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Türkiye’de Deniz Stratejisi Çerçeve Direktifi Kapsamında Kapasite Geliştirme Projesi
Capacity Building Project on Marine Strategy Framework Directive in Turkey

Training on Fundamental Concepts and Processes of the Marine Strategy Framework Directive Antalya, 7-11 November 2016

Marine Strategy Framework Directive implementation in Romania – legal and organizational implications

Dr. Laura Boicenco

Romania / National Institute for Marine Research and Development “Grigore Antipa”



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



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Importance of the MSFD for Romania

- Romania is 100 % covered by the Black Sea river basin and all its fresh water is discharged into the Black Sea
- The Danube discharges its waters through the Danube Delta into the Black Sea, largely on the Romanian territory
- The Black Sea coast is the most important touristic area for Romania
- The state of the Black Sea is the benchmark for the measures taken by Romania to protect it. Special attention is paid to waste water treatment (defining sensitive areas and vulnerable zones for nutrients input), biodiversity conservation (MPAs designation), fishery regulation, ICZM, and safety aspects of shipping.



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Environmental challenges in the Black Sea region

- All Black Sea countries declare the unique Black Sea as a common treasure and responsibility to ensure its well-being.
- The Black Sea region suffers from common environmental problems, each with regional, national and local dimension
- Major environmental problems
 - ✓ Eutrophication/nutrient enrichment
 - ✓ Changes/decline of marine living resources
 - ✓ Chemical pollution (including oil)
 - ✓ Biodiversity/habitat changes, including alien species introduction



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Transposition

- Emergency Governmental Ordinance 71/2010 and adopted by Law 6/2011



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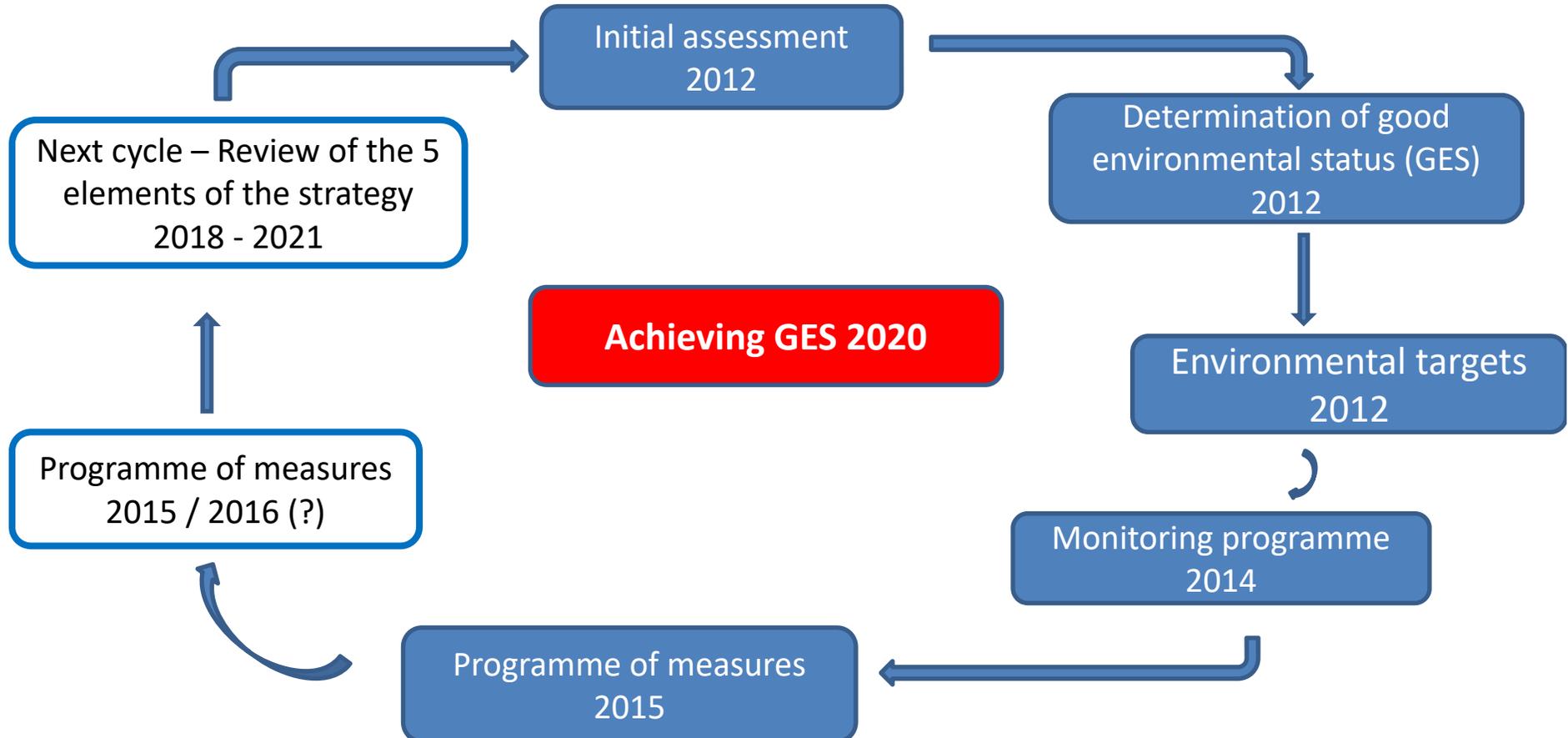




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MSFD implementation steps





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Ministry of Environment, Water and Forests	Central authority for MSFD transposition and implementation
Ministry of Agriculture and Rural Development	Protection of living resources, fishery control, non-aggressive gear for the fish population, sustainable aquaculture practices.
Ministry of Internal Affairs / General Inspectorate of the Border Police	Control, intervention in case of accident, protection of living resources.
Ministry of Transport and Infrastructure	Develop rules and specific regulations transport related on environment protection and approve ship waste management plans.
Ministry of Energy	Develop rules and specific regulations in order to exploit the Sea energy potential.



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Relevant competent institutions for MSFD implementation

National Institute for Marine Research and Development “Grigore Antipa” (NIMRD)	Research and Monitoring of ecological status of marine ecosystems. Technical operator of national monitoring network for physical, chemical, biological parameters, wastewater, as well as coastal erosion and bottom habitats surveillance. NIMRD is empowered to propose the Ministry of Environment and Forests regulations in the field of Black Sea protection.
“Romanian Waters” National Administration Romanian Waters (RWNA)	The competent authority for MSFD implementation. Harmonization of MSFD requirements with Water Framework Directive (WFD) for achieving environmental objectives for coastline. Monitoring and water quality control for transitional and marine waters (inland sea, the territorial sea), as well as other activities arising from legislation.
Danube Delta Biosphere Reserve Authority	Protection of marine protected areas related to the Danube Delta Reserve.
National Agency for Environmental Protection	Emission control, environmental approvals. At local level performs the tasks and responsibilities of the central environmental authority (GovEmOrd 195/2005)
National Environmental Guard	Control and penalties for pollution and destruction of marine ecosystem.
National Agency for Fisheries and Aquaculture	Management of living resources from marine protected areas.



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Relevant competent institutions for MSFD implementation

National Agency for Mineral Resources	Application of the measures established for environmental protection during and after oil and gas operations and any other mining activities
Naval Romanian Authority	Controls the management and delivery of all shipping-related wastes; investigates the events of intentional rules infringement and accidents during navigation, including accidental pollution with oil and other harmful substances in territorial waters, coordinates the response in case of marine pollution.
National Company "Maritime Port Administration" - S. A. Constanta	Follows and coordinates shipping activities in harbors as conducted by authorized economic operators; manages ship-generated waste collection.
Constanta County Department of Public Health	Bathing water monitoring in jurisdiction areas
Tulcea County Department of Public Health	Bathing water monitoring in jurisdiction areas
Local authorities bordering the Black Sea, namely the counties of Tulcea and Constanta	Ensures adequate quality of the discharged waste water into the sea





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Preparation of the Article 8, 9 and 10 – Division of responsibilities and the mode of operation

Part of the MSFD	Who carried out the work?		Mode of preparation
Art. 8 Initial Assessment	1. Current status	Experts from the National Institute for Marine Research and Development "Grigore Antipa" (NIMRD)	<ul style="list-style-type: none"> • Each expert filled the report with respect to their field of expertise • These were later compiled by consortium leader (NIMRD) and send for final check to the Directorate for Water Management, Ministry of Environment, Water and Forests • A group compiled the first version of socio-economic analysis on the use of Romanian Maritime Areas. It was send for final check to the Directorate for Water Management, Ministry of Environment, Water and Forests
	2. Pressures and impacts	Experts from the NIMRD, Romanian Water National Administration (RWNA) and "Dobrogea Littoral" – Basin Administration (ABDL)	
	3. Socio-economic assessment	Expert group from Romanian Water National Administration (RWNA)	
Art. 9. Determining Good Environmental Status	Experts from the NIMRD. The worked have been updated based on new data acquired from the monitoring programme.		<ul style="list-style-type: none"> • GES were proposed by expert groups in their reports
Art. 10. Environmental targets and indicators	Experts from the NIMRD. The worked have been updated based on new data acquired from the monitoring programme.		<ul style="list-style-type: none"> • Environmental targets were proposed by expert groups in their reports





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MSFD Actual implementation:

- Initial assessment (art.8)
- Determination of GES (art.9)
- Set up the environmental targets (art. 10)
- Updating monitoring programme (art.11)
- Programme of measures



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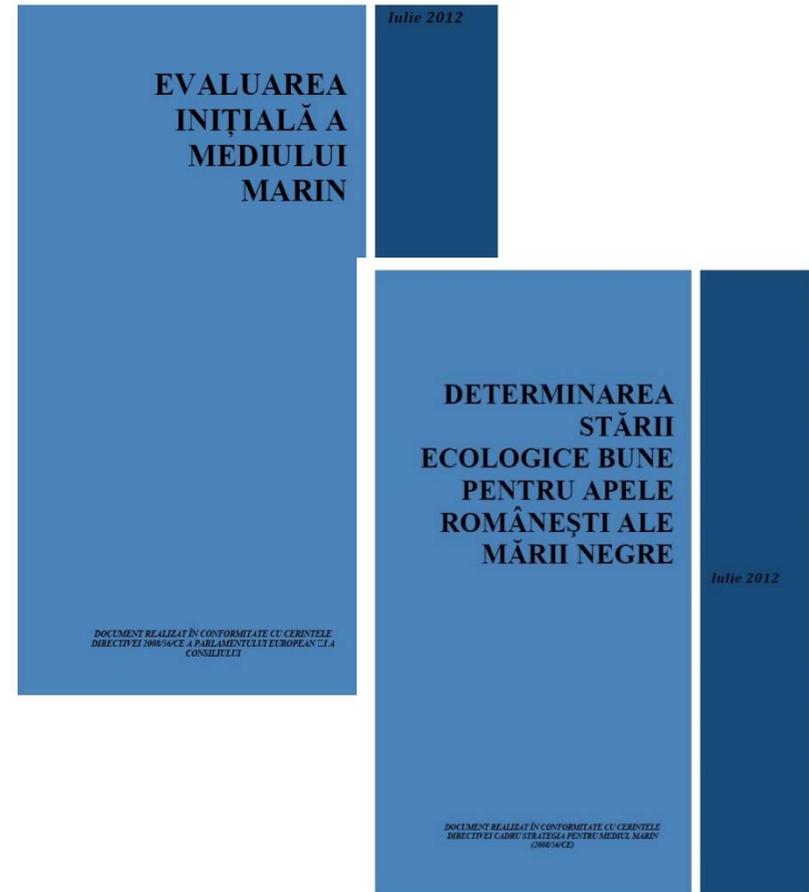
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Romania Article 8/9/10 reporting

- Initial Assessment completed in October 2012 (Paper report and Reporting sheets to EIONET/CDR)
- Further work on GES supported by the MEW - December 2013 and 2014



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BAKANLIĞI

ANNEX III

Indicative lists of characteristics, pressures and impacts

- Period **2006 – 2011**
- Used historical data to show trends (chemistry and planktonic data)
- Limited information for the physical loss and damage

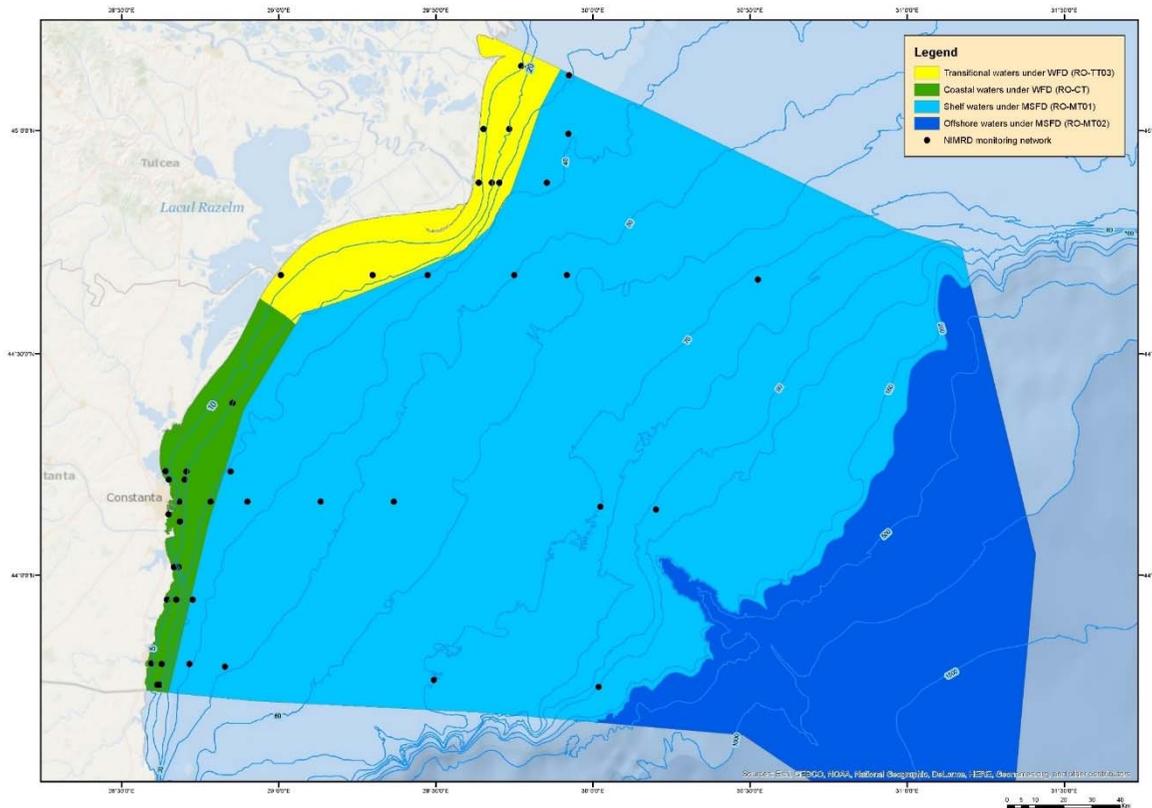
Annex III - Table 1 - Characteristics		Annex III - Table 2 - Pressures and impacts	
Physical and chemical features		Physical loss	Brief
— Topography and bathymetry of the seabed	Brief	— Smothering (e.g. by man-made structures, disposal of dredge spoil),	
— annual and seasonal temperature regime and ice cover, current velocity, upwelling, wave exposure, mixing characteristics, turbidity, residence time,	Moderate	— sealing (e.g. by permanent constructions).	
— spatial and temporal distribution of salinity,	Extensive	Physical damage	Brief
— spatial and temporal distribution of nutrients (DIN, TN, DIP, TP, TOC) and oxygen,	Extensive	— Changes in siltation (e.g. by outfalls, increased run-off, dredging/disposal of dredge spoil),	
— pH, pCO2 profiles or equivalent information used to measure marine acidification.	Moderate	— abrasion (e.g. impact on the seabed of commercial fishing, boating, anchoring),	
Habitat types		— selective extraction (e.g. exploration and exploitation of living and non-living resources on seabed and subsoil).	
— The predominant seabed and water column habitat type(s) with a description of the characteristic physical and chemical features, such as depth, water temperature regime, currents and other water movements, salinity, structure and substrata composition of the seabed,	Moderate	Other physical disturbance	
— identification and mapping of special habitat types, especially those recognised or identified under Community legislation (the Habitats Directive and the Birds Directive) or international conventions as being of special scientific or biodiversity interest,	Moderate	— Underwater noise (e.g. from shipping, underwater acoustic equipment),	Not covered
— habitats in areas which by virtue of their characteristics, location or strategic importance merit a particular reference. This may include areas subject to intense or specific pressures or areas which merit a specific protection regime.	Not covered	— marine litter.	Brief
Biological features		Interference with hydrological processes	
— A description of the biological communities associated with the predominant seabed and water column habitats. This would include information on the phytoplankton and zooplankton communities, including the species and seasonal and geographical variability,	Moderate-extensive	— Significant changes in thermal regime (e.g. by outfalls from power stations),	Not covered
— information on angiosperms, macro-algae and invertebrate bottom fauna, including species composition, biomass and annual/seasonal variability,	Moderate-extensive	— significant changes in salinity regime (e.g. by constructions impeding water movements, water abstraction).	Not covered
— information on the structure of fish populations, including the abundance, distribution and age/size structure of the populations,	Extensive	Contamination by hazardous substances	
— a description of the population dynamics, natural and actual range and status of species of marine mammals and reptiles occurring in the marine region or subregion,	Brief	— Introduction of synthetic compounds (e.g. priority substances under Directive 2000/60/EC which are relevant for the marine environment such as pesticides, antifoulants, pharmaceuticals, resulting, for example, from losses from diffuse sources, pollution by ships, atmospheric deposition and biologically active substances),	Extensive
— a description of the population dynamics, natural and actual range and status of species of seabirds occurring in the marine region or subregion,	Not covered	— introduction of non-synthetic substances and compounds (e.g. heavy metals, hydrocarbons, resulting, for example, from pollution by ships and oil, gas and mineral exploration and exploitation, atmospheric deposition, riverine inputs),	Extensive
— a description of the population dynamics, natural and actual range and status of other species occurring in the marine region or subregion which are the subject of Community legislation or international agreements,	Not covered	— introduction of radio-nuclides.	Not covered
— an inventory of the temporal occurrence, abundance and spatial distribution of nonindigenous, exotic species or, where relevant, genetically distinct forms of native species, which are present in the marine region or subregion.	Moderate	Systematic and/or intentional release of substances	
Other features		— Introduction of other substances, whether solid, liquid or gas, in marine waters, resulting from their systematic and/or intentional release into the marine environment, as permitted in accordance with other Community legislation and/or international conventions.	Not covered
— A description of the situation with regard to chemicals, including chemicals giving rise to concern, sediment contamination, hotspots, health issues and contamination of biota (especially biota meant for human consumption),	Extensive	Nutrient and organic matter enrichment	
— a description of any other features or characteristics typical of or specific to the marine region or subregion.		— Inputs of fertilisers and other nitrogen — and phosphorus-rich substances (e.g. From point and diffuse sources, including agriculture, aquaculture, atmospheric deposition),	Extensive
		— inputs of organic matter (e.g. sewers, mariculture, riverine inputs).	Extensive
		Biological disturbance	
		— Introduction of microbial pathogens,	Not covered
		— introduction of non-indigenous species and translocations,	Brief
		— selective extraction of species, including incidental non-target catches (e.g. by commercial and recreational fishing).	Moderate



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Monitoring programmes – Art. 11



Romanian Water types delineation according to MSFD





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MSFD National monitoring programme

- National integrated monitoring programme - addressed to coastal, transitional and marine waters (physical, chemical and biological parameters)
- The data cover another directives, as WFD, Habitat Directive, Urban Waste Water Treatment Directive, Bathing Waters
- Is also completed by the monitoring programme under Common Fishery Policy

Responsible institutions selected through public tender:

- National Institute for Marine Research and Development “Grigore Antipa” (NIMRD)



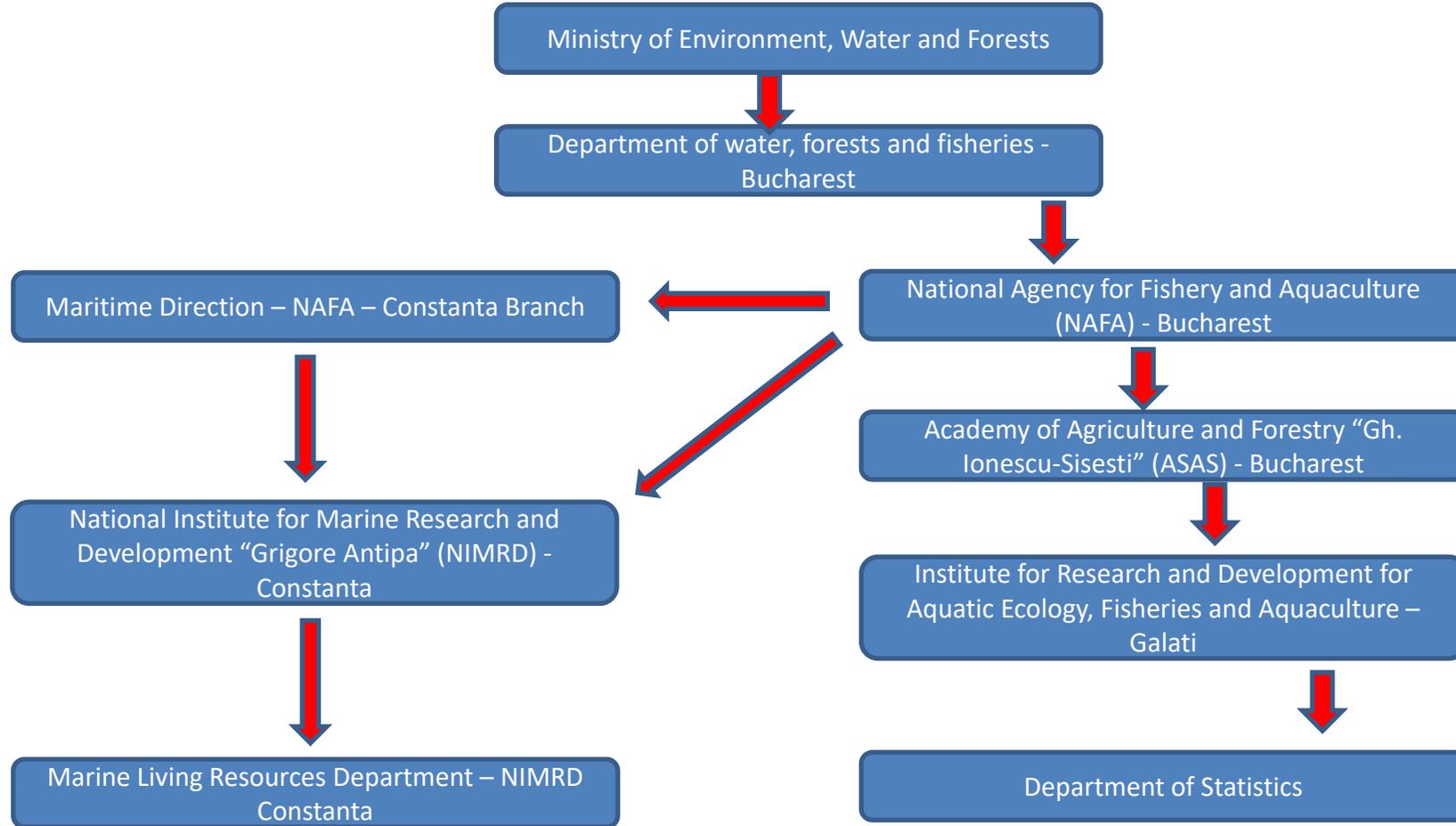
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Institutions Involved in the Fishery Data Collection (FDC)



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Programme of measures – PoM (Art. 13)

- PoM shall be built on the linkages between pressure and impacts on marine environment and the uses made of it and the measures to maintain or achieve the Good Environmental Status (GES)
- MSFD "measure" - may be considered as any action which will be taken on the ground to help achieve MSFD objectives
- 3 categories of measures may be identified
 - Measures under existing legislation
 - Measures foreseen by MSFD
 - New measures



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Joint Program of Measures: *Technical and administrative support for the joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania*

- **Long list of relevant measures or marine environment** (76 measures, detailed on type of descriptor, work in progress, need to be discussed with stakeholders)
- **Short list of common measures RO –BG** (24 measures selected; agreed in the frame of workshops; detailed on descriptor type)

Institutions involved:

- Department of River Basin Management and Development Plans, NAARW Bucharest
- NIRD “GeoEcoMar”
- NIMRD “Grigore Antipa”



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Regional Coordination

- Black Sea Commission
- Joint Romanian – Bulgarian Commission for the cooperation on water management
- International Commission for the Protection of the Danube River



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MSFD interlinkages to other policies

- Integrate the MSFD with other relevant national, regional and EU legislation:
 - Water Framework Directive, Habitat Directive, Birds Directive
 - EU Common Fishery Policy
 - Black Seas Strategic Action Plan, Black Sea Integrated Monitoring and Assessment Programme



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MSFD and WFD

- There are strong links between the Water Framework Directive (WFD) and the MSFD.
- Comparable objectives, with MSFD focused on the achievement of GES in marine waters, and WFD aiming to achieve Good Ecological and Good Chemical Status in all waters including transitional and coastal.
- Overlap between the waters covered by the WFD and the MSFD.
- Successful implementation of the WFD will essentially contribute to good environmental status of marine waters.



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Evaluation of the MSFD process

- MSFD was transposed into national legislation in 2010 😊
- The preparation process did not show a real cross-sectoral cooperation 😞
- The public hearing process was insufficiently attended 😞



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Gaps - Legislation / Policy (national and international instruments), responsible organizations, type of monitoring

- Many institutions involved, weak integration and lack of systematic approach characterize the institutional framework of monitoring, not only in RO. Often inadequate fragmentation of responsibilities is in place, which hampers mobilization of resources. There are also areas of overlap, duplication of efforts.
- Coordination between the organizations involved in monitoring/data collection is in general poor, especially between those engaged in tracing pressures and those who study the state of the environment, not to mention the socio-economy
- Major problem is the constant change in governmental structures and redistribution of activities. Ministries not only change their names, but also their responsibilities and affiliated/subordinated bodies. Besides, staff changes, experienced professionals leave because working in governmental organizations is not an attractive option
- The routine monitoring is poorly funded, in general.



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Needs for improvement

- Stable networking between institutions dealing with governance, funding, and implementation of monitoring programmes.
- Improving knowledge in order to fill gaps, particularly for open sea, for biological elements, waste, and noise. Priority should be given to physical loss and damage, marine litter, and noise
- Improve the institutional capacity through training for using new monitoring and assessment methods for contaminants, biological elements (angiosperm, macroalgae), etc., including sampling techniques, processing of samples from different matrixes (with focus on biota samples) and data management;
- Improve capacity for economic analysis to set up and assess the sustainability of protection measures
- Create mechanism for exchange of data/information between the various organizations managing environment data
- Provide for QA/QC in data management in all organizations dealing with generation of environment data



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Sunumumuz sona ermiřtir, ilginiz iin teřekkr ederiz.

Our presentation is finished, thank you for listening.

Laura Boicenco

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