

## ROADMAP

**Title of the initiative:** Proposal from the Commission for a Regulation of the European Parliament and of the Council concerning the establishment of a Programme to support further development towards an Integrated Maritime Policy

**Lead DG:** Directorate-General for Maritime Affairs and Fisheries (DG MARE)

**Expected date of adoption of the initiative (month/year):** January 2010

### **Initial impact assessment screening & planning of further work**

#### **A. Context and problem definition**

1. What is the political context of the initiative? How does this initiative relate to past and possible future initiatives, and to other EU policies?

On 10 October 2007, the Commission adopted the Communication on an Integrated Maritime Policy for the European Union - COM(2007) 575 ("Blue Paper"). This Communication advocated the need for the development and implementation of an integrated, coherent, and joining-up decision-making in relation to the oceans, seas, coastal regions and maritime sectors. The Action Plan accompanying the Communication on An Integrated Maritime Policy for the Union - SEC(2007) 1278 enumerated a set of actions that the European Commission proposed to take as a first step towards the implementation of a new, integrated maritime policy for the European Union.

Following the invitation of the European Council of 14 December 2007 which endorsed the EU Integrated Maritime Policy, the Commission adopted on 15 October 2009 the Progress Report on the EU's Integrated Maritime Policy -COM(2009) 540. In this Progress report, the Commission summed up the main achievements of the Integrated Maritime Policy so far and charted the course for its next implementation phase. This progress report was accompanied by a Commission staff Paper - SEC (2009) 1343 which presented in details the progress made so far on the items of the Action Plan adopted in October 2007.

In its conclusions of 16 November 2009, the General Affairs Council highlighted the importance of funding for the further development and implementation of the IMP and invited "the Commission to present the necessary proposals for the financing of integrated maritime policy actions within the existing Financial Perspective, with a view to entry into force by 2011".

Implementing and developing further the Integrated Maritime Policy and pursuing its overarching objectives as set out in the Blue Paper of the Commission of October 2007, as well as relating to the projects of the Action plan, requires a continued modest financial underpinning. Ensuring a modest financial base is a prerequisite for the Integrated Maritime policy to be effective and operational during the period 2011-2013. This financing will serve in particular to continue exploratory work relating to options for the further development and concrétisation of the policy, in particular through pilot actions and studies, along the lines set out in the Progress Report of 15 October 2009 and - in more details - in the following Commission Communications:

- Communication on Guidelines for an Integrated Approach to Maritime Policy: Towards best practice in integrated maritime governance and stakeholder consultation-COM (2008) 395 of 26.06.2008
- Communication on a Roadmap for Maritime Spatial Planning: Achieving common principles in the EU

- COM(2008)791 of 25.11.2008
- Communication on the European Union and the Arctic Region - COM(2008) 763 of 20.11.2008
- Communication on the European Union Strategy for the Baltic Sea Region - COM(2009)248 of 10.06.2009
- Communication "Towards an Integrated Maritime Policy for better governance in the Mediterranean" - COM (2009)466 of 11.09.2009
- Communication "Towards the integration of maritime surveillance: A common information sharing environment for the EU maritime domain - COM(2009)538 of 15.10.2009
- Communication on developing the international dimension of the Integrated Maritime Policy of the European Union - COM(2009) 536 of 15.10.2009

## **2. What are the main problems identified?**

Further development and proper implementation of the Integrated Maritime Policy along the lines set out by the Commission and accepted by the Council will be at risk because of a lack of financial means during the period 2011 - 2013.

Financing of IMP actions so far took place on the basis of Article 49 (6) (a) and (b) of the Financial Regulation, and Article 32 of its Implementing Rules which foresee the possibility for pilot actions and preparatory projects. The duration of pilot projects is a maximum of two successive years, whereas the maximum duration of preparatory actions is three successive years. The possibility to finance Maritime Policy related pilot projects and preparatory actions runs out at the end of 2010.

Additionally, other Community instruments, including the Cohesion Fund, the European Regional Development Fund, the European Fisheries Fund, the Seventh Framework Programme for research, technological development and demonstration activities as well as the Instrument for Pre-Accession Assistance (IPA) and the European Neighbourhood and Partnership Instrument do not cover all the Integrated Maritime Policy objectives, priorities and goals set out in the Blue Paper and Action Plan of the Commission of October 2007 as well as the specific Communications referred to under point AT. above.

The proposed Programme should complement existing and future financial instruments at national and sub-national level in Member States made available to implement the necessary actions to promote the sustainable use of the oceans, seas and coasts. In line with the Community law and principles of the EU the cost of implementation of the Integrated Maritime Policy is largely borne by Member States. Some actions identified in the Progress report of 15 October 2009 have been pursued without Community financial support. For instance an impact assessment study (Reference number 2009/MARE/003), has established that Member States are currently spending more than one billion euro annually on collecting and processing marine data. EU support has been very much smaller and aims to provide the glue to make the whole operation more efficient. The amounts spent by Member States on maritime surveillance are even greater and here again EU support has been at a much smaller level and aims to make the different components work together better.

Therefore, to be able to continue the development and implementation of the IMP, which is still a very young policy, having started only in 2007, a minimum of financial support for further developing and implementing the Integrated Maritime Policy for the remaining time of the current Financial Perspective and especially the period 2011-2013 is necessary.

## **3. Is EU action justified on grounds of subsidiarity?**

As was well emphasised in the Blue Paper of the Commission of October 2007 and its accompanying Action Plan, any EU action aimed at further developing and implementing the Integrated Maritime

Policy shall be pursued with due respect to subsidiarity. In the field of Integrated Maritime Policy, the rationale for intervention at EU level stems from the cross-sectoral and trans-national dimension of actions and activities aimed at implementing this policy and developing a comprehensive strategy for growth and sustainability for the oceans, seas, coastal regions and maritime sectors. The activities relating to the cross-cutting policy tools and cross-sectoral maritime actions, including the European integrated maritime surveillance network, maritime spatial planning and marine data and knowledge network as well as those relating to the international dimension of the Integrated Maritime Policy are particular cases in point.

Any activity at EU level aimed at implementing the Integrated Maritime Policy would not negatively affect similar actions and measures in Member States or regions. Rather, similarly cross-sectoral actions at various level of government would mutually complement and enhance one another. Thus, actions at EU level in the field of Maritime Policy are likely to produce clear benefits by reason of their scale and effects, compared with activities and actions pursued only at the level of Member States and regions towards the integration of maritime policy. The Council in its conclusions of 16 November on the Progress report on IMP of 15 October 2009 welcomed the work of the Commission and Member States as well as future orientations on IMP, without identifying any problems relating to subsidiarity in relation to any of the projects pursued or any of the future orientations.

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## **B. Objectives of EU initiative**

### **4. What are the main policy objectives?**

The general objective to be achieved by the Programme for the further development towards an Integrated Maritime Policy is to ensure an adequate financial base for further promoting the development and implementation of the Integrated Maritime Policy and contributing significantly to the achievement of its core overarching objectives, including (i) the promotion, at Community and international level, of integrated maritime governance and coherent and integrated decision-making in relation to the oceans, seas, coastal regions and maritime sectors; and (ii) the creation of optimal conditions for the sustainable use of the oceans and seas, as well as sustainable growth in maritime sectors and coastal regions.

In particular, actions and activities financed by the proposed Programme for the Integrated Maritime Policy shall aim at the following specific objectives, in line with the Blue Paper and Action Plan of 2007 as well as the Communications referred to under point A.1 above, and welcomed by the Council:

1. further development and implementation of integrated maritime governance and integrated sea basin strategies around Europe;
2. stimulation and reinforcement of dialogue and cooperation with and among stakeholders on maritime governance and facilitating the exploitation of synergies, sharing of information and exchange of best practices on maritime governance and sectoral policies that have an impact on regional seas and coastal regions;
3. further development of cross-cutting policy tools for integrated policy-making for sea or coast related sectoral policies, including an integrated European network for maritime surveillance, maritime spatial planning, and a comprehensive and accessible marine data and knowledge infrastructure;
4. promotion of the international dimension of the Integrated Maritime Policy by improving and fostering cooperation and coordination with third countries, including those bordering a European sea basin, or actors in third countries, as well as with international partners and organisations on the Integrated Maritime Policy;

5. Does the objective imply developing EU policy in new areas or in areas of strategic importance? The above-mentioned objectives do not imply developing a new policy or achieving new goals. Rather,

actions and activities financed by the proposed Programme for the Integrated Maritime Policy shall aim at continuing exploratory work relating to options for the further development and concrétisation of an ongoing policy for the remaining time until 2013 and contributing to the achievement of its overarching objectives, priorities and goals, set out in the Blue Paper and Action Plan of the Commission of October 2007, and confirmed in the Progress report of October 2009, as well as detailed in the Commission Communications referred to under point A, 1 above.

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### **C. Options**

6. What are the policy options? What legislative or 'soft law' instruments could be considered? Would any legislative initiatives go beyond routine up-date of existing legislation?

In accordance with the Financial Regulation Article 49 (6) (a) and (b) of the Financial Regulation and Article 32 of its Implementing Rules, following a period of preparatory and/or pilot projects, which has been exhausted in this case, spending from the EU Budget is only possible on the basis of a Legal base. The proposed legal act takes the form of Regulation to be adopted under the co-decision procedure.

The main policy options for intervention for further developing and implementing the IMP are the following:

1. No further action
  2. Modest EU financial contribution, with a reasonable increase compared to the level of the preparatory and pilot projects so far, for further exploration of options and progressive implementation of policy, in line with the progressive development of the IMP
  3. Fully fledged Financing
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7. Does the action proposed in the options cut across several policy areas or impact on action taken/planned by other Commission departments?

The objectives of the actions and activities to be financed under the proposed option 2 and option 3 interact with the objectives of other policy areas since the core objective of the Integrated Maritime Policy is to promote an integrated, coherent and cross-sectoral approach to maritime governance and to foster the identification and exploitation of synergies with other policy areas related to the oceans, seas, costal regions and maritime sectors, namely environmental policy, maritime transport, energy, research, industry, fisheries and regional policy.

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8. Does the option respect the proportionality principle?

Yes. This is well emphasised in the recital of the proposed Regulation. No rights or obligations for citizens are created.

### **D. Initial assessment of impacts**

9. What are the significant impacts likely to result from each policy option (cf. list of impacts in the impact assessment guidelines), even if these impacts would materialise only after subsequent Commission initiatives?

1. No further action (Option 1): taking no further action, in terms of not financing actions and activities on the Integrated Maritime Policy for the period 2011-2013, would imply that the given general and specific objectives of the Programme will not be achieved. This, in turn, would imply that the Commission would not deliver on the policy objectives set out in the Blue Paper of the Commission of October 2007, as confirmed in the Progress report of October 2009 and endorsed by the General Affairs Council conclusions of 16 November 2009. It would also not deliver on any of the policies set out in the |

Communications referred to under point A.1 above.

2. Modest EU financial contribution (Option 2): Option 2 would allow progress towards the objectives set out in the Blue Paper of the Commission of October 2007 and would allow the continuation of exploratory work relating to options for the further development and concrétisation of IMP policy in the near future, as well as first steps of implementation, along the line of the Communications referred to under A. above. Option 2 is a feasible and cost-effective option and will ensure the progressive development and implementation of the Integrated Maritime Policy.

3. A Fully fledged financing (Option 3): Option 3 is not possible at this stage of IMP. It is not feasible because at this stage of development of the Integrated Maritime policy, substantially higher amounts than those envisaged could not be disbursed, given that neither Member States nor the Commission already have concrete policy design options at hand allowing for substantially higher disbursement.

10. Could the options have impacts on the EU-Budget (above 5 Mio €)?

According to the proposed Regulation, the financial envelope for the implementation of the Programme shall be set at EUR 45,000,000 for the period from 1 January 2011 to 31 December 2013. This amounts to 15 Mio / year, to be used essentially for the following six areas of action, as set out in the Progress report of 15 October 2009:

- Integrated Maritime Governance
- Cross-cutting policy tools
- Definition of the boundaries of sustainability
- Sea-basin Strategies
- International dimension of the IMP
- Sustainable economic growth, employment and innovation

In order to develop proposals for EU action in the IMP domain, a number of pilot projects and preparatory actions were initiated in the period 2008-2010. Their budget in that period was spent as follows:

- Maritime governance: €50,000
  - Sea-basin strategies: €490,000
  - Maritime Surveillance: €7,200,000
  - Marine knowledge: €6,690,000
  - Maritime spatial planning: €1,800,000
  - New economic opportunities: €2,297,622
  - Visibility of Maritime Europe: €1,600,000.
  - International dimension of IMP : €60,000
- Grand Total: €20,687,622**

11. Could the options have significant impacts on simplification/administrative burden or on relations with third countries?

It is not intended that there should be any new obligations on business. A number of the actions/measures concerned with spatial planning, marine knowledge and maritime surveillance aim to simplify the tasks of public authorities by measures such as better pooling of information, faster licensing for new maritime activities and more certainty in future business planning.

12. Who is affected?

In principle all interests related to integrated maritime policy and especially to the oceans, seas, coastal regions and maritime sectors. The Programme will benefit natural or legal persons, whether governed by private or public laws, including EU Agencies, public or private organisations, institutions, bodies and

non-governmental organisations of the Member States as well as third countries, stakeholders in third countries, and international organisations or bodies which pursue one or more of the general and specific objectives of the Integrated Maritime Policy set out in the Blue Paper of the Commission of October 2007, and confirmed in the Progress report of October 2009 and other Communications referred to under point A, 1 above.

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#### **E. Planning of impact assessment work**

13. Is this proposal/initiative accompanied by an Impact Assessment?

The proposal will not be accompanied by an Impact Assessment. As described above, no significant impacts are expected at this stage. Any further actions following the preparatory measures will, as far as they have significant impacts or policy implications, be accompanied by specific impact assessments. In line with Article 27 (4) of the Financial Regulation and Article 21 (1) of its implementing rules DG MARE will carry out an ex-ante evaluation of the proposed financing programme. This can be justified by the following reason:

The purpose of the proposed Regulation is to provide only a modest financing basis, within a limited period of time from 2011 till 2013, for further developing and implementing the Integrated Maritime Policy and pursuing its overarching objectives as have already been set out in the Commission Communication on an Integrated Maritime Policy for the European Union - COM(2007) 575 of 10 October 2007 ("Blue Paper") as well as relating to the actions embedded in the Action Plan accompanying the Communication on An Integrated Maritime Policy for the Union - SEC(2007) 1278, and the Communications referred to under point A.1 above. In particular, the objective of the proposed legislative act is the continuation of exploratory and operational work relating to options for the further development and concretisation of the policy that has already been initiated, on the basis of preparatory actions and pilot projects. The proposal does not serve to define a new policy or to achieve new goals but it provides the financing basis for an ongoing policy for the remaining time until 2013, in the absence of the possibility to continue financing only through pilot and preparatory projects. In other words, the proposed Regulation serves as a "bridging instrument" covering the remaining time of the current Financial Perspective from 2011 till 2013.