

Environment and Climate Regional Accession Network (ECRAN)

Report on Regional Training on Marine Strategy Framework Directive (MSFD)

18-20 May 2015, Istanbul



ENVIRONMENTAL AND CLIMA REGIONAL NETWORK FOR ACCESSION - ECRAN

TRAINING REPORT Activity No. 2.4 Water Management Task 2.3.4: WFD and Marine Strategy Framework Directive (MSFD) REGIONAL TRAINING 18 – 20 May 2015 Istanbul, TURKEY





Table of Contents

١.	Background/Rationale1
	2. Current state of the affairs in the beneficiary countries in the specific sector
	2.1 Introduction 2
	2.2 Countries overview of the current status 4
	3. Summary of the main topics covered as per Training Needs Assessment
II.	Objectives of the training 15
(General objectives
	Specific objectives
I	Results/outputs
III.	EU policy and legislation covered by the training16
	L. Summary of the main provisions for each EU Directive/Regulation covered by the training 16
	1.1 The Marine Strategy Framework Directive (MSFD)16
	1.2 Water Framework Directive (WFD)17
	1.3 Other relevant EU legislation for approaching the topics of the Regional Training
2	2. Useful references on practical guides or links to various web sites
: t	 Case studies/examples from EU Member States to illustrate practical situations or best practices hat have been covered during the training
	3.1 Initial Assessment and Determination of GES23
	3.2 Development of Programme of Measures within the frame of MSFD 24
	3.3 Links between MSFD and other directives. Interactions, overlaps and potential area for closer coordination
	3.4 Development of the monitoring programmes according with WFD and MSFD
	3.5 Implementation of the MSFD within Black Sea27
IV.	Highlights from the training workshop 30
	L. Summary of each training session
	 Description of the training activities (delivered presentations, small group work, plenary discussions, etc.) done during each training session
	3. Outputs during individual/group work
4	4. Conclusions for further improvements in the relevant field
v.	Evaluation
AN	NEX I – Agenda
	human





Enviroment and Climate ECRAN Regional Accession Network

ANNEX II – Participants	. 49
ANNEX III – Presentations (under separate cover)	. 53





Abbreviations

Acquis	Acquis Communautaire - Community legislation		
BAP	Best Agricultural Practice		
BAT	Best Available Techniques		
BEP	Best Environmental Practice		
BLS	Baseline Scenario		
BSC	Black Sea Commission		
BS SAP	Strategic Action Plan for the Rehabilitation and Protection of the Black Sea		
BiH	Bosnia and Herzegovina		
BWD	Bathing Water Directive		
САР	Common Agricultural Policy		
CIS	Common Implementation Strategy		
	Driver, Pressure, State, Impact and Response framework for		
DPSIR	environmental analysis		
Drina RB	Drina River Basin		
DRB	Danube River Basin		
DRBD	Danube River Basin District		
DRBMP	Danube River Basin Management Plan		
DRPC	Danube River Protection Convention		
EC	European Commission		
ECRAN	Environment and Climate Regional Accession Network Project		
EEC	European Economic Community		
ERC	Environmental and Resource Cost		
EU	European Union		
FBiH	Federation of Bosnia and Herzegovina		
GIS	Geographic Information System		
GES	Good Ecological Status		
HRC	Danube RBD in Croatia		
HRJ	Adriatic RBD in Croatia		
ICPBS	International Commission for the Protection of the Black Sea		
ICPDR	International Commission for the Protection of the Danube River		
IPPC	Integrated Pollution Prevention and Control		
IED	Industrial Emissions Directive		
КТМ	Key Type of Measures		
MS	Member State		
MSDF	Marine Strategy Framework Directive		
ND	Nitrates Directive		
PoM	Programme of Measures		
PS	Priority Substances		
RB	River Basin		
RBD	River Basin District		
RBMP	River Basin Management Plan		
RBSP	River Basin Specific Pollutants		
RS	Republic of Srpska		
SAA	Stabilisation and Association Agreement		
SAP	Stabilization and Association process		
SoE	State of the Environment		
SWMI	Significant Water Management Issue		
TAIEX	Technical Assistance and Information Exchange Office		
UWWT	Urban Waste Water Treatment		
WFD	Water Framework Directive		
WMWG	Water Management Working Group		





I. Background/Rationale

The Regional Training on Marine Strategy Framework Directive (MSFD) has been organised in accordance with the work plan, in the period 18-20 May 2015, with the participation of the Water Management Working Group (WMWG) representatives, in close cooperation with ECRAN project team and assisted by TAIEX facility.

This regional training followed an "Introductory Workshop on Marine Strategy Framework Directive" which has been organised in September 2014 (Tirana, Albania). At this meeting, the participants have been familiarised with the main terms, definitions and principles of MSDF, and the basic MSDF requirements. Further, the participants were informed on ongoing projects under MSFD for Black Sea and Mediterranean Sea.

The tasks of the WMWG within the frame of ECRAN project are mainly focused on the strengthening of the technical capacities of the competent authorities in ECRAN beneficiaries' countries on the implementation of the Water Framework Directive (WFD), specifically in providing assistance in the development of transboundary River Basin Management Plans (RBMPs, and performing economic and financial analysis of the Program of Measures (PoM).

In addition, the WMWG through the Task 2.3.4 provides the frame for capacity building on interlinkages between the WFD and MSFD, aiming to provide assistance on (i) marine issues of the WFD, specifically Art. 1 related to "the purpose of the WFD which is "to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater" which contributes, inter alia, to "the protection of [...] marine waters", and "to prevent and eliminate pollution of the marine environment", and Art. 3(4) related to the coordination between Member States in River Basin Districts (RBDs).

The earlier involvement of the landlocked countries based on proper knowledge and understanding of the issues will ensure smooth implementation, reduced financial consequences for upstream landlocked countries, and fulfillment of international MSFD reporting requirements.

The Task 2.3.4 focuses as well on (ii) several components of the MSFD for which particular attention is needed from landlocked countries, which is key from ECRAN project perspective, where beneficiaries include both "marine" countries, but also "landlocked' countries.

The main objective of the regional training on WFD and MSFD, from the perspective of the Water Management WG is to build the capacities of the beneficiary countries in the area of synergy and differences between WFD, MSFD and ICZM.

The content of the regional training has been tailored to the beneficiary countries selected specific topics, relevant on the national level. Additional specific topics have been identified during the training which will be approached during the future training sessions.

The event was held in cooperation with TAIEX, in the framework of the implementation of the Environment and Climate Regional Accession Network, and with participation of Black Sea Commission located in Turkey, Istanbul, with the view to maximize the training benefits through





learning experience of the Black Sea Commission in the implementation of marine specific policies and legislation.

The benefits of strengthening the technical capacity of the workshop participants were maximised through the training, exchange of experience and lectures provided by selected experts, offered by TAIEX assistance to the ECRAN project beneficiary countries. In addition, the training methodology included a package of background documents, a questionnaire on the thematic topics of the training which has been answered by all beneficiary countries prior to the meeting, and presentations delivered by TAIEX selected speakers, EC (provided a substantial input), the Black Sea Commission and the project team, but also by the representatives of the countries who introduced their own work to the audience.

The following documents are available for download at <u>http://www.ecranetwork.org/Events/79</u>:

- Background documents;
- Questionnaire and countries answers;
- Handouts with key issues for discussion;
- Presentations made by all beneficiary countries, TAIEX experts, Black Sea Commission, and WM WG coordinator;
- Agenda of the workshop;
- List of participants;
- Regional training report;
- Evaluation report.

The sessions of the regional training have been moderated by the following facilitators

- Ms Marta Moren Abat;
- Ms Mihaela Popovici;
- Prof. Halil I. Sur;
- Mr. Gheorghe Constantin.

Substantial input has been provided by EC – DG Environment, represented by Ms. Marta Moren Abat. Ms. Masa Stojsavljevic, from ECRAN project team, provided a much appreciated support along the training.

The regional training took place in Istanbul (Turkey) from 18 to 20 May 2015.

2. Current state of the affairs in the beneficiary countries in the specific sector

2.1 Introduction

The Marine Strategy Framework Directive (2008/56/EC)² (MSFD) entered into force in July 2008 requiring Member States to determine Good Environmental Status (GES) for their marine waters, and design and implement programmes of measures aimed at achieving it by 2020, using an ecosystem approach to marine management. It takes account both of socioeconomic factors and the cost of taking action in relation to the scale of the risk to the marine environment.

² See: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:164:0019:0040:EN:PDF





Environment and Climate ECRAN Regional Accession Network

The MSFD is the environmental pillar of the Integrated Maritime Policy (IMP), and an important regulatory platform to support the development of the integrated approach of the IMP.

To ensure effective protection of all waters and of the marine environment, in line with the obligations for cooperation laid down in the MSFD and the WFD, the co-operation between all countries sharing marine waters and transboundary water catchment areas, including countries that are not members of the European Union should be as close as possible.

In addition, the coordination and the integration of the MSFD, WFD, the Nitrates Directive and REACH³ will support the successful implementation of EU legislation, including and enhancing fulfilment of the requirements and timeframes set out in the directives.

The MSFD components relate to:

- (1) the Commission Decision 2010/477/EU on criteria and methodological standards on good environmental status of marine waters,
- (2) river continuity issues of River Basin Management Plan (RBMP) to be mirrored by appropriate measures at sea and in coastal waters,
- (3) minimizing human-induced eutrophication,
- (4) concentrations of contaminants at levels not giving rise to pollution effects, and
- (5) properties and quantities of marine litter.

Taking into account that a Sea Basin includes one or more River Basin there is evidently a strong link between the WFD and MSFD. They have comparable objectives, namely GES for MSFD and Good Ecological and Good Chemical Water Status for WFD.

In this respect there are some areas of overlapping, particularly in relation to chemical quality, the effects of nutrient enrichment (eutrophication) and some aspects of ecological quality and hydromorphological quality. On the other hand, some overlaps exist between the type of waters covered by the WFD and the MSFD. The WFD relates to surface waters throughout a river basin catchment from rivers, lakes and ground waters, transitional and coastal waters and overlaps with MSFD in coastal waters. The MSFD includes coastal waters (as defined by the WFD) but does not include WFD transitional waters (e.g. estuaries, sea lochs and coastal lagoons).

Both directives require ecosystem approach and are based on adaptive management. The setting of environmental targets is based on chemical quality and biological status and should address the changes in the structure and functioning of ecosystems. Identification of coastal water body types as required by WFD is not required for MSFD. However, characterisation of hydro-morphological and physical features that is a part of the initial assessment of the MSFD links to WFD typology.

The common coastal types, defined for the WFD intercalibration, are based on the differences in the physical/ freshwater discharge regime in all regional seas. It may be useful to check that those are in line with the marine regions and sub-regions identified for the MSFD.

For some of the descriptors which defines the GES (e.g. contaminants, hydrographical conditions and eutrophication) it is considered that measures taken under the WFD and its related Directives will be sufficient to achieve and maintain GES for these descriptors across marine area.

³ REACH is the Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals





Environment and Climate ECRAN Regional Accession Network

A cross national analysis of the current state of the affairs in the water/marine sector, in the beneficiary countries – Albania, Bosnia & Herzegovina, former Yugoslav Republic of Macedonia, Kosovo^{*}, Montenegro, Serbia, and Turkey, is an useful exercise contributing to (i) an improved understanding of the shortcomings and challenges regarding institutional and legal arrangements, and also to (ii) an enhanced acceptance of transboundary dimension and consequently of the international cooperation to provide solutions when dealing with joint program of measures, as part of WFD and MSFD implementation process.

The present overview and comparative analytical analysis of the existing national legal and institutional frameworks, measures, monitoring programs, and coordination arrangements related to the protection of the marine water environment are based on the results of a survey organized via a questionnaire (Annex 1) completed by all beneficiary countries and presented during the regional training, regarding their national policies and future plans on the coordination between inland waters and marine water policies. The countries presentation follows the same structure, as outlined through the questionnaire, concerning issues such as the legal framework, economic sectors using marine water, coordination, monitoring systems, regional convention, measures, economic assessment, and international cooperation.

The importance of regulatory reform is acknowledged and reflected through the transposition of the EU directives in simplified and enforceable legislation, reducing of the administrative burden and avoiding fragmentation and duplication of responsibilities, promoting of integration of sectoral strategies into national strategy, concluding bilateral or international memorandum/agreements for coordinated transboundary cooperation, and improved awareness of the benefits of complying with EU legislation, reflected in the national strategic documents.

The comparative analysis will be updated in the 4th Screening Workshop Report (September 2015) according to the new developments along the implementation of EU policies and directives.

2.2 Countries overview of the current status

<u>Albania</u> has access to the Adriatic and Ionian seas in the west with a coastline of 418 km. 150 km of this coastline borders the Ionian Sea. The breadth of the territorial sea is 12 nautical miles (nm). The Continental Shelf in the north extends up to 25 nm into the Adriatic Sea and 2-3 nm to the south in the Ionian Sea. The delineation of the coastal waters has not been yet performed.

OUTSTANDING: there is an ICZM plan developed for the entire coastal zone.

European integration is the first priority for the government's programme. The National Plan 2014-2020, adopted in July 2014 provides a set up for six areas (including water) and specially designed delivery units under the coordination of the Prime Minister's Office to ensure implementation.

The relevant legal framework related to the regulation of the development in the coastal zone includes the following laws: Law No. 30/2013 on some amendments and additions to Law No. 8905, dated 06.06.2002, On the Protection of the Marine Environment from pollution and damage amended Law

^{*} This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.





No. 111/2012 on Integrated Management of Water Resources Law No. 64 / 2012 on fisheries as amended Law No. 9251 08/07/2004 on Marine Code.

In addition, there are also: Law on the Development of Tourism Priority Zones (1993), the Law on Fishing and Fish Farming (1995), and the Law on Biodiversity Protection (2006).

The regional sea convention governing the marine waters is the Convention for the Protection of Marine Environment and the Coastal Region of the Mediterranean of 1995 (Barcelona Convention).

A draft agreement on the maritime boundaries between Albania and Greece was signed by the two governments late 2009, but it is still not operational.

The main economic sectors making use of the marine waters include: aquaculture and mariculture, shipping, coastal defence and flood protection, fisheries, tourism, oil and gas and cables (e.g. power transmission, telecommunications). The main pollution sources of the marine ecosystem consist of urban discharges and solid waste transmitted in the sea by the river deltas.

The Albanian Geologic Survey monitors the temperature and salinity of marine waters. In addition, through the decisions of the Council of Ministers, the National Environmental Inspectorate and the National Agency Coast have been created with responsibilities of inspection and control.

The coordination between the monitoring system for inland waters and for marine waters is ensured through the joint efforts of the Albanian Geologic Survey and the Directory for marine waters which monitor also river mouth delta.

Albania is making use of the following legal international and EU instruments and policies: Common Fisheries Policy, Common Agricultural Policy, Natura 2000 Directive, Birds Directive, Habitats Directive, Water Framework Directive, The International Convention for the Prevention of Pollution from Ships (MARPOL), the International Convention on the Control of Harmful Anti-fouling Systems on Ships, International Convention for the Control and Management of Ships Ballast Water and Sediments, the Helsinki Convention (HELCOM), the Oslo Paris Convention (OSPAR), the Barcelona Convention and the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters.

In **Bosnia and Herzegovina** (BiH) there is a length of 24.5 km coastline of the Adriatic Sea and it gives the state maritime properties. It is situated on the territory of FBiH. The area of BiH belongs to the Adriatic Sea and Black Sea basin districts.

Only one type of coastal waters is determined in the Adriatic Sea area. The type of coastal waters is determined on the basis of required characteristics: Eco - region, salinity, depth and composition of the substrate, and the latitude and longitude as optional factors (Decision on characterization of surface and ground water, reference conditions and parameters for the evaluation of water and monitoring of water, Official Gazette of FBiH, Nos. 1-14).

The legal framework includes the FBiH Environmental Protection Strategy (2008-2018). This Strategy and the Action Plan have been developed for a ten-year period (2008-2018) and includes short, medium to long-term projects and activities, with the calculation of the necessary financial resources and the planned sources of financing (budgets of FBiH and cantons; Environmental Protection Fund, EU funds, other bilateral sources, GEF, World Bank loans, etc.). One of the key elements of all the activities from the Action Plan of the FBiH Strategy involves harmonisation with the EU acquis. However, there is no strategic document governing environmental protection at the BiH state level.





Moreover, the coastal waters are not addressed in the Law on Water in the Republic of Srpska, because the territory of the Republic of Srpska is landlocked and therefore there are no coastal waters.

On the state level there is no specific legislative or regulatory Framework related to marine waters.

At the entity level, there are:

- The FBiH Law on Waters⁴ (Official Gazette of FBiH No.70/06). This Law includes coastal waters;
- Law on Internal and Marine Sailing of FBiH⁵ (Official Gazette FBiH No. 73/05).

The Water Management Strategy of FBiH is the key document with the planning horizon being 2022. One of the major goals defined in this document is the Legal, Institutional and Economic Activity Framework, having the strategic objective:

"The water sector legal and institutional reform, arising from the need to adopt to new social circumstances, along with the EU alignment in the water management sector", as part of process of BiH stabilization and association to EU, which implies measures for transposition of EU legislation regarding to water management including MSFD Directive.

According to provisions of Article 2 of the Law on Waters of FBiH, the purpose of the Law is to ensure water management in order to: reduce water pollution, achieve good water status and prevent degradation of water, achieve sustainable water use, ensure equitable access to water, encourage social and economic development, protect ecosystems, reduce the risk of flooding and other adverse impacts of water, ensure public participation in decision-making related to water, prevent and resolve conflicts related to protection and use of water, and meet obligations under international agreements that are binding for BiH.

The State of BiH, through the Act of Succession (Official Gazette of BiH, No. 15/95 an Official Gazette of BiH No.15/95) incorporates a range of international environmental related commitments in its legal system, which includes Barcelona Convention on March 1992, as well as the Protocol 2 -Prevention and Emergency Protocol (pollution from ships and emergency situations) (1 March 1992), Protocol 3 - Land-based Sources and Activities Protocol (1 March 1992), Protocol 5 - Offshore Protocol (pollution from exploration and exploitation) (22 October 1994) and Protocol 6 - Hazardous Wastes Protocol (22 October 1994).

Based on the Law on Water, in FBiH the following bylaws have been adopted: Rulebook on the designation of areas which are subject to eutrophication and nitrate-sensitive ("O. G. FBiH" 71/09) and Rulebook on monitoring in areas prone to eutrophication and nitrate-sensitive ("O. G. FBiH" 71/09).

The regional perspective for the marine waters is provided by the Barcelona Convention (supporting the principles of sustainable development in the Mediterranean region, as well as reduction and, if possible, prevention of pollution caused by discharges into coastal waters), the International Convention for the Prevention of Pollution from Ships (MARPOL) – as the main international

⁵ The Draft Law on Maritime Domain and maritime navigation at the state level is currently prepared.





⁴ Transposition of the Water Framework Directive (Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000) was done through the Law on Waters. Implemented assessment of compliance indicated that the Law on Waters is 93% compliant with the Directive.

Environment and Climate ECRAN Regional Accession Network

convention covering prevention of pollution of the marine environment by ships from operational or accidental causes (in the process of ratification), and the United Nations Convention on the Law of the Sea, which provides a regulatory framework for the use of the world's seas and oceans, inter alia, to ensure the conservation and equitable usage of resources and the marine environment and to ensure the protection and preservation of the living resources of the sea.

The ICZM Protocol is in process of ratification.

The main economic sectors making use of the marine waters include: shipping, fisheries and tourism.

OUTSTANDING: there is a monitoring and assessment system for the marine water quality designed in line with the legislation in FBiH and WFD requirements.

The Agency for the Water Area of the Adriatic Sea is responsible for monitoring of the marine water quality in the coastal area.

The main pressures which could affect the marine environment have been identified in the 1st RBMP for rivers Neretva and Trebišnjica - still as draft version, and they are organic and nutrient pollution.

Taking into account that Black Sea Basin includes Danube River Basin there is evident a strong link between the Sava River Basin and the Black Sea. Approximately 76% of Bosnia and Herzegovina lies in the Sava River Basin (which makes 88% of its population), actually in the Danube River and the Black Sea Basin. So far, within DRBMP and SRBMP - draft version, the main pressures which could affect Black sea are identified as organic pollution, nutrient loads and hazardous substances.

As a first step towards the establishment of the measures for the mitigation of the existing pressures and protection of marine environment is transposition of the main provisions from WFD and the other relevant directives in national legislation and their implementation (such as the UWWTD, Sewage Sludge Directive, Nitrate Directive, Directive on EQS, Directive on industrial emissions). In the BiH there are the technical instructions on Best Available Techniques (BAT) in the some of the food industrial sectors, recommendation on good agricultural practices, as well as reduction of phosphates by eliminating phosphates in detergent products.

As a result of the coordination between the measures taken for the protection of the inland water quality and those of the marine water quality, it has been expected that the measures foreseen for the protection of the inland water quality shall contribute to the preservation of marine water quality.

This is reflected through the implementation of the following management objectives foreseen during the period of the 1st RBMPs, towards decreasing of organic pollution and emission of untreated wastewaters into the inland waters:

- Specification of number of wastewater collecting systems (connected to respective WWTPs), which are planned to be constructed;
- Specification of number of municipal and industrial wastewater treatment plants, which are planned to be constructed:
 - specification of treatment level (secondary or tertiary treatment);
 - specification of emission reduction targets.

As steps towards the ICPDR's vision, the implementation of the following management objectives was foreseen for Non EU MS during the period of the 1st RBMP:







- Reduction of the total amount of nutrients entering the Danube and its tributaries to levels consistent with the achievement of the good ecological/chemical status in the Danube River Basin District by 2015;
- Reduction of discharged nutrient loads in the Black Sea Basin to such levels, which permit the Black Sea ecosystems to recover to conditions similar to those observed in the 1960s;
- Reduction of phosphates preferably by eliminating phosphates in detergent products;
- Implementation of the management objectives described for organic pollution with additional focus on the reduction of nutrient point source emissions;
- Implementations of best environmental practices regarding agricultural practices.

The measures included in the Sava River Basin Management Plan and in the Danube River Basin Management Plan aiming to reach the Danube basin-wide vision for organic pollution - zero emission of untreated wastewaters into the waters of the Danube River Basin District, respectively basin-wide vision for nutrient pollution - the balanced management of nutrient emissions via point and diffuse sources in the entire Danube River Basin District that neither the waters of the DRBD nor the Black Sea are threatened or impacted by eutrophication – are expected to protect the marine environment.

BiH is making use of the following legal international and EU instruments and policies: Natura 2000 Directive, Birds Directive, Habitats Directive, the Water Framework Directive, and Barcelona Convention.

Following the signing of the Stabilization and Association Agreement with the EU, <u>Kosovo*</u> became a potential candidate for EU accession.

There is no access to the sea in Kosovo*, therefore it is considered as a landlocked country.

There are four main river basins in Kosovo^{*}. These are the Iber and Morave Binçes flowing to the Black Sea, the Drinii Bardhe flowing to the Adriatic, and the Lepenci Basin flowing to the Aegean.

The Law on the Inspectorate of Environment, Waters, Nature, Spatial Planning and Construction was adopted in October 2013. Some administrative instructions have recently been adopted.

The Ministry of Environment and Spatial Planning (Water Department) has the duty to regulate environmental activities in the four River basins of Kosovo* to ensure the long-term sustainability of the environment.

The Lepenc River Basin, incorporating the Nerodime and Lepenc Rivers, is one of the most scenic and ecologically rich areas in Kosovo*, with significant potential for tourism and enjoyment of the water environment. It also has significant sources of sustainable energy in the form of hydropower, and agricultural potential.

OUTSTANDING: the first RBMP has been prepared for Lepenc River Basin, with 10 management units, program of measures and economic analysis.

Coordination_is ensured through two bilateral Memorandums of understanding on cooperation in the field of environment protection and spatial planning:







- between the Kosovo* Ministry of Environment and Spatial Planning and the Ministry of Environment and Physical Planning of the former Yugoslav Republic of Macedonia, as of 09 March.2012, and
- between the Kosovo* Ministry of Environment and Spatial Planning and the Ministry of Environment, Forestry and Water Management of the Republic of Albania, as of 04 July2008.

In addition, there is also a multilateral Memorandum of understanding for the Management of the Extended Transboundary Drin Basin between the Ministry of Environment and Spatial Planning of Kosovo*, the Ministry of Environment, Forestry and Water Management of the Republic of Albania, the Ministry of Environment and Physical Planning of the former Yugoslav Republic of Macedonia, the Ministry of Agriculture & Rural Development of the Montenegro and the Ministry of Environment, Energy & Climate Change of the Greece, signed on 25 November 2011.

For the **former Yugoslav Republic of Macedonia** (candidate country), the EU agenda is the country's strategic priority following the Commission recommendation on October 2009 on the opening of the negotiations to the EU accession.

The country is divided hydrographically into four river basins: Vardar, Strumica, Crni Drim and a small part of the Vardar river flows into the North Aegean Sea as Axios river in Greece ; small catchment parts are further in Kosovo* and Serbia. Vardar is the longest and largest river of FYR of Macedonia (302.6 km. There is yet no bilateral cooperation agreement for sharing the international waters of Axios River.

FYR of Macedonia places importance on signing agreements and memorandum of understanding (MoUs), although the effectiveness of cooperation depends more on funds for joint programmes and projects than on the existence of a formal agreement.

Bilateral and trilateral cooperation is primarily focused on the integrated management and conservation of transboundary natural resources and ecosystems such as transboundary lakes shared with neighbouring countries, i.e. Lake Ohrid (Albania), Lake Prespa (Albania and Greece), and Lake Dojran (Greece).

Cross-border cooperation also takes place under programme component II of IPA and covers cooperation with Albania, Bulgaria and Greece which includes environmental aspects as well.

A Memorandum of Understanding on cooperation in the field of environmental protection and spatial planning between the Ministry of Environment and Physical Planning of the FYR of Macedonia and the Ministry of Environment and Spatial Planning of Kosovo* was concluded on 09.03.2012.

OUTSTANDING: In March 2015, the procedure for ratification and implementation of

The measures foreseen in the river basin management plans, contributing finally to the protection of the marine ecosystems, include:

- Establish conditions for a sustainable use of water and other natural resources;
- Develop cooperation and measures to minimise flooding especially in the lower parts of the Drin Basin;
- Improve management and appropriate disposal of solid wastes;



This Project is funded by the European Union





- Decrease nutrient pollution deriving from untreated or poorly treated wastewater discharges and unsustainable agricultural practices;
- Decrease pollution from hazardous substances such as heavy metals and pesticides;
- Minimise effects of hydro-morphologic interventions that alter the nature of the hydrologic system and the supported ecosystems, resulting in their deterioration.

FYR of Macedonia is making use of the following legal international and EU instruments and policies: Common Fisheries Policy, Common Agricultural Policy, Natura 2000 Directive, Birds Directive, Habitats Directive, Water Framework Directive, the Helsinki Convention (HELCOM) - process of ratification is on-going, the Barcelona Convention and the Bucharest Convention.

Montenegro is located on the coast of the Adriatic Sea. Just over half of Montenegro's territory (52,5%) lies within the Danube Basin - notable Danube rivers are the Tara, Piva, Lim and Ćehotina and Ibar, the remainder (47,5%) being in the Adriatic Sea catchment with Moraca, Zeta, Rijeka Crnojevica and Cijevna Rivers which all gravitate towards Lake Skadar, drained into the Adriatic Sea through the river Bojana. The water quality of rivers, lakes, sea and groundwater is considered satisfactory. Prevailing pollutants in Montenegro are mainly the result of wastewater from point sources – settlements and industry.

The Convention on Cooperation for the Protection and Sustainable Use of the Danube River came into force in Montenegro in October 2008.

For the Ministry of Agriculture and Rural Development (MARD), the water management is the primary responsibility. There are efforts towards the implementation of WFD and preparation of the RBMP, and the implementation of MSFD.

OUTSTANDING: currently a Master Plan for Integrated Montenegro coastal area monitoring program is prepared within the framework of the Adricosm Partnership,

and compliant with the WFD and MSFD requirements.

In addition, a proper institutional network to sustain the monitoring program will be available. For EPA Montenegro a database for the management of the historical and new monitoring data is under the development.

Institutional framework is well defined having the Ministry of Tourism and Sustainable Development in charge with the implementation of UWWTD and MSFD. There are also a Port Authority and a Maritime Safety Agency.

The responsibilities of the Ministry of Agriculture and Rural Development are mainly in connection with the implementation of WFD, Directive2008/105/EC (2008) on environmental quality standards in the field of water policy, Directive 2006/118/EEC (2006) on the protection of groundwater against pollution and deterioration, Directive 91/271/EEC adopted in 1991, concerning urban waste-water treatment, Directive 2007/60/EC - entered into force on 26 November 2007 - on the assessment and management of flood risks, and Directive 2006/7/EC, adopted in 2006, and concerning the management of bathing water quality.







The identification of common challenges for the implementation of WFD and MSFD in Montenegro resulted from a joint assessment and a systematic approach based on active participation of all relevant institutions in the water sector, which classified the following problems related to: administrative capacities, inter-sector approach, provision of finances for capital investments and implementation of regulations, monitoring, and information and education of population.

The existing inter sectorial mechanisms facilitate the coordination of joint implementation of WFD and MSFD, in the realisation of the following activities:

- Initial assessment of the current status of sea water and environmental impact as well as social and economic analysis of human activities in these water
- Establishment of good ecological status for sea waters (GES)
- Establishment of ecological objectives and related indicators in order to achieve good ecological status by 2020
- Establishment and implementation of Program for Monitoring for current assessment and regular updating of objectives
- Development of the program of measures for achieving or maintaining good ecological status by 2020
- Implementation of the program of measures
- Updating, reporting and information of public.

In October 2007 Montenegro has ratified Barcelona Convention and four of its Protocols, which provides the regional perspective of the country involvement in implementation of MSFD. Implementation of the Programme of Coastal Ecosystem Monitoring, harmonised with the criteria of the MED POL Programme and requirements of the European Environment Agency, started in 2008. International cooperation is well advanced covering the joint activities with the International Commission for the Protection of the Danube River (ICPDR), International Commission for the Sava River Catchment Area, and Barcelona Convention for the Protection of the Mediterranean Sea against Pollution (OG of MNE. no. 64/07) together with its five protocols, Mediterranean Action Plan (UNEP/MAP). In addition there are Inter-state Agreements (with Albania and Croatia) and under preparation with Serbia and BiH.

Almost (92%) all territory of <u>the Republic of Serbia</u> lies within the Danube Basin (accounting for 10% of the Basin).

Republic of Serbia is a landlocked country.

The most relevant regional arrangement for Republic of Serbia, as a landlocked country, between the River Basin Organization and the Regional Sea Agreements is represented by its contribution to the development of the Danube RBMP and its related Joint Program of Measures, aiming to reach the WFD objectives.

Republic of Serbia ratified Convention on Cooperation for the Protection and Sustainable use of the Danube River (Danube River Protection Convention), "Official Journal FRY (SRJ) – International agreements 2/2003", and it became a member of the ICPDR in 2003.

OUTSTANDING: as approximately 90% of all Serbia's accessible water originates from outside its territory, the international cooperation on water issues is vital for Serbia.





Environment and Climate ECRAN Regional Accession Network

Since the Danube is linked with marine waters by discharging into the Black Sea, the ICPDR adopted in 2012 a resolution declaring "the willingness of the ICPDR to serve as platform facilitating the coordination with land-locked countries required under Article 6 (2) MSFD and to contribute hereby to a close coordination of the implementation of the WFD in the Danube River Basin and the MSFD in the Black Sea Region". The ICPDR and the International Commission for the Protection of the Black Sea (ICPBS) signed a Memorandum of Understanding (MoU) on common strategic goals as early as 2001. A Joint Technical Working Group of the two commissions is in place since 1997. Its work is focused on better understanding the impact of the Danube discharge (including sediments, pollution, etc.) on the ecosystem of the Black Sea.

The measures established in the Joint Programme of Measures in the Danube River Basin Management Plan, including those implemented or planned by Republic of Serbia, will contribute to the reduction of nutrient pollution and its effect – eutrophication in the Black Sea.

Republic of Serbia is making use of the following legal international and EU instruments and policies: Natura 2000 Directive, Birds Directive, Habitats Directive, Water Framework Directive, Nitrates Directive, Helsinki Convention (HELCOM) and Bucharest Convention.

In relation to **Turkey**, there is comprehensive set of legislation for the gradual well-coordinated transposition, implementation and enforcement of the MSFD, assuring marine safety and preventing marine pollution, which includes: the Environmental Law revised in 2006, the Law Pertaining to Principles of Emergency Response and Compensation for Damages in pollution of Marine Environment by Oil and Other Harmful Substances (OSRL), the Coastal Law (1990), the Law on the Bosporus 1983, and the EU Integrated Environmental Approximation Strategy (UÇES) 2007-2023.

Turkish Coastal Water is defined as 1 nautical mile from the territorial sea baseline.

Turkey has a large legal framework providing regional involvement of MSFD related tasks which includes:

• Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention), 1976, ratified by Turkey in 1995.

The Barcelona Conventions Protocols on (i) Dumping, (ii) Prevention and Emergency, (iii) Land-based Sources and Activities, (iv) Specially Protected Areas and Biological Diversity, (v) Hazardous Wastes, and (vi) Offshore Protocol have been also ratified.

Ongoing studies are organized for ratifying the Protocol on Integrated Coastal Zone Management (ICZM).

• The Convention on the Protection of the Black Sea Against Pollution (Bucharest Convention), 1992 ratified by Turkey in 1994

The three Protocols on (i) the Protection of the Marine Environment of the Black Sea from Land-Based Sources and Activities, (ii) cooperation in combating pollution of the Black Sea marine environment by oil and other harmful substances in emergency situations, and (iii) the protection of the Black Sea marine environment against pollution by dumping, have been also ratified.

The economic sectors which use marine waters include: Aquaculture and mariculture, Shipping, Fisheries, Tourism, Oil and Gas, and Salt production.

The legislative and regulatory framework and agreements related to marine waters cover:







- The International Convention for the Prevention of Pollution from Ships (MARPOL);
- International Convention on Civil Liability for Oil Pollution Damage (CLC);
- International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND);
- International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC);
- Barcelona Convention;
- Bucharest Convention;
- Environment Law;
- Law Pertaining to Principles of Emergency Response and Compensation for Damages in pollution of Marine Environment by Oil and Other Harmful Substances (OSRL);
- By-law on implementation of OSRL;
- By- law on Quality of Bathing waters;
- By-law on Reception of Wastes from Ships and Waste Control Regulation.

OUTSTANDING: Turkey has monitoring and assessment system for the marine water quality for Mediterranean Sea since 1987, and for Black Sea since 2004.

Since 2011 all monitoring systems for marine water quality were integrated with an ecosystem based approach. Currently over 40 parameters are monitored twice a year at nearly 250 points.

Environmental quality standards (EQS) are developed and they will be adopted through a by-law.

Within the frame of DEKOS Project, the pressures and impacted areas were analysed and action plans with measures were prepared to control pressures for all Turkish coastal and marine waters.

The measures taken for the protection of the inland water quality and those of the marine water quality are economically assessed.

Turkey is making use of the following legal international and EU instruments and policies: Common Fisheries Policy, Integrated Maritime Policy, Common Agricultural Policy, Natura 2000 Directive, Birds Directive, Habitats Directive, Water Framework Directive, Nitrates Directive, and International Convention for the Prevention of Pollution from Ships (MARPOL), the Barcelona Convention, and the Bucharest Convention.

3. Summary of the main topics covered as per Training Needs Assessment

The main topics presented and discussed at the regional training included:

- 1. Content of the MSFD;
- 2. Countries contributions on the topics questionnaire on specific issues related to the coordination between river basin management and marine environment protection (including the case of landlocked countries), discussion of the answers, presentation of the compilation of national inputs and agreement on the selected topics;
- 3. Implementation of the Marine Strategy Framework Directive in Romania: Initial Assessment, and determination of GES;
- 4. Implementation of the Marine Strategy Framework Directive in France. Initial Assessment, establishing of GES and development of Program of Measures;







- 5. Implementation of the Marine Strategy Framework Directive in Romania Development of Programme of Measures;
- 6. Links between MSFD and WFD. Interactions, overlaps and potential area for closer coordination;
- 7. Coordination between MSFD and other directives and policies;
- 8. Development of the monitoring programmes according with WFD and MSFD;
- 9. Implications of MSFD implementation for the Program of Measures in Drina River Basin;
- 10. Economic analysis for the Programme of Measures developed for the implementation of the MSFD in the Black Sea;
- 11. Methodology for approaching ICZM Romanian experience;
- 12. Presentation of the BSC activities and main outcomes;
- 13. Main outcomes of the EU financed project for the implementation of the MSFD within Black Sea;
- 14. Danube Black Sea Joint Technical Working Group work program and results;
- 15. Presentation of the Common Implementation Strategy for the implementation of the MSFD at the EU level;
- 16. Presentation of the regional projects dedicated to the MSFD implementation in the Black Sea;
- 17. Presentation of the measures envisaged by Romania in order to implement WFD objectives for Black Sea Convention and for MSFD;
- 18. Future steps for the implementation of the MSFD in the Black Sea in coordination with other EU directives (WFD, Habitat, Natura 2000);
- 19. Coordination framework between marine and water policy at the EU level and future actions
- 20. Introduction of MSFD reference documents.





II. Objectives of the training

General objectives

The regional training aimed to strengthen national capacities for effectively addressing the large number of implementation challenges of the MSFD and the ICZM, analysed in synergy with the process of reaching the WFD objectives.

Specific objectives

- To present and discuss synergy, overlaps and differences between MSFD, WFD, ICZM and other EU relevant marine policies and directives;
- To introduce and discuss policy, institutional and organizational arrangements for implementing MSDF;
- To discuss the streamlined procedure for development of PoM under the MSFD and similarities with the development of PoM under the WFD, making use of the Drina PoM experiences at the 3rd Screening Workshop (March 2015);
- To examine the role, approaches and coordination needs for the MSFD implementation for landlocked countries included in the ECRAN project targeted beneficiaries;
- To explore any national obstacles (involvement and commitment, data and methodologies, coordination and cooperation, capacity building needs) towards implementing the Task 2.3.4 and identify possible solutions;
- To collect suggestions and reach agreement on the country specific topic for further training (guidance, capacity building, practical case studies) needed for meeting the MSFD and WFD requirements;
- To present the reference and concept documents required for the implementation process
- To facilitate dialogue among the countries on specific concepts and actions that are needed to ensure MSFD/WFD implementation;
- To benefit of TAIEX assistance for a more profound understanding of key topics and its implementation based on countries needs and priorities in connection with MSF, WFD and ICZM topics.

Results/outputs

- Enhanced understanding of the topics, challenges and remaining tasks, and related responsibilities along the implementation process of MSFD, WFD and ICZM;
- Exchange of experiences and knowledge significantly improved;
- Policy and guidance documents related to the MSFD and ICZM tasks discussed and clarified;
- Key obstacles impeding the tasks implementation and related solutions identified;
- Motivation and active engagement of participants.







III. EU policy and legislation covered by the training

1. Summary of the main provisions for each EU Directive/Regulation covered by the training

1.1 The Marine Strategy Framework Directive (MSFD)

The Marine Strategy Framework Directive (2008/56/EC)⁶ (MSFD) entered into force in July 2008. It



requires Member States to determine Good Environmental Status (GES) for their marine waters, and design and implement programmes of measures aimed at achieving it by 2020, using an ecosystem approach to marine management. It takes account both of socioeconomic factors and the cost of taking action in relation to the scale of the risk to the marine environment.

The MSFD is the environmental pillar of the Integrated Maritime Policy (IMP), and an important regulatory platform to support the development of the integrated approach of the IMP.

The EU MSFD provides a legislative framework to sustainably manage human activities at all scales from local to national to regional seas. The MSFD promotes an Ecosystem Approach (EA) to reach Good Environmental Status (GEnS) by 2020

The MSFD outlines a transparent, legislative framework for an ecosystem-based approach to the management of human activities which supports the sustainable use of marine goods and services. The overarching goal of the Directive is to achieve 'Good Environmental Status' (GES) by 2020 across Europe's marine environment.

In order to achieve GES in a coherent and strategic manner, the MSFD established four European Marine Regions, based on geographical and environmental criteria. Each MS is required to develop a marine strategy for their waters, in coordination with other countries within the same marine region or sub region. This coordination is being achieved through the Regional Seas Conventions.

Marine strategies are being implemented to protect and conserve the marine environment, prevent its deterioration, and, where practicable, restore marine ecosystems in areas where they have been adversely affected.

Each Member State must put in place a marine strategy whose key requirements are:

- (i) An initial assessment of the current environmental status of that Member State's marine waters (to be completed by July 2012), using a series of 11 indicators laid down in the Directive, and for which the Commission, Member States and European Parliament are required to agree criteria and methodologies by 15 July 2010;
- (ii) A determination of what Good Environmental Status means for those waters (also by July 2012);
- (iii) Establishment of targets and indicators designed to show whether a MS is achieving GES (also by 2012);

⁶ See: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:164:0019:0040:EN:PDF





- (iv) Establishment of monitoring programmes to measure progress towards GES (to be established by July 2014); and
- (v) Establishment of programmes of measures designed to achieve or maintain GES (subject to certain safeguards to relieve Member States of the burden of pursuing measures which are not cost-effective, or which relate to issues for which they are not responsible). Programmes of measures are to be developed by 2015 and made operational by 2016.

The MSFD does not state a specific programme of measures that MSs should adopt to achieve GES, except for the establishment of Marine Protected Areas (MPAs). The MSFD does however outline 11 high level descriptors of GES in Annex I of the Directive. The Directive will be complementary to, and provide the overarching framework for a number of other key Directives and legislation at the European level. Examples include the EC Habitats Directive, the EC Birds Directive, the EU Water Framework Directive, and the Common Fisheries Policy.

There are seven EU guidelines which explain and illustrate the social, economic and environmental science base and methods to tackle key management tasks necessary to implement the MSFD during preparation, planning and implementation phases. Key messages are highlighted for managing multiple uses of coastal and marine resources and space to help decision makers prepare spatial plans.

1.2 Water Framework Directive (WFD)

The Water Framework Directive (2000/60/EC) of the European Parliament and of the Council of 23 October 2000 is establishing the framework for Community action in the field of water policy for the protection of inland surface waters, groundwater, transitional waters, and coastal waters.

This Framework-Directive has a number of objectives, such as preventing and reducing pollution, promoting sustainable water usage, environmental protection, improving aquatic ecosystems and mitigating the effects of floods and droughts, aiming to achieve "good ecological and chemical status" for all Community waters by 2015. Several successive amendments and corrections (2001, 2008 and 2009), have been incorporated to the WFD.

RBM) represents the main achievement tool of the WFD objectives, and consists of preparation, implementation and revision phases. The river basin management established under the WFD (entered into force December 2009) begins with an analysis of the characteristics of the river basin district, a review of the impact of human activity on water status, and an economic analysis of water use. Programmes to monitor water status must be established, along with programmes of measures for each river basin district in order to achieve the specified environmental objectives. Then, for each river basin district, a river basin management plan must be produced with the active involvement of all interested parties.

Finally, the specific programmes of measures must be implemented so as to achieve the objective of good status for all waters within each river basin. The first RBM plans cover the period 2009-2015. They shall be revised in 2015 and then every six years thereafter.

The principal component of the Water Framework Directive for each river basin district is the development of river basin management plans which will be reviewed on a six yearly basis and which set out the actions required within each river basin to achieve set environmental quality objectives.

The river basin management plan (RBMP) is essentially a snapshot in time and is the subject of continual review. The first RBMP was finalised on December 2009 and represented the transition







Environment and Climate ECRAN Regional Accession Network

between the initial analysis carried out in 2004 and implementation of the Directive. Their six-years updating is a refining process based on improved data and understanding and allowing for revision of the circumstances in the river basins.

The RBMP provides (i) evidence and documentation mechanism for the information gathered including: pressures and impact assessment, environmental objectives for surface and ground waters, quality and quantity of waters, and the impact of human activity on water bodies, (ii) facilitates coordination of the programmes of measures and other relevant programmes within the river basin district, and (iii) guarantees the main progress reporting mechanism to the EC as required by the WFD Art. 15.

The chapters of river basin management plan for each river basin district are:

- General description of the characteristics of the river basin district, including a map showing the location and boundaries of the surface and ground water bodies and a further map showing the types of surface water bodies within the basin;
- Summary of the significant pressures and the impact of anthropogenic activity on the status
 of surface and ground waters, including point source pollution, diffuse pollution and related
 land use, the quantitative status of water including abstractions and an analysis of other
 impacts of human activity on water status;
- List of the environmental objectives set for all water bodies, including those where the use has been made of derogations;
- Summary of the economic analysis of water use;
- Summary of the programme or programmes of measures;
- Register of any more detailed programmes and management plans and a summary of their contents;
- Summary of the public information and the consultation measures taken, their results and the changes to the plan as a consequence;
- List of competent authorities;
- Contact points and procedures for obtaining background documentation and information, including actual monitoring data.

The RBMP includes several maps, such as: map of the results of the pressures assessment (point and diffuse pollution), of the monitoring network and programme showing the status of all water bodies and protected areas, or of the protected areas.

Within the Water Framework Directive (WFD), the environmental objectives will be set for all water bodies. One of its main aims is that all water bodies (including rivers, lakes, coasts, estuaries and groundwater) achieve 'good status' by 2015. Water bodies must also be protected to prevent any deterioration in status.

Through the gap analysis, for each water body, any possible discrepancy between its existing status and that required by the Directive is identified.

If a water body is considered unlikely to achieve its environmental objectives by 2015 (including those for protected areas and groundwater), the WFD requires that management measures to be put in place to meet the WFD goals. Individual measures and/or packages of measures for water bodies must be integrated in a co-ordinated and cost-effective programme of measures







In order to address the WFD implementation challenges in a coordinated way, the Commission agreed on a number of 33 guidance documents and 10 technical reports which have been produced to assist EU Member States (MS)with an overall methodological approach, which could be adjusted to specific circumstances by each EU MS. The Guidance documents cover many aspects of implementation, such as establishing monitoring programmes, undertaking economic analyses, engaging the public, developing classification systems, how to identify and designate heavily modified and artificial water bodies.

Guidance documents finalized are made available on CIRCA.

The most relevant EU documents in support of the WFD implementation include:

- "Common Strategy on the Implementation of the Water Framework Directive" (CIS);
- "Carrying forward the Common Implementation Strategy for the Water Framework Directive - Progress and Work Programme 2003/2004";
- "Moving to the next stage in the Common Implementation Strategy for the Water Framework Directive Progress and Work Programme 2005/2006";
- "Improving the comparability and the quality of Water Framework Directive implementation – Progress and Work Programme 2007-2009";
- "Supporting the implementation of the first river basin management plans Work programme 2010-2012";
- "Strengthening the implementation of EU water policy through the second river basin management plans Work Programme 2013-2015".

The CIS is a key document, prepared in recognition that an integrated approach to river basin management throughout Europe is crucial for the successful implementation of the WFD Directive. The CIS is aiming to develop a common understanding and approach to implementation throughout the EU, elaborate informal technical guidance and share experiences between MS to avoid duplication of effort and support efficient application of the WFD requirements. In addition, the Commission produced Thematic CIS information sheets which provided more information and resource material publicly available on a variety of subjects.

1.3 Other relevant EU legislation for approaching the topics of the Regional Training

Legislation relevant for the preparation of the Preparing the River Basin Management Plan and the Program of Measures

- Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field;
- Decision 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC of water policy (WFD);
- 2005/646/EC: Commission Decision of 17 August 2005 on the establishment of a register of sites to form the intercalibration network in accordance with Directive 2000/60/EC of the European Parliament and of the Council.

Legislation concerning the protection of groundwater against pollution caused by certain dangerous substances.

$_{\rm Page}19$



Groundwater



- Council Directive 80/68/EEC of 17 December 1979 on the on the protection of groundwater against pollution caused by certain dangerous substances;
- Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration.

Flood protection

• Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks.

Municipal urban wastewater treatment

- Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment;
- 93/481/EEC: Commission Decision of 28 July 1993 concerning formats for the presentation of national programmes as foreseen by Article 17 of Council Directive 91/271/EEC;
- The Sewage Sludge Directive (86/278/EEC).

Drinking water

- Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption;
- Council Directive 79/869/EEC of 9 October 1979 concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking.

Dangerous substances

- Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community;
- Council Directive 86/280/EEC of 12 June 1986 on limit values and quality objectives for discharges of certain dangerous substances included in List I of the Annex to Directive 76/464/EEC;
- Directive 2006/11/EC of the European Parliament and of the Council of 15 February 2006 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community;
- Council Directive 82/176/EEC of 22 March 1982 on limit values and quality objectives for mercury discharges by the chlorine-alkali electrolysis industry;
- Council Directive 83/513/EEC of 26 September 1983 on limit values and quality objectives for cadmium discharges;
- Council Directive 84/491/EEC of 9 October 1984 on limit values and quality objectives for discharges of hexachlorocyclohexane;
- Council Directive 84/156/EEC of 8 March 1984 on limit values and quality objectives for mercury discharges by sectors other than the chlorine-alkali electrolysis industry.

Industrial discharges

• Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control;









- Directive 2008/1/EC of the European Parliament and of the Council of 15 January 2008 concerning integrated pollution prevention and control (Codified version);
- Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control);
- The Major Accidents (Seveso) Directive (96/82/EC).

<u>Agriculture</u>

- Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources;
- Common Agricultural Policy.

Bathing water

- Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water;
- Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC.

<u>Nature</u>

- Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds;
- Council Directive 92/43/EEC of the conservation of natural habitats and of wild fauna and flora.

Bathing water

• Bathing Water Directive (EC, 2006).

Common Fishery Policy

• Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy

ICZM

• Recommendation of European Parliament and of the Council of 30 May 2002 concerning the implementation of Integrated Coastal Zone Management in Europe

Maritime Spatial Planning

• Directive 2014/89/EC of European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning.

Environmental Impact assessment

- The Environmental Impact Assessment Directive (85/337/EEC);
- Strategic Environmental Impact Assessment Directive (2001/42).

2. Useful references on practical guides or links to various web sites

At the EC, <u>https://circabc.europa.eu/</u> provides comprehensive sources of reference documents related to WFD, MSFD, Flood Directive, and other relevant policies and directives.





EU LEGISLATION, GUIDELINES AND REPORTS

WATER

http://ec.europa.eu/environment/water/waterframework/objectives/implementation_en.htm

http://ec.europa.eu/environment/water/flood_risk/

MARINE

http://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/marine-strategyframework-directive/index_en.htm

http://ec.europa.eu/environment/nature/natura2000/marine/docs/marine_guidelines.pdf

MSDF REPORT

http://ec.europa.eu/environment/marine/eu-coast-and-marinepolicy/implementation/reports_en.htm

LANDLOCKED COUNTRIES

https://circabc.europa.eu/sd/a/896f377b-1d4a-4502-b3b9-12f3ccfa79e6/Joint%20session%20-%20MSFD%20and%20landlocked%20MS-final.DOC

ECRAN & RENA NETWORK

http://www.ecranetwork.org/

http://www.renanetwork.org/

TAIEX

http://ec.europa.eu/enlargement/taiex/

RELEVANT PROJECTS IN MEDITERRANEAN SEA AND BLACK SEA

http://ec.europa.eu/research/bioeconomy/fish/research/ocean/index_en.htm

http://cordis.europa.eu/fp7/coordination/

http://ec.europa.eu/maritimeaffairs/policy/marine_knowledge_2020/index_en.htm

http://www.kg.eurocean.org/

http://www.devotes-project.eu/

http://www.perseus-net.eu/site/content.php

http://medsea-project.eu/

http://www.misisproject.eu/

http://www.pegasoproject.eu/

http://www.coconet-fp7.eu/index.php/about-coconet

http://www.envirogrids.net/

http://www.seas-era.eu/np4/homepage.html

OTHER





http://www.msfd.eu/knowseas/about.html

3. Case studies/examples from EU Member States to illustrate practical situations or best practices that have been covered during the training

3.1 Initial Assessment and Determination of GES

Mr. Gheorghe Constantin introduced the importance of implementing MSFD in Romania, justified by the fact that Romania is covered 100 % in the Black Sea river basin and all its water is discharged into



the Black Sea. In addition, the Black Sea seaside is the most important tourist area in Romania. As a result, the state of the Black Sea influences the measures taken on the Romanian territory particularly related to the waste water treatment and reduction of pollution with nutrients (defining the role for sensitive areas and nutrient vulnerable zones).

The marine waters include three areas:

- "Coast" defined as lying between the Periboina –Vama Veche Mangalia;
- "Transitional" defined as lying between the Chilia Periboina;
- "Marine" defined as marine waters from 1nm to shelf waters (50m isobath), between the Sulina Vama Veche.

The MSFD has been transposed through the Emergency Governmental Ordinance 71/2010 and adopted by Law 6/2011, and practical implementation focuses on the Initial assessment (art.8), Determination of GES (art.9), Set up the environmental targets (art. 10), and Updating monitoring programme (art.11).

The major problems occur due to the eutrophication/nutrient enrichment, changes in marine living resources, chemical pollution (including oil), and biodiversity/habitat changes, including alien species introduction. Accordingly, the major pressures include the pollution from land based sources, marine traffic and oil spills, invasive species and over fishing, excessive and illegal logging, intensive agriculture, and unsustainable coastal development.

The Initial Assessment (IA) was done using a mixed approach, while the GES and/or targets are not defined for some descriptors. IA was done using a mixed approach (description of the physicalchemical and biological characteristics of the marine environment, and description of the pressures on the marine environment (e.g. nutrient and organic matter enrichment, contamination by hazardous substances) and the activities causing the pressures.

Need for improvements:

- Improving knowledge in order to fill gaps;
- Improve the institutional capacity through training for using new monitoring and assessment methods;
- Improve capacity for economic analysis to set up and assess the sustainability of the protection measures.







Descriptor 5 - Eutrophication – Indicators

- Indicator 1 GES is achieved by maintaining current levels of nutrient concentrations in the water column in the high seas.
- Indicator 2 N / P ratio is more than 10.
- Indicator 3 Decreasing the current chlorophyll concentrations.
- Indicator 4 Maintaining transparency 3 9 m.
- Indicator 5 Decreasing the algal biomass and the effects on land.

Lesson learned: a comprehensive, reliable database can facilitate a proper assessment and definition of GES and targets.

Ms. Mihaela Popovici provided an overview of MSFD implementing experience in France, a maritime nation having over 11 million km² of marine waters, divided into 4 marine sub-regions: the English Channel and North Sea, the Celtic Seas, the Bay of Biscay and the western Mediterranean Sea.

There are different working groups including an Atlantic and Mediterranean Maritime Councils, in charge of Maritime Spatial Planning implementation in France.

Environmental targets determined in 2012 are consistent with the environmental objectives of the water management and development masterplans (SDAGEs), such as (i) significantly reduce the excessive inputs of nutrients to the marine environment, (ii) reduce the inputs of atmospheric nitrogen from agricultural, urban and industrial sources and those due to maritime shipping and land transport, (iii) continue to reduce point-source pollution from local authorities, industries and farming, in order to take account of the targets set for the receiving environment, and (iv) reduce non-point-source pollution from farming sources and limit their transfer to the aquatic environment.

MSFD Timetable in France

- July 2010: Subdivision of marine regions definition of criteria and methodological standards;
- July 2012: Initial evaluation definition of a healthy ecological state definition of environmental objectives;
- July 2014: Creation and implementation of monitoring programs;
- 2015: Creation of a program of measures 2016: launch of measures program;
- 2020: "Healthy ecological state" objective.

Lesson learned: there is a need to produce, organize and share scientific information among the stakeholders within a highly structured database

3.2 Development of Programme of Measures within the frame of MSFD

Participants at the regional training have been informed by Mr. Cristian Rusu about the legal arrangements_associated with the preparation of the Programme of Measures (PoM) under MSFD, specifically:

MS need to identify measures to reach or maintain GES – on the basis of IA, with reference to environmental targets and "taking into consideration the types of measures listed in Annex VI".

The Romanian approach for building the PoM consider the linkages between the pressures and impacts on marine environment, the uses and the measures to maintain or achieve the GES.





A MSFD related measure may be considered as any action which will be taken on the ground to help achieve MSFD objectives, can include:

- Measures under existing legislation;
- Measures foreseen by MSFD;
- New measures.



Structure of the PoM

Measures for each of the 11 Descriptors: need to address the pressures, consider the targets and the social & economic impacts of the measures, and be cost-effective and technically feasible.

Lesson learned: Romania committed next to all other Danube countries, to implement measures to reduce the pollution loads entering the Black Sea from sources in the Danube River Basin District. The national programs of measures, which shall be made operational by December 2018 will contribute to the improvement of the Black Sea status.

3.3 Links between MSFD and other directives. Interactions, overlaps and potential area for closer coordination

When assessing the overlaps between the MSFD and other directives, such as the Habitats Directive (HD) and Birds Directive (BD), Romania considers the following approaches:







- All directives are concerned with aspects of biodiversity conservation in the marine environment, including a requirement to achieve good status for the elements of biodiversity covered by each of the concerned Directives;
- The concepts of good environmental status (MSFD) and favourable conservation status (HD) or status of population (BD) are not necessarily equivalent but can be mutually supportive;
- Conservation measures under the Habitats Directive (HD) should be part of any programme of measures to meet the requirements of MSFD and therefore help deliver more integrated policy and planning;
- All directives are concerned with protection, maintenance and management of specific elements of biodiversity but also the restoration and recovery of habitats and species;
- All directives require measures which should contribute to the achievement of good environmental status, as well as monitoring and periodic assessment and reporting;
- All directives needs coordination in order to achieve their objectives by creating synergies between the measures proposed.

In relation with the interlinkages between the WFD and MSFD, Romania considers that there are strong links between the WFD) and the MSFD, justified by the following elements:

- Comparable objectives, with MSFD focused on the achievement of GES in marine waters, and WFD aiming to achieve Good Ecological and Good Chemical Status in all waters including transitional and coastal;
- WFD and MSFD address transitional, coastal and territorial waters;
- Overlap between the waters covered by the WFD and the MSFD;
- Successful implementation of the WFD will essential contribute to good environmental status in the marine waters;
- MSFD will define level of ambition for the WFD;
- The program of measures: measures taken under WFD for land based pressures and riverine input (e.g. contamination by hazardous substances) will contribute to reaching GES under the MSFD.

Lesson learned: MSFD can be considered an integrative tool - integration of all information and coordination of common issues of relevant directives are essential to identify if additional actions are needed.

3.4 Development of the monitoring programmes according with WFD and MSFD

Mr. Gheorghe Constantin introduced the Romanian National integrated Monitoring Programme established for WFD and MSFD implementation, which is addressing the coastal, transitional, and marine waters. The data cover other directives, as WFD, Habitat Directive, Urban Waste Water Treatment Directive, and Bathing Waters.

The monitored parameters covers monitoring of:

water (temperature, transparency, salinity, pH, dissolved oxygen, oxygen saturation %, nutrients - N-NO2, N-NO3, N-NH4, P-PO4, P Total, Si-SiO4), contaminants, such as total petroleum hydrocarbons, heavy metals, organochlorinated, pesticides, polyaromatic hydrocarbons (PAH);







- sediments total petroleum hydrocarbons, heavy metals, organochlorinated pesticides, polyaromatic hydrocarbons (PAH), a
- biota contaminants: heavy metals, organochlorinated pesticides, and biological parameters phytoplankton, zooplankton, macrozoobenthos.

Challenges

National level;

- Increase the numbers of marine stations for monitoring;
- Introduction of new monitoring parameters;
- Extending the monitoring for setting up GES and environmental targets for all descriptors
- Increase the number of biological elements within the monitoring;
- Training for using new methods for contaminants and biological elements.

Regional level

- Harmonize the GES and environmental targets;
- Harmonize the existing methods;
- Developing the work plan for filling gaps for the preparation of second reporting cycle;
- Involve all countries of the Black Sea Commission to achieve the GES by 2020.

3.5 Implementation of the MSFD within Black Sea

Prof Halil I. Sur and Ms Yrina Makarenko – from the Black Sea Commission, and Mr Gheorghe Constantin (Romania) shared with the participants their experience of implementing MSFD in the Black Sea, in coordination with the implementation of other EU directives. The problems of the Black Sea are: eutrophication/nutrient enrichment, chemical pollution, including oil, changes in marine living resources, over fishing, biodiversity changes/habitats loss, including alien species introduction, and climate changes. These marine problems are of transboundary nature and require collective action.



The legal framework is provided by the "Convention on the Protection of the Black Sea Against Pollution" signed in 1992, in Bucharest, Romania (hence Bucharest Convention), which is the first regional environmental agreement signed by all Black Sea coastal countries (i.e. Bulgaria, Georgia,







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Romania, Russian Federation, Turkey and Ukraine). The Bucharest Convention has 4 protocols, and a Strategic Action Plan for the Rehabilitation and Protection of the Black Sea, signed on October 31, 1996 (commemorated as the Black Sea Day) is adopted by all Black Sea countries. It was updated in 2009, and is based on ecosystem approach, covering issues such as: land based pollution, pollution from dumping, waste management, oil contingency plan, biological and landscape protection, and the integrated coastal zone management.

The Black Sea Strategic Plan (2009) has the following objectives:

- 1. Preserve commercial marine living resources.
- 2. Conservation of Black Sea Biodiversity and Habitats.
- 3. Reduce eutrophication.
- 4. Ensure Good Water Quality for Human Health, Recreational Use and Aquatic Biota.

The future steps for the MSFD implementation include following tasks:

- Harmonising the GES and environmental targets with the existing Black Sea Commission objectives;
- Harmonising the existing methods of monitoring and assessment;
- Developing the work plan for filling gaps for the preparation of second reporting cycle including with information from the entire Black Sea;
- Involving all countries of the Black Sea Commission to achieve the GES by 2020 together with the implementation of BSSAP;
- Updating the Black Sea Integrated Monitoring and Assessment Programme in order to correlate with the MSFD monitoring;
- Improving the knowledge on the Black Sea Marine environment, particularly on the biodiversity (mammals, birds);
- Increasing the capacity for the Marine Litter monitoring;
- Establishing a Marine Protected Areas Network around the Black Sea;
- Tackling the arising challenges as climate changes and off shore gas and oil exploitation;
- Updating the Black Sea Integrated Monitoring and Assessment Programme in order to correlate with the MSFD monitoring;
- Improving the knowledge on the Black Sea Marine environment, particularly on the biodiversity (mammals, birds);
- Increasing the capacity for the Marine Litter monitoring;
- Establishing a Marine Protected Areas Network around the Black Sea;
- Tackling the arising challenges as climate changes and off shore gas and oil exploitation.

The MSFD is implemented through a working group structure which includes six Advisory Groups. These Advisory Groups to the Black Sea Commission are the main source of expertise, information and support in the implementation of the Black Sea Strategic Action Plan, focused on the following topics:

- 1. ESAS Advisory Group on the Environmental Safety Aspects of Shipping;
- 2. PMA Advisory Group on the Pollution Monitoring and Assessment;
- 3. LBS Advisory Group on Control of Pollution from Land Based Sources;
- ICZM Advisory group on the Development of Common Methodologies for Integrated Coastal Zone Management;









- 5. CBD Advisory Group on the Conservation of Biological Diversity;
- 6. FOMLR Advisory Group on the Environmental Aspects of the Management of Fisheries and other Marine Living Resources.

Outstanding issues:

- The soonest adoption and implementation of the draft BSIMAP 2015-2020 will allow unifying the set of core indicators and compliance with national, regional and international requirements (BS national legislation, MSFD provisions, BS SAP 2009 etc.);
- Provide assistance to avoid ambiguities of the integrated monitoring in BS countries;
- Amend the BS SAP 2009 and possibly text of Bucharest Convention; assist Ukraine, Georgia and Turkey in approximation to the European environmental legislation;
- MSFD-related Projects play their crucial role in assisting BG and RO in reporting under MSFD requirements;
- Harmonizing of approaches between the regional seas and cooperation with RSC Secretariats, application of best practices, as well as introduction of new tools for marine assessment in the Black Sea.







IV. Highlights from the training workshop

1. Summary of each training session

MONDAY 18 MAY 2015

1.1 Marine Strategy Framework Directive – the Role of Marine and Landlocked Countries

Following presentations introducing the content of the MSFD, each of the beneficiary countries – marine and landlocked countries introduced their approaches, experiences, challenges and obstacles, but also their role for those being landlocked countries towards reaching GES in line with the MSFD, through the program of measures within the frame of WFD.

The national contributions of all beneficiary countries have been highly appreciated and provided a basis for intense discussion and welcomed exchange of experiences.

The key background information regarding the national contributions refers to:

- Importance of Marine related issues in the WFD, specifically:
- Art. 1: the purpose of the WFD is "to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater" which contributes, inter alia, to "the protection of [...] marine waters"; WFD aims "to prevent and eliminate pollution of the marine environment" and "to cease or phase out discharges, emissions and losses of priority hazardous substances, with the ultimate aim of achieving concentrations in the marine environment near background values for naturally occurring substances and close to zero for man-made synthetic substances"
- Art. 3(4) Coordination between MS in RBDs
 - Specific MSFD provisions related to landlocked countries, reflected in:
 - Preamble 15 "[...] therefore, the effect of the provisions of this Directive which exclusively address Member States which have marine waters should be limited to those Member States";
 - Article 26(3) "Member States without marine waters shall bring into force only those measures which are necessary to ensure compliance with requirements under Article 6 and Article 7".

Key issues and messages for landlocked countries

Criteria and methodological standards on good environmental status of marine waters (Commission Decision 2010/477/EU) - Descriptor 4.3, 5, 8 and 10) River continuity issues of RBMP - appropriate measures at sea and in coastal waters

- (i) Minimising human-induced eutrophication
 - Nutrient (N, P) reduction at point and diffuse sources
 - Guidance Document on Eutrophication Assessment
 - Urban Wastewater Treatment Directive
 - Nitrates Directive
 - P free detergents Regulation
- (ii) Concentrations of contaminants at levels not giving rise to pollution effects
 - EQS Directive (priority substances)



This Project is funded by the European Union





(iii) Properties and quantities of marine litter.

Key recommendations for landlocked countries:

- Late involvement might lead to severe financial consequences for upstream landlocked countries;
- River basin commissions the most appropriate coordination body for landlocked issues;
- The implementation of the MSFD is challenging and requires cooperation within and between the marine regions, EU MS, EEA and Candidate countries, international organisations including the Regional Sea Conventions and relevant stakeholders and NGOs.

1.2 Best practices in the MSFD implementation in Member States (Romania and France)

Presentations on the approaches, methodologies, steps, deadlines, obstacles and expected results have been made using the experiences in Romania and France along the MSFD implementation.

Most of the questions were addressing a number of points that deserve consideration:

- Developing and enforcing legislation for implementing the EU directives;
- Benefits of cooperating with MS within the frame of EC projects on MSFD and WFD implementation;
- The regional particularities, limited financial resources, and approaching deadlines for reaching GES by 2020, need to be considered in the implementation process;
- The coordination with the Regional Sea Conventions Barcelona Convention need to be improved to enhance synergies, allow comparability and achieve coherence across borders;
- The need to improve the scientific and technical knowledge about the marine environment;
- The necessity to organize dialogue for coordination with other policies and avoid duplication;
- The role of contingency planning to deal with marine pollution;
- The need to reach a common understanding of the assessment and monitoring requirements of MSFD, to allow the consideration of cumulative effects;
- Ensure synergy of the objectives and targets for MSFD with related EU policies, in particular WFD, CAP, Birds and Habitats Directives and the EU Biodiversity Strategy, through streamlining and developing comparable monitoring and assessment methods, as appropriate;
- Reaching consensus on the common understanding on application of MSFD descriptors considering other relevant EU directives, especially the WFD;
- Analyse effectiveness of existing measures to improve the status of marine ecosystems and identify necessary additional measures to improve the status of marine ecosystems;
- Building capacity at various levels to improve the technical and scientific marine knowledge.

TUESDAY 19 MAY 2015

1.3 Integration MSFD with other EU directives and policies

Issues related to the synergy between the MSFD and other EU Directives, such as WFD, Habitats and Birds Directive, have been presented and discussed at the training.

The list of thematic issues for integration presented includes:

• Integration of environmental, economic, social objectives – MSFD, WFD and ICZM;







- Development and implementation of a concept and arrangements for a shared, streamlined and efficient management of data, information and knowledge between the EU, the Regional Sea Conventions and the Member States as well as other partners based on the obligations under the MSFD, making use of the experience with WFD and WISE;
- Achievement of cross sectoral integration;
- Optimisation of the institutional interplay responsibilities, competencies (water, marine ecosystem, environment, etc.);
- Policy integration of those sectors having a spatial impact urban, agricultural, ..., considering the input of land based sources of pollution to the marine water;
- Consideration of the impact of climate changes on the PoM: "climate proof" measures;
- Role of socio economic considerations in achieving the GES through integration of policies;
- Improvement the marine scientific knowledge base resulting in reliable assessments on the state-of-the-marine environment, reporting information on the implementation of the Directive, evaluation of trends/scenarios, policies implications and impact assessments in support of achieving GES.

1.4 Implications of MSFD implementation for the Program of Measures in Drina River Basin

The tasks of the WMWG within the frame of ECRAN project are mainly focused on the strengthening of the technical capacities of the competent authorities in ECRAN beneficiary countries on the implementation of WFD, specifically in providing assistance in the development of transboundary RBMPs, and performing economic and financial analysis of the Program of Measures (PoM). In addition, the WMWG provides the frame for capacity building on interlinkages between the WFD and MSFD.

The principal component of the WFD for each river basin district is the development of RBMPs which will be reviewed on a six yearly basis and which set out the actions required within each river basin to achieve set environmental quality objectives.

Drina River Basin (Drina RB) has been selected within the frame of the Second Screening Workshop (September 2014) as the most appropriate pilot river basin for assistance to the beneficiary countries in the development of transboundary river basin management plans.

Considering the need to ensure a greater particularisation of the water management issues on a smaller scale but having potentially a larger impact, the countries in the Drina River Basin (Drina RB) will develop the Drina River Basin Management Plan which will include a Joint Program of Measures. This process will set off interfaces between the Program of Measures developed within the frame of the WFD and the Program of Measures required by MSFD for reaching the GES.

These considerations imposed an analytical examination of possible implications of MSFD implementation on the development of the PoM for Drina River Basin, which have been presented and discussed at the training.

Key points reflecting the above described implications include:

- The implementation of WFD and the MSFD should be closely inter-linked, requiring:
 - $\circ \quad$ coordination of the related tasks and actions







- coordination of sector policies which are closely interlinked with the different prioritized Significant Water Management Issues (SWMIs) of Drina RB (defined through screening templates), such as:
 - Organic pollution: insufficient sewage and WWTPs coverage eutrophication at Black Sea;
 - Flooding;
 - Hydromorphological alterations: hydropower energy facilities;
 - Nutrient pollution: diffuse pollution from agriculture eutrophication at Black Sea;
 - Priority and hazardous substances: industrial emissions pollution of the Black Sea
- The PoM of Drina RB will include measures addressing SWMIs, specifically:

SWMI organic pollution for the improvement of the UWW and industrial sector by upgrading or constructing sewer systems and waste water treatment plants as well as introducing BAT at the main industrial facilities.

SWMI Nutrient pollution – particularly by N and P - contributes to eutrophication in the Black Sea North-Western shelf. Nutrient pollution is a priority challenge, interlinking the freshwater with the marine environment.

SWMI Nutrient Pollution: Vision

The nutrient balance in the Danube River Basin is environmentally sustainable. The emissions of nutrients via point and diffuse sources are managed in a balanced way for the entire DRB, that neither the waters of the DRB nor the Black Sea are threatened or impacted by eutrophication.

Black Sea was significantly suffering from eutrophication and the receiving coastal areas have been designated as a sensitive area under the UWWTD- agglomerations with more than 10,000 PE in the EU MS have to be subject to tertiary treatment (nutrient removal) or a reduction of at least 75% in the overall load of total phosphorus and nitrogen entering all urban waste water treatment plants (of agglomerations > 2000 PE) has to be achieved.

For the Non EU MS More stringent treatment technology is needed, as well as the introduction of BAT recommendations which can significantly reduce industrial and agricultural point source nutrient pollution.

The Drina PoM shall:

- include measures addressing nutrient pollution Reduction of fertilizer and pesticides applied to agricultural lands;
- contribute to reduce marine pollution from land-based sources of pollution;
- protect ecosystems in coastal and transitional waters of the Black Sea Region.

The consequences of these implications will be addressed in the next steps along the preparation of the PoM for Drina River Basin, which will include the following steps/components:

- Definition of Drina River Basin vision and management objectives;
- Prepare PoM in line with WFD and connect it with the PoM within MSFD, involving landlocked countries;







- Assess the anticipated effects toward reaching Black Sea targets;
- Evaluate the impact of the River Basin Management plans on receiving marine water bodies and their ecosystems;
- Support integrated and innovative approaches to governance and management from source to sea;
- Improve coherence and integration in land, water, coastal and marine management;
- Share knowledge on management of land, water, coastal and marine linkages;
- Participate in collaborative projects, enabling freshwater, coastal and marine experts to connect and engage in promoting best practices, and take action to meet the objectives of both Directives.

WEDNESDAY 20 MAY 2015

1.5 Main challenges and outcomes from MSFD implementation in the Black Sea

The MSFD covers four marine regions in Europe: the Baltic Sea, Black Sea, Mediterranean Sea and the North-east Atlantic Ocean. The Black Sea is managed by Bucharest Convention, and involves six countries, including MS and non MS.

Since the 1960s, in coastal areas, the biological effect of the nutrient pollution has led to an increase in the frequency of monospecific phytoplankton blooms, with diatom bloom frequency increasing by a factor of 2.5 and non-diatom bloom frequency increasing by a factor of 6. The non-diatoms, such as the prymnesiophytes Emiliania huxleyi (coccolithophore), Chromulina sp., and the Euglenophyte Eutreptia lanowii are able to out-compete diatom species because of the limited availability of Si, a necessary constituent of diatom frustules. As a consequence of these blooms, benthic macrophyte populations were deprived of light, while anoxia caused mass mortality in marine animals.

The decline in macrophytes was further compounded by overfishing during the 1970s. The change in species composition in Black Sea waters also has consequences for hydrochemistry.

Pollution reduction and regulation efforts have led to a partial recovery of the Black Sea ecosystem during the 1990s, and an EU monitoring exercise, 'EROS21', revealed decreased N and P values, relative to the 1989 peak. Recently, scientists have noted signs of ecological recovery, in part due to the construction of new sewage treatment plants in Slovakia, Hungary, Romania, and Bulgaria in connection with membership in the EU.

The efforts of Black Sea Commission in implementing the MSFD have been supported by a number of projects, aiming to achieve coherence with the national monitoring systems and assessment methodologies.

Currently, two of the involved countries – Bulgaria and Romania - are supported by an ongoing EU project"EU Marine Strategy Framework Directive in the Black Sea region" 2014-2018, addressing the deficiencies and shortcomings identified within the first phase of the coherence and adequacy assessments (Art. 12 of the MSFD), supporting the development of monitoring programmes as well as coordinated Programmes of Measures between BG and RO.

Phase I (ending January 2015) had the following specific objectives, in particular to provide technical and administrative support for:





- Building the information basis for a more coherent and comparable joint implementation of the MSFD in Bulgaria and Romania;
- Capacity building activities in the region with view to strengthen the administrative and technical capabilities in Bulgaria and Romania for joint MSFD implementation;
- Promoting coordination activities within the Black Sea marine region and with other marine regions.

Phase II* (January-October 2015) has the following specific objectives:

- Consolidating the information basis;
- Maintaining the information exchange platform;
- Supporting the Programme of Measures Implementation in Bulgaria and Romania. This project will focus on common and coordinated new measures of Bulgaria and Romania;
- Capacity Building activities.

The presentations identified several weaknesses along the implementation process in the Black Sea Region, which are shortly summarized below:

- A major issue hampering implementation of the MSFD is due to the different approaches and roles of different institutions responsible for executing the MSFD;
- Existing differences in legal documents: (i) different set of indicators BS SAP, BSIMAP, MSFD, reporting templates etc.; difference in legal terms (i.e. no definition of GES in the Black Sea basin), approaches to marine assessment (Regular Process and MSFD descriptors);
- Some terms and definitions were never introduced in BSC documents, such as:
 - Cross-cutting nature (marine litter, noise etc.);
 - New terms (climate change, green economy, blue growth etc.);
 - Lack of manuals, methodologies, guidelines etc. for proper assessment;
- BSIMAP and the reports (SoE and BS SAP) were not adopted;
- The MS in the Black Sea Commission, Bulgaria and Romania are reporting under the MSFD;
- Insufficient financial resources;
- Limited interaction and cooperation with Regional sea convention.

The participation of the Black Sea Commission has been highly appreciated by the participants, and this was reflected by an active dialogue on the margin of the information received.

1.6 Proposed country specific topics for further training on MSFD

The participants have suggested country specific topics reflecting their national interest in ensuring appropriate capacity for implementing the MSFD and related EU directives.

The country specific topics proposed for further training are:

- Albania: Program of Measures;
- Bosnia and Herzegovina: Program of Measures;
- Kosovo*: Program of Measures;
- **FYR of Macedonia:** the upstream downstream cooperation within the frame of river basin management;
- Montenegro: Monitoring programs;







- Serbia: Nutrient pollution reduction, sensitive areas and nutrient vulnerable zones; Results/ benefits of tertiary treatment; JDS results analysis;
- Turkey: Socio economic analysis within the frame of MSFD; ICZM.

2. Description of the training activities (delivered presentations, small group work, plenary discussions, etc.) done during each training session

The topics of the training activities at the regional training were clustered according to the eleven major themes which follow the steps towards the implementation of MSFD, and also integration with other EU directives, specifically:

- 1. Presentation of content and requirements of MSFD;
- 2. Coordination between river basin management and marine environment protection (including the case of landlocked countries);
- 3. Implementation of the Marine Strategy Framework Directive: Initial Assessment and determination of GES- MS (Romania and France) experiences;
- 4. Presentation of the approach of preparing Program of Measures within the frame of MSFD;
- 5. Interlinkages between MSFD and other EU directives in order to create synergies and implement them together in the most efficient way;
- 6. Development and coordination of the monitoring programmes within the Danube River Basin and the Black Sea;
- 7. Implications of MSFD implementation for the Program of Measures in Drina River Basin;
- 8. Economic analysis for the Programme of Measures developed for the implementation of the MSFD in the Black Sea;
- 9. Methodology for approaching ICZM;
- 10. Main challenges, outcomes and activities of the Black Sea Commission and the Advisory Groups on MSFD implementation;
- 11. Activities of the Danube Black Sea Joint Technical Working Group.

A number of 31 presentations have been made, of which seven were made by the representatives of the beneficiary countries, in response to a questionnaire administered to investigate activities, responsibilities, obstacles and challenges in the implementation of MSFD, and as well the role and contribution of landlocked countries for achieving both MSFD and WFD objectives.

The training was attended by the EC, the ECRAN project staff and representatives of the beneficiary countries, all of whom have very good knowledge and extensive experience in the water, river basin management and marine topics.

The meeting program included "sessions" chaired by designated officials, "Introductory presentations" made by known experts, and "Case studies – such as the Activities of the Black Sea Commission on MSFD implementation" — to get insight into the EU policy implementation needs from explicitly case-studies. Through the discussion over the "Questionnaires", the participants had the opportunity to provide input on the MSFD topic, in a structured and facilitated discussion.

3. Outputs during individual/group work.







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Taking into account that a Sea Basin includes one or more river basins, there is evidently a strong link between the WFD and the MSFD. They have comparable objectives, namely Good Environmental Status (GES) for MSFD and Good Ecological and Good Chemical Water Status for WFD.

In this respect there are some areas of overlap, particularly in relation to chemical quality, the effects of nutrient enrichment (eutrophication) and some aspects of ecological quality and hydromorphological quality. On the other hand some overlaps exist between the type of waters covered by the WFD and the MSFD. The WFD relates to surface waters throughout a river basin catchment from rivers, lakes and ground waters, transitional and coastal waters and overlaps with MSFD in coastal waters. The MSFD includes coastal waters (as defined by the WFD) but does not include WFD transitional waters (e.g. estuaries, sea lochs and coastal lagoons).

The above consideration justified the need to organize a survey administered to all beneficiary countries. Thus, the countries have contributed to the preparatory process through completion of a questionnaire administered to investigate current status of MSFD implementation activities, responsibilities, obstacles and challenges in the implementation of MSFD, and as well the role and contribution of landlocked countries for achieving both MSFD and WFD objectives.

This questionnaire was intended to guide the beneficiary countries to also prepare presentation on their national policies and future plans on the coordination between inland waters and marine water policies. The results of the compilation of countries contributions have been presented and discussed at the regional training.

The questions included in the survey are:

- 1. Does your country have marine waters?
- 2. Is any policy related to the protection of the marine water environment?
- 3. Is there any regional sea convention which includes your marine waters?
- 4. Which are the economic sectors in your country which use marine waters?

Please select:

- Aquaculture and mariculture;
- Shipping;
- Coastal defence and flood protection;
- Fisheries;
- Tourism;
- Mining (gravel, sand and shell extraction);
- Oil and Gas;
- Cables (e.g. Power transmission, Telecommunications,);
- Renewable energy (e.g. wind farms);
- Others.
- 5. Are any Legislative and Regulatory Framework and agreements in your country related to marine waters?
- 6. Is any monitoring and assessment system for the marine water quality in your country?
- 7. Do you identify the pressures affecting the marine environment? (fishing activity, oil pollution, nutrient loads)?







- 8. Are measures established for the mitigation if the existing pressures and for the recovery and protection of the marine environment?
- 9. Is a delineation of the coastal waters performed?
- 10. Is any coordination between the monitoring system for inland waters and for marine waters?
- 11. Is any coordination between the measures taken for the protection of the inland water quality and those of the marine water quality?
- 12. Is any economic assessment on the impact of pressures and the cost of proposed measures?
- 13. Is any assessment of the benefits/impact of the measures on the marine ecosystems? (on fish stocks, water quality)
- 14. If your country is a landlocked country is any regional arrangement between the River Basin Organization and the Regional Sea Agreements?
- 15. In case that there is an arrangement, what types of measures are foreseen within the River Basin District for the protection of the marine environment?
- 16. From the following list of international and EU instruments which ones are used or which other similar policies are applied in your country?

Please select:

- Common Fisheries Policy;
- Integrated Maritime Policy;
- Common Agricultural Policy;
- Natura 2000 Directive;
- Birds Directive;
- Habitats Directive;
- Water Framework Directive;
- Nitrates Directive;
- The International Convention for the Prevention of Pollution from Ships (MARPOL);
- International Convention on the Control of Harmful Anti-fouling Systems on Ships;
- International Convention for the Control and Management of Ships. Ballast Water and Sediments;
- The Helsinki Convention (HELCOM);
- The Oslo Paris Convention (OSPAR);
- The Barcelona Convention;
- The Bucharest Convention;
- The Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters.

Based on countries inputs, an overview has been prepared, introduced and discussed at the meeting. It is considered that the work carried out by the countries in preparation of the regional training reflects their (i) interest to exchange experiences, to learn from each other and get familiar with other countries efforts on the same topic, (ii) commitment to perform the ECRAN project activities, but also (iii) the desire to be informed on topics which could help reaching the accession and transposition obligations. The outcomes of the national contributions have been examined in this report at the chapter I.2.

4. Conclusions for further improvements in the relevant field





Based on the contributions of beneficiary countries, the discussion, but also the input provided by the EC and the MS speakers at the training, the conclusions addressing further improvements needs include:

- (i) Further support for the beneficiary countries to strengthened their national capacities in implementing the MSFD, a complex, comprehensive and demanding directive, which imposes close and timely coordination between marine countries and landlocked countries;
- (ii) Shift towards more cross cutting issues in enforcement to avoid duplication and waste of resources;
- (iii) Need to establish a comprehensive database that can meet a wide range of requirements for assessment and reporting to EC;
- (iv) Organise further tailored training, considering the proposed country specific topics, which cover the following issues: Program of Measures (Albania, Bosnia and Herzegovina, Kosovo*), the upstream – downstream cooperation within the frame of river basin management (FYR of Macedonia), Monitoring programs (Montenegro), Nutrient pollution reduction, sensitive areas and nutrient vulnerable zones; Results/ benefits of tertiary treatment; JDS results analysis (Serbia), Socio - economic analysis within the frame of MSFD; ICZM (Turkey);
- (v) Ensure practical application of various analysis required for the implementation of MSFD;
- (vi) Continue to facilitate active participation and interaction, and motivated involvement (national inputs, short presentations on selected topics which can stimulate interest), making use of the existing expertise of the participants to accelerate the absorption of knowledge and practices.







V. Evaluation

The WM WG tasks are implemented through provision of support and practical work with the selected experts, exchange of experience with the experts from the EU Member States and capacity building organized in cooperation with the EC TAIEX facility.

The participants have benefited from a substantial input from the EC, MS speakers and the project team which helped considerable the discussion and facilitated a correct understanding of the project activities implementation to achieve the expected outcomes.

Participant Evaluation

Question		N°. Responses		Yes	No	Partially	Do not kn	ow
1. Was the workshop carried out according to the agenda		22		20 (91)%	0 (0)%	2 (9)%	N/A	
2. Was the prog structured?	ramme well	22		21 (95)%	0 (0)%	1 (5)%	N/A	
3. Were the key is to the topics add	sues related essed?	22	2	22 (100)%	6 0 (0)%	3 (0)%	N/A	
 Did the works you to imp knowledge? 	shop enable rove your	22		20 (91)%	0 (0)%	2 (9)%	N/A	
5. Was enough time allowed for questions and discussions?		22		22 (100)%	6 0 (0)%	0 (0)%	N/A	
	Speaker/Ex	opert	N°. Res	ponses	Excellent	Good	Satisfactory	Poor
6. How do you	Ms Popo	vici	2	1	20 (95)%	1 (5)%	0 (0)%	0 (0)%
assess the quality of the	Ms Moren	Abat	2	1	18 (86)%	3 (14)%	0 (0)%	0 (0)%
speakers?	Mr Rus	u	1	9	13 (68)%	6 (32)%	0 (0)%	0 (0)%
	Mr Consta	ntin	2	1	16 (76)%	5 (24)%	0 (0)%	0 (0)%
Question		N°. Responses		Yes	No	Partially	Do not kn	ow
7. Do you expect any follow- up based on the results of the workshop (new legislation, new administrative approach, etc.)?		22		22 (100)%	6 0 (0)%	N/A	N/A	
8. Do you think that further TAIEX assistance is needed (workshop, expert mission, study visit, assessment mission) on the topic of this workshop?		19		19 (100)%	6 0 (0)%	N/A	N/A	

 $_{Page}40$





Environment and Climate ECRAN Regional Accession Network

9. Were you	Conference venue	22	20 (91)%	0 (0)%	2 (9)%	0 (0)%
the logistical arrangements, if	Interpretati on	22	21 (95)%	0 (0)%	1 (5)%	0 (0)%
applicable?	Hotel	22	19 (86)%	0 (0)%	3 (14)%	0 (0)%

Comments:

- The workshop was quite beneficial. The presence of countries to share information about the work of the Water Framework Directive was extremely beneficial. Thank you those who contributed;
- As a new state we are happy that we take part in these events, also the willingness of everyone to listen to us and understand our path towards European Integration. Memorandums of understanding with neighbouring countries show that we wish to functioning as a whole in relation to the water;
- Comments and suggestions regarding the workshop held in Podgorica will be primarily
 professional character. Once participants as representatives of regional stakeholders should
 work accordingly problems accessing their countries and with the help of consultants from
 past workshops and be able to perform tasks as required by European legislation and
 directives in force.









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ANNEX I – Agenda

Day 1 – Monday, 19 May 2015, Istanbul

Topic: WM WG – Regional Training on MSFD and ICZM									
Chart d	Start Finish Topic Speaker Sub topic/Content								
Start	FINISN	Торіс	Speaker						
08:30	09:00	Registration							
09.00	09.15	Welcome and opening	Welcome and opening	Address by EC					
			Ms. Marta Moren Abat, European Commission, DG Environment	Address by ECRAN					
09.15	09.45	Presentation and discussion of the results and outputs achieved at the 1 st Introductory Workshop on MSFD	Ms. Mihaela Popovici, ECRAN Expert	Presentation of the results and findings achieved at the 1 st Introductory Workshop on MSFD Method : PPP and Q&A					
09.45	10.30	Introduction of the Regional Training agenda, objectives and expected results	Ms. Mihaela Popovici	Presentation of the approach, the agenda, the speakers, expected inputs and results Method : PPP and Q&A					
10:30	11:00	Coffee Break							
11.00	11.30	Presentation on the contents of the MSFD	Ms. Mihaela Popovici	Presentation of content and requirements of MSFD Materials provided: background document Method : PPP and Q&A					
11.30	12.30	Introduction of the participants Countries contributions on the topics questionnaire, discussion of the answers, presentation of the compilation of	Ms. Mihaela Popovici, All participants	Materials provided: - 5 min presentation per country related to the coordination between river basin management and marine environment protection (including the case of landlocked countries)					







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		national inputs and		- 10 min presentation overview
		agreement on the		- Discussion and agreement
		selected countries		Method : PPP, questionnaire,
		specific topics		survey report, and Q&A
12:30	14:00	Lunch Break	-	
14:00	14:30	Implementation of the	Mr. Gheorghe	Presentation of the approach of
		Marine Strategy	Constantin	MSFD implementation and
		Framework Directive in Romania Initial	TAIEX Expert	approaches for Initial Assessment
		Assessment, and	All participants	and the determination of GES in
		determination of GES		Komania
				Method : PPP and Q&A
14.30	15.00	Implementation of the Marine Strategy Framework Directive in France. Initial Assessment, etsbalishing of GES and development of	Ms. Mihaela Popovici	Presentation of the approach of MSFD implementation and approaches for Initial Assessment and the determination of GES in France Method : PPP and Q&A
15.00	15.30	Coffee Break		
15.00	15.50			
15:30	16:30	Implementation of the	Mr. Cristian Rusu	Presentation of the approach of
		Marine Strategy Framework Directive in	TAIEX Expert	preparing Program of Measures within the frame of MSFD
		Romania - Development of Programme of Measures	All participants	Method : PPP and Q&A
16:30	17:30	Introduction of reference documents	Ms. Mihaela Popovici	Presentation of the background document, screening templates and handouts for MSFD and ICZM

Day 2 – Tuesday, 19 May 2015, Istanbul

Topic: Regional Training on MSFD and ICZM Chair and Co-Chairs: Mihaela Popovici and Gheorghe Constantin					
Start	Finish	Торіс	Speaker	Sub topic/Content	
09.00	10:00	Links between MSFD and WFD. Interactions,	Ms. Mihaela Popovici All participants	The main focus will be on the need for coordination in the implementation of the MSFD and	





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16.00	16.30	Coffee Break		
15.00	16.00	Economic analysis for the Programme of Measures developed for the implementation of the MSFD in the Black Sea	Mr. Cristian Rusu TAIEX Expert	Presentation of the economic analysis done within the MSFD implementation in order to adopt cost effective measures, including correlation with economic analysis undertaken under the WFD Method: PPP and Q&A
14.00	15.00	Implications of MSFD implementation for the Program of Measures in Drina River Basin	Ms. Mihaela Popovici, All participants	Presentation of the effects of the implementation of the MSFD within the Black Sea on the Programme of Measures in Drina River Basin and the necessary coordination. Method : PPP and Q&A
12.30	14.00	Lunch Break		
				Method : PPP and Q&A
11.30	12.30	Development of the monitoring programmes according with WFD and MSFD	Mr. Gheorghe Constantin TAIEX Expert	Presentation of the development of the monitoring programmes within the Danube River Basin and the Black Sea. The need of coordination between the two programmes will be highlighted in order to assess the impacts of
11.00 -	11.30 Ca	offee Break	-	-
				Method: PPP and Q&A
10.00	11.00	Coordination between MSFD and oither directives and policies	Mr. Gheorghe Constantin TAIEX Expert	The main focus will be on the coordination with marine planning and marine licensing, EIA and SEA, Marine Protected Areas, Common Fishery Policy, Habitat and Birds Directive
		overlaps and potential area for closer coordination		WFD in order to create synergies and implement them together in the most efficient way. Method: PPP and Q&A
		avarlance and		WED in order to create superside







16:30	17:30	Methodology for approaching ICZM – Romanian experience	Mr. Gheorgh Constantin TAIEX Expert All participants	Presentation of the concept, steps and related results Method : PPP and Q&A
17.30	18.00	Adjourney/Wrap up of the day	Ms. Mihaela Popovici	

Day 3 – Wednesday, 20 May 2015, Istanbul

Topic: Chair a	Topic: Assist Regional Training on MSFD and ICZM Chair and Co-Chairs: Prof. Halil I. Sur and Gheorghe Constantin					
Start	Finish	Торіс	Speaker	Sub topic/Content		
09:00	09:15	Introduction of participants				
09:15	09:45	Wrap up of the key points of discussion from the 1 st and 2 nd day training	Ms. Mihaela Popovici			
09:45	10:30	Presentation of the BSC activities and main outcomes	Prof. Halil I Sur, Executive Director Ms. Iryna Makarenko, Pollution Monitoring and Assessment Officer The Commission on the Protection of the Black Sea Against Pollution Permanent Secretariat	Presentation of the activities developed by the BSC Permanent Secretariat and the Advisory Groups. Main challenges and outcomes will be introduced Method : PPP and Q&A		
10:30	11:00	Coffee Break				
11:00	11:30	Main outcomes of the EU financed project for the	Prof. Halil I Sur, Ms. Iryna Makarenko	The general framework of the MSFD implementation in the Black		







		implementation of the MSFD within Black Sea		Sea and the results of the dedicated project will be presented Method : PPP and Q&A
11:30	12:00	Joint Technical Working Group Danube Black Sea	Mihaela Popovici	The experience, challenges and results of the cooperation between ICPDR and Black Sea Commission will be presented Method : PPP and Q&A
12.00	12.30	Presentation of the Common Implementation Strategy for the implementation of the MSFD at the EU level	Gheorghe Constantin TAIEX Expert	Presentation will include the general framework, specific areas and guidance document in order to have a joint and coordinated approach Method: PPP and Q&A
12:30	13:30	Lunch Break		
13:30	14:00	Presentation of the regional projects dedicated to the MSFD implementation in the Black Sea	Mr. Gheorghe Constantin TAIEX Expert	The results and development of the MISIS and Joint project for MSFD implementation by Romania and Bulgaria will be presented Method : PPP and Q&A
14:00	14:30	Presentation of the measures envisaged by Romania in order to implement WFD objectives for Black Sea Convention and for MSFD	Cristian Rusu TAIEX Expert	The main measures dedicated for the improvement of the marine water quality and MSFD implementation will be presented Method PPP and Q&A
14:30	15:00	Future steps for the	Gheorghe Constantin TAIEX Expert	Actions foreseen for a coordinated approach will be introduced









		(WFD, Habitat, Natura 2000)		
15:00	15:30	Coffee Break		
15.30	16.30	Presentation of the coordination framework between marine and water policy at the EU level and future actions	Gheorghe Constantin TAIEX Expert	Presentation will focus on the informal framework of Water and Marine Directors meetings and will introduce the main developments of the marine and water policy implementation (Blue Growth and Water Blueprint) Method : PPP and Q&A
16:30	17:00	Next steps and conclusions	Ms. Mihaela Popovici	









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ANNEX II – Participants









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ANNEX III – Presentations (under separate cover)

Presentations can be downloaded from:

http://www.ecranetwork.org/Files/MSFD_Workshop_Materials, May_2015, Istanbul.zip





