

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) (Text with EEA relevance)

CHAPTER IV

UPDATING, REPORTS AND PUBLIC INFORMATION

Article 17

Updating

- 1 Member States shall ensure that, in respect of each marine region or subregion concerned, marine strategies are kept up to date.
- 2 For the purposes of paragraph 1, Member States shall review, in a coordinated manner as referred to in Article 5, the following elements of their marine strategies every six years after their initial establishment:
 - a the initial assessment and the determination of good environmental status, as provided for in Articles 8(1) and 9(1) respectively;
 - b the environmental targets established pursuant to Article 10(1);
 - c the monitoring programmes established pursuant to Article 11(1);
 - d the programmes of measures established pursuant to Article 13(2).
- 3 Details of any updates made following the reviews provided for in paragraph 2 shall be sent to the Commission, to the Regional Sea Conventions and to any other Member States concerned within three months of their publication in accordance with Article 19(2).
- 4 Articles 12 and 16 shall apply mutatis mutandis to this Article.

Article 18

Interim reports

Member States shall, within three years of the publication of each programme of measures or update thereof in accordance with Article 19(2), submit to the Commission a brief interim report describing progress in the implementation of that programme.

Article 19

Public consultation and information

- 1 In accordance with relevant existing Community legislation, Member States shall ensure that all interested parties are given early and effective opportunities to participate in the implementation of this Directive, involving, where possible, existing management bodies or structures, including Regional Sea Conventions, Scientific Advisory Bodies and Regional Advisory Councils.

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2 Member States shall publish, and make available to the public for comment, summaries of the following elements of their marine strategies, or the related updates, as follows:

- a the initial assessment and the determination of good environmental status, as provided for in Articles 8(1) and 9(1) respectively;
- b the environmental targets established pursuant to Article 10(1);
- c the monitoring programmes established pursuant to Article 11(1);
- d the programmes of measures established pursuant to Article 13(2).

3 With regard to access to environmental information, Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information⁽¹⁾ shall apply.

In accordance with Directive 2007/2/EC, Member States shall provide the Commission, for the performance of its tasks in relation to this Directive, in particular the review of the status of the marine environment in the Community under Article 20(3)(b), with access and use rights in respect of data and information resulting from the initial assessments made pursuant to Article 8 and from the monitoring programmes established pursuant to Article 11.

No later than six months after the data and information resulting from the initial assessment made pursuant to Article 8 and from the monitoring programmes established pursuant to Article 11 have become available, such information and data shall also be made available to the European Environment Agency, for the performance of its tasks.

Article 20

Commission reports

1 The Commission shall publish a first evaluation report on the implementation of this Directive within two years of receiving all programmes of measures and, in any case, by 2019 at the latest.

The Commission shall publish further reports every six years thereafter. It shall submit the reports to the European Parliament and to the Council.

2 By 15 July 2012 at the latest, the Commission shall publish a report assessing the contribution of this Directive to the implementation of existing obligations, commitments and initiatives of the Member States or the Community at Community or international level in the sphere of environmental protection in marine waters.

That report shall be submitted to the European Parliament and to the Council.

3 The reports provided for in paragraph 1 shall include the following:

- a a review of progress in the implementation of this Directive;
- b a review of the status of the marine environment in the Community, undertaken in coordination with the European Environment Agency and the relevant regional marine and fisheries organisations and conventions;
- c a survey of the marine strategies, together with suggestions for their improvement;
- d a summary of the information received from Member States pursuant to Articles 12 and 16 and of the assessments made by the Commission, in accordance with Article 16, in relation to information received from Member States pursuant to Article 15;

- e a summary of the response to each of the reports submitted to the Commission by Member States pursuant to Article 18;
- f a summary of the responses to comments made by the European Parliament and the Council on previous marine strategies;
- g a summary of the contribution made by other relevant Community policies to the attainment of the objectives of this Directive.

Article 21

Progress report on protected areas

On the basis of the information provided by the Member States by 2013, the Commission shall report by 2014 on progress in the establishment of marine protected areas, having regard to existing obligations under applicable Community law and international commitments of the Community and the Member States.

The report shall be submitted to the European Parliament and to the Council.

Article 22

Community financing

1 Given the priority inherently attached to the establishment of marine strategies, the implementation of this Directive shall be supported by existing Community financial instruments in accordance with applicable rules and conditions.

2 The programmes drawn up by the Member States shall be co-financed by the EU in accordance with existing financial instruments.

Article 23

Review of this Directive

The Commission shall review this Directive by 15 July 2023 and shall, where appropriate, propose any necessary amendments.

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- (1) [OJ L 41, 14.2.2003, p. 26.](#)