

**EU Biodiversity Platform  
Sub-group on marine issues  
(Marine Expert Group under the Birds and Habitats Directives)  
Meeting of the Marine Expert Group (MEG)**

**2<sup>nd</sup> March 2023  
Hybrid**

**Introduction**

The meeting was chaired by Vedran Nikolic, DG Environment, Nature Conservation Unit.

**BIODIVERSITY STRATEGY**

**Protected area target and 30% improvement target**

**- State of play with Member States' pledges**

Background: DG ENV contract 'Support for the Natura 2000 Biogeographical Process in the Marine Regions' is assisting the European Commission in the implementation of the Natura 2000 biogeographical process in marine regions. This process provides support to Member States and stakeholders to implement the marine Natura 2000 network through organisation of stakeholder events on the topics related to the management of sites. The biogeographical process now also includes the support to the implementation of the two targets under the EU Biodiversity Strategy for 2030:

- The "protected area" target: to legally protect at least 30% of the land, including inland waters, and 30% of the sea, of which 1/3 (10% of land and 10% of sea) should be strictly protected;
- The status improvement target: at national level, habitats and species covered by EU nature legislation show no deterioration in conservation trends and status; and at least 30% of them reach favourable conservation status or at least show a strong positive trend.

Accordingly, the main tasks of this contract include the analysis and review of Member States' pledges for the above-mentioned targets, the organisation and facilitation of seminars where the pledges was reviewed and discussed. The deadline for submitting pledges was end of 2022. DG ENV hopes to have at least half of the expected pledges soon.

**- Planning of the pledge and review seminars**

3 seminars, one for the Baltic region are planned. Seminars will only be meaningful if DG ENV gets enough pledges. So far, the response from Member States has not been satisfactory with respect to pledges.

**- Assessment of pledges – draft methodology**

The aim of assessment of the protected area pledges is:

- to measure progress towards the numerical targets for protected area designation (30%/10%), and
- to provide initial feedback on the coherence of the resulting network of marine protected areas and integrating ecological corridors.

Information on pledges was given by some Member States, this information will be used to assess the progress towards numerical targets. Pledges include information on the areas covered by new protection measures and levels of protection (strict or broad), enabling progress towards both numerical protected area targets to be assessed.

European Environment Agency presented the methodology, the structure and content of the

pledges. A protected area network is made up of sites designated under different regulatory frameworks. The data provided by Member States allows a distinction to be made between Natura 2000 sites and sites based on national legislation. In addition, the EU Biodiversity Strategy allows areas subject to other effective area-based conservation measures (OECMs) to be counted towards the protected area targets. Information on the relative contributions of Natura 2000, national sites and OECMs will be presented for each Member State and biogeographical region. Protected areas, including OECMs are included in the pledges. Why collecting the information in the pledges: to create a map of current coverage of protected areas. With submission of pledges a new baseline will be designed. All protected areas are counting towards the 30% target.

Separate assessment methodology for marine areas as concerns protected area targets. The aim of protected area assessment is twofold: to measure progress towards numerical targets (30% of marine areas protected and 10% of areas under strict protection) and to provide feedback on network coherence (including adequacy, management, representativity).

#### **Presentation of MPA Europe (Horizon project)**

The project on MPAs was presented. The objective is to design an MPA network in Europe. All EEZ in Europe are included. Planning of MPAs at present is ad hoc. So need to know where biodiversity is and plan MPAs accordingly. The project will take into account the species protection and habitat protection. Study mapping ideal MPA network for world oceans was made. 1<sup>st</sup> step is to classify ecosystems. Species richness is indicated. Outcomes: designing optimal places to protect biodiversity considering species richness, predictions of how climate change will affect the distribution of species and extinction risk, fully protected MPAs will control human impacts on biodiversity. There are several sister-projects in the EU. The projects will interact with them.

#### **Action plan to conserve fisheries resources and protect marine ecosystems**

The Commission presented a package of measures to improve the sustainability and resilience of the EU's fisheries and aquaculture sector. It includes four elements:

A [Communication on the Energy Transition of the EU Fisheries and Aquaculture sector](#); an [Action Plan to protect and restore marine ecosystems for sustainable and resilient fisheries](#); a [Communication on the common fisheries policy today and tomorrow](#) and a [Report on the Common Market Organisation for fishery and aquaculture products](#).

The main objectives of the measures are to promote the use of cleaner energy sources and reduce dependency on fossil fuels as well as reduce the sector's impact on marine ecosystems. The proposed actions will be carried out gradually to help the sector adapt. A 'Pact for Fisheries and Oceans' will also support the full implementation of the [Common Fisheries Policy](#) (CFP) in coordination with Member States and fisheries stakeholders, including fishers, producer organisations, regional advisory councils, civil society and scientists. The Action Plan (AP) gives direction and priorities in the context of Green Deal and Biodiversity Strategy. The AP builds on existing framework, on the commitments made by all Member States.

This Action Plan is part of the Commission's efforts to achieve a more consistent implementation of the EU's environmental policy and the Common Fisheries Policy with its three – environmental, economic and social - sustainability pillars. Building on the EU Biodiversity Strategy for 2030 commitment to legally protect 30% of our seas, of which one third should be strictly protected, it addresses the shortcomings identified in the European Court of Auditors' special report issued on the marine environment, by focusing in particular on marine protected areas (MPAs) and on ways in which fisheries management can contribute to more effective protection and restoration of their marine biodiversity, thereby contributing to achieving the objectives of the proposed Nature Restoration law. The action plan draws on contributions made by stakeholders and citizens during the broad consultation. The Commission highlighted the link between healthy seas and sustainable, long term profitable fisheries. Action Plan is a blue print for the future.

**MAKING FISHING PRACTICES MORE SUSTAINABLE by:**

Improving gear selectivity and reducing the impact of fisheries on sensitive species.

Reducing the impact of fisheries on the seabed (especially in spawning and nursery areas), in particular bottom trawling. Implementation of necessary measures, also obligations under MSFD. Timeframes: gradual phasing out of bottom trawling in the EU seas, first in MPAs (March 2024). Benefits for biodiversity. Detailed plans for phasing out bottom trawling by 2030. Detailed measures for at least 20% of each MS waters, to maintain a level playing field. Will contribute to holistic objectives of MPAs.

**SECURING A FAIR AND JUST TRANSITION FOR ALL**

**STRENGTHENING THE KNOWLEDGE BASE AND RESEARCH AND INNOVATION**

Action to improve implementation, monitoring and enforcement

**GOVERNANCE, STAKEHOLDER INVOLVEMENT AND OUTREACH**

**FRAMEWORK TO IMPLEMENT THIS ACTION PLAN:**

This action plan sets out a range of actions and support measures to better protect fisheries resources and marine ecosystems and to improve coherence and coordination between environmental and fisheries policies at all levels.

The Commission proposes the following **framework to implement this action plan:**

- In Spring 2023, the Commission will provide to Member States a template and guidance to facilitate the preparation of the roadmaps
- In autumn 2023, the Commission will call the first meeting of the new joint special group to support Member States in preparing their national roadmaps and start the tracking process.
- By the end of March 2024, Member States will submit roadmaps to the Commission and make them public. These roadmaps should outline the national measures and other measures they intend to propose through joint recommendations in order to meet the objectives of the action plan, including a timeline to 2030.
- During the first half of 2024, the Commission will adopt its second report on the Technical Measures Regulation. This will feed into the mid-term review of the Biodiversity Strategy, also due in the first half of 2024, which will assess progress in implementing this action plan.

Progress on the implementation of this action plan will be assessed against:

- (1) the measures announced and outlined in the roadmaps for 2030, and
- (2) the national measures or joint recommendations, taken or submitted by March 2024.

- Depending on its assessment of progress made, and in line with its right of initiative, the Commission will consider whether further action is needed to improve implementation of any of the measures presented in this Action Plan, including by issuing a legislative proposal based on a thorough impact assessment.

All stakeholders were involved in the consultation of this Action Plan. It is the intention of COM to continue cooperating with stakeholder fora such as ACs with full transparency and coherence to enable effective implementation of AP measures.

Certain species are prioritised with relation to actions.

The Action Plan is a strategic document, based on the existing legislation.

**Discussion:** One participant stated that bycatch should only be discussed under Technical Measures Regulation – DG ENV answered that TM regulation has the same objectives and threshold values as environmental legislation for endangered species such as harbour porpoise. A participants asked why OECM are not part of the Action Plan – DG ENV answered that OECMs are recognised. Another question on enforcement: not concrete. Will COM focus on control of MPAs? COM: it is an Action Plan. Actions are derived from existing rules and regulations. The rules on bycatch will continue to be implemented. There is a lack of fisheries management measures in some countries and that needs to be dealt with.

On bottom trawling: will there be a regulation to ban bottom trawling? COM will see what actions related to legislation are needed. The intention is to work together and see what can be done to improve the state of the environment and for the benefit of fishers. There is intention to continue working with EFCA on inspection programmes.

Some participants indicated that the Action Plan is confusing as some issues are not coherently expressed and there are many issues that need further explanations. They referred, among others to the measures applied in MPAs.

**LDAC** - mobile bottom gear should also be clearly specified (explicitly listed). Spill over effect should be looked at but also displacement effect. The Commission should not say that fishers can fish somewhere else, because this is not always true. LDAC – the AP is a way of amending the CFP through the back door! How can you assure that the AP will be equally applied in the MS?

**COM:** the format of the Plan cannot be changed. Other Action Plans had been presented in the past. It is a good way of moving things forward. Everything in the AP is fully in line with the existing legislation, not the intention of COM to exclude anyone. The Council and the Parliament have also been invited to express their opinions. The Member States will implement the Action Plan on the basis of voluntary commitments. The implementation issues will have to be discussed in a special expert group.

#### **Written information on:**

#### **- Bycatch of protected species**

*ICES advice on bycatch rereferred to:* [EU request on the review of monitoring of bycatch of protected, endangered, and threatened species of mammals, birds, turtles and fish under the service of EC DG ENVIRONMENT \(figshare.com\)](#)