

EN

EN

EN



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10 October 2007
COM(2007) 574 provisional version

COMMUNICATION FROM THE COMMISSION

Conclusions from the Consultation on a European Maritime Policy

COMMUNICATION FROM THE COMMISSION

Conclusions from the Consultation on a European Maritime Policy

1. INTRODUCTION

The one-year consultation on an EU Maritime Policy was launched on 7 June 2006 with the adoption of the Green Paper on Maritime Policy.

This Consultation process is summarised here. It has led to an unprecedented response. Both the scope and depth of the participation in the consultation process are unprecedented. In addition to contributions from all European Institutions, a number of national and some regional parliaments submitted comments on the Green Paper directly to the Commission. Among the stakeholders and citizens who have submitted comments, we have noted third country governments, individual citizens, representatives of science and academia, individual companies, non-governmental organisations and business representatives. A very significant number of networks or project organisations active in the development of coastal and maritime projects have reacted with detailed comments, as well as cities and coastal regions with an interest in specific issues such as tourism.

Over 490 contributions were received, and over 230 events were held where Maritime Policy was discussed with stakeholders.

Details of the contributions, including detailed references, will be found in the following:

- A detailed report on the consultation process which will be made available on the Maritime Affairs website (<http://ec.europa.eu/maritimeaffairs/>)
- The text of the contributions themselves as available on the Maritime Affairs Website (http://ec.europa.eu/maritimeaffairs/post_green_en.html)

2. THEMES OF THE CONSULTATION PROCESS

2.1. An integrated Maritime Policy: The Search for Added Value

Stakeholders are in favour of an integrated approach to Maritime Policy in the European Union, because it integrates the needs and concerns of linked sectors that are currently dealt with in separate policy activities. This can lead to conflicting measures, or to concerns that stakeholders in one area are not being taken into account in another. The impact of environmental protection measures on ports expansion is cited by the ports industry as a particularly clear example of this. A majority of stakeholders expect a beneficial impact from a stronger integration of policies.

Bringing different actors and stakeholders together is another argument in favour of the holistic approach. Stakeholders point out specific examples of on-the-ground integration.

Regional authorities describe existing cooperation. They welcome opportunities for more contact and cooperation between regional, national, and EU levels. They demand more visibility for the concerns of the regions.

The consultation process confirms the scope for developing the relationship between those who live and work in day-to-day contact with the seas, who include seafarers and fishermen, and other linked sectors of economic activity. It confirms the potential for developing joint responsibility for sustainability. An example of this is the role of fishers, whose age-old bond with the sea may be extended and redefined by bringing them into contact with other activities, such as tourism or environment protection.

In some areas, stakeholders point out the economic advantages of integration. Tools for integrating the collection and use of data can provide real added value. Operators point out the need for the integration of systems and standards in the area of maritime monitoring and surveillance. Researchers point to the economic benefits of the combined use of expensive assets for their work.

Although there are few critics with of an integrated approach, there are those who distinguish between the approach, and the tools. They ask that the development of an integrated approach should not lead the EU to re- or over-regulate, or to over-centralise. A significant number do not want to see an integrated policy change existing competences.

2.2. Who does What: Subsidiarity means Responsibility

The Green Paper on Maritime Policy refers to subsidiarity as one of the foundations of its integrated approach. This requires that decisions and measures be taken as closely as possible to the people and areas affected, as well as the use of existing expertise in taking decisions.

The response to the Green Paper confirms the Commission's understanding that a European Maritime Policy must build on the existing distribution of competences within the EU. The European Union's role is seen as facilitator rather than integrator per se.

A case in point is the discussion on spatial planning: Many stakeholders, across all sectors, agree on the overall usefulness of such planning. Most point out that spatial planning is a Member State competence but indicate the need for trans-border continuity and dissemination of best practice.

Another example is the discussion of offshore government activities: there is little support for a European Coast Guard, but there is interest in cooperation between Member States' assets to achieve similar objectives without changing competences.

Much emphasis has been put on the necessity that existing policies and legal frameworks are better implemented and interact in a more coherent way. This

includes greater attention to impact evaluation. In addition, calls were made in favour of specific regulatory initiatives in order to close gaps in EU legislation.

The consultation process highlights the complexity of Europe's sea-based activities. This complexity requires both a holistic overview, and tailor-made solutions that take into account regional specificities, the needs of specific stakeholders, and their expertise.

Coastal Regions are directly affected by maritime policies. The broad participation of local and regional government bodies indicates an enthusiasm to learn from others, share experience and contribute ideas.

Industry calls for less regulation and more self-regulation. It suggests that self-regulation may not be optimal everywhere, but the positive effects of rewarding good results and best practices can support the implementation of existing rules and prepare the ground for improvements in standards to which most can then agree once they are proposed.

The consultation process highlights the importance of the implementation and enforcement of rules. Ownership, and a sense of common responsibility, can enhance implementation and enforcement – the conclusion is that both subsidiarity and stakeholder involvement will play a major role in future EU Maritime policy initiatives.

The debate has highlighted the ownership that stakeholders feel for their particular piece of the maritime jigsaw puzzle. European Maritime Policy should aim to make all pieces of the puzzle fit together, but should not aim to redesign each piece.

In conclusion, the debate on competences confirms the assessment at the heart of the Green Paper by demonstrating the commitment of all involved to their share of maritime Europe. A European Maritime Policy can only be successful if it harnesses this commitment – ensuring that each stakeholder carries a commensurate share of responsibility, and feels involved in the process.

2.3. Planet Ocean: Global Issues and Responsibilities

During the consultation process, the global nature of maritime activities such as shipping and fisheries became apparent. Several stakeholders thought that the EU should promote measures to protect the global ecosystem, including on the high seas.

Here, the majority of stakeholders agree on the need for multilateral rules and standards and their implementation and enforcement. Views on how to achieve this differ; some insist on developing standards only in the multilateral context, and are opposed to the EU developing standards first. But a significant number of stakeholders believe that the EU has an important role to play in leading by example.

There is agreement on the benefits of the EU setting a good example. However those stakeholders whose competitiveness depends on a level playing field oppose regulatory action by the EU which is running ahead of rule-making in international bodies.

The consultation process confirms that there is no way past the international and multilateral aspects of maritime affairs. The European Union must deal with international organisations and the rules they make. Stakeholders agree on an integrated approach to the international aspect of maritime policy for the EU, but insist on a discussion of each case on its merits. They support building on existing instruments and methods, and developing added-value solutions as appropriate.

Leading by example also means good behaviour where rules have already been set. Stakeholders mention as equally important the need to reinforce implementation and enforcement of international rules, by EU Member States, and third countries. This has yielded proposals for dialogue, support and capacity-building with EU neighbours and other partners.

The European Neighbourhood Policy was emphasised particularly, but not exclusively, by those concerned with the Mediterranean. Many stakeholders endorse the Green Paper's assertion of the importance of including neighbours, in the work on an integrated maritime policy.

The Consultation process thus confirms the importance of developing an international dimension to a European Maritime Policy. Stakeholders want to ensure that the current system is used to its fullest extent before trying out new solutions.

2.4. Sustainable Use of Resources: The Meaning of Successful Management

The explicit link in the Green Paper between competitiveness and sustainability has been confirmed in the consultation process. The consultation has also demonstrated that stakeholders are aware that this link needs to be positive if we want to ensure continued use of the oceans and seas without reducing their value for Europeans and humankind.

2.4.1. Competitiveness

The consultation process highlights how much Europe's prosperity relies on the availability of safe and efficient shipping services. Their efficiency is crucial for the competitiveness of the EU in a globalising world.

Stakeholders agree that European shipping services and ports are sectors with high growth potential and key elements of the Lisbon Strategy for making Europe the most competitive trading entity in the world.

Stakeholders also agree that the EU's international and internal performance in the Maritime Sectors is built on delivering higher quality – not in being cheaper.

The success of EU maritime industries depends on their capacity to innovate, whether in shipbuilding, logistics, equipment manufacturing, or related services industries. This is also important in other maritime sectors such as tourism, which also contribute to the economic well-being of coastal regions.

Communication between different maritime industries has been improved by the establishment of maritime clusters across the European Union which has boosted the performance of the maritime economy.

This includes an important science and research component. The science community has been very active in developing proposals to better link maritime science and research bodies, and technology and innovation.

The technologies of the future will be crucial building blocks for a more sustainable economy, e.g. the development of renewable energy, in particular wind and wave energy. Lead markets such as blue biotech rely on a sound scientific underpinning.

Knowledge means data. The consultation process has revealed strong support for the better collection and use of (real-time and other) data on oceans and seas, and the activities in and on them, as well as for socio-economic data and statistics, on coastal regions and the maritime economy.

Stakeholders confirm that standards are a major concern for them. There is a need for high standards to ensure high quality and thus competitiveness, *and* standards that support sustainability. Industry points out that competitiveness on the basis of high standards will only work if these standards are applied across the board, securing a level playing field. They also point out that voluntary approaches may sometimes bring better results than prescriptive regulation. Many stakeholders note that raising standards worldwide may require leadership from the EU. Others point out that some operators may be reliable, but many are less scrupulous, and the enforcement and monitoring of rules remains a necessity.

The unintended impacts of regulation are highlighted in areas such as the use of traditional vessels for tourism, or the unnecessary cost for European shipping caused by the fact that voyages by ship from a port of one EU Member State to another are always considered international even when cargo transported is internal market-cleared goods.

Higher standards also mean higher standards for quality personnel. Many EU operators have an excellent track record as far as recruitment and working conditions are concerned, but much can be done to improve the situation of staff in the maritime economy to achieve another objective: top quality jobs for top quality personnel. Stakeholders indicate that there is scope for improvement in skills and training, and opportunities to combine traditional maritime skills with modern ones. There are divergences on whether, and which, exclusions concerning maritime sectors in EU social legislation are justified, but there is agreement on the need to contribute to a global level playing field for the sector and the role that EU legislation can play in this context.

A large number of contributions state that cross-sector mobility, underpinned by training and qualifications based on industry needs, plus attractive, multi-sectoral career options is essential for the competitiveness of European maritime sectors.

The independence of economic operators is cited as an argument in the opposition to public financial support for economic activities. However, stakeholders do insist on appropriate framework conditions in which to work, and thus welcome government support e.g. for higher standards, to ensure that a level playing field is maintained, and to reward good behaviour, or action of benefit to the community.

2.4.2. *Sustainability*

There is very little dispute about the need to set up marine protected areas – but there is discussion about their designation. Each side to this debate asks to be heard more, confirming the need for upstream coordination and planning when it comes to the organisation of space.

The state of the marine environment is a major concern. Threats mentioned include the degree of exploitation of living resources through over-fishing, and climate change. The interface between oceans and climate is seen as an essential part of the EU's climate policy.

The development of blue biotechnology or other uses of genetic resources is seen as an opportunity, demonstrating the need for an integrated approach linking research, sustainability, and international rule-making.

Stakeholders point out that up to 80% of the pollution of the marine environment is land-based, and call for more action on this. This point is particularly emphasised by organisations with an interest in the Baltic. Many demand that legacy environmental risks such as existing wreckage or remnants of wartime ammunitions be taken into account when planning new projects.

A number of stakeholders highlight the importance of the Marine Thematic Strategy as the environmental pillar of EU Maritime Policy. The need for swift adoption of the proposed Marine Strategy Directive is underscored.

The importance of linkages between existing environmental instruments and the implementation of the marine thematic strategy is mentioned. Coherence and compatibility are underscored as essential for the implementation of all these instruments. Some stakeholders highlight the need to go beyond the Marine Thematic Strategy to embrace broader environment protection objectives, while others want to ensure that the impacts of environmental measures and legislation take economic priorities duly into account.

Working on the basis of ecosystems and eco-regions is fundamental for the sustainable management of sea and coastal spaces. Stakeholders point to the need for cooperation between coastal regions and neighbouring Member States – as well as neighbouring countries. The characteristics of each eco-system and region need to be taken into account. The important role of regional sea conventions is confirmed.

Operators point out the environmental benefits of shipping and the potential of increased use of inland water transport and intermodality, as compared to other modes of transport. Nonetheless, air pollution by ships, ship dismantling, pollution by ships at sea are confirmed by stakeholders as issues of concern, with disagreement on solutions, but no disagreement on objectives. Operators favour solutions in international contexts, often tacitly accepting that this may lead to delays or less optimal solutions.

Regional authorities, particularly those in remote areas, are well aware that the future prosperity and sustainability of industries such as tourism and fisheries – both industrial and recreational – rely on unspoilt coastlines and healthy marine ecosystems.

There are many voices calling for a stronger integration of environmental concerns within fisheries combined with stronger integration of fisheries within maritime policy. The need for better follow-up to scientific advice on setting commercial fish stock quotas is stressed, along with enhanced application of the eco-system approach to fisheries. Sustainable fisheries management needs streamlined and efficient surveillance, monitoring and enforcement system. Linking environmental research with fisheries research is likely to lead to better and more sustainable results. Stakeholders indicate that the impact of aquaculture on the overall ecosystem needs to be better understood.

Better training, working conditions, and job opportunities for fishers are raised as issues. Without improvements in this area, stakeholders tell us, developing a sustainable approach to fisheries is not realistic: major international concerns such as IUU Fisheries are linked as much to employment and working conditions as to enforcement.

Many call for the development of tools to assess the cross-sectoral and environmental impacts of economic activities to allow a more sustainable organisation and planning of activities. Many stakeholders highlight the increasing exposure to the risks and impacts of climate change.

2.5. Maritime Management: Common Tools for a Common policy

2.5.1. Spatial Planning

Stakeholders emphasise the need for coordinated management and planning for competing uses of the seas. Increasing and increasingly interacting economic activity, and the growing number of instruments used to ensure sustainability mean that without integrated planning and management tools, the sustainable development of our relationship with the oceans and seas will be much harder to achieve. A majority of stakeholders agree that maritime spatial planning would be a good tool to apply across the EU, but should remain a Member State competence.

Views vary greatly on the concept, its scope, and links to existing instruments (e.g. Integrated Coastal Zone Management and the proposed Marine Strategy Directive). A majority of stakeholders agree that the eco-system approach should underpin the planning and management of our seas.

2.5.2. Data and surveillance

The initiative to develop a European Data Network is generally welcomed, and many proposals are made as to practical ways and means of taking on this task.

One suggestion is to make these data available through an interactive tool that informs Europe's citizens about all aspects of Europe's relations with the seas. In addition, data on e.g. the location of heritage sites can also reduce the risk for developers, who can plan which sites to avoid or address.

More effective surveillance and monitoring of maritime traffic can ensure enforcement. Very few stakeholders dispute the potential to achieve cost savings through standardisation, interlinking and communication between existing sectoral systems.

2.5.3. *Financing*

The consultation process has highlighted the difficulty in identifying what part of the EU's structural spending contributes towards maritime policy objectives.

Hence the request by regional stakeholders, including the Committee of the Regions, for specific and targeted approaches to funding in coastal regions, through more transparency, and the linking of existing financial tools, under the umbrella of a European Coastal Fund.

2.6. **Europeans and the Sea: Participation and Involvement**

The Consultation process on EU Maritime Policy has captured the interest of stakeholders in Maritime Affairs to an unexpected extent.

Contributions call for consultation and dialogue, and for more information to be made available to all affected by maritime policy.

Economic actors welcome the principle of an integrated approach, and express the expectation that it will lead to more transparent and efficient policy-making and regulatory activity within the EU. They set the development of an integrated maritime policy against the background of a flourishing maritime economy and increasing shipping and ports activity, calling for strong links between sectors and related activities in the form of clusters, including at EU level.

Regions are enthusiastic supporters of an integrated approach. They emphasise the role of coastal regions as hosts to the maritime economy, part of the coastal and maritime environment, and dependent on sustainable coastal management. Even more expect to benefit from linking action at EU level with the activities on the ground in the coastal regions, and strengthening the involvement of Member State governments in the process.

Member States embrace the principle of the integrated management of maritime issues. They see the proposal for an integrated maritime policy in the context of their interest in ensuring the stable and sustainable development of their maritime economies and coastal regions. Their desire is that a new maritime policy should leave well-functioning processes in place, acting as a catalyst for better practices.

EU institutions and bodies have been supportive throughout, and are making efforts to overcome sectoral constraints in their procedures to allow a coordinated response to the Green Paper. They look at the European Maritime Policy project against the backdrop of globalisation, increasing use of oceans and seas, environmental and climate change, and the need for coastal and maritime communities to be fully involved. Some of the proposals made by the Institutions go beyond the Green Paper.

Individual citizens and civil society respond with mixed messages. There is some concern that the EU should not take over national or local competences but overall the reactions indicate of the public's concern for the planet's marine ecosystem and their impression that insufficient government action is being taken against practices that damage it.

Environmental NGOs call for EU action on the planning of maritime and coastal spaces to ensure implementation of ecosystem-based management. The integration of sectoral policies is a means to ensure the integration of environmental goals across all sectors. Across the board, stakeholders emphasise their need to be heard continuously, including in the further development and implementation of EU Maritime Policy.

The launch of a consultation on Maritime Policy has also awakened the interest of those who want to inform and spread the word about our seas and oceans. The awareness of Europe's citizens of our coasts and what lies beyond is seen as supportive, both for the maritime economies, which depend on their attractiveness to be successful, and for our marine environment, which depends on the awareness of citizens if it is to be preserved. However, there is a general consensus that the overall image of the maritime sectors needs to be enhanced. Ideas abound for the organisation of exchanges of best practice, conferences, the involvement of experts in the maritime world such as fishers, or small-scale projects aimed at informing local communities or tourists.

In conclusion, the Consultation process has opened a treasure chest of ideas and a desire to participate in a project understood by most to be long-term, and based on learning and constant iterative development. It has thus not only introduced a new integrative approach to dealing with our seas, but has also opened the door to a new way of policy-making.

"The window of opportunity afforded by the political debate on the development of an EU Maritime Policy offered the best opportunity in my lifetime for the global and local significance of the oceans and the outputs of marine research and innovation to be appreciated by society" – Dr Peter Heffernan, Chief Executive, Irish Marine Institute, Galway