



Towards a coherent, well-managed network of EU Marine Protected Areas by 2020:

**Assessing Member States' Programmes of Measures under the Marine Strategy Framework Directive**



## Introduction

This report presents the results of an evaluation of a set of national Programmes of Measures (PoMs) developed under the framework of the Marine Strategy Framework Directive (MSFD) by European Member States. The PoMs are the operational part of the MSFD and are therefore key to achieving and maintaining Good Environmental Status (GES) by 2020. The objectives of this evaluation are to assess to what extent Marine Protected Areas (MPAs) are considered within the PoMs and to reflect on the ambition, strengths and weaknesses of their related proposed measures. The report presents the status of the European network of MPAs at the end of 2015 as well as the potential added value of the MSFD to support its implementation, completion and enforcement in the context of the Directive's objective. It then analyses a set of 16 national PoMs, with a particular focus on MPA-related measures as well as the sustainable management of fisheries in these MPAs. The report then concludes and gives recommendations to Member States to improve the implementation of PoMs, as well as to support the European Commission assessment of PoMs.

In 2016, EU Member States entered into the critical phase of defining the necessary Marine Strategy Framework Directive (MSFD) measures to protect and restore their marine waters and achieve Good Environmental Status by 2020. The much anticipated Programme of Measures (PoM) are the operational tools by which each country will put in place concrete measures to address the identified threats on their marine ecosystems, such as physical, chemical or biological damage and disturbance emanating from human activities.

Building and managing a European network of Marine Protected Areas (MPAs) has taken several decades and enormous efforts, with limited success so far. Progress in coverage is slow, as is implementation of management regimes, such as for fisheries. The main challenges ahead are now, on the one hand, to continue increasing the scope of protection to leverage the full potential of an ecologically coherent network of MPAs, while on the other hand also ensuring sustainable management of existing and newly designated areas. Scientists have, for instance, shown evidence of the negative impacts of certain fishing practices inside MPAs<sup>1</sup>, yet EU Member States seem to continue to tolerate such practices.

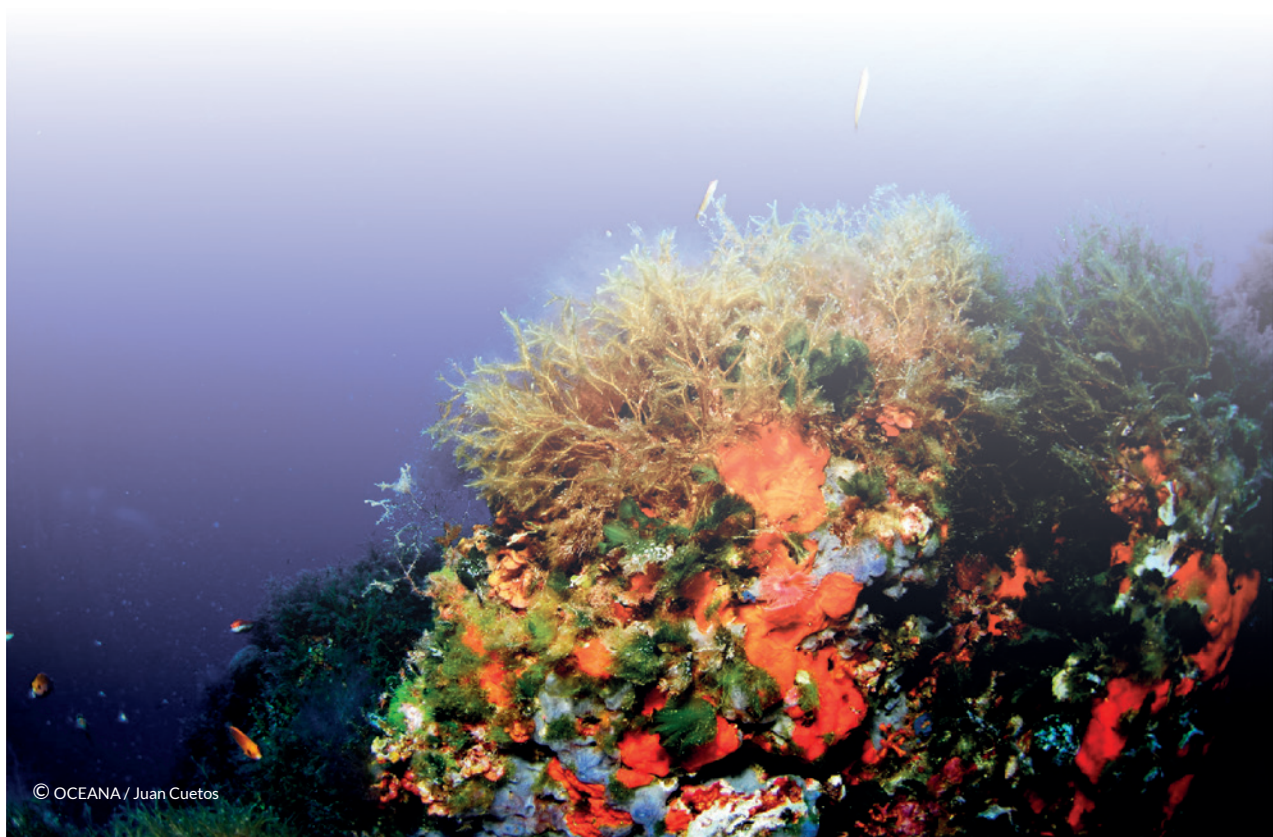
It is very clear that full implementation of the Nature Directives' provisions for the marine environment has yet to take place in order to produce visible conservation benefits, and in turn, socio-economic benefits. The management and age of marine protected areas are essential factors as conservation effects will build overtime, provided proper enforcement is in place. Yet this is not enough to restore our ocean abundance. The scope of the Nature Directives is limited for marine species and habitats, a gap where the MSFD has an important role to play if we are to meet our objectives by 2020. 2020 is indeed a critical deadline in European marine conservation, a year by which at least 10% of coastal and marine areas should be protected, our fisheries should be recovered and managed sustainably, and marine biodiversity loss should have been halted.

Given the importance and the opportunities provided by the MSFD for MPAs, in this report, Oceana focuses specifically on MSFD measures related to MPAs, and evaluates how adequate and sufficient these measures are for effectively completing and managing the European network of MPAs.

<sup>1</sup> See ICES-related work, such as [BALTEIMPA](#) (Managing fisheries in Baltic Marine Protected Areas) or [EMPAS](#) (Environmentally Sound Fisheries Management in Marine Protected Areas)

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## Summary & key messages:

- Historically, European MPAs were designated in areas with little or no human activities, and mostly focused on protecting single species or habitats, rather than taking into account whole ecosystems, ecological processes and interactions. This approach is now impacting management decisions.
- The coverage of European MPAs remains low (about 6% of EU waters) with notable differences in performance between Member States and regions. A common pattern is the poor conservation status of European marine protected species and habitats, and the lack of effective management in MPAs (i.e., “paper parks”), in particular for commercial fishing activities (the number one reported pressure). This weakness is even more acute for national and regional MPAs, whereas some regions are slowly starting to adopt fisheries management regimes under the Common Fisheries Policy in Natura 2000 sites.
- European MPAs need a more holistic approach to their conservation, aiming at protecting functional ecosystems and their natural services. The MSFD offers this opportunity both for the creation and implementation of robust management regimes for MPAs, for instance specifically targeting certain rarer species, habitats or ecosystem functions (e.g., reproduction areas or feeding grounds) not covered by the Habitats or Birds Directives. PoMs are therefore a key tool to address the current ecological coherence gaps and to foster the development of effective management of human activities in MPAs. This includes restricting fisheries, as well as other usages such as: recreational activities; dredging, cabling and shipping activities; and monitoring and control measures through the use of new technologies such as remote sensing or big-data processing.
- The PoMs analysis of 16 Member States focused on biodiversity and MPA related measures show that:
  - **Designation:** Only one Member State has good MPA coverage and no major gaps indicating a relatively coherent network of MPAs. Ten other Member States have reasonably good coverage (higher than the UN CBD target) but many still have gaps in coherence for certain species and habitats. 11 remaining Member States are lagging behind well below the 10% target. Overall, almost no PoMs show ambition to address the network gaps by designating MPAs for new marine species/habitats, and all PoMs limit their scope to Natura 2000 areas. The potential of addressing network gaps through the MSFD added-value is therefore not utilised, and increasing the likelihood of not achieving the Good Environmental Status objective by 2020.
  - **Fisheries management:** Many European MPAs are reaching a maturity phase where management regimes are legally required. Yet, for the majority of sites, no such regimes are in place, often in clear infringement of EU rules. Overall the PoM analysis reflects a limited ambition from Member States to systematically tackle the lack of management in MPAs, and particularly the impacts of fishing on the ecological goals of MPAs. One single Member State proposed fishing restriction on a regional site to protect bottom sensitive communities. Ten others referred generically to the need for management, while six only proposed to develop fisheries management plans in their Natura 2000 sites. Rare good examples of measures are nevertheless found in some PoMs, such as for instance to protect functional zones for fish, to enhance monitoring of MPAs, or specific ecological restoration measures.
- Overall the proposed measures for MPAs are unlikely to make Member States achieve coherent and well-managed networks of MPAs that contribute to the GES objective by 2020. Only a few Member States referred to the leverage offered by Regional Seas Convention MPAs to improve the ecological coherence of their MPA networks. More importantly, as long as Member States are not serious about minimising the impacts of fishing on marine ecosystems and, even more critically, inside their MPAs, marine biodiversity loss will not be halted. Nevertheless, there is scope for stronger measures in the current MSFD cycle, despite Member States having set low GES targets to begin with. This is illustrated by some worthy one-off proposed measures in the PoMs.

# 1 – Setting the scene

## Status of the EU Marine Protected Area network in 2015

According to the latest report from the European Environment Agency (EEA)<sup>2</sup>, by 2015, EU Member States had designated 5.9% of their seas as Marine Protected Areas, below the 10% international target that all UN governments have committed to reach by 2020, and far below the scientifically-recommended 30%<sup>3</sup>. This network cannot yet be considered representative or ecologically coherent, as major shortcomings prevent it from being effective: too few sites (particularly in offshore waters), which are too small, and are poorly managed. This assessment included several types of MPAs, namely those designated under Natura 2000 (EU framework), those designated under multilateral international agreements known as the Regional Sea Conventions (RSCs), and those designated by national governments without the need for international agreements (Figure 1).

Currently most MPAs are located nearshore, while protection of offshore areas is noticeably lacking, leaving a wide array of deep water habitats and species without protection, and compromising environmental interconnections between inshore and offshore areas. For example, in the Baltic Sea and North-East Atlantic Ocean, countries have protected over 15% of their coastal waters, but less than 4% of offshore areas. The RSCs are a main driver behind national designations, often going beyond Natura 2000 obligations through the utilisation of regional assessments of threatened marine and habitats species (as well as being vital for sites in Areas Beyond National Jurisdiction). Yet on the wider scale, most Member States have not used this opportunity provided by RSC to its full potential.

Additionally a major issue repeatedly raised by Oceana is the prevalence of “marine paper parks” with no real protection as part of the current network of MPAs<sup>4</sup>. This has a twofold adverse effect: first it creates the virtual satisfactory feeling of a completed network; and secondly it supports the erroneous conception that MPAs are ineffective conservation tools.

Despite growing efforts to conserve key marine endangered EU species and habitats, the overall status of marine biodiversity in the Natura 2000 network is still degrading. In 2014 the EEA assessment of conservation status of the Natura 2000 network<sup>5</sup>, the cornerstone of MPAs in Europe, showed that most EU threatened marine species and habitats in poor or unknown condition over the period 2007-2012:

- None of the marine habitats assessed in the Atlantic, Baltic or Mediterranean regions are considered to be in good condition
- In the Atlantic, 71% of marine habitats are considered to be in unfavourable status
- In the Baltic, the status of 86% of marine habitats and 80% of marine species is unfavourable
- In the Mediterranean, 62% of marine habitats are of unfavourable status, as are 56% of marine species
- The status of many marine species remains unknown, especially in continental shelf ecosystems (54%) and open ocean ecosystems (83%)

For the first time, this assessment identified the highest pressures and threats associated with each ecosystem. Without any surprise for marine ecosystems, the ‘use of living resources’ (i.e., primarily fishing and harvesting of aquatic resources) is the main reported pressure. Weak or non-existent management is the primary reason why most marine Natura 2000 sites are not yet delivering conservation results for Europe’s marine heritage. Although the obligations to conduct strict impacts assessments for any activities potentially having adverse impacts on a marine site

<sup>2</sup> COM/2015/0481 final; EEA (2015) Marine protected areas in Europe's seas — An overview and perspectives for the future

<sup>3</sup> The Promise of Sydney (2014), IUCN World Parks Congress 2014.

<sup>4</sup> Oceana (2014) Management matters: Ridding the Baltic Sea of paper parks

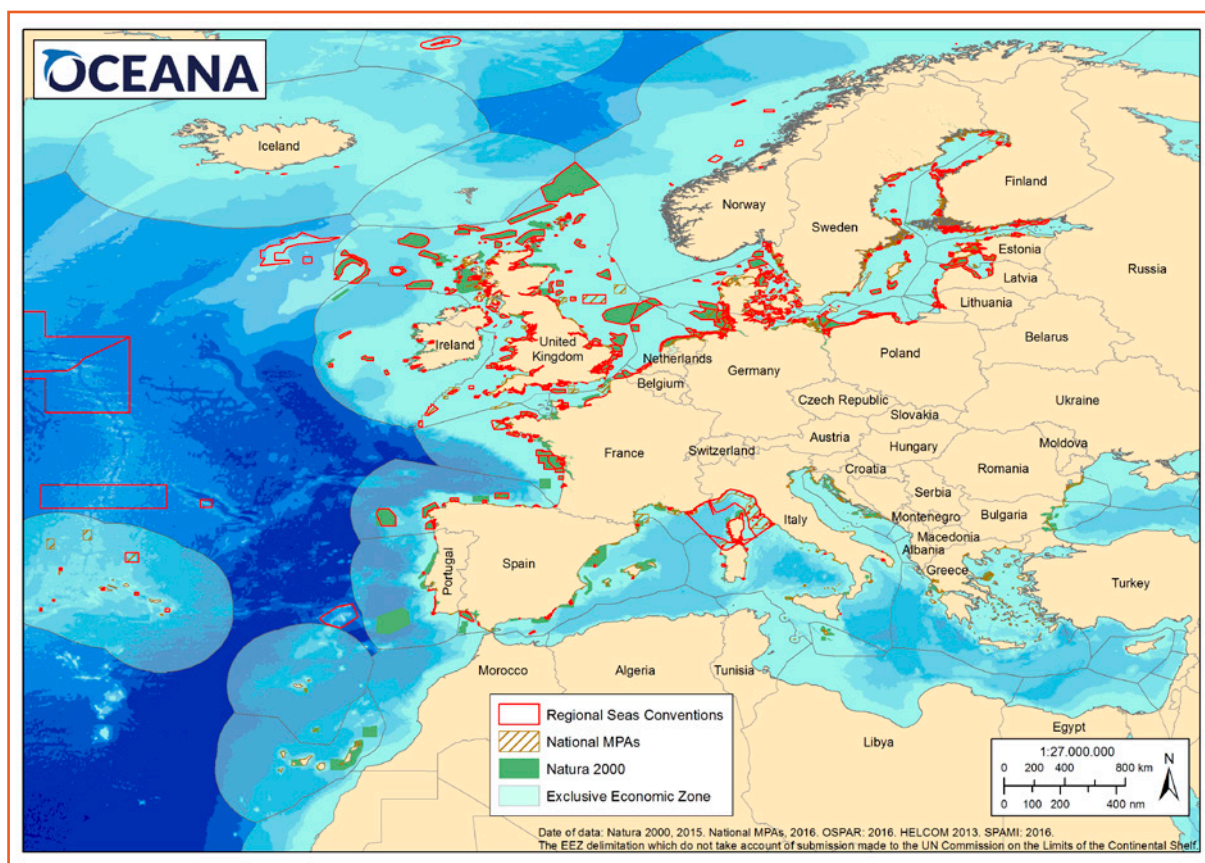
<sup>5</sup> COM(2015) 219 final; EEA (2014) State of nature in the EU

are clear, Member States have been reluctant to tackle commercial fishing inside Natura 2000 for many years, with complete impunity. For instance, several sites are important fishing grounds but entirely lack fisheries management, including restrictions on the most seabed-damaging fishing gears, such as bottom-contacting gears like dredges, beam or otter trawls, or demersal seines.

Finally, the 2016 leaked “Nature Fitness check”<sup>6</sup> of the EU Birds and Habitats Directives also confirmed unequivocally that EU nature legislations were “fit for purpose” in protecting Europe’s natural heritage, and that the benefits of their implementation exceed their costs. But incomplete implementation and enforcement appeared to be the major obstacle for the legislation to meet its objectives. This is particularly true for the extension of the Natura 2000 network at sea, which underwent lengthy legal and political battles that severely delayed the completion of the network still today.

This is in stark contrast with numerous success stories of MPAs which demonstrate effective marine biodiversity recovery, and always share the common characteristic of having proper management schemes enforced. Furthermore, it is becoming more and more evident that MPAs also provide benefits beyond biodiversity conservation, such to maintain and improve the provision of a wide range of ecosystem services and related socio-economic benefits<sup>7</sup>.

**Figure 1:** European network of Marine Protected Areas (2015 data)



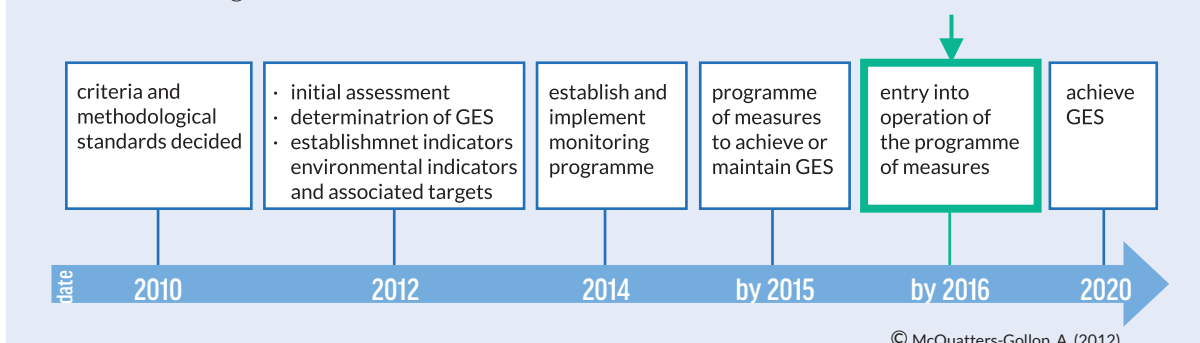
### Box 1: The MSFD to date: a deceiving start

The MSFD is designed to run over six-year cycles, during which Member States are defining and implementing Marine Strategies. The first cycle of implementation started in 2012-2018 and should lead to the GES objective.

<sup>6</sup> Evaluation Study to support the Fitness Check of the Birds and Habitats Directives Final Report, March 2016

<sup>7</sup> Russi D. *et al.* (2016). Socio-Economic Benefits of the EU Marine Protected Areas. Report prepared by the Institute for European Environmental Policy (IEEP) for DG Environment

In 2012, the European Commission assessed the first phase of cycle – the preparatory phase dedicated to determining objectives, indicators and targets – and exposed an overall poor level of ambition and lack of coordination from Member States<sup>8</sup>. European NGOs similarly were dismayed by the weak GES targets that were often non-measurable, due to the limited coordination between countries across regional seas, and the poor integration with other environmental legislation<sup>9</sup>.



## Added value of the MSFD for the EU network of MPAs

The MSFD has major potential to contribute to a stronger MPA network in the EU. Because MPAs play a central role in supporting GES and achieving healthy seas by 2020, Member States must therefore utilise the PoMs to complete their ecologically coherent network of well-managed MPAs.

According to the MSFD, existing measures make up the baseline of the PoM, upon which each Member State was to have carried out a 'gap-analysis', to assess how far what is already in place contributes to achieving GES, and to identify what additional measures are required.

Some existing measures related to MPAs, currently implemented or soon to be, form the basis of the MSFD implementation, such as those derived from the Habitats and Birds Directives (e.g., designation of sites, assessing environmental impacts of plans/projects, enforcing management rules, monitoring sites, communication and awareness raising, etc.). These correspond to a first category of 'existing measures' under the MSFD and correspond to regular implementation of legislation; they should, in most cases, already be implemented by Member States. However, they will not be enough to reach GES alone.

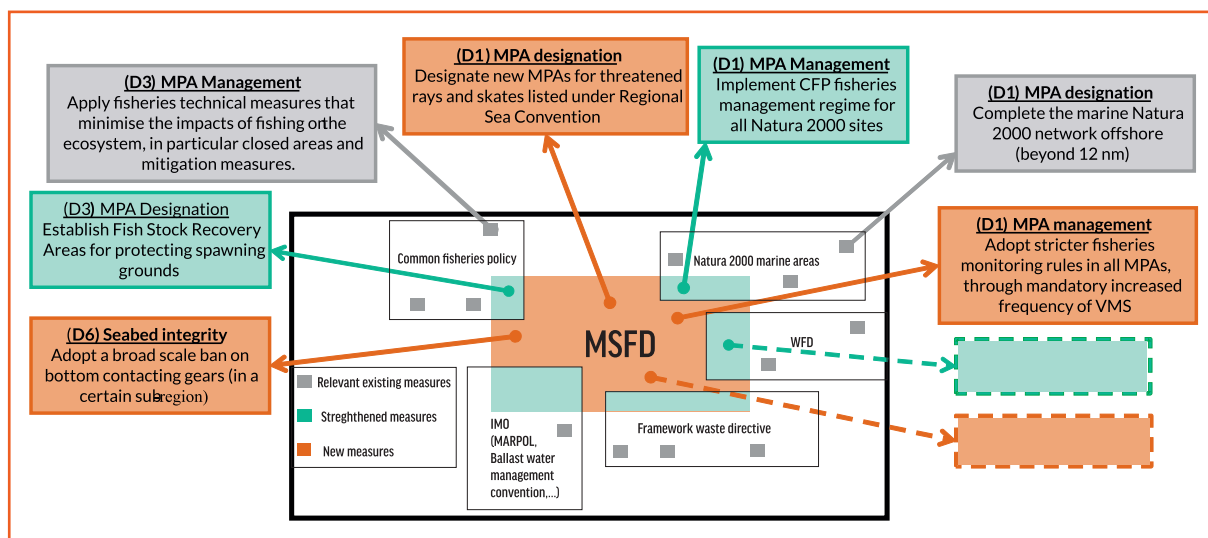
The second category of measures is for measures that go beyond "business-as-usual" and strategically consider the role of MPAs to halt biodiversity loss. This is arguably the most revealing part about the ambitions of each Member State. On MPAs, this ambition will generally be reflected by ability of MPAs to offer protection beyond the Birds and Habitats Directives and to what extent MPAs can actually deliver conservation benefits. Whether it is through the establishment of new MPAs and the implementation of new management rules, it will be fundamental for Member States to make use of the Regional Seas Conventions if they are to truly harness the conservation potential of the MSFD.

Figure 2 illustrates an example of "MSFD additionality" for the case of MPAs in the context of the PoMs, based on Oceana's position. It shows the articulation of existing policies (in grey) around the MSFD, and areas where 'strengthened' measures (green) and 'new' measures (orange) should be adopted under respective policies to achieve the GES objectives.

<sup>8</sup> COM/2014/097 final

<sup>9</sup> <http://www.wwf.eu/?uNewsID=216511>

**Figure 2:** MSFD 'additionality' of measures in relation to MPAs



The MSFD provides an opportunity to address the current weaknesses of European MPAs, such as the lack of ecological coherence of the network, and the absence/poor management of sites.

#### Improve ecological coherence

Important ecological gaps are found within the European network of MPAs<sup>10</sup>. They are of varied typology but can be summarised as follows:

- Inshore coastal waters have better coverage of MPAs than waters further offshore (beyond 12 miles)
- Distributional gaps exist in certain sub-regions (e.g., the Arctic; the Iberian peninsula; Ionian and Adriatic Seas; Areas Beyond National Jurisdictions) and bathymetric zones (e.g., depths greater than 75 m);
- Marine habitats and species which are not recognised in Annexes I and II of the Habitats Directive are significantly less well-protected than other habitats.
- Certain ecological processes and functions which support critical life-stages of marine species are often not well protected (e.g., feeding, reproducing, resting, mating, nesting, migrating grounds)

The added-value of the MSFD for MPAs is to enable the use and articulation of different categories of MPAs, under national, regional or European systems. Each system of designation offers different possibilities to harness the conservation potential of an MPA according to its characteristics (such as its objective, scope, and management). The scope, for instance, includes which marine species and habitats the MPA can be designated for, and is a key matter to make sure the network has ecological coherence (e.g., through representativity, adequacy and replication of the features across the sites). New MPAs also need to be envisaged to strengthen the connectivity between sites, to ensure both the persistence of local populations and the movement of individuals between different areas during their different life stages.

Two-thirds of the current European MPA network is composed of Natura 2000 sites<sup>11</sup>, which are designated for marine habitats and species listed under EU legislation and which are known to include only a small fraction of those marine species and habitats that are currently threatened. Its scope is limited indeed to only 5 marine habitats types and 18 marine species. The ecological-

<sup>10</sup> EEA (2015) Marine protected areas in Europe's seas – An overview and perspectives for the future

<sup>11</sup> idem

coherence of the EU MPA network therefore needs to be improved and balanced to better represent the full range of marine biodiversity, by expanding its protection to other key marine threatened features. These can be achieved through the establishment of new national and regional MPAs.

*“With the focus on vulnerable species and habitats, Natura 2000 is not, in its current form, set up to deliver an ecologically coherent and representative network of MPAs. With the entry into force of the MSFD in 2008, EU legislation sought to bridge the gap and apply a more holistic approach to networks of MPAs, by introducing modern design principles (e.g. representativeness and adequacy) of an ecologically coherent network”.*

*EEA (2015) Marine protected areas in Europe's sea*

For instance, designating new MPAs or managing the existing ones under the principles of the Regional Seas Conventions, such as OSPAR, HELCOM or the Barcelona Convention, can target protection to important groups of sensitive species and habitats currently under-represented or ignored in the MPA network. This is the case of certain species of sharks and rays, other bony fish, crustaceans or invertebrates, as well as habitats like ‘dark habitats’ or soft-bottom habitats (see Box 2). MPAs can also be designated to protect a specific ecosystem function, such as an important feeding area, or spawning ground. These ecosystem functions or features cannot be covered by Natura-2000, but they are necessary for better representing the diversity of our constituent ecosystems and reach GES. Similarly, taking a more holistic approach to the role of MPAs, Regional Seas Convention can help protect key marine ecological processes which would benefit a large variety of species.

It must finally be noted that Regional Seas Conventions provide the legal framework to designate MPAs in areas beyond national jurisdiction, to which the EU is committed to internationally<sup>12</sup>. A coherent network of MPAs will require conserving places in areas beyond national jurisdictions, whether because these remote and deep habitats are unique and pristine, or because they are key to certain highly migratory species’ life stages.

### **Box 2: RSC species and habitats poorly represented in the current EU MPA network:**

EU Regional Seas Conventions’ work on species and habitats is central to their respective work on establishing network of MPAs. The HELCOM Red List of species and habitats in the Baltic Sea; the Barcelona Convention Annex II List of endangered and threatened species in the Mediterranean sea, or the OSPAR Lists of Threatened and/or Declining species and habitats in the North-East Atlantic Ocean are examples of regional tools available to Member States for implementing the MSFD.

Below is a non-exhaustive list of marine ecological features listed by the three main European Regional Seas Conventions, which are poorly represented in the actual network of MPAs and which the PoMs should target to improve MPA ecological coherence and helps these threatened species and habitats to recover.

- **Sharks and rays:**

- **OSPAR:** Basking shark, Angelsharks, Porbeagle, Spiny dogfish, Leafscale gulper shark; Portuguese dogfish; Spurdog; Porbeagle; Common skate, White skate, Spotted Ray, Thornback ray
- **HELCOM:** Spiny dogfish; Porbeagle; Tope shark; Thornback ray;
- **Barcelona Convention:** Basking shark; Sawfishes; Hammerheads; Shortfin mako shark; Blue shark; Oceanic whitetip shark; Sand tiger shark; Great white shark; Porbeagle; Angelshark; Spiny butterfly ray, Devil fish, Sandy skate, Maltese skate; Guitarfishes

<sup>12</sup> <http://eu-un.europa.eu/eu-presidency-statement-%C2%96-working-group-on-marine-biodiversity/> EU Presidency statement, Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (Feb 2006)

- **Fish:**
  - **OSPAR:** Atlantic cod; European eel; Bluefin tuna; Allis shad; Long-snouted seahorse; Short-snouted seahorse; Salmon
  - **HELCOM:** Atlantic cod; European eel; Whiting; Common ling; Brown trout; Grayling; Salmon
  - **Barcelona Convention:** European eel; Swordfish, Dusky grouper; Atlantic wolfish; Tortonese's goby; Brown meagre; Bearded umbrine; Long-snouted seahorse; Short-snouted seahorse
- **Mammals**
  - **OSPAR:** Northern right whale; Blue whale; Bowhead whale;
  - **Barcelona Convention:** Minke whale; Sei whale; Fin whale; Risso's dolphin; Orcas; Sperm whale;
- **Molluscs; crustaceans; invertebrates:**
  - **OSPAR:** Dog whelk; Azorean limpets
  - **HELCOM:** *Haploids tenuis*; Horse mussel; several species of sea snails, sea urchins; starfishes and sponges,
  - **Barcelona Convention:** European lobster; spiny lobster; European spider crab; several species of sea snails, barnacles; sea urchins; starfishes and sponges.
- **Habitats:**
  - **OSPAR:** seagrass meadows (*Cymodocea*; *Zostera*); intertidal mudflats; mussel and oyster beds; sea-pen and burrowing megafauna communities; maërl beds
  - **HELCOM:** *Zostera* beds; *Chara* sp.; maërl beds; Baltic Sea seasonal sea ice; muddy sediment dominated by *Haploids* spp; muddy sediment characterised by sea-pens
  - **Barcelona Convention:** *Cystoseira*; *Fucus virsoides*; *Sargassum*; black and red corals; gorgonians; sponges;

### Implement management regimes in MPAs

The PoMs should support the implementation of management plans for all EU MPAs, in particular to regulate commercial fisheries as a priority. Commercial fishing is recognised as the number one threat to marine biodiversity in European Natura 2000 sites, which can be assumed to be generally the case across European MPAs<sup>13</sup>. Processes for developing fisheries management measures in MPAs are clearly outlined in the reformed Common Fisheries Policy as well as under the Nature Directives. Member States have an obligation to only permit fishing activities in these MPAs once the appropriate assessments have been conducted and no impacts can be demonstrated. Yet a lot of MPAs still allow fishing activities without proper impact assessments, sometimes including for fishing gears that highly disturb the seabed (e.g., dredging or bottom trawling) or have high by-catch rates of seabirds, turtles, mammals or other marine species.

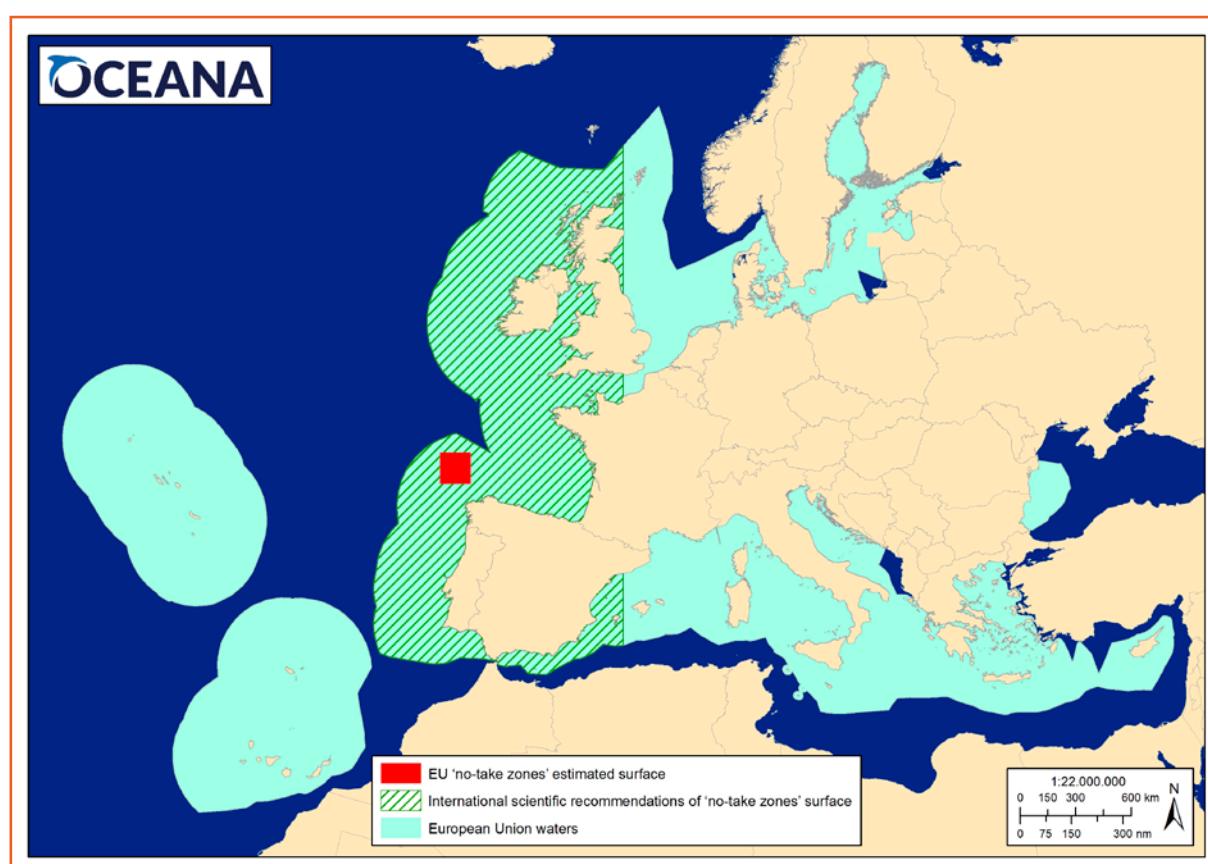
It must therefore be a requirement that Member States in their PoMs address the issue of how they will turn existing marine paper parks into real protected places through effective management and control measures. This requires that Member States, at a minimum, commit to regulate fisheries in all of their MPAs, including through the use of the relevant CFP mechanisms. Implementing national restrictions in all MPAs for certain gear types with a high likelihood of damaging protected features would probably be a more cost-effective and precautionary measure. For that purpose, the EU guidance should be used as a baseline for assessment of risks<sup>14</sup>. This would be mean restricting mobile bottom contacting gears such as beam trawling, otter trawling and dredging in all MPAs designated for sensitive habitats such as seagrass meadows, reefs, maerl beds, and coralligenous habitat. Similarly, restrictions would apply for towed gears and nets in all MPAs designated for cetaceans, seabirds or turtles, where interactions are known to be high.

<sup>13</sup> EEA (2015)

<sup>14</sup> Overview of the potential interactions and impacts of commercial fishing methods on marine habitats and species protected under the EU Habitats Directive <http://ec.europa.eu/environment/nature/natura2000/marine/docs/Fisheries%20interactions.pdf>

Existing management regimes may also need to be strengthened in some cases to establish a higher level of protection, for instance in places where species or habitats are more severely impacted or sensitive. Europe lacks marine reserves, where human impacts are kept to a minimum and extraction is not permitted; currently less than 0.5% of the surface of all European MPAs is under the strict protection regime of marine reserves, far below the 30% of no-take recommended by the international scientific community<sup>15</sup> (Figure 3). Yet such strictly protected sites are of considerable importance for marine biodiversity, as they are the most effective type of MPAs in terms of conservation benefits: they usually show significant positive increases in key biological variables (e.g., density, biomass, body size, and species richness) compared with areas receiving less protection<sup>16</sup>. Accordingly, it is expected that Member States would make appropriate use of marine reserves in their PoMs, as a meaningful way of complementing their MPA network.

**Figure 3:** Schematic illustration of the current surface area of European marine reserves (red square) and the size of the area that would be strictly protected based on international scientific recommendations cover (hashed), shown in relation to all EU waters (light blue) (source: EEA 2015; IUCN 2016).



Finally, the MSFD PoMs offer opportunities to implement other management measures related to MPAs, including innovative ones based on new technologies. Measures related to other types of human pressures inside MPAs can be envisaged, including measures to mitigate pressures affecting the marine environment in a wider scale than MPAs (e.g., recreational fisheries, dredging, gravel extraction, wind farms, cabling, shipping, tourism, etc.). Measures related to monitoring, control and enforcement of MPAs, for instance, are essential for restrictions to fulfil their purpose and for their effects to be assessed. New technologies can help enhance enforcement or monitoring of MPAs, such as vessel monitoring systems, radars, cameras, drones, and advanced Autonomous Underwater Vehicle (AUV) technology, as well as fishing behaviour detection technologies, GIS, and on-board chart viewing software able to convert critical data into formats that support decision-making. These measures could include the following:

<sup>15</sup> The Promise of Sydney (2014), IUCN World Parks Congress 2014.

<sup>16</sup> Fenberg P.B. *et al.* (2012). The science of European marine reserves: status, efficacy and needs. *Marine Policy* 36(5), 1012-1021. doi:10.1016/j.marpol.2012.02.021

- Seasonal or real-time closures if by-catch rates exceed certain thresholds;
- Creation of MPAs for essential fish habitats (e.g., spawning aggregation areas) in order to support fisheries management and stock recovery;
- Adoption of stricter monitoring and control rules for commercial fishing boats inside MPAs, such as through increased frequency of Vessels Monitoring Systems (VMS) or enhanced Automatic Identification Systems (AIS);
- Adoption of technical restrictions for broader geographical area, for instance on fishing gear utilisation, in order to mitigate impacts at a larger scale than individual MPAs;
- Restriction and control of recreational fisheries inside MPAs;
- More stringent and dissuasive sanctions for infringement of MPA management measures;
- Restriction of other activities such as sand and gravel extraction, shipping, cabling, etc.;
- Economic incentives, such as a subsidies for more selective gear or financial incentives to report catch for data collection purpose);
- Privileged access to more sustainable activities, such as artisanal small-scale fisheries;
- Active habitat restoration measures in degraded parts of MPAs;
- Capacity building measures for MPA managers (e.g., training);



## 2 – PoMs analysis in relation to MPA network: will the network be completed?

Authors' notes:

- *This analysis solely looked at the parts of the PoMs relevant for MPAs, and therefore the assessment must only be read in that context.*
- *In some cases, a lack of MPA measures within the PoMs reflects the fact that some Member States are relatively more advanced in marine spatial protection than some others. As much as possible, this latter aspect was taken into consideration in the evaluation of the PoMs.*

### Box 3: PoM delivery timeline

The MSFD clearly sets out that PoMs should be developed by the end of 2015 at the latest (article 5.2 (b)), and then officially notified to the European Commission no later than March 2016 (article 13.9). PoMs should then enter into operation by 2016 at the latest (article 5.2 (b)).

- By the end of March 2016, only **6** Member States had officially notified the EC about their PoMs: Belgium, Finland, Germany, the Netherlands, Sweden, and the UK.
- By November 2016, another **6** additional Member States notified the EC about their PoMs: Cyprus, France, Ireland, Italy, Latvia, and Spain.
- To date, **11** Member States have not notified the EC of their PoMs to the EC despite the deadline being long past: Bulgaria, Croatia, Denmark, Estonia, Greece, Lithuania, Malta, Poland, Portugal, Romania, and Slovenia.

Out of the 23 EU Member States to which the MSFD applies (e.g., excluding land-locked countries), and given the different national paces of PoM delivery (see Box 3), our comparative analysis was conducted between April and November 2016 and covered 16 Member States.

For 11 Member States, official PoMs notified to the EC were used in the analysis, and where appropriate their official English summaries. For the remaining Member States which did not report on time, assessments were made, where available, based on PoMs submitted for national public consultation in 2015-2016 (i.e., Bulgaria, Denmark, Portugal, and Lithuania). Seven Member States could not be evaluated because no PoMs were available at all (i.e., Malta, Greece, Slovenia, and Romania) or because of language issues (i.e., Croatia, Latvia, and Estonia).

In order to assess the relative strengths and weaknesses of national PoMs, we carried out a comparative analysis with particular focus on MPA relevant measures around designation and management, as comparable information was readily available. These measures were often associated with MSFD Descriptors 1 (biodiversity), 4 (food webs) and 6 (sea-floor integrity), but also in some instance other Descriptors 3 (State of commercial fish and shellfish stocks) or 2 (Non-indigenous species).

MPA-related measures were assessed against the MSFD-related objective of contributing to coherent and representative networks of well-managed MPAs set-up in article 13(4), as well as against joint NGO PoMs guidance published in 2014, and the EU guidance document on PoM<sup>17</sup> which set out some basic principles for the establishment of PoMs. Proposed measures related to MPAs were analysed against their anticipated contribution to supporting the ability of the EU MPA network to deliver effective conservation to protected features. The typologies (existing or new ones), scope (national/EU/Regional/International) and ambitions (soft or hard measures) of measures were considered. Box 4 lists the full list of criteria used, and can be summarised under the following two points:

<sup>17</sup> Marine Strategy Framework Directive (MSFD), Common Implementation Strategy, Programmes of measures under the Marine Strategy Framework Directive, Recommendations for implementation and reporting, (Final version, 25 November 2014)

1. **MPA designation:** whether the proposed measures would support the completion of the MPA network and improve ecological coherence;
2. **MPA management:** whether specific management measures for MPAs were considered, in particular for mitigating commercial fisheries impacts inside sites. Broader measures relevant to MPAs were also considered, as well as measures related to monitoring, control and surveillance.

#### Box 4: Criteria considered for the assessment:

##### A\_MPA Designation

- Are new MPAs designation proposed in PoMs? If so, how many sites?
- Which features are considered for these new MPAs: national lists, EU Directives, Regional Seas Conventions?

##### B\_MPA Management

- Are existing measures being reported for management of MPAs? If so, for how many sites? And for which management regimes? Are they related to fisheries or to any other activities?
- Are new measures for management of MPAs proposed in PoMs?
- Are they directly targeting specific MPAs, or broader spatial measures (indirectly affecting sites)?
- Are new management measures 'hard' or 'soft' in their approach?
- Are measures foreseen on active restoration?
- Are there measures related to specific species/habitats? (e.g., national red lists, commercial species, etc.)?

##### B1. Fisheries management

- Are specific measures foreseen for managing commercial fisheries in MPAs?
- If so, do they apply mostly to Natura 2000 sites, or to any other sites as well (national/RSC)?

##### B2. Other human activities

- Are other measures foreseen for managing other human activities?

##### C\_Monitoring and control

- Are monitoring & control measures foreseen in the PoMs? (either to monitor ecological status of MPAs, or enforcement/compliance)

Based on the above-mentioned criteria, and to facilitate the analysis, Oceana clustered the results of its assessment of Member State performance in their PoMs into four categories, for both aspects of MPA designation and fisheries management in MPAs:

Status	Description for MPA designation	Description for fisheries management in MPAs
Good	MPA coverage well above the Aichi target, including with regional sites, and no severe gaps in ecological coherence.	Some ambition regulating fisheries management in MPAs, with scope expanding beyond the marine Natura 2000 network.
Average, positive trend	Some ambitions for addressing ecological gaps of MPA network, possibly linking with the Regional Seas Conventions (MSFD added-value).	Commitment to address the impacts of fishing but only in Natura 2000. Little ambition to go beyond existing obligations.
Average, negative trend	MPA coverage generally above the Aichi Target, but limited intention to address MPA network gap, often only restricted to marine Natura 2000.	Generic intention to adopt management plan for MPAs, and vague statements on fisheries but no clear measures.
Poor	MPA coverage far below Aichi Target, and no intention to enlarge, nor address evident coherence gaps in MPA networks.	Neither apparent intention to tackle fishing in MPAs, nor any specific measures related to control and enforcement of fishing MPAs.

Generally the ‘**Good**’ category corresponds to PoMs with measures that potentially support better MPA networks and could pave the way for achieving GES for biodiversity descriptors. PoMs in this category make good use of the MSFD possibilities to strengthen MPAs designation, their management and their enforcement and monitoring.

The ‘**Average**’ category corresponds to PoMs with limited ambition on MPAs, somewhere close to a ‘business as usual’ approach to marine conservation, where the MSFD implementation for MPAs result in minor additional efforts, often limited to the completion of Natura 2000. This can be either slightly positive in the case of Member States with historically poor records on MPAs, or negative for Member States that used to be EU leaders on MPAs.

Finally, the ‘**Poor**’ category corresponds to PoMs that do not support further MPA networks, do not add value, and therefore are unlikely to support the achievement of GES for biodiversity descriptors. At best when measures are proposed, they are insufficient to support the development of effective MPA networks. In most cases it reflects an absence of strong measures for MPAs in PoMs, a painful missed opportunity.

## MPA Designation

The progress of establishing MPAs differs greatly among EU Member States, according to various parameters like history, particularly in a geographical and cultural context, as well as governance systems and resources. The context for each Member State is therefore unique, and must be considered when assessing its PoM. Indeed, some countries are relatively new in the EU; some have long coastlines, and some lack the capacity to conduct the necessary research and monitoring. Our assessment of MPA designation within PoMs therefore takes into consideration the current status of development of Member States’ MPA networks, using 2016 data as a baseline (Table 1), and reflects the maturity of MPA issues in each country.

**Table 1:** Coverage of MPAs in EU Member States in percentages, and the number of MPAs that are National sites, Natura 2000 sites, and Regional Seas Convention sites (data source Oceana 2015/2016, except for HELCOM 2013).

MEMBER STATES	MARINE SURFACE PROTECTED (%)	NUMBER OF NATIONAL SITES	NUMBER OF EU SITES (NATURA 2000)	NUMBER OF REGIONAL SITES (RSCS)* *OSPAR / HELCOM / BARCELONA CONVENTION
Slovenia	89.52	32	12	0
Germany	45.06	161	99	18
Belgium	35.65	11	1	2
France	25.72	358	206	44
United Kingdom	22.61	1303	242	275
Poland	22.57	19	28	9
Lithuania	20.55	9	3	6
Denmark	18.91	584	144	100
Netherlands	18.88	28	8	5
Estonia	18.50	403	69	7
Latvia	15.41	31	21	7
Finland	14.26	1152	205	22
Croatia	9.00	73	246	0
Italy	8.72	182	309	11
Spain	8.38	344	204	22
Sweden	8.12	1417	566	38
Bulgaria	8.07	34	29	0
Romania	6.46	8	14	0
Malta	5.88	108	38	0
Portugal	2.52	119	48	12
Ireland	2.39	8	240	19
Greece	1.56	232	229	0
Cyprus	0.13	4	13	1

The analysis of measures related to designation of new MPAs, both in terms of coverage and types of MPAs, shows that only **Germany** meets both criteria. Its network of MPAs covers more 45% of its waters and does not suffer from major ecological gaps. If properly managed and regulated, the German network could produce the necessary conservation effects on its marine environment to bring its biodiversity indicators into GES.

Eleven Member States are doing reasonably well in terms of coverage of marine protection, exceeding the UN CBD Target: **Belgium** (35.5%); **Slovenia** (90%), **France** (26%), **United Kingdom** (23%), **Poland** (23%), **Lithuania** (21%), **Denmark** (19%), **the Netherlands** (18%), **Estonia** (18.5%), **Latvia** (15%) and **Finland** (14%). However an analysis of the composition of their MPA networks reveals shortcomings, notably gaps in coverage for certain habitats of species, including seabirds, which would prevent the achievement of GES for their networks of MPAs.

















Finally the remaining 11 other Member States are undoubtedly underperforming compared to international standards, and will very likely miss their MSFD targets in relation to marine biodiversity protection. Among those Member States, a few are leading the race to the bottom with networks of MPAs covering less than 3% of their waters, such as **Portugal** (2.5%), **Ireland** (2.3%), **Greece** (1.5%) and **Cyprus** (0.1%).

As illustrated, the performances of Member States are quite heterogeneous and show disparities among EU regions.

Some positive and noteworthy measures which emerged from the PoMs are **Portugal's** commitment on MPAs with a focus on deep-sea ecosystems; **Denmark's** decision to designate new MPAs for benthic communities listed under HELCOM; and the intention of **Cyprus** to designate new MPAs to protect the nurseries and spawning grounds of commercially important species as well as establishing artificial reef areas. The **UK** is also committed to finalising its network of MPAs and has confirmed its intention to establish a third tranche of Marine Conservation Zones, which will include sites relevant to OSPAR threatened and declining habitats and species.

More lamentably is the lack of ambition from certain Member States in completing their network of MPAs. Another case contains Member States with MPA coverage below the CBD Target, such as **Bulgaria, Ireland, Italy, Spain** and **Sweden**, which limit their **commitment** to only completing their Natura 2000 networks. Similarly, certain Member States with higher MPA coverage such as **Finland, France, Lithuania** and **Poland**, also fail to consider the possibilities of establishing new MPA sites under different categories (e.g. under Regional Seas Conventions) or to address existing gaps. For instance, **Lithuania** has protected 21% of its waters but has no sites beyond its territorial waters (12 nm), and does not foresee addressing this offshore gap with additional designation. By failing to also consider protecting additional marine species and habitats listed under regional agreements, these Member States undermine their ability to achieve a truly ecologically coherent network. The overall limited ambition of PoMs is an admission of weakness in reaching the MSFD target for several Member States. Table 2 summarises PoMs by Member States according to the defined categories.

**Table 2:** Summary assessment for MPA designation measure in MSFD PoMs

Status	Member States
Good	
Average, positive trend	    
Average, negative trend	     
Poor	   

## MPA management, in particular related to commercial fishing

2016 was a pivotal year for the adoption of management plans for EU MPAs, as EU Member States had a clear process to adopt fisheries management (under the CFP), and have adopted their national Operational Programmes under the European Maritime and Fisheries Funds (EMFF), which for most attributes dedicated funding to marine Natura 2000 sites (i.e., management, enforcement and/or monitoring). Similarly, the early MPAs designated after 2008 now enter a maturity phase after years of designation, in which responsible Member States must now adopt the necessary management measures to achieve their conservation objectives.

From our analysis of the PoMs on measures related to management of MPAs, **the Netherlands** and **Portugal** appear to be the EU Member States that demonstrated the most willingness to propose relatively ambitious measures, both in term of scope and substance. They might alone not be sufficient to reach GES, but they point towards the right direction to follow.

The **Danish** PoM also shows a good use of MSFD added-value for MPAs, despite its very narrow scope. The PoM only focuses on MPAs in the Kattegat, with a proposed measure specifically related to managing commercial fisheries in six newly designated areas to protect soft-bottoms (including features listed by HELCOM, such as sea pens and *Haploids* communities). **Portugal** has proposed management measures on a broader scale which will have benefits to MPAs, such as a proposed prohibition of bottom-trawling for the EU fleet in its entire EEZ, or a measure to elaborate sustainable management plans for natural resources, including fisheries, of its extended continental shelf – which covers offshore MPAs, several of which are designated under OSPAR. For its part, the **Dutch** PoM formulates additional area-based and species-oriented measures, both inside and outside MPAs. For instance, a measure sets quantified objectives of undisturbed seabed (8% of the Dutch EEZ by 2016, and 10-15% by 2020), and proposes several restrictions on seabed-disturbing fishing techniques in MPAs such as the Frisian Front and Central Oyster Grounds sites. However – troublingly – offshore oil and gas activities and the laying of cables and pipelines are considered by the Dutch authorities as activities which do not disturb the seabed to any significant extent. Therefore, these activities will continue to be allowed under the current conditions in MPAs.

Overall, ten Member States intend to develop management plans for their MPAs, although most fail to describe the objectives and substance of such proposed measures in details, in particular when it comes to fisheries (**Belgium, Bulgaria, Cyprus, Finland, France, Germany, Ireland, Spain, Sweden** and the **United Kingdom**). The measures are sometimes rather general, indicating that there may be uncertainties about the comprehensiveness and level of implementation. Of these Member States, only six committed to specifically adopting fisheries management for their marine Natura 2000 network (i.e., **Belgium, Finland, Germany, Ireland, Sweden** and the **United Kingdom**). Although a clear positive step towards having effective network of MPAs, the approaches taken by these countries have often been too narrow, limiting the scope of fisheries management to a certain category of MPAs (Natura 2000), while leaving others out (national and regional sites). In many cases, no timeframe was associated with the adoption of fisheries regulations, with the exception of the UK (by the end of 2016) and for Finland (by 2018).

















The “MSFD additionality” aspect developed earlier in this report is lacking from almost all PoMs. Certain proposed measures show a minimalistic approach, sub-optimal to deliver effective conservation benefits particularly when it comes to addressing the impacts of fishing in MPAs. For instance, in the case of the **Belgium** PoM, measures to reduce commercial fishing inside an existing Natura 2000 site (*Vlaams Banken*) foresee the creation of four zones to protect seabed integrity where gear-mitigation technics and experimental fishing techniques with limited impacts on the seabed will be tested. Not only are these zones too small to deliver meaningful benefits to the wider MPA, but only two zones will actually be closed to bottom contacting gears (representing a mere 10% of the MPA surface).

Picking-up notable measures identified in the PoMs in relation to MPAs and fisheries management, the following ones could be considered “best practices”:

- Developing underwater noise mitigation measures, in particular for Habitats Directive species like harbour porpoises (**Germany**)
- Prohibiting the removal of stones and gravel from seabed, particularly from fishing activities (**Belgium**)
- Enhancing control and monitoring of activities within MPAs, for instance through increased surveillance or enhanced routine controls (**Bulgaria, Cyprus, Italy**)
- Adapting protection regimes of MPAs (**Bulgaria** and **France**), for instance in the latter case by establishing ‘increased protection areas’ inside existing MPAs
- Creating migration corridors for migrating marine species between areas of ecological importance (**Germany**)
- Protecting functional zones for commercial fish species, such as nursery grounds (**Bulgaria, Cyprus, Finland, France, Ireland**)
- Preparing management guidelines to avoid, prevent and mitigate the impacts of various human activities on biogenic substrate (**Italy**)
- Ecological restoration measures, such as gravel beds in *Vlaamse Banken* (**Belgium**); polluted seabed in *Calanques National Park* (**France**); hard substrate restoration for flat oysters and shell reefs in the Voordelta area (**The Netherlands**); and establishing large artificial reef areas (**Cyprus**)
- Managing recreational activities in MPAs, such as implementing a national strategy for diving (**France**); monitoring of invasive species (**France**); and monitoring of recreational fisheries in MPAs (**Portugal**)
- Training and awareness raising measures about seabed impact and by-catch from fishing in MPAs (**Italy**)

Lastly, it is worth noting that some Member States (**France, Italy** and **Spain**) did not mention any clear intentions to regulate commercial fishing in MPAs in their respective PoM, which raises legitimate concerns about the level of ambition and the capacity of these governments to deliver against their GES objectives, let alone the implementation of the Common Fisheries Policy. This shows a blatant failure to recognise the necessity to mitigate and eliminate the impacts of fishing inside MPAs, despite clear evidence of detrimental effects of fishing on seabed integrity and protected species. It is worth noting that, unlike many other EU Member States, most of them have not yet initiated the process to formally adopt fisheries recommendation for MPAs under the Common Fisheries Policy, a bad omen for the 2020 policy target to implement the MSFD. Table 3 summarises PoMs by Member States according to the defined categories for fisheries management and MPAs.

**Table 3:** Summary assessment for fisheries management and MPAs in MSFD PoMs

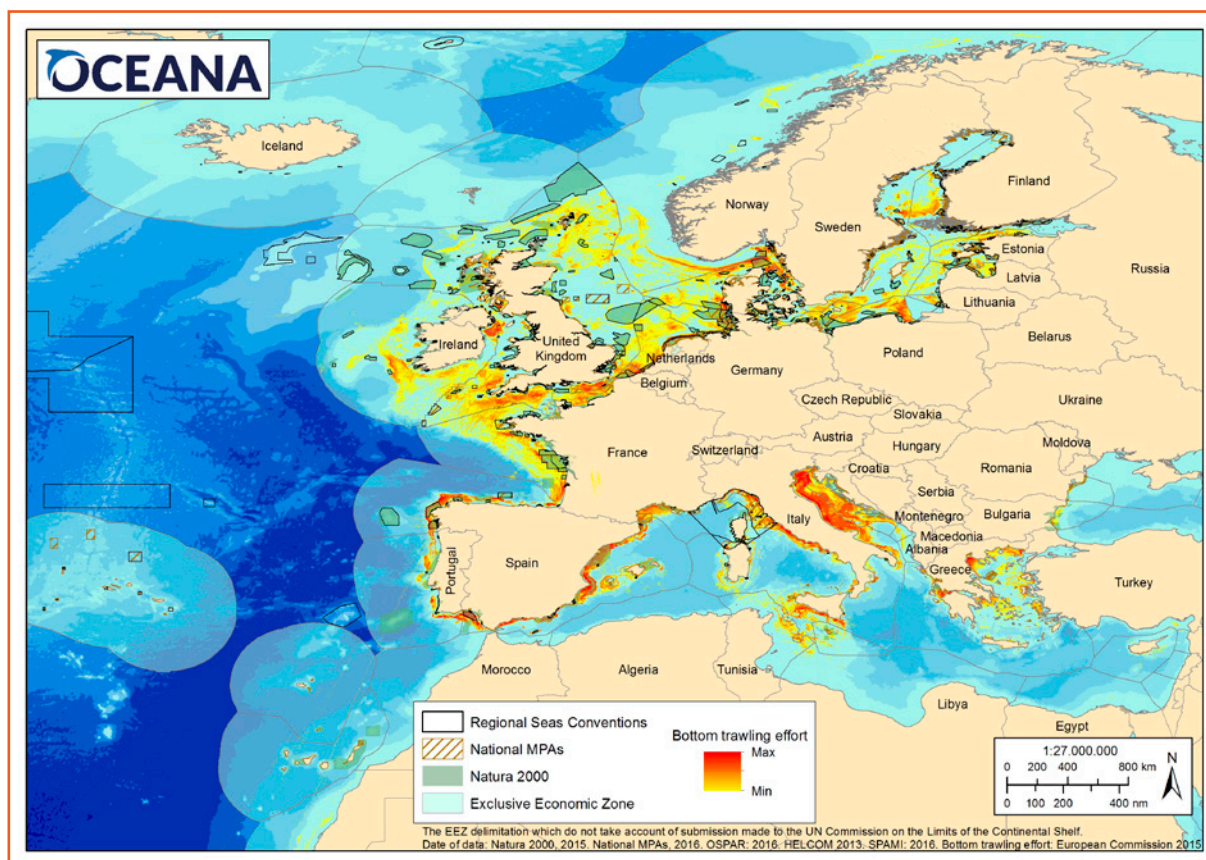
Status	Member States
Good	  
Average, positive trend	     
Average, negative trend	  
Poor	   

## Impacts of fishing inside European MPAs

The increasing availability of fisheries data, including logbooks and monitoring systems, enables the analysis of the relationships between fishing activities, their intensity and their potential environmental impacts at an unprecedented level of detail. As such, the International Council for the Exploration of the Sea (ICES) provides regular advice on fishing intensity and pressure mapping using Vessel Monitoring System (VMS) data<sup>18</sup>. ICES produces regular maps of intensity of bottom-contacting mobile gears on the seafloor for both the OSPAR and HELCOM maritime areas. This spatial representation enables estimating the number of times that each unit of seabed is trawled annually, and helps to assess damage to seabed features through the penetration of fishing gears (surface and subsurface abrasion). Similarly, the EU JRC analysed a large AIS dataset covering one year of activity of EU fishing vessels longer than 15 meters. With these data, JRC was able to produce the first high-resolution map of fishing intensity covering all EU waters, helping to support the assessment of impacts on the fishing sector on MPAs and the quantification of indicators of the pressure on the marine environment and the sea floor<sup>19</sup>.

Through a GIS analysis, overlaying bottom fishing intensity layer and the current EU MPA network enables the identification of certain EU MPAs where bottom fishing is highest (Figure 4). It is possible to identify certain areas and MPAs designated for habitats having the highest vulnerability to bottom fishing gears (e.g., reefs, sandbanks, or Posidonia beds).

**Figure 4:** Map of European bottom fishing pressure in relation to the European MPA network (Data source: JRC Blue Hub 2013)



<sup>18</sup> ICES Special Request Advice 1.6.6.3, and Advice 8.2.3.2 (25 August 2015)

<sup>19</sup> Blue Hub, Mapping Fishing Activities (MFA) available at <https://bluehub.jrc.ec.europa.eu/mspPublic>

In light of these new analyses on the spatial impacts of commercial fishing, it is possible to roughly estimate the adequacy of proposed measures to regulate fisheries in MPAs, in relation to the actual impacts on the marine environment, at least in relation to benthic conservation.

As presented in the previous section, ambitious measures to mitigate fishing impacts in MPAs (both from commercial and recreational users) are largely conspicuous by their absence in the majority of the PoMs analysed. Out of the ten Member States that identified a need to adopt some kind of fisheries management inside their MPAs, only a minority referred expressly to the use of Common Fisheries Policy mechanisms, and even fewer recognised the need to regulate fishing in MPAs other than Natura 2000 areas, such as Regional Seas Convention MPA or national MPAs.

Consequently it is fair to assume that for the vast majority of Regional Seas Convention sites, commercial fishing will likely remain unrestricted and follow business-as-usual. Many regional MPAs are specifically designated for conserving habitats and species that are particularly sensitive to fishing pressure, such as deep-sea sponge aggregations or threatened sharks and rays. The MSFD PoMs represented a unique opportunity to make commitments to adopt fisheries management for these sites, which otherwise are likely to remain marine paper parks for years to come.

## 4 – Other human activities inside MPAs and monitoring

Our analysis of the PoMs also showed that Member States did propose measures to address the impacts of other human activities in MPAs, sometimes through specific MPA measures and sometimes through broader-scale measures. In fact, only four Member States (i.e., France, Italy, Portugal, Spain) specifically referred to direct measures to mitigate impacts such as from anchoring, mineral exploration, invasive alien species or navigation (both collision and underwater noise) inside MPAs. Notably, most of these measures are specifically applicable to MPAs designated under Regional Seas Conventions. For instance, France and Italy foresee measures to install ship-strike alarm systems to prevent collisions with marine cetaceans in the Pelagos Sanctuary (a Specially Protected Area of Mediterranean Importance under the Barcelona Convention). Similarly, Portugal proposes a measure to manage genetic and geological resources for its five offshore MPAs designated under OSPAR on its extended continental shelf. Spain plans to develop a mobile application to tap into citizen science to support early detection, control and eradication of invasive alien species in Marine National Parks (MPAs designated nationally).

Most of the broader scope measures found in the PoMs relate to the monitoring and regulating of certain recreational activities. Thus, five Member States (i.e., Belgium, Cyprus, France, Ireland, and Italy) propose measures, exhibiting greater or lesser degrees of enforcement, to regulate and monitor recreational fishing. For instance, such measures include improving the licensing of recreational fishers in offshore areas in Spain; introducing catch limits for rod-and-line amateur fishers in Cyprus; raising awareness about bycatch of sharks, turtles or seabirds in Italy; implementing recovery plans for depleted fish stocks (such as seabass in the Celtic Sea) for recreational fishers in France. The sustainability of sand and gravel extraction activities is also part of dominant MSFD measures in Bulgaria, Finland, France, Germany and Sweden.

Finally, other worthy measures relate to the reduction of underwater noise, in some cases in relation to sensitive marine species such as harbour porpoise in Germany or in Belgium, which PoM aims at limiting cetacean disturbances from military activities despite their theoretical exclusion from the MSFD scope.

## 5 – Conclusions and recommendations

The analysis of EU Member State PoMs show that overall proposed measures related to MPAs are likely to be insufficient to make the network ecologically coherent and well-managed, and thus unlikely to positively contribute to achieving Good Environmental Status for marine biodiversity.

Few Member States appear to have seriously considered the potential role of MPAs for helping to reach and maintain GES for biodiversity, at least. EU Member States will be assessed in 2020 on the effectiveness of their marine conservation measures, and in particular of their MPA networks, to halt marine biodiversity loss and restore degraded marine ecosystems to a healthy state. Neither of those aspects is likely to be assessed favourably if MSFD PoMs do not systematically address the issue of fishing inside MPAs as a priority.

It also appears that many Member States plan to use this first MSFD cycle to implement 'old' measures related to existing obligations or commitments. For example, many measures for MPAs relate primarily to existing requirements under the Habitats and Birds Directives ('Natura 2000'). Also, several Member States did not at all use the leverage offered by Regional Seas Convention MPAs to propose improving the ecological coherence of their MPA networks.

Regardless of Member States having set low GES targets to begin with, there is scope for stronger measures during the current MSFD cycle, but also in the longer term. Oceana does not believe the vicious circle of "low target/low measures" can drive the MSFD implementation indefinitely.

Consequently, it is the role of the European Commission to rigorously and consistently assess each PoM, with respect to the overarching objective and aspirations of the Directive. We are confident that the European Commission cannot decently turn a blind eye to Member States that do not sufficiently recognise the ecological contribution that MPAs designated under RSCs make to achieving GES. Likewise, it cannot overlook Member States that insufficiently address the impacts of human activities in their MPAs. The European Commission must therefore ensure that each PoM fulfils some basic requirements in relation to the management of MPAs, such as, at least, effective measures to address the impacts of commercial fisheries. Our analysis of the PoMs points to examples of good practices which we occasionally identified. These include the designation of new MPAs to protect threatened species or habitats listed under Regional Seas Conventions with the aim of improving ecological coherence of the MPA network or considering connectivity of the network for migrating species. When it comes to the management regimes, good examples of measures are those aiming at regulating human activities in MPAs, from commercial fishing to dredging, as well as recreational activities, but also other threats like invasive marine species or underwater noise. Enhanced monitoring, control and surveillance of MPAs can also serve as a reference standard in the PoMs.

In the context of the recent conclusions by the EU on the fitness check of EU Nature Directives, it is clear that the main weakness of the MSFD is similar to that of the Nature Directives: implementation. It is crucial that the European Commission does not adopt a laissez-faire attitude towards MSFD implementation, but instead holds Member States to a high standard, and corrects the shortcomings of the proposed PoMs early on. This is all the more relevant as the EU is at the beginning of a new area of the Blue economy and Blue Growth, which will generate more economic activity in the maritime sectors and, as a result, increase conflicts over the use of the sea and the exploitation of its resources. Without healthy oceans and productive marine ecosystems, no marine sectors can thrive sustainably, as many depend on our natural capital and its resilience. Ignoring this will further undermine the potential socio-economic benefits for European coastal communities and future generations.

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