

European Marine Thematic Strategy

Background

1. The European Marine Thematic Strategy is one of seven thematic strategies stipulated under the EU's 6th Environment Action Programme (6th EAP).
2. A Strategy Package was published on 24 October 2005 comprising a Communication from the Commission (the Strategy), a proposal for a Marine Strategy Directive and an Impact Assessment (IA).
3. The proposed framework Directive is seen as providing the 'environmental pillar' of sustainable development of the future EU Maritime Strategy. A Maritime Strategy Green Paper is due to be published in the spring.

The proposed Directive

4. The proposed Directive is modelled on the Water Framework Directive (WFD). Its overall aim is to achieve '**good environmental status**' (GES) in the marine environment by 2021.
5. Each Member State is required to develop a **Marine Strategy** for its waters consisting of:
 - ◆ an assessment of the environmental status of its marine waters and the impact of human activities on them (4 years after the Directive enters force);
 - ◆ what GES means for those waters, taking account of generic descriptors to be produced by the Commission (4 years after the Directive enters force);
 - ◆ setting environmental targets for the waters (5 years after the Directive enters force);
 - ◆ establishing a monitoring programme to assess the status and update targets (6 years after the Directive enters force);
 - ◆ develop a programme of measures to meet GES (by 2016) and begin implementing that programme (by 2018).
6. The proposed Directive gives the Commission the power to approve each of these elements.
7. The proposed Directive requires that it be transposed no later than three years after its entry into force.

8. Dates are not yet fixed and may be subject to change.
9. The proposed Directive will be subject to co-decision procedures between the Commission and the European Parliament and subject to qualified majority voting.
10. A meeting of the Environment Working Party was held in November 2005 at which the Commission presented its Marine Strategy package and Member States expressed initial views. As Presidency, the UK chaired the meeting, but did not join in discussions. One or two Working Party meetings are expected in the latter half of the current Austrian Presidency, with further meetings held under future Presidencies.

The position for Wales

11. The Strategy Package and proposed Directive will have implications for the UK as a whole. The Welsh Assembly Government has not identified any issues that are specific to Wales. As such, the Department for Environment, Food and Rural Affairs (Defra) is leading the UK's consideration of the Strategy Package. The Welsh Assembly Government and other devolved administrations are fully engaged in developing the UK position.

UK consideration of the proposed Directive

12. Defra commissioned a partial Regulatory Impact Assessment (RIA)¹ of the Commission's proposals together with an evaluation of the Commission's Impact Assessment.
13. The RIA concluded that the Commission had not sufficiently explored all the available options and that of the two main options examined, insufficient evidence had been presented to show that a voluntary approach would not lead to significant improvement in the protection or condition of the European marine environment.
14. The RIA also considers that the Commission has not sufficiently taken into account measures that are in the process of being implemented that will benefit the marine environment, e.g. the Water Framework Directive (WFD).
15. It also questioned the Commission's assumptions for the costs of the proposed Directive. In particular, it notes that the costs of achieving GES are not estimated as these will depend on how GES is defined and there is no definition as yet. These costs could be significant.
16. The Commission estimates the assessment and monitoring costs for the proposed Directive to be €90 million per year for the first two years and €70 million per year thereafter.

¹ available on the internet at: <http://www.rpaltd.co.uk/tools/tools-fullreports.htm#marinestrat>

17. Defra prepared an explanatory memorandum on the Strategy Package for the Parliamentary European Scrutiny Committee, which discussed the matter on 14 December 2005.
18. The Committee considers the subject of the Strategy Package and the proposed Directive to be one of importance but the requirements needed to implement it are far from clear. It recommended the Strategy Package for future debate by European Standing Committee A. This debate is expected to take place in February.