

Framework for community action in the field of marine environmental policy. Marine Strategy Framework Directive

2005/0211(COD) - 20/02/2014 - Follow-up document

The Commission presents a report on the first phase of implementation of the Marine Strategy Framework Directive (2008/56/EC).

The Commission states that its assessment of Member States' reports **gives rise to concern**: Member States' definition of good environmental status and the path they set out to achieve it shows overall limited ambition, often fails to take into account existing obligations and standards and lacks coherence across the Union, even between neighbouring countries within the same marine region.

By December 2013, all but a few of the Member States concerned had reported to the Commission. The European Commission has launched infringement procedures whenever relevant.

The state of European seas: Member States' reports confirm that European seas are not in "good environmental status (GES)":

- 39% of stocks in the Northeast Atlantic and 88% in the Mediterranean and Black Seas are still overfished and the situation is improving only slowly;
- pollution in the marine environment has decreased in some places but levels of nutrients and certain hazardous substances are overall still above acceptable limits;
- marine litter, mostly plastic, is a growing issue globally and in the EU. The impacts of this increasing problem are manifold and their magnitude not yet fully known;
- climate change also contributes to the further degradation of marine ecosystems.

More efforts need to be made to meet the 2020 objective of reaching good environmental status as part of a complete, adequate, consistent and coherent implementation of the Marine Strategy Framework Directive (MSFD).

Guidance and recommendations: the report presents guidance in the form of recommendations to be implemented at the EU, regional, and national levels.

The Commission states that much more needs to be done within the present implementation cycle and before the reporting exercise is repeated in 2018. In order to do so, Member States should give swift and serious consideration to the following recommendations including when preparing the monitoring programmes and programmes of measures. In particular Member States should:

- **use the monitoring programmes to address the shortcomings and gaps** identified in the initial assessment;
- systematically use standards stemming from EU legislation, such as the [Common Fisheries Policies](#), the [Water Framework Directive](#), the Habitats Directive, etc. and the [proposed directive](#) on

Maritime Spatial Planning (MSP) and Integrated Coastal Management (ICM) as soon as it enters into force;

- review and, where possible, **update their GES** and targets in preparation for the monitoring and measures programmes to allow for a consistent approach within and among regions and between the different provisions;

In addition, where the Commission has found shortcomings, Member States should, as soon as possible and by 2018 at the latest, significantly improve the quality and coherence of their determinations of GES, their initial assessments and their environmental targets, to ensure that the second round of implementation yields greater benefits. In particular, the report recommends the following actions:

- revise, strengthen and improve the current GES Decision 2010/477/EU by 2015, aiming at a clearer, simpler, more concise, more coherent and comparable set of GES criteria and methodological standards; this review could also factor in the impacts of climate change on the GES assessment;
- review Annex III of the MSFD, and if necessary revise, and develop specific guidance to **ensure a more coherent and consistent approach** for assessments in the next implementation cycle;
- implement a **modern and effective data and information sharing system** between the EU (EEA) and RSCs (“WISE-Marine”), taking full advantage of the ongoing developments to improve accessibility and interoperability of marine data through the "Marine Knowledge 2020" initiative;
- systematically use assessments carried out for other relevant EU legislation or under RSCs by Member States, with preparatory work starting immediately;
- develop **action plans**, coordinated at (sub-)regional level to rectify the shortcomings identified at the latest by 2018.

Lastly, regional cooperation must be at the very heart of MSFD implementation, and influence national implementation processes, rather than the other way around. The Commission and the Member States should continue discussion on how best to foster regional cooperation and further strengthen cooperation with the RSCs, in particular to further align work programmes.

The Commission **intends to conduct a reassessment in 2016** in order to determine whether the collaborative approach described above has been implemented and has delivered results, or whether additional action is needed in order to ensure the proper implementation of the MSFD.