The purpose of this Study is to support measures towards the establishment of the European Marine Observation and Data Network (EMODNET), which was proposed in the Blue Book on an integrated maritime policy for the European Union[1]. The Blue Book was accompanied by an Action Plan[2] in which the European Commission proposed the preparation by 2009 of an EU action plan to make progress in this area. The Commission has been invited to come forward with the initiatives on the proposals contained in the Action Plan.

Large quantities of data relating to the marine environment are collected and stored all over Europe for a wide variety of purposes and by a variety of public and private entities. Such data, which record a wide range of natural and human-activity in and around the oceans, are a key pre-requisite for effective strategic decision-making on maritime policy. At the same time, these data, and the research they relate to have a major role in promoting the development of economic activities relating to the maritime sector and the creation of new industrial products and services.

The one-year consultation process that followed the release of the Green Paper on a Future Maritime Policy for the European Union[3], revealed stakeholder concerns that the present poor access to marine environmental data was a brake on the economy, a handicap to government decision making and a barrier
to scientific understanding.

An earlier Study[4], prepared under the same Service Framework Contract as the present Study, examined the existing legal restrictions on improved flows of marine environmental data. In outline, that Study found that notwithstanding the adoption of a number of instruments at Community level, intended to promote both access to marine environmental data and the re-use of public sector data at a fundamental level the existing legal frameworks leave question of data use and re-use to be determined on the basis of the data policies of individual data holders in accordance with the intellectual property rights that they hold over such data, primarily copyright.

Building on the earlier Study, the present Study seeks to assess the economic benefits of moving towards a regime for the sharing and multiple use of marine data and to evaluate the legal options of such a regime. More specifically the Terms of Reference (ToR) for the present Study specified that four separate tasks were to be undertaken. These are: (a) Task One, an analysis of present marine data collection infrastructure; (b) Task Two, an assessment of how much time and money is spent by various public and private data user organisation on different types of marine data; (c) Task Three, an evaluation of the benefit of reducing uncertainty (in other words the opportunity cost of uncertainty) in connection with sea-level rise; and (d) Task Four, an analysis of the legal instruments that the EU could deploy for the establishment of EMODNET.


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