

MSP Directive Implementation Support Strategy

1. OBJECTIVES:

- Share information and work towards a more coherent understanding between Member States and the European Commission on the interpretation of certain articles; Develop informal guiding and supporting documents on key aspects of the Directive to aid and promote best practice.
- Inform and involve the public and promote public and stakeholder awareness on the key elements of the Directive;
- Promote coherence between the implementation of the Directive and sectoral and structural policies; Promote support from MSP for those policies, keeping the implementation support strategy as a springboard for informal co-operation;
- Foster integrated application of cross-cutting principles of the Directive;
- Help build capacity in Member States for an effective implementation of the Directive;
- Promote cooperation between member States; Promote a coherent approach towards Third Countries regarding their involvement into MSP.

This document and any other that will be produced by the group will have an informal and non-legally binding character.

2. ELEMENTS OF THE IMPLEMENTATION SUPPORT STRATEGY

1. Transposition	
1.1. Transposition plan	<ul style="list-style-type: none"> – Transposition checklist An informal transposition checklist could provide guidance in the process of transposition of the Directive. The transposition checklist should reflect the letter of the Directive and include some practical examples for illustrative purposes. – Meetings with Member State authorities The Commission will organise regular meetings with national authorities, stakeholders, NGOs, and other Commission services to address implementation issues. Transposition will also be a systematic point on the agenda of the MSP MSEG. Member States will be encouraged to consult the Commission on their draft implementing measures on an informal basis.
2. Activities to support implementation	
2.1. Member States Expert Group on MSP	Member States and the Commission would benefit from a common forum to discuss the transposition and implementation of the Directive. So far, the Member States Expert Group on MSP has provided good input to the development of MSP support at EU level. The Commission is revising the

	<p>Rules of Procedure of the Informal Group of experts to support cooperation on implementing the Directive.</p> <ul style="list-style-type: none"> – Exchange of best practices and update on transposition/implementation <p>The Expert Group will provide a forum for the Member States to discuss the progress of transposition and implementation. It is important that transfer of knowledge and experience is achieved between Member States that have already implemented MSP and those who will have to do so in a limited time. The Expert Group is not intended as a new formal forum for decision-making.</p> <ul style="list-style-type: none"> – Guidance on technical issues <p>The expert group will be tasked to prepare specific, non-binding, guidance for the main issues linked to MSP implementation as agreed by the Member States themselves, to aid more coherent understanding of its provisions while respecting the specificities of each. On the basis of drafts provided by the Commission (with the support of consultants when need be), Member States will dedicate meetings of the MSEG to each issue until there is consensus that the documents have reached such coherent understanding.</p> <p>Guidance could be developed specifically for the following issues:</p> <ul style="list-style-type: none"> ○ Ecosystem-based approach ○ Land-sea interactions ○ Data collection, use of data and identification of knowledge gaps ○ Mechanism for cross-border cooperation ○ Common approach to Third Country involvement ○ Cross-sectorial cooperation ○ Public participation and stakeholders engagement ○ Best practices in monitoring and evaluation process <ul style="list-style-type: none"> – Website <p>Member States experts will be able to use the MSP page of the Commission's Maritime Forum as a discussion page and to exchange documents.</p>
<p>2.2. High Level Focal Point on IMP</p>	<ul style="list-style-type: none"> – Meetings of the High Level Focal Points <p>Once under each Presidency, the HLFP on IMP meets to discuss the orientations of the IMP. It may be useful to use the HLFP as a high-level forum to informally discuss progress on the MSP Directive and documents related to the Implementation Support Strategy.</p>
<p>2.3. Assistance mechanism</p>	<p>In August 2014, The Commission has launched a Call for Tenders concerning an Assistance Mechanism for the implementation of MSP. The Assistance Mechanism, run by a contractor, will provide technical and administrative support to Member States and the Commission to implement the Directive.</p> <ul style="list-style-type: none"> – Technical support for Member States <p>One of its main tasks is to provide assistance to Member States. It will disseminate practical information on the implementation of MSP, bring together operational summaries of best practices for each requirement of the</p>

	<p>Directive and manage the MSP pages of the Maritime Forum accordingly. The Assistance Mechanism will be made of Focal Points for the different Sea-basins (Baltic, North Sea, Atlantic, Western and Eastern Mediterranean and Black Sea) to be able to answer Member States/NGOs/Industries' questions at short notice.</p>
	<p>– Pro-active project development</p> <p>The Assistance Mechanism will also bring potential project partners together and advise them on the use of EU financial instruments for projects implementing MSP, especially structural funds.</p>
	<p>– Support for the European Commission</p> <p>The Assistance Mechanism will provide technical and administrative support to the European Commission for the organisation of workshops, conferences and to run the Member State Expert group on MSP.</p>
<p>2.4. Studies</p>	<p>– Studies DG MARE</p> <p>The Commission will launch different studies where a gap in knowledge has been identified by the Commission and the expert group. The intention is to propose solutions to make existing marine data more easily useable to marine planners. The Commission also intends to enhance international exchanges on MSP and, in March 2015, will launch a study on international best-practices in cross-border planning.</p>
<p>3. Specific priorities</p>	
<p>3.1. Cross-sectoral cooperation</p>	<p>Implementation of the Directive should aim to facilitate the involvement of all maritime sectors, without prejudice to the concrete choices of Member States about how to pursue the sectoral policies. This will require capacity building with stakeholders and within Member States. Commission services will need to increase cooperation on MSP and better coordinate to facilitate the integration of the spatial dimension of sectoral policies MSP implementation.</p> <p>– Conference on MSP and maritime sectors + guidance</p> <p>The Commission has been conducting a series of conferences on the benefits and challenges of MSP for specific sectors (energy, fisheries, transport, tourism, and environment). The information accumulated will be brought together in user-friendly documents for those industries and for planners.</p> <p>– Energy</p> <p>DG MARE and DG ENER are working together on the links between MSP and the development of offshore energy infrastructures. Both services are elaborating options for joint work, including Preparatory Action on energy and MSP in the North Sea.</p> <p>– Environment</p> <p>DG ENV will ensure that the implementation of the MSP Directive is coherent with the implementation of the MSFD, which have similar timing schedules. Member States have to establish Programmes of Measures (in 2015 and then again in 2021) to address human activities that have an impact on the environment and to maintain or achieve Good Environmental Status. Decisions taken through the establishment of the plans should be</p>

	<p>coherent with the MSFD.</p> <p>– Marine Protected Areas MSP offers benefit for a better implementation of MPAs, applying a comprehensive approach where management measures are defined taking socio-economic perspectives on board. Experience shows that management and enforcement of MPAs may be more efficient when all sectors are involved from the start in discussing, establishing and implementing the necessary measures. The Commission will work closely with Member States, stakeholders and NGOs in promoting the possible integration of established legislative objectives into their plans (e.g. Natura 2000). A special focus will be given to the economic benefits of MPAs as part of the planning process.</p> <p>– Fisheries The implementation of MSP requires a change of mentality in the fisheries sector: e.g. taking a multi-sectorial approach, from stock-based to ecosystem-based policy. The Commission will promote engagement of the sector in MSP, especially by increasing the involvement of the Regional Advisory Councils (RACs) in cross-border MSP. The Commission intends to prepare a strategic assessment of data use to enable a better inclusion of fishing activities in plan – specific reflection to be conducted on VMS and AIS data and MSP¹.</p> <p>– Aquaculture Strengthening links between MSP and aquaculture is one of the objectives of the strategy for the sustainable development of European aquaculture. The lack of space is often cited as a hindering factor for the expansion of marine aquaculture and can be overcome by identifying the most suitable sites amenable for aquaculture through MSP. The Commission will work with Member States to enable the use of MSP implementation in reaching the goals of the aquaculture strategy.</p> <p>– Maritime transport Following the successful MSP & shipping event in June 2014, The Commission will explore opportunities to work further on MSP and maritime transport. The outcome of the Mona Lisa 2.0 project on planning should give options for further work on the links between dynamic and proactive route planning and MSP. Practical information could be issued on the re-routing of shipping lanes or on the placement of MSP limitations on sea space.</p>
<p>3.2. Cross-border cooperation</p>	<p>– Cross-border projects The Commission has launched Call for Proposals for cross-border projects on MSP in August 2014. Every year, 3 projects will be launched for 2 years, beginning with Baltic, North Sea and Black Sea in 2014 and Atlantic, Western and Eastern Mediterranean in 2015. In 2016, there will be a new Call for the first 3 sea basins and so on, so that all sea basins should always be covered by a Call until 2020. The aim is to provide funding for Member States to launch their planning and to put into place structures for cross-border planning. The proposals should demonstrate that they are used to</p>

¹ Any document produced on fisheries data and MSP will be in line with existing legislation regarding data protection.

	<p>implement the requirements of the Directive.</p> <ul style="list-style-type: none"> – Sea basin strategies <p>Some sea basin strategies already include MSP as a priority. Where required by member States, sea basin strategies should be used to help involve all maritime sectors where cross-border cooperation is limited.</p>
<p>3.3. Data management</p>	<ul style="list-style-type: none"> – Spatial marine data infrastructure <p>Existing marine databases present challenges for planners (e.g low resolution, lack of accuracy, lack of spatial attribution, restrictions on access, fragmentation, gaps, age of data, and differences in methodology...). Marine data must be made more easily usable for planners and a focus should be developed on spatial needs and spatial impacts. Data provided need to include economic, social as well as environmental information. Data need to include a short as well as long term perspective, also forecasting future environmental, social and economic trends. Regarding data collection, existing structures should to the furthest extent be used, and, where needed and as decided by Member States, further developed. Regarding data management, existing data bases should be used to make the most efficient use of existing resources. Synergies with existing information and data management processes and systems should be fostered (i.e. EMODnet, INSPIRE, and information from Regional Sea Conventions). Enhanced co-operation on sea basin level is crucial. Exchange of experiences and identification of data gaps needs to be given attention.</p>

3. TIMELINE

<p>2015</p>	<ul style="list-style-type: none"> – 15/16 January 2015, MSEG, The Hague – 29 January 2015: Regional cooperation on energy and maritime spatial planning in the North Sea, Edinburgh – March: launch of the projects on cross-border planning in the Baltic Sea – April: launch of the Assistance Mechanism and of the study on data and knowledge gap – April: meeting with NGOs for informal exchange on the implementation of the Directive – 21 and 22 April: Joint meeting of the MSP and ICM MSEGs in Brussels: Ecosystem-based approach, land-sea interactions and update on transposition – 28 and 29 May 2015: European Maritime Day in Piraeus – 4 and 5 June: MSEG in Lisbon – October 2015: Conference on MSP and the environment in the Azores and MSEG – December: launch of the projects on cross-border planning in the Atlantic, Western and Eastern Mediterranean
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