Executive Summary

Opportunities and Challenges in the EU and US for Marine Governance Integration

Brief prepared by:

Ecologic Institute

Emily McGlynn, Sandra Cavalieri, Andrew Reid

8 June 2011

CALAMAR
Cooperation Across the Atlantic for Marine Governance Integration

About CALAMAR

The Cooperation Across the Atlantic for Marine Governance Integration (CALAMAR) project aimed to strengthen networks among key maritime stakeholders in the EU and US, and contribute policy recommendations to improve integration of maritime policies and promote transatlantic cooperation. The project convened a dialogue including more than 40 experts from both sides of the Atlantic. The CALAMAR project began in January 2010 and culminated in a final conference in Lisbon, Portugal on April 11-12, 2011 where the Working Groups' conclusions were presented. Two reports were developed to complement the dialogue by providing background information and assessments that: 1) compare EU and US maritime policy, and 2) identify opportunities and challenges for integrated maritime governance. A third report lays out policy recommendations for improved transatlantic cooperation in maritime governance based on the recommendations selected by the working groups throughout their discussions over the course of the CALAMAR project. All project reports are available on the project website at the following link: http://www.calamar-dialogue.org/.

The following report is the executive summary of the second of the two reports developed to complement the dialogue, and was produced with the assistance of the European Union within the framework of the Pilot Project on Transatlantic Methods for Handling Global Challenges. The contents of this report are the sole responsibility of Ecologic Institute (Germany) and its partners, Meridian Institute (US), Duke University (US), Institute for Sustainable Development and International Relations - IDDRI (France) and University of Delaware (US) and do not necessarily reflect the views of the European Union.

Acknowledgments

The lead authors gratefully acknowledge the research, written contributions and comments of **Ecologic Institute** authors: Ralph Piotrowski, Franziska Stuke, and Elena von Sperber; **Meridian Institute** authors: Laura Cantral, Elizabeth Lee, Kirsten Howard, Mallorie Bruns, and Ingrid Irigoyen; **Institute for Sustainable Development and International Relations - IDDRI** authors: Marie Bourrel, Lucien Chabason, Julien Rochette, and Matthieu Wemaere; **Duke University** authors: Michael Orbach, Jeffrey Allenby, Larry Crowder, and Jesse Hastings; **University of Delaware** authors: Biliana Cicin-Sain, Miriam Balgos, and Gwenaelle Hamon In addition, we thank all of the CALAMAR experts who contributed their ideas and comments.

About Ecologic Institute

The Ecologic Institute is a private not-for-profit think tank for applied environmental research, policy analysis and consultancy with offices in Berlin, Brussels, Vienna, and Washington DC. An independent, non-partisan body, the Ecologic Institute is dedicated to bringing fresh ideas to environmental policies and sustainable development. The Ecologic Institute's work program focuses on obtaining practical results. It covers the entire spectrum of environmental issues, including the integration of environmental concerns into other policy fields. Founded in 1995, the Ecologic Institute is a partner in the network of Institutes for European Environmental Policy. The Ecologic Institute acts in the public interest; donations are tax-deductible.

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1   Introduction

Recent ocean policy initiatives in both the European Union (EU) and the United States (US) present significant opportunities to enhance integrated ocean and coastal management systems. The EU and US share common interests in integrated ocean governance as a framework for developing their maritime economies in a manner that sustains the health and abundance of valuable ocean and coastal resources. As a result, both stand to gain from enhancing transatlantic cooperation through increased mutual exchange of information and through stakeholder networks to accelerate advances in integrated ocean management. Recognizing that the necessary changes will not be easily achieved and will require significant commitment and political will, a strong transatlantic partnership will help both sides of the Atlantic overcome these challenges.

Building on the ocean policy background provided in the first CALAMAR report, *A Comparison: EU and US Ocean Policy*, this report aims to identify key opportunities and challenges to integrated ocean and coastal governance in the EU and US, examine the areas where these opportunities and challenges overlap in both regions, and identify the potential for a cooperative and beneficial partnership. The purpose of the paper is to provide a foundation for the recommendations developed through the CALAMAR transatlantic dialogue. This paper is not intended to address key issues faced by both sides of the Atlantic, but rather to supplement more detailed discussion taking place in the CALAMAR working groups.

In response to the need to improve transatlantic cooperation in maritime governance, the EU funded CALAMAR, an 18-month dialogue that brought together experts from the EU and US to develop a set of recommendations on ways to implement integrated maritime governance. This executive summary provides a brief overview of the second report supporting this dialogue, presenting opportunities and challenges in the EU and US for marine governance integration. The following chapters reflect the key conclusions from each section of the full report:

- **Chapter 2** assesses opportunities and challenges in the EU with respect to ocean governance, focusing on the EU maritime policies, member state management, multinational management, and stakeholder engagement.
- **Chapter 3** presents an analysis of challenges and opportunities for US ocean governance, specifically as it relates to President Obama's new national ocean policy, regional and state management, multinational management, and the obstacles and benefits presented by stakeholder involvement in integrated management.
- **Chapter 4** presents a framework for identifying shared challenges and possible opportunities for cooperation between the EU and US as both move forward with efforts to integrate ocean and coastal management. It offers a short summary of the important opportunities for cooperation as identified in this paper. This chapter served as a starting point for a discussion session during the CALAMAR meeting in Paris on October 11-12, 2010 to select the opportunities for CALAMAR to emphasize.

2 The European Union

2.1 Coordination among the EU and its Member States

One fundamental challenge to the impact and efficacy of EU ocean governance is the need for coordination of polices among EU Member States. Maximizing the effective translation of EU-level policy into Member State regulation is a key component of this challenge.

EU legislation provides for strengthening cooperation among the Member States and coordination of national actions in maritime sectors through both primary (treaties) and secondary (directives, regulations, decisions) means.[1] Under the obligation of sincere cooperation as described under the Treaty of the European Union, EU Member States are required to "facilitate the achievement of the Union's tasks and refrain from any measure which could jeopardize the attainment of the Union's objectives,"[2] which indicates Member States must cooperate among themselves but also with all EU institutions, in order to support EU activities, including in the area of common foreign policy.

The EU shares its competence with the Member States in the majority of fields related to ocean management (i.e. environment, transport, energy, trans-European networks for transport, fisheries with the exclusion of conservation of marine biological resources, economic, social and territorial cohesion).[3] In areas of shared competence, the Member States and the EU have powers to legislate and adopt legally binding acts.

"The integrated approach to marine governance is an opportunity to enhance cooperation among Member States."

Coordination of Member State policy is challenging, particularly when seeking to achieve integrated management of the broad issue area of oceans, seas, and coastal areas. This requires that all national administrations and services involved in the implementation of the relevant legal instrument enacted by the EU coordinate among themselves on measures to be taken, as well as on their implementation and enforcement. They must, at the same time, cooperate on common issues, especially protecting biological diversity and preventing maritime pollution, to prevent transboundary effects. Though challenging, the integrated approach to maritime governance is also nevertheless an opportunity to enhance cooperation among Member States.

EU implementing bodies

The key challenge that the EU integrated ocean management effort will need to address is building the capacity of EU agencies to coordinate all of the integrated policies.

The European Maritime Safety Agency (EMSA) plays an important role in improving cooperation with, and between, Member States in the development and implementation of EU legislation on maritime safety, pollution by ships and security on board ships. It also now aims to build an effective integrated approach on ocean affairs by enhancing cooperation among national authorities.

Since promoting an integrated approach to maritime affairs requires actions by the international community, some tasks with external dimensions have been assigned to EMSA. For example, the EMSA evaluates maritime training centers in countries outside the EU and, with the support of the Civil Protection Mechanism of the EU,[4] may complement and coordinate assistance

> *"A key challenge is building the capacity of EU agencies to coordinate all the integrated ocean policies."*

such as the chartering of European oil-recovery ships during large oil spills, on the basis of regional or bilateral agreements.[5]

EMSA is also integrating its activities with other European agencies competent in ocean affairs. A new Agreement for European Space Agency (ESA)-EMSA Cooperation was signed on July 2, 2010. This initiative allows Member States and non-EU countries the opportunity to share experiences on common issues, particularly in the field of maritime surveillance that was identified as a priority objective of the IMP.[6]

Opportunities and challenges for coordination: the Integrated Maritime Policy (IMP) and Marine Strategy Framework Directive (MSFD)

This coordination will be increasingly important in the years ahead, given that the EU has recently adopted the Integrated Maritime Policy (IMP), a broad package of initiatives aiming to create a more integrated and holistic approach to governing the EU's marine waters.

The 2009 IMP Progress Report noted that 56 of 65 recommended actions of the IMP had been launched or completed (mostly through Commission or Council acts). The report presents six areas for the future direction of the EU in its efforts to transition to a more integrated approach to maritime management. The associated Communication on the International Dimension of the IMP clearly states: 'if the IMP is to succeed, however, it cannot be just a European policy', and sets out objectives for bilateral, regional and international engagement in coastal and ocean management. Another key criteria for success is the degree to which economic sectors, such as transport, energy and fisheries are able to cooperate through marine spatial planning and other cross-cutting governance mechanisms.

A significant opportunity for enhanced Member State coordination is based on the ability of the European Commission to establish a dialogue with national administrations before adopting implementing measures, referred to as "comitology". Through this procedure, the Commission ensures that measures reflect as far as possible the situation in each of the countries concerned while further specifying procedural or technical requirements towards a better cooperation among member States, where necessary. The adoption of such implementing measures greatly helps to coordinate national actions implemented for the achievement of EU measures, in particular those that pursue cross-sectoral and integrated objectives. Relevant examples of cross-sectoral legislation include the Birds Directive, the Habitats Directive, the Regulation on the conservation and sustainable exploitation of fisheries resources, the Water Framework Directive (WFD), and the Marine Strategy Framework Directive (MSFD).[7]

The Marine Strategy Framework Directive (MSFD) was adopted in 2008 to establish a framework for EU marine environmental policy.[8] Under the MSFD, Member States will adopt, in close cooperation, specific strategies to protect and preserve the marine environment and take measures to achieve good environmental status. The MSFD requires all Member States to develop a marine strategy which must contain a detailed assessment of the state of the environment, a definition of "good environmental status" at regional level and the establishment of clear environmental targets and monitoring programs.

Despite challenges, the MSFD provides for the tools needed to make environmental management of ocean and maritime affairs more dynamic and progressive while setting up a comprehensive legal and political framework for Member States' cooperation. Such opportunities include:

- integrating environmental targets and associated indicators elaborated under the WFD concerning the Bathing Waters Directive,[9] the Urban Waste Water Directive[10] and forthcoming policies and measures to implement the Integrated Coastal Zone Management Protocol to the Barcelona Convention;[11]
- applying commonly agreed criteria on the "good environmental status";[12] and
- ensuring consistency with Regional Seas Conventions as illustrated by the Baltic Sea Action Plan of the Helsinki Commission and the OSPAR Commission.

In order for these opportunities to be fully realized, the MFSD must be implemented comprehensively and existing mechanisms must be aligned to the MFSD roadmap.

2.2 Coordination within Member States

The EU's integrated approach to ocean and coastal management relies on a coordinated synergy among national structures. Both Member States and the EU, especially its regulatory bodies, are strengthening efforts to foster the necessary coordination. The 2009 Progress Report for the IMP notes that in 2005 only France and the Netherlands had structures in place to 'organise policy coordination of sea-related matters'. By 2009, the report states that six Member States had developed comprehensive national maritime plans, and at least 11 Member States were developing plans. The six Member State plans of note are: the Dutch "Nationaal Waterplan", the French "Grenelle de la Mer", the German "Entwicklungsplan Meer", the Swedish bill on a coherent maritime policy, the Polish interdepartmental maritime policy plan and the UK Marine Bill.

Opportunities and challenges for coordination within Member States

One of the key challenges to coordination within Member States is to develop appropriate financing strategies to implement integrated strategies. This calls for further cooperation on financing, particularly as it concerns the future financial perspective of the EU (2014-2020).

Although financing coordination is a challenge, there are substantial opportunities to improve management at the national level, to the benefit of local, regional and EU scales. Individual Member States are encouraged to implement internal coordinating structures to help meet the goals of the EU.

In its 2009 Progress Report on the IMP, the EU defined six strategic future policy directions, which are relevant to both improved coordination with Member States, as well as among

Member States: 1) integrated maritime governance 2) cross-cutting policy tools 3) definition of boundaries of sustainability 4) sea basin strategies 5) international dimension of the IMP 6) focus on economic growth, employment and innovation. The development of cross-cutting policy tools could be particularly useful to enhance internal coordination within and among Member States. These key tools are:

- implementation of marine spatial planning (MSP) and integrated coastal zone management (ICZM);
- integration of maritime surveillance ; and
- establishment of an appropriate marine data and information infrastructure.

Implementation of MSP and ICZM: In 2008, the Commission adopted the Roadmap on Maritime Spatial Planning: Achieving Common Principles in the EU, and signed onto the Protocol on Integrated Coastal Zone Management under the Barcelona Convention.

Integration of maritime surveillance: Integrating maritime surveillance is a key cross-cutting tool for the EU that is expected to provide significant benefits in monitoring and controlling illegal activities, especially related to fishing activities, oil discharges from ships.

Improved marine data and information infrastructure: Improvements in marine data and information sharing will be driven by the Marine Knowledge 2020 initiative. The Marine Knowledge 2020 initiative focuses on facilitating access to data of comparable and compatible value, on a sea-basin basis.

2.3 Coordination with international organizations and third parties

The EU must focus on international cooperation, especially with neighboring countries in accordance with EU Treaties. To date, the EU has concluded a number of agreements with countries outside the EU. This has created opportunities to cooperate on sea or ocean related issues in dedicated frameworks.

Strong cooperation between the EU, its Members States, and non-EU countries has also been developed in the field of ocean management through the European Neighborhood Policy (ENP), which is a bilateral policy between the EU and each partner country through development of sea basin strategies. The objective of the ENP is to avoid the emergence of inconsistency between the enlarged EU and non-EU countries in order to strengthen the prosperity, stability, and security within European territories and beyond. Relationships are built upon mutual commitments to common values that contribute to the field of ocean management and promote sustainable development, rule of law, and good governance.

In the 2009 IMP Progress Report,[1] the EU highlighted the need to develop the international dimension of the IMP, including on the issues of climate change and protection of marine biodiversity. As a result, the EU adopted its Communication on the Development of the International Dimension of the IMP[2], which defines objectives and means for cooperation with third countries and international organizations. According to the agenda developed in this Communication, the EU should, in particular, further develop regional cooperation through its shared sea basin strategies, enhance its participation within multilateral fora, encourage ratification of UNCLOS, and develop bilateral relations through high-level

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[1] COM (2009) 540 final

[2] COM (2009) 536 final

dialogue on maritime issues with key partners such as Canada, Norway, Japan, US, Brazil, India, Russia, and China.

2.4 Coordination with stakeholders

Stakeholder participation is necessary for the process of integrating EU maritime policy in two respects: 1) to define and develop a future maritime policy and 2) to legitimize the Commission's actions vis-à-vis the Member States. In this regard, the European Commission created an all-embracing "Maritime Stakeholders Platform" in 2008, which builds on existing initiatives to promote the involvement of marine and maritime stakeholders.

Stakeholder consultation has proven important for the development of Marine Spatial Planning (MSP), the Common Fisheries Policy (CFP), and the MSFD. See the full report for a detailed discussion of how the EU supports stakeholder involvement in the development of its maritime policy through conferences, formal and informal meetings, and building stakeholder input into the policy development process.

3   The United States

The United States has traditionally managed ocean and coastal ecosystems by sector, dividing regulatory and enforcement responsibilities among numerous federal agencies and departments. Although successful in some areas, this fragmented system has resulted in overlaps and gaps in jurisdiction, conflicts of interest between sectors, and a general lack of knowledge of the impacts humans are having on the system. The recent adoption of the national ocean policy, established by an Executive Order from President Obama, has signaled a shift to more integrated management and a restructuring of how the United States approaches ocean management. Increased coordination between agencies at all levels of government, greater information and technology sharing, and the use of multi-sector coastal and marine spatial planning are all tools the new system will incorporate to better manage the oceans.

> *"The adoption of a national ocean policy has signaled a shift to more integrated US ocean management."*

3.1 Coordination among federal agencies

At both the federal and state level, numerous sector-based laws are carried out in an often uncoordinated manner by various federal agencies and many state and local jurisdictions, each with their own laws and regulations. Herein lies the challenge of managing US ocean resources with an integrated, ecosystem-based approach.

At the federal level alone, ocean management is governed by more than 140 different federal laws and implemented by 18 federal agencies.[13] Management by federal agencies is sector-based with ocean laws targeting an individual goal, resource, or area. For example, fish, water, habitat, and other interconnected parts of ecosystems are managed by separate agencies or separate parts of the individual agencies. This institutional structure often results in uncoordinated policies that fail to reflect the complexity and interconnectivity among

coastal and ocean ecosystems as well as the people who depend on them. As a result, this collection of laws and agencies manages individual species, places, and sectors of human activity, as if they were isolated, rather than seeing them as interconnected parts of a whole system.

Furthermore, an uncoordinated federal budget process rarely allows for cross-agency funding initiatives. This presents a major obstacle for multi-agency coordination and interdepartmental work on integrated ocean management.

However, new opportunities have arisen to jumpstart the coordination process, largely through the Executive Order establishing a National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes, signed by President Obama in July 2010.

This national ocean policy is intended to unify and guide the actions of the multiple federal agencies with ocean management responsibilities and bring greater coherence to the numerous laws addressing ocean and coastal resources. To enhance cooperation among federal agencies, the Executive Order creates a policy framework providing clear leadership and sustained high-level engagement within the federal government on ocean and coastal issues. The framework also provides greater interaction and coordination between the federal government and state and local governments, regional ocean efforts, and tribal nations.

The Executive Order also calls for the establishment of a National Ocean Council (NOC), which would oversee development of regional ecosystem-based coastal and marine spatial planning (CMSP), and puts forth a strategy for greater scientific collaboration among federal agencies through an Ocean Science and Technology Interagency Policy Committee.

3.2 Coordination among states and regions

Many coastal states are making progress on integrated ocean and coastal management reforms and marine spatial planning efforts. Some states have created integrated management initiatives, supported by an interagency coordinating and planning structure, which could serve as a model for state and regional CMSP programs being developed elsewhere in support of the national ocean policy goals.

However, multi-state and regional coordination is key for integrating management of the ocean and coastal issues that span a larger regional scale. Existing regional multi-state entities have found that it is important to foster collaboration not only among state agencies, but also with relevant federal agencies. Regional entities face many challenges in their effort to move toward more integrated ocean management, but there are also significant opportunities related to the Obama Administration's new national ocean policy, the coordination structures created to implement it, and the regional coastal and marine spatial planning efforts.

The multi-state regional entities that have been created and the states that they include are:

- West Coast Governors' Agreement on Ocean Health: California, Oregon, Washington
- Gulf of Mexico Alliance: Texas, Louisiana, Mississippi, Alabama, Florida
- Governors' South Atlantic Alliance: North Carolina, South Carolina, Georgia, Florida
- Mid-Atlantic Regional Council on the Ocean: New York, New Jersey, Delaware, Maryland, Virginia

- Northeast Regional Ocean Council: Maine, New Hampshire, Massachusetts, Vermont, Rhode Island, Connecticut.
- Great Lakes Regional Collaboration: Wisconsin, Ohio, Indiana, Michigan, New York, Minnesota, Illinois, Pennsylvania.

Challenges to the success of these initiatives include having different resources, interests and political environments, different authorities, different levels of local government coordination, and various data, technical and funding limitations.

To address some of these issues, the new national ocean policy has a strong regional component. The NOC will be advised by a Governance Coordinating Committee composed of state, local, and tribal representatives. Regional CMSP development provides further opportunities for states and federal agencies to coordinate on future ocean policy, particularly as the NOC is tasked with ensuring consistency with national goals and principles across the regional plans.

3.3 Coordination with regional neighbors

The United States coordinates with its regional neighbors, including Canada, Mexico, and countries in the Caribbean, Pacific, and the Arctic, through bilateral and regional arrangements in addressing issues within shared and international waters. Although most of the approaches used are traditionally sectoral, recent collaborative US efforts take on an integrated approach, including ecosystem-based and integrated ocean and coastal management approaches. Additionally, US relationships with its regional neighbors vary among countries and regions in extent and nature due to differences in organizational structure, conservation perspectives, and economic and political interests.

Regional arrangements must function based on the common interests of member states, achieved through cooperation with regard to monitoring, supervision, enforcement, regional seas treaties, and other regional agreements such as the UNEP regional seas programs. It also offers a basis for the integrated ecosystem and coastal zone management approach called for by Agenda 21[14] and as illustrated by the large marine ecosystem approach (LME).[15] It is through these types of regional arrangements that the US collaborates

"The national ocean policy framework allows for greater coordination among federal government agencies, state and local governments, regional ocean efforts, and tribal nations."

with its neighbors. See the full report for a detailed discussion of such arrangements between the US and Canada, tribal governments in Alaska, Mexico, Caribbean and Pacific island countries, and Arctic countries.

3.4 Coordination with stakeholders

The US has a strong tradition of stakeholder involvement in government issues. Stakeholders play a critical and complex role in the way US ocean activities are managed. As efforts shift from single-sector ocean and coastal management to an integrated multi-sector approach, effective stakeholder engagement will be necessary to achieve success. As a result, decision makers and other experts are carefully considering the many opportunities

and challenges related to incorporating stakeholder input in the integrated ocean management process.

The US ocean stakeholder community has traditionally been highly divided according to divergent interests. The ocean constituency has been small with a very limited grassroots movement and little agreement around what types of policy-related actions to take in order to solve the serious problems facing oceans and coastal spaces. Within the fragmented, single-sector management system, ocean user groups are regulated by, and answer to, a wide variety of federal and state agencies depending on their activities. The implementation of the new US national ocean policy provides the most obvious opportunities for enhancing stakeholder engagement throughout the country. The national ocean policy is intended to improve the federal structure because of the recognition of the need to integrate all the different ocean interests. *The Final Recommendations of the Interagency Ocean Policy Task Force* identifies "engaging stakeholders and the public at key points in the process" as an essential element of CMSP implementation.[16] In order to achieve this goal, a stakeholder engagement process will need to be thoughtfully planned in order to account for the diverse range of perspectives anticipated to be affected.

4   Shared challenges and opportunities for cooperation

The EU and the US share a common interest regarding integrated ocean governance: both aim to conserve marine resources and further develop the maritime economy in an environmentally sustainable manner that safeguards the marine heritage of not only the EU and US, but of the entire world. However, putting the necessary changes into practice will not be easy and significant commitment and resources will be needed to overcome the challenges.

4.1 Summary of opportunities and challenges in the EU and in the US

The following table summarizes the opportunities and challenges in the EU and the US for integrating their respective ocean policies.

Issue Area	EU		US	
	Opportunities	**Challenges**	**Opportunities**	**Challenges**
Integrated maritime governance	▪ Increased dialogue and improved EU and Member State (MS) management systems. ▪ The Commission has launched a public consultation on a possible Integrated Maritime Policy for the Atlantic Ocean region.	▪ Using common methodologies and criteria difficult to coordinate among MS. ▪ Complex measures required to develop monitoring programs. ▪ MSFD requires the attainment of "good environmental	▪ The creation of national ocean policy by President Obama presents an important opportunity for the US to significantly advance integrated ocean management. ▪ The national ocean policy calls for a stronger policy	▪ Sector-based federal laws and divided management authority have characterized US ocean and coastal policy for decades. ▪ Divided jurisdictional authority within Congress presents significant

Issue Area	EU		US	
	Opportunities	**Challenges**	**Opportunities**	**Challenges**
	▪ Common criteria, methodological standards, specifications and standardized methods promote strong coordination among MS. ▪ External dimension of the MSFD could improve integration of ocean management.	status" by MS, which is not well defined; could lead to inconsistencies across Member States. ▪ EU will need to build capacity for a network of agencies capable of coordinating all integrated matters related to IMP implementation.	coordination framework to provide clear leadership and sustained high-level engagement within the federal government on ocean and coastal issues.	obstacles to passing strong legislation to address the mounting ocean and coastal issues.
Maritime Spatial Planning (MSP) or Coastal and Marine Spatial Planning (CMSP)	▪ Priority objective to implement MSP will result in improved integration of ocean and coastal management if carried out strategically	▪ Complicated system that includes the integration of maritime surveillance and establishment of appropriate marine data and information infrastructure. ▪ Financing of MSP and other programs will require much coordination and commitment from the Commission and Member States.	▪National ocean policy (NOP) calls for CMSP as tool for integration of ocean and coastal management. ▪CMSP enables a more integrated, ecosystem-based approach to planning and management of multiple ocean uses and activities. ▪CMSP could lead to better stakeholder input systems, more scientific decision making, and better integration of multiple uses.	▪ CMSP is a complex system, with currently undefined legal authorities, and unclear funding mechanisms.
Data Integration	▪ Global Ocean Observing Systems offer an established network for maritime observation that can be built upon to achieve the goals of the IMP.	▪ There is a lack of capacity within agencies to develop a permanent network capable of coordinating an integrated approach to ocean governance.	▪ National ocean policy calls for further collaboration among scientists in the federal agencies, academic institutions, and the private sector. ▪ National ocean policy intends to improve research, monitoring, and forecasting capabilities.	▪ There is a lack of funding for data integration, improved collaborative research efforts, and IOOS. ▪ Data integration is complicated for several reasons, including differences across data sets

Issue Area	EU		US	
	Opportunities	**Challenges**	**Opportunities**	**Challenges**
			▪ NOP could increase data sharing with state and regional partners. ▪ IOOS provides much of the science needed for marine policy integration and can be expanded to incorporate future data needs.	and in research methodologies.
Stakeholder Engagement	▪ Stakeholder participation and engagement is a priority of the IMP and MSFD and opportunities for increased stakeholder involvement will be created as a result.	▪ Inconsistency on timing of stakeholder involvement for MSFD and a lack of information or disagreement about which stakeholders are expected to participate, when in the process they should participate, and how they should become involved. ▪ Establishment of efficient participation procedures will be necessary for a successful stakeholder engagement process.	▪ NOP and CMSP identify comprehensive stakeholder involvement as a priority objective.	▪ Uncoordinated nature of the US ocean community is an obstacle to achieving successful stakeholder engagement. ▪ Stakeholder involvement in policy processes can be expensive, time-consuming, labor-intensive, and confrontational process.

4.2 Common opportunities

▪ Recent ocean policy initiatives present opportunities to further integrate ocean governance within the EU and US and among international partners. These initiatives provide new governance structures and tools aimed at improving coordination between management authorities.

▪ Advancement of marine spatial planning can be a key tool to move toward more integrated, ecosystem-based management of ocean resources and uses.

▪ There is recognition of the need for improved scientific knowledge of marine environments, advancement of strategic thinking around scientific needs, expansion of ocean research, identifying key links between science and decision making, and the creation of a robust data management system to support integrated efforts.

▪ There is recognition that action at the international level is critical to achieving the cooperation and coordination needed to better manage our oceans.

- Formal processes could be initiated to increase opportunities for stakeholder input and participation in the implementation of new policies and initiatives to promote more integrated management.

4.3 Common challenges

- Fragmented ocean laws and a lack of coordination between management entities results in the inefficient regulation of ocean resources and uses.
- The concepts of integrated ocean management and cross-sectoral tools like marine spatial planning are fairly new and not fully understood by decision makers, managers, and stakeholders.
- Coordination between Members States in the EU, and between the federal government and states in the US, is challenged by other national and state priorities and limitations in financial resources.
- The lack of credible data needed for environmental and economic assessments, inadequate ocean monitoring systems, and limitations on data management systems act as barriers to decision makers attempting to access and analyze available information.
- There is a need for greater stakeholder input to inform the decision making process and garner widespread support for efforts to advance integrated ocean management.

"Transatlantic cooperation can be enhanced through increased mutual exchange and harmonising policy strategies for ocean management."

As neighbours who share the Atlantic Ocean, both the EU and the US can learn from each other regarding bilateral and regional approaches to ocean governance. The US and EU could benefit greatly from strengthened communities of practice amongst the countries of North America and Europe, respectively, that would be willing to encourage their governments to move toward and take leadership in more integrated approaches to marine governance. Fisheries management and stakeholder engagement are two areas in particular where the EU and US could share lessons learned and best practices to improve ocean management on both sides of the Atlantic.

Both the European Union (EU) and the United States (US) have initiated new policy frameworks that result in emerging opportunities to enhance integrated ocean and coastal management systems. The common interests of the EU and US in integrated ocean governance, developing maritime economies, and sustainably exploiting ocean and coastal resources indicate that there is significant room for coordination moving forward. Transatlantic cooperation can be enhanced through increased mutual exchange of information, utilizing expanded stakeholder networks and harmonizing policy strategies for ocean management integration. Though the challenges discussed above are significant, a strong transatlantic partnership can help address them while simultaneously maximizing the opportunities for enhanced ocean governance.

[1] A comprehensive discussion of relevant EU legislation is described in the accompanying CALAMAR report *A comparison: EU and US Ocean Policy* (2011).

[2] TEU(2008) Article 4, Section 3

[3] ECJ, Case C-459/03 European Commission v Ireland [2003] ECR 2006, I-4635.

[4] Established in 2001, the Civil Protection Mechanism covers both civil protection and marine pollution emergencies. Currently, thirty-one countries participate in the EU Civil Protection Mechanism. They are all the twenty-seven Member States plus Iceland, Liechtenstein, Norway and Croatia. All candidate country may join the Mechanism.

[5] The 1992 Helsinki Convention on the protection of the marine environment of the Baltic Sea Area, the 1995 Barcelona Convention for the protection of the Mediterranean Sea against pollution, the 1983 Bonn Agreement for cooperation in dealing with pollution of the North by oil and other harmful substances, and since its ratification by the EU on the 26 January 2010, the Lisbon agreement for the Protection of the coasts and waters of the North-East Atlantic against pollution.

[6] Council of the European Union, 2010.

[7] Council Directive 79/409/EEC; Council Directive 92/43/EEC; Council Regulation (EC) n° 2371/2002; European Parliament and Council Directive 2000/60/EC.

[8] European Parliament and Council, Directive 2008/56/EC.

[9] European Parliament and Council, Directive 2006/7/EC.

[10] European Parliament and Council, Directive 91/271/EEC.

[11] European Parliament and Council, Directive 2006/7/EC; COM (2000) 547 final.

[12] Commission Decision no 2010/477.

[13] US Commission on Ocean Policy, 2004.

[14] Birnie and Boyle, 2002.

[15] Large Marine Ecosystems of the World. Available at: http://www.lme.noaa.gov/

[16] Council on Environmental Quality, 2010.

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