

Fisheries aspects within the international agreement on marine biodiversity in areas beyond national jurisdiction, United Nations Convention on the Law of the Sea

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The Committee on Fisheries adopted the own-initiative report by Norica NICOLAI (ADLE, RO) on the fisheries aspects within the international agreement on marine biodiversity in areas beyond national jurisdiction, United Nations Convention on the Law of the Sea (UNCLOS).

The ocean plays an integral role in many of the Earth's systems including climate and weather and is the place where a **wide range of human activities are conducted such as fishing, energy, transport and trade**.

An estimated 64 % of the sea, notably the high seas and the deep seabed, are areas beyond the national jurisdiction of states and are governed by international law. However, **less than 1 % of areas beyond national jurisdiction are protected** as a result of the establishment of marine protected areas.

Members stated that the preservation and conservation of marine biological diversity is a **common concern for all humankind** and should be treated as such.

In 2012, in the document published as a result of the latest UN Conference on Sustainable Development held in Rio de Janeiro, called Rio+20 as a link to the first Rio Agenda, the international community restated its determination in tackling the environmental problems and the need for sustainable development.

Against this background, Members welcomed the decision taken by the UN General Assembly to develop an **international legally binding instrument** under UNCLOS on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction in order, amongst other things, to address the current shortcomings. They highlighted the importance of making swift yet careful progress in developing this new instrument and of achieving the aim of finalising the draft text by the **end of 2017**.

Members called on the EU and the international community to promote conservation and sustainable use of marine biodiversity by implementing, among other measures, **modern and sustainable concepts of marine ecosystem management**, as well as principles of ocean governance by:

- managing the exploitation of marine resources (be it exploitation of minerals, energy drilling, etc.) and fisheries,
- incorporating science-based marine governance,
- restoring and maintaining stocks above levels which are capable of producing maximum sustainable yield,
- ecosystem-based management and conservation of marine biodiversity,
- enforcement of existing legislation, and the precautionary approach.

Taking into consideration the major actor position of the EU fishing industry and market and the fact that the European fisheries policy is geared towards sustainability, Members encouraged the Commission to further **promote, coordinate, and ensure that the impact of human activities, including fisheries and**

all forms of sea bed and ocean exploitation, on biodiversity in areas beyond national jurisdiction is effectively addressed within the context of this **new international agreement**. They noted the need to further promote the enforcement of existing legislation and to develop the necessary management tools to ensure coherence and consistency.

The Commission is urged to:

- call upon states that have not done so to ratify or accede to the UNCLOS;
- promote a **holistic and comprehensive approach** with regard to marine protected areas (MPAs) because no genuine coordination and cooperation on conservation efforts is possible without the participation of the widest possible circle of stakeholders involved in a comprehensive variety of human marine activities in oceans and seas;
- promote the designation and implementation of **ecologically or biologically significant marine areas** in areas beyond national jurisdiction;
- process a set of **comprehensive data** on marine biodiversity in Europe's regional seas;
- **work with all the relevant stakeholders** to continue to support and promote, within the context of the new international agreement, the development of an institutional mechanism for the designation, management and establishment of necessary provisions concerning monitoring and enforcement of connected, coherent, workable and representative networks of marine protected areas as essential tools to ensure ecological and biological connectivity;
- promote enhanced cooperation, coordination, transparency and accountability between all concerned stakeholders, including between the new instruments negotiated, the existing United Nations Fish Stocks Agreement and FAO instruments, Regional fisheries management organisations and other sectoral bodies such as, inter alia, the International Seabed Authority and the International Maritime Organisation;
- push, in the context of the new international agreement, for **recognition of environmental damage at sea** and identification of the chain of responsibility for such damage.

Members stressed that the new international agreement should **address the specific needs of developing countries**, in particular small island states, in terms of capacity-building with a view to achieving the goals of the international community concerning marine protected areas (MPAs), among other things.

The Commission and Member States are urged to support and promote, within the mandate of the new international agreement under UNCLOS, the development of an **institutional mechanism** for the implementation of prior Environmental Impact Assessment for activities with a potential significant impact on the marine environment, including for the exploitation of marine resources, with a solid scientific basis as far as practicable and that these activities are accompanied by detailed **environmental and socio-economic monitoring**.

Members also called for the EU to take a leading role in **combating plastic marine litter** and for the relevant research to be funded under the [blue economy](#).