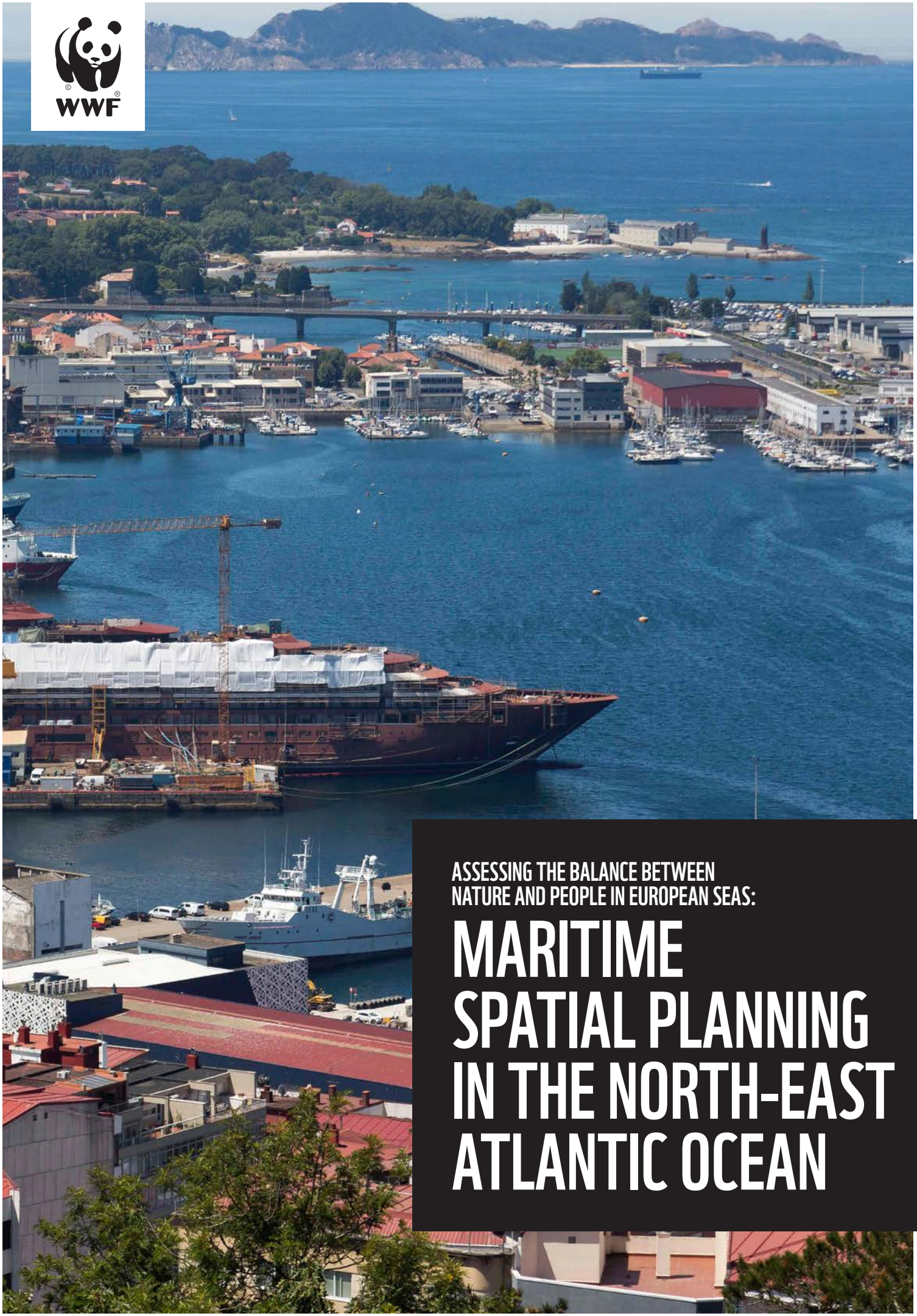

ASSESSING THE BALANCE BETWEEN
NATURE AND PEOPLE IN EUROPEAN SEAS:

MARITIME SPATIAL PLANNING IN THE NORTH-EAST ATLANTIC OCEAN

Written by the WWF European Policy Office in partnership with WWF-Portgual and WWF-Spain.

The WWF European Policy Office wishes to thank colleagues from across the WWF EU network for their contributions to this report. For more detailed analysis, background information on the methodology, as well as further research and results on the topics explored in this report, please consult the Technical Annex available at wwf.eu.

Design: Catherine Perry, www.swim2birds.co.uk

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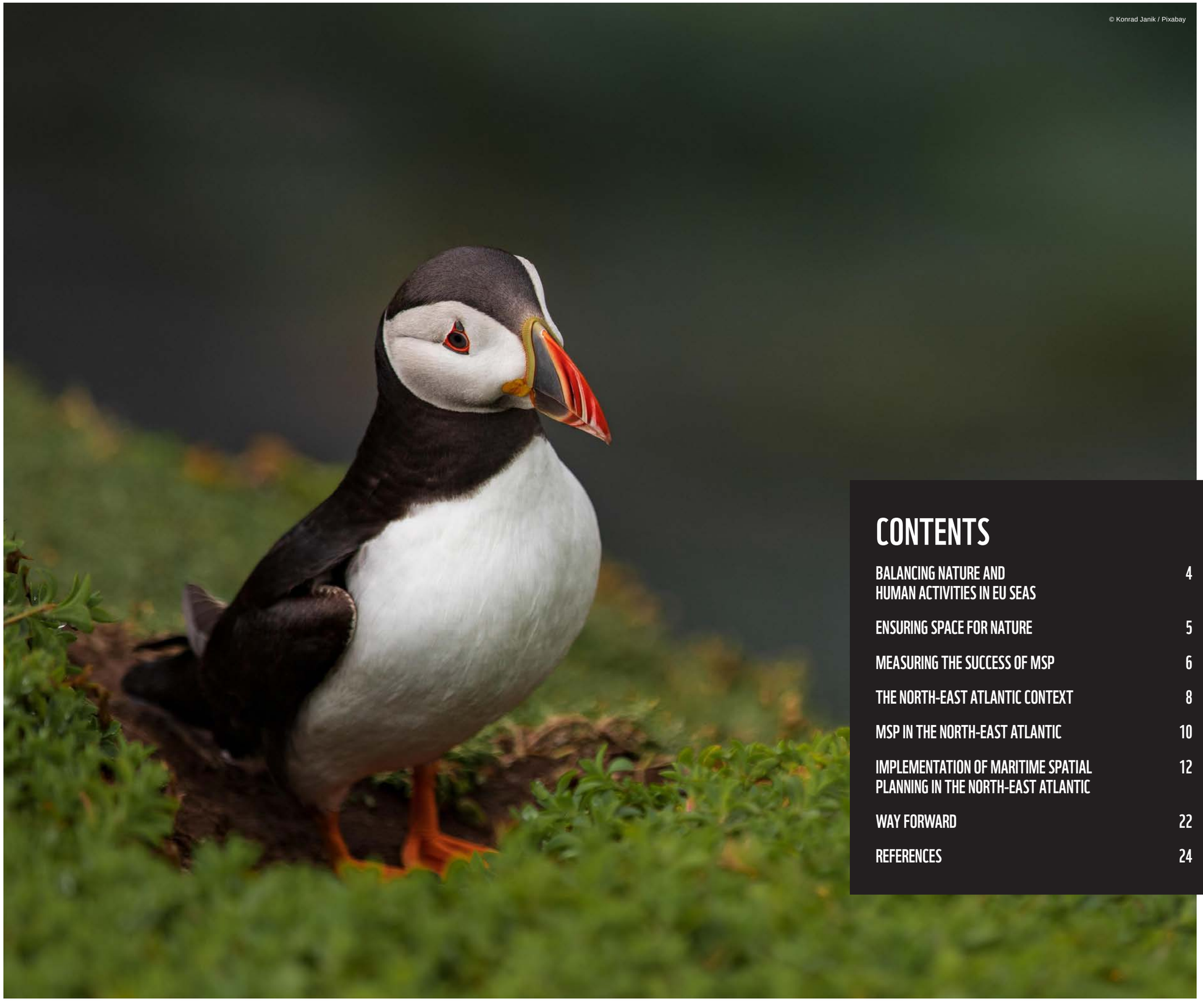

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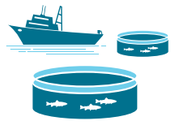
BALANCING NATURE AND HUMAN ACTIVITIES IN EU SEAS



THE EU IS THE SIXTH-LARGEST PRODUCER OF FISHERY AND AQUACULTURE PRODUCTS

Europe's marine waters are some of the busiest and most intensively exploited on Earth. The EU is the sixth-largest producer of fishery and aquaculture products, and nearly 80% of global shipping (by volume) and over 90% of installed offshore wind capacity occurs in EU seas.[1]

These and other maritime sectors, such as coastal tourism, oil and gas, and shipbuilding, to name a few, have enormous impacts on EU economies and marine species. Striking the balance between sustainable human activities and healthy ecosystems is vital to alleviate the impacts of climate change via carbon storage and renewable energy. By leaving space for nature to recover, the EU can be a global champion to fight biodiversity loss and support food security for the billions of people whose seafood is connected to European waters.

OVER 90% OF INSTALLED OFFSHORE WIND CAPACITY OCCURS IN EU SEAS

Among numerous European policies that aim to secure a sustainable balance for marine spaces and resources is the Maritime Spatial Planning Directive (MSPD, 2014/89/EU).[2] The MSPD was developed to provide an integrated planning and adaptive approach to how the EU and its Member States (MS) manage human-led activities in their waters. **Maritime Spatial Planning (MSP)** is a future-oriented process that considers all economic sectors and ecological factors related to a marine area and allocates space, both geographically and temporally, to different activities and people whose livelihoods are tied to our seas for the purpose of ensuring a long-term sustainable balance between people and nature.

The MSPD set 31 March 2021 as the deadline for MS to present their maritime spatial plans to the European Commission. The objective of these plans is to detail a nation's strategies for the sustainable management of their marine areas and resources. While the MSPD initiated the much-needed conditions and means to support public policy for maritime planning at the national, regional and EU levels, its absence of clear definitions for key concepts of MSP and guidance on steps to follow for establishing national plans has resulted in a disjointed seascape of how MS seek to implement the MSPD, jeopardising the objectives for safeguarding a sustainable balance between nature and human activities across the EU.

A crucial manifestation of these gaps in the MSPD came when only six of the EU's twenty-two coastal countries (Belgium, Denmark, the Netherlands, Finland, Latvia and Portugal) met the March 2021 deadline,[3] despite some MS having some form of maritime planning in place. This meant that, officially, less than 38% of EU waters had a tentative, coherent, sustainable and forward-looking plan in place for the various maritime sectors involved. Between March and the end of 2021, however, several other MS published their plans, including France, one of the countries assessed in this report. In addition to France, this analysis focuses on the maritime spatial plans of the other North-East Atlantic MS, namely Ireland, Portugal and Spain.

ENSURING SPACE FOR NATURE

Holistic and integrated approaches to MSP are necessary to secure a sustainable blue economy, address the levels of environmental degradation in our seas and support the development of impact assessment tools whose scope is wide enough to consider complex maritime seascapes against the backdrop of the ecosystems within which they exist.

THE EU AND ITS MEMBER STATES ARE AIMING TO PROTECT AT LEAST 30% OF MARINE AND COASTAL AREAS BY 2030

It is in this vein that WWF advocates for an **ecosystem-based approach (EBA)** to MSP,[4] which views maritime spaces as integrated systems that provide various resources and services to both people and the planet, and acknowledges that ecosystems have a limited carrying capacity to remain healthy against human pressures. **An EBA to MSP can transform how sea spaces are accessed and managed**. It does so by increasing national and regional abilities to integrate and adapt to multisectoral changes, thus supporting sustainable economic benefits within oceanic boundaries.

For example, the effective management of Marine Protected Areas (MPAs) safeguards particularly sensitive habitats, species and/or ecological processes, reduces or eliminates human pressures on marine ecosystems, and supports wider sea basin and ocean health; this, in turn, delivers direct benefits to industries like fisheries and tourism, while boosting sequestration of carbon in marine life and in the seabed. Unfortunately, this effective management is often absent in how MS manage their MPAs: many lack implemented management and restoration plans or remain without action for conservation and/or active nature restoration to deliver actual protection, while continuing to allow environmentally-harmful activities to take place. However, as part of commitments to the UN 2030 Agenda and the EU Biodiversity Strategy, the EU and its Member States are aiming to protect at least 30% of marine and coastal areas by 2030, with 10% strictly protected (i.e. where human visitation, activities and impacts are strictly controlled and limited).[5]

EFFECTIVE MANAGEMENT OF MPAs DELIVERS DIRECT BENEFITS TO INDUSTRIES LIKE FISHERIES AND TOURISM

As a planning tool to support these objectives, an EBA to MSP helps MS better balance the MSPD's ecological and socio-economic objectives, thus delivering on EU policies that put nature at the forefront of economic recovery from Covid-19, including NextGenerationEU.[6]

Furthermore, an EBA to MSP helps achieve the sustainable management of ecosystem goods and services, and maintains ecosystem integrity in the face of growing maritime sectors, such as offshore renewable energy. As part of achieving climate neutrality by 2040 as per the European Green Deal, the European Commission is planning to increase offshore renewable energy capacity by 500% and 2500% by 2030 and 2050, respectively, in comparison to 2020 levels.[7] However, such tremendous growth depends on finding suitable space and compatibility with multi-sector usage in waters that are already crowded with other maritime activities. One solution lies in reappropriating sea areas currently designated for fossil fuels - including gas - as these activities must be completely phased out and replaced by renewable energy to comply with the 2040 climate neutrality targets. Moreover, any infrastructure development must be considered within the broader context of degrading marine health due to overexploitation of resources, pollution, acidification and habitat destruction, to name a few causes. Failure to adopt an EBA would put offshore renewable energy developments at risk of further damaging marine ecosystems and thus exacerbating the climate crisis, despite being intended as a solution to help tackle this issue.

MEASURING THE SUCCESS OF MSP

Since the establishment of the MSPD, WWF has been working with MS to ensure that the Directive's implementation aligns with an EBA. A core element of this work has been the translation of the MSPD's requirements for MSP into 33 indicators that, when all achieved, would successfully deliver an EBA to MSP. These indicators fall under four categories, each assessing a key domain of sound MSP in national maritime spatial plans:

INCLUSION OF NATURE

The plan accounts for integrating marine protection, limiting the expansion of at-sea activities, and considers the cumulative effects of human activities on the carrying capacity of marine ecosystems as essential components of securing a sustainable blue economy

SOCIO-ECONOMIC CONSIDERATIONS

The plan takes diverse at-sea human activities and socio-economic factors into consideration, including the Principles for a Sustainable Blue Economy[8]

GOOD OCEAN GOVERNANCE

The plan aligns with other EU policies and designates competent authorities to manage and enforce a high-standard EBA to MSP

COMPREHENSIVENESS OF THE COMPLETE MSP PROCESS

The MSP process is based on the robust management of all maritime activities, including transboundary cooperation between national authorities for long-term sustainability, as well as an adaptive approach to monitoring and future planning

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METHODOLOGY

The nine outermost regions (ORs) of the EU all appertain to the MS analysed in this report: Guadeloupe, French Guiana, Réunion, Martinique, Mayotte and Saint Martin (France), the Azores and Madeira (Portugal), and the Canary Islands (Spain). Despite the great distance separating these territories from the European continent, the ORs are integral parts of the EU and, as such, subject to common rights and obligations that are legally binding for all MS. As such, MS should make provisions to apply the MSPD in these territories as part of the Integrated Maritime Policy of the Union. Unfortunately, according to the European MSP Platform, this has not yet been achieved.[9]

Adding to the existing complexity of MSP, neither France nor Portugal currently cover all their national waters, including those of their ORs, under a single maritime spatial plan. In the French case, four separate sea basin strategies were adopted (East Channel-North Sea, North Atlantic-West Channel, South Atlantic and Mediterranean). Portugal, meanwhile, has divided its MSP across four subdivisions (mainland Portugal, Madeira, the Extended Continental Shelf and the Azores). While Portugal's MSP follows similar underlying assumptions across all four subdivisions (e.g. which activities are considered, use of an ecosystem-based approach), each subdivision applies different economic, social and environmental considerations; this not only jeopardises the efficacy of national MSP as a whole, but increases the complexity of monitoring and improvement over time. WWF advocates against a decentralised approach to MSP, as it fails to consider the borderless nature of marine ecosystems, including wildlife migration corridors and the cumulative impacts of human pressures across regions.

The analysis presented in this report is based on data compiled by the WWF European Policy Office in partnership with WWF-France, WWF-Portugal and WWF-Spain. Throughout the analysis, WWF contacted researchers and national policymakers, including in Ireland, where no WWF office currently exists. For both Portugal and Spain, the analysis pertains only to the mainland MSP; however, as Spain's national plan applies equally to both its mainland territory and the Canary Islands, WWF's assessment provides a complete picture of maritime spatial planning in all Spanish waters. In the case of Spain, the analysis focused on the draft the Government made available to the public in 2021, which could differ from the final implemented plan expected to be launched by the end of 2022. For France, the study focuses on the mainland MSP as well as the two North-East Atlantic subdivisions (East Channel – North Sea, North Atlantic – West Channel). In Ireland, the complete MSP is assessed. MSP in the ORs of France, Portugal and Spain is explored in greater depth on page 14. Detailed scores for each EU country assessed are available in the Technical Annex that accompanies this report.

THE NORTH-EAST ATLANTIC CONTEXT

The North-East Atlantic is the EU's largest regional sea, with a catchment area of 2,721,000 square kilometres. Its broad range of habitats, from tidal mud flats and kelp forests to deep cold-water coral reefs, are home to globally-significant populations of a wide variety of wildlife including sharks and rays, whales, sea turtles, walrus and polar bears, as well as commercially-valuable species like mackerel, cod, sole, tuna and halibut.

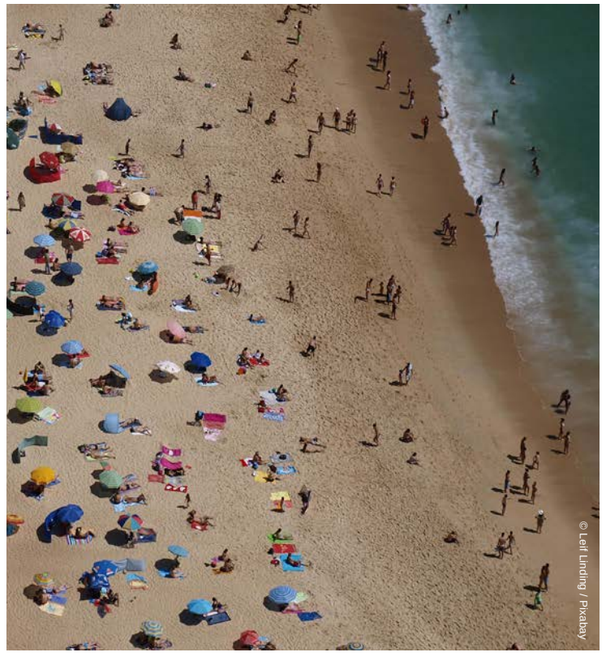
Additionally, important seabird migratory routes, used by millions of birds for feeding and nesting, cover the North-East Atlantic waters.[10] The region also hosts Europe's largest exclusive economic zone (EEZ). It includes both Europe's largest undivided EEZ, Portugal, but also France, whose outermost regions and districts cross various continents to form the world's largest EEZ.

However, the region's growing exploitation of marine resources and expansion of maritime activities have placed fisheries and pollution from human activities as the largest threats to biodiversity in the region.[11] High shipping density, including cargo, fishing and passenger operations, has increased to such an extent that it now traverses into 73% of MPAs.[12] Lost and/or discarded fishing gear is one of the top three most common types of litter found on beaches in the region. In 2017, the European Environment Agency found nearly a fifth of assessed fish stocks failed to meet criteria for good environmental status.[13] In its 2019 assessment of ecosystemic conditions in Europe's seas (examining contamination, eutrophication and biodiversity), the Agency classified 74.2% of the North-East Atlantic as falling under "problem areas".[13]

These human pressures compound the impacts of the climate crisis, which have been affecting marine ecosystems in the region over the past 30 years, at least. For example, between 1989 and 2017, elevated sea temperatures and an approximately 50% reduction of zooplankton across large geographic areas of the region resulted in abrupt changes in the growth and harvesting of Atlantic mackerel and salmon.[14]

At the time of conducting this analysis, the IUCN listed 93 species of the region as critically endangered, endangered or vulnerable.[15] These include 51 species of sharks and rays, all five of the seven species of sea turtles found in European waters, iconic mammals such as five whale species, the polar bear and the walrus, and numerous fish with commercial value such as Atlantic cod and Bigeye tuna.

As a response to the region's need to urgently reverse observed biodiversity loss, in 2021, the environment ministers of the North-East Atlantic countries agreed, under the OSPAR Convention, to establish a new 600,000 square kilometre high-seas MPA which is equivalent in size to Germany and the United Kingdom combined.[11] Up until this commitment, the region's MPAs were mostly located along the coastline.[16] While this regional conservation project will likely deliver the world's largest MPA, with at least 30% protection at the sea surface, there is still no evidence of an associated management plan for the area, putting into question whether the initiative will be more than a Paper Park.



MSP IN THE NORTH-EAST ATLANTIC

The North-East Atlantic MS have failed to implement an EBA to MSP, with a 38% regional average score across all four assessment categories. Both the lowest and highest scoring categories, “Inclusion of nature” (31%) and “Comprehensiveness of the complete MSP process” (44%), remain below the threshold (50%) for a partly successful MSPD implementation.

THE NORTH-EAST ATLANTIC IS FARING POORLY WITH REGARDS TO NATURE PROTECTION AND RESTORATION OF MARINE ECOSYSTEMS

While Portugal - one of only six nations to deliver its plan before the deadline set by the MSPD - has the highest score (46.2%), its performance still falls below WWF's threshold for an EBA to MSP to be considered partly successful. Further, the country is missing a specific plan for the Azores archipelago, leaving over 50% of Portuguese waters without a plan to sustainably manage maritime activities. Such poor outcomes reflecting the best-performing country in the region amplify concerns over the implementation of the MSPD in the EU's largest sea basin.

Spain has the most consistent results across all categories, reflecting the government's comparable attention to economic, environmental and social concerns in its MSP. However, the overall score is still very low at just 39.6% and the plan has yet to be approved by the Spanish government, meaning no maritime spatial plan is currently being implemented to harmoniously manage maritime sectors, achieve environmental targets and plan for future changes at sea. As it stands, the draft plan presented to the European Commission in 2021 is an “inventory” of human activities, not a forward-looking spatial planning tool envisioned as EBA to MSP.

NO COUNTRY CONSIDERED THE IMPACTS OF INFRASTRUCTURE DEVELOPMENT ON MARINE ECOSYSTEMS WHEN ALLOCATING SPACE FOR WIND FARMS

Overall, the North-East Atlantic region is faring poorly with regards to nature protection and restoration of marine ecosystems, which are essential to sustain blue economies in the region and improve coastal resilience to climate change. In addition to being the lowest scoring category, “Inclusion of nature” features the only indicator where all MS scored zero: “Planned activities fall within environmentally-sustainable limits” (Indicator 4). With no national maritime spatial plans including a cumulative impact assessment (CIA) of all at-sea activities, not a single EU country is currently working to ensure that the combined effects of maritime sectors remain within the ocean's carrying capacity. CIAs are essential to compare the impacts of different human activities, select spatial allocations that minimise harmful impacts on marine habitats and species, and ensure the good environmental status of EU seas over time. Without a CIA, it's not possible to claim human activities have been planned in a truly sustainable way.

The poor results under this category are exacerbated by the lack of regional cooperation on marine issues, with a 44% average score for “Comprehensiveness of the complete MSP process”. For example, no country considered the impacts of infrastructure development on marine ecosystems when allocating space for wind farms. Cross-border cooperation is essential for a successful approach to sea basin planning that considers how human pressures cumulatively impact transboundary marine mammal corridors and the migration of commercially important fish species.

Environmental concerns are particularly evident in Ireland (total average score of 32%), which is not only the worst performing country in the region, but also scores zero in six of the nine indicators in the “Inclusion of nature” category, including those focused on the establishment and management of MPAs. The lack of identification of vulnerable or valuable marine ecosystems leaves extended areas of the Irish coastline unprotected, granting access to activities that would not be permitted under effective conservation management plans. For example, the absence of data on the locations of essential seafloor habitats allows offshore wind turbines to be anchored in vulnerable areas without any mitigation measures. Additionally, the lack of maps to identify which ecosystems require ecological restoration threatens the enforceability of the EU Marine Strategy Framework Directive (MSFD) and upcoming EU nature restoration law. This puts Ireland's natural heritage at risk of further degradation as the climate crisis accelerates.

Despite being the only country that tried to combine the MSFD requirements and the MSPD guidelines into its national plan, France still failed to account for how ecosystems will change over time due to climate change. Its strategy also contains no measures to retain seafloor integrity and essential fish habitats, raising concerns over the long-term sustainability of traditional maritime occupations such as fisheries. Finally, while France is on course to fulfil the EU Biodiversity Strategy's target of 30% MPA coverage by 2030, management plans to effectively deliver coherent MPAs remain absent, jeopardising conservation as a whole in the region.

Positively, all four MS developed their MSP based on broad scientific knowledge, which is essential for defining baselines and developing standards to monitor and evaluate national performance on key indicators over time. These results show the region was able to deliver science-based and forward-looking plans that are likely to evolve as new data becomes available, which is essential for delivering on critical pieces of EU environmental legislation such as the Biodiversity Strategy and REPowerEU.

TABLE 1: Average Member State score for each Maritime Spatial Planning assessment category

For each Member State, the worst and best scores for each category are highlighted in red and green, respectively. A high percentage score denotes a positive performance, while a score below 50% denotes a negative performance.

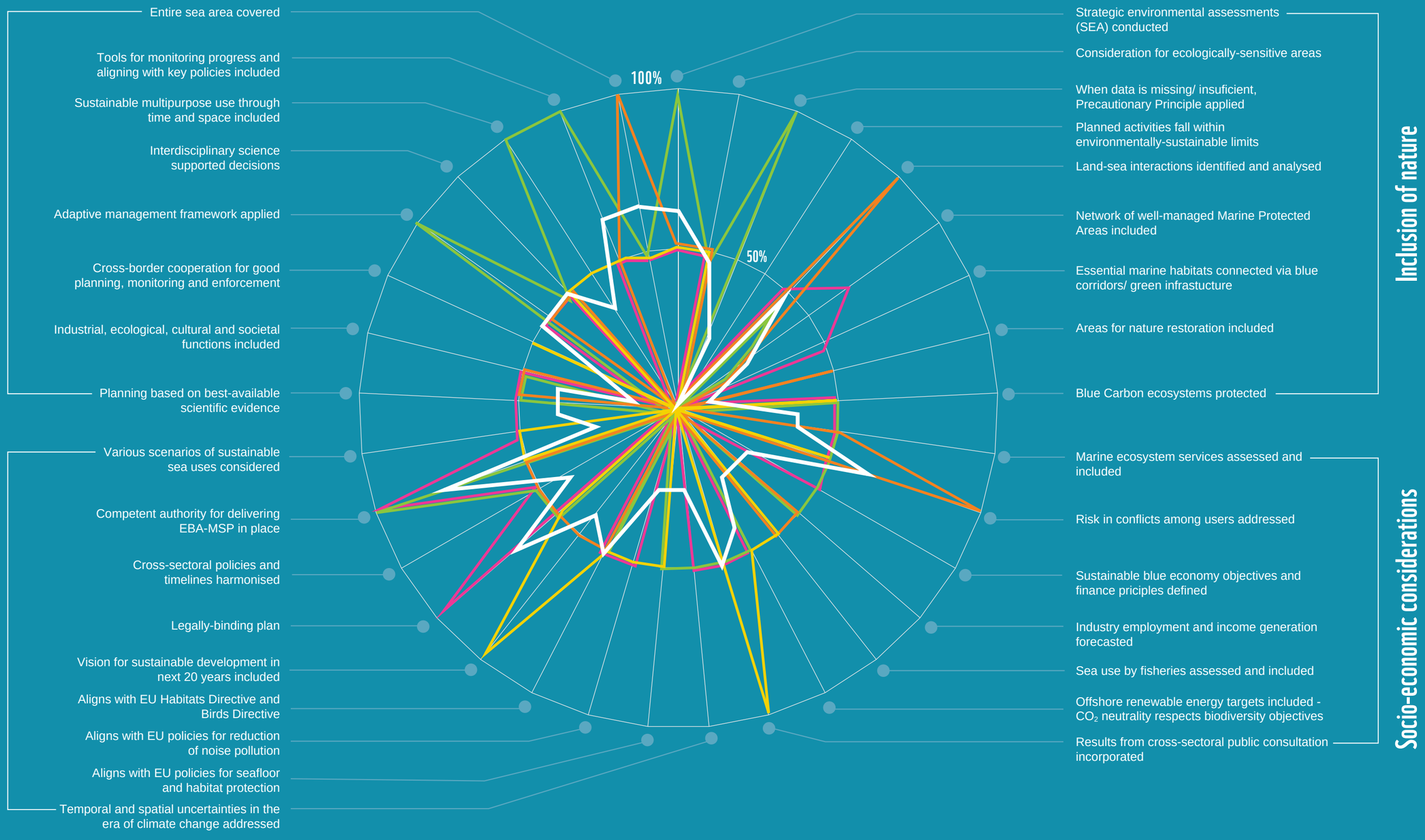
SCORE IN % 0-10 11-20 21-30 31-40 41-50 51-60 61-70 71-80 81-90 91-100

CATEGORY AVERAGE	INCLUSION OF NATURE	SOCIO-ECONOMIC INDICATORS	GOOD OCEAN GOVERNANCE	COMPREHENSIVENESS OF THE COMPLETE MSP PROCESS
North-East Atlantic Average	31%	38%	40%	44%
France	29.6%	35.7%	27.8%	43.8%
Ireland	16.7%	35.7%	44.4%	31.3%
Portugal	40.7%	42.9%	38.9%	62.5%
Spain	35.2%	35.7%	50.0%	37.5%

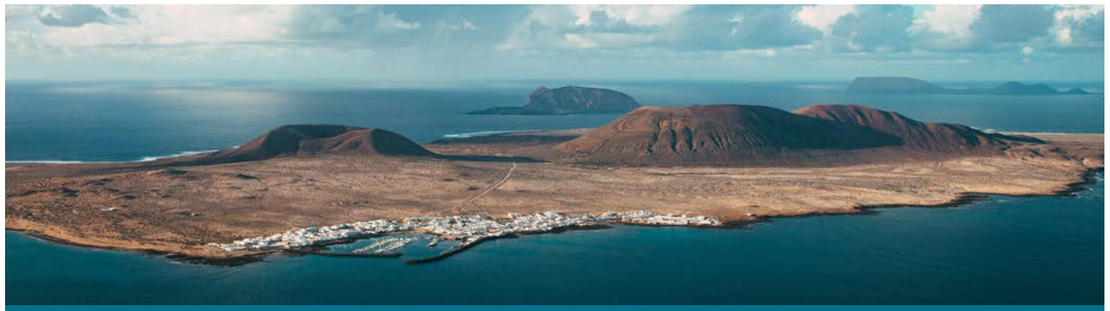
NB: The indicators in each assessment category are included in Figure 1 on page X. The North-East Atlantic regional score corresponds to the average of all Member States' scores. For the scores, “100%” corresponds to the complete achievement of indicator goals in that category, “50%” represents a partial achievement, and “0%” corresponds to zero achievements.

Implementation of Maritime Spatial Planning in the North-East Atlantic

Key: **North-East Atlantic average** France Portugal Ireland Spain



NB: The North-East Atlantic score corresponds to the average of all Member States' scores. For the scores, "100%" corresponds to the complete achievement of indicator goals in that category, "50%" represents a partial achievement, and "0%" corresponds to zero achievements.



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The complexity of MSP in the EU's outermost regions and overseas countries and territories

The EU counts nine outermost regions: French Guiana, Guadeloupe, Martinique, Mayotte, Réunion Island and Saint-Martin (France), Azores and Madeira (Portugal), and the Canary Islands (Spain). Seven of these are located in the Atlantic Ocean, which includes the Caribbean Sea and the Macaronesia islands. When combined, they are home to five million EU citizens and represent a large share of Europe's EEZ.

ORs are often of geopolitical and economic importance, geographically remote and extremely vulnerable to climate change. While the EU allows for delays in the implementation of the MSPD in its remote territories,[17] France, Portugal and Spain must accelerate the MSP process in their ORs to ensure their unique natural heritage is preserved in the face of global and regional challenges, such as rising sea levels and continued overfishing.

With the most ORs and overseas countries and territories (OCTs) of the North-East Atlantic MS, France included a framework for MSP in its 2017 National Strategy for the Sea and the Coast that applies to the West Indies (Martinique, Guadeloupe, Saint Martin and Saint Barthélemy), the South Indian Ocean (Réunion Island, Mayotte and the TAAF (Terres Australes et Antarctiques Françaises)), Guyana, and Saint Pierre and Miquelon. To date, none of the MSP processes for these ORs or OCTs have been finalised, leaving the majority of the world's largest EEZ without an MSP strategy.

In Portugal, a similar situation occurs. Despite the national plan (under the exclusive jurisdiction of the central government) being approved in 2019, it has yet to be implemented in the Azores subdivision, which represents 57% of the Portuguese EEZ. The regional government's delay to begin the process and establish a network of stakeholders to draft a comprehensive plan for the region compromises the nation's ability to deliver the marine protection and restoration targets of the EU Biodiversity Strategy. With the archipelago expected to host Portugal's largest MPA, and whose management must occur with due consideration of growing and complex space requirements of other maritime activities, it is essential that the Portuguese government assumes responsibility to deliver on MSP in the region. This must include robust public consultation and a new Strategic Environmental Assessment, which are necessary for successful ecosystem-based MSP.

Interestingly, the Portuguese Supreme Court has questioned the nation's approach to MSP, citing that implementation of EU legislation is part of central government competencies, not those of regional authorities.[18] If the plan had been headed by a single authority from the start, the Azores subdivision could have been implemented in 2019, simultaneously as the other three subdivisions, which would have placed Portugal as the first EU country whose MSP strategy included all of its ORs.

Finally, Spain, unlike the other two MS, has focused on developing a single maritime spatial plan which will apply to the five marine demarcations that conform its waters, including the Canary Islands – the only Spanish OR. However, as of August 2022, Spain has yet to implement its national plan and is under an EU infringement procedure for failing to deliver its plan to the European Commission within the MSPD deadline. The complexity of adopting this centralised approach has been cited as a key reason for delays.[19] This includes more robust stakeholder engagement, which resulted in a large number of comments during the public participation and decision-making processes regarding offshore wind farms, for example. However, the continued absence of implementation leaves maritime activities in the Canary Islands without sustainability safeguards and risks jeopardising the integrity of MPAs in the region, both of which are necessary to ensure the Spanish blue economy remains within the limits of what marine ecosystems can accommodate. Despite this, it should be noted that Spain's case is significantly unlike other MS under infringement procedures, such as Greece, which has yet to begin the MSP process.

INCLUSION OF NATURE

The indicators in this category reflect formal requirements of the MSPD, measure marine nature conservation, consider approaches for re-establishing ocean resilience and assess whether appropriate Strategic Environmental Assessments (SEAs) were conducted in line with measures based on the mitigation hierarchy (avoid, compensate, restore).

MSP in the North-East Atlantic scores poorly on nature protection, with a regional average of 31% – the lowest score across all four categories assessed. Regional efforts are nowhere near sufficient to secure healthy biodiversity in the face of growing human pressures, including the effects of climate change on marine habitats and species. Moreover, without robust impact assessments that consider the cumulative impacts of all maritime activities and map vulnerable habitats and species, the resulting ecosystem degradation risks jeopardising the region's blue economy on which millions of coastal households depend.

In addition to being the worst-performing country in the region overall, Ireland achieved its lowest scores in this category (16.7%), with six out of nine indicators scoring zero. While Irish MSP includes an SEA with written references to ecologically-sensitive areas, no detailed information on their location and health status is included, which means that no effective protection or consideration for these habitats and species can be enforced when considering the impacts of other economic activities at sea. Positively, the national plan does map blue carbon ecosystems in some coastal areas, particularly those susceptible to climate-related vulnerabilities. However, these ecosystems are not safeguarded by MPAs, which renders the mapping exercise meaningless until active restoration measures are implemented.

Unlike in other EU seas, the North-East Atlantic MS have failed to align their plans with specific nature conservation goals, including the mapping of areas to be actively restored and blue corridors, where species such as whales migrate across the Atlantic Ocean.[20] While all four MS tried to map ecologically-sensitive areas, the results lack geographic specificity and are not accompanied by management plans to halt degradation both within and across national borders. Such poor cross-boundary cooperation results in incoherent national and regional MPAs, and unprotected blue corridors (with the average regional score of 13% for both indicators), which are essential for biodiversity to successfully adapt to climate-related ecosystem changes, such as polar migrations by cold-fish species.

WWF's assessment of MSP in the Baltic Sea[21] shows that regional sea conventions are essential for facilitating cross-boundary cooperation on environmental goals, such as MPA connectivity across sea basins and the establishment of Natura 2000 sites. The North-East Atlantic MS should, therefore, also pursue a more collaborative approach under the framework of the OSPAR Convention. Initially, partnerships could focus on ensuring that blue migration corridors are connected within and between EU MS and neighbouring countries, such as the UK. Such collaboration can (and should) evolve towards setting a comprehensive plan for delivering successful ecosystem-based MSP in the North-East Atlantic.

Portugal was the only nation to apply the Precautionary Principle in its MSP when allocating space for well-known sectors. However, the principle is not applied to new activities such as oil and gas prospecting, nor to other potential extraction activities. The remaining national plans all fail to adopt a precautionary approach for those activities whose cumulative impacts are not yet well known, such as deep sea mining in France. This puts coastal communities at risk to long-term ecosystem changes and raises serious concerns about how policymakers account for data gaps when allocating space for maritime activities in their waters.[22]

France was the only country in the region to refer to restoration activities in its plan. However, these are broadly insufficient to address the level of marine biodiversity degradation observed in the region due to anthropogenic pressures, resulting in the score of 50%.

Despite not yet protecting 30% of its marine and coastal areas nor including explicit restoration sites in its MSP, Spain successfully demonstrates how conservation can be prioritised over other maritime activities in areas with vulnerable habitats and species. This prioritisation is essential for delivering effective MPA networks that achieve their intended conservation goals. Further details on the Spanish approach are explained in the case-study box on page 16.

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How Spain's MSP champions marine biodiversity protection in the North-East Atlantic

As of August 2022, Spain's national maritime spatial plan seeks to establish all MPAs and Natura 2000 sites as "Priority Zones for Biodiversity Protection", i.e. areas where nature protection is prioritised over other important maritime activities. For example, installation of offshore wind farms should be avoided within or close to Special Protection Areas for Birds, and anchoring for bunkering activities is not permitted within MPAs. Further, in case of spatial overlaps between different activities, the plan requires an environmental compatibility report from the competent authority to ensure secondary activities do not jeopardise the primary conservation goal established for a given site.

MPAs cover just 12% of Spanish waters, which is less than half of the total area required by the EU Biodiversity Strategy. Promisingly, however, Spain's national plan establishes the need to identify and declare new MPAs to reach the EU environmental legislation's target of at least 30% protection, of which 10% need to be strictly protected, by 2030. The plan also establishes the need to develop a master plan for Spanish MPAs, expected to be launched in December 2022, that will ensure conservation objectives are delivered in these areas. This aligns with Spain's recently published roadmap that specifies the spaces and deadlines necessary to reach 25% MPA coverage by 2025,[23] in line with the scientific consensus reached with the LIFE IP INTEMARES project.[24]

However, as in the other North-East Atlantic MS, the Spanish plan fails to acknowledge the need for cross-boundary cooperation to ensure connectivity between MPAs in the region. This is particularly worrying due to blue corridors, where marine species migrate across multiple borders at sea, being completely neglected. Despite authorities actively including references to nature-based solutions to climate change, management plans to ensure the protection of valuable ecosystems outside of MPAs are lacking. This often leaves important habitats and species that are recognised for their carbon sequestration capacities underrepresented in European MSP.

Finally, despite efforts to prioritise the protection of highly-valuable marine ecosystems (e.g. those which contribute to productive fisheries), Spain has not included any references to restoration projects in its waters. As Spain's national plan covers its mainland and ORs, doing so would greatly increase the country's profile with regard to successful ecosystem-based MSP and position it as a leader on nature protection in the EU's ORs, which both France and Portugal could follow.

SOCIO-ECONOMIC CONSIDERATIONS

Socio-economic considerations were assessed by measuring how different maritime activities and ecosystem services were translated into a national plan's spatial measures. Additionally, the indicators score the plan's ability to address conflicting sector requirements, stakeholder inclusiveness and various social and economic scenarios affecting the state of the sea.

This category is the second-worst scoring in the North-East Atlantic region with an average of 38%. It is also the category in which the MS perform most similarly, with France, Ireland and Spain all scoring 35.7%, while Portugal scores 42.9%.

Overall, no EU country has been successful in applying an EBA. Fisheries is the most contentious economic activity in the region with an average score of 25%, where neither Spain nor Portugal provide any spatial designations, i.e. fisheries are allowed to happen everywhere unless expressly prohibited. Furthermore, neither Ireland nor Spain assessed how labour and income distribution among different maritime activities will evolve over time. Together, these conditions set a dangerous precedent, as failure to include fisheries in MSP undermines the ability of coastal communities who rely on marine resources and who are directly affected by climate change to mitigate and adapt to changes in fishery productivity.

Positively, all MS analysed interactions between maritime stakeholders and proposed measures with the goal of reducing conflicts that could lead to social tensions and increased pollution. France has the strongest performance on conflict management, promoting the co-existence of maritime activities via vocational maps that support effective management of compatible sectors. However, it's important to note that these maps are not well aligned with the country's MPA network, which could lead to potential conflicts between economic activities and nature conservation.

Finally, stakeholder engagement was partly successful, with only Ireland scoring 100%. This success is due largely to the establishment of a National MSP Advisory Group, which facilitated the participation of all relevant stakeholders in the planning process. Through stakeholder consultation led by the Group, authorities were able to harness the potential and capacity of a broad range of sectors, which supported policymakers in the MSP process's strategic thinking and decision making. This bottom-up approach is a positive example of how engaged citizens and scientists can contribute to national MSP from the beginning. It also reduces the resources needed by already-strained planning authorities, which will be crucial to deliver effective implementation of REPowerEU.

Regarding marine and coastal renewable energy, no country considered the impacts of infrastructure development on marine ecosystems when allocating space for wind farms, nor detailed with precision which areas could be constituted as "go-to areas" for offshore wind and ocean energy production. In the case of Spain, the conflict between wind farms, fisheries and MPAs has been cited as one of the reasons Spanish MSP is delayed.[19] Preventing conflicts between projects related to achieving climate and biodiversity goals is critical to ensure EU leadership on both climate action and nature conservation.

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The role of MSP in supporting North-East Atlantic fisheries

Neither Spain nor Portugal designated space for fisheries in their national maritime spatial plans, despite fisheries being regarded as a key maritime activity with strong cultural significance and socio-economic relevance in both nations.

The Common Fisheries Policy (CFP) - the EU's legislative framework for sustainable fisheries management - calls for a transition towards fishing practices with a low environmental impact.[25] However, no efforts were made to incentivise this transition through MSP, for instance, by integrating and improving coherence between fisheries management plans for transitioning to low-impact activities and information on the ecological status of habitats.

As part of efforts to combine the MSFD and MSPD into a single document,[26] France's authorities conducted analyses of its fisheries following the MSFD's good environmental status descriptor, but the resulting spatial designations for the fisheries sector were not well established. In addition, references to specific fishing sites were only made when conflicts with other maritime activities were present. This is deeply concerning as, in 2019, both Spain and France had the largest seafood production from wild-capture fisheries and aquaculture in the EU when neither country had a national maritime spatial plan in place to allocate areas for low-impact fishing, as well as ensure that fishing activities would be compatible with other maritime sectors and nature protection.[27] The poor scores of both MS in fisheries planning (0% for both) may already be impacting the sector's productivity, with sharp declines observed in both French and Spanish North-East Atlantic fisheries in 2019.[27]

Fisheries productivity goes hand-in-hand with the protection and restoration of marine ecosystems. On the one hand, MPAs often cover fish nurseries and feeding areas, thus safeguarding the growth of commercially-important species. These healthy and abundant populations may then 'spill-over' outside of protected areas, where fishers are able to catch them.[28] On the other hand, restoring nature and allowing wildlife to thrive in previously damaged ecosystems improves the ocean's resilience against climate change, the impacts of which have been shown to affect fish distribution and harvests.[29] Finally, robust MSP can support the effective implementation of the CFP by, for example, designating priority areas based on habitats to operators using fishing gear that have limited environmental impact.[30] Additionally, by including areas for nature restoration activities, national maritime spatial plans can ameliorate and even reverse[31] ocean dead zones - which are where no wildlife can survive - by eliminating excessive use of fertilisers, untreated sewage and other harmful substances which may contribute to eutrophication.

To the extent the MSPD can act as a link between the CFP and other key EU environmental legislation, such as the upcoming EU nature restoration law, spatial designation of priority fishing areas for low-impact fisheries in upcoming MSP updates could be a win-win for both nature and people.

GOOD OCEAN GOVERNANCE

Good Ocean Governance seeks to understand if a competent authority is in place to deliver legally-binding and forward-looking MSP, and how a national plan contributes to the fulfilment of EU policies, including the objectives of the MSFD for good environmental status of the sea and the 2030 Biodiversity Strategy targets. This category also takes into consideration how the MSPD interacts with other important national and regional legislation, and includes specific goals for policy integration.

All MS partly succeeded in aligning their national maritime spatial plans with EU environmental policies, and in designating national or regional authorities with both mandate and capacity to deliver and maintain those plans. The latter is the best scoring indicator of the entire North-East Atlantic MSP assessment (France and Ireland score 50%, while Portugal and Spain score 100%). In the case of France and Ireland, the 50% score for each country is due to allocation of responsibilities not always being well established which can lead to incoherent and decentralised plans, in turn jeopardising the achievement of national priorities such as nature protection and renewable energy targets.

In a similar vein, Ireland (50%) and Spain (50%) were the only countries to address noise pollution in their national maritime plans, but still omitted explicit spatial measures to reduce impacts of noise on marine mammals. Expansion of maritime industries like shipping and development of offshore renewable energy infrastructure bring risks to species who rely on sonar communication to hunt and migrate,[20] making national maritime plans that expressly include scope to reduce these impacts essential to secure a balance.

This category was the one in which Ireland scored the highest (44.4%), surpassing both Portugal (38.9%) and France (27.8%). Irish MSP was the only one to include a vision for sustainable maritime development across the next 20 years, acknowledging the importance of a thriving ocean economy that supports both coastal and island communities, as well as those who are employed in the marine sector (100%). However, despite efforts by Ireland to create an inclusive and transparent blue economy, authorities failed to acknowledge the temporal and spatial impacts of climate change, which undermines the ability of communities to adapt to climate-induced changes in marine resources such as sea level rise and coastal erosion.

Positively, all MS took the objectives of the EU Birds and Habitats Directives into consideration, establishing a coherent ecological network of protected natural areas - the European Natura 2000 Network - when allocating space to maritime activities. For example, Spain's offshore wind farms were placed outside Natura 2000 sites, ensuring that the conservation objectives of these areas are not disrupted. Overall, consideration of key EU environmental legislation is a strong starting point for securing harmony between nature conservation and maritime industries. However, the fact that these considerations were not well reflected in the connectivity and coherence of MPAs (indicator 6 from the "Inclusion of Nature" category) shows there is still a lot of work to be done to ensure the North-East Atlantic's natural heritage is preserved.

THE COMPREHENSIVENESS OF THE COMPLETE MSP PROCESS

The comprehensiveness of MSP relates to the completeness of data used, interdisciplinary science to support decisions, cross-border cooperation, tools to measure progress and the extent of sea area covered in establishing each national plan.

MS performed the best across all indicators of this category, which reflects a science-based and adaptive approach to planning – central pillars of an EBA. However, with a regional average score of 44%, the North-East Atlantic is still far from achieving an adaptive, collaborative and forward-looking approach to MSP.

Apart from Ireland, all MS used the best available data when planning and designating areas for maritime activities. France, Portugal and Spain also included metrics to monitor progress over time against a baseline that was determined using different EU datasets, such as the MSFD indicators. The ability to evolve and improve over time is a crucial aspect of successful ecosystem-based MSP, and the reason behind the MSPD's requirement to update national plans at least once every ten years. This includes the requirement for plans to reflect coastal community and ecosystem adaptation to exogenous changes, such as changes to cold-water fish migration patterns due to increased sea temperatures, for example. It is therefore positive to see France, Portugal and Spain applying an adaptive management approach in their plans.

With high shipping density and vast fishing operations, it is increasingly important that the North-East Atlantic MS incentivise the co-location of human activities, such as offshore wind and aquaculture; however, only Portugal expressly did so. The idea that space can only be occupied by a single activity in a given area has contributed to EU delays in delivering on its nature conservation commitments, as this approach leaves little room to expand MPAs and areas for renewable energy production, which must grow harmoniously with other sectors to meet the goals of the European Green Deal.[32]

Discouragingly, cross-boundary cooperation was poor in the region, with an average score of just 13%. France, Portugal and Spain neither consulted with each other nor actively tried to harmonise MSP procedures across borders, either bilaterally or multilaterally via OSPAR. Portugal, for example, only informed Spain and Morocco of its national plan after it was finalised, demonstrating a lack of foresight for any conflicts that might arise between nations.

Finally, as this category also assesses whether all national waters are included under a single plan, the North-East Atlantic region will only be completely covered once Portugal's plan for the Azores and the Spanish plan for the Canary Islands are implemented. These milestones will be essential for establishing baseline conditions for future cooperation across regions.

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The Azores: the missing piece of Portugal's MSP puzzle

Lying between continental Europe and North America, the Azores archipelago is an OR covering 930,687 square kilometres and makes up 57% of the Portuguese EEZ. In addition to its size and geostrategic military relevance, the islands are home to unique and fragile marine ecosystems and blue migratory corridors. For example, the Azores' waters are home to some of the highest rates of cetacean biodiversity on Earth with 28 different species reported including blue, fin, and sperm whales.[20] Simultaneously, the archipelago hosts a diverse and growing set of maritime activities including fisheries, tourism and scientific research, as well as other up–and-coming sectors such as biotechnology and renewable energy. In the face of global climate change and collapsing biodiversity, it is vital that economic interests in the Azores are harmonised with the conservation of its vulnerable species and habitats.

Portugal was one of the first MS to undertake the MSP process and its current plan was approved in December 2019 by the government's Council of Ministers. Portugal has also led an innovative and transparent MSP process, making its national plan accessible online via a Geoportal, a dynamic and comprehensive visual tool showing different maps of Portugal's marine spaces and maritime activities. However, this national maritime spatial plan does not cover the country's full EEZ as, at the time of its development, MSP in Portugal's ORs was the responsibility of regional governments and the Azores never embarked on the process. The absence of a plan covering all Portuguese waters and the steps that would accompany its development, including stakeholder consultation and SEAs, mean that over half of the Portuguese marine area has been left without a defined strategy and long-term vision for maritime activities, compromising the national plan's objectives and the implementation of an EBA to MSP.

In July 2022, the Portuguese Constitutional Court mandated the central government with the exclusive responsibility for the implementation of EU maritime Directives,[18] bypassing regional authorities' influence over the matter. This ruling aligns with WWF's belief that a centralised approach improves the coherence and connectivity of MSP across all national waters. At the time of preparing this report, the Azores MSP process has entered the design and stakeholder consultation phases, where spatial designations of maritime activities are discussed by all interested parties and where any arising conflicts are mitigated.

A legally-binding ecosystem-based maritime spatial plan is essential for delivering the Blue Azores programme's goal to protect 30% of the Azorean Sea through well-managed and well-connected MPAs, with at least 15% as new, fully-protected marine reserves, in turn supporting the objectives of the EU Biodiversity Strategy. Given the importance of these waters to such iconic and now precious wildlife upon which the Portuguese tourism industry directly depends, and whose health directly implicates ecosystems upon which other industries such as fisheries rely, it is urgent for the Azores to finalise its MSP process and deliver a robust and participative strategy - including a new public consultation and SEA - that successfully merges with the existing national plan.

WAY FORWARD

The North-East Atlantic is home to the EU's largest exclusive economic zone, occupying a broad space from the Irish shores to the southernmost Macaronesian islands. This vast extension of waters under EU jurisdiction poses a challenge for implementing the MSPD. Yet, despite the need for sustainably planning human activities being urgent, Member States have yet to implement coherent strategies in the totality of their areas.

Although only four Member States share this sea space, authorities have been unable to present collaborative approaches to planning, resulting in national plans that do not consider the cumulative impacts of maritime activities to nature and people, both within the EU space and within neighbouring countries. The implementation of the MSPD in this region therefore requires urgent revision to ensure national planning efforts designate sufficient areas for offshore renewable energy, deliver a coherent and effective network of MPAs and transparently engage with stakeholders throughout the whole process. This is especially important for France, whose outermost regions and districts form the world's largest exclusive economic zone.

Continued failure to adopt an ecosystem-based approach to Maritime Spatial Planning in the North-East Atlantic will make it increasingly difficult for the EU and its neighbours to overcome the impacts of climate change, which are not only diminishing the productivity of fisheries in the region but also permanently altering coastlines due to erosion and sea level rise. To support a sustainable blue economy and safeguard the wellbeing of the wildlife and people who call the North-East Atlantic home, all four Member States must take swift action to dramatically improve their national plans in the case where they are already in place, and to complete the planning process with robust and ambitious measures where plans are still missing.

WWF calls on the North-East Atlantic Member States to

- Apply a long-term ecosystem-based approach to Maritime Spatial Planning that ensures the cumulative impacts of human activities remain within ecological limits in all exclusive economic zones, including those in the outermost regions.
- Promote and improve participatory processes and stakeholder engagement for better governance and legitimacy of the adopted maritime strategies.
- Improve cross-boundary cooperation between EU Member States and engage with neighbouring countries outside the EU with the aim of ensuring that maritime spatial plans are coherent and coordinated across the marine region concerned, especially taking into account issues of a transnational nature.
- Establish a well-managed and well-connected network of Marine Protected Areas that covers at least 30% of marine and coastal areas by 2030, including areas for restoration of vulnerable or valuable ecosystems, in line with the EU Biodiversity Strategy.
- Support the spatial designation of low-impact fisheries, giving due consideration to the ecological status of habitats, to better align national maritime spatial plans with the EU Common Fisheries Policy.
- Designate areas for offshore renewable energy development in harmony with the targets of REPowerEU and with due consideration for both short and long-term impacts on nature, avoiding ecologically-sensitive areas.
- Map, monitor and protect blue carbon ecosystems, including seafloor habitats, to ensure the integrity of carbon sequestration and long-term benefits are maintained as nature-based solutions against climate change.


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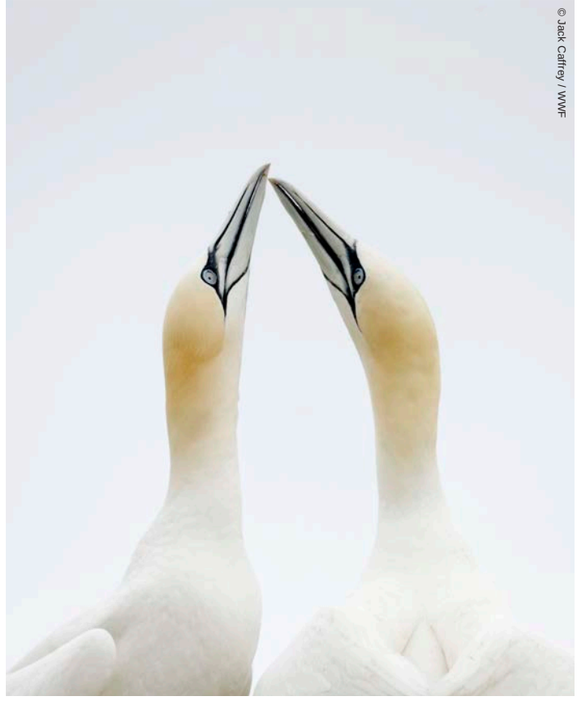
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OUR MISSION IS TO STOP THE DEGRADATION OF THE PLANET'S NATURAL ENVIRONMENT AND TO BUILD A FUTURE IN WHICH HUMANS LIVE IN HARMONY WITH NATURE.

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