



Update on the implementation of EU nature, marine and fisheries policies relevant for ASCOBANS activities



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State of play with the implementation of the Habitats Directive and the Action plan for nature, people and the economy (relevant issues)

EU Habitats Directive:

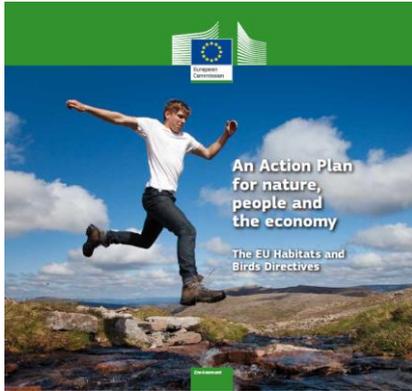
two pillars of protection

- **Strict protection of species**

For species listed in Annex IV (e.g. **all cetaceans**), **a strict protection regime** must be applied **across their entire natural range** in the EU (both within and outside Natura 2000 sites).

- **Natura 2000 sites**

For species listed in Annex II (e.g. *Tursiops truncatus*, *Phocoena phocoena*) **special areas of conservation (SAC)** should be **designated, protected and managed** - **conservation measures** should be in accordance with **the ecological requirements** of the species and appropriate to reach the sites' conservation objectives.



Action plan for nature, people and the economy

- aims to rapidly improve practical implementation of the Birds and Habitats Directives
- covers 4 priority areas and includes 15 concrete actions with 100+ measures

Actions and measures include:

- **Completion of marine Natura 2000 network** including the establishment of conservation measures
- Methodologies to assess **coherence of MPA networks**
- Increase **synergies with MSFD**
- Develop new **guidance on Natura 2000 and fisheries** under the CFP
- **Facilitate the implementation of fisheries management measures** under the CFP for marine Natura 2000
- **Cooperation** with RSCs and RFMOs
- **Biogeographical process** in marine regions
- Synergies with CFP and IMP
- Full use of financial resources under **EMFF**

Strict protection of species

SYSTEM of strict protection

- ✓ **Prohibited:** deliberate capture or killing, disturbance and deterioration or destruction of breeding sites or resting places
- ✓ A system to monitor the **incidental capture** or killing and **measures** to ensure that it does not have a significant negative impact on the species

Guidance documents

[Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC](#)

-Currently **updated** under the Action plan (first draft Oct 2018, adoption in 2019)

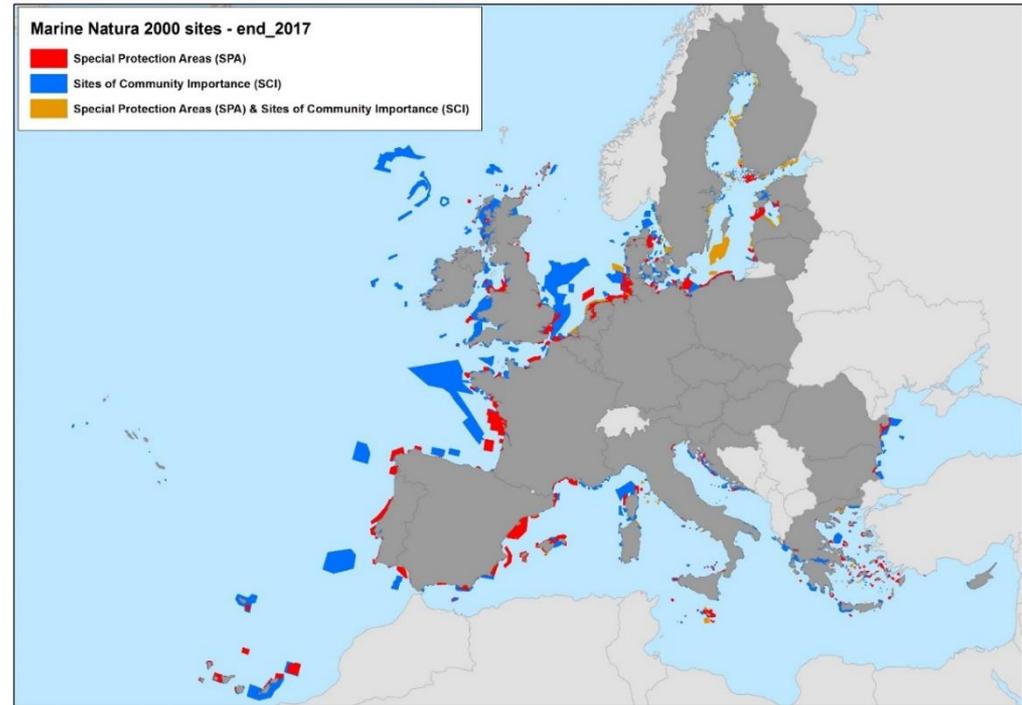
Other relevant guidance recently adopted:

[Guidance on Energy Transmission Infrastructure and EU nature legislation](#)

- ✓ Guidance documents will be available in all EU languages

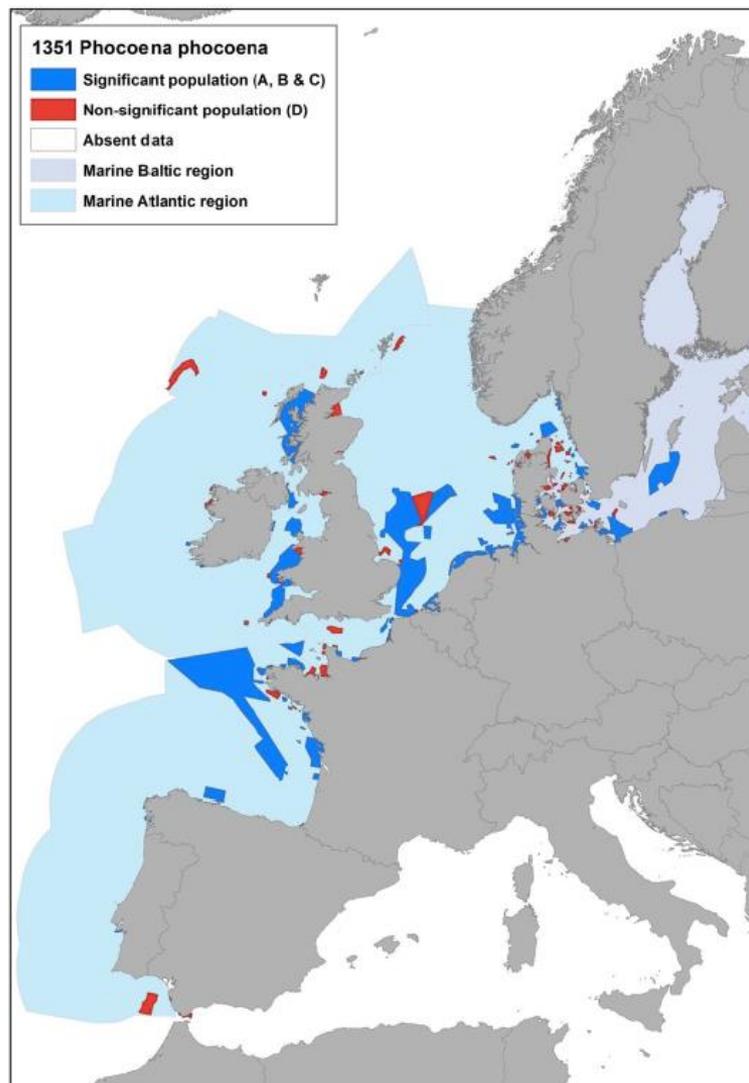
Marine Natura 2000 – state of play

- More than **3150** marine sites (out of **>27000**)
- Covers **9.2% of EU seas** (**532417** km²)
- Network is not complete in the **offshore** area and big differences across **regional seas**
- **Collective EU effort: the area under marine Natura 2000 doubled in the last 5 years!**
- Marine Natura 2000 is the main driver of MPA designation in the EU and makes **the main contribution to reaching international targets** ('Aichi Target 11' and SDG 14)



Marine Natura 2000

- **119** sites designated for the protection of *Phocoena phocoena* (37 in the Baltic, 82 in the Atlantic) covering 210 294 km²
- **55** sites designated for the protection of *Tursiops truncatus* (all in the Atlantic) covering 110 185 km²
- Still gaps in designation in few MS
- SACs: 88/119 for HP and 48/55 for TT
- Management plans/measures?
- The efforts should be increased to establish and implement the necessary conservation measures so that the sites can contribute to reaching the favourable conservation status of these species





Natura 2000 sites

Completion of the marine Natura 2000 network

- ✓ Priority of the Action Plan: complete the designation and **establish conservation objectives and measures for all sites**
- ✓ Bilateral dialogues with Member States, legal action

Guidance on the establishment of conservation measures under the CFP:

Staff working document on the establishment of conservation measures under the common fisheries policy for Natura 2000 sites and for Marine Strategy Framework Directive purposes

Work under the Marine Expert Group

Find out more:

http://ec.europa.eu/environment/nature/natura2000/marine/index_en.htm

Natura 2000 sites

Supporting the cooperation in Natura 2000 management

- ✓ Marine **Natura 2000 seminars** – working together for Natura 2000 management
- ✓ Next **marine seminar**: Palma de Mallorca, Spain, **13-15 November 2018**
 - ✓ Themes: setting conservation objectives, favourable reference values, conservation measures – for particular species/habitats
 - ✓ *Phocoena phocoena* in the Baltic, *Tursiops truncatus* in the Atlantic and the Mediterranean

Reporting under the Habitats Directive

- ✓ **New reports** on the conservation status (2013-2018) of habitats and species due in 2019 using the updated reporting format
- ✓ Setting the **favourable reference values** (FRVs): study- see examples – cooperation in setting FRVs at a biogeographical level
- ✓ **Synergies with MSFD** reporting: workshop March 2018

Natura 2000 sites

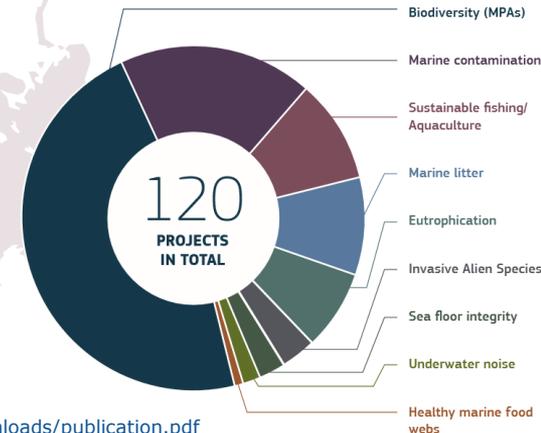
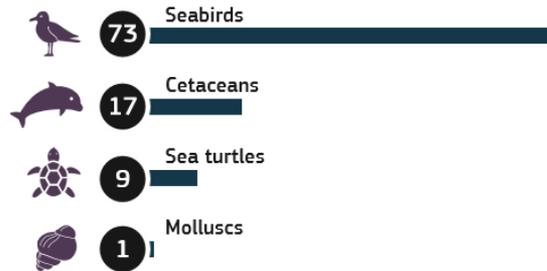
Financing

- ✓ COM proposal for the **new multiannual financing framework** for the period 2020-2027
- ✓ **Increased budget for the LIFE** programme (5.45 billion), new “**strategic nature projects**”
- ✓ Update of the strategic planning tools for financing Natura 2000 - **prioritised action frameworks (PAFs)**, stakeholder input through workshops



LIFE 2014-2020

Number of projects per species group





State of play with the implementation of the Marine Strategy Framework Directive (relevant issues)

The Marine Strategy Framework Directive

Good Environmental Status: "the environmental status of marine waters where these provide ecologically diverse and dynamic oceans and seas which are clean, healthy and productive"



| | |
|-----------|---|
| 1 | Biological diversity |
| 2 | Non-indigenous species |
| 3 | Commercial fish and shellfish |
| 4 | Food-webs |
| 5 | Eutrophication |
| 6 | Sea-floor integrity |
| 7 | Hydrography |
| 8 | Contaminants |
| 9 | Contaminants in seafood |
| 10 | Marine litter |
| 11 | Energy, including underwater noise |



Marine Strategy Framework Directive

Determination and achievement of the good environmental status (GES)

First cycle

- ✓ need to **improve the implementation** of the MSFD: **more efforts** urgently needed to reach the GES by 2020
- ✓ **coherence with other EU legislation** and regional approaches should be strengthened
- ✓ **assessment** of Member States' **programmes of measures**
- ✓ lack of regional or EU **coordination**

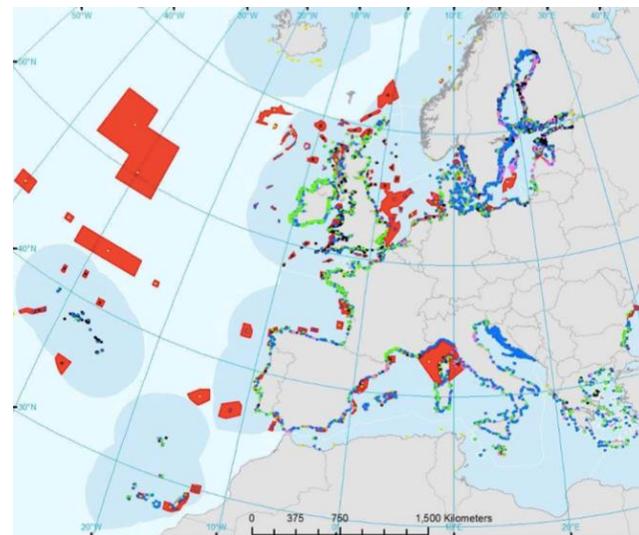
Second cycle

- ✓ **New Commission Decision** (EU) 2017/84812 (on criteria and methodological standards for GES) adopted in May 2017
- ✓ Updated assessments and targets

Marine Strategy Framework Directive

Marine protected areas and links with the Habitats Directive

- ✓ To help achieve GES, programmes of measures shall include **spatial protection measures**, contributing to **coherent and representative networks** of marine protected areas (MPAs)
- ✓ More than 75% of MPAs in EU seas are **Natura 2000 sites**
- ✓ **EU has designated more than 10% of its seas as marine protected areas**
- ✓ Significant efforts are needed to achieve coherent ecological networks of MPAs and to ensure their effective management



Marine Strategy Framework Directive

Descriptor 11 on underwater noise

- ✓ Commission Decision 2017/848 defines **two types of criteria** for Descriptor 11: (a) anthropogenic impulsive sound in water and (b) anthropogenic continuous low frequency sound in water.
- ✓ The primary criteria: the spatial distribution, temporal extent, and the levels of anthropogenic impulsive sound or continuous low-frequency sound sources **do not affect** populations of marine animals
- ✓ **Technical Group on underwater noise** (TG Noise): until 2015 focused on monitoring, e.g. setting up a register of loud impulsive noise and the development of a joint monitoring programme for continuous noise.
- ✓ **Next:** focus on the establishment of **threshold values** for these levels through cooperation at Union level
- ✓ Many projects co-financed through LIFE, EMFF and other EU funds



State of play with the implementation of the common fisheries policy (CFP) and integrated maritime policy (relevant issues)

Common fisheries policy

Data collection

- ✓ The newly revised **EU data collection framework** (DCF, 2017): rules on the collection, management and use of biological, environmental, technical and socio-economic data
- ✓ **New requirements** on collection of data to assess the impact of EU fisheries on **marine ecosystems**, in particular on **incidental bycatch** of birds, mammals, reptiles and fish protected under Union legislation and international agreements
- ✓ Aims to fill the existing **data gaps** and facilitate **compliance** with provisions of Article 12 of the Habitats Directive
- ✓ **Multiannual Union programme** for the collection, management and use of data in the fisheries and aquaculture sectors for the period 2017-2019

Common fisheries policy

Data collection

- ✓ Data collection **methods and quality** - appropriate for the intended purposes, follow the **best practices** and relevant methodologies advised by the **relevant scientific bodies**
- ✓ For **all types of fisheries and vessels**: incidental bycatch of **all protected species**, including absence in the catch - collected during scientific observer trips or by the fishers themselves through logbooks (+ additional methods if needed)
- ✓ The selection of these methodologies shall be coordinated at **marine region level** and be based on **end-user needs**
- ✓ The **Regional Coordination Groups** – ongoing meetings, next round of meetings in June 2019

Common fisheries policy

Management tools

Multiannual plans

- ✓ Entered into force: Baltic and North Sea MAP
- ✓ Proposed: demersals in the Western Mediterranean and Western Waters, pelagics in the Adriatic
- ✓ MAPs may contain technical measures

Measures to comply with the obligations under the environmental legislation

- ✓ Article 11 CFP for Natura 2000 sites and MSFD purposes
- ✓ Adopted measures
- ✓ Guidance: COM staff working document

Common fisheries policy

Technical measures

- ✓ A new [framework proposal](#) for the conservation of fishery resources and the protection of marine ecosystems through technical measures
- ✓ Contains **targets and obligations** to implement measures to **minimise and where possible eliminate the incidental bycatch** of species protected under the Nature Directives, along with some **baseline measures** for certain sea basins
- ✓ Incorporates main requirements contained in Council Regulation (EC) 812/2004
- ✓ Completes the framework for the implementation of horizontal conservation measures required under Article 12 of the Habitats Directive
- ✓ **Ongoing discussions** with co-legislators

Common fisheries policy

Fisheries control

- ✓ COM proposal to **revise the fisheries control system** (May 2018): changes to the Control Regulation, Regulation on illegal, unregulated and unreported fishing and to the EFCA founding Regulation
- ✓ Objective: to **modernise, strengthen and simplify** the EU fisheries control system and to increase the level playing field in fisheries controls
- ✓ Rules on **fishing restricted areas** strengthened – they apply to any marine area where fishing activities are temporary or permanently restricted or prohibited, fishing in these areas will be serious infringement
- ✓ In line with the EU plastics strategy, - reinforced rules on lost fishing gears, reporting to become easier



European
Commission

Common fisheries policy

Financing (European Maritime and Fisheries Fund, EMFF)

- ✓ Under the Nature Action Plan: facilitate **full and effective use** of the financial resources allocated for biodiversity protection and Natura 2000 under the EMFF for the period 2014-2020
- ✓ Commission's proposal for the next EMFF was recently adopted
- ✓ Continue to support **species protection** under the Birds and Habitats Directives; the management, restoration and monitoring of **Natura 2000 sites**; **MSFD** implementation; collection by fishers of lost fishing gears and marine litter from the sea; **collection, management and use of data** on the state of the marine environment, with a view to fulfilling monitoring and site designation and management requirements under the Birds and Habitats Directives
- ✓ focus on supporting small-scale fishers

Towards a coherent protection regime

- **Full implementation** of **EU law** and other international agreements (such as CMS) + national and regional strategies
- Improved implementation of EU nature legislation: *Action plan for nature, people and the economy*
- **Policy integration** (ecosystem approach): MSFD/BHD/CFP/WFD/MSPD – joint measures and management (e.g. PoMs under MSFD and conservation measures under HD, alignment of environmental and fisheries legislation)
- **Financing:** EMFF, LIFE, INTERREG,...
- **Effective cooperation** at all levels (national, regional, EU) between all stakeholders and organisations



Thank you

Please see Document Inf.8.a: Background document on relevant EU policy matters (prepared by DG ENVIRONMENT and DG MARE)

<http://ec.europa.eu/environment/>

<http://ec.europa.eu/fisheries/>