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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

To: General Secretariat of the Council

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Subject: ANNEX to the 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.

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HIGH REPRESENTATIVE
OF THE UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

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ANNEX

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to the

**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}

1. STRENGTHENING THE INTERNATIONAL OCEAN GOVERNANCE FRAMEWORK¹

Marine biodiversity protection and conservation

The EU will:

- ***push for an ambitious post-2020 Global Biodiversity Framework within the Convention on Biological Diversity (CBD) and for an ambitious, fair and equitable Biodiversity Beyond National Jurisdiction (BBNJ) agreement.***
- ***advocate that the exploitation of marine minerals in the Area² should not start before these three criteria are all met: i) sufficient scientific knowledge of deep-sea ecosystems and the potential effects of mining on marine ecosystems and their services is available ii) adequate provisions for the effective protection of the marine environment from harmful effects of mining activities in the Area are in place, in line with the precautionary principle and UNCLOS and iii) it can be demonstrated that no harmful effects arise from mining technologies and operational practices.***
- ***actively promote the establishment of Marine Protected Areas (MPAs) in Antarctica within the Convention Area of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR).***
- ***conserve fisheries resources and protect marine ecosystems in its upcoming action plan, building on the EU's legal requirement to achieve good environmental status, including for seabed integrity, and bring in measures, where necessary, to regulate the use of fishing gear that are most harmful to biodiversity.***

Sustainable fisheries and aquaculture

The EU will:

- ***build on the global WTO agreement to prohibit certain forms of fisheries subsidies concluded in June 2022 and push for its reinforcement as soon as possible with the elements not yet agreed.***
- ***continue promoting compliance and effective implementation of international rules to combat IUU fishing, notably the FAO Agreement on Port State Measures³ and play a leading role in establishing FAO voluntary guidelines on transshipment.***
- ***continue promoting anti-IUU mechanisms across all RFMOs and push for the upgrading of Regional Fishery Bodies into RFMOs, notably the Fishery Committee for the Eastern Central Atlantic and the Western Central Atlantic Fishery Commission.***
- ***facilitate communication and coordination amongst RFMOs on best practices in fisheries management and other matters of common interest ('community of practice'), building as much as possible on existing processes.***
- ***contribute to the successful implementation of the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean and support the designation of MPAs in***

¹ Actions in bold are the ones underlined in the Joint Communication on International Ocean Governance

² Under UNCLOS, the "Area" means the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction.

³ including through the development of enabling tools (Global Information Exchange System, Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels) and the assistance to developing countries.

the Arctic Ocean, including through the Convention for the Protection of the Marine Environment of the North-East Atlantic.

- *reshape its Sustainable Fisheries Partnership Agreements so that they better contribute to improved ocean governance.⁴*
- *continue to closely monitor the activity of its fleet outside EU waters through the Sustainable Management of External Fishing Fleets Regulation⁵ and promote the same level of high standards on the international scene.*
- *push to expand sustainable fisheries trade by following through on the commitments in bilateral trade agreements with third parties and strengthen ocean governance via its Partnership and Cooperation Agreements.*

Regional marine protection

The EU will:

- *step up its efforts to join the Convention on the Protection of the Black Sea against Pollution.*
- *support the involvement of Regional Sea Conventions, Action Plans and similar regional arrangements around the world under the UN Environment Regional Seas Programme in the implementation of international commitments in relation to the conservation and sustainable use of biodiversity including of Areas Beyond National Jurisdiction (ABNJ) and in the fight against plastic pollution.*

Strategic partnerships

The EU will:

- *use, as appropriate, existing dialogues and cooperation formats to mainstream cooperation on ocean governance.⁶*
- *step up cooperation on ocean governance under the new Partnership Agreement between the EU and Organisation of African, Caribbean and Pacific States (OACPS).*
- *assist partner regions and countries under Global Europe to strengthen their capacities for better ocean governance, including in support to the effective implementation of key global ocean governance instruments, the conservation and sustainable use of marine resources, the development of a sustainable blue economy, the promotion of ocean-based action for climate mitigation and adaptation, and eradication of maritime security threats.⁷*
- *launch in 2023-2024 actions to support better ocean governance, including the development of sustainable blue economies in Africa, in line with the Global Europe programming for Africa. An Africa-EU strategic group on ocean governance will be set up in 2022 to suggest strategic priorities.*

⁴ The Commission is conducting an evaluation of the SFPAs aimed at making them more efficient and effective and better targeting the bilateral cooperation and CFP external dimension objectives implementation.

⁵ Regulation (EU) 2017/2403

⁶ The EU has several high-level dialogues with important partners, on top of the two Ocean Partnerships on ocean affairs with China and Canada.

⁷ In the Regional Indicative Programme for sub-Saharan Africa, an indicative amount of EUR 180 million has been allocated for five regional ocean programmes that have been identified and are under preparation.

- *co-host in 2023 the 2nd Marine Regions Forum in the Western Indian Ocean, together with the EU's outermost regions located in this sea basin.*

2. TOWARDS OCEAN SUSTAINABILITY BY 2030

The ocean and climate change

The EU will:

- *support third countries in implementing their ocean-related action in national follow-up to the commitments under the Paris Agreement and promote nature-based solutions.*
- *lead on the agreement of ambitious and time bound global greenhouse gas (GHG) emission reduction targets, standards, and measures for international maritime transport within the IMO.*
- *reduce GHG emissions from EU maritime transport by increasing the use of renewable and low-carbon fuels (FuelEU Maritime) and introducing carbon pricing (extending EU ETS to the maritime sector).*
- *support the development of offshore renewable energy by sharing the EU's expertise with third countries and supporting research and development of new markets. In line with the Global Gateway,⁸ the EU will also support investments in offshore renewable energy.*
- *step up its efforts in preserving the ocean's natural 'blue carbon' function through protecting and restoring marine and coastal ecosystems and enshrining ecosystem restoration targets in law.⁹*
- *integrate climate change considerations in the works of the scientific committees of RFMOs, RSCs and other bodies and instruments dealing with the conservation and management of marine living resources such as the future BBNJ Agreement, and actively promote the designation of additional MPAs, including by CCAMLR.*
- *promote more research on climate-driven ecosystem tipping points, strive to increase understanding of cumulative ecosystem implications from a combination of drivers, particularly, warming, deoxygenation and acidification, boost research on ocean carbon and sea-level rise and associated nature-based solutions, and increase innovation related to sustainable ocean-based mitigation and adaptation.*
- *promote the ratification and effective implementation of the London Protocol and the CBD Decision X/33 and pursue better understanding of how their principles of adequate scientific basis, risk assessment and precautionary principle apply to ocean-based CDR activities.*

Fighting marine pollution

The EU will:

- ***engage actively in the negotiations for a legally binding Global Plastic Agreement.***
- *support capacity development through partnerships and development cooperation to combat and prevent marine pollution from land and sea, including risk of pollution from*

⁸ JOIN(2020) 30 final

⁹ COM(2020) 380

dumped munition at sea, and promote waste management, sustainable consumption and production, and circular economy approaches.

- *support efforts at global and regional level, including by integrating protection of the marine and coastal environment in bilateral relations to preserve and restore the quality of the marine environment and biodiversity.*
- *strengthen EU port reception facilities to collect waste and other polluting substances from ships on internal and international voyages and manage it in accordance with circular economy principles as well as to further invest in detection of illegal discharges from ships and improve the prosecution of the offenders.*

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

The EU will:

- *take a proactive approach in **ensuring that countries abide by their international obligations as flag States** laid out in international conventions (such as IMO, ILO, UNCLOS) and **exercise full sovereign responsibilities over their registers** to be able to demonstrate control over the activities of the ships flying their flags, by including this issue in its respective sectoral EU bilateral dialogues with the States concerned (in the areas of fisheries, maritime safety, environment or labour rights).*
- *enhance its efforts to ensure that countries abide by their international obligations as flag States through IUU dialogues or, as last resort, use trade-related measures associated with the identification of third countries as non-cooperating in the framework of the IUU Regulation.*
- *include in relevant international fora the issues raised by the widespread use of open registers by ship owners to circumvent existing rules and standards, as well as the possibility to hold the beneficial owners accountable for these illegal activities. In support of this work, the Commission will launch a study exposing the business models of operators using open registers and the various actors involved in the functioning of these registers, as well as proposing solutions to address the problems identified.*
- *coordinate among respective relevant policies in view of better addressing weaknesses behind the open registers, and make EU development aid conditional on a better implementation by these countries of key international Conventions on ocean governance (e.g. UNCLOS, IMO and ILO Conventions).*

Making the transition to a global sustainable blue economy

The EU will:

- *work on increasing the sustainability of imports of fisheries products that benefit from Autonomous Tariff Quotas (ATQs) drawing on the ongoing EU study¹⁰ in this realm.*
- *launch work on a G20 blue economy development framework to identify and secure sources of long-term financing for global transition to a sustainable blue economy.*
- *take forward the discussion on a comprehensive and ambitious set of guidelines for Sustainable Aquaculture at the FAO building on the Strategic Guidelines for the Sustainable and competitive EU aquaculture.¹¹*

¹⁰ under preparation

- *will test solutions for sustainable aquaculture and for sustainable fisheries, including by reducing the impact of fishing gear on marine ecosystems, through its Mission ‘Restore Our Ocean and Waters by 2030’.*
- *revise the EU’s marketing standards for fisheries and aquaculture products to provide information to consumers and operators in the supply chain on crucial sustainability aspects of EU and imported products.*
- *support activities for innovative business-led initiatives, starting with a first ‘BlueInvest Africa’ event.¹²*

Integrated ocean management via marine protected areas and maritime spatial planning

The EU will:

- *step up cooperation with IOC-UNESCO to promote Maritime Spatial Planning (MSP) worldwide through a new partnership based on a joint five-year roadmap, to be launched at the 3rd international conference on MSP in late 2022.*
- *work with international partners to embed Marine Protected Areas (MPAs) and Other Effective Conservation Measures (OECMs) in a global one-ocean conservation strategy to abate human pressure and ocean degradation outside protected areas.*
- *support regional coordination and joint projects for common management to designate ecologically representative and coherent networks of well-managed MPAs and OECMs.*

3. ENSURING SECURITY AND SAFETY AT SEA

Security at sea

The EU will:

- *further invest in maritime security and global presence in particular through increased live exercises, European port calls, joint patrols as well as capability building (e.g. by 2023 conduct live maritime exercise with partners in Indo-Pacific).*
- *consolidate and extend EU naval operations deployed in the Mediterranean and off the Somali coast.*
- *strengthen regional partnerships in maritime zones of interest and, on the basis of lessons learned from existing programmes (e.g. SWAIMS, PASSMAR, GoGIN, MASE, PSP Programme, CRIMARIO¹³), improve global situational awareness and maritime security,*
- *implement the Coordinated Maritime Presences in other Maritime Areas of Interest.*
- *develop and strengthen EU maritime security awareness mechanisms such as the Common Information Sharing Environment and Maritime Surveillance by 2025.¹⁴*
- *facilitate, as appropriate, communication and coordination between regional civilian and military maritime initiatives to improve situation awareness.*

¹¹ COM/2021/236 final

¹² 7-8 September 2022, Seychelles

¹³ SWAIMS – Support to West Africa Integrated Maritime Security, PASSMAR – Support Programme to the Maritime Security Strategy in Central Africa, GoGIN – Gulf of Guinea Inter-Regional Network, MASE – Regional Maritime Security Programme, PSP – Port Security Programme, CRIMARIO – Critical Maritime Route Wider Indian Ocean project

¹⁴ The CISE is expected to become operational in early 2024. It has been developed to facilitate the exchange of information between maritime surveillance authorities across the EU, including civil-military cooperation.

Safety at sea and promoting decent working conditions worldwide

The EU will:

- *promote ratification and effective implementation of the 2006 International Labour Organisation (ILO) Maritime Labour Convention and ILO Work in Fishing Convention No 188.*
- *assess the transposition in the Member States of Directive 2017/159, which incorporates into EU law Convention No 188, and take all appropriate measures if a Member State fails to properly transpose the Directive in their national legal system.*
- *address fishing-related challenges such as forced labour and other forms of labour rights abuses in relevant bilateral dialogues and in regional and international fora, including when detected in the context of the fight against IUU fishing.¹⁵*
- *support IMO initiatives reducing environmental risks from maritime transport (marine litter, underwater noise, air and water pollution) and fishing activities.*
- *review the directives relating to flag state requirements, port state control and maritime accident investigation¹⁶ to take into account changes in the international regulatory environment and technology and ensure that any lessons learned over the last decade in the implementation of the EU acquis in this area are incorporated into EU law.*

4. BUILDING UP OCEAN KNOWLEDGE

The EU will:

- *encourage creating a transdisciplinary intergovernmental science-policy interface for ocean sustainability, an **Intergovernmental Panel for Ocean Sustainability (IPOS)**, building on applicable global expertise and existing scientific bodies.*
- *expand the Copernicus marine service as the EU reference for ocean services: providing real time ocean monitoring, forecasting and climate prediction services.*
- *join forces with partners to set-up long-term ocean observation and monitoring systems in areas beyond national jurisdiction and support long-term ocean observations in the global south by providing training course.*
- *implement the European Mission 'Restore our Ocean and Waters by 2030' with its lighthouses in each European sea basin to promote research and innovation for fit-for-purpose solutions to tackle the ocean challenges both within and outside the EU.*
- *develop a Digital Twin Ocean (EU DTO) to help integrate the knowledge value chain from collecting observations to generating end-user applications and present a unified approach to the international discussion and contribute to international initiatives such as Digital Twins of the Ocean (DITTO)¹⁷.*
- *pursue its work under the All-Atlantic Ocean Research Alliance and the Black Sea Synergy.*

¹⁵ COM(2022) 66

¹⁶ Directive 2009/21/EC, Directive 2009/16/EC, Directive 2009/18/EC

¹⁷ <https://www.oceandecade.org/actions/digital-twins-of-the-ocean-ditto/>