

MEDAC

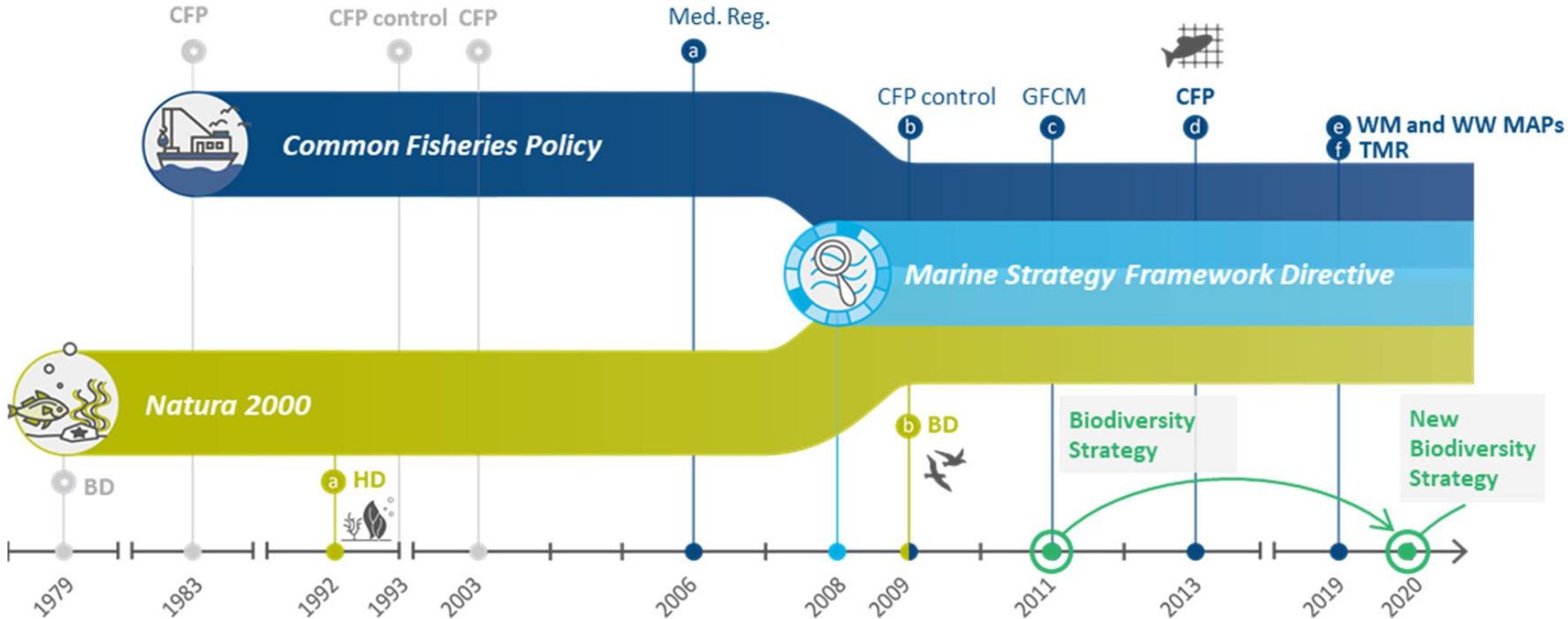
MEDITERRANEAN
A D V I S O R Y
C O U N C I L



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The European Court of Auditors Special Report "Marine environment"



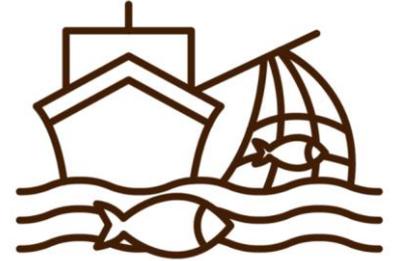


The EU has a framework in place to protect the marine environment. **This includes various environmental directives, and regulations about fishing.**

EU Court of Auditors - Marine environment: EU protection is wide but not deep (2020)

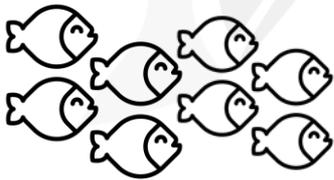
The EU has a policy of protecting the marine environment and using marine resources sustainably.

Scientists and policy makers have recognised that fishing, through resource extraction and damage to the sea floor, is a key pressure on the EU's seas.



CFP aims to ensure that fishing activities are environmentally sustainable

The Commission has a greater role in the conservation of **marine biological resources** than for **environmental policies**



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The most relevant maritime environmental policies:

- ✓ Marine Strategy Framework Directive
- ✓ Birds and Habitat Directives

2020 is a key year for the EU in terms of meeting conservation objectives under the 2011 biodiversity strategy, the CFP and the MSFD

2021 will see a conference meeting on the United Nations Convention on Biodiversity



The EU “Court of Auditors” report can help inform future policy discussions.

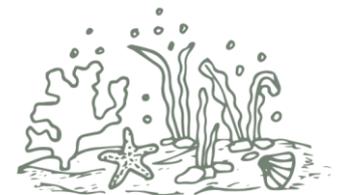
The audit examined:

- ✓ whether the EU framework addressing the main pressures on marine biodiversity and habitats was well designed and applied in practice in selected parts of the Atlantic and Mediterranean



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- ✓ **whether results flowed from the use of EU funds**



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FINDINGS

Overall, while a framework was in place to protect the marine environment, the EU's actions had not restored seas to good environmental status, nor fishing to sustainable levels in all seas



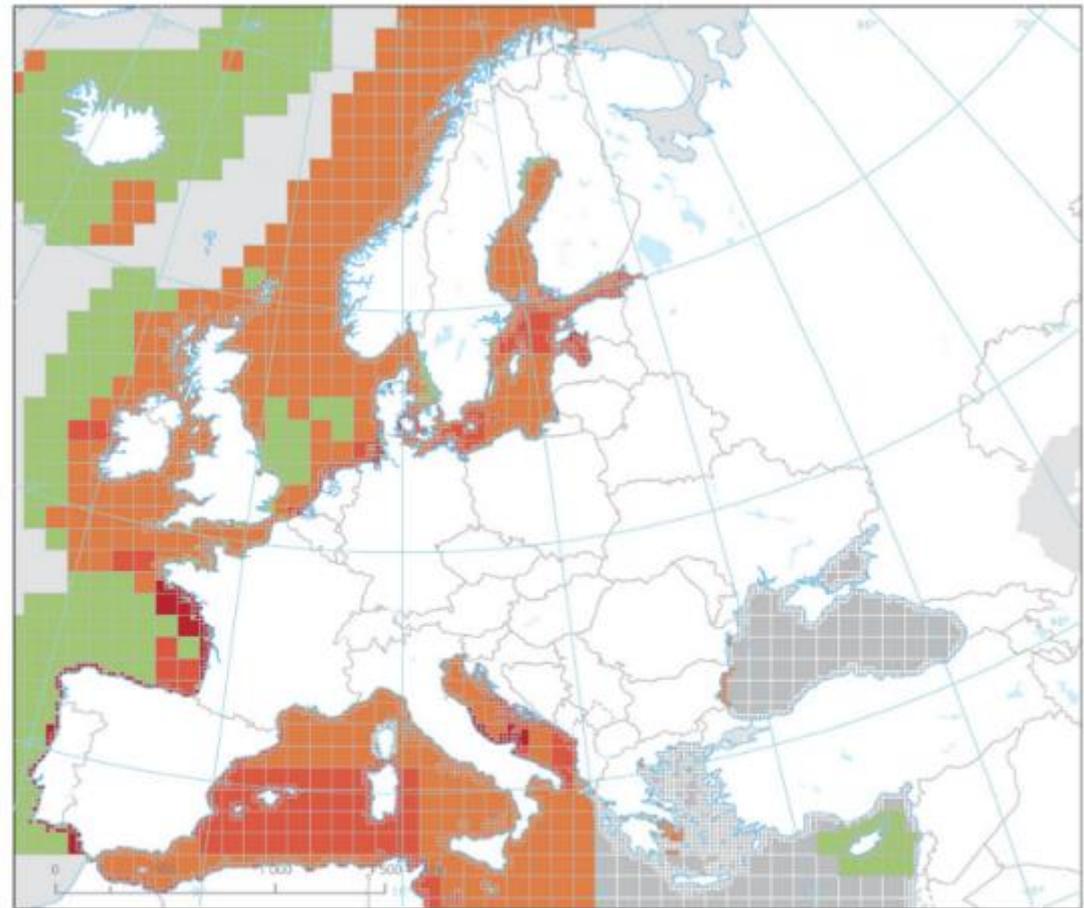
This assessment is supported by a report by the European Environment Agency: *“Marine biodiversity remains under threat in Europe’s seas. A high proportion of marine species and habitats’ assessments continue to show an ‘unfavourable conservation status’ or a status that is ‘unknown’”*.

FINDINGS, in particular:

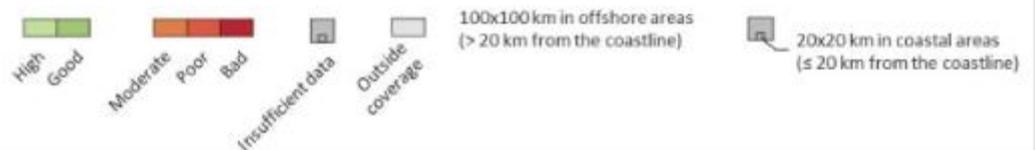
- ✓ EU protection rules have not led to the recovery of significant ecosystems and habitats
- ✓ The network of marine protected areas was not representative of the EU’s diverse seas and sometimes provided little protection
- ✓ **The provisions to coordinate fisheries policy with environmental policy had not worked as intended**



The European Environment Agency's classification of biodiversity condition in Europe's Seas



BEAT+ based classifications of Integrated classification of biodiversity condition in Europe's seas



Source: © European Environment Agency, EEA Report, Marine messages II, 2020, Figure 3.1, p. 27.

FINDINGS, in particular:

- ✓ In the Mediterranean, where fisheries management is mostly linked to **limits on fishing effort** (and not catches), **fishing rates were at twice sustainable levels¹**.
- ✓ The Members States visited by the Auditors:
 - **used 6 %** of their funding through the European Maritime and Fisheries Fund on measures directly related to **conservation measures**
 - further **8 %** on measures **indirectly related to conservation measures**
 - good examples of projects funded with LIFE and Interreg.



¹ In the Atlantic, where fisheries management is mostly linked to limits on allowable catches, there was measureable improvement. The majority of fish stocks were fished sustainably. However many stocks were still overfished.

Based on these findings, the Auditors the following conclusions:

- ✓ Marine protected areas (MPAs) are the most emblematic marine conservation measures.



Member States are required by the Marine Strategy Framework Directive to create coherent networks of such areas; and the EU had the objective of protecting 10 % of its sea areas by 2020.



The ECA's assessment of the role of MPAs is in line with the European Environment Agency, which identified **a lack of an effective, well-managed and well-connected network of MPAs**



As a result, they provided limited protection of marine biodiversity.

- ✓ Member States cannot impose restrictions on fishing activities beyond territorial waters without engaging in multilateral discussions. This complicates protection of the marine environment

Based on these findings, the Auditors the following conclusions:

- ✓ EU law for both the **common fisheries policy and marine biodiversity** contain specific provisions intended to coordinate fisheries measures **with measures to protect the marine environment**. ECA found, in practice, that the provisions of Article 11 of the CFP and Article 15 of the MSFD had not worked as intended in the examined areas.



This weakened coordination between these policy areas

- ✓ The **Natura 2000 network established by the Birds and Habitats Directives is the cornerstone of the EU's efforts to protect biodiversity**. Other EU legislation includes protective provisions that refer to the species and habitats listed in these directives.



The lists of threatened species and habitats created more than 25 years ago do not take into account recent scientific knowledge.

So, this legislation does not protect some threatened species

Based on these findings, the Auditors make the following:

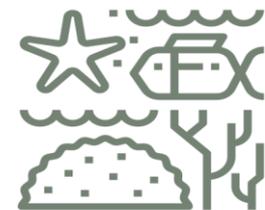
✓ **Recommendation 1 – Identifying the regulatory and administrative changes necessary to protect sensitive species and habitats**

To **strengthen links between environmental and fisheries policies**, the Commission, together with the Member States, should identify the regulatory and administrative changes necessary to **protect sensitive species and habitats**, which both:

- facilitate **faster application** of conservation measures under the CFP and MSFD;
- **extend protection to more species** (in particular those classified as critically endangered) **and habitats** in the light of current scientific knowledge.



**Target
implementation
date: 2022**



✓ Recommendation 1 – Identifying the regulatory and administrative changes necessary to protect sensitive species and habitats

ECA found that EU action had not created the EU fishing protected areas required by the Mediterranean Regulation of 2006

However, FRA can be created through other tools

- ✓ GFCM FRAs based on scientific Advice
- ✓ West Med MAP (MSY from 2020 to 1 January **2025**)

The Commission will evaluate the plan in 2024, close to this new deadline

Technical measures can contribute more effectively to minimising the negative environmental impact of fisheries

EU TM applicable to the Med are difficult to enforce and have not yet been sufficient to protect marine resources

In 2018, the EC proposed a new control regulation, which **addresses some of the known weaknesses** applying to fishing in the Med



The EU fishing capacity ceilings and the Entry Exit Scheme were not designed to respond to the specific circumstances of the EU regional seas and **did not consider the environmental impact of different types of fishing techniques**

Based on the findings, the Auditors make the following:

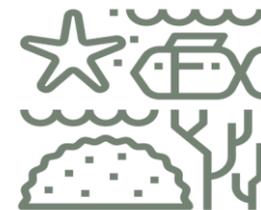
✓ **Recommendation 2 – Improving protection measures in the Mediterranean**

Given the long standing degradation of Mediterranean marine ecosystems, the Commission together with the relevant Member States should:

- **examine the case for establishing further fishing protected areas in the Mediterranean Sea basin;**
- report regularly on the progress achieved and on the need for corrective actions, under the Western Mediterranean multiannual plan, to enable corrective actions to be identified and taken.



**Target
implementation
date: 2023**



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✓ Recommendation 2 – Improving protection measures in the Mediterranean

EU policies state that EU funding should support marine environment protection. The EU has several tools for doing this.



The **EMFF** is tailored to support the objectives of the CFP.

& The EU's **LIFE Programme** aims at supporting environmental projects, in particular through integrated projects.

& **Interreg** can also fund projects supporting the marine environment.

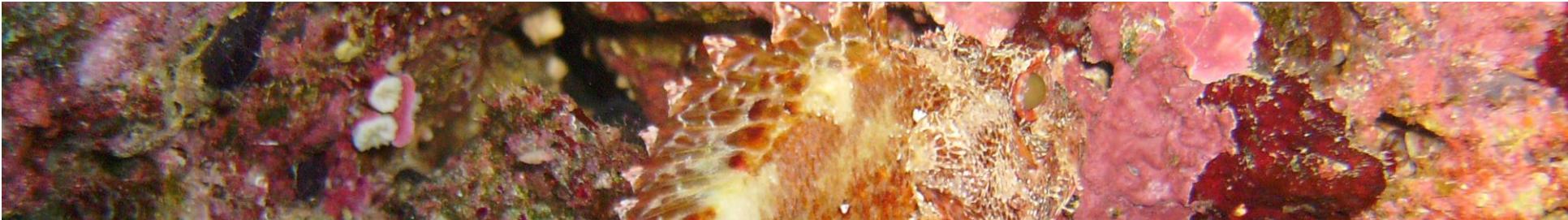
✓ Recommendation 3 – Increasing the potential of EU funding

The Commission should, together with the Member States, in the context of the next EMFF programming exercise, **identify how to increase the contribution of EMFF funding to marine conservation objectives.**



**Target
implementation
date: 2023**





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Main References

Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive). OJ L 164, 25.6.2008.

Respectively, Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds and Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

EEA: State of Europe's Seas, 2015.

EEA Report No 17/2019: Marine messages II, Navigating the course towards clean, healthy and productive seas through implementation of an ecosystem-based approach, 2020.

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS EU Biodiversity Strategy for 2030 - COM(2020) 380 final

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THANK YOU

