



# BirdLife Europe Response

*Consultation on the outcomes of the technical and scientific review of the GES  
Decision 2010/477/EU and MSFD Annex III*

*31 July 2015*

**BirdLife welcomes the initiative to review the methodological standards found under the Commission decision 2010/477/EU and the Annex III of the Marine Strategy Framework Directives. We very much support the technical and scientific review that has been done so far and will limit our comments to Descriptor 1 and the MSFD Annex III.**

## Descriptor 1

In general, BirdLife agrees with the recommendations that been produced for Descriptor 1, especially with aligning the criteria for assessing GES with the Birds and Habitats Directives, as well as the work of the Regional Seas Conventions. Nevertheless, we have concerns regarding: the lack of assessment of the impacts of pressures (under Annex III).

On page 17 of the report, it is stated that: “More effort is needed for the identification of particular impacts on the assessed state element, which can be better facilitated at a lower than the criteria level, such as through particular methodological standards that are able to quantify the level of the impact”.

BirdLife fully agrees that the methodological standards should also quantify the level of the impact of pressures, where for birds this includes biological disturbance (fishing/by-catch), physical loss (energy infrastructure), contaminants (e.g. oil pollution) and physical disturbances (e.g. marine litter).

However, the report does not foresee such changes in the methodological standards for assessing Good Environmental Status of the MSFD under the Species level criterion (page 30, 38-39), Habitats level criterion (page 30, 31, 42-44), nor the Ecosystem structure criterion (page 31, 45-48). However, we find that assessing the impact of these pressures is fundamental for understanding GES and its achievement.

Below are specific comments related to some of the pressures mentioned above:

### 1. Seabird by-catch

- In line with the new Common Fisheries Policy, the commission proposed a revision for the Data Collection Framework to provide data on the impact of fisheries to the wider environment, including on seabird bycatch

2. Energy

- Seabirds are impacted through energy infrastructure installations (such as offshore wind power). This is considered a ‘physical loss - smothering’ and has not been accounted for at a species level under the current methodological standards.

3. Marine litter

- Descriptor 10 takes into account the impact marine litter has on marine life. The assessment is, however, also cross-cutting to Descriptor 1 and the impact the pressure “marine litter” has at the species level.

MSFD Annex III

BirdLife supports a revision of table 1 and table 2 as proposed in the report. In the case of the “pressures”, the revised tables are better aligned to other policies terminology and will therefore allow for a more effective use of data and information collected, as well as the implementation of actions.

**Recommendations:**

- Under the revision of the methodology standards of Descriptor 1, we propose that a “level of threat from pressures” is also included under the methodological standards for species

Other comments:

- The document sometimes uses the term “Nature Directives” or “Natura Directives” to refer to the “Birds and Habitats Directives”. For legal purposes, the document should always refer to the Birds Directive and the Habitats Directive.

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