



**European Committee
of the Regions**

ENVE-VII/015

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OPINION

Local and regional authorities protecting the marine environment

THE EUROPEAN COMMITTEE OF THE REGIONS

- is deeply concerned that the EU's marine environment did not achieve Good Environmental Status by 2020 and strongly supports the Commission proposal to create a coherent network of effectively managed Marine Protected Areas covering 30% of EU seas, including through fish stock recovery areas, as provided for under the Common Fisheries Policy, and areas where the most destructive fishing techniques and economic activities are restricted;
- stresses the need to recognise the role of subnational authorities in the MSFD implementation; and calls on the Commission to propose rules for MSs on how to integrate these authorities into the process of identifying, designing and planning measures, clarifying responsibilities and fostering more engagement and ownership from subnational authorities;
- calls on the Commission to propose an ocean law, in the same spirit as the climate law;
- urges the Commission to include clear, measurable targets with accompanying deadlines in its action plan to conserve fisheries resources and protect marine ecosystems in line with the UN CBD COP15's post-2020 global biodiversity policy framework, which is to be published in 2021;
- stresses that the true value of nature and biodiversity needs to be fully taken into account when we rebuild our economy through green recovery and resilience plans; underlines that investments in the marine environment can bring short-term socio-economic and medium- to long-term environmental benefits;
- calls on the Commission to put subsidiarity into action and create a 2030 European Marine Biodiversity Task Force, i.e. a pool of operational environmental project managers available to subnational authorities;
- strongly believes that all kinds of harmful subsidies in fisheries that contribute to excess fishing capacity, overfishing, climate change and ocean acidification must end and calls for a removal of the exemption for fuel used in fishing in the Energy Taxation Directive;
- calls on the Commission to propose EU rules on quota obligations for recycled nutrients in fertilisers marketed in the EU.

Rapporteur

Emma NOHRÉN (SE/Greens), Vice-Mayor of Lysekil Municipality

Reference document

Portuguese Presidency of the Council

**Opinion of the European Committee of the Regions –
Local and regional authorities protecting the marine environment**

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

1. welcomes the referral by the Portuguese Presidency of the Council on the role of local and regional authorities (LRAs) in protecting the marine environment;
2. is deeply concerned that the EU's marine environment did not achieve Good Environmental Status (GES) by 2020, as required by the Marine Strategy Framework Directive (MSFD), and in line with the EU commitment to the 2017 UN Ocean Conference;
3. recalls that healthy seas are critical to the planet for life-supporting functions such as production of oxygen, climate regulation, food production and many other ecosystem services;
4. notes that coasts are the most densely populated areas in the EU and are also home to a wide variety of organisms; fish need nursing and feeding grounds in these fragile marine ecosystems in order to grow and develop; is concerned about fish stocks, including commercially exploited stocks, as the pressure on coastlines for urban development and tourism is increasing;
5. warns that the state of the Union's coasts and seas is further exacerbated by pressure from climate change and ocean acidification, altering the seas' physical and chemical characteristics towards planetary boundaries where irreversible changes to ecological conditions for life on Earth occur;
6. supports the goals and targets to protect biodiversity in the EU Green Deal and the EU Biodiversity Strategy for 2030; emphasises that oceans' vital role for the EU must be better visualised and highlighted; urges the Commission to include clear, measurable targets with accompanying deadlines in its action plan to conserve fisheries resources and protect marine ecosystems in line with the UN CBD COP15's post-2020 global biodiversity policy framework, which is to be published by 2021¹; recalls that the key role of our oceans and coasts in climate change mitigation and adaptation strategies should be adequately factored into the solutions proposed²;
7. stresses that 94% of EU citizens believe that protecting the environment is important³, which underscores that environmental protection needs to be fully integrated into public decision-making at all levels, in a systematic, cross-sectorial approach;

1 [COM\(2020\) 380 final](#).

2 As highlighted by the IPCC [Special Report on the Ocean and Cryosphere in a Changing Climate](#)

3 [\(EC, 2017b\) EEA Report 17/2019: Marine messages II](#)

8. believes that the pandemic and its restrictions further demonstrate the significance of nature for recreation, health and mental well-being; stresses that the true value of nature and biodiversity needs to be fully taken into account when we rebuild our economy through green recovery and resilience plans; underlines that investments in the marine environment can bring short-term socio-economic and medium- to long-term environmental benefits by, among others, actively restoring marine ecosystems, scaling up remote electronic monitoring (REM) and stopping plastic pollution at its source⁴;
9. emphasises that, in order to successfully restore biodiversity and halt environmental degradation, it is essential to establish a true circular economy based on responsible production, with clear goals for reuse of goods, reduction of consumption and recycling of materials, which would substantially cut down the use of new raw materials; firmly believes that the intertwined climate, biodiversity and resource-use crises should be tackled together;
10. underscores that the ecosystem-based approach, and the precautionary and polluter-pays principles are the core policy principles for governing EU legislation on the marine environment;
11. believes that it is time to act, by both correcting structural problems regarding MSFD implementation and, at the same time, kick-starting actions that can unleash local and subnational authorities' untapped potential to protect the EU's marine environment;

Improving MSFD implementation with LRAs' contribution

12. points out that many policies and decisions taken by authorities at local or subnational level regarding planning and granting of authorisations for human activities such as urban construction, transport projects, waste water treatment, waste management, industrial production, farming, energy production, etc. have an impact – directly or indirectly – on the quality of water, seas and marine biodiversity, both in coastal areas and at sea; therefore, protection of the environment needs to be factored into all public decision-making models; stresses that green public procurement can play a key role in helping communities and regions become resource efficient and environmentally sustainable;
13. commends the many municipalities and regions that already cooperate with each other on a number of successful measures to improve the marine environment, and expects Member States to fully take note of these efforts and integrate them into the planning and assessment of their national marine environment strategies; reiterates that Member States are responsible for ensuring continuity, coordination and cooperation in their marine environment strategies to strengthen and improve vertical coordination between national, subnational and local authorities;
14. observes that many municipalities and regions are not aware of their right to act, nor of their duties with regard to the implementation of the MSFD; calls on each Member State to assess the procedures they have put in place to achieve the objectives of the MSFD and clarify

⁴ See https://www.birdlife.org/sites/default/files/turning_the_tide_june2020_1.pdf

responsibilities between different decision-making bodies and inform them thereof, with the aim of ensuring the strategy's effectiveness and efficiency;

15. stresses the need to recognise the role of local and subnational authorities in the implementation of the MSFD; calls on the Commission to propose rules for Member States on how to integrate these authorities into the consultation procedure and into the process of identifying, designing and planning measures, clarifying responsibilities and fostering more engagement and ownership from LRAs;
16. notes a willingness from companies to support tangible restoration projects; underlines the importance of continuity and a long-term vision in the marine strategy, also at local level; believes that establishing a clear and transparent direction for the marine strategy creates opportunities for businesses to invest;
17. takes note of the Commission's efforts to harmonise, between Member States, as well as with their neighbouring non-EU countries, standards, processes, threshold values and reporting linked to water and biodiversity under various pieces of EU legislation;
18. supports further cooperation with the Regional Sea Conventions; underscores that a shared regional understanding of what constitutes GES is crucial; firmly believes that a harmonised approach and synchronised reporting will ultimately create synergies and save resources; calls on the Member States to support and commit to this pursuit of a harmonised and robust data collection system;
19. underscores that long-time data series are crucial to discovering slow changes in the environment, tracking drivers of ecosystem degradation and evaluating actions and measures;
20. recommends that Member States involve coastal municipalities and regions, which have local knowledge, in the collection and assessment of data; advocates an open mind to citizen science;
21. compliments the Commission for its publically available WISE Marine web portal⁵ which, among other things, contains information on the status of each descriptor as reported by Member States; the latter should, without further delay, improve electronic reporting;
22. understands that the first implementation cycle of the MSFD has been a complex exercise and a challenge but underlines that, without defined threshold values and clear, ambitious and measurable goals, progress will never be made; therefore urges such targets to be defined without further delay;
23. stresses that the achievement of the MSFD is totally dependent on successful implementation of the Water Framework Directive and the Urban Waste Water Directive; therefore asks the Commission to investigate how to improve coordination and coherence between the Directives and propose guidance for Member States on how to coordinate the implementation of the Directives;

⁵ <https://water.europa.eu/marine>

24. sees a need for coherent management of maritime space between different stakeholders; underlines that the ecosystem-based approach is the basis for the implementation of the Maritime Spatial Planning Directive, with the aim of enforcing management decisions that help to achieve GES;

Untapping LRAs' potential

25. suggests that coastal communities and regions seize the opportunity to boost the local economy, create new jobs and at the same time improve the state of their coastal waters by using the European Maritime Fisheries and Aquaculture Fund, LIFE and other EU funds for measures and projects that contribute to the objectives of the MSFD;
26. points out that results of locally implemented measures need to feed into the assessment of the national marine strategy; stresses that measures preferably should be long-term, since results take time, due to slow recovery in the marine environment; notes that financial means must be secured for a proper long-term assessment;
27. notes that tourism is one of the major economic sectors in coastal regions; stresses that sustainable tourism needs to take a holistic view by also taking into account the well-being of local residents and "life below the surface";
28. points out that plastic litter and underwater noise from tourism can have the biggest impact on marine animals, and therefore underlines the importance of preserving nature and marine life, which are the main attractions of the coast; encourages coastal communities to promote ideas like "silent bays" for kayaking or motorboat-free zones, combining the well-being of local residents with that of its "life below the surface" inhabitants;
29. notes that environmentally differentiated port fees can be an efficient way for coastal regions to improve the environment, and reduce emissions to air and water, as well as waste and noise;
30. calls for coastal municipalities and regions to be consulted on decisions regarding ship routing;
31. believes that well-managed combined land/sea protected areas can enhance protection of the fragile transition zones between land and marine environments and, at the same time, increase the attractiveness of coastal regions as centres for recreation and sustainable tourism;
32. points out that landlocked communities and regions are also dependent on the oceans for life-supporting functions, as well as for food, recreation, transport, energy, etc. and are likewise responsible for pollution that occurs upstream;
33. encourages municipalities and regions to launch their own initiatives and cooperate between themselves, also at cross-border level, as well as with upstream regions, to identify and design measures to address particular problems such as plastic pollution, excess nutrients, polluted run-offs, excessive boat traffic or whatever problem needs to be addressed; reiterates that EU funds are available to support such initiatives;

34. is ready to support any initiative undertaken to establish "EU cities for Healthy Oceans", a platform for EU cities to jointly address the causes of loss of marine biodiversity and degradation of the marine environment;
35. points out that land-sea interactions and the interconnectivity between different policy areas are complex matters in relation to marine conservation, which poses a challenge to most local and subnational authorities with limited capabilities, human resources, time and money;
36. strongly believes that providing local and subnational authorities with knowledge-sharing support, technical assistance and resources can unleash the untapped potential of more ambitious actions and measures at subnational level for more efficient implementation of the MSFD;
37. suggests using relevant EU funds and creating an outreaching "EU Ocean Academy" consisting of young scholars from all Member States with good communication skills who, in cooperation with universities, inspire and continuously disseminate new knowledge and information about the importance of healthy oceans, the links between the marine environment and other policies, possible measures and best practices;
38. calls on the Commission to put subsidiarity into action and create a 2030 European Marine Biodiversity Task Force consisting of a pool of operational environmental project managers who will be at the disposal of subnational authorities to enable them to launch voluntary projects and measures to address a particular problem in a specific marine subdivision or land-based area; suggests that this task force could help the co-managing regions acquire the right skills by contracting experts, as well as providing operational support with planning and organisation, and advising on projects and how to apply for EU funding;

Where the EU needs to ensure a level playing field

39. welcomes the objectives of the Farm to Fork Strategy to reduce pesticides and nutrients, and notes that one of the main sources of eutrophication in EU seas is agricultural fertilisers. It is of the view that the new targets must ensure environmental, economic and social sustainability;
40. emphasises the importance to the marine environment of the effective implementation of an ambitious EU Zero pollution action plan for water, air and soil to be published in May 2021;
41. understands that nitrogen and phosphorus as nutrients are vital raw materials and that phosphorus is included in the EU's list of critical raw materials; has been informed that nutrients can be efficiently recycled from waste water treatment and can replace virgin raw material from mining; calls on the Commission to propose EU rules on quota obligations for recycled nutrients in fertilisers marketed in the EU;
42. strongly supports the Commission proposal to create a coherent network of effectively managed Marine Protected Areas (MPAs) covering 30% of EU seas, including through fish stock

recovery areas, as provided for under the Common Fisheries Policy (CFP), and areas where the most destructive fishing techniques and economic activities are restricted;

43. agrees with the objective that 10% of EU seas must benefit from a high level of protection, including areas where all catches and all economic activities are prohibited, i.e. no-take zones; stresses that the MPA network must be representative of the diversity of EU marine ecosystems; emphasises that each MPA needs to have a management body and a management plan with clear conservation objectives, measures and appropriate monitoring;
44. is alarmed by the poor protection and insufficient monitoring and control provided in current EU MPAs; observes that, according to the EEA⁶, less than 1% of MPAs in the EU could be considered marine reserves with full protection; notes that many human activities are often not regulated in MPAs, such as offshore oil extraction, extraction for minerals, dredging, maritime traffic, fishing and aquaculture etc.; requests restrictions on the most destructive activities in MPAs, on a coherent network level;
45. points out that large parts of EU environmental legislation such as the MSFD and the Nature Directives have not been sufficiently implemented according to a report by the Court of Auditors⁷ and that, given the state of the marine environment, stricter conservation measures are needed; urges the Commission and Member States to increase efforts to implement the respective measures with a view to enabling more efficient protection of the marine environment;
46. underlines that, since 2013 and the CFP reform, we have become acutely aware of how climate change and ocean acidification affects the oceans and how rapidly these changes occur; believes that we can no longer focus solely on maximising fisheries yields as the core objective of EU fisheries management; firmly believes that the objective must be to allow fish populations to be restored to levels above those that allow them to fulfil their crucial role in marine ecosystems to include a buffer for the increasing impact of stressors such as climate change and biodiversity decline so that those ecosystems can continue to provide critical services such as oxygen production, climate regulation, carbon storage and food provision;
47. strongly believes that all kinds of harmful subsidies in fisheries that contribute to excess fishing capacity, overfishing, climate change and ocean acidification must end; calls for greater support for research and innovation to help reduce the environmental footprint of Europe's shipping fleet, in particular by developing alternative fuels that could be used in existing boats; as well as by removing the exemption for fuel used in fishing in the Energy Taxation Directive;
48. draws the attention to the slow recovery of vulnerable deep-sea ecosystems and therefore the need to effectively implement the EU Deep Sea Regulation; recalls the requirement to cease fishing with bottom-contacting gear below 400 metres in areas where vulnerable marine ecosystems (VMEs) are known to exist or are likely to occur; urges the bottom fisheries

⁶ See Box 3.2 of [EEA Report 17/2019: Marine messages II](#)

⁷ [Court of Auditors' special report 26/2020: Marine environment: EU protection is wide but not deep.](#)

footprint be delineated in areas between 400 and 800 metres' depth, and to close areas where vulnerable marine ecosystems are known or likely to occur;

49. urges the Commission to strengthen the implementation of the ecosystem-based approach to fisheries management, including by increasingly applying multi-species approaches, in order to minimise the negative impacts of fishing activities and other factors, such as climate change, on marine ecosystems, fish populations and society and to ensure ocean resilience to climate change; reiterates that fully documented fisheries and quality data is key to improving fisheries management; calls on the Commission and the Member States to take the necessary steps in order to improve data collection on recreational fisheries, considering their environmental impact and socio-economic value;
50. welcomes the Commission's EU Climate Law proposal; highlights the key role the oceans play in regulating the Earth's climate and in providing us with life-supporting functions; stresses that oceans are being put under severe pressure and that they are fast deteriorating; therefore calls on the Commission to propose an ocean law, in the same spirit as the climate law;
51. strongly believes that putting into action the proposals in this opinion could unleash LRAs' potential with regard to MSFD implementation; the EU must demonstrate leadership in the preparatory process of the post-2020 global biodiversity framework and its implementation; but also in relation to UN Sustainable Development Goal 14: conserve and sustainably use the oceans, seas and marine resources;
52. urges the Commission to intensify efforts to achieve balance between fishing fleet capacity and fish stocks, using the tools in the CFP and the EMFAF regulations in a more coordinated and active way;
53. is deeply concerned by the growing use of scrubbers by ships as a way to meet the reduced sulphur emission limits; points to the fact that the discharge water from scrubbers contains highly toxic substances with long-term impact on the marine environment, causing bioaccumulation, acidification and eutrophication, calls on the Commission to propose a ban on the discharge of scrubber water within the EU, as well as measures to incentivise the use of alternatives to heavy fuels in shipping;
54. calls on the Commission to establish an Ocean Fund, as proposed by the European Parliament in its report on Global data collection system for ship fuel oil consumption data, amending Regulation (EU) 2015/757⁸, with the aim of improving the energy efficiency of ships and supporting investments in innovative technologies and infrastructures to decarbonise the maritime transport sector and the deployment of sustainable alternative fuels that are produced from renewables and of zero-emission propulsion technologies; supports that the proposal to use 20% of the revenues under the Fund to contribute to the protection, restoration and better management of marine ecosystems impacted by global warming, such as marine protected areas;

⁸ <https://eur-lex.europa.eu/eli/reg/2015/757/oj>

55. calls on the Commission in its review of the Directive of recreational craft and personal watercraft to adopt ambitious limits for exhaust and noise emissions, including emissions both above and below surface; urges the Commission to include electrically driven engines in the scope of the Directive;
56. is deeply concerned by the irreversible environmental pollution caused by the release of microplastics into the environment; points to the fact that the costs of cleaning microplastics from water are borne by local authorities, water treatment plants and water supply companies; therefore calls on the Commission to adopt strict mandatory regulatory measures to reduce the unintentional release of all microplastics at source and a general phase-out of intentionally added microplastics, including nanoplastics and biodegradable and soluble polymers;
57. highlights that sports pitches are one of the largest contributors of intentionally added microplastics released into the environment and that it is mainly local communities and municipalities who carry the costs for measures to mitigate such leakage; underlines that several natural alternatives to rubber granules exist and therefore calls on the Commission to adopt a ban to all new granular infill for sport pitches, with a six-year transition period;
58. recognises deposit return schemes as efficient tools to reach the mandatory target of a 90% collection rate of plastic beverage containers by 2029, as set in the EU Single Use Plastics Directive; calls on Member States that do not yet have a deposit return scheme for plastic beverage containers to establish one and suggests that they draw on successful experiences from neighbouring Member States; calls on the Commission to guide Member States to use compatible national deposit return schemes, as a step towards a single market for packaging.

Brussels, 7 May 2021

The President
of the European Committee of the Regions

Apostolos Tzitzikostas

The Secretary-General
of the European Committee of the Regions

Petr Bližkovský

II. PROCEDURE

Title	Local and regional authorities protecting the marine environment
Reference(s)	Council presidency referral
Legal basis	41.b) (i)
Date of Council/EP referral/Date of Commission letter	30 November 2020
Date of Bureau/President's decision	
Commission responsible	Commission for Environment, Climate Change and Energy
Rapporteur	Emma Nohrén (SE/Greens), Vice-Mayor of Lysekil Municipality
Analysis	16 February 2021
Discussed in commission	26 March 2021
Date adopted by commission	30 March 2021
Result of adoption in commission	Unanimity
Date adopted in plenary	7 May 2021 by unanimity
Previous Committee opinions	<ul style="list-style-type: none">• Better protecting the marine environment (2015/C 260/02);• European Strategy for Plastics in a Circular Economy (COR 2018/925);• Proposal for a single-use plastics directive (COR 2018/03652);• Action Plan for a Maritime Strategy in the Atlantic Area – Delivering Smart, Sustainable and Inclusive Growth (2018/C 164/13);• Proposed directive for maritime spatial planning and integrated coastal management (2013/C 356/18);• European Maritime and Fisheries Fund (EMFF) (2012/C 391/10).
Date of subsidiarity monitoring consultation	