

Mr José Manuel Barroso  
President of the European Commission

21 May 2013, No. 1-6/13-58/4

**Opinions on the proposal establishing a framework for maritime spatial planning and integrated coastal management**

Dear Mr Barroso

The European Union Affairs Committee of the Riigikogu discussed the proposal for a Directive of the European Parliament and of the Council establishing a framework for maritime spatial planning and integrated coastal management, COM(2013)133, at its 17 May 2013 sitting. Although the European Union Affairs Committee remained of the opinion that the proposal conforms with the principles of subsidiarity, various questions were raised during the discussion on the added value and implementation term of the proposal. We therefore ask the European Commission to take into account the following Estonian positions, as approved by the European Union Affairs Committee of the Riigikogu, when continuing the relevant negotiations:

1. Recommendation to support the general objective of the proposal – to establish a framework for maritime spatial planning and integrated coastal management in the waters and coastal areas of the European Union – on the condition that the proposal will keep to its objective of only regulating cooperation between the Member States and third countries in establishing plans and strategies, and will not prescribe which sectors are to be included in plans and strategies by Member States. Cross-border cooperation must be treated in the proposal only to the extent that it is not already regulated by existing international or European Union legal acts.
2. Recommendation to support the introduction of the obligation to consult with Member States. Consultation should not be compulsory for all plans and strategies. Member States should be provided with an opportunity to consider whether the activities set out in plans and strategies have cross-border effects or not and which countries will be affected. The proposal must not duplicate the provisions of the Directive 2001/42/EC (assessment of the effects of certain plans and programmes on the environment).
3. Recommendation to support the introduction of the obligation to coordinate with third countries only on condition that the article will be worded in a way which will not make coordination of plans and strategies with third countries a binding obligation but will be based on the obligation of Member State to notify the third country.
4. Recommendation to support the right of the Commission to adopt implementing acts on the sharing of data and on interfacing with data management and collection, as well as on the cross-border cooperation modalities.
5. Recommendation not to support the specification of sectors by this Directive, nor the setting of objectives for establishing maritime spatial planning and integrated coastal management strategies; instead, Member States must be allowed to independently set out priority objectives in their plans and strategies according to the needs of different zones.
6. Recommendation not to support the right of the Commission to adopt operational steps for the establishment and reporting on maritime spatial plans and integrated coastal management strategies concerning coherence of reporting obligations under this Directive with other relevant

Union legislation, monitoring and revision cycles, and public consultation. Public participation is already thoroughly regulated by Directive 2003/35/EC (public participation in respect of the drawing up of certain plans and programmes relating to the environment).

7. Recommendation not to support the obligation set for Member States to establish maritime spatial plans and integrated coastal management strategies within a period of 36 months after the entry into force of this Directive, as it is impossible to respect this term because of the length of the planning process, incl. the participation process. Recommendation to support the objective set out in the national development plan Estonian Maritime Policy 2011–2020 which provides for Estonian maritime areas to be planned by the year 2020.

Cordially yours,

(signed digitally)

Arto Aas

Chairman of the European Union Affairs Committee