. 1 (2024), <https://doi.org/10.1080/00908320.2024.2311178>.