

ROADMAP	
TITLE OF THE INITIATIVE	<b>Proposal for a legislative action of the European Parliament and Council setting a framework for Maritime Spatial Planning (2011/MARE/017)</b>
TYPE OF INITIATIVE	X CWP                      • Non-CWP                      • Implementing act/Delegated act
LEAD DG	MARE
EXPECTED DATE OF ADOPTION	June 2011
VERSION OF ROADMAP	No: 1                      Last modification:                      Month/Year: October 2010

This indicative roadmap is provided for information purposes only and is subject to change. It does not preclude the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.

A. Context, problem definition	
(i) What is the political context of the initiative? (ii) How does it relate to past and possible future initiatives, and to other EU policies? (iii) What ex-post analysis of the existing policy has been carried out and what results are relevant for this initiative?	<p>(i) The initiative fits in the development of the Integrated Maritime Policy, which has set in place a new approach to enhance the optimal development of all sea-related activities in a sustainable manner. It follows up to the "Roadmap on Maritime Spatial Planning: Achieving Common Principles in the EU"<sup>1</sup>, that set out 10 key principles on Maritime Spatial Planning (MSP) and launched discussion on the development of a common approach among Member States encouraging the implementation of MSP at national and EU level. Stakeholders from all relevant maritime sectors endorsed the 10 key principles as being appropriate, comprehensive and an important basis for the development of MSP at European level in workshops organised by the Commission in 2009. The Commission also launched two preparatory actions in the Baltic Sea (as part of the EU Strategy for the Baltic Sea Region) and the North Sea/North East Atlantic, aiming at developing cross-border cooperation aspects of MSP. A Commission Communication reporting on progress made on Maritime spatial planning and providing some options for further action is foreseen towards the end of 2010. An internet based stakeholder survey for future actions will also be launched.</p> <p>(ii) The initiative links to the implementation of the Marine Strategy Framework Directive (MSFD)<sup>2</sup>. Any proposal on MSP would be helpful to the development of the management plans Member States have to develop under the MSFD. It also links to the Commission's policy on Integrated Coastal Zone Management (ICZM)<sup>3</sup>. The underlying principles for ICZM and MSP are similar in that they aim for an integrated approach instead of a sectoral one. ICZM proposes a comprehensive management framework for the whole coastal zone, including environmental policy, spatial planning, industrial policy and other potential instruments.</p> <p>(iii) Not relevant since there is no existing legislation in place at EU level within this field.</p>
What are the main problems which this initiative will address?	<p>Increased activities in EU waters lead to growing competition for limited marine space among human activities and between human activities and environmental aspects. There is a need to balance sectoral interests and achieve sustainable use of marine resources with the ecosystem approach as the underpinning principle and to provide a stable, reliable and future-oriented planning framework for public authorities and stakeholders to coordinate their action and optimise the use of marine space to benefit economic development and the marine environment. If not addressed, the current non-coordinated situation might hamper the growth potential of European maritime sectors.</p>
Who will be affected by it?	<p>Administrations in 22 coastal Member States, maritime industries in all Member States, marine environment, and the EU's society as a whole are all affected by the problem.</p>
(i) Is EU action justified on grounds of subsidiarity? (ii) Why can Member States not achieve the objectives of the proposed action sufficiently by themselves? (Necessity Test)	

<sup>1</sup> [COM \(2008\)791](#) final Communication from the Commission - Roadmap for Maritime Spatial Planning: Achieving Common Principles in the EU  
<sup>2</sup> [Directive 2008/56/EC](#) of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)  
<sup>3</sup> <http://ec.europa.eu/environment/iczm/home.htm>

(iii) Can the EU achieve the objectives better? (Test of EU Value Added)
(i) Yes. There is no intention of interfering with national competence on planning issues, but only to set a common framework for integrated decision-making.
(ii) There is a wide divergence as to the development of national systems for maritime spatial planning; both as regards the advancement and the design of the system. This undermines the possibilities for an efficient management of shared sea areas.
(iii) Yes, action should be taken by the EU to ensure that national systems link up with each other in a way that provides a framework for efficient cross-border cooperation and rational management of the European maritime space.

<b>B. Objectives of the initiative</b>
What are the main policy objectives?
(i) Ensure that Member States provide a stable, reliable and future-oriented integrated planning framework to optimise the use of marine space to benefit economic development and the sustainable use of the marine environment.(ii) Ensure that in doing so, Member States apply a common approach in order to facilitate cross-border maritime spatial planning.
Do the objectives imply developing EU policy in new areas?
It links up with the Integrated Maritime Policy and other existing EU policies in strategic areas, such as energy, transport, environment, fisheries and aquaculture.

<b>C. Options</b>
(i) What are the policy options being considered? (ii) What legislative or 'soft law' instruments could be considered? (iii) How do the options respect the proportionality principle?
(i) The impact assessment will make an evaluation of the full spectrum of alternatives, from no action to detailed legislative measures at EU level. The most feasible options however are either soft law measures or framework rules in a binding legislative act.
(ii) Soft law measures would include actions to encourage and support the use of MSP across the EU, such as studies and projects developing best practices, etc; Recommendation on MSP. The legislative option would be a Directive/Regulation setting the framework for MSP
(iii) The proposed action will set a common EU-level framework for the development of maritime spatial planning by Member States, whilst leaving as much scope for national decision as possible while achieving satisfactorily the objectives.

<b>D. Initial assessment of impacts</b>
What are the benefits and costs of each of the policy options?
Specific benefits and costs of the different policy options cannot be known at this time since the Impact Assessment is about to be launched. Some of the benefits and costs for legislative action are gains in efficiency and transparency in the spatial planning of sea basins, a more sustainable development of the marine environment in application of the ecosystem approach, strengthened implementation of action to manage sea basins, economic benefits and cost savings for national authorities.
Could any or all of the options have significant impacts on (i) simplification, (ii) administrative burden and (iii) on relations with other countries, (iv) implementation arrangements? And (v) could any be difficult to transpose for certain Member States?
(i) The proposed action can lead to simplification since policy streamlining may lead to less and better policy development by Member State.
(ii) This simplification and streamlining would in turn lead less administrative burden on Member State administrations.
(iii) The proposed action would only apply to EU waters and would therefore have no direct impact on the relations with third countries, but could hopefully inspire similar actions in at least third countries which share the same sea basins as EU countries. Such third countries will be informed and consulted through the process.
(iv) N/A
(v) NO

(i) Will an IA be carried out for this initiative and/or possible follow-up initiatives? (ii) When will the IA work start? (iii) When will you set up the IA Steering Group and how often will it meet? (iv) What DGs will be invited?
(i) Initial internal discussions started in June 2010. DG MARE is planning joint impact assessment with DG ENV on the development of Maritime Spatial Planning in conjunction with ICZM. (ii) It will be launched in November 2010. (iii). It will meet for the first time in November 2010 at timings to be decided. (iv) ENV, MOVE, ENER, ENTR, CLIM, SG, AGRI, EMPL, ELARG, JRC, REGIO, RELEX, RTD LS, EEA
(i) Is any of options likely to have impacts on the EU budget above €5m? (ii) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial regulation? If not, provide information about the timing of the ex-ante evaluation.
(i-ii) Based on current estimates, it is not foreseen that the proposed action will have impacts on the EU-Budget.

### E. Evidence base, planning of further work and consultation

(i) What information and data are already available? Will existing impact assessment and evaluation work be used? (ii) What further information needs to be gathered, how will this be done ( <i>e.g. internally or by an external contractor</i> ), and by when? (iii) What is the timing for the procurement process & the contract for any external contracts that you are planning (e.g. for analytical studies, information gathering, etc.)? (iv) Is any particular communication or information activity foreseen? If so, what, and by when?
i) Study on legal aspects of MSP; Study on economic benefits of MSP (finalised at the end of March 2010); Study on the potential for applying MSP in the Mediterranean finalised mid-October 2010); results of the workshops debating MSP with stakeholders, organised by the Commission in 2009. Publically available studies can be found on the website of DG Mare  (ii) Further analysis of impacts of the foreseen action on MSP, in particular socio economic and ecological impacts.  (iii) By second quarter of 2011.  (iv) MARE/E/1 participated at the European Maritime Day 2010 in two seminars on Maritime Spatial Planning with the attendance of targeted public. Participation by MARE/E/1 is also foreseen to events organised by relevant stakeholders on this topic. At least a press statement by the Commissioner will also be envisaged in connection with the adoption of this initiative.
Which stakeholders & experts have been or will be consulted, how, and at what stage?
Member States experts; maritime industries such as the fishing industry, the offshore wind industry, oil and gas industry, transport industry and so on; environmental institutions; economic and environmental researchers; Regional Sea Conventions such as OSPAR, HELCOM, the Barcelona convention and the Bucharest Convention.  Accomplished/ongoing: By means of discussion at the workshops; Member State expert group meetings of DG MARE; through contracting studies and consultation of experts carried out by the contractor delivering those studies.  Planned: Online stakeholder consultation to be launched end 2010 or early 2011; continue dialogue with Member State expert group meetings of DG MARE; additional studies to be launched in first half 2011.