

**Speech by Commissioner Joe Borg
at the National Europe Centre, Australian National University**

Canberra, Australia, 13 May 2009

**"Challenges of globalisation: working together to strengthen
global governance of the oceans"**

Distinguished Guests, Ladies and Gentlemen,

It gives me great pleasure to be here in this vibrant country with its outstanding maritime tradition. I am especially pleased to be speaking to you here at the National Europe Centre, which is making a sterling contribution towards building ever closer ties between Australia and Europe. One of the many facets of your valuable work involves bringing together universities and national institutions and pursuing academic excellence. This admirable approach is to be encouraged. It also shows the extent to which concerted and genuine co-operation can yield first-rate results in any number of areas. And co-operation is very much the theme of my address to you today.

The period of financial, economic and also political turmoil we are currently experiencing certainly requires co-operation, for no region of the world has been left untouched and we are all feeling the consequences. The positive aspect of the current downturn is that, faced with these global challenges, the international community is coming together as it has rarely done before, to forge common responses.

The importance of the efforts to promote global governance is becoming ever more obvious. Indeed, they are starting to bear fruit in a number of fields.

Today I would like to mention a few issues related to global governance of the oceans where I believe progress is undeniable and encouraging, both on an international scale, at regional level, and within the EU. We have two main instruments in the EU that help us govern our activities with the seas and oceans: the Common Fisheries Policy and the recently established Integrated Maritime Policy. Both policies relate to a number of international conventions, agreements and arrangements of which the EU is often party. Developments in the United Nations Convention on the Law of the Sea are therefore of direct interest to the EU.

A case in point is the international effort on tackling the problems caused by the use of destructive fishing practices. In a world where the search for natural resources, including fish, has become increasingly difficult, technological progress has enabled fishermen to use fishing gears to take them to previously uncharted depths. However, the negative consequences of these fishing practices have quickly become apparent, as, in many areas, vulnerable marine ecosystems have been destroyed by fishing gears raking across ocean floors. We know today that for those vulnerable marine ecosystems to recover - if they are to recover at all - long periods of complete rest and isolation will be needed.

At the UN General Assembly in 2006, the European Community and others decided to take action. The General Assembly laid down a set of rules and conditions to be applied to bottom fishing in a resolution known as UNGA 61/105.

As you may know, fishing on most parts of the high seas is governed by Regional Fisheries Management Organisations or RFMOs. Obviously, RFMOs have a very important role to play in implementing this UN resolution, as they agree the detailed technical rules and fishing possibilities they undertake to respect in the area of the sea under their responsibility.

The European Union and others have been working hard to promote and ensure implementation of the UN rules on bottom fishing. In RFMOs we have tried to push for the adoption of strict measures, often supported by Australia and other countries. While rule-setting within RFMOs has had a relatively encouraging start, progress is still needed on the implementation side.

Until now, the European Union is the only party that has adopted a set of rules for its fishing vessels limiting the impact, and, in many cases, prohibiting bottom fishing practices in areas of the high seas for which there is no RFMO. We implement a precautionary approach and allow Member States to permit bottom trawling only once there is scientific evidence that such practices do not cause additional damage to vulnerable marine habitats. We hope that international partners will adopt similar measures.

We are looking forward to this year's stock-taking exercise on the implementation of resolution 61/105, at the UN. I hope that increasing transparency on the efforts undertaken will demonstrate that rule-setting at global level on a specific issue which can have a serious impact on marine ecosystems will prove to be both possible and effective.

I mentioned that most of the high seas are covered by Regional Fisheries Management Organisations. We are working on filling up the gaps. Thus, the EU and Australia, along with interested parties are in the last stages of agreeing on a convention that would lead to the creation of such an organisation for the South Pacific. In the meantime, management measures have been put in place under an interim arrangement.

There are other examples in the field of fisheries where progress is being achieved both at global and regional level. One major challenge lies in tackling illegal, unreported and unregulated (IUU) fishing practices. With an estimated global turnover of 10 billion Euro a year, IUU or pirate fishing is big business. IUU fishing benefits fraudsters but bring nothing to others but grief through over-fishing, habitats destruction and unfair competition. This is why we must fight these illegal activities together

Negotiations at the FAO Committee on Fisheries in Rome to establish an internationally binding instrument on so-called port State measures are ongoing. The aim here is to allow port States to react with a set of measures when confronted with vessels that have clearly been engaging in IUU activities. Good progress has been made in the last year and hopefully we will soon have agreement on international measures.

As the biggest market in the world, the EU also wants to take action at the trade level and close the door to illegally-caught fish. Thus, last September it adopted a Regulation on IUU fishing which will enter into force on 1 January 2010. This Regulation will apply to all fishing vessels, under any flag. It seeks to prevent, deter

and eliminate IUU fishing in all maritime waters. To ensure that no products derived from IUU fishing appear on the EU market or on markets supplied from the EU, the Regulation seeks to ensure full traceability of all fishery products traded with the Union through a catch certification scheme.

This scheme will improve and facilitate control and compliance with conservation and management rules in co-operation with third countries. The Regulation also comprises provisions on port State control, mutual assistance, in monitoring and control, IUU vessel identification, and includes a system of proportionate and dissuasive sanctions for serious infringements. We hope that others will follow in adopting market-related measures. We obviously want to do all we can to facilitate the implementation of this IUU Regulation and have held a number of bilateral meetings with third countries. My Services have also organised regional seminars for the authorities. Two have already taken place in South Africa and Columbia, one will be held tomorrow in Viet-Nam and one in June in Cameroon. The Commission is also looking at having a fifth meeting for the Island Countries in the Pacific.

This brings me back to the co-operation I mentioned at the start. I know that Australia is also deeply committed to doing away with IUU practices, and I am confident that by working together we can help stamp out IUU fishing.

Australia's approach to IUU fishing is typical of its longstanding and pioneering commitment to sustainable fisheries. Your fisheries management and the ecosystem approach on which it is based are well known around the world. In the European Union, fisheries are facing tremendous challenges. Our own work in that vein has just entered a new phase with the publication of a Consultation Paper on the reform of the EU's Common Fisheries Policy, kicking off a debate to identify means of achieving sustainable and responsible fisheries in Europe.

The conditions for such a debate are good, given the awareness among European citizens of the need to develop sustainable fisheries. The public consultation will run for the remainder of the year and we expect to have a new ambitious and durable policy in place from 2013.

Co-operation is also very much a core principle of integrated maritime policy – another area in which Australia has led the way and provided us with much inspiration. Europe, a continent located between two oceans and four seas, has nearly 70 000 kilometres of coastline. Europeans have always been among the world's leading seafarers, and this is the case even today. Nowadays, over 40% of the EU's internal trade is carried out by sea, and almost 4.8 million Europeans now work in the maritime sector.

Yet, until 18 months ago when the integrated maritime policy was adopted, maritime matters had traditionally been addressed as part of sector-specific concerns at EU level: maritime transport, fisheries, aquaculture, off shore energy extraction, tourism and environment, to name but a few.

The IMP aims to provide an over-arching, integrated and coherent approach among the various sea-related initiatives taken under sectoral EU policies – an approach grounded in robust and constant multi-stakeholder interaction. The Commission is also encouraging Member States to adopt this integrated approach. This is particularly relevant at a time of economic crisis when we need to give an even stronger push for investment in the industries of the future and to create jobs. Offshore energy, port expansion, new energy transmission systems and the development of cost-efficient coastal infrastructure will ensure a return on Europe's investment.

Having been adopted by the Commission in October 2007, the EU's Integrated Maritime Policy, or IMP, is still in its infancy, but it is already progressing well. We have made meaningful progress in implementing the IMP via a Maritime Policy Action Plan adopted alongside the policy itself, thanks to an encouraging response from EU Member States.

This year will prove momentous for the IMP for two reasons. Firstly, at EU level, 2009 is the year in which we must complete the remaining actions announced in the Action Plan and, more importantly, we shall deliver a progress report on the value and achievements of the Integrated Maritime Policy since its launch in autumn 2007. The result of this process will set the tone for the IMP that will take shape under the new Commission.

Secondly, 2009 is also the year in which we intend to roll out the external dimension of the IMP. Before the end of the year, we will publish a Communication to set out how we intend to work with our international partners to further good maritime governance.

A visit to Australia in July 2005 enabled the Commission to use its analysis of the Australian experience in drawing up its own integrated approach to maritime affairs. Australia's governance system, in particular, was cited as an example of good practice in our Guidelines for an Integrated Approach to Maritime Policy that sets out key principles on maritime governance.

A number of other countries have since made significant strides in developing approaches to integrated ocean management. They include Canada, the United States, Norway, Japan and an increasing number of EU Member States. We have begun to notice a real trend developing among OECD countries in terms of building integrated approaches towards oceans, seas and coasts. So it is fair to say that Australia's pioneering efforts have certainly served as an inspiration to others. This has resulted in a considerable stock of expertise and a sufficient level of interest within the OECD members to enhance co-operation on integrated approaches at international level.

In this context, the Commission is considering using the OECD as a forum for discussing maritime affairs. We believe that this could create a higher sense of ownership in the international community and would facilitate the exchange of best practices with respect to integrated maritime management.

The Commission also believes that the time is right to encourage the UN General Assembly to recognise the integrated approach to maritime affairs in its annual resolution on the oceans and the seas, and to advance the maritime agenda at global level. In our view, the 2009 negotiations on the future climate framework and the 2010 World objectives on biodiversity will provide excellent opportunities to that end.

As I said a moment ago, implementation of our Action Plan is well on track. This can be seen in a number of areas, of which I would like to highlight just two here, both of which are linked to illegal activities at sea, namely maritime surveillance and action against piracy.

Maritime surveillance is key to preventing unlawful activities at sea. With a coastline stretching for more than 35 000 kilometres, Australia appreciates this better than most. So I am sure you will appreciate also the challenges we face in implementing an effective maritime surveillance network in a European Union of 27 Member States of which 22 are coastal states.

One of the key objectives of maritime policy is to promote co-operation and information-sharing between national authorities involved in maritime surveillance so as to enhance the effectiveness of their action at sea.

At Member State level, surveillance issues are being dealt with by a number of different authorities, in some cases in an uncoordinated manner. In response, we have begun sketching out a pan-EU approach to this complex area, which encompasses many issues, such as border and customs controls, crime prevention, and maritime safety and security.

And we are on the right track. The Commission has undertaken a first assessment of the challenges for establishing a European maritime surveillance network, cutting across sectors and borders. A pilot project has been launched in the Mediterranean Sea and its Atlantic approaches to conduct practical tests on cross-border and cross-sectoral co-operation by national authorities responsible for monitoring and surveillance operations.

Our work in this area could not have come at a better time, as security at sea and piracy are very much back on the international agenda. In the last decade piracy has raised its ugly head in various parts of the world, from the Malacca Straits to, more recently, the Horn of Africa and the Gulf of Guinea.

Increased attacks off the coast of Somalia and in the Gulf of Aden, one of the world's busiest shipping lanes, have led to higher insurance and other costs for ships that sail through the area. And the pirates are not targeting merchant vessels alone; they are also attacking private yachts, cruise ships and fishing vessels.

The European Union takes piracy on the high seas, armed robbery in internal waters and other forms of organised crime at sea very seriously – not least because maritime transport carries 90% of world trade and 40% of the world's merchant fleet is owned or operated by EU interests.

Last year the international community took exceptional steps to address the situation. The United Nations Security Council adopted several resolutions to enable the international community to act against piracy in the Somali EEZ and even on land. In addition, several countries and the EU have deployed naval forces to the area. The EU's first ever naval operation, Operation Atalanta, has been operational since December and is working effectively under its mandate to protect World Food Programme shipments to Somalia and other vulnerable vessels.

Several other states are participating in the operation and an agreement with Kenya now allows suspected pirates apprehended by Operation Atalanta to be tried in Kenya. Atalanta is co-ordinating information on vessels around the Gulf of Aden to provide security slots for routes through the high-risk zone. To that end it uses the Maritime Security Centre – Horn of Africa website, which is attracting growing interest from shipowners and agencies.

Undoubtedly, the rise in piracy off Somalia is due to the absence of effective Somali Government institutions, and lack of unified control over the State territory. Any long-term solution will hinge upon an end to lawlessness in Somalia and the creation of functioning State institutions, including a coastguard service. We must remember that piracy is the symptom, not the cause, of a much deeper problem in Somalia. We, therefore, need to bring real and sustainable development to the towns and villages of Somalia. The European Commission is the largest single major donor of aid to Somalia, and the European Union as a whole contributes almost half of total aid to the country.

The recent International Donor Conference on Security in Somalia, held in Brussels, was convened to assist Somalia's new government in establishing increased security and stability across the country and to tackle the root causes of piracy in the international waters off its coastline. The European Commission has pledged to commit 72 million Euro for security in Somalia, or approximately half of the funds requested by the United Nations. This comes on top of 18 million Euro for a rule of law programme and 48 million Euro in humanitarian aid.

The Commission also backs the International Maritime Organisation's efforts to promote both up-to-date international maritime legislation and regional anti-piracy capability.

Here in Australia, in February of this year Minister Albanese requested a comprehensive inquiry into international maritime piracy. With 99% of Australia's exports carried by sea, piracy is of significant concern to you too. Australia has contributed to successfully addressing the problem of piracy in the Malacca Straits, in particular through regional co-operation efforts. These issues are among the subjects being discussed with my Australian colleagues and they are proving very instructive.

Ladies and Gentlemen,

In today's globalised world, we cannot afford to work alone or to deal with issues in isolation. The bonds of friendship between the European Union and Australia are as strong as ever and provide us with a unique opportunity to work together to tackle issues of mutual interest and concern. I am fully convinced that my visit to Australia will produce a wealth of enriching ideas and experiences for us to share and will mark another step on our journey as friends and international partners in maritime affairs and beyond.

Thank you