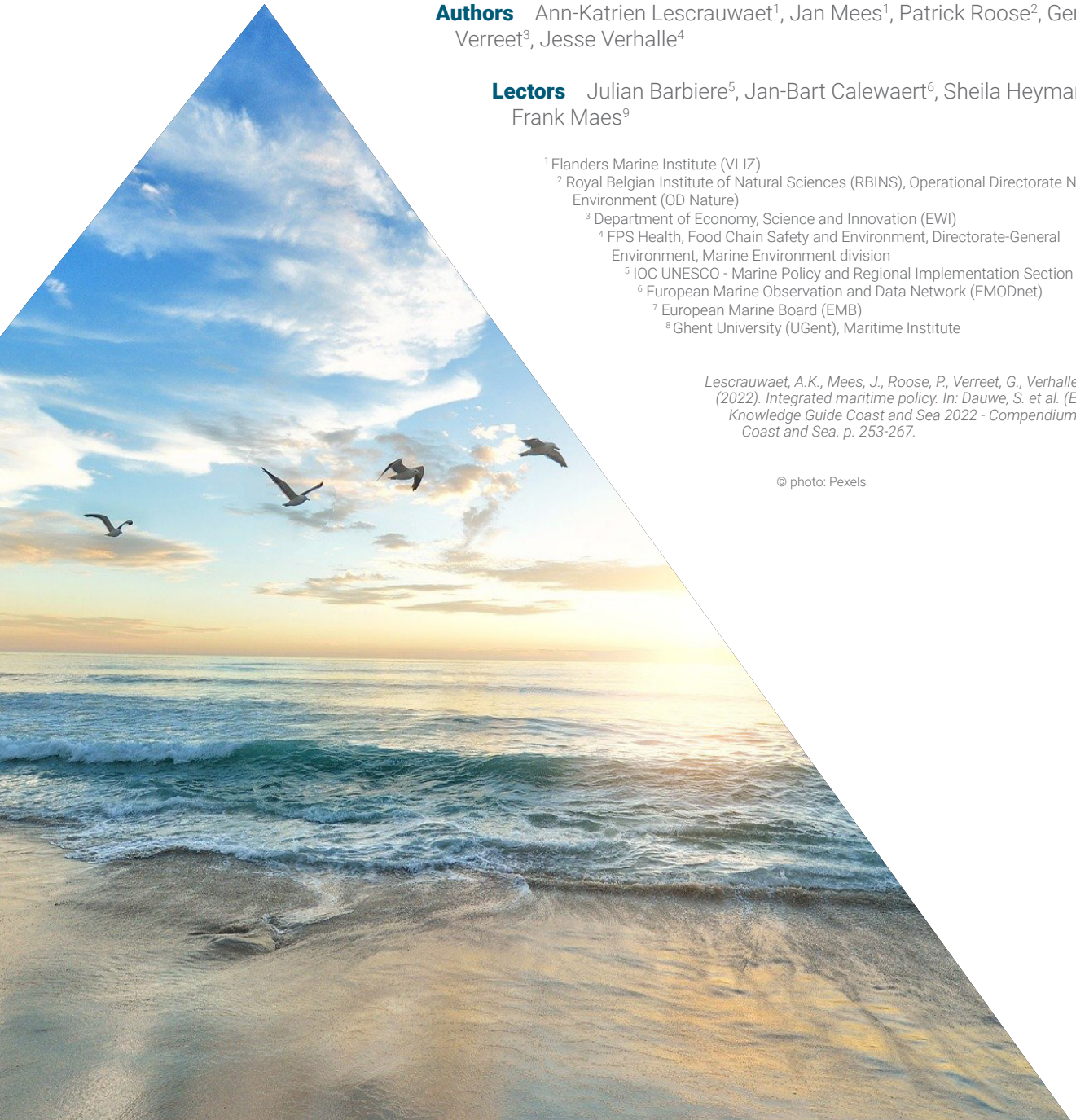
16 Integrated maritime policy



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16.1 Integrated ocean policy

16.1.1 The Agenda 2030: a global policy for sustainable development

In September 2015, the United Nations General Assembly (UNGA) adopted the resolution: Transforming our world: the 2030 Agenda for Sustainable Development (figure 1). The Agenda 2030 recognises that climate change is one of the greatest challenges of our time (SDG13) and that increases in global temperature, sea-level rise, ocean acidification, and other impacts are seriously affecting coastal areas, especially in low-lying coastal countries. SDG14 aims to 'conserve and sustainably use the oceans, seas and marine resources for sustainable development'. The ten targets of SDG14 focus *inter alia* on the reduction of marine pollution and ocean acidification, the conservation and restoration of marine and coastal ecosystems, the ending of illegal, unreported and unregulated fishing (IUU) and perverse subsidies, and the development of marine science capacity and technology transfer.

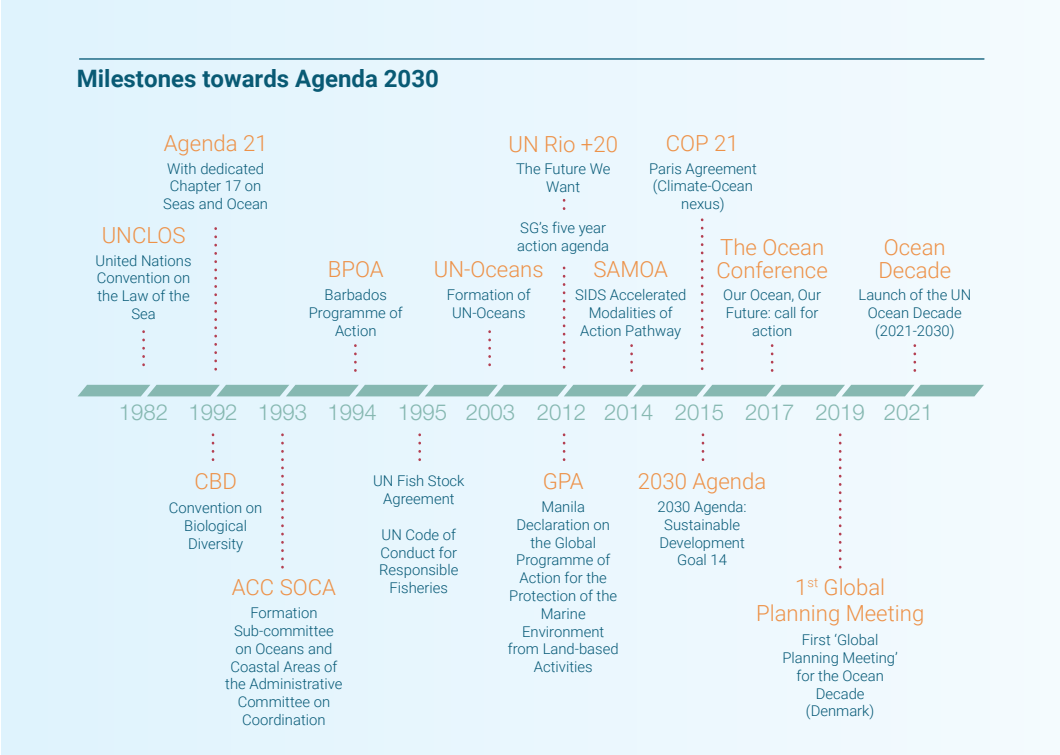

Figure 1. Milestones in the path towards setting the Agenda 2030 and the launch of the United Nations Decade of Ocean Science for Sustainable Development.

The Paris Agreement (2015) was the first of the Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC) to acknowledge the intrinsic connection between climate and the ocean (UN 2015). The UNFCCC is crucial in addressing this ocean-climate nexus in support of the Agenda 2030.

Belgium's progress towards achieving the Sustainable Development Goals (SDGs) is assessed at national level by the Federal Planning Bureau. The Flanders Region has set 48 sustainability goals in Vizier2030 to implement the UN Agenda 2030 and the SDGs. Ocean-related SDGs are addressed by supporting the UN Decade of Ocean Science for Sustainable Development (2021-2030), the Ocean Decade.

16.1.2 UN framework and its integrated sustainability agenda for the global ocean

16.1.2.1 UN-Oceans: Inter-agency Coordination Mechanism

The UN-Oceans (2003) (UN Resolution A/RES/68/70) provides the Interagency Coordination Mechanism for various ocean related matters. It reports to the UN General Assembly (UNGA) through the Informal Consultative Process and the Annual Omnibus Resolutions and Annual Reports on Oceans and Seas (figure 2). Ocean related processes established under the UNGA include:

- The UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea (the Consultative Process - ICP established in 2002), an annual intergovernmental forum to discuss ocean issues;
- The Intergovernmental Conference tasked with the development of an international legally binding instrument (ILBI) under the UN Convention on the law of the sea (UNCLOS 1982) on the conservation and sustainable use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ) by 2020 (UN Resolution A/RES/72/249);
- The Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects (the Regular Process, UN Resolution A/RES/57/141 and A/RES/58/240), aims to enhance the scientific basis for policy-making. The first cycle of the World Ocean Assessment (WOA) focused on establishing a baseline, while the second cycle extends to evaluating trends and identifying gaps (UN Resolution A/RES/71/257). The WOA-II (Volume I, Volume II 2021) is a collective effort of more than 300 experts to support the achievement of SDGs and the implementation of the United Nations Ocean Decade.

The UN Ocean Conference (New York, June 2017) adopted the intergovernmental agreed political declaration Our Ocean, our future: call for action, emanating from seven partnership dialogues and over 1,400 voluntary commitments to advance the implementation of SDG14 and related targets (UN Resolution A/RES/71/312). Ambassador Peter Thomson was appointed as UN SG Special Envoy for the Ocean in 2017, to follow up on the implementation of these voluntary commitments. The Scientific Advisory Board of the UN Secretary-General identified eight grand societal challenges, including the need for improving ocean science and governance for the development of sustainable ocean knowledge-based economies (UNESCO 2016).

A widely accepted guiding principle in UN (environmental) agreements such as the Convention on Biological Diversity (1992) is the 'ecosystem-based approach', which considers a healthy ecosystem as a basis for sustainable maritime economic activity. The ecosystem approach serves as a guidance in European (marine) legislation and is transposed at national level. An overview of UN Conventions - including UNCLOS, also called the 'Constitution for the oceans' (UNCLOS 1982) - is provided in Maes et al. (2013) and Verleye et al. (2018).

16.1.2.2 UN Ocean Science Agenda: IOC UNESCO

The Intergovernmental Oceanographic Commission (IOC) of UNESCO (figures 2 and 3) is the UN body mandated for the global coordination and implementation of programmes for ocean research, observation, exchange of ocean data and information, early warning, sustainable management and capacity development including training.

In 2017, the IOC published the first Global Ocean Science Report (GOSR 2017), an assessment of the ocean science capacity at the national, regional and global scales, including workforce, infrastructure and publications. A first update in this regular reporting was published in December 2020 (GOSR 2020).

Specific research is conducted in support of the UN organisations responsible for developing policy and regulation e.g. in the domains of fisheries, shipping, nature conservation and biodiversity protection, and on the Arctic and the deep-sea frontiers. UNCLOS part XIII and part XIV provide a legal framework for the conduct of marine scientific research and transfer of marine technology.

16.1.2.3 UN Decade of Ocean Science for Sustainable Development

In December 2017, the UNGA (UN Resolution A/RES/72/73) proclaimed a global UN Decade of Ocean Science for Sustainable Development (2021-2030) as a common framework for ocean science to support countries in the achievement of the SDG14. The UNGA called on the IOC to prepare an Ocean Decade Implementation Plan in consultation with member states, UN bodies, specialised agencies, and relevant stakeholders (see **16.3.2 EU science and innovation agenda for a sustainable use of the ocean**). The Implementation Plan includes a series of high-level Ocean Decade challenges and process objectives, and sets the ambition in terms of data and knowledge management, and capacity development. Bottom-up, it provides a convening framework for scientists and stakeholders to submit transformative Decade Actions that contribute science-based solutions to achieve the 2030 Agenda.

Flanders' marine research and innovation (R&I) community initiated a participative process to disseminate the objectives of the Ocean Decade and create opportunities for solutions-oriented research between researchers, policymaking and the industry (EWI/VLIZ/DBC 2021). A number of Flanders' initiatives, e.g. in ocean biodiversity data and observation, have been acknowledged and adopted as Ocean Decade Actions. In a multilateral context,

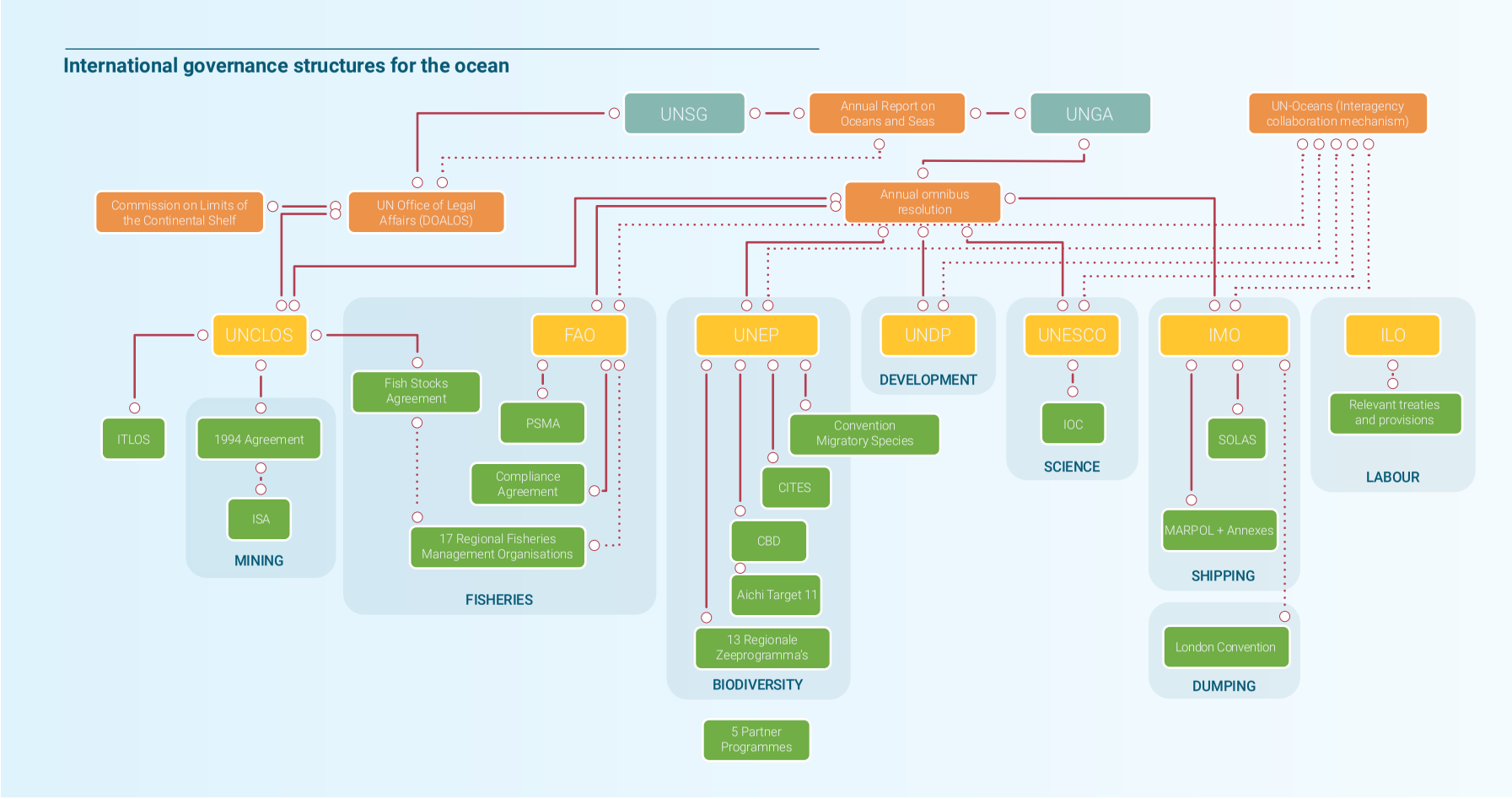

Figure 2. International governance structures for the ocean (Source: Ocean Atlas 2017).

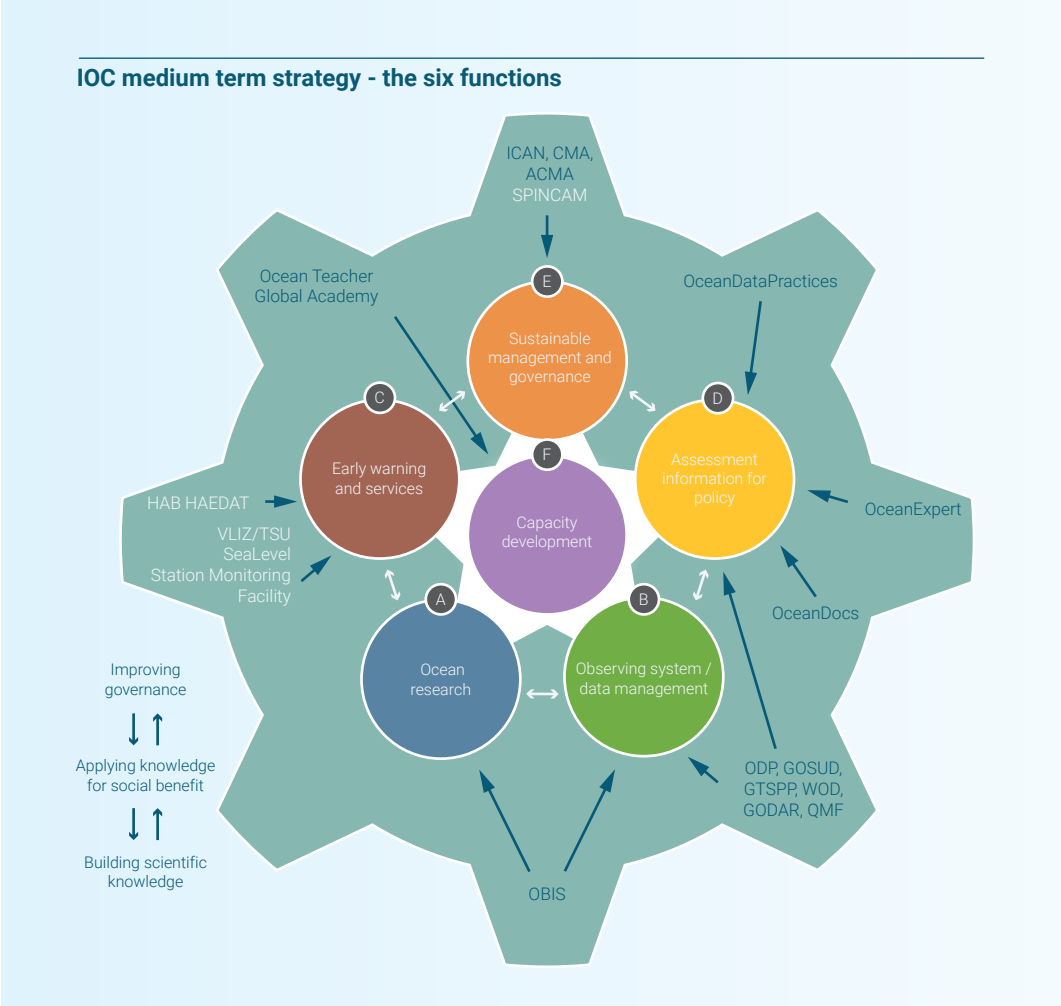

Figure 3. The six main functions in support of IOC-UNESCO Medium-term Strategy 2014-2021.

flagship projects supported by Flanders UNESCO Science Trust Funds support capacity development, training and equitable access to science and technology which is at the heart of an inclusive approach to the Ocean Decade, e.g. the Ocean Teacher Global Academy and the Ocean InfoHub.

16.2 Non-UN agreements

16.2.1 Global and regional conventions

Global, non-UN conventions include the Ramsar Convention (1971) and the International Convention for the Regulation of Whaling (IWC 1946).

At the regional level, the fourteen Regional Seas Programmes have also adopted legally binding, non-UN conventions, for the protection of the marine environment. The four European regional seas conventions include the Helsinki Convention (HELCOM 1974/1992) in the Baltic Sea, the Barcelona Convention (1976) in the Mediterranean Sea, the Bucharest Convention (1992) in the Black Sea and the OSPAR Convention (1992) in the North East Atlantic Ocean and North Sea (figure 4).

OSPAR is the mechanism by which 15 national governments and the EU cooperate to protect the marine environment of the North-East Atlantic, including the North Sea (see thematic chapter **Nature and environment**). The work of the OSPAR Commission is guided by the principle of the ecosystem approach for the integrated management of human activities in the marine environment. The OSPAR secretariat also acts as a secretariat for the Bonn Agreement (1969), which provides a mechanism for the North Sea countries and the EU (the contracting parties) to cooperate in response to pollution in the North Sea area caused by maritime disasters and chronic

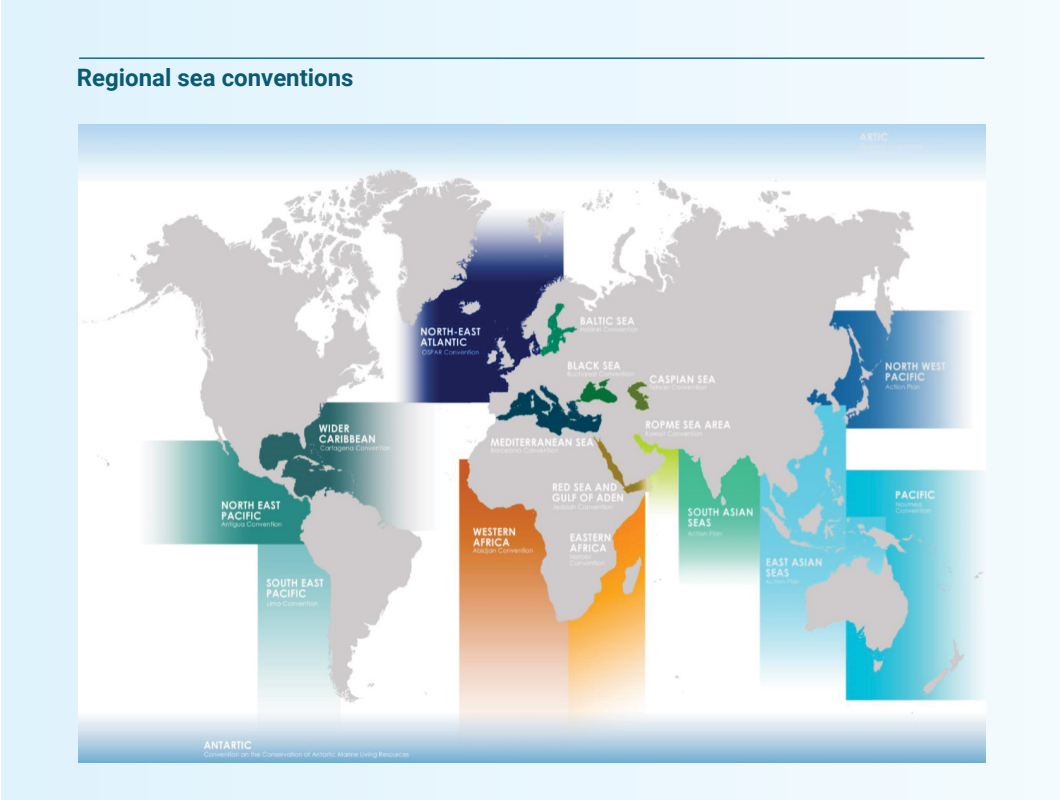

Figure 4. (Non-UN) regional seas conventions worldwide (Source: UNEP).

pollution from ships and offshore installations, and to conduct joint surveillance to assist in the detection and control of marine pollution. In this context, the Ministerial North Sea Conferences and Declarations (1984-2006) have carried out joint actions to assess the state of the environment and to set environmental targets to reduce contamination in the North Sea.

The North-East Atlantic Environment Strategy (NEAES) 2030 (2021) is the means by which OSPAR's 16 Contracting Parties will implement the OSPAR Convention until 2030. It is based around four themes: clean seas; biologically diverse seas; productive and sustainably used seas; and seas resilient to climate change and ocean acidification. The Strategy also emphasises the importance of OSPAR in regional cooperation. Contracting Parties developed an implementation plan to put the Strategy into effect and assess progress. Its implementation is part of OSPAR's contribution to the achievement of the UN Agenda 2030 and the SDGs.

At international level, the Group of Seven (G7) serves as a forum for highly industrialised democracies to coordinate economic, security and energy policy. The G7 members (Canada, France, Germany, Italy, Japan, the United Kingdom and the United States) have launched a number of communiqués that are relevant for the ocean, e.g. the Tsukuba Declaration (2016), Turin (2017), the Charlevoix Blueprint (2018), and the Carbis Bay Communiqué (2021). In 2016, the G7 also agreed on the Future of the Seas and Oceans Initiative (FSOI) to enhance the global ocean observing system that provides ocean data required for the health of the ocean, for weather and climate forecasting, and for the development of a sustainable Blue Economy (see **16.3.2 EU science and innovation agenda for a sustainable use of the ocean**, and the Compendium Timeline on Ocean Policy).

16.2.2 Cooperation in global ocean research

At the global level, a number of relevant non-UN systems and networks cooperate in advancing the ocean research agenda and mobilising funding for ocean research. Among the most active are: the Partnership for Observation of the Global Oceans (POGO), the Platform on Biodiversity and Ecosystem Services (IPBES), the Future Earth Programme with its science and technology alliance for global sustainability collaboration, the Scientific Committee on Oceanic Research (SCOR) (under the International Science Council ISC), the Belmont Forum as an international partnership of funding organisations, and the Organisation for Economic Co-operation and Development (OECD) (Future of the Ocean Economy, OECD 2019, Stevens et al. 2021). Several 'think tanks'

incorporate ocean research outcomes in the formulation of strategic policy recommendations on the Ocean-Climate nexus such as the High Level panel for a Sustainable Ocean Economy (Hoegh-Guldberg et al. 2019).

16.3 The European Union

16.3.1 The EU integrated maritime policy

The EU integrated maritime policy (IMP, COM (2007) 575) seeks an increased coordination to EU marine and maritime issues between policy domains. It consists of a number of transversal policy instruments and is coordinated by the Directorate-General for Maritime Affairs and Fisheries (DG MARE). The ecosystem approach is enshrined within the legal framework of the IMP as a guiding principle for the management of human activities in accordance with the precautionary principle.

The EU was a long-standing party to the regional sea conventions around Europe and developed its water policies in interaction with these, mostly member state driven, organisations. A more integrated approach in the management of the marine environment, was taken with the EU Water Framework Directive (WFD, Directive 2000/60/EC). The WFD is applicable in coastal waters up to 1 nautical mile (nm) seaward from the baseline (i.e. low water mark), to achieve a good ecological status, while for certain aspects of chemical water quality the WFD applies to the entire 12 nm territorial sea. The Marine Strategy Framework Directive (MSFD, Directive 2008/56/EC) is considered as the environmental pillar of the IMP and aims for a 'good environmental status' (GES) for all seas under the jurisdiction of the member state. Member states have to ensure a good articulation between these two frameworks (MSFD and WFD). The MSFD and WFD are complementary to other environmental directives, such as the Habitats Directive (Directive 92/43/EEC) and Birds Directive (Directive 2009/147/EC) (Natura2000) (see thematic chapter **Nature and environment**).

The Maritime Spatial Planning Directive (MSP, Directive 2014/89/EU) and the Recommendation on integrated coastal zone management (ICZM, Recommendation 2002/413/EC) are important instruments within the scope of the IMP. The MSP Directive supports the EU Blue Growth Strategy (COM (2012) 494) and the EU Strategy for Transforming the EU's Blue Economy for a Sustainable Future (COM (2021) 240), which contributes to achieving the goals of the European Green Deal and the Recovery Strategy. By optimising the (multiple) use of maritime space, MSP also contributes to a better implementation of EU environmental policy instruments by reducing environmental effects.

The EU Green Deal (COM (2019) 640) aims for climate-neutrality of the EU by 2050, while its goals extend to many different sectors, including construction, energy, transport, food and biodiversity. It has strategic implications on the EU approach in addressing the climate-biodiversity-ocean nexus. In this context, the EU Climate Law (Regulation (EU) 2021/1119), in force since 29 July 2021, sets the legally binding European target of climate neutrality by 2050.

The EU joint communication on international ocean governance (JOIN (2016) 49) and the International Ocean Governance (IoG) Agenda form part of the EU response to the UN 2030 Agenda and delivers on the EU Global Strategy. The IoG Agenda selected 50 actions to ensure clean, healthy, safe, secure and sustainably used oceans. It is an integral part of the EU Green Deal and EU's response to, in particular, the SDG14 Life Below Water. The IoG Forum, coordinated by the European Marine Board (EMB), brought together ocean stakeholders to support the development of the IoG Agenda (IoG Consortium 2021).

16.3.1.1 Role of the European Parliament and Council

Several EU Parliament committees address marine and maritime policy issues. The Intergroup on Seas, rivers, islands and coastal areas (SEARICA) has a membership of 107 members of the European Parliament from 23 different member states and six political groups working in an integrated manner on specific ocean and coastal topics. While at the European Commission DG MARE ensures a thematic coordination, in the EU Council the General Affairs and External Relations Council has competence on IMP.

16.3.2 EU science and innovation agenda for a sustainable use of the ocean

Science and technological innovation are instrumental to achieve the sustainability goals for the ocean. The EU Strategy for Marine and Maritime Research (COM (2008) 534), coordinated by the Directorate-General for Research and Innovation (DG RTD), is a reference framework for the integration and gathering of knowledge and coordination of priority research activities. Marine Knowledge 2020 (COM (2010) 461) supports this strategy through a more coordinated approach to marine data collection and assembly.

The DG RTD is responsible for the Framework Programme Horizon Europe (2021-2027) (Regulation (EU) 2021/695), which aims to tackle climate change, help to achieve the UN SDGs and boost the EU competitiveness and growth. Horizon Europe highlights the need for new types of governance in the field of research, focusing on a dialogue between scientists, policymakers, private partners and industry, and societal interest groups (the quadruple helix). These elements also form the pillars of the Ostend Declaration (2010) and the Rome Declaration (2014) and of the implementation and funding mechanisms of EU science policy.

As part of the Horizon Europe programme, the EC launched the Mission Restore our Ocean and Waters by 2030. This Mission aims to deliver on the European Green Deal by restoring ecosystems and biodiversity, eliminating pollution, and making the Blue Economy carbon-neutral and circular. Also to be implemented under Horizon Europe, the Climate neutral, sustainable and productive Blue Economy partnership, due to start in 2023, takes the shape of a public initiative co-funded by the EU, national governments and national research funding agencies. It aims to reduce fragmentation by linking existing activities and efforts to combine and align pan-European, regional and national investments and the identified socio-political priorities for marine and maritime R&I. Both initiatives will be instrumental in delivering the EU Strategy and its contribution the UN Ocean Decade.

The EU approach to strengthen international cooperation in marine research and innovation (COM (2021) 252) also engages to actively contribute to the Ocean Decade and to increase support to the All-Atlantic Ocean Research Alliance (see below).

16.3.2.1 EU Integration of Marine Data and Information Collection Frameworks

Marine Knowledge 2020 (COM (2010) 461) – a component within the IMP – aims at unlocking marine data from different sources stored in data repositories scattered around Europe. In doing so, it aims to increase efficient access to quality-checked marine data, increase knowledge of the ocean and reduce the risks associated with its use. At the heart of Marine Knowledge 2020 is the European Marine Observation and Data Network (EMODnet), which consists of more than 150 partner organisations. EMODnet integrates marine data, data products and metadata from different sources, and provides access in a uniform way through the central web portal. EMODnet provides access to European marine data, metadata, data products and services across seven discipline-based themes: bathymetry, geology, seabed habitats, chemistry, biology, physics and human activities.

Information systems in support of sectoral EU maritime policy instruments include:

- The Data Collection Framework for the CFP (DCF);
- The Infrastructure for Spatial Information in Europe (INSPIRE Directive);
- The Maritime Common Information Sharing for the Environment (CISE);
- The Water Information System for Europe (WISE) and WISE-marine for the MSFD;
- The Biodiversity Information System for Europe (BISE);
- The European Climate Adaptation Platform (CLIMATE-ADAPT);
- The Marine Environment Monitoring Service (CMEMS), marine component of the COPERNICUS initiative (former GMES);
- The European Atlas of the Seas, raising the visibility of maritime Europe.

The data policies of the different systems are evolving rapidly under the influence of the 'Open Access' and the FAIR data Movement. In 2018, the EC launched the Implementation Roadmap for the European Open Science Cloud (EOSC, SWD (2018) 83). EOSC aims to enable the open science concept and the digital transformation of science. It is designed to offer EU researchers access to all publicly funded research data in Europe, across disciplines and borders to add value in terms of scale, interdisciplinarity and faster innovation.

16.3.2.2 Strategic Research and Innovation agendas in support of a sustainable use of the ocean

Ocean research inherently involves high costs and research facilities that are not always accessible to European researchers. Aligning objectives and pooling of available financial resources and capacities facilitates addressing grand societal challenges in a more effective and coordinated way. It stimulates the transfer of scientific information and knowledge towards research and innovative applications (Rome Declaration 2014, Marine Knowledge 2020, Navigating the Future V, European Marine Board 2019).

In the EU, research agendas are mainly determined at member state level and 88% of all public investments in research and development (R&D) are designed, financed and evaluated at national or subnational levels (Acheson et al. 2012). Joint Programming (JP) offers an integration and coordination platform for EU member states to align national budgets and resources from research organisations; e.g. by drafting joint research agendas and aligning priorities for cooperation in the long term. Since 2009, ten Joint Programming Initiatives (JPIs) were launched, including the initiative for Healthy and Productive Seas and Oceans (JPI-Oceans) that develops actions based on its Strategic Framework 2021-2025 (2021).

The JPI Oceans also coordinates the Strategic Research and Innovation Agenda (SRIA) for a Climate neutral, sustainable and productive Blue Economy partnership, building on priorities as defined in existing SRIAs from the EU sea basins. These include the Mediterranean SRIA, the Black Sea SRIA, the joint Baltic and North Sea SRIA, as well as developments in the Atlantic, including the ongoing implementation work under Galway and Belém Statements and the Atlantic Action Plan 2.0. These SRIAs and roadmaps were supported by Horizon 2020-funded Coordination and Support Actions (AORA-CSA, AANChOR-CSA, BlueMed CSA, Black Sea CONNECT and BANOS CSA). They offer demonstrated achievability of policy targets at sea basin scales and allow common issues to be jointly addressed.

The BONUS Joint Research and Development Programme, based on Article 185 of the Treaty on the Functioning of the EU (TFEU), was designed to meet the research and development needs of the Baltic Sea, and jointly funded by the EU and the involved countries. A collaborative action to expand BONUS in a twinning programme with the North Sea (BANOS CSA) was developed (2018-2021) with support of the EU Horizon 2020 programme. The BANOS CSA has considered the EU Strategy for the Baltic Sea Region (EU SBSR) in the development of the SRIA for the Baltic and North Sea.

A maritime strategy for smart sustainable and inclusive growth in the North-East Atlantic Ocean was first agreed by Portugal, Spain, France, Ireland and the UK (2011). Cooperation across the North Atlantic was further enhanced by the signing of the Galway Statement on Atlantic Ocean Cooperation (2013) which established the All-Atlantic Ocean Research Alliance (AORA) between the EU, USA and Canada. The AORA aims to increase collaboration in topics such as ocean observation in the Atlantic Ocean, including the effects from the nearby Arctic Ocean (COM (2013) 279). The Belém Statement, a joint declaration between the EU, Brazil and South Africa (July 2017) following the Galway Statement, is a further step in upscaling this cooperation across the whole Atlantic Ocean and its bordering countries.

16.4 Belgium: federal and Flemish legislation and policy instruments for an integrated maritime policy

16.4.1 Marine spatial plan for Belgium

The Belgian marine/maritime policy is largely governed by international treaties and policy instruments, including European and regional agreements (see **16.1 Integrated ocean policy**, **16.2 Non-UN agreements** and **16.3 The European Union**). In accordance with UNCLOS 1982, coastal states have sovereignty over the territorial sea and certain sovereign rights in the contiguous zone, the exclusive economic zone (EEZ) and on the continental shelf (see figure 5). In implementation of the UNCLOS, Belgium approved two important laws (Somers and Maes 2011):

- The Law on the Exclusive Economic Zone (EEZ) of Belgium (EEZ, Law of 22 April 1999) and amending the Law of 13 June 1969 on the exploitation of the continental shelf;
- The Law for the protection of the marine environment and for the organisation of marine spatial planning in the marine areas under the jurisdiction of Belgium (MMM Law, Law of 20 January 1999, amended several times and most recently by the Law of 20 July 2012).

The Belgian federal government is responsible for most of the activities that take place on the seaward side of the baseline (low-water mark), such as environmental policy, shipping, mineral extraction and offshore energy. The Government of Flanders is responsible for i.a. sea fisheries, shipping assistance, dredging, pilotage, rescue at sea, clearing wrecks and coastal defence works (Special Law of 8 August 1980, see Maes et al. 2013 for an overview of the division of competences in marine waters and the coastal zone in Belgium). The Cooperation agreement of 8 July 2005 between the federal state and the Flemish Region concerning the establishment and the cooperation in a Coast Guard structure, established an organised framework for coordination and mutual consultation between different policy areas relating to the sea (Law of 4 April 2006, Decree of 17 March 2006).

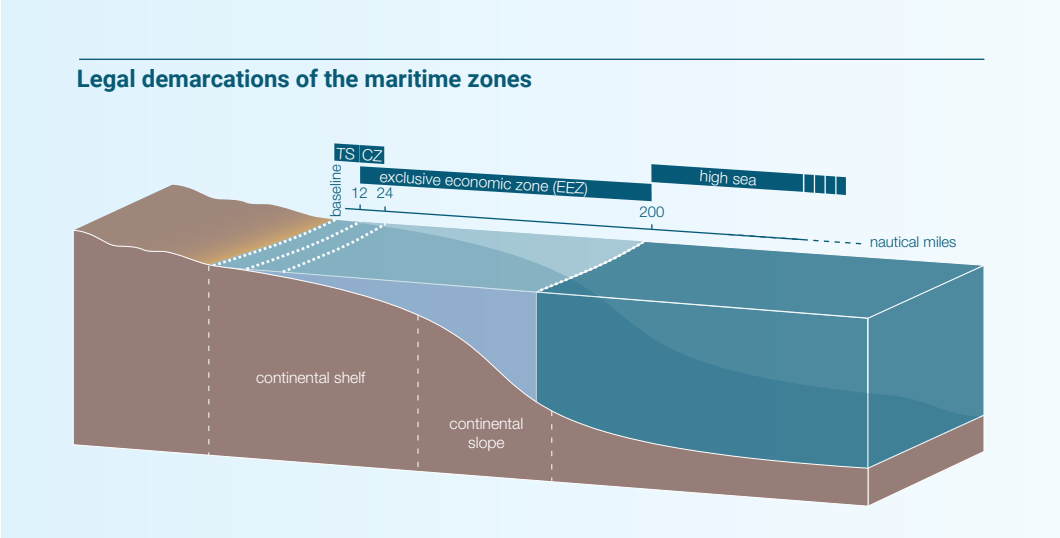

Figure 5. Legal demarcation of the maritime zones, as described in UNCLOS (TS: territorial sea, CZ: contiguous zone).

In 2003, a federal minister was appointed with a coordinating function for all federal competences on the Belgian part of the North Sea (BNS). The minister of the North Sea is also responsible for marine spatial planning (MSP) (Pecceu et al. 2016). In Belgium, through the Law of 20 July 2012, the concept of MSP was introduced in the Law of 20 January 1999 for the protection of the marine environment. The focus of the law is on the planning process, stakeholder participation, public consultation and the strategic environmental impact assessment (EIA). The law defines MSP as 'a plan that organises the desired spatial three-dimensional and temporal structure of human activities, based on a long-term vision and on the basis of clear economic, social and ecological objectives'. The law makes MSP a legally binding instrument and commits to a six-year review. The RD of 13 November 2012 establishes the procedure for the adoption of a MSP, the procedure for introducing an interim amendment, and the establishment of a Consultative Commission (composed of all competent federal and Flemish governmental authorities) with advisory authority. The MSP is also adopted by RD, after a deliberation in the federal Council of Ministers. Because the BNS is fully enclosed by the EEZ of neighbouring countries, the efficient and sustainable use of space and the elaboration of a long-term vision for the use of sea space is potentially subject to policy choices in the surrounding countries. For that reason, the RD also imposes an obligation to organise cross-border consultations in order to ensure coordination with the neighbouring countries.

Belgium has a legally binding marine spatial plan since 2014 (MSP 2014-2020, RD of 20 March 2014, see also Maes and Seys 2014, Van de Velde et al. 2014). The current plan (MSP 2020-2026, RD of 22 May 2019, see also Verhalle and Van de Velde 2020) provides a legal framework for all activities at sea (figure 6). The MSP 2020-2026 introduces i.a. a second Habitats Directive area, establishes the Princess Elisabeth zone for additional renewable energy and provides five zones for commercial and industrial activities (CIA zones) (RD of 22 July 2019, RD of 4 February 2020).

In 2017, the minister of the North Sea initiated a North Sea Council that coordinated a process for the development of a long-term vision for the North Sea until 2050 (De Backer 2017). Currently, the Think Tank North Sea continues on the dynamics of the North Sea Council as a neutral entity in which science, policy, civil society and industry, address issues related to the North Sea. The think tank is coordinated by scientific partners (lead by RBINS-OD Nature and VLIZ) and seeks to tie in with the major societal challenges (see Maes et al. 2013 for an overview and trajectory of MSP in Belgium, and the thematic chapters of the **Knowledge Guide Coast and Sea 2022** (Dauwe et al. 2022) for specific use of space in the MSP according to user function and www.marinespatialplan.be).

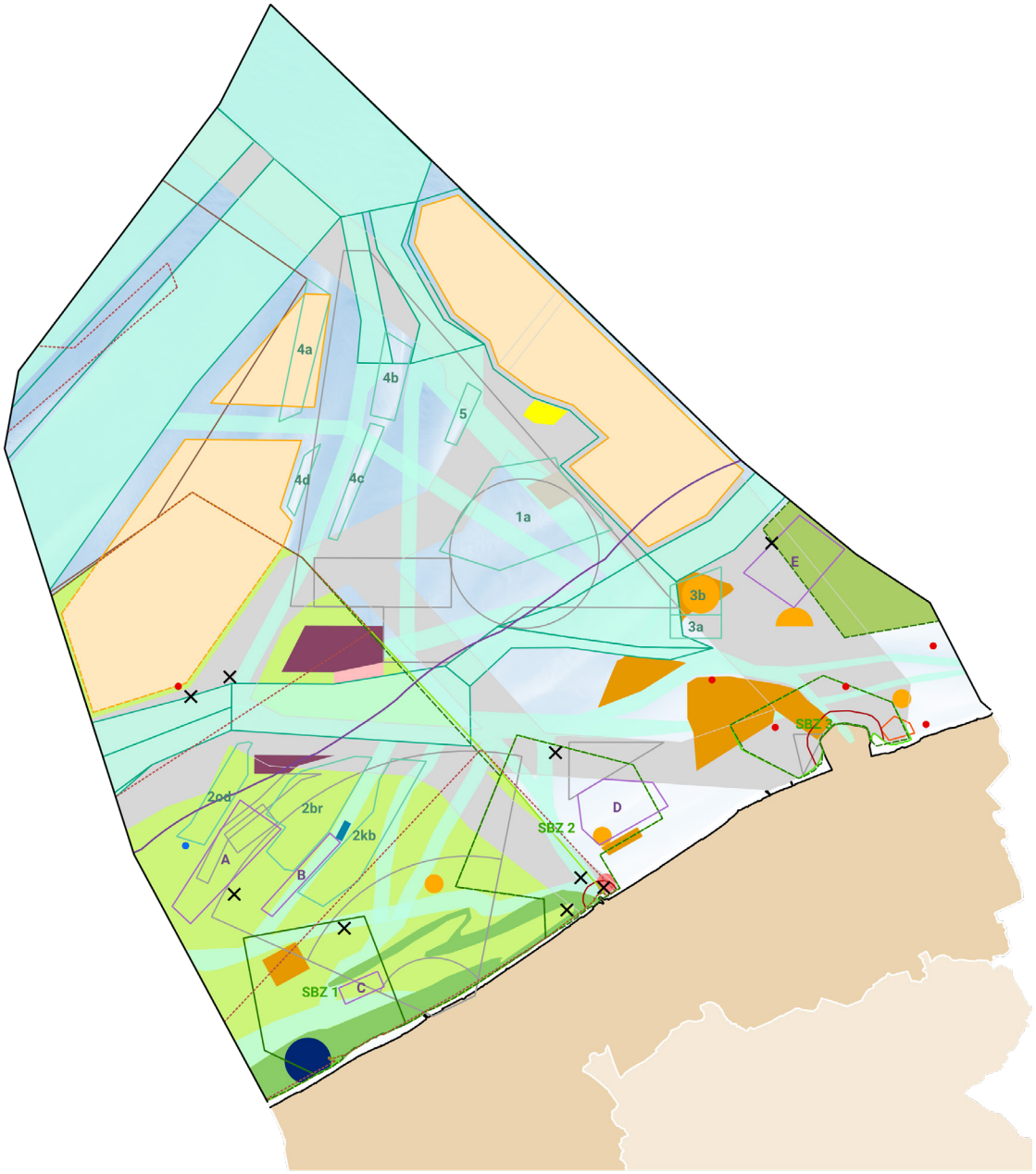

Figure 6. Integrated vision map for the BNS (Source: RBINS, MarineAtlas.be (based on RD 22 May 2019 (MSP 2020-2026)), Coastal Portal).

16.4.2 Sustainable management of human activities at sea

Belgium has pursued its marine policy since the early 1970s in accordance with the resolutions of the international conventions it has signed and the ministerial North Sea Conferences (see **16.2 Non-UN agreements**). The majority of them remain in force up to this day. The legal transposition of the MSFD into national legislation (RD of 23 June 2010) is a cornerstone for the coordination of MSP within the BNS. Following this national implementation and as a first six-yearly revision, Belgium updated the initial assessment of the state of the marine environment for the BNS (Belgian State 2018a), including an update of the socio-economic analysis of the users of the BNS (Belgian State 2018b, RBINS-OD Nature). The description of good environmental status and the establishment of environmental targets (Belgian State 2018c) was also updated. Subsequently the monitoring program was reviewed (Belgian State 2020) allowing to assess the trend in the health status of the marine environment. Based on the analysis of the monitoring results of the first cycle, the Marine Environment Division had drawn up a first program of measures (Belgian State 2016), containing additional measures necessary for achieving good environmental status. The adoption of a new program of measures is expected in 2022. Studies are currently developed in this context to restore and strengthen the gravel beds and the oyster beds that were once present in the BNS. The assessment is revised every six years (2024, 2030, etc.) and, if necessary, amended in consideration of the results achieved on the basis of the monitoring programme and programme of measures (DG Environment 2012) (see also thematic chapter **Nature and environment**)

Human activities at sea must be carried out in accordance with the requirements of protection and conservation of the marine environment and the concept of 'sustainable use of marine goods and services'. Permits and environmental impact assessments (EIA) ensure a harmonisation of the various user functions in the BNS. The RD of 7 September 2003 and the RD of 9 September 2003 introduced a procedure for obtaining an environmental permit and the obligation to carry out an EIA for activities described under Article 25 of the Law of 20 January 1999. To obtain a permit, the applicant must conduct an EIA-report and attach it to the application. This EIA-report estimates the impact of the proposed activity and provides alternatives where necessary. Based on the EIA-report and the application, the Operational Directorate Natural Environment (RBINS-OD Nature) prepares an EIA. This EIA is the scientific advice on the permit application. This advice is then forwarded to the Marine Environment Division of the FPS Health, Food Chain Safety and Environment. This Division can attach its advice, after which the file is submitted to the competent minister for a final decision. Commercial fishing, scientific research at sea and shipping are not subject to this licensing procedure and EIA obligation.

The BNS has three Birds Directive areas and two Habitats Directive areas. Human activities with a possible significant impact on these areas are subject to the so-called 'appropriate assessment' (*passende beoordeling*). The possible environmental effects of the activity are assessed against the conservation objectives set for these specific areas (see thematic chapter **Nature and environment**).

16.4.3 Integrated coastal zone management

Integrated coastal zone management (ICZM) is encouraged in the European member states mainly by the Recommendation on the implementation of integrated coastal zone management in Europe (2002/413/EC). This 'ICZM Recommendation' provides a common vision and standard for all member states as a policy framework. The Recommendation followed a series of European Charters and Decisions aimed at spatial planning and protection of the coastline, and Chapter 17 of Agenda 21 (Maelfait et al. 2013).

Integrated management leads to a more qualitative and sustainable policy, and according to scientific research it is cost-saving (EC 2000). The first Belgian Recommendation report on ICZM (2006) contained a number of recommendations for the joint development of sustainable coastal policies. In the Belgian Recommendation report (ICZM 2010), the achievements following these recommendations were further explained for the period 2006-2010. In a retrospective of 20 years of practitioners' experience in regional development in West Flanders (Mees and Lescrauwaet 2016), the ICZM instrument and its impact were subjected to a critical review.

The Belgian coastal waters are part of the International River Basin District of the Scheldt which is managed by the three Regions, the federal government as well as France and the Netherlands (see thematic chapter **Scheldt estuary**). International coordination takes place via the International Scheldt Commission (ISC) (i.e. Scheldt Treaty), while national coordination takes place via the Coordination Committee for International Environmental Policy (CCIM) (Cooperation Agreement of 5 April 1995), piloted by the federal government. For a comprehensive overview of the relevant authorities and regional, tri- and bilateral treaties for the BNS and adjacent estuaries, Verleye et al. (2018).

Legislation reference list

Overview of the relevant legislation on international ('Year A': adoption; 'Year EIF': entry into force), European, federal and Flemish level. For the consolidated European policy context see Eurlex. The national legislation can be consulted on the Belgian official journal and the Justel-database, the Flemish legislation is available on the Flemish Codex.

International conventions and agreements			
Acronyms	**Title**	**Year A**	**Year EIF**
ICRW	International Convention for the regulation of whaling	1946	1948
Bonn Agreement	Agreement for cooperation in dealing with pollution of the North Sea by oil and other harmful substances	(1969) - 1983	1989
RAMSAR	Convention on wetlands of international importance, especially as waterfowl habitat	1971	1975
Helsinki Convention	Convention on the protection of the marine environment of the Baltic Sea area	(1974) - 1992	(1992) - 2000
Barcelona Convention	Convention for the protection of the Mediterranean Sea against pollution	1976	1978
UNCLOS	United Nations Convention on the law of the sea	1982	1994
CBD	Rio de Janeiro Convention on biological diversity	1992	1993
Bucharest Convention	Convention on the protection of the Black Sea against pollution	1992	1994
OSPAR	Convention for the protection of the marine environment of the North-East Atlantic	1992	1998
Paris Agreement	Paris Agreement on climate change	2015	2016

European legislation and policy context			
Document number	**Title**	**Year**	**Number**
Communications			
COM (2007) 575	Communication from the Commission - An integrated maritime policy for the European Union	2007	575
COM (2008) 534	Communication from the Commission - A European strategy for marine and maritime research: a coherent European research area framework in support of a sustainable use of oceans and seas	2008	534
COM (2008) 768	Communication from the Commission - Offshore Wind Energy: Action needed to deliver on the Energy Policy Objectives for 2020 and beyond	2008	768
COM (2009) 8	Communication from the Commission - Strategic goals and recommendations for the EU's maritime transport policy until 2018	2009	8
COM (2009) 10	Communication from the Commission - Communication and action plan with a view to establishing a European maritime transport space without barriers	2009	10
COM (2009) 536	Communication from the Commission - Developing the international dimension of the Integrated Maritime Policy of the European Union	2009	536
COM (2009) 538	Communication from the Commission - Towards the integration of maritime surveillance: A common information sharing environment for the EU maritime domain	2009	538
COM (2010) 461	Communication from the Commission: Marine Knowledge 2020 marine data and observation for smart and sustainable growth	2010	461
COM (2010) 2020	Europe 2020 - A strategy for smart, sustainable and inclusive growth	2010	2020
COM (2011) 782	Communication from the Commission: Developing a Maritime Strategy for the Atlantic Ocean Area	2011	782
COM (2012) 494	Communication from the Commission: Blue Growth opportunities for marine and maritime sustainable growth	2012	494
COM (2014) 254	Communication from the Commission: Innovation in the Blue Economy: realising the potential of our seas and oceans for jobs and growth	2014	254

European legislation and policy context (continuation)			
Document number	**Title**	**Year**	**Number**
COM (2014) 451	Communication from the Commission - Better situational awareness by enhanced cooperation across maritime surveillance authorities: next steps within the Common Information Sharing Environment for the EU maritime domain	2014	451
COM (2021) 240	Communication from the Commission on a new approach for a sustainable blue economy in the EU - Transforming the EU's Blue Economy for a sustainable future	2021	240
COM (2021) 252	Communication from the Commission on the Global Approach to Research and Innovation Europe's strategy for international cooperation in a changing world	2021	252
Directive			
Directive 92/43/EEC	Directive on the conservation of natural habitats and of wild fauna and flora (Habitats Directive)	1992	43
Directive 2000/60/EC	Directive establishing a framework for Community action in the field of water policy (Water Framework Directive)	2000	60
Directive 2007/2/EC	Directive establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)	2007	2
Directive 2008/56/EC	Directive establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)	2008	56
Directive 2009/147/EC	Directive on the conservation of wild birds (Birds Directive)	2009	147
Directive 2014/89/EU	Directive establishing a framework for maritime spatial planning (MSP Directive)	2014	89
Regulations			
Regulation (EU) 2021/695	Regulation establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013	2021	695
Regulation (EU) 2021/1119	Regulation establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law')	2021	1119

Belgian and Flemish legislation		
Dates	**Title**	**File number**
Royal Decrees		
RD of 7 September 2003	Koninklijk besluit houdende de procedure tot vergunning en machtiging van bepaalde activiteiten in de zeegebieden onder de rechtsbevoegdheid van België	2003-09-07/32
RD of 9 September 2003	Koninklijk besluit houdende de regels betreffende de milieu-effectenbeoordeling in toepassing van de wet van 20 januari 1999 ter bescherming van het mariene milieu in de zeegebieden onder de rechtsbevoegdheid van België	2003-09-09/30
RD of 23 June 2010	Koninklijk besluit betreffende de vaststelling van een kader voor het bereiken van een goede oppervlaktewatertoestand	2010-06-23/04
RD of 23 June 2010	Koninklijk besluit betreffende de mariene strategie voor de Belgische zeegebieden	2010-06-23/05
RD of 13 November 2012	Koninklijk besluit betreffende de instelling van een raadgevende commissie en de procedure tot aanneming van een marien ruimtelijk plan in de Belgische zeegebieden	2012-11-13/07
RD of 20 March 2014	Koninklijk besluit tot vaststelling van het marien ruimtelijk plan	2014-03-20/03
RD of 22 May 2019	Koninklijk besluit tot vaststelling van het marien ruimtelijk plan voor de periode van 2020 tot 2026 in de Belgische zeegebieden	2019-05-22/23
RD of 11 June 2019	Koninklijk besluit tot wijziging van het koninklijk besluit van 23 juni 2010 betreffende de mariene strategie voor de Belgische zeegebieden	2019-06-11/05
RD of 22 July 2019	Koninklijk besluit tot vaststelling van de procedure tot het bekomen van een gebruiksvergunning voor de zones voor commerciële en industriële activiteiten in de zeegebieden onder de rechtsbevoegdheid van België	2019-07-22/17

Belgian and Flemish legislation (continuation)		
Dates	**Title**	**File number**
RD of 4 February 2020	Koninklijk besluit tot instelling van veiligheidszones in de zeegebieden onder Belgische rechtsbevoegdheid	2020-02-04/12

Laws		
Special Law of 8 August 1980	Bijzondere wet tot hervorming der instellingen	1980-08-08/02
Law of 11 May 1995	Wet houdende goedkeuring van het Verdrag inzake biologische diversiteit, en Bijlagen I en II, gedaan te Rio de Janeiro op 5 juni 1992.	1995-05-11/61
Law of 20 January 1999	Wet ter bescherming van het mariene milieu en ter organisatie van de mariene ruimtelijke planning in de zeegebieden onder de rechtsbevoegdheid van België	1999-01-20/33
Law of 20 July 2012	Wet tot wijziging van de wet van 20 januari 1999 ter bescherming van het mariene milieu in de zeegebieden onder de rechtsbevoegdheid van België, wat de organisatie van de mariene ruimtelijke planning betreft	2012-07-20/39