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

**Developing the international dimension of the Integrated Maritime Policy of the
European Union**

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Need and purpose

Sustainable development lies at the heart of the EU policy agenda. The Integrated Maritime Policy (IMP) has a central role to play in achieving this objective. Europe is a maritime continent. Our various oceans and seas and extensive coastline have long been the scene of substantial maritime activities, which continue to make a major contribution – economically, environmentally and socially. The aim of the IMP is to promote the sustainable growth of both the maritime economy in particular, and the coastal regions more generally, by improving coordination between the different sectoral policies and by developing cross-cutting tools. In this way, we will be able to develop integrated responses to maritime challenges.

If the IMP is to succeed, however, it cannot be just a European policy. Marine ecosystems and maritime economies transcend national boundaries. The IMP cannot afford to ignore what is going on beyond Europe's borders. Indeed, many of the most urgent challenges which demand an integrated approach cannot be effectively addressed without robust international cooperation. This is true both of those challenges which are explicitly global, like climate change, biodiversity loss, sustainable use of marine resources, fair competition in shipping and shipbuilding, and promotion of decent working conditions in those sectors, and of those issues which are more closely circumscribed at regional level - think, for instance, of the need to protect the environment against the impacts of certain maritime activities in the Mediterranean or the Baltic Sea. In both cases, it is clear that the EU has to tackle these issues in international partnerships. Indeed, we have a clear-cut responsibility as both a global player and a regional partner to do our part, and even lead the way on maritime challenges.

Where the challenges facing the regional seas adjacent to the EU are concerned, the Commission has already, or will shortly, set out its vision of the steps required in specific Communications. This regional approach follows on directly from the request made by the European Council that the Commission take close account of regional specificities as it continues to develop the IMP agenda.

The present Communication complements this regional approach by exploring how the IMP should be extended into the wider international arena. It envisages the creation of an EU framework for a global integrated approach to maritime affairs. It outlines ways in which the EU's authority, as an international maritime power, should be strengthened at the multilateral level. This would also facilitate regional cooperation with maritime neighbours with whom the EU shares sea-basins, as well as helping develop closer bilateral relations with key partners. Efforts promoted in the framework of the international dimension of the EU IMP will be coherent with the EU's overarching external relations policy and the development policy.

1. KEY THEMES FOR AN EU PLATFORM IN INTERNATIONAL MARITIME AFFAIRS

The 2002 World Summit on Sustainable Development in Johannesburg established ambitious global targets for restoring oceans to ecological health and optimal productivity. These include a programme for integrated, ecosystem-based ocean and coastal management, reducing the loss of marine biodiversity, establishing networks of marine protected areas, and restoring world fish stocks to good biological condition. The latter objective incorporates a focus on the fight against Illegal,

Unreported and Unregulated (IUU) fishing, the reduction of fishing capacity where necessary, and the achievement of maximum sustainable yield by 2015.

The EU has made good progress on many of these goals, and remains committed to achieving all of them. However, not only does much remain to be done in some of these areas, but certain challenges have become more prominent in the intervening years – some long term, such as climate change others more sporadic such as piracy. The EU is determined to help build up the international community's capacity to master both existing and future maritime challenges.

International governance based on the rule of law

The more globalised our world becomes, the greater the demands it makes on our planet's marine ecosystems. If we are to cope with the strains this can create, it is more than ever necessary that the rules of the game be clearly defined, explicitly shared and easily enforceable. The 1982 UN Convention on the Law of the Sea (UNCLOS) remains the key reference in this domain, as supplemented by the UN Fish Stocks Agreement in the field of fisheries. Yet despite repeated calls from the international community, and in particular from the UN General Assembly in both its relevant annual resolutions, a number of countries have still to become a party to these instruments and implement them. The EU should promote real progress in this area, as success can best be achieved globally. It should also provide assistance to developing countries to ensure that they are not left behind for lack of appropriate means.

Global membership of UNCLOS should be an EU priority. This position should be promoted through dialogue with those countries that are not yet signatories to the Convention. The EU will continue to support the UN efforts to ensure that UNCLOS and other international key agreements in the maritime field are ratified by partner countries and that appropriate international monitoring and law enforcement instruments are duly strengthened. To this end, the EU will recommend and promote the ratification and implementation of these key instruments in the context of relevant bilateral negotiations and agreements. Policy projects such as the renewal of the Generalised System of Preferences foreseen for 2015 should envisage giving greater prominence to international maritime governance.

The EU should also promote a better use of the institutions set up under UNCLOS and ensure an appropriate representation of the EU in all of these.

Protection of marine biodiversity, including in the high seas

The EU strongly supports a range of commitments and initiatives relating to the protection of the marine environment in a number of maritime areas governed by global and/or regional conventions. The EU should reaffirm its support for the work on marine biodiversity that has been carried out in the context of the Convention on Biological Diversity, including the decision to establish a set of criteria for the identification of areas in need of protection in areas beyond national jurisdiction, and the creation of a list of marine areas that meet these criteria, as well as the development of guidance for the assessment of environmental impacts of activities undertaken in the high seas.

While UNCLOS contains general obligations for the protection of the marine environment and for cooperation, there are no mechanisms for taking effective action in the high seas from a cross-cutting approach. The EU is also advocating an integrated approach to the protecting and sustainable use of marine biodiversity in areas beyond national jurisdiction. It has proposed an Implementation Agreement under UNCLOS for this purpose, which could play a key role in filling gaps in the current legal framework, in particular for the establishment of marine protected areas in the high seas.

Fishing activities have a major impact on biodiversity. The EU is continuously working to curb fleet overcapacity, eradicate IUU fishing and outlaw fishing practices which cause serious damage to marine ecosystems. The EU is also supporting developing countries highly dependent on sea resources to use them sustainably, while at the same time promoting economic and social development.

In 2008 the Council adopted Regulation (EC) N° 734/2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears, thus transposing UNGA Resolution 61/105 into EU law. The EU is now looking for effective global implementation of this resolution.

Climate change

Current projections indicate that climate changes are expected to have a broad range of significant ecological, social and economic consequences, in particular for islands and coastal communities.

Oceans, seas and coasts are not only the areas that will be impacted. They also have the potential to contribute significantly to effective mitigation strategies, including the development of new sources of energy (e.g. alternative renewables), and techniques for the storage of CO₂ emissions. Additional efforts to reduce man-made climate change are still required from several maritime sectors, including a global sectoral measure to reduce emissions from ships. The International Maritime Organisation has a responsibility to facilitate the development and adoption of such global reduction measures and the EU looks forward to seeing the conclusion of this work in the near future. The EU has established a strategic approach to reduce greenhouse gas emissions and minimise its vulnerability to the likely impacts of climate change through adaptation strategies. The EU must now step up its efforts to put in place a post-2012 climate change agreement, in collaboration with its partners in the United Nations Framework Convention on Climate Change. It should also continue to provide technical and financial assistance for adaptation to climate change impacts¹ to developing coastal and island states, through initiatives like the Global Climate Change Alliance² and in order to help partner countries establish longer term national adaptation plans.

¹ COM(2009)475/3 Communication on Stepping up international climate finance: A European Blueprint for the Copenhagen deal

² COM(2007)540) Communication on Building a Global Climate Change Alliance between the European Union and poor developing countries most vulnerable to climate change

Ensuring maritime safety, maritime security and freedom of navigation

The growth of shipping operations has made maritime safety a matter of utmost importance for the EU. With the adoption of the 3rd Maritime Safety Package on 11 March 2009, the EU now has one of the most comprehensive and advanced regulatory frameworks to guarantee the safety of shipping, essentially through a convergent application of internationally agreed rules.

Ensuring freedom and security of navigation, as well as continuity of supply and passenger transport, is of paramount importance for the EU. That is why the EU is committed to continue implementing and enforcing all relevant international instruments in this area in a timely manner. It expects its partners to do likewise, and to provide reciprocal and equivalent levels of protection for EU maritime activities outside EU waters.

Piracy and armed robbery at sea represent a serious threat not only to specific maritime activities *per se*, but also to a wide range of international economic and security interests. The EU has been active in the development of international efforts against this scourge, in particular in the UN context. It considers that enhanced cooperation among partners to combat piracy and its root causes through both naval and civilian actions is necessary. However, it also recognises that it is only by re-establishing order on land that it will be possible to effectively tackle piracy in those regions most affected.

Promoting decent work in the maritime sectors

Maritime transport, shipping, shipbuilding and fisheries are highly globalised sectors of the economy, promoting working conditions in these sectors in accordance with internationally recognised standards is of crucial importance for competition and social justice. Based on the ILO instruments as well as on the European Council conclusions on decent work for all, the EU should increase efforts, in cooperation with its partners to further promote decent work in the maritime sectors.

Understanding the sea better

Science and technology will be key to achieving truly sustainable economic growth in sea-based activities. Continuing research efforts will be necessary to explore and understand the potential and problems of the sea and to increase the eco-efficiency of existing maritime processes and find solutions to the unsustainable over-exploitation of resources, applying an ecosystem approach. The EU and third country partners should enhance participation in large-scale international research programmes going beyond national jurisdictions and deep-sea research, as recommended in the EU strategy for Marine and Marine Research³. This would allow them better to identify common interests and mutual benefits and elaborate a collective response to vital international commitments, while making the best use of results already achieved in on-going projects with third countries funded under the 6th and 7th Research Framework programmes.

³ COM(2008) 534 final European Strategy for Marine and Maritime Research - A coherent European Research Area framework in support of a sustainable use of oceans and seas

2. ENHANCING THE ROLE OF THE EU IN MULTILATERAL FORA

One of the pillars of the EU's external relations is the "effective of multilateralism"⁴ as the most participatory, non-discriminatory and inclusive way to build international governance. Yet, the EU's performance as a player within the existing multilateral system should be strengthened in dealing with maritime issues. The EU should consistently seek membership in international organisations that are relevant for maritime affairs, notwithstanding , the complex distribution of competence between the EU and its Member States. The difficulty which traditional intergovernmental organisations face in trying to accommodate the specificity of the EU needs to be overcome.

The Commission firmly believes that all activities of EU institutions and Member States should be coherent with the principle of unity of the EU external representation. Full EU membership and maximum participation need to be pursued in all relevant agreements and organisations. Common or coordinated positions should be adopted in line with the duty of loyal cooperation. It is crucial that the EU speaks with a single voice or at least delivers a consistent message, if it is to enhance its influence in key multilateral fora.

United Nations fora

Through its annual resolutions on oceans and the law of the sea, and on sustainable fisheries, the UN General Assembly has a central role in advancing the maritime agenda at global level. In the future, EU participation in the UN should be enhanced so as to be more influential. The EU should also try to ensure that the texts adopted for both annual resolutions are streamlined and focused on its commonly agreed policy priorities.

The annual meetings of the UN Informal Consultative Processes on the Law of the Sea have become influential in shaping the agenda for maritime affairs. The importance of these processes should be reaffirmed and their functioning actively maintained.

While the most recent binding instrument adopted under its auspices dates back to 1993 (the FAO Compliance Agreement), the Food and Agriculture Organisation (FAO) remains an important forum for the examination of international fisheries issues, especially to ensure a broad participation of developing countries. The EU should continue to play an active role in this forum.

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