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Capacity Building Project on Marine Strategy Framework Directive in Turkey

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Links to other EU legislation and policies

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Denizlerimizin geleceği bizim ellerimizde *The future of the seas is in our hands*



NIRÁS





Outline

- *Provisions of the Directive*
- *International organisations*
- *Linked provisions (Decision)*
- *Concluding remarks*





Integrated Maritime Policy

The MSFD is the environmental pillar of the IMP!

Recital 3 of MSFD, Recital 12 of IMP Regulation, Limassol Declaration

Common Fisheries Policy

Article 2 Objectives

5. The CFP shall, in particular:

.....

(j) be coherent with the Union environmental legislation, in particular with the objective of achieving a good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC, as well as with other Union policies.





Provisions of the Directive - 1

Art. 1(4):

- *This Directive shall contribute to coherence between, and aim to ensure the integration of environmental concerns into, the different policies, agreements and legislative measures which have an impact on the marine environment.*

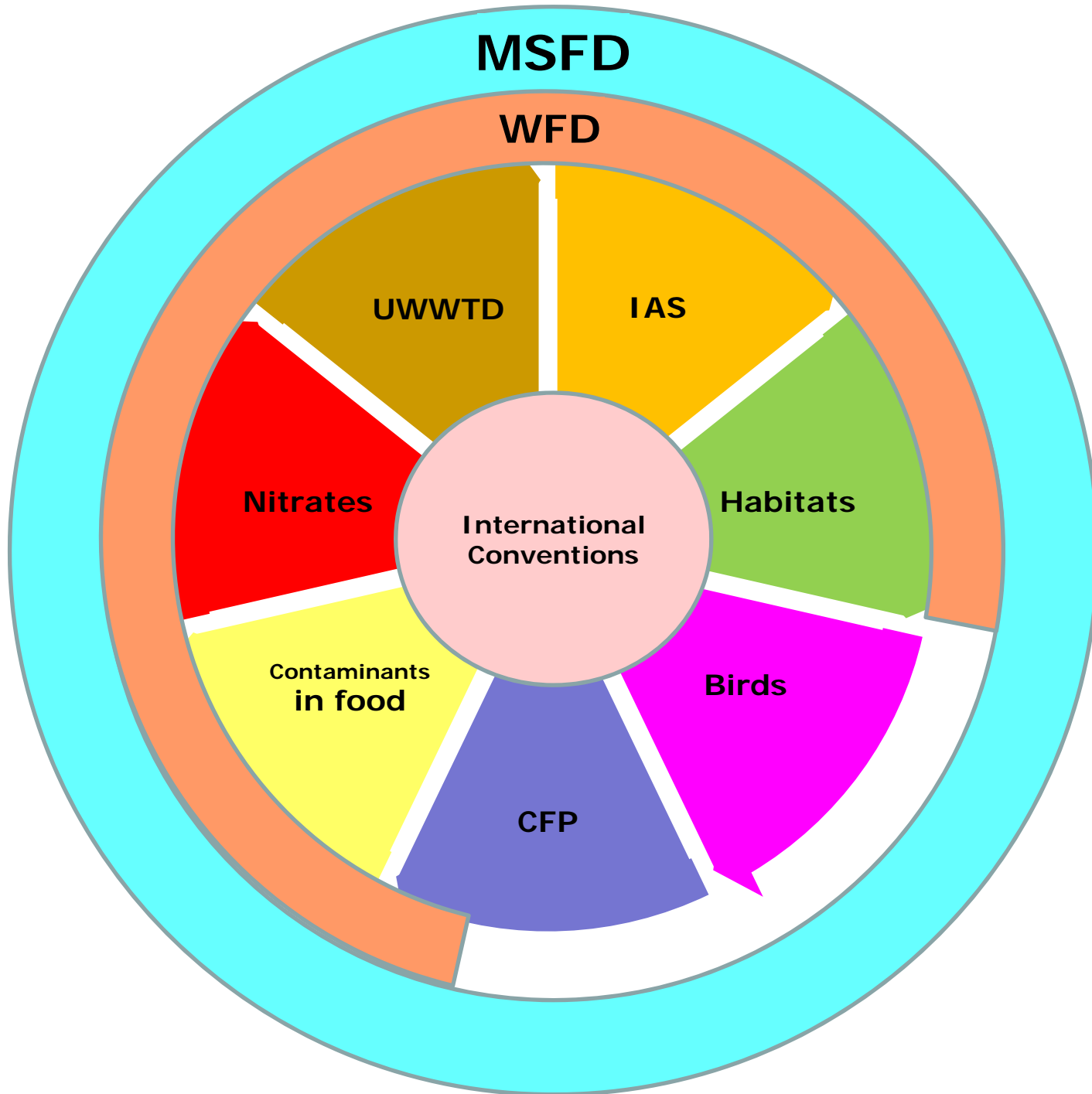




EU policies mentioned in MSFD

- *Urban Waste Water Treatment Directive 91/271/EEC*
- *Habitats Directive 92/43/EEC*
- *Water Framework Directive 2000/60/EC*
- *Environmental Information Directive 2003/4/EC*
- *Bathing Water Directive 2006/7/EC*
- *INSPIRE Directive 2007/2/EC*
- *Birds Directive 2009/147/EC*





Provisions of the Directive - 2

Art. 3(1): Definitions

- *'marine waters' means:*
- *(b) coastal waters as defined by Directive 2000/60/EC, their seabed and their subsoil, in so far as particular aspects of the environmental status of the marine environment are not already addressed through that Directive or other Community legislation;*

Provisions of the Directive - 3

Art. 6 Regional cooperation

- 1. *In order to achieve the coordination referred to in Article 5(2), Member States shall, where practical and appropriate, **use existing regional institutional cooperation structures, including those under Regional Sea Conventions**, covering that marine region or subregion.*
- 2. *For the purpose of establishing and implementing marine strategies, Member States shall, within each marine region or subregion, make every effort, using relevant international forums, including mechanisms and structures of Regional Sea Conventions, to coordinate their actions with third countries having sovereignty or jurisdiction over waters in the same marine region or subregion.*
- *In that context, Member States shall, as far as possible, **build upon relevant existing programmes and activities developed in the framework of structures stemming from international agreements such as Regional Sea Conventions.***



Regional Sea Conventions

The Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean: Mediterranean Action Plan defining key priorities and governance, adopting principles such as the ecosystem approach and tools such as integrated coastal zone management (ICZM).



The Bucharest Convention on the Protection of the Black Sea against Pollution: Its Strategic Action Plan for Environmental Protection and Sustainable Management of the Black Sea is a pillar of regional cooperation which includes several elements of a marine strategy.

The Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea: has undertaken considerable public participation and produced a Baltic Sea Action Plan in 2007 in line with MSFD requirements.



The OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic: aims to conserve marine ecosystems and safeguard human health in the North-East Atlantic by preventing pollution.





International agreements

Other relevant agreements include:

- *GFCM - General Fisheries Commission for the Mediterranean*
- *ICCAT - International Commission for the Conservation of Atlantic Tunas*
- *ACCOBAMS - Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic area*
- *ASCOBANS - Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas*



Provisions of the Directive - 4

Art. 8 Assessment

- 2. *The analyses referred to in paragraph 1 shall **take into account elements regarding coastal, transitional and territorial waters covered by relevant provisions of existing Community legislation, in particular Directive 2000/60/EC.** They shall also take into account, or use as their basis, other relevant assessments such as those carried out jointly in the **context of Regional Sea Conventions**, so as to produce a comprehensive assessment of the status of the marine environment.*

Provisions of the Directive - 5

Art. 10(1) Environmental targets

- *When devising those targets and indicators, Member States shall **take into account the continuing application of relevant existing environmental targets laid down at national, Community or international level** in respect of the same waters, **ensuring that these targets are mutually compatible** and that relevant trans- boundary impacts and transboundary features are also taken into account, to the extent possible.*



Provisions of the Directive - 6

Art. 11(1) Monitoring programmes

*Monitoring programmes shall be compatible within marine regions or subregions and shall **build upon, and be compatible with, relevant provisions for assessment and monitoring laid down by Community legislation, including the Habitats and Birds Directives, or under international agreements.***



Provisions of the Directive - 7

Art. 13 Programmes of measures

- *2. Member States shall integrate the measures devised pursuant to paragraph 1 into a programme of measures, taking into account relevant measures required under Community legislation, in particular Directive 2000/60/EC [WFD], Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (1) and Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality (2), as well as forthcoming legislation on environmental quality standards in the field of water policy, or international agreements.*
- *4. Programmes of measures established pursuant to this Article shall include spatial protection measures, contributing to coherent and representative networks of marine protected areas, adequately covering the diversity of the constituent ecosystems, such as special areas of conservation pursuant to the Habitats Directive, special protection areas pursuant to the Birds Directive, and marine protected areas as agreed by the Community or Member States concerned in the framework of international or regional agreements to which they are parties.*

Provisions of the Directive - 8

Art. 15 Recommendations for Community action

- *1. Where a Member State identifies an issue which has an impact on the environmental status of its marine waters and which cannot be tackled by measures adopted at national level, or **which is linked to another Community policy or international agreement**, it shall inform the Commission accordingly and provide a justification to substantiate its view.*

Summary of MSFD provisions

- *Integrate into marine strategies*
 - **Relevant EU policies and international conventions**
- *Ensure compatibility of*
 - **Monitoring methods**
 - **Assessment methods**
 - **Standards to be achieved (GES)**
- *Use assessments from*
 - **Water Framework Directive**
 - **Regional Sea Conventions**
- *Inform Commission when*
 - **EU or other international agreements needs to take action**



Proposed GES criteria Decision

- *More specific links to existing EU policies and to RSCs (compared with Decision 2010/477/EU)*
- *-> Ensure reuse of standards and assessments under other policies, e.g. WFD, CFP*
- *-> Encourage use of existing assessments under other policies, e.g. WFD (D7), Habitats and Birds Directives*



Proposed GES criteria Decision

| Descriptor | Topic | Links to other policies |
|------------|-------------------------------|------------------------------------------------------------------------------------------------------------|
| D1 | Biodiversity | Habitats and Birds Directives |
| D2 | Non-indigenous species | Alien Invasive Species Regulation |
| D3 | Commercial fish and shellfish | Common Fisheries Policy, including Data Collection Framework |
| D5 | Eutrophication | Water Framework Directive |
| D7 | Hydrographical changes | Water Framework Directive |
| D8 | Contaminants | Water Framework Directive |
| D9 | Contaminants in seafood | Food standards Regulation |
| All | | RSCs, RFMOs and other regional institutional cooperation structures (e.g. ASCOBAMS, ACCOBAMS, GFCM, ICCAT) |

Concluding remarks

Integration of EU policies and those of international agreements (e.g. RSCs, RFMOs) is:

- a. *Required by the Directive and proposed Decision*
 - b. *Ensures harmonisation of environmental quality standards to be achieved across policies*
 - c. *Encourages integrated approaches to monitoring and assessment – collect/do once: use many times*
 - d. *Promotes use of measures to serve multiple policies*
 - e. *Reduces administrative burden through efficient use of resources*
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