



Marine Strategy Framework Directive (MSFD)

Marine Strategy Coordination Group 23 November 2009

Draft minutes

The following Member States (MS) participated: Austria, Belgium, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Poland, Portugal, Romania, Spain, Sweden and United Kingdom. In addition also the non-MS Norway was represented. All the Regional Seas Conventions: Black Sea Commission, HELCOM, OSPAR and UNEP/MAP participated. Stakeholder organisations participating were: ASCOBANS Advisory Committee, BirdLife International, CEDA, EUCC Marine Team, ICOMIA – EURMIG Environment Executive, IFAW, OAM-DEME Mineralien GmbH, Oceana, OGP, PIANC, Port of Rotterdam, Seas at Risk, UEPG

The EU Commission was represented from DG RTD, DG MARE and DG ENV. The full list of participants is provided separately.

1. Opening of the meeting

The Head of the Marine Unit, DG Environment, Claude Rouam, welcomed the participants to the meeting.

The stakeholders were invited to introduce themselves.

2. Adoption of the agenda

The draft agenda was adopted.(MSCG Nov 09 2-1)

3. Adoption of the minutes from 15 May

The revised draft minutes, available at Circa since 7 July 2009, were adopted.

4. Main meetings related to the implementation of the Marine Strategy Framework Directive (MSFD)

- The Commission commented on the circulated minutes from the first meeting of the Marine Directors 21 May 2009 in Brno, Czech Republic.
- The Commission reported from the first meeting in the WG on Data, Information and Knowledge Exchange (DIKE) held 17 June 2009 and excused that the planned meeting during the autumn 2009 had been postponed to spring 2010. It was unfortunate that a call for tender for a service contract for assisting the development of reporting sheets on WISE-Marine had not been successful. Therefore it is not possible to present a first draft of the „Wise-marine Implementation Plan“ at the next meeting

of the Marine Directors (MD). It was noted that the WG DIKE had agreed that it should build on the work on GES criteria, which is still at a preparatory stage. The development of descriptors in WG Good Environmental Status (GES) has had priority so far for the current human resources, but the Commission emphasized the importance of the continuation of WG DIKE in the near future. The Marine Unit of the European Commission was envisaging creating a National Seconded Expert position to address marine information and reporting issues, with a focus on WISE-Marine.

WG DIKE will restart during early spring 2010 taking into account the other work in data collection and presentation such as, WISE MARINE, EMODNET, INSPIRE, earlier EMMA activities, etc.

- WG Economic and Social Assessment (ESA) is co-lead by the United Kingdom and Sweden, and on behalf of the WG ESA, Sweden summarized the outcome from the first meeting 30 Oct 2009. The circulated draft mandates will be brought forward to the Marine Directors for approval, and a work plan will be added after the next meeting in WG ESA. The primary focus for WG ESA is to get a common understanding of the requirements for the initial assessment and an overview of ongoing work at regional and national levels, taking into account also lessons learned from the similar process in Water Framework Directive (WFD) Next meeting is planned for 8-9 March 2010. The meeting asked the WG also to consider the cost of no action and the necessity to address also non-member states

WG ESA will present an elaborated work plan at the next meeting of MSCG. The Commission urged all MS to participate in the WG.

5 Good Environmental Status (GES)

5.1. Timetable

The Commission introduced the issue by presenting the time table. In order to meet the date for the Commission decision on indicators the 15 July 2010 the time table for the work on developing the descriptors is very tight. In mid-January JRC and ICES will produce an updated summary report to be delivered and put at Circa. It will be followed by a full report from the Task Groups by 31 January. These will be discussed by WG GES and the Committee. Further to the comments at WG GES, the Commission agreed to postpone these meetings to the first week of February and in mid March, while noting that any postponement increases the risks in view of the July deadline. A final management report will be delivered by end of March.

5.2. Development of the descriptors

On behalf of the steering group for the Task Groups (TG) developing the descriptors for GES, Wouter van de Bund, JRC, presented the ongoing work. TGs chaired by JRC, ICES, DG SANCO and France (for litter) are working with all descriptors but descriptor 7 (*Permanent alterations of hydrographic conditions does not adversely affect marine ecosystems*). The Commission are looking further into how to develop indicators for that descriptor, but also asked the meeting for suggestions.

The other 10 descriptors are covered and all TGs are working under the same ToR. The Descriptors were discussed in detail at the WG GES meeting 16 November. That meeting

acknowledged that the works are progressing in the right direction, although there is also a need to get more operational guidance closer to the development of criteria as such. For instance, more specific messages seem possible on linkages with criteria setting in the WFD, the Habitats Directive, the CFP or regional sea conventions. The TGs are presently taking into account the comments from the GES meeting. There is a large variation in the scientific background knowledge and experiences for the different descriptors and the reports will clearly identify gaps and needs for further research. The Commission invited the meeting to submit comments on the current outcome of the TGs and the GES group by 27th November in preparation for the next meeting of the Marine Directors.

The meeting acknowledged the comprehensive work by the TGs, and asked them to be as concrete and operational as possible when suggesting criteria and indicators. To encourage involvement by MS, Regional Sea Conventions and stakeholders the Commission will open a file for further comments at Circa (a general section and for each descriptor).

5.3. Further activities related to GES

The Commission informed the meeting on the views, presented by Germany (as co-lead of WG GES) at the GES meeting, on further activities needed, such as how to integrate indicators within a descriptor (suggested in some TG reports) and how to integrate between descriptors (e.g. whether weighing between them or "one out all out") in order to get overall assessments of the state of the seas. It is clear in the Directive that all descriptors should be used and that it requires a sound justification if a descriptor is not used. An additional issue is how the GES should handle the need of different scales (in time and space) for the different indicators. Related to these questions, there is also a need to look further into possible linkages to other relevant Directives (e.g. WFD, Habitat Directive) as well as to take into account respective activities of the regional sea conventions.. The meeting was invited to consider if a sub-group for those issues should be established. Some delegates expressed scepticism on the usefulness of one aggregated measure to describe the status of the seas, while others mentioned that the purpose of the Directive is to progress towards GES generally, which requires an overview. Resource implications were also addressed. While some delegates mentioned the possibility of weighing descriptors, others mentioned that any weighting could be more political than scientific. It would also need careful consideration at which level weighting could be applied.

The meeting recommends the Marine Directors to approve on an additional sub-group under GES to explore possible way for aggregation of indicators, taking to account regional developments and experiences from WFD, Natura 2000 etc. in addition to the work done in HELCOM and OSPAR. Germany, Italy and Sweden expressed interest of being part of that group. The United Kingdom did not consider that aggregation should be a priority but would consider participation if the subgroup was set up.

6. Research related to the Directive

There is a need for further research in order to fill present knowledge gaps and improve the indicators. Waddah Saab, coordinator of the implementation of Marine and Maritime Research Strategy at DG RTD, gave a presentation (MSCG Nov 09 6-1) on the present situation. He pointed out the good opportunities for research linked to MSFD.

The meeting welcomed the presentation and the MS were asked to alert their national research authorities on this issue and the need to highlight as a national research priority the marine research activities required for MSFD. The meeting was informed that, on the occasion of the Maritime Day 20 May 2010 in Gijon, Spain, a Conference will be structured around marine assessments and related research.

7. Marine regions and sub-regions

Article 4 in the Directive gives the MS a possibility to establish sub-divisions (further sub-regions) within the identified regions and sub-regions in the Directive. The Commission points out that it is not necessary to develop one Marine Strategy for each sub-division. The MS were invited to inform the meeting on their present intentions to develop sub-divisions, in addition to an update on the transposition process.

In summary:

Denmark and Sweden are considering making Kattegat (and maybe parts of Skagerrak) as a sub-region.

Denmark Germany has contacted Denmark about making the Wadden Sea a sub-region. Denmark has not yet taken any decision, and will consider the question together with any other proposals of sub divisions in the North.

Germany is consulting with Denmark and the Netherlands whether the Wadden Sea should become a sub-region.

Finland has not decided yet, but has to consider the differences in the different sea areas around Finland.

France will have a Strategy for each regional sea, but presently is not planning any sub-divisions, while not ruling out that there might be some later.

Greece has developed a map, but it is still to be discussed

Ireland will probably not establish sub-divisions, but consider some specifications in some chapters.

Italy have to deal with three different regions, but have not yet decided whether they will suggest further sub-divisions or whether they will develop one or more Marine Strategies.

Spain will probably establish 3 sub-divisions in the Atlantic Sea 1) north-east, 2) southern part of the coast, and 3) the Canary Islands and 2 in Mediterranean Sea 1) Alborán Sea and 2) the rest of the Mediterranean Sea, and thus 5 Marine Strategies.

Portugal has not decided yet, probably one for the mainland coast (coordinated with France and Spain), one for Madeira and one for the Azores.

United Kingdom is envisaging one Strategy without sub-divisions, although the issue of devolution to regions is relevant.

No sub-divisions are considered by the other MS.

The Commission thanked for the information and EEA asked the MS to inform them as soon as decisions were made.

The MS was also invited to inform on the present status on the transposition of the Marine Strategy Framework Directive.. The Commission concluded that all MS were in progress. It also invited Member States to provide a short summary for Marine Directors.

8. Regional coordination

The implementation of the Directive requires regional cooperation for a range of activities. The Regional Sea Conventions were invited to present their information for discussion and comments from the meeting.

UNEP/MED pointed to the difficult situation that only 7 of 21 Mediterranean countries are MS UNEP/MAP is willing to support the introduction of MSFD concepts that can be useful to all. To that end, they are following the ecosystem approach (including the concept of policy steps), which is the priority of the recently adopted 5-year programme. Presently they are working on assessing the state of the environment, including economic and social aspects, in the 4 sub-regions,

HELCOM is already carrying out and coordinating various activities in the Baltic Sea marine region that will be required by the marine strategies under the MSFD. The HOLAS project, and the resulting holistic assessment of the status of the Baltic Sea marine environment to, be presented at the HELCOM Ministerial meeting in May 2010, will also facilitate the initial assessment under the MSFD in addition to functioning as a reference assessment when HELCOM, in 2013, at ministerial level will assess the effectiveness of the measures in the HELCOM Baltic Sea Action Plan (HELCOM BSAP). The Holistic Assessment is based upon the targets and preliminary indicators in the HELCOM BSAP, with further developments. Commonly agreed integrative assessment tools have been used for the already published Eutrophication and Biodiversity Thematic Assessments, and are in development for the Hazardous Substances Thematic and Holistic Assessments (including weighted indicators and use of the "one out – all out" criteria). The assessments and indicators are based on data collected from HELCOM's coordinated monitoring and data reporting programme. National Implementations Plans (including time tables) for entry into operation of measures adopted with the HELCOM BSAP will be presented for assessment at the HELCOM Ministerial meeting. HELCOM has also been in contact with the Commission on the concept of a pilot project under the MSFD.

OSPAR will focus on becoming a coordinating platform for MSFD and are looking for new operational objectives for GES in the OSPAR sub-regions. The support to the initial assessment is the Quality Status Report (QSR) 2010 that will be presented at the OSPAR Ministerial meeting in September 2010. The report is structured in a thematic and sub-regional way and is now put for e-consultation. OSPAR has a coordinated monitoring program and a new monitoring (including new elements such as biological monitoring) and assessment program will be developed after 2010. One main challenge will be to consolidate the data handling.

Black Sea Commission also faces a difficult situation, of the 7 countries are 2 MS and 1 is a candidate state. A new Strategic Action Plan was approved in April 2009 that provides the framework for Black Sea Commission and the development of Ecosystem Quality Objectives (EQO) for the Black Sea and for further work linked to MSFD. One main challenge is the limited resources available.

The Regional Sea Conventions were invited to submit written information on their work related to the MSFD to this meeting to be forwarded to the Marine Directors meeting. The information will be put at Circa

Further to the presentations by conventions, one MS delegation asked for clarifications, referring to the HELCOM letter submitted to the Commission, as regards making the Baltic Sea area a pilot project under the MSFD.

Norway added that they are in a process to develop Strategies, called Management Plans, for all seas around Norway. The first for the Barents Sea was ready in 2006, and the second on the Norwegian Sea in 2009. Presently they are working on a Management Plan for the North Sea that will be ready 2014. It will feed into to work of OSPAR and MSFD.

9. Relation with the Integrated Maritime Policy

Haitze Siemers, Head of the Unit Maritime Policy Baltic and North Sea at DG MARE introduced the presentation on the linkages between the Integrated Maritime Policy (IMP) and the MSFD by pointing out that the MSFD is the environmental pillar of the IMP. The main concept of the IMP is to ensure coherence in all policy activities in the marine area. A number of cross-cutting tools are being developed such as maritime surveillance, integrated data handling and maritime spatial planning (MSP). Further information is found the web site for DG MARE / Maritime Affairs. http://ec.europa.eu/maritimeaffairs/index_en.html

Specific ongoing activities are the preparatory actions in the Baltic Sea and the North Sea and a process of working out conditions for MSP in the Mediterranean Sea. DG MARE has also launched a study for looking at the economic benefits of MSP. In spring next year a report on the further development since MSP will be launched. One overarching principle of MSP is the ecosystem approach, and the linkages with the MSFD were highlighted.

The meeting pointed out the importance of including the coast Spatial Planning of the seas and asked for a better linkage between MSP, Integrated Coastal Zone Management (ICZM) and MSFD, and EEA informed that EIONET will expand to maritime issues their existing marine and coastal network.

10. Any other business

The EEA and the Commission briefly presented the UN process of Assessment of Assessments (AoA), and more information can be found at <http://www.unep.org/dewa/assessments/Ecosystems/water/marineassessment/index.asp>

11. Conclusion

The Commission thanked for a useful meeting with open-minded debates. Although the already tight time-table, the GES and Committee meetings originally scheduled in January will be postponed one week to early February in order to give (a few days) more time to prepare comments. In addition, there will be possibilities to put comments on a file at Circa.

The Marine Directors will be suggested to agree on a new sub-group under GES primarily dealing with integration and aggregation within and between descriptors. Italy, Sweden and Finland volunteered to participate in that group, and the United Kingdom might be associated should it be created.

In view of the incomplete scientific information available, it was acknowledged that the present development of criteria is expected to have certain gaps. However, the Commission would be ready to consider the possibility for adjustments after the first 6-years cycle, to integrate experiences from the further work on GES in the period 2010-2012, and as there are good possibilities for improving our knowledge through research in the next years.

About 10 MS are considering establishing sub-divisions to some variable extent (e.g. within specific chapters when it becomes relevant), but no decisions are so far made. This issue needs to be discussed further at the next MD meeting.

The links between MSFD and other EU Directives and initiatives should be further considered, especially the links to WFD.

The Commission thanked the participants for a positive meeting and expressed the hope that it will be possible to continue to work together and to make the best of it, taking into account that the work towards GES is a long term challenge which requires strong cooperation between the Commission, Member States, Regional Sea Conventions and stakeholders at all stages of the process.