



# Update on the implementation of the Habitats Directive and actions of the European Commission relevant for Common Dolphin SAP

Dr. Vedran Nikolić  
European Commission  
Nature Protection Unit  
DG Environment

1<sup>st</sup> Meeting of the Common Dolphin Group  
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# European **Green Deal** – Environment and Oceans

- Lead the world in protecting biodiversity
- EU Biodiversity strategy for 2030
- Environment, blue economy and fisheries - an integral part of the Green Deal
- Full implementation of the CFP and its evaluation by 2022
- Implementation and enforcement of EU law

# EU Habitats Directive:

## two pillars of protection

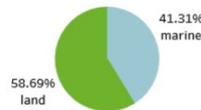
- Strict protection of species

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

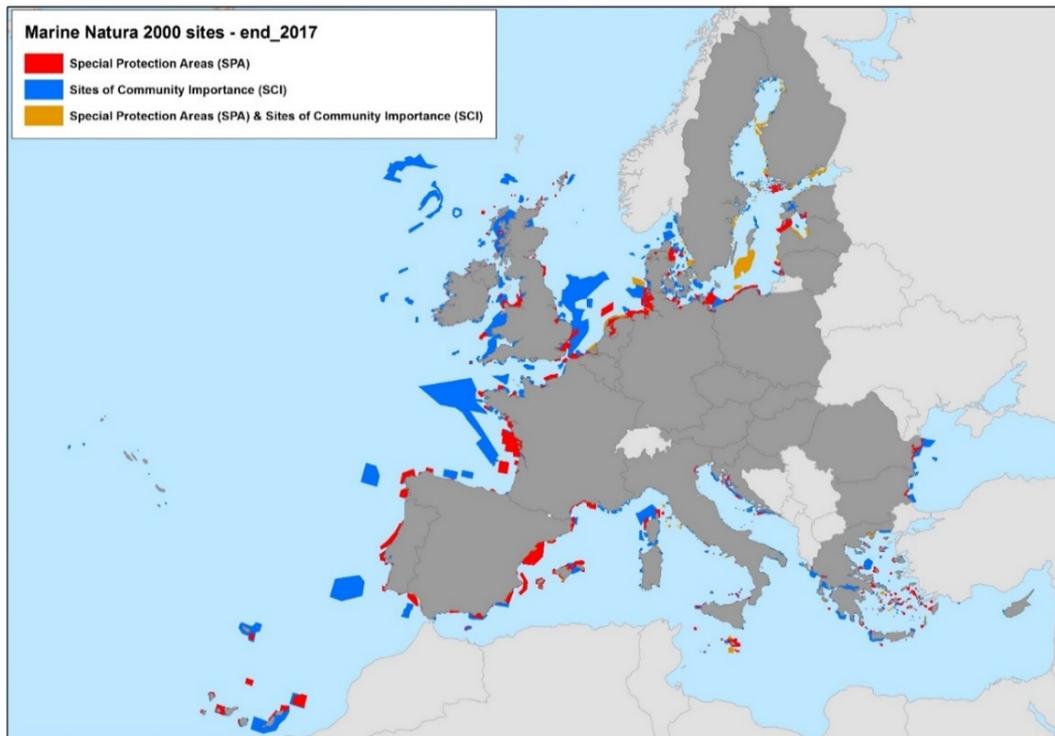
- Natura 2000 sites

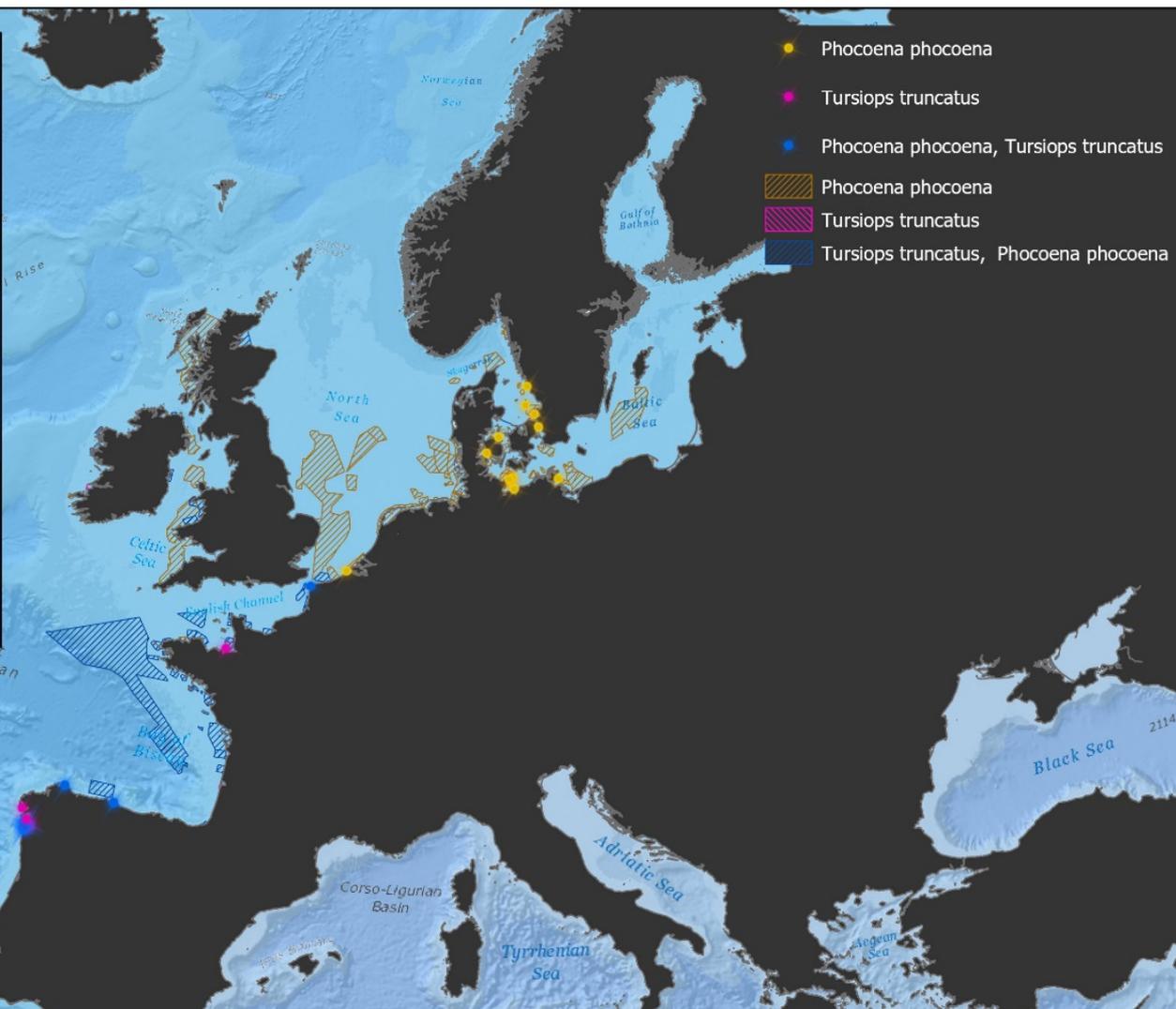
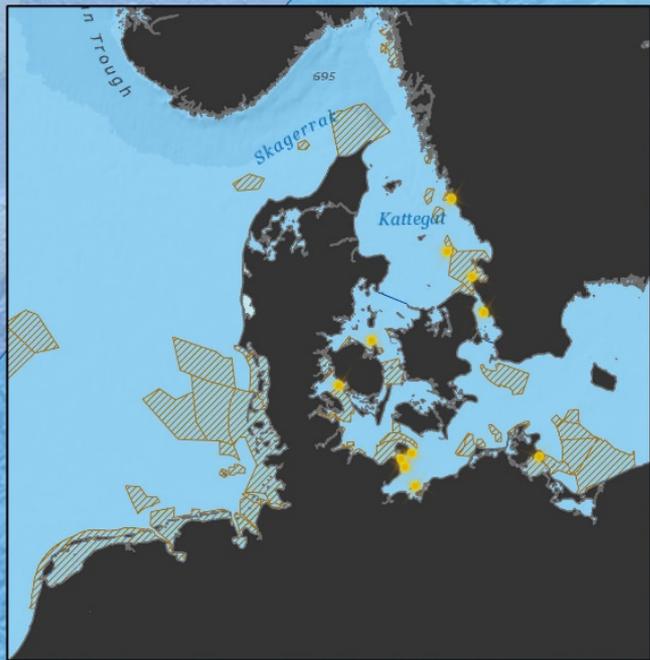
For species listed in Annex II (includes *Tursiops truncatus* and *Phocoena phocoena*) **special areas of conservation (SAC)** should be designated, protected and managed - **conservation measures** should be in accordance with **the ecological requirements** of the species and appropriate to reach the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

# Marine Natura 2000 – state of play



- More than **3200** marine sites (out of **>27000**)
- Covers **>9.5% of EU seas** (**551899 km<sup>2</sup>**)  
Greater Northern Sea - **>23%**
- 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)





- Phocoena phocoena
- Tursiops truncatus
- Phocoena phocoena, Tursiops truncatus
- Phocoena phocoena
- Tursiops truncatus
- Tursiops truncatus, Phocoena phocoena

# Reporting under the Habitats Directive

- ✓ **New reports** on the conservation status (**2013-2018**) of habitats and species delivered, analysis of results by mid-2020, EEA/COM: **“State of nature” report**
- ✓ **Synergies with the MSFD** reporting-more efforts in 2020

## Article 17 national summary dashboards

<https://www.eea.europa.eu/themes/biodiversity/state-of-nature-in-the-eu/article-17-national-summaries>

Dashboard (Tableau) — Prod-ID: DAS-110-en — Published 22 May 2019

### Article 17 dashboards providing summary of results for each Member State (national summaries)

1. Conservation status | 2. Trend in conservation status | 3. List of habitats & species re...

Conservation status/trend with reason for change reported for habitats and species - **DRAFT**

*(based on data as reported by Member States prior to quality analysis and harmonisation)*

| Description       | Region | Country | Presence | Conclusion of assessment | Reason for change - CS | Conclusion of assessment trend | Reason for change - trend in CS | Natura 2000 trend |  |
|-------------------|--------|---------|----------|--------------------------|------------------------|--------------------------------|---------------------------------|-------------------|--|
| Delphinus delphis | MATL   | ES      | PRE      | XX                       | no info provided       | NA                             | no info provided                | x                 |  |
|                   |        | FR      | PRE      | U1                       | improved knowledge     | -                              | improved knowledge              |                   |  |
|                   |        | IE      | PRE      | FV                       | no change              | =                              | no change                       |                   |  |
|                   |        | NL      | OCC      | NA                       | expert revision needed | NA                             | expert revision needed          |                   |  |
|                   |        | PT      | PRE      | U1                       | no change              | =                              | no change                       |                   |  |
|                   |        | UK      | PRE      | XX                       | different method       | x                              | no change                       |                   |  |
|                   | MBLS   | RO      | PRE      | U1                       | no change              | =                              | improved knowledge              |                   |  |
|                   | MMAC   | ES      | PRE      | XX                       | no info provided       | NA                             | no info provided                | x                 |  |
|                   |        | PT      | PRE      | FV                       | expert revision needed | =                              | expert revision needed          |                   |  |
|                   | MMED   | ES      | PRE      | XX                       | no info provided       | NA                             | no info provided                | x                 |  |
| FR                |        | PRE     | XX       | no change                | x                      | no change                      |                                 |                   |  |
| GR                |        | PRE     | U2       | no change                | -                      | no change                      |                                 |                   |  |
| HR                |        | EXp     | XX       | expert revision needed   | NA                     | expert revision needed         |                                 |                   |  |
| IT                |        | PRE     | XX       | no change                | NA                     | expert revision needed         |                                 |                   |  |
|                   | UK     | PRE     | FV       | no change                | =                      | no change                      | =                               |                   |  |

# Strict protection of species

## SYSTEM of strict protection under Article 12 of the Habitats Directive

- ✓ **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 further research and **measures to ensure that it does not have a significant negative impact** on the species

Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC -Currently **updated**

# Bycatch - what is required under the Habitats Directive?

The Directive requires **effective measures** to **prevent** the negative impact of fishing activities on cetaceans – primarily **bycatch (incidental catch)**. Two essential conditions for ensuring compliance:

- **systematic and robust monitoring** of the level of incidental capture and killing  
(all relevant fisheries and areas adequately covered by appropriate sampling)
- establishment of **threshold values**

This should lead to an appropriate **assessment of impact** on the species concerned and to the implementation of the necessary **preventive measures (enforcement)**.

The Commission is currently looking into the **compliance** of Member States with the legal requirements under the Habitats Directive related to bycatch of protected species.

# Link with the MSFD GES decision: D1C1 criterion for bycatch

**D1C1: Mortality rate per species from incidental bycatch is below levels which threaten the species, such that its long-term viability is ensured**

- Member States shall establish **a list of species** (birds, mammals, reptiles and non-commercially-exploited species of fish and cephalopods)
- Member States shall establish **threshold values** per species
- Member States should report in order to express extent of GES achieved the mortality rate per species and whether this has achieved the threshold value set
- Joint Research Centre (JRC) is working on methods to harmonise threshold values for D1C1. Proposal to be presented in working group on Good Environmental Status meeting (19-20 September 2019, Brussels)

**The data collection and implementation of measures** require **close inter-sectoral and inter-institutional cooperation**, enforcement of rules and adequate support for and by fishers.

For wide ranging species like cetaceans, the **cooperation with other countries** in the species range is essential, as well as the **support of scientific organisations**. ---the importance of good knowledge and surveillance of the conservation status---

**Links with the CFP: Data collection (DCF) and management tools (TM)**

# Links with the common fisheries policy

## Data collection

- ✓ The **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

# Data collection - methods

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 discussion: **Regional Coordination Groups** for data collection, scientific institutions, data users.

# Links with the 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

# Technical Measures Regulation

- ✓ New “**Technical Measures Regulation**” - [Regulation 2019/1241](#)
- ✓ Completes the framework for the implementation of horizontal conservation measures required under Article 12 of the Habitats Directive, therefore also outside Natura 2000 sites and other MPAs
- ✓ Contains **targets – link with the Habitats Directive (FCS)**
- ✓ **Baseline** mitigation measures in Annex XIII
- ✓ **Regionalisation:** Member States can submit **joint recommendations** to the Commission to adopt delegated acts containing additional mitigation measures
- ✓ MS can take measures for their own fleets



# Thank you

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

**Information Document 6c (AC 25)**