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REPORT

on a Thematic Strategy on the Protection and Conservation of the Marine
Environment
(2006/2174(INI))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Aldis Kušķis

CONTENTS

	Page
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION.....	3
PROCEDURE.....	10

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on a Thematic Strategy on the Protection and Conservation of the Marine Environment (2005/0000(INI))

The European Parliament,

- having regard to the Communication from the Commission to the Council and the European Parliament on a Thematic Strategy on the Protection and Conservation of the Marine Environment (COM(2005)0504),
- having regard to the 6th Community Environment Action Programme (EAP)¹,
- having regard to the proposal for a directive establishing a framework for Community action in the field of marine environmental policy (the Marine Strategy Directive) (COM(2005)0505 - 2005/0211(COD)),
- having regard to Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy² (the Water Framework Directive), whose objectives include contributing to the protection of territorial and marine waters and the prevention and elimination of marine pollution,
- having regard to its resolution of 19 June 2003³ on the Commission communication "Towards a strategy to protect and conserve the marine environment" (COM(2002)0539),
- having regard to the latest State of the Environment Report of the European Environment Agency (EEA), published in 2005,
- having regard to the policy briefing by the Institute for European Environmental Policy (IEEP)⁴,
- having regard to the UN Convention on the Law of the Sea (UNCLOS),
- having regard to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (HELCOM),
- having regard to the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR),
- having regard to the Convention on the Protection of the Mediterranean Sea Against Pollution, and its additional protocols,
- having regard to Rule 45 of its Rules of Procedure,

¹ OJ L 242, 10.9.2002, p.1

² OJ L 327, 22.12.2000, p. 1.

³ OJ C 69 E, 19.3.2004, p. 141.

⁴ http://www.europarl.europa.eu/comparl/envi/pdf/externalexpertise/ieep_6leg/marine_thematic_strategy.pdf

- having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0364/2006),
- A. whereas the marine environment is under significant pressure and, according to the abovementioned EEA Report, there are early signs that Europe's marine and coastal ecosystems are undergoing structural changes to the food chain, evidenced by the loss of key species, occurrence of large concentrations of key planktonic species replacing other species and by the spread of invasive species. These are happening as a result of climate change and widespread human activities,
- B. whereas the 6th EAP indicates the priority of actions towards further protection of marine areas and better integration of environment into other Community policies,
- C. whereas the EU sea is the biggest sea in the world, and has a greater surface area than the EU territory as a whole. 20 Member States have coasts stretching for almost 70 000 km and almost half of the EU population live less than 50 km from the coast. The EU Maritime Regions of the 15 Member States in 2004 already accounted for over 40% of the GNP. Shipbuilding, ports, fisheries and related services industries employ two and a half million people. The EU has 1200 ports and 90% of its external trade, and 41% of intra-EU trade, are transported by sea,
- D. whereas tourism, fisheries and aquaculture are activities that can only be well developed within a marine environment that presents a good ecological status,
- E. whereas at the Johannesburg World Summit on Sustainable Development in 2002, the Parties agreed to significantly reduce the rate of marine biodiversity loss by 2012, a commitment reiterated at the Conference on Biodiversity, in Curitiba, in 2006,
- F. whereas Member States should take all appropriate measures to conserve natural habitats and biological diversity in the sea and to protect their coastal ecosystems; whereas such measures should also be taken in order to ensure the sustainable use of natural resources within their seas,
- G. whereas good policy depends on high-quality information, and the use of scientific information is required across the different levels of governance, which should identify and fill knowledge gaps, reduce duplicated data collection and research, and promote the harmonisation, broad dissemination and use of marine science and data,
- H. whereas it cannot be stressed enough that the criteria selected to define good environmental status must be sufficiently far-reaching since these quality targets will probably govern the programmes of measures for a long time to come,
- I. whereas, in order to protect and improve the marine environment in a particular marine area, cross-border measures are required in all the sectors affecting the area concerned, i.e. measures may be required within the marine area and in adjacent marine and coastal areas, in the catchment area and, in the case of some cross-border substances, in other regions,
- J. whereas some Arctic waters are of importance for the Community and the European Economic Area, and some Member States (Denmark, Finland and Sweden) are part of the

Arctic Council,

- K. whereas the future EU enlargement in 2007 to Bulgaria and Romania will then include the Black Sea in European waters,
- L. whereas the Community and its Member States are party to various international agreements containing important obligations on the protection of marine waters from pollution, in particular the HELCOM and OSPAR Conventions and the Convention for the Protection of the Mediterranean Sea Against Pollution,
- M. whereas the protection and enhancement of the marine environment cannot be effectively accomplished by national efforts alone but requires close regional cooperation and other appropriate international measures,

Setting the right ambition level

1. Welcomes the Commission's Thematic Strategy on the protection and conservation of the marine environment and its overarching objective of promoting sustainable use of the seas and conservation of marine ecosystems; considers, with disappointment, that the proposal for a Marine Strategy Directive in this form will not succeed in mobilising the regional and local authorities to take the appropriate measures;
2. Believes in the leadership role of the EU in this process and therefore calls for a strong EU policy on marine protection, preventing further loss of biodiversity and deterioration of the marine environment and fostering the restoration of marine biodiversity;
3. Calls for the inclusion in the Directive of a common EU-wide definition of good environmental status (GES), understood as the environmental status when all the marine ecosystems within a given Marine Region are managed in ways which allow them to function in a balanced, self-sustaining way in the face of environmental change, supporting both biodiversity and human activities. This provides for greater effectiveness in the implementation of the Marine Strategy Directive;
4. Notes that good environmental status of European regional seas can only be achieved by strong and coordinated action at the regional level rather than by Member States acting individually, and therefore asks for the Marine Strategy Directive to include a legal obligation for the Member States to achieve GES; considers, therefore, that the strategy must result in binding supranational obligations which may also involve common commitments in third countries;
5. Calls, furthermore, for the inclusion of a list of generic qualitative descriptors, criteria and standards for the recognition of GES, namely an existing list generally accepted by marine stakeholders, without excluding further improvements and development of the list;
6. Considers it important that the objectives, measures, language and concepts used in the Marine Strategy Directive and other directives concerning the marine environment, such as the Water Framework Directive and the Habitats Directive¹, are harmonised to achieve

¹ OJ L 206, 22.7.1992, p. 7.

greater clarity and facilitate coordination between those directives;

7. Considers that measures to improve water quality must be taken swiftly and is, therefore, concerned at the extended timetable put forward in the proposal for a Marine Strategy Directive; considers that it would be better to bring the timetable into line with the timetable for the Water Framework Directive;
8. Notes that the timetable for the Water Framework Directive, whereby good ecological status is to be achieved in coastal waters by 2015, has already been implemented in the Member States; considers that it is not logical or appropriate simultaneously to propose a less ambitious target for partly overlapping and adjoining marine areas; stresses that it will not be possible to achieve good environmental status in several areas of coastal water unless there is correspondingly good environmental status in the adjoining marine areas;

Synergies with EU policies

9. Welcomes the Green Paper "Towards a future Maritime Policy for the Union" which foresees a holistic approach to the sustainable development of the oceans, but warns against too great an emphasis on an economic approach and urges that a balance be struck between the economic and ecological angles; expects the Marine Strategy Directive, its environmental pillar, to provide the legal framework for the preservation and integrity of the marine environment and thus the legal framework for the appropriate management units - the Marine Regions and Strategies - for marine planning and decisions;
10. Believes that there must be clarification of the implications for the Member States if the targets and measures in respect of marine environment protection are not sufficiently far-reaching, i.e. that consideration must be given to how to ensure that the objective of the directive - good environmental status - can actually be achieved;
11. Notes that Member States have delayed complying with the existing marine components of the Natura 2000 network. Encourages Member States to identify Marine Protected Areas of specific scientific or biodiversity interest, or subject to intense pressures, in accordance with the Habitats and Birds¹ Directives;
12. Prefers long-term efforts to integrate environmental objectives into the Common Fisheries Policy (CFP) and thereby meet the requirements for sustainable development but insists that the Member States should have the opportunity to adopt more urgent and short-term measures, e.g. the establishment of *no-go areas (Marine Reserves)*, or marine sanctuaries, to protect the most vulnerable marine ecosystems;
13. Deplores the lack of reference by the Commission, in both the Communication and the proposal for a Directive, to the marine waters of the French overseas departments, the Azores, Madeira and the Canary Islands, bearing in mind the conditions laid down in Article 299 of the Treaty, and to the marine waters of the Overseas Countries and Territories listed in Annex II of the Treaty;

¹ OJ L 103, 25.4.1979, p. 1.

Budgetary concerns

14. Expresses its concern over the lack of financial commitment for the implementation of the Marine Strategies; asks the Commission and the Member States to identify the measures that could be co-financed through Life+ due to their particular importance for the achievement of GES in the European marine waters;
15. Considers that coordination between economic and environmental interests should, where possible, take place at local level in order to safeguard the subsidiarity principle and the participation of local stakeholders, but that it should also take place at higher levels (regional, EU and international) when appropriate and necessary;
16. Points out that different marine regions within the EU are distinct from each other and have different needs for protection; considers, therefore, that further-reaching financial measures may be required at EU level for some regions compared with others in order to achieve good environmental status and sustainability;
17. Believes that the optimum benefits from coordination with existing programmes can be gained by coordinating the timetable for the marine strategy with important programmes at EU level; believes that coordination with the next programming period for the EU's agricultural fund (from 2014) is of particular importance for those regions in which agriculture accounts for a substantial proportion of the discharges into the marine area;
18. Believes that consideration should be given in all sectors to financial incentives, such as - to take an example working in the Baltic Sea - environmentally differentiated port and fairway dues ; takes the view that further-reaching measures may also be required in this respect in certain regions;

Data sharing

19. Recommends a new approach to marine assessment and monitoring, based upon existing institutions and programmes including the Data Collection Regulation under the CFP, and tailored to ensure full consistency and integration with relevant Commission new initiatives on spatial data infrastructure and GMES (Global Monitoring for Environment and Security), in particular the marine services;
20. Recalls the mandate of the EEA to develop regular pan-European assessments of the marine environment, based on existing indicators and other nationally available data and information; stresses that it is necessary to further improve national reporting, including through specific data exchange protocols on, for example, data flows to support the development of the Agency's core set of indicators;
21. Considers it essential to adopt traceability and detectability measures and programmes in order to identify pollution and locate its source so as to deal with it effectively;
22. Considers it essential to cooperate with decentralised agencies (European Environment Agency, European Maritime Safety Agency, etc.) and with the European Research Centre in order to produce data on the quality of marine waters and to identify, locate and combat pollution;

Relations with Conventions and third countries

23. Welcomes the excellent contributions to marine protection of a number of regional marine conventions, through their scientific and technical competence and ability to act as a bridge with non-EU countries, and expects them to become a key partner in delivering the Marine Strategy Directive, and calls for the inclusion of explicit commitments to promote international cooperation with third countries and organisations with a view to their adopting marine strategies to cover regions or subregions with European marine waters;
24. In order to avoid a double bureaucratic burden on the effective delivery of the Marine Strategy Directive, asks the Commission and Member States to ensure either that the regional marine conventions have the relevant legal and administrative capacities or that mechanisms for joint implementation of the Strategy are developed between the different regional bodies operating within the same marine region. In either case this must include the widest possible cross-sectoral and stakeholder involvement;
25. Calls on the Commission to study the possibility of making the Baltic Sea into a pilot area, in view of the fact that it is an especially sensitive sea area and the Member States surrounding it are likely to agree on faster implementation of the plans and actions through the work within HELCOM and other bodies; notes that the forthcoming Baltic Sea Action Plan from the Helsinki Convention (HELCOM) could act as a pilot programme to implement the Strategy objectives in the Baltic Sea Marine Region;
26. Considers that the current international rules must be reviewed so that international waters (more than 12 nautical miles from the coast) may no longer be used for the discharging of latrines;
27. Notes that the protection of the Mediterranean sea lacks either the necessary environmental legislation or, where such legislation does exist, the political willingness to enforce it. The objectives of the Barcelona Convention to promote the integrated management of the coastal zones have to face a two-speed development of Regions, namely the southern and eastern Mediterranean countries on the one hand and the northern Mediterranean countries on the other;
28. Notes that, due to low water temperature and low water exchange rate, the Baltic Sea ecosystems are highly vulnerable to pollution and that the marine ecology of the Baltic region is estimated to have suffered near-irretrievable damage. Therefore urges the Member States and the Commission to introduce special measures, among others to the Common Agricultural Policy (CAP), in order to improve the environmental status of the Baltic Sea. In addition, cooperation between the EU and Russia has to be enhanced. In this context, the environmental partnership programme fund of the EU's Northern Dimension Programme is an essential necessity to improve water protection in the Baltic Sea;
29. Calls on the Commission to propose relevant measures for the protection of the Arctic waters, an extremely fragile ecosystem under constant and emerging threats, and to develop and support programmes and projects that address the rights and needs of indigenous peoples in tackling sustainable use of the Arctic's natural resources;
30. Calls on the Commission to study the prerequisites for establishing the Arctic as a

protected area, similar to the Antarctic, and designated as a "natural reserve devoted to peace and science", and to report back to Parliament and the Council in 2008 at the latest;

31. Calls on the Member States and the Commission, in the context of EU international and regional agreements with third countries which have sovereignty or jurisdiction over waters bordering European marine waters, to promote the adoption of measures and programmes in accordance with the Marine Strategy Directive, which is in the process of being adopted;
32. Recommends the inclusion of the Black Sea as one of the Marine Regions to be covered by the Marine Strategy Directive; this important marine region is bordered by Bulgaria and Romania, countries that will join the EU in 2007 and are already participating in the implementation of the Water Framework Directive - as part of the work led by the International Commission for the Protection of the Danube River -, and by Turkey, with whom accession negotiations are underway;
33. Regrets the lack of environmental guarantee in connection with the construction of the North European gas pipeline to prevent a potential environmental disaster in the Baltic Sea region; calls on the Commission to draw up an environmental impact assessment for the planned project and to postpone any decisions on the co-financing of the project;
34. Calls for prior consultation, in all cases, of adjoining countries and other countries concerned where projects may have an impact on the common environment, even when the project is carried out in international waters; notes that experience shows that environmental impact assessments often have shortcomings and that they are not carried out in consultation with other States; calls on the Commission, therefore, to propose a mandatory negotiating mechanism between Member States, and urges the Council to act at international level to develop mandatory environmental impact assessments in relations between the EU and third countries;

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35. Instructs its President to forward this resolution to the Council and Commission and the governments and parliaments of the Member States.

PROCEDURE

Title	Thematic Strategy on the Protection and Conservation of the Marine Environment		
Procedure number	2006/2174(INI)		
Committee responsible Date authorisation announced in plenary	ENVI 6.7.2006		
Committee(s) asked for opinion(s) Date announced in plenary	PECH 6.7.2006	TRAN 6.7.2006	
Not delivering opinion(s) Date of decision	PECH 21.6.2006	TRAN 22.11.2005	
Enhanced cooperation Date announced in plenary			
Rapporteur(s) Date appointed	Aldis Kušķis 29.11.2005		
Previous rapporteur(s)			
Discussed in committee	30.5.0006	12.7.2006	10.10.2006
Date adopted	10.10.2006		
Result of final vote	+ 49 - 0 0 0		
Members present for the final vote	Adamos Adamou, Georgs Andrejevs, Liam Aylward, John Bowis, Frieda Brepoels, Hiltrud Breyer, Martin Callanan, Chris Davies, Avril Doyle, Anne Ferreira, Karl-Heinz Florenz, Hélène Goudin, Matthias Groote, Cristina Gutiérrez-Cortines, Satu Hassi, Jens Holm, Mary Honeyball, Marie Anne Isler Béguin, Caroline Jackson, Dan Jørgensen, Eija-Riitta Korhola, Urszula Krupa, Aldis Kušķis, Henrik Lax, Marie-Noëlle Lienemann, Kartika Tamara Liotard, Linda McAvan, Marios Matsakis, Roberto Musacchio, Riitta Myller, Péter Olajos, Vittorio Prodi, Guido Sacconi, Amalia Sartori, Karin Scheele, Carl Schlyter, Frithjof Schmidt, Horst Schnellhardt, Kathy Sinnott, Bogusław Sonik, María Sornosa Martínez, Bart Staes, Antonios Trakatellis, Evangelia Tzampazi, Thomas Ulmer, Marcello Vernola, Anja Weisgerber, Åsa Westlund, Anders Wijkman		
Substitute(s) present for the final vote			
Substitute(s) under Rule 178(2) present for the final vote	Fausto Correia		
Date tabled	16.10.2006		
Comments (available in one language only)			