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| |  |  | | --- | --- | | Description: Description: SEA PROT final 2 | Marine Strategy Framework Directive (MSFD)  *Common Implementation Strategy* | | 24th meeting of the **Working Group on data, information and knowledge exchange (WG DIKE)**  *Video conference*  **0930-1630, Friday 18th June 2021** | | | |
| Agenda item: | 6 |
| Document: | DIKE\_24-2021-04 |
| Title: | MSFD guidance on reporting updates of Articles 13, 14 and 18 |
| Prepared by: | European Commission DG Environment |
| Date prepared: | 04/06/2021 |
| Background | This revised version takes on board the comments received on version 1 (DIKE\_23-2020-04) at the WG DIKE meeting on 7 December 2020 and in writing after the meeting from DE, DK, ES, FR, NL, RO and SE.  It was discussed by the joint POMESA-DIKE drafting group on 03/06/2021. |
| Access to documents: | [MSFD CIS: WG DIKE documents on CIRCABC](https://circabc.europa.eu/ui/group/326ae5ac-0419-4167-83ca-e3c210534a69/library/8714a5ce-fcfb-4a94-8651-b34d850e09a1?fromLink=true) |

**WG DIKE is invited to:**

1. comment on this version of the guidance, during the meeting and/or provide track-change suggestions in writing by 30 June 2021.

Please note the following:

1. The starting point of this reporting guidance is **section 6.1.1 of updated GD10**, which indicates that:
   1. the **content of the 2nd cycle reports**, updating Articles 13 and 14, consists of 1) a general overview of the PoM update and the analysis leading to additional or substantially modified measures under Article 13 and exceptions under Article 14, 2) detailed information on measures and 3) detailed information on exceptions;
   2. only the latter two elements should be converted into an **electronic reporting structure**, to be complemented by information reported elsewhere (previous MSFD reporting and reporting under other processes , particularly WFD).
2. The aim of this document is to provide guidance for the e-reporting of **additional or substantially modified measures & exceptions from the updated programme of measures** and the further reporting on progress with implementation of measures in the updated programme of measures. The objective is to simplify the process as much as possible, prefilling from the information available from the 1st cycle, and requiring Member States to check, update and adjust where necessary.
3. Further input on schema structure will be provided by EEA, once we have consolidated the content (fields to be reported etc).
4. It is proposed that this document is **not** an update of Guidance document 12, due to the important structural changes and the link with updated GD10, but rather an entirely new document. However, to facilitate further/final discussions at WG DIKE (and POMESA on 11/6), a short presentation will be given at the meeting indicate (in general terms) which parts of the text have been taken from the previous version of Guidance Document 12, and which parts are really new.
5. The reporting is focused on structured fields, minimizing free text to short statements (in EN if possible), references to the summary report, fact sheets or external documents. The idea is to provide in a very short time for Article 16 a broad picture of the PoM update allowing identification of the issues to be discussed with the Member State, from a national or regional perspective.

|  |
| --- |
| Description: Description: SEA PROT final 2  **Marine Strategy Framework Directive (MSFD)**  ***Common Implementation Strategy*** |

**Reporting on the 2021 update of Articles 13 and 14,  
and the 2024 update of Article 18,  
for the Marine Strategy Framework Directive**

**MSFD Guidance Document XX**

**XX 2021 Draft v.2.0**

Further guidance for reporting, including use of the MSFD web reporting tool and schemas, is available from <http://cdr.eionet.europa.eu/help/msfd>.

***Disclaimer:***

*This document has been developed through a collaborative programme involving the European Commission, all EU Member States, the Accession Countries, and Norway, international organisations, including the Regional Sea Conventions and other stakeholders and Non-Governmental Organisations. The document should be regarded as presenting an informal consensus position on best practice agreed by all partners. However, the document does not necessarily represent the official, formal position of any of the partners. Hence, the views expressed in the document do not necessarily represent the views of the European Commission.*

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LIST OF ACRONYMS [taken from GD17 for Art. 11 – to be checked/updated]

|  |  |
| --- | --- |
| BWD | Bathing Water Directive |
| CEMP | OSPAR’s Coordinated Environmental Monitoring Programme |
| CFP | Common Fisheries Policy |
| EEA | European Environment Agency |
| EU | European Union |
| GES | Good Environmental Status (MSFD Articles 3(5) and 9) |
| GIS | Geographic Information System (file types) |
| HELCOM | Helsinki Commission for the Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area |
| MS | Member States |
| MSFD | Marine Strategy Framework Directive |
| OSPAR | OSPAR Commission for the Oslo-Paris Convention for the Protection of the Marine Environment of the North-East Atlantic |
| QA | Quality assurance |
| QC | Quality control |
| ReportNet | Eionet’s infrastructure for supporting data flows (e.g. by Member States for reporting obligations under an EU Directive) |
| UNEP/MAP | United Nations Environment Programme - Mediterranean Action Plan (Barcelona Convention) |
| UWWTD | Urban Waste Water Treatment Directive |
| WFD | Water Framework Directive |
| WISE | Water Information System for Europe |
| XML | Extensible Mark-up Language (file types) |

**Marine Strategy Framework Directive (MSFD)**

*Common Implementation Strategy*

**Reporting on the 2021 update of Articles 13 and 14  
and the 2024 update of Article 18,  
for the Marine Strategy Framework Directive**

# Introduction

In accordance with Article 17(2) of the Marine Strategy Framework Directive (MSFD, Directive 2008/56/EC), Member States are to review and update their marine strategies every six years. This includes the reports on programmes of measures under Article 13 and exceptions under Article 14 which were prepared in 2015, and which are to be updated by 31 December 2021 and notified to the European Commission by 31 March 2022 at the latest. An interim report according to Art. 18 MSFD on progress in implementation of the programme of measures was prepared three years later, by 31 December 2018. The next interim report on the implementation of the updated programme of measures is due by 31 December 2024.

The obligation to report under Article 17(3) and (2)(d) on the review of programme of measures and Article 18 MSFD on progress in the implementation of that programme applies to Member States with marine waters, as defined in MSFD Article 3(1). Land-locked countries are not required to report under these two articles.

MSFD Guidance Document 10 (hereafter [GD10](https://circabc.europa.eu/ui/group/326ae5ac-0419-4167-83ca-e3c210534a69/library/6dfa915a-af46-4a21-a545-1c1bda9909a4/details)[[1]](#footnote-2)) was updated in June 2020 to help Member States by providing basic principles for the update of the programme of measures in the 2nd cycle of the MSFD, taking into account the lessons learnt from the 1st cycle. As explained in section 6.1.2 of GD10, the guidance and “*in particular the list of detailed information provided in section 6.1.1, should be translated into technical reporting requirements and the reporting sheets for the update of the PoM, to be defined by WG DIKE in the light of the modernisation of EEA e-reporting process in the context of European Commission Actions to Streamline Environmental Reporting and transcribed into an update of Guidance Document 12”.*

This reporting guidance aims to support Member States with marine waters in fulfilling their 2021 and 2024[[2]](#footnote-3) reporting obligations on updated programmes of measures, exceptions and the further interim progress report.

Therefore, the aim of this document is to provide guidance for the e-reporting of additional or substantially modified measures & exceptions from the updated programme of measures and the further reporting on progress with implementation of measures in the updated programme of measures. The objective is to simplify the process as much as possible, prefilling from the information available from the 1st cycle, and requiring Member States to check, update and adjust where necessary.

The information reported by the Member States under Articles 13 and 14 MSFD will be used by the Commission services for assessing under Article 16 whether the elements notified are consistent with the requirements of the MSFD in each Member State as well as the coherence of frameworks within the different marine regions or subregions and across the Union, as was done for the 2015 programmes of measures and exceptions[[3]](#footnote-4).

The reported information will also serve the preparation of reports, for example to the European Parliament, Council and the general public, on implementation of the MSFD. It can also help determining topics where, at the EU level, exchange of experiences and/or additional knowledge and information could help Member States. All the information reported will be made publicly available through WISE-Marine[[4]](#footnote-5), a web-based content management system that shows the efforts made across Europe on implementation of the MSFD.

# Definitions[[5]](#footnote-6)

In addition to the definitions set in MSFD Article 3, for the purpose of implementing and reporting under Article 13 and the Article 17 and 18 updates, the following terms should be understood as follows:

## “Programme of Measures” (PoM)

A "Programme of Measures" (PoM) is a set of measures that the Member State is responsible for implementing, put into context with each other and in relation to their contribution to achieving or maintaining GES, and referring also to the environmental targets they address. The PoM integrates measures devised pursuant to Article 13(1) MSFD (so-called “new measures” or Category 2 measures, see section 2.4 below) and relevant measures required under Union legislation, international agreements or national policies (so-called “existing measures” or Category 1, see section 2.3 below).

Member States were due to establish Programmes of Measures by the end of 2015 and to report them to the Commission by 31 March 2016. These PoMs are referred to in this Guidance Document as the “Programme of Measures of the first cycle” or the “Programme of Measures 2016-2021”. The 2021 update of the PoM is referred to in this Guidance Document as the “updated PoM”.

## “Measures”

A “measure" in the MSFD is any action on a national, regional, European or international level which is intended to help achieve or maintain GES and to achieve the environmental targets.

While MSFD measures will primarily focus on changing the intensity, frequency or distribution of pressures affecting the marine environment and which are preventing the achievement or maintenance of GES, actions to improve environmental status directly, such as active restoration of habitats and reintroductions of species, can also be defined as measures under the MSFD.

Annex VI of the MSFD provides a list of the types of measures Member States can take into consideration. Research actions, and other actions undertaken by Member States to fill gaps for other parts of the Directive (e.g. assessment, GES determination, target setting or monitoring programmes under Articles 8, 9, 10 and 11) are by definition not measures. These actions can be submitted as a supplementary list to the PoM but do not need to be aligned to specific environmental targets, and they are not subject to cost-benefits and/or cost-effectiveness assessments.

## Category 1 measures (called “Existing measures” in GD10[[6]](#footnote-7))

“Existing measures” are measures adopted under EU legislation, Regional Sea Conventions, other international agreements or national legislation. They are designed for the implementation of those policies but are relevant for and contribute to achieving the objectives of the MSFD.

For the purpose of reporting, “existing measures” are categorised as:

* Category 1.a: Measures relevant for the achievement and maintenance of GES under the MSFD, that have been adopted under other policies and implemented;
* Category 1.b: Measures relevant for the achievement and maintenance of GES under the MSFD that have been adopted under other policies but that have not yet been implemented or fully implemented.

## Category 2 measures (called “New measures” in GD10)

“New measures” are measures specifically devised pursuant to Article 13(1) in order to achieve or maintain GES. “New measures” can be adopted in the first and any subsequent reporting cycle.

For the purpose of reporting, “new measures” are categorised as:

* Category 2.a: Additional measures to achieve and maintain GES which build upon existing implementation processes regarding other EU legislation and international agreements but go beyond what is already required under these;
* Category 2.b: Additional measures to achieve and maintain GES which do not build on existing EU legislation or international agreements.

## “Measures of the 1st cycle”

“Measures of the 1st cycle” are the existing (categories 1a and 1b) and new (categories 2a and 2b) measures that were reported by Member States as part of their PoM in the first cycle.

## “Key type of measures” (KTM)

“Key type of measures” are a defined set of measure categories which are directly relevant to the main pressures or to generic types of measures. KTMs have been defined to organise the measures for the purpose of reporting. For a coordinated reporting between the Water Framework Directive and the Marine Strategy Framework Directive, a joint set of KTMs is used.

## “Details of the update”

The “details of the update” refer to changes introduced to the Programme of Measures of the first cycle. Member States need to present this information to public consultation and report it to the Commission under Article 17.

# Requirements of MSFD Articles 13, 14, 17 and 18

## Article 13 programme of measures

According to Article 13, Member States are to identify the measures which need to be taken in order to achieve or maintain good environmental status (GES):

* On the basis of the assessment made under Article 8(1) and updated under Article 17(2a);
* By reference to the environmental targets established under Article 10(1) and updated under Article 17(2b);
* Taking into consideration the types of measures listed in MSFD Annex VI.

These measures are to be integrated into a programme of measures (PoM), taking into account relevant measures under Union legislation, in particular the Water Framework Directive (WFD, Directive 2000/60/EC), the Urban Waste-Water Treatment Directive (UWWTD, Directive 91/271/EEC) and the Bathing Water Directive (BWD, Directive 2006/7/EC), as well as forthcoming legislation on environmental quality standards in the field of water policy, and international agreements.

When drawing up their PoMs, Member States need to (Art 13.8):

* give due consideration to sustainable development, including the social and economic impacts of the measures;
* ensure the measures are cost-effective and technically feasible, and carry out impact assessments, including cost-benefit analyses, prior to the introduction of any new measure;
* include spatial protection measures;
* indicate how the measures are to be implemented and how they will contribute to the achievement of the environmental targets;
* consider the implications of the PoM on waters beyond their marine waters.

## Article 14 exceptions

Article 14 allows a Member State to identify instances within its marine waters where the environmental targets or GES cannot be achieved in every respect through measures taken by that Member State or, due to natural conditions, cannot be achieved on time.

These instances are to be clearly identified in the PoM and reasons substantiated to the Commission. In addition, the Member State needs to take appropriate ad-hoc measures aiming to continue pursuing the environmental targets, to prevent further deterioration in environmental status, and to mitigate the adverse impact in the marine region or subregion and in other Member States’ marine waters.

## Article 17 Updating

Member States are to ensure their marine strategies for each relevant marine region or subregion are kept up to date. This includes reviewing their PoMs every six years, in a coordinated manner as referred to in Article 5, and providing updates to the Commission, the Regional Sea Conventions and to any other Member State(s) concerned.

## Article 18 interim report

Article 18 requires Member States to submit to the Commission a brief interim report describing progress in the implementation of that programme by 31 December 2024.

# Updating the reports for Articles 13, 14 and 18

## General approach to reporting on the updates

### Developments since the 1st cycle reporting

The reporting requirements for updating the 2015 reports for Articles 13 and 14 and the 2018 reports for Article 18[[7]](#footnote-8) were revised in the updated GD10. An outline of the reporting requirements is provided in Section 6.

This revised reporting guidance takes account of the Commission’s Article 16 assessment of the 2015 PoMs and exceptions, in particular the need to specify more clearly the expected contributions of measures to achieving GES and the environmental targets.

The reporting also takes account of the Action Plan to Streamline Environmental Reporting (COM(2017) 312), where reporting obligations should:

1. include the key indicators needed to assess compliance and understand performance in delivering objectives;
2. reduce textual reporting requirements and promote good IT practices such as common open source standards;
3. harmonise and centralise (some) aspects of processes to make them more effective and efficient; and make better use of data from EU sources.

In line with the recent approaches to reporting for Articles 17 and 18, all structured e-reporting should maximise the use of categorical information and keeping text reporting to a minimum. Compared with the 2015 reporting of Articles 13 and 14, there is an increased use of code (enumeration) lists in order to improve the consistency of reporting between Member States and its usefulness for analysis and dissemination. The relevant code lists from the 2018 reporting of Article 17(2)(a) and (b) updates for Articles 8, 9 and 10[[8]](#footnote-9) and 2020 reporting of Article 17(2)(c) updates for Article 11[[9]](#footnote-10) have been included, in order to allow linkages between the information reported under the different articles. Wherever possible, the information reported previously will be used to prefill the e-reports, thus providing the basis for the updated reports and minimising the efforts needed by Member States.

The information to be reported is outlined in Section 4.2. The specific information to be reported electronically in 2021, including a description of the fields that are part of the schemas, is provided in [Annex I](#_ANNEX_I:_Mapping_1). Each schema also includes fields for the country, reporter and reporting date, as well as a field for file control (‘Supersedes’). The code lists (enumeration lists) to be used are included in [Annex II](#_ANNEX_II:_Enumeration) and will be transferred to the CDR resources page for easier maintenance].

### Information to be reported for Articles 13, 14 and 18

The content of the 2021 reports, updating Articles 13 and 14 for each marine or subregion relevant for the Member State, is outlined in GD10 section 6.1.1.

It consists of:

* A general overview of the PoM update and the analysis leading to additional or substantially modified measures and exceptions under Article 14;
* Detailed information on measures;
* Detailed information on exceptions.

As mentioned in GD10, the detailed information on measures and exceptions is converted into an electronic reporting structure, to be complemented by information reported elsewhere (previous MSFD reporting and reporting under other policies, particularly the WFD):

* Details of additional (or substantially modified) MSFD measures, including ad-hoc measures under Article 14;
* Details of additional (or substantially modified) exceptions.

## Reporting on measures

### Treatment of different categories of measures

The measures included in the PoM fall into the following categories, each requiring a different level of information to be reported:

1. For existing WFD measures (1a/1b) both from the 1st cycle and from the update, a coordinated approach between the MSFD and WFD reporting processes (both at EU level through Commission interservice coordination and in each Member State) is necessary in order to make the relevant links between the two implementation processes.

Links to MSFD are to be reported via the WFD reporting process[[10]](#footnote-11), due in March 2022, where full details on **WFD measures** that are intended to also contribute to the updated MSFD PoM are to be reported. Reporting of WFD measures in the MSFD PoM is therefore limited to providing a list of the WFD measures (expressed at the level of the relevant WFD KTMs), a reference/URL to where the required details on the individual WFD measures can be found, and essential links to other aspects of the MSFD (e.g. descriptor, criteria, features, targets) as these would not be reported under WFD.

1. Measures coming from other policies (‘existing other measures’, 1a/1b) both from the 1st cycle and from the update; this information will be prefilled based on earlier reporting. If, since previous reporting, certain 1b measures have been implemented (+additional 1b), Member States are requested to update this information.
2. Measures reported in the 1st cycle as ‘new measures’ (2a/2b); for these measures, documentation and data were reported in the first cycle and will be prefilled. If necessary, this documentation should be updated.
3. Measures reported in the 2nd cycle as additional ‘new measures’ (2a/2b); for these measures detailed information needs to be compiled for the first time.

### Information on measures to be reported

Table 1 presents, for measure to be reported and as set out in GD10 (2020 update) section 6.1.1, the associated fields in the schema ‘Measures’ and the correspondence (or indicated as new fields) with the reporting under the 1st cycle, both Articles 13 and 18. Information previously reported under Articles 13 and 18 will be prefilled, so that only updating and gap-filling is necessary. This is further detailed in Annex I.a.

**Table 1: Content of the reports on measures and associated schema fields.**

| **Detailed information needed on measures** (from GD10 section 6.1.1.2)  Changes compared to contents of the 1st cycle are indicated with an asterix (\*) | **Field in the schema ‘Measures’**  Including correspondence with 1st cycle reporting (field number #X in Article 13 or 18 reporting) or indicated as a new field. Fields highlighted in grey apply to “new” (category 2) and “existing” (category 1) measures. All other fields apply only to “new” measures (category 2). |
| --- | --- |
| 1. Measure code | * MeasureCode: Art13 #6 * **MeasureOldCode: new** |
| 1. Measure name | * MeasureName: Art13 #7 |
| 1. Short description | * **MeasureDescription: new** * **UpdateType: new** * MeasureCategory: Art18 #3 * **SpatialScope: new** * MarineReportingUnit: Art13 #12 |
| 1. For measure type 2a, give policy(s) used (e.g. Habitats Directive, RSC measure) | * PoliciesConventions: Art13 #8 * PolicyNational: Art13 #8 |
| 1. CEA undertaken (Not needed/Yes/No) + reference | * **CEA: new** * **CEAreference: new** |
| 1. CBA undertaken (Not needed/Yes/No) + reference | * **CBA: new** * **CBAreference: new** |
| 1. Responsible Competent Authority(s) (from MS Art. 7 report) | * **ResponsibleCompetentAuthority: new** |
| 1. Responsible delivery authorities/ organisations (if different to Competent Authority) | * **ResponsibleOrganisation: new** |
| 1. Temporal coverage (start date, end date if appropriate) | * **TemporalScope: new** |
| 1. Expected year of full implementation\* | * ImplementationYear: Art18 #8 |
| 1. Financing (state of securing, source of funding) | * **Financing: new** |
| 1. Level of coordination in implementation (e.g. local, national, regional sea convention, international e.g. IMO) | * **CoordinationLevel: new** * **RegionalCooperation\_countries: new** |
| 1. Obstacles to implementation, if any | * ObstacleType: Art18 #12 * DescriptionObstacle: Art18 #13 |
| 1. How will the effectiveness of the measure, once implemented, be assessed? | * **RelatedIndicator: new** |
| 1. Relevant KTMs (under WFD or MSFD); if more than one KTM is listed, give a clear indication of the relative contribution of the measure to each KTM listed | * RelevantKTMs: Art13 #9 |
| 1. Relevant environmental targets (from MS Art. 10 report) | * RelevantTargets: Art13 #10 |
| 1. Relevant GES component, features/elements and pressures addressed | * GEScomponent: Art13 #11 * **Feature: new** * **Element: new** * **Pressures: new** |
| 1. Further information, if available (URL link) | * References: Art13 #15 |

In addition, the schema includes fields for category 2a and 2b measures that will only be updated for the 2nd cycle Article 18 implementation report:

* ImplementationStatus: Art 18 #5
* WithdrawalReason: Art 18 #7
* ImplementationDelay: Art 18 #9
* DelayReason: Art 18 #10

### 2024 interim progress report on implementation (Article 18)

#### Measures to be reported

The interim report according to Art. 18 covers categories of measures as follows:

* Measures of category 1a are by definition "implemented" and therefore do not need to be reported under Article 18. Thus, any reporting on progress in their implementation towards some endpoint is excluded.
* Measures of category 1b that are related to the Water Framework Directive are subject to reporting under that Directive and are therefore not being reported under Article 18. Information will be retrieved from the reporting under that Directive as far as possible.
* For measure category 1b (not related to the Water Framework Directive), specific implementation reporting and evaluations of their state of implementation may already be in place for measures established under EU legislation and policies, such as the Habitats Directive and the Common Fisheries Policy; under Regional Sea Conventions and possibly under other international frameworks such as IMO and UNECE. For Article 18 reporting, links will have to be established to relevant implementation reporting in order to avoid duplication of effort and to ensure consistency of information in WISE. Measures are being reported under Article 18 in a summary fashion, grouping them by MSFD Descriptor that they relate to. If one measure is relevant for more than one Descriptor, it will therefore appear in all the relevant Descriptor groups.
* The core interest of reporting under Article 18 for the MSFD is therefore on category 2a and 2b measures which are additional measures specifically introduced for MSFD purposes and for which it is important to understand progress in this new area of implementation.

The measure code, measure name, category and MSFD Descriptor of measures reported for the first time in the second cycle or for which changes were reported in second cycle under Art. 13 MSFD and the Art. 18 MSFD data reported under 1st cycle will be prefilled before Member States are requested to provide the additional Article 18 information. As is standard practice, the e-report is linked to the relevant Marine Reporting Units.

#### Progress in implementation

In order to describe the progress in implementation, some aspects of the measures and their state of implementation, as specified by Member States in their programmes of measures, should be clarified as follows:

* **Time**: the measure may relate to a single action by a deadline, or it may be distributed over a period of time (limited series of actions), or it may be open-ended (unlimited series of actions).
* **Space**: the measure may either have no spatial dimension, it may relate to specified places or areas, or it may be applicable everywhere.
* **Measure components**: the measures reported according to Art. 13 can in some cases be aggregates of components that could themselves be considered measures, relating to legal, economic, technical or policy modes of action (see below) and aiming to lead directly or indirectly to a change in the pressures on the marine environment and/or its state. A measure may thus comprise a single component, several components, or a mixture of preparatory steps and components which are implemented in succession or in parallel (or a mixture thereof).
* **Preparatory steps**: these may refer to, for example, research projects, studies, monitoring campaigns, stakeholder forums, which do not qualify as a measure as defined by this Guidance Document, but are part of the planning process and relevant for designing and successfully implementing the measure or a component thereof.
* **Measure group:** this concept is used for measures of category 1b that do not relate to the Water Framework Directive. For each of the MSFD Annex I Descriptors, all relevant measures of category 1b that address this Descriptor are being reported as one group. The stages of implementation as defined in Table 2 apply *mutatis mutandis* to the whole measure group.

For each measure, progress in implementation is reported using the following three stages:

Table 2: Stages of implementation

|  |  |  |
| --- | --- | --- |
| **Stage #** | **Description** | **Explanation** |
| 1 | Implementation not started | The measure is part of the Programme of Measures. The measure may be in the planning process. Preparatory steps may have been taken. |
| 2 | Implementation started | One or more planned components of the measure have been started, as described in the definitions below. |
| 3 | Measure implemented | All planned components (in time and space) comprised by the measure are implemented. In measures or components with unlimited series of actions, the measure or component is implemented when the first action in the series has been completed. |

For the purpose of the above definition of the three implementation stages, the terms “started” and “implemented” are understood as follows for the different modes of action as defined in updated GD10 Annex A.3.

* **a legal measure or measure component**
  + is “implemented” when the legal instruments have entered into force and are applicable or enforceable;
  + The implementation has “started” when a draft instrument is submitted to formal legislative procedures and, in cases where a budget is required, has been budgeted;
  + The year of implementation refers to the date when the legal instruments have all entered into force and are applicable or enforceable. For example, if the date in question is 31 December 2015, the year is 2015. If the date is 1 January 2016, the year is 2016.
* **an economic measure or measure component**
  + is “implemented”, when the financial instruments or incentives are fully financed, in force or actionable;
  + The implementation has “started”, when a draft instrument is submitted to formal decision making and, in cases where a budget is required, has been budgeted;
  + The year of implementation refers to the date when the financial instruments or incentives are all fully financed, in force or actionable.
* **a technical measure or measure component**
  + is “implemented” when all actions are completed in accordance with the planned spatial and temporal coverage of the measure and are in full operation;
  + The implementation has “started” when at least one project is fully financed and the formal administrative procedure, required for its implementation has started (e.g. permission of any kind), or if no such procedures are needed, the technical work has started to materialise (e.g. construction works);
  + The year of implementation refers to the date when all actions are completed in accordance with the planned spatial and temporal coverage of the measure and are in full operation.
* **a policy measure or measure component**
  + is “implemented” when all planned actions are realised, in operation or in force;
  + The implementation has “started”, when a full draft has been submitted to formal decision making and, in cases where a budget is required, has been budgeted;
  + The year of implementation refers to the date when all planned actions are realised, in operation or in force.

#### Withdrawal of measure, delay or other obstacles in implementation

The implementation of some of the measures under the Programme of Measures may not have gone as originally envisaged, or it may have encountered obstacles that a Member State wishes to report. The aim of such reporting is to compile an overview of the difficulties that Member States may be facing, to enable them to learn from each other’s experience and to strengthen cooperation among them in the next cycle of implementing the MSFD. The reporting schema makes allowance for this.

**(a) Withdrawal**: A special case of Stage 1 (not started) is when a measure has been withdrawn, i.e. contrary to the Programme of Measures reported under Art.13, the measure is no longer intended to be put into practice. That means that the measure has been cancelled for objective, specific and transparent reasons.

If a measure has been withdrawn, this amounts to an update of the Programme of Measures. The updated Programme of Measures has to be reported only under Art.13. However, Art.18 refers to the implementation of the original Programme of Measures of which the measure in question was a part, and a withdrawal amounts to a special case of the first implementation stage “Implementation not started”. Therefore, the withdrawal needs to be reported under Art.18. If a Member State has instead introduced an alternative measure and wishes to identify it, this can be done by using the free text field under “Other” in the drop-down list.

**(b) Delay**: The reporting schema includes a field for the year when implementation is expected to be complete. This field needs to be filled in regardless of whether a delay has occurred or not.

If the implementation of a measure is delayed compared to its originally intended schedule because of some obstacle, this should be noted in a separate field in the reporting schema. In this case, the year of implementation should be the actual one, i.e. taking the delay into account. For example, if the year of implementation was originally planned to be 2016, but due to a delay it has been postponed to 2018, then the year to be reported should be 2018 and the delay to be reported is 2 years.

**(c) Other obstacles**: The implementation of a measure may have encountered or may be expected to encounter obstacles even if no withdrawal or delay has occurred so far. It is of general interest to learn about the obstacles encountered by Member States. A separate field is provided for this case.

Predefined entries for “Withdrawal”, “Delay” and “Other obstacles” are provided. If a particular obstacle has already been listed in the context of “Withdrawal” or “Delay”, it should not be listed again under “Other obstacles”. This is prevented by an automatic quality check.

The pre-defined list is the same for all three cases (Table 3). As far as possible the entries are consistent with the list of reasons identified under the WFD reporting[[11]](#footnote-12), but with adaptations as needed in the context of the MSFD.

In case of more than one obstacle being encountered, only the one regarded as the principal obstacle should be reported. An optional free text field is available to provide further information on the obstacle identified under (a), (b) or (c) if a Member State wishes to do so.

In case a Member State wishes to report only those obstacles that have led to a withdrawal or a delay, it can leave fields 11 and 12 unchanged.

Table 3: Predefined reasons for withdrawal of a measure or for delays and obstacles in implementation.

| Drop-down list entry | Explanation |
| --- | --- |
| Acceptance | There are difficulties in the acceptance of the measure, e.g. by certain stakeholders, government departments, Member States or in an EU or regional context. |
| Financing | Lack of financing: no or insufficient budget (including material and staff costs) yet approved. |
| Mechanism for implementation - national | There is a lack of mechanism for the implementation at the national level, e.g. the necessary regulation or other mechanism required for implementing the measure has not yet been adopted. |
| Mechanism for implementation - regional | There is a lack of mechanism for the implementation in a Regional Sea Convention, e.g. the necessary regulation or other mechanism required for implementing the measure has not yet been adopted. |
| Mechanism for implementation - EU level | There is a lack of mechanism for the implementation at the EU level, e.g. the necessary regulation or other mechanism required for implementing the measure has not yet been adopted. |
| Mechanism for implementation - International | There is a lack of mechanism for the implementation at the international level, e.g. the necessary regulation or other mechanism required for implementing the measure has not yet been adopted. |
| Technical implementation | New information on technical difficulties which prevent a measure from being implemented as planned. |
| Cost-effectiveness | New information on cost-effectiveness, i.e. either the measure is found not to be as effective as planned (at the cost originally envisaged) or the planned effect can only be achieved with higher costs. |
| Data or information | Data or information needs are greater than originally envisaged, to the extent that the measure cannot be implemented as planned |
| Other (specify in free text field) | Any other reasons. The text in this free text field should be brief and self-contained. If deemed necessary, any further detail can be supplied in the optional free-text field on “Further information on obstacles” which, in addition, may include a web link with more information. |

## Reporting on exceptions

Table 4 sets out the information to be reported on exceptions, as set out in GD10 (2020 update) section 6.1.1.3, and the associated fields in the schema ‘Exceptions’. Details on reporting for each field are given in Annex I.

**Table 4: Content of the reports on exceptions and associated schema fields.**

| **Detailed information needed on exceptions (as defined in updated GD10)**  Changes compared to contents of the 1st cycle are indicated with an asterix (\*) | **Field in the schema ‘Exceptions’**  Including changes between 2016 and 2022 reporting |
| --- | --- |
| 1. Exception code | Exception\_code  **ExceptionOldCode (new)** |
| 1. Exception name | Exception\_name |
| 1. Exception type (according to options under Art. 14: (1) (a)-(e), (4)) | ExceptionType  **ExceptionReason (new)** |
| 1. (if applicable) Mitigation – consequences for other Member States, ad-hoc measures taken and mitigation | Mitigation  **MeasuresAdHoc[[12]](#footnote-13) (new)** |
| 1. Relevant targets | RelevantTargets |
| 1. Relevant GES component, features/elements and pressures addressed | GEScomponent  RelevantFeatures  RelevantPressures |
| 1. Spatial coverage of the exception ((sub)regions/assessment areas and geographic zones[[13]](#footnote-14)) | Spatial scope\_geographic zones  MarineReportingUnit |
| 1. Substantiated justification (see below template from Table 7 in updated Guidance Document 12 which is confirmed for use in the second cycle) | **JustificationDescription (new)** |
| 1. If Art. 14(1)(e) is used, an estimation of when GES is expected to be achieved\* | **GESachieved (new)** |
| 1. Further information, if available (URL link) | FurtherInformation |

## File and envelope naming and submission

Each Member State should submit:

* One file that includes all the measures;
* One file that includes all the exceptions.

Both files should be in the same envelope. The quality control (QC) procedures will check that the envelopes released contain only these two files, and that they are based on the corresponding schemas.

Each file should cover the measures and exceptions for all regions and subregions in which the Member State has marine waters; distinctions in the measures or exceptions applicable to a particular region or subregion are to be made via the MRUs linked to each measure and exception.

The file names should be built as shown in Table 5, with a consecutive numbering of the versions.

**Table 5: Structure of file name for each schema.**

| **Schema** | **File name** |
| --- | --- |
| Measures | Art13\_CountryCode\_Measures\_vX (e.g. Art13\_DK\_Measures\_v2) |
| Exceptions | Art14\_CountryCode\_Exceptions\_vX (e.g. Art14\_DK\_Exceptions\_v2) |

The envelopes should be named as follows: Art13-14\_CountryCode\_Year-Month-Day (e.g. Art13-14\_DK\_2022-03-21).

## Reporting tools

The 2016 reporting tools consisted of a Reporting Guidance, 2 schemas, 2 web forms (based on the schemas) and a reporting resources page[[14]](#footnote-15). The schemas were collecting information on:

* Measures
* Exceptions

For the 2022 reporting exercise, the reporting tools, including all the above-mentioned resources, will be updated as necessary according to what is described in this guidance. The revised schemas (‘Measures’ and ‘Exceptions’) reflect the new reporting structure and contents, and the reporting resources page can be found under the ‘MSFD’ section in CDR Help[[15]](#footnote-16).

Schema files prefilled with the information reported in the 1st cycle according to the revised schemas will be made available on the reporting resources page for each Member State.

Quality control (QC) specifications have been developed [to be done later] to ensure that the schema files submitted are as required in the schema specifications and this guidance. Among these, there are ‘Element checks’, ‘Within-schema checks’ and ‘Cross-schema checks’.

Feedback is provided to Member States through *errors*, *warnings* and *blockers*, so that they can be aware of any errors in the files and amend the files before resubmission.

The QC specifications are part of the reporting package and accessible through the EEA’s repository (<https://svn.eionet.europa.eu/repositories/Reportnet/Dataflows/MarineDirective/>). A description of the QC procedures is included in Annex IV.

# Procedures and format for reporting

This section outlines the mechanisms for preparing the reporting information, its formats and the transmission procedure as part of the formal requirement to notify the Commission.

## Technical support for reporting

For details on the technical preparation of the reports, including use of online tools[[16]](#footnote-17) for reporting and preparation of schemas, as well as the applicable quality control rules, please refer to the CDR Help MSFD reporting resources page:

http://cdr.eionet.europa.eu/help/msfd

During the reporting process, the **MSFD Helpdesk** ([msfd.helpdesk@eionet.europa.eu](mailto:msfd.helpdesk@eionet.europa.eu)) will be in operation to support both content and technical queries which may arise.

Preparation of the schema files, e.g. through use of online tools, can be undertaken by Member State’s experts, under the supervision of the nominated MSFD reporters. However, the uploading and submission of final reports can only be done by a nominated MSFD reporter. The list of nominated reporters is available here: <http://www.eionet.europa.eu/ldap-roles/?role_id=extranet-msfdreporter-data>. A Member State (via their members of the Marine Strategy Coordination Group or Working Group on Data, Information and Knowledge Exchange) may request changes to one or more of its nominated reporters by contacting the MSFD Helpdesk.

## Reporting language

Member States have the right to complete their reports in any official EU language.

However, reporting of the few text fields in English is strongly encouraged by the Commission services for the following reasons:

1. The information reported is needed to support and enhance ongoing cooperation among Member States within a region or subregion; use of a common language will facilitate such cooperation.
2. The translation of a Member State's information into a common language will support its further use in aggregation of the information to regional, European and global scales for ongoing State of the Environment reporting.
3. The Commission has 6 months from receiving all Member State reports in which to undertake its Article 16 assessment. If the information is available in a common language, this assessment will be greatly assisted. This short time period means it is not feasible to have the information formally translated; consequently, translation by the Member State itself prior to submission will help avoid misinterpretation of the information reported.

## Reporting format

As the format for reporting[[17]](#footnote-18) has not been *formally* specified in the directive, Member States have the right to provide their reports in any format.

However, e-reporting in schema format is strongly encouraged by the Commission services for the following reasons:

1. The information reported is needed to support ongoing cooperation among Member States within a region or subregion so that the marine strategies are coherent and follow common approaches, as required under Article 5(2); use of an electronic format enables the information to be made available in WISE Marine and will facilitate such regional and subregional cooperation;
2. Provision of the information in a common format, such as through use of standard code lists, will support its further use in aggregation of the information to regional, European and global scales for ongoing State of the Environment reporting;
3. The Commission has 6 months from receiving all Member State reports in which to undertake its Article 16 assessment. If the information is available in a common electronic format, this assessment will be greatly assisted. This short time period means it is not feasible to adequately assess and compare across Member State information which is provided in free-text reports following different structures and styles.

## Formal notification

Formal notification of the Member State's report(s) should follow the standard practice, as follows:

The Member State's Permanent Representation to the European Commission should send to the Commission[[18]](#footnote-19) a) a suitable cover letter indicating the relevant Directive and articles to which the notification refers and b) the receipt(s) obtained from ReportNet of all the reports (files) that have been deposited in relation to this notification.

The cover letter and ReportNet receipt(s) can be sent in hard copy or electronically via email (as pdf).

The reports deposited in ReportNet as part of the notification should be:

1. Validated files for the following schemas: ‘Measures’ and ‘Exceptions’. Each file should hold the data and information defined in the schemas;
2. In cases where the Marine Reporting Units need to be updated, an updated ‘4geo.xml’ file, together with associated GIS shapefiles[[19]](#footnote-20), should be provided. Indicators.xml and target.xml may also need to be updated.
3. Text-based national Summary report(s), consisting of a general overview and detailed information on measures and exceptions.
4. Any further information the Member State considers appropriate as part of its formal notification. This could, for example, include joint documentation ('roof report') prepared via a Regional Sea Convention or summary documentation used for the Article 19(2) public consultation where this differs to the text-based report under point (c).

# ANNEX I: e-reporting schemas and guidance

## Measures

The schema fields and structure is provided in Figure 1 and guidance is provided in Table 6.

Insert schema diagram

Figure Structure for Schema ‘Measures’

Table 6 ‘Measures’ schema fields and guidance. New fields are marked with an asterix (\*).

| **Schema class** | **Schema field** | **Description** | **Property** | **Guidance** |
| --- | --- | --- | --- | --- |
| **About the reporter** | | | | |
| ReporterInfo | CountryCode | Country reporting | Required | Enter corresponding two-letter ISO country code from ‘CountryCode\_Enum’. |
| ReporterInfo | ContactName | Name of the reporter | Optional | Free text (max. 100 characters). |
| ReporterInfo | ContactMail \* | Email of the reporter or functional email of the organisation | Required | Enter corresponding email (max. 50 characters). |
| ReporterInfo | ContactOrganisation \* | Name of the reporter’s organisation and address | Required | Free text (max. 1000 characters). |
| ReporterInfo | ReportingDate | Date when the reporting has been done | Required | YYYY-MM-DD |
| File control | Supersedes \* | File name that is superseded by the present file | Required, where applicable | If the 'Measures’ schema is updated and a new version is to be released, enter here the old file name that this new version supersedes. |
| **About the measure** | | | | |
| Measure | MeasureCode | Unique identifier for the measure | Required  Prefilled from 1st cycle | Enter measure code reported in 2015.  In cases where the code has been modified since 2015, enter the code(s) from the corresponding 2015 measure(s) in the field ‘MeasureOldCode’.  For new measures, use MS code plus MS-defined alpha-numeric code (e.g. IT-D08-M007).  For WFD measures, reporting can be either:   1. at the KTM level (i.e. report all the WFD KTMs relevant to the MSFD reporting area), giving each WFD KTM a unique Region/MS/Measure code as per the other individual measures and give the WFD KTM code in the 'measure name' field, or 2. at the WFD measure level (i.e. report all the WFD measures relevant to the MSFD reporting area), giving each WFD measure its unique WFD reporting code, prefixed by the sub(region) and MS code (e.g. BALDE-‘WFD measure code’). |
| Measure | MeasureOldCode \* | Old code(s) of the measure(s) as reported in the 2015 PoM | Conditional (on 2021 code being different to 2015 code) | Enter the old (2015) measure code(s) corresponding to the single 2021 code given in field ‘MeasureCode’. |
| Measure | MeasureName | Name of measure | Required  Prefilled from 1st cycle | Enter a short name that reflects the main focus of the measure, such as the pressure and associated policy, e.g. OSPAR hazardous substances measures, Habitats Directive *Posidonia* restoration.  For [prefilled] WFD measures, give only the relevant WFD KTM name (or the WFD measure name if reporting at WFD measure level). |
| Measure | MeasureDescription \* | Short description of the measure (including key changes if the measure is substantially modified since 1st cycle) | Optional | Short description in EN (max. 2500 characters)  Add here specific points from other fields that may require an explanation. |
| Measure | UpdateType \* | Indicates whether the measure is unchanged, modified or new compared to that reported in the 2015 PoM. | Required | For measures of category 2a and 2b only.  Enter one of the following for each measure, except those reported as ‘Withdrawn’ or ‘Measure implemented’ in ‘ImplementationStatus’:   * Measure same as in 2015 PoM; * Measure modified since 2015 PoM; * Measure new in 2021 PoM. * 2015 measure that was not reported electronically   Use ‘Measure same as in 2015’ when the measure remains essentially the same (i.e. it has the same purpose, spatial and temporal scope and implementation method, or has only minor changes, such as a change in the measure code or temporal scope). If these aspects are modified use ‘Measure modified since 2015’ and provide an explanation of the changes in ‘MeasureDescription’. |
| Measure | MeasureCategory | Indicates the measure category (1.a, 1.b, 2.a, 2.b) | Required  Prefilled from 1st cycle | Select one from the following:   * Category 1.a: Measures relevant for the achievement and maintenance of GES under the MSFD, that have been adopted under other policies and implemented; * Category 1.b: Measures relevant for the achievement and maintenance of GES under the MSFD that have been adopted under other policies but that have not yet been implemented or fully implemented. * Category 2.a: Additional measures to achieve and maintain GES which build upon existing implementation processes regarding other EU legislation and international agreements but go beyond what is already required under these; * Category 2.b: Additional measures to achieve and maintain GES which do not build on existing EU legislation or international agreements (i.e. a measure specifically to implement MSFD). |
| **Associated policy and implementation mechanism** | | | | |
| Measure | PoliciesConventions | Indicates the Union legislation/policy, international agreement or national policy that is the originating source of the measure | Conditional  Prefilled from 1st cycle | State the originating EU policy or international agreement (including Regional Sea Conventions) for the measure if it falls under category 1a, 1b or 2a.  Select one from the list ‘DirectivesConventions\_Enum’.  If it is a national policy that is implementing an EU policy or international agreement, enter the relevant originating EU policy or international agreement. The associated National policy can be given in ‘PolicyNational’.  If it is a national policy that is **not** implementing an EU policy or international agreement, enter ‘National policy’ and provide details in ‘PolicyNational’. |
| Measure | PolicyNational | Indicates the name of the national policy (which may or may not be linked to an EU policy or international agreement) | Conditional | Free text (max. 1000 characters)  Provide the national policy when:   * ‘National policy’ is selected in ‘PoliciesConventions’, or * An EU/international policy is selected in ‘PoliciesConventions’ and you wish to indicate the associated national policy (in cases where the measure reported in 2015 was the national policy which implements an EU/international policy, enter that national policy here and report only the EU/international policy under ‘PoliciesConvention’. |
| Measure | ResponsibleCompetentAuthority \* | Indicates the responsible Competent Authority(s) (from Art. 7 reporting) for the measure | Required | For category 2a and 2b measures only:  Provide the relevant Competent Authority(s) (from those reported under Article 7) who are formally responsible (within Government) for ensuring delivery of the measure. Enter several Competent Authorities in cases where the responsibility is shared (e.g. for different regions within a country).  Note that if the Competent Authority devolves actual implementation of the measure to another organisation(s), such as a technical agency or regional or local authorities, these can be indicated in field ‘ResponsibleOrganisation’. |
| Measure | ResponsibleOrganisation | Name or organisation(s) responsible for implementing the measure | Optional | For category 2a and 2b measures only:  If delivery of the measure is delegated by the Competent Authority(s) to other organisations, these can be listed here. |
| Measure | CoordinationLevel \* | Level of coordination in implementation of the measure | Required | For category 2a and 2b measures only:  Select one or several level(s) from the enumeration list ’Coordination level\_Enum’: local/sub-national, national, regional (e.g. regional sea convention), EU, international (e.g. IMO).  Note x discussion: should the list include RSC in a more specific way?? |
| Measure | RegionalCooperation\_countries \* | Other countries in the region involved in practical implementation of the measure | Conditional | For category 2a and 2b measures only:  Default: not relevant.  If ‘regional’ is selected under ‘CoordinationLevel’, provide a list of countries involved in implementing the measure (from List ‘CountryCode\_Enum’).  Due to the large number of possible countries, this information is not required for EU or International policies. |
| **Setting up the measure** | | | | |
| Measure | CEA \* | Indicates whether a cost-effectiveness assessment for the measure was undertaken | Required | A CEA is required for category 2a and 2b measures only.  Select one of the following options: ‘Not needed’, ‘Yes’ or ‘No’.  If a CEA was undertaken (response = Yes), provide a reference in field ‘CEAreference’. |
| Measure | CEAreference \* | Provides a reference for the CEA study | Conditional (if field ‘CEA’ = Yes) | Provide the reference for the CEA study, including where possible a URL link to the report. |
| Measure | CBA \* | Indicates whether a cost-benefit analyses, prior to the introduction of a new measure, was undertaken | Required | A CBA is required for category 2a and 2b measures only.  Select one of the following options: ‘Not needed’, ‘Yes’ or ‘No’.  If a CBA was undertaken (response = Yes), provide a reference in field ‘CBAreference’. |
| Measure | CBAreference \* | Provides a reference for the CBA study | Conditional (if field ‘CBA’ = Yes) | Provide the reference for the CBA study, including where possible a URL link to the report. |
| Measure | Financing \* | Describes the state of securing financing to implement the measure, and the source of funding | Required | For category 2a and 2b measures only.  Free text (maximum XX characters).  Provide a brief description of the state of securing funding to implement the measure, and the source of funding. |
| **When and where the measure is implemented** | | | | |
| Measure | TemporalScope \* | Start date (and end date, if appropriate) of the implementation period for the measure | Required | For category 2a and 2b measures only:  Enter the year the measure started and is expected to be completed (YYYY-YYYY). If the end date is unknown, or the measure has no end date, provide ‘9999’ as end-date.  Only one start date and end date is permitted. The start date should be the earliest date that the measure started.  Links to ‘ImplementationStatus’ |
| Measure | ImplementationYear | Expected year of full of implementation | Required  Prefilled from Art. 18 for 1st cycle | Expected year of full implementation (YYYY). |
| Measure | SpatialScope \* | Spatial coverage of the measure, according to the jurisdictional zones of marine waters | Required  Prefilled from 1st cycle | Select one (or more) option(s) from list:   * ‘Terrestrial part of MS’ * ‘Transitional waters (WFD)’ * ‘Coastal waters (WFD)’ * ‘Territorial waters’ (0-12nm in most countries) * ‘EEZ (or similar) (e.g. Contiguous Zone, Fishing Zone, Ecological Protection Zone)’ * ‘Continental shelf (beyond EEZ)’ * ‘Beyond MS Marine Waters’   This question is intended to give only a coarse categorization of the areas (zones) where the MS implements the measure. This refers to the zone where the action is taken, and not to the zones which may benefit from the action (e.g. a measure is implemented on land – ‘Terrestrial part of MS’ - to reduce consumption and waste of plastic bags, but the effects of the measure would be seen in several marine zones). If only a proportion of the selected category is covered by the measure; this can be described in ‘MeasureDescription’.  ‘Terrestrial part of MS’ refers to any implementation above the high water mark.  ‘Continental shelf (beyond EEZ)’ refers to areas of MS seabed/subsoil beyond the zone where the Member State has jurisdiction over the water column (e.g. beyond 200nm of EEZs or the Territorial Waters/Contiguous Zone of some Mediterranean states).  ‘Beyond MS Marine Waters’ refers to Areas Beyond National Jurisdiction (ABNJ), including in the water column/air above MS Continental Shelf areas (i.e. high seas). It can also be used for implementation in waters of neighbouring countries. |
| Measure | MarineReportingUnit | Area(s) of MS marine waters where the measure is implemented or has effects | Required  Prefilled from 1st cycle | Enter all relevant Marine Reporting Units for the MS marine waters where the measure is implemented or has effects (MarineUnitID, as reported by the Member State in 4geo.xml file). If measures are expected to have widespread effects (benefits) (e.g. measures related to pollution) then use an MRU for the entire marine waters (or for a particular region/subregion if more appropriate). If measures are expected to benefit more specific areas (e.g. a protected area, or areas for particular activities) then use an MRU for a finer geographical area. |
| **Scope and purpose of the measure – links to pressures, targets and indicators** | | | | |
| Measure | MeasurePurpose \* | Indicates the main purpose of the measure | Required | For category 2a and 2b measures only:  Select one or several option(s) from list:   1. Directly **prevent further inputs of a pressure** (e.g. by managing the source activity) 2. Directly **reduce existing levels of the pressure** in the marine environment (e.g. removal of litter or oil spill clean-up) 3. Indirectly **prevent further inputs of a pressure** (e.g. by governance mechanisms, financial incentives, awareness campaigns) 4. Directly **restores** a species or habitat(s) 5. Ad-hoc measure for an exception under Art. 14.1 b), c) or d) 6. *Improve knowledge base (e.g. by research or one-off surveys)* 7. *Establish monitoring programmes (of relevant activities, pressures or impacts)* 8. *Assess effectiveness of the measures (through assessing changes in state/impact/pressure in the marine environment)*   Note that options f, g and h are not measures, according to the definition in GD10, but if reported in the PoM update (e.g. because they were also reported in the first cycle), they should be classified here. These categories should only be used when they are the main focus of the reported ‘measure’ (i.e. not if they are a component of a measure focused on categories a-e. |
| Measure | Pressures \* | Pressure(s) addressed by the measure | Required | Select one (or more) from the list ‘Feature\_Enum’: ‘Pressure inputs to the marine environment’. |
| Measure | RelevantKTMs | Key Type of Measure(s) relevant to the measure | Required  Prefilled from 1st cycle | Relevant KTMs (under WFD or MSFD);.  It is preferable to associate each measure to only the most appropriate KTM; however in some circumstances linkage to several KTMs may be necessary. |
| Measure | RelevantTargets | Indicates the environmental target(s) reported under Article 10 which the measure addresses | Required  Prefilled from 2nd cycle Art. 10 update | List the relevant environmental targets (from Art. 10 report in 2018).  If the measure cannot be associated to any of the environmental targets currently reported under Art. 10, then select 'No specific target addressed' from the list. If needed, this can be explained in the field ‘MeasureDescription’. |
| Indicators | RelatedIndicator \* | Indicator(s) used to assess the effectiveness of the measure and progress towards its objective | Conditional - for new measures under the PoM update | For category 2a and 2b measures only:  Enter the indicator code(s) (as reported under the schema ‘Indicators’ used in the 2018 update of Articles 8 and 10) for the indicator(s) used to assess the effectiveness of the measure.  For new indicators, firstly enter the indicator into the ‘Indicator’ schema, using the following code structure: sub(region) code plus RSC/MS code plus defined alpha-numeric code (e.g. ABI-OSPAR-Nutrients2017). Once in the Indicator schema, the indicator will be available to select here. |
| **Links to GES criteria and ecosystem state** | | | | |
| Criteria | GEScomponent | GES descriptor(s) and criteria addressed by the measure | Required  Prefilled from 1st cycle | Enter as many descriptor and criteria codes as relevant from list ‘GEScomponent\_Enum’. |
| Feature | Feature \* | Feature(s) addressed by the measure | Required | Enter the feature(s) from list ‘Feature\_Enum’. This list includes three sections, each intended for particular aspects of monitoring and assessment, but not confined to these:   * Ecosystem components * Pressures and impacts in the marine environment * Uses and human activities   For features related to ‘Ecosystem components’ or ‘Pressures and impacts in the marine environment’, specific elements may also be reported, in the field ‘Elements’. |
| Element | Element \* | Element(s) addressed by the measure (e.g. specific species, habitats, contaminants, litter categories) | Optional | If the Features reported in field ‘Features’ do not provide sufficient detail, the specific elements may be entered here.  The elements are to be selected from the MSFD Reporting Reference List (<http://cdr.eionet.europa.eu/help/msfd>). If the list does not contain the elements needed, contact [msfd.helpdesk@eionet.europa.eu](mailto:msfd.helpdesk@eionet.europa.eu).  For features in the list ‘Uses and human activities’ no elements are defined. |
| **State of implementation for 2024 reporting, for category 2a and 2b measures only.** For measures from 1st cycle, prefilled from Article 18. For 2nd cycle, to be filled in 2024) | | | | |
| Measure | ImplementationStatus | Indicates the state of implementation of the measure | Required  Prefilled from Art. 18 | For category 2a and 2b measures only:  Select one from the following:   * Implementation not started (The measure is a part of the Programme of Measures. The measure may be in the planning process. Preparatory steps may have been taken. Further detail may be supplied in text field ‘MeasureDescription’); * Implementation started (One or more planned components comprised by the measure have been started as described in the definitions below.); * Measure implemented (fully completed) (All planned components (in time and space) comprised by the measure are implemented. In measures or components with unlimited series of actions[[20]](#footnote-21), the measure or component is implemented when the first action in the series has been completed.); * Withdrawn (2021 measure is no longer pursued under MSFD).   In cases where ‘Withdrawn’ is selected, provide a reason in ‘WithdrawalReason’. |
| Measure | WithdrawalReason | Reason for withdrawal of the measure | Conditional on selecting ‘Withdrawn’ in ‘ImplementationStatus’)  Prefilled from Art. 18. | For category 2a and 2b measures only:  Select one option from the list (see section 4.2.2.2 Table 3 [or just bring definitions down here where they are most needed]):   * Acceptance * Financing * Mechanism for implementation - national * Mechanism for implementation – regional * Mechanism for implementation - EU * Mechanism for implementation - International * Technical implementation * Cost-effectiveness * Data or information * Other (explain in ‘MeasureDescription’) |
| Measure | ImplementationDelay | Indicates the delay (in years) in implementing the measure | Conditional on ???  Prefilled from Art. 18 | For category 2a and 2b measures only:  In cases where implementation of the measure is delayed, provide the period of delay rounded to nearest full year; Default =0 |
| Measure | DelayReason | Indicates the reason for the delay in implementation of the measure | Conditional on ‘ImplementationDelay’ being greater than 0 years  Prefilled from Art. 18 | For category 2a and 2b measures only:  Select one from list:[[21]](#footnote-22)   * Acceptance * Financing * Mechanism for implementation - national * Mechanism for implementation – regional * Mechanism for implementation - EU * Mechanism for implementation - International * Technical implementation * Cost-effectiveness * Data or information * Other (free text). |
| *Measure* | *ObstacleType* | *Type of obstacle encountered in implementing the measure* | *Conditional on “Obstacles” being “Yes”)*  *Prefilled from Art. 18* | For category 2a and 2b measures only:  *Select one from list:*   * *Acceptance* * *Financing* * *Mechanism for implementation - national* * *Mechanism for implementation – regional* * *Mechanism for implementation - EU* * *Mechanism for implementation - International* * *Technical implementation* * *Cost-effectiveness* * *Data or information*   *Other (free text).*  *Automatic quality check: if an obstacle is chosen from the drop-down list, it must be different from any entry in field #7 or field #10, in case there is such an entry.* |
| *Measures* | *DescriptionObstacle* | *Further information on obstacles* | *Optional*  *Prefilled from Art. 18* | For category 2a and 2b measures only:  *Free text (max. 1000 characters)*  *(conditional on either “Measure withdrawn” being “Yes”, or “Delay” being greater than 0, or “Other obstacles” being “Yes”)* |
| **Further information** | | | | |
| Measure | References | Reference(s) to publications about the measure | Optional  Prefilled from 1st cycle | Further information, if available (URL link or free text) (max. 2500 characters). |

## Exceptions

The schema fields and structure is provided in Figure 2 and guidance is provided in Table 7.

Insert schema diagram

Figure Structure for Schema ‘Exceptions’

Table 7 ‘Exceptions’ schema fields and guidance

| **Schema class** | **Schema field** | **Description** | **Property** | **Guidance** |
| --- | --- | --- | --- | --- |
| ReporterInfo | CountryCode | Country reporting | Required | Enter corresponding two-letter ISO country code from ‘CountryCode\_Enum’. |
| ReporterInfo | ContactName | Name of the reporter | Optional | Free text (max. 100 characters). |
| ReporterInfo | ContactMail | Email of the reporter or functional email of the organisation | Required | Enter corresponding email (max. 50 characters). |
| ReporterInfo | ContactOrganisation | Name of the reporter’s organisation and address | Required | Free text (max. 1000 characters). |
| ReporterInfo | ReportingDate | Date when the reporting has been done | Required | YYYY-MM-DD |
| File control | Supersedes | File name that is superseded by the present file | Required, where applicable | If the ‘Exceptions’ schema is updated and a new version is to be released, enter here the old file name that this new version supersedes. |
| Exception | Exception\_code | A unique identifier code for the exception. | Required | The unique identifier code should comprise:   1. sub(region) and MS code (e.g. BALDE, MADIT) (required) 2. plus E (for exception) + 2 digit number (e.g. E01) (required) 3. plus an MS-defined alpha-numeric code (optional, maximum 5 characters) 4. The two (or three) parts are separated by dashes.   Full code examples: BLKBG-E01  or (with MS optional part): MADIT-E01-MED2b |
| Exception | ExceptionOldCode | Exception code(s) used in 2015 Art. 14 report, if changed in 2021. | Required, where applicable | If exception reported for 1st cycle had a different code(s). |
| Exception | Exception\_name | Short name for the exception. | Required | Free text brief name for the exception (max. 100 characters). |
| Exception | ExceptionType | The most relevant MSFD Article 14 subparagraph which is applicable to the exception | Required | Selection one exception type:   * Art. 14(1)(a) – Member State is not responsible * Art. 14(1)(b) – Natural causes * Art. 14(1)(c) – Force majeure * Art. 14(1)(d) – Overriding public interest * Art.14(1)(e) – Natural conditions * Art. 14(4) – No significant risk or disproportionate costs. |
| Exception | ExceptionReason | Indicates the main reason(s) for needing an exception | Required | Select one (or more) of the following reasons (from Table 7 of GD12):  Art. 14(1)(a):   * Action (e.g. environmental damage) caused by a third party for which the Member State is not responsible * Action needed by another Member State(s) * Action needed by another non-EU state(s) * Action need by EU (e.g. CFP) * Action needed by another international Competent Authority (e.g. IMO)   Art. 14(1)(b):   * Floods * Hurricanes/typhoons/storms * Other   Art. 14(1)(c):   * Armed conflict * Terrorism * Major accident * Other   Art. 14(1)(d):   * Protecting fundamental values for citizens * Fundamental policies of State and Society * Economic or social activities fulfilling specific obligations of public services * Other   Art. 14(4):   * No significant risk * Disproportionate costs |
| Exception | GESachieved | Estimated date by when GES is expected to be achieved, for an Article 14(1)(e) exception. | Conditional | In the case of Art 14(1)(e), provide an estimation of when GES is expected to be achieved (YYYY).  Standard choices like some years in the future 2027, 2033 or later than 2033. |
| Exception | RelevantPressures | Pressures that are the key reason for applying the exception and which are preventing the achievement of GES or associated targets | Required | List the relevant pressure(s) that are preventing the achievement of GES and associated targets, from List: ”Feature\_Enum” ‘Pressure inputs to the marine environment’ plus physical and hydrological pressures from ‘Pressures and impacts in the marine environment’. |
| Exception | RelevantTarget | Target(s), as reported under Art. 10, which are affected by the exception. | Required | Select all relevant targets, from those reported under Article 10 in 2018, that are affected by the exception (e.g. where the target is delayed or cannot be achieved). |
| Exception | GEScomponent | GES Descriptors and criteria are affected by the exception | Required | Select all relevant from List: Descriptors and criteria. The relevant descriptor(s) must be reported; relevant criteria may also be reported. |
| Exception | RelevantFeatures | List of the features affected by the exception. | Required | Enter relevant feature(s) from the following two sections of the list ‘Feature\_Enum’:   * Ecosystem components * Pressures and impacts in the marine environment |
| Exception | Spatial scope\_geographic zones | Indicate the coverage of the exception according to the jurisdictional zones of MSFD marine Wwters. | Required | Select one (or more) option(s) from List: Implementation zones:   * ‘Transitional waters (WFD)’ * ‘Coastal waters (WFD)’ * ‘Territorial waters’ (0-12nm in most countries) * ‘EEZ (or similar) (e.g. Contiguous Zone, Fishing Zone, Ecological Protection Zone)’ * ‘Continental shelf (beyond EEZ)’   This question is intended to give only a coarse categorization of the areas (zones) covered by the exception. If only a proportion of the selected category is covered by the exception this can be reflected in the Summary Report. |
| Exception | MarineReportingUnit | Area(s) affected by the exception | Required | Enter all relevant Marine Reporting Units for the MS marine waters where the exception is applied (MarineUnitID, as reported by the Member State in 4geo.xml file). |
| Exception | JustificationDescription | A specific and substantiated justification for applying the exception, including the evidence used, the relevant aspects of the marine environment affected (descriptors, features) and the areas affected | Required | Free EN text (max. 5000 characters) providing a substantiated justification for the exception. Specific requirements are noted below:  Art. 14(1)(a):  Justification to include relevant countries or international Competent Authorities. If notified under Article 15, provide date notified and letter, or indicate intention to provide a notification under Article 15.  Art. 14(1)(d):  Justification to include how it is ensured that achievement of GES is not permanently precluded/ compromised.  Art. 14(1)(e):  Justification to include the date by when GES is expected to be reached.  Art. 14(4):  Substantiate how there would be no further deterioration and demonstrate that the achievement of GES will not be permanently compromised.  For disproportionate costs, specify which Descriptor(s) and Annex III elements are relevant. |
| Exception | MeasuresAdHoc | List of the ad-hoc measures taken which are relevant for this exception | Conditional (if exception is notified under Art. 14(1) (b), (c) or (d)) | If the exception is notified under Art. 14(1) (b), (c) or (d), provide a list of ad-hoc measures, from the measures reported in the ‘Measures’ schema. |
| Exception | Mitigation | Indicates the types of mitigation measures taken. | Conditional (if exception is notified under Art. 14(1) (b), (c) or (d)) | Free text (max. 2500 characters) to explain the consequences for other Member States in the relevant (sub)regions.  If the exception is notified under Art. 14(1) (b), (c) or (d), substantiate how the ad-hoc measures aim to:   * continue pursuing environmental targets and GES; * prevent further deterioration in marine water status * mitigate the adverse impact on marine waters of the (sub)region or of other Member States. |
| Exception | FurtherInformation | Provide the section(s) of the Summary report and, if relevant, a URL web link to a more detailed assessment of the Art. 14 exception. | Required | Where the MS report includes refers to various several reports available in different web sites which provide information used to support the assessment of the art 14 exception, provide a URL web link to each report and where relevant to sections in those reports. The links should cover ALL the reports which the MS wishes to be considered as part of its Art. 14 notifications. This may include a 'roof report' of a Regional Sea Convention, if relevant, and the relevant reports under 2022 reporting of WFD. |

# ANNEX II: Enumeration lists

**All enumeration lists to be transferred to MSFD resources page on CDR, and managed centrally across all reporting stages.**

## CountryCode\_Enum

| **Code** | **Lable: Country name** |
| --- | --- |
| AT | Austria |
| BE | Belgium |
| BG | Bulgaria |
| CY | Cyprus |
| CZ | Czechia |
| DE | Germany |
| DK | Denmark |
| DZ | Algeria |
| EE | Estonia |
| EG | Egypt |
| EL | Greece |
| ES | Spain |
| FI | Finland |
| FR | France |
| GE | Georgia |
| HR | Croatia |
| HU | Hungary |
| IE | Ireland |
| IL | Israel |
| IS | Iceland |
| IT | Italy |
| LB | Lebanon |
| LT | Lithuania |
| LU | Luxembourg |
| LV | Latvia |
| LY | Libya |
| MA | Morocco |
| MT | Malta |
| NL | Netherlands |
| NO | Norway |
| PL | Poland |
| PS | Palestine |
| PT | Portugal |
| RO | Romania |
| RU | Russian Federation |
| SE | Sweden |
| SI | Slovenia |
| SK | Slovakia |
| SY | Syria |
| TN | Tunisia |
| TR | Turkey |
| UA | Ukraine |
| UK | United Kingdom |

## GEScomponent\_Enum

Primary criteria are in bold.

| **GEScomponent** | **Code** | **Label: Descriptor or criterion** |
| --- | --- | --- |
| Descriptor | D1.1 | D1 Biodiversity - birds |
| Descriptor | D1.2 | D1 Biodiversity - mammals |
| Descriptor | D1.3 | D1 Biodiversity - reptiles |
| Descriptor | D1.4 | D1 Biodiversity - fish |
| Descriptor | D1.5 | D1 Biodiversity - cephalopods |
| Descriptor | D1.6 | D1 Biodiversity – pelagic habitats |
| Descriptor | D2 | D2 Non-indigenous species |
| Descriptor | D3 | D3 Commercial fish and shellfish |
| Descriptor | D4/D1 | D4 Food webs/D1 Biodiversity - ecosystems |
| Descriptor | D5 | D5 Eutrophication |
| Descriptor | D6/D1 | D6 Sea-floor integrity/D1 Biodiversity - benthic habitats |
| Descriptor | D7 | D7 Hydrographical changes |
| Descriptor | D8 | D8 Contaminants |
| Descriptor | D9 | D9 Contaminants in seafood |
| Descriptor | D10 | D10 Marine litter |
| Descriptor | D11 | D11 Energy, including underwater noise |
| **Criterion** | **D1C1** | **D1C1 Mortality rate from incidental by-catch** |
| **Criterion** | **D1C2** | **D1C2 Population abundance** |
| **Criterion** | **D1C3[[22]](#footnote-23)** | **D1C3 Population demographic characteristics** |
| **Criterion** | **D1C4[[23]](#footnote-24)** | **D1C4 Population distributional range and pattern** |
| **Criterion** | **D1C5[[24]](#footnote-25)** | **D1C5 Habitat for the species** |
| **Criterion** | **D1C6** | **D1C6 Pelagic habitat condition** |
| **Criterion** | **D2C1** | **D2C1 Newly-introduced NIS** |
| Criterion | D2C2 | D2C2 Established NIS |
| Criterion | D2C3 | D2C3 Adverse effects of NIS |
| **Criterion** | **D3C1** | **D3C1 Fishing mortality rate (F)** |
| **Criterion** | **D3C2** | **D3C2 Spawning stock biomass (SSB)** |
| **Criterion** | **D3C3** | **D3C3 Population age/size distribution** |
| **Criterion** | **D4C1** | **D4C1 Trophic guild species diversity** |
| **Criterion** | **D4C2** | **D4C2 Abundance across trophic guilds** |
| Criterion | D4C3 | D4C3 Trophic guild size distribution |
| Criterion | D4C4 | D4C4 Trophic guild productivity |
| **Criterion** | **D5C1** | **D5C1 Nutrient concentrations** |
| **Criterion** | **D5C2** | **D5C2 Chlorophyll-a concentration** |
| Criterion | D5C3 | D5C3 Harmful algal blooms |
| Criterion | D5C4 | D5C4 Photic limit |
| **Criterion** | **D5C5** | **D5C5 Dissolved oxygen concentration** |
| Criterion | D5C6 | D5C6 Opportunistic macroalgae of benthic habitats |
| Criterion | D5C7 | D5C7 Macrophyte communities of benthic habitats |
| Criterion | D5C8 | D5C8 Macrofaunal communities of benthic habitats |
| **Criterion** | **D6C1** | **D6C1 Physical loss of the seabed** |
| **Criterion** | **D6C2** | **D6C2 Physical disturbance to the seabed** |
| **Criterion** | **D6C3** | **D6C3 Adverse effects from physical disturbance** |
| **Criterion** | **D6C4** | **D6C4 Benthic habitat extent** |
| **Criterion** | **D6C5** | **D6C5 Benthic habitat condition** |
| Criterion | D7C1 | D7C1 Permanent alteration of hydrographical conditions |
| Criterion | D7C2 | D7C2 Adverse effects from permanent alteration of hydrographical conditions |
| **Criterion** | **D8C1** | **D8C1 Contaminant in environment** |
| Criterion | D8C2 | D8C2 Adverse effects of contaminants |
| **Criterion** | **D8C3** | **D8C3 Significant acute pollution events** |
| Criterion | D8C4 | D8C4 Adverse effects of significant acute pollution events |
| **Criterion** | **D9C1** | **D9C1 Contaminants in seafood** |
| **Criterion** | **D10C1** | **D10C1 Litter (excluding micro-litter)** |
| **Criterion** | **D10C2** | **D10C2 Micro-litter** |
| Criterion | D10C3 | D10C3 Litter ingested |
| Criterion | D10C4 | D10C4 Adverse effects of litter |
| **Criterion** | **D11C1** | **D11C1 Anthropogenic impulsive sound** |
| **Criterion** | **D11C2** | **D11C2 Anthropogenic continuous low-frequency sound** |
|  | NotRelevant | GES component not relevant |

## Feature\_Enum

This enumeration includes the ecosystem components and characteristics, the anthropogenic pressures, and the uses and human activities listed in MSFD Annex III tables (Commission Directive (EU) 2017/845), as well as the features corresponding to the pressure levels and impacts in the marine environment that are used for the GES assessments under Article 8 (also listed in Annex VI of the 2018 reporting guidance[[25]](#footnote-26)). The features, where applicable, for which elements should be provided are highlighted in bold blue. Elements do not need to be provided for criteria D1C1, D2C1, D6C1, D6C2, D8C3, D8C4 and D11C1. The specific benthic and pelagic broad and other habitat types are to be reported as Elements.

| **Subject** | **Theme** | **Sub-theme** | **Label: Feature** | **Code** |
| --- | --- | --- | --- | --- |
| Ecosystem components  (relevant for monitoring and assessment for Article 8(1a) for D1, D2C3, D3, D4, D6C3-C5, D7C2) | Species | Birds | **Grazing birds** | BirdsGrazing |
| **Wading birds** | BirdsWading |
| **Surface-feeding birds** | BirdsSurfaceFeeding |
| **Pelagic-feeding birds** | BirdsPelagicFeeding |
| **Benthic-feeding birds** | BirdsBenthicFeeding |
| Mammals | **Small toothed cetaceans** | MamCetacSmall |
| **Deep-diving toothed cetaceans** | MamCetacDeepDiving |
| **Baleen whales** | MamCetacBaleenWhales |
| **Seals** | MamSeals |
| Reptiles | **Turtles** | RepTurtles |
| Fish | **Coastal fish** | FishCoastal |
| **Pelagic shelf fish** | FishPelagicShelf |
| **Demersal shelf fish** | FishDemersalShelf |
| **Deep-sea fish** | FishDeepSea |
| **Commercially exploited fish and shellfish** | FishCommercial |
| Cephalopods | **Coastal/shelf cephalopods** | CephaCoastShelf |
| **Deep-sea cephalopods** | CephaDeepSea |
| Habitats | Benthic habitats | **Benthic broad habitats** | HabBenBHT |
| **Other benthic habitats** | HabBenOther |
| Pelagic habitats | **Pelagic broad habitats** | HabPelBHT |
| **Other pelagic habitats** | HabPelOther |
| Ecosystems | **Physical and hydrological characteristics** | | CharaPhyHydro |
| **Chemical characteristics** | | CharaChem |
| Ecosystems, including food webs | **Coastal ecosystems** | EcosysCoastal |
| **Shelf ecosystems** | EcosysShelf |
| **Oceanic/deep-sea ecosystems** | EcosysOceanic |
| Pressures and impacts in the marine environment  (relevant for monitoring and assessment for Article 8(1b) for D1C1, D2C1-C2, D5, D6C1-C2, D7C1, D8, D9, D10, D11) | Biological | | **Newly introduced non-indigenous species** | PresEnvNISnew |
| **Established non-indigenous species** | PresEnvNISestablished |
| **Species affected by incidental by-catch** | PresEnvBycatch |
| Physical and hydrological | | **Hydrographical changes** | PresEnvHydroChanges |
| **Physical disturbance to seabed** | PresPhyDisturbSeabed |
| **Physical loss of the seabed** | PresPhyLoss |
| Substances, litter and energy | | **Eutrophication** | PresEnvEutrophi |
| **Contaminants - non UPBT substances** | PresEnvContNonUPBTs |
| **Contaminants - UPBT substances** | PresEnvContUPBTs |
| **Contaminants – in seafood** | PresEnvContSeafood |
| **Adverse effects on species or habitats** | PrevEnvAdvEffectsSppHab |
| **Acute pollution events** | PresEnvAcuPolluEvents |
| **Litter in the environment** | PresEnvLitter |
| **Micro-litter in the environment** | PresEnvLitterMicro |
| **Litter and micro-litter in species** | PresEnvLitterSpp |
| **Impulsive sound in water** | PresEnvSoundImpulsive |
| **Continuous low frequency sound** | PresEnvSoundContinuous |
| Pressure inputs to the marine environment  (relevant for monitoring and assessment for Article 10) | Biological | | Input or spread of non-indigenous species | PresBioIntroNIS |
| Input of microbial pathogens | PresBioIntroMicroPath |
| Input of genetically modified species and translocation of native species | PresBioIntroGenModSpp |
| Loss of, or change to, natural biological communities due to cultivation of animal or plant species | PresBioCultHab |
| Disturbance of species (e.g. where they breed, rest and feed) due to human presence | PresBioDisturbSpp |
| Extraction of, or mortality/injury to, wild species (by commercial and recreational fishing and other activities) | PresBioExtractSpp |
| Substances, litter and energy | | Input of nutrients – diffuse sources, point sources, atmospheric deposition | PresInputNut |
| Input of organic matter – diffuse sources and point sources | PresInputOrg |
| Input of other substances (e.g. synthetic substances, non-synthetic substances, radionuclides) – diffuse sources, point sources, atmospheric deposition, acute events | PresInputCont |
| Input of litter (solid waste matter, including micro-sized litter) | PresInputLitter |
| Input of anthropogenic sound (impulsive, continuous) | PresInputSound |
| Input of other forms of energy (including electromagnetic fields, light and heat) | PresInputOthEnergy |
| Input of water – point sources (e.g. brine) | PresInputWater |
| Uses and human activities  (relevant for monitoring and assessment for Article 8(1c) and 13) | Physical restructuring of rivers, coastline or seabed (water management) | | Land claim | ActivRestrucLandClaim |
| Canalisation and other watercourse modifications | ActivRestrucCanalisation |
| Coastal defence and flood protection | ActivRestrucCoastDef |
| Offshore structures (other than for oil/gas/renewables) | ActivRestrucOffshStruc |
| Restructuring of seabed morphology, including dredging & depositing of materials | ActivRestrucSeabedMorph |
| Extraction of non-living resources | | Extraction of minerals (rock, metal ores, gravel, sand, shell) | ActivExtrNonLivingMinerals |
| Extraction of oil and gas, including infrastructure | ActivExtrNonLivingOilGas |
| Extraction of salt | ActivExtrNonLivingSalt |
| Extraction of water | ActivExtrNonLivingWater |
| Production of energy | | Renewable energy generation (wind, wave and tidal power), including infrastructure | ActivProdEnerRenew |
| Non-renewable energy generation | ActivProdEnerNonRenew |
| Transmission of electricity and communications (cables) | ActivProdEnerCables |
| Extraction of living resources | | Fish and shellfish harvesting (professional, recreational) | ActivExtrLivingFishHarv |
| Fish and shellfish processing | ActivExtrLivingFishProcess |
| Marine plant harvesting | ActivExtrLivingPlantHarv |
| Hunting and collecting for other purposes | ActivExtrLivingHunt |
| Cultivation of living resources | | Aquaculture – marine, including infrastructure | ActivCultivAquaculMarine |
| Aquaculture – freshwater | ActivCultivAquaculFreshwa |
| Agriculture | ActivCultivAgri |
| Forestry | ActivCultivFores |
| Transport | | Transport infrastructure | ActivTranspInfras |
| Transport – shipping | ActivTranspShip |
| Transport – air | ActivTranspAir |
| Transport – land | ActivTranspLand |
| Urban and industrial uses | | Urban uses | ActivUrbIndUrban |
| Industrial uses | ActivUrbIndIndustrial |
| Waste treatment and disposal | ActivUrbIndWaste |
| Tourism and leisure | | Tourism and leisure infrastructure | ActivTourismInfras |
| Tourism and leisure activities | ActivTourismActiv |
| Security/defence | | Military operations (subject to Article 2(2)) | ActivMilitary |
| Education and research | | Research, survey and educational activities | ActivResearch |

## DirectivesConventions\_Enum

| **Code** | **Description** | **Legislation or Convention** |
| --- | --- | --- |
| ArcCoun | Arctic Council | Arctic Council |
| BarCon | Barcelona Convention | Barcelona Convention |
| BONN | Bonn Agreement | Bonn Agreement |
| BSC | Bucharest Convention | Bucharest Convention |
| CPH | Copenhagen Agreement | Copenhagen Agreement |
| TWSC | Trilateral Wadden Sea Cooperation | Trilateral Wadden Sea Cooperation |
| EU-BDS | EU Biodiversity Strategy | European Commission |
| EU-BD | Birds Directive | European Commission |
| EU-BWD | Bathing Water Directive | European Commission |
| EU-CFP | Common Fisheries Policy | European Commission |
| EU-CFP-DCF | Common Fisheries Policy - Data Collection Framework Multi-Annual Plan | European Commission |
| EU-DWD | Drinking Water Directive (80/778/EEC) as amended by Directive (98/83/EC) | European Commission |
| EU-EIA | Environmental Impact Assessment Directive (2011/92/EU) | European Commission |
| EU-FD | Floods Directive | European Commission |
| EU-FSR | Foodstuffs Regulation | European Commission |
| EU-HD | Habitats Directive | European Commission |
| EU-IASR | Invasive Alien Species Regulation | European Commission |
| EU-IPPC | Integrated Pollution Prevention Control Directive (96/61/EC) | European Commission |
| EU-MSP | Maritime Spatial Planning Directive | European Commission |
| EU-ND | Nitrates Directive | European Commission |
| EU-NEC | National Emission Ceilings Directive | European Commission |
| EU-PPPP | **Placing of plant protection products on the market (Regulation EC/1107/2007)** | European Commission |
| EU-REACH | Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (EC 1907/2006) | European Commission |
| EU-Sev | Seveso Directive | European Commission |
| EU-SSD | Sewage Sludge Directive (86/278/EEC) | European Commission |
| EU-UWWTD | Urban Waste Water Treatment Directive | European Commission |
| EU-WFD | Water Framework Directive | European Commission |
| EU-WaFD | Waste Framework Directive | European Commission |
| GFCM | General Fisheries Commission for the Mediterranean | GFCM |
| HELCOM | Helsinki Convention | Helsinki Convention |
| ICCAT | International Commission for the Conservation of Atlantic Tunas | ICCAT |
| IMO-OPRC | International Convention on [Oil Pollution Preparedness, Response and Co-operation](https://urldefense.com/v3/__https:/eur02.safelinks.protection.outlook.com/?url=http*3A*2F*2Fwww.imo.org*2Fen*2FAbout*2FConventions*2FListOfConventions*2FPages*2FInternational-Convention-on-Oil-Pollution-Preparedness*2C-Response-and-Co-operation-(OPRC).aspx&data=02*7C01*7CIrene.DelBarrioAlvarellos*40eea.europa.eu*7C5e98aa6a6237453cac0f08d7fd835d8d*7Cbe2e7beab4934de5bbc58b4a6a235600*7C1*7C0*7C637256612962691389&sdata=zwTitl4xF1dVrq6fdLenD8sdcRKwioA4p*2FRdJvu8bnk*3D&reserved=0__;JSUlJSUlJSUlJSUlJSUlJSUlJSU!!DOxrgLBm!Sw_aNtWaVa4x0OUH4iHbHlun9eBw-mNZaoR6l1FbxprRsLKdUC207DV6RNBZsf9U-muiOA$) | International Maritime Organisation |
| IMO-OPRC-HNS | Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances | International Maritime Organisation |
| NEAFC | NEAFC | NEAFC |
| OSPAR | Oslo-Paris Convention | Oslo-Paris Convention |
| CMS | Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) | United Nations |
| C-POP | Stockholm Convention on persistent organic pollutions (POPs) | United Nations |
| CLRTAP | Convention on Long-Range Transboundary Air Pollution | United Nations |
| C-Hg | Minamata Convention on Mercury | United Nations |
| MARPOL | International Convention for the Prevention of Pollution from Ships | United Nations |
| CBD | Convention on Biological Diversity |  |
| IMO | International Maritime Organisation (all conventions) |  |
| IMO-LondonCon | Convention on the Prevention of Marine Pollution by [Dumping of Wastes and Other Matter](https://www.imo.org/en/About/Conventions/ListOfConventions/Pages/Convention-on-the-Prevention-of-Marine-Pollution-by-Dumping-of-Wastes-and-Other-Matter.aspx) (IMO-LC) |  |
| IMO-MARPOL | International Convention for the Prevention of Pollution from Ships (IMO-MARPOL) |  |
| IMO-BWM | International Convention for the Control and Management of [Ships' Ballast Water and Sediments](https://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Control-and-Management-of-Ships%27-Ballast-Water-and-Sediments-%28BWM%29.aspx) (IMO-BWC) | International Maritime Organisation |
| IMO-AntiFoulingCon | International Convention on the Control of Harmful [Anti-fouling Systems](https://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-on-the-Control-of-Harmful-Anti-fouling-Systems-on-Ships-%28AFS%29.aspx) on Ships (IMO-AFS) |  |
| IMO-LiabilityCompensation | **IMO conventions covering liability and compensation, including:**  International Convention on [Civil Liability for Oil Pollution Damage](https://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-on-Civil-Liability-for-Oil-Pollution-Damage-%28CLC%29.aspx) (IMO-CLC)  1992 Protocol to the International Convention on the Establishment of an [International Fund for Compensation for Oil Pollution Damage](https://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-on-the-Establishment-of-an-International-Fund-for-Compensation-for-Oil-Pollution-Damage-%28FUND%29.aspx) (IMO-Fund)  Convention relating to Civil Liability in the Field of [Maritime Carriage of Nuclear Material](https://www.imo.org/en/About/Conventions/ListOfConventions/Pages/Convention-relating-to-Civil-Liability-in-the-Field-of-Maritime-Carriage-of-Nuclear-Material-%28NUCLEAR%29.aspx) (IMO-Nuclear) |  |
| Other international | Other international policies (specify) |  |
| Other | Other (specify) |  |
| National | National policies (specify) | National |

## Key Types of Measures\_Enum

| **List\_short\_name** | **List\_long\_name** |
| --- | --- |
| WFD01 Waste water treatment plants | Construction or upgrades of wastewater treatment plants |
| WFD02 Nutrients from agriculture | Reduce nutrient pollution from agriculture |
| WFD03 Pesticides from agriculture | Reduce pesticides pollution from agriculture. |
| WFD04 Historical contamination | Remediation of contaminated sites (historical pollution including sediments, groundwater, soil). |
| WFD05 Longitudinal continuity | Improving longitudinal continuity (e.g. establishing fish passes, demolishing old dams). |
| WFD06 Hydromorphology | Improving hydromorphological conditions of water bodies other than longitudinal continuity (e.g. river restoration, improvement of riparian areas, removal of hard embankments, reconnecting rivers to floodplains, improvement of hydromorphological condition of transitional and coastal waters, etc.). |
| WFD07 Flow regime | Improvements in flow regime and/or establishment of ecological flows. |
| WFD08 Water efficiency | Water efficiency technical measures for irrigation, industry, energy and  households |
| WFD09 Water pricing households | Water pricing policy measures for the implementation of the recovery of cost of water services from households |
| WFD10 Water pricing industry | Water pricing policy measures for the implementation of the recovery of cost of water services from industry |
| WFD11 Water pricing agriculture | Water pricing policy measures for the implementation of the recovery of cost of water services from agriculture |
| WFD12 Advice agriculture | Advisory services for agriculture |
| WFD13 Drinking water | Drinking water protection measures (e.g. establishment of safeguard zones, buffer zones etc.) |
| WFD14 Research & knowledge | Research, improvement of knowledge base reducing uncertainty. |
| WFD15 Phase out priority substances | Measures for the phasing-out of emissions, discharges and losses of priority hazardous substances or for the reduction of emissions, discharges and losses of priority substances. |
| WFD16 Industrial waste water treatment | Upgrades or improvements of industrial wastewater treatment plants (including farms) |
| WFD17 Soil erosion | Measures to reduce sediment from soil erosion and surface run-off |
| WFD18 Invasive alien species | Measures to prevent or control the adverse impacts of invasive alien species and introduced diseases |
| WFD19 Recreation & angling | Measures to prevent or control the adverse impacts of recreation including angling |
| WFD20 Fishing & other exploitation | Measures to prevent or control the adverse impacts of fishing and other exploitation/removal of animal and plants |
| WFD21 Urban & transport pollution | Measures to prevent or control the input of pollution from urban areas, transport and built infrastructure |
| WFD22 Forestry pollution | Measures to prevent or control the input of pollution from forestry |
| WFD23 Water retention | Natural water retention measures |
| WFD24 Climate change adaptation | Adaptation to climate change |
| WFD25 Freshwater acidification | Measures to counteract acidification (in freshwater systems) |
| MSFD26 Physical loss | Measures to reduce physical loss of seabed habitats in the marine environment (beyond WFD coastal waters) |
| MSFD 27 Physical damage | Measures to reduce physical damage to the marine environment (beyond WFD Coastal waters) |
| MSFD28 Energy inputs | Measures to reduce inputs of energy to the marine environment, including underwater noise |
| MSFD29 Litter | Measures to reduce marine litter |
| MSFD30 Hydrological processes | Measures to reduce interferences with hydrological processes in the marine environment (beyond WFD Coastal waters) |
| MSFD31 Contamination | Measures to reduce contamination by hazardous substances (synthetic substances, non-synthetic substances, radio-nuclides) and the systematic and/or intentional release of substances in the marine environment from sea-based or air-based sources |
| MSFD32 Accidental pollution | Measures to reduce sea-based accidental pollution |
| MSFD33 Nutrient enrichment | Measures to reduce nutrient and organic matter inputs to the marine environment from sea-based or air-based sources |
| MSFD34 Non-indigenous species | Measures to reduce the introduction and spread of non-indigenous species in the marine environment and for their control |
| MSFD35 Extraction of species | Measures to reduce biological disturbances in the marine environment from the extraction of species including incidental non-target catches |
| MSFD36 Other biological disturbance | Measures to reduce other types of biological disturbance, including death, injury, disturbance, translocation of native marine species, the introduction of microbial pathogens and the introduction of genetically-modified individuals of marine species (e.g. from aquaculture) |
| MSFD37 Restore & conserve marine ecosystems | Measures to restore and conserve marine ecosystems, including habitats and species |
| MSFD38 Spatial protection | Measures related to Spatial Protection Measures for the marine environment (not reported under another KTM) |
| MSFD39 Other measures | Other measures |

## Measure types\_Enum

|  |  |
| --- | --- |
| Legal | Legal |
| Policy | Policy |
| Economic | Economic (e.g. incentives) |
| Technical | Technical |

## Coordination level\_Enum

|  |  |
| --- | --- |
| Local | Local |
| Sub-national | Sub-national |
| National | National |
| Bilateral | Bilateral (one/several other states) |
| Sub-regional | Sub-regional |
| Regional | Regional |
| EU level | EU level |
| International | International |

## Implementation zones\_Enum

|  |  |
| --- | --- |
| MS land/FW | Terrestrial part of MS |
| WFD TW | Transitional waters (WFD and MSFD |
| WFD CW | Coastal waters (WFD) |
| Territorial waters | Territorial waters |
| EEZ | EEZ (or similar) |
| CS (beyond EEZ) | Continental shelf (beyond EEZ) |
| Beyond MS waters | Beyond MS Marine Waters |

1. Programmes of measures and Exceptions under the Marine Strategy Framework Directive – Recommendations for implementation and reporting for the Article 17 updates in the 2nd cycle (MSFD Guidance Document 10 – [2020] update). [↑](#footnote-ref-2)
2. The reports for Articles 13/14 and 18, and subsequent 6-year updates under Articles 17 and 18, were/are due to be completed by 31 December of the relevant year. They are referred to throughout this guidance as the 2015 (Art. 13/14 MSFD) and 2018 (Art. 18 MSFD) reports (first cycle) and the 2021 and 2024 reports (second cycle) respectively. Member State’s notifications to the Commission for Art 13/14 occurs 3 months later and fall into the subsequent year (i.e. 31 March 2016, 2022). Notification for Art. 18 coincides with 31 December in 2018 and 2024. [↑](#footnote-ref-3)
3. [COM(2018) 562](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1585587696560&uri=CELEX:52018DC0562); [SWD(2018) 393 final](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1585587789563&uri=CELEX:52018SC0393); [SWD(2019) 510 final](https://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/implementation/pdf/Staff_working_Doc_May_2019.pdf) [↑](#footnote-ref-4)
4. <https://water.europa.eu/marine> [↑](#footnote-ref-5)
5. Same definitions as in updated GD10, to ensure full consistency. [↑](#footnote-ref-6)
6. The definitions reproduced here are those agreed in Guidance Document 10. We do not want to re-enter again in these discussions at this point in time – we have relied in our PoM on the definition in Guidance Document 10. If – in harmony with the agreed definitions – it would be helpful for MS to add precision to the definitions, this could be done but would require that we revise Guidance Document 10 to align the definitions. And it would require a high degree of discipline in order not to overthrow the definitions agreed in GD 10.

   The key agreement that we need is on a consistent application of categories 1 and 2. It should be clear that an MSFD measure (category 2) cannot become a non-MSFD measure (category 1) due to completion of a reporting cycle / passage of time. As long as in reporting the right category is associated with a measure and its year of adoption (cycle) is given, there should be a good chance that the lists we extract from the reporting database are comparable across MS, irrespective of how MS use the terms existing and new and organise their measures nationally. [↑](#footnote-ref-7)
7. Reporting on programmes of measures (Art. 13), on exceptions (Art. 14), and on interim reports (Art. 18) for the Marine Strategy Framework Directive, July 2018 ([MSFD Guidance Document 12](https://circabc.europa.eu/ui/group/326ae5ac-0419-4167-83ca-e3c210534a69/library/60728950-8791-45a2-9891-e7defdf785c7/details)). [↑](#footnote-ref-8)
8. [GD14\_MSFD reporting guidance on 2018 updates of Art.8-9-10\_rev20191015](https://circabc.europa.eu/ui/group/326ae5ac-0419-4167-83ca-e3c210534a69/library/5f09d0f2-6028-46f0-837b-b55eac5c5163/details); [GD14\_MSFD reporting guidance on 2018 updates of Art.8-9-10\_AnnexII\_WorkedExamples\_rev20190913](https://circabc.europa.eu/ui/group/326ae5ac-0419-4167-83ca-e3c210534a69/library/ce41fc38-1835-4810-b27c-cc2fc5cf6cd4/details) [↑](#footnote-ref-9)
9. [GD17\_MSFD reporting guidance on 2020 updates of Art.11](https://circabc.europa.eu/ui/group/326ae5ac-0419-4167-83ca-e3c210534a69/library/bc5bb466-2855-4308-be2e-4a585ee8ba69/details) [↑](#footnote-ref-10)
10. See section 10.1 (Guidance on the contents of the RBMPs/background documents) of the 2022 WFD Reporting Guidance. It notably includes a required schema element “msfdRelevance” to report whether or not the national or RBD-specific measure is relevant for the purposes of the Marine Strategy Framework Directive. The RBMP or background document should also explain how the relevant measures being planned for compliance with the MSFD have been taken into account in the WFD PoM. <https://cdr.eionet.europa.eu/help/WFD/WFD_715_2022/Guidance%20documents/Draft4_WFD_Reporting_Guidance_2022_resource_page.pdf> [↑](#footnote-ref-11)
11. WFD Reporting Guidance 2016, FINAL DRAFT V6.0.6, 2016‐04‐26, <http://cdr.eionet.europa.eu/help/WFD/WFD_521_2016> - section 10.5.3.4, p.281 f. [↑](#footnote-ref-12)
12. Ad-hoc measures for mitigation actions that they are required under Article 14(1) should be included as an integral part of the PoM. [↑](#footnote-ref-13)
13. As used in Article 11 reporting (Coastal waters, territorial waters, EEZ, etc). [↑](#footnote-ref-14)
14. <https://cdr.eionet.europa.eu/help/msfd/resources2014/> [↑](#footnote-ref-15)
15. <https://cdr.eionet.europa.eu/help/msfd> [↑](#footnote-ref-16)
16. EEA plans to use ReportNet 3.0 for the 2021 MSFD reporting of PoMs and exceptions. The terminology and tools described here may need to be updated to reflect ReportNet 3.0. [↑](#footnote-ref-17)
17. MSFD Article 24 provides for technical formats to be adopted for the purposes of transmission and processing of data, including statistical and cartographic data. MSFD implementation to date has relied upon definition of such technical formats (i.e. schema reports and GIS shapefiles) through informal agreement via the MSFD Common Implementation Strategy, including this reporting guidance. [↑](#footnote-ref-18)
18. To the Head of Unit responsible for MSFD implementation (i.e. DG Environment Unit C.2). [↑](#footnote-ref-19)
19. These should be submitted before the rest of the reports in order to have the MRU codes available to populate the relevant schemas. [↑](#footnote-ref-20)
20. These measure in continuous implementation could also be a specific category [↑](#footnote-ref-21)
21. The schema fields DelayReason and ObstacleType are duplicating, simplification could be achieved. [↑](#footnote-ref-22)
22. Primary criterion for commercial fish and cephalopods [↑](#footnote-ref-23)
23. Primary criterion for mammals, turtles and Habitats Directive fish [↑](#footnote-ref-24)
24. Primary criterion for mammals, turtles and Habitats Directive fish [↑](#footnote-ref-25)
25. [GD14\_MSFD2018ReportingGuidance\_Art8-9-10\_rev20191015](https://circabc.europa.eu/ui/group/326ae5ac-0419-4167-83ca-e3c210534a69/library/5f09d0f2-6028-46f0-837b-b55eac5c5163/details) [↑](#footnote-ref-26)