



Key EU requirements for marine biodiversity

MARCO-BOLO co-creation workshop

23 May 2024

ENV.C2

Pressures

Habitats

- Several **fishing activities** causing sea floor degradation and destruction
- **Eutrophication, contaminants, litter and NIS** causing adverse effects
- Coastal and offshore **infrastructure** developments

Species

- **Bycatch** and incidental killing
- **Fishing activities** causing reduction of prey and disturbance
- **Pollution** from mixed sources including contaminants and litter.
- Marine mammals suffer also from **noise pollution** and shipping lanes causing **ship strikes** (also valid for reptiles)
- Birds are pressed from **tourism, illegal killing and hunting, bycatch** and **alien species**



Photo: Pixabay.com

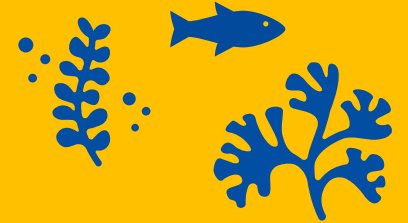
Restoration needs

- At least **46.000 km²** of marine habitats is in need of restoration (but for appr. **70%** of total area the habitat condition is unknown)
- **Marine Atlantic:** highest restoration needs
- For **36%** of habitats and **28%** of species the taken measures aim to restoration



Marine Strategy Framework Directive

Main objective: achieving good environmental status

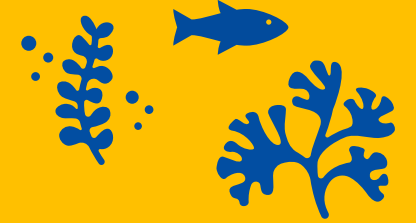


Main elements of the marine strategies

- Monitoring and data collection
- Assessment of status
- Adoption of measures to reach GES and targets



Marine Strategy Framework Directive - Biodiversity



Commission Decision (EU) 2017/848

- Species (mammals, birds, cephalopods, turtles, fish)
 - Bycatch (links to Common Fisheries Policy + Marine Action Plan)
 - Abundance (links to Habitats Directive)
 - Demographic characteristics (fish and cephalopods – same as)
 - Distributional range (same as Habitats Directive)
 - Habitat of species (same as Habitats Directive)
- Habitats (benthic, pelagic)
 - Condition of habitat type (links to Habitats Directive and WFD – and proposed NRL)
 - Extent of adverse effects and loss (for benthic habitats only – linked to proposed NRL)
- Ecosystems, food webs
 - Diversity of trophic guild
 - Balance in total abundance between trophic guilds
 - Size distribution of individuals
 - Productivity of trophic guilds



Examples with marine mammals – assessment needs under MSFD as identified in Article 8 guidance



- Elements: All species listed in Annexes II, IV and V of the Habitats Directive must be included, which are all marine mammal species.
- Spatial scale: assessment at ecologically relevant spatial scales for the species. Different populations in the same assessment area should be assessed separately.
- Temporal scale: six-year period for 2024 assessment should be 2016–2021.
- Threshold values: must be consistent with the overall management goal defined in Article 1 of Habitats Directive (i.e. Favourable Conservation Status which is connected to viability, range and habitat of a species).
- Integration rules: criteria → assessment at species level → assessment at species group level.



Habitats Directive – Article 17 reporting

Focus: **Conservation status** and **trends** of habitat types (Annex I) and species (Annex II, IV, V)

Measuring distance from a ‘good’ situation (need for FRVs)

Underpinning data are collected

Member States make one assessment for each habitat / species per national part of biogeographic level.

EU-Biogeographic -level assessment is made by EEA.

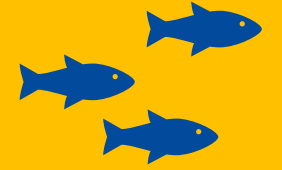
Assessment of conservation status is done using a matrix

Annex E - Assessing conservation status of a habitat
General evaluation matrix (per biogeographical/marine region within a MS)

Parameter	Conservation Status			
	Favourable ('green')	Unfavourable - inadequate ('amber')	Unfavourable - bad ('red')	Unknown (insufficient information to make an assessment)
Range (within the biogeographical/marine region concerned)	Stable (loss and expansion in balance) or increasing AND not smaller than the 'favourable reference range'	Any other combination	Large decline: Equivalent to a loss of more than 1% per year within period specified by MS OR more than 10% below favourable reference range	No or insufficient reliable information available
Area covered by habitat type within range	Stable (loss and expansion in balance) or increasing AND not smaller than the 'favourable reference area' AND without significant changes in distribution pattern within range (if data available)	Any other combination	Large decrease: to a loss of more than 1% per year within period specified by MS OR More than 10% below favourable reference area	No or insufficient reliable information available
Specific structure and functions (including typical species)	Structures and functions (including typical species) in good condition and no significant deteriorations / pressures	Any other combination	More than 25% below favourable reference population OR Reproduction, mortality and age structure strongly deviating from normal (if data available)	No or insufficient reliable information available
Future prospects (as regards range, area covered and specific structures and functions)	The habitats prospects for its future are excellent / good, no significant impact from threats expected; long-term viability assured	Any other combination	Area of habitat is sufficiently large (and stable or increasing) AND habitat quality is suitable for the long-term survival of the species OR Habitat quality is bad, clearly not allowing long-term survival of the species	No or insufficient reliable information available
Overall assessment of CS	All 'green' OR three 'green' and one 'unknown'	One or more 'amber' but no 'red'	One or more 'red'	Two or more 'unknown' combined with green or all 'unknown'

Annex C - Assessing conservation status of a species
General evaluation matrix (per biogeographical/marine region within a MS)

Parameter	Conservation Status			
	Favourable ('green')	Unfavourable - inadequate ('amber')	Unfavourable - bad ('red')	Unknown (insufficient information to make an assessment)
Range (within the biogeographical region concerned)	Stable (loss and expansion in balance) or increasing AND not smaller than the 'favourable reference range'	Any other combination	Large decline: Equivalent to a loss of more than 1% per year within period specified by MS OR more than 10% below favourable reference range	No or insufficient reliable information available
Population	Population(s) not lower than 'favourable reference population' AND reproduction, mortality and age structure not deviating from normal (if data available)	Any other combination	Large decline: Equivalent to a loss of more than 1% per year (indicative value MS may deviate from if duly justified) within period specified by MS AND below 'favourable reference population' OR More than 25% below favourable reference population OR Reproduction, mortality and age structure strongly deviating from normal (if data available)	No or insufficient reliable information available
Habitat for the species	Area of habitat is sufficiently large (and stable or increasing) AND habitat quality is suitable for the long-term survival of the species	Any other combination	Area of habitat is clearly not sufficiently large to ensure the long-term survival of the species OR Habitat quality is bad, clearly not allowing long-term survival of the species	No or insufficient reliable information available
Future prospects (as regards to population, range and habitat availability)	Main pressures and threats to the species not significant; species will remain viable on the long-term	Any other combination	Severe influence of pressures and threats to the species; very bad prospects for its future, long-term viability at risk.	No or insufficient reliable information available
Overall assessment of CS	All 'green' OR three 'green' and one 'unknown'	One or more 'amber' but no 'red'	One or more 'red'	Two or more 'unknown' combined with green or all 'unknown'



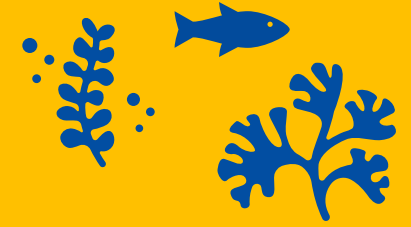
Examples: marine mammals status

Unknown assessments prevail under MSFD

Ecosystem component	Species group	In GES	Not in GES	Not assessed
Marine mammals	Small-toothed cetaceans	3%	53%	44%
	Deep-diving toothed cetaceans	8%	25%	67%
	Baleen whales	15%	31%	54%
	Seals	18%	47%	34%

Unknown assessments prevail under Habitats Directive

- 59% of species: unknown conservation status
- 76% of species and 58% of habitats: unknown trends
- Marine mammals with 78% unknowns



Our needs

- MORE DATA for species, habitats, pressures, activities (as per Annex III MSFD and Commission Decision (EU) 2017/848 + Birds and Habitats Directive + Action Plan prioritisation)
- BETTER DATA → innovative, coordinated and harmonised data collection programmes within and between Member States
- MORE TRANSPARENT AND ACCESSIBLE DATA → information, enforcement, accountability.



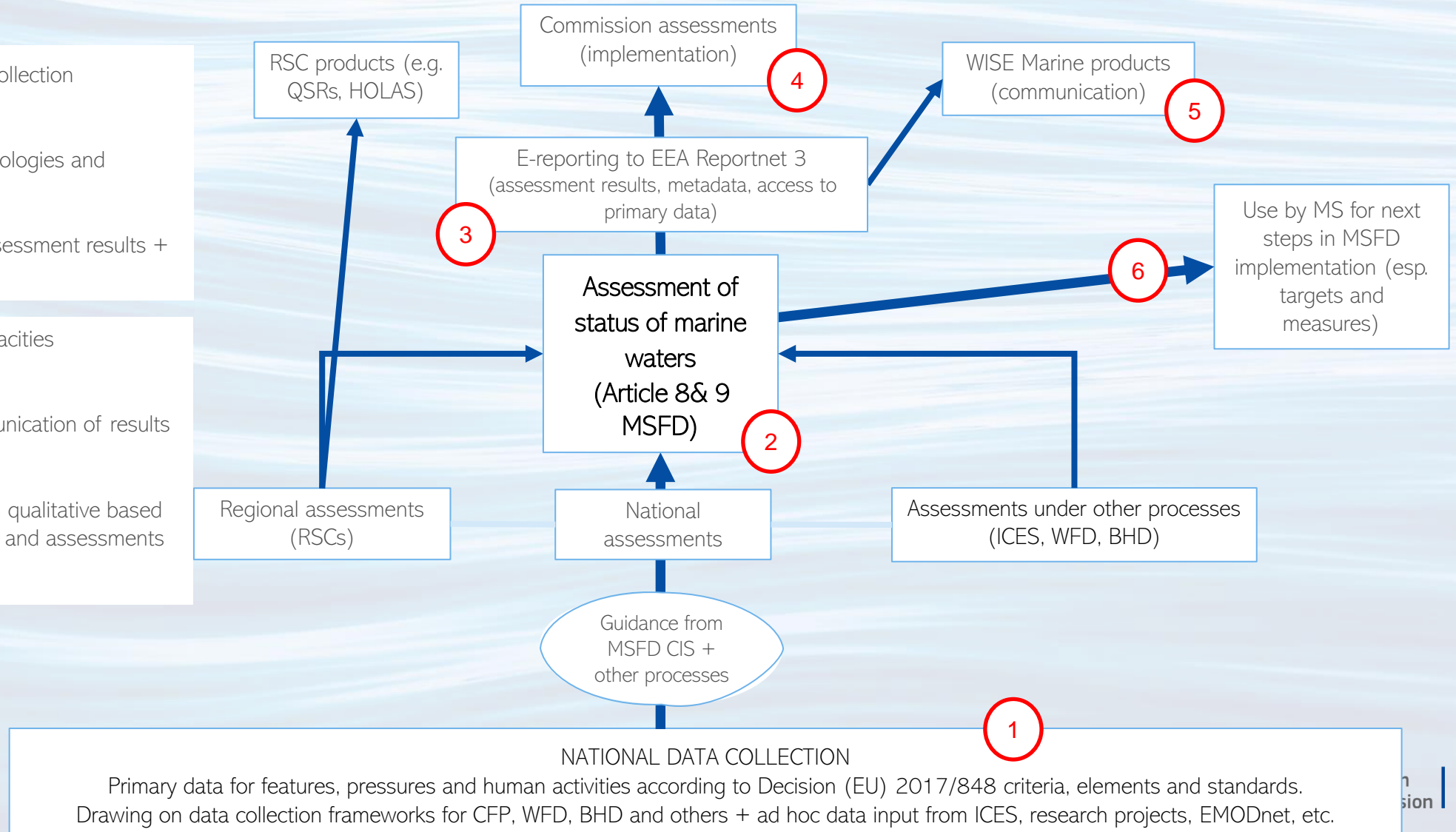
Better assessments and better measures



Improved state of the marine environment

MSFD – data flows

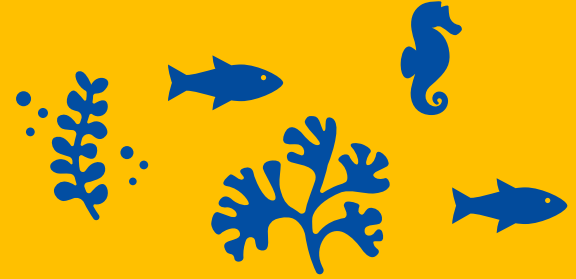
- 1 Different monitoring & data collection standards/methodologies
- 2 Different assessment methodologies and threshold values
- 3 Incomplete e-reporting of assessment results + poor access to primary data
- 4 Reduced implementation capacities
- 5 Difficult or incomplete communication of results
- 6 Targets and measures remain qualitative based on qualitative GES definitions and assessments



Primary data for features, pressures and human activities according to Decision (EU) 2017/848 criteria, elements and standards. Drawing on data collection frameworks for CFP, WFD, BHD and others + ad hoc data input from ICES, research projects, EMODnet, etc.



MSFD Review



Evaluation by end of current mandate

Impact assessment and possible legislative proposal during next mandate

Objective: contribute to protection and preservation of the marine environment

Specific objective on increasing policy coherence and data management.

Underlying objective of any REFIT review: decrease administrative burden.

Thank you



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