Council of the
European Union

Brussels, 1 April 2019
(OR. en)

7999/19

POLGEN 67
POLMAR 4
COMAR 3
MAR 84
MARE 8
CONUN 34
CLIMA 98
ENER 205
ENV 363
AGRI 177
PECHE 150
RECH 197
RELEX 315
TOUR 4
TRANS 235

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Declaration by the European Union and Canada concerning the establishment of an Ocean Partnership

Delegations will find herewith the Declaration by the European Union and Canada concerning the establishment of an Ocean Partnership.

ANNEX

DECLARATION BY THE EUROPEAN UNION AND CANADA

Concerning the establishment of an Ocean Partnership

The European Union (EU) and Canada, hereinafter referred to as the "Partners"

Acknowledging their longstanding cooperation on oceans affairs, in particular through the regular High Level Dialogues on Fisheries, which has promoted and enhanced mutual understanding through the exchange of information and views on existing policy approaches, experiences and best practices, as well as regular High Level Dialogues on environmental issues, which include oceans,

Considering that their longstanding cooperation was strengthened with the 24 May 2013 signing of the Galway Statement on Atlantic Ocean Cooperation, which launched a European Union, Canada and United States of America Atlantic Ocean Research Alliance, and the establishment of a European Union-Canada Marine Working Group, through which they continue to be committed to significant collaborative ocean research and observation efforts,

Considering that their cooperation was enhanced through the Joint Statement between the European Union and Canada on efforts to combat illegal, unreported and unregulated (IUU) fishing, signed at Brussels on 28 April 2016 under which they work together to address IUU fishing-related challenges,

Considering that in 2018, at the G7 Leader's Summit, they endorsed the Charlevoix Blueprint for Healthy Oceans, Seas and Resilient Coastal Communities and the Ocean Plastic Charter, and, at the G7 Joint Ministerial Session on Healthy Oceans, Seas and Resilient Communities, they endorsed the G7 Innovation Challenge to Address Marine Plastic Litter and the G7 Initiative on Earth Observation and Integrated Coastal Zone Management. The Blueprint recognizes that the health of the oceans and seas is critical to the economic, social and environmental well-being of the planet and the fundamental role they play in the global climate system and in supporting communities, jobs and livelihoods, food security, human health, biodiversity, economic prosperity and way of life. The Blueprint seeks outcomes through collaborative partnerships as they pursue global efforts towards a sustainable and climate-resilient future while stimulating innovation and economic growth. The Ocean Plastics Charter takes a lifecycle approach to plastics stewardship on land and at sea, aiming to avoid the unnecessary use of plastics, and to ensure that plastics are designed for recovery, reuse, recycling and end-of-life management to prevent waste. The Ocean Plastics Charter aims to bring together leading countries, sub-national governments, businesses, and civil society organizations to support its objectives; the implementation of the Charter continues to gain momentum with additional endorsements from governments and businesses.

Considering that to further develop and strengthen their cooperation and structure their dialogue on ocean affairs, they wish to establish an Ocean Partnership ("the Partnership") as a means to achieve stronger leadership on global governance issues and policy coherence vis-à-vis the oceans, with due regard to their respective roles in their areas of competence,

Declare the following:

1. PRINCIPLES, SCOPE AND OBJECTIVES

a) The Partners:

i) emphasize the universal and unified character of the United Nations Convention on the Law of the Sea (UNCLOS), reaffirm that UNCLOS sets out the legal framework within which all activities in the oceans and seas must be carried out, and highlight its strategic importance as the basis for national, regional and global action and cooperation in the marine and maritime sectors, as well as the need to maintain its integrity.

ii) establish the Partnership within the overall context set out by the *Strategic Partnership* Agreement *between the European Union and its Member States, of the one part, and Canada of the other part*.

iii) recognise that the ocean is global, and that ocean governance is a shared challenge, responsibility and commitment that calls for action, as well as implementation at all levels, including on a global, national, regional and local scale.

iv) value the essential role of international partnerships to achieve shared objectives, acknowledging that they face similar challenges in ensuring that the ocean is a clean, healthy, productive and resilient environment, and that the oceans, seas and marine resources and ecosystem services are being conserved and used sustainably under safe and secure conditions.

v) emphasise their strong commitment to the effective implementation of the Paris Agreement and be mindful of the threats – in particular sea level rise, ocean warming, acidification and deoxygenation – that climate change poses to both ocean ecosystems, their services and the benefits derived from them.

vi) acknowledge that they have an important role in: enhancing the governance, conservation and sustainable use of oceans, seas and marine resources, addressing climate change, pollution and marine litter, as well as other adverse impacts of human activities on the ocean and on marine life; and, ensuring the sustainable development of their marine and maritime sectors, including through further development of marine knowledge and environment-friendly innovation for the competitiveness and social attractiveness of their economies.

vii) reaffirm their commitment to the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, held from 25 to 27 September 2015 entitled: "Transforming our world: the 2030 Agenda for Sustainable Development", as adopted by the General Assembly in its resolution 70/1 of 25 September 2015, highlighting the particular relevance of Sustainable Development Goal (SDG) 14 "Conserve and sustainably use the oceans, seas and marine resources for sustainable development" and emphasising Sustainable Development Goal (SDG) 17 "Strengthen the means of implementation and revitalize the global partnership for sustainable development".

viii) share the objective of maintaining, strengthening and creating ocean governance frameworks, instruments and mechanisms that: ensure the oceans are clean, healthy, productive and safe; contribute to conservation and sustainable use of marine biodiversity, including through precautionary and ecosystem-based approaches and create an investment climate that supports job creation, job safety and economic growth based on the environmentally, economically and socially sustainable and legal use of ocean resources.

b) share the objective of enhancing technical cooperation through the exchange of information and views on domestic policy approaches, legislation, experiences and best practices, as well as through related concerted actions and approaches and joint initiatives, including at global, national, regional and local levels, to improve global ocean governance and scientific research.

c) The Partners understand that:

i) the Partnership complements and builds on their existing cooperation in this area, in particular on the High Level Dialogues and their associated Working Groups.

ii) the Partnership complements and should serve to advance the commitments made under the *Comprehensive Economic and Trade Agreement's* Trade and Environment chapter, which recognises the importance of marine conservation, the sustainable and responsible management of fisheries and aquaculture and their contribution to providing environmental, economic and social opportunities for present and future generations.

iii) the Partnership aims to increase coherence and efficiency, as well as enhance the quality and impact of their activities in the subject-matters covered by the Partnership.

iv) the Partnership does not create rights or obligations under international or domestic law and does not commit either Partner financially.

2. AREAS FOR DIALOGUE AND COOPERATION

The Partners understand that the Partnership covers ocean governance as well as cross-cutting tools and marine and maritime knowledge aimed at the conservation, restoration and sustainable use of the ocean, seas and marine resources.

a) Ocean Governance Framework

The Partners intend to pursue cooperation:

i) in a coordinated approach and with concerted actions to implement the 2030 Agenda for Sustainable Development, in particular to achieve the Sustainable Development Goal on Oceans (SDG 14) and follow up on the commitments made at the UN Ocean Conference (June 2017), including in the adopted Call for Action;

ii) to improve ocean governance, such as for the conservation and sustainable use of oceans and their resources and their capacity to provide ecosystem services, including through the ongoing development of an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ);

iii) within the framework set out by UNCLOS, within and between competent international organizations, including the International Maritime Organization (IMO), relevant regional organizations, such as regional seas conventions, regional fisheries bodies and within the framework of other multilateral environmental agreements and with respect to the conservation of large marine ecosystems, where appropriate;

iv) in international fora to tackle the problem of marine litter, including through initiatives supporting the implementation of the G7 and G20 action plans on marine litter, the 2018 Charlevoix Blueprint for Healthy Oceans, Seas and Resilient Coastal Communities, the 2018 Ocean Plastics Charter, the 2018 G7 Innovation Challenge to Address Marine Plastic Litter, and relevant United Nations Environment Assembly (UNEA) resolutions, and in the context of the IMO action plan to address marine plastic litter from ships;

v) in global fora, such as the United Nations General Assembly, the International Labour Organization (ILO), the Food and Agriculture Organization of the United Nations (FAO), and the Convention on Biological Diversity (CBD), aimed at implementing and strengthening the framework for oceans governance, sustainable fisheries and the conservation and sustainable use of biodiversity;

vi) within the United Nations Environment Programme (UNEP), including for the implementation of relevant UNEA resolutions;

vii) with regards to the implementation of the UN Decade of Ocean Science for Sustainable Development (2021-2030);

viii) in regional fisheries management organizations (RFMOs) to promote better ocean governance, science, compliance and science-based fisheries management, including the application of an ecosystem-based approach to fisheries management and respecting the precautionary approach;

ix) to reinforce the role of the International Seabed Authority (ISA) in the exercise of its competence to organize and control activities on the seabed and ocean floor and in the subsoil thereof beyond the limits of national jurisdiction (the Area);

x) to prevent unregulated commercial fishing in high seas areas, notably of the central Arctic Ocean, including through early ratification and implementation of the international *Agreement to Prevent Unregulated High Seas Fishing in the Central Arctic Ocean*;

xi) to jointly work to effectively combat IUU fishing in the context of investigations on presumed or confirmed IUU fishing activities and promotion of FAO, RFMO, and 2018 G7 Charlevoix Blueprint initiatives aimed at preventing and combatting IUU fishing;

xii) to jointly work to ensure the effective implementation of decent living and working conditions for seafarers and fishers respecting the principles of the *Maritime Labour Convention*, 2006 and *Work in Fishing Convention* of the ILO, including combatting forced labour or any form of abusive exploitation of workers at sea;

xiii) to jointly work towards the implementation of the 2012 *Cape Town Agreement* on the safety of fishing vessels;

xiv) to establish rules at the World Trade Organization prohibiting harmful fisheries subsidies;

xv) to promote the "Our Ocean" series of conferences, in particular with regard to the tracking and implementation of commitments and;

xvi) to exchange best practices on coast guard functions where appropriate including within the scope of the North Atlantic Coast Guard Forum.

b) Conservation and Facilitating Sustainable Use

The Partners intend to pursue cooperation

i) through coordination of marine and maritime science programming in the North Atlantic Ocean within the context of the framework established under the Galway Statement on Atlantic Ocean Cooperation, and the associated Marine Working Group of the EU-Canada Joint Science and Technology Cooperation Committee. This framework includes jointly decided upon areas of research cooperation, mechanisms for joint priority setting, and provisions that enable flexibility with regard to changing joint priorities that reflect a changing Atlantic Ocean. Formal working groups have been established to advance priority areas of ocean research cooperation in the fields of aquaculture, ecosystem approach to ocean health and stressors, seabed mapping, ocean observation, and ocean literacy;

ii) to exchange best practices on conservation and sustainable management of marine ecosystems, including through marine protected areas (MPAs), other effective area-based conservation measures and ecosystem-based management; as part of the implementation of the Programme of Work on Marine and Coastal Biodiversity of the *Convention on Biological Diversity*;

iii) on common challenges and opportunities relating to the Arctic Ocean; notably

  i) for developing a better understanding of the science of climate change in relation to the Arctic to reduce and prevent significant risks posed by climate change and develop strategies to mitigate and adapt to it;

  ii) to work towards examining possibilities for developing effective area-based management tools, including MPAs, in the Arctic;

  iii) to work towards mainstreaming Arctic biodiversity in tools related to the development of the Arctic;

  iv) to contribute to maintaining a scientifically based approach to fishing in the Arctic Ocean;

  v) and in contributing to the sustainable development of the Arctic in respect of its Indigenous Peoples' economic, social and environmental aspirations;

iv) to address common challenges and opportunities relating to the Atlantic Ocean, promoting cooperation at sea basin level;

v) to encourage concerted action in implementing the *Paris Agreement on climate change* as relevant to the ocean, including by supporting the full consideration of the impacts of acidification and ocean temperature change in the next assessment of the Intergovernmental Panel on Climate Change (IPCC);

vi) to act on the findings of scientific assessments on the state of the ocean, including the global ecosystem assessment of the Intergovernmental Platform on Biodiversity and Ecosystem Services, the World Ocean Assessment and the IPCC special report on climate change and oceans and the cryosphere, and to pursue an evidence-based approach more broadly;

vii) in the exchange of best practices to prevent, monitor and significantly reduce pollution of all kinds in the oceans, including from both sea- and land-based sources;

viii) in the exchange of best practices to establish high level environmental standards for deep sea exploration and potential future exploitation, including environmental impact assessment and monitoring, noting the need to apply best environmental practices and the precautionary approach as well as taking into account the ongoing efforts of international institutions such as the ISA in this regard;

ix) to promote sustainable fishing capacity management, including the reduction of unwanted catches and the reduction or elimination of discards;

x) in the coordination of fisheries capacity building activities in developing countries aimed at improving data collection, science, management, and enforcement for the sustainable use of fisheries resources, including through the FAO Port State Measures Agreement Assistance Fund;

xi) to minimize negative impacts of fishing and aquaculture activities on the marine ecosystem and avoid degradation of the marine environment;

xii) to strengthen the effectiveness of systems of control, inspection and enforcement concerning both fisheries management and protection of the marine environment;

xiii) to exchange best practices on marine spatial planning, integrated coastal management, and other collaborative planning arrangements;

xiv) to organize joint private/public fora to create partnerships and exchange best practices on selected maritime activities and sustainable blue economies, such as sustainable renewable ocean energy, coastal and maritime tourism, marine biotechnology, and aquaculture;

xv) to support already existing international marine and maritime science partnerships, such as the International Oceanographic Commission, International Council for the Exploration of the Seas, International Hydrographic Organization, Global Argo Network, G7 initiative "Future of the seas and oceans" working group, actions undertaken by Global Earth Observation (GEO) and the Global Earth Observation System of Systems (GEOSS), and other observation and ecosystem science initiatives, including the G7 Initiative on Earth Observation and Integrated Coastal Zone Management;

xvi) on mainstreaming sustainable finance principles for the ocean economy into the financial sector and on encouraging the commitment of financial institutions and investors to such principles.

3. PROCEDURES

The Partners should apply the following procedures to the Partnership:

a) The lead bodies for the Partnership will be the Directorate-General for Maritime Affairs and Fisheries of the European Commission for the European Union on the one hand, and the Department of Fisheries and Oceans for Canada on the other. The lead bodies should ensure coordination with and involvement of other actors, as necessary.

b) Pursue the dialogue annually on ocean-related policy issues through the regular High Level Dialogue on Fisheries and Maritime Affairs, to take place alternately in the EU and Canada.

c) Meet in an "Ocean Partnership Forum" ("the Forum") preferably held on the occasion of the High Level Dialogue, bringing together their representatives. The host Partner should organize and chair the Forum, which should focus on a limited number of previously determined topics within the areas of cooperation outlined in Section 2 of this Declaration.

d) Invite each other to other meetings and ad-hoc working groups relevant to the Partnership on the basis of reciprocity, subject to the due observance of their respective rules and regulations.

e) Inform and consult each other, as appropriate, on issues of mutual interest in the areas defined in section 2 of this Declaration.

f) Take all necessary communication measures to maximize the visibility of the Partnership and, more specifically, of their shared objectives and principles, with the aim of increasing awareness and understanding within the general public and specialized audiences.

The collaboration is to start on the date of the last signature of this Declaration by the Partners.

Signed in duplicate at……., on……, in the English and French languages, each version being equally valid.

FOR THE EUROPEAN UNION FOR CANADA