



Council of the
European Union

Brussels, 27 June 2022
(OR. en)

10729/22

POLMAR 43
POLGEN 102
COMAR 42
ENV 676
ENER 340
MAR 137
MARE 54
PECHE 235
RELEX 897
SUSTDEV 118
TRANS 451

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
To:	General Secretariat of the Council
No. Cion doc.:	JOIN(2022) 28 final
Subject:	JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Setting the course for a sustainable blue planet - Joint Communication on the EU's International Ocean Governance agenda

Delegations will find attached document JOIN(2022) 28 final.

Encl.: JOIN(2022) 28 final



EUROPEAN
COMMISSION

HIGH REPRESENTATIVE
OF THE UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

Brussels, 24.6.2022
JOIN(2022) 28 final

**JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL,
THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE
COMMITTEE OF THE REGIONS**

**Setting the course for a sustainable blue planet - Joint Communication on the EU's
International Ocean Governance agenda**

{SWD(2022) 174 final}

INTRODUCTION

The **ocean is vital** for life on Earth, bringing invaluable benefits and services for people and for the whole planet. It plays a crucial role in climate regulation, provides more oxygen than all forests combined and is essential in addressing pressing global challenges such as food security, energy and green transition. It is part of the social and cultural heritage of coastal communities and is key for international commerce, as over 80% of global trade moves by sea and about two-thirds of the world's oil and gas supply either comes from the sea or moves by sea. Yet, the ocean is still often overlooked. It is used for unlawful purposes such as piracy, terrorism or armed robberies at sea, human trafficking, illicit substances and weapons smuggling.

International ocean governance strives to address the many challenges stemming from the ocean's multidimensional and interconnected role. In 2016, the **European Union** was the **first leading economy** to launch an International Ocean Governance Agenda¹ and commit to a safe, secure, clean, healthy and sustainably managed ocean. While the EU remains steadfast, several developments since then justify an updated Agenda.

First, fighting climate change and environmental degradation are among the top **EU political priorities**. The ocean is embedded in the **European Green Deal** and in the vision for a **stronger Europe in the world** and is a global issue requiring a multilateral response.²

Second, the decline of the ocean is accelerating as unsustainable human activities and their harmful impact continue to degrade the ocean leading to profound changes with the risk of reaching **tipping points**. The ocean's state of emergency is echoed in the **limited delivery of relevant global commitments**, notably the Aichi Targets under the Convention on Biological Diversity (CBD) and the UN 2030 Agenda for Sustainable Development and its Sustainable Development Goal 14 (SDG14 - Life Below Water).

Third, the ocean is amongst the world's foremost geopolitical arenas as shown by the recent increase in tensions in the Eastern Mediterranean and the South China Sea, with Member States calling for respecting territorial integrity and navigational rights as well as for a peaceful dispute settlement. Russia's military aggression against Ukraine is affecting the global stability and the security of the Black Sea region and is raising concerns about its maritime implications.

Fourth, the ocean has gained political traction at the global level and 2022 is a pivotal year for the ocean with several key negotiations³ and ocean conferences⁴ taking place. The ocean has become more prominent in international debates on climate and biodiversity. The seafarer crisis exacerbated by the COVID-19 pandemic highlighted the importance of the social dimension, i.e. of decent working and living conditions for seafarers.⁵ The issue of non-compliance with internationally agreed rules and standards by some States, which results in unfair competition and distorts the level playing field to the detriment of EU stakeholders, also gained attention internationally. Open registers are a case in point.

¹ JOIN(2016) 49 final

² COM(2019) 640 final ; JOIN(2021) 3 final

³ Negotiations on a High Seas Treaty (BBNJ), a post-2020 Global Biodiversity Framework, and a ban of harmful fisheries subsidies at WTO, concluded on 16 June 2022.

⁴ One Ocean Summit (9-11 February 2022, Brest), 7th Our Ocean Conference (13-14 April 2022, Palau), 2nd UN Ocean Conference (27 June – 1 July 2022, Lisbon)

⁵ [wcms_760649.pdf \(ilo.org\)](https://www.wcms_760649.pdf)

With the largest combined Exclusive Economic Zone in the world and considering the abovementioned developments, **it is essential for the EU and its Member States to reaffirm and update their commitment towards an improved ocean governance.**

Threats to the ocean⁶

- *Marine species are disappearing at twice the rate of those on land due to warming.*
- *34.2% of the world's marine fisheries are overfished.*
- *Over the last forty years, the Arctic has lost an ice area of about six times the size of Germany.*
- *More than 99% of coral reefs would be lost with warming by 2°C.*
- *300 million tonnes of plastic waste are produced every year. However, only 9% is recycled.*
- *The mean sea level will continue to rise to around 0.3 metre by 2050 and 2 metres by 2100 under the very high greenhouse gas emissions scenario – risking forced human displacement – up to 340 million people by 2050 and 630 million people by 2100.*

OBJECTIVES

Building on the 2016 International Ocean Governance Agenda and the consultation process of ocean stakeholders,⁷ the EU will take an even more active role in international ocean governance and in implementing the UN 2030 Agenda and its SDG 14 by:

- strengthening the international ocean governance framework at **global, regional and bilateral** levels;
- making ocean **sustainability** a reality by 2030 by taking a coordinated and complementary approach to common challenges and cumulative impacts;
- making the ocean a **safe** and **secure** space as competition in international waters and challenges to the rules-based multilateral order are growing;
- building up international ocean **knowledge** for evidence-based decision-making to result in action to protect and sustainably manage the ocean.

KEY EU PRIORITIES ON INTERNATIONAL OCEAN GOVERNANCE⁸

Halt and reverse the loss of marine biodiversity:

- *Conclude an ambitious UN High Seas Treaty (Biodiversity Beyond National Jurisdiction) as soon as possible*
- *Reach an ambitious post-2020 Global Biodiversity Framework with 30% of Marine Protected Areas (MPAs) by 2030*
- *Designate new large-scale MPAs in the Southern Ocean*

Protect the seabed:

- *Prohibit deep-sea mining until scientific gaps are properly filled, no harmful effects arise from mining and the marine environment is effectively protected*

⁶ Pinsky, M.L., Eikeset, A.M., McCauley, D.J. *et al.* Greater vulnerability to warming of marine versus terrestrial ectotherms. *Nature* 569, 108–111 (2019); FAO. 2020. *The State of World Fisheries and Aquaculture 2020. Sustainability in action*. Rome; IPCC AR6 WG1; [New elevation data triple estimates of global vulnerability to sea-level rise and coastal flooding | Nature Communications](#)

⁷ Through a [targeted online consultation](#); a [Call for Evidence](#) – see “Synopsis of consultation activities on updating the International Ocean Governance Agenda; the EU’s International Ocean Governance Forum.

⁸ More actions are listed in the annex of this Joint Communication

- *Regulating, where necessary, the use of fishing gear that are most harmful to biodiversity*

Ensure sustainable fisheries and aquaculture:

- *Pursue a zero-tolerance approach against Illegal, Unreported and Unregulated (IUU) fishing*
- *Build on the global WTO agreement on harmful fisheries subsidies concluded in June 2022 and push for its reinforcement with the elements not yet agreed*
- *Revise EU marketing standards for fisheries and aquaculture products*

Ensure compliance with international rules and standards:

- *Promote the fulfilment of flag States responsibilities by those acting as open registers*

Fight climate change for a healthy ocean:

- *Reach climate neutrality by 2050 including decarbonising fishing and other maritime activities*
- *Preserve the ocean's blue carbon function*
- *Before advancing with any new geoengineering applications for carbon dioxide removal, ensure an adequate scientific basis on which to justify such activities and an appropriate consideration of associated risk and impacts*

Fight marine pollution:

- *Conclude an ambitious legally binding Global Plastic Agreement by 2024*

Build up ocean knowledge:

- *Encourage creating an intergovernmental science-policy interface for ocean sustainability, aiming at establishing an Intergovernmental Panel for Ocean Sustainability (IPOS)*

Invest in the ocean:

- *Invest up to EUR 1 billion for ocean and coastal biodiversity and climate, including for the high seas (2021-2027)*
- *Provide EUR 350 million a year on ocean research (Horizon Europe 2021-2027)*

The EU'S tools for international ocean governance

In the **global arena**, the EU is recognised as a promoter of **coordinated multilateral responses to global problems** and an upholder of the **rules-based international system**. The ocean requires a collective approach based on the provisions of international law and with the UN Convention on the Law of the Sea (UNCLOS) at its core.⁹ Through its political and diplomatic leverage rooted in upholding fundamental rights and values as well as promoting sustainable development in line with the 2030 Agenda and its Sustainable Development Goals (SDGs), the EU acts as an honest broker, a bridge-builder and a **driving force** in international **negotiations, fora** and **processes** thereby supporting decisions and actions essential for a sustainable ocean governance.

In line with the European Green Deal, the Joint Communication on Multilateralism, the EU Strategic Compass and the EU policy for a peaceful, sustainable and prosperous Arctic, the EU strategy for cooperation in the Indo-Pacific,¹⁰ the EU pursues **partnerships** and **alliances** with third countries, multilateral and regional organisations, including international norm-

⁹ Global ocean governance is based on the UNCLOS, the overarching legal framework within which all activities the ocean must be carried out, and its two implementing agreements i) Agreement relating to the implementation of Part XI of the UNCLOS of 10 December 1982; ii) The UN Agreement for the Implementation of the Provisions of the UNCLOS of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

¹⁰ JOIN(2021)3 final; [strategic compass en3 web.pdf\(europa.eu\)](#); JOIN(2021) 27 final; JOIN(2021) 24 final

setting organisations by leveraging its financial and regulatory power, and non-state actors such as NGOs, economic operators, scientific community and civil society at large. It does so by means of **regional and bilateral dialogues**, ocean-related development **cooperation**,¹¹ **specific outreach** and **demarches**, **coalition-building** on key priorities and (co)-hosting **multi-stakeholder global events** to further **mobilise** and **sustain the momentum** for global action.

Through the EU Maritime Security Strategy (EUMSS) and its revised Action Plan¹² developed to ensure security and safety at sea, the EU addresses challenges affecting the security of the ocean such as cross-border and organised crime, threats to freedom of navigation, threats to biodiversity, climate security challenges or environmental degradation due to illegal or accidental discharge.

The EU believes that leading by example can inspire progress and help create a shared vision for developing a sustainable approach to ocean management worldwide and recognises that **true leadership starts at home**. This is reflected notably in the EU fisheries policy based on a reformed Common Fisheries Policy as well as actions against Illegal Unregulated Unreported (IUU) fishing; the EU's approach for a sustainable blue economy; the Maritime Spatial Planning (MSP) Directive; the sea-basin and macro-regional frameworks; its environment policy referring in particular to the EU Marine Strategy Framework Directive (MSFD), the Biodiversity Strategy for 2030, the Zero Pollution Action Plan and the proposal for a Nature Restoration Law; its climate policy in particular revolving around the EU Climate Law, Fit for 55 Package and Adaptation Strategy; its maritime transport security legislation; and action on data, observation and research, notably under the Copernicus component of the EU space programme, the Research and Innovation funding programme 'Horizon Europe 2021-2027' and the European Mission 'Restore our Ocean and Waters by 2030'.¹³

1. STRENGTHENING THE INTERNATIONAL OCEAN GOVERNANCE FRAMEWORK

Marine biodiversity protection and conservation are key priorities under the EU's external action in pursuit of the future international legally binding instrument under UNCLOS on marine **Biodiversity Beyond National Jurisdiction** (BBNJ) and the future post-2020 Global Biodiversity Framework, including the proposed '**30% protection goal by 2030**' under the CBD. The EU's ambition is to reach an **internationally binding agreement** on BBNJ still in 2022, and to ensure its effective ratification and implementation. In addition to its active engagement in the negotiations, the EU has led through its Ocean Diplomacy efforts the setting-up of a High Ambition Coalition on BBNJ¹⁴ to foster an ambitious, fair and effective agreement. Furthermore, through its diplomatic leverage and outreach capacities, it continues to help broker an agreement on the **designation of new Marine Protected Areas (MPAs) in the Southern Ocean** as an important contribution to the 30% protection goal by 2030.

¹¹ Through NDICI. The EU and its Member States are among the most important donors of ocean-related development aid and voluntary contributors to international organisations/processes: from 2014 to 2020, over EUR 1 billion was committed under EU development policy to promote ocean governance in third countries.

¹² 11205/14

¹³ Regulation 1380/2013; Regulation 1005/2008; COM(2021) 240; Directive 2014/89/EU; 2008/56/EC; COM(2020) 380; COM(2021) 400; Regulation (EU) 2021/1119; COM(2021) 550; COM(2021) 82; Regulation (EC) No 725/2004; Directive 2005/65/EC

¹⁴ [Protecting the ocean, time for action \(europa.eu\)](https://ec.europa.eu/protecting-the-ocean-time-for-action)

On **deep seabed mining**, there is a broad consensus in the scientific community and among States¹⁵ that knowledge related to deep-sea environment and the impacts of mining are not comprehensive enough to enable evidence-based decision-making to allow for proceeding safely with exploitation.¹⁶ The EU will continue to advocate for prohibiting deep-sea mining until these scientific gaps are properly filled, that it can be demonstrated that no harmful effects arise from mining and, as required under the UNCLOS, the necessary provisions in the exploitation regulations for the effective protection of the marine environment are in place. The EU will continue to contribute to the negotiations of the exploitation regulations at the International Seabed Authority (ISA) to achieve a robust framework for marine environment protection, including standards and guidelines for threshold values and normative standards. In parallel, the EU is supporting research to improve knowledge on deep sea ecosystems and on monitoring and supervising technologies.

The EU calls for and is ready to support the highest international standards in relation to **transparency, good governance and stakeholder inclusiveness** in international organisations, such as the ISA and the WTO.

Fishing activities should respect the principles of long-term conservation and sustainable use of living marine resources and marine ecosystems.

By taking a “zero tolerance” approach against **illegal, unreported and unregulated (IUU) fishing**, the EU aims to level the playing field for honest operators and support compliance with conservation and management rules that aim at the sustainable use of fisheries resources. Through its IUU fisheries dialogues with non-EU countries based on the IUU Regulation, the EU further ensures countries abide by their international obligations.

Sustainable Fisheries Partnership Agreements (SFPAs) provide a solid framework for bilateral cooperation with selected non-EU partner countries and contribute to enhance marine, maritime and fisheries policies including environmental, social and trade aspects.

The EU played a leading role at the 12th Ministerial Conference of the WTO in securing an agreement to prohibit harmful fisheries subsidies, in line with UN Sustainable Development Goal 14.6 (SDG 14.6). In particular, the EU successfully pushed for the recognition of a link between sustainable management of fisheries and the ability to subsidise for fishing regarding overfished stocks, an absolute prohibition of subsidies contributing to IUU fishing, specific provisions for the high seas that are not managed by a regional fisheries management organisation (RFMO) and strong transparency requirements. The EU will continue to play a leading role in the continued negotiations for additional WTO disciplines on subsidies that contribute to overcapacity and overfishing, in line with SDG 14.6.

The EU is the most prominent actor in **Regional Fisheries Management Organisations** (RFMOs) and fisheries bodies worldwide. There, the EU promotes the sustainability of fish stocks, promotes transparent decision-making based on sound scientific advice, enhances scientific research, and strengthens compliance.

¹⁵ <https://www.iucncongress2020.org/motion/069>

¹⁶ [World Economic forum, Decision-Making on Deep-Sea Mineral Stewardship: A Supply Chain Perspective, WHITE PAPER, APRIL 2022](#); [D. Amon et al., 2022. Assessment of scientific gaps related to the effective environmental management of deep-seabed mining, 138 Marine Policy.](#) ; [Miller et al., 2018. An Overview of Seabed Mining Including the Current State of Development, Environmental Impacts, and Knowledge Gaps.](#)

The **conservation and sustainable use of Arctic marine living resources**, including fish stocks, is also crucial. The EU, as Party to the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean, is committed to its full implementation.¹⁷

Under its Biodiversity Strategy for 2030, the EU is working on an ‘Action Plan’ to conserve fisheries resources and protect marine ecosystems and measures to limit the impact of fisheries, including on the seabed, and contribute to the environmental targets.

Marine environmental protection is coordinated regionally through the EU’s engagement in the Regional Sea Conventions (RSCs), notably through the strong links with the EU’s own implementation of the MSFD, thereby ensuring that both EU Member States and third countries aspire to an equivalent ambition of protection of the seas and ocean.

The EU has close relations with several partners such as the long-term partnership with African, Caribbean and Pacific states, which it seeks to reinforce through the Partnership Agreement with the Organisation of African, Caribbean and Pacific States (OACPS) that will succeed the Cotonou Agreement. Together with the EU’s Partnership and Cooperation Agreements (PCAs) and trade agreements with many of its third partners, it will provide the basis for stronger political and strategic engagement based on common values and objectives.

EU-led cooperation for the ocean

Illegal, unreported and unregulated (IUU) fishing

- *The Commission regularly cooperates with 93 third countries in the framework of administrative cooperation for the implementation of the catch certification scheme laid down in the IUU Regulation.*
- *Since 2010, 27 third countries have been notified of the possibility to be identified as non-cooperating countries in the fight against IUU fishing.*
- *17 countries have successfully carried out necessary actions and their notification has been withdrawn.*
- *The EU is a party to the FAO Agreement on Port States Measures (PSMA), the first binding international agreement targeting IUU fishing.*

Sustainable Fisheries Partnership Agreements (SFPAs)

- *The EU has currently 13 SFPAs protocols in force with third countries*
 - *9 tuna agreements: Cabo Verde, Ivory Coast, Sao Tomé e Príncipe, Gabon, Cook Islands, Seychelles, Mauritius, Senegal and The Gambia (with a hake component for the last two)*
 - *4 mixed agreements: Greenland, Morocco, Mauritania and Guinea-Bissau*

Regional Fisheries Management Organisations (RFMOs)

- *RFMOs are the international organisations regulating regional fishing activities in the high seas.*
- *The EU is the main party in RFMOs worldwide and participates in 5 tuna-RFMOs and 13 non-tuna RFMOs.*
- *The EU and its Member States have submitted two MPA proposals to CCAMLR, one in East Antarctica (since 2012) and another in the Weddell Sea (since 2016). When approved, these MPAs will protect an area of 3.207 million square kilometres. They will make an essential contribution to the fight against climate change and protecting Antarctica’s marine biodiversity.*

¹⁷ Council Decision (EU) 2019/407

Regional Sea Conventions (RSCs)

- *The Regional Seas Conventions and Action Plans (RSCAPs) provide inter-governmental frameworks to address the degradation of the oceans and seas at a regional level.*
- *The EU is a contracting party to three RSCs covering EU marine waters:*
 - *Helsinki Convention – HELCOM (Baltic Sea),*
 - *OSPAR Convention – OSPAR (North-East Atlantic),*
 - *the Barcelona Convention – UNEP-MAP (the Mediterranean).*

Other tools:

- *The EU has several high-level dialogues and partnerships with important partners, on top of the two Ocean Partnerships on ocean affairs with Canada and China.*
- *The EU ensures cooperation through its financial instruments including:*
 - *the Neighbourhood, Development and International Cooperation Instrument (NDICI) – Global Europe*
 - *the European Maritime, Fisheries and Aquaculture Fund (EMFAF).*

2. TOWARDS OCEAN SUSTAINABILITY BY 2030

2.1 The ocean and climate change

The ocean and climate change are closely intertwined: the ocean and its ecosystems are essential to regulate the climate and are at the same time hugely impacted by climate change. Ocean and climate actions must therefore go hand in hand. A positive step to this end is the UNFCCC decision made at COP26 to hold an annual dialogue on the ocean and climate change to strengthen ocean climate change mitigation and adaptation action.¹⁸

The UN's Intergovernmental Panel on Climate Change (IPCC)¹⁹ raised the alarm on the impacts of climate change on the ocean.²⁰ It emphasised the need to sharply reduce greenhouse gas emissions and take sustained and robust adaptation action. It is essential to combine action in all areas, ocean and land, while taking a coordinated approach to address interconnected issues of climate change, biodiversity loss and pollution.

The EU has anchored **climate neutrality by 2050** into its law, in line with the Paris Agreement, and is committed to reduce its Greenhouse Gas (GHG) emissions from maritime activities and to make continued progress in climate adaptation. The European Commission proposed a range of measures to ensure that EU maritime transport contributes to reaching this goal. This includes a new standard on GHG intensity of energy used onboard ships (FuelEU Maritime), the extension of the EU Emissions Trading System (ETS) to maritime transport, and a revision of existing directives on energy taxation, alternative fuel infrastructures and renewable energy.

¹⁸ The [Glasgow Climate Pact](#) recognises the ocean under the UNFCCC (United Nations Framework Convention on Climate Change), with an invitation for all work streams and constituted bodies to consider integrating and strengthening ocean-based action.

¹⁹ Special Report on the Ocean and the Cryosphere in a Changing Climate complemented with the IPCC 6th Assessment Report due for release in 2022

²⁰ The absorption of carbon dioxide (25% of the human emissions of CO₂) and extra heat (90% of the world's extra heat resulting from the GHG effect) causes ocean acidification and warming, which leads to sea level rise, extreme weather conditions, coral bleaching, stratification, deoxygenation, dead zones and changes in biological productivity and to the distribution of species and habitats.

Globally, a regulatory framework on the energy efficiency of new ships is in place and energy efficiency measures for existing ships will enter into force in November 2022. Work is also underway to draw up safety guidelines for ships using alternative fuels and the next set of concrete ('mid-term') measures. The EU has proposed to IMO principles for a global carbon pricing measure and advocates combining this with a GHG fuel standard at global level. The IMO has also launched a revision of its Initial Strategy on Reduction of GHG Emissions from Ships, with the aim of strengthening its levels of ambition.

In a similar vein, the EU will continue to act on **decarbonising the fishing sector** to reduce also the dependency on fossil (primarily diesel) fuels,²¹ including by exploring mitigation measures and fishing strategies and gears that reduce emissions²² and improve energy use efficiency. Likewise, it is analysing science and technology advances, notably from the EU's research framework programmes, with a view to develop by early 2023, in close co-operation with all stakeholders, an Action Plan with advice and best practices on how a fishing vessel can be modified to be more energy efficient and reduce its GHG emissions. This analysis will also include aquaculture.

The EU considers that **offshore wind and ocean energy** is part of the solution for achieving its goal of becoming climate neutral by 2050, in line with the EU strategy on offshore renewable energy.²³ It has unique experience in developing renewable offshore energy and is committed to supporting its development across the world as has been the case to date²⁴.

Nature-based solutions²⁵ can also provide climate change mitigation and adaptation by increasing carbon uptake and storage, reducing coastal risks and by providing multiple other benefits such as better water quality and increased resilience of ecosystems and communities.

The connection between climate change, prevention of ecosystem degradation and biodiversity loss

- *All emission scenarios over the 21st century project a decrease in the global biomass of marine animal communities and fisheries catch potential and a shift in species composition*
- *This will pose a challenge for international and national ocean and fisheries governance. Shifting distributions of fish stocks between governance jurisdictions could destabilise existing international fisheries agreements and increase the risk of international conflict.*
- *The demand for transboundary fisheries management may increase, with a particular focus on adaptation and resilience of fisheries resources*
- *To strengthen the precautionary approaches, the EU will continue to rebuild overexploited or depleted fisheries and apply fisheries management strategies.*²⁶

Understanding the ecosystem tipping points

- *Improving the quantification of carbon storage and fluxes within marine ecosystems and the understanding of climate-driven ecosystem tipping points is necessary.*
- *The costs and benefits of responses to sea-level rise also need to be better quantified. Sea level*

²¹ This has become even more urgent as a result of Russia's military aggression of Ukraine and the crisis measures introduced to support the EU's fishing fleet, see [Fisheries: second package of crisis measures \(europa.eu\)](https://europa.eu)

²² For example, the EU will investigate certain fishing techniques which are known to disturb sediment carbon pools.

²³ COM(2020) 741

²⁴ E.g. with the US, India, Japan, Vietnam and South Africa.

²⁵ UNEP/EA.5/Res.5

²⁶ IPCC, 2019: IPCC Special Report on the Ocean and Cryosphere in a Changing Climate

rise can also impact the baselines from which different maritime entitlements are established, in line with the UNCLOS.

There is increasing interest in ocean-based Carbon Dioxide Removal (CDR) activities. The London Convention Protocol allows and regulates carbon capture and sequestration in sub-sea geological formations, and it prohibits ocean fertilisation except for research.²⁷

The EU is party to the CBD, which calls for ensuring that no climate-related geo-engineering activities that may affect biodiversity take place until there is an adequate scientific basis on which to justify such activities and appropriate consideration of the associated risks for the environment and biodiversity and associated social, economic and cultural impacts.²⁸

2.2 Fighting marine pollution

The EU is committed to stopping pollution of all kinds, notably from land-based sources to sea. Marine plastic pollution has increased tenfold since 1980 and needs a global response. Since the adoption of its Plastics Strategy (2018), the EU has been a driving force in tackling plastic pollution internationally through its diplomatic efforts, and within the Union. It is actively engaged in the global negotiations for an ambitious legally binding Global Plastic Agreement by 2024, as agreed at UNEA5. It is also determined to drastically reduce land-based pollution of nutrients and chemical pesticides, inter alia from agriculture, and to take decisive steps outlined in the EU Zero Pollution Action Plan. The landmark decision of the Barcelona Convention to submit a proposal to the IMO to designate the Mediterranean Sea as an emission control area for Sulphur Oxides will radically reduce pollution from ships.

The risk of pollution due to dumped munitions in the seas needs to be addressed in cooperation with third countries and international organisations. It is expected that, in the next 5 to 10 years, leakages of toxic substances from munitions dumped during the WWI and II will increase, threatening the marine environment and the safety of fishers and other mariners.

2.3 Promoting the fulfilment of flag States responsibilities by those acting as open registers

The EU is scaling up its efforts to tackle problems with flag States acting as ‘open registers’, chosen by some vessel operators to take advantage of certain States’ weak compliance with international obligations or control over the vessels (fishing and maritime transport) registered under their flags.

The challenge of the “open registers” and flag States responsibilities

- *For fisheries, the lack of adequate control over their fishing vessels by certain flag States is one of the main factors contributing to IUU fishing and the EU needs to ensure that all flag States abide by their international obligations to fight IUU fishing.*
- *Intentional weak government oversight by these flag States, coupled with the fact that these States tend to have little capacity for regulation, are compelling reasons for companies to register away from their home country.*
- *Some open registers known for their poor implementation of maritime law are commonly used*

²⁷ [Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter \(imo.org\)](https://www.imo.org/en/about/conventions/other-conventions/Pages/Convention-on-the-Prevention-of-Marine-Pollution-by-Dumping-of-Wastes-and-Other-Matter.aspx)

²⁸ CBD Decision X/33 [UNEP/CBD/COP/DEC/X/33](https://www.unep.org/cbd/COP/DEC/X/33)

by some ship owners to escape their obligations for sustainable and safe recycling of ships when they reach the end of their life. Changing flag prior to dismantling is a common practice which seriously hinders the effectiveness of the relevant EU legislation pertaining to the recycling of end-of-life ships.²⁹

In this context, it is essential that the EU continues promoting beneficial ownership transparency of corporate structures, holding vessels registered within and outside the EU, to be in a position to identify those responsible for possible illegal activities or poor implementation of international and other obligations in the maritime, fisheries, environment, taxation, working conditions and labour rights areas and take the necessary measures.

It is also relevant in the context of fighting against marine pollution that ship owners who deliberately pollute can be quickly and efficiently identified. Notwithstanding EU rules for prevention of pollution from ships, for the delivery of waste from ships, increased surveillance and enforcement efforts,³⁰ illegal discharges of oil and other polluting substances still regularly occur in European waters, and the detection, and therefore the number of prosecutions, remains low. Difficulties have been identified linked to the enforcement of the rules in the transnational context of maritime transport with differences in sanction types and levels among EU Member States.

2.4 Making the transition to a global sustainable blue economy

The blue economy³¹ is set to grow over the coming years.³² In line with its blue economy approach, the EU will seek to promote economic growth, improve livelihoods while ensuring sustainable use of marine resources and the well-being of coastal communities.

In addition, seafood brings an important contribution to food and nutrition security. As the world's largest import market for seafood products, the EU is striding towards safeguarding market entry only for products that are sustainably sourced and produced. Indeed, effective management of fisheries and sustainable aquaculture are pre-conditions for a positive food system transformation.

For this reason, through its IUU Regulation, the EU aims at making sure that no illegally caught fisheries products end up on the EU market. The EU will continue strengthening its policy by developing appropriate IT tools in this framework, including a digitalised catch certification scheme.

In line with the Farm-to-Fork Strategy,³³ the Commission will make a legislative proposal for a sustainable food systems framework to mainstream sustainability in all food-related policies and strengthen the resilience of food systems including fisheries and aquaculture products. It will consider appropriate requirements on sustainability for imports of food, in compliance with EU international commitments, particularly in the WTO. The framework will also include rules on the provision of information on the sustainability performance of food (sustainability labelling).

²⁹ Regulation (EU) No 1257/2013

³⁰ Directive 2005/35/EC; Directive (EU) 2019/883; <https://portal.emsa.europa.eu/web/csn>

³¹ 'Blue economy' means making use of the sea and its resources in a sustainable manner and coherent vision that keeps the cumulative impact on marine ecosystems in check and ensures proper consultation of all stakeholders.

³² The established blue economy sectors generate 4.5 million direct jobs and a turnover of some 650 bn euros; [The EU blue economy report 2020 - Publications Office of the EU \(europa.eu\)](#)

³³ COM(2020) 381 final

A sustainable blue economy needs to be underpinned by sustainable finance. The EU is scaling up investment in ocean health and in the transformation to a sustainable blue economy. The EU ‘BlueInvest’ investment platform channels financing to a sustainable blue economy within the EU and beyond.

The EU Taxonomy Regulation for sustainable activities³⁴ defines sustainable financing and investing by drawing up a list of environmentally sustainable economic activities. It also enshrines the ‘Do No Significant Harm’ criteria for economic activities. The Taxonomy will help shift investment to sustainable uses and protection of marine resources and it will guide companies by ensuring their operations align with this objective.

2.5 Integrated ocean management via marine protected areas and maritime spatial planning

The steadily increasing demand for use of the ocean requires integrated planning of maritime space that takes due account of the interests of all maritime sectors and their impact on the marine environment, and their contribution to climate change and biodiversity loss. Building on an ecosystem-based approach, Maritime Spatial Planning (MSP) can support the achievement of conservation and restoration targets and contribute to a sustainable blue economy. The EU has gained significant experience in this domain and is working together with IOC-UNESCO in promoting it internationally through the MSP global Initiative.³⁵ Using MSP promotes transboundary cooperation and helps minimise spatial conflicts and manage cumulative impacts worldwide.

The EU promotes a representative, ecologically coherent network of well-managed MPAs and Other Effective Conservation Measures (OECMs) with the aim of these areas covering 30% of the marine space by 2030. These are proven tools to restore biodiversity and conserve stocks, to achieve natural carbon sequestration and to support sustainable practice.

3. ENSURING SECURITY AND SAFETY AT SEA

3.1 Security at sea

The EU as a maritime security provider

- *Maritime security is a prerequisite for a sustainable blue economy as well as peace and stability at large. It protects legitimate activities against actual or potential threats linked to hostile, illegal and dangerous operations at sea. It enables the unobstructed flow of trade along sea lines of communication. It forms an integral part of a comprehensive approach to ocean governance.*
- *Competition in international waters and challenges to the rules-based multilateral order are growing.*
- *The EU, as a recognised maritime security actor at international level, strongly opposes any unilateral action that endangers peace, security and stability at sea and that contravenes international law.*
- *In line with UNCLOS, the EU is committed to the rule of law and to ensuring peace and security at sea through multilateralism, rules-based regional maritime security architectures and by working with its cooperation partners*

³⁴Regulation (EU) 2020/852.

³⁵ <https://www.mspglobal2030.org/unesco-and-european-commission-launch-new-flagship-guide-on-msp/>.

In line with its Maritime Security Strategy, the EU continues to strengthen its role as a maritime security provider within and beyond its borders. In doing so, it takes a cross-sectoral approach to the evolving character of maritime security challenges and threats, including cyber and hybrid attacks, the growing impacts of climate change, environmental degradation and the risks they pose to stability and security. It will pay specific attention to the needs of its outermost regions, which are particularly exposed to these threats.

The Strategic Compass also confirms the EU's determination to invest in maritime security and in its global presence to ensure unfettered access to the sea lanes of communication and uphold the international law of the sea. It sets out the EU's intention to make full use of its maritime partnership policy, e.g. through port calls, joint exercises and capacity building.

The EU will continue to work with its maritime security regional partners to address increased presence of both global and regional actors, some of whom do not hesitate to use irregular forces in zones of instability, thereby undermining international efforts towards peace and stability, destabilising countries and their economies as well as being complicit in human rights violations.

The EU will continue monitoring developments closely and respond swiftly to any threats to maritime security, cooperating with its partners such as NATO. Building on its experience in combating transnational criminal activities at sea, such as piracy in the Western Indian Ocean and smuggling and trafficking in the Mediterranean, the EU will continue its work to help maintain open and safe access to the high seas. To this end, the EU has decided to extend implementation of the Coordinated Maritime Presences (CMP) in the Gulf of Guinea for two additional years and to launch a new implementation of the CMP in the North-Western Indian Ocean. The EU will also consider applying the CMP concept in other potential Maritime Areas of Interest (MAIs). In addition, it will continue to help build third countries' capacities to monitor their maritime domain and ensure maritime security and law enforcement capabilities.

3.2 Safety at sea and promoting decent working conditions worldwide

The fishing and seafaring sectors are characterised by challenging, hazardous and high-risk working conditions, which have been exacerbated by the COVID-19 pandemic. The number of fatalities and injuries remains unacceptably high. Migrant workers are particularly vulnerable to precarious conditions, abusive practices and unequal treatment.

Through its International Ocean Governance Agenda and Common Fisheries Policy, the EU promotes decent work in fisheries in line with the objectives of the International Labour Organization (ILO), the International Maritime Organization (IMO) and the UN Food and Agriculture Organization (FAO) and in cooperation with partner countries. The EU will continue promoting the ratification and effective implementation of the ILO Work in Fishing Convention No. 188, and other relevant international standards,³⁶ in particular those set out in the ILO Conventions.³⁷ To this aim, it will use the SFPAs, in particular through the implementation of a coherent set of social governance provisions, and the RFMOs, where

³⁶ Existing international standards for working conditions and labour rights should be effectively promoted and implemented to ensure safety at sea for everyone. The promotion of broader ratification and effective implementation of the International Labour Organization (ILO) Maritime Labour Convention, 2006, as amended (MLC, 2006) is of key importance. Through its Common Fisheries Policy and its external dimension, the EU promotes decent work in fisheries in line with the objectives of the ILO, the International Maritime Organization (IMO) and FAO and in cooperation with partner countries.

³⁷ Including the IMO Convention on Standards of Training, Certification and Watch keeping for Fishing Vessel Personnel (STCW-F).

appropriate. In bilateral dialogues and in regional and international fora, the EU will address forced labour and other forms of work that violate human rights in the area of fisheries, including when detected in the context of the fight against (IUU) fishing. The Communication on decent work worldwide³⁸ reinforces the EU strategy on promoting decent work at global level, identifying key instruments through EU policies.

The EU and its Member States are also at the forefront of improving maritime safety legislation and promoting high-quality standards at global level in the IMO and at EU level too. The aim is to eliminate substandard shipping, increase the protection of passengers and crews, reduce the risk of environmental pollution, operational or accidental (e.g. oil spills, containers' losses), and ensure that operators who follow good practices are not put at a commercial disadvantage compared to those prepared to take short cuts with vessel safety. The Commission and the Member States can rely on the technical and scientific assistance of the European Maritime Safety Agency.

The safety and security of the transport system is paramount, and the EU remains a world leader on this. EU legislation on flag State responsibilities, Port State control and accident investigation contributes to safe, secure and efficient maritime transport. Continuous efforts with international, national and local authorities, stakeholders, and citizens are key.

4. BUILDING UP OCEAN KNOWLEDGE

Ocean science, observation, environmental monitoring and prediction are vital for **evidence-based action to protect and sustainably manage the ocean**. There are still **too many gaps in our knowledge of the ocean**. Actions and solutions to the ocean health crisis and development of a sustainable blue economy depend on our level of knowledge, understanding and capacity to innovate.

The EU is committed to the UN Decade of Ocean Science for Sustainable Development 2021-2030. The European Research and Innovation policy feeds into, drives and accelerates the EU's transformative Green Deal agenda.

Horizon Europe: EU's key funding programme for research and innovation (2021-2027)

- *Horizon Europe provides for ca. EUR 350 million a year to fund marine and maritime issues. The programme supports ocean knowledge building and stimulates new ideas and initiatives to tackle ocean challenges.*
- *Horizon Europe allocates another EUR 110 million a year to the European Mission 'Restore our Ocean and Waters by 2030' for the period 2021-2023. The aim of the Mission is to demonstrate practical solutions for cleaning waters, restoring degraded ecosystems and to transition the blue economy to climate neutrality.*

The EU is a model of good practice in **sharing marine data and ocean observations**. The obligation for EU countries to share marine data and to cooperate at EU and regional level to improve data collection and monitoring is well-established in the MSFD and could be complemented by an ocean observation initiative to structure and harmonise the collection of marine data within Europe. Information and data on the state of Europe's seas is made

³⁸ COM(2022) 66 final

available in WISE Marine Information System for Europe³⁹ and on EMODnet. The Copernicus Marine Service⁴⁰ provides free and open marine data and real-time ocean monitoring, forecasting and, together with the Copernicus Climate Change Service⁴¹, ocean climate monitoring and prediction services, both for EU sea basins and for the global ocean. The EU is a strong partner in the Future of the Seas & Ocean Initiative under the G7 and the GEO Blue Planet initiative to provide information on the ocean and coasts to the public. Digitalisation and advanced tools can optimise and support sustainability of operations at the sea.

EU research programmes will support the collection of evidence used by global scientific bodies, including the independent scientific panels, the Intergovernmental Panel on Climate Change (IPCC) and Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) which provide targeted support for decision-making. **A new or revamped existing international two-way science to policy expert interface** could bring added value, promoting ocean health and sustainability, assessing knowledge and supporting policy making.

The EU is taking action to promote **ocean literacy** and will keep supporting citizens' engagement actions to support changes in perception, values, attitudes, and personal behaviour promoting sustainable practices. The EU has also embarked on a collaboration with UNESCO's Intergovernmental Oceanographic Commission to enhance work on ocean literacy.

Science diplomacy enhances mutual understanding and shared visions and action. The EU reaches out to non-EU countries and organisations with its research partnerships, projects and funding under Horizon Europe and the Global Europe instrument. Regional seas organisations are important drivers of regional marine knowledge and mutual understanding of the state of the marine environment.

CONCLUSION

With this Joint Communication, the EU and its Member States are invited to increase engagement for safeguarding a clean, healthy, productive and resilient ocean that is used sustainably under safe and fair work conditions all while ensuring stability and security at sea. The Joint Communication builds not only on the EU's and its Member States' international roles as reliable partners and strong sustainability advocates but also as leaders by example and responsible actors with the ambition to raise international standards at and across scale in an inclusive way, together with international partners through all cooperation channels acting together for common goals.

The Commission and the High Representative will work with the European Parliament, the Council, EU Member States and other EU and international institutions concerned to implement these actions.

³⁹ [WISE Marine — Marine Information System for Europe \(europa.eu\)](https://www.europa.eu/wise-marine)

⁴⁰ <https://www.copernicus.eu/en/copernicus-services/marine>

⁴¹ <https://www.copernicus.eu/en/copernicus-services/climate-change>