

COMMISSION DECISION C(2008)2940 of 23 June 2008

Commission decision on the adoption of a work programme in the Environment policy area for 2008 for the pilot projects and preparatory action covered by budget lines 07 02 03, 07 03 13 and 17 03 13, serving as financing decision

The decision constitutes the work programme and financing decision for actions to be implemented under 2 pilot projects and one preparatory action voted by the Budgetary Authority within the framework of the 2008 Budget :

- Budget article 07 02 03 - Pilot project: Environmental monitoring of the Black Sea Basin and a common European framework programme for the development of the Black Sea region;
- Budget article 07 03 13 - Preparatory action - An integrated coastal communication and risk management system;
- Budget article 17 03 13 - Pilot project - Sulphur dioxide emission trading in the Baltic Sea.

1. TOWARDS AN INFORMATION SYSTEM FOR THE MONITORING OF OIL POLLUTION IN THE BLACK SEA, WITHIN AN EUROPEAN FRAMEWORK FOR THE DEVELOPMENT OF THE BLACK SEA REGION – PILOT PROJECT

1.1. Introduction.

1.1.1. Budget line: 07 02 03

1.1.2. Basic Act :

Pilot project within the meaning of Article 49(6) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1), as amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

1.1.3. General objectives:

As per the budgetary remark voted by the Budgetary Authority, the project is intended to promote measures for regular monitoring of the quality of the marine and coastline environment, and control of pollution in the Black Sea region.

In view of the budget available, and further to discussions with the Parliament, it was concluded that the project should focus on pollution from oil transfers (i.e. any activity resulting in the transport of oil through the coastal waters and the proper of the Black Sea, encompassing tankers, pipelines, oil platforms).

The project is intended to prepare, develop and consolidate at regional scale monitoring systems and activities that enable riparian countries to address the pollution provoked by oil. This would be the first project aimed to develop such information system at regional scale. If the results expected are achieved, the system could be further consolidated, and pass to a fully operational phase.

1.1.4. Specific priorities for 2008

Once the project had been approved, the Commission will support the beneficiary to establish contacts with the riparian countries where the project would be implemented, in order to build consensus and reach agreement.

1.2. Type of intervention : award of grant without a call for proposals to a body with a de jure monopoly (article 168.1.c of the implementing rules)

1.2.1. Name of the beneficiary

The beneficiary of the grant will be the Permanent Secretariat of the Commission on the Protection of the Black Sea Against Pollution.

1.2.2. Objectives of the action

The objective of this pilot action is to prepare, elaborate and eventually implement a regional scheme to ensure that monitoring activities provide adequate information to:

- (1) Strengthen the mechanism for institutional cooperation and coordination at regional level as a platform to address oil pollution problems through consistent technical and organisational processes.
- (2) Warrant an adequate decisional support for the management of oil transfer operations, with special attention to the most utilised routes and ports, both inside and outside EU countries and their waters, with the aim of diminishing and mitigating the risk of accidents and emergency situations.
- (3) Ensure, based on an efficient shared monitoring information system, of an appropriate level of response to emergency situations and illegal discharges from ships, with the aim of securing salvage and rescue operations and fighting the environmental consequences of such events, when they happen.
- (4) Ascertain the impact of the pollution by oil and its derivatives over the Black Sea environment.

The novelty of the pilot project lies with its regional dimension, although it will build upon local and national initiatives in order to avoid double efforts and to ensure consistency. Particular attention will be paid to the relevant results of EU funded research projects, such as Spreex (CA) and the Streps (DIFIS, EUMOP, OSH) as well as to the EDMONET initiative within the Maritime Policy.

1.2.3. Expected results

In the long term, if the monitoring activities are organised and implemented according to the main elements developed within this project, it is expected that:

- The institutional cooperation at regional scale to address oil pollution problems is strengthened. The efficiency of the existing actions, including the Black Sea Regional Contingency Plan, is increased. The capacity of national administrations to actual implementing oil monitoring-related activities is enhanced.
- ICTs are used to develop and run a decision system to support environmental protection.
- Particular attention is paid to the most utilised routes and ports, both inside and outside EU countries and their waters, in order to diminish the risk of accidents, facilitate the response to emergency situations mitigate the impact of oil pollution.
- The impact of the pollution by oil and its derivatives over the Black Sea biodiversity and nature is further researched and studied.

1.2.4. Procedure & justification for the monopoly

The Bucharest Convention is the only International Agreement which provides a regional platform for the definition and the adoption of legal instruments to protect the Black Sea environment. The Black Sea Commission has a unique role as the executive body of the Bucharest Convention, and the related Protocol on Cooperation in Combating Pollution by Oil and other Harmful Substances in Emergency Situations.

It is therefore considered that the Permanent Secretariat of the Commission on the Protection of the Black Sea Against Pollution has a de facto monopoly on the proposed

action, in accordance with the provisions of article 168.1.c of the implementing rules to the Financial Regulation.

1.2.5. Indicative budget and timetable

The maximum amount for the grant is €1.000.000.

It is scheduled that that the proposal is sent to the Commission in July 2008, and the award decision is taken in August / September 2008. The project should be completed in the first half of 2010.

1.2.6. Maximum co-financing rate.

The maximum of co-financing to be applied to the grant to be awarded to the Black Sea Commission Permanent Secretariat is 80%.

2. INTEGRATED COASTAL AND RISK MANAGEMENT SYSTEM – PREPARATORY ACTION

2.1. Introduction.

2.1.1. *Budget line: 07 03 13*

2.1.2. *Basic Act :*

Preparatory action within the meaning of Article 49(6) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1), as amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

2.1.3. *General objectives of the Preparatory Action*

As per the budgetary remark voted by the budgetary authority, this appropriation is intended to fund a project which will develop and establish (1) a complementary participatory coastal communication system and (2) a cooperative coastal risk protection and management system for Member States in the Baltic Sea region and in particular the Baltic States themselves, in order to address the disparity in terms of development with older Member States. Coastal sustainability practice (including integrated applications) is to be actively re-enhanced and non-traditional innovations explored and fleshed out, tested and disseminated not only in relation to established implementation methods, i.e. not only vertically and horizontally across management levels, but also with particular attention being paid to developing new methodologies for participatory communication and cooperation, thus increasing coastal awareness and behaviour development among all stakeholders.

The Commission places the implementation of this budget resource in the context of the EU ICZM Recommendation (2002/413/EC, OJ L148, of 6.6.2002, p.24) and the EU Maritime Policy (COM(2007)575). In 2006, the evaluation of the EU ICZM Recommendation (COM(2006)308) concluded that more efforts need to be deployed to support the effective implementation of integrated coastal zone management, *inter alia* in the area of risks and information management.

For the implementation of this budget resource, complementarity and added-value will be sought to the measures in the field of coastal management that are part of the Cohesion Policy programmes, in particular in the Baltic Sea Region. Given the appropriations available for this budget line, the analysis of experiences, dissemination and formulation of guidance and recommendation adds most value to other existing measures.

In the medium term the action will prepare for a possible revision of the EU ICZM Recommendation, provide information to underpin the further development of the EU Maritime Policy and/or to inform the design and implementation of Community funding instruments.

2.1.4. *Specific priorities for 2008*

The specific priorities for implementation of the preparatory actions are the following :

- Establishment of a publicly accessible database and comparative analysis of practices and tools for sustainable coastal planning and management, taken from across the EU but with emphasis on the Baltic Sea and Baltic States;
- Definition of guidance and recommendations, based on the outcome of the analysis;
- Widespread multi-lingual dissemination and communication actions.

2.2. Type of financial intervention : procurement procedure

The action will be implemented through the conclusion of a service contract following an open call for tender, to be published in June 2008, for a maximum amount of EUR 1.000.000.

The objectives of the contract will be to:

- Identify integrated coastal zone management and marine planning practices and implementation tools in EU coastal Member States and provide structured, multi-lingual summaries of each case;
- Set-up a publicly accessible, multi-lingual data-base comprising the structured summaries and the most relevant written material of such practices and tools;
- Provide comparative analyses of the integrated coastal zone management and marine planning experiences, and of the relevant implementation tools used in EU coastal Member States;
- Analyse the most relevant EU policies and legislation regarding their effects for the implementation of integrated coastal zone management and marine planning, and identify mechanisms for a coordinated implementation of these policies and legislation in the coastal zones;
- Based on the analyses, formulate guidance for future integrated coastal zone management and marine planning projects and for the design of policies and tools by competent coastal authorities;
- Organise widespread multi-lingual dissemination to coastal authorities and stakeholders and provide a feed-back mechanism;
- Formulate, where relevant, recommendations to support the implementation and a possible review of the EU ICZM Recommendation and/or to underpin the further development of the EU Maritime Policy.

The scope of the contract will encompass all EU coastal Member States. However, the Contractor should place particular emphasis on the Baltic Sea, and in particular the Baltic States, in all aspects of the contract.

3. SULPHUR DIOXIDE EMISSION TRADING IN THE BALTIC SEA – PILOT PROJECT

3.1. Introduction.

3.1.1. Budget line: 17 03 13

3.1.2. Basic Act.

Pilot project within the meaning of Article 49(6) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1), as amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

3.1.3. General objectives of the Pilot Project :

As per the budgetary remark voted by the Budgetary Authority, this appropriation is intended to cover payments to fund a pilot project intended to cut sulphur emissions in the Baltic Sea by launching a pilot sulphur emissions trading scheme between countries which are willing to participate.

3.1.4. Specific priorities for 2008

Two work streams will be initiated in 2008.

The first will investigate the feasibility of including the maritime sector in a system of emissions trading for the emissions of nitrogen oxides and sulphur dioxide. This will build upon already envisaged work looking at similar issues in respect of land-based sources of emissions in the EU. No pilot emission trading scheme will be established in practice. Instead a desk-top analysis will investigate the technical and legal obstacles and potential benefits (and costs) of including the maritime sector in any scheme for land-based emitters.

The second will look at the feasibility of using remote sensing techniques to identify gross polluting ships which emit levels of sulphur dioxide in excess of legally permitted levels. This issue has been raised publicly as a significant problem due to the substantial number of reported fuel samples with sulphur contents in excess of legally permitted maxima and which are used in sulphur emissions control areas of the North Sea, Channel and Baltic Sea areas. This problem may deteriorate when the International Maritime Organization lowers significantly the permitted levels of sulphur in marine fuels late in 2008.

3.1.5. Breakdown of resources between actions to be implemented.

The available resources of EUR 1.000.000 will be implemented through :

- an open call for tender for an amount of EUR 200.000 (see section 3.2) ;
- an Administrative Arrangement with the Joint Research Centre for an amount of EUR 800.000 (see section 3.3).

3.2. Actions to be implemented through procurement procedures

The action will be implemented through the conclusion of a service contract following an open call for tender, be published in April-May 2008, for a maximum amount of EUR 200.000.

The objective of the contract will be to assess the feasibility of including the maritime sector in a system of emissions trading for the emissions of nitrogen oxides and sulphur dioxide. This will build upon already envisaged work looking at similar issues in respect of land-based sources of emissions in the EU. A desk-top analysis will investigate the technical and legal obstacles and potential benefits (and costs) of including the maritime sector in any scheme for land-based emitters

3.3. Action to be implemented through an administrative arrangement (AA) with the Joint Research Centre.

3.3.1. Objectives

The primary objective will be develop a practical and workable remote sensing system that can be used to identify gross polluting vessels on the open seas so that Port authorities can be informed in advance of the ship entering an EU port where the necessary inspection enquiries can be undertaken.

3.3.2. Procedure and justification.

It is intended to prepare an administrative arrangement with the Joint Research Centre. The JRC has proven and extensive expertise in the area of remote sensing using satellite and non-satellite techniques.

3.3.3. Indicative budget and timetable

The intended budget will be EUR 800.000. The Administrative Arrangement should be signed in June-July 2008 and it is intended that the work will be completed over a period of 18 months to 2 years.