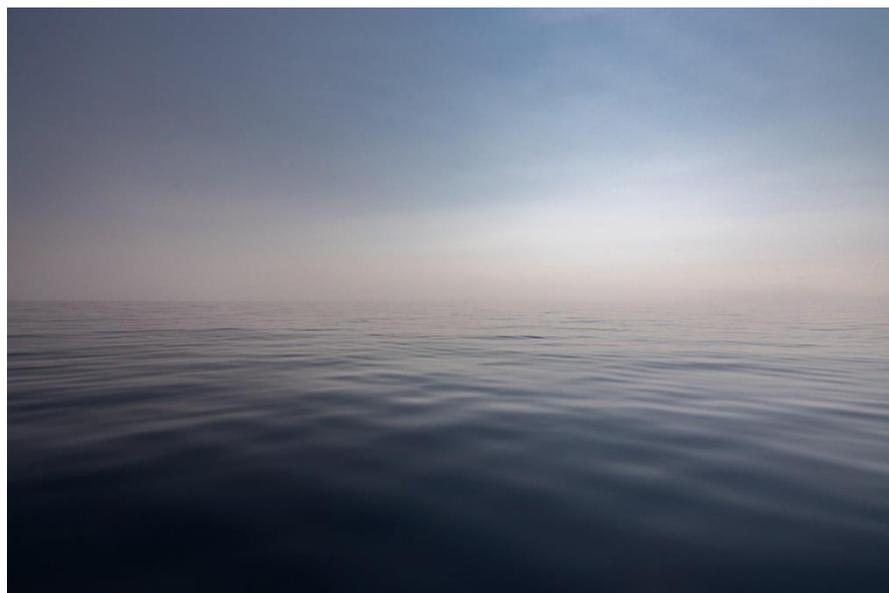


The role of the EU in Ocean Diplomacy



21 April 2021, 14:00 – 16:00 CEST

Online Event

Hosted by MEP Catherine Chabaud

Co-chair of the “Ocean Governance” Working Group of the European Parliament Intergroup on “Climate Change, Biodiversity and Sustainable Development”

Speakers:

- **MEP Catherine Chabaud**
- **Virginijus Sinkevičius**, European Commissioner for Environment, Oceans and Fisheries
- **Ricardo Serrão Santos**, Minister of Maritime Affairs, Portugal
- **Marc Richir**, Senior Expert on international ocean governance and law of the sea, DG MARE
- **Humberto Delgado Rosa**, Director of Natural Capital, DG ENV
- **Serge Ségura**, Ambassador in charge of the maritime negotiations, Ministry for Europe and Foreign Affairs, France
- **Sophie Mirgaux**, Special Envoy for the Ocean, Ministry of Environment, Belgium
- **Kristina Gjerde**, Senior High Seas Advisor, IUCN Global Marine and Polar Programme, and Steering Committee Member, High Seas Alliance
- **Javier Garat**, President, Europêche

Introductory Remarks

MEP Catherine Chabaud

“Challenges relating to the ocean are becoming more prominent at the European and international levels because humanity is beginning to understand our future is linked to the health of the ocean.”

Hosting MEP Ms. Catherine Chabaud, from the Renew Group at the European Parliament, provided some opening remarks highlighting that **ocean governance is rising as a priority at the European and international levels, although more needs to be done to engage the general public in this important debate**. Growing pressures on marine ecosystems from climate change, pollution and unsustainable activities are raising awareness of the importance of the ocean in relation to transportation, food production, energy or genetic resources, among others. A series of ongoing and upcoming international negotiations – such as the Intergovernmental Conference on the conservation and sustainable use of Biodiversity in Areas Beyond National Jurisdiction (BBNJ), COP 15 of the Convention on Biodiversity (CBD), and COP 26 of the UNFCCC – will address said issues both directly and in wider frameworks. As the largest maritime area in exclusive economic zone (EEZ) terms, **the EU is a relevant stakeholder in international negotiations**. Furthermore, given that the EU has been criticized for lacking ambition and coordination, it is **essential to strengthen political leadership**. Thus, the current context raises relevant questions for the EU’s external action:

- How to build a **common European ocean diplomacy**?
- How should **positions built under different frames** (climate, mineral or genetic resources...) be brought together?
- How do **Commission services and European institutions coordinate**?

Ms. Chabaud concluded her initial remarks by pleading for **the recognition of the ocean as a “Common Good of Humanity”** within the preamble of the BBNJ treaty. Albeit non-binding,

such a moral notion would recognize and enshrine collective responsibility in safeguarding the future of the planet.

Keynote address

Virginijus Sinkevičius, European Commissioner for Environment, Oceans and Fisheries

“The European Union's ability to lead at the international level rests on the example we set at home. The European Green Deal has upped the political momentum in this regard, and our determination and ambition have helped trigger action within partner countries. We must continue to deliver on our commitments domestically; our credibility on the international stage rests on this.”

Mr. Sinkevičius started his intervention by providing an overview of the European Commission’s ongoing International Ocean Governance Agenda. Under **the objective of leaving the next generation with a healthy, safe, and sustainably managed ocean**, the Commission seeks to foster action beyond the EU’s borders. European **leadership and diplomatic commitment** have led to important successes in recent years, including the Arctic High Seas fisheries Agreement or the transatlantic MPAs network. In view of persistent challenges in terms of climate change, biodiversity loss and unsustainable resource use, the Commission has stepped up its commitment to **sustainable and science-based fisheries management as the way to a clean, healthy, productive, resilient, and understood ocean**. The ongoing review of the International Ocean Governance Agenda will ensure that the European approach remains fit for these purposes. Mr. Sinkevičius then turned to examining upcoming actions to be taken by the EU in several fora. The **BBNJ treaty is a once in a generation opportunity to build a strong legal framework for the management of human activities in the high seas**. The Commission, together with EU Member States, is using the exceptionally long period between negotiating rounds to deepen contacts with other Parties and develop a shared framing in view of the fourth session scheduled for August 2021. At the CBD COP 15, the Commission is working to raise the profile of the conservation and sustainable use of marine biodiversity. The **Post-2020 Global Biodiversity Framework should**

include realistic, measurable and time-bound objectives. With the goal of achieving an agreement on biodiversity loss analogous to the Paris Agreement on climate change, the Commission will seek to build consensus on the establishment of more biodiversity-friendly fisheries and on the need to address the drivers of marine biodiversity loss. Regarding COP 26 of the UNFCCC, Mr. Sinkevičius recognized the **importance of the ocean-climate nexus**; as climate change undermines the ocean’s capacity to deliver ecosystem services including carbon storage, adaptation and mitigation strategies must recognize ocean-related issues. Being aware of the importance of breaking down silos, the Commission will continue to engage constructively for an ambitious and shared approach to climate action. Finally, Mr. Sinkevičius celebrated the success of the Arctic High Seas fisheries agreement, which will preserve Arctic Biodiversity loss and foster scientific cooperation and knowledge-building with international partners. Drawing on this experience and under the 2030 Biodiversity Strategy, **the Commission is garnering support for the establishment of two MPAs in east Antarctica and the Weddell Sea, although resistance from two States remains a challenge.** Mr. Sinkevičius recognized Ms. Chabaud’s efforts to promote recognition of the ocean as a common good, and concurred that this is a very relevant issue that has been discussed since the beginning of the current College of Commissioner’s mandate. Under the recognition that oceanic spaces are interconnected in nature, the **EU must be more vocal about the universal obligation of States under UNCLOS to prevent, reduce and control pollution.**

Presidency of the Council of the European Union

Ricardo Serrão Santos, Minister of Maritime Affairs, Portugal

“Ocean science diplomacy is increasingly important for ocean governance. The integration between science and diplomacy is critical when addressing policy issues that are global on their nature and imperatively science-based.”

On 20 April, the 3rd EU International Ocean Governance Forum was held, highlighting the significance the Union is increasingly giving to ocean diplomacy. **Ocean diplomacy has been one of the priorities of Portuguese foreign policy**, having supported the establishment of an autonomous SDG dedicated to the oceans and the creation of a binding instrument on BBNJ.

All ongoing and upcoming processes must be attentive to the socioeconomic aspects of sustainability and to science-diplomacy integration. The Portuguese Presidency of the Council of the EU draws directly from these understandings and aims for a **resilient, green, digital, and global Europe**. All said elements are critical for a **successful and just post-Covid recovery**. Mr. Serrão Santos then laid out the Portuguese Presidency’s vision for a healthy, knowledge-based, prosperous, and socially fair and equitable ocean. **Farmed seafood can help lower the carbon footprint of food production, and is thus instrumental in creating more sustainable food systems**. Paying attention to fisheries’ biodiversity conservation, the **Common Fisheries Policy should continue to develop sustainability and equity** for fishing communities through monitoring, financing and social considerations. The current revision of the Control Regulation will be important in that regard. Furthermore, the **development of a strong and sustainable blue economy** including ocean renewable energies, food from the sea, green shipping, and maritime and coastal tourism among others must be **a core part of integrated maritime policy**. Forthcoming Council conclusions will reflect its significance, Mr. Serrão Santos anticipated. Mr. Serrão Santos concluded his intervention by emphasizing **the importance of ocean literacy, education, and knowledge**. Positive outcomes in all the ongoing processes will raise awareness about ocean governance and **foster involvement by civil society**, which is critical for the success of the transformative process that is needed.

Presentations by the European Commission

Marc Richir, Senior Expert on international ocean governance and law of the sea, DG MARE

“The pandemic has made evident our close relationship with the oceans and the need to protect them. It has demonstrated the urgency of strengthening cooperation mechanisms to act in ways that allow the oceans to continue to provide their services and our societies to benefit from them in a sustainable manner. There is still a lot of work to do, but the BBNJ negotiation has the potential to deliver not just another layer of governance, but an effective tool to ensure the implementation of coherent, sustainable and responsible ocean policies.”

Mr. Richir started his intervention by reflecting on the update of the EU’s International Ocean Governance Agenda. With the ambition of achieving climate neutrality, zero pollution, and

the protection and restoration of biodiversity, extensive consultations have pointed to the need to increase **ambition**; mainstream **sustainability** into sectoral policymaking; increase regulatory attention to **blue economy** sectors; boost **international cooperation on control and enforcement**; and raise investments in ocean **observation and science**. This set of recommendations will guide the EU's action, might inspire others, and enable new partnerships, Mr. Richir said. The EU aims to act as a driving force in international negotiations and processes, pushing **innovative approaches that overcome silos and strengthen synergies** between sectors. With regards to the **BBNJ negotiations**, Mr. Richir stressed that the goal is to operationalize UNCLOS, by establishing mechanisms that can facilitate cooperation, coordination and synergies among the many actors having an interest – and sometimes competing mandates and priorities – in the high seas, with a view to allow a more holistic and integrated ocean management to better achieve conservation and sustainable use of the ocean and its resources. Mr Richir then mentioned the different parts of the agreement under negotiation, insisting on the potential **benefits in terms of research cooperation as an important area for consensus-building**. He pointed to the ongoing work on mechanisms for establishing **globally recognized MPAs beyond national jurisdiction**, which will be instrumental in achieving the targets of the future post-2020 Global Biodiversity Framework. He referred to the work on a **procedure to follow when conducting Environmental Impact Assessments for high-seas activities**, including cumulative impacts and ensuring harmful effects are identified and taken into account. He finally stressed the importance of inclusiveness through scientific cooperation and capacity development. Mr. Richir concluded by expressing his belief that **BBNJ bears the potential to ensure the implementation of coherent, responsible, and sustainable ocean policies**.

Humberto Delgado Rosa, Director of Natural Capital, DG ENV

“A strong, accountability-based post-2020 Global Biodiversity Framework will make it possible to capitalize on the synergies with international ocean governance and BBNJ negotiations. The link between climate and biodiversity has been reinforced by the EU’s ambition on climate change. To seize on the current window of opportunity at the international level, it is crucial to work towards a new deal for nature that includes a strong mechanism for reporting and verification.”

Mr. Delgado Rosa centered his intervention on the upcoming COP 15 of the Convention on Biological Diversity (CBD). The current college of Commissioners wants EU Countries to **lead on the twin challenges of climate change and biodiversity loss**, aiming to achieve a comprehensive, Paris-style agreement on the Post-2020 Global Biodiversity Framework. Welcoming support from the European Parliament in this respect, Mr. Delgado Rosa praised the **recent Biodiversity Strategy for 2030 as an instance of the EU leading by example**. It sets highly ambitious goals while paying attention to ocean issues and setting **mutually reinforcing protection and restoration targets**. To strengthen action in this direction, **biodiversity considerations must be mainstreamed** across all policy sectors. Elaborating on his understanding of what a “Paris-style agreement” would entail, Mr. Delgado Rosa underlined the **importance of accountability** – which would include, in the case of biodiversity, **measurability, monitoring, reporting and verification**. Strong implementation of an ambitious Post-2020 Global Biodiversity Framework would reinforce current work on BBNJ and international ocean governance. Mr. Delgado Rosa concluded by pointing to the **need for continued work in aligning policies towards sustainability**, and to seize on **growing awareness of the climate-biodiversity nexus** in international fora.

Reactions by stakeholders

Serge Ségura, Ambassador in charge of the maritime negotiations, Ministry for Europe and Foreign Affairs, France

“The EU must remain proactive, but never turn a blind eye to its maritime nations. Some of their views reflects an age-long experience with maritime affairs, and their key insights may prove decisive to open up BBNJ negotiations.”

During his intervention Mr. Ségura, France’s Ambassador in charge of the maritime negotiations, reflected on the role played by France and the EU in Ocean diplomacy. First, he pinpointed **COP21** held in 2015 as **the kickstart of a transformative process** which eventually led to the **genesis of an international climate community** addressing the relation between oceans and climate change. Such a process culminated in 2017, when **a first multilateral**

meeting dedicated to Sustainable Development Goal 14 (SDG 14), namely the first edition of the Ocean Conference, was held. At that time, in the speaker's eyes, the EU dragged its feet and played a minor role during negotiations. However, Mr. Ségura predicted, **the EU seems increasingly aware of the vital importance of ocean preservation** and will adopt a more proactive attitude towards BBNJ negotiations during the next edition of the Ocean Conference, set for 2021 in Lisbon. Among **key EU assets** to positively influence negotiations Mr. Ségura mentioned the **added value brought by its Member States**, its financial capacity and the inter-institutional consensus on the need to ensure better protection of the ocean environment. A layer of complication, the speaker noted, is that **ocean protection is a cross-sectoral issue**, which requires, to name a few, horizontal policy coordination among the fisheries, maritime transport, and blue economy sectors, something that is made even more challenging by the fragmentation of competences among the EU and its Member States. Acknowledging that the efficient organization of the EU within negotiations bodes well for the conclusion of the BBNJ process, Mr. Ségura warned that **the EU is not self-sufficient and should never relinquish the expertise of its marine nations**, such as France, when it comes to bringing specific views on global ocean governance and also providing region-specific insights based on experience. In particular, **France is proposing to enshrine the notion of oceans as a global common within the BBNJ Treaty**.

Sophie Mirgaux, Special Envoy for the Ocean, Ministry of Environment, Belgium

“The BBNJ process is a pivotal opportunity to finalize a once-in-a-lifetime negotiation. The the EU, from its side, should keep faith to its fundamental responsibilities of bridge builder and elevate all the parties to ambitious target-setting”.

Ms. Mirgaux, Belgium's Special Envoy for the Ocean highlighted that the **BBNJ process is a pivotal opportunity to finalize a once-in-a-lifetime negotiation**. The process should be aimed at **implementing the target calling on the protection of 30% of marine areas , included in the draft Post-2020 Global Biodiversity Framework**. Against this background, the **EU can tip the balance of negotiations**, provided that it widely seen as a **bridge builder by the BBNJ negotiating Parties** and that it **can assert itself as an ambitious target setter**. In this fashion, as Ms. Mirgaux underscored, the EU is actively engaged in High Seas Dialogues, informal online

dialogues with international BBNJ negotiators, which can eventually produce fertile ground for audacious compromises. Clearly, the multi-level feature of the EU decision-making process renders reaching a common position a complicated task. However, the EU working groups appointed for BBNJ negotiations are carrying out their duties with a spirit of cohesion and harmony, Mrs. Mirgaux celebrated. Considering the hindrances of the BBNJ negotiations and the need to revamp them, the speaker stated the need for momentous change and groundbreaking ideas. Notably, one of those could be the **notion of global commons already proposed** by Mr. Ségura, which **intrinsically links ocean protection to sustainable use, ensuring ocean protection for future generations.**

Kristina Gjerde, Senior High Seas Advisor, IUCN Global Marine and Polar Programme, and Steering Committee Member, High Seas Alliance

“Ensuring a sustained protection of marine environments will need all hands on deck. Manoeuvres such as the EU International Ocean Governance Agenda are a sign that the EU will play its part.”

Representing IUCN, Ms. Gjerde started off by presenting the role of the EU in Global Ocean Governance, incidentally, **commending** the roll of out the EU Commission proposal for the **International Ocean Governance Agenda**, a bold and audacious manoeuvre in her thoughts. Through its sustained efforts to protect Areas Beyond National Jurisdiction, **EU always distinguished itself as an audacious actor in the field of ocean protection.** Amid the key initiatives, Ms. Gjerde recalled **the 2005 proposal made by the EU to conclude an international agreement under UNCLOS for the conservation and sustainable use of marine environment, and the EU’s key contribution in shaping a global vision for the sustainability of the marine environment.** Subsequently, Ms. Gjerde touched upon the core of her intervention, **namely what is needed to push the BBNJ process further.** From its side, **the EU needs** to ensure that **a vision for healthy, productive and resilient oceans** is fully embraced by **its institutional representatives** and needs to contribute in the setting of far-sighted objectives, a precondition for the effective protection of nature and associated ecosystem services. It will be fundamental, according to Ms. Gjerde, to **integrate Marine Protected Areas in a larger system and vision on ocean sustainability.** Such a transition will require that all the

affected stakeholders have a say in the key steps of decision-making and, crucially, that **decision-making systems are streamlined by region-specific Environmental Impact Assessments**. The EU, as Mrs. Gjerde puts it, should ensure that all its Member States, in the carrying out of their economic activity in the oceans, will act according to the principle of inter-generational equity with respect to future generations and in a spirit of fairness and solidarity among themselves. On this note, following the lead of virtuous Member States such as Portugal, France and Belgium, Ms. Gjerde **called on the remaining Member States to appoint Ministries of Maritime Affairs and Ambassadors**, as well as the **EU to request the UN Secretary General to similarly establish an Ambassador for the Oceans**.

Javier Garat, President, Europêche

“The sustainable use of fish-based food resources and the conservation of biodiversity can coexist, on condition that an ocean global governance system will strike a fair balance between the two. By influencing norm-setting on sustainable management of fishing stocks, the EU can be a key actor in this process”.

Speaking on behalf of Europêche, throughout his address Mr. Garat shed light on the **correlation between fisheries policy and the need to ensure the protection of marine environments**. From his standpoint, **sustainable use of fish-based food resources and the conservation of biodiversity can coexist**, on condition that an ocean global governance system will strike a fair balance between the two. For such a system to be in place, it is imperative to devise tools for coordinated and cooperative actions, as well as enhancing multi-stakeholder discussions within international fora. **Thus far, a reconciliation between the sustainable use dimension and the need to conserve biodiversity was hardly achieved**, provided that pertinent international and regional institutions, such as FAO and CBD act under conflicting mandates. As an instance of that, Mr. Garat recalled that during the Post-2020 Global Biodiversity Framework negotiation, sustainable use was portrayed as a threat to biodiversity. Moreover, the speaker advocated that **a stronger and integrated global ocean governance will require the strengthening or the setting up of new Regional Fisheries Management Organisations (RFMOs), increased capacity building, improved data collection and integrated responses to ocean challenges**. As for the EU’s contribution in this domain, Mr. Garat recalled that **the Common Fisheries Policy (CFP) champions sustainable**

management of fishing stocks and **that its external outreach can help disseminating high fisheries standards** with regard to labour and environmental protection in the global arena, as well as **developing coherent and region-specific strategies**, by catalysing synergies with other EU policies.

Q&A session with audience

During the Q&A session, Mr. Richir was invited to share its observations **on the future of EU offshore energy policy**, considering the incumbent need of preserving marine ecosystems and their services. In terms of economic activities, according to Mr. Richir, the future has in store a **greater competition for the use of seas and oceans**, as well as **patterns of investment diversification**, whose impact will be calibrated in terms of the overriding climate and biodiversity conservation objectives. As believed by Mr. Richir, **the challenge will be those of accommodating different and somewhat conflicting interests**, consolidating reliable environmental **impact assessment schemes**, and **better planning the maritime space**, holding in due consideration the necessity to preserve Marine Protected Areas (MPAs).

Closing remarks and take-away messages

MEP Catherine Chabaud

Following the insightful debate, Ms. Chabaud showed her **full support for the EU inter-institutional team dealing with ocean governance**, whose efforts will be decisive in shaping the future of a **European Ocean Governance**. By way of conclusion, Ms. Chabaud contended that as proposed by Ms. Gjerde, **EU Member States should individually appoint their own Ocean Ambassadors**.