

Ocean space: Timeless relations*

■ Mekhala Dave**

For the third United Nations Ocean Conference (UNOC 3) this year, when I arrived on the French Riviera, in the city of Nice – sun-drenched and clinging to the edge where the Alps descend into the Mediterranean – I noticed the glistening sea and, cascading from balconies, climbing the facades of aging buildings, softening the geometries of stone: bou-

* This article, adapted for Volume 4 of the *ASCOMARE Yearbook*, draws from the Prologue of Dr. Mekhala Dave's PhD thesis, *Ocean in Us: Black Embodied Relations in Contemporary Curating*, as well as her recent article "Rights of the Deep," presented at the 2025 One Ocean Science Congress and published on ocean-archive.org. It offers her personal reflections on the entanglement of the law of the sea, evolving ocean ontologies, and the epistemic interventions enabled through the arts and culture.

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gainvillea.¹ Their deep purple bracts, paper-thin and crisp to the touch, fluttered in the early summer air. Often mistaken for flowers, these vibrant forms are in fact modified leaves. The true flower lies at the centre of these leaves, called bracts.

As a child growing up in South India, I became familiar with these bracts. I held them between my fingers, tracing their veins, pulled into their saturated hues and hidden centre. Bougainvillea was part of the sensory fabric of world-marking thresholds – covering garden walls, making their way into rituals, and even culinary traditions in the South of India. Their ubiquity made them seem native. But their presence, I later learned, was the result of colonial transplantation.

Indigenous to the coastal regions of Brazil, Argentina, and Peru, bougainvilleas were first brought to Europe in the 18th century during a French expedition led by Admiral Louis Antoine de Bougainville. It is said that it was not the official naturalist, Philibert Commerçon, but his partner – Jeanne Baret, a woman disguised as a man – who first identified the plant in Rio de Janeiro and smuggled it back to France.² From there, it was circulated widely across France’s and Britain’s colonial territories, grafted onto the botanical imaginaries of the Empires. To encounter bougainvillea again in Nice, thriving in the Mediterranean sun, draping over walls in a city temporarily reoriented to host global ocean dialogues, was to feel the sedimented layers of the past: Empires, migration of people, and botany across the ocean. Bougainvillea exemplifies this colonial trace – a testament to the imbrication of nature in histories

1. In early summer 2025, the One Ocean Science Congress and the Third United Nations Ocean Conference (UNOC3) are taking place in Nice. Co-hosted by France and Costa Rica, UNOC3 (9–13 June) is being heralded as a pivotal moment—an inflection point in global ocean governance. Framed by the urgency of the UN’s Sustainable Development Goal 14 (Life Below Water), this year’s conference aims to “turn the tide” on ocean degradation and to mobilize action ahead of the 2030 horizon.

2. Glynis Ridley, *The Discovery of Jeanne Baret: A Story of Science, the High Seas, and the First Woman to Circumnavigate the Globe* (Crown Publishing 2010).

of conquest and classification that circulated for territorial expansion and encounters across the ocean space.

The history of ocean space has been central to colonial expansion and maritime dominance, which later became a site of transformation as nations of the Global South asserted their independence from colonial rule.³ A historical perspective, including Hugo Grotius's *Mare Liberum*—which framed the ocean as a space of freedom for navigation and trade during the 17th to 19th centuries – offers crucial insights into how oceanic space has been conceptualised and regulated by sovereign powers over time.⁴ Grotius's legal doctrine and colonial maritime histories mark the critical shift in oceanic imaginaries from colonial administration to decolonial perspectives, reflecting a broader interrogation of the ocean's role in freedom of the seas and its governance models. From *Mare Liberum* in the 17th century to the 1982 United Nations Convention on the Law of the Sea (UNCLOS), the trajectory of international governance reflects a history of demarcation over nations' sovereignty.⁵ Surabhi Ranganathan has in recent years noted that “law-making is really a line-making activity”, highlighting the centrality of boundaries and zones in framing the ocean – always a metric for exercising sovereignty by nation-States.

Through these reflections, UNCLOS is often hailed as a foundational international legal framework. Despite its robustness and virtues, if we examine UNCLOS more closely, it is steeped in colonial logics of par-

3. In *Mare Liberum*, Hugo Grotius argues for the freedom of navigation on the high seas, primarily to support Dutch merchants' unrestricted access to Asian trade routes. This principle of navigational freedom forms part of Grotius's broader claim for unimpeded access to global trade and commerce. See Peter Borschberg, 'Hugo Grotius' Theory of Trans-Oceanic Trade Regulation: Revisiting *Mare Liberum* (1609)' (2006) *International Law and Justice Working Papers* (Rev. Aug. 2006) 3.

4. *Ibid.*

5. Surabhi Ranganathan, 'Decolonization and International Law: Putting the Ocean on the Map' (2020) *Journal of the History of International Law / Revue d'histoire Du Droit International* 23, no. 1.

titioning and territorialisation – dividing the ocean into volumes and zones, applying the logics of terrestrial enclosures. In contrast, Indigenous cosmologies understand the ocean as one: volumetric and always in motion. Pacific navigators, for thousands of years, have traversed the ocean and carried ancestral legacies embedded in respect and care for Oceania. These take shape through Indigenous genealogies – epistemologies rooted in ancestral custodianship and kinship with the ocean. Migration patterns of birds, animals, and underwater creatures trace the ancient cartographies of the ocean’s own memory.

These cyclical movements are not merely instinctual trajectories but embodied responses to the ocean’s temperature, salinity, currents, and changing climate. The ocean, in this sense, acts not only as a passage but as a co-navigator – its shifting ecologies choreographing the routes of whales, sea turtles, eels, and pelagic birds across hemispheres. These migrations defy static borders and legal jurisdictions, calling into question the anthropocentric delimitations of UNCLOS and national sovereignty. What law can account for an animal’s ancestral return across ocean basins? What policy can trace the fluid inheritance of a turtle that remembers the sand where it first emerged, decades prior, in another ocean altogether? Yet legal instruments like UNCLOS activate zones and lines that seek to fix the ocean’s fluid ground.

As Surabhi Ranganathan compellingly argues, the law of the sea is “fostering a ‘grab’ of the ocean floor via national jurisdiction and international administration” – an act that reifies the ocean’s geography and economic potentials as immutable and divisible.⁶ I note that UNCLOS, both through its language and in its operational apparatus, enacts a universalising claim over the sovereign space of the ocean that fails to accommodate the epistemologies of Indigenous legal systems, effectively

6. Surabhi Ranganathan, ‘Global Commons’ (2019) *European Journal of International Law* 30, no. 2 (2019): 693–717.

excluding relational ontologies and the plural jurisprudences of coastal communities who have long lived in reciprocal relation with the sea.

The patterns of violence today are not dissimilar from those of the past. Whether in the depths of the ocean or on its surface, the sea bears witness to recurring histories of global domination and place-based resistance. We must not forget the counter-narratives of the ocean, which also flows in solidarity: the *Madleen* sailed the Flotilla Coalition of 12 activists across the Mediterranean in international waters—our common heritage of (hu)mankind, carried humanitarian aid to Palestine in May 2025.⁷ The vessel is named after Madleen Kulab, a 30-year-old Palestinian fisherwoman – Gaza’s fisherwoman – whose life and labour at sea symbolises resilience under siege.

The voyage departed Catania, Sicily, on June 1st, and the mission was expected to reach Gaza soon. Approximately one day from Palestinian shores, the ship was boarded – in violation of international law – by Israeli authorities in international waters.⁸ Other voyages are being prepared, such as the Sumud Convoy from Tunisian waters. But what unfolds is a spatial recursion: the ship, the sail, the movement itself becomes a transient, liquid cartography that is etched upon the sea’s mutable skin, moving against dominant cartographies of control.

In this moment, we draw breath not only to condemn violence across the seas but to align ourselves with the values we choose to uphold. UNCLOS, the once-hailed constitution for the ocean, yet, as Susan Reid incisively observes, it is a voice *for* the ocean – but notably *without* the

7. Quillen, Stephen, and Usaid Siddiqui, ‘Madleen Gaza Flotilla Live Tracker: Greta Thunberg, Crew Taken to Israel’ (4 June 2025) *Al Jazeera*, available at <<<https://www.aljazeera.com/news/liveblog/2025/6/4/madleen-gaza-flotilla-live-greta-thunberg-activists-to-arrive-on-june-7>>>.

8. Amnesty International. “Israel’s Interception of Madleen and Detention of Crew Flouts International Law.” Amnesty International, June 9, 2025. Accessed on June 10, 2025, available at <<<https://www.amnesty.org/en/latest/news/2025/06/israels-interception-of-madleen-and-detention-of-crew-flouts-international-law/>>>.

ocean.⁹ Drafted through terrestrial logics and juridical abstractions, UNCLOS remains anchored in a static conception of the sea, rendering it a framework that requires continual reinterpretation and radical expansion. Its articles strain under the weight of emerging ecological crises and ontological shifts.

What this Volume 4 – and the powerful cover artwork *Se Sauver* by Ortega Valentine (Alegria Blue) – offers is a support structure through the plethora of perspectives and writings. It urges us to remain contemporaneous: that UNCLOS must evolve not only in scope but also in sensibility, attuned to the ocean's agency and to the epistemologies of those who live with and through its currents.

The crisis lies not only in recognising the many forms of extractivism enacted across waters and lives, but in reckoning with what our values are becoming in response to the infrastructures of violence and the structural injustices sown across geographies inherited from colonial legacies. The ocean, thus, is our common ground. What remains is our responsibility to respond with collective ethics and to cultivate an architecture of resonance – for our ocean and humanity.

9. In-person conversation with Dr. Susan Reid, who refers to UNCLOS as an “ocean constitution” – one, however, without the voice of the ocean. Conducted at the International Seabed Authority in Kingston, Jamaica, July 2025.

ORTEGA VALENTINE (ALEGRIA BLU) is a Belgian-born artist whose work bridges Western heritage and the vibrant influences of African art. Working across drawing, digital painting, and mixed media, she explores themes of absence, fragmentation, and inner tension, shaped by personal experiences of resilience and survival. Since her debut on the contemporary art scene with exhibitions at the Carrousel du Louvre, Espace Voltaire, and Galerie 139 in Paris, Alegria Blue has steadily expanded her international presence. In 2023, her solo shows at Ouizart Galerie in Cannes and Galerie Amarrage in Saint-Ouen garnered critical acclaim for ‘Défragmentation’, a series praised for its immersive quality and its ability to give form to the unseen. In February 2025, her participation in a major exhibition at the Grand Palais in Paris marked a significant milestone in her career. Through her ongoing work, Alegria Blue invites viewers into intimate yet universal narratives – spaces where absence and introspection converge, and where layered compositions become portals into the unseen dimensions of human experience.

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