



Marine Strategy Framework Directive (MSFD)

Common Implementation Strategy (CIS)

MSFD CIS work plan for 2012/2014 and beyond

(As agreed by Marine Directors 5 June 2012)

Summary

This document sets out the proposed work plan for the years to come (2012/2014 and beyond). This document is the steering document for the CIS. It gives the long term mandate of the Working Groups.

It addresses the required deliverables under the MSFD and the needs for exchange and discussion related to these deliverables. The main objectives of the Working Groups are presented in chapters 4-7. Annex 4 contains the rolling work plan which gives an overview of the planned workshops and other events. This will be updated regularly.

Future work of the Common Implementation Strategy (CIS) for the Marine Strategy Framework Directive (MSFD)

Work plan for 2012/2014 and beyond

1. Introduction

At the MSCG meeting of November 2011 and Marine Directors' meeting in December 2011, a number of recommendations were discussed with regard to the future work plan of the MSFD CIS (2012/2013 and beyond). These recommendations were:

Recommendation 1: Communication and linkages should be ensured between the different groups and subgroups:

- Enhanced integration between the three WG
- Involvement of experts from WG GES, WG ESA or WG DIKE to ensure coordination with socio-economic and reporting aspects, particularly for major topics

Recommendation 2: Organize the work of WG GES along major topics (biodiversity and contaminants/nutrients)

- Allow for more detailed technical discussions on biodiversity and contaminants/nutrients
- Necessary to find ways to mobilize thematic expertise such as in the TSG Marine Litter and Underwater noise

Recommendation 3: Organizing biodiversity work requires specialized attention

- Effective progress only possible if organized into manageable packages
- A risk based approach might help to set priorities
- Future work on monitoring and measures is related to major types of pressure in Table 2 Annex III.

The Marine Directors took note of the proposals and agreed there should be a closer relationship between the three working groups and to have more expert discussions, for which workshops could be used rather than extending the number of permanent groups. Also, use should be made of knowledge developed in the Regional Sea Conventions and synergies should be further enhanced.

The Marine Directors invited the Commission to prepare a draft work programme for 2012 – 2014 for the next Marine Directors' meeting (June 2012), taking into account the suggestions made, the specific work programmes agreed earlier and following consultation with the MSCG.

This document addresses the required deliverables in the years to come (towards 2020) and the needs for exchange and discussion related to these deliverables. The objectives and tasks of the CIS Working Groups are presented in chapters 4-7. **Annex 4** contains the rolling work plan which gives an overview of the planned workshops and other events.

2. Tasks to be preformed in the coming years

After the deliverables of 2012 by Member States, the MSFD implementation moves into the next phase.

The following (main) official deliverables are defined in the Marine Directive (see also Annex 1 of the Commission Staff Working Paper¹):

- The Commission has to assess by 2013 whether the elements notified by MS on Art. 9 (includes report for Art. 8) and 10 constitute an appropriate framework to meet MSFD requirements and notify MS of the assessment and any modifications it considers necessary (Art. 12).
- In 2013, MS have to make publicly available, in respect of each marine region or subregion, relevant information with regard to spatial protection areas contributing to coherent and representative networks of marine protected areas. They also have to address individually or jointly, the competent authority or international organization [regarding management of a human activity at EU or international level] for consideration and possible adoption of measures that may be necessary to achieve the objectives of the MSFD (Art. 13.4-13.6).
- By July 15th 2014, MS should establish and implement a monitoring programme for ongoing assessment and regular updating of targets in accordance with Art. 11 (Art. 5.2a (iv)).
- The Commission has to arrange for the adoption in 2014 at the latest of specifications and standardised methods for monitoring and assessment which take into account existing commitments and ensure comparability between monitoring and assessment results (Art. 11.4).
- By 2015 latest, MS have to develop a programme of measures designed to achieve or maintain good environmental status in accordance with Art. 13 (1,2,3) (Art. 5.2b(i)).
- MS have to inform the Commission by 2015 latest of issues which have an impact on the environmental status and which can not be tackled at national level, or which is linked to another EU policy or international agreement (Art.15).
- The Commission can, by 15th July 2016 at the latest, revise the COM Decision on criteria and methodological standards (COM 2010/477/EU preamble 4).

3. CIS structure

To develop the above mentioned deliverables, meetings with MS experts and with stakeholder representatives will continue to be necessary. The present structure of CIS with MSCG, WG GES, WG DIKE and WG ESA and technical subgroups (currently on Noise and Marine litter) is kept. In addition some meetings could have the form of workshops which bring together the required expertise.

¹ European Commission (2011) Relationship between the initial assessment of marine waters and the criteria for good environmental status. Commission Staff Working Paper, SEC(2011) 1255.
http://www.cc.cec/home/dgserv/sg/sgvista/i/sgv2/repo/repo.cfm?institution=COMM&doc_to_browse=SEC/2011/1255.

When taking into account the required deliverables of the coming years and the discussion at the last WG GES (7th February 2012), a list of possible topics has been identified. It will continue to change as needs arise. Depending on the topic, the most proper forum (i.e. which CIS group) or work format (meeting, workshop, conference) can be chosen in order to have the best expertise or combination of expertise (for instance between WG GES and WG ESA or WG DIKE) available at the meeting or to have the most needed outcome as a result of such a meeting (for instance an advice to a Working Group or a proposed decision by Marine Directors). **Annex 3** gives a list of identified topics and workshops.

Proposals and revisions for the meeting schedules and allocation of possible topics (e.g. for workshops), taking into account discussions with MS, will be sent each half year to the MSCG and MD for their endorsement.

These proposals will be coordinated with Regional Sea Conventions (RSCs) secretariats and with those MS who are offering hosting and/or organizing special meetings.

In general, regular meetings are:

- Minimum twice a year MSCG, prior to the Marine Directors meeting
- Minimum twice a year WG GES
- Minimum once a year WG ESA
- Minimum twice a year WG DIKE

The draft meeting plan for 2012 is enclosed in **Annex 1**.

The draft meeting plan for 2013 is enclosed in **Annex 2**.

4. MSCG

4.1 Introduction

The MSCG has been established for the co-ordination of the different working groups and activities under the common implementation strategy, to create synergies and to assure that cross-cutting issues are addressed. The MSCG will evaluate the outcome of the different working groups and prepare documents and reports for the Marine Directors' meetings and give guidance to the key activities. The MSCG operates on the basis of this overall work plan.

It is foreseen that the Art. 12 assessment will identify gaps in information and knowledge. To address these gaps, the Regional Sea Conventions should play an important role (see the document on Art. 12 assessment). MSCG is best placed to exchange views on how and where best to address these gaps and coordinate this with the work of RSCs.

The MSCG will be chaired by the Commission. The MSCG and its working groups are formed by participants of all Member States. EEA countries and candidate EU countries can participate as observers. NGOs and stakeholders may be invited as observers and/or consulted, according to similar rules as in the WFD process. The chairs of the working groups and the technical subgroups should participate in meetings of the MSCG where relevant to the agenda.

4.2 Objectives of MSCG

The specific objectives of the MSCG are:

- to monitor the work progress of the activities under the Common Implementation Strategy;

- to co-ordinate the activities and establish and discuss linkages between the different working groups, technical subgroups and workshops;
- to provide guidance on emerging questions from the working groups;
- to help prepare the Marine Directors' meetings, so that Directors are able to give guidance to the MSCG on the Common Implementation Strategy where this is necessary;
- to coordinate the work of the CIS with the work of the Regional Sea Conventions (this task need will be refined in a separate chapter after discussion with Marine Directors);
- to develop the common implementation strategy further, where necessary.
- to coordinate those parts of the work of related policies and strategies which have a direct relationship with the aims and objectives of the MSFD (see chapter 8).
- To overview the work to be done by a future steering group which oversees the MSFD related projects to be implemented under the Integrated Maritime Policy (see chapter 8)

5. WG GES

5.1 Introduction

The Working Group will address, whenever appropriate, issues of application of the Directive by Member States, focussing on the aspects of 'consistency' and 'comparability' as provided for in MSFD Art. 5.2. In this activity, the Working Group will take account of MS activities in the Regional Sea Conventions, with particular focus on common approaches within and between marine regions, seeking synergies and the avoidance of duplication of efforts.

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

5.2 Objectives of WG GES

- To continue the development of common approaches for determining GES;
- Address the linkages between the Habitats Directive, Birds Directive, Water Framework Directive, Biodiversity Strategy and MSFD in relation to the definition and achievement of GES and associated objectives in the other directives;
- Develop common approaches in relevant areas of the Directive, including in establishing environmental targets in order to ensure consistency of GES across all marine regions/subregions;
- Address gaps in knowledge and information, in collaboration with WG DIKE, and gaps in coherence;
- Initiate the development of a framework for coordinated monitoring programmes which will deliver data to assess whether GES and associated environmental targets are being achieved, in close cooperation with WG DIKE;
- Address the development of programme of measures, in collaboration with WG ESA;
- Reviewing GES criteria and their assessment.

Under the WG GES, two Technical Subgroups are dedicated to respectively work on marine litter and on underwater noise and other forms of energy. Their Terms of References have

been discussed in WG GES and can be found at CIRCA as Doc WG GES 8/2012/5 rev. February 2012 and Doc WG GES 8/2012/6 rev. February 2012.

Having the experience in mind from the workshop of 24/25 April 2012, it is proposed to address issues related to descriptor 3 and the fisheries related indicators including the aspects relevant to the Biodiversity Strategy (see section 8.1) within the WG GES and call for ad-hoc workshops of fisheries experts (similar to the Paris workshop) as necessary.

6. WG ESA

6.1 Introduction

The Working Group has been set up to support Member States in meeting the economic and social assessment requirements of the Directive and ensuring consistency and coherence of approaches. In line with its Terms of Reference, the focus of the work so far has been on facilitating a common understanding of the economic and social analysis of the use of those waters and of the cost of degradation of the marine environment (Art. 8.1.c). The Working Group is also a forum for addressing other social and economic matters covered by the Directive (social and economic impacts of targets and measures, cost-effectiveness, cost-benefit analyses, disproportionate costs, see MSFD Annex IV, Art. 13.3 and Art. 14.4). This activity will increase in importance in the years to come.

The WG ESA will be co-chaired by the United Kingdom, Sweden and the Commission. The UK and SE will continue to lead the intercessional work and to chair the meetings. SE will continue as secretariat for the group; organizing the meetings, preparing the draft agenda to be approved by the co-chairs and preparing the draft minutes of the meetings.

6.2 Objectives of WG ESA

- To analyse lessons learnt from Member States' initial economic and social assessment and conclusions from related activities under the Regional Seas Conventions. In light of this, review and as necessary update the WG ESA guidance document on initial assessment.
- Consider approaches to development and analysis of measures in close cooperation with WG GES and drawing on experience from the WFD/CIS, in particular:
 - Socio-economic analysis of potential common measures needed to close the gap between BAU and targets for GES.
 - Exchange of information and experience on approaches to assessing social and economic impacts of measures, including cost-effectiveness, cost-benefit analyses and application of disproportionate cost.
- Identify priorities for research and address knowledge gaps to support social and economic matters covered by the Directive.
- Promote communication, cooperation and coordination between marine regions and sub-regions in order to improve the consistency and coherence of social and economic assessments.
- Facilitate cooperation and links between WG ESA and other MSFD CIS work.

7. WG DIKE

7.1 Introduction

The Working Group has a number of responsibilities set out in its Terms of Reference relating to (a) MSFD requirements for a data and information sharing platform / reporting facility; (b) WISE-Marine, (c) taking full advantage of parallel developments regarding marine observation and data sharing systems, (d) support to other indicator-based assessments of the marine environment, and (e) knowledge exchange.

In 2012, its focus is on development and implementation of the reporting system for MSFD (for Art. 8, 9 and 10) and establishing effective mechanisms to access the data and information that are used in assessments and monitoring programmes (Art. 19.3). This will include developing links to processes under EMODnet and INSPIRE. Beyond 2012, the working group will focus on developing the use of the reported information (e.g. aggregation of information to regional and European scales), developing access to data and information according to Art. 19(3), developing reporting for Art. 11 (monitoring) and Art. 13 (measures), and progressively improving the data and reporting process in time for 2018 assessments.

The WG DIKE will be chaired by the Commission, with Slovenia and the EEA as co-chairs.

7.2 Objectives of WG DIKE

The Working Group will, in relation to the challenges of data, information and knowledge exchange for the purpose of MSFD implementation:

- Develop and implement a WISE-Marine implementation plan, to guide the reporting, use and dissemination of data and information arising from the MSFD;
- Define a clear specification for the scope and content of WISE-Marine, including leading the development of associated WISE-Marine reporting sheets, and the necessary service and software architecture designed to serve multiple reporting needs;
- Lead in integrating WISE-Marine with other reporting process, such as INSPIRE, State of Environment reporting, and reporting under the Water Framework, Habitats and Birds Directives;
- Identify and address knowledge gaps and needs;
- Assist the Commission, when necessary, in developing any formal Commission proposal on notification / reporting modalities.

8. Further policy developments

There are a number of EU policies under development which are related to the MSFD.

8.1 Biodiversity

One of the targets of the EU Biodiversity Strategy (COM(2011)244) is Target 4 Biodiversity Target 4: Ensure the sustainable use of fisheries resources. The aims are: "to achieve Maximum Sustainable Yield (MSY) by 2015 and to achieve a population age and size distribution indicative of a healthy stock, through fisheries management with no significant

adverse impacts on other stocks, species and ecosystems, in support of achieving Good Environmental Status by 2020, as required under the Marine Strategy Framework Directive ²".

To support the implementation of this EU Biodiversity Strategy, the WG GES could be used as the platform where coordination of marine input can take place. The WG GES will act as part of the governance structure, the so called Common Implementation Frame (CIF), of the EU 2020 Biodiversity strategy as its marine policy pillar.

The Co-ordination Group for Biodiversity and Nature (CGBN) will function as the operational steering group for the implementation of the EU 2020 Biodiversity Strategy. Its primary task should be to review outputs of the working group (e.g. reports, guidance, methodological tools and other deliverables).

WG GES should assess how the work can best be addressed (which group is most appropriate, using which means e.g. through workshops similar to the workshop on descriptor 3, held recently in Paris). The results would feed into the MSCG and CGBN and the Nature Directors in addition to the Marine Directors.

In a similar manner, the work done under the Habitats and Birds Directives within its N2000 Marine expert group and the Expert Group on reporting could be linked to work in the MSFD CIS, for example in linking work on marine protected areas.

8.2 Marine Litter

Marine litter is a topic which draws much attention lately and at which there are quiet a number of developments. The document under agenda item 4 gives an overview of EC policies, legislation and initiatives. Relevant aspects in relation to the MSFD implementation are certainly the following:

- Discussion on target setting

So far, no EU reduction target exists or is envisaged. However, in the context of the preparations for Rio+20, discussions are held within the EU to develop more concrete target. The upcoming reporting under the MSFD on the initial assessment and the determination of Good Environmental Status and environmental targets and the ongoing projects should allow developing a baseline for the EU in 2013 which could be used to set an EU-wide reduction target.

- Stakeholder involvement and coordination of activities at Global, EU

The European Commission organised a workshop on marine litter in Brussels on 8 November 2010, bringing together the main players, such as policy-makers, NGOs, the science community and the (plastics) industry. In a results-oriented and open discussion, stock was taken of the state of the marine environment with regard to marine litter and the latest scientific insights of its (potential) effects. Possible solutions to the marine litter problem were also explored. After this workshop, discussions with stakeholders from industry and relevant sectors continued to stimulate the initiation of voluntary actions to reduce marine litter. Involvement of governmental representatives in this process is of utmost importance. It is foreseen that a high level follow-up meeting with MS, stakeholders and NGO's will take place later this year. Active involvement of the MSCG to bring together the most relevant parties is appreciated.

² Related action 14 b: "The Commission and Member States will support the implementation of the Marine Strategy Framework Directive, including through providing financial incentives through the future financial instruments for fisheries and maritime policy for marine protected areas (including Natura 2000 areas and those established by international or regional agreements). This could include restoring marine ecosystems, adapting fishing activities and promoting the involvement of the sector in alternative activities, such as eco-tourism, monitoring and managing marine biodiversity, and combating marine litter."

- Exchange of information, activities and projects

The paper under agenda item 4 gives an overview of policies, legislation and initiatives at EU level. To extend this information exchange to what Member States are doing on marine litter will stimulate the debate and strengthen the coordination between the different initiatives. This becomes more true when developing measures related to the reduction of marine litter in the frame of the MSFD. Also exchange of the development of regional action plans for subregional sea basins is a topic where the CIS and its Working Groups (in this case WG GES and WG ESA) can play a role.

8.3 UN Regular process

The UN has started a process for the Global Integrated Assessment of the State of the Marine Environment, including Socio-economic Aspects. In this process, use can be made as a building block of the work done by the regional seas conventions and of the assessments made by Member States under the MSFD.

Preparatory regional workshops are planned, the one for the North Atlantic and Europe on 27-29 June in Brussels, organized by Belgium and supported by the EC.

This type of activities is closely linked to the work of WG DIKE. Therefore it is proposed that WG DIKE on a regular basis discusses progress and actions with respect to the UN Regular process. The agenda for the work after June towards the planned delivery of the Global Assessment Report in 2014 still need to be developed further.

8.4 Projects under the Integrated Maritime Policy

One of the aims of the Integrated Maritime Policy (IMP) is to promote the protection of the marine environment, in particular its biodiversity, and the sustainable use of marine and coastal resources and to further define the boundaries of the sustainability of human activities that have an impact on the marine environment, in particular in the framework of MSFD. Supported by funds of the IMP, a number of MSFD related projects will be carried out in the period until 2014 (see Commission implementing Decision C(2012) 1447 for details)³.

Since these projects are also of relevance to MS and Regional Seas Conventions, the Commission proposed to coordinate more closely the project planning and implementation with activities under the Common Implementation Strategy and those by RSCs. For this purpose, a steering group will be established consisting of interested Member States (limited in number), representatives of the Regional Seas Convention (secretariats) and the services of the European Commission. This steering group will report to MSCG on their actions. It is foreseen to have a first ad hoc meeting in July 2012 to prepare the Terms of Reference and a work plan and timetable for the first official meeting of the steering group in autumn.

³

[http://ec.europa.eu/maritimeaffairs/news/news/items/c\(2012\)_1447_en.pdf](http://ec.europa.eu/maritimeaffairs/news/news/items/c(2012)_1447_en.pdf)

Annex 1. Meeting schedule 2012 (embedded)



CALENDAR CIS
2012_circa.xls

Annex 2. Draft Meeting schedule 2013

February 2013	4/5 WG GES;	19/20: MSCG	
March 2013	18/19: WG DIKE		
April 2013	9: WG GES	10: WG GES/ESA	11: WG ESA
May 2013	6/7 MSCG	30/31 Marine Directors	
June 2013	17/18 Workshop		
September 2013	16/17 Workshop		
October 2013	7/8 WG DIKE	15/16 WG ESA	21/22 Workshop
November 2013	12/13 MSCG	25/26 Workshop	
December 2013	MD (tbc)		

Annex 3. Possible topics for workshops

Possible topics for workshops which have been identified so far are:

- **Implementation of Descriptor 3, based on advice in the ICES D3+ report**

Further discussion is needed on how this expert advice can be incorporated into the MSFD process and requirements, building on the workshop organized by France and Ireland together with the Commission on 24/25 April 2012 in Paris.

- **Monitoring and assessment**

Workshop with common sessions and sessions per theme (1. biodiversity; 2. nutrients/contaminants; 3. disturbances) with the following elements:

- Identification of the gaps in information from existing monitoring efforts;
- Development of integrated monitoring programmes to generate the required information, building upon the work in Regional Sea Conventions;
- Identification of opportunities for sharing information between MS and for joint monitoring efforts, building upon the work in RSCs;
- Needs to adjust the Commission Decision with respect to methodological standards.

The first workshop on nutrients/contaminants will take place on 23-24 October 2012 in Ispra (JRC).

The workshop on biodiversity will take place on 7 and 8 November 2012 in Brussels.

- **Relationship between Water Frame Directive and Marine Strategy Framework Directive**

A workshop will be organized by France, 18/19 June 2012 in Paris.

- **Geographical scales to be used in assessment and monitoring**

As part of the work by the drafting group on Common Understanding issues, the development of guidance or considerations on the use of spatial scales in assessment and monitoring will take place. Interaction with MS will be necessary in this process, for instance through a dedicated workshop.

- **From targets to measures**

Possible topics are:

- The use of operational targets which are more closely linked to possible measures;
- The use and function of interim targets (best practice examples);
- Sharing approaches with regard to measures (regulative, economic, physical measures);
- Social and economic impacts of measures;
- Requirements for community actions as meant by Art 13.5 of the MSFD
- The use and further development of a common database on possible measures;
- Assessing the effectiveness of measures.

This topic could be addressed by meetings of a combination of WG GES and WG ESA participants. From early 2013 onwards this subject will become more and more timely and relevant.

- **Attention to special topics such as biodiversity, marine litter and underwater noise**

At this stage, we are aware of the initiative by Germany to organize a conference on marine litter early 2013.

The TSG Noise offered to hold a workshop, if needed, to disseminate their findings with regard to the setting up of monitoring requirements on underwater noise (ambient noise and impulsive noise).

- **Dialogue on research needs**

Back to back with the MSCG meeting in February 2012, a seminar was held with representatives of eight large research projects related to MSFD implementation. The project managers presented their work and plans to the representatives of MSCG. It was assessed that this information exchange session was very useful and could be repeated in future and extended with other projects. It was also discussed that the identification of research needs need to be addressed at EU level, using amongst others information from these research projects and information which comes out of the art 12 assessment process. It is foreseen that a platform between science and policy will be established under the Joint Programming Initiative. Also special projects are developed such as MARINETT and STAGES which target gaps between policy and research.

Annex 4. Rolling work plan 2012-2014

Work area	Subject	Activity	Lead	Place	Date
MSCG	WFD/MSFD	Workshop	France	Paris	18-19 June 2012
WGGES	Nutrients/contaminants	Workshop	COM (JRC)	Ispra (It)	23-24 October 2012
WGGES	Biodiversity	Workshop	COM (JRC)	Brussels	7-8 November 2012
WGGES	Geographical scales	Workshop	De		Winter 2012/2013
WGGES/ TSG	Marine litter	Conference	De	Germany	Second quarter 2013
WGGES/ WGESA	From targets to measures	Workshop together with ESA		Brussels	10 April 2013 (tbc)
WGGES/ TSG	Underwater noise monitoring	Workshop	TSG Noise	Spain/Slovenia	Early 2013
WGGES	Research agenda	Workshop	COM		Mid 2013