

**STRENGTHENING EUROPEAN MARITIME GOVERNANCE: FOR AN
INTEGRATED, COHERENT AND OPERATIONAL FRAMEWORK THAT
MATCHES THE STRATEGIC POTENTIAL OF THE OCEAN**

*Diagnosis, challenges and recommendations for realising a holistic vision and enhancing
the role of the ocean in achieving the European Union's objectives*



Group of the Progressive Alliance of
Socialists & Democrats
in the European Parliament

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ABBREVIATIONS

AC-TRA: Agreement on Trade and Transport
BBNJ: Biodiversity Beyond National Jurisdiction (Agreement on biodiversity beyond national jurisdiction)
CFP: Common Fisheries Policy
CINEA: European Climate, Infrastructure and Environment Executive Agency
CLPC: Commission on the Limits of the Continental Shelf
CMP: Coordinated Maritime Presence
COM: Communication (from the European Commission)
CSDP: Common Security and Defence Policy
DG CLIMA: Directorate-General for Climate Action
DG ENER: Directorate-General for Energy
DG ENVI: Directorate-General for Environment
DG MARE: Directorate-General for Maritime Affairs and Fisheries
DG MOVE: Directorate-General for Mobility and Transport
DG RTD: Directorate-General for Research and Innovation
ECHA: European Chemicals Agency
EEAS: European External Action Service
EFCA: European Fisheries Control Agency
EISS: European Integrated Surveillance System
EMFAF: European Maritime, Fisheries and Aquaculture Fund
EMFF: European Maritime and Fisheries Fund
EMSA: European Maritime Safety Agency
EUMSS: European Union Maritime Security Strategy
EUSPA: European Union Space Agency
GES: Good Environmental Status
HELCOM: Baltic Marine Environment Protection Commission
ICCAT: Commission for the Conservation of Atlantic Tunas
ILO : International Labour Organisation
IMO : International Maritime Organisation
IMP: Integrated Maritime Policy
IOPCF: International Oil Pollution Compensation Fund
ISA: International Seabed Authority
ITLOS: International Tribunal for the Law of the Sea
LCOE: Levelized Cost of Energy
MGR: Marine genetic resources
MLC: Maritime Labour Convention
MPA: Marine Protected Area
MSFD: Marine Strategy Framework Directive
MSPD: Maritime Spatial Planning Directive
NDA: National Development Agreement
NIEO: New International Economic Order

NRL: Nature Restoration Law

OSPAR: Convention for the Protection of the Marine Environment of the North-East Atlantic

RACs: Regional Advisory Councils

REACH: Registration, Evaluation and Authorisation of Chemicals

RFMO: Regional Fisheries Management Organisation

SDG: Sustainable Development Goals

TAC: Total allowable catch

TEU: Treaty of the European Union

TFEU: Treaty on the Functioning of the European Union

UNCLOS: United Nations Convention on the Law of the Sea

UNECE: United Nations Economic Commission for Europe

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I- Abstract

This study aims to analyse the foundations, progress and limitations of the legislative and institutional framework of the European Union's maritime policy. Using a qualitative approach based on documentary analysis, a mapping of the actors involved and case studies, the study explores the main challenges of European maritime governance, which is marked by institutional complexity and emerging sectoral issues. By examining key instruments such as the Integrated Maritime Policy (IMP), the Marine Strategy Framework Directive (MSFD), the Maritime Spatial Planning Directive (MSPD), the Common Fisheries Policy (CFP), the Communication on the Sustainable Blue Economy, and the Nature Restoration Law (NRL), the study highlights the various tensions between economic, environmental, social and security objectives. It thus emphasises the need for greater cross-sectoral coherence, enhanced cooperation and greater stakeholder involvement. Through a series of recommendations, this study aims to contribute to the evolution towards integrated, effective and resilient governance of European oceans, commensurate with the climate, geopolitical and sustainability challenges of the 21st century.

II- Introduction

The ocean covers almost 70% of the Earth's surface and plays a fundamental role in the balance of our planet. It regulates the climate, provides nearly half of the oxygen available on Earth, and is a key source of food. The ocean is also a driver of technological innovation, global connectivity and sustainable economic growth. However, the ocean is now subject to multiple pressures and increasingly intense uses and challenges. The combined effects of climate change, pollution, overfishing, biodiversity loss, marine habitat degradation and geopolitical tensions make its governance both more urgent and more complex. As a space for movement, production, confrontation and cooperation, the oceans are both a major victim of contemporary imbalances and a key lever for responding to the major challenges of the 21st century.

As a major player and standard-setter, the European Union has gradually developed a legislative and institutional framework to regulate maritime activities, protect marine ecosystems and promote sustainable economic growth for Europe. This maritime policy is based on several structural instruments, including the Integrated Maritime Policy (IMP), the Marine Strategy Framework Directive (MSFD), the Maritime Spatial Planning Directive (MSPD), the Common Fisheries Policy (CFP) and, more recently, the Nature Restoration Law (NRL).

Despite these advances, structural limitations seem to persist with regard to the full effective implementation of the instruments. Sectoral challenges, differences in implementation between Member States, national dynamics and the difficulty of reconciling

environmental, economic, social and security objectives are all obstacles to the emergence of a fully integrated model.

The aim of this study is to provide an in-depth analysis of the strengths, weaknesses and dynamics of the European Union's maritime governance. It is based on a qualitative approach combining a documentary analysis of the regulatory framework, a mapping of institutional and strategic actors, which will be presented in an appendix, and a series of case studies on different maritime basins, reflecting the diversity of territorial situations, examples of basin cooperation and the challenges encountered.

The study looks more specifically at the European Union's ability to strengthen the coherence of its maritime action and ensure truly integrated governance. On the international stage, it also aims to examine how the EU promotes credible leadership in the protection of marine common goods. Based on this assessment, it formulates a set of recommendations to support more integrated, effective and coherent implementation of European maritime policies, strengthen the participation of regional and local stakeholders, and ensure better coordination between sectoral objectives.

III- Methodology

This study is based on an analysis divided into several stages and objectives.

a. Objective of the study

The aim of the study is to examine the progress and limitations of the legislative and institutional framework of the European Union's maritime policy. It seeks to identify the main challenges relating to the coherence, implementation and integration of existing policies, while taking into account regional specificities and emerging issues.

b. The study approach

The methodological approach is qualitative, based on documentary analysis, stakeholder mapping (appendix), a series of case studies, and a critical assessment of institutional and regulatory gaps. This method allows regulatory, scientific and political data to be cross-referenced to provide a multidimensional understanding of ocean governance.

1- Regulatory and documentary analysis

In-depth work has been carried out on EU legislation and international commitments, identifying the objectives, principles, instruments and implementation modalities of EU maritime policy.

2- Stakeholder mapping (presented in the appendix)

This step aims to identify and position key actors and analyse their role in maritime governance through relationships of cooperation, competence or conflict.

3- Case studies

Three case studies of ocean governance initiatives and methods in different European sea basins were carried out. These cases highlight regional dynamics, synergies observed and potential limitations.

4- Gap analysis

On the basis of an academic literature review, findings from European institutions and bodies through reports and opinions published by the European Commission, the Economic and Social Committee or the Court of Auditors, and an in-depth analysis of the legislative framework, the study identifies structural shortcomings in the current system.

5- Recommendations

Based on the analysis, the study formulates proposals aimed at strengthening policy integration, participation, regulatory harmonisation and the EU's capacity for action. This study was prepared during the preparation period for the European Ocean Pact, as well as during the weeks following its publication (4 June 2025). It thus aims to contribute to the strategic reflection on the European Union's maritime governance and, in fact, to support the implementation of the Pact, without commenting on or anticipating the content of the European Commission's official communication.

Part 1: International Ocean governance: conceptual framework, principles, approaches and definitions

Ocean governance within the European Union cannot be fully understood without considering the structuring influence of the international framework. European maritime law is part of a network of international commitments, such as the United Nations Convention on the Law of the Sea (UNCLOS), the Sustainable Development Goals (SDGs) and, in particular, the Goal 14. More recently, the Agreement on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement), signed in June 2023 and currently being ratified by EU Member States, is also subject to a commitment by the Union to be integrated into European law through a proposal for a directive presented in April 2025. These instruments shape the standards, principles, objectives and methods implemented at European level to ensure the sustainable management of the ocean and its resources. It is therefore necessary to examine the foundations, key concepts and dynamics of this international governance in order to better understand the logic behind European ocean law.

I. The test of time in Ocean governance: between territorial control, multilateral regulation and environmental awareness

Ocean governance, through various international texts and agreements, is based on a set of fundamental principles and issues.

A) From a dynamic of rivalries to the emergence of international maritime law (15th-20th centuries)

This international governance has developed in successive stages, reflecting a history of maritime rivalries and multilateral negotiations that have gradually given rise to international agreements and the evolution of institutional frameworks. In the beginning, treaties such as the Treaty of Tordesillas (1494), established under the auspices of Pope Alexander VI, confirmed a division of the maritime world between European powers, dividing overseas territories and the ocean under Spanish and Portuguese control by means of an imaginary line.¹ From the 17th century onwards, the debate between exclusive sovereignty and freedom of the seas took shape. Through the principle of *Mare Liberum*² (1609), Hugo Grotius called for free access to the ocean, in opposition to the *Mare Clausum* doctrine, which favoured exclusive control of maritime routes and spaces. These competing visions shaped the evolution of maritime law and laid the foundations for modern ocean governance, gradually determining the place of states in relation to the ocean.

In the 20th century, international maritime governance emerged primarily from a security perspective. The Hague Convention (1907) was the first attempt to codify maritime law in a context of military tensions, notably by regulating the status of merchant ships in wartime and certain offensive naval practices.³ After the First World War, the creation of the League of Nations and the Treaty of Versailles (1919) expanded this approach by introducing rules on naval disarmament, the redistribution of colonies, economic reparations and the regulation of maritime transport.⁴

B) The question of sovereignty at the heart of the birth of an international legal framework (XX^e-1982)

The Cold War also marked a broad evolution in maritime policy, notably through the status of the seabed as the common heritage of mankind, ensuring that resources are used for peaceful

¹ Éric Schnakenbourg, « Traité de Tordesillas, 7 juin 1494 », *Encyclopédie d'histoire numérique de l'Europe* [en ligne], ISSN 2677-6588, mis en ligne le 22/06/20, consulté le 18/03/2025. Permalien : <https://ehne.fr/fr/node/12501>

² They Marine. Grotius, *La liberté des mers / Mare liberum*, avec une introduction de Charles Leben, 2013 (Coll. « Les introuvables »). In : *Annuaire français de droit international*, volume 59, 2013. p. 695.

³ Deuxième Conférence internationale de la Paix, La Haye 15 juin - 18 octobre 1907, Actes et Documents, La Haye, 1907, Vol.I, pp.644-646

⁴ Aloupi, N. (2021). Les régimes de navigation dans le Traité de Versailles de 1919. Dans Publication couronnée par J. Holeindre et J. Fernandez *Annuaire français de relations internationales 2021* (p. 685-693). Éditions Panthéon-Assas. <https://doi.org/10.3917/epas.ferna.2021.01.0685>.

purposes and prohibiting their appropriation by States.⁵ The Geneva Conventions (1958)⁶ also helped pave the way for discussions on the law of the sea while establishing legal bases for sovereignty, the exploitation of marine resources and pollution, notably with the establishment of four treaties. At the European level, the Treaties of Rome (1956-1957) initiated a process of economic integration that paved the way for Community management of fishery resources, formalised by the creation of the Common Fisheries Policy (1970).⁷

A major turning point came in 1982 with the establishment of the United Nations Convention on the Law of the Sea (UNCLOS), which followed claims by states over their areas of sovereignty. These claims were made in the context of decolonisation following the Second World War and the development of new independent states. they are challenging a world legal order built around colonial powers while defending their economic and political sovereignty, in favour of access to the seabed and a claim to EEZs.⁸ The demand for a New International Economic Order (NIEO)⁹ was then asserted in favour of the right to development and permanent sovereignty over natural resources, alongside which the UNCLOS appeared as an instrument of political reform. Since 1982, the UNCLOS text has been based on a series of approaches and principles allowing the division of seas and ocean into maritime zones in order to delimit them, define the rights and obligations of States and all persons in these areas, and ensure their preservation and sustainable management. This defines the territorial sea, the exclusive economic zone (EEZ), the continental shelf and the high sea.¹⁰ The UNCLOS also established the International Seabed Authority (ISA) to regulate the exploitation of seabed resources, as well as the International Tribunal for the Law of the Sea (ITLOS).

C) The growing integration of environmental issues into Ocean governance (1982 to the present day)

Since the end of the 20th century, environmental concerns have profoundly reshaped international ocean governance. This environmental awareness has grown considerably with the acceleration of globalisation, and as observations of progress are combined with observations of its consequences for the environment.¹¹ The post-Cold War period saw a renewed confidence in the capabilities of international institutions and multilateral

⁵ Jean-Frédéric MORIN, Amandine ORSINI, « Tragédie des communaux, patrimoine commun et droits souverains », *Politique internationale de l'environnement*, Presses de la Fondation nationale des Sciences Politiques, Paris, 2015.

⁶ Julio Treves, « Les conventions de Genève sur le droit de la mer », *United Nations Audiovisual Library of International law*, 1958, 2012.

⁷ Toute l'Europe, « Les traités de Rome (1957), *Toute l'europe.eu*, Fonctionnement de l'UE, Traités, mis à jour le 31/03/2020, (en ligne), Lien URL : <https://www.touteleurope.eu/fonctionnement-de-l-ue/les-traites-de-rome-1957/>

⁸ Conord, F. et Brasseul, J. (2023). Chapitre 16. Les décolonisations et l'émergence du Tiers-monde. Dans F. Conord, M. Bernard, J. Brasseul, J. Dubois et P. Gibert Histoire du monde de 1870 à nos jours (2^e éd., p. 268-283). Armand Colin. <https://doi.org/10.3917/arco.conor.2023.01.0268>.

⁹ United Nations. (1974, 1 mai). *Declaration on the establishment of a new international economic order* (General Assembly res. 3201 (S-VI)) [PDF]. United Nations. https://legal.un.org/avl/pdf/ha/ga_3201/ga_3201_ph_f.pdf

¹⁰ Giraudeau, G. (2024). La CNUDM au service des ambitions maritimes. In M.-P. Lanfranchi (éd.), *La Convention des Nations Unies sur le droit de la mer* (1-). DICE Éditions. <https://doi.org/10.4000/122hj>

¹¹ Morin, J.-F. et Orsini, A. (2015). *Politique internationale de l'environnement*. Presses de Sciences Po. <https://doi.org/10.3917/scpo.morin.2015.01>.

cooperation.¹² This specific context allowed international organisations to refocus their efforts on common challenges such as the environment, which became a structuring factor as a global problem requiring a collective response. The end of the Cold War marked a decisive turning point: the decline of bipolar thinking and the reaffirmation of multilateralism opened up a favourable space for the gradual institutionalisation of environmental standards. The environment thus became a lever for international cooperation, but also a vehicle for soft power. In this context, the ocean gradually emerged as a global strategic issue. This was demonstrated by the adoption in 1973 of the MARPOL Convention for the Prevention of Pollution from Ships, and the 1979 Bonn Convention on the Conservation of Migratory Species of Wild Animals. The 1982 Convention on the Law of the Sea represented the culmination of this development, with specific provisions for the protection and preservation of the marine environment. This ambition is pursued in international agreements by the introduction of the fourteenth Sustainable Development Goal (SDG 14) for the conservation and sustainable use of the ocean, seas and marine resources, within the Agenda 2030, adopted in 2015. The Paris Climate Agreement, adopted in the same year, recognises the key role played by the ocean, particularly as a climate regulator, thereby strengthening the link between the ocean and climate change. More recently, the BBNJ Agreement adopted under the auspices of the UN in 2023 aims to fill certain gaps in UNCLOS on the protection of the ocean and marine biodiversity in the high seas, in particular through the establishment of marine protected areas (MPAs), the introduction of mechanisms for sharing marine genetic resources, and addressing the issue of the transfer of expertise and technology and the question of environmental impact assessments.¹³ Since its formal adoption on 20 June 2023, the treaty has been ratified by 50¹⁴ countries out of the 60 required¹⁵ before it can enter into force.

Thus, since *Mare Liberum*, the evolution of maritime law has highlighted a gradual consolidation of international ocean governance around successive legal frameworks. Initially focused on issues of sovereignty and security, this governance has been structured around multiple principles, gradually integrating economic and environmental dimensions. This shift can be explained by increasing pressure on marine resources, recognition of growing ecological risks and the need to collectively regulate the sustainable use of the ocean through integrated international governance. It also reflects a transformation in the balance of power between states, with law becoming a tool for negotiating and legitimising maritime interests in a globalised space.

II. Overview of the principles and concepts defining the international governance framework: between normative consensus and implementation constraints

¹² Biermann, F., & Dingwerth, K. (2004). Global environmental change and the nation state. *Global Environmental Politics*, 4(1), 1–22. https://sciencepolicy.colorado.edu/students/envs_4800/biermann_2004.pdf

¹³ Nations Unies, « Accord sur la diversité biologique marine des zones ne relevant pas de la juridiction nationale Accord BBNJ », *Nations Unies*, (en ligne), Lien URL : <https://www.un.org/bbnjagreement/fr>

¹⁴ The number of ratifications of the treaty is 50 on 10/07/2025.

¹⁵ High Seas Alliance. (n.d.). *Signature and Ratification Progress Table*. <https://highseasalliance.org/treaty-ratification/table-of-countries/>

The provisions of international agreements and treaties on the seas and ocean are inspired in particular by the set of principles, approaches and concepts governing international environmental law. Applied to international standards for the protection of the ocean, they will subsequently be incorporated into regional, European and national commitments. This section provides a non-exhaustive overview of the various principles and concepts of international environmental law incorporated into the international framework for ocean governance.

A) The ecosystem approach: a pillar of maritime governance facing uneven implementation

The ecosystem approach is one of the pillars of the legislative framework for Ocean protection. Introduced by the Convention on Biological Diversity (1992)¹⁶ and developed gradually since the end of the 20th century, this approach is based on a definition¹⁷, as well as on the 12¹⁸ Malawi principles¹⁹ management adopted at the fifth meeting of the Parties to the Convention on Biological Diversity in 2000²⁰. Applied to the ocean, this approach aims to preserve the structure, functioning and resilience of marine ecosystems by allowing sustainable use of their resources. It is evolving in parallel with an integrated approach that takes into account the interactions between species, habitats and human activities, while drawing on principles such as precaution, sustainable use,²¹ intergenerational equity and multi-level

¹⁶ Convention sur la diversité biologique. (1992). *Convention sur la diversité biologique*. Secrétariat de la Convention sur la diversité biologique. <https://www.cbd.int/doc/legal/cbd-fr.pdf>

¹⁷ “The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. It is based on the application of appropriate scientific methodologies focused on levels of biological organization, which encompass the essential structure, processes, functions and interactions among organisms and their environment.” COP 5, 1998.

¹⁸ (1) the management of land, water and biological resources must reflect societal choices, (2) be decentralised to the relevant level, (3) take into account the effects on other ecosystems, (4) conserve ecosystem structure and functioning, (5) conserving ecosystem structure and dynamics, in order to preserve the services it provides, should be a priority objective of the systems approach, (6) ecosystems must be managed within the limits of their dynamics, (7) the ecosystem approach should only be applied at appropriate scales (8) given the variable time scales and time lags that characterise ecological processes, ecosystem management must set long-term objectives, (9) management must recognise that change is inevitable. (10) the ecosystem approach should seek the appropriate balance between conservation and use of biological diversity, (11) the ecosystem approach should consider all forms of relevant information, including scientific information, (12) ensure the participation of all stakeholders.

¹⁹ CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY
UNEP/CBD/COP/4/Inf.9 20 March 1998. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.cbd.int/doc/meetings/cop/cop-04/information/cop-04-inf-09-en.pdf

²⁰ Convention on biological Diversity, ‘Ecosystem approach’, *COP Decisions*, COP 5 Decision V/6, retired section: paragraphs 4-5, 2000, online, URL: <https://www.cbd.int/decision/cop?id=7148>

²¹ While the term ‘sustainable’ does not have a universal, normative definition, there are recognised frames of reference in international and European law. In international law, it refers to the concept of ‘sustainable development’ defined by the Brundtland Report (1987): ‘Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.’. In EU law, Article 3(3) of the TEU deals with ‘sustainable development’ as follows: ‘The Union shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment.’

governance.²² However, implementation appears to be complex between countries and economic sectors, with a lack of scientific data due to incomplete mapping of marine ecosystems and significant conflicts between conservation and exploitation, particularly in the management of MPAs.²³ At the EU level, these challenges are also evident in the uneven application of this approach between Member States. A report on the 2022 European Maritime Spatial Planning Directive (MSFD)²⁴ highlighted difficulties in coordinating sectoral policies, which have their own environmental and economic objectives that may conflict with the objectives of the directive.

B) The integrated approach: towards cross-cutting governance of maritime policies still confronted with sectoral logics

In addition, **the integrated approach to ocean management** aims to integrate all uses and impacts of sectors related to the marine environment by highlighting their interconnections and cumulative consequences. This approach is based on the clear recognition that all aspects of the relationship between humans and the Ocean and seas are interconnected and that maritime policies must be developed in a coherent manner if the desired results are to be achieved. It therefore requires effective enhanced cooperation between sea-related policies.²⁵ It is applied to the BBNJ Agreement through an integrated approach to the conservation and sustainable use of biodiversity in the high seas,²⁶ as well as through the management of MPAs based on cross-border cooperation. It is also enshrined in SDG 14 (life below water). However, this approach faces several obstacles, including institutional and sectoral silos that disperse efforts between different structures and hinder coordination. Although ocean governance is based on integrative principles such as those enshrined in UNCLOS, the institutional reality shows that there are a multitude of actors involved who may encounter limitations in terms of coordination. This lack of coordination can be seen in ocean governance and environmental governance, particularly when it comes to the management of global common goods.²⁷ To illustrate this phenomenon, we can look at the fact that various international bodies share the regulation of specific sectors. For example, the International Seabed Authority (ISA) manages seabed issues and mining, while the International Maritime Organisation (IMO) regulates ship pollution and safety at sea.

²² Convention on biological diversity, 'The Ecosystem Approach Advanced User Guide', *Convention on biological diversity*, Ecosystem approach, 2009, (en ligne), Lien URL : <https://www.cbd.int/ecosystem/sourcebook/advanced-guide?approach>

²³ FAO. 2020. *The State of World Fisheries and Aquaculture 2020*. Sustainability in action. Rome. <https://doi.org/10.4060/ca9229en>

²⁴ Commission Européenne, *Rapport de mise en œuvre 2022 de la directive 2014/89/UE sur la planification de l'espace maritime (PEM)*, Commission Européenne, Eur-lex, 2022.

²⁵ Commission européenne. (2007, 10 octobre). An Integrated Maritime Policy for the European Union: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (COM (2007) 575 final). Publications Office of the European Union. Récupéré de <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM%3A2007%3A0575%3AFIN%3AEN%3APDF>

²⁶ Nations Unies, "Conférence intergouvernementale sur la biodiversité marine des oncs ne relevant pas de la juridiction nationale », *Nations Unies*, (en ligne), Lien URL : https://www.un.org/bbnj/fr/content/accueil?Is%20Featured=All&language=fr&sort_by=created&sort_order=DESC&Is_Featured=All

²⁷ Biermann, F., Pattberg, P., van Asselt, H., & Zelli, F. (2009). The Fragmentation of Global Governance Architectures: A Framework for Analysis. *Global Environmental Politics*, 9(4), 14–40.

Then there is the Commission on the Limits of the Continental Shelf (CLCS), which is involved in defining maritime areas. While these organisations are specialised in certain areas, this division can detract from a cross-cutting approach to maritime issues.²⁸ Furthermore, disparities in the application of measures complicate their implementation, as do conflicts of interest between environmental preservation and economic exploitation. However, this approach highlights the aim to bring together different sectors and stakeholders in order to propose more comprehensive solutions for the conservation and protection of maritime areas. It therefore demonstrates the need to reconcile economic, political, social and environmental needs.

C) The precautionary principle: a prevention tool subject to interpretation

The **precautionary principle** has also become a key principle of legislation for the protection of the ocean, originating in international environmental law. Defined in the Rio Declaration on Environment and Development (1992)²⁹ and subsequently incorporated into other key treaties, the precautionary principle or approach has been integrated into the BBNJ Treaty. It is also present in European law³⁰ and is mentioned in particular in the European Marine Strategy Framework Directive (MSFD).³¹ With regard to the application of the concept, the precautionary approach is invoked in the event of danger caused by a phenomenon, product or process analysed by an objective and scientific assessment.³² Although this approach makes it possible to mitigate various risks, there are nevertheless certain limitations to its application. Firstly, although the precautionary principle is mentioned in several international, European and national legislative frameworks, its binding nature is still debated, which makes it dependent on the context in which it is applied and leaves Member States with a certain margin of interpretation.³³ The binding nature of the precautionary principle is the subject of debate, because although it is legally recognised in European law (Article 191(2) TFEU), it is often formulated in a non-binding manner in international texts. This ambivalence raises questions about its effective implementation, leaving Member States room for interpretation depending on the context, particularly when it comes to reconciling environmental protection and economic development. Secondly, a conflict may arise between

²⁸ Rochette, J., Billé, R., & Molenaar, E. J. (2015). *Regional ocean governance mechanisms: A review*. Marine Policy, 60, 9–19.

²⁹ Déclaration de Rio sur l'environnement et le développement, Principe 15, Conférence des Nations Unies sur l'environnement et le développement, Rio de Janeiro, Brésil, 3-14 juin 1992.

³⁰ "TFEU, Article 191.2. 'Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay', European Union, "Precautionary principle", EUR-Lex, Access to European Union Law, (online), accessed on 25/02/2025, URL link: <https://eur-lex.europa.eu/FR/legal-content/glossary/precautionary-principle.html>

³¹ "44) 'Programmes of measures and subsequent action by Member States should be based on an ecosystem-based approach to the management of human activities and on the principles referred to in Article 174 of the Treaty, in particular the precautionary principle.'" European Commission, *DIRECTIVE 2008/56/EC European Commission*, Eurlex, 2008.

³² European Union, "Precautionary principle", *EUR-Lex, Access to European Union Law*, (online), accessed on 25/02/2025, URL: <https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=LEGISSUM:l32042>

³³ "The Precautionary Concept in Environmental Policy and Law: Institutionalizing Caution," in *Georgetown International Environmental Law Review*, 9(3), 303–318.

the application of the precautionary principle and economic development. Indeed, its strict application could slow down scientific research and innovation.³⁴ However, the precautionary principle can also be seen as a lever for protecting the economy in the long term by preserving the natural capital necessary for many economic activities and future scientific research, as in the case of deep-sea mining, where the destruction of ecosystems would prevent any further knowledge or innovation.

The precautionary principle is also based on scientific uncertainty. The precautionary principle is based on the need for scientific data to assess a risk; however, this data is often insufficient to establish danger thresholds, as in the case of underwater noise. It is therefore intrinsically linked to the need for research to frame uncertainty and guide preventive action.³⁵ Nonetheless, the precautionary principle remains an essential element of legislation for the protection of the Ocean, as it provides a framework for scientific uncertainty and enables action to be taken before potential damage occurs by imposing preventive measures.

D) The polluter pays principle: between recognition of the responsibility of economic actors and obstacles to effective implementation

The **polluter pays principle** is also one of the legal and economic foundations of environmental governance, particularly in the maritime sector. Adopted by the OECD in 1972³⁶, and forming part of non-binding soft law, then referenced in several conventions, such as the London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter³⁷, the principle consists of making the perpetrator of a polluting activity repair the environmental damage caused by that activity. The principle was subsequently explicitly enshrined in European law (TFEU, Article 191(2))³⁸ and applies to the legal and policy instruments of the EU's maritime policy framework. However, the effective implementation of the polluter pays principle faces several structural limitations. In cases of pollution, identifying the polluter can be complex, particularly when pollution is diffuse or involves underwater nuisances or cumulative effects.³⁹ This difficulty is compounded when pollution occurs in a transboundary marine environment, where responsibilities are shared or unclear. Furthermore, within the EU, the heterogeneity of penalty systems and the lack of a harmonised system

³⁴ Alain Feretti, "Principe de précaution et dynamique d'innovation", *Les études du conseil économique, social et environnemental*, Les éditions des Journeaux officiels, décembre 2013.

³⁵ OceanCare, International Fund for Animal Welfare, Seas at Risk & Natural Resources Defense Council. (2019, janvier). Reduce the noise! European countries' failure to address marine noise pollution (Rapport). Auteur. <https://seas-at-risk.org/wp-content/uploads/2021/03/2018.08.02.-Reduce-the-noise.pdf>

³⁶ OCDE, Recommandation du Conseil sur les principes directeurs relatifs aux aspects économiques des politiques de l'environnement sur le plan international, Document NoC(72)128, Paris, 1972.

³⁷ International Maritime Organization. (s.d.). *Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention)*. In *IMO Conventions*. Consulté de <https://www.imo.org/fr/about/Conventions/pages/convention-on-the-prevention-of-marine-pollution-by-dumping-of-wastes-and-other-matter.aspx>

³⁸ "Art. 191(2) 2. Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.", TFEU.

³⁹ European Commission. (2020). *Report on the implementation of the Marine Strategy Framework Directive (MSFD)*. COM(2020) 259 final.

between Member States undermine the consistent application of the regime at regional level.⁴⁰ At international level, a number of conventions and mechanisms aim to operationalise this principle, such as the MARPOL Convention (1973/1978),⁴¹ which aims to prevent marine pollution by ships, and the *International Oil Pollution Compensation Fund* (IOPCF),⁴² which aims to compensate victims of oil spills in cases where the shipowner's liability is insufficient or inapplicable.⁴³ However, these mechanisms also have shortcomings: compensation ceilings are sometimes considered too low, certain types of damage may not be covered, and access to remedies remains uneven across jurisdictions⁴⁴. Furthermore, these mechanisms rely on voluntary international cooperation, which is sometimes weakened by divergent economic interests or sectoral pressures. Finally, environmental damage is often irreversible, which conflicts with the duty to restore what has been damaged by an actor, particularly in the case of the destruction of a coral reef, for example.⁴⁵

Despite its limitations, this principle remains essential in environmental policy. It helps to make economic actors more accountable and continues to inspire reforms aimed at strengthening liability regimes. Its recognition in European treaties and international conventions reflects a common understanding of the need to pass on the costs of pollution to the polluters rather than to society. Regarding the accountability of actors, the polluter pays principle may appear to be a deterrent, but it could be improved.

E) The principle of equity and benefit sharing: a key issue in international negotiations

In addition, international environmental policy is also based on **the principle of equity and benefit sharing**, a major aspect of the BBNJ Agreement. While coastal and island populations are particularly vulnerable to the impacts of climate change and environmental hazards, environmental justice is a central element of international ocean policy, as is the issue of access to resources. Although these aspects are largely taken into account in international treaties and agreements, access to resources is still considered unequal by developing countries.⁴⁶ The negotiations on the BBNJ Agreement raised the issue of changing the legal status of the high seas as the common heritage of mankind in order to guarantee access to its resources for developing countries, which have fewer means of accessing them. In the case of

⁴⁰ European Court of Auditors. (2020). *Marine environment: EU protection is wide but not deep*. Special Report 26/2020.

⁴¹ International Maritime Organization. (2022). *MARPOL: Articles, Protocols, Annexes and unified interpretations of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the 1978 and 1997 Protocols* (Consolidated Edition, 2022). International Maritime Organization. <https://doi.org/10.62454/KF520E>

⁴² Fonds internationaux d'indemnisation pour les dommages dus à la pollution par les hydrocarbures (FIPOL). (n.d.). Site officiel des FIPOL. <https://iopcfunds.org/fr/>

⁴³ International Maritime Organization (IMO). (2021). *MARPOL – International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978*.

⁴⁴ International Oil Pollution Compensation Funds (IOPCF). (2023). *Annual Report*.

⁴⁵ Cour des comptes européenne, “Principe du pollueur-payeur : une application incohérente dans les différentes politiques et environnementales de l’UE », *Cour des comptes européennes, Rapport 12/2021 – Principe du Pollueur-Payeur*, 2021.

⁴⁶ MARIPOLDATA Team. (2020, 22 December). Key findings from our study of the marine biodiversity field and why our data matters for the new BBNJ treaty. Maripoldata. <https://www.maripoldata.eu/key-findings-from-our-study-of-the-marine-biodiversity-field-and-why-our-data-matters-for-the-new-bbnj-treaty/>

the Agreement, developing countries are calling for the recognition of marine genetic resources (MGRs) as the common heritage of mankind due to problems accessing these resources, lack of adequate technical means to do so, and the sharing of the benefits derived from them.⁴⁷

F) Environmental justice and other structuring principles

Alongside these issues of equity, international environmental law also enshrines the **principle of access to environmental justice** as a central element of international ocean policy, alongside the issue of access to resources. This is one of the three pillars of the "Aarhus package", i.e. the set of EU legislative texts and initiatives aimed at transposing and implementing the Aarhus Convention (1998)⁴⁸ adopted under the auspices of the United Nations Economic Commission for Europe (UNECE). The treaty thus enshrines three fundamental rights of the public in relation to the environment, including access to environmental information, public participation in European decision-making and environmental justice.⁴⁹

Another important principle of international ocean governance is the **principle of universal jurisdiction**, which allows any State to prosecute certain violations of maritime law⁵⁰ and concerns, in particular, cases of piracy or other serious crimes committed on the high seas. In addition, we can also mention the **principle of sustainable use of resources**.⁵¹ Certain principles and approaches are also linked to current geopolitical and environmental issues.

These principles thus highlight the profoundly multidimensional nature of international ocean governance, at the intersection of environmental, economic, social, legal and geopolitical issues. While their articulation provides an essential framework and offers strategic levers for action to strengthen the coherence and sustainability of maritime policies, they remain subject to varying interpretations, structural limitations and persistent institutional coordination challenges.

⁴⁷ A.B.M. Vadrot, A. Langlet & I. Tessnow-von Wysocki (2022) Who owns marine biodiversity? Contesting the world order through the 'common heritage of humankind' principle, *Environmental Politics*, 31:2, 226-250, DOI: 10.1080/09644016.2021.1911442

⁴⁸ United Nations. (1998, 25 June). *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters* (Aarhus Convention). United Nations Treaty Series, 2161, 447. Entry into force: 30 October 2001. Retrieved from https://treaties.un.org/pages/viewdetails.aspx?chapter=27&mtldsg_no=xxvii-13&clang=en

⁴⁹ European Commission. (2018, 5 mars). *Access to information, public participation and access to justice in environmental matters (Aarhus Convention)* [Résumé juridique]. EUR-Lex. Récupéré de <https://eur-lex.europa.eu/FR/legal-content/summary/access-to-information-public-participation-and-access-to-justice-in-environmental-matters-aarhus-convention.html>

⁵⁰ United Nations. (2024, 21 juin). *Legal Framework for the Repression of Piracy Under UNCLOS*. United Nations Division for Ocean Affairs and the Law of the Sea. (online), URL :https://www.un.org/depts/los/piracy/piracy_legal_framework.htm

⁵¹ The President and Fellows of Harvard College. (n.d.). General principles and approaches. BBNJ MGR Project, Harvard University. Retrieved June 17, 2025.

III. Maritime governance under pressure: reconciling sustainability, security, inclusion and competitiveness in the same strategic space

The complexity of ocean governance can be explained by the multiplicity of economic, social and political issues involved. Taken as a whole, the international normative framework is made up of various policies and sectoral approaches implemented in European law.

A) The economic dimension: towards a blue economy balancing economic development and sustainability

The economy plays an important role in maritime policy, particularly due to the integration of the principle of benefit sharing and the organisation of maritime zones, including the Exclusive Economic Zone (EEZ) defined in UNCLOS (1982)⁵². The concept of the **blue economy** is an important element of this economic dimension, initiated in 2010 by Gunter Pauli at the United Nations Conference on Sustainable Development.⁵³ This model, which promotes the sustainable exploitation of ocean resources while ensuring economic growth and the conservation of marine ecosystems, has been taken up by the European Union and enshrined in the 2021 communication "*Towards a sustainable blue economy*"⁵⁴. This development reveals a growing ambition to overcome the sectoral silos that affect the maritime sector, while highlighting the persistent tensions linked to overexploitation of resources, conflicts of use at sea and dependence on fossil fuels. The concept of the blue economy is thus becoming a key concept for reconciling growth and sustainability in maritime areas.

However, the proliferation of uses, such as offshore renewable energy, fishing, aquaculture and tourism, may lead to intensified use of the maritime domain and conflicts between traditional and emerging uses.⁵⁵ Growing interest in the economic potential of the ocean may also accentuate imbalances between large industrial projects and the marginalisation of artisanal actors and coastal communities. At EU level, these tensions are intended to be eased by the implementation of the Maritime Spatial Planning (MSP) Directive, which promotes integrated and anticipatory management of the use of marine areas.

B) The social dimension: inclusion of workers and territories

Other sectoral issues are more closely linked to social aspects and include issues concerning coastal populations, workers and gender equality in the maritime sectors. From a legal perspective, the Maritime Labour Convention was established in 2006⁵⁶ by the International Labour Organisation (ILO) and the principle of universal jurisdiction, as mentioned above, makes it possible to punish human rights violations at sea, such as acts of piracy, violence or

⁵² Charles Vallée, "Droit de la mer", *Encyclopedia Universalis*, article modifié le 29/01/2025, (en ligne), Lien URL : <https://www.universalis.fr/encyclopedie/droit-de-la-mer/3-une-zone-de-transition-la-zone-economique-exclusive/>

⁵³ Guy Standing, *The Blue Commons. Rescuing the Economy of the Sea*, Penguin Books Limited, 2022.

⁵⁴ European Commission (2021, 17 mai). Communication relative à une nouvelle approche pour une économie bleue durable dans l'Union européenne

⁵⁵ Bennett, N. J., Govan, H., & Satterfield, T. (2015). Ocean grabbing. *Marine Policy*, 57, 61–68. ; Voyer, M., Quirk, G., McIlgorm, A., Azmi, K., *Shades of Blue: what do competing interpretations of the Blue Economy mean for oceans governance?*

⁵⁶ Organisation internationale du travail (OIT), *Maritime labour convention*, 2006.

assault.⁵⁷ In this regard, and in the context of the conditions of workers at sea, it is important to highlight the role of the EU in encouraging Member States to ratify and enforce certain ILO conventions. On 7 June 2007, the Council of the EU adopted a decision authorising Member States to ratify the ILO Maritime Labour Convention (MLC, 2006) in the benefits of the European Community.⁵⁸ The European Commission has encouraged coordinated implementation of the MLC at both Community and national level.⁵⁹ Another example is EU Directive 2017/159⁶⁰, which aims to transpose the Work in Fishing Convention (C188, 2007)⁶¹ into national law. A number of events have been organised by the Commission and social partners to promote ratification and ensure a level playing field for the protection of fishermen in the EU.⁶² More recently, at EU level, the Blue Skills Pact, launched in 2021, is part of a drive to revitalise maritime employment by focusing on skills development, i.e. *upskilling* and *reskilling*. It aims to support the modernisation of maritime activities by developing cross-cutting skills related to the ecological and digital transitions, while responding to the specific needs of traditional and emerging sectors. It also aims to anticipate the labour needs associated with the ecological and digital transition of the blue economy, while integrating inclusivity and gender issues. The Pact is helping to strengthen skills in parallel with the ecological and digital transitions through voluntary and inclusive partnerships. However, its impact remains limited by the lack of binding commitments with voluntary partnerships, mandatory monitoring mechanisms, and uneven implementation across actors and territories.⁶³

C) The sea as a strategic space at the heart of geopolitical tensions

Finally, it is important to remember that **defence and security** are important areas of ocean governance. At the international level, this is particularly evident in the fight against piracy, which is provided for in the UNCLOS. The UN has also adopted the United Nations Convention against Transnational Organised Crime (2000) to combat smuggling and human

⁵⁷ Nations Unies, « Le conseil des droits de l'homme de l'ONU appelle à protéger les droits des gens en mer », *ONU info, l'actualité mondiale, Un regard humain*, 12 juillet 2024, (en ligne), Lien URL : <https://news.un.org/fr/story/2024/07/1147021>

⁵⁸ Publications Office of the European Union. (n.d.). *Strengthening of maritime labour standards* (LEGISSUM : C11801). EUR-Lex. Retrieved June 17, 2025, from <https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=LEGISSUM:c11801>

⁵⁹ Toute l'Europe. (2006, 16 juin). La Commission sollicite les États membres et les partenaires sociaux pour mettre en œuvre la Convention du travail maritime de l'OIT. Toute l'Europe. Repéré le 17 juin 2025, sur <https://www.touteleurope.eu/fonctionnement-de-l-ue/la-commission-sollicite-les-etats-membres-et-les-partenaires-sociaux-pour-mettre-en-oeuvre-la-convent/>

⁶⁰ Conseil de l'Union européenne. (2017, 31 janvier). *Directive (UE) 2017/159 du Conseil du 19 décembre 2016 mettant en œuvre l'accord relatif à la mise en œuvre de la Convention sur le travail dans la pêche (2007) de l'Organisation internationale du travail* (JO L 25/12–35). Journal officiel de l'Union européenne.

⁶¹ International Labour Organization. (2007, 14 juin). Convention sur le travail dans la pêche (Convention n° 188, 2007). Normlex. Repéré le 17 juin 2025, de https://normlex.ilo.org/dyn/nrmlx_fr/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312333

⁶² European Parliament. (2021, 4 octobre). *Public hearing on "Fishers for the future"* (Product ID 20211004CHE09421) [Événement du comité des Pêches]. European Parliament.

⁶³ European Commission. (2025, 28 avril). *Preliminary results from the blue skills study* [Publication du Blue Economy Observatory]. Commission européenne.

trafficking at sea.⁶⁴ The United Nations Security Council has also adopted several resolutions dealing with transnational crime at sea, including Resolution 2240, adopted in 2015 in the context of Operation Sophia, which authorises States to intercept vessels suspected of human trafficking and migrant smuggling off the coast of Libya on the high seas.⁶⁵ Resolution 2482 (2019) explicitly recognises that illicit trafficking by sea can finance terrorism and calls on States to strengthen their cooperation to prevent and disrupt these links between organised crime at sea and terrorist groups.

At EU level, security issues do not fall within the scope of instruments and policies such as the Marine Strategy Framework Directive (MSFD) or the European Maritime Spatial Planning Directive (MSPD)⁶⁶, which do not address related issues. The TFEU and the TEU do not confer on the European institutions any powers in this area, although European decisions relating to foreign policy and common security may be based on a unanimous decision of the Council under the TEU.⁶⁷ Thus, Member States may exclude defence and security activities from maritime spatial planning, as the EU recognises their sensitive and strategic nature.⁶⁸ However, the EU Maritime Security Strategy (EMSS) is an action aimed at promoting peace and international security while ensuring the sustainability and protection of the ocean at national and regional levels.⁶⁹ It emphasises the importance of an integrated approach between security, environmental sustainability and crisis preparedness in an increasingly strategic maritime space.

Through this security dimension, we can also refer to the Sauli Niinistö report of October 2024⁷⁰ on strengthening Europe's civil and military preparedness. The report was published against a backdrop of conflict for the EU between geopolitical tensions with Russia, energy crises, cyberattacks and climate risks, highlighting the fact that these do not distinguish between the civil and military spheres, thus requiring an integrated approach to ensure the security of the Union. The crucial importance of maritime policy in the context of the EU's overall resilience was highlighted through the importance of the Coordinated Maritime Presence (CMP) - enabling Member States to jointly deploy naval assets in areas of strategic interest, the Common Security and Defence Policy (CSDP) and its strengthening to increase mutual resilience and protect critical infrastructure, and the importance of critical maritime

⁶⁴ Nations Unies, « Convention des Nations Unies contre la criminalité transnationale organisée et protocoles s'y rapportant », *Office des Nations Unies contre la drogue et le crime*, (en ligne), Lien URL : <https://www.unodc.org/unodc/fr/treaties/CTOC/>

⁶⁵ Conseil de sécurité des Nations unies. (2015, 14 octobre). Résolution 2240 (2015) [portant sur la lutte contre le trafic illicite de migrants et la traite d'êtres humains en Méditerranée, notamment au large des côtes libyennes] (S/RES/2240 (2015)) [PDF]. Nations unies. [https://docs.un.org/fr/S/RES/2240\(2015\)](https://docs.un.org/fr/S/RES/2240(2015))

⁶⁶ "Article 2. 2. *"This Directive shall not apply to activities the sole purpose of which is defence or national security."* DIRECTIVE 2014/89/EU.

⁶⁷ Union européenne. (2007, 1er décembre). *Traité sur l'Union européenne* (article 31). *Journal officiel de l'Union européenne*, L 115. Récupéré de https://eur-lex.europa.eu/eli/treaty/teu_2016/art_31/oj/eng

⁶⁸ République française. (s.d.). Code de l'environnement – Sous-section 2 : Le document stratégique de façade (Articles R219-1-7 à R219-1-14). Légifrance. https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006074220/LEGISCTA000025373681/

⁶⁹ Commission européenne, « Stratégie de sûreté maritime », Commission européenne, Food, Farming, Fisheries, Océans et pêche, (en ligne), Lien URL : https://oceans-and-fisheries.ec.europa.eu/ocean/blue-economy/other-sectors/maritime-security-strategy_en

⁷⁰ Niinistö, S. (2024). *Safer together: Strengthening Europe's civilian and military preparedness and readiness* (Special Adviser's report). European Commission.

infrastructure (submarine cables, pipelines, ports), the security of which must be strengthened against cyber-attacks. This growing recognition of the role of critical maritime infrastructure reflects its central role in ensuring the Union's energy, digital and economic security. More recently, the White Paper on European Defence – *Readiness* (19 March 2025), which aims to strengthen the EU's defence capabilities by 2030, has several links with EU maritime policy, particularly regarding infrastructure security, strategic sovereignty, resilience and naval cooperation. It calls for the creation of a single European defence market, the launch of the SAFE mechanism and the establishment of an industrial plan to anticipate capacity needs (naval, cyber, drones). It also calls for support for both civil and military research, simplification of European procurement rules and mobilisation of EU budgetary flexibility to strengthen the resilience of critical maritime infrastructure and ensure European strategic sovereignty. These measures converge towards a vision in which the ocean becomes a key space for European security, resilience and preparedness, combining civil, environmental and geostrategic challenges.

The joint evolution of the economic, social, environmental and security dimensions of maritime governance reveals the growing complexity of ocean-related issues. While the European Union has laid the foundations for ambitious action, it is now necessary to move beyond isolated approaches and build an integrated common strategic framework capable of linking the Union's maritime priorities with the environmental objectives of the Green Deal, economic resilience and European sovereignty.

IV. Regional and multi-level dynamics: an essential link between the global and local levels for maritime governance adapted to different realities

International ocean governance is based on growing coordination between global multilateral frameworks and regional dynamics, which enable more appropriate implementation of sustainability principles and broader participation by relevant actors. The integration of all stakeholders is therefore essential. Initially, **regional conventions** complement international law. Certain regional organisations play a central role in the management of specific sectors, such as the sustainability of fish stocks at sea with the Regional Fisheries Management Organisation (RFMO). Some regional organisations have also been set up, such as the Commission for the Conservation of Atlantic Tunas (ICCAT) and the General Fisheries Commission for the Mediterranean (GFCM), to manage fish stocks. At the same time, regional sea conventions, such as the Convention on the Protection of the Baltic Sea Area (HELCOM, 1992), the Convention for the Protection of the Environment of the North-East Atlantic (OSPAR Convention, 1992) and the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (1976) ensure the coordination of environmental protection efforts at regional or sub-regional level. As a contracting party to these conventions, the European Union participates in their implementation, facilitates regional cooperation and coordination with various European maritime policies. This interaction between levels of governance promotes operational and regulatory synergies, while strengthening consistency between European objectives and regional realities. It is a strategic

lever for advancing maritime environmental action in a context of growing ecological pressures.

Multi-level governance is a key driver of ocean governance, as it allows actions taken at European, national, regional and local levels to be coordinated, while involving a wide range of public and private stakeholders. Based on the principle of subsidiarity, it aims to ensure that decisions are taken at the most appropriate level, according to competences and territorial contexts. However, in practice, this multi-level governance suffers from persistent limitations: institutional silos, compartmentalisation between sectors and poor coordination between decision-making levels can hinder the effective implementation of an integrated vision of maritime policies and, consequently, the territorialisation of maritime policies. These limitations can be particularly sensitive within the European Union, where the proliferation of strategic frameworks and legal instruments coexisting without sufficient coordination can undermine overall coherence.

Part 2: From legislative foundations to cross-sectoral action: potential, limitations and challenges for coordinating European maritime policy instruments

In order to assess the progress and limitations of the current EU legislative framework for ocean governance, it is necessary to analyse the principles and objectives underlying its integrated approach. This section therefore provides a critical review of the policies and legal instruments governing EU maritime policy, examining both their intentions through their key principles and the progress made and main shortcomings observed today.

I. Integrated maritime policy: a solid foundation, full integration to be deepened

Instrument/Policy	Objectives	Tools	Key principles
Integrated Maritime Policy (2007)	<i>"The integrated maritime policy (IMP) of the EU is a holistic approach to all sea-related EU policies. It is based on the idea that the Union can draw higher returns from its maritime space with less impact on the environment by coordinating its wide range of interlinked activities related to oceans, seas and coasts. Hence, the IMP aims at strengthening the so-called 'blue economy', encompassing all sea-based economic activities."</i> ⁷¹	<ul style="list-style-type: none"> - Maritime spatial planning - European Integrated Surveillance System (EISS) - Sea basin strategies - Blue growth - International cooperation 	Sustainability of marine resources, research and innovation, stakeholder involvement, promoting the blue economy and integration of sectoral policies.

⁷¹ Parlement Européen, « Politique maritime intégrée de l'Union Européenne », *Parlement européen, Fiches thématiques sur l'Union européenne*, (en ligne), Lien URL : <https://www.europarl.europa.eu/factsheets/fr/sheet/121/politique-maritime-integree-de-l-union-europeenne>

A) The development of the Integrated Maritime Policy: towards a new vision for European maritime action

European ocean governance reached a turning point in the early 2000s with the introduction of the Integrated Maritime Policy (IMP). Launched in 2007 with the European Commission's Communication and the Blue Paper "*An Integrated Maritime Policy for the European Union*", it represents a paradigm shift in the European Union's maritime action, moving from a compartmentalised sectoral approach to governance based on an ecosystem approach and with an intersectoral focus.⁷² Its main objectives are to maximise the sustainable growth of the blue economy, reduce conflicts between maritime sectors and protect the marine environment.⁷³

B) From a sectoral approach to a policy convergence dynamic: legislative and budgetary developments in the IMP

The Common Fisheries Policy focused on regulating catches to ensure sustainable management of fishery resources and support fishermen's incomes, while environmental policy was based on the Habitats Directive (1992), with no real coordination between economic and conservation objectives. In response to these structural tensions, the IMP anticipated the introduction of the Marine Strategy Framework Directive (2008), based on the objective of good environmental status (GES), and then the Maritime Spatial Planning Directive (2014), which requires Member States to plan uses of the sea in a concerted manner in order to prevent conflicts and optimise the sustainable use of maritime spaces. At the same time, the Blue Growth Strategy (2012), in line with the IMP, redefined the place of the seas and the ocean in the European economy, anchoring their role as a strategic lever for ecological, energy and innovation transition.

With the *Joint Communication on Global Ocean Governance* (2016), published by the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy, the IMP now goes beyond the scope of internal action. The EU is thus affirming its role as a normative and geopolitical power, with the aim of strengthening the EU's external action on ocean governance, while claiming a leading role in defending maritime commons in the fight against illegal fishing and for the preservation of sensitive marine areas.⁷⁴

The implementation of the IMP has also led to a gradual transformation of its main budgetary instruments: initially focused on fishing activities through the European Fisheries Fund (EFF) (2007-2013)⁷⁵, EU support has broadened with a shift towards the European

⁷² Commission européenne. (2007). Une politique maritime intégrée pour l'Union européenne. COM(2007) 575 final, §1–3.

⁷³ Commission européenne. (2010). Progress report on the EU's Integrated Maritime Policy. COM(2010) 292 final.

⁷⁴ Commission européenne & HR/VP. (2016). *International Ocean Governance: an agenda for the future of our oceans*. JOIN(2016) 49 final.

⁷⁵ Conseil de l'Union européenne. (2006, 27 juillet). Règlement (CE) no 1198/2006 portant création du Fonds européen pour les affaires maritimes et la pêche. *Journal officiel de l'Union européenne*, L 223, 1–10 (en vigueur depuis le 15 août 2006). EUR-Lex. <https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=LEGISSUM:l66004>

Maritime and Fisheries Fund (EMFF) (2014-2020)⁷⁶, which initiated an opening towards broader maritime issues. This evolution has been consolidated with the European Maritime Affairs and Fisheries Fund (EMFAF) (2021-2027)⁷⁷, which extends and strengthens this integrated approach. The EMFAF thus pursues multiple objectives such as sustainable fishing, conservation of marine resources, support for aquaculture activities, support for the sustainable blue economy and strengthening international ocean governance, continuing the actions of the EMFAF; through the lens of social and ecological transition, in line with the objectives of the European Green Deal.⁷⁸ With regard to the financing of the knowledge and innovation component of the IMP, the research framework programmes have also evolved towards greater recognition of the importance of developing research and innovation for the Ocean. The Horizon 2020 programme had integrated marine and maritime research into its third pillar, "societal challenges". This ambition will be enshrined from 2020 with the launch of the "Regenerating our oceans and waters" mission, or Mission Ocean, in the Horizon Europe framework programme for the period 2021-2027. Offering not only a substantial increase in funding, this new programme adopts a "mission-based" approach to integrate European policy objectives into innovation projects and preserve the entire hydrosphere, from source to sea.⁷⁹

At the international level, the IMP is aligned with international ocean governance frameworks. The IMP represents more than just environmental ambitions, establishing itself as a strategic tool for economic development given the impetus given to blue growth, maritime innovation, offshore renewable energies and port activity management.

C) Contradictory integration: imbalances in application and varying effectiveness of the IMP

However, responsibilities appear to be fragmented between institutions and Member States. The implementation of various directives such as the MSFD, the MSPD and the CFP also has its limitations due to conflicts between social, economic and environmental objectives. Differences in the implementation of legislative instruments at national, regional and local levels can also be an obstacle.

In addition, differences in application and monitoring have also been identified. It is difficult to verify the application of instruments and measures implemented at European level.⁸⁰ Added to this is the fact that sanctions for national breaches are rarely or never enforced, as in

⁷⁶ Commission européenne. (s.d.). *Fonds européen pour la pêche*. EUR-Lex. <https://eur-lex.europa.eu/FR/legal-content/summary/european-fisheries-fund.html>

⁷⁷ Check Saidou, « Qu'est-ce que le FEAMP ? », *Ministère de l'agriculture et de la souveraineté alimentaire*, 09 mars 2020, (en ligne), Lien URL : <https://agriculture.gouv.fr/quest-ce-que-le-feamp>

⁷⁸ L'Europe s'engage en France. (n.d.). *Fonds européen pour les affaires maritimes, la pêche et l'aquaculture (FEAMPA)*. <https://www.europe-en-france.gouv.fr/fr/fonds-europeens-2021-2027/fonds-europeen-pour-les-affaires-maritimes-la-peche-et-laquaculture-FEAMPA>

⁷⁹ European Commission. (2025, 14 mai). *EU Mission: Restore our Ocean and Waters* [Page d'information]. Research and Innovation—Horizon Europe. Récupéré de https://research-and-innovation.ec.europa.eu/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe/eu-missions-horizon-europe/restore-our-ocean-and-waters_en

⁸⁰ Yves Renhas, « La politique maritime intégrée de l'Union Européenne », *Le magazine des ingénieurs de l'armement*, n°117, L'Europe, 2019.

the case of certain fishing quotas in the Mediterranean.⁸¹ This observation has been made in particular by the European Court of Auditors and the European Commission, which point out that the sanctions provided for under the Common Fisheries Policy are often ineffective and unevenly applied between Member States.⁸² Finally, although the EU appears to be a standard-setting leader in the international governance of the ocean, it may encounter difficulties in asserting its standards in relation to third countries when it comes to issues relating to fishing, the unsustainable exploitation of resources or economic activities.

Despite this, it must be acknowledged that the IMP appears to be a unique framework at the global level. Given its aim to integrate maritime sectors, it lays solid foundations for a more coherent and inclusive approach for the future, integrating environmental, economic, security and technological issues.

II. Presentation of the main legislative instruments for implementing the EU's integrated maritime policy

A) The MSFD: an instrument promoting an ecosystem-based approach to the management of human activities at sea

Instrument/Policy	Objectives	Implementation	Key principles
MSFD (2008/56/EC)	Achieve and maintain good environmental status (GES) in the marine environment by 2020 at the latest, through the promotion of an ecosystem-based approach to the management of human activities at sea.	Development of strategies for the marine environment by Member States, assessment by the European Commission, review every six years, submission of interim reports every three years, assessment report by the Commission two years after receipt and then every six years. However, implementation appears to be uneven, with reports sometimes late or missing. ⁸³	<ul style="list-style-type: none"> ○ Ecosystem-based planning ○ EEB objective ○ Prevention and precaution ○ Planning cycle ○ Regional cooperation ○ Policy integration

Firstly, we can study the various reports developed by the European Commission during the different cycles of implementation of the directive. The aim of this section is to understand the common points, cross-cutting limits and emerging issues that have emerged over the years.

1- *Assessment of the first implementation cycle of the MSFD (2012-2017): significant progress, but efforts still needed to fill gaps and strengthen regional cooperation*

⁸¹ Oceana Europe. (2017, 30 mai). *EU auditors expose serious lack of control in heavily overfished Mediterranean Sea* [Communiqué de presse].

⁸² European Court of Auditors. (2023, mars 15). *EU action to combat illegal fishing: Special report No 20/2022 pursuant to Art. 287(4), second subparagraph, TFEU*. Publications Office of the European Union. URL : <https://op.europa.eu/webpub/eca/special-reports/illegal-fishing-20-2022/fr/>

⁸³ European Commission. (n.d.). *Implementation of the Marine Strategy Framework Directive*. Environment – European Union. Retrieved from https://environment.ec.europa.eu/topics/marine-environment/implementation-marine-strategy-framework-directive_en

As part of the first implementation cycle (2012-2017), a report was produced in 2014⁸⁴, on the implementation of the Directive. The main conclusions are that Member States submitted information on most of the descriptors, enabling an overall assessment of the state of European seas. However, the quality of the reports tended to vary considerably between countries and between descriptors within the same country. The report also highlights progress in regional cooperation, as Member States have, since the first cycle, strengthened coordination under regional seas conventions, contributing to the development of common indicators and targets. However, the assessment revealed gaps and inconsistencies in the definition of the GES, with insufficient environmental targets set and a lack of harmonisation between maritime regions.⁸⁵ In 2017, a second report was adopted by the European Commission to assess the monitoring programmes submitted by most Member States between 2014 and 2015. This assessment shows that, despite the efforts made, the programmes remain insufficient according to the European Commission. Some descriptors are not covered (such as non-indigenous species, marine litter and underwater noise sources); there are methodological shortcomings for marine habitats and contaminants; and cross-border monitoring remains insufficient, while certain pressures require a more coherent regional approach. At the end of this first cycle, a final report from 2018⁸⁶ on the programmes of measures acknowledged that some progress had been made but stressed that improvements were needed to ensure that all Member States achieve the GES by 2020. The Commission recommends, in particular, better coordination between national policies, more effective management of transboundary pressures, and greater attention to gaps in monitoring and research. The report also highlights the fact that 16 Member States submitted their reports by the deadline, which prevented comprehensive assessments from being carried out.

2- *Assessment of the second implementation cycle and overall review (2018–2023): a relevant directive, but hampered by delays in implementation, a lack of methodological clarity and coordination that needs to be strengthened*

Regarding the second implementation cycle (2018-2023), we will look at the assessment carried out in 2025,⁸⁷ which will report on the various progress made. The evaluation itself is based on the implementation report produced in 2020 and the results of the second implementation cycle (2018-2024), a stakeholder consultation (2021-2022) and was carried out as part of the REFIT programme. In the document, the European Commission reports on the evolution of the situation between 2008 and 2025, showing that :

⁸⁴ Commission européenne. (2014). *Premier cycle de mise en œuvre de la directive-cadre « Stratégie pour le milieu marin » (2008/56/CE) – Évaluation et orientations* (COM(2014) 97 final)

⁸⁵ Commission européenne. (2017). *Évaluation des programmes de surveillance des États membres en vertu de la directive-cadre « Stratégie pour le milieu marin » (2008/56/CE) - 16 janvier 2017* (COM(2017) 3 final).

⁸⁶ Commission européenne. (2018). *RAPPORT DE LA COMMISSION AU PARLEMENT EUROPÉEN ET AU CONSEIL Évaluation des programmes de mesures des États membres au titre de la directive-cadre « stratégie pour le milieu marin »* {SWD(2018) 393 final}.

⁸⁷ Commission européenne. (2025). *Évaluation de la directive 2008/56/CE du Parlement européen et du Conseil du 17 juin 2008 établissant un cadre pour l'action communautaire en matière de politique de l'environnement marin (Directive-cadre Stratégie pour le milieu marin)* (SWD(2025) 50 final, Partie 1/2).

- Marine environment: the GES has not been achieved in all European waters, and biodiversity is threatened by industrial fishing, pollution and climate change. However, some marine mammal and seabird species are showing signs of recovery.
- Implementation: there have been delays in reporting by Member States, as well as a lack of clarity and consistency in the definitions of the GES, and insufficient monitoring programmes to measure progress.
- Coordination and cooperation: the European Commission has also highlighted the creation of a Common Implementation Strategy (CIS) and greater involvement of regional maritime conventions (OSPAR, HELCOM, Barcelona, Bucharest).

In a section on the main results of the assessments, the Commission highlights the limitations and successes of the directive:

- Effectiveness: lack of regional coordination, little quantifiable progress on the GES, difficulty in measuring the impact of the actions taken.
- Efficiency: uneven application of the polluter pays principle, high administrative burden for Member States.
- EU added value: better consideration of cross-border issues, stronger framework for marine ecosystems.
- Relevance: The directive appears necessary but needs to be adjusted to new priorities (e.g. European Ocean Pact).

In conclusion, the assessment highlights that the MSFD is relevant and is making progress but needs to be strengthened to ensure an improvement in the state of the seas. It also highlights the need to adopt better monitoring methods and more consistent reporting, to ensure that the polluter pays principle is better applied and to strengthen cooperation with regional maritime conventions and EU sectoral policies.

3- *External evaluations and recognition of structural limitations: a landmark directive, but facing persistent challenges in implementation, financing and governance*

Subsequently, other reports were developed in parallel with those produced by the European Commission. A report by the European Court of Auditors (2020) highlighted that EU actions have not succeeded in achieving good environmental status for the seas or in bringing fishing back to sustainable levels in European regions. The report echoes an earlier report by the European Environment Agency and is based on assessments showing that marine species and habitats continue to be in an "unfavourable" or "unknown" state of conservation. The report highlights progress in the Atlantic but notes that the Mediterranean remains overexploited and shows no significant progress. It also adds that while interesting projects have been developed through the LIFE and Interreg programmes, the funding potential appears insufficient.⁸⁸ The European Economic and Social Committee (EESC) also noted in a 2017 communication that the current framework established by the MSFD is not capable of ensuring the sustainable

⁸⁸ Cour des comptes européenne, « Milieu marin : l'UE offre une protection étendue, mais superficielle », *Rapport spécial* 26/20 : *Milieu marin*, Cour des comptes européennes, 2020.

management of the ocean and its resources. The document calls in particular for a review of the shortcomings and certain inconsistencies and for improvements to the existing rules.⁸⁹

Thus, although the Marine Strategy Framework Directive has encountered some obstacles, it nevertheless represents an essential foundation for the IMP and its sustainability at European and international level. A great deal of progress has already been made, which will lay the foundations for greater cross-sectoral coherence and effectiveness.

B) Balancing sustainability and competitiveness: the sustainable exploitation ambition set out in the Common Fisheries Policy

Instrument/Policy	Objectives	Implementation	Key measures
Common Fisheries Policy	Ensure environmental, economic and social sustainability in activities such as fishing and aquaculture, adopt a precautionary approach to managing fish stocks, aim to reduce unwanted catches and discards at sea, aim to improve the selectivity of fishing gear, and encourage responsible fishing.	Adoption of quotas, catch limits, minimum fish sizes, seasonal bans, closure of fishing areas, etc.	<ul style="list-style-type: none"> ○ Principles of good governance ○ Sustainable exploitation ○ Stock management plan ○ Conservation of marine biological resources ○ Innovation and research ○ International cooperation ○ Precaution

The **Common Fisheries Policy (CFP)** is also a fundamental pillar of European maritime governance. Since it was first discussed in the Treaty of Rome (1958), the CFP has undergone many changes, gradually separating from the Common Agricultural Policy and undergoing reforms in 1983, 1992 and 2013, 2002 and 2013. These reforms have enabled a shift from an approach initially focused on access to resources to a desire to manage the ecosystem in a sustainable manner with strong regulation of fishing effort and participatory and territorialised governance. The CFP⁹⁰, whose current framework was defined in 2013, covers the conservation of marine biological resources, the management of fisheries and fleets, market and financial measures, as well as aquaculture, processing and marketing of fishery products.⁹¹

As the world's leading importer of fishery products⁹², the EU faces a significant tension between sustainability and economic needs. The CFP therefore aims to manage the conservation of fish stocks at sea, in particular through the establishment of quotas and total allowable catches (TACs), in order to limit overfishing and its economic, social and environmental impacts. Articles 15 and 16 of the 2013 CFP Regulation also provide for an obligation to land all catches of certain specified species since 2015, as well as multi-annual plans. In addition, the CFP also aims to implement measures concerning fleet management, market organisation and the external dimension of fisheries through bilateral agreements and

⁸⁹ European Economic and social Committee, "Gouvernance internationale des océans : un programme pour l'avenir de nos océans (Communication)", *European Economic and social Committee*, Opinions and information reports, 29/03/2017.

⁹⁰ Articles 3,4,38,44 et 218 du TFEU

⁹¹ Article 1, *Politique Commune de la pêche*, 2013.

⁹² OEMPPA (Observatoire européen des marchés des produits de la pêche et de l'aquaculture). *Le marché européen du poisson*. Édition 2014. Page 1 ; http://www.eumofa.eu/documents/guest/Yearly%20Highlights/The%20EU%20fish%20market_EN.pdf

participation in regional fisheries management organisations (RFMOs)⁹³. Since the gradual introduction of this policy, significant progress has been made in reducing overfishing in certain regions, despite the fact that progress has not been uniform across all European basins.⁹⁴ The CFP also aims to complement the overall integrated maritime policy programme.

1- A centralised policy for a diverse fishing industry: the structural limitations of the CFP

While the CFP is a key part of the EU's maritime legislative framework, there are still some limits in its structure and implementation. In particular, improvements have been proposed to address the fact that the governance of the CFP appears to be highly centralised and sometimes disconnected from local realities, even though the regions have a necessary role to play in the implementation of these measures.⁹⁵ The financial mechanisms are also complex and difficult to access for small operators. Similarly, small-scale fisheries appear to lack support compared to large structures, requiring greater political recognition and support through differentiated policies depending on the type of fleet.⁹⁶ The CFP may also appear to be poorly coordinated with environmental policies and requires systemic integration between conservation and fisheries management.⁹⁷

The CFP is a cornerstone of maritime policy, enabling a gradual balance to be struck between the environment, politics, society and the economy. Through successive revisions and improvements, this policy has laid solid foundations that need to be consolidated to ensure greater effectiveness and balance.

C) The Maritime Spatial Planning Directive (MSPD), a structuring instrument for the coordination of maritime uses

Instrument/Policy	Objectives	Implementation	Key principles
MSPD (2014/89/EU)	Establishment of a framework for maritime spatial planning to promote the sustainable growth of maritime economies, sustainable marine development and the sustainable use of marine resources.	Transposition of the Directive into national legislation, designation of competent authorities responsible for implementation, establishment of a national maritime spatial	<ul style="list-style-type: none"> ○ Ecosystem-based planning ○ Cross-border cooperation ○ Intersectoral coordination ○ Stakeholder integration ○ Research and innovation ○ Clear time frame

⁹³ Organisation des Nations Unies pour l'alimentation et l'agriculture, « Organisations régionales des pêches », *Accord relatif aux mesures du ressort de l'État du Port (PSMA)*, Organisation des Nations Unies pour l'alimentation et l'agriculture, contexte, (en ligne), Lien URL : <https://www.fao.org/port-state-measures/background/regional-fisheries-bodies/fr/>

⁹⁴ European Environment Agency. (2025). *Status of marine fish and shellfish stocks in European seas* [Indicator]. European Environment Agency.

⁹⁵ Conference of Peripheral Maritime Regions. (2021, 2 juillet). *Policy Paper – Roadmap Action Plan for the Preservation of Fisheries Resources* [Note politique]. CPMR. Récupéré de <https://cpmr.org/fr/wpdm-package/cpmr-policy-paper-roadmap-action-plan-preservation-fisheries-resources-may-2021/>

⁹⁶ WWF European Policy Office. (2021, 19 juillet). *Socio-economic impacts of the EU Common Fisheries Policy: An evaluation of the European Union fishing fleet and options for the future* [Rapport PDF]. WWF. Récupéré de <https://www.wwf.eu/?4028941/Socio-economic-impacts-of-the-eu-common-fisheries-policy>

⁹⁷ Russi, D., Pantzar, M., Kettunen, M., Gitti, G., Mutafoğlu, K., Kotulak, M. & ten Brink, P. (2016, 1 mai). *Socio-Economic Benefits of the EU Marine Protected Areas* [Rapport PDF]. Institute for European Environmental Policy pour la DG Environnement, Commission européenne. Récupéré de <https://oppla.eu/sites/default/files/uploads/socio-economic-benefits-eu-mpas.pdf>

		plan, European Commission report.	
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Another notable instrument of the European maritime legislative framework is the Maritime Spatial Planning Directive (MSPD).⁹⁸ Since its introduction in 2014, it has been an essential tool for marine spatial planning. This directive responds to the growing need to coordinate maritime uses in a context of multiple pressures on marine and coastal ecosystems, while promoting an ecosystem-based approach to facilitate the coexistence of uses and limit conflicts between them. It is therefore a fundamental operational tool for integrated governance of marine areas within the European Union. However, while this directive marks a significant step forward in the coordination of maritime activities, obstacles to its implementation have been identified, limiting its potential.

The MSP Directive aims to integrate different maritime sectors into a coherent planning approach. However, it does not define operational mechanisms to resolve conflicts of use or arbitrate between sometimes conflicting sectoral objectives. Thus, despite the principle of intersectoral coordination enshrined in Article 5 of the Directive, its application can be fragmented, with compartmentalised approaches between competent administrations. This limits the MSP's ability to truly articulate sectoral policies within a common vision of the maritime space.

1- Misaligned rationales and timeframes: coherence undermined by the siloed evolution of European policies

This limitation in sectoral coordination is also reflected in the European decision-making process on policies affecting the use of maritime space. The timeframes of maritime planning cycles (generally 6 to 10 years) can encounter inadequacies with the rapid evolution of European objectives and initiatives, such as the European Green Deal, the Nature Restoration Regulation, and the growing targets for the development of offshore renewable energy. This time lag thus leads to a form of legislative obsolescence of national plans. This is particularly evident in the case of the Nature Restoration Regulation, as highlighted in the report of the European project MSP-Green,⁹⁹ , which states: *"Recent EU initiatives, such as the Nature Restoration Law and the Offshore Renewable Energy Strategy, introduce new targets*

⁹⁸ "1.(1.) "This Directive establishes a framework for maritime spatial planning aimed at promoting the sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources."

(2.) *Au sein de la politique maritime intégrée de l'Union, ce cadre prévoit l'établissement et la mise en œuvre par les États membres de la planification de l'espace maritime dans le but de contribuer aux objectifs décrits à l'article 5, en tenant compte des interactions terre-mer et d'une coopération transfrontière améliorée, conformément aux dispositions pertinentes de la CNUDM.*"

⁹⁹ MSP-GREEN consortium. (2024, novembre). *Recommendations on how to strengthen the integration of European Green Deal maritime components into maritime spatial planning* [Rapport PDF]. MSP-GREEN (Horizon Europe). Récupéré de https://mspgreen.eu/wp-content/uploads/2024/11/Reccomendations_green-2rev.pdf

that were not considered in the original MSP plans. This creates a need for revision and better coordination."¹⁰⁰

Furthermore, a lack of coordination with other instruments of the European maritime legislative framework may also be felt with regard to the MSFD, which aims at the GES, while MSP promotes sustainable use of the economy. These two approaches, although complementary, may become conflicting in the absence of common objectives and effective coordination.¹⁰¹

2- Differentiated implementation and national approaches: challenges for harmonisation and cooperation

Although this directive is transposed at national level through the development of national plans, it nevertheless recognises the specific characteristics of marine basins and the need for cross-border cooperation (Article 11). However, coordination mechanisms between Member States remain mainly incentive-based, with no binding instruments to organise, for example, cross-border ecological corridors or consistency between navigation and energy exploitation zones. This territorial fragmentation limits the potential of the MSP to drive genuine coordinated planning at the level of the defined marine sub-regions. The cross-border dimension remains underdeveloped in the measures related to the directive, with few binding mechanisms to promote harmonisation of uses between coastal states, such as ecological corridors or shipping routes.

The directive applies the principle of subsidiarity and gives Member States considerable leeway in defining planning arrangements. While this flexibility allows for adaptation to national administrative systems, it also leads to significant differences in the implementation, ambition and structure of maritime plans. Some countries, notably Finland, have given an operational role to maritime regions, while others have opted for centralised coordination. This diversity of administrative models makes it difficult to harmonise plans at European level and can lead to mismatches with territorial realities and regional development plans.

3- Towards a future revision of the MSP: an opportunity to maximise its potential and ensure a truly ecosystem-based approach

Despite these limitations, the MSP Directive represents a major step forward in the organisation of maritime spaces within the European Union. It has introduced an integrated vision and a common approach to maritime planning, promoting coordination between uses, predictability for economic actors and better consideration of environmental issues. It thus provides a solid basis for building genuine integrated maritime governance in order to better respond to new requirements and strengthen the relevance of plans in the face of accelerating maritime dynamics.

¹⁰⁰ European Parliament Research Service (2023). "Nature restoration law: Setting binding targets to restore ecosystems." Briefing

¹⁰¹ Schultz-Zehden, A., & Gee, K. (2020). "Ensuring coherence of the MSP Directive with other legal frameworks." In: *Maritime Spatial Planning: Past, Present, Future*. Palgrave Macmillan.

The MSP Directive will be revised as part of the future *European Ocean Act*. This revision is a strategic opportunity to make maritime spatial planning a real pillar of European maritime governance. It would transform MSP into a forward-looking tool, within which European policies affecting the use of the sea would be discussed upstream, rather than remaining a reactive instrument in response to sectoral dynamics. It also represents an opportunity to link this revision with that of the Marine Strategy Framework Directive (MSFD) in order to strengthen consistency between the two instruments. Such coordination would consolidate a truly ecosystem-based approach, integrating the environmental, social and economic dimensions of marine uses.

D) The Nature Restoration Regulation, a new binding lever for marine ecosystems

Instrument/Policy	Objectives	Implementation	Key measures
Nature Restoration Regulation	Restore at least 30% of degraded terrestrial, marine and freshwater ecosystems by 2023 and 100% by 2050, integrate this restoration into EU climate and biodiversity targets, contribute to food security and ecosystem resilience.	Adoption of national nature restoration plans with review at least every 10 years, progress report every 3 years	<ul style="list-style-type: none"> ○ Good ecological status ○ Restoration of at least 20% of EU land and marine areas by 2030 and all degraded ecosystems by 2050 (milestones) ○ Priority ecosystems including Natura 2000 sites ○ Contribute to climate objectives ○ Restoration of essential habitats (seagrass beds, sponge beds and coral reefs) and improvement of species habitats

Adopted in June 2024, the Nature Restoration Law (NRL) is a recent instrument that can be applied to marine areas and ecosystems in the EU. The main objective of this text is to restore at least 30% of degraded terrestrial, freshwater and marine ecosystems by 2030 and 100% by 2050. This restoration must be integrated into the EU's climate and biodiversity targets, and the law also aims to contribute to food security and the resilience of ecosystems to climate change. Restoring the marine environment therefore plays an important role in this new legislation.¹⁰² It complements the framework directive by setting specific binding restoration targets for marine habitats, thereby contributing to the EEB's objectives. In addition, the NRL aligns with the Birds and Habitats Directives, which are thus linked to the restoration of marine protected areas, while ensuring effective management of marine biodiversity, marine animals and protected areas. Furthermore, it also aligns with the CFP, encouraging sustainable fishing practices to reduce the impact of these practices on fish stocks and resources, while promoting their recovery. The NRL explicitly requires coordination with the Maritime Spatial Planning Directive, requiring Member States to ensure that their national restoration plans are consistent with maritime spatial plans, thereby ensuring that restored marine areas are protected from future anthropogenic pressures. In addition, the NRL mentions the need to ensure

¹⁰² “Restore marine habitats such as cold water reefs or *Posidonia* beds by prohibiting destructive practices such as bottom dredging or free mooring; use selective fishing gear and create no go zones to act as fish nurseries; replant seagrasses and rebuild cold water reefs in which marine biodiversity can shelter and develop”, Restoring nature for the benefit of people, nature and climate’, European Union, 2022.

complementarity with other sectoral legislative frameworks, thus confirming a cross-cutting and integrated commitment to maritime policy coordination.

1- Potential obstacles to the implementation of the NRL

Although the NRL was only recently introduced, there are challenges and limitations to its implementation. Conflicts of interest are also a major obstacle to the application of the NRL, particularly with regard to industrial fishing.¹⁰³ Data collection is another obstacle to this new law, which requires significant monitoring. However, it has been pointed out that scientific data is currently lacking and that more studies and data collection are needed to ensure that measures and targets are better balanced between the environment, the economy and social aspects.¹⁰⁴ In addition, there is a need for significant political coordination to ensure consistency and coherence between national nature restoration plans and other European policies such as the Marine Strategy Framework Directive, the Maritime Spatial Planning Directive and the Common Fisheries Policy, given the proliferation of different cycles of national plans required to transpose European objectives.

The regulation recognises the Member States' desire for flexibility through the introduction of a specific mechanism. This is notably reflected in Article 27 where the "Emergency brake"¹⁰⁵ introduces the possibility of temporarily suspending (for one year) certain obligations to restore agricultural ecosystems in exceptional circumstances threatening food security. Although less explicit, the NRL also provides for specific flexibility for marine habitats. If a Member State considers that it cannot restore 100% of a habitat type by 2050, it may set a lower target in its national plan, provided that it justifies this. It must then restore this area gradually: at least 30% by 2030 and 60% by 2040.

E) Communication on a sustainable blue economy: an approach to developing the economy linked to the sea, the ocean and coastal areas in a sustainable manner

Instrument/Policy	Objectives	Implementation	Key measures
2021 Communication on a new approach to a sustainable blue economy in the European Union. COM(2021) 240	The sustainable blue economy aims to make all maritime sectors more environmentally friendly in order to achieve the objectives of the European Green Deal. This new approach ensures greater consistency between the various sectors of the blue economy and strengthens the development of	Annual monitoring report to assess Member States' progress, specific indicators put in place, creation of a forum on the sustainable blue economy.	<ul style="list-style-type: none"> ○ Evaluation of the MSPD: proposal for cross-border cooperation and integration of offshore energy into national maritime management plans ○ Revision of the Marine Framework Directive: strict

¹⁰³ WWF European Policy Office. (2023, 24 mai). *European Parliament Fisheries Committee shows blatant disregard for citizens' concerns in damning Nature Restoration stance*. WWF EU. <https://www.wwf.eu/?10574441%2FEuropean-Parliament-Fisheries-Committee-shows-blatant-disregard-for-citizens-concerns-in-damning-nature-restoration-stance=>

¹⁰⁴ Visconti, P., Heyl, A., Chapman, M., Jung, M., & Leclère, D. (2025, 28 avril). *Balancing nature restoration and land use: a path to sustainable growth in the EU* [communiqué de presse]. International Institute for Applied Systems Analysis (IIASA). Repéré à <https://iiasa.ac.at/news/apr-2025/balancing-nature-restoration-and-land-use-path-to-sustainable-growth-in-eu>

¹⁰⁵ The "emergency brake" has not yet been activated. Since the law was adopted, no Member State has yet made use of this mechanism.

	research, innovation, skills and cooperation between states and users.		standards, biodiversity protection measures, new MPAs <ul style="list-style-type: none"> ○ Investment and innovation ○ The action plan for the conservation of fishery resources and the protection of marine ecosystems ○ Proposal for binding targets for the restoration of degraded ecosystems ○ Establishment of a blue economy observatory with annual reports ○ Launch of the Ocean Mission ○ Mention of the "farm to fork strategy"
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1- Evolution of the concept of Blue Growth towards the blue economy

On 17 May 2021, the Communication on the sustainable blue economy set out an updated EU strategy for the sustainable development of the economy linked to the seas, ocean and coastal areas. This communication is currently a central element aligned with the EU's overall objectives. However, the Strategy has developed gradually through various initiatives that have mainly taken shape since 2012. The *Blue Growth* Communication (COM (2012) 494)¹⁰⁶ represents the starting point for the EU's blue economy strategy within the Europe 2020 strategy, which focuses on employment and innovation. The document reflects the EU's initial strategy to develop the untapped potential of the seas and ocean to stimulate economic growth and job creation in maritime-related sectors, while identifying five key areas for development. However, the environmental dimension appears to be secondary, with economic issues taking centre stage. A gradual change took place between 2014 and 2022, as the concept of sustainability gradually gained ground in European policies, including maritime policies, with the integration of the MSP Directive in 2014. Debates also intensified during this period, particularly around plastic pollution and the preservation of marine biodiversity.¹⁰⁷ In spring 2019, climate marches were also organised in many EU countries participating in the development of a form of "green wave"¹⁰⁸ for the 2019 European elections.

The publication of the Communication on a new approach to a sustainable blue economy, rather than "blue growth", marks this shift towards the EU's environmental objectives. This transformation of the blue economy will drive the "blue" dimension of the

¹⁰⁶ European Commission, « COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Blue Growth opportunities for marine and maritime sustainable growth (Text with EEA relevance) », Brussels, 13.9.2012 COM(2012) 494 final.

¹⁰⁷ Commission européenne. (2019). *Marine Litter/Plastics Projects funded under Horizon 2020*. Direction générale de la recherche et de l'innovation, Unité F.4 – Ressources marines.

¹⁰⁸ Donagh Cagney, traduit par Marie-Alix Pocholuk, « Pas de « vague verte » pour les élections européennes de 2024 [archive] », sur Euractiv, 27 mai 2024.

European Green Deal.¹⁰⁹ The communication also aims to support climate adaptation and coastal resilience with nature-based solutions, ensure the sustainability of food production, and develop land and sea management.¹¹⁰ In addition, it further highlights the need for an integrated approach to ensure that policies do not contradict each other.¹¹¹ The areas concerned are the following policies: climate, environment, agriculture and fisheries, energy, industry, trade, research and innovation. A second major change is the greater involvement of stakeholders, which has become essential to the transformation of the blue economy. This approach mobilises European institutions, Member States, but also regional and local authorities, economic sectors, civil society, research stakeholders and citizens, particularly the youth. This participatory dynamic is reflected in the development of local participatory initiatives, through the funding of local development groups led by grassroots actors, local action groups in the fisheries sector, and the establishment of networks of blue schools and projects promoting citizen participation.

2- A new structuring maritime vision, but without the scope of a true reflection of the European Green Deal

While this document reflects a new maritime vision for the European Union, it remains a policy document with no binding force, relying on the voluntary commitment of Member States and economic actors. This lack of normative character makes the agenda difficult to implement in a coherent and uniform manner at European level, especially in a context of heterogeneous systems to address maritime policies. Although the Communication mentions the need to better integrate blue and green policies, the concrete links between the sustainable blue economy and other frameworks, such as the MSFD and the MSPD, did not specify concrete proposals to seek further integration. While it proposes the evaluation or revision of existing legislation, no methodology is specified to ensure the compatibility of sectoral policies or coordination between climate, biodiversity and economic development objectives, and no new cross-sectoral maritime policies have been announced.

Part 3: Current situation: cross-cutting lessons and systematic challenges for European governance

Having examined the various characteristics of the conceptual framework for international ocean governance and the legislative framework for the European Union's maritime policy, their cross-cutting successes and limitations can be reviewed in order to compare them with current international challenges. The aim of this section is to identify the systemic challenges preventing the full implementation of all the measures provided for in the IMP.

¹⁰⁹ Commission Européenne, « La commission européenne adopte une nouvelle communication sur l'économie bleue durable », *Commission européenne*, News article, Directorate-General for research and innovation, 17 may 2025.

¹¹⁰ *Ibid.*

¹¹¹ "The sustainable blue economy relies on strong cooperation between all levels of governance and the mobilisation of stakeholders." Communication COM (2021) 240 final – A new approach to a sustainable blue economy in the EU: transforming the EU's blue economy for a sustainable future.

I. Successes and coherence of European maritime governance

Instrument/Policy	Progress	Consistency between instruments/policies
Integrated Maritime Policy (IMP)	The European Union's leading role at international level, sectoral coordination, integration of maritime sectors.	Cross-cutting approach aims to avoid policy silos. It serves as a framework for coordination between the elements of the legislative framework.
Maritime Strategy Framework Directive (2008/56/EC)	Development of assessment cycles, establishment of a monitoring framework and start of regional cooperation through marine conventions with the aim of achieving the MSFD.	Complementarity with the MSPD, CFP and NRL in line with an ecosystem-based approach to the marine environment. Environmental pillar of the IMP.
Maritime Spatial Planning Directive (2014/89/EU)	Development of national maritime planning plans with better mapping of uses and encouragement of cross-border cooperation.	Complements the MSFD through integrated spatial planning; aims to improve the coordination of socio-economic activities at sea.
Communication on a sustainable blue economy COM(2021) 240	Integration into the European Green Deal for maritime policies; promotion of innovation, digitalisation, green technologies and coastal resilience.	The communication calls for the strengthening of maritime spatial planning and proposes an investment framework to support economic and environmental projects.
Nature Restoration Law	Introduction of binding targets for the restoration of marine ecosystems, strengthening the link between biodiversity and climate action.	Explicitly calls for consistency with MSP plans and the objectives of the MSFD and CFP; is part of the 2030 Biodiversity Strategy.
Common Fisheries Policy (CFP) (No 1380/2013)	Reduction of overfishing in certain basins, introduction of quotas and landing obligations, better consideration of environmental aspects.	Framework aligned with the EEB objectives set by the MSFD; coordination with sustainable fisheries management plans and regional conventions. Need for alignment with MSP plans and their evolution to ensure the place and future of fishing activities in Europe.

At EU level, it is important to emphasise the importance of establishing an integrated maritime policy, which is now a fundamental pillar of ocean governance. Since the gradual adoption of various legislative and strategic instruments, several advances have been made. European maritime governance has, in particular, strengthened the protection of marine ecosystems through the introduction of legally binding targets. It has also instilled the need for an integrated and sustainable vision among Member States, while stimulating innovation and

research on the sustainability of maritime activities, notably through the Strategy for a Sustainable Blue Economy and the Horizon Europe programme. Furthermore, this integrated policy promotes the alignment of European sectoral policies with international commitments and thus provides a structured basis for coherent European action.

However, despite these successes, significant challenges remain, particularly in terms of coordination between different legislative and policy instruments. The application of different pieces of legislation in silos still limits the implementation of a truly integrated approach. This approach also affects governance levels, from European to local, as well as the actors involved in maritime management.

Thus, although current policies lay the foundations for enhanced cooperation between maritime sectors, they continue to have structural limitations that are not attributable to a single instrument, but rather to a lack of systemic coherence across the entire European framework.

II. Cross-cutting limitations and gaps in current policies

Governance/international	Application and implementation	Conflicts of use	Funding	Science/research	Cooperation / Participation	Environmental pressures
Lack of coordination between levels of governance: Ineffective coordination between European institutions, Member States and regional actors.	Sectoral siloes: Difficulty in implementing directives and tensions between environmental and economic objectives.	Tensions between conservation and economic development: Conflict between environmental objectives (e.g. ocean protection) and the economy.	Lack of funding: Insufficient funds allocated to policy implementation (e.g. Nature Restoration Law, MSFD).	Data collection issues and insufficient scientific monitoring: Disparate data and lack of harmonised indicators to assess maritime policies.	Limited stakeholder participation: Low involvement of local and regional actors in decision-making processes (e.g. fishermen, NGOs, local businesses, regional and local authorities).	Growing pressure from climate change and pollution: Impact on biodiversity, marine ecosystems and coastal resilience.
Difficulty in enforcing EU standards on the high seas and vis-à-vis third countries: lack of exclusive EU competences affecting the fight against illegal fishing, but also in enforcing European standards on imported seafood products and in ensuring that Member States also comply with EU standards abroad.	Uneven application of regulations by Member States: Some countries do not apply directives at the same pace or with the same intensity (e.g. infringements of the MSFD and MSFD).				Conflicts of use in maritime areas: Competition between sectors (e.g. fishing, marine renewable energy, biodiversity conservation).	
Difficulty in monitoring and enforcing fishing quotas: this leads to cases of fishing quotas being exceeded through IUU fishing.	Lack of effective sanctions: Lack of binding mechanisms to ensure compliance with directives (e.g. weak enforcement of the polluter pays principle).				Little consideration of social impact: Little attention is paid to the social implications and workers in the maritime sector.	
Inadequate measures to limit illegal fishing: A significant proportion of	Compatibility issues between existing					

overfishing remains uncontrolled.	legislation: Poor coordination between different legislative frameworks (e.g. MSFD, MSPD, CFP).					
Conflicts between Member States and third-country authorities: Disagreements over the exploitation of maritime resources (e.g. Brexit and EEZ management).	Delays in implementing policy : Member States have failed to meet the deadlines for transposing and implementing directives (e.g. MSFD).					
Lack of regulatory harmonisation: Disparities between Member States in the application of maritime laws and regulations.	Lack of clear definition of certain concepts: Concepts such as "multi-use" are not sufficiently clarified in the legislative framework.					

Despite significant progress since the implementation of the European Union's Integrated Maritime Policy (IMP), structural and strategic limitations remain. These are not specific to any one instrument, but reflect an insufficiently articulated framework that is not equipped enough to respond to the cumulative and emerging challenges facing Europe's maritime areas. These main limitations can be classified into four interconnected categories:

Structural limitations, with implementation of the IMP remaining affected by sectoral and institutional level lack of coordination. Despite the ambition for integration expressed by the IMP, the various sectoral legislative instruments have been designed in parallel. There is no binding mechanism or structured facilitation method to formally ensure their interaction. This leads to conflicts of objectives, which are left to Member States to resolve without a common framework for evaluation or harmonisation at European level. The evaluation of the MSPD Directive has also highlighted the lack of specific mechanisms to overcome inter-sectoral conflicts.¹¹² This approach is reinforced within the European Commission itself, where different Directorates-General (e.g. ENV, MARE, MOVE, ENER) operating with separate agendas. This heterogeneity is also visible at national level: in several Member States, the implementation of the Maritime Spatial Planning Directive (MSPD) is ensured by ministries with separate portfolios, which leads to different national priorities depending on the competent authority designated. This institutional diversity not only complicates cross-sectoral coordination within countries, but also makes harmonisation between Member States sharing the same sea basin more difficult. The mapping of actors also reveals the compartmentalisation of implementing agencies (EMSA, EFCA, EEA), which can affect coordinated action.

Limitations of governance. At the European level, maritime governance is weakened by the increasing developments of national action plans required by different European legislative instruments, which have different cycles and reporting requirements. This multiplication of plans and cycles can complicate the alignment of objectives, the coherence of

¹¹² Parlement européen, *Report on the implementation of Directive 2014/89/EU establishing a framework for maritime spatial planning*, PE 698.788, 2021.

the plans, and can reinforce policy silos, and transnational capacity for action at the sea basin level. The absence of a coordination or harmonisation mechanism between instruments weakens the overall coherence of the strategic framework and compromises its clarity for both Member States and stakeholders and therefore affects long-term projection capacity of maritime actors.

At the national level, the principle of subsidiarity is a strategic lever for bringing maritime governance closer to territorial realities. However, the current maritime governance approach focuses on the development of national plans, without any binding mechanisms or monitoring of the degree of integration of regional and local authorities and stakeholders. Many coastal regions already have regional development strategies, blue economy strategies or existing environmental monitoring systems in place. Without continuous integration of regional and local actors throughout the legislative implementation cycle, and by pursuing a sector-by-sector approach without solid coordination mechanisms, the objectives of integrated maritime policy risk being weakened. Instead of reinforcing each other, existing and emerging instruments may come into conflict, compromising the overall effectiveness of the framework and the ability of maritime actors to plan for the long term.

Prospective limitations. The design of the IMP is based on a context of stability, which may hamper cross-sectoral coordination in situations of tension and thus in responding to geopolitical, environmental, climate or energy crises that are redefining maritime spaces. For example, to date, the consequences of climate change are not a minimum requirement in the development of national maritime planning plans. European exclusive economic zones (EEZs) are increasingly subject to strategic pressures with the need for militarisation, protection of critical infrastructure and dual-use development. On the issue of security, we can highlight the cases of the Black Sea and the Baltic Sea. The war in Ukraine has repositioned the Black Sea as a central arena for strategic rivalries between NATO countries and Russia. In the Baltic Sea, there are energy and military security concerns regarding the protection of critical infrastructure such as pipelines.

These limitations do not call into question the progress made for a holistic maritime framework at EU level, but they do highlight an important need for a more integrated European approach. It is becoming essential to move beyond the juxtaposition of sectoral policies and build a framework that articulates existing instruments around shared objectives. Such an approach requires the establishment of concrete mechanisms for legal coordination, enhanced interinstitutional coordination and formal recognition of territorial realities in maritime governance.

III. A need to adapt to current and emerging challenges

At the same time, European maritime policy is also subject to external pressures that need to be identified. A major challenge lies in the climate crisis, the impacts of which include rising sea levels and the acidification of waters, making it necessary to adapt restoration policies. By absorbing the extra heat and energy released by greenhouse gas emissions.¹¹³ The rise in

¹¹³ Nations Unies, « Les effets du changement climatique sur les océans », Nations Unies, Action climat, (en ligne), Lien URL : <https://www.un.org/fr/climatechange/science/climate-issues/ocean-impacts>

temperature and energy cause severe damage to marine ecosystems - with rising sea levels, water acidification and thermal expansion - as well as to coastal communities. The impact is particularly severe on coasts and islands, where sea level rise is likely to increase significantly, affecting the inhabitants of these areas, particularly through coastal erosion. Significant heat waves are also being observed, increasing the risk of coral bleaching, reef degradation and mass mortality events affecting underwater species and habitats.¹¹⁴ A clear decline in marine biodiversity is therefore visible, particularly due to rising temperatures.¹¹⁵ The current environmental context therefore has a major impact on the seas and the ocean, which in turn has a knock-on effect on marine ecosystems, species, coastlines, maritime regions and their inhabitants.

The fight against climate change is a fundamental pillar of the European Green Deal. The European Ocean Pact should be closely aligned with this ambition, ensuring that maritime policies are consistent with climate objectives, particularly in terms of decarbonising maritime transport, developing renewable energy at sea and restoring marine ecosystems as natural carbon sinks.

Geopolitics is also an important factor to consider, as pressure on EEZs is increasing due to the need for militarisation, the impact of Brexit and post-agreement tensions. From a security perspective, certain issues pose considerable obstacles to the effectiveness of the legislative framework, particularly piracy, maritime trafficking and cyber threats to ports, for example.

International agreements relating to the seas and the ocean also feature prominently among the current challenges facing them. The Paris Climate Agreement, adopted in the same year, recognises the key role played by the ocean, particularly as climate regulators, thereby strengthening the intersectional relationship between the ocean, and climate change. While the BBNJ agreement is in the process of ratification, limitations are already apparent, as it is a mixed agreement based on the competences of the EU and its Member States. Indeed, the BBNJ must be ratified by the EU as well as individually by all its Member States, which may delay its entry into force. Furthermore, there is also a risk of divergence, as some Member States may have reservations and differing positions on certain provisions of the treaty. Examples of these difficulties with mixed agreements include the EU-Mercosur Agreement (¹¹⁶) and the Paris Agreement. Following ratification, the mixed agreement will also have certain potential limitations in terms of implementation at EU level, particularly with regard to the division of competences (¹¹⁷) and inequalities in the capacities of Member States.

Another agreement to be taken into account here is the Plastics Treaty, or global treaty on plastic pollution, currently being negotiated under the auspices of the United Nations. Its objective is to combat plastic pollution, particularly in the marine environment throughout the

¹¹⁴ Copernicus, Copernic service maritime, « Vagues de chaleurs marines », *Copernicus*, Explications sur les océans, phénomènes et menaces, vagues de chaleur marines, (en ligne), Lien URL : <https://marine.copernicus.eu/fr/explainers/phenomena-threats/heatwaves>

¹¹⁵ Nations Unies, « Les effets du changement climatique sur les océans », Nations Unies, Action climat, (en ligne), Lien URL : <https://www.un.org/fr/climatechange/science/climate-issues/ocean-impacts>

¹¹⁶ Lehmann, K. E. (2023, 13 juin). *The ratification of the EU-Mercosur agreement from the European perspective – Now or never?* CEBRI-Revista (Snapshots).

¹¹⁷ Toute l'Europe. (2023, 30 mars). *La répartition des compétences entre l'Union européenne et les États membres*. Toute l'Europe. Consulté de <https://www.toutleurope.eu/fonctionnement-de-l-ue/la-repartition-des-competences-entre-l-union-europeenne-et-les-etats-membres/>

life cycle of plastics, from production to waste management. It would therefore aim to reduce the consumption and production of plastics while improving waste management and promoting equity and environmental justice in developing countries.¹¹⁸

Part 4: Exploration of governance methods: Case studies on different European sea basins

I- The North Sea: the case of the Greater North Sea Basin Initiative

A) Geopolitical and geographical context

The North Sea is a highly strategic maritime area for the European Union and its coastal Member States. It faces major challenges in terms of energy transition, biodiversity protection, maritime safety and cross-border coordination. This basin is at the heart of European ambitions for offshore wind energy, with significantly enhanced targets since the Ostend Declaration (2022), which commits nine countries (seven EU Member States, along with Belgium, Denmark, France, Germany, Ireland, Luxembourg, the Netherlands and two non-EU countries, Norway and the United Kingdom) to increase offshore wind capacity to 120 GW by 2030 and 300 GW by 2050 in the North Sea, thereby making it a major green energy hub. This acceleration is a continuation of the North Seas Energy Cooperation (NSEC), an intergovernmental cooperation framework established in 2016 with the support of the European Commission, aimed at coordinating the development of energy infrastructure, connections and maritime networks in the region.

This momentum is accompanied by growing challenges in terms of maritime spatial planning, environmental management, coexistence between uses (transport, fishing, energy, defence) and shared governance. The density of activities in the North Sea, combined with the intertwining of national jurisdictions, calls for enhanced coordination between states, regional actors and stakeholders, which is further accelerated by the ambition for offshore energy interconnectivity.

B) Towards integrated cross-border governance in the North Sea

Launched in 2023 and spearheaded by the Netherlands and France, the Greater North Sea Basin Initiative (GNSBI) is an informal and non-binding cooperation bringing together nine countries bordering the North Sea, including six Member States (Belgium, Denmark,

¹¹⁸ United Nations Secretary-General. (2025, 28 mai). “We Need Ambitious, Credible, Just Agreement” to End Plastic Pollution Now, Says Secretary-General, in Message for World Environment Day (SG/SM/22662) [Communiqué de presse]. United Nations. Récupéré de <https://press.un.org/fr/2025/sgsm22662.doc.htm>

France, Germany, Ireland, the Netherlands, Sweden and two non-European states, Norway and the United Kingdom. This initiative was developed in May 2023, following a meeting of directors-general responsible for MSP in the North Sea coastal states, organised by France and the Netherlands.¹¹⁹ The initiative aims to respond to the growing challenges associated with the use of marine space, particularly due to the accelerated development of offshore wind energy, by strengthening coordination between sectors and between States.

The core of the GNSBI is based on interministerial and intersectoral governance. In order to produce conclusions that will provide political guidance for this cooperation, the GNSBI is organised around annual high-level meetings, which aim to bring together different ministries such as those responsible for maritime spatial planning, energy, fisheries and biodiversity, with a view to achieving a cross-cutting political approach. These ministerial meetings are preceded by preparatory technical meetings involving the relevant directorates-general, enabling a common technical basis for political discussions to be established.

The practical implementation of the GNSBI priorities is based on thematic working groups, each coordinated by one or more voluntary States:

Nature restoration and conservation, affirming the principle that nature protection is a basic requirement for all maritime planning.

Cumulative impact assessment (CIA), aimed at harmonising assessment tools and approaches at the basin level. A study in cooperation with ICES is currently being prepared.

Multi-use, to agree on a shared definition and exchange existing multi-use practices in the North Sea.

Long-term prospects for fisheries, focusing on the availability of space for fishing activities in a context of increasing competition.

Knowledge sharing, which will develop a platform for cross-sectoral data collection and dissemination between Member States.

The European Commission, along with selected observer organisations, are invited to monitor and contribute to the work.

C) Results observed

Despite its recent implementation and a current phase that is more focused on experimentation, some initial progress can already be noted.

Although based on a voluntary basis and on the national administrations' own resources, the GNSBI has already enabled the launch of the European project NESBP: Northern European Sea Basins Project. This project, co-financed by the European Union under the EMFAF programme, is one of the first structural results of the momentum generated by the GNSBI. It is an operational tool for the GNSBI to facilitate and deepen technical cooperation between the North Sea countries, with links also being established with the Baltic Sea region. The project focuses in particular on evaluating the implementation of maritime spatial plans from a cross-

¹¹⁹ Council of the European Union. (2023, December 11). *Greater North Sea Basin Initiative* (ST-16422-2023-INIT) [PDF]. <https://data.consilium.europa.eu/doc/document/ST-16422-2023-INIT/en/pdf>

border perspective, strengthening synergies between national maritime policies and supporting decision-making at the sea basin level, and facilitating the implementation of an ecosystem-based approach to maritime spatial planning.

As part of this drive for enhanced cooperation within maritime basins, a promising initiative was launched in 2025 by the GNSBI with the start of joint work on the concept of "Early MSP Dialogue". While planning cycles have so far remained national, this new initiative, if developed in depth and sustained over time, could ultimately aim to align the timetables of national MSP cycles, harmonise consultations and encourage the definition of shared objectives at the maritime basin level. It could thus make it possible to anticipate conflicting uses, strengthen coordination on cross-border activities and carry out transnational work on major interconnected shared objectives.

In the long term, this move towards early dialogue has the potential to profoundly transform European maritime planning. By promoting the alignment of cycles, the convergence of priorities and new synergies between countries in the same basin through various thematic working groups, and driven by a common political will, the GNSBI could pave the way for a redefinition of the maritime governance paradigm, far beyond strictly national approaches.

D) The Mediterranean Sea: the Barcelona Convention

A) Geopolitical and geographical context

The Mediterranean Sea is an intercontinental sea divided into two sub-areas by the Sicilian-Tunisian threshold and is located between Europe, North Africa and the Middle East.¹²⁰ Maritime communications in this basin are via the Strait of Gibraltar, the Suez Canal and the Straits of Dardanelles and Bosphorus.¹²¹ Historically and geographically, the Mediterranean basin is seen as having a rich and varied historical and natural heritage that has been coveted for centuries. Even today, the Mediterranean basin remains an area of geopolitical tension, strategic flows, rivalries and regional cooperation.

This sea is therefore at the centre of territorial and maritime tensions, particularly with regard to disputes between Turkey, Greece and Cyprus over the delimitation of EEZs and natural gas exploitation rights. This conflict is partly based on Turkey's claim to part of Cyprus' EEZ, the waters south of Cyprus containing offshore gas fields, on the grounds that an island cannot have a full EEZ of 200 nautical miles.¹²² Other tensions also relate to the prolonged conflict in Libya since 2011, which is fuelled by strong regional and international rivalries. Finally, tensions also concern issues surrounding maritime borders and offshore gas resources between Israel, Palestine and Lebanon.

¹²⁰ Géoconfluence, « Méditerranée », *Géoconfluence*, (Collectif). Dernière modification (SB et CB) : février 2023 (JBB), décembre 2024.

¹²¹ *Ibid.*

¹²² Sébastien Berriot, « Le partage des zones maritimes entre la Grèce et la Turquie provoque de vives tensions », *France Inter*, Publié le jeudi 13 août 2020 à 18h33.

As a crossroads between Europe, Africa and the Middle East, the Mediterranean is also at the heart of global migration dynamics, which are humanitarian and economic in nature, but also strategic and politicised. The basin has three main routes, central, eastern and western, which are often highly dangerous despite agreements and mass influxes organised or tolerated by the authorities concerned. Migration flows can be used as a lever for diplomatic pressure by certain coastal states such as Turkey, Libya and Morocco.

In terms of energy, the discovery of natural gas reserves in the eastern Mediterranean has reignited significant tensions between neighbouring countries (Turkey, Syria, Lebanon, Israel, Cyprus and Libya) over the demarcation of maritime borders.¹²³ Around these offshore gas discoveries, notably Leviathan in Israel, Zohr in Egypt and Aphrodite in Cyprus, cooperation but also rivalry have developed over their exploitation, giving rise to logistical, environmental and diplomatic challenges. The basin is also witnessing increased military presence and rivalries, including between NATO and Russia since the war in Ukraine, but also the presence of the United States, China and Gulf powers through port investment and energy exploitation.

Furthermore, although the Mediterranean is perceived as an important area of biodiversity,¹²⁴ it is also under serious threat. Pollution is a factor contributing to the degradation of the sea through agricultural, industrial and urban waste, but also through the harmful effects of intense shipping, with noise, collisions and hydrocarbons. Global warming is also significant in this region, with effects such as water acidification, sea level rise and coral bleaching. In addition to an increased risk to marine and coastal biodiversity, global warming also has a considerable impact on populations, the economy and food security.¹²⁵ Added to this are problems related to overfishing, with fish stocks appearing to be overexploited. Urbanisation and tourism are also factors to be taken into account, as the destruction of wetlands and urban sprawl are putting severe pressure on the coastline. Mass tourism is also contributing to increased pollution from waste and pressure on natural resources.¹²⁶

B) The scope of environmental action of the Barcelona Convention

In view of the numerous instruments and policies mobilised by the EU in the maritime basin, the case study will focus on the Barcelona Convention. The document was adopted on 16 February 1976 in Barcelona and entered into force in 1978 as part of the Mediterranean Action Plan (MAP) before being amended in 1995 and renamed the Convention for the Protection of

¹²³ Manon Laroche, « Le gaz : nouvel enjeu géopolitique en Méditerranée orientale », République française, *Vie Publique*, 26 octobre 2021.

¹²⁴ WWF, « Méditerranée : immensité et biodiversité », WWF, (en ligne), Lien URL : <https://www.wwf.fr/espaces-prioritaires/mediterranee>

¹²⁵ Plan Bleu, « Changement climatique », *Plan Bleu*, (en ligne), Lien URL : <https://planbleu.org/page-theme/changement-climatique/>

¹²⁶ Plan Bleu, Mer et Littoral — Cartes illustrant les relations entre pressions des activités humaines et états de l'environnement, *Plan Bleu*, (en ligne), Lien URL : <https://www.obs.planbleu.org/cartes/mer-et-littoral-cartes-illustrant-relations-entre-pressions-des-activites-humaines-etats-de-lenvironnement/>

the Marine and Coastal Environment of the Mediterranean.¹²⁷ Its main objectives are to prevent, reduce and eliminate pollution of the Mediterranean environment; to ensure the conservation and sustainable use of marine and coastal biodiversity; and to strengthen regional cooperation among coastal countries.¹²⁸ The document commits 21 contracting parties, i.e. all the countries bordering the Mediterranean and the EU. Implementation is through seven specific protocols directly linked to EU actions and its legislative framework:

- The Protocol on Specially Protected Areas and Biological Diversity (ASP/DB), which is aligned with the EU's Biodiversity Strategy for 2030, with a target of 30% marine protection through MPAs.
- The Protocol on the Control of Pollution from Land-based Sources and Activities (LBS Protocol), under which the EU co-finances pollution reduction plans, notably with MED POL, by participating in the reduction of urban, industrial and agricultural discharges.
- The Protocol on Integrated Coastal Zone Management (ICZM), which is a key tool of the MSFD, acting to manage the coastline.
- The Protocol on Response to Accidental Pollution, in which the EU supports the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) in coordinating preparedness and response to oil spills and chemical accidents.
- The Protocol on Ship-Source Pollution, which complements EU maritime policies, in particular the Port Facilities Directive (2000/52/EC), and aims to reduce the discharge of waste water, oil and plastics into the sea.¹²⁹
- Finally, the last two elements are the Offshore Protocol and the Hazardous Waste Protocol.

Concrete examples supported by the EU through the Convention include Marine Litter II for the reduction of plastic in the sea, with €5 million in funding between 2020 and 2024 via DG ENV. There is also the EcAp MED III project¹³⁰, with €4 million in funding (2020-2023) for the application of the ecosystem approach (EcAp) in marine quality monitoring. The MedProgramme (GEF/UNEP)¹³¹ for coastal clean-up and restoration is co-financed by the EU and the GEF.

¹²⁷ UNEP/ MAP, « La convention de Barcelone et ses Protocoles », *UN environment programme, Mediterranean Action Plan*, (en ligne), Lien URL : <https://www.unep.org/unepmap/fr/who-we-are/barcelona-convention-and-protocols>.

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*

¹³⁰ UNEP/MAP, « Projet EcAp MED III (2020-2023) », *UNEP/MAP*, (en ligne), Lien URL : <https://www.unep.org/unepmap/fr/what-we-do/projects/ECAP-MED-III>

¹³¹ UNEP/MAP, « Le MedProgramme (2020-2026) », *UNEP/MAP*, (en ligne), Lien URL : <https://www.unep.org/unepmap/fr/what-we-do/projects/MedProgramme>

C) Results observed

Despite its central role in protecting the marine and coastal environment in the Mediterranean, a number of structural limitations have been identified between its legal design and its practical implementation.

Firstly, there is a degree of uneven implementation among the riparian states of the basin, which do not have the same institutional, financial and technical capacities to apply the seven protocols. The countries of the southern and eastern Mediterranean, such as Tunisia, Libya, Egypt and Syria, face significant obstacles that greatly compromise the implementation of the Convention, such as weak administrative resources, political instability and development priorities. Differentiated application of obligations reduces the coherence of environmental protection across the maritime basin.¹³² Secondly, the Convention is based on voluntary cooperation and political commitment on the part of States. As a result, no binding supervisory authority has been established, nor are there any effective sanctions for non-compliance with the measures that have been put in place. In addition, there is also little coordination with other policy areas such as fisheries, transport and migration, which are highly relevant to the Mediterranean. As a result, the Convention's objectives can sometimes conflict with other economic and geopolitical policies in the region, including: the CFP, where the EES and fishing quotas are at odds with each other, and port and tourism development, with the concretisation of coastlines. Institutional complexity and the duplication of initiatives also contribute to divided governance.

In short, despite its pivotal role in protecting the Mediterranean marine and coastal environment, the Barcelona Convention suffers from structural weaknesses that limit its effectiveness: heterogeneous state capacities, the absence of binding control mechanisms, weak intersectoral integration and silo governance have weakened its implementation.

D) The Baltic Sea: the European Union Strategy for the Baltic Sea Region (EUSBSR)

A) Geopolitical and geographical context

The geographical and geopolitical context of the Baltic Sea is complex, evolving in a tense context of war in Ukraine, which is fuelling increased militarisation, and the region's importance in terms of energy and trade. The Baltic Sea is an inland sea bordered by nine countries: Germany, Denmark, Finland, Estonia, Latvia, Lithuania, Poland, Sweden and Russia. It also connects to the North Sea via the Kattegat and Skagerrak straits and has three gulfs: the Gulf of Finland, the Gulf of Riga and the Gulf of Bothnia.¹³³

¹³² Michel Prieur, « Le « système de Barcelone », un illustre inconnu » ?, *Droit de l'Environnement* N°319, Actu Environnement, DROIT, Étude, Biodiversité, 03/03/2023.

¹³³ Jean-Pierre PINOT, « Mer Baltique », *Encyclopedia Universalis*, (en ligne), lien URL : <https://www.universalis.fr/encyclopedie/mer-baltique/>

The Baltic Sea also has a fragile environment with an ecosystem that appears vulnerable due to agricultural, industrial and maritime pollution.¹³⁴ However, it is also an area with important and essential ports for maritime trade, such as Gdańsk, Klaipėda, Saint Petersburg, Stockholm and Helsinki.

The Baltic Sea has also been part of a complex geopolitical landscape since 2014, when Russia's annexation of Crimea heightened tensions between NATO and Moscow, including in the maritime sector. In this context, the Baltic Sea has emerged as a strategic buffer zone that is essential to Russia's national security and power projection since the Second World War, particularly during the Soviet naval campaign in the Baltic Sea in 1945.¹³⁵ In addition, NATO is strengthening its military presence in this basin through its coastal members such as Poland, the Baltic states, Germany and Denmark in order to address these military challenges with Russia. A concrete example of the strengthening of the military presence in the Baltic Sea is NATO's reaction to the damage caused on 25 December 2024 to submarine cables linking Estonia and Finland.¹³⁶ In response, Russia has also stepped up its military activities in the sea via the Kaliningrad enclave, which is heavily militarised, notably with Iskander missiles and S-400 air defence systems.¹³⁷ The strategic balance in the region has also been profoundly affected by the accession of Sweden¹³⁸ and Finland¹³⁹ to NATO between 2023 and 2024.

The Baltic Sea is also exposed to energy challenges, particularly around Nord Stream I and II, a system of two gas pipelines connecting Russia to Germany. The system was targeted by a major sabotage attack in 2022, illustrating the vulnerability of critical infrastructure at sea.¹⁴⁰ In addition, the Baltic countries are regularly targeted by disinformation campaigns and cyberattacks attributed to Russia.

B) View of an intra-EU instrument: the Baltic macro-region

For the case study, we will focus here on the EU Strategy for the Baltic Sea Region (EUSBSR). This macro-regional strategy, established in 2009, was put in place to address several environmental, economic and geopolitical issues such as severe pollution linked to eutrophication, connectivity problems between states in the region, economic inequalities and,

¹³⁴ WWF, « Mer Baltique, écorégion marine resplendissante », WWF, (en ligne), Lien URL : <https://www.wwf.fr/espaces-prioritaires/mer-baltique>

¹³⁵ Richard Compton-Hall, *Submarines at War 1939-45*, Periscope Publishing Ltd, 2004.

¹³⁶ OTAN, « L'OTAN renforce sa présence militaire en mer Baltique », *Organisation du Traité de l'Atlantique Nord*, 30 Dec. 2024, Mis à jour le: 02 Jan. 2025 11:48, (en ligne), Lien URL : https://www.nato.int/cps/fr/natohq/news_231800.htm?selectedLocale=fr

¹³⁷ Tétart, F. (2005). « Kaliningrad : une « île » russe au sein de l'Union européenne élargie ». *Hérodote*, no 118(3), 175-195. <https://doi.org/10.3917/her.118.0175>.

¹³⁸ OTAN, « La Suède devient officiellement membre de l'OTAN », *Organisation du Traité de l'Atlantique Nord*, 07 Mar. 2024, Mis à jour le: 07 Mar. 2024 17:34, (en ligne), Lien URL : https://www.nato.int/cps/fr/natohq/news_223446.htm

¹³⁹ Dr Matti Pesu, « Adhésion de la Finlande à l'OTAN : gros plan sur un parcours logique mais inattendu », *NATO REVIEW*, 30 août 2023, (en ligne), Lien URL : <https://www.nato.int/docu/review/fr/articles/2023/08/30/adhesion-de-la-finlande-a-lotan-gros-plan-sur-un-parcours-logique-mais-inattendu/index.html>

¹⁴⁰ Nations Unies, « Conseil de sécurité : 19 mois après le sabotage des gazoducs Nord Stream, la Russie en appelle à la coopération internationale pour établir les responsabilités », *Nations Unies, Couverture des réunions & communiqués de presse*, 9619e séance – matin, CS/15683, 26 avril 2024.

finally, a lack of integrated strategy despite the multiplicity of regional initiatives. Against this backdrop, the European Commission was asked in 2007 to develop a strategy to address these issues. Sweden and Nordic MEPs therefore called for a coordinated, cross-cutting and macro-regional approach. The initial interconnected objectives were as follows: to restore the Baltic Sea's GES; to improve transport, energy and digital infrastructure; and to strengthen competitiveness and economic and social cohesion. The initial idea was to experiment with a governance model without its own budget by coordinating existing European funding, i.e. cohesion funds, Interreg Horizon, etc.

Today, the strategy is based on three main objectives. With regard to the environmental objective, the macro-region remains committed to combating pollution, eutrophication and overfishing with a view to achieving the GES. Another objective is to develop transport, communication and energy infrastructure in order to encourage territorial interconnectivity. The third objective is to support regional economic growth through research, innovation, cohesion and sustainable jobs. The implementation of this strategy is based on an action plan organising nearly 14 thematic areas with concrete flagship projects updated every two years. It also promotes multi-level governance bringing together states, the European Commission, regional authorities, NGOs and the private sector, with a rotating presidency held by a Member State for one year.

C) Results observed

In concrete terms, over the years the EUSBSR has delivered results in terms of cooperation, the environment, mobility and the economy, while laying the foundations for macro-regional governance. In particular, there has been an improvement in cooperation and institutional capacity within the regions concerned, with better cross-border coordination between national and regional authorities, NGOs and businesses. An evaluation of the Interreg programme revealed a strengthening of institutional capacity in terms of knowledge, governance and resource use. Progress has also been made in the marine environment. For example, the Interreg-funded COMPLETE project has strengthened regional coordination of the monitoring of invasive alien species, enabling dialogue between scientists and decision-makers. The maritime sector (PA Ship) has also promoted clean shipping, ballast water treatment and the prevention of invasive species. The North Sea-Baltic Corridor aims to improve rail and multimodal interconnections. In terms of economic and territorial impact, the *Better Together – ten years* (2019) report showed that the EUSBSR has helped to unify the region while contributing to reducing disparities between states and delivering significant results in various maritime sectors. In addition, the EUSBR has also emerged as the first test of a macro-regional strategy for the EU, proving the effectiveness of multi-level governance without its own budget by combining various funding sources such as Interreg, the Structural Funds and Horizon Europe.

However, macro-regions and their initiatives are often limited as no funds are dedicated to them and the strategy relies on the coordination of existing funds, which limits their capacity for autonomous action. It should be noted that environmental results also remain mixed, with some of the GES objectives not yet achieved.

Part 5: Recommendations for fully integrated maritime governance

Following an in-depth analysis of the conceptual framework for international ocean governance, the EU's regulatory and strategic framework, and case studies, this section focuses on possible recommendations for the future of maritime governance in the European Union. Despite advances in the European legislative framework, maritime governance continues to face structural challenges such as interinstitutional silos, uneven implementation of measures, apparent insufficient coordination between sectoral policies, and slow adaptation to new climate and geopolitical challenges.

These recommendations highlight the findings of this study and are also based on recommendations and expertise provided by EU decision-making bodies, agencies and stakeholders. These include the Committee of the Regions¹⁴¹, the Economic and Social Committee¹⁴², the European Commission's consultation on the European Ocean Pact¹⁴³ and the positions taken by various political groups in the European Parliament.

I- Establishing a roadmap: defining an architecture to organise the evolution of the European maritime legislative framework in the short, medium and long term

In this section, the study proposes a roadmap for identifying objectives in three distinct phases in the short, medium and long term:

- **Phase 1:** Priority and corrective measures (2025-2027)
- **Phase 2:** Medium-term objectives (2027-2029)
- **Phase 3:** Long-term objectives (from 2030 onwards)

Theme: Governance

Phase 1: Formation of an interinstitutional steering group and definition of a mandate and strategic objectives, including regular consultations with stakeholders, and establishment of a timetable for strengthening European maritime governance (*Binding*).

- **Explanation:** An interinstitutional steering group under the auspices of the European Commission (with the participation of the relevant DGs, the Council, the European

¹⁴¹ Comité européen des régions, 165^e session plénière des 2 et 3 avril 2025, AVIS, Avis de prospective sur le pacte européen pour les océans, NAT-VIII/002, Rapporteur générale : Mätta Ivarsson (SE/Les Verts), COR-2025-00626-00-00-AC-TRA (EN).

¹⁴² Comité économique et social européen, Avis, Recommandations de la société civile en vue d'un pacte européen des océans, Recommandation de la société civile en vue d'un pacte européen pour les océans (avis exploratoire à la demande de la Commission européenne), NAT/944, Rapporteur : Javier Garat Pérez, 26/03/2025.

¹⁴³ European Commission, « The european oceans pact », Call for evidence, Public consultations and Feedbacks, Published initiatives, (online), URL : https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14474-The-European-Oceans-Pact_en

Parliament, the Committee of the Regions, the EESC and technical agencies such as the EEA and EMSA) would make it possible to establish a common roadmap for European maritime objectives, ensure regular and transparent monitoring to identify the actions needed to address implementation gaps and the need for adjustments, propose binding tools, and ensure the integration of emerging issues. In this steering group, the European Parliament could play a role in providing political impetus and democratic oversight, by regularly monitoring the group's work and guiding legislative priorities.

Phase 2: Implementation of the interinstitutional steering group: first mid-term review and reflection on future binding targets from 2030 onwards. (*Binding*).

- **Explanation:** The EU should strengthen its action in implementing legally binding targets. To overcome differences in implementation between Member States, the introduction of legally binding targets would make it possible to move beyond this flexibility through greater consistency and accountability for Member States. The European Commission will therefore have to present and implement an enforcement strategy to this end.

Phase 3: Regular monitoring of implementation to ensure that measures are properly implemented. (*Binding*).

Theme: Coordination and review

Phase 1: Improving coordination and cross-cutting synergies through a diagnosis of European legislation and the establishment of areas for improvement (*binding*).

- **Explanation:** The European Commission should initiate a systemic analysis of the interactions between sectoral policies affecting the maritime domain in order to assess synergies and potential conflicts and develop scenarios for legislative coordination at European level.

Phase 2: Coordinated review of the MSPD and MSFD (*binding*)

- **Explanation:** A coordinated review of the MSFD/MSPD Directives should be undertaken to better integrate the environmental, social and economic dimensions of maritime governance. Aligning implementation cycles, objectives and monitoring tools would strengthen consistency between marine environment assessment and use planning, making the MSFD the environmental compass for the MSPD, which, if strengthened, could become the key governance tool for arbitrating the evolution of European policies affecting the maritime domain.

Phase 3: Merger of the MSPD/MSFD, leading to the creation of *binding* legislation for the integrated governance of policies affecting the European maritime domain

Theme: Implementation, monitoring and transparency

Phase 1: Regular monitoring mechanisms with indicators inspired by the SDGs to strengthen existing standards and mechanisms. (*Binding*)

- **Explanation:** This involves conducting a comprehensive assessment of the implementation mechanisms associated with EU maritime legislation in order to identify gaps in application, monitoring and enforcement between Member States, harmonise monitoring and reporting requirements, strengthen control and compliance mechanisms, and link non-binding instruments with existing legal frameworks to ensure their operational scope. The development of a common framework of performance indicators, aligned with the SDGs, would ensure a coherent, clear and measurable view of implementation.

Phase 2, 3: Public monitoring of commitments through an online portal and assessments. (*Aspirational*)

- **Explanation:** Implementation of a framework to establish a regular monitoring mechanism inspired by the SDGs. This portal would be fed by the indicators defined in phase 1, including standardised progress reports.

Theme: Pollution

Phase 1: Assessment of the results of all European policies contributing to the fight against marine pollution, including the Zero Pollution Action Plan. (*Aspirational*)

Phase 2: Development of an action plan to coordinate all relevant EU policies towards achieving the zero marine pollution objective. (*Aspirational*)

Phase 3: Sign and ratify an ambitious and legally binding international treaty on plastics. In addition, the European Commission should adopt binding measures to reduce pollution from PFAS and PCBs, including by integrating all PFAS into the monitoring programmes of the Water Framework Directive, setting European quality standards for groundwater and surface water, and strengthening cross-border cooperation to limit their long-range transport. (*Binding*)

- **Explanation:** The European Union must step up its efforts to achieve the goal of zero pollution of seas and ocean by 2030, in line with the Zero Pollution Action Plan and all European environmental policies. Given the cross-cutting nature of this objective, specific targets for the marine environment are needed to better coordinate sectoral actions, enhance the visibility of public action and ensure concrete results. Particular attention must be paid to monitoring the environmental impact of land-based activities on the marine environment, which could be the subject of in-depth assessments.

At the same time, the European Union must step up its leadership role on the international stage with a view to adopting a legally binding treaty on plastics.

Theme: Restoration and preservation

Phase 1: Implementation of the 30x30 targets and concrete integration of the ocean-climate connection and protection of blue carbon ecosystems. Increase the percentage of protected blue carbon areas and develop ecosystem resilience. (*Binding*)

- **Explanation:** It is necessary to implement the 30x30 target. Restoring seas and the ocean also strengthens the coherence between European and international commitments (Biodiversity Strategy, BBNJ) and makes it possible to correct the current weaknesses in the protection system, which is too often limited to areas with little or no regulation.

Focus should also be placed on protecting blue carbon ecosystems, promoting international initiatives and further integrating the ocean-climate link into European and international legal frameworks.

Phase 2: Strengthening the obligations and implementation of the MSFD to achieve the GES through a revision of the directive. (*Binding*)

- **Explanation:** As part of the revision of the directive via the Ocean Act, the European Commission should propose enhanced measures to achieve the GES. Progress is uneven and monitoring and measurement programmes are sometimes somewhat limited. It is essential to strengthen and concretise measures to reverse ecosystem degradation and ensure the impact of environmental policies.

Phase 3: Systematic alignment of maritime spatial plans with the EU Green Deal, the Nature Restoration Law and energy strategies (*binding*)

- **Explanation:** It is important to explicitly incorporate the new objectives of the Green Deal, the Nature Restoration Law and energy strategies, as well as any other sectoral policies that would affect maritime activities, into maritime planning. To ensure long-term projection capacity in the maritime domain, the MSPD will therefore need to become the central framework for coordinating, arbitrating and integrating these policies, making the MSPD a forward-looking and structuring tool for co-constructing future European decisions based on the practical experience of national plans.

Theme: Regional approach by basin

Phase 1: Establishment and progressive search for measures better suited to the specific characteristics of each basin / sustain transnational action with clear stages and objectives for cross-border cooperation (*Aspirational*)

- **Explanation:** It is necessary to integrate differentiated objectives by basin, taking into account their vulnerabilities and potential, and thus encourage enhanced cooperation between coastal states and maritime regions within these areas. The EU should support

the development of pilot projects for cross-border maritime governance, which could be explored through the Interreg programme.

Phase 2, 3: Strengthen cross-border cooperation instruments for maritime governance to ensure coherence of maritime action at the basin level. (*Aspirational*)

- **Explanation:** The European Commission should support this dynamic by facilitating the deployment of permanent coordination structures by basin, based on existing basin or macro-regional strategies, and by financing shared planning, monitoring and adaptive management tools, based on the results of pilot projects. These structures could play a central role in the future integrated maritime governance of the EU, ensuring effective coordination between the local, national and European levels, while taking into account the specific ecological, socio-economic and geopolitical characteristics of each basin, and going beyond the exchange of good practices.

Theme: International framework

Phase 1: Encourage the ratification and rapid implementation of the BBNJ Treaty and the adoption of the associated draft directive (*binding*)

Phase 2, 3: Implementation and monitoring of the directive (*Binding*)

- **Justification:** The EU has the opportunity to assert its position as a leader in international ocean governance by encouraging the rapid ratification of the BBNJ Treaty in line with UNOC III.

Theme: Security, Defence and Resilience

Phase 1: Encourage the explicit integration of hybrid risks into maritime planning: integration of security issues into national plans to strengthen the link with the resilience of coastal activities and reflect the growing dual use of activities at sea, and anticipate the environmental impacts of security failures, particularly in terms of pollution. (*Aspirational*)

- **Explanation:** Preparedness for threats is directly linked to the environmental and socio-economic resilience of coastal areas. Attacks or incidents at sea can cause major pollution and compromise conservation or good environmental status objectives. Investing in critical technologies (cables, detection in AI), maritime surveillance and energy autonomy for ports is part of this resilience approach. This is in line with the recommendations of the Draghi report and anticipates scenarios of growing geopolitical tensions. Ports, in particular, are critical dual-use infrastructure: they are essential to civilian supply chains, while also being crucial points for military operations. Enhanced cooperation between civilian, environmental and military actors is essential to build an

integrated response to hybrid risks, while contributing to the EU's environmental and climate objectives.

Phase 2, 3: Strengthen and clarify the consideration of dual-use (civil/military) in the Maritime Spatial Planning Directive by introducing explicit security risk assessment requirements in national plans. (*Binding*)

- **Explanation:** It is necessary to strengthen and clarify the consideration of so-called "dual-use" applications, i.e. civil and military uses coexisting in the same maritime space. The rapid densification of critical infrastructure at sea (offshore wind farms, communication cables, submarine data centres, logistics corridors, port areas) implies increasing vulnerability to security threats such as sabotage, cyberattacks, piracy and geopolitical conflicts. It is therefore essential to explicitly include security risk assessment requirements in national maritime planning in the MSPD, particularly in areas with a high density of sensitive infrastructure.

Theme: Research and innovation

Phase 1: Implementation of the second phase of the Mission Ocean and testing of new initiatives, including:

- The creation of new lighthouses to test the implementation of the Mission in other maritime basins and to mobilise the outermost regions (Indian Ocean, Caribbean, Pacific).
- Launch of a consultation on the potential institutionalisation of lighthouses (e.g. integration of LHs as an R&I pillar of basin strategies, potential steering centres for data sharing under the BBNJ treaty). (*Aspirational*)

Phase 1: Review of previous strategies for the development of the European strategy for ocean research and innovation. (*Aspirational*)

Phase 2: Development of a European strategy for ocean research and innovation, based on the Mission Ocean and previous strategies (*Aspirational*)

Phase 2: Continuation of the Mission Ocean in the European Framework Programme for Research and Innovation (FP10), more ambitious and inclusive by including the new initiatives tested. (*Binding*)

- **Explanation:** As part of the portfolio of the Commissioner for Fisheries and the Ocean, a European strategy for ocean research and innovation will be developed based on the Mission Ocean and Waters and is expected to be published in 2026. By focusing blue research and innovation projects on achieving the EU's 2030 policy objectives for water and the ocean, the Mission already provides a clear policy framework. The development of the strategy could be an opportunity to take stock of previous strategies (the 2008

European Strategy for Marine and Maritime Research, the 2010 Marine Knowledge Strategy 2020 and the Communication on the role of innovation in the blue economy) in order to draw relevant conclusions and proposals for the creation of the strategy. The implementation of the second phase of the Mission Ocean could be an opportunity to test new initiatives that could be included in the strategy.

II- Towards better coordination between ocean policies and more efficient multilevel governance

The study highlighted the spread of ocean issues across a wide range of European policies, including environment, energy, transport, fisheries, climate and security, without sufficient institutional coordination to ensure full coherence and exploit synergies. This thematic dispersion, combined with the differentiated application of instruments at different levels (European, national, regional, local), may undermine the full and effective implementation of the EU's maritime legislative framework. Multi-level governance appears to be a tool for coherence and subsidiarity, rather than fragmentation. This model is particularly relevant for the ocean, where the challenges are cross-cutting and cross-border. Centralised governance may appear too rigid, while uncoordinated decentralised governance would lead to a loss of coherence. Multi-level governance represents a third way: it allows policies to be anchored at the local level while ensuring their consistency with common long-term objectives. Given the need to better structure maritime issues and strengthen their implementation in the territories, this study makes the following recommendations:

- a. The possibility of **ensuring the integration of the ocean into the European decision-making process with an *Ocean Policy Mainstreaming Principle*** implemented in European legislation. It would aim to ensure that all European policies are designed or revised taking into account their direct or indirect impacts on maritime areas. This would not involve imposing a single filter, but rather encouraging the adaptation of sectoral policies to the specific characteristics of the maritime domain, in order to anticipate rather than suffer from conflicts of use, ensure strategic coherence and enhance potential synergies. This Ocean Policy Mainstreaming Principle could also apply to future and existing legislation, in particular through a coordinated review mechanism enabling coherent and legally harmonised amendments to be made to legislative texts with an impact on the ocean.
- b. In order to **make multi-level governance an effective lever for maritime policies**, various solutions could be implemented:
 - 1) The establishment of a specific framework for action on multi-level governance with guiding principles, common objectives and clarification of the functions of the different levels.

- 2) The integration of multi-level governance into future revisions of maritime directives, in particular by more formally affirming the role of local and regional authorities in the development of national plans. Dedicated performance indicators could also be put in place to assess the quality of coordination between decision-making levels.
 - 3) Develop guidelines to clarify the division of responsibilities between the European, national, regional and local levels. This clarification, accompanied by a simplification of procedures, would enhance efficiency, limit conflicts of competence and improve coordination between levels of governance.
- c. **Develop a sea basin approach at European level**, strengthening cooperation between Member States sharing the same marine area, in particular through coordination platforms with clear mandates, enhanced resources and institutional recognition. The diversity of ecological, socio-economic and political dynamics across sea basins generates specificities but also significant disparities in the implementation of European legislation objectives, particularly with regard to achieving the GES. A differentiated approach by basin would make it possible to territorialise sectoral objectives, better tailor measures to specific pressures and improve policy effectiveness. To this end, the EU should capitalise on existing frameworks, such as sea basin strategies and macro-regional strategies, by strengthening their operational mandate and their links with European maritime policies. In this regard, while respecting the principle of subsidiarity, it is necessary to encourage the participation of different stakeholders.
- d. Develop **cross-border cooperation tools for the shared management** of MPAs, ecological corridors and critical infrastructure, building on existing regional conventions and basin strategies. One possibility could be the development of the “seascape approach” to the shared management of MPAs. This approach consists of a large-scale, collaborative and integrated method of marine conservation aimed at preserving marine biodiversity, promoting the local economy and improving human well-being.¹⁴⁴ The study showed that the national plans under the MSP are still compartmentalised, and that cross-border projects lack a legal framework and common funding. Strengthening cross-border synergies would make it possible to reconcile essential issues at the regional level.
- e. It also appears essential **to avoid the compartmentalised implementation** of legislation affecting the maritime sector. The study has shown that key instruments of the legislative framework, such as the MSFD, the MSPD and the CFP, have certain

¹⁴⁴ Ocean & Climate Platform & RARE. (2022, décembre). *Seascape approach: Scaling biodiversity, climate and sustainable development benefits* [Transformative Actions – Solutions #39]. 4post2020BD. Récupéré de <https://4post2020bd.net/resources/solutions-39-seascape-approach-scaling-biodiversity-climate-and-sustainable-development-benefits/>

limitations due to the fact that they were developed at different times and according to sectoral approaches. Although links exist, their integration remains partial in practice, particularly due to a lack of operational coordination to ensure their joint implementation. These limitations are causing tensions in the use of marine spaces and hindering the achievement of good environmental status.

- 1) Among the possible solutions, the development of a common cross-sectoral framework for the directives would make it possible to identify points of convergence and potential synergies between the various strategies and policies developed within the EU. This framework would make it possible to establish a shared matrix for analysing the objectives, tools and timetables for the effective implementation of what has been identified.
- 2) Strengthen harmonisation between instruments by establishing strategic coordination between those responsible for the various directives.
- 3) Mandatory cross-sectoral impact assessment could also be developed for maritime spatial planning through the MSP Directive. This assessment would highlight the impacts of different economic uses within shared spaces and put them into perspective with conservation objectives. This would make it possible to identify which activities with a high environmental impact would require changes or stricter measures.
- 4) Without legal changes to the instruments, the development of a roadmap with common objectives would make it possible to establish synergies and common priorities.

III- The establishment of mechanisms and instruments adapted to the challenges of restoration, conservation and sustainable use of the ocean

A) Funding and budgetary support

This study is being conducted against a backdrop of discussions on the preparation of the multiannual financial framework (MFF) for the period 2028-2034. While it is not yet possible at this stage to have a clear picture of what the budgetary trade-offs will be for this next programming period, important funding needs to be made available to implement this overhaul of maritime policies.

- a. **Existing funding mechanisms** need to be **strengthened** to support the implementation of measures. It could be envisaged to create dedicated "sub-funds" or to establish coordination between the EMFAF, Horizon Europe, LIFE and Interreg in order to strengthen synergies between these different funds and create new budget lines dedicated to the ocean. Thus, upgrading the EMFAF and integrating the seas and the ocean more explicitly into European funding programmes would help to fill the investment gaps in marine research and in the modernisation of the various blue economy sectors.

- b. The impact of Blue Invest on EU maritime governance would need to be strengthened, based on an analysis of high-potential sectors that lack the means to develop. It would be appropriate **to encourage a cross-sectoral approach to Blue Invest**, in order to reflect the synergies that are necessary and expressed in European legislation.
- c. With regard to the **European Investment Bank**, it would be interesting to strengthen its role as a strategic player by prioritising projects with a high ecological impact. It would also be interesting to set up specific EIB instruments geared towards maritime basins in order to facilitate the implementation of the MSFD and MSPD. The inclusion of marine environmental performance indicators in the assessment of EIB maritime projects could be explored. Finally, the deployment of financial instruments by the EIB, such as European Blue Bonds, would make it possible to raise dedicated capital and enhance the attractiveness of blue projects.¹⁴⁵
- d. Consideration could also be given to providing local authorities with the **means to implement maritime policies**, in particular through better access to European funds, support and appropriate planning.
- e. It would be appropriate to strengthen support for **clean energy resources** in maritime basins (offshore wind, tidal energy, hydrogen) by making greater use of MFF programmes such as **Horizon Europe**, **LIFE** and the **MIE**. Targeted budget lines could accelerate their deployment and contribute to the energy transition of coastal regions, in line with the Green Deal.
- f. Greater support for **integrated land-sea research** is needed to better understand the links between land-based pressures (pollution, development, watersheds) and the degradation of marine environments.
- g. While the European budget could remain stable, if not constrained, it is necessary to explore resources outside the multiannual financial framework that would be new and targeted at maritime issues (such as taxes or fees). The use of common debt for ocean-related issues could be explored, given the systemic role of the ocean in Europe's economic, environmental and geopolitical stability and sovereignty.
- h. Consideration to introduce a 'blue annex' to the European budget, listing all expenditure dedicated to the ocean and the blue economy could be explored. This tool would facilitate the monitoring, transparency and coordination of maritime funding at European level.

B) The social dimension: training, employment and inclusion

¹⁴⁵ European Commission, Directorate-General for Research and Innovation. (s.d.). *Blue Bond* [Page d'information]. Mission Ocean and Waters – Horizon Europe. Récupéré de <https://projects.research-and-innovation.ec.europa.eu/en/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe/eu-missions-horizon-europe/restore-our-ocean-and-waters/blue-bond>

- i. As a first step, the creation of a **European Pact for Ocean Skills**, modelled on *the Offshore Renewable Energy Pact for Skills* and the *Shipbuilding Pact for Skills*, could be considered. This umbrella pact could complement the latter two, with a view to developing other branches of the maritime sector and ensuring coordination and cooperation between all of them. This new *Pact for Skills* would facilitate the development of partnerships between stakeholders, offer advice on appropriate funding and increase knowledge of the sectors' needs. It should be structured around the key pillars of the blue economy: sustainable fisheries, aquaculture, energy, tourism, biotechnology, catering, security and port logistics.
- j. It could be envisaged to set up an **Erasmus Mundus "Ocean" network** under the auspices of the EU, with the organisation of summer schools or interdisciplinary blue academies and to pool best practices. In addition, the mutualisation of certifications at European level and the encouragement of worker mobility and capacity-building programmes appear to be necessary. The lack of a common certification framework hinders the fluidity of the maritime labour market and limits employment opportunities at European level, particularly for young people and professionals seeking retraining.
- k. It would also be beneficial to integrate a **cross-cutting approach combining economic competitiveness, environmental sustainability and social equity** into European maritime policies in order to ensure sustainable blue growth. It has been observed that the social dimension is sometimes underdeveloped and that a sustainable transition must take care not to create new inequalities. Indeed, the study finds that the social dimension is often marginalised or underdeveloped. A tripartite approach combining economic, social and environmental sustainability would ensure that blue growth does not lead to new inequalities by aligning the maritime strategy with the objectives of the Green Deal and the European Pillar of Social Rights.¹⁴⁶
- l. It is necessary to support awareness-raising among young people on maritime issues:
 - 1) It also seems important to strengthen **oceanic culture from an early age** in order to encourage the renewal of the workforce in maritime sectors while raising awareness of the various issues related to ocean governance and protection. It could be useful to draw inspiration from the SEA BEYOND programme run by UNESCO, which involves 35,000 students across 56 countries in workshops on plastic waste, marine biodiversity and individual responsibility, demonstrating young people's interest in ocean issues.
 - 2) In the social dimension, **promoting youth participation in the development of the blue economy** is also important, particularly by

¹⁴⁶ European Union, « Socle européen des droits sociaux », *Eur-lex, Access to European Union*, (en ligne), Lien URL : <https://eur-lex.europa.eu/FR/legal-content/glossary/european-pillar-of-social-rights.html>

supporting young entrepreneurs, especially in sectors such as sustainable tourism, aquaculture and marine research. Supporting young entrepreneurship in sustainable tourism, aquaculture and research would combine generational renewal, innovation and inclusion, while fostering a sense of European maritime identity.

- m. It is also necessary to promote **gender equality in maritime sectors** by improving data collection on the role of women and supporting their access to aid and training. The study therefore call for the continuation of the EMFAF call for projects "*Women in Blue Economy*", which has already funded two projects to date, and for new calls for projects to be launched based on the experience gained from these projects.
- n. It appears necessary **to integrate a strong social dimension within coastal communities**, particularly through a just transition, the inclusion of young people, and professional retraining, by providing retraining programmes for changing professions, including young people in maritime professions, and providing greater support to vulnerable workers. Indeed, we can see that numerous crises such as the war in Ukraine, Covid-19, Brexit and climate change have had a considerable impact on coastal areas, compromising many activities. It is therefore necessary to establish a fair response to job losses, the isolation of territories and the insecurity of certain sectors. More support would help to ensure that measures are better implemented in these areas, while helping citizens to make a fair and green transition.

C) Research, science and innovation

- a. Through the study, there is a **need to maintain a strong Ocean pillar in the next EU framework programme for research and innovation (FP10)**. It is therefore necessary to maintain the Mission Ocean while creating more opportunities for support and funding for regional and local actors in order to develop effective innovation tailored to the needs of territories for more competitive 'blue' sectors.
- b. In addition, it would also be interesting **to integrate other maritime basins into the Mission Ocean**, so as not to be limited to *the four lighthouses*, but also to add the outermost regions in order to put in place resources and projects adapted to the specificities of their ecosystems, while promoting their ongoing cooperation with third countries. It is therefore necessary to develop a more inclusive approach, for example by integrating the Indian Ocean into the maritime basins covered by the Mission Ocean.
- c. With regard to financing, it would be interesting to develop a **complementary approach with the funds in order to support all stages of the value chain**.

The aim would be to reduce the complexity of combining different funds by promoting their complementarity through clearly defined stages of distribution to support innovation, from research to the final product.

- d. **Science must be given a central role** within the EOP, in particular by strengthening international cooperation, in order to translate knowledge into concrete policies. Indeed, the study has observed difficulties linked to the lack of accurate data and research that would provide solid support for spatial planning or the implementation of other maritime policies. Better scientific cooperation is needed to overcome methodological differences between Member States, but also to enable greater international cooperation through joint and structuring projects. This could apply in particular to **scientific cooperation related to the potential application of the BBNJ agreement**, for the pooling of knowledge and the sharing of benefits. In addition, further development of scientific research could enable the precautionary principle to be applied more effectively, while data must be made operational to guide policy and move away from a more theoretical approach.
- e. **The creation of marine innovation centres and observatories and a European Ocean Observatory.** The establishment of these centres and observatories would enable the collection of data that could be adapted to the regional environment and the specific characteristics of maritime basins, while promoting local innovation. A European Observatory would centralise this information, ensuring comparability and providing European policies with reliable, accessible and up-to-date data. It should be developed to complement existing services such as EMODNET and the Ocean Digital Twin in order to bring together tools and enable the centralisation of research.
- f. **In terms of investment and innovation**, it would be beneficial to set up innovation hubs, provide greater support for maritime start-ups and strengthen public research and European funds dedicated to ocean research. As mentioned earlier, increased funding for research would be beneficial, particularly to encourage the development of new projects and studies. This funding would support the EU's new competitiveness objectives. The lack of targeted investment in innovation has repeatedly been identified as an obstacle to competitiveness and the ecological transition.
- g. It would also be beneficial to **establish a comprehensive map of innovation projects related to the blue economy and the ocean** in order to improve visibility and monitoring of previous programmes and data, which are not always automatically stored at present. To this end, a dedicated platform accessible to all could enable effective monitoring of projects.

D) The economy and sustainability

The economy is central to ocean governance and to the EU's maritime policy, which covers many sectors. It is necessary to ensure consistency between the economy and the sustainability of marine ecosystems.

- h. Within this economic dimension, it is also necessary to manage marine ecosystems sustainably in order to ensure productivity. The approaches adopted must prioritise the sustainability of these ecosystems in order to promote the renewal of fishery resources within the CFP, as well as blue carbon and species protection. While economic activities have a beneficial impact on our societies, it remains true that some have a considerable impact on the degradation of the environment and marine ecosystems. It is therefore necessary to adopt measures at European level against destructive activities, particularly in marine protected areas.
- i. It is also necessary to offer new prospects for fishing, in particular through **investment in the modernisation and decarbonisation of the fishing fleet** and in working conditions and safety at sea. The launch of a strategic dialogue on fisheries should support this work. Investment in the above-mentioned areas is necessary in order to move towards improved working conditions at sea and to reconcile ecological transition and social justice. A strategic dialogue on fisheries, supported by the European institutions, would provide an inclusive and forward-looking platform for co-construction.
- j. It would also be possible to guarantee **the safety and inclusiveness of coastal communities, small-scale fishermen, aquaculture farmers and other stakeholders involved in maritime activities**. A fair approach is therefore needed to better support coastal communities and also to rebalance the CFP. Fairer governance could include quotas reserved for small-scale fishing, easier access to subsidies and stronger social rights in terms of job security and social protection. This would both preserve essential local economic fabric and strengthen the social acceptability of maritime policies.
- k. It is necessary to focus on **stimulating marine renewable energy** so that it becomes a pillar of European electricity production by 2050. This objective requires targeted investment in offshore infrastructure, but also support for technological innovation, effective integration into the electricity grid and measures to protect against unfair competition. It is also imperative to ensure that adequate consultations and impact assessments are carried out prior to installation, and to ensure that they are consistent with maritime spatial planning, while taking into account the growing security challenges that could undermine the market launch of projects and their infrastructure. It is also important to note that investment in offshore renewable energy is often presented as beneficial to the EU's competitiveness, particularly in a context

where the price of electricity generated from offshore sources is tending to fall. In particular, it has been observed that the levelised cost of electricity (LCOE) of offshore wind energy has fallen sharply as the deployment of offshore wind farms has increased.¹⁴⁷

- l. The European Union should strengthen its support for the **diversification of coastal tourism in the face of the negative effects of mass tourism on ecosystems**, infrastructure and local communities. It can play a key role in supporting coastal regions through funding instruments, interregional cooperation programmes and the sharing of best practices. This includes support for sustainable and alternative tourism models that are better distributed over time (reduced seasonality) and space (promotion of less frequented areas), in connection with natural, maritime and cultural heritage. The EU can also encourage stronger integration of tourism issues into coastal and maritime spatial plans.
- m. The European Union should ensure that revenues generated from the integration of maritime transport into the **Emissions Trading System (ETS) are reinvested in the sector** to support its green transition. These resources can be a major lever for financing low-carbon solutions and supporting stakeholders in adapting to new climate requirements. The targeted reallocation of ETS revenues would strengthen the legitimacy of the instrument by ensuring a concrete return to the sector concerned, while helping to boost the decarbonised maritime economy.
- n. All EU policies need to take into account the benefits of the connections between different European regions. Interregional dynamics appear to be overlooked, even though they are essential for ecological and economic resilience. Interregional tools such as **the regions' Smart Specialisation Strategies (S3) could be particularly relevant for boosting innovation** and creating new economic opportunities in the blue economy sectors. In this regard, the thematic partnerships of the S3 platform on the sustainable blue economy should receive greater financial and technical support to implement this cooperation between regions in different maritime basins and thus develop more competitive and sustainable value chains within the EU. Developing a concept of '*maritime industrial valleys*' could also create more synergies between all regional innovation ecosystems, facilitating the transformation of the maritime industrial sector.

¹⁴⁷ European Commission – Directorate-General for Maritime Affairs and Fisheries & Joint Research Centre. (2025, mai). *The EU Blue Economy Report 2025: Marine renewable energy* [Web page]. Publications Office of the European Union. <https://op.europa.eu/webpub/mare/eu-blue-economy-report-2025/blue-economic-sectors/marine-renewable-energy.html>

IV- Strengthen the external dimension of European policies and achieve a better level playing field at international level

- a. It could be beneficial to strengthen **the principle of reciprocity with third countries** within European maritime policies. In this way, making access to the European market conditional on sustainability would ensure compliance with equivalent standards, particularly with regard to the GES, fishing, the protection of MPAs and maritime transport emissions. Systematically incorporating reciprocity standards into maritime, trade and scientific agreements with third countries, based on European standards, could enhance the value of European players in the same sector.
- b. In a tense international context, the European Union must reduce its dependence on imported products and **develop strategic autonomy in various areas, including food**. Greater links should be developed with social and food issues. This would promote resilient food security while reducing the ecological footprint of imports.
- c. A **cooperation mechanism between European agencies** (EMSA, AECF, Frontex) for data collection and best practices could be established. Such a mechanism would help overcome the various limitations related to surveillance and the lack of scientific data collection. The establishment of a network of agencies could enable the pooling of resources, the centralisation of data and greater cooperation between Member States.
- d. **Strengthening coastal authority control** (particularly for overfishing and biodiversity damage) could also be a key element in the future coordination of European maritime policies. Strengthening sanction mechanisms would help restore the authority of European standards and ensure that commitments are followed up with real action.
- e. It is also necessary **to integrate the security dimension into future revisions of instruments and policies** in the contemporary geopolitical context. Maritime sectors are facing a rise in hybrid threats such as sabotage, piracy and cyberattacks, which make maritime and maritime infrastructure highly vulnerable. In addition, these phenomena also cause significant environmental pollution. Incorporating risk assessments into spatial planning would make it possible to anticipate these threats and strengthen the security resilience of coastal areas and Member States. In line with the strengthening of the link between security and defence, it is necessary to further develop investment in the maritime sector.
- f. It would also be necessary to promote, in regional (OSPAR, HELCOM, Barcelona) and international (UN, IMO) forums, **the systematic integration of security protection into ocean governance**. Promoting the integration of maritime security in these forums

would strengthen the coherence of external policies and the geopolitical stability of maritime areas.

- g. With regard to science, it appears necessary to ensure **open access to data and advanced science** by strengthening collaboration between European and international research institutions while protecting scientists from authoritarian threats. It is therefore necessary to strengthen support for public research, guarantee the independence of scientists and protect researchers threatened by political regimes outside the EU. This approach would also enable the EU to assert itself as a global hub for open science and scientific diplomacy.
- h. Finally, the EU should make the **BBNJ Treaty a central normative reference for structuring its maritime relations with third countries**. In particular, clauses aligning with the BBNJ could be systematically included in bilateral or regional cooperation agreements relating to the ocean and support the strengthening of the technical and legal capacities of partner countries to enable them to implement the commitments of the Treaty.
- i. With regard to the BBNJ Treaty, it is also necessary to encourage its rapid ratification by EU Member States, while promoting the implementation and early adoption of Directive 2025/0090(COD).

CONCLUSION

Since the end of the 20th century and for several years, the EU has sought to develop an integrated legislative framework tailored to the different areas of the maritime environment and the EU's internal and external policy objectives. Largely inspired by and based on historical foundations and principles of international ocean governance, the integrated maritime policy has been able to adapt and adopt measures and concepts from major international treaties governing this governance, such as the UNCLOS and, more recently, the BBNJ.

This study aimed to provide a critical but constructive overview of existing ocean governance mechanisms, examining international frameworks, European policies, regulatory and financial instruments, and the role of different levels of actors. It highlights a significant accumulation of standards, initiatives and commitments, often with real ambition, but whose impact remains limited given the scale of the contemporary intersectional challenges affecting the seas and the ocean and the capacity for implementation.

In this context, the European Union is positioning itself as a key and ambitious player in ocean governance. It has a regulatory and financial arsenal and an integrated ambition that has been promoted since the IMP in 2007. Nevertheless, despite this ambition, European ocean governance remains limited, both in terms of consistency between instruments and in terms of the distribution of roles and responsibilities between institutions, Member States, regions and stakeholders. These limitations are evident in several ways: the juxtaposition of frameworks with sometimes poorly aligned timelines and objectives, complex access to funding, compartmentalisation between levels of governance, disparities in implementation between Member States, and difficulties in coordinating efforts.

Although relevant, European instruments lack a systemic trigger, an institutional and operational anchor that would enable them to be fully coordinated and become more than the sum of their parts. It is therefore not so much a question of creating new tools as of rethinking the mode of governance that activates them, synchronises them and makes them clear and effective for the actors concerned.

This reconfiguration should not aim to pile up standards or initiatives, but rather to break down barriers, create synergies and clarify roles. It should result in integrated governance, where every actor, from the European Union to regional and local authorities, from scientific agencies to coastal communities, has a place and contributes, at its own level, to a coherent and complementary dynamic. Integrated governance is therefore no longer a distant prospect but a pragmatic next step towards greater efficiency, consistency and resilience in European action on the ocean.

The European Parliament has a central role to play as a source of proposals, as a guarantor of legislative consistency, and as a body responsible for monitoring the commitments made. Its involvement from the earliest stages of the implementation of this new approach will be essential to avoid the persistence of a silo-based approach.

The European Union must therefore reaffirm its ambition to act as an environmental and geo-economic power in a rapidly changing maritime world facing multiple challenges and thus

make European maritime governance a cross-cutting, forward-looking and deeply inclusive asset in the face of international challenges.

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APPENDIX

Fig 1: Non-exhaustive map of EU maritime policy actors

The EU's maritime legislative framework consists of ambitious policies and instruments which, when implemented, involve a wide range of actors. Given the need to adopt a holistic vision that integrates all stakeholders for an ambitious European Ocean Pact, we propose here a non-exhaustive mapping of actors in the form of a table showing the roles of actors in this integrated maritime policy.

Level	Key actors	Relevant policy framework	Summary role
EU	European Commission, in particular: DG MARE DG ENVI DG MOVE DG RTD DG ENER DG CLIMA	Blue Economy Communication MSPD MSFD NRL PCP	<ul style="list-style-type: none"> - Monitoring the implementation of the Directive - Presentation of Member States' progress reports to the European Parliament and the Council - Proposal of legislation - Possibility of taking infringement proceedings against Member States that are behind schedule (sanctions, penalties) - Use of European funds
EU	European Parliament	Blue economy communication MSPD MSFD NRL PCP	<ul style="list-style-type: none"> - Right of legislative initiative - Co-legislator of legislation and reforms - Proposals for amendments
EU	Council of the EU	Blue economy communication MSPD MSFD NRL CFP	<ul style="list-style-type: none"> - Co-legislator of legislation and reforms - Proposed amendments
EU	EU external action (EEAS)	EU Maritime Security Strategy (EMSS) CMP – Coordinated Maritime Presence	<ul style="list-style-type: none"> - Maritime security and counter-piracy - European Naval Coordination - Combating illegal fishing - Mobilisation actions and campaigns

		Common Security and Defence Policy (CSDP)	
EU	European Commission Directorate-General for International Partnerships (INTPA)	Contribution to the EU's external action	<ul style="list-style-type: none"> - Designs and implements EU development policy - Coordinates the EU's external relations with partner countries - Combats illegal, unreported and unregulated fishing - Strengthens local capacities
National	Member States	Blue Economy Communication MSPD MSFD NRL CFP	<ul style="list-style-type: none"> - Establishment and implementation of maritime spatial planning considering land-sea interactions and regional specificities. - Minimum requirements to be considered - Ensure public consultation - Cooperation between Member States sharing a maritime space and cooperation with third States - Encourage data collection - Designate responsible authorities - Transpose European legislation and enforce it - Adopt the necessary measures to establish the GES - Develop their marine environment strategy (initial assessment, definition of the GES, setting of environmental objectives and indicators, establishment of monitoring programmes, development of programmes of measures) - Cooperation with existing regional structures
Regional	Regional governments	Blue economy communication MSPD MSFD NRL PCP	<ul style="list-style-type: none"> - Territorial implementation of European maritime legislation - Coordination of local stakeholders and support for public participation

			<ul style="list-style-type: none"> - Contribution to the definition of socio-economic and environmental objectives - Access, management or co-financing of actions to implement European legislation - Support for innovation and regional research
EU advisory body	European Economic and Social Committee (EESC)	Blue Economy Communication MSPD MSFD NRL CFP	<ul style="list-style-type: none"> - Advisory body representing civil society - Publication of opinions and recommendations on maritime policies
EU advisory body	Committee of the Regions (CoR)	Blue Economy Communication MSPD MSFD NRL CFP	<ul style="list-style-type: none"> - Advisory body representing regional and local authorities - Publication of opinions and recommendations on maritime policies
EU advisory body	European Court of Auditors	MSFD CFP	Audit and evaluation of EU maritime policies in terms of their effectiveness and implementation
National/regional	Responsible authorities	MSPD	Member States act as relays in the implementation of guidelines and measures, depending on local specificities
Civil society	Environmental NGOs	Blue economy communication MSPD MSFD NRL PCP	Reporting on observed results and defending environmental interests, awareness-raising campaigns and actions
Research	Universities Scientists Institutes Maritime studies centre	Production of reports on observed results + advocacy for environmental interests and	Data collection and production of studies in support of the establishment of environmental objectives, impact assessment tools, and blue economy research
European	European Environment Agency (EEA)	MSFD	<ul style="list-style-type: none"> - Decentralised/operational agency - Data collection and assessments

European Agency	European Fisheries Control Agency (EFCA)	CFP	<ul style="list-style-type: none"> - Decentralised/operational agency - Control and monitoring of compliance with regulations relating to the CFP
European Agency	European Maritime Safety Agency (EMSA)	Directive on ship safety and pollution prevention (2009/16/EC) Directive on monitoring of ship traffic (2002/59/EC)	<ul style="list-style-type: none"> - Decentralised/operational agency - Safety and pollution: monitoring of maritime transport, prevention of accidents and oil spills
European agency	European Space Agency (EUSPA)	IMP GALILEO Regulation	<ul style="list-style-type: none"> - Executive Agency - Satellite-based maritime surveillance (Galileo/Copernicus)
European Agency	European Chemicals Agency (ECHA)	MSFD REACH Regulation	<ul style="list-style-type: none"> - Regulatory agency - Regulation of chemicals impacting the ocean
European Agency	Climate and Environment Agency (CINEA)	NRL Communication on the blue economy	<ul style="list-style-type: none"> - Executive Agency - Funding for projects related to the blue economy, aquaculture and fisheries, research and innovation, and marine environment protection. - LIFE - Horizon Europe - FEAMPA
National	Regulatory bodies (e.g. Maritime Spatial Planning Authorities (MSPA), bodies responsible for environmental impact assessments)	Blue economy communication MSPD MSFD NRL PCP	<ul style="list-style-type: none"> - Planning - Impact studies
Regional/local	Existing regional structures: HELCOM, OSPAR, Barcelona Convention, etc.	MSFD	Cooperation with Member States

Industrial sector	Maritime transport, fishing, extraction	MSFD	Revision of economic objectives to align with environmental objectives
Private actors/civil society	Farmers, operators, industries, fishermen	Blue economy communication MSPD MSFD NRL PCP	Alignment with measures implemented
Regional / Local	Coastal communities	Blue economy communication MSPD MSFD NRL CFP	<ul style="list-style-type: none"> - Direct involvement in the protection and management of ecosystems - Adaptability to climate change challenges at various levels: economic, social, political, cultural
Regional	Regional environmental and marine agencies	Blue economy communication MSPD MSFD NRL PCP	<ul style="list-style-type: none"> - Catalysts for energy and territorial skills - Collaborative dynamics
Regional	Regional fisheries management organisations (RFMOs)	CFP	<ul style="list-style-type: none"> - Manage all fish stocks in given areas - Study of migratory species and their evolution (e.g. tuna)
Regional	s responsible for managing marine reserves and MPAs	Blue economy communication MSPD MSFD NRL PCP	Those responsible for the proper management of nature reserves and marine protected areas at regional and local level.
Regional	Committees and councils (e.g. Regional Advisory Councils (RACs), Regional Maritime Councils)	MSPD PCP	<ul style="list-style-type: none"> - Consultation - Planning - Coordination
EU	Council of EU Fisheries Ministers	CFP	Decision-making on fishing quotas
Population	Consumers / retailers	CFP	Concerned about sustainable fishing
Blue economy stakeholders	Fishermen, aquaculture farmers,	Blue economy communication	Need to adapt to measures, quotas and mechanisms

	small and medium-sized enterprises	MSPD MSFD NRL CFP	
Maritime industries	Transport, shipbuilding, offshore renewable energy	Blue economy communication MSPD MSFD NRL PCP	Adaptability
Bank	European Investment Bank	Blue economy communication	Financing projects related to the blue economy
Private	Startups, companies	Blue economy communication	Commitment to the blue economy