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CPMR POLICY POSITION

OPINION OF THE POLITICAL BUREAU

(approved by the CPMR Political Bureau – 18 February 2006 – Brest)

THEMATIC STRATEGY FOR THE PROTECTION AND CONSERVATION OF THE MARINE ENVIRONMENT

1. The CPMR welcomes the Commission's Communication to the Council and European Parliament on the thematic strategy for the protection and conservation of the marine environment (COM(2005)504 final) known as the "Marine Strategy". This strategy partly provides a response to the CPMR's demands to give maritime regions a true role in building Europe, a plea it has been making since the adoption of the European Coastal Charter in 1981. In this regard, the strategy should constitute one of the main elements of the Commission's initiative relating to the Green Paper on the EU's maritime dimension, although it falls short of "*delivering the environmental pillar of the future Maritime Policy*" as claimed in the Communication. In this regard, the CPMR stresses that the European strategy for integrated coastal zone management is a key factor in organising coastal territories and activities, and represents the most suitable approach for effectively taking on board the new challenges facing the people of Europe, particularly with regard to adapting to the consequences of climate change.
2. The CPMR agrees with the Commission's view that the current institutional framework is largely inadequate for management of the seas, particularly in light of the wide range of uncoordinated small-scale measures with no overarching vision highlighting the full importance of the seas and oceans. It regrets that the analysis is limited to the institutional frameworks existing at world level, within the major sea areas (regional conventions) and at EU and Member State level, and that it fails to refer to sub-state levels, particularly the regional sphere which, on account of the powers it exercises in a number of countries, represents an essential partner in defining and delivering maritime policies.
3. Concerning the lack of knowledge on the marine environment as pointed out in the Commission's Communication, the CPMR backs this observation and highlights that the insufficient knowledge base is partly to blame for the weakness of initiatives in the maritime sector, particularly within the context of cooperation programmes. It wishes to underline the efforts made by the European Environment Agency (EEA) to progress in this field of knowledge, and regrets that no reference was made to this in the Communication. The CPMR calls for action in this area to be based on the organisation introduced by the EEA, and for the information bases not simply to fill gaps, reduce duplication, and promote harmonisation (aims that are self-evident), but to be designed in such a way as to constitute a real decision-making aid, not just for national governments and regional conventions, but also for regional authorities receiving funding under cohesion policy. A closer link should be established between databases and their use for operational purposes.
4. The proposed strategy is based essentially on the four following principles:
 - A dual EU/regional approach (where the term 'regional' is taken to mean a sea region, e.g. Baltic, North Sea, etc.). The CPMR considers that this approach is inadequate insofar as it fails to take into account the powers devolved to maritime regions (as the first tier of government below national level), implying an active involvement of this level of governance in defining and implementing actions.

- A knowledge-based approach. This principle is quite clearly necessary, subject to the observations set out in point 3 above.
- An ecosystem-based approach: the CPMR fully agrees with this approach which forms an important element of its initiatives under the "Europe of the Sea" project.
- A cooperative approach. The CPMR underlines the discrepancy that exists between this clearly stated aim and the lack of explicit reference to sub-national governance. The text under this heading refers only to "*enhancing co-operation with existing regional seas conventions*".

5. Need for a new policy instrument.

The Commission proposes a binding legal instrument for delivering its marine strategy. This instrument is to take the form of a **directive on the strategy for the protection of the marine environment**.

The CPMR wishes to put forward the following considerations on this issue:

- In principle, the introduction of a binding instrument such as a directive presents undeniable advantages in terms of ensuring that objectives are implemented. The CPMR feels that non-binding instruments like 'recommendations' are not enough nowadays to incite a move in the right direction or to secure support for this kind of agenda.
- However, application of this type of instrument must comply with the following:
 - i) The coastal and marine environment is already governed by a wide raft of regulations that has tended to build up over time. The result is that public action has gradually become unclear for actors on the ground and political leaders at regional and local level. This is detrimental to ensuring correct application of the texts. In this regard, the CPMR recalls that the difficulties encountered with regard to environmental conservation are not so much a result of inadequate regulations but are more to do with the capacity to apply these texts properly. All new regulation initiatives **must therefore be coherent and comprehensible**; this is particularly true for the coastal and marine environment.
In this context, the CPMR demands that all new regulation initiatives concerning the coastal environment and sea and coastal waters be subject to the provisions set out in point 3 of the Commission's Communication "Implementing the Community Lisbon programme: A strategy for the simplification of the regulatory environment" (COM(2005)535).
 - ii) Those targeted by the regulations are very often actors on the ground. They will be unable to apply these provisions unless they have the appropriate resources. The CPMR therefore requests that initiatives be taken in this area, where representatives of the maritime regions are formally included in the preparatory work.

6. In conclusion, while in favour of any initiative designed to step up protection of the marine environment which constitutes one of the main assets of its member regions in terms of attractiveness and economic activity, the CPMR wants the marine strategy to involve the maritime regions at the earliest possible stage and be designed to fully complement the strategy for integrated coastal zone management. It calls for the means to implement it to be made available, in particular in terms of data, dissemination of research and definition of priorities in the associated EU policy programmes.

In respect of the latter point, the CPMR regrets that in the 'other EU policies' mentioned in the Communication, no reference is made to cohesion policy managed by DG Regio, despite the fact that it is within this framework that resources are made available for putting the proposed strategy into practice.