

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

2005/0211(COD) - 14/11/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Marie-Noëlle **Lienemann** (PES, France) and made some amendments to the Commission's proposal. (Please also see the Parliament's own-initiative report on this subject in **INI/2006/2174**.) The amendments sought to shorten the timetable for implementation to 2017 (from 2021) and to reduce the length of intermediate phases. Member States must take measures which take measures which:

- a) protect and preserve the marine environment or allow recovery of it or, where practicable, restore the function, processes and structure of marine biodiversity and marine ecosystems;
- b) prevent and phase out pollution in the marine environment 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;
- c) contain the use of marine services and goods and other activities in the marine environment to levels that are sustainable and that do not compromise uses and activities of future generations nor the capacity of marine ecosystems to respond to natural and human-induced changes.

The main changes were as follows:

- Parliament inserted a clear definition of "good environmental status" with identification of common indicators, and conditions for assessment in a new Annex I, while stressing the principle of marine protected areas;
- for each Marine Region, the Member States concerned shall achieve good environmental status in the European marine waters within that Region by 2017 at the latest, by means of establishing and implementing a single Marine Strategy for that Region in accordance with the provisions of the Directive;
- Member States sharing a Marine Region shall ensure that a single, joint Marine Strategy is produced per region or sub-region for the waters falling under their sovereignty or jurisdiction within that region;
- the initial evaluation and the definition of "good environmental status" should be carried out in two years rather than four;
- the establishment of a series of environmental targets should be made three years after the entry into force of the legislation, instead of five;
- the establishment and implementation of a monitoring programme for ongoing assessment and regular updating of targets should be done after three years, rather than six;
- the programmes of specific measures could be elaborated by 2012 rather than 2016 and the programmes launched in 2014 rather than 2018;
- the scope of the text was extended to the Black Sea, a measure justified by the upcoming accessions of Romania and Bulgaria;

- the Baltic Sea Marine Region could be a pilot area to implement the marine strategy. The forthcoming Baltic Sea Action Plan from the Helsinki Convention (HELCOM) could be a useful resource in using the Baltic Sea as a pilot area to implement the marine strategy. A common programme of measures for the Baltic Sea Marine Region shall be developed by Member States in the region, by 2010 at the latest, to achieve good environmental status in the Region;
- in their strategies, Member States shall lay down measures for the protection of areas, by Region and Sub-Region, designated as "marine protected areas";
- cooperation with third countries will extend to the countries who not only have sovereignty or jurisdiction over maritime zones in the Marine Region in question, but also those whose flag vessels operate in the Marine Region in question, and third countries that are land-locked but have on their territories sources of pollution that are transferred to the Marine Region in question by means of rivers or the atmosphere;
- the Commission shall, by 2007, establish a regulatory framework, focussing on environmental criteria, so as to ensure that all relevant stakeholders are being consulted prior to major infrastructure projects in the marine environment;
- support from the EU, e.g. under the Common Agricultural Policy, may be allocated only to stakeholders who can show that their activities exhibit a balance in terms of nutrients, i.e. that they are not beset by large-scale nutrient leakage to water recipients;
- comprehensive water analyses must take into account not only Directive 2000/60/EC, but also relevant provisions of Council Directive 91/271/EEC concerning urban waste-water treatment , and Directive 2006/7/EC on bathing water quality and the proposed Directive on environmental quality standards in the field of water policy amending Directive 2000/60/EC;
- data and information resulting from the initial assessment shall be made available to the European Environment Agency, as well as to the relevant regional marine and fisheries organisations and conventions, no later than three months after completion of that assessment;
- special reference is made to the Community initiatives on spatial data infrastructure and GMES (Global Monitoring for Environment and Security);
- Member States shall adopt measures and programmes to improve the traceability and detectability of marine pollution;
- having consulted all interested parties, the Commission shall, at the latest by three years after the entry into force of the Directive, adopt detailed criteria and standards for the application of good ocean governance principles;
- Member States shall set up a structure for consultation and regular exchanges of information involving the appropriate local authorities, experts, NGOs and all users concerned in the Marine Region or Sub-region. That structure must be directly linked to the regional fisheries advisory councils which have been advocated by the EU;
- the Commission shall publish four years after the date of entry into force of the directive, a report pinpointing any conflicts or complementarities between improvements to this Directive and the obligations and commitments and existing obligations, commitments and initiatives at Community or international level;

- within two years after the entry into force of this Directive, the Commission shall report on the state of the marine environment of Arctic waters of importance for the Community and propose relevant measures with a view to establishing the Arctic as a protected area, similar to the Antarctic, and designated as a "natural reserve devoted to peace and science";
- 24 months after the entry into force of the Directive, the Commission shall report on progress in the establishment of a global network of protected areas;
- given the priority inherently attached to the establishment of a marine strategy, the implementation of the Directive shall be supported by Community financial instruments, as from 2007. The programmes drawn up by the Member States shall be co-financed by the EU in accordance with existing financial instruments;
- the table on the introduction of radio nuclides is deleted.