



Marine Environment
File no. 2018-15220
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17 September 2020

Notification regarding proposal for new protected marine-strategy areas in accordance with the Espoo Convention and the protocol relating thereto

Legal basis

The Espoo Convention¹² and the protocol relating thereto (the SEA Protocol) on transboundary environmental effects incorporated into the EIA Directive and the SEA Directive³ as well as the Danish Environmental Assessment Act⁴ oblige parties to notify and consult affected countries, and to implement environmental assessments in a transboundary context.

This notification is therefore being submitted prior to the public consultation on the proposed new protected marine-strategy areas according to Article 10 of the SEA Protocol in connection with the Espoo consultation of affected neighbouring states under the provisions of Article 7 of the SEA Directive and Article 7 of the EIA Directive.

Description of the plan/programme

The Marine Strategy Framework Directive⁵ obliges EU Member States to prepare marine strategies to achieve good environmental status by 2020. A marine strategy consists of three parts. The first part

¹Convention on Environmental Impact Assessment in a Transboundary Context of 25 February 1991

Executive Order on Protocol of 21 May 2003 on Strategic Environmental Assessment for the Convention on Environmental Impact Assessment in a Transboundary Context of 25 February 1991

³Directive 2011/92/EU of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment and Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment as well as Directive 2001/42/EC of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

⁴Consolidating Act no 973 of 25 June 2020 on environmental assessment of plans and programmes and of specific projects

⁵See Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)

contains a description of good environmental status, assessment of status and environmental targets. The second part consists of a monitoring programme, and the third part consists of a programme of measures. The marine strategies are updated every six years.

The programme of measures under Denmark's Marine Strategy I (2012) states that there must be an assessment of whether there is a need to designate additional marine protected areas in the North Sea (excl. the Kattegat) and the central Baltic Sea region.⁶ The first part of Marine Strategy II (2019) includes an environmental target that Denmark must assess the need for supplementary marine protected areas or other initiatives in the North Sea and the Baltic Sea. In connection with the upcoming programme of measures under the Marine Strategy Framework Directive, the Ministry of Environment and Food of Denmark therefore expects to designate new protected marine-strategy areas in the North Sea and in the Baltic Sea around Bornholm.

Description of possible significant transboundary environmental effects

The proposal for new protected marine-strategy areas will be prepared with a view to creating a better marine environment. On this basis, a positive effect is expected. The Ministry of Environment and Food of Denmark assesses that possible significant transboundary environmental effects in connection with a proposal for new protected marine-strategy areas may be relevant for the following countries: The UK, Norway, Sweden, Finland, Germany, Belgium, France, the Netherlands, Poland, Lithuania, Latvia and Estonia. Therefore, these countries are invited to submit comments through this Espoo consultation.

The proposal entails restriction of fishing activities in the new protected marine-strategy areas. In connection with preparation of the proposal, international fisheries data was selected from the following EU Member States: Sweden, Finland, Germany, Belgium, France, the Netherlands, Poland, Lithuania, Latvia and Estonia.

Timetable of work on the proposal for the new protected marine-strategy areas, including consultation process and other involvement of the public

The proposed demarcation of the specific areas is under preparation and for this reason the specific plan cannot be enclosed. The proposal will be submitted for a 12-week consultation period later this year, during which it will be possible to comment on the specific plan.

At the same time, the environmental report for the proposed new protected marine-strategy areas will be submitted for consultation in the same period on the Ministry of Environment and Food of Denmark's website www.mfvm.dk as well as on the national "consultation portal", www.hoeringsportalen.dk. The final protected areas will be prepared on the basis of the consultation responses received.

Stakeholders have been extensively involved as part of the preparations for the proposed new protected marine-strategy areas. A broad range of relevant stakeholders have regularly participated in joint stakeholder meetings, at which, among other things, stakeholders have expressed their interests and requests regarding the process. The stakeholders have also been presented with expert reports, which are included in the basis for the preparation of the proposal, and they have been given the opportunity to ask questions.

Invitation to participate in the consultation process

⁶<https://mst.dk/natur-vand/vandmiljoe/havet/havmiljoe/danmarks-havstrategi/indsatsprogram/>

If you wish to participate in the environmental assessment process or you have comments on the transboundary environmental effects described in the attached Demarcation Report and which will be examined in the environmental report, please send your request for participation or comments by no later than 21 October 2020 to Espoo@mst.dk with file number: 2020-48523.