**REV DRAFT-Minutes of the Marine Strategy Navigation Group (MSFD NAVI) 13th meeting: 30 October 2014, 09:30 – 13:00 PIANC offices, Brussels**

**Present**

Jan Brooke , WFDTG - JB

Anna Csiti, CEDA – AC (minutes)

Noemi von Meijenfeldt, CEDA – NvM (chair)

Ewa Tomczuk, European Boating Industry - ET

Paris Sansoglou, EuDA – PS

Albert Willemsen, ICOMIA – AW

**Apologies**

Marc Eisma, ESPO - ME

Kate Chapman for Caroline Price, European Boating Association – KC

Henrich Roeper, CEDA - HR

**Corresponding members**

James Herbert, ISU – JH

Benoit Loicq, ECSA – BL

Antonis Michail, ESPO – AM

Lola Ortiz Sanchez – LOS

Dafydd Lloyd Jones - DLJ

Note: Throughout these minutes reference is made to the Extended Agenda with detailed background information. These two documents together form the record of this meeting.

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| 1 Opening, apologies |  |
| The Chair, NvM, opened the meeting. Apologies were received as listed. She informed the group that due to other work responsibilities she is stopping with chairing NAVI. CEDA was looking for her replacement.In a short discussion it was acknowledged that it is too much for one person to look after all aspects of the Directive and this will become even more so in the future. Division of responsibilities within CEDA and also within NAVI is most likely the way forward.**Action.** AC to find out who will replace Caroline Price from EBA. AFTER MEETING NOTE-AC: JB advised that Emma Barton will replace Caroline.   | AC |
| 3 Minutes of the previous meeting (1 April 2014, brussels) |   |
| .1 Approval of the draft minutesThe draft minutes were adopted without changes. .2 Review of action points from last meetingAs most of action points were already “history” these were not revisited. At the invitation of the Chair, JB recalled the action to invite the Cruise Line Association to NAVI. **Action**: AC to ask ME to confirm that he was prepared to represent also the interests of the Cruise Line Association in NAVI. **Action**: AC to ask ECSA to inform NAVI if the organization attends/makes a presentation at or submits a document to any MSFD related meeting to make sure that inter-linkages are used in the most efficient way.  | ACAC |
| 3 SHORT OVERVIEW OF CURRENT STATE OF MSFD |  |
| NvM gave a brief summary. Please refer to Extended Agenda Point 3.  |  |
| **4 DOCUMENTS NAVI NEED TO COMMENT ON BY 28 NOVEMBER** |  |
| 1. **Common Understanding document** (For background information see Extended Agenda Point 4.a)

NAVI noted that on the issue of scale and sustainable use NAVI succeeded to draw attention to these, while there remain some disagreements between NAVI and COM. In a discussion it was agreed that instead of trying to anticipate possible problems and make an effort to avert them, NAVI should put effort into regularly informing the members of the participating associations of the current state of play. It was agreed to produce an information paper at the end of the year* to raise awareness to the draft national Programmes of Measures documents which will be out for public consultation early in 2015;
* to highlight issues and
* to give guidance to members on what to take into account when responding to the consultation.

Main points in the paper should be:* it is not clear how the sector will be effected;
* there will be differences between countries; internationally operating members may encounter problems in one country but not in an other;
* MS should look at the proposed measures bearing in mind:
	+ Scale
	+ Precautionary principle – Draw attention to the official position of the COM, namely that the precautionary principle acknowledges the adaptive management approach (PS has the details)
	+ Exceptions
	+ Linkages to WFD;
* Reference to the sustainable use objective of the Directive;
* The paper can build on the update document NvM produced for the CEDA and PIANC Env. Commissions (amongst the meeting documents).

**Action:** AC to co-ordinate the production of this information paper. JB to comment on the draft document. 1. **GES decision review – cross cutting issues** (For background information see Extended Agenda Point 4.b)

Sections/chapters of importance are:* Sec. 3.4 Precautionary principle. **Action**: AC to check the document for this item
* Chap. 4 State-based and pressure-based descriptors. **Action**: AC to check the document for this item
* Chap. 5 Scales & aggregation. **Action**: JB to check the document for this item
* Chap. 6 Links to other legislation. **Action**: JB to check the document for this item
1. **MSFD Annex III revision** (For background information see Extended Agenda Point 4.c)

**Action:** PS and AC to circulate Table 3 from this document to their members to see whether they are happy with the way the dredging sector is represented.1. **Review of. Manual and individual descriptor templates** (For background information see Extended Agenda Point 4.d)

NAVI agreed to focus on the Descriptor documents and to divide the task of reviewing those between NAVI members depending on the primary interest of the respective organisations.  The review will cover 6 descriptors. For each descriptor a number of people/organisations volunteered and a lead person was appointed as shown in the table below (lead person printed bold). **Action:** ET to discuss within her organisation which document they will review.NAVI members to review the various documents as detailed below plus the GES Decision 2010/477/EU methodological standards document (file name: GES\_12-2014-05\_Manual\_BackgroundNote\_V1)

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| --- | --- | --- |
| D2 | ComDecRev\_D2\_V2.1.doc | **Albert,** **Benoit,** Marc, Eva? |
| D5 | ComDecRev\_D5\_V2.1.doc | None |
| D6 | EU\_Annex I D6\_v2 | **Anna**, Paris,Jan, Marc |
| D7 | ComDecRev\_D7\_v3.0.docx | **Jan**, Marc,Paris, Anna |
| D8 | ComDecRev\_D8\_V4.docx | **Jan (Erik)**, Marc, Albert, Paris, Anna |
| D10 | ComDecRev\_D10\_ v2.0.docx | **Albert, Benoit** |
| D11 | EU\_Annex I D11\_v5 | **Anna (dredging), Albert (shipping)** Paris, Marc,Benoit |

In addition to the above listed descriptor documents, the same people will review relevant sections of the GES Decision 2010/477/EU methodological standards document (file name: GES\_12-2014-05\_Manual\_BackgroundNote\_V1).The deadlines are as follows* **7 Nov:** Lead reviewers circulate comments to members in their groups
* **14 November:** Group members send comments to lead reviewers
* **21 November:** Lead reviewers send comments to Noemi and Anna
 | AC, JBACACJBJBPS, ACET, ALL |
| 5 OTHER documentys/Topics of relevance to navi |  |
| 1. **Marine Protected Area (MPA) Guidance document by Deltares** (For background information see Extended Agenda Point 5.b)

AC advised of the following based on feedback from CEDA Env. Commission members: There may be reason for concern. The document does not explicitly mention dredging but it speaks about “extraction” and this could mean fish, oil and gas and sand. In Denmark * since the implementation of the MSFD sand extraction decreased by 50%
* the minister of environment will ban sand extraction from Oresund (small supplier for Copenhagen); intense public discussion;
* severe impact in Denmark
* Fehmarnbelt will also be affected (disturbs the seabed; violation of the MSFD) but it’s a large project and they can afford compensation measures.
* The Danish sea area is a miniature model of the North-Sea; the approach can have dire consequences for sand extraction in the Netherlands, Belgium

Ac**tion:** AC to check whether the above measures are more related to the Habitats Directive. AFTER MEETING NOTE-AC: No, they are consequences of the MSFD.The BRIELS A2 ruling was mentioned as a case ruling (in relation to the Habitats Directive)..**Action**: NvM to respond to OGP along the following lines: While NAVI monitors the developments, in principle, we are not uncomfortable with the Deltares document.1. **NGO priorities for MSFD PoM** (For background information see Extended Agenda Point 5.a)

NAVI concluded that on many points the document demonstrates lack of knowledge. Many of the proposed measures are already in place if contracting parties are following the rules. In its response at the SCG meeting NAVI should take a positive angle by giving concrete examples (2-3 in the meeting itself and offer to give more in writing).**Action:** ME to check the document. Those who review the descriptor documents to review this paper as well on the respective descriptors.1. **Draft report of WG DIKE on the reporting on Programmes of** Measures (For background information see Extended Agenda Point 5.c)

NAVI agreed that the document didn’t seem unreasonable. MSFD will use the WFD structure: of the key types of WFD measures they selected for use those relevant for the MSFD. The only new measure is “physical damages”. 1. **Overview of MS approach to Monitoring Programmes as an indication for their approach to PoM** (For background information see Extended Agenda Point 5.d)

NvM said that she had only received one review from Denmark via CEDA. The large differences between the reviews in terms of focus and the fact that the PoM documents will soon be available for public consultation question the value of continuing this exercise. It was agreed not to pursue this. 1. **Exceptions** (For background information see Extended Agenda Point 5.e)

JB is a member of the drafting group and sent notes of the recent meeting. The new version of the draft document has changed fundamentally and is much better. 1. **Discussion document underwater noise** (For background information see Extended Agenda Point 5.f)

NvM said that she had been in touch with Frank Thomsen who is representing CEDA on the GES Technical Subgroup underwater noise. Dr Thomsen said that the current developments are not specific and not relevant for the sector. The proposal deals with setting up a monitoring network. 1. **Invasive species** (For background information see Extended Agenda Point 5.g)

AW informed the group that * ICOMIA developed a proposal to set up a study to compare the effects of invasive species in relation to the use of antifouling and was seeking funding.
* The COM aims to set up a database on invasive species.

**Action:** AW will draft a position paper for NAVI to discuss as soon as feasible.**Action:** AW to send 2-3 examples relating to invasive species to JB as response to the NGO priorities paper by 7 November. 1. **Stakeholders workshop, 22 September** (For background information see Extended Agenda Point 5.h)

PS attended this workshop and reported the following:QuoteNAVI/EuDA was the only industry representative in the room (the European Boating Industry is also member of MSFD NAVI and did not participate in the workshop) and the other participants were mainly representatives from the national and European administrations with a strong cluster of NGOs. However most of the discussions and arguments were in line with the general policy lines promoted within NAVI: adaptive management and adaptive monitoring, early contractor involvement and early involvement of the stakeholders (before final design), the need for policy cooperation between environmental and transport administrations at national and European levels, the need to simplify the communication (de-jargonise and make less technical and more understandable), …The participants’ other topics of discussion included ‘consultation fatigue’, ‘social learning’ (educate the stakeholders on the general aspects and impacts of the projects), formal/informal consultation of neighbouring countries, reduce incoherence and inconsistencies, avoid ‘silo-isation’ (=policy and decision making in ‘silo’, in isolation from any other departments), the accountability of the administrations, the use of both top-down and bottom-up communication channels to reach a better ‘informed decision’.Unquote  | ACMEAWAW |
| 7 MEETINGS CALENDAR |  |
| * 23 - 24 October: TG Noise. Main aim: to determine where their focus will lay the coming year.
* 10 - 11November: MSCG meeting. JB and AW will attend.
* 2 - 3 December: Workshop on coordinated implementation of nature, biodiversity, marine and water policies. Aim of the workshop: to identify good practices for coordinated implementation and potential future activities of joint interest for the nature, marine and water policies by focusing on common lessons learned, discuss inter-linkages with different legislations, present case studies, and elaborate on gaps and recommendations stemming from practical examples from Member States. The overall aim is to produce a policy-making report rather than focus on technical details. JB and PS will attend.
* 2 - 3 February: WG DIKE;
* 9 - 10 February: MSCG meeting;
* 9 - 10 March: WG ESA;
* 22 - 23 April: WG GES;
* 4 - 5 May: MSCG meeting.

The next steps in the process towards a Common Understanding include:* 28 November 2014: WG GES comments on all draft documents (i.e. JRC/ICES templates on cross cutting issues, Annex III, CU document);
* Some expert groups (D1, D2, D5) can also continue to comment until 28 November 20014. These documents were not as advanced as the others.
* 21-23 January 2015 cross cutting issues workshop, Copenhagen. 2 out of these 3 days.
* Early February: revised JRC/ICES manuals circulated. In document 5 (Manual Background note) an overview of the latest version of the manuals is given. If necessary, targeted meetings of expert groups to address outstanding technical issues identified will be organised. (If such meetings take place this will be between February and March 2015).
* 25 March 2015 - 07 April 2015: next draft documents to be circulates to WG GES.
* 22 - 23 April 2015: next WG GES meeting.
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| 7 VARIOUS SUBJECTS FOR GENERAL INFORMATION |  |
| 1. *Workshop on D6* - seafloor integrity. 2-3 September 2015.
2. *European Commission Joint Research Centre's Marine Strategy Framework Directive Competence Centre (MCC)*. This centre was officially launched on 7th October in Rome (at the EurOcean conference). For more information, please see the web news: <https://ec.europa.eu/jrc/en/news/jrc-launches-marine-competence-centre>;
3. *National assessment report of Bulgaria*: provides insight on how they deal with the different Descriptors;
4. *Background document summarising experiences with respect to economic analysis* to support member states with the development of their programme of measures for the MSFD. Document ESA/10-2014/03, drafted 26-09-2014.
5. *OSPAR regional plan to improve adequacy and coherence of MSFD implementation 2014-2018*. Version 6 October 2014.
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| 11 any other business |  |
| **NAVI thanked NvM for her work as NAVI chair in the past three years and wished her well in the future.** |  |
| 13close |  |
| The Chair thanked all present. The meeting closed at 12:45 hours. |  |