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**DIRECTORATE-GENERAL FOR EXTERNAL POLICIES OF THE UNION
DIRECTORATE B
- POLICY DEPARTMENT -**

BACKGROUND NOTE

ON

A FUTURE MARITIME POLICY FOR THE EU

AND ITS IMPLICATIONS FOR THE E.E.A.

Abstract:

In preparation for the 29th EEA Joint Parliamentary Committee in June 2007, the present note provides an outline of the Commission's Green Paper on a Future Maritime Policy for the European Union. It also reviews some of the comments received so far through the consultation process, especially the official Norwegian contribution, and suggests a few elements for a draft resolution on the subject.

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1. INTRODUCTION

While much of EU policy, from the CAP through transport networks to regional cohesion, has traditionally been focused on land-based activities, the numerous geographical regions and industry sectors whose activities relate to the sea are actually one of the Union's engines of growth: Between 3 and 5% of Europe's Gross Domestic Product (GDP) is estimated to be generated by marine-based industries and services (excluding the value of raw materials, such as oil, gas or fish), while the maritime regions account for over 40% of GDP.

However, all too often the various sectors depending and impacting on the maritime environment operate independently. Transport, shipping, trade, coastal and port-based industries, off-shore exploitation of energy sources both traditional and alternative, fisheries, aquaculture, marine research and tourism are all run according to their separate structures, cultures and rules, sometimes with little consideration for other sectors, nor of their combined impact on their one shared resource: the sea.

While this problem is not restricted to the EU, other entities worldwide may have realised it sooner: The Annual Report on Oceans and the Law of the Sea by the UN Secretary General regularly points out the problems affecting the world's oceans due to this lack of coordination. Over the last few years, several countries, most notably Australia, Canada and the US, have been developing integrated maritime policies which share a number of underlying principles.

The Commission's announcing, in March 2005, steps towards formulating a future Maritime Policy for the Union was thus a timely measure. The process, overseen by a task force headed by Commissioner Borg and currently including ten Commissioners, produced a Green Paper, published in June 2006 and accompanied by a series of background papers. The public consultation on this document is nearing its end, being open until the end of June of this year.

Explicitly set in the context of the Lisbon Strategy for Growth and Jobs, the Green Paper takes stock of the maritime economy's considerable assets and looks at ways to tap its growth potential by making the various EU policies reinforce each other. Through the wide-ranging, year-long consultation process, the Green Paper aims to launch a debate on a future Maritime Policy for the EU that treats the oceans and seas in a holistic way.

While most of its considerations and suggestions focus on EU territory and policies, the Green Paper acknowledges that the very nature of the oceans requires a global approach to a number of issues, to which the EU has a lot to contribute. Awareness of this global dimension of the issue is illustrated not least by the motto (from Arthur C. Clarke) which graces the Green Paper's cover:

*"How inappropriate to call this planet Earth,
when it is quite clearly Ocean."*

2. OUTLINE OF THE GREEN PAPER

A general introduction sets out the current situation and the rationale behind the Paper as described above, emphasising the Commission's role at this stage of the procedure: as a facilitator for debate around two central questions:

Should the EU have an integrated maritime policy?

How can the EU add value to the many national, local and private initiatives which already exist in the maritime field?

Striving to strike a balance, the introduction acknowledges that maritime policy should be anchored within the Lisbon strategy, whilst reflecting the principles of an ecosystem-based management. Importantly, with regard to the principle of subsidiarity enshrined in the Treaty, it also makes clear that EU action will be required only where it actually does add value to national and local action.

Retaining Europe's Leadership in Sustainable Maritime Development

This core chapter looks at the economic importance of the maritime economy and its growth prospects and identifies the sources of its competitiveness. It looks at the assets available to it in terms of the marine environment itself, knowledge of the oceans, the creativity of companies and the expertise of those working in the various sectors, and asks how public authorities can help to maximise these assets. It then goes on to look at the interrelationships between economic sectors and at the regulatory framework.

The chapter identifies the need, in a rapidly globalising world, for maritime sectors to continue to base their growth on innovative products. In line with this, it refers to existing Community programmes designed to promote research and innovation, and suggests ideas for a more integrated approach involving Member State activities. Noting the economic importance of marine tourism and its dependency on the preservation of the coastal and marine environment, also emphasises the essential role of the Thematic Marine Strategy in ensuring environmental sustainability, and of Maritime Safety legislation.

It then analyses what can be done to reverse the current negative trend in the number of Europeans joining the maritime professions and to enhance the quality of jobs. It also welcomes the development of a more integrated approach now being developed by the private sector with the "clustering" of interrelated maritime industries for maximum synergy.

In considering potential improvements to the regulatory environment in the maritime sectors, this section specifically calls for a discussion on simplification, based on stakeholders' reporting of cases where legislation developed for the needs and objectives of one policy may have unintended and contradictory impacts on other maritime goals. It also includes a discussion of the dilemmas surrounding possible EC action with respect to shipping registers and the setting up of an optional EU register.

The chapter refers to the need to take account of new challenges facing the maritime world, discusses the effects of global climate change, describes some promising developments in the energy field, and identifies the considerable potential of blue biotechnology.

Maximising Quality of Life in Coastal Regions

The third chapter examines the special role played by coastal regions, where a great many of the issues raised above are reflected and focused. With nearly half of the EU's population living in coastal areas, this section discusses the importance of a healthy marine environment for the quality of life of this increasing number of citizens.

It examines the various threats to the coast and its inhabitants, how to deal with them and how to turn them into opportunities. It looks at the key role of maritime tourism in local economies and how best to ensure its continued health. Finally it addresses how best to manage the complex interrelationships between maritime activities and land-based activities, so that these can mutually reinforce each other.

Providing the Tools to Manage our Relations with the Oceans

Chapter four reviews a number of important tools for enhancing the sustainable management of our relations with the oceans and seas.

Looking at the type of data which need to be made available, both on the oceans and seas themselves and on related human activities, it identifies a need to set up a comprehensive EU network for marine data and to further integrate and develop the existing networks aiming to identify the movements of vessels on EU coastal waters.

Furthermore, it emphatically calls for spatial planning systems to regulate economic activities in coastal waters, building on the ecosystem-based management approach already proposed in the Thematic Marine Strategy. Finally it discusses the important role which can be played by EC financial support for coastal regions, mainly by the structural funds (ERDF; ESF) and the Cohesion Fund.

Maritime Governance

This chapter examines how a new understanding of the oceans and seas challenges traditional, sectorally and geographically limited approaches and advocates a more integrated form of policymaking based on the principle of subsidiarity. Technological developments, including advances relating to the monitoring and surveillance of the seas, have made it possible to integrate data services to an extent unheard of in the past.

Within the EU, technology-driven economies of scale could best be realised through integrated policies. Law enforcement at sea is best organised through the coordinated use of the scarce and expensive resources available in Member States. This section spells out in more detail the implications of developing an integrated maritime policy, and sets out some general principles for maritime policy making.

It also suggests the type of division of activity which could be envisaged between the EC and the Member States in the implementation of spatial planning. To that end, maritime governance should make use of the experience gained from regional policy in the areas of coordination

among sectoral policies, cooperation on examples of good practice and partnership involving stakeholders.

This chapter also points to the low degree of integration of the various offshore activities of many Member States in coastal waters. It suggests that a move towards more coordination and commonality between functions and among Member States would be beneficial.

Finally, mention is made of extending the Common EU Maritime Space to additional activities, including coastal shipping between Member States. Shipping and related sectors are also identified as potential vectors for various illegal activities, including trafficking in human beings and terrorism, which are on the increase. This is highlighted as one factor making the need for better coordination of existing national resources and the common procurement of new ones more urgent. Noting the growing involvement of Member States' navies in civilian activities which results from these and other developments, the Paper also floats the idea of setting up an EU coastguard.

A further section argues that maritime policy must possess an external dimension, since the world's oceans are interconnected and rule-making is often global. Indeed, much of maritime policy, by its very nature, transcends the boundaries of Europe, and issues such as climate change, marine environment and biodiversity protection, shipping, and fisheries, are best regulated on the basis of international rules. So where the EU develops new ideas in maritime policy it will want to share these with the international community. Where it sees the need for new international rules it will wish to add its weight to their introduction by being party to their development. If however action at international level fails, the EU has to take up its responsibilities and consider its options for action under the Treaty. Where some third countries lack capacity or effective governance to apply internationally agreed rules it will want to use its external policy instruments to encourage improvement. Finally, the chapter states clearly that, although a European maritime policy needs a general framework, its implementation will need to take account of the realities and diversities of Europe's geographical situation.

Reclaiming Europe's Maritime Heritage and Reaffirming Europe's Maritime Identity

Chapter six examines how maritime heritage activities can be encouraged, linked to other maritime sectors, and how education can contribute to the growing development of a common vision of the role of the oceans in our lives.

Reconnecting with Europe's great maritime tradition, e.g. by freeing shipping from the negative image generated by oil spills, could also lead to a more favourable image for maritime professions and help enhance the performance of maritime sectors.

3. A UNIQUE CONSULTATION PROCESS

The special quality of this Green Paper, encouraging the EU to shift to an integrated maritime policy, was reflected in an accompanying consultation exercise of matching ambition. Having already canvassed stakeholders extensively on the scope of the Green Paper during the preparatory phase, the Commission proceeded to throw the process wide open for more than a year: Governments and parliaments, NGOs and businesses, scientists and private citizens are invited to submit their comments until the end of June 2007. The Commission also took care to structure this process in a decentralised manner, hosting or co-sponsoring a number of conferences and symposiums in all parts of the EU over the course of that year, rather than concentrate the feedback on Brussels.

Hundreds of contributions have been received by the Commission and were made available on its website, from governments' political statements and NGO's comprehensively researched papers to short e-mails from private citizens, some of whom, on the strength of their subjective experience of the Common Fisheries Policy, vehemently warn the EU to stay out of maritime affairs.

Processing all these submissions and distilling them into a Communication will be the task of the European Commission for the second half of this year, and would definitely exceed the scope of the present note. However, a few trends concerning the underlying principles of the future policy can already be discerned:

- the importance of stakeholders' extensive participation in the development of rules governing behaviour towards the oceans and coastal waters;
- recognition of the need for a fuller picture of the oceans and seas in order to develop appropriate networks connecting all the currently separate parts;
- the need to ensure that decisions affecting both the quality of life in coastal regions and the livelihoods of those working in the maritime sectors be taken at the appropriate level of government.

Even before the Green Paper process leads to specific policy proposals, the last item already confirms that action at EU level should only be undertaken where there is genuine added value to existing policies and programmes.

The European Parliament had the privilege of being the first body the Green Paper was presented to, and it responded to the occasion by establishing a special structure for its scrutiny: Less than two hours after the formal adoption of the document by the full European Commission on 7 June 2006, Commissioner Borg was presenting the Green Paper to a joint meeting of five parliamentary committees concerned by its scope: Transport and Tourism (TRAN); Environment, Public Health and Food Safety (ENVI); Regional Development (REGI); Industry, Research and Energy (ITRE); and Fisheries (PECH).

On 20 March 2007, the same configuration of committees held a full-day hearing with representatives of the various stakeholder groups, at which Commissioner Borg also spoke, indicating the emerging trends mentioned above. With the Committee on Transport and Tourism (Rapporteur: Willy PIECYK, PSE/Germany) in the lead, MEPs are currently drafting a report on the Green Paper which is expected to come before the plenary in July.

4. AN E.E.A. ANGLE: THE NORWEGIAN CONTRIBUTION

In the Green Paper, Norway and Iceland get only a couple of passing references, as partners for cooperation on vessel tracking systems and in the maritime surveillance against illegal immigration. During the drafting stage, the Maritime Policy Task did not hold any specific meetings on the EEA, nor did it interact with the EFTA secretariat - an approach that can arguably be justified given that not all EFTA members would be directly concerned by maritime issues.

There were however a number of specific bilateral meetings with both Norwegian and Icelandic representatives, and Green Paper topics have also been addressed in meetings on the Northern Dimension, e.g. the Helsinki Summit last year and the parliamentary conference on the Northern Dimension in March this year.

Furthermore, both Norway and Iceland have been invited to join the Maritime Policy Task Force National Expert Groups. Iceland has attended some of the meetings, focusing mainly on questions of maritime transport, in keeping with its "North meets North" focus on future navigation in the Arctic. It should be noted that the country had formulated its own integrated policy on the oceans already in 2004.

Norway has participated in all meetings, and in March 2007 presented an extensive official contribution to the Green Paper, expressing its support for the Commission's holistic approach, its appreciation of the opportunities provided to present its views. The main emphasis of the Norwegian contribution lies on coastal zone management and on the need to balance economy and ecology when developing maritime policies, as exemplified by the country's integrated management plan for the Barents Sea-Lofoten area.

More specifically, the document supports the Commission's emphasis on cross-sector maritime research and enhanced data gathering, as well as closer cooperation between coast guard services and the call for interoperable vessel tracking systems.

On the other hand, the Norwegian side generally highlights the international dimension of maritime policies and warns against introducing any regional measures, e.g. a flag state audit scheme, that might undermine the authority of global institutions such as IMO and ILO. It also criticises the Green Paper for not giving enough attention to environmental concerns.

Norway holds the chairmanship of the Arctic Council until 2008, followed by Denmark and Sweden until 2012. Key topics for the Scandinavian chairmanships will include understanding and adapting to climate change and establishing a framework for sustainable, ecosystem-based exploitation of natural resources. The cooperation in the Arctic Council may provide opportunities for the EU to work more on Arctic marine issues in the years to come.

5. SOME SUGGESTED COMMENTS

Welcome the Commission's integrated approach to maritime policies.

- Realising the full growth and employment potential of maritime sectors will certainly require holding up individual policies against the greater picture.

Commend the Commission for its clear commitment to subsidiarity.

- In order to achieve the intended consistency of approach, local and regional actors will be much better placed to identify and resolve potential friction between existing policies.

Encourage enhancing both general education about, and specialised training for, the maritime professions.

- Retaining Europe's edge in relevant knowledge will require broadening the recruiting pool, which in turn necessitates improving the maritime industries' image.

Support the proposal for a European coast guard.

- Although this idea did not meet with unanimous support at the European Parliament hearing, the reality of shrinking naval budgets and increasing demand for policing of the seas on both environmental and immigration tasks would seem to advocate a pooling of resources.

Invite the Commission to include environmental concerns to a greater degree.

- For all its reference the Thematic Strategy for the Marine Environment and lip service to sustainability, as a "holistic vision of how to manage our relations with the oceans" the Green Paper could have been - greener.
