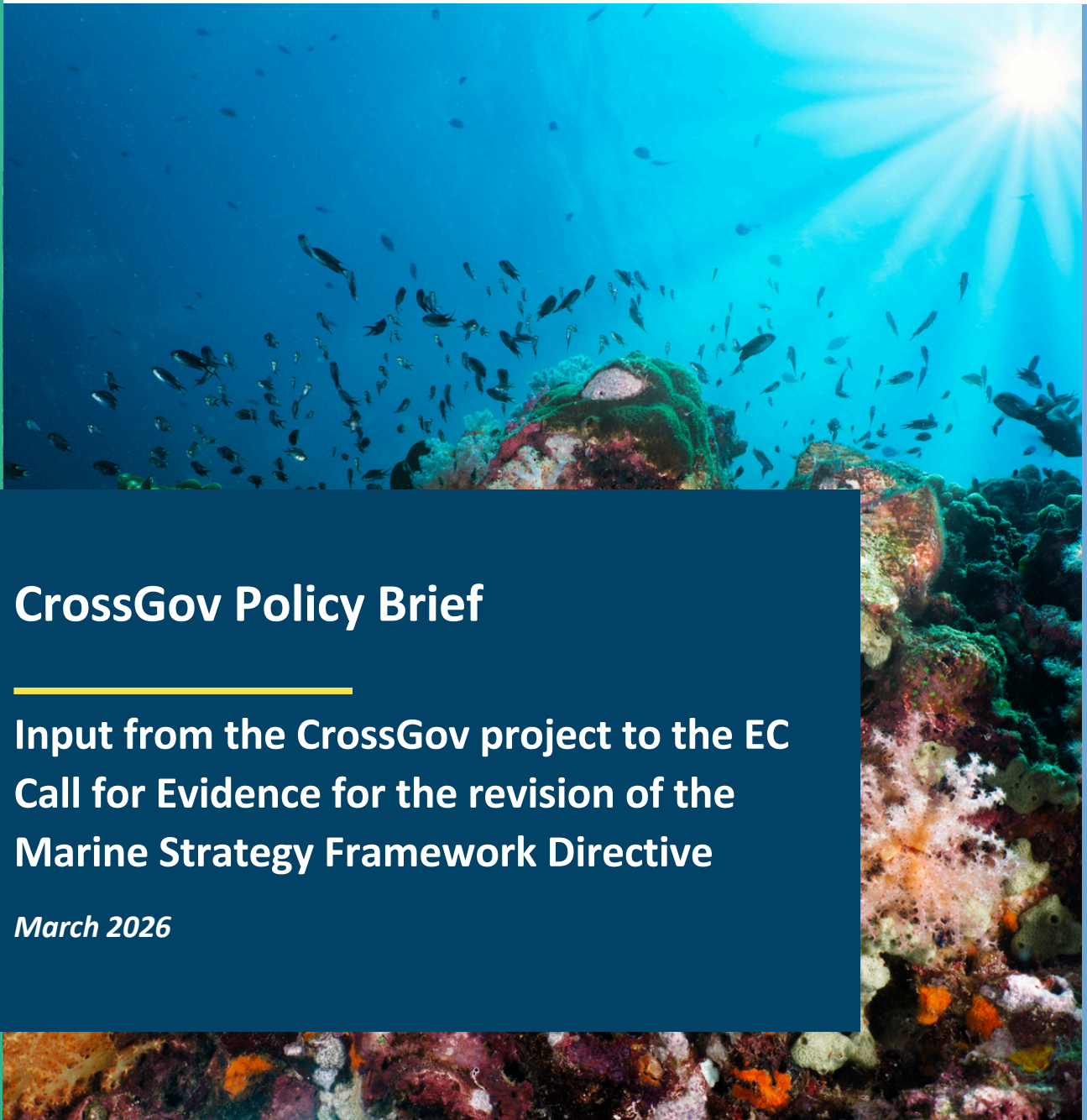




**Coherent & Cross-compliant Ocean Governance for  
Delivering the EU Green Deal for European Seas**



## **CrossGov Policy Brief**

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**Input from the CrossGov project to the EC  
Call for Evidence for the revision of the  
Marine Strategy Framework Directive**

*March 2026*



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## Input from the CrossGov project to the EC

The CrossGov project welcomes the Commission's decision to revise the Marine Strategy Framework Directive (MSFD). The most recent evaluation, together with the call for evidence, confirms what our research has repeatedly shown: despite considerable effort, the EU is still far from achieving Good Environmental Status, and the current directive lacks the coherence, authority and practical tools needed to steer sectoral decisions in that direction. As Europe prepares a more integrated ocean governance architecture, also reflected through the forthcoming Ocean Act, there is a window of opportunity to close long-standing gaps between environmental and sectoral policies, improve coordination across sea basins, and strengthen the MSFD's role as the Union's central environmental instrument for the marine environment. Drawing on CrossGov's case studies, legal analyses, and sectoral roadmaps, this submission outlines reforms that would give the MSFD clearer steering power, streamline implementation, and ensure that decisions taken across energy, fisheries, agriculture and spatial planning genuinely support the recovery of Europe's seas



### Main findings from the CrossGov project

CrossGov's analyses show that the EU's marine governance system is not yet equipped to deliver Good Environmental Status (GES) because environmental objectives lack the legal force, institutional support, and cross-sector integration needed to steer decisions. Three overarching findings emerged across the project's legal analyses, case studies, roadmaps, and coherence assessments:

#### ➔ 1. Fragmented and asymmetric governance weakens environmental outcomes

Environmental directives such as the MSFD, WFD, Habitats/Birds and the Nature Restoration Regulation operate with weaker obligations, less stringent procedures, and slower decision cycles than sectoral policies (e.g., CFP, CAP, RED III). This creates systemic asymmetry: sectoral expansion can proceed with clarity and binding timelines, while environmental recovery relies on voluntary or best effort requirements. This finding underpins the need for binding MSFD targets, stronger accountability mechanisms, and cross-compliance requirements.

#### ➔ 2. Coherence challenges occur both horizontally (across policies) and vertically (between EU and national levels)

CrossGov's examination of the EU's policy and regulatory landscape, together with insights from the Policy Coherence Handbook, shows that key frameworks for energy, fisheries, agriculture, biodiversity, spatial planning and water management are often developed and implemented in isolation. They rely on different baselines, timelines and institutional processes, which means they frequently pull in different directions. These inconsistencies make it harder to manage cumulative pressures across sea basins, weaken the effectiveness of MPAs, and limit progress on nutrient reduction—all of which ultimately holds back the achievement of Good Environmental Status. These shortcomings point directly to the need for mandatory sea basin coherence plans, which are addressed in the recommendations that follow.

#### ➔ 3. Inconsistent implementation across Member States reinforces cumulative impacts

Case studies reveal that Member States apply MSP, WFD, MSFD, and CFP requirements unevenly, often with mismatched timelines, disconnected data systems, and variable enforcement. This inconsistency makes cross-border challenges, offshore wind, biodiversity conflicts, fisheries pressures in MPAs, nutrient driven eutrophication, seabed disturbance, difficult to manage effectively. This supports the need for more harmonized planning cycles, shared evidence bases, basin level procedures, and enhanced enforcement.



## Concrete recommendations for the revised MSFD

# 1 Establish enforceable, binding environmental targets in the MSFD to ensure real steering power

CrossGov's core conclusion is that the MSFD currently lacks the legal force and binding obligations necessary to steer sector policies and marine spatial planning, hindering the delivery of Good Environmental Status.

Environmental directives, including the MSFD, WFD, Habitats and Birds Directives, are routinely overridden in practice by sectoral instruments with binding targets, strict permitting deadlines, and strong compliance mechanisms, such as the RED III for offshore wind expansion. This structural asymmetry substantially weakens the MSFD's ability to guide decisions affecting the marine environment, contributing to the EU's failure to meet GES across multiple descriptors. While the MSFD sets ambitious targets in line with the EGD and seeks to manage cumulative impacts, it does not establish legally binding and integrated pathways for their implementation. Its legal bindingness remains unclear, and there are not sufficient linkages between MSFD to RED III instruments.

**We recommend the following:**

➔ **The revised MSFD should upgrade key elements of the Directive from 'best-effort' obligations to binding, enforceable targets.**

This is consistent with CrossGov's findings that lack of enforceable environmental obligations is a primary driver of incoherence, fragmented implementation, and environmental underperformance

➔ **To strengthen EU steering and accountability to enhance GES progress.**

The Commission's 2025 assessment of MSFD Programmes of Measures shows persistent gaps in progress toward GES across multiple descriptors. CrossGov findings indicate that stronger governance mechanisms are required. A revised MSFD should therefore:

- ✓ Introduce corrective action procedures when Member States do not show progress for consecutive cycles;
- ✓ Define timebound milestones for high-risk descriptors (eutrophication, biodiversity, contaminants, underwater noise);
- ✓ Clarify where the MSFD should impose obligations of result, rather than best efforts. Especially nutrient reduction and biodiversity protection would need stronger requirements.
- ✓ The requirements for GES should also have implications for new activities. There is a need to set explicit rules applicable to new projects. As a contrast, the WFD addresses such through its no-deterioration objective.



## 2 Introduce mandatory sea-basin level or Member State level coherence plans jointly aligned with MSP

To overcome inconsistent approaches across Member States and mismatched planning cycles, the revised MSFD should require sea-basin or Member States level coherence plans that integrate MSP, WFD and MSFD processes. Incoherent procedures, differing spatial baselines, and siloed authorities weaken coherence across WFD, MSFD, and MSPD.

**We recommend plans that:**

### ➔ **Harmonize baselines, objectives, and prioritization structures**

Make significant sectoral decisions (e.g., designation of offshore wind zones, large port expansions, CAP funding in sensitive catchments) subject to a Cross-Compliance Check demonstrating compatibility with MSFD/WFD/NRR objectives and MPA conservation measures before adoption. Where non-compliance risks are identified, require mitigation hierarchies and/or conditional approvals tied to ecological outcomes. CrossGov's report (D3.7) shows how such checks can be structured across CFP, RED III, and CAP, drawing on case evidence to ensure sector implementation supports environmental outcomes rather than displacing risks.

### ➔ **Include standardized cross-border conflict resolution procedures, particularly for offshore wind & biodiversity trade-offs and cumulative impacts**

CrossGov's findings make clear that cumulative impacts, especially those arising from the combined pressures of offshore wind development, fisheries activity, biodiversity sensitivities and dense shipping traffic-cannot be managed effectively when each Member State assesses and responds to these pressures in isolation. Because these interactions play out at the scale of entire sea basins, the revised MSFD should require basin wide planning frameworks that include agreed methods for cumulative impact assessment, shared criteria for identifying ecologically sensitive areas and conflict hotspots, and common procedures for resolving cross-border trade-offs, such as those involving offshore wind expansion or fishing in vulnerable habitats. Establishing these joint, standardized processes would replace today's fragmented national approaches with more predictable, transparent and coherent decision-making across all countries in a basin, improving both environmental outcomes and regulatory certainty.

### ➔ **Make systematic use of Regional Sea Conventions and EU-MS coordination fora, reflecting CrossGov's finding that the sea-basin level is the functional scale for managing cumulative effects and spatial squeeze**

CrossGov shows that many pressures affecting Europe's seas unfold at the sea-basin scale, making it essential that countries plan and act together rather than individually. For this reason, the revised MSFD should make systematic use of Regional Sea Conventions and existing EU-Member State coordination platforms, which already provide shared scientific frameworks and collaborative structures. Embedding these bodies more firmly in MSFD implementation would help ensure that decisions are aligned across borders and better reflect how cumulative impacts and spatial pressures actually occur.



## 3 Strengthen fisheries–biodiversity coherence through binding links between CFP and MSFD

CrossGov’s fisheries roadmap shows that weak integration between CFP measures and MSFD/MPA conservation requirements is a persistent driver of biodiversity underperformance. Spatial fisheries measures often fail to deliver the ecological conditions needed under MSFD Descriptor 1 (biodiversity) and Descriptor 4 (food webs).

We therefore recommend:

### ➔ **Mandatory alignment of fisheries measures in MPAs with the sites’ conservation objectives**

All fisheries measures adopted within MPAs, whether based on gear restrictions, spatial closures, seasonal limits, or effort reductions, must be directly linked to, and demonstrably capable of achieving, the ecological objectives set out in the MPA’s management plan. CrossGov demonstrates that ineffective, poorly targeted, or weakly enforced measures are a key reason why many MPAs fail to improve biodiversity outcomes. A revised MSFD should therefore require Member States to prove that fisheries measures contribute meaningfully to restoring habitats, species, and ecosystem functions in protected areas.

### ➔ **Demonstrated coherence between fisheries management plans and MSFD descriptors/targets**

Fisheries management plans must be assessed for their compatibility with MSFD biodiversity and food-web objectives, with Member States required to provide evidence that proposed measures will support recovery of species and trophic structures. This includes showing that exploitation levels, gear types, and spatial allocation of fishing activities do not impede progress towards GES. CrossGov shows that without these binding coherence checks, fisheries policy continues to operate independently of environmental targets, resulting in systemic incoherence and ecological underperformance

### ➔ **Enhanced monitoring and enforcement in protected and high sensitivity areas, addressing the enforcement gaps documented in case studies**

CrossGov case studies document significant enforcement gaps, including insufficient monitoring of compliance with spatial restrictions, limited oversight of gear use, and minimal enforcement capacity in sensitive ecological areas. To address this, the revised MSFD should require strengthened monitoring systems, transparent reporting of fisheries activity in MPAs, and coordinated enforcement across environmental and fisheries authorities. This is essential to ensure that spatial protection is not only designated but effectively implemented.



## Expected Impacts

The proposed changes are expected to make MSFD implementation both more effective and more predictable. By giving environmental objectives clearer legal force, aligning planning and reporting across directives, and improving coordination at the seabasin level, Member States would be able to act on shared evidence, manage crossborder pressures more consistently, and reduce the duplication of assessments that currently slows progress. Stronger crosscompliance checks and better integration of fisheries, nutrient management, and offshore wind planning would help ensure that sectoral decisions support, rather than erode, the conditions needed for Good Environmental Status. Over time, these shifts should lead to more resilient marine ecosystems, greater confidence among stakeholders that rules are applied fairly and transparently, and a governance system that is better equipped to handle cumulative impacts and longterm environmental change.



## Links to the supporting CrossGov evidence

[Policy Coherence Handbook](#) - An easy guide to assess and understand policy coherence (2025).

### Policy Briefs:

- [Policy Brief 2](#): Coherence in policy landscapes and design (2024).
- [Policy Brief 3](#): Coherence among planning systems established under three Directives: WFD, MSFD, and MSPD (2025)
- [Policy Brief 4](#): Integrating marine biodiversity and ecosystem protection in sector policy implementation: How to do better (2025).
- [Policy Brief 5](#): Policy brief on challenges and opportunities to strengthen SPS interfaces (2025)
- [Policy Brief 6](#): Strengthening policy coherence in EU coastal and marine governance: Key recommendations (2025).
- [Policy Brief 7](#): Embedding policy coherence in the Ocean Pact and future Ocean Act: A strategic blueprint (2025).

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