



Marine Strategy Framework Directive (MSFD)
Common Implementation Strategy 2016-2019

[Final version endorsed by Marine Directors on 15/06/2017]

Draft MSFD Common implementation strategy Work programme 2016 – 2019

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Introduction

The Common Implementation Strategy (CIS) has accompanied the implementation of the Marine Strategy Framework Directive (MSFD – 2008/56/EC). It has proven to be an essential framework which brings together Member States and the Commission in a shared understanding of the implementation needs of the directive. It also provided for an opportunity for bringing closer, where possible, the frameworks of the four Regional Sea Conventions (RSCs) and the EU context. Last, but not least, it also allowed for the valuable input of stakeholders in complementing the process. The 2016-2019 work programme builds on the achievements made so far, while seeking to make full use of this common strategy at an important juncture of its execution.

This work programme is based upon the previous documents¹ submitted to the Marine Strategy Coordination Group (MSCG) and Marine Directors' respectively, where both fora generally welcomed the orientations provided therein and to which they provided more steer. The rationale put forward in these documents will therefore not be repeated at length or in its entirety. The work programme therefore takes into account discussions held within the framework of the MSCG and its sub-groups (including written comments provided thereafter), as well as the orientations provided by Marine Directors, notably in their meetings held in May 2015 (Riga) and November 2016 (Luxembourg)², when these documents were submitted. The Marine Directors expressed their endorsement with the general headlines of this work programme at their meeting in Amsterdam on 9th June 2016.

The Work Programme, including the mandates for the Working Groups and Technical Groups and also the contributions by RSCs, may need to be updated after adoption of a revised Commission Decision on criteria and methodological standards for good environmental status (GES).

Lessons learnt

The May 2015 Marine Directors' meeting recognised that the work carried out so far in the Common Implementation Strategy brings people and expertise together, improves cooperation with the Regional Sea Conventions, and serves to identify gaps in the MSFD framework. This recognition

¹ See *MSCG_17-2015-08 and MD2015-2-2*.

² See respective conclusions and summary records at <https://circabc.europa.eu/w/browse/f598f2c4-d4cf-4601-a8d1-0ea0e39346c6> and <https://circabc.europa.eu/w/browse/a2217f1d-eaca-47ed-ae68-59e95de35bc1>

however came with some caveats; namely, that progress in implementation of the directive was often not fast enough and that more efforts were necessary at all levels. The second limitation that was highlighted is the reduced availability of resources and administrative capacity, which thereby calls for further focus on main elements of the directive to be implemented and to do so with greater efficiency. It is therefore important to exploit as many synergies as possible with other ongoing processes, limit duplication and reduce unnecessary burden. This was once again recognised at the Luxembourg meeting in November 2015, where calls for strengthened synergies with related policies were jointly made by marine, water and nature directors.

MSFD implementation – the next steps

By end of March 2016 Member States should have also submitted their programmes of measures³. The Commission will then assess⁴ whether these programmes of measures constitute an appropriate framework for achieving the objectives of the MSFD. These tasks bring the MSFD implementation closer to the end of the first cycle (see Figure 1). The next two key phases of MSFD implementation are the updates⁵ of Member States' assessments, determination of good environmental status (GES) and environmental targets and the Commission's first evaluation report on the implementation of the Directive⁶. The first falls within the time-period covered by this work programme, the second is due soon after. It is therefore important that the preparatory work for both is carried out within this work programme.

³ Art.13 MSFD programmes of measures and Art. 14 MSFD exceptions

⁴ Commission assessment of programmes of measures under Art. 16 MSFD

⁵ Art. 17 MSFD requires Member States to update their initial assessment and determination of good environmental status (Art.8-9 MSFD); their targets (Art. 10 MSFD); their monitoring programmes; as well as their programmes of measures

⁶ Art.20.3 MSFD

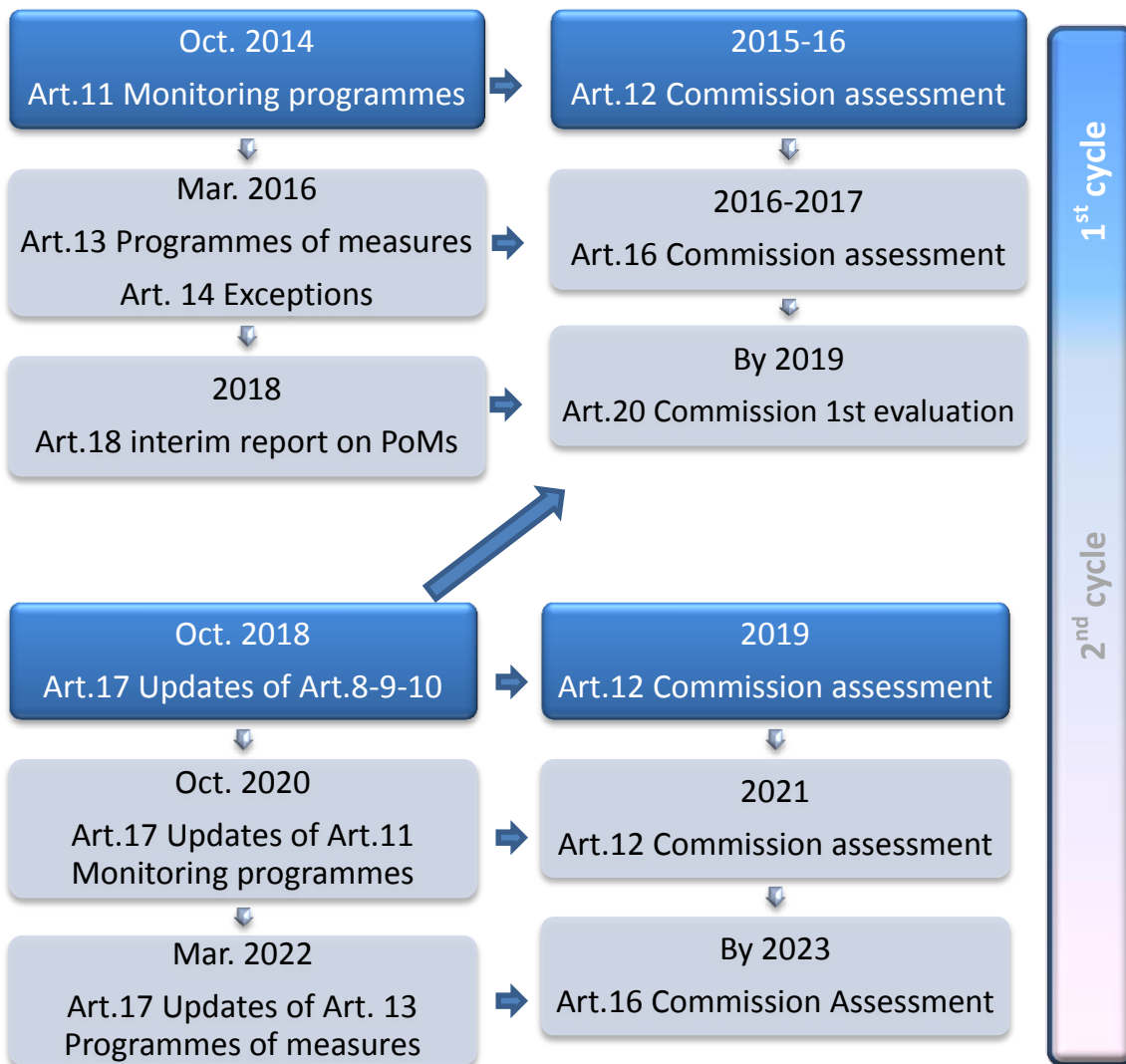


Figure 1: Upcoming MSFD major milestones and deliverables

Objectives and priorities

1. Achieving good environmental status

As the 2020 deadline for the achievement of Good Environmental Status approaches, the work undertaken by all actors in the context of the MSFD Common Implementation Strategy over the coming two years needs to be geared to answering the question as to where we stand with our progress to reach Good Environmental Status.

This requires quantifying, wherever possible, the status of the marine environment, i.e. how close (or far) are we to achieving Good Environmental Status and assessing whether our actions are geared towards alleviating the main problems preventing the achievement of Good Environmental Status. It is also clear that the political significance of the substantial work that has been carried out since the adoption of the directive and that still needs to be done should not be underplayed but on the other

hand is brought to the fore, so as to be able to illustrate the benefits – whether imminent or projected – when drafting the Commission's first evaluation report (Art. 20) in 2019.

It should be noted that the achievement of Good Environmental Status in the European Union's marine waters by 2020 remains an obligation. A political reiteration of this ambition was made by the Commission at the last two *Our Ocean* conferences in 2015 and 2016.

The revision of the GES Decision contributes to this overarching objective. The MSFD Regulatory Committee voted positively⁷ on the revised Decision proposal and is, by its very nature, closely involved in this process, while the various elements of the Common Implementation Strategy framework have already been contributing over the previous work programme. This involvement of the Common Implementation Strategy will need to be taken a step further for the elements in the GES Decision to take effect, notably the development of threshold values that have been earmarked for development through this Common Implementation Strategy. The Regulatory Committee also agreed to start working on integration rules, in the context of the Common Implementation Strategy. Changes to this work programme in case of the need to reprioritise may be done through written consultation of the Marine Strategy Coordination Group. For example, the revised text of the GES Decision provides for the need to set threshold values for seabed habitat condition and loss through a 'Union' process, thereby implying developing this work through the Common Implementation Strategy. An additional Technical Group might need to be set up to accommodate this process, whose work plan would need to be approved by MSCG, once the revised GES Decision takes effect, and added to this work programme. It is also important to note that the revised GES Decision also aims at bringing regional processes even closer with the MSFD implementation process, thereby reducing the duplication of efforts where appropriate.

2. Setting the scene for the Art.17 MSFD updates

The MSFD⁸ requires Member States to update the initial assessment of their marine waters; their determination of good environmental status; their associated environmental targets; their

⁷ 15th Meeting of the MSFD Regulatory Committee, 10 November 2016. The text of the revised GES Decision, together with a text for a Directive amending MSFD Annex III, are subject to the scrutiny of the European Parliament and the Council before they can be formally adopted.

⁸ Art.17 MSFD

monitoring programmes; as well as their programmes of measures. These mark an important milestone in the implementation of the directive as it implies the start of the second 6-year cycle. Implementation shortfalls observed during the first cycle need to be corrected, while success stories need to be emulated. The guidance⁹ issued by the Commission on the various stages of the Directive (on Art. 8, 9 and 10 in 2014; expected on Art. 11 in 2016) is a starting point. More has however been done through the work of the Common Implementation Strategy.

Notably, the “Cross-cutting issues” document (MSCG_17-2015-06) establishes or reaffirms a number of guiding principles that should help in better implementing the directive. This is closely linked with the “Common Understanding” document (see GES_14-2015-08 *Proposal for taking the Common Understanding Document forward*). The work on these documents has inevitably helped shape the thinking process so far.

The second significant process that will influence the Art.17 MSFD updates is the outcome from the review process for the Decision on Good Environmental Status (2010/477/EU) and Annex III of the MSFD. Both these elements need to be taken into account to the extent practicable, as they will inevitably shape the second cycle of the MSFD implementation. Here, significant efforts are being undertaken to bring the different policy frameworks together, be they EU frameworks such as the Water Framework Directive, the Birds and Habitats Directives or the Common Fisheries Policy, or work carried out in the context of the Regional Sea Conventions.

Thirdly, other processes that are to continue feeding into the preparation for this work are the knowledge gathering activities carried out by the Commission's Joint Research Centre (JRC) and the International Council for the Exploration of the Sea (ICES) providing an effective scientific support to the work of the Common Implementation Strategy.

3. Prepare the work for the Art.20 evaluation

The work leading to the 2019 evaluation under Art.20 MSFD will be crucial and needs to be envisaged within this work programme. Some of this preparatory work already finds itself in the Commission

⁹ Report from the Commission to the Council and the European Parliament "The first phase of implementation of the Marine Strategy Framework Directive (2008/56/EC) The European Commission's assessment and guidance"(COM(2014)097 final).

report assessing the implementation of Art. 8, 9 & 10 (See COM(2014)97) and the upcoming reports on the Commission's assessment of the implementation of their monitoring programmes and programmes of measures respectively. Another important input that will have to feed into this evaluation is the above-mentioned review of the status of the marine environment, undertaken in coordination with the European Environment Agency and the relevant regional marine and fisheries organisations and conventions. Addressing the shortcomings already identified by the Commission in the context of these reports would help with implementing these articles the second time round.

4. External dimension of EU action and marine litter

Directors called for strengthening the external dimension of EU action related to the MSFD. This call comes at a timely moment given the adoption of Sustainable Development Goal 14, the G7 focus on marine litter and the start of the EU Chairmanship of HELCOM. Following the adoption of the Circular Economy package¹⁰, which calls for reduction of marine litter, and implementing the 2030 Sustainable Development Goals (SDGs), the work being done under MSFD becomes even more pertinent. Both of these international developments provide a platform for the EU and its Member States to showcase and implement its work (or parts thereof) that would ultimately contribute to having healthy, clean and productive seas beyond EU waters. The 2030 agenda, adopted towards the end of last year, includes the SDG 14 on conservation and sustainable use of oceans, seas and marine resources, which provides an opportunity to design its implementation and reporting in a way that is mutually reinforcing with implementation of the MSFD and maximising efficiency and effectiveness. Another opportunity for the cross-fertilisation of the MSFD with global efforts is provided by the World Ocean Assessment (WOA), with 2016 kicking off the second cycle. The MSFD assessment framework should influence the shape of the next WOA, with the objective of maximising the use of regional assessments and Member State inputs under MSFD for WOA II. The Art.20(3) MSFD report could, for example, constitute the EU input for the next WOA.

¹⁰ COM/2015/0614 final

Coordination with other policies

It has been widely and repeatedly recognised that the interaction of MSFD implementation with the implementation of the other EU policies needs to be closer so as to, for instance, reduce unnecessary duplication of efforts, increase efficiency, and streamline processes and terminology where appropriate. The revised GES Decision and MSFD Annex III will contribute significantly to this requirement. There will however be specific elements of work that will require follow-up, to ensure that the aspiration translates itself into practice. Both the Commission and Member States play a key role in these streamlining efforts through the Common Implementation Strategy.

Among others, the Water Framework Directive (WFD) is one obvious candidate for policy coordination with MSFD. Its Common Implementation Strategy work programme recognises the need to keep the dialogue and coordination structures with other closely-related policies, notably mentioning the MSFD Common Implementation Strategy. The WFD Common Implementation Strategy work programme includes the assessment of integrated economic analyses between the WFD and MSFD; it contributed to the GES decision review process; thereby providing the links with GES descriptors when assessing the status of marine waters and biota-monitoring guidance.

Similar interaction is required for other policy areas where there is evident overlap, notably the Birds and Habitats Directives and the Common Fisheries Policy. Once again the revised GES Decision tries to bring these policies together, although ad-hoc joint working groups may be needed for specific strands of work. By their very nature of being ad-hoc, this work programme is not defining the issues that need to be considered.

In broader policy terms, MSFD implementation efforts can be supported by tools like Maritime Spatial Planning (MSP) and Integrated Coastal Management (ICM). These should contribute to the protection of the marine environment through planned, responsible and sustainable use of marine and coastal waters and by taking account of land-sea interactions. It can also limit activities in or near areas that are ecologically sensitive. In this sense MSP and ICM can contribute to the achievement of GES. The need of interaction, possibly ad-hoc at first, between the respective working or expert groups is therefore warranted.

This list is not exclusive as certain aspects of MSFD implementation require interaction with other specific policy frameworks, such as that for fisheries and agriculture: the Port Reception Facilities Directive; the Offshore Safety Directive; the Environmental Impact Assessment Directive and food safety legislation, just to name a few. The circular economy package and more specifically the planned strategy on plastics to be delivered by 2017 can also contribute to reduce marine litter.

Work arrangements and structures

Both MSCG and Marine Directors reaffirmed their appreciation of the working structure within the Common Implementation Strategy. Drawing lessons from previous experience, this work programme better identifies the responsibilities of the different working groups in relation to the Directive's provisions. It thereby also attempts to better link interactions between the different elements of the Common Implementation Strategy where appropriate (e.g. the links between Art. 8.1(b) & (c) assessments). In simple terms, WG GES would look at the relevant work strands for assessing the status of marine waters, i.e. the updates on the assessment of marine waters, the determination of

good environmental status and the monitoring programmes. WG POMESA would focus on the actions and measures aimed at mitigating the pressures on the marine waters, as well as the socio-economic aspect. WG DIKE, supported by TG Data, would feed into both other working groups as the work it does, namely reporting systems and data flows, is of a cross-cutting nature and also involves the European Environment Agency (EEA) and Regional Sea Conventions. TG Noise and TG Litter would concentrate on the descriptor-relevant work and are most likely to feed into any of the three groups depending on the nature of the work at hand.

The same focus could then be retained by the working groups for both Article 17 updates and Article 20 assessments. This workflow structure is represented in Figure 2.

All the groups need to collaborate, where appropriate, with the Regional Sea Conventions, and the timelines should, in as much as possible, be set up in such a way to facilitate exchange between the CIS-related work and the work within the RSCs.



Figure 2: Organisational structure

Regulatory Committee

The role of the Regulatory Committee is clearly defined in the MSFD. It shall assist the Commission when it is to adopt an act in accordance with the examination procedure (Art.25(2) MSFD) or with the regulatory procedure with scrutiny (Art.25(3) MSFD). The Committee follows the Rules of Procedure it adopted on 6 February 2009.

Common Implementation Strategy

The Marine Directors of the European Union (EU), Acceding Countries, Candidate Countries and European Free Trade Area (EFTA) Countries have jointly developed a common strategy for supporting the implementation of the Marine Strategy Framework Directive (MSFD). The main aim of this

informal strategy is to allow a coherent and harmonious implementation of the Directive. Its focus is on those methodological questions related to a common understanding of the technical, scientific and socio-economic implications of the Marine Strategy Framework Directive. One of the objectives of the strategy is the development of non-legally binding and practical documents on various issues requiring attention in implementing the Directive.

Marine Directors

As for the previous work programme, the role of Marine Directors is to provide focus on the more political and high-level issues that steer the Common Implementation Strategy, thereby providing the required strategic direction to the process. When necessary, Marine Directors also play a role in providing steer on those technical issues that could not be resolved in MSCG. Calls have been made to organise joint meetings with nature, water, fisheries and agriculture directors. This is considered useful, notably when addressing certain high-level issues and which deliver clear outputs; they should therefore be seen as a catalyst for generating further cooperation on specific issues within national Member State administrations rather than an end in itself. The informal nature of the meetings lends itself well to Marine Directors' way of providing strategic steer, as it allows for frank exchanges of views and solution-oriented discussions.

Chair: The Presidency will continue to chair and organise the Marine Directors' meetings. The Commission will provide the necessary support and share chairing duties.

Meetings: The necessity of holding a Marine Directors' meeting is a prerogative of the incumbent Presidency, the frequency of which generally should be up to one per Presidency, also taking into account the administrative efforts that go into organising such meetings and the limitations on resources available.

Marine Strategy Coordination Group

The role of the Marine Strategy Coordination Group (MSCG), also being an informal expert group established by the Commission, is defined in Article 1 of the Rules of Procedure¹¹. Namely, the MSCG has to:

- Coordinate and monitor the different working groups and activities under the Common Implementation Strategy, evaluate and agree on the outcomes and deliverables of the different working groups. In this sense MSCG must ensure that there is a clear, consistent and regular feedback loop between the different working groups;
- Give guidance on key activities and address cross-cutting issues. Moreover, it is in charge of preparing, agreeing and further developing the CIS work programme and reviewing its functioning;
- Advise and assist the Commission in the preparation of the Art.25 MSFD Committee and delegated acts;
- Assist in the preparation of the informal meetings of the Marine Directors and, as appropriate, call on Marine Directors to resolve open issues, endorse deliverables or conclude on certain issues.

Bridging science and policy making: The work previously undertaken by the Project Coordination Group proved to be valuable in creating awareness in Member States of planned and ongoing projects related to the implementation of MSFD. However, experience has shown that its remit does not justify a full working group. The Project Coordination Group has therefore been discontinued, but given the importance of knowledge-sharing and best practice, as well as the need to maximise the usefulness of those financial instruments available for MSFD implementation, these issues should become a standard feature of the MSCG's agenda, given its cross-cutting remit.

¹¹ Note that in addition to the specific "Rules of Procedure of the informal Commission group of experts on the implementation of the Marine Strategy Framework Directive 2008/56/EC - ("Marine Strategy Coordination Group)", the Commission's "Horizontal Rules of Procedures for expert groups" also apply to the MSCG (COM(2010)7649 final).

Disseminating the outcomes of science-based projects benefiting from EU funding; determining their relevance for implementing the MSFD and identifying future research needs that are pertinent to both policy-making and implementation should be a core remit of MSCG.

Chair: The Commission will continue to chair the MSCG and provide the appropriate administrative support.

Meetings: The MSCG will meet at least once a year, depending on necessity. Meetings will be generally held in Brussels.

Working and Technical Groups

The role of working groups is defined through Art.7 of the Rules of Procedure. The Common Implementation Strategy envisages three working groups: WG GES, WG POMESA and WG DIKE¹² (see Figure 3 and individual work plans below). Their main role is to provide technical, scientific and socio-economic input to the Common Implementation Strategy. The solutions identified need to be translated into concise documents, which in turn should clearly indicate when the MSCG is required to act. The working groups may also advise the MSCG on the need for new activities, as appropriate and if a priority. The Terms of Reference¹³ of the working and technical groups have been updated in accordance with this work programme.

The three working groups should organise joint or bilateral meetings to discuss certain work strands of the work programme requiring input from several perspectives. The format and participation may be decided on an ad-hoc basis, depending on the issues being discussed. These groups are also encouraged to share their expertise, either in written format or through the organisation of specific meetings, with similar groups operating in other frameworks.

The current Common implementation Strategy has three ongoing technical groups: TG Litter, TG Noise and TG Data¹⁴. Technical groups are set up in response to emerging issues and therefore to

¹² The CIS working groups fall under Article 7 of the MSCG Rules of Procedure and are, as such, "sub-groups" of a Commission expert group.

¹³ <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=2550>

¹⁴ The CIS technical groups fall under Article 7 of the MSCG Rules of Procedure and are, as such, "sub-groups" of a Commission expert group.

provide specific answers to unresolved technical matters accordingly. The organisational structure of the Common Implementation Strategy (see Figure 2) refocuses the outputs of the technical groups to feed directly into the working groups. This follows the rationale that the operational nature of the expected deliverables of the technical groups should be focused on developing specific tools geared at supporting the working groups on specific descriptors (TG Noise and TG Litter) and that of a more cross-cutting nature (TG Data). As mentioned above, the revision of the GES Decision points towards the need to set threshold values for seabed habitat condition and loss through a 'Union' process, thereby requiring an additional Technical Group. Its work plan will need to be approved by MSCG once the revised GES Decision takes effect.

Membership of the Working and Technical Groups: MSCG members should reappoint their representatives on the various working and technical groups, so as to ensure the profile of these representatives matches the updated objectives and tasks that each is expected to pursue.

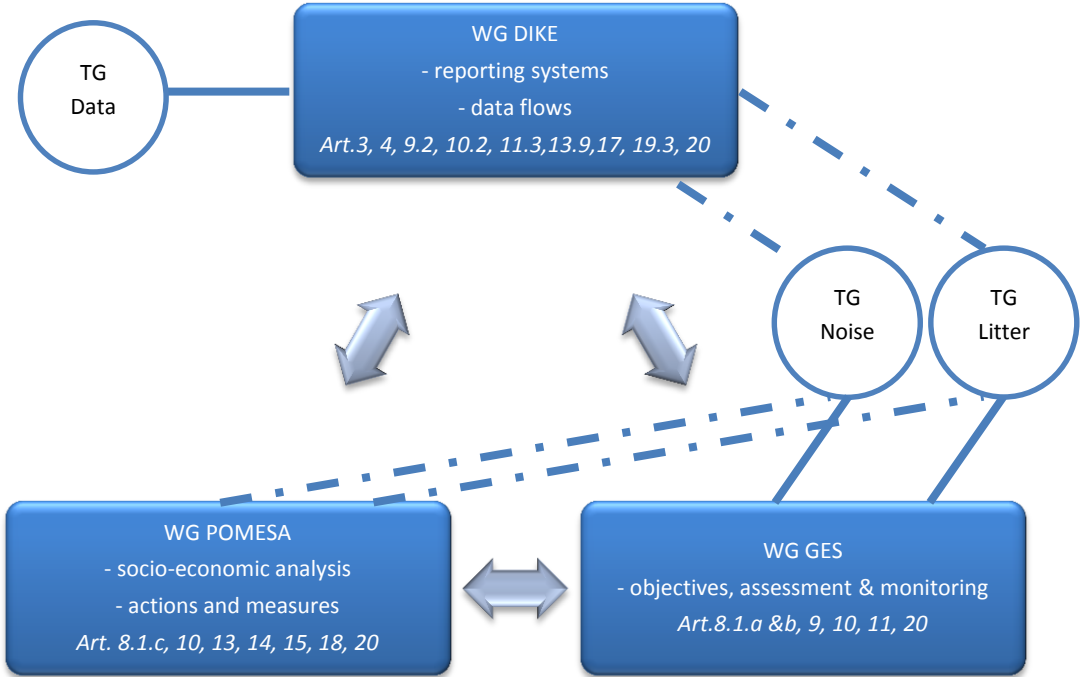


Figure 3: Interaction between working and technical groups of MSFD CIS.

Chair: Working groups and technical groups should benefit from a joint chairmanship model, the composition of which will be adjusted or renewed at the start of the subsequent work programme. For working groups, the chairs shall consist of the Commission plus one Member State. Technical groups shall be chaired by two Member States, with the support of the Commission.

Meetings: Working groups and technical groups should meet at least once a year. The organisation of further meetings each year, either for the group alone or jointly with others may be necessary.

Part 1: Mandate of Working Group on Good Environmental Status (WG GES)

1. INTRODUCTION

The Working Group on Good Environmental Status (WG GES) oversees technical work on issues related to the assessment and determination of good environmental status (Articles 8, 9), the related environmental targets and indicators (Article 10) and the monitoring obligations (Article 11). It provides a platform for expert exchange at EU level between the Member States, other countries and stakeholders including the related ongoing work of the Regional Sea Conventions (RSCs).

2. OBJECTIVES

The WG GES contributes to developing a common understanding of the Art.8 assessment¹⁵, Art.9 GES determination, Art.10 setting of environmental targets and Art.11 monitoring requirements of the Marine Strategy Framework Directive to ensure a high level of coherence, comparability and consistency of the approaches within and between the marine regions. It does so, in particular, through developing common approaches for determining GES. It should contribute to the implementation of Art. 10 on environmental targets, from the perspectives of Art. 8 and 9, and so provide a bridge to WG POMESA on implementation of Art. 13 on measures. Building on past work, the WG GES should in particular aim at:

- Continuing the development of common approaches for assessing the environmental status of marine waters, determining GES and, as appropriate, setting of environmental targets in order to ensure coherence and consistency of GES across all marine regions/subregions;
- Advising on the application of the revised GES Decision on criteria and methodological standards on good environmental status of marine waters and on application of the amended Annex III MSFD;
- Addressing the linkages between the MSFD and the Habitats Directive, Birds Directive, Water Framework Directive, EU Biodiversity Strategy, Common Fisheries Policy (CFP) and Common Agriculture Policy (CAP), where applicable, in relation to the determination and achievement of GES and associated objectives in the other frameworks;
- Further improving the development of a framework for coordinated monitoring programmes in the marine regions which will deliver data to assess whether GES and associated

¹⁵ Art. 8(1a) and (1b), with WG POMESA leading on assessments under Art. 8(1c).

environmental targets are being achieved;

- Supporting or providing expertise to Member States for coordinated programmes of measures in the marine regions in cooperation with WG POMESA.

The WG GES should maintain an oversight of the various aspects relevant for GES but should not duplicate the work of other groups. It should identify and focus on a few priorities which it can pursue directly and otherwise rely on the input and expertise from other groups.

3. MAIN ISSUES – SCOPE OF WORK

The Working Group should focus on overall conceptual and cross-cutting questions related to assessment and monitoring (but not reporting) of marine waters. It will develop an ecosystem-based holistic assessment framework to assess the state of the marine environment against the objective of achieving GES in the meaning of Art. 3.5 MSFD. In doing so, the WG GES shall address the following tasks from 2016 to 2019:

- Further develop a common understanding of GES determination, including on the application of the risk-based approach, thereby ensuring consistency in GES determination;
- Develop a framework for ecosystem-based assessments to determine the state of the marine environment against determined GES and develop associated methodologies, including for assessing cumulative impacts as well as for aggregating different temporal and spatial scales;
- Follow-up work stemming from the revised GES Decision and Annex III MSFD, in particular actions defined in the Decision needing Union-level work and issues identified by the relevant expert groups in the descriptor manuals needing further work (see GES_13-2015-D01 to GES_13-2015-D11);
- Develop technical guidance on assessments under Art.8 MSFD by providing a set of standardised principles and methodologies for undertaking assessments, including illustrative practical examples;
- Work towards greater coherence of the MSFD objectives with those of related EU policies, and *vice versa*, in particular WFD, CFP, CAP, Birds and Habitats Directives and the EU Biodiversity Strategy;
- Develop comparable monitoring and assessment methods and processes for MSFD, streamlining these, where appropriate, with other related policies, in particular WFD, CFP, CAP, Birds and Habitats Directives and the EU Biodiversity Strategy and RSCs;
- Advise on the reporting of the essential features and characteristics and current environmental status of the marine waters and predominant pressures and impacts (Art.8.1a & b MSFD) to be further developed by WG DIKE;
- Discuss and advise on the selection and use of MSFD information by the Commission and EEA in their preparation of reports and assessments, in particular as required in 2019 under Art.20 MSFD;

- Advise on a framework for coordinated monitoring programmes in the marine regions, which will provide information and data for the assessment of environmental status, and on progress towards achieving GES and the associated environmental targets and, where appropriate, assessing the effectiveness of measures;
- Provide advice as a follow-up to the Commission's Art.16 assessment of the Art.13 programmes of measures.

The WG GES will advise, as appropriate, on other activities which are predominantly carried out in other groups.

In order to ensure a coordinated approach with the work carried out by the Regional Sea Conventions, the WG GES may want to review, give advice, and exchange information with the RSCs. The representatives of the Regional Sea Conventions (experts from Member States or secretariats) may make proposals for the agenda on relevant issues.

4. ORGANISATION

The WG GES is there to advise the MSCG and, where appropriate, the MSFD Committee on matters related to GES. The WG is a sub-group of the MSCG, in line with Article 7 of the MSCG rules of procedures.

The WG GES will be chaired by the Commission and co-chaired by Germany and Italy.

Participants to WG GES are nominated representatives of the EU Member States, other countries (in particular from EEA and Candidate Countries), Regional Sea Conventions and other international organisations such as ICES and stakeholders which are registered at the MSCG. The criteria in the rules of procedures for the membership of MSCG apply.

The WG GES meets at least once a year, and in time to prepare its input to the MSCG meetings. In addition, thematic workshops or specific meetings may be organised, as appropriate. In this sense, specific meetings could be organised within WG GES, between Member States sharing the same (sub) region and the Commission for more specific coordination and cooperation. Work can also be undertaken between meetings by way of written exchanges.

The WG GES is guided by the MSCG and reports formally on a regular basis to it. The same rules of procedure as for MSCG apply.

The WG GES is supported by a Drafting Group consisting of the co-chairs and GES members of DE, FI, FR, IT, RO and SE which prepares the WG GES by facilitating the planning and drafting preparatory documents. The Drafting Group is mandated by the WG on an inter-sessional basis.

5. TIMELINES AND DELIVERABLES

| Task | Indicative timeline | Output |
|---|---------------------------|--|
| <i>Priority tasks</i> | | |
| 1. Revision and finalisation of Common Understanding Document on Art. 8, 9 and 10 | Mid 2017 | Guidance / Recommendations to be adopted by MSCG |
| 2. Development of Guidance on Article 8 assessments | Release draft version for | Guidance / Recommendations to be |

| Task | Indicative timeline | Output |
|---|---------------------------------------|---|
| | testing – 2017 Q1 Updating in 2018 | adopted by MSCG following updating in 2018. |
| 3. Follow-up to revised GES Decision and Annex III MSFD, including work on threshold values, integration rules and on the risk-based approach | Progressively to 2018 | Recommendations and possible guidance to be adopted by MSCG, including through the guidance work on Art.8 as appropriate. |
| 4. Development of reporting on environmental status and predominant pressures and impacts (Article 8.1 a & b) (together with WG DIKE) | Mid 2017 | Guidance / Recommendation for reporting |
| <i>Other tasks</i> | | |
| 5. Work related to assessments feeding into Art. 20.3(b) report | By 2019 | Technical advice (together with WG POMESA and WG DIKE) |
| 6. Link to assessments and monitoring under other EU legislation and policies | Ongoing | |
| 7. Link to related work of RSCs and regular review of their work with relevance to GES | Ongoing | |

Work plan to be reviewed periodically in view of progress made and any changes in priorities from MSCG.

6. LINKS TO OTHER ACTIVITIES

The WG GES will work closely with WG DIKE and WG POMESA, contributing with its areas of expertise without duplicating or developing the issues under the responsibilities of the other WGs. When dealing with marine litter and underwater noise, it shall seek the input of TG Litter and TG Noise, as appropriate.

The WG GES will also keep an oversight of all relevant activities going on in more detail in other EU groups which have more specific expertise, in particular the link to the Water Framework Directive and its groups dealing with good ecological status and good chemical status, to the Birds and Habitats Directive, in particular its Marine Expert Group, the Common Fisheries Policy and the fisheries experts gathering regularly in coordination meetings or workshops and the link to the Technical Groups on Litter and Noise.

The WG GES will ensure that the detailed discussions result in comparable and coherent approaches across descriptors and will advise the MSCG on such issues, as appropriate.

The WG GES also plays an important role in bringing together the results of the related work taking place in the Regional Sea Conventions and should be used as a platform to exchange information and improve coherence and comparability between the four regions.

The WG GES should, as appropriate, foster these collaborations with a view to improving coherence, comparability and streamlining of work and ensure that all relevant expertise is considered. Such cooperation can be achieved through many means, such as joint workshops, etc. There is a need to establish effective working routines and feedback mechanisms between WG GES and groups under

other EU policies (e.g. WFD CIS, Habitats and Birds Directives) without duplicating expert advice, discussions or decision-making processes.

Part 2: Mandate of Working Group on Data, Information and Knowledge Exchange (WG DIKE)

1. Introduction

The Working Group on Data, Information and Knowledge Exchange (WG DIKE) oversees technical work on issues related to data, information and knowledge exchange for the Marine Strategy Framework Directive (MSFD), including in particular the reporting requirements of the Directive. It provides a platform for expert exchange at EU level between the Member States, other countries and stakeholders including the related ongoing work of the Regional Sea Conventions (RSCs).

2. Objectives

The WG DIKE contributes to developing and implementing a concept and arrangements for a shared, streamlined and efficient management of data, information and knowledge between the EU, the Regional Sea Conventions and the Member States, as well as other partners, based on (but not limited by) the obligations under the Marine Strategy Framework Directive. This process should thereby improve the marine knowledge base at national, regional and European levels resulting in sound, targeted and publicly available data, information and assessments on the implementation of the Directive and progress towards achieving its objectives, including assessments on the state of the marine environment. Information reported by Member States on their marine strategies, including that reported jointly via the RSCs, will contribute to Commission assessments and reports foreseen in MSFD articles 12, 16, 20 and 21. It should also contribute to trend/scenario modelling, policy evaluations and impact assessments.

WG DIKE should not duplicate the work of other groups. It should identify and focus on a few priorities which it can pursue directly and otherwise rely on the input and expertise from other groups.

3. Main issues - scope of work

WG DIKE should focus on the practical arrangements for reporting under the MSFD and on the use and dissemination of this information, particularly related to Articles 3, 4, 7, 8, 9, 10, 11, 13, 14, 17, 18 and 20. It should oversee the work of the Technical Group on Data concerning the underlying data, particularly regarding Article 19(3), including arrangements for data sharing and/or making data available, links to INSPIRE, EMODnet, Copernicus marine service and other relevant initiatives.

In doing so, the WG DIKE should address the following tasks from 2016 to 2019:

- Develop by mid-2017, a common geographical system for reporting and dissemination (via WISE-marine), based on the regions, subregions and subdivisions of MSFD Article 4, the reporting (assessment) areas used by Member States, the nested assessment area systems of the RSCs and the assessment areas for commercial fish under CFP, GFCM and FAO.
- Revise by mid-2017 at the latest the reporting system for the 2018 updating of the initial assessment, determination of GES and environmental targets, taking account of relevant guidance and developments in the work of WG GES and WG POMESA concerning Articles 8, 9 and 10 and of the revised GES Decision and MSFD Annex III where practicable, and focusing in particular on information that can demonstrate the current environmental status of the

marine environment and progress towards achieving GES. Attention will also be given to the outcome of the Fitness Check on reporting obligations that the Commission is doing.

- Develop by end 2017, together with WG POMESA, a recommendation concerning the interim reports of Member States which are to be submitted to the Commission before the end of 2018 under Art. 18 and which describe progress in the implementation of the programmes of measures.
- Oversee the development and implementation by TG Data of common data formats by 2018 in order to streamline data flows, ensure their interoperability and to reduce administrative burden, in line with MSFD Art.19(3). WG DIKE is expected to identify and prioritise the data sets requiring follow-up work by TG Data, who should provide support for Member States on issues related to the inter-linkages between the provisions of the INSPIRE Directive and MSFD data-sharing provisions.
- By 2018 provide technical input and advice, notably to the EEA, for the development of products, based on RSC and Member States' reported information, covering the main topic areas of the MSFD (GES, assessments, environmental targets, monitoring, measures) to demonstrate national-, regional- and European-level implementation of the Directive, and disseminate via WISE-Marine, including via data sets and maps.
- Discuss and advise on the use of the reported MSFD information by the Commission and EEA in their preparation of reports and assessments, in particular as required in 2019 under MSFD Article 20;
- Develop integrated and streamlined reporting flows between MSFD and other EU policies and those of international conventions (including WFD, Habitats and Birds Directives, CFP), with a view to improving coherence of the information and reducing administrative burden in its preparation and exchange.
- Update by 2019 the reporting system for monitoring programmes which are due to be updated by Member States in 2020, taking into account the experiences gained during the first cycle.

4. Organisation

The WG DIKE is there to advise the MSCG, and where appropriate the MSFD Committee, on matters related to data, information and knowledge exchange. The WG is a sub-group of the MSCG, in line with Article 7 of the MSCG rules of procedure.

The WG DIKE will be chaired by the Commission and the EEA. A co-chair still needs to be appointed.

Participants to WG DIKE are nominated representatives of the EU Member States, third countries (in particular from EEA and Candidate Countries) and stakeholders which are registered at the MSCG. The criteria in the rules of procedure for membership of the MSCG apply.

The WG DIKE meets at least once a year and, in time to prepare its input to the MSCG meetings. In addition, thematic workshops or specific meetings may be organised, as appropriate. Work can also be undertaken between meetings by way of written exchanges.

The WG DIKE is guided by the MSCG and reports formally on a regular basis to it. The same rules of procedure as for MSCG apply.

The WG DIKE is supported by a Technical Group on Data which is subject to a separate mandate within the MSFD CIS work plan. The TG shall work in close collaboration with WG DIKE; WG DIKE shall set the direction for the TG's work to whom it shall report.

5. Timelines and deliverables

| Task | Indicative timeline | Output |
|--|--|--|
| 1. Oversee the development of a geographical system for handling and disseminating MSFD information, taking into account operational input systems in MS and RSCs | Mid 2017 | Operational system for reporting and for use in WISE-Marine |
| 2. Revised reporting arrangements for Art. 8, 9 and 10 | By mid-2017 | Reporting sheet, guidance and tools/mechanisms |
| 3. Contribute to a WG POMESA recommendation on the interim reporting on Programmes of Measures to be submitted to the Commission before the end of 2018 under article 18 | End 2017 | Recommendations |
| 4. Reporting products relating to the main topics of MSFD implementation (GES, assessment, targets, monitoring, measures) | By end 2018 | Dissemination products for use in WISE-Marine |
| 5. Oversee the development and implementation of common data formats at EU level, building on existing regional data formats and shared data and information systems between MS, RSC and EU levels | End 2018 | Operational common data formats, including integrated with those used by RSCs |
| 6. Contribute to further development of WISE-Marine portal for access to MSFD data and information, linked to BISE, EMODnet, Copernicus, RSC systems and other systems | Phase 1 by the end of 2016 Phase 2 by the end of 2018 | Operational WISE-Marine giving access to MSFD-relevant information and data products from MS, RSCs another sources |
| 7. Review, streamline and harmonise, where appropriate, reporting streams under other EU policies and international conventions | Progressively to 2018 | Streamlined and harmonised reporting of marine relevant data and information |
| 8. Revised reporting arrangements for monitoring programmes under Art. 11 | Progressively to early 2019 | Reporting sheet, guidance and tools/mechanisms |

Work plan to be reviewed periodically in view of progress made and any changes in priorities from MSCG.

6. Links to other activities

The WG DIKE will work closely with WG GES and WG POMESA, contributing within its areas of expertise without duplicating or developing the issues under the responsibilities of the other WGs. WG DIKE will maintain oversight of the work of the Technical Group on Data, receiving regular

reports from it and guiding its ongoing work. The WG DIKE will also maintain oversight of activities which are relevant for its work but which are undertaken in more detail by other groups with more specific expertise, in particular the link to the Water Framework Directive, Birds and Habitats Directives and Common Fisheries Policy and their groups dealing with reporting and data/information issues. The WG DIKE will ensure that the detailed discussions result in comparable and coherent approaches across Member States and will advise the MSCG on such issues, as appropriate. The WG DIKE also plays an important role in bringing together the results of the related work taking place in the Regional Sea Conventions and should be used as a platform to exchange information and improve coherence and comparability between the four regions. The WG DIKE should, as appropriate, foster these collaborations with the view to improving and streamlining data and information flows work and ensure that all relevant expertise is considered. Such cooperation can be achieved through many means, such as joint workshops, etc.

Part 3: Mandate of Working Group on Programme of Measures and Socio-Economic Analysis (WG POMESA)

1. INTRODUCTION

The Marine Strategy Framework Directive (MSFD) states that, as part of the initial assessment, an economic and social analysis of the use of Member State waters and of the cost of degradation of the marine environment (Art. 8.1c MSFD) needs to be carried out. When drawing up the programme of measures, Member States shall also give due consideration to sustainable development and, in particular, to the social and economic impacts of the measures envisaged (Art.13.3 MSFD). There is however an appreciation on the need to develop these requirements of the Directive and their implications for methodology and approach. In the period 2016-2019, the scope of the group should continue to encompass MSFD requirements concerning the management of uses of the marine environment, social and economic assessment (Art. 8.1 c and Art.13.3 MSFD, measures (Art.13 and 15 MSFD), the Art.17 updates as appropriate, and exceptions to achieving GES and environmental targets (Art.14 MSFD). Work on measures and exceptions will closely link with the forthcoming Commissions evaluation under Art 16 MSFD of the programmes of measures and exceptions reported by Member States in 2016. This work will be undertaken by the Working Group on the Programme of Measures and Socio-economic assessment, WG POMESA (formerly WG ESA).

2. Main issues - scope of work

The responsibilities and tasks of this working group are outlined herewith. This work should build on, to the extent possible, existing and applicable methodologies such as those already being used for the implementation of other EU legislative frameworks and of the work under the Regional Sea Conventions relevant to the implementation of the MSFD. The WG POMESA should consider the applicability of these methodologies to MSFD and ensure an adequate representation of interested parties in their development.

WG POMESA should not duplicate the work of other groups. It should identify and focus on a few priorities which it can pursue directly and otherwise rely on the input and expertise from other

groups.

3. Objectives and tasks

Over the 2016-2019 period, the WG POMESA will:

- a. Where necessary, build upon the previously-established common understanding and identify practicable methodologies and approaches to meeting the requirements of Art. 8(1)(c) and Art. 17 of the Directive and provide, as appropriate, recommendations concerning the level of detail required to implement them, taking due account of cost and efficiency considerations;
- b. Where necessary, build upon the previously-established common understanding¹⁶ and identify practicable methodologies and approaches to meeting the requirements of Article 13 (and Art.17) and Annex VI of the Directive and provide recommendations, as appropriate;
- c. Develop by 2017, together with WG DIKE, recommendations concerning the interim report to be submitted by Member States to the Commission before the end of 2018 under Art. 18 describing progress in the implementation of that programme;
- d. Provide a forum for sharing experiences to facilitate the implementation requirements of Article 19 on public consultations and provide recommendations, as appropriate;
- e. In cooperation with WG GES, provide a forum for sharing experiences on the establishment of environmental targets (Art. 10), on the basis of the initial assessment;
- f. Promote communication, cooperation and coordination between marine regions and sub-regions in order to improve the consistency and coherence of social and economic assessments.
- g. As necessary, provide a forum for addressing social and economic matters and issues related to the programme of measures encountered through the implementation of the MSFD;
- h. Work on common data sets on social and economic assessments and, where relevant for measures, in particular for common measures, including the use of common reference years, where possible, in collaboration with WG DIKE .
- i. Work on the connections between MSFD and MSP Directives, to facilitate synergies and coherence between these policies.
- j. Advise on socio-economic assessment aspects of the Commission's work in building up an

¹⁶ Recommendations on Programmes of Measures endorsed by Marine Directors' meeting; MD-2014-2/2-REV

integrated policy assessment capacity based on a freshwater and marine modelling framework (BLUE²), including scenario development, costs and benefits.

- k. Provide input to the development of the reporting system for the interim reporting programmes of Measures, as necessary;

4. Organisation

The WG POMESA is there to advise the MSCG, and where appropriate the MSFD Committee, on matters related to the programmes of measures and the economic and social analysis. The WG is a sub-group of the MSCG, in line with Article 7 of the MSCG rules of procedure.

The working group will be chaired by the European Commission and co-chaired by Sweden and Finland.

Participants to WG POMESA are nominated representatives of the EU Member States, third countries (in particular from EEA and Candidate Countries) and stakeholders which are registered at the MSCG. The criteria in the rules of procedure for membership of the MSCG apply.

Participation from RSCs (secretariats and/or specific contracting parties) and from WFD CIS and MSP expert groups is particularly encouraged to facilitate joint development of information systems and solutions. For specific purposes, additional experts may be invited to discuss specific issues. These experts will be invited in accordance with the MSCG rules of procedure.

The WG POMESA is guided by the MSCG and reports formally on a regular basis to it. The same rules of procedure as for MSCG apply.

The Working Group is expected to meet at least once a year, in time to prepare its input to the MSCG meetings. Further meetings will be subject to necessity, including joint meetings with other working groups. Work can also be undertaken between meetings by way of written exchanges.

5. Timelines & Deliverables

| Task | Link with MSFD provisions | Indicative timeline | Output |
|---|---------------------------|---------------------|--|
| 1. ESA Initial Assessment 2010 guidance review | Art 8.1b-c, 8.2, 8.3 | early 2017 | Updated ESA 2010 guidance, mainly on chapter 5. Possibly other chapters may need revisions due to the revised GES Decision |
| 2. Integrate socio-economic expertise within the 2018 assessments and environmental targets | Art.8, Art.10 | 2017 | Sharing experiences |
| 3. Develop, in cooperation with WG DIKE, a recommendation | Art. 18 | End of 2017 | Guidance document |

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|---|---|---------|--|
| concerning the interim report under Art. 18 | | | |
| 4. Exchange of experience on PoMs | Art.13, Art.14, Art. 17, Art.18, Art.19 | by 2018 | Sharing experiences, using the COM Art.16 assessment report as a starting point. Depending on Art.16 outcome, review existing guidance on Art.13 and 14 implementation in preparation for the update of PoM in 2021. |

Other tasks of interest, to be undertaken as appropriate:

| Task | Output |
|--|--------|
| Defining scientific information needed for economic analysis for the MSFD | tbc |
| Exchange of experiences on socio-economic analysis regarding MPAs and its contribution for MSFD implementation | tbc |

6. Links with other EU activities

The working group shall coordinate its activities with other CIS working groups in order to exchange information and data needed for the analysis.

WG POMESA's work should take into account:

- All other relevant EU policy and legislative frameworks, in particular the Water Framework Directive, the Habitats and Birds directives; the Common Fisheries Policy; the Maritime Spatial Planning Directive and Integrated coastal management; maritime policy; blue economy;
- All other relevant EU policy areas (e.g. energy, maritime policy, blue economy, regional action plans, etc.);
- Relevant EU ongoing projects such as ecosystem services approaches (MAES project); the ongoing project on an EU marine modelling framework; and others.

Part 4: Mandate of Technical Group on Marine Litter (TG Litter)

1. Main issues – Scope of work

Since its inception, when EU Member States requested the setting up of a technical group on marine litter (Marine Directors, 2.12.2010) TG Litter produced *inter alia* the Guidance on Monitoring of Marine Litter in European Seas¹⁷. EU Marine Directors requested on 8.12.2011 a continuation of the technical group based on the roadmap developed as part of the recommendations by the group, emphasising issues related to the identification of sources of marine litter. The WG GES in February 2012 amended slightly the Terms of Reference. Particular focus was given to the harmonisation of protocols including predictions for the cost of monitoring, the further identification of sources of marine litter and the assessment of the harm it causes to the coastal and marine environment. The aim of the work of the TG is to put forward a comparable and consistent interpretation of the concept of Good Environmental Status on marine litter. In 2016 four technical reports are under preparation. TG Litter is expected to play a key role in the follow-up and implementation of the revised GES Decision and MSFD Annex III.

Furthermore, TG Litter should become a hub for knowledge sharing, as well as for disseminating and using the information from research and other marine litter projects (e.g. EU H2020, JPI Oceans) at EU, regional or national level to serve the implementation of the MSFD and for formulating and facilitating the response of the EU and its MS to the marine litter challenge at global level.

2. Organisation

The TG Litter will be chaired by France and co-chaired by JRC and Germany. The TG is a sub-group of the MSCG, in line with Article 7 of the MSCG rules of procedure.

The Group will continue to support Member States in implementing the MSFD with particular focus placed on identifying and collaboratively addressing common evidence gaps, developing and promoting common monitoring and assessment protocols, and the sharing of best practice.

The work of TG Litter will be reported to the Working Groups as appropriate, and ultimately to

¹⁷ <https://ec.europa.eu/jrc/sites/default/files/lb-na-26113-en-n.pdf>

Marine Strategy Coordination Group (MSCG) where relevant actors (Member States, neighbouring countries, international organisations such as regional sea conventions and marine scientific organisations, stakeholder organisations) are represented. The TG Litter is guided by the MSCG and the WG GES and reports on a regular basis to them. The same rules of procedure as for MSCG apply.

Membership

The technical group consists of persons who should be able to:

- a. Demonstrate expertise applicable to the tasks of this work programme,
- b. Demonstrate experience in providing practical scientific advice,
- c. Are aware of EU policies on marine litter and, if possible, international developments
- d. Ensure the range of expertise necessary for the tasks of this work programme.

Regular consideration will be given as to whether the appropriate expertise is available among the members of the group for the issues under consideration.

Participants to TG Litter are nominated by the EU Member States, third countries (in particular from EEA and Candidate Countries) and stakeholders which are registered at the MSCG. The criteria in the rules of procedure for membership of the MSCG apply.

Most of the work of TG Litter will take place via correspondence through a web-based communication tool (Basecamp). TG Litter will have a minimum of one physical meeting per year in order to plan and coordinate the programme of work. Dedicated meetings on specific topics can be organised according to needs and possibilities. Intermediate progress reports will be used to inform the MSCG and working groups, as appropriate.

3. Objectives and tasks

TG Litter will address the following items in the 2016-2019 work plan:

3.1 Finalise the technical reports on:

- Identification of sources of marine litter;
- Modelling of transport mechanisms and pathways of marine litter;
- Socio-economic and environmental harm of marine litter;
- Monitoring of riverine litter.

3.2 Implementation support on open issues, including monitoring guidance and harmonising protocols for assessments

Work will be carried out on the harmonisation of a number of methods which have not yet been fully developed (such as those for microplastics and floating litter), on the specification of protocols in the light of national experiences and international considerations, on the possible establishment of a network for microplastic measurements, on updating of category lists and prioritisation, on a database with litter information from MS (to support assessments and monitoring requirements, the baselines for marine litter as well as identification of trends) and on categorisation of measures to reduce marine litter on cost-effectiveness criteria (in cooperation with WG POMESA). In this context

contribution of the EU waste framework and port reception facilities Directive in marine litter reduction and possible contribution of citizen science (e.g. Marine Litter watch developed by EEA) in monitoring and assessment should be considered.

There are some potential environmental impacts arising from marine litter which are not currently being considered, for example due to a lack of monitoring or uncertainty over how best to approach the issue i.e. assessing levels of entanglement or ingestion of litter by target species such as marine mammals or shellfish. The group will identify where potential gaps in our understanding exist and develop proposals for assessment and monitoring to address them in a coordinated, realistic and cost effective manner.

3.3 Revised GES Decision

TG Litter has already contributed considerably to the revision of the GES Decision (2010/477/EU). Based on a comprehensive study and assessment of MS reports under MSFD, TG Litter's work on baselines should be stepped up with a view to establishing baselines for quantities of litter and quantities in marine compartments including biota.

Such work will support the implementation of the revised GES Decision and improve future MS MSFD reporting on Descriptor 10 and assist the development of the EU-wide litter reduction target by 2020 (as required by 7th EAP).

3.4 Science - policy interface

The TG will review on-going research efforts from the angle of the support they can provide to MSFD implementation in the field of marine litter and contribute to their dissemination. Based on this, TG Litter can prioritise and propose further research needs as an input to the science agenda related to the MSFD. The TG will make important research findings available to the MSCG and the Member States.

3.5 Communication exchange platform for regional sea action plans

Three of the four Regional Sea Conventions (HELCOM, OSPAR, Barcelona) have developed and are implementing Regional Action Plans on marine litter. For the Black Sea, work on an Action Plan has

started. With the active contributions of RSCs, TG Litter can act as a platform to exchange knowledge and experiences for these regional sea action plans and to support their implementation across the EU. The group could also identify measures from Regional Action Plans that are suitable for implementation across the EU, and trigger processes that enable their adoption at EU level.

3.6 International aspects

In carrying out the above-mentioned work items, the need to comply with commitments that the MS have undertaken at global level, in particular to implement the SDGs and for a significant reduction of marine litter by 2025 (Rio+20), will be considered.

TG Litter will, to the extent possible, take into account international developments, in particular regarding the follow-up of the G7 Action Plan on marine litter and of the UNEA-2 resolutions¹⁸, keeping in mind the necessity of coherence between EU and global developments as well as the desirability to present in international fora a coordinated position of the EU and its MS.

3.7 Reporting

Interim reports will be required prior to the meetings of the appropriate working group or MSCG, as required. These brief reports should indicate the status of the technical group work.

4. Timelines and deliverables

| Tasks | Indicative timeline | Output |
|---|---------------------|--------------------------------------|
| 1. Work on the development of threshold values as provided for under the revised GES Decision | 2018 | TG Litter advice |
| 2. Develop baselines for quantities of litter and quantities in marine compartments including biota | 2017 | TG litter report and recommendations |

¹⁸ Resolution 2/11 on marine plastic litter and micro-plastics <http://web.unep.org/unea/list-resolutions-adopted-unea-2>

| | | |
|---|---------|--------------------------------------|
| 3. Further develop/update monitoring guidance, including harmonised protocols for assessments | 2018 | TG litter report and recommendations |
| 4. Provide guidance on international developments, as appropriate | Ongoing | TG Litter advice |
| 5. Finalisation of above-mentioned ongoing technical reports (See pt.3.1) | 2016 | TG litter report |
| 6. Drawing on other reports and best available knowledge, develop a technical report summarising the different policy-relevant issues such as the assessment of quantities, pathways, accumulation of marine litter, microplastics. | 2017 | TG litter report |

5. Links to other activities

Links with other groups or processes should be established, as appropriate; for example, a linkage with the WG Chemicals under the WFD CIS exists for setting up monitoring litter in river basins. ICES surveys can provide useful information through the annual surveys for fish stock assessments and fish diseases. Interaction and synergies should be sought in particular with the EEA.

Part 5: Mandate of Technical Group on Underwater Noise (TG Noise)

1. Main issues – scope of work

In 2011, a technical group on underwater noise was set up according to a mandate by the Marine Directors of 2.12.2010. The Technical Sub-Group on Underwater Noise (now called TG Noise) in 2012 provided a report clarifying the purpose, use and limitation of the indicators in the 2010 GES Decision and described methodology that would be "unambiguous, effective and practicable".

The TG Noise subsequently identified potential priority work items for support to the operational implementation of Descriptor 11. In 2013, the main focus of TG Noise was on developing a practical guidance for monitoring and noise registration for Member States. This guidance provided EU Member States with the information needed to set up monitoring in their marine waters, as required in the MSFD. In 2014, TG Noise provided further advice to MSCG on the actual progress of monitoring and recommendations on priorities for the review of the Commission Decision.

Since 2015 TG Noise has been working on the upcoming Art.8 MSFD assessment and Art.10 MSFD target setting, while keeping in mind that further efforts are still necessary on the implementation of monitoring programmes, thereby enabling Member States to make an improved assessment of their progress towards achieving GES, in particular for the Mediterranean Sea and Black Sea regions.

In the Baltic Sea and North-East Atlantic Ocean regions, a register for impulsive noise is now available at ICES. There is also an opportunity to set up joint monitoring programmes for ambient noise from the onset; proposals are now being developed at a European scale.

2. Objectives and tasks

During 2016-2019, TG Noise will pursue the following tasks:

a. to assist Member States and RSC in the implementation of operational monitoring

Monitoring and assessing underwater noise is a complex issue which requires dedicated expertise. The TG Noise will assist Member States on a number of issues related to monitoring and assessment, such as:

- Establishing the monitoring of continuous noise in a (sub)region;
- Establishing and interpreting the data in the noise registers;
- Applying agreed criteria to provide advice on additional indicators for noise and other forms of energy;
- Provide input to and follow-up on the revised GES Decision with regard to Descriptor 11;
- Assessment of Good Environmental Status;
- Review outcomes of relevant projects.

b. to develop advice to Member State on future assessment and target-setting, following a thematic workshop.

c. to develop work on environmental impacts of noise and noise pressure indicators. A guide on

environmental impacts of noise and use of propagation models to predict the recipient side of noise was published in 2015 following a European-funded project. Follow-up actions would need to be addressed on pressure indicators and on the development of thresholds for key marine species.

d. to organise workshop on impacts - TG Noise will organise a thematic workshop to assess the data collected by monitoring of underwater noise and to provide advice on how these data can be used to obtain a better understanding of the environmental impacts of underwater noise.

e. regional coherence - active coordination between new initiatives in different regions to ensure coherence and complementarity will continue. Support the Regional Sea Conventions in their endeavour to develop coordinated monitoring and Regional Action Plans.

3. Organisation and membership

The TG Noise will be chaired by the Netherlands and the United Kingdom. The work of the technical group on underwater noise will be reported to the appropriate working group or MSCG, as required.

Membership

The technical group consists of persons who have:

- a. Demonstrated expertise applicable to the tasks of this work programme,
- b. Demonstrated experience in providing practical scientific advice,
- c. Ensuring the range of expertise necessary for the tasks of this work programme.

Participants to TG Noise are nominated by EU Member States, third countries (in particular from EEA and Candidate Countries) and stakeholders which are registered at the MSCG. The criteria in the rules of procedure for membership of the MSCG apply. Additionally, experts may be invited to certain meeting on a specific topic (for example electromagnetic fields).

The TG Noise is guided by the MSCG and the WG GES and reports formally on a regular basis to them. The same rules of procedure as for MSCG apply. Most of the work of the technical group will be done by correspondence. The technical group will have a minimum of one physical meetings per year, to ensure work is planned and coordinated efficiently. Intermediate progress reports will be used to inform the MSCG.

3. Timelines and deliverables

| Tasks | Indicative timeline | Output |
|---|---------------------|-----------------|
| 1. Work on the development of threshold values as provided for under the revised GES Decision | 2018 | TG Noise advice |
| 2. Support Member States and Regional Sea Conventions in the establishment of monitoring programmes <ul style="list-style-type: none"> • Work with Regional Sea Conventions on the | continuous | TG Noise advice |

| Tasks | Indicative timeline | Output |
|--|---------------------|--|
| development of the noise register <ul style="list-style-type: none"> • Work with Regional Sea Conventions on developing a joint monitoring programme for continuous noise | | |
| 3. Identify relevant outcomes from ongoing and future projects and initiatives for the implementation of MSFD | 2016-2017 | Communication paper to MSCG |
| 4. Contribute to WG GES in the preparation of Member State's future assessments under Art. 8 & 9 and Art.11 monitoring | 2016 | Contribution to Art.8 guidance |
| 5. Contribute to WG POMESA in the preparation of Member State's future assessments, measures and associated targets under Art. 8, 10 and 13. | 2016, 2018 | Contribution to WG POMESA papers |
| 6. Further work on the understanding of the impact of underwater noise on marine fauna; Advice on the use of the data obtained by monitoring programmes to characterise the potential impact to marine fauna | 2016-2017 | Workshop (2016) & TG noise advice for further work on pressure and impact indicators, in particular with regard to key species |
| 7. Review TG Noise monitoring guidance | 2018 | Updated guidance |

4. Links to other activities

Liaison with RSCs

The work of TG Noise is related to activities undertaken in Regional Sea Conventions with regard to setting up a register of loud impulsive noise and the development of a joint monitoring programme for continuous noise, though not exclusively. TG Noise provides the link between existing regional initiatives (OSPAR ICG Noise), BIAS (HELCOM) and other Member States in regions where initiatives are now under development, e.g. ACCOBAMS (Barcelona Convention).

Part 6: Mandate of Technical Group on Marine Data and IT (TG Data)

1. Main issues – Scope of work

Due to the technical nature of certain aspects of the remit of WG DIKE, the Technical Group on Marine Data provides a platform for the necessary discussions on data and IT-related issues and preparation of suitable material for WG DIKE (or other WGs as appropriate) to consider. This TG Data mandate is of a general nature; WG DIKE plenary meetings will provide the opportunity to discuss more specifically what the technical group will do in the following period.

The work of TG Data will lead to recommendations on issues requiring specific technical expertise related to:

- a. Accessing data and information according to MSFD Art. 19(3), in the context of WISE-Marine and associated to INSPIRE, EMODnet, and other relevant processes and projects;
- b. Geographic handling and visualisation of reported information;
- c. Technical development of WISE-Marine, including linkages to other reporting requirements (e.g. for Regional Sea Conventions, Water Framework Directive and the Nature Directives), and preparation of dissemination products, including mapped information;
- d. Technical development of decentralised reporting methods and systems.

2. Organisation

The Technical Group will be chaired by the European Environment Agency and France, with participation open to Member States and to stakeholder organisations who are members of the MSFD CIS. Due to the technical nature of the TG, the specific representatives of each Member State or stakeholder organisation can differ from those attending WG DIKE. Participation from RSCs is particularly encouraged to facilitate work on the development of certain common data standards for information systems. For specific purposes, additional experts may be involved and be used as a reservoir of expertise for discussing specific issues. The selection of these experts will be decided in consultation with the TG chairs and, when appropriate, with the Member States.

The TG is a sub-group of the MSCG, in line with Article 7 of the MSCG rules of procedure. The Technical Group is guided by the MSCG and reports on a regular basis to WG DIKE. The same rules of procedure as for MSCG apply.

3. Objectives and Tasks

The group may meet once or several times per year, depending on the demand from WG DIKE to progress on particular topics, with timing set to suit preparation of material to be presented to WG DIKE. Additionally, work can be undertaken intersessionally by correspondence. General principles are:

- In order to ensure alignment of activities with those of WG DIKE, TG Data will report to and receive direction from WG DIKE;
- Where appropriate, TG Data's recommendations should be forwarded to MSCG for consideration and/or adoption;
- The European Environment Agency will prepare meetings and draft minutes of the meetings for consideration by the Technical Group and finalise the minutes on the basis of comments received;

- Participants can submit written documents for the consideration of the Technical Group, e.g. comments on draft products;
- The work undertaken by TG Data will need to consider other relevant initiatives, such as those set in the INSPIRE Directive, WISE-Marine, EMODnet and others;
- All documents, presentations and minutes shall be made available via the European Commission's CIRCABC facility and the EEA Forum.

TG Data will support WG DIKE during 2016-2019 and will pursue the following tasks and objectives:

- Undertake a scoping exercise for the priorities issues identified at MSCG and other working groups as appropriate;
- Work on existing practices on data and metadata management;
- Defining scenarios for improving data and metadata management;
- Development of scenarios and tools where appropriate, while facilitating the sharing of good practice;
- Work on communication, awareness-promotion and actor involvement.

4. Timelines and deliverables

| Tasks ¹⁹ | Indicative timeline | Output |
|--|---------------------|--------|
| 1. Set and exchange existing practices on the prioritised data sets on the data and metadata management: including work on: <ul style="list-style-type: none"> a. determining the relevant indicators or parameters for the data and metadata structure/format; b. determining data actors; c. determining existing data flows and usage. | End 2017 | Report |
| 2. Defining scenarios for better sharing and usage of data, including associated cost-benefit analyses | End 2017 | Report |

¹⁹ These are headline tasks and further detail will be developed by TG Data, in consultation with WG DIKE

| | | |
|---|------|-------------------|
| (scenarios to be proposed to WG DIKE) | | |
| 3. Developing tools and common approaches for data formats (e.g. marine litter, underwater noise register, NIS) taking into account existing frameworks | 2018 | Report |
| 4. Communicating on common approaches/format/ways of handling data | 2018 | Guidance document |

4. Links to other activities

The work in the technical group is also related to activities undertaken in EMODnet projects²⁰ and addressed in the EMODnet-MSFD Coordination Meetings. Thus, invitations can be extended, when appropriate, to the EMODnet Secretariat, EMODnet Steering Committee or to representatives of the EMODnet projects. In addition, contributions from other large-scale activities like Copernicus marine service or relevant research projects can be invited.

²⁰ Note: the Commission and EEA are unable to cover expenses for participation by members of EMODnet projects in TG Data meetings.

Regional Sea Conventions

The MSFD recognises the diversity, dynamics and complexity of the marine ecosystems as well as these features having no fixed boundaries. In defining GES in article 3(5) the MSFD makes it explicit that “Good environmental status shall be determined at the level of the marine region or subregion as referred to in Article 4, on the basis of the qualitative descriptors in Annex I. Adaptive management on the basis of the ecosystem approach shall be applied with the aim of attaining good environmental status”. To facilitate the implementation of the MSFD, marine regions and subregions have been identified under Article 4, taking into account hydrological, oceanographic and biogeographic features.

The MSFD requests the Member States to apply a regional approach. In some cases these regions coincide fully or partially with the units used within the framework of the Regional Sea Conventions. Therefore the MSFD requires that Member States “use existing regional institutional cooperation structures, including those under Regional Sea Conventions (RSCs), covering that marine region or subregion” in their implementation process, given that the objectives of these conventions and the MSFD are similar. This means that there needs to be a certain alignment of the processes between the CIS process and that of the RSCs, namely the Helsinki Convention (HELCOM), the Oslo-Paris Convention (OSPAR), the Barcelona Convention (UNEP MAP) and the Bucharest Convention (BSC).

The EU is a contracting party to the first three of these conventions; the coordination of implementation of MSFD at a regional scale is the most important EU’s commitment to these conventions and it is therefore important to recall regional cooperation and coordination²¹ within the meaning of Art. 6 MSFD. Moreover, the EU has and is still investing both financial and human resources in RSCs. This investment is measured against the return it provides in terms of contributing to the achievement of the GES at the subregional and regional level and, where possible, the use of RSC deliverables by Member States in their obligations under the Directive.

It should be acknowledged that the dynamics of each regional configuration differ, be it for instance in terms of structure or maturity of work in a given area. On the one hand, the overlap with the implementation of the MSFD is therefore not homogenous across the RSCs. On the other hand, there

²¹ The formal coordination of EU positions ahead of RSC meetings for which the EU is a contracting party is however done through the relevant Council working party (WPIEI).

is scope to streamline the work to avoid duplication and inefficiencies. Streamlining the work can be beneficial for the Member States that are engaged in both the EU and the Regional Sea Conventions. This need has often been stated in the context of ongoing work and also featured in the previous Common Implementation Strategy work programme.

The rationale behind enhancing cooperation at regional level in the context of the MSFD is to be found in the characteristics of the marine ecosystem, that (1) the need for a certain degree of coherence in the way we assess, monitor and carry out actions within (and across) regions; and (2) certain topics and problems that need to be addressed and that are not confined within national boundaries. In this respect, this document has tried to include and relate to the regional dimension in its various sections. Rather than envisaging the work of the Regional Sea Conventions as a parallel process, regional work and MSFD implementation complement each other with the aim to fulfil the same marine environmental objectives.

Synergies within and between marine regions should therefore continue.

The diversity across Regional Sea Conventions however means that closer interaction between working and expert groups cannot be predetermined altogether but needs to be established by means of a pragmatic approach. Nevertheless, processes that have proved to be successful should be continued and where possible emulated.

In addition to its financial dues as contracting party to three of the Regional Sea Conventions, the EU provides them with financial assistance in terms of voluntary contributions, grant agreements and other financing mechanisms. This additional assistance is provided in order to help Member States in developing their regional commitments as provided for by the MSFD, including assistance to develop so-called 'roof-reports'. Similar assistance goes to two Member States that are part of the Regional Sea Convention to which the EU is not party.

In the context of the drafting of this work programme, Regional Sea Conventions have been invited to provide their input to this work programme based on the document and discussions held at MSCG (see Annex 1).

Annex: Input from the Regional Sea Conventions

PART 1: HELCOM information of relevance to the MSFD CIS work programme 2016-2019

Introduction

The HELCOM Baltic Sea Action Plan (BSAP) adopted by HELCOM in 2007 is a joint programme for the Contracting Parties to achieve a Baltic Sea in Good Environmental Status by 2021.

In 2010, HELCOM Ministerial Meeting established, for those HELCOM Contracting States being also EU-Member States, the role of HELCOM as the coordinating platform for the regional implementation of the EU Marine Strategy Framework Directive (MSFD) in the Baltic Sea region. Since this agreement, HELCOM has produced several products for the dual purpose of supporting the implementation of the BSAP and the MSFD e.g. the initial HELCOM holistic assessment (2010), the HELCOM monitoring manual (2014), and the Joint documentation on regional coordination of measures (2016).

The implementation of HELCOM activities is organized through the work of eight main Groups. The HELCOM Group for the Implementation of the Ecosystem Approach (HELCOM GEAR) was established in 2012 with the purpose to steer on a managerial level the process of implementation of the HELCOM BSAP, to serve as a regional instrument for the national work of the HELCOM EU Contracting States in implementing the EU Marine Strategy Framework Directive, and to coordinate with activities under the Maritime Doctrine of the Russian Federation. The Group also has the task to ensure coherent and streamlined implementation of the ecosystem approach in such a way that it contributes towards reaching of good environmental status of the Baltic Sea by the year 2020/2021.

Among the technical HELCOM Working Groups, State and Conservation has the responsibility of the monitoring and assessment activities in HELCOM. In 2013, the HELCOM Monitoring and Assessment Strategy was updated and at that time taking into account also the requirements of the MSFD. Quantification and identification of pressures from land is carried out under the Pressure Working Group and consideration of measures towards achieving Good Environmental Status is coordinated through work of several HELCOM Groups, including Fish (ecosystem-based sustainable Fisheries), Agri (sustainable Agricultural practices) and the Maritime and Response Working Group. The HELCOM working structure thus covers technical aspects of all key components of the MSFD, with the exception of economic and social analysis that is currently considered under projects.

Specific activities are at times taken forward by Working Groups but more typically by time-limited projects or through established HELCOM expert groups and networks.

The Roadmap of HELCOM activities on ecosystem approach, outlines ongoing and planned HELCOM activities until 2021. The new update of the roadmap will be presented for endorsement by HELCOM 37-2016. The below sections describe activities of HELCOM, ongoing and planned, which are relevant to the draft work programme of MSFD Common Implementation Strategy in 2016-2019.

MSFD CIS: Objectives and main deliverables

The draft MSFD CIS work programme recommend that the strategy over the coming two years should be geared towards answering “**where we stand with our progress to reach Good Environmental Status**”. Several ongoing HELCOM activities can contribute to this objective, notably the following.

Development of core indicators

HELCOM has developed 24 indicators, with associated GES boundaries being developed, that can be used to evaluate individual indicators or be included in thematic assessments to evaluate progress towards GES in the Baltic Sea region. While features of the indicators such as species and habitats may be specific for the Baltic Sea region, the principles of the indicators can explored also for other marine regions. Indicator reports are being made available at the [HELCOM web-site](#) as they are finalized.

Ongoing relevant activities on the HELCOM Roadmap :

- Further development of core indicators and GES (13)
- Pressure indicator development (16)

Development of tools for assessing status of and pressure on the marine environment

HELCOM has worked towards development of tools for assessing the status of the marine environment for more than a decade and has also developed approaches to assessing pressures on the marine environment. Tools for assessment of biodiversity, hazardous substance and impact of pressures are being further developed by projects in 2016. The tool HEAT 3.0 is already in use for assessing the status of eutrophication. The tools are generic in their structure and can be used in other marine regions.

Ongoing relevant activities on the HELCOM Roadmap :

- Development of assessment tools (29), which is taking place through the EU co-financed projects HELCOM BalticBOOST (biodiversity and hazardous substances) and HELCOM TAPAS (Baltic Sea Impact Index) projects co-financed by EU.

Assessing the status of the Baltic Sea

A coordinated activity to assess the status of the Baltic Sea is carried out through the HOLAS II project with the aim of producing a 2nd HELCOM Holistic assessment that can also be used for purpose of Article 8 reporting in 2018 by EU Member States. Several ongoing HELCOM activities will feed into the project.

Ongoing relevant activities on the HELCOM Roadmap :

- Holistic Assessment (HOLAS II) (30)
- Thematic assessment on radioactivity (21)
- Assessment of submerged hazardous objects (22)
- Assessment of the state of pharmaceuticals (23)
- Assessment of coastal fish status (24)
- Maritime assessment (27)

Specific contribution to proposed deliverables from MSFD Working Groups

The draft CIS work programme includes a number of possible work items and deliverables for MSFD CIS working groups 2016-2019, addressing also measures and environmental targets. Activities from the HELCOM Roadmap that can contribute and be of use in relation to these deliverables and actions have been indicated in Addendum 1.

MSFD CIS: Coordination with other policies

The draft MSFD CIS work programme highlights the importance of coordination with the implementation of other policies.

Ongoing relevant activities on the HELCOM Roadmap :

- With view to harmonize assessments carried out under the BSAP and different EU directives, a case study based on seal data will be carried out under the HELCOM BalticBOOST project. The assessment strategies/criteria from the MSFD and the Habitats directive will be used and the outcome compared. And based on the outcome, advice will be given to HELCOM and the European Commission.
- Guidance²² regarding how to consider the WFD assessment criteria and indicators for coastal waters is taken into consideration when developing the HELCOM assessments for e.g. eutrophication, hazardous substances and biodiversity. In this work, issues that would benefit from better coordination between assessments in coastal and offshore waters is being identified and the experienced gained can be shared with the European Commission.

MSFD CIS: Prioritisation of actions

The Marine Directors held in spring 2015 identified a number of priorities to be considered in the future CIS work programme. Tentative input from HELCOM to the theme “Working together” is indicated in the right most column.

²² e.g. Review of the GES Decision 2010/477/EU and MSFD Annex III – cross-cutting issues (version 5).

Table 1: "Principles" of work identified by Marine Directors

| Working together <i>Directors meeting: Riga 26-27 May 2015</i> | | HELCOM input |
|--|--|---|
| Implementation | Harmonise approach between EU & regional level | HELCOM experts already share their knowledge and contribute to the MSFD CIS Working Groups and Technical Groups. Several HELCOM assessment tools already existing or currently being developed can be used at the European level. |
| Duplication of efforts & obligations | Avoid conflicting or uncoordinated timelines | This is addressed by HELCOM GEAR WG. |
| External dimension | Foster cooperation with non-EU countries, among RSCs & international organisations | HELCOM cooperates continuously with ICES on several issues, including projects, and work towards harmonization with OSPAR through joint meetings and expert groups (see also section on Synergies). |

MSFD CIS: Technical Groups

HELCOM has greatly benefited from TG Litter and TG Noise work, and synergies have already been captured e.g. through the joint meeting of OSPAR/HELCOM/EU groups on noise in September 2015.

Ongoing relevant activities on the HELCOM Roadmap :

- HELCOM will within the BalticBOOST project develop principles for target setting for impacts of underwater noise, the principles could be of use in other marine region. This could be HELCOM specific contribution in 2016. **(15)**
- In the development of HELCOM core indicators for marine litter, baseline setting will be considered and methodologies developed that can be shared **(13)**

Work items for the Technical groups under the MSFD CIS is provided in Annex 2 with tentative input from HELCOM added.

MSFD CIS: Synergies within and between marine regions

Exploiting synergies have been highlighted based on (1) a need of a certain degree of coherence at the way we assess, monitor and carry out actions within (and across) regions; and (2) since certain topics are not confined to a national boundary.

To reach coherency in monitoring, assessment and actions is the key objective of activities listed and agreed in the Roadmap of HELCOM activities on the ecosystem approach.

Existing coordination contributing to synergies include:

- Joint ICES/OSPAR/HELCOM working group on birds,
- Joint meetings between HELCOM and OSPAR on development of indicators
- Joint databases (HELCOM and OSPAR on noise)

- Harmonized databased (HELCOM and OSPAR on Marine Protected Areas).
- Contribution to operationalizing Marine-WISE (HELCOM EUTRO-OPER project)

Addendum 1: Tentative HELCOM input 2016-2019 to MSFD CIS main deliverables

Origin of table is from draft MSFD CIS working programme, document MSCG_17-2015-08²³, “Table 2. Possible work items involving working groups 2016-2019”. A column with tentative HELCOM input has been added. Number in parenthesis is activity according to the most recent version of the Roadmap (HOD 49-2015).

| Deliverable | Action | HELCOM outputs |
|---|---|---|
| Programmes of measures & exceptions (Art.13 & 14) | Submission | HELCOM is finalizing “ Joint documentation of regional coordination of Programmes of Measures in the Baltic Sea area ” to be used by EU Member States that wishes to do so. (34) |
| | Follow-up: identify common issues at regional and sub-regional levels | Depending on how this action should be interpreted; the “ Joint documentation ” has already identified common issues and future joint actions. They are planned to be started and at least partly implemented in the period 2016-2018. (34) |
| | Sharing best practice on Programmes of measures implementation | Potentially for HELCOM to facilitate, especially for e.g. transboundary issues |
| | State of EU's Marine Environment report (Art.20.3) | HELCOM 2nd Holistic assessment: contribution to Article 20.3b regarding state of the Baltic Sea. (30) |
| | Technical work on assessments feeding into Art.20.3(b) report | Depending on how this action should be interpreted; HELCOM could provide input to technical guidance to integrated assessments of biodiversity and hazardous substances, e.g. through EU co-financed project BalticBOOST and TAPAS: |

²³ The table has been edited for the purposes of this document to retain those elements which have been identified relevant by HELCOM.

| Deliverable | Action | HELCOM outputs |
|--|---|---|
| | | Development of assessment tools (29) and existing assessment frame works e.g. on eutrophication Operationalization of eutrophication assessment system (18) |
| | Update & improve links in the assessment of pressures & impacts, socio economic analysis and status | The development of ESA framework in HOLAS II will be linked to the assessment of status and pressures. Social and economic analysis of HOLAS II (31) |
| Roof reporting | Develop a framework, within the context of a possibly revised GES revision for roof reporting | Structures developed for HELCOM core indicators and 2 nd Holistic assessment: Further development of core indicators and GES (13) HELCOM 2nd Holistic Assessment (30) |
| | Increase marine knowledge base, including modelling toolbox | HELCOM contribution e.g. to formulating policy-relevant agenda for project calls under BONUS? |
| | More efficient exchange of data between Member States, RSCs, Commission and EEA | Theme 4 of EU co-financed HELCOM TAPAS project: Workspaces for data and information access |
| | <i>Develop specific guidance to support 2018 assessment of Art.8</i> | HELCOM could provide input to technical guidance planned for the finalization of the common understanding document, e.g. through EU co-financed project BalticBOOST and TAPAS: Development of assessment tools (29) |
| Update of assessment of marine waters (Art.17/Art.8) | Member States to define national and regional status to ensure coherence | HELCOM 2nd Holistic Assessment (30) |
| | Monitoring and assessment of environmental state (Art. 8.1.a&b) | Depending on how this action should be interpreted, HELCOM can contribute with technical guidance. Development of assessment tools (29) |
| | Monitoring and assessment of environmental state: uses & activities, cost of degradation (Art. 8.1.c) | Depending on how this action should be interpreted, HELCOM can contribute with technical guidance. Development of assessment tools (29) Social and Economic analysis of HOLAS II (31). |
| Priority setting | Redefinition of priorities per region, sub-region or MS | Roadmap of HELCOM activities on ecosystem approach |
| Update of determination of GES (Art.17/9) | MS to GES at national and (sub-)regional level to ensure EU-level coherence | GES for Baltic Sea region is defined jointly for HELCOM core indicators Further development of core indicators and GES (13) Operationalization of core indicators (19) |
| | Work towards achieving consistency in GES determination at EU level | HELCOM contribution to WG-GES |
| Update of environmental targets (Art.17/10) | MS to reset targets at national and (sub-)regional level to ensure coherence; RSCs | Joint principles for environmental targets seafloor integrity and underwater noise (BalticBOOST) (15) Pressure indicator development (16) |

Addendum 2: Tentative HELCOM input 2016-2019 to Technical Working Groups

Origin of table is from draft MSFD CIS working programme, document MSCG_17-2015-08, "Table 3: Possible work items for technical groups". A column with tentative HELCOM output has been added. Number in parenthesis is activity according to the most recent version of the Roadmap (HOD 49-2015).

| Possible work items for TG Litter | HELCOM outputs |
|--|--|
| Work on developing baseline for marine litter and identification of trends | Will be carried out regionally in the development of HELCOM core indicators in marine litter: Operationalization of core indicators (13) |
| Updating of category lists and prioritisation | Will be carried out regionally in the development of HELCOM core indicators in marine litter and associated monitoring protocol. Review and revision of monitoring guidelines (2) |
| Harmonisation of methodologies | As above. |
| Developing an appropriate database to support assessments and monitoring requirements | Tentatively of interest for HELCOM. |
| Interaction with Regional Sea Conventions (e.g. through joint workshops) | Of interest for HELCOM to participate. |
| Possible work items for TG Noise | |
| Work with Regional Sea Conventions on the development of noise registers | Development of the joint HELCOM/OSPAR register agreed and ongoing |
| Work with Regional Sea Conventions on developing a joint monitoring programme for ambient noise | A joint monitoring programme for for the Baltic Sea region has been proposed HELCOM by the Life-BIAS project and is under consideration by the State and Conservation Working Group during 2016. |
| Extract relevant outcomes from ongoing and future projects and initiatives for the implementation of MSFD | Relevant outcomes from the HELCOM BalticBOOST project will be available at end of 2016. Joint principles for env. targets for Sea floor integrity and underwater noise (BalticBOOST) (15) |
| Further work on the characterisation of the Underwater noise impact on marine fauna | Relevant outcomes from the HELCOM BalticBOOST project will be available at end of 2016. |
| Possible work items for TG Data (unchanged from work programme 2013-2015) | |
| Accessing data and information according to MSFD Art. 19.3, in the context of WISE-Marine and associated to INSPIRE, EMODnet, and other relevant processes and projects | Further development of HELCOM Data services within EU co-financed projects BalticBOOST and TAPAS |
| Technical development of WISE-Marine, including linkages to other reporting requirements (e.g. for Regional Sea Conventions, Water Framework Directive and the Nature Directives), and preparation of dissemination products, including mapped information | HELCOM indicator data products to be made compatible for inclusion in WISE-Marine (TAPAS) |

PART 2: OSPAR information of relevance to the MSFD CIS work programme 2016-2019

OSPAR has detailed its contribution to the Common Implementation Strategy in a number of documents, notably in its document "Initial OSPAR contribution to the EU-MSFD Common Implementation Strategy work programme for 2014 and beyond"²⁴.

As indicated at the 18th meeting of the Marine Strategy Coordination Group, OSPAR would like to retain the reference to this document for the purposes of this work programme. In this respect, it is also important to highlight the document "Finding common ground. Towards regional coherence in implementing the Marine Strategy"²⁵.

Other documents detailing to the contribution of OSPAR to the implementation of the MSFD, and hence of relevance to the Common implementation Strategy may be accessed here -

<http://www.ospar.org/work-areas/cross-cutting-issues/msfd/ospar-msfd>.

²⁴ http://www.ospar.org/site/assets/files/33143/initial_ospar_contrib_eu-cis_november_2013.pdf

²⁵ <http://www.ospar.org/documents?d=7305>

PART 3: Barcelona Convention (UNEP-MAP) information of relevance to the MSFD CIS work programme 2016-2019

1. Introduction

For the past forty years, the United Nations Environment Programme Mediterranean Action Plan (UNEP/MAP) and the “Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean” (Barcelona Convention) with its seven Protocols have represented the legal and policy framework for the protection of the marine environment and coastal areas.

The UNEP/MAP-Barcelona Convention system provides a unique legal and political framework in the Mediterranean region in the area of environmental protection, including all Mediterranean riparian countries and the European Union as its Contracting Parties. This framework is an effective way to ensure coherence and basin-wide integration and cooperation, also considering that the majority of Contracting Parties are not EU Member States.

An alignment of the CIS process with the instruments and work of the MAP system is highly desirable, as an essential element to ensure the coherent and efficient achievement of their respective goals.

The outcomes of the recent 19th Meeting of the Contracting Parties to the Barcelona Convention (COP 19) include a package of strategic documents²⁶ of direct relevance to the achievement of Good Environmental Status in the Mediterranean region, as follows:

- UNEP/MAP Mid-Term Strategy 2016-2021;
- Mediterranean Strategy for Sustainable Development 2016-2025;
- Sustainable Consumption and Production Regional Action Plan;
- Mediterranean Offshore Action Plan;
- Regional Strategy for Prevention of and Response to Marine Pollution from Ships 2016-2021;
- Regional Action Plan on Sustainable Consumption and Production in the Mediterranean;

²⁶ <http://www.unepmap.org/index.php?module=content2&catid=001011009>

- Regional Climate Change Adaptation Framework for the Mediterranean Marine and Coastal Areas;
- A very ambitious Integrated Monitoring and Assessment Programme of the Mediterranean Sea and Coast and Related Assessment Criteria (IMAP);
- A Roadmap for a Comprehensive Coherent Network of Well-Managed Marine Protected Areas to Achieve Aichi target 11 in the Mediterranean;
- Several sets of Guidelines and Action Plans; and
- UNEP/MAP Programme of Work and Budget 2016-2017 (IG. 22/20) on various specific points, which are relevant not only to the achievement of GES, but also to the MSFD CIS Programme, including the development of a Quality Status Report (QSR) in 2017.

2. *The Ecosystem Approach Process of the MAP System*

The adoption of IMAP at COP 19 is the outcome of the coordinated efforts of all the Contracting Parties, in line with the Ecosystem Approach roadmap of the UNEP/MAP-Barcelona Convention. The latter was developed by COP 15 in 2008 (Decision IG. 17/6) with the following key steps:

1. Definition of an Ecological Vision for the Mediterranean;
2. Setting of common Mediterranean strategic goals;
3. Identification of important ecosystem properties and assessment of ecological status and pressures;
4. Development of a set of ecological objectives corresponding to the Vision and strategic goals;
5. Derivation of operational objectives with indicators and target levels;
6. Revision of existing monitoring programmes for ongoing assessment and regular updating of targets;
7. Development and review of relevant action plans and programmes.

In line with the above EcAp Roadmap, Decision IG. 17/6 set the following Ecological Vision: “A healthy Mediterranean with marine and coastal ecosystems that are productive and biologically diverse for the benefit of present and future generations”.

Subsequently, the Contracting Parties to the Barcelona Convention agreed on the strategic goals to achieve this vision and on 11 Ecological Objectives (EO) and matching operational objectives, indicators and targets (EcAp Roadmap steps 2-4-5). An expert level Initial State of the Mediterranean Marine and Coastal Environment Report assessed the key ecosystem properties and the ecological status and pressures in 2012 on the regional and sub-regional level (EcAp Roadmap step 3). Good Environmental Status descriptions and integrated indicators and targets were set in Decision IG. 21/3 and a specific process was agreed on how to develop an integrated monitoring and assessment programme for the Mediterranean Sea and Coast (EcAp Roadmap steps 5-6).

During 2014-2015 the work focused on thematic monitoring expert groups (CORMONs) on the integration and simplification of the indicators, which led to agreeing on a set of region-wide common indicators, which are the basis of the IMAP (EcAp Roadmap step 6).

After agreeing on the principles and the framework of an integrated monitoring and assessment in the Mediterranean at COP 19, key next steps for 2016-2017 are the following:

- To strengthen country-based national monitoring programmes and make them integrated, to cover all areas of IMAP monitoring (this task is supported by the EU-funded EcAp-MED II project in Southern Mediterranean Countries);

- To strengthen the UNEP/MAP Information and Data-Sharing system and make it capable to match the requirements of IMAP (supported by EcAp-MEDII project and by UNEP/MAP Programme of Work 2015-2016);
- To deliver a Quality Status Report based on MAP EcAp-based EO and related common indicators.

The ecosystem approach has become an integral part and overarching principle of the Mid-Term Strategy 2016-2021 and Programme of Work 2016-2017 of UNEP/MAP, and of its policies and strategies. An important role in this effort is being played by the the EcAp Coordination Group set up by Decision IG.20/4 to guide the EcAp implementation and the specific technical groups tasked to undertake expert-level work for the refinement of GES and targets, for addressing monitoring issues, and for dealing with socio-economic elements respectively.

3. Common Aims and Differing, but Compatible Timetables

The EcAp Roadmap and Articles 5, 8, 9, 10, 11 and 13 of the MSFD show the same aim (achieving GES) and similar approach (cyclical work, building on existing legislation) and key steps for implementation. Important considerations to enhance alignment are the following:

Coherence among GES definition, targets and indicators, monitoring and assessment work on regional/sub-regional level;

Co-operation between EU and non-EU countries of the same sub-region/region;

Capacity-building, to promote common capacities and ownership of the process;

Data-sharing principles and practices to be put into practice.

Regional instruments, strategies and policies of the UNEP/MAP Barcelona Convention are relevant not only for the achievement of GES but also for the implementation of the 2030 Agenda for Sustainable Development and the SDGs, and specifically SDG 14. Furthermore, coordination is also ensured at UNEP/MAP with the overall UNEP Programme of Work and efforts are being made to strengthen cooperation efforts with relevant global Multilateral Environmental Agreements.

The following table summarizes the main stages of the EcAp Roadmap of the UNEP/MAP-Barcelona Convention and of the MSFD, based on how they foresee the achievement of GES. In case of the MSFD, action is being taken by EU countries only, while the EcAp process is applicable to all riparian countries of the Mediterranean as Contracting Parties of the Barcelona Convention.

The adoption of IMAP has been a key achievement for the EcAp process in the Mediterranean region, which sets out the monitoring framework based on common regional indicators, in certain cases with related assessment criteria. During this initial phase of the IMAP implementation (2016-2019), work is ongoing at the country level (updating of monitoring programmes to be fully in line with IMAP – this is supported by the EU-funded EcAp-MEDII project) and at the regional level (refinement of monitoring criteria and whenever possible, agreement on baselines and thresholds). The different timelines and starting points of the EcAp process of the MAP system and the EU MSFD implementation are important considerations to be taken into account in the definition of the CIS.

Table 3.1: Summary and comparison of key steps to achieve GES

| STEPS | EU MSFD | UNEP/MAP-Barcelona Convention EcAp Roadmap |
|---|--|--|
| Initial Assessment | Undertake on MS level (2012) MSs should keep up to date (review their assessment by 2018) | Undertake on regional and sub-regional level |
| Determine GES | Undertake on MS level (2012) MSs should keep up to date (review them by 2018) | Regional level GES descriptions available in Decision IG.21/3 Further refinement of GES is ongoing in CORMON groups during the initial phase of IMAP implementation (2016-2019) |
| Determine Targets and Indicators | Undertake on MS level (2012) MSs should keep up to date (review them by 2018) | Indicators and targets have been determined on regional level (Decisions IG. 20/4 and Decision IG. 21/3) |
| Establish Monitoring | Undertake on MS level (2014, to be reviewed in 2020) | IMAP Decision (IG.22/7) was agreed at COP19 in 2016, setting an integrated monitoring and assessment framework for the Mediterranean sea and coast, on the basis of 23 common and 4 candidate indicators Country level monitoring programmes are currently being updated, in order to be in line with IMAP (with the support of the MTF and the EcAp-MEDII project in the Southern Mediterranean) A Science-Policy Interface was created by EcAp-MEDII Project, with the aim to transfer key scientific developments into the EcAp policy process and IMAP national implementation |

| STEPS | EU MSFD | UNEP/MAP-Barcelona Convention EcAp Roadmap |
|-------------------------|---|--|
| Develop measures | EU MSs to develop country level measures based on priorities of MSFD by 2015-2016 | <p>A gap analysis was concluded and presented to COP19 in light of the UNEP/MAP-Barcelona Convention measures and their links to GES targets (UNEP(DEPI)/MED WG.420/5)</p> <p>The UNEP/MAP Barcelona Convention undertook already some key efforts to streamline GES targets and ecosystem approach in the Programmes of Measures adopted in the framework of Barcelona Convention and its Protocols:</p> <ul style="list-style-type: none"> • Regional Plan on Marine Litter; • SAP BIO; • Regional Strategy to Combat Pollution from Ships; • Action Plan to Implement Offshore Protocol; • Update of NAP under the LBS Protocol to design national PoM to achieve GES <p>EcAp is the overarching principle the UNEP/MAP-Barcelona Convention MTS (2016-2021) and 2016-2017 POW</p> <p>The current POW also foresees the preparation of “a Midterm Review of the implementation of the EcAp application Roadmap including a policy paper on potential additional and integrated programmes of measures to achieve GES in the Mediterranean also taking into account climate change”</p> |
| Operate measures | Country level measures to start operating by 2016 | <p>Country-level implementation of IMAP is being supported both by the POW and by the EU funded EcAp-MEDII project (aiming to assist Southern Mediterranean Contracting Parties to update their country level monitoring programmes in line with IMAP)</p> <p>Marine litter related measures are being supported in the Southern Mediterranean, to implement the Marine Litter Regional Plan, in cooperation with the Black Sea Convention (Marine Litter MED Project)</p> <p>UNEP/MAP-Barcelona Convention also supports the ActionMED project, as the Project Partner leading on Programme of Measures related activities</p> |

| STEPS | EU MSFD | UNEP/MAP-Barcelona Convention EcAp Roadmap |
|---------------------------------------|---|---|
| Cyclical assessment/ amendment | <p>European Commission assessed meeting Dir. Objectives regarding GES/targets/indicators/assessments in 2013 (looking also at coherence) and Measures in 2016</p> <p>July 2018: Article 17 Updates of Article 8-9-10</p> <p>October 2020: Update of Monitoring Programmes</p> <p>March 2022: Programme of Measures update</p> | <p>2016-2021: 2nd EcAp cycle</p> <p>2017: Quality Status Report, common indicator fact sheet based assessment</p> <p>Activities in UNEP/MAP Programme of Work 2016-2017: “Operationalize an internal MAP task force to draft the QSR, peer review with CP and scientific community (Cormon meetings), Establish and organize Steering Committee meetings, documents preparation”</p> <p>MAP Task Force on QSR had its first meeting, table of contents of QSR are being developed and to be presented to first CORMON in October 2016</p> <p>GES targets and indicators: possible review at COP 20, based on work of CORMONS</p> <p>2023: Quality Status Report, building fully on the new IMAP data</p> |

UNEP/MAP has been participating in the various MSFD technical groups to ensure mutual benefits and synergies between UNEP/MAP and EU policy development. UNEP/MAP inputs and presence in the various technical groups relevant to our work will continue, despite limited human resources.

Establishing synergies both inside the Mediterranean region with key partners (such as the General Fisheries Commission for the Mediterranean) and among regions, especially with other Regional Sea Conventions (RSCs), is a key priority for the UNEP/MAP-Barcelona Convention under its current POW.

UNEP/MAP coordinates with other RSCs both through the UNEP global RSCs meetings and coordination structure and through specific bilateral meetings. Recently, special efforts have been made to cooperate among the European RSCs, specifically on marine litter.

PART 4: Black Sea marine region

The Convention on the Protection of the Black Sea against Pollution (Bucharest Convention, 1992) was signed by all riparian countries of the Black Sea. Bulgaria and Romania are EU Member States, and 3 Contracting Parties are accession states (Turkey, Georgia and Ukraine), and Russia as third country.

It has to be underlined that only Bulgaria and Romania have obligations for the implementation of the Marine Strategy Framework Directive in the Black Sea marine region.

In this light the coordinated monitoring programmes and joint or coordinated measures were planned with support of the project "Technical and administrative support for joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania"(phase I and II) (project was funded by DG.ENV).

In the period 2016 -2017, the draft roof report for the next reporting cycle was elaborated under project "Technical and administrative support for joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania" (phase III). In this context both Member States will revise the outcome of first reporting cycle (Art. 8, 9, 10) and update the results till 2018. Taking into account the missing data and based on COM' recommendations BG and RO will develop a roadmap to approach these issues.

During the bilateral meeting held in March 2016 under the Agreement between Ministry of Environment and Water of the Republic of Bulgaria and Ministry of Environment and Water Management of Romania on Cooperation in the Field of Water Management (Bucharest, 2004) both countries agreed for further coordination on the MSFD implementation.

It must be pointed out that the results of the project (phase I and II) were presented during the meetings of Advisory Group for Conservation of Biological Diversity and Advisory Group Pollution and Monitoring Assessment of the Black Sea Commission. The aim of these interventions was to use the results to improve the activities of both groups.

Till 2018, the Black Sea Permanent Secretariat has two very important objectives, namely starting the implementation of the updated Black Sea Integrated Monitoring and Assessment Programme (BSIMAP) and finalise the draft Action Plan of Marine Litter for the Black Sea marine region.