**Technical and administrative**

**support for the joint implementation**

**of the MSFD in Bulgaria and**

**Romania - Phase 3**

**Draft Final Report**

Specific contract No 11.0661/2016/SFRA/729388/ENV C.2

**Final Report**

June 2014





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Contents

[1 Introduction 5](#_Toc474160511)

[2 Challenges for achieving the objectives of the project 5](#_Toc474160512)

[3 Final results of the project 7](#_Toc474160513)

[3.1 Task 1 - Consolidating the information basis 7](#_Toc474160514)

[3.2 Task 1.1 Development of the "Roof Report on Common Indicators" 7](#_Toc474160515)

[3.2.1 Step 1: Agreement on the structure of the Roof Report - report and key achievements 8](#_Toc474160516)

[3.2.2 Step 2 (Comparative Analysis) - report and key achievements 8](#_Toc474160517)

[3.2.3 Step 3 (In-depth analysis) - report and key achievements 8](#_Toc474160518)

[3.2.4 Step 4 (Review and Update) - report and key achievements 9](#_Toc474160519)

[3.2.5 Step 5 (Writing the Roof Report) - report and key achievements 9](#_Toc474160520)

[3.2.6 Coordination with EEA, OSPAR, HELCOM and WG DIKE 10](#_Toc474160521)

[3.3 Task 1.2 - Maintaining the information exchange platform 10](#_Toc474160522)

[3.4 Task 2 - Capacity-Building Events 11](#_Toc474160523)

[4 Recommendations and potential next steps 11](#_Toc474160524)

[5 Management 12](#_Toc474160525)

[5.1 Status of task execution 12](#_Toc474160526)

[5.2 Meetings held and reports submitted 13](#_Toc474160527)

[5.3 Difficulties, possible problems and suggested solutions 13](#_Toc474160528)

[5.4 Adjustment or corrective measures 13](#_Toc474160529)

[6 Annex 1: Final Roof Report on Common Indicators 15](#_Toc474160530)

[7 Annex 2: Indicator factsheets 16](#_Toc474160531)

[8 Annex 3: Internal Summary Report II (Task 1.1, Step 3) 17](#_Toc474160532)

**Abbreviations**

CBE Capacity Building Event

M Project Month

GES Good Environmental Status

MSCG Marine Strategy Coordination Group

Black Sea SAP Black Sea Strategic Action Plan

Marine Litter RAP Marine Litter Regional Action Plan

# Introduction

This is the draft final report of the project “Technical and administrative support for the joint implementation of the MSFD in Bulgaria and Romania - Phase 3” (Specific contract No 11.0661/2016/SFRA/729388/ENV C.2)

This Final Report provides DG Environment with information on the work performed in the context of this project, providing details of the work carried out under Task 1.1 (the development of the Roof Report), as well as Task 1.2 (information exchange platform) and Task 2 (the CBEs) and also includes recommendations for further work in Romania and Bulgaria for implementing the MSFD, in particular related to the Roof Report addressing Art 8, 9 and 10.

The work done is described for each Task in a general way, to avoid too much unnecessary text, as most Tasks have already been described in previous reports. However, a table and lists of "key achievements" demonstrate clearly that the individual tasks were all carried out satisfactorily.

The objectives of this project were, in particular, to provide technical and administrative support for:

1. Ensuring a comprehensive and clear delivery by Bulgaria and Romania of all elements required by the MSFD reporting in 2018 either at regional (Part A "Roof Report") or national level (Part В reporting) and coherence between European, regional and national assessments; and
2. Six Capacity Building Events (CBE) in the Black Sea marine region with the view to strengthening the administrative and technical capabilities in Bulgaria and Romania for joint MSFD implementation.

Within each of these objectives, the identification of financing needs (to underpin the implementation of Article 22 MSFD) as well as of future implementation support needs (for example to guide future research and other support projects) for a successful MSFD implementation shall be considered, as and when appropriate.

# Challenges for achieving the objectives of the project

The main challenge is the fact that the research needed to comply with the new GES Decision is not carried out simultaneouslyby both countries. Results for both member states (MS) will only be available in February 2017. However, the exchange during the CBEs is judged by both MS as extremely valuable because there is currently no other practical forum to exchange on the national approaches and experiences to build a basis for a common approach to implementation of the MSFD and a regional roof report. It is important to continue this exchange to further develop the roof report and to coordinate on GES, indicators and environmental targets.

A further challenge is the fact that there is insufficient budget in both countries to carry out the relevant data gathering exercises and assessments to improve the knowledge base that is needed to establish the scientific evidence for defining or updating GES and environmental targets and assessing status. However, the CBEs provided a valuable forum to discuss the methodological challenges related to developing the evidence base. Technical expertise, quality checks (e.g. approach in line with updated GES Decision) as well as presentation of approaches taken by other Regional Sea Conventions (RSCs) which has been delivered by the consortium is considered as an important factor in steering the overall process of updating results of Art. 8, 9 and 10.

Finally, there are some legal barriers (e.g. different definition of coastal zones, set thresholds in legislation), which do not yet allow a common approach to some aspects of MSFD implementation, and which cannot be resolved in the context of project.

The basis for common targets and status assessments are common indicators. So far, the following common indicators and thresholds between Bulgaria and Romania have been identified.

|  |  |  |  |
| --- | --- | --- | --- |
|  | Addressed in its entirety in the Roof Report | Addressed partially in Roof Report (i.e. a common indicator is included, but it does not address all aspects of the criterion) | Addressed at national level |
| Pressure Descriptors |
| D2C1 | ✓ |  |  |
| D2C2 |  | ✓ | ✓ |
| D2C3 |  | ✓ | ✓ |
| D3C1 | ✓ |  |  |
| D3C2 |  | ✓ | ✓ |
| D3C3 |  |  | ✓ |
| D5C1 |  | ✓ | ✓ |
| D5C2 |  | ✓ | ✓ |
| D5C3 |  |  | ✓ |
| D5C4 |  | ✓ | ✓ |
| D5C5 | Not yet clarified whether D5C8 will be used instead in Bulgaria and Romania |
| D5C6 |  | ✓ | ✓ |
| D5C7 |  | ✓ | ✓ |
| D5C8 | Not yet clarified whether D5C8 will be used instead of C5 in Bulgaria and Romania |
| D6C1 |  |  | ✓ |
| D6C2 |  |  | ✓ |
| D6C3 |  |  | ✓ |
| D7C1 |  |  | ✓ |
| D7C2 |  |  | ✓ |
| D8C1 | ✓ |  |  |
| D8C2 |  |  | ✓ |
| D8C3 |  |  | ✓ |
| D8C4 |  |  | ✓ |
| D9C1 | ✓ |  |  |
| D10C1 |  |  | ✓ |
| D10C2 |  |  | ✓ |
| D10C3 |  |  | ✓ |
| D10C4 |  |  | ✓ |
| D11C1 |  |  | ✓ |
| D11C2 |  |  | ✓ |
| Environmental Status Descriptors |
|  | M | B | F | M | B | F | M | B | F |
| D1C1 | ✓ |  |  |  |  |  | ✓ | ✓ | ✓ |
| D1C2 | ✓ |  |  |  |  |  | ✓ | ✓ | ✓ |
| D1C3 | ✓ |  |  |  |  |  | ✓ | ✓ | ✓ |
| D1C4 | ✓ |  |  |  |  |  | ✓ | ✓ | ✓ |
| D1C5 |  |  | ✓ |
| D1C6 |  | ✓ | ✓ |
| D6C4 |  | ✓ | ✓ |
| D6C5 |  | ✓ | ✓ |
| D4C1 |  |  | ✓ |
| D4C2 |  |  | ✓ |
| D4C3 |  |  | ✓ |
| D4C4 |  |  | ✓ |

Note: M = mammals; B = birds; F = fish.

In the roof report, indicator factsheets are included for common indicators agreed between Bulgaria and Romania. Depending on the availability of information from monitoring programmes, the indicator factsheets have been completed to different stages. For some, the assessments will need to be completed by Bulgaria and Romania subsequent to the end of this support contract.

# Final results of the project

## Task 1 - Consolidating the information basis

The main objective of Task 1 was to support Bulgaria and Romania in building the information basis for a more coherent and comparable joint implementation of the MSFD and in a comprehensive and clear delivery of all elements required for the MSFD reporting in 2018 as well as for successfully conducting the public consultation (Article 19 MSFD).

This objective has been achieved through two main activities:

1. The preparation of a joint "Roof Report on Common Indicators" and “Indicator Factsheets”, which describe the common elements and approaches between Romania and Bulgaria; and
2. the maintenance of the EEA´s information exchange platform, which was set up in Phase I of the support project.

## Task 1.1 Development of the "Roof Report on Common Indicators"

In both Bulgaria and Romania, no specific planning yet exists regarding the 2018 update of the reports under Art. 8, 9 and 10 MSFD. Hence, the work under Task 1.1 was an important supporting activity, but not an end product as such. It was a preparatory type of activity, discussing possible elements of the Art. 8, 9 and 10 reports to be updated in a coordinated way and showing possible ways forward until the final deadline for reporting in 2018.

Additionally, the work of Task 1.1 was strongly interlinked with EU-level developments, as the Roof Report aims to reflect both the revised COM Decision on GES (2010/477/EU), the new Annex III and the Art. 8 Guidance (which will be based on the revised COM Decision), as well as any formal requirements and data formats regarding the 2018 update. However, the revision of the COM Decision is still subject to the European Parliament´s opinion, and a more detailed proposal for the reporting will be developed by the EEA for discussion on 1-2 March by a Drafting Group meeting of WG DIKE. The proposal would then be revised for a WG DIKE meeting in early April, with the aim of finalising if possible the reporting sheets and guidance that would be sent to the MSCG for endorsement at their April 2017 meeting. So by the end of the project, no final documents on reporting were available for use in Task 1.1.

### Step 1: Agreement on the structure of the Roof Report - report and key achievements

In Step 1, a preliminary structure for the Roof Report was developed and agreed with Romania and Bulgaria, based on the preliminary outline proposed in the consortium´s project proposal. The draft structure was further discussed and developed at all CBEs until CBE4, as developments both on the European as well as national level made several changes necessary (e.g. the adaptation of the structuring of common indicators to the various versions of the revised COM Decision).

The final structure of the Roof Report was agreed between CBE4 and CBE5.

Key achievements of Task 1.1, Step 1:

* Agreement on a final structure of the roof report.

### Step 2 (Comparative Analysis) - report and key achievements

Via the "Comparative Analysis", the information base for the further work was founded by assessing and analyzing all available EU and national reports on MSFD implementation in Bulgaria and Romania. Missing information on national developments were collected via an "Assessment Sheet". The results were summarized in a coordinated "Internal Summary Report I" and updated overview tables on GES, targets and indicators in both countries.

Key achievements of Task 1.1, Step 2:

* Finalizing the comparative analysis and summarizing the results in the Internal Summary Report.
* Updating the overview tables on GES, targets and indicators to the current status.

### Step 3 (In-depth analysis) - report and key achievements

Based on the information basis established in Step 2, the in-depth analysis assessed documents more specifically treating "common indicators" and related topics (i.e. the most recent developments in Bulgaria and Romania, mostly in terms of ongoing and planned research and monitoring projects; the most recent EU developments on the revision of thew GES Decision and Annex III; the Article 8 Guidance; work of the BSC and other RSCs on common indicators).

Also, the analysis of the reporting requirements and the recording of any changes to GES and the "distance to target" due to the implementation of the PoMs of both countries was carried out in this Step.

Key achievements of Task 1.1, Step 3:

* Assessing draft version of the Art. 8 reporting guidance and discussing it at CBE1.
* Closely following the developments of the revision process of COM Decision 477/2010 and MSFD Annex III, and continually adapting the Roof Report and structure to it.
* Assessing OSPAR and HELCOM documents and plans for Roof Reports and common indicators.
* Assessment of ongoing research projects.

### Step 4 (Review and Update) - report and key achievements

Based on the information and data gathered in Steps 2 and 3, Step 4 tackled the actual update of Art. 8, 9 and 10 elements, as well as the coordination and designation of common indicators between Bulgaria and Romania.

As far as possible, the update process followed the five steps as indicated in the Terms of refernce (see table below).

|  |  |
| --- | --- |
| Step 4 | Progress made during this project |
| Review and Update of GES and Articles 8, 9 and 10 | Completed as far as possible as shown in teh roof report |
| Develop set of assessment areas | Common understanding of the assessment areas for WFD coasta waters and open waters |
| Mapping of the relevant human activities | Mapping of pressures and activities has taken place as far as data has been made available. Some issues are still outstanding as indicated in the draft roof report |
| Mapping of the pressures in the marine environment, assessment of their impacts (Art. 8.1b) in relation to the different ecosystem elements to be assessed under Art. 8.1a. |
| Assessment of the current environmental status of the ecosystem elements | Status assessment has been discussed for the following all D. Clear picture on what will be covered in part A and B of the roof report. Status assessment provided for indicators under D1-Mammals, D3, D8, D9. D5 is under preparation and will be completed by the end of the project. |
| Assessment of the uses of the marine waters, and of the costs of degradation | Topic was addressed and discussed in CBE 6, list of marine uses /human activities has been compiled and included in the roof report. Recommendations for further work are provided |

While initially planned to start late in the project´s timeline, several aspects of the work done under Steps 2 and 3 already initiated the planned work for this Step. For example, during the review of the definitions of GES, targets and indicators (Step 2), a first convergence analysis was performed at CBE1 with the aim of identifying the Art. 8, 9 and 10 elements that are already harmonized and those that could potentially be defined in a harmonized way (in BG and RO). Also, in the course of the planning of the CBEs, the descriptors with the highest potential for harmonized definitions of GES and criteria, targets and indicators were identified. Also at CBE1, the approach regarding assessment areas used by HELCOM was presented, and a general comparison of existing assessment areas in Bulgaria and Romania was made. The discussion was continued at the CBE2 on the general level as well as on the descriptor level. The discussins are now aiming to harmonise their assessment areas under MSFD with their coastal water bodies under WFD.

The work of updating Art. 8, 9 and 10 and identifying and designating common indicators was then mainly done with the assistance of respective national experts at the CBEs 2 to 6 (see Task 2 below for details).

Key achievements of Task 1.1, Step 4:

* Identification of descriptors to focus on in each CBE, and planning of CBEs accordingly. All descriptors were addressed in the CBEs but the sequence was determined by the availability of results of the ongoing projects.
* Initial work and exchange of information regarding the “nested assessment areas” approach.
* Identification and designation of common indicators for several Descriptors.
* Specifying and detailing the chosen common indicators with thresholds (where possible) and via the newly-developed indicator factsheets.

### Step 5 (Writing the Roof Report) - report and key achievements

This Step encompasses all work related to the actual writing of the Roof Report.

Key achievements of Task 1.1, Step 5:

* Prepare the final draft of the Roof Report.
* Development of indicator factsheet structure.
* Assessments of some common indicators and population of indicator factsheets for these.
* Incorporate Bulgarian, Romanian and the COM´s comments and production of the final version.

### Coordination with EEA, OSPAR, HELCOM and WG DIKE

The work under this task has also been coordinated with other relevant organisation as descibed in the following:

* The EEA has been contacted several times to align on the 2018 reporting requirements related to WISE-Marine. As mentioned before, no final documents on reporting could be used in Task 1.1 as the EEA and WG Dike are still working on this file.
* HELCOM and OSPAR have been contacted so as to ensure coherence in approaches in developing roof reports. Also, a respresentative from HELCOM participated in CBE1 via video conferencing to describe HELCOM´s approach with regard to assessment areas and the Baltic roof report.
* The approaches towards the development of common indicators in HELCOM, OSPAR, UNEP/MAP and the BSC were additionally assessed via documents and specific requests to the RSC.
* A briefing note was prepared and presented to WG DIKE at their meeting on 7.12.2016. The note can be found at <https://circabc.europa.eu/d/a/workspace/SpacesStore/64061dc2-282c-42a6-9305-4d643fbefb86/DIKE_13-2016-04_BG-RO_2018roofreport_MilieuBG-RO.doc>
* Draft versions of the reporting guidance documents, in particular regarding Article 8 have been used to its full extent due to the fact that the consultant in charge of supporting the Commission in drafting is also part of this consortium.

***Deliverables***

D1.1: Agreed Structure and Content of the Roof Report (concrete outline, content, related data needs and formats used) (planned for month (M) 2; see Interim Report and the draft final version attached to this final report in Annex I).

D1.2: "Mature" Roof Report forming the regional part of the BG and RO MSFD reporting requirement in 2018 (first draft M9, final draft M10, final M11; see Annex I).

D1.3: Reports of the meetings relevant for Task 1.1 (see http://projects.eionet.europa.eu/black-sea-marine-region-documents/library/phase-iii/task-2).

## Task 1.2 - Maintaining the information exchange platform

ATKINs has set up an internal and external document area on EIONET. In the internal area, all drafts and internal documents are and will be stored (access is only granted with an EIONET password). In the external area, all finalised deliverables have been stored. Support has been given to the RO/BG focal points to get access to the relevant folders.

Further, the EEA has been contacted to discuss their time plan and work on developing WISE-Marine and implementing the reporting requirements. As mentioned before, the final reporting requirements will only become available in April 2017 and therefore a revision of the roof report and the indicator fact sheets might be necessary once the documents become available.

***Deliverable***

D1.4: The deliverable of this task was the continuous maintenance of the platform. Relevant documents of the project can be found on the platform.

## Task 2 - Capacity-Building Events

Six CBEs have been held with the aim to exchange information and build capacities of RO/BG experts with the aim to update the Art. 8, 9 and 10 assessments and to draft a first version of the Roof Report.

The CBEs have had an essential role in the project as they have been the only chance to exchange information and coordinate MSFD implementation between the two countries. Ech descriptor was discussed according to the following points:

* Review of GES definitions and discussion of need for/plans for any update (Art. 9), specification of coordination possibilities.
* Review of Art. 10 – targets/indicators – discussion and identification of any need/plans for revision/updates, specification of coordination possibilities.
* Gap analysis against latest version of revised Commission Decision on GES (criteria and methodological standards).
* Plan for Art. 8 update (a or b, as appropriate). in line with GES definition if appropriate – identify and agree on common indicators for roof report (review existing common indicators, modify if required, identify additional potential common indicators), spatial scale/assessment areas for analysis, data analysis required to feed into the roof report/assessment, responsibilities and timelines.

A lot of conceptual work has been achieved at the CBEs, even though few data are yet available for carrying out assessments. National experts have been present at the CBEs, which is seen as very important by all participants.

***Deliverable***

D 2.1 to 2.6: The planning document with the agreed agendas for the CBEs as well as the meeting notes, the presentations given at the meetings and the lists of participants can be found at <http://projects.eionet.europa.eu/black-sea-marine-region-documents/library/phase-iii/task-2>.

# Recommendations and potential next steps

[needs an update when RO/BG has sent all data discussed]

In order to finalise the Roof Report in 2018, the following recommendations can be made:

**General recommendations**

Both countries have started to implement the requirements of the revised GES Decision (i.e. adapting former GES/target/indicator descriptions or devising new ones). This process is currently progressing at different speeds in Romania and Bulgaria, where Bulgaria has progressed further with the alignment. Both countries should continue this work and should exchange further in particular to define common indicators, thresholds (if appropriate), assessment methods and GES and targets.

This requires also improving the marine status assessment and monitoring in both countries in particular in relation to criteria covered, geographical coverage and number and frequency of sampling. Most important would be to establish continuous monitoring programms for all descriptors, instead of monitoring infrequently and on an *ad hoc* basis, which is currently the case.

As the financial siutaion in both countries is very limited, both MS together with EC should investigate potential funding possibilities for monitoring and status assessments.

On the descriptor level, the table below shows where the main focus of the work in both countries should be targeted:

[table below will be updated when RO/BG has sent all data and reviewed the draft roof report]

|  |  |  |  |
| --- | --- | --- | --- |
|  | GES defined according to the new GES Decision  | Targets to be defined | Impove monitoring  |
| D1-Fish |  |  |  |
| D1-Mammals |  |  |  |
| D1-Birds |  |  |  |
| D1-Seabed Habitats |  |  |  |
| D1-Water Column Habitats |  |  |  |
| D2 |  |  |  |
| D3 |  |  |  |
| D4 |  |  |  |
| D5 |  |  |  |
| D6 |  |  |  |
| D7 |  |  |  |
| D8 |  |  |  |
| D9 |  |  |  |
| D10 |  |  |  |
| D11 |  |  |  |

The MS name in the cell indicates to who the recommendation is addressed to

**Recommendations related to common assessment areas**

During the project the discussion on common assessment areas for coastal, shelf and open waters has led to a common understanding. For MSFD coastal waters, the definition of assessment areas will require further discussion on the scientific level to better align the different views and designations. In particular, this relates to aligning the WFD coastal water bodies with the MSFD coastal assessment areas. This is being pursued in both countries but there is no final conclusion as yet.

**Mapping of human activites and pressures**

[needs an update when RO/BG has sent all data discussed]

**Assessment of the current environmental status of the ecosystem elements**

[needs an update when RO/BG has sent all data discussed]

**Recommendations related to Art. 8.1c:**

Related to Art. 8.1c, as it is currently unclear in both Romania and Bulgaria[[1]](#footnote-2) if and how the Initial Assessment (IA) and the Economic and Social Analysis (ESA), including the Costs of Degradation (CoD), will be updated and/or renewed in 2018, only some general recommendations can be made:

* First, financial support for a coordination of the work on updating Art. 8.1c documents should be obtained at least for the initial phase, to ensure coherence of the approaches (according to both countries, without financing there would certainly be two completely separate reports).
* Second, the countries should be clear about the scope of a possible update of the ESA/IA and the CoD analysis. There are different options: to perform only an update of the data/information provided would be the least intensive option. A "restructuring" of sectors/themes and adding (and analyzing) more sectors would be the second most intensive one, and using completely new approaches, e.g. for the CoD, would be the most labour-intensive.

# Management

## Status of task execution

The table below gives an overview on status of each task execution

|  |  |  |
| --- | --- | --- |
| Task 1: Consolidation of the information basis | Progress made | Work planned |
| Task 1.1 Development of the roof report |  |  |
| Step 1: Agreement on the structure of the Roof Report | Completed. |  |
| Step 2: Comparative analysis | Completed. |  |
| Step 3: In-depth Assessment of reporting requirements  | Completed as far as possible. |  |
| Step 4: Review and Update of GES and Articles 8, 9 and 10 Reports | Completed as far as possible. |  |
| Step 5: Write Roof Report | Draft attached to the report. | Revise and finalise based on Commission, RO and BG comments. |
| Task 1.2 Maintaining information exchange platform | Set up and maintenance of EIONET page.  | Maintenance. |
| Tasks 2: Capacity-building activities |  |  |
| Step 1: Agreement on topics of capacity building events  | Completed. | - |
| Step 2: Development of detailed content and planning | Completed. | - |
| Step 3: Identification of experts | Relevant experts participated in the 6 CBEs. | - |
| Step 4: Organisation of events | Completed. | - |
| Step 5: Execution of events | 6 events executed.  | - |
| Step 6: Collection and analysis of feedback and drafting the final capacity building report  | Feed back collected at each of the events and constant exchange on the planning of the CBEs with RO/BG NfPs and the project team. | Finalsing the final report for CBE 6. |

## Meetings held and reports submitted

The table below summarises the reports submitted and meetings held in the context of the project:

|  |  |
| --- | --- |
| Reports | Date |
| Draft interim report (including summary report task 1.1/Step 2) | 30.6.2016 |
| Final interim report (including summary report task 1.1/Step 2) | 29.7.2016 |
| Progress report | 07.11.2016 |
| Second internal summary report (task 1.1/Step 3) | 29.11.2016 |
| Draft final report | 06.02.2017 |
| Final report | 06.03.2017 |
| Meeting  | **Dates** |
| CBE 1/task 1.1 meeting (agreeing on the structure of the roof report) | 31.05.16-1.6.2016 |
| CBE 2/additional task 1.1 meeting (Step 3 questionnaire/information) | 5-6.7. 2016 |
| CBE 3 | 299-30.9.2016 |
| CBE 4/task1.1 meeting (discussion of Step 3) | 2-4.11.2016 |
| CBE 5 /task 1.1 Meeting (roof report drafting meeting and updating Articles 8, 9 and 10) | 16-17.1.2017 |
| CBE 6 | 24-25.1.2017 |
| Interim meeting  | 11.11.2016 |
| Final meeting (with Steering Group) (in Brussels) | 21.2.2017 |

## Difficulties, possible problems and suggested solutions

No difficulties or possible problems have been identified beside what was already identified and discussed at the Inception Meeting/Report (i.e. the finalization of EU-level documents and the planning/timing on the side of BG and RO).

## Adjustment or corrective measures

Not needed.

# Annex 1: Final Roof Report on Common Indicators

The draft final roof report can be found at <http://projects.eionet.europa.eu/black-sea-marine-region-documents/library/phase-iii/final-report/draft-final-version-06022017/draft-final-report>

# Annex 2: Indicator factsheets

The draft final indicator fact sheets can be found at <http://projects.eionet.europa.eu/black-sea-marine-region-documents/library/phase-iii/final-report/draft-final-version-06022017/draft-indicator-factsheets>

# Annex 3: Internal Summary Report II (Task 1.1, Step 3)

The final internal summary report can be found at <http://projects.eionet.europa.eu/black-sea-marine-region-documents/library/phase-iii/final-report/draft-final-version-06022017/internal-summary-report-ii>

1. In Bulgaria, it is planned to update the Initial Assessment, and funding has already been required from the national budget (not approved yet); in Romania, there is no planning yet with regard to an update/another Initial Assessment. [↑](#footnote-ref-2)