

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

2005/0211(COD) - 31/07/2018 - Follow-up document

The Commission presents a report assessing Member States' programmes of measures under the Marine Strategy Framework Directive (MSFD).

To recall, the MSFD requires Member States to assess the quality status of the marine environment, determine good environmental status, set appropriate environmental targets and draw up adequate monitoring programmes and implement measures to achieve the Directive's key goal of securing the 'good environmental status' of all EU marine waters by 2020.

The national programmes must address each of the 11 MSFD descriptors and must include spatial protection measures. All Member States had to **report their programmes of measures by 31 March 2016**. This report assesses these programmes. The Commission notes, however, that by the cut-off date of February 2017, a total of 16 out of the 23 marine EU Member States had eventually reported their national programmes, and programmes submitted by the other 7 Member States could not be assessed in time for the report.

Measures taken: the report states that around **25 % of the measures have been defined as 'new' measures**, meaning they were put into place specifically for the purposes of the Directive. Other measures in the national programmes include actions taken under EU environmental legislation or other laws such as the [Waste Framework Directive](#), the [Water Framework Directive](#), and [the Birds Directive](#) and [Habitats Directive](#) among others.

Exceptions: the MSFD allows Member States, in well-defined circumstances, to apply exceptions to the achievement in every aspect, or within the relevant timeline, of the environmental targets or good environmental status. **Eight of the 16 Member States** at stake report exceptions. Other Member States declare not having applied exceptions because gaps in knowledge do not allow them to conclude whether or not an exception is required.

Types of measures: Member States have mainly devised **legal or technical measures** entailing, for example, technical solutions (e.g. less noisy ship engines) or restrictions to the spatial scope of certain activities (e.g. through licensing procedures). However, some Member States have also reported measures that would **indirectly help to address the pressure** in question. These include governance actions, or communication campaigns (e.g. to reduce littering).

Spatial protection measures: recalling that these are measures meant to create coherent and representative networks of **marine protected areas**, the report notes that such spatial measures were often reported in connection with fisheries, or the protection of certain habitats. While 2 Member States (Portugal and the United Kingdom) clearly list new marine protected areas, another 8 reported they were planning or designating new marine protected areas as measures (Bulgaria, Cyprus, **Germany, Finland, France, Italy, Spain and Sweden**). **The overall** coverage has increased significantly (by 4.9 % between 2012 and 2016 on average) through the Birds and Habitats legislation and international conventions.

The report looks at measures put in place to address the 11 descriptors of the Directive.

Assessment of measures: in their programmes of measures, Member States have at least partially addressed a number of pressures: the introduction of non-indigenous species, commercial fisheries, nutrient input, pressures on seabed habitats, hydrographical changes, contaminants and marine litter. The report notes, however, that, for **certain pressures of transboundary nature**, the **lack of regional or EU coordination** potentially leads to a fragmented and ineffective approach to tackling the pressure. In the case of plastic marine litter, the problem is now being addressed through action at EU level, notably through the European strategy for plastics in a circular economy and its subsequent actions.

The assessment goes on to show that not all the pressures on the marine environment are covered properly through the measures adopted by Member States. The programmes themselves have **varying levels of ambition**. **Achieving good environmental status by 2020** across all European marine regions and for all the 11 descriptors of the Directive **remains unlikely**.

The Commission concludes that **improvements - of varying degrees for different countries - are needed** for all programmes of measures if they are to be considered as an appropriate framework to meet the requirements of the MSFD. The report sets out a series of **recommendations** regarding modifications to the programmes, and the main ones include:

- identifying measures for each **marine region or sub-region** concerned, for example, by using regional action plans;
- **covering pressures and associated human activities better**, including: the introduction of non-indigenous species from shipping because of bio-fouling, recreational fishing, nutrient enrichment from atmospheric sources, cumulative impacts from individual projects on hydrographical conditions, contaminant inputs from atmospheric sources, the introduction of macro- and micro-litter into the marine environment, and the generation of underwater noise (as well as heat and energy if feasible).