



Marine Strategy Framework Directive

Overall objective and focus on Descriptors 6 and 7

DG Environment Unit C2 - Marine environment and clean water services

Presentation to the International Hydrographic Organisation (06.05.2022)

What is the Marine strategy framework directive (MSFD) ?

Seas in Good Environmental Status are clean, healthy, productive and resilient.

The Marine Strategy Framework Directive (MSFD, 2008/56/EC) aims :

- ❑ to achieve a 'Good environmental status' (GES) of the EU's marine waters through 11 descriptors
- ❑ to protect the resource base upon which marine-related economic and social activities depend

The Directive does not regulate sectors directly ('framework directive'), however it implements an ecosystem-based approach to the management of human activities having an impact on the marine environment. It aims to reconcile environmental protection and sustainable use.

There are 11 GES descriptors

- Descriptor 1. Biodiversity is maintained
- D2. Non-indigenous species do not adversely alter the ecosystem
- D3. The population of commercial fish species is healthy
- D4. Elements of food webs ensure long-term abundance and reproduction
- Descriptor 5. Eutrophication is minimised
- **D6. The sea floor integrity ensures functioning of the ecosystem**
- **D7. Permanent alteration of hydrographical conditions does not adversely affect the ecosystem**
- D8. Concentrations of contaminants give no effects
- D9. Contaminants in seafood are below safe levels
- D10. Marine litter does not cause harm
- D11. Introduction of energy (including underwater noise) does not adversely affect the ecosystem

Commission decision 2017/848

- ❑ Sets criteria and standardised methods for assessing if good environmental status (GES) is achieved for each descriptor
 - ❑ Criteria for the seabed - D6: i) extent of physical loss and ii) physical damage to the seabed; iii) extent of adverse effects on the condition of seabed habitats
- *Cooperation at EU level to define EU threshold values for these levels through the Technical group on seabed (TG Seabed).*
- ❑ Criteria for the hydrographical conditions - D7: i) extent of permanent changes to hydrographical conditions (in wave action, currents, salinity, temperature) and ii) extent of benthic habitat types adversely affected

TG Seabed priorities

- ❑ Support EU Member States and Regional sea conventions in defining common methodologies for assessment and monitoring.
- ❑ Ensure regional coherence and complementarity through coordination
- ❑ Define EU threshold values for seafloor integrity:
 - ✓ *Ongoing work to define options for EU threshold values by 2022 (= objective of the Biodiversity Strategy under the European Green Deal).*
 - ✓ *Cooperation with regional seas conventions.*

No technical group for descriptor 7 (but the IHO can lend a hand)

- ❑ Uses of the seas and oceans is set to increase: blue economy strategy, e.g. windmills farms, etc.
- ❑ Only 29 % of Member States could conclude on D7's status in their waters

We encourage IHO members to engage with their Member States authorities to help progress the work on D7 (definition of GES, assessment of the state of play, proposals for threshold values, monitoring, etc.)



Implementation of the Directive

How EU Member States develop marine strategies



Assess



Define ideal
environmental
state of seas



Set
targets



Monitor

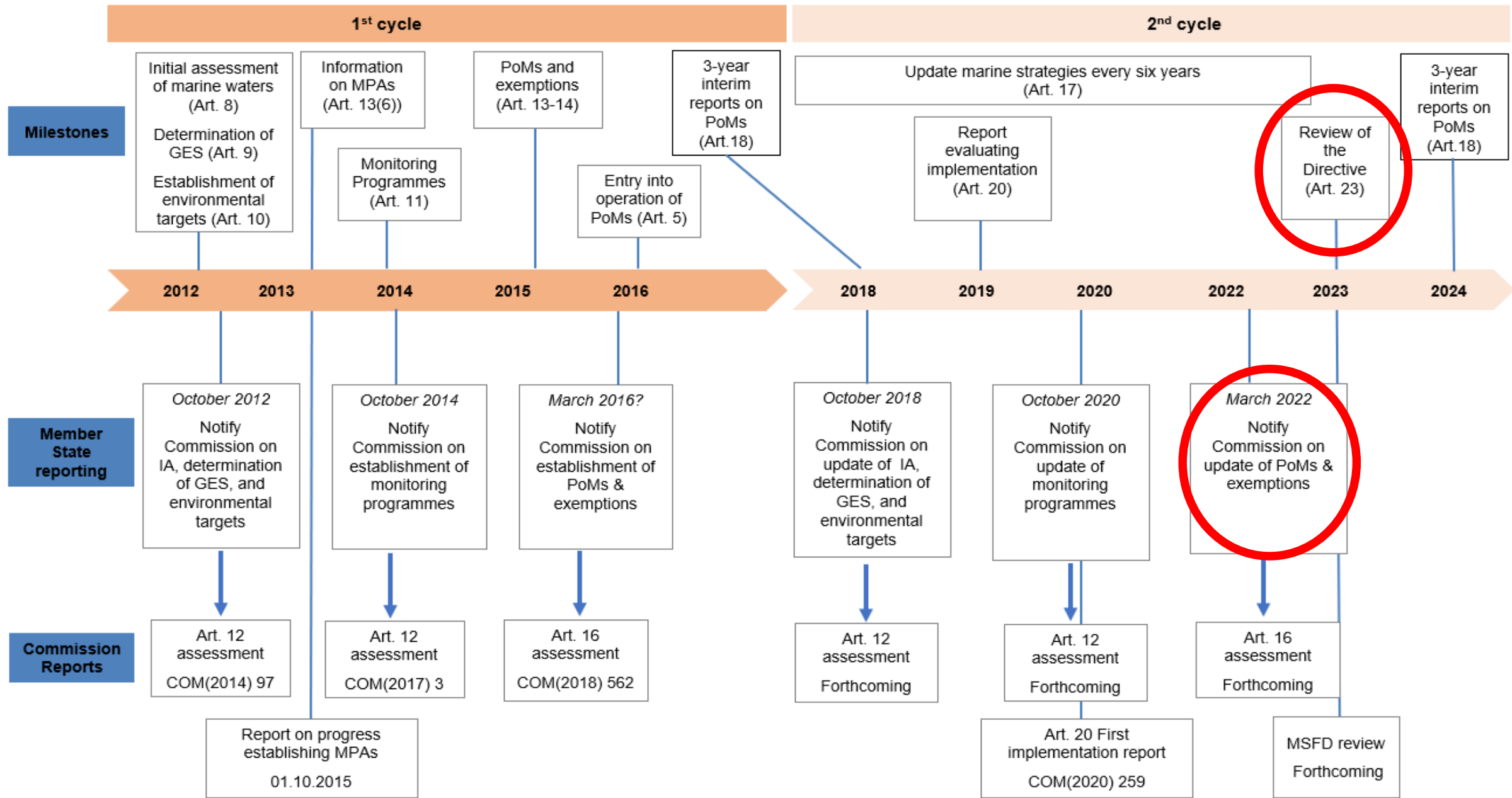


Identify and
implement
actions
needed

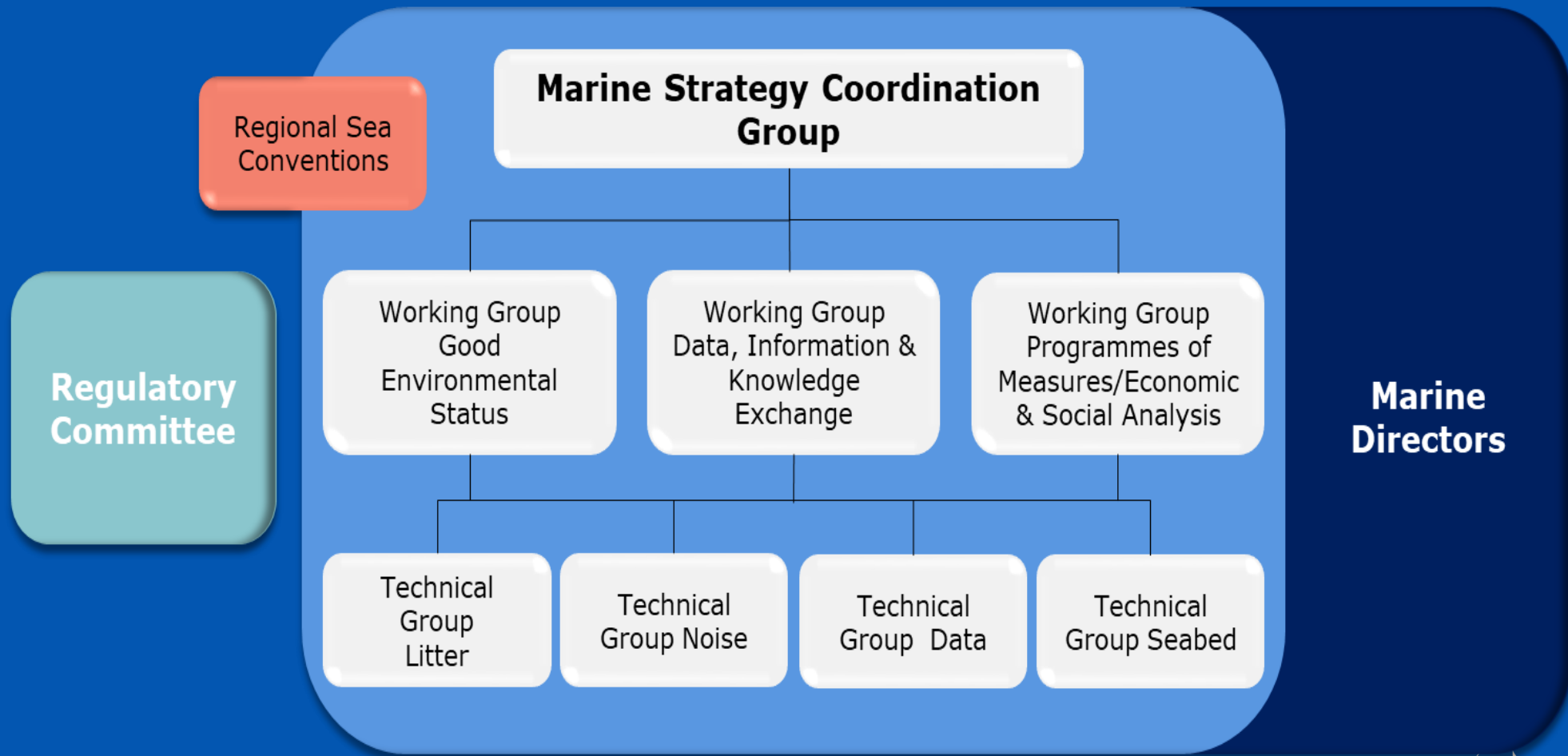
CLEAN, HEALTHY AND PRODUCTIVE SEAS



European
Commission



Common Implementation Strategy



2018 assessment of state of marine waters

ASSESSING

SPECIES, HABITATS,
ECOSYSTEM FUNCTIONS AND PRESSURES



of MS cover most elements
that should be **assessed**



of MS include elements required
to assess eutrophication



of MS assess the **45 chemical
contaminants** that should
be assessed



Only **35%** of assessments
cover all **litter categories**



MS often do not
conclude on status
of the elements assessed



DESCRIPTORS

% OF MS THAT WERE ABLE TO CONCLUDE ON CURRENT STATUS

50%

D1 Biodiversity

53%

D2 Non-indigenous species

65%

D3 Commercial fish/shellfish

32%

D4 Food webs

90%

D5 Eutrophication

30%

D6 Sea-floor integrity

29%

D7 Hydrographical conditions

45%

D8 Contaminants

75%

D9 Contaminants in seafood

55%

D10 Litter

12%

D11 Energy, including underwater noise

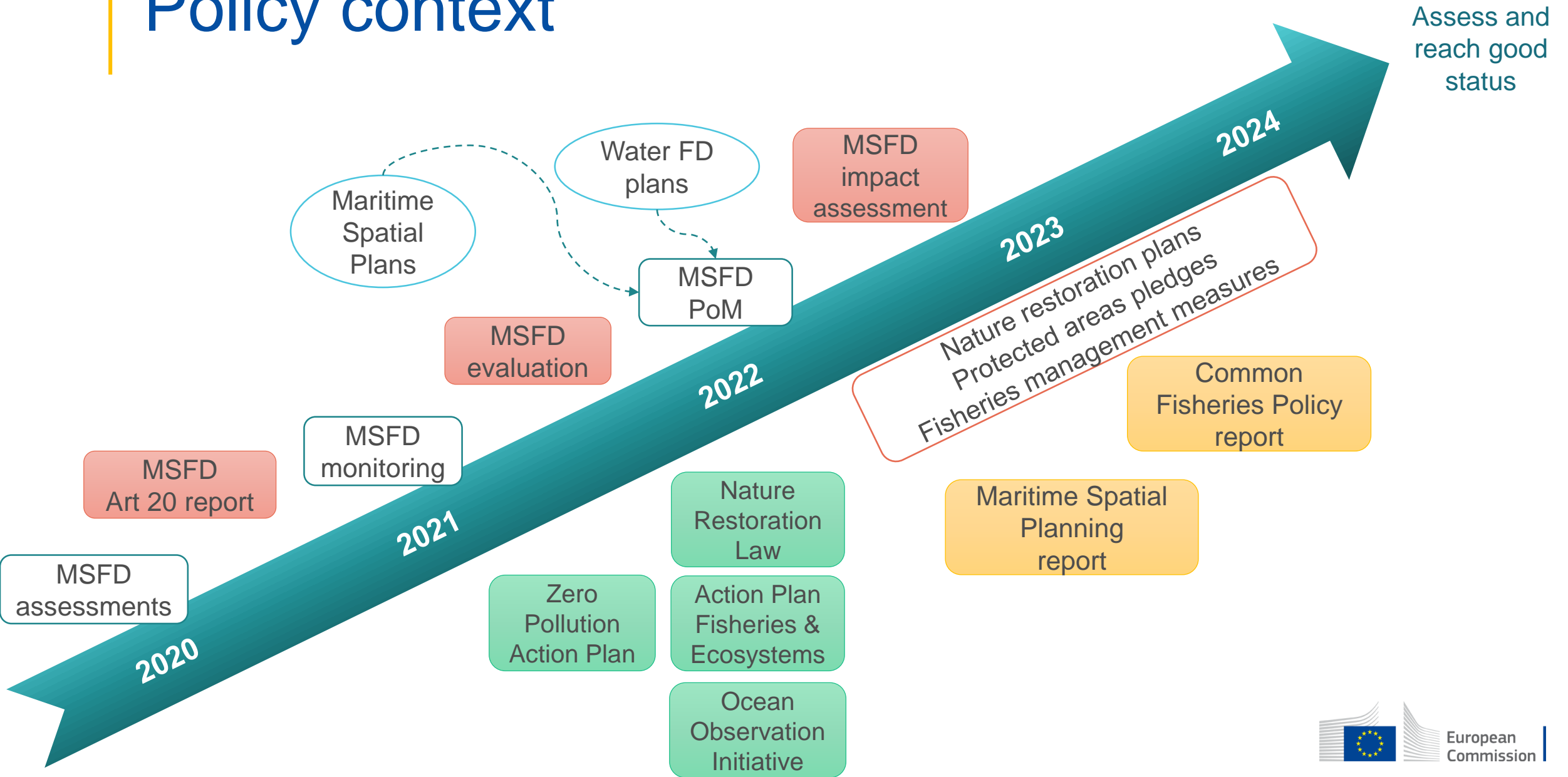
* birds 47%,
mammals 68%,
reptiles 25%, fish 35%,
cephalopods 22%,
pelagic habitats 53%

Review of the Marine Strategy Framework Directive

Directive 2008/56/EC



Policy context



Back-to-back evaluation and impact assessment of the MSFD

Legal basis:

Art.23: The Commission shall review this Directive by 15 July 2023 and shall, where appropriate, propose any necessary amendments.

Scope:

MSFD¹
Annex III²
GES Decision³

Evaluation:

Look at how the MSFD has performed so far and the relevance of this instrument in the context of the European Green Deal.

- Effectiveness
- Efficiency
- Relevance
- Policy coherence
- EU added value

Impact assessment:

- verifies the existence of a problem
- sets objectives of what is to be achieved by the initiative
- formulates alternative policy options
- assesses the impacts (costs and benefits)

¹ Directive 2008/56/EC

² Commission Directive (EU) 2017/845

³ Commission Decision (EU) 2017/848

Problem drivers

- **Insufficient enforcement & inadequate implementation**
- **Insufficient coherence with other legislation for protecting the marine environment**
- **Insufficient regional coordination/cooperation**
- **Complexity of the legislative framework, and unnecessary administrative burden**
- **Inadequate/insufficient data collection and knowledge gaps**

Objectives of the revision

- **Overall Objective:** To achieve a better protection of the marine environment, while enabling a sustainable use of EU seas and oceans in line with the EU environmental agenda under the European Green Deal
- **Specific Objectives:** (1) Raise the level of environmental ambition, and make the Directive effective in addressing climate change; (2) Ensure effective (compliance) monitoring and enforcement; (3) Strengthen implementation; (4) Improve regional cooperation and coordination; (5) Improve policy coherence; (6) Ensure data availability, quality of data, and comparability; (7) Simplify the EU regulatory and procedural framework of the Directive, and reduce the associated administrative burden.

Preliminary timeline for the revision process

- **Q1 2022:** kick-off IA support study (Milieu/Acteon); finalise problem definition, objectives, preliminary options/policy measures. Draft COM SWD Evaluation (based on final evaluation report Milieu)
- **Q2 2022:** organise stakeholders consultations. Interim report Milieu Acteon (June)
- **Q3 2022:** Milieu/Acteon draft final IA report (September). Draft COM impact assessment report.
- **Q4 2022:** Draft the legislative proposal.
- **Q1 2023:** Adoption and publication of the impact assessment SWD and the revised proposal

Thank you



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