

# Framework for community action in the field of marine environmental policy. Marine Strategy Framework Directive

2005/0211(COD) - 17/06/2008 - Final act

**PURPOSE:** to establish a Marine Strategy Directive.

**LEGISLATIVE ACT:** Directive 2008/56/EC of the European Parliament and of the Council establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive).

**CONTENT:** the Council adopted this directive, accepting the amendments voted by the European Parliament at second reading. The Directive establishes a framework within which Member States shall take the necessary measures to achieve or maintain good environmental status in the marine environment by the year 2020 at the latest.

**Objective:** marine strategies must be developed and implemented in order to:

-protect the marine environment, prevent its deterioration or, where practicable, restore marine ecosystems in areas where they have been adversely affected;

-prevent inputs in the marine environment, with a view to phasing out pollution, so as to ensure that there are no significant impacts on or risks to marine biodiversity, marine ecosystems, human health or legitimate uses of the sea.

Marine strategies will apply an ecosystem-based approach to the management of human activities, ensuring that the collective pressure of such activities is kept within levels compatible with the achievement of good environmental status and that the capacity of marine ecosystems to respond to human-induced changes is not compromised, while enabling the sustainable use of marine goods and services by present and future generations.

The marine strategies will be regularly updated and made available to the public.

**"Good environmental status"** means the environmental status of marine waters where these provide ecologically diverse and dynamic oceans and seas which are clean, healthy and productive, and the use of the marine environment is at a level that is sustainable, thus safeguarding the potential for uses and activities by current and future generations. The Directive expands this definition further.

**Marine strategies:** each Member State must, in respect of each marine region or subregion concerned, develop a marine strategy for its marine waters in accordance with the Directive. Member States sharing a marine region or sub-region must cooperate to ensure that the measures required to achieve the objectives of the Directive, in particular the different elements of the marine strategies (preparation and programme of measures), are coherent and coordinated across the marine region or sub-region concerned, in accordance with the following plan of action for which Member States concerned endeavour to follow a common approach:

**(a) preparation:**

an initial assessment, to be completed by 15 July 2012 of the current environmental status of the waters concerned and the environmental impact of human activities thereon;

- a determination, to be established by 15 July 2012 of good environmental status for the waters concerned;
- establishment, by 15 July 2012, of a series of environmental targets and associated indicators;
- establishment and implementation, by 15 July 2014 except where otherwise specified in the relevant Community legislation, of a monitoring programme for ongoing assessment and regular updating of targets;

**(b) programme of measures:**

- development, by 2015 at the latest, of a programme of measures designed to achieve or maintain good environmental status;
- entry into operation of this programme by 2016 at the latest.

Member States having borders on the same marine region or sub-region covered by the Directive should, where the status of the sea is so critical as to necessitate urgent action, devise a plan of action which includes an earlier entry into operation of programmes of measures as well as possible stricter protective measures, provided that this does not prevent good environmental status from being achieved or maintained in another marine region or sub-region. The Commission will be invited to consider providing supportive action to Member States for their enhanced efforts to improve the marine environment by making the region in question a pilot project.

**Progress report on protected areas:** on the basis of the information provided by the Member States by 2013, the Commission shall report by 2014 on progress in the establishment of marine protected areas.

**Commission reports:** the Commission shall publish

- a first evaluation report on the implementation of the Directive within two years of receiving all programmes of measures and, in any case, by 2019 at the latest;
- further reports every six years thereafter;
- by 15 July 2012 at the latest, a report assessing the contribution of this Directive to the implementation of existing obligations, commitments and initiatives of the Member States or the Community at Community or international level in the sphere of environmental protection in marine waters.

**ENTRY INTO FORCE:** 15/07/2008.

**TRANSPOSITION:** 15/07/2010.