

**Background Notes for the Marine SDI Best Practice Workshop  
Held at INSPIRE 2017 in Kehl, Germany, 4 September 2017**

**Overview of EU Integrated Maritime Planning Policy**

Integrated Maritime Policy (IMP) is ‘a holistic approach to all sea-related policies’ including:

- fisheries and aquaculture,
- shipping and seaports,
- marine environment,
- marine research,
- offshore energy,
- shipbuilding and sea-related industries,
- maritime surveillance,
- maritime and coastal tourism,
- employment,
- development of coastal regions, and
- external relations in maritime affairs.

**MILESTONES**

- March 2005: Communication on an IMP for the EU setting out the planned objectives for a Green Paper on the future of the EU maritime policy.
- October 2007: Commission a proposal for an IMP for the EU known as the Blue Paper (COM (2007) 0575), and a corresponding Action Plan (SEC(2007)1278).
- December 2007: European Council welcomes the IMP and invites the Commission to report on progress achieved at the end of 2009.
- September 2010: Commission puts forward its proposal for a regulation establishing a programme for continued financial support to the IMP for the 2011-2013 period (COM (2010) 0494).
- December 2011: Parliament and European Council adopt the above regulation, forming the legal basis for the IMP.
- 8 October 2012: a Marine and Maritime Agenda for Growth and Jobs is adopted by European ministers for maritime policy and the Commission.

**IMP Objectives**

The IMP is a framework to facilitate the development and coordination of diverse and sometimes conflicting sea-based activities, with a view to:

- **maximising the sustainable use of the oceans and seas**, in order to enable the growth of maritime regions and coastal regions as regards:

- shipping: improving the efficiency of **maritime transport** in Europe and ensuring its long-term competitiveness, through the creation of a European Maritime Transport Space without barriers, and a maritime transport strategy for 2008-2018,
- seaports: issuing guidelines for the **application of environmental legislation** relevant to ports and proposing a new ports policy,
- shipbuilding: promoting technological innovation and a European network of maritime multi-sectoral clusters,
- maritime jobs: enhancing professional qualifications to offer better career prospects in the sector,
- environment: **reducing the impact and adapting to climate change in coastal zones, and diminishing pollution and greenhouse gas emissions from ships,**
- **fisheries management**: eliminating discards, destructive fishing practices (e.g. bottom trawling in sensitive areas) and illegal, unreported and unregulated fishing, and promoting environmentally safe aquaculture.
- building a **knowledge and innovation base** for maritime policy, through:
  - a comprehensive **European Strategy for Marine and Maritime Research (Marine Strategy Framework Directive (2008/56/EC)**; the Seventh Framework Programme for Research contributed to its implementation through innovation resulting from research for an integrated approach to maritime affairs (2007-2013),
  - joint, cross-cutting calls and opportunities for innovation in the **blue economy** under Horizon 2020, the Framework Programme for Research and Technological Development (2014-2020),
  - support for **research on climate change and its effect on maritime activities, the environment, coastal zones and islands,**
  - a European marine science partnership aimed at dialogue among the scientific community, industry and policy makers.
- improving **quality of life in coastal regions**, by:
  - encouraging **coastal and maritime tourism,**
  - preparing a database on Community funding for maritime projects and coastal regions,
  - creating a **Community Disaster Prevention Strategy,**
  - developing the maritime potential of the EU's outermost regions and islands.
- promoting EU leadership in international maritime affairs, through:

- cooperation in maritime affairs under the Enlargement Policy, the European Neighbourhood Policy and the Northern Dimension, to cover maritime policy issues and management of shared seas,
- projection of the EU's Maritime Policy based on a structured dialogue with major partners.
- raising the visibility of maritime Europe, by:
  - launching the 'European Atlas of the Seas' internet application as a means of highlighting the common European maritime heritage,
  - celebrating an annual European Maritime Day on 20 May.
- creating internal coordinating structures for maritime affairs and defining the responsibilities and competences of coastal regions.

### **Policy Achievements**

- COM (2008) 0534 proposed concrete measures and mechanisms to improve marine and maritime research,
- Directive 2008/56/EC of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive),
- COM (2008) 0768 on offshore wind energy, identifying challenges to be tackled and stressing need for better industrial and technological solutions,
- COM (2009) 0008 on the strategic goals and recommendations for the EU's maritime transport policy promoting safe, secure and efficient shipping,
- COM (2009) 0010 and action plan for establishing a European maritime transport space without barriers,
- COM (2009) 0011 proposing a Directive on reporting formalities for ships using ports of Member States to reduce bureaucracy and facilitate maritime transport between EU ports,
- COM (2009) 0248 strategy for the Baltic Sea region, a first step towards the regional implementation of the IMP, including 80 flagship projects,
- COM (2009) 0466 on IMP for better governance in the Mediterranean,
- COM (2009) 0536 on the international dimension of the IMP,
- COM (2010) 0461 on Marine Knowledge 2020 to improve use of scientific knowledge on Europe's seas and oceans through a coordinated approach to data collection and assembly,

- TA (2011) 0025 an EU Strategy for the Black Sea,
- COM (2011) 0782 on a Maritime Strategy for the Atlantic to promote job creation and growth in the Atlantic area,
- COM (2012) 0494 on Blue Growth for a joint initiative with Member States, regions, and all relevant stakeholders to unlock the potential of the blue economy,
- Atlantic Forum Action Plan adopted on 13 May 2013 allowing strategic use of EU structural funding to support maritime growth for the period 2014-2020,
- Regulation (EU) No 1052/2013 establishing the European Border Surveillance System (Eurosur),
- **2 July 2013:** Parliament adopted a resolution on **Blue Growth**, stressing that the Blue Growth Strategy, as part of the IMP, will encourage development of synergies and coordinated policies, generating European added value,
- **16 April 2014** Parliament plenary vote on the Regulation on the European Maritime and Fisheries Fund (EMFF) endorsed a budgetary allocation of 5% of the total volume of the EMFF for the IMP for the 2014-2020 period, representing a four-fold increase for the IMP.
- SWD (2014) 167 Commission EU Sustainable Blue Growth Agenda for the Baltic Sea Region,
- **Directive 2014/89/EU establishing a framework for maritime spatial planning to promote the sustainable growth of maritime economies and the use of marine resources (Maritime Spatial Planning Directive),**
- COM (2014) 0451 on the Common Information Sharing Environment (CISE) to improve efficiency and cost-effectiveness of maritime surveillance,
- COM (2014) 0357 EU Strategy for the Adriatic and Ionian Region and Action Plan,
- JOIN (2016) 002 joint communication on an integrated EU policy for the Arctic,
- Commission Decision 2017/848/EU of 17 May 2017 laying down criteria and methodological standards on good environmental status of marine waters and specifications and standardised methods for monitoring and assessment.
- **Directive 2017/845/EU** of 17 May 2017 **amending Directive 2008/56/EC (MSFD)** as regards the indicative lists of elements to be taken into account for the preparation of marine strategies.

## Overview of the Maritime Spatial Planning Directive (2014)

### From the Preamble:

(24) With a view to ensuring that maritime spatial plans are **based on reliable data** and to avoid additional administrative burdens, it is essential that Member States make use of the **best available data and information** by encouraging the relevant stakeholders to **share information and by making use of existing instruments and tools for data collection**, such as those developed in the context of the Marine Knowledge 2020 initiative and Directive 2007/2/EC of the European Parliament and of the Council (**INSPIRE**).

(16) Marine and coastal activities are often closely interrelated. In order to promote the sustainable use of maritime space, **maritime spatial planning should take into account land-sea interactions**. For this reason, maritime spatial planning can play a very useful role in determining orientations related to sustainable and integrated management of human activities at sea, preservation of the living environment, the fragility of coastal ecosystems, erosion and social and economic factors. Maritime spatial planning should aim to integrate the maritime dimension of some coastal uses or activities and their impacts and ultimately allow an integrated and strategic vision.

(17) This framework Directive **does not interfere with Member States' competence for town and country planning, including any terrestrial or land spatial planning system used to plan how land and coastal zone should be used**. If Member States apply terrestrial planning to coastal waters or parts thereof, this Directive should not apply to those waters.

### Article 10 - Data use and sharing

1. Member States shall **organise the use of the best available data, and decide how to organise the sharing of information**, necessary for maritime spatial plans.
2. The data referred to in paragraph 1 may include, inter alia:
  - (a) environmental, social and economic data collected in accordance with Union legislation pertaining to the activities referred to in Article 8;
  - (b) marine physical data about marine waters.
3. When implementing paragraph 1, Member States shall make use of relevant instruments and tools, including those already available under the IMP (Integrated Maritime Policy), and under other relevant Union policies, such as those mentioned in Directive 2007/2/EC (**INSPIRE**).

### Data requirements for maritime spatial planning activities

#### Article 8 - Setting-up of maritime spatial plans

1. When establishing and implementing maritime spatial planning, Member States shall set up maritime spatial plans which **identify the spatial and temporal distribution of relevant existing and future activities and uses in their marine waters**, in order to contribute to the objectives set out in Article 5.

2. In doing so and in accordance with Article 2(3), Member States shall take into consideration relevant interactions of activities and uses. Without prejudice to Member States' competences, possible activities and uses and interests may include:

- aquaculture areas,
- fishing areas,
- installations and infrastructures for the exploration, exploitation and extraction of oil, of gas and other energy resources, of minerals and aggregates, and for the production of energy from renewable sources,
- maritime transport routes and traffic flows,
- military training areas,
- nature and species conservation sites and protected areas,
- raw material extraction areas,
- scientific research,
- submarine cable and pipeline routes,
- tourism,
- underwater cultural heritage.

**Matrix of MSP Directive Activities and INSPIRE Data Themes**

<b>Maritime Spatial Planning Directive Activities</b>	<b>Related INSPIRE Data Theme(s)</b>
aquaculture areas	<b>Agricultural and Aquaculture facilities</b> - <i>Near-shore and off-shore aquaculture facilities</i>
fishing areas	<p><b>Bio-geographical regions</b> - Areas of relatively homogeneous ecological conditions with common characteristics.</p> <p><b>Habitats and biotopes</b> - Geographical areas characterised by specific ecological conditions, processes, structure, and (life support) functions that physically support the organisms that live there. Includes <b>terrestrial and aquatic areas</b> distinguished by geographical, abiotic and biotic features, whether entirely natural or semi-natural.</p> <p><b>Species distribution</b> - Geographical distribution of occurrence of animal and plant species aggregated by grid, region, administrative unit or other analytical unit.</p>
installations and infrastructures for the exploration, exploitation and extraction of oil, of gas and other energy resources, of minerals	<b>Energy resources</b> – "... including depth/height information on the extent of the resource". <i>Offshore and near-shore windfarms.</i>

<p>and aggregates, and for the production of energy from renewable sources</p>	<p><b>Mineral resources – <i>Near-shore and off-shore oil and gas extraction.</i></b></p> <p><b>Production and industrial facilities -</b> Industrial production sites, including installations covered by Council Directive 96/61/EC of 24 September 1996 concerning <u>integrated pollution prevention and control</u> and water abstraction facilities, mining, storage sites.</p>
<p>maritime transport routes and traffic flows</p>	<p><b>Transport networks -</b> Road, rail, air and water transport networks and related infrastructure. Includes links between different networks.</p>
<p>military training areas</p>	<p><b>Area management / restriction / regulation zones and reporting units –</b> “Areas managed, regulated or used for reporting at international, European, national, regional and local levels.</p>
<p>nature and species conservation sites and protected areas</p>	<p><b>Protected sites -</b> Area designated or managed within a framework of international, Community and Member States' legislation to achieve <u>specific conservation objectives</u>. <b><i>Marine Protected Areas offshore.</i></b></p> <p><b>Habitats and biotopes -</b> Geographical areas characterised by specific ecological conditions, processes, structure, and (life support) functions that physically support the organisms that live there. Includes <b>terrestrial and aquatic areas</b> distinguished by geographical, abiotic and biotic features, whether entirely natural or semi-natural.</p> <p><b>Species distribution -</b> Geographical distribution of occurrence of animal and plant species aggregated by grid, region, administrative unit or other analytical unit.</p>
<p>raw material extraction areas</p>	<p><b>Mineral resources – <i>Near-shore and off-shore oil and gas extraction.</i></b></p> <p><b>Production and industrial facilities -</b> Industrial production sites, including installations covered by Council</p>

	Directive 96/61/EC of 24 September 1996 concerning <u>integrated pollution prevention and control</u> and water abstraction facilities, mining, storage sites.
scientific research	
submarine cable and pipeline routes	<b>Utility and governmental services</b> - Includes utility facilities such as sewage, waste management, <b>energy supply</b> and water supply
tourism	
underwater cultural heritage	

### Marine Strategy Framework Directive (MSFD)

The aim of the EU [Marine Strategy Framework Directive](#) (MSFD), adopted on 17 June 2008, is to protect the marine environment across Europe. A set of detailed criteria and methodological standards were produced to help Member States implement the MSFD, revised in 2017 leading to the new [Commission Decision on Good Environmental Status, Annex III of the Directive](#), indicative lists of characteristics, pressures and impacts, was amended in 2017 to better link ecosystem components, anthropogenic pressures and impacts on the marine environment with the MSFD's 11 descriptors and with the new Decision on Good Environmental Status (GES).

The Marine Directive aims to achieve Good Environmental Status (GES) of the EU's marine waters by 2020 and to protect the resource base upon which marine-related economic and social activities depend. It is the first EU legislative instrument related to the protection of marine biodiversity, with the explicit regulatory objective that "biodiversity is maintained by 2020", as the cornerstone for achieving GES.

The Directive enshrines in a legislative framework the ecosystem approach to the management of human activities having an impact on the marine environment, integrating the concepts of environmental protection and sustainable use.

MSFD establishes European marine regions and sub-regions based on geographical and environmental criteria, namely the Baltic Sea, the North-east Atlantic Ocean, the Mediterranean Sea and the Black Sea - located within the geographical boundaries of the existing [Regional Sea Conventions](#). (Cooperation between the Member States of one marine region and with neighbouring countries which share the same marine waters, takes place through these Regional Sea Conventions).

Member States areas required to develop a strategy for their marine waters (or Marine Strategy) and the Marine Strategies must be kept up-to-date and reviewed every 6 years.

### What does a Marine Strategy include?

- An initial assessment of the current environmental status of national marine waters and the environmental impact and socio-economic analysis of human activities in these waters.
- Determination of what GES means for national marine waters.



- Establishment of environmental targets and associated indicators to achieve GES by 2020.
- Establishment of a monitoring programme for the ongoing assessment and the regular update of targets.
- Development of a programme of measures designed to achieve or maintain GES by 2020.
- The process is cyclical and the second cycle starts again in 2018.



The MSFD requires Member States to adopt Programmes of Measures (Article 13) to achieve good environmental status (GES) in their marine waters by 2020 (Article 3(1)) ... (including) spatial protection measures contributing to coherent and representative networks of marine protected areas (MPAs) (Article 13(4)).

### Preamble to the Directive

38) Provision should be made for the adoption of methodological standards for the assessment of the status of the marine environment, monitoring, environmental targets and the adoption of technical formats for the purposes of transmission and processing of data **in line with Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (Inspire).**

### ANNEX I

#### Qualitative descriptors for determining good environmental status

(referred to in Articles 3(5), 9(1), 9(3) and 24)

(1) Biological diversity is maintained. The **quality and occurrence of habitats and the distribution and abundance of species** are in line with prevailing physiographic, geographic and climatic conditions.

(2) **Non-indigenous species** introduced by human activities are at levels that do not adversely alter the ecosystems.

(3) **Populations of all commercially exploited fish and shellfish** are within safe biological limits, exhibiting a population age and size distribution that is indicative of a healthy stock.

(4) All **elements of the marine food webs**, to the extent that they are known, occur at normal abundance and diversity and levels capable of ensuring the long-term abundance of the species and the retention of their full reproductive capacity.

(5) **Human-induced eutrophication** is minimised, especially adverse effects thereof, such as losses in biodiversity, ecosystem degradation, harmful algae blooms and oxygen deficiency in bottom waters.

(6) **Sea-floor integrity** is at a level that ensures that the structure and functions of the ecosystems are safeguarded and benthic ecosystems, in particular, are not adversely affected.

(7) **Permanent alteration of hydrographical conditions** does not adversely affect marine ecosystems.

(8) **Concentrations of contaminants** are at levels not giving rise to pollution effects.

(9) **Contaminants in fish and other seafood** for human consumption do not exceed levels established by Community legislation or other relevant standards.

(10) **Properties and quantities of marine litter** do not cause harm to the coastal and marine environment.

(11) **Introduction of energy, including underwater noise**, is at levels that do not adversely affect the marine environment.

## Assessment Reports Notes

### Bulgaria (2017)

(b) **Address knowledge gaps** identified in the initial assessment, i.e. through the monitoring programme under the MSFD and research programmes, focusing on those descriptors considered as inadequate or partially adequate;

### Croatia (2017)

#### IDENTIFIED GAPS AND PLANS TO ADDRESS THEM

While **data and knowledge gaps are generally identified and described**, the plans to address these gaps are usually quite vague and without details of timescale or responsibilities.

### Malta (2017)

Areas assessed

Malta has defined in the reporting sheets a number of assessment areas for specific pressures, features and economic sectors. These assessment areas were to the extent possible delineated with existing boundaries such as the boundaries of the protected areas and the boundaries of the coastal water bodies as identified in Malta's Water Catchment Management Plan.

Reference to these assessment areas however is not systematic in the initial assessment or in the reporting on GES and targets.

#### IDENTIFIED GAPS AND PLANS TO ADDRESS THEM

Data gaps are well identified and explained for all different pressures and features of the initial assessment. However, plans to address data gaps have not been clearly addressed and knowledge targets remain very general. Malta specifies that the monitoring programme will address the data gaps in order to apply the criteria and indicators missing in the next implementation cycle.

#### RECOMMENDATIONS

Malta should:

(b) Address identified knowledge gaps identified in the initial assessment, i.e. through the monitoring programme under the MSFD and research programmes, focusing on those descriptors considered as inadequate or partially adequate.

#### **Portugal (Azores and Madeira)**

Portugal acknowledges that information on the full spatial distribution and intensity of physical loss and damage is not homogeneous and therefore the assessment areas vary depending on the specific indicators and the information available.

#### IDENTIFIED GAPS AND PLANS TO ADDRESS THEM

Portugal discusses data and knowledge gaps in a very comprehensive manner. ... Many targets aim at addressing data and knowledge gaps through research and monitoring.

#### RECOMMENDATIONS

Portugal should:

(d) Address knowledge gaps identified in the initial assessment, i.a. through the monitoring programme under the MSFD and research programmes, focusing on those descriptors considered as inadequate or partially adequate;

#### **United Kingdom (Gibraltar)**

#### GENERAL ISSUES

Marine waters

The UK's marine waters fall within the North-East Atlantic Ocean region and two of its sub-regions (the Celtic Seas and the Greater North Sea), and in the Mediterranean Sea region within the Western Mediterranean Sea subregion. There are areas of overlap and gaps with the marine waters reported by Ireland at both the coastal boundaries with Ireland and the

median line boundary in the Irish Sea and Celtic Sea. The marine waters around Gibraltar overlap with those claimed by Spain.

#### IDENTIFIED GAPS AND PLANS TO ADDRESS THEM

For the North-East Atlantic Ocean region, as a rule, extensive justification/explanation is provided on gaps in data/knowledge and assessment methodology, accompanied most of the time by plans to close these gaps, albeit generally rather vague.