

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

2005/0211(COD) - 09/10/2007

The Committee on the Environment, Public Health and Food Safety adopted the report by Marie-Noelle LIENEMANN (PES, FR) amending, under the 2nd reading of the codecision procedure, the Council's common position adopting a directive 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).

The committee reinstated a certain number of amendments from the first reading which were not accepted by the Council in its common position:

**Purpose:** according to the MEPs, this Directive establishes a framework within which Member States shall achieve good environmental status in the marine environment by the year 2017 at the latest and take measures which: a) protect and preserve the marine environment or allow its recovery 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) limit 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 or human-induced changes. It shall also take account of the need to ensure the quality of the marine environment of associated and applicant States.

**Marine strategies:** the report suggests that 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 this 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 preparation of marine strategies** shall consist of: i) an initial assessment of the current environmental status of the waters concerned and the environmental impact of human activities thereon to be completed **2 years** after the entry into force of the Directive (as opposed to 4 years); ii) a determination of good environmental status for the waters concerned to be completed **2 years** after the entry into force of the Directive (as opposed to 4 years); and iii) the establishment of a series of environmental targets and associated indicators to be completed **3 years** after the entry into force (as opposed to 5 years); iv) the establishment and implementation of a monitoring programme for ongoing assessment and regular updating of targets to be completed **3 years** after the entry into force (as opposed to 6 years).

As regards a **programme of measures:** the report states that by **2012** at the latest (the Council proposed 2016), a programme of measures shall be designed to achieve or maintain good environmental status. It states that the entry into operation of the programme shall be **2014** at the latest, as opposed to 2018 as proposed by the Council.

The report suggests that the **Baltic Sea Marine Region** could be a pilot area to implement the marine strategy. It calls for a common programme of measures for the Baltic Sea Marine Region to be developed

by Member States in the region, by 2010 at the latest, to achieve good environmental status in the Baltic Sea Marine Region.

**Monitoring programmes:** the committee requests that for each Marine Region or Sub-Region, the Member States shall draw up a monitoring programme and shall - in the interests of coordination - take the necessary action to ensure that: a) monitoring methods are consistent across the Member States and are based on clearly defined common targets; b) relevant transboundary impacts and transboundary features are taken into account. Data and information resulting from these monitoring programmes 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 3 months after completion of those programmes.

**Programme of measures:** the committee calls on the Member States to create administrative frameworks and platforms that allow for cross-sectoral processing of marine affairs in order to combine environmental science and measures with the economic, social and administrative development of the area and benefit from such interaction. The programmes of measures established shall include spatial protection measures, as well as measures relating to territorial, transitional and coastal waters covered by Directive 2000/60/EC. Member States shall establish one or more registers for such marine protected areas, which shall be finalised 3 years after the entry into force of the Directive at the latest. The public shall have access to the information contained in the register(s).

**Notifications and the Commission's assessment:** an amendment stipulates that within six months of receiving notification of the monitoring programmes, the Commission may decide, in the case of any Member State, to reject the monitoring programme or any aspect thereof, on the basis that it does not comply with this Directive.

The Commission is invited to:

- present a first evaluation report on the implementation of this Directive within two years of receiving all programmes of measures and, in any case, by 2017 at the latest (the Council proposed 2021);
- publish (4 years after the date of entry into force of this Directive) a report highlighting any conflicts or complementarities between improvements to this Directive and the existing obligations, commitments and initiatives of the Member States or the Community at Community or international level in the sphere of environmental protection in European marine waters;
- report (2 years after the date of entry into force of this Directive) on the state of the marine environment of Arctic waters of importance for the Community and, where appropriate, propose to the European Parliament and the Council relevant measures for their protection;
- report (2 years after the date of entry into force of this Directive) on progress in the establishment of a global network of protected areas and time/area closures for the protection of nursery grounds and periods in line with the Convention on Biological Diversity;
- review this Directive at the latest 10 years (as opposed to 15 proposed by the Council) after the entry into force and where appropriate, submit to the European Parliament and the Council any proposals for amendments.

**Community financing:** given the priority inherently attached to the establishment of a marine strategy, the implementation of this 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 European Parliament and the Council, or the Council, as appropriate, shall adopt (no later than 4 years after the date of entry into force of the Directive) Community measures to improve the environmental status of waters beyond European marine waters where such improvement is possible by means of controls on activities within the competence of the Community or the Member States.