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Working Group 5  
Review Document of International  
Instruments<sup>1</sup> for Conservation within the  
MarCons region<sup>2</sup>

*27.06.2018*

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<sup>1</sup> The term international instruments refers to both legal frameworks and policies.

<sup>2</sup> The term MarCons region refers to the geographic area covered by the action, please see:  
<http://www.marcons-cost.eu/about/participants/participating-countries>.

## Preface

The aim of this document is to provide a resource to researchers in marine conservation by giving summaries of the international instruments that may have implications for marine conservation in the MarCons region. These instruments include international agreements and conventions, regional<sup>3</sup> agreements and intergovernmental sectoral agreements, and European directives and policies, which directly or indirectly determine marine conservation policies and management. This provides the basis for an inherently interdisciplinary cross-sectoral approach to conservation policy analysis.

Direct instruments are those best characterized as targeted environmental policies, whereas indirect are more 'general' designed for purposes other than environmental, or marine, protection. We make the distinction between direct and indirect instruments (and "hybrids" which have parts of both types) because in recent years, there has been a push to incorporate ecological, climate and biodiversity objectives into the mainstream beyond those that are direct 'environmental' instruments. We have also used this typology as an initial characterization, and as a way to identify, organize and present the instruments, rather than as a streamlined, inflexible and finalized categorization.

Bearing in mind the overall objective of the MarCons action, *"...to bridge the gap between conservation science and policy makers and substantially contribute to the challenge of halting biodiversity loss in the European Seas by 2020"*, this typology provides the framework for systematically considering many of the international instruments that may apply to marine conservation in the region. In this manner, we aim to go beyond the obvious sources for conservation to consider those instruments that have conservation as a secondary or even a tertiary goal. Awareness and understanding of these instruments may also facilitate the identification of potential conservation partners, which have not been previously considered. Another advantage of this framework is that it draws attention to instruments that may have a synergistic and or supportive effect for marine conservation. A further important element is that these frameworks can help policy makers to identify the appropriate instruments for transboundary cooperation on conservation issues including conservation of shared marine areas. Using already existing international instruments will harmonize policies and management, which is often a more effective approach than developing an international legal instrument created specifically for that purpose.

The majority of the instruments reviewed have been organized as decided in the WG5 meeting held in Zagreb in April 2017, attended by Mabel Augustowski; Jens Enemark; Ioannis Giovos; Draško Holcer; Michelle Portman, Tomás Vega Fernández and Peter Mackelworth. Instruments were identified, organized and presented according to their level of governance: global, regional and European Union. The identification of the instruments themselves were conducted through the use of the following key words in the text and annexes of each policy: biodiversity; conservation; protected areas; sustainable; habitats; species; marine; coastal; Natura 2000. The summary and relevance are noted based on the goals and intent of the MarCons Action.

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<sup>3</sup> The term 'regional' refers to the geographical context. This includes agreements at multilateral level that have an effect within the MarCons focal area, as either a whole or some part of the area, examples include the Bern Convention, as a whole, and the Regional Seas programmes, as parts.

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<sup>4</sup> Working Group 5 & 6 meeting, Texel, May 2018

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GLOBAL LEVEL

<b>INSTRUMENT</b>	<b>United Nations Convention on the Law of the Sea (UNCLOS)</b>		
<b>PRIMARY GOAL</b>	Define the rights and responsibilities of nations with respect to their use of the world's oceans		
<b>TYOPOLOGY</b>	Global / Hybrid		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>General:</b>	Beginning of informal negotiations 1967, of the formal conference 1973 ; adopted December 1982 entered into force November 1994 Initiated in April 1982, entered into force in 1994, after ratification by 60 countries		
<b>Article 21</b>	Laws and regulations of the coastal State relating to innocent passage	Article 21.1.d, e, f	1,2
<b>Article 22</b>	Sea lanes and traffic separation schemes in the territorial sea	Article 22.3.d - refer indirectly to noise pollution	1
<b>Article 42</b>	Laws and regulations of States bordering straits relating to transit passage	Article 42.1.b: the prevention, reduction and control of pollution, by giving effect to applicable international regulations regarding the discharge of oil, oily wastes and other noxious substances in the strait. (WG1) Article 42.1.c: with respect to fishing vessels, the prevention of fishing, including the stowage of fishing gear Obs.: for innocent passage, sea lanes passage	1,2



		and aircraft in Archipelagic States, see Articles 52-54 below (WG2)	
<b>Articles 46-54</b>	<p>Archipelagic States</p> <p>Article 46. Use of terms</p> <p>Article 47. Archipelagic baselines</p> <p>Article 48. Measurement of the breadth of the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf</p> <p>Article 49. Legal status of archipelagic waters, of the air space over archipelagic waters and of their bed and subsoil</p> <p>Article 50. Delimitation of internal waters</p> <p>Article 51. Existing agreements, traditional fishing rights and existing submarine cables</p>		
<b>Article 61-65</b>	<p>Conservation of the living resources etc.</p> <p>Part V art 56 b iii. "the protection and preservation of the marine Environment" in the EEZ</p>	<p>Marine mammals are specifically exempted from the general requirement to promote optimum utilization of living resources within the EEZ and on the high seas.</p> <p>Art.65: 'States shall cooperate with a view to the conservation of marine mammals and in the case of cetaceans shall in particular work through the appropriate international organizations for (their) conservation, management and study'.</p> <p>Article 120 extends this principle to the high seas.</p>	1,2,5
<b>Article 66-68</b>	<p>Anadromous stocks, Catadromous species, Sedentary species</p>		4

ARTICLES	SUMMARY	NOTES	WG
PART VII - HIGH SEAS	High Seas : Articles 86-120	Considering Governance in High-Seas MPAs	
Article 116	Right to fish in the High Seas		
Articles 117-118-119	Duty of States to adopt with respect to their national measures for the conservation of the living resources of the high seas/ Cooperation of States in the conservation and management of living resources/ Conservation of the living resources of the high seas		1,2,5,6
Article 120	Marine Mammals		
Article 143-144	Marine scientific research- Transfer of technology		5
Article 145	Protection of the marine environment	Article 145.a): the prevention, reduction and control of pollution and other hazards to the marine environment, including the coastline, and of interference with the ecological balance of the marine environment, particular attention being paid to the need for protection from harmful effects of such activities as drilling, dredging, excavation, disposal of waste, construction and operation or maintenance of installations (WG4), pipelines and other devices related to such activities; (WG1,2,4) Article 145.b): the protection and conservation of the natural resources of the Area and the prevention of damage to the flora and fauna of the marine environment (WG1,2,3)	1,2,3,4
Article 146	Archaeological and historical objects	All objects of an archaeological and historical nature found in the Area shall be preserved or disposed of for the benefit of mankind as a whole.). See also Article 303	
Article 156	International Seabed Authority	See also Annex III - Basic conditions of prospecting, exploration and exploitation	6
Article 186	International Tribunal of the Law of the Sea	See also Annex VI - Statute of the Tribunal of the Law of the Sea	
Article 192	States have the obligation to protect and preserve the marine environment.		all
Article 194	Part XII "Protection and preservation of the marine environment Measures to prevent, reduce and control pollution of the marine environment	Article 194.1; 194.2 and 194.3: (WG1,2) Article 194.3.a): the release of toxic, harmful or noxious substances, especially those which are persistent, from land-based sources, from or through the atmosphere or by dumping (WG4) Article 194.3.b): pollution from vessels, measures to prevent accidents Article 194.5): The measures taken in accordance with this Part shall include those necessary to protect and preserve rare or fragile ecosystems as well as the habitat of depleted, threatened or endangered species and other forms of marine life.	1,2,4

ARTICLES	SUMMARY	NOTES	WG
Article 196	Use of technologies or introduction of alien or new species		3
Article 199-200	Contingency plans against pollution/ Studies, research programmes and exchange of information and data		
Article 201	Scientific criteria for regulations	In establishing appropriate scientific criteria for the formulation and elaboration of rules, standards and recommended practices and procedures for the prevention, reduction and control of pollution of the marine environment.	1
Article 202-203	Scientific and technical assistance to developing States/ Preferential treatment for developing States		5
Article 206	Assessment of potential effects of activities		1
Article 207	Pollution from land-based sources		1,4
Article 208-212	Pollution from activities in the Area/ Pollution from vessels / Pollution from or through the atmosphere		1,2,4
PART XII Section 6	Enforcement	Article 213: Enforcement with respect to pollution from land-based sources (wg4)	1,4
PART XII Section 11	Obligations under other conventions on the protection and preservation of the marine environment		
Article 246-249	Marine scientific research in the exclusive economic zone and on the continental shelf/ Marine scientific research projects undertaken by or under the auspices of international organizations/ Duty to provide information to the coastal State/ Duty to comply with certain conditions		5
ANNEX I	Highly Migratory Species		2,5
Website	<a href="http://www.un.org/depts/los/convention_agreements/convention_overview_convention.htm">http://www.un.org/depts/los/convention_agreements/convention_overview_convention.htm</a>		

INSTRUMENT	UN Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks
PRIMARY GOAL	Ensure the long-term conservation and sustainable use of straddling fish stocks and highly migratory fish stocks through effective implementation of the relevant provisions of the Convention.
TYPOLOGY	Global / Direct

ARTICLES	SUMMARY	NOTES	WG
General:	It fills gaps in UNCLOS to manage fish species throughout their range between EEZs and the high seas, or migrating over long distances in the high seas.	Adopted in 1995, came into force in 2001. Review Conference in 2006. The full name of the agreement is United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. It recognizes the 'biological unity of the stocks'.	5
Article 1	Definition of “conservation and management measures”		
Article 3	This agreement applies to straddling fish stocks and highly migratory fish stocks beyond areas under national jurisdiction, except that articles 6 and 7 apply also to the conservation and management of such stocks within areas under national jurisdiction		5
Article 5	General principles Article 5 paragraph g is the first conventional disposition to state an obligation to “protect biodiversity in the marine environment”	Long-term sustainability of these stocks, measures based in the best scientific evidence, apply the precautionary principle, minimize pollution and wastes, protect biodiversity in the marine environment, take measures to prevent or eliminate overfishing, take into account artisanal and subsistence fishers, collect and share data on fishing activities, target catch and vessel position, promote scientific research, implement and enforce monitoring, control and surveillance.	
Article 6	Application of the precautionary approach	Emphasizes the precautionary approach and insists that states act with protective management to ensure that fish stocks are not damaged. One of the recognized ways to apply the precautionary approach is through MPAs.	
Article 7	Compatibility of conservation and management measures	7.d) take into account the biological unity and other biological characteristics of the stocks and the relationships between the distribution of the stocks, the fisheries and the geographical particularities of the region concerned, including the extent to which the stocks occur and are fished in areas under national jurisdiction;	

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7.f). ensure that such measures do not result in harmful impact on the living marine resources as a whole.

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<b>Article 8</b>	Cooperation for conservation and management	<b>5</b>
<b>Website</b>	<a href="http://www.un.org/depts/los/convention_agreements/convention_overview_fish_stocks.htm">http://www.un.org/depts/los/convention_agreements/convention_overview_fish_stocks.htm</a>	

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<b>INSTRUMENT</b>	<b>Convention for Biological Diversity - CBD</b>		
<b>PRIMARY GOAL</b>	To protect the Earth's biological resources through the conservation and sustainable use of biodiversity		
<b>TYOPOLOGY</b>	Global / Direct		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>General</b>	The Convention was opened for signature at the Earth Summit in Rio de Janeiro on 5 June 1992 and entered into force on 29 December 1993		
<b>Article 3-5</b>	States have the right to exploit their own resources without cause damage to the environment of other States and areas beyond the limits of their national jurisdiction		2,3,4,5
<b>Article 6</b>	Develop national strategies, plans or programmes for the conservation and sustainable use of biological diversity by relevant sectoral or cross-sectoral plans, programmes and policies	Article 6b (WG4)	2,4
<b>Article 7</b>	Identification and Monitoring of important biodiversity components	Article 7c) (WG1,3)	1,3
<b>Article 8</b>	In-situ Conservation Measures for all parties, including to establish a system of protected areas or areas where special measures need to be taken to conserve biological diversity	Article 8b) (WG1, 3) Article 8c) (WG2) Article 8e) (WG4) Article 8f) (WG2,3) Article 8g) (WG1) Article 8h) (WG3) Article 8l) (WG1,3) Article 8M) (WG5)	1,2,3,4,5
<b>Article 9</b>	Ex-situ Conservation		2
<b>Article 10</b>	Actions for Sustainable Use of Components of Biological Diversity	Article 10b) (WG1,3) Article 10d) (WG2)	1,2,3
<b>Article 14</b>	Impact Assessment and Minimizing Adverse Impacts	Based on the need for cooperation between parties also WG5 is affected	1,3,5
<b>Article 16-19</b>	Transfer of Technology, knowledge and Cooperation between parties		5
<b>Article 22 and 27</b>	Relationship with Other International Conventions and Possible Disputes		5

ARTICLES	SUMMARY	NOTES	WG
Strategic Plan 2011-2020 (Aichi Targets)	<p>5 Strategic Goals:</p> <p>Strategic Goal A: Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society</p> <p>Strategic Goal B: Reduce the direct pressures on biodiversity and promote sustainable use</p> <p>Strategic Goal C: To improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity</p> <p>Strategic Goal D: Enhance the benefits to all from biodiversity and ecosystem services.</p> <p>Strategic Goal E: Enhance implementation through participatory planning, knowledge management and capacity building</p>		
UNEP/CBD/COP/DE C/XI/15 (2012)	Island Biodiversity		
UNEP/CBD/COP/DE C/X/29 (2010)	<p>8. (...) to address climate-change adaptation and mitigation issues (in line with decision X/33 on biodiversity and climate change)</p> <p>13. (...) to continue to implement programmes described in Decisions VIII/21, VIII/22, VIII/24, and IX/20</p> <p>Identification of ecologically or biologically significant areas (EBSAs) and scientific and technical aspects relevant to environmental impact assessment in marine areas (21 to 51)</p> <p>Impacts of unsustainable fishing such as destructive fishing practices, overfishing, and illegal, unreported and unregulated (IUU) fishing on marine and coastal biodiversity (52 to 56)</p> <p>Impacts of ocean fertilization on marine and coastal biodiversity (57 to 62)</p> <p>Impacts of ocean acidification on marine and coastal biodiversity (63 to 67)</p> <p>Impacts of human activities on marine and coastal biodiversity (68 to 78)</p> <p>Annex: Indicative List of Activities for Operational Objective 2.4 of Programme Element 23 on Marine and Coastal Living Resources</p>		1,2,3,4,5,6

ARTICLES	SUMMARY	NOTES	WG
UNEP/CBD/ COP /DEC/X/31 (Nagoya Japan 2010) Protected Areas	A- Strategies for strengthening implementation B- Issues that need greater attention C- Targets and timetable issues	1 and 2: National level 3 to 6: Regional level 7 and 8: Global level 9 to 13: Sustainable Finance 14 to 18: Climate Change 19: Management effectiveness 20: Invasive alien species management 21 to 24: Marine Protected Areas 25: Inland-water Protected Areas 26: Restoration of ecosystems and habitats of protected areas 27 to 32: Valuing protected area costs and benefits including their ecosystem services. (32 (f): assessments of governance of Protected Areas, use of toolkits) 33 to 36: Reporting	all
UNEP/CBD/COP/DE C/X/32 (Nagoya, Japan 2010) Sustainable use of biodiversity	2 (d): establishing and enforcing management plans; enhancing cross-sectoral integration and coordination; improving the operationalization of the definition of sustainable use; improving the understanding and implementation of concepts of adaptive management; and combating unsustainable and unauthorized activities; 2 (e): (...) devise solutions to protect and encourage customary sustainable use of biodiversity by indigenous and local communities (...) with the full and effective participation of indigenous and local communities in decision-making and management of biological resources 2 (g): (...) review, revise and update national biodiversity strategies and action plans (...) coordinate at the national level and engage different sectors (including, inter alia, energy, the financial sector, forestry, wildlife management, fisheries, water supply, agriculture, disaster prevention, health, and climate change) to fully account for the value of biodiversity and ecosystem services in decision-making; 2 (h): incentives. 2 (j): Support the implementation of pilot projects on the sustainable use of biodiversity, taking into account the ecosystem approach. 5 to 8: Satoyama initiative UNEP/CBD/SBSTTA/14/INF/28)		6



ARTICLES	SUMMARY	NOTES	WG
UNEP/CBD/COP/DEC/X/43 (Nagoya, Japan 2010) X/44. Incentive measures	<p>12: (...) to foster, as appropriate, implementation of sustainable consumption and production patterns for the conservation and sustainable use of biodiversity, both in the public and the private sector, including through business and biodiversity initiatives, procurement policies that are in line with the objectives of the Convention, and development of methods to promote science-based information on biodiversity in consumer and producer decisions;</p> <p>13: welcomes the work of (many intl. organizations) to support the efforts at global, regional and national levels in identifying and removing or mitigating perverse incentives, in promoting positive incentives for the conservation and sustainable use of biodiversity, and in assessing the values of biodiversity and associated ecosystem services, and (...) to continue and intensify this work with a view to raising awareness on, and promoting common understanding of, the removal or mitigation of perverse incentives, the promotion of positive incentive measures, and the assessment of the values of biodiversity and ecosystem services;</p>	Article 13 details the objectives and kinds of incentives cited in Article 12 supported by the participant institutions.	
UNEP/CBD/COP/DEC/XI/24.5 (Hyderabad, India, 2012) Protected Areas	<p>1(a):(...)integrate national action plans for the programme of work into updated national biodiversity strategies and action plans, which (...) should be adopted as policy instruments and used as a primary framework for implementation and as the basis for securing the necessary financial support, including from national budgets and from bilateral, multilateral and other sources; 1(b):(...)to improve marine protected areas in all areas within their jurisdiction and to ensure that networks comprising both such marine protected areas and terrestrial protected areas are: representative (by completing ecological assessments and implementing the results); inclusive of areas important for biodiversity; managed effectively and equitably; connected and integrated into wider land- and seascapes; and inclusive of diversified types of governance for protected areas and other effective area-based conservation measures; 1(d): Improve (...) coordination and integrating protected areas into wider land- and seascapes, including using protected areas as natural solutions in ecosystem-based approaches to climate change</p>		

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adaptation and mitigation, and for filling policy gaps in this area;

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ARTICLES	SUMMARY	NOTES	WG
UNEP/CBD/COP /DEC/XI/30 (Hyderabad, India, 2012) Incentive measures	9. to develop proposals for extending longer-term technical support and capacity-building on valuation methodologies and the integration of the values of biodiversity into relevant national and local policies, programmes and planning processes, including national biodiversity strategies and action plans, as well as reporting systems, including national accounting, as appropriate;		
Website	<a href="https://www.cbd.int/">https://www.cbd.int/</a>		

<b>INSTRUMENT</b>	<b>Convention on International Trade in Endangered Species of Wild Fauna and Flora - CITES</b>		
<b>PRIMARY GOAL</b>	Regulates international trade of wild animals and plants to ensure their survival		
<b>TYOPOLOGY</b>	Global / Direct		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
	The Convention was opened for signature in 1973 and CITES entered into force on 1 July 1975.	It was drafted as a result of a resolution adopted in 1963 at a meeting of members of the International Union for Conservation of Nature (IUCN).	
<b>Appendix I</b>	Lists species endangered due to international trade. Trade in such species is permitted only in exceptional circumstances		
<b>Appendix II</b>	Lists species that may become endangered if their trade is not regulated, thus they require controls aimed at preventing unsustainable use, maintaining ecosystems and preventing species from entering Appendix I		
<b>Appendix III</b>	Lists single state protected species, entered into the appendix to regulate exports from their territory.		
<b>Resolution Conf. 16.4</b>	Cooperation of CITES with other biodiversity-related conventions	Encourages Parties to strengthen the cooperation, coordination and synergies among the biodiversity-related conventions, beyond the ongoing cooperations: Resolution Conf. 10.4 (Rev. CoP14) on Cooperation and synergy with the Convention on Biological Diversity and Resolution Conf. 13.3 on Cooperation and synergy with the Convention on the Conservation of Migratory Species of Wild Animals (CMS)	2,3,6
<b>Resolution Conf. 14.6 (Rev. CoP16)</b>	Regulates the introduction in a State of species taken in the marine environment not under the jurisdiction of any State.	The 'marine environment not under the jurisdiction of any State' means those marine areas beyond the areas subject to the sovereignty or sovereign rights of a State consistent with international law, as reflected in the UNCLOS.	3,5
<b>Resolution Conf. 13.2 (Rev. CoP14)</b>	Addis Ababa Principles and Guidelines for the Sustainable use of Biodiversity	Interdependent practical principles, operational guidelines and a few instruments for their implementation that govern the uses of components of biodiversity to ensure the sustainability of such uses.	
<b>Resolution Conf. 13.10 (Rev. CoP14)</b>	Trade in alien invasive species		3
<b>Resolution Conf. 11.10 (Rev. CoP15)</b>	Trade in stony corals	Defines coral sand, coral fragments, coral rock, live coral and dead coral, considering the impacts in the ecosystem due to their removal.	

Website <https://www.cites.org/>

<b>INSTRUMENT</b>	<b>Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) - CMS</b>
<b>PRIMARY GOAL</b>	Conservation and sustainable use of migratory animals and their habitats
<b>TYPOLGY</b>	Global / Direct

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>General:</b>	Established by UNEP in 1979 entered into force in 1983. CMS aims to conserve 'entire populations or any geographically separate part of the population of any species or lower taxon ... a significant proportion of whose members cyclically and predictably cross one or more national boundaries'	Affects national waters to EEZ limits and high seas. A key operative function of CMS is the creation of regional agreements for the conservation of migratory species.	
<b>Article II-XX</b>		The whole Convention seems to affect only these two WGs WG2 because directly refers to migratory species and adoption of measures including MPAs for protecting and improving their conservation status WG5 because migratory species move between countries and their protection needs cooperation	2,5

Website <https://www.cms.int/en>

INSTRUMENT	Convention on Wetlands of International Importance especially as Waterfowl Habitat (RAMSAR)
PRIMARY GOAL	Conservation and wise use of all wetlands through local and national actions and international cooperation
TYOLOGY	Global / Direct

ARTICLES	SUMMARY	NOTES	WG
General:	Adopted in the Iranian city of Ramsar in 1971 and came into force in 1975. The treaty was negotiated through the 1960s by countries and non - governmental organizations concerned about the increasing loss and degradation of wetland habitat for migratory waterbirds.	RAMSAR uses a broad definition of wetlands and includes all lakes and rivers, underground aquifers, swamps and marshes, wet grasslands, peatlands, oases, estuaries, deltas and tidal flats, mangroves and other coastal areas, coral reefs, and all human-made sites such as fish ponds, rice paddies, reservoirs and salt pans. Protection to wetlands including marine water of not more than 20ft (6m) deep at low tide, which are of international importance to riverine and coastal cetaceans and to more pelagic species using inshore areas (e.g. for breeding or feeding)	1,2,3,4,5,6
Article 1	Definitions of wetlands		4
Article 2		Article 2.1->WG4 and WG2 (islands or bodies of marine water deeper than six metres at low tide lying within the wetlands) Article 2.6-> WG4 and WG5 (Each Contracting Party shall consider its international responsibilities for the conservation, management and wise use of migratory stocks of waterfowl)	2,4,5
Article 3		Article 3.1->WG4 Article 3.2->WG4 and WG2 (if the ecological character of any wetland in its territory and included in the List has changed, is changing or is likely to change as the result of technological developments, pollution or other human interference.)	1,4
Article 4-5	Cooperation between Parties and exchange of knowledge etc.		5

<b>INSTRUMENT</b>	<b>World Heritage Convention – WHC</b>		
<b>PRIMARY GOAL</b>	<b>Protection of the World Cultural and Natural Heritage</b>		
<b>TYPOLOGY</b>	<b>Global / Direct</b>		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
General	To protect cultural heritage as well as the world's most important natural habitats of threatened animals, and sites of outstanding scientific or conservation value.	National waters to EEZ limits and high seas. Formulated through UNESCO in Paris, in 1972, WHC has been in force since 1975. Sites included on the World Heritage List and the List of World Heritage in Danger qualify for the World Heritage Fund, administered by the World Heritage Committee	
Articles 1 and 2	Definitions within 'Cultural Heritage': monuments, groups of buildings, sites, natural features, geological and physiographical formations, natural sites		
Article 4	Each State Party has the duty to ensure the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage referred in Articles 1 and 2.		3,4,5,6
Decision 29 COM 5B (2005)	Approves the World Heritage Programme for Small Island Developing States (SIDS) and the World Heritage Marine Programme, to ensure that all marine sites with existing or potential Outstanding Universal Values (OUVs) are protected effectively and that they cover all major marine regions and marine ecosystem types in a balanced, credible and representative manner.		3,4,5,6

<b>INSTRUMENT</b>	International Convention for the Regulation of the Whale - ICRW (1946) and following instruments from the International Whaling Commission (IWC)
<b>PRIMARY GOAL</b>	Conservation of whales and the management of whaling.
<b>TPOLOGY</b>	Global / Direct

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
ICRW – Article III - 1	Established the International Whaling Commission (1946). Came into force in 1948. The initial objective of the ICRW was to protect whales from over-fishing (i.e., over-hunting) and keep stocks so as to increase the number of whales available to be captured and thus develop the whaling industry. Along with time, conservation measures were increased.	This Convention provides base for the adoption of regulations designed to open and close waters, including the designation of sanctuaries on the High Seas. Despite only whaling is not allowed in these sanctuaries, they have promoted other conservation measures and research. This agreement provides some precedent, since 1946, of nations working together on the high seas.	
ICRW – Article V	Describes IWC duties, by adopting regulations to fix: (a) protected and unprotected species; (b) open and closed seasons; (c) open and closed waters, including the designation of sanctuary areas; (d) size limits for each species; (e) time, methods, and intensity of whaling (including the maximum catch of whales to be taken in any one season); (f) types and specifications of gear and apparatus and appliances which may be used; (g) methods of measurement; and (h) catch returns and other statistical and biological records.		1,2,4,5
IWC Resolution 2016-3	Resolution on Cetaceans and their contribution to ecosystem functioning	Whales role in regulating atmospheric CO2 levels (faeces) and enhancing nutrient availability for primary production. The Resolution aims to increase collaboration with governmental and non-governmental organizations to work on cetacean contributions to ecosystem functioning, such as CCAMLR , FAO and CITES	1,2,4,5,6
IWC Resolution 2014-2	Resolution on highly migratory cetaceans	To seek collaboration with other intergovernmental organizations, considering threatening factors like entanglement, marine debris, traffic. Refers to UNCLOS/ Articles 65 and 120 to	1,2,4,5

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work through the international organizations for the conservation, management and study of marine mammals within and beyond the EEZ.

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ARTICLES	SUMMARY	NOTES	WG
IWC Resolution 2012-1	Resolution on the importance of continued scientific research with regard to the impact of the degradation of the marine environment on the health of cetaceans and related human health effects.	Considers risks to human health as a tool to reduce consumption of cetacean products, recalling that organic contaminants and heavy metals are seriously polluting the environment and its living resources including some species of whales in some areas, and may have a significant negative health effect on consumers of products from these marine mammals. Encourages a closer work with WHO. Urges the Governments to responsibly inform consumers about positive and negative health effects, related to consumption of some cetacean products.	1,2,5
IWC Resolution 2011_2	Resolution on Safety at Sea, considering any actions that are a risk to human life, the marine environment and property in relation to the activities of vessels at sea, including protests and demonstrations	Based on IMO Resolution MSC. 303(87) adopted on 17 May 2010 titled which condemned any actions that intentionally imperil human life, the marine environment, or property during demonstrations, protests or confrontations on the high seas. Calls contracting governments to take the proper actions.	2,5
IWC Resolution 2009-1	Resolution on Climate and Other Environmental Changes and Cetaceans	Requests Contracting Governments to incorporate climate change considerations into existing conservation and management plans. Requests IWC Secretariat to forward this resolution and the workshop report (SC/61/Rep 4) to relevant bodies and meetings including inter alia the World Climate Conference, the UNFCCC and the IPCC.	1,2,4,5
Reports from Scientific Committee		Climate change Anthropogenic sound Marine Debris Chemical pollution Cetacean diseases Marine renewable energy developments	
	Marine Protected Areas / Sanctuaries	Two Sanctuaries are currently designated by the IWC: 1) Indian Ocean Sanctuary, established in 1979 (renewed in 2002) and covers the whole of the Indian Ocean south to 55°S, and 2) the Southern Ocean Sanctuary - adopted in 1994, covers the waters around Antarctica (precise coordinates in the Schedule at paragraphs 7.(a) and 7.(b); Proposed Sanctuary: South Atlantic Ocean, has been repeatedly submitted to the Commission in recent years, but to date it has not achieved the majority of votes needed to amend the	

Schedule and thus become designated by the IWC.

<b>INSTRUMENT</b>	<b>Code of Conduct for Responsible Fisheries UN Food and Agriculture Organization (FAO)</b>
<b>PRIMARY GOAL</b>	To provide principles and standards applicable to the conservation, management and development of all fisheries. It also covers the capture, processing and trade of fish and fishery products, fishing operations, aquaculture, fisheries research and the integration of fisheries into coastal area management. It is voluntary, rather than mandatory.
<b>TPOLOGY</b>	Global / Indirect

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>General:</b>	Adopted by more than 170 Members of FAO in 1995. Recognizes the nutritional, economic, social, environmental and cultural importance of fisheries, and the interests of all those concerned with the fishery sector. The Code considers the biological characteristics of the resources and their environment and the interests of consumers and other users.	It is voluntary rather than mandatory, but contains provisions based on previous obligatory instruments. Although it is mainly focused in insuring fisheries, contains many issues related to conservation and management.	
6.2	(...) Management measures should not only ensure the conservation of target species but also of species belonging to the same ecosystem or associated with or dependent upon the target species.		
6.3	States should prevent overfishing and excess fishing capacity and should implement management measures to ensure that fishing effort is commensurate with the productive capacity of the fishery resources and their sustainable utilization. States should take measures to rehabilitate populations as far as possible and when appropriate.		
6.8	All critical fisheries habitats in marine and fresh water ecosystems, such as wetlands, mangroves, reefs, lagoons, nursery and spawning areas, should be protected and rehabilitated as far as possible and where necessary. Effort should be made to protect such habitats from destruction, degradation, pollution and other significant impacts resulting from human activities that threaten the health and viability of the fishery resources.		
6.9	States should ensure that their fisheries interests, including the need for conservation of the resources, are taken into account in the multiple uses of the		

	coastal zone and are integrated into coastal area management, planning and development.		
6.10	States should ensure compliance with and enforcement of conservation and management measures and establish effective mechanisms, as appropriate, to monitor and control the activities of fishing vessels and fishing support vessels.		
ARTICLES	SUMMARY	NOTES	WG
7.1.3	For transboundary fish stocks, straddling fish stocks, highly migratory fish stocks and high seas fish stocks, where these are exploited by two or more States, the States concerned, including the relevant coastal States in the case of straddling and highly migratory stocks, should cooperate to ensure effective conservation and management of the resources.		
7.2.2	<ul style="list-style-type: none"> <li>a. excess fishing capacity is avoided and exploitation of the stocks remains economically viable;</li> <li>b. the economic conditions under which fishing industries operate promote responsible fisheries;</li> <li>c. biodiversity of aquatic habitats and ecosystems is conserved and endangered species are protected;</li> <li>d. depleted stocks are allowed to recover or, where appropriate, are actively restored;</li> <li>e. adverse environmental impacts on the resources from human activities are assessed and, where appropriate, corrected; and</li> </ul> <p>pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non- fish species, and impacts on associated or dependent species are minimized, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques.</p>		
7.5.1	States should apply the precautionary approach widely to conservation, management and exploitation of living aquatic resources in order to protect them and preserve the aquatic environment. The absence of adequate scientific information should not be used as a reason for postponing or failing to take conservation and management measures.	Also conservation measures for new and exploratory fisheries (See 7.5.4) and in the case of natural phenomena which impact living resources, so that fishing activity does not exacerbate that impact (7.5.5).	
8.7	Protection of the aquatic environment	According to MARPOL 73/78.	

	during fishing activities (need to treat garbage and procedures related to discharges and the disposal of oil.	8.8 – Protection of the atmosphere
<b>10. Coastal Management</b>	Integration of Fisheries into Coastal Management: Article 10.1 Institutional framework Article 10.2 Policy measures Article 10.3 Regional cooperation Article 10.4 Implementation of Coastal Area Management	
<b>Website</b>	<a href="http://www.fao.org/docrep/005/v9878e/v9878e00.htm">http://www.fao.org/docrep/005/v9878e/v9878e00.htm</a>	

INSTRUMENT	Revised Guidelines for the Identification and Designation of Particularly Sensitive Sea Areas (PSSAs) International Maritime Organization (IMO) Resolution A.982(24)		
PRIMARY GOAL	Protection of significant areas which may be vulnerable to damage by international maritime activities.		
TYPOLOGY	Global / Direct		

ARTICLES	SUMMARY	NOTES	WG
Article 4	Ecological, socio-economic or scientific criteria for the identification of a PSSA	Criteria can potentially be utilized by WG1 and WG2(???)	1
Article 5	Vulnerability to impacts from international shipping		1
Resolution A.982 (24)	Revised Guidelines for the Identification and Designation of PSSAs	<p>Current list of PSSAs:</p> <ul style="list-style-type: none"> <li>- The Great Barrier Reef, Australia (designated a PSSA in 1990)</li> <li>- The Sabana-Camagüey Archipelago in Cuba (1997)</li> <li>- Malpelo Island, Colombia (2002)</li> <li>- The sea around the Florida Keys, United States (2002)</li> <li>- The Wadden Sea, Denmark, Germany, Netherlands (2002)</li> <li>- Paracas National Reserve, Peru (2003)</li> <li>- Western European Waters (2004)</li> <li>- Extension of the existing Great Barrier Reef PSSA to include the Torres Strait (proposed by Australia and Papua New Guinea) (2005)</li> <li>- Canary Islands, Spain (2005)</li> <li>- The Galapagos Archipelago, Ecuador (2005)</li> <li>- The Baltic Sea area, Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden (2005)</li> <li>- The Papahānaumokuākea Marine National Monument, United States (2007)</li> <li>- The Strait of Bonifacio, France and Italy (2011)</li> <li>- The Saba Bank, in the North-eastern Caribbean area of the Kingdom of the Netherlands (2012)</li> <li>- Extension of Great Barrier Reef and Torres Strait to encompass the south-west part of the Coral Sea (2015)</li> <li>- The Jomard Entrance, Papua New Guinea (2016)</li> </ul>	
Website	<a href="http://www.imo.org/en/OurWork/Environment/PSSAs/Pages/Default.aspx">http://www.imo.org/en/OurWork/Environment/PSSAs/Pages/Default.aspx</a>		

<b>INSTRUMENT</b>	International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention) International Maritime Organization (IMO)
<b>PRIMARY GOAL</b>	Introduces global regulations to control the transfer of potentially invasive species.
<b>TYOPOLOGY</b>	Global / Direct

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>General:</b>	All ships in international traffic are required to manage their ballast water and sediments to a certain standard, according to a ship-specific ballast water management plan. All ships will also have to carry a ballast water record book and an international ballast water management certificate. The ballast water management standards will be phased in over a period of time. As an intermediate solution, ships should exchange ballast water mid-ocean. However, eventually most ships will need to install an on-board ballast water treatment system. A number of guidelines have been developed to facilitate the implementation of the Convention. Once the treaty enters into force, ballast water will need to be treated before it is released into a new location, so that any microorganisms or small marine species are killed off.	Adopted in 2004, this Convention will enter into force in 08 September 2017.	3
<b>Article 2</b>	Parties must prevent, minimize and ultimately eliminate the transfer of harmful aquatic organisms and pathogens through the control and management of ships' ballast water and sediments.		3
<b>Article 5</b>	Reception facilities - ports and terminals where cleaning or repair of ballast tanks occurs, have adequate reception facilities for the reception of sediments.		3,4
<b>Article 6</b>	Research and Monitoring - Parties individually or jointly must promote and facilitate scientific and technical research on ballast water management; and monitor the effects of ballast water management in waters under their jurisdiction		3,4
<b>Annexes</b>	General provisions, management and		

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standards

Website

[http://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Control-and-Management-of-Ships'-Ballast-Water-and-Sediments-\(BWM\).aspx](http://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Control-and-Management-of-Ships'-Ballast-Water-and-Sediments-(BWM).aspx)

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<b>INSTRUMENT</b>	Convention on the Protection of the Underwater Cultural Heritage - UNESCO		
<b>PRIMARY GOAL</b>	To ensure and strengthen the protection of underwater cultural heritage		
<b>TYPOLGY</b>	Global / Indirect		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
General	To protect "all traces of human existence having a cultural, historical or archaeological character" which have been underwater for over 100 years.	Although it refers mainly to the protection of archaeological sites, the natural aspects must be considered together. Shipwrecks and other underwater structures act as surfaces for fauna and flora colonization and are important fauna attractors, contributing to recover and/or improve marine biodiversity. Invasive species may also be found in these substrates. Pipelines and cables placed on the seabed are not considered underwater heritage, as well as other installations (Art. 1 - b, c)	2,3,4
Article 1	Definitions: 1(a) i : sites, structures, buildings, artefacts and human remains, together with their archaeological and natural context; 1(a)ii: vessels, aircraft, other vehicles or any part thereof, their cargo or other contents, together with their archaeological and natural context.		
Article 2	2. States Parties shall cooperate in the protection of underwater cultural heritage. 3. States Parties shall preserve underwater cultural heritage for the benefit of humanity in conformity with the provisions of this Convention.		
Article 3	Relationship between this Convention and UNCLOS - rights, jurisdiction and duties of States	This Convention shall be interpreted and applied in a manner consistent with international law, including UNCLOS	
Article 5	Activities incidentally affecting underwater cultural heritage	States shall use the best practicable means at its disposal to prevent or mitigate any adverse effects that might arise from activities under its jurisdiction incidentally affecting underwater cultural heritage.	
Article 7	Internal waters, archipelagic waters and territorial sea		

Article 8	Contiguous zone
Articles 9 and 10	Continental Shelf and EEZ - Protection, Reporting and Notification
Website	<a href="http://www.unesco.org/new/en/culture/themes/underwater-cultural-heritage/2001-convention/">http://www.unesco.org/new/en/culture/themes/underwater-cultural-heritage/2001-convention/</a>

INSTRUMENT	World Bank environmental & social framework
PRIMARY GOAL	Sustainable development
TYOLOGY	Direct/Indirect

ARTICLES	SUMMARY	NOTES	WG
Article 2	The Bank assists Borrowers in their application of the Environmental and Social Standards to projects supported through Investment Project Financing in accordance with this policy.		
Article 3 par. c	The Bank assists the Borrower in identifying appropriate methods and tools to assess and manage the potential environmental and social risks and impacts of the project.		
Article 4	The environmental risk and impacts taken into account include (i) those identified in the World Bank Group Environmental, Health, and Safety Guidelines (EHSGs); (ii) those related to community safety (including dam safety and safe use of pesticides); (iii) those related to climate change and other transboundary or global risks and impacts; (iv) any material threat to the protection, conservation, maintenance and restoration of natural habitats and biodiversity; and (v) those related to ecosystem services and the use of living natural resources, such as fisheries and forests...		
Article 5	Projects supported by the Bank through Investment Project Financing are required to meet the Environmental and Social Standards (ESS), including ESS1 (assessment and management of environmental and social risks and impacts); ESS3 (resource efficiency and pollution prevention and Management); ESS6 (biodiversity conservation and sustainable management of living natural resources); and 10 (stakeholder engagement and information disclosure).	Detailed description of the ESS and its implications are provided in the document "Borrower Requirements— Environmental and Social Standards 1–10".	



<b>Article 15</b>	Environmental assessment is required for any type of project		
<b>Article 16</b>	Environmental risk taken as an element for consideration of acceptability of the timeframe of the projects		
<b>Article 17</b>	Asks to not carrying out activities/ actions that may cause material adverse environmental risks; impacts during the project		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Article 19</b>	Requires to apply the relevant requirements of the WB Environmental, Health and Safety Guidelines, or national legislation if this is more stringent.		
<b>Article 30</b>	Environmental due diligence will be conducted to support the WB to decide if a project will be supported and, if so, the way in which risk and impacts will be tackled in the assessment of the project development		
<b>Article 31</b>	The due diligence will assess whether the project is capable of being developed and implemented in accordance with the WB Environmental and Social Standards	Analogous requirements exist for subprojects and special projects	
<b>Article 46</b>	WB will agree with Borrower on an Environmental and Social Commitment Plan (ESCP) setting the measures to achieve Environmental and Social Standards along the timeframe of the project.		
<b>Article 47</b>	On the timely implementation of measures and actions in the ESCP		
<b>Article 48</b>	On adaptive management to achieve the goals of the ESCP		
<b>Article 56</b>	On monitoring. A project will not be considered completed until ESCP objectives are achieved		
<b>Website</b>	<a href="http://www.worldbank.org/en/projects-operations/environmental-and-social-framework">http://www.worldbank.org/en/projects-operations/environmental-and-social-framework</a>		

# REGIONAL LEVEL

<b>INSTRUMENT</b>	<b>Protocol on the protection of the marine environment of the Black Sea from land-based sources</b>
<b>PRIMARY GOAL</b>	<b>Pollution control</b>
<b>TYPOLOGY</b>	<b>Direct (sub)regional</b>

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Article 1</b>	Calls the parties to take all necessary measures to prevent, reduce and control pollution of the marine environment caused by discharges from land-based sources, including through the atmosphere		2, 6
<b>Article 4</b>	Asks the parties to prevent and eliminate pollution of the marine environment from land-based sources by substances listed in Annex I. Also calls the parties to reduce and, whenever possible, to eliminate pollution of the marine environment from land-based sources by substances listed in Annex II. Prompts cooperation with other states.		2, 6
<b>Article 5</b>	Calls for monitoring of pollution, its sources and ecological effects, in particular for the substances listed in Annexes I and II to this Protocol	Links to Art. 15 on the Bucharest Convention	2, 6
<b>Article 6</b>	Asks for cooperation in elaborating common guidelines, emission standards, and research on effluents necessitating separate treatment	Links to Art. 15 on the Bucharest Convention. Periodically reviewed for substances listed in Annexes I and II to this Protocol	2, 6
<b>Article 7</b>	Asks the parties to inform each other on the measures taken to prevent, reduce and eliminate pollution to the marine environment		2, 6
<b>Annex I</b>	Lists hazardous substances on the basis of their toxicity, persistence and bioaccumulation		2, 6
<b>Annex II</b>	Lists noxious substances based on the same criteria applied in Annex I, but for substances less harmful or more readily rendered harmless by natural processes		2, 6
<b>Annex III</b>	Define restrictions to discharges of substances listed in Annex II		2, 6
<b>Annex III, parag. 1</b>	Sets the maximum permissible concentration as a consideration for restriction		2, 6
<b>Annex III, parag. 2</b>	Sets the maximum permissible quantity (load or inflow per unit time) as a consideration for restriction		2, 6
<b>Annex III, parag. 3</b>	Asks for the application of the stricter criterion when choosing between Ann. III parag. 1 and 2		2, 6
<b>Annex III, parag. A</b>	Sets criteria for defining the characteristics and composition of the waste		2, 6
<b>Annex III, parag. B</b>	Sets criteria for defining the characteristics of waste constituents with respect to their		2, 6

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harmfulness

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ARTICLES	SUMMARY	NOTES	WG
Ann. III, parag. C	Sets criteria for choosing the characteristics of the discharge site and the receiving marine environment		2, 6
Ann. III, parag. D	Sets the criteria for the selection of waste technologies		2, 6
Ann. III, parag. E	Sets the criteria for the assessment of the impact of waste disposal		2, 6
Website	<a href="http://www.blacksea-commission.org/od/LBSAProtocol.asp">http://www.blacksea-commission.org/od/LBSAProtocol.asp</a>		

<b>INSTRUMENT</b>	<b>Protocol of the Bucharest Convention</b>		
<b>PRIMARY GOAL</b>	<b>Conservation of biodiversity and landscapes</b>		
<b>TYPOLOGY</b>	<b>Direct (sub)regional policy</b>		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Article 1 parag. 1</b>	Purpose of the Protocol: Maintenance of ecosystems in good state, and landscapes in favourable conditions. Also to protect, preserve and sustainably manage the biological and landscape diversity in order to enrich the biological resources	On protection of biodiversity and landscapes. See also Annex 1 (MPAs), Annex 2 (important species) and Annex 3 (Protection of species and habitats).	2
<b>Article 1 parag. 2</b>	Intention of the Protocol: to serve as a legal instrument for developing, harmonising and enforcing necessary environmental policies, strategies and measures in preserving, protecting and sustainably managing nature, historical, cultural and aesthetic resources and heritage of the Parties.	Use of the Protocol as a high level legal instrument	2, 6
<b>Article 4 parag. 1</b>	Call the parties to adopt all necessary measures to (a) protect, preserve, improve and manage in a sustainable and environmentally sound way areas of particular biological or landscape value, notably by the establishment of protected areas; (b) maintain species in favourable status and habitats close to undisturbed; (c) sustainable use of economically important species; (d)	On the establishment of protected areas. See also Annex 1 (MPAs), Annex 2 (important species) and Annex 3 (Protection of species and habitats).	2
<b>Article 4 parag. 5</b>	Commit the parties to act for conserving and using sustainably the biological and landscape diversity	Parties can act individually or in cooperation, within the Convention or with international organizations	2
<b>Article 4 parag. 6</b>	Call the parties to produce a shared Strategic Action Plan for the Black Sea Biodiversity and Landscape Conservation Protocol	Definition of an Action Plan for biodiversity and landscape conservation	2
<b>Article 4 parag. 7</b>	Call the parties to adopt strategies, national plans and programmes for conservation of biodiversity and landscapes, and to integrate them into national policies	Implementation of the Action Plan	2, 6
<b>Article 5 parag. 1</b>	Ask to regulate the introduction of non-indigenous species and prohibit the introduction of those potentially harmful for native ecosystems, habitats or species	Regulation and prohibition of introduction of non-indigenous species	2, 3
<b>Article 5 parag. 2</b>	Call to take measures to eradicate or reduce species already introduced and causing, at present or potentially, damage to ecosystems, landscapes, habitats or species	On reduction and eradication of non-indigenous species	2, 3
<b>Article 6</b>	Call the parties to assess the impact of projects and activities potentially affecting species, habitats, protected areas, particularly sensitive marine areas, and landscapes; and to take into account the	Criteria and objectives should pursuit the Convention and international agreements like the international Convention on Environmental Impact Assessment in a Transboundary Context	1, 2

assessments while taking decisions on these projects and activities

ARTICLES	SUMMARY	NOTES	WG
Article 7	Ask for the introduction of the principles of integrated coastal zone management as a way for intersectoral integration at national and regional levels, with the aim of sustainable use of natural resources and promotion of environmentally friendly human activities	ICZM as both inspiring principle and legal instrument	2, 4
Article 8	Ask to take into account the needs of traditional subsistence and cultural activities of local communities, and to exempt them from protection and conservation measures, where necessary and appropriate	Exemptions to protection and conservation	2, 6
Article 9, parag. 1	Call the parties to inform the public of the value of protected areas, species and landscapes.	See also Annex 1 (MPAs), Annex 2 (important species) and Annex 3 (Protection of species and habitats).	2, 6
Article 9, parag. 2	Ask to promote stakeholder engagement in protection measures and environmental impact assessments	Stakeholder engagement also include the public society	2, 6
Article 10, parag. 1	Call for cooperation among the parties in scientific research for the protection of the biological and landscape diversity	On scientific cooperation	2, 6
Article 11, parag. 2	Ask for the adoption of rules and regulations to ensure liability for damage to biodiversity and landscapes	On implementation of accountability of environmental damage	2, 6
Article 11, parag. 3	Prompt compensation or other relief for damage caused by pollution or human activities to the biological and landscape diversity	On compensation for environmental damage	2, 6
Article 11, parag. 4	Call to co-operation among parties in developing and harmonising laws, regulations and procedures relating to liability, assessment of and compensation for damage caused by human activities and/or pollution of the marine environment	The ultimate aim is to ensure the highest degree of deterrence and protection for the biological and landscape diversity	2, 6
Article 14	Call the parties to financially support and incentive national and regional activities to achieve the objectives of this Protocol	On the financial support to the implementation of the Protocol. See also Annex 1 (MPAs), Annex 2 (important species) and Annex 3 (Protection of species and habitats).	2, 6
Website	<a href="http://www.blacksea-commission.org/convention.asp">http://www.blacksea-commission.org/convention.asp</a>		

<b>INSTRUMENT</b>	Annex 1 of the Biodiversity and Landscape Conservation Protocol (2002) of the Bucharest Convention (1992)		
<b>PRIMARY GOAL</b>	Marine Protected Areas (MPAs)		
<b>TYPOLGY</b>	Direct (sub)regional policy		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
Article 1	Objectives of MPAs	To safeguard (a) ecosystems holding biodiversity; (b) habitats, biocoenoses, ecosystems and landscapes in danger; (c) critical habitats; and (d) sites of particular importance	2, 6
Article 2, parag. 1	Production of criteria to identify areas for MPA establishment		2, 6
Article 2, parag. 2	Compilation of a list of sites meeting the criteria in parag. 1		2
Article 2, parag. 3	Establishment of MPAs from the list asked by parag. 2	Risk assessment, vulnerability and priority should be taken into account	1, 2, 6
Article 2, parag. 4	Ask for cooperation for the management of transboundary MPAs		2, 6
Article 3	List of measures aimed to integrity, sustainability and development of MPAs	List include but it is not limited to (a) application of other protocols and conventions; (b) prohibition of dumping; (c) regulation of shipping; (d) regulation or prohibition of the introduction of alien and genetically modified species; (e) prohibition of exploration and exploitation of seabed and subsoil; (f) regulation of scientific activities; (g) regulation or prohibition of harvesting and trading with species from MPAs; (h) regulation or prohibition of any other activity; (i) other additional measures	2, 3, 6
Article 4, parag. 1	Ask for harmonisation of environmental protection measures in MPAs		2, 6
Article 4, parag. 2	List of necessary measures	Include (a) management plan; (b) monitoring program; (c) involvement of local communities; (d) financial mechanisms; (e) regulation of activities and permits; and (f) training of staff and infrastructures	2, 6
Article 3	Ask to include provisions to ensure MPAs integrity in national contingency plans		2, 6
Article 4	Call for integrated management of terrestrial and maritime realms in transboundary protected areas		2, 6
Website	<a href="http://www.blacksea-commission.org/_convention-protocols-biodiversity.asp">http://www.blacksea-commission.org/_convention-protocols-biodiversity.asp</a>		

<b>INSTRUMENT</b>	<b>Annex 3 of the Biodiversity and Landscape Conservation Protocol of the Bucharest Convention</b>		
<b>PRIMARY GOAL</b>	<b>Conservation of species and management of their habitats</b>		
<b>TYPOLOGY</b>	<b>Direct (sub)regional policy</b>		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
Article 1, parag. 1	Calls for managing species to maintain them in favourable conservation status		2
Article 1, parag. 2	Asks for the compilation of lists of threatened and functionally important species, and to provide them protection status		2
Article 1, parag. 3	Calls to manage and eventually ban activities negatively affecting the species referred to in parag. 2, or their habitats	It also calls for managing the species referred to in parag. 2, and their habitats, to bring them to favourable conservation conditions as stated in parag. 1	2, 6
Article 1, parag. 4	Imposes prohibitions in order to favour protected species	Refers to taking, possession, killing, trading, transport, exhibition, and disturbance	2, 6
Article 1, parag. 5	Calls for cooperation among the parties in protecting species, specifically mentioning migratory species		2, 6
Article 1, parag. 6	Calls for the regulation, and eventually prohibition, of sources of destruction and disturbance for protected species	Such sources include picking, collecting, cutting, uprooting, possession of, trading, commercial transport and exhibition of protected species	2, 6
Article 1, parag. 7	Prompts cooperation with non-contracting parties to pursuit conservation efforts		2, 6
Article 2, parag. 1	Asks for cooperation among the parties for the conservation of the species listed in Annex 2		2, 6
Article 2, parag. 2	Asks for the maximum protection and recovery for the species listed in Annex 2		
Article 2, parag. 3	Calls for the prohibition of destruction of and damage to the habitats of species listed in Annex 2, and asks for action plans aimed to their conservation or recovery		
Article 2, parag. 1	Calls for cooperation among contracting parties to protect, conserve and recover threatened species with transboundary habitats		
Article 2, parag. 2	Calls to adopt at national level the measures provided for in Annex 3, Articles 4 and 6 of the Biodiversity and Landscape Conservation Protocol of the Bucharest Convention		
Article 2, parag. 3	Commits the parties to the prohibition of the destruction of and damage to the habitats of species listed in Annex 2, and to the formulation and implementation of action plans for their conservation or recovery		
Article 2, parag. 4	Commits the parties to collaborate in the protection, and eventually recovery, of		



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threatened species distributed across national borders.

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ARTICLES	SUMMARY	NOTES	WG
Article 2, parag. 5	Allows exemptions to the prohibitions regarding species listed in Annex 2 for scientific, educational or management purposes aimed to the survival of the species or to prevent significant damage		
Article 3, parag. 1	Call for sustainable management of Species Whose Exploitation Should Be Regulated	The Species Whose Exploitation Should Be Regulated are listed in Annex 4	
Article 3, parag. 2	Asks the parties to cooperate with international organizations in sustainably managing the Species Whose Exploitation Should Be Regulated	The Species Whose Exploitation Should Be Regulated are listed in Annex 4	
Article 3, parag. 3	Asks the parties to cooperate with international organizations in order to put in place recovery plans for those species that are not in a favourable conservation status		
Website	<a href="http://www.blacksea-commission.org/_convention-protocols-biodiversity.asp">http://www.blacksea-commission.org/_convention-protocols-biodiversity.asp</a>		

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<b>INSTRUMENT</b>	<b>Strategic Action Plan of the Bucharest Convention</b>		
<b>PRIMARY GOAL</b>	Coordinate policies and actions for the recovery of the Black Sea		
<b>TYOLOGY</b>	Direct (sub)regional		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
General	Strategic Action Plan for the Environmental Protection and Rehabilitation of the Black Sea (2009, in force) of the Bucharest Convention for the Protection of the Black Sea Against Pollution (1992). Substitutes the former Strategic Action Plan (1996, amended 2002).		
Article 1	Agrees to act in concert to assist in the continued recovery of the Black Sea	Based on the former Baltic Sea Strategic Action Plan (BS SAP) on 1996 and 2002, the 2007 Black Sea Transboundary Diagnostic Analysis (BS TDA), and the 2007 BS SAP Gap Analysis	1, 2, 6
1.5	The parties state a shared desire for the sustainable management of the natural resources and biodiversity of the Black Sea and recognize their role and responsibility in conserving the global value of these resources	Adopts the principles of sustainability, polluter pays, anticipatory action, preventative action, accessibility of information by any of the parties, and public participation and transparency. Ask for the inclusion of environmental and health considerations in policies, plans and programmes. Promotes clean technologies, Sustainable Agriculture, integration between development and environmental planning,	2, 6
2	Identifies the challenge as four transboundary environmental problems: nutrient enrichment and eutrophication; changes in marine living resources; chemical pollution including oil; and biodiversity and habitat changes, including alien species introduction	Based on BS SAP (1996, 2002) and BS TDA (2007). A short historical introduction is provided in 2.1, 2.2, 2.3 and 2.4	2, 3, 6
2.5	Establishes the need to tackle the four transboundary problems in an integrative fashion through ICZM rather than in isolation		2, 6
2.7	Institutional analysis reveals that better coordination is needed between the national Ministries with that of the Environment		6
3.1	Identifies 3 key approaches to which the BS SAP adheres: (1) Integrated Coastal Zone Management (ICZM); (2) The Ecosystem Approach; and (3) Integrated River Basin Management (IRBM).	Each approach is described in Annex 3	2, 6

ARTICLES	SUMMARY	NOTES	WG
3.2	<p>Establishes the long term Ecosystem Quality Objectives (EcoQOs) as follows</p> <p>EcoQO 1: Preserve commercial marine living resources.</p> <p>EcoQO 1a: Sustainable use of commercial fish stocks and other marine living resources.</p> <p>EcoQO 1b: Restore/rehabilitate stocks of commercial marine living resources.</p> <p>EcoQO 2: Conservation of Black Sea Biodiversity and Habitats.</p> <p>EcoQO 2a: Reduce the risk of extinction of threatened species.</p> <p>EcoQO 2b: Conserve coastal and marine habitats and landscapes.</p> <p>EcoQO 2c: Reduce and manage human mediated species introductions</p> <p>EcoQO 3: Reduce eutrophication.</p> <p>EcoQO 4: Ensure Good Water Quality for Human Health, Recreational Use and Aquatic Biota.</p> <p>EcoQO 4a: Reduce pollutants originating from land based sources, including atmospheric emissions.</p> <p>EcoQO 4b: Reduce pollutants originating from shipping activities and offshore installations</p>		2, 3, 6
3.3	<p>States management targets to meet the EcoQOs and made a number of recommendations regarding fisheries management. Ask for collaboration among parties for achieving regional targets.</p>	<p>Characteristics for each target are provided in Annex 3, including the EcoQO to which the target refers, anticipated outputs, time for implementation, reforms needed, indicators, level of priority and level of uncertainty</p>	2, 6
3.5	<p>Identifies full public involvement at all levels as a prerequisite to successfully implement the Bucharest Convention</p>	<p>Involvement should include awareness-raising activities and improved outreach programmes</p>	2, 6
Website	<a href="http://www.blacksea-commission.org/bssap2009.asp">http://www.blacksea-commission.org/bssap2009.asp</a>		

INSTRUMENT	Convention for the Protection of the Marine Environment of the North-East Atlantic – also known as the Oslo and Paris Convention (OSPAR)
PRIMARY GOAL	Prevent and eliminate pollution and shall take the necessary measures to protect the maritime area against the adverse effects of human activities so as to safeguard human health and to conserve marine ecosystems and, when practicable, restore marine areas which have been adversely affected.
TYOLOGY	Direct – legally binding instrument

ARTICLES	SUMMARY	NOTES	WG
Annex V of the Convention on the Protection and Conservation of the Ecosystems and Biological Diversity of the Maritime Area	The aim of Annex V pursuant to the overall objective of the Convention is to take the necessary measures to protect and conserve the ecosystems and the biological diversity of the maritime area, and to restore, where practicable, marine areas which have been adversely affected. In the context of this Annex three programmes have been initiated: The Marine Protected Areas programme, Species and Habitats programme and the Biodiversity Monitoring & Assessment programme:	OSPAR is the most important regional instrument for the protection of the marine ecosystem and biological diversity of the North East Atlantic. The responsible Committee under the Commission is the Biodiversity Committee. No programme or measure concerning a question relating to the management of fisheries shall be adopted under Annex V. However where the Commission considers that action is desirable in relation to such a question, it shall draw that question to the attention of the authority or international body competent for that question. Where action within the competence of the Commission is desirable to complement or support action by those authorities or bodies, the Commission shall endeavour to cooperate with them. Where an action under Annex V is desirable in relation to a question concerning maritime transport, it shall draw that question to the attention of the International Maritime Organisation.	5
	Marine Protected Areas The Commission has adopted Recommendation 2003/3 on a network of marine protected areas with the purpose of establishing an ecologically coherent network of MPAs in the North-East Atlantic that is well managed by 2016. The OSPAR network of MPAs aims: -to protect, conserve and restore species, habitats and ecological processes which have been adversely affected by human activities;	An intersessional group (ICG-MPA) coordinates the implementation of the recommendation and assess the coherency of the network and provides guidance for the management of MPAs within the OSPAR area.	

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- to prevent degradation of, and damage to, species, habitats and ecological processes, following the precautionary principle;
  - to protect and conserve areas that best represent the range of species, habitats and ecological processes in the maritime area.
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ARTICLES	SUMMARY	NOTES	WG
	<p>Species and Habitats</p> <p>The Commission has further established a list of 58 threatened and/or endangered habitats; recommendations encompassing programmes and measures have been adopted to improve the protection and conservation of these species and habitats.</p>	<p>In 2014 a new intersessional group was established to coordinate the implementation of the Recommendations (ICG-POSH) across thematic committees, have oversight on the management of the OSPAR List and ensure the necessary monitoring and assessment is in place. In 2017 a Plan of Implementation was adopted by the Commission.</p>	
	<p>Biodiversity Monitoring &amp; Assessment</p> <p>An initial suite of 15 common biodiversity indicators that can be used across at least one of OSPAR's Regions. These are indicators that look at the changes in populations of marine mammals, seabirds, fish, they look at changes in the phyto and zoo plankton communities, benthic habitats and food webs. The first assessment of these indicators will be delivered in 2017.</p>	<p>The intersessional correspondence group on coordinated biodiversity assessment and monitoring (ICG-COBAM) has been developing the initial suite of 15 common biodiversity.</p>	
<b>Website</b>	<a href="https://www.ospar.org/convention">https://www.ospar.org/convention</a>		

<b>INSTRUMENT</b>	<b>Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention, 1992)</b>
<b>PRIMARY GOAL</b>	The Contracting Parties shall individually or jointly take all appropriate legislative, administrative or other relevant measures to prevent and eliminate pollution in order to promote the ecological restoration of the Baltic Sea Area and the preservation of its ecological balance.
<b>TYOPOLOGY</b>	Direct – legally binding instrument

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Article 15, Nature conservation and biodiversity</b>	The Contracting Parties shall individually and jointly take all appropriate measures with respect to the Baltic Sea Area and its coastal ecosystems influenced by the Baltic Sea to conserve natural habitats and biological diversity and to protect ecological processes. Such measures shall also be taken in order to ensure the sustainable use of natural resources within the Baltic Sea Area. To this end, the Contracting Parties shall aim at adopting subsequent instruments containing appropriate guidelines and criteria.		all
<b>Baltic Sea Action Plan (BSAP)</b>	HELCOM Baltic Sea Action Plan (BSAP) is an ambitious programme to restore the good ecological status of the Baltic marine environment by 2021. The Plan, adopted by all the coastal states and the EU in 2007, provides a concrete basis for HELCOM work. It incorporates the latest scientific knowledge and innovative management approaches into strategic policy implementation, and stimulates goal-oriented multilateral cooperation around the Baltic Sea region. The BSAP is regularly updated in ministerial meetings.	The vision of BSAP is a healthy Baltic Sea environment, with diverse biological components functioning in balance, resulting in good environmental/ecological status and supporting a wide range of sustainable human economic and social activities.	
<b>Red List of Baltic Sea Species and of biotopes, habitats and biotope complexes</b>	The HELCOM Red List of Baltic Sea species in danger of becoming extinct (2013) is the first threat assessment for Baltic Sea species that covers all marine mammals, fish, birds, macrophytes (aquatic plants), and benthic invertebrates, and follows the Red List criteria of the International Union for Conservation of Nature (IUCN). The Red List of biotopes, habitats and biotope complexes identifies biotopes, habitats and biotope complexes that are under threat of collapse. The threat is assessed based on decline in quantity or quality of the biotope. The Red List criteria identify threshold values for the decline and places the biotope in a threat category,	<a href="http://helcom.fi/baltic-sea-trends/biodiversity/red-list-of-species/">http://helcom.fi/baltic-sea-trends/biodiversity/red-list-of-species/</a>  <a href="http://helcom.fi/baltic-sea-trends/biodiversity/red-list-of-biotopes-habitats-and-biotope-complexes/">http://helcom.fi/baltic-sea-trends/biodiversity/red-list-of-biotopes-habitats-and-biotope-complexes/</a>	

ARTICLES	SUMMARY	NOTES	WG
<b>Marine Protected Areas (MPAs)</b>	<p>The aim of the coastal and marine Baltic Sea protected areas (HELCOM MPAs) is to protect valuable marine and coastal habitats in the Baltic Sea. This is done by designating sites with particular nature values as protected areas, and by managing human activities within those areas. Each site has its unique management plan.</p> <p>Today there are 174 HELCOM MPAs in the Baltic Sea.</p> <p><a href="http://helcom.fi/action-areas/marine-protected-areas/">http://helcom.fi/action-areas/marine-protected-areas/</a></p>	<p>The first coastal and marine Baltic Sea protected areas (HELCOM MPAs) were established in 1994, following the adoption of the 1992 Helsinki Convention. Article 15 of the Helsinki Convention requires Contracting Parties to take all appropriate measures to conserve natural habitats and biological diversity in the Baltic Sea (HELCOM 1992). To further implement Article 15, HELCOM Recommendation 15/5 "System of coastal and marine Baltic Sea protected areas (BSPAs)" was issued in 1994. In Recommendation 15/5 HELCOM agreed on guidelines and criteria for HELCOM MPAs as presented in the box below.</p> <p>HELCOM Recommendation 15/5 was renewed in 2014 and is now superseded by the HELCOM Recommendation 35/1 "System of coastal and marine Baltic Sea protected areas (HELCOM MPAs)". The main focus of the new recommendation is on improving the management and ecological coherence of the network of MPAs in the Baltic Sea. The new recommendation also emphasizes the importance of modernizing the HELCOM MPA database and introduces the new acronym HELCOM MPAs (previously known as BSPAs).</p>	6
<b>Marine Spatial Planning (MSP)</b>	<p>The Marine Spatial Planning working group has developed principles and guidelines for MSP <a href="http://helcom.fi/action-areas/maritime-spatial-planning/">http://helcom.fi/action-areas/maritime-spatial-planning/</a></p>	<p>The Regional Baltic Maritime Spatial Planning Roadmap (2013-2020) was created to fulfill the goal of drawing up and applying maritime spatial plans throughout the Baltic Sea region by 2020 which are coherent across borders and apply the ecosystem approach.</p> <p>The Roadmap outlines the anticipated Baltic Sea regional work on MSP to be done by the HELCOM and VASAB Members – the nine Baltic Sea coastal countries, as well as Norway, Belarus and the European Commission</p>	5
<b>Marine litter and underwater noise</b>	<p>As agreed in the Ministerial Meeting in October 2013, HELCOM developed a regional action plan on marine litter, adopted in 2015, with the aim of achieving a significant reduction of marine litter by 2025 and to prevent harm to the coastal and marine environment.</p>		

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In 2013, HELCOM Copenhagen Ministerial Declaration agreed that the level of ambient and distribution of impulsive sounds in the Baltic Sea should not have negative impact on marine life and that human activities that are assessed to result in negative impacts on marine life should be carried out only if relevant mitigation measures are in place.

The HELCOM Experts Network on Underwater Noise (EN-Noise) was established to prepare and facilitate the implementation of a roadmap to building a knowledge base on underwater noise in a short term (2015-2017).

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**Website** <http://www.helcom.fi/about-us/convention/>

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INSTRUMENT	Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention, 1976, amended 1995)
PRIMARY GOAL	To protect the environment and contribute to the sustainable development of the Mediterranean Sea Area. Including coastal zones
TYOLOGY	Direct

ARTICLES	SUMMARY	NOTES	WG
General	The Barcelona Convention was adopted focussing predominantly on the prevention and abatement of pollution from ship, aircraft and land based sources in the Mediterranean Sea. The Convention was adopted in 1976 and later amended in 1995. The Convention consists of seven protocols of particular importance is the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean. The 1995 amended version is presented here.		
Article 1.2	The application of the Convention may be extended to coastal areas as defined by each Contracting Party within its own territory	Implies a trans-realm coverage	4
Article 3.2	The Contracting Parties may enter into bilateral or multilateral agreements, including regional or sub-regional agreements for the promotion of sustainable development, the protection of the environment, the conservation and preservation of natural resources in the Mediterranean Sea Area, provided that such agreements are consistent with this Convention and the Protocols and conform to international law.	Encourages transboundary conservation initiatives	5
Article 4	General Obligations: Prevention of pollution; protect and enhance the marine environment and contribute towards sustainable development; application of the precautionary principle; apply the polluter pays principle; undertake environmental impact assessments; promote cooperation between states; promote integrated management of coastal zones;	Has implications for all WGs	1,2,3,4,5,6
Article 5	Pollution caused by dumping from ships and aircraft, or incineration at sea		
Article 6	Pollution from ships		
Article 7	Pollution resulting from the exploration and exploitation of the continental shelf and the seabed and its subsoil		

<b>Article 8</b>	Pollution from land-based sources	Directly from outfalls discharging into the sea; or indirectly through rivers, canals and other watercourses, or through run-off	4
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<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Article 10</b>	Conservation of Biological Diversity The Contracting Parties shall, individually or jointly, take all appropriate measures to protect and preserve biological diversity, rare or fragile ecosystems, as well as species of wild fauna and flora which are rare, depleted, threatened or endangered and their habitats, in the area to which this Convention applies.		1,2,3,4,5,6
<b>Article 11</b>	Pollution Resulting from the Transboundary Movements of Hazardous Wastes and their Disposal		5
<b>Article 12</b>	Monitoring: Contracting Parties shall designate the competent authorities responsible for pollution monitoring within areas under their national jurisdiction and shall participate as far as practicable in international arrangements for pollution monitoring in areas beyond national jurisdiction.		5

INSTRUMENT	Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (1982 amended 1995)
PRIMARY GOAL	To cooperate to conserve, protect and restore the health and integrity of ecosystems
TYPOLOGY	Direct

ARTICLES	SUMMARY	NOTES	WG
Article 2.1	The area to which this Protocol applies shall be the area of the Mediterranean Sea as delimited in Article 1 of the Convention. It also includes: the seabed and its subsoil; the waters, the seabed and its subsoil on the landward side of the baseline from which the breadth of the territorial sea is measured and extending, in the case of watercourses, up to the freshwater limit; the terrestrial coastal areas designated by each of the Parties, including wetlands.		4
Article 3	General Obligations	Has implications for all of the WGs	1,2,3,4,5,6
Article 4	Objectives of Specially Protected Areas: The objective of specially protected areas is to safeguard: (a) representative types of coastal and marine ecosystems of adequate size to ensure their long-term viability and to maintain their biological diversity; (b) habitats which are in danger of disappearing in their natural area of distribution in the Mediterranean or which have a reduced natural area of distribution as a consequence of their regression or on account of their intrinsically restricted area; (c) habitats critical to the survival, reproduction and recovery of endangered, threatened or endemic species of flora or fauna; (d) sites of particular importance because of their scientific, aesthetic, cultural or educational interest.		6
Article 5	If a Party intends to establish, in an area subject to its sovereignty or national jurisdiction, a specially protected area contiguous to the frontier and to the limits of a zone subject to the sovereignty or national jurisdiction of another Party, the competent authorities of the two Parties shall endeavour to cooperate, with a view to reaching agreement on the measures to be taken and shall, inter alia, examine the possibility of the other Party establishing a	Requires non-party states and party states to seek to cooperate where there are potential transboundary issues related to the definition of a specially protected area contiguous to an international border.	5

corresponding specially protected area or adopting any other appropriate measures.

ARTICLES	SUMMARY	NOTES	WG
Article 6b	The prohibition of the dumping or discharge of wastes and other substances likely directly or indirectly to impair the integrity of the specially protected area		6
Article 6d	The regulation of the introduction of any species not indigenous to the specially protected area in questions or of genetically modified species as well as the introduction or reintroduction of species which are or have been present in the specially protected areas		3,5
Article 6e	The regulation or prohibition of any activity involving the exploration or modification of the soil or exploitation of the subsoil of the land part, the seabed or its subsoil	-	4
Article 6g	The regulation or prohibition of fishing, hunting, taking of animals and harvesting of plants or their destruction, as well as trade in animals, parts of animals, plants, parts of plants, which originate in specially protected areas		6
Article 7	Planning and Management		6
Article 9.2.b	Proposals for inclusion in the SPAMI list may be submitted: by two or more neighbouring Parties concerned if the area is situated, partly or wholly, on the high sea	Maybe useful to refer to art 8 (some criterias for SPAMIs' List), and especially to the very important (from a legal point of view) Article 9 Procedure for the Establishment and Listing of SPAMIs Art 9 – 1 states that SPAMIs may be established, in... (b) zones partly or wholly on the high seas. With the Antarctic this is this only example of a possible legal MPA on the high seas (in positive law) so I assume it may be important in the purpose of this document. As of today Pelagos is the only case in the Mediterranean	5
Article 9.2.c	Proposals for inclusion in the SPAMI list may be submitted: by the neighboring Parties concerned in areas where the limits of national sovereignty or jurisdiction have not yet been defined		5
Article 11	Protection and Conservation of Species: National measures for the protection and conservation of species The Parties shall manage species of flora and fauna with the aim of maintaining them in a favourable state of conservation		1,2,3,4,5,6
Article 12	Cooperative measures for the protection and conservation of species		1,2,3,4,5,6

<b>Article 13</b>	Introduction of non-indigenous or genetically modified species	3
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<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Articles 14-16</b>	Provisions common to protected areas and species		6
<b>Article 17</b>	Environmental Impact Assessment		1
<b>Articles 18-19</b>	Integration of traditional activities and publicity, information, public awareness and education		6
<b>Article 20</b>	Scientific, technical and management research		2,6
<b>Articles 21-22</b>	Mutual cooperation and mutual assistance		5

INSTRUMENT	Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention, 1979)
PRIMARY GOAL	To ensure conservation of wild flora and fauna species and their habitats
TYPOLOGY	Direct – binding

ARTICLES	SUMMARY	NOTES	WG
General	<p>The Bern Convention is a binding international legal instrument in the field of nature conservation, covering most of the natural heritage of the European continent and extending to some States of Africa. Special attention is given to endangered and vulnerable species, including endangered and vulnerable migratory species specified in appendices.</p> <p>The Parties undertake to take all appropriate measures, including education, to ensure the conservation of the habitats of the wild flora and fauna species. Such measures should be included in the Parties planning and development policies and pollution control, with particular attention to the conservation of wild flora and fauna.</p>		
Article 4 Protection of habitats	<p>1. Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in Appendices I and II, and the conservation of endangered natural habitats.</p> <p>2. The Contracting Parties in their planning and development policies shall have regard to the conservation requirements of the areas protected under the preceding paragraph, so as to avoid or minimise as far as possible any deterioration of such areas.</p> <p>3. The Contracting Parties undertake to give special attention to the protection of areas that are of importance for the migratory species specified in Appendices II and III and which are appropriately situated in relation to migration routes, as wintering, staging, feeding, breeding or moulting areas.</p> <p>4. The Contracting Parties undertake to co-ordinate as appropriate their efforts for the protection of the natural habitats referred to in this article when these are situated in frontier areas.</p>	<p>The Convention is organized around a Standing Committee of the Contracting Parties and observers from nature conservation NGOs and international organisations. The Standing Committee is the governing body of the Convention.</p> <p>The Bureau of the Standing Committee is the operative governance body between the meetings of the Standing Committee and is assisted by a secretariat provided by the Council of Europe.</p> <p>The appendices of the Convention are constantly updated and renewed. They include extensive lists of protected wild species (flora and fauna) and habitats, as well as a list of prohibited means and methods of killing, capture and other forms of exploitation. Additionally, the scientists mandated to represent the countries in the different groups of experts are called to develop action plans, guidelines and codes of conduct to meet the most pressing requirements for the conservation of biodiversity at any given time.</p>	

ARTICLES	SUMMARY	NOTES	WG
Articles 5-9 Protection of species	<p>Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the special protection of the wild flora species specified in Appendix I</p> <p>Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the special protection of the wild fauna species specified in Appendix II.</p> <p>Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the protection of the wild fauna species specified in Appendix III.</p>	<p>Appendices I-III stipulate strictly protected flora species fauna species and protected fauna species.</p> <p>Appendix IV stipulates prohibited means and methods of killing, capture and other forms of exploitation.</p>	all
Article 10 Special provisions for migratory species	<p>The Contracting Parties undertake, in addition to the measures specified in Articles 4, 6, 7 and 8, to co-ordinate their efforts for the protection of the migratory species specified in Appendices II and III whose range extends into their territories.</p>		
European Diploma for Protected Areas	<p>The European Diploma for Protected Areas is a prestigious international award granted since 1965 by the Committee of Ministers of the Council of Europe. It recognises natural and semi-natural areas and landscapes of exceptional European importance for the preservation of biological, geological and landscape diversity and which are managed in an exemplary way.</p> <p>Protected areas may receive the diploma for their outstanding scientific, cultural or aesthetic qualities, but they must also be the subject of a suitable conservation scheme.</p>	<p>Since its creation in 1965, 74 protected areas have been granted the European Diploma. They are located in 29 European countries, both member and non-member states of the Council of Europe. The European Diploma for Protected Areas also includes coastal and marine areas</p> <p><a href="http://www.coe.int/en/web/bern-convention/european-diploma-areas">http://www.coe.int/en/web/bern-convention/european-diploma-areas</a></p>	6
Website	<a href="https://www.coe.int/en/web/bern-convention">https://www.coe.int/en/web/bern-convention</a>		

<b>INSTRUMENT</b>	Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area - ACCOBAMS		
<b>PRIMARY GOAL</b>	To maintain a favourable conservation status for cetaceans in the Mediterranean Sea, the Black Sea and the Contiguous Atlantic Area		
<b>TYPOLOGY</b>	Regional / Direct		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
General	Signed in 1996, under the Bonn Convention (CMS), ACCOBAMS entered into force in 2001. It specifically aims to establish a network of 'specially protected areas to conserve cetaceans'. Prohibits the deliberate killing of cetaceans in national waters.	It applies to coastal Mediterranean and Black Sea countries. The whole Convention seems to affect only these two WGs	2,5
Article 1-7		WG2 because directly refers to cetaceans and adoption of measures including MPAs for protecting and improving their conservation status WG5 because cetacean species might move between countries and their protection needs cooperation	2,5
Website	<a href="http://www.accobams.org/">http://www.accobams.org/</a>		



<b>INSTRUMENT</b>	<b>Agreement on the Conservation of Small Cetaceans in the Baltic, North East Atlantic, Irish and North Seas - ASCOBANS</b>
<b>PRIMARY GOAL</b>	The Parties undertake to cooperate closely in order to achieve and maintain a favourable conservation status for small cetaceans
<b>TYOLOGY</b>	Regional / Direct

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
General	ASCOBANS was concluded in 1991 as the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) under the auspices of the Convention on Migratory Species (CMS or Bonn Convention) and entered into force in 1994. In February 2008, an extension of the agreement area came into force which changed the name to "Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas"	It applies to the Baltic and North Seas and contiguous area of the North East Atlantic, as delimited by the shores of the Gulfs of Bothnia and Finland; to the south-east by latitude 36°N, where this line of latitude meets the line joining the lighthouses of Cape St. Vincent (Portugal) and Casablanca (Morocco); to the south-west by latitude 36°N and longitude 15°W; to the north-west by longitude 15° and a line drawn through the following points: latitude 59°N/longitude 15°W, latitude 60°N/longitude 05°W, latitude, 61°N/longitude 4W;latitude 62N/ longitude 3W; to the north by latitude 62°N; and including the Kattegat and the Sound and Belt passages	5
Articles 1-8	The Parties undertake to cooperate closely in order to achieve and maintain a favourable conservation status for small cetaceans.	Due to the migratory or wide-ranging nature of cetaceans transboundary cooperation is often called for.	5
Website	<a href="http://www.ascobans.org/">http://www.ascobans.org/</a>		

<b>INSTRUMENT</b>	<b>European Free Trade Association (1960) - Agreement on the European Economic Area (EEA)</b>
<b>PRIMARY GOAL</b>	<b>Environmental issues and working conditions</b>
<b>TYPOLOGY</b>	<b>Direct</b>

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Article 26 par. 2</b>	Calls to avoid relaxing environmental standards.	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2
<b>Article 33 par. 1</b>	Recalls international instruments for environmental protection.	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	
<b>Articles 33 par. 2</b>	Recognizes environmental protection as a key component of sustainable development.	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2
<b>Article 34</b>	Defines environmental issues as a scope of the chapter.	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2
<b>Articles 35 par. 1</b>	Encourages high and improved standards of environmental protection.	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2
<b>Article 36 par. 2a</b>	Dictates that the level of environmental protection should not be reduced or weakened for trading scopes.	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2, 6
<b>Article 38</b>	Reaffirms the commitment to implement multilateral environmental agreements and to adhere to environmental principles stated in Art. 33 par. 1.	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2, 6
<b>Article 39 par. 1</b>	Calls to promote investment, trade, goods and services beneficial for the environment (e.g. environmental technologies, renewable energies, energy efficient and eco-labelled goods and services)	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2
<b>Article 39 par. 3</b>	Considers the exchange of views and the establishment of collaborations among the parties to achieve the goal of Art. 39 par. 1.	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2, 6

ARTICLES	SUMMARY	NOTES	WG
Article 39 par. 4	Encourages cooperation among enterprises in goods, services and technologies beneficial for the environment	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2,6
Article 40	Calls the parties to enhance collaboration in international for a, including regional ones	Any state of the European Free Trade Association may access this Agreement, which enters into force three months after the deposit of the instrument of accession (Art. 51 par. 1 & 2).	2, 6
Website	<a href="http://www.efta.int/">http://www.efta.int/</a>		

<b>INSTRUMENT</b>	<b>Agreement on the European Economic Area - EEA Agreement</b>		
<b>PRIMARY GOAL</b>	<b>Trade</b>		
<b>TYPOLGY</b>	<b>Direct</b>		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
Part V., Chapter 3, Art. 73, par. 1	Define the parties' environmental objectives as follows: (1) preserve, protect and improve quality of the environment; (2) contribute to protect human health; and (3) ensure prudent and rational utilization of natural resources.		2
Part V., Chapter 3, Art. 73, par. 2	Implementation of (1) the precautionary principle; and (2) the polluter pay principle.		2
Part V., Chapter 3, Art. 74	Redirects to Annex XX for the specific provisions pursuant to Art. 73.		2
Part V., Chapter 3, Art. 75	Allows any party to undertake more protective measures compatible with the Agreement		2
Annex XX. Part I	General provisions regarding chiefly eco-labelling of products.		2
Annex XX. Part II	General provisions regarding water. Mostly EU directives adapted to be adopted by non-EU member states that are parties of EFTA.		2, 6
Annex XX. Part III	General provisions regarding air (chiefly emissions levels allowances). Mostly EU directives adapted to be adopted by non-EU member states that are parties of EFTA.		2, 6
Annex XX. Part IV	General provisions regarding chemicals, industrial risk, and biotechnologies. Mostly derogations of EU provisions against trade of goods from genetically modified organisms.		2, 6
Annex XX. Part V	General provisions regarding waste management, mainly derogation of anti-dumping provisions in EFTA contracting parties that are not EU member states.		2, 6
Annex XX. Part VI	Provisions regarding noise pollution, mainly adapted from EURATOM recommendations.		2,6
Website	<a href="http://www.efta.int/Legal-Text/EEA-Agreement-1327">http://www.efta.int/Legal-Text/EEA-Agreement-1327</a>		

<b>INSTRUMENT</b>	<b>Euro-Mediterranean agreement</b>
<b>PRIMARY GOAL</b>	<b>Economic cooperation</b>
<b>TYPOLGY</b>	<b>Direct</b>

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Article 48 par. 3</b>	Preservation of the environment and ecological balances as a central component of economic cooperation.		2
<b>Article 50 par. c</b>	Promotes regional cooperation in environmental matters.		2, 6
<b>Article 52</b>	Encourages cooperation in preventing deterioration of the environment, controlling pollution and ensuring the rational use of natural resources, including integrated management of sensitive habitats, control and prevention of marine pollution, and technical assistance for the preservation of biodiversity.		2
<b>Article 58</b>	Promotes environmentally-friendly forms of fisheries.		2, 6

General Fisheries Commission for the Mediterranean - GFCM recommendations			
INSTRUMENT			
PRIMARY GOAL	Sustainable use of natural resources		
TYPOLOGY	Global / Direct		
ARTICLES	SUMMARY	NOTES	WG
REC.CM-GFCM/36/2012/1	Measures for the sustainability of the exploitation of red coral	Establishes a minimum size of harvestable individuals, a system of traceability, a data gathering system and ask for national adaptive management plans in line with the Barcelona Convention	1, 2
REC.CM-GFCM/36/2012/2	Mitigation of incidental catches of cetaceans	Establishes technical measures to mitigate and eliminate catches of cetaceans, release of individuals, data gathering, acoustic signalling of fishing gear, in line with the Barcelona Convention and in harmonization with ICCAT decisions	2
REC.CM-GFCM/36/2012/3	Fisheries management measures for conservation of sharks and rays	Bans finning, behead and skinning. Recall measures to reduce coastal trawling, and call for monitoring and mitigation of impacts. Establishes the immediate release of unharmed individuals of species listed in Annexes II and III of SPA/BD protocol of Barcelona Convention. States the willingness and availability to cooperate in capacity building and knowledge sharing on sharks to support implementation of the recommendation.	2
REC.CM-GFCM/35/2011/2	Sustainable exploitation of red coral	Prohibition of any means of harvesting apart from manual collection, and explicit ban of towed gear. Regulation and temporal admissibility of the use of ROVs. Prohibition of harvesting above 50 m depth. Data gathering, promotion of capacity building, stakeholder engagement, and the adoption of a regional management plan.	1, 2
REC.CM-GFCM/35/2011/3	Reduction of incidental by-catch of seabirds in fisheries	Contains technical measures to reduce as much as possible incidental taking of birds and impact to breeding areas, especially those stated in Annex II of SPA/BD protocol of the Barcelona Convention, and in alignment with ICCAT decisions.	2
REC.CM-GFCM/35/2011/4	Reduction of incidental by-catch of sea turtles in fisheries	Contains technical measures to reduce incidental taking of sea turtles, to release unharmed individuals and to adequately handle deserving assistance. Capacity building and engagement of relevant international organizations are foreseen.	2

ARTICLES	SUMMARY	NOTES	WG
REC.CM- GFCM/35/2011/5	Fisheries measures for the conservation of the Mediterranean monk seal	Establishes obligation to release unharmed seals and to land those dead or required assistance upon notification to authorities. Data gathering protocol. Call for management plans to eliminate the risk of incidental take of seals. Promotes capacity building, knowledge sharing and stakeholder engagement for efficient implementation of the recommendation, which is in line with SPA/BD protocol of the Barcelona Convention.	2
REC.CM- GFCM/33/2009/1	Establishment of a fisheries restricted area in the Gulf of Lion to protect spawning aggregations and deep-sea sensitive habitats	Fix the fishing effort in the area to the 2008 level. Data gathering protocol. Other human activities jeopardizing conservation of habitats are prohibited.	1, 2
REC.CM- GFCM/30/2006/2	Establishment of a closed season for the dolphin fish fisheries using FADs		2
REC.CM- GFCM/30/2006/3	Establishment of FRAs in order to protect the deep-sea sensitive habitats		1, 2, 6
REC.CM- GFCM/29/2005/1	Establishment of a FRA below 1000 m		1, 2, 6
RES- GFCM/37/2013/1	Establishment of FRAs and coordination with UNEP-MAP establishment of SPAMIs		1, 2, 6
RES- GFCM/31/2007/4	Pelagos sanctuary for the conservation of marine mammals		2, 6
Website	<a href="http://www.gfcm.org/">http://www.gfcm.org/</a>		

<b>INSTRUMENT</b>	<b>North East Atlantic Fish Commission - NEAFC convention</b>		
<b>PRIMARY GOAL</b>	<b>Conservation and exploitation of fish resources</b>		
<b>TYOPOLOGY</b>	<b>Direct/Indirect</b>		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
Article 2	Objective of long-term conservation of fishery resources, thereby providing environmental benefits along with economic and social ones.		
Article 4 par. 2 sub-par. b	Convention recommendations should be based on the precautionary approach		
Article 4 par. 2 sub-par c	Calls to adopt conservation and management measures to minimize the impact of fisheries on living marine resources and ecosystems		
Article 4 par. 2 sub-par. d	Highlight the need to conserve marine biodiversity		
Article 4 par. 3	Commission shall provide a forum for exchange of information on the effects of policies on living resources and ecosystems		
Article 7 par. c	The commission can establish closed areas and closed seasons to fisheries		
Article 14	Cooperation with ICES		
Article 1 to 4 (NEAFC recommendation) Recommendation on Conservation and Management Measures for Deep Sea Species Recommendation No. 10 on conservation of deep sea sharks	Reduction of total fishing effort down to 65% of that of previous years		
Article 1	Directed fishing for deep sea sharks is prohibited		
Article 2	Available data on deep sea sharks should be submitted to ICES		
Article 3	Encourages conservation measures		
Article 4	List the species referred to as deep sea sharks		
Website	<a href="https://www.neafc.org/">https://www.neafc.org/</a>		



EUROPEAN UNION

INSTRUMENT	Habitats Directive - Council Directive 92/43/EEC of 21 May 1992
PRIMARY GOAL	Conservation on natural habitats and species within the European Union
TYPOLGY	Direct

ARTICLES	SUMMARY	NOTES	WG
Preamble	the main aim of this Directive is to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements, this Directive makes a contribution to the general objective of sustainable development; whereas the maintenance of such biodiversity may in certain cases require the maintenance, or indeed the encouragement, of human activities;	This can be achieved either through protection of species (Annexes II and IV) and/or habitats (Annex I). The primary aim is to maintain or restore species and habitats to favourable conservation status.	
Article 1	As part of the definitions, Article 1 provides clarification of the role of conservation and its application to the habitats, species and bio-geographical regions of the EU.	It lays out the definitions of the key phases used throughout the Directive, i.e. 'of Community Interest', 'conservation status', and other such technical terms.	All
Article 2	Provides the objectives of the Directive	Article 2.3 identified the need to 'take account of economic, social and cultural requirements and regional and local characteristics'	2, 6
Article 3	A coherent European ecological network the 'Natura 2000' network		5, 6
Article 4	Criteria for proposing sites based on natural habitat and species listed in Annex I and Annex II identifying the time span of 6 years from confirmation to establishment of an SAC	Draft list of sites drawn up by the Commission in agreement with the Member State	6
Article 5	The Commission can propose additional sites if it considers that the Member State has not fulfilled its obligation	The final decision on whether a site should be included lies with European Commission. This Article provides an opportunity for researchers to bypass the national government and submit to the Commission directly if required.	6
Article 6	This lays out the requirements for conservation measures according to the requirement of the individual site. It also identifies the obligation for the Member States to consider any potential plans or projects that may have impacts on a site and carry out an appropriate assessment of the potential impacts on a site. It also identifies where exemptions may be made in the 'imperative reasons of overriding public interest'.	Article 6 of the Directive provides the basis on which SACs can be designated and 'protected' from development both within and adjacent to the site. The ECJ has made various rulings on the ambiguous terms used with the Article and has placed the onus on the Member States to act in a precautionary manner – if in case of doubt whether a plan or project may have an effect on the site 'an assessment must be carried out' (C-127/02).	2, 6
Article 9	Periodic review of the Natura 2000 contribution	This involves the Natura 2000 fitness check which is periodically carried out:	2, 6

		<a href="http://ec.europa.eu/environment/nature/legislation/fitness_check/">ec.europa.eu/environment/nature/legislation/fitness_check/</a>	
<b>Article 10</b>	Integrating Natura 2000 into planning and development policies at Member State level		5, 6
<b>Article 11</b>	Member States shall undertake surveillance of the conservation status of natural habitats and species		2, 6
<b>Article 12</b>	Provisions for the establishment of strict protection of species listed in Annex IV Establishing a monitoring system of incidental capture and killing on animal species	Potentially could have an effect on bycatch in fisheries of Annex IV species which includes cetaceans, sea turtles and some fish species.	
<b>Article 13</b>	Establishment of strict protection of plant species listed in Annex IV		
<b>Article 14</b>	Provision of management measures for the species listed in Annex V		
<b>Article 15</b>	Provision of means of capture related to species from Annex V and derogations to species listed in Annex IV.		
<b>Article 16</b>	Rules of derogation for the management of populations of species identified under Articles 12-15. Requirement for Member States to report to the Commission on derogations applied every two years with specification of the contents of the report.		
<b>Article 17</b>	Reporting of the Member States ever six years. Composite report prepared by the Commission.		
<b>Article 18</b>	Encourage research in regard to the objectives of Articles 2 and 11 and the exchange of information for coordination at Member State and Community level. Particular attention paid to scientific work implemented for Article 4 and 10 and transboundary cooperative research between Member States to be encouraged		5
<b>Article 19</b>	Provision of amendments for adapting the Annexes		
<b>Article 22</b>	Concerns the re-introduction of species and re-establishing the species at a favourable conservation status after proper consultation with the public. Promote education and general information of the need to protect species of wild fauna and flora and their habitats		All
<b>Article 23</b>	Concerns the harmonisation of the Directive within the national laws of the Member States		6
<b>Annex I</b>	Natural habitat types of Community Interest whose conservation requires the designation of Special Areas of Conservation (SACs)	Provides a list of habitats that justify the definition of an SAC for their spatial conservation and identifies with (*) those habitats considered as priority. May effect conservation programmes funding possibilities.	

<b>Annex II</b>	Animal and plant species of Community Interest whose conservation requires the designation of Special Areas of Conservation (SACs)	Provides a list of species that justify the definition of an SAC for their spatial conservation. An asterisk (*) identifies priority species which may affect conservation program funding.
<b>Annex III</b>	Criteria for selecting sites eligible for identification as Sites of Community Importance (SCIs) and designation as Special Areas of Conservation (SACs)	This lays out how SCIs will be identified and how ACs will be designated; two stages are: assessment phase at national level and the assessment of the site as of community importance. 6
<b>Annex IV</b>	Animal and plant species of community interest in need of strict protection	These species are considered to have additional importance on top of those listed in Annex II, in fact some of these species are listing in both Annexes.
<b>Annex V</b>	Animal and plant species of community interest whose taking in the wild and exploitation may be subject to management measures	Provides a list of species that may be subject to management measures
<b>Annex VI</b>	Prohibited methods and means of capture and killing and mode of transport	Provides general information on the methods prohibited to be used to catch or collect wild flora and fauna.

<b>INSTRUMENT</b>	<b>Birds Directive - Directive 2009/147/EC of the European Parliament of 30 November 2009</b>
<b>PRIMARY GOAL</b>	<b>Conservation of wild birds</b>
<b>TYPOLOGY</b>	<b>Direct</b>

<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Preamble</b>	Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds has been substantially amended several times. In the interests of clarity and rationality the said Directive should be codified.	This Directive supersedes the previous Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds.	
<b>Article 1</b>	The application of the Directive is to birds, eggs, nests and habitats of all species of naturally occurring birds in a the wild state in the EU territory		
<b>Article 2</b>	Requires Member States shall take the requisite measures to maintain the population of the species referred to in Article 1 at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or to adapt the population of these species to that level.		6
<b>Article 3</b>	Provides for the creation of protected areas, among other means to fulfil Article 2	Provision for the application of the SPA criteria	6
<b>Article 4</b>	Refers to the development of special conservation measures for species listed in Annex I and migratory species with the requirement to provide the Commission with the relevant information on these species. Member States are also required to designate protection areas to avoid pollution, habitat deterioration or any significant disturbance including those species not listed in Annex I.		3, 5, 6
<b>Article 5</b>	The establishment of a general system of protection of all species of birds from capture, killing and disturbance		
<b>Article 9</b>	Provides for derogations of provisions from Articles 5-8 regarding methods and practices of removal of species listed in the various annexes. Each year the Member State is required to send a report on the derogations given.	Derogations include in the interests of public health and safety, air safety, serious damage to crops, livestock etc. and for the protection of other flora and fauna	6
<b>Article 10</b>	Member States shall encourage research particularly regarding topics listed in Annex V.		2
<b>Article 11</b>	Introduction of species not naturally occurring in the European territory		3
<b>Article 17</b>	Requires the harmonisation of the Directive into national law		5

<b>Annex I</b>	Lists species subject to special conservation measures concerning the habitat	6
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<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Annex II</b>	Species listed in Annex II may be hunted under national legislation.		
<b>Annex III</b>	Species listed in Annex III may be hunted		
<b>Annex IV</b>	Lists the methods that may not be used for hunting birds and exceptions.		
<b>Annex V</b>	Identifies topics of research of particular importance for the Directive	In particular referring to species and the data available for their conservation, and threat to birds populations through direct takes and pollution.	2

<b>INSTRUMENT</b>	<b>Marine Strategy Framework Directive 2008/56/EC</b>		
<b>PRIMARY GOAL</b>	Promoting sustainable use of the seas and conserving marine ecosystems		
<b>TYPOLOGY</b>	Direct		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
Preamble (3)	Marine environment is a precious heritage... ...promote the integration of environmental considerations into all relevant policy areas and deliver the environmental pillar of the future maritime policy for the EU	Mainstreaming environmental policy	5
Preamble (5)	The development and implementation of the thematic strategy should be aimed at the conservation of the marine ecosystems. This approach should include protected areas and should address all human activities that have an impact on the marine environment.	Including MPAs, addressing threats and integrating in broader conservation policy	6
Preamble (6)	The establishment of MPAs... ..is an important contribution to the achievement of GES	MPAs	6
Preamble (8)	By applying an ecosystem-based approach to the management of human activities while enabling a sustainable use of marine goods and services, priority should be given to achieving or maintaining good environmental status in the Community's marine environment, to continuing its protection and preservation, and to preventing subsequent deterioration.	EBM	
Preamble (11)	Each Member State should therefore develop a marine strategy for its marine waters which, while being specific to its own waters, reflects the overall perspective of the marine region or subregion concerned.	Transboundary consideration at region and sub-region levels	5
Preamble (13)	By reason of the transboundary nature of the marine environment, Member States should cooperate to ensure the coordinated development of marine strategies for each marine region or subregion... ..Where practical and appropriate, existing institutional structures established in marine regions or subregions, in particular Regional Sea Conventions, should be used to ensure such coordination.	Transboundary consideration at region and sub-region levels	5
Preamble (19)	This Directive should contribute to the fulfilment of the obligations and important commitments of the Community and the Member States under several relevant international agreements relating to the protection of the marine environment from pollution:	Coordinating with the regional seas programmes in the region	

<b>Preamble (36)</b>	To ensure the active involvement of the general public in the establishment, implementation and updating of marine strategies, provision should be made for proper public information on the different elements of marine strategies, or their related updates, as well as, upon request, relevant information used for the development of the marine strategies in accordance with Community legislation on public access to environmental information.	Transparency and participation	6
<b>Preamble (39)</b>	Measures regulating fisheries management can be taken in the context of the Common Fisheries Policy... ...based on scientific advice with a view to supporting the achievement of the objectives addressed by this Directive, including the full closure to fisheries of certain areas, to enable the integrity, structure and functioning of ecosystems to be maintained or restored and, where appropriate, in order to safeguard, inter alia, spawning, nursery and feeding grounds.	Coordinating with CFP for MPAs	2
<b>Article 1</b>	Framework to achieve or maintain Good Environmental Status (GES) by 2020 Strategies to be implemented through an ecosystem based approach Integration between other policies, agreements and legislative measures that affect the marine environment.	Provides a more holistic view of achieving GES than the Habitats Directive and the Birds Directive by the application of an ecosystem based approach to the management of human activities.	
<b>Article 2</b>	Application to all marine water identified in Article 3 taking into account the transboundary effects on the marine environment of third States in the same region		5, 6
<b>Article 3</b>	Provides definitions of the terms used throughout the Directive, including 'good environmental status'	Defines the technical terms of the Directive	all
<b>Article 4</b>	Identifies the regions and sub-region defined by the Directive		
<b>Article 5</b>	Requirements for the Member States to define a strategy for the marine waters, including a common approach and timing.		
<b>Article 6</b>	Refers to the need of Regional level coordination between Member States and third countries, including the use or existing structures such as the Regional Seas Conventions	Promotes the integration with other existing governance structures, particularly the regional seas programmes	5
<b>Article 8</b>	Outlines in details the requirements for the assessment of the marine region or sub-region based on existing data. This includes the current environmental status, the impacts, including human impacts, cumulative and synergistic effects and socio-economic analysis of the use of those waters.		1,3,5



	<p>Analysis will include upstream effects and take into account provisions of the water framework directive.</p> <p>Assessments should be consistent for the region and sub-region and take into account transboundary impacts and features.</p>	
<b>Article 9</b>	The determination of GES should take into account the 11 descriptors outlined in Annex I considering the human activities in each region	
<b>Article 10</b>	Establishment of environmental targets base on the initial assessment undertaken pursuant to Article 8.	
<b>Article 11</b>	<p>Monitoring programmes shall be established by the member States for the ongoing assessment of their marine waters based on indicative lists outlined in Annex III. Monitoring programmes should be compatible with the other relevant Directives (Habitats and Birds Directives) and other international agreements.</p> <p>Those Member States sharing a region or sub-region should draw up coherent and consistent plans with transboundary impacts and features taken into account.</p>	Cooperation within region and sub-region to ensure consistent application of the Directive 5
<b>Article 13</b>	<p>Identification of a programme of measures for Member States to undertake in their region or sub-region to achieve or maintain GES based on the initial assessment outlined in Article 8. Giving due consideration to sustainable development goals and the social and economic impacts of the measures.</p> <p>Programmes shall include spatial protection measures pursuant to the objectives of the Habitats and Birds Directives.</p> <p>Member States should consider the implication of their programmes beyond their marine waters.</p>	5,6
<b>Article 14</b>	Exceptions allows for actions or inactions for which the Member State concerned is not responsible, including natural causes, force majeure, transboundary impacts among others.	
<b>Article 15</b>	Recommendations for Community action where actions beyond national jurisdiction are required.	
<b>Article 17</b>	Reporting and public information must be kept up to date by the Member States. Details of any reviews must be sent to the Commission, the Regional Sea Conventions and any other Member States concerned.	
<b>Article 18</b>	Member States will provide interim reports every three years.	

<b>Article 19</b>	In accordance with the Community legislation public consultation and information must be facilitated involving existing structures. Member States shall publish and make available for public comment elements of their marine strategies.	6
<b>Article 21</b>	Outlines the requirement to report on the progress of the establishment of marine protected areas	6
<b>Annex I</b>	Identifies 11 qualitative descriptor for determining Good Environmental Status (GES)	

<b>INSTRUMENT</b>	<b>Water Framework Directive 2000/60/EC (WFD)</b>		
<b>PRIMARY GOAL</b>	This Directive aims at maintaining and improving the aquatic environment in the Community.		
<b>TYOPOLOGY</b>	Indirect		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Preamble (8)</b>	Conservation of wetlands which are recognised as important for the protection of water resources	This is an important habitat for migratory bird species as well as important coastal buffers and carbon sinks	4
<b>Preamble (21)</b>	Recognising the integration and commitments made to the Regional Seas Programmes	Regional sea cooperation	5
<b>Article 1 (e)</b>	Aims to mitigate flooding and droughts thereby contributing to the protection of territorial and marine waters		
<b>Article 4c</b>	Member States shall comply with the standards and objectives of international agreements for protected areas within 15 years of the entry into force of this Directive		
<b>Article 6</b>	Register of protected areas shall be established by Member States for the protection of surface waters, ground waters or for conservation of habitats and species directly depending on water	MPA networks	4,6
<b>Annex IV (1.v)</b>	Areas designated for the protection of habitats or species where the maintenance or improvement of the status of water is an important factor in their protection, including relevant Natura 2000 sites.		
<b>Annex V (1.1.4.)</b>	Considers the biological elements as indicators of water quality in coastal waters		4

<b>INSTRUMENT</b>	<b>Maritime Spatial Planning Directive (2014/85/EU)</b>		
<b>PRIMARY GOAL</b>	The promotion of sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources		
<b>TYOPOLOGY</b>	Indirect		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Preamble (1)</b>	Biodiversity conservation is one demand, of many, for maritime space that requires an integrated planning and management approach		
<b>Preamble (13)</b>	In marine waters, ecosystems and marine resources are subject to significant pressures leading to deterioration of environmental status, loss of biodiversity and degradation of ecosystem services. Due regard should be had to these various pressures in the establishment of maritime spatial plans. Moreover, healthy marine ecosystems and their multiple services, if integrated in planning decisions, can deliver substantial benefits in terms of food production, recreation and tourism, climate change mitigation and adaptation, shoreline dynamics control and disaster prevention.	Cumulative impacts	1
<b>Preamble (15)</b>	Maritime spatial planning will contribute to achieving the aims of multiple other Directives, including those on biodiversity conservation.		5
<b>Preamble (23)</b>	Where maritime spatial plans include Natura 2000 sites an environmental assessment should be combined with the requirements of Article 6 of the Habitats Directive		2
<b>Article 5</b>	Objectives of maritime spatial plans includes the preservation, protection and improvement of the environment		5
<b>Article 8</b>	Setting up of maritime spatial plans possible activities include, among others, nature and species conservation sites and protected areas.		5,6
<b>Website</b>	<a href="https://www.eea.europa.eu/policy-documents/directive-2014-89-eu-maritime">https://www.eea.europa.eu/policy-documents/directive-2014-89-eu-maritime</a>		

INSTRUMENT	Directive 2014/52/EU of the European Parliament and of the Parliament of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment
PRIMARY GOAL	Environmental Impact Assessment of public and private projects
TYOLOGY	Indirect

ARTICLES	SUMMARY	NOTES	WG
Preamble (7)	Over the last decade, environmental issues, such as resource efficiency and sustainability, biodiversity protection, climate change, and risks of accidents and disasters, have become more important in policy making. They should therefore also constitute important elements in assessment and decision-making processes.	This has been quite substantially changed from the 2011 text to include more biodiversity and conservation issues.	
Preamble (10)	The United Nations Convention on Biological Diversity (“the Convention”), to which the Union is party pursuant to Council Decision 93/626/EEC (4), requires assessment, as far as possible and as appropriate, of the significant adverse effects of projects on biological diversity, which is defined in Article 2 of the Convention, with a view to avoiding or minimising such effects. Such prior assessment of those effects should contribute to attaining the Union headline target adopted by the European Council in its conclusions of 25-26 March 2010 of halting biodiversity loss and the degradation of ecosystem services by 2020 and restoring them where feasible.	Linking to the global CBD	
Preamble (11)	The measures taken to avoid, prevent, reduce and, if possible, offset significant adverse effects on the environment, in particular on species and habitats protected under Council Directive 92/43/EEC (1) and Directive 2009/147/EC of the European Parliament and of the Council (2), should contribute to avoiding any deterioration in the quality of the environment and any net loss of biodiversity, in accordance with the Union's commitments in the context of the Convention and the objectives and actions of the Union Biodiversity Strategy up to 2020 laid down in the Commission Communication of 3 May 2011 entitled ‘Our life insurance, our natural capital: an EU biodiversity strategy to 2020’.	Linking to other nature conservation Directives	

ARTICLES	SUMMARY	NOTES	WG
Preamble (12)	With a view to ensuring a high level of protection of the marine environment, especially species and habitats, environmental impact assessment and screening procedures for projects in the marine environment should take into account the characteristics of those projects with particular regard to the technologies used (for example seismic surveys using active sonars).		1
Article 2 (3)	In the case of projects for which the obligation to carry out assessments of the effects on the environment arises simultaneously from this Directive and from Council Directive 92/43/EEC (*) and/or Directive 2009/147/EC of the European Parliament and the Council (**), Member States shall, where appropriate, ensure that coordinated and/or joint procedures fulfilling the requirements of that Union legislation are provided for	Linking to other Directives	1
Article 3	1.The environmental impact assessment shall identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a project on the following factors: (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;		1
Annex II	3. A description of any likely significant effects, to the extent of the information available on such effects, of the project on the environment resulting from: (b) the use of natural resources, in particular soil, land, water and biodiversity.		
Annex III	The environmental sensitivity of geographical areas likely to be affected by projects must be considered, with particular regard to: (c.ii) coastal zones and the marine environment; (c.iv) nature reserves and parks; (c.v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC;		All
Annex IV	5. A description of the likely significant effects of the project on the environment resulting from, inter alia: (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as		

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possible the sustainable availability of these  
resources;

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INSTRUMENT	Strategic Environmental Assessment Directive (Directive 2001/42/EC)
PRIMARY GOAL	Provides for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development.
TYOPOLOGY	Indirect

ARTICLES	SUMMARY	NOTES	WG
Annex I	(f) the likely significant effects (1) on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors;		
Annex II	<p>Criteria for determining the likely significance of effects referred to in Article 3(5)</p> <p>1.The characteristics of plans and programmes, having regard, in particular, to</p> <ul style="list-style-type: none"> <li>• the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,</li> <li>• the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,</li> <li>• the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,</li> <li>• environmental problems relevant to the plan or programme,</li> <li>• the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).</li> </ul> <p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to</p> <ul style="list-style-type: none"> <li>• the probability, duration, frequency and reversibility of the effects,</li> <li>• the cumulative nature of the effects,</li> <li>• the transboundary nature of the effects,</li> <li>• the risks to human health or the environment (e.g. due to accidents),</li> </ul>		2, 5



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- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
  - the value and vulnerability of the area likely to be affected due to:
  - special natural characteristics or cultural heritage,
  - exceeded environmental quality standards or limit values,
  - intensive land-use,
  - the effects on areas or landscapes which have a recognised national, Community or international protection status.
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INSTRUMENT	Common Fisheries Policy, Regulation (EU) No 1380/2013 and amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC
PRIMARY GOAL	The scope of the CFP includes the conservation of marine biological resources and the management of fisheries targeting them.
TPOLOGY	Hybrid

ARTICLES	SUMMARY	NOTES	WG
Preamble (9)	The CFP should ensure coherence with the fisheries targets laid down in the Decision by the Conference of the Parties to the Convention on Biological Diversity on the Strategic Plan for Biodiversity 2011 – 2020, and with the biodiversity targets adopted by the European Council of 25 and 26 March 2010.	Linking to the global CBD	
Preamble (22)	In order to contribute to the conservation of living aquatic resources and marine ecosystems, the Union should endeavour to protect areas that are biologically sensitive, by designating them as protected areas. In such areas, it should be possible to restrict or to prohibit fishing activities. When deciding which areas to designate, particular attention should be paid to those in which there is clear evidence of heavy concentrations of fish below minimum conservation reference size and of spawning grounds, and to areas which are deemed to be bio-geographically sensitive. Account should also be taken of existing conservation areas. In order to facilitate the designation process, Member States should identify suitable areas, including areas that form part of a coherent network, and, where appropriate, should cooperate with one another, preparing and sending joint recommendations to the Commission. In order to establish protected areas more effectively, it should be possible for the Commission to be empowered to establish them in a multiannual plan. In order to ensure a suitable level of democratic accountability and control, the Commission should regularly report to the European Parliament and to the Council on the functioning of those protected areas.	Protected areas for biologically sensitive regions	6

ARTICLES	SUMMARY	NOTES	WG
Preamble (25)	<p>Directive 2009/147/EC of the European Parliament and of the Council (1), Council Directive 92/43/EEC (2) and Directive 2008/56/EC impose certain obligations on Member States as regards special protection areas, special areas of conservation and marine protected areas, respectively. Such measures might require the adoption of measures falling under the CFP. It is, therefore, appropriate to authorise Member States to adopt, in the waters under their sovereignty or jurisdiction, such conservation measures that are necessary to comply with their obligations under those Union acts where such measures do not affect the fisheries interests of other Member States. Where such measures might affect fisheries interests of other Member States, the power to adopt such measures should be granted to the Commission and recourse should be had to regional cooperation among the Member States concerned.</p>	Linking to EU Directives, special protection areas.	5,6
Preamble (39)	<p>Member States should cooperate at regional level in order to adopt joint recommendations and other instruments for the development and implementation of conservation measures and measures affecting fishing activity in areas protected by environmental law. In the framework of regional cooperation, the Commission should only adopt conservation measures through implementing acts or delegated acts where all Member States concerned in a region agree on a joint recommendation. In the absence of a joint recommendation, the Commission should submit a proposal for the relevant measures pursuant to the Treaty.</p>	Regional cooperation	5
Article 7 (2b)	<p>specifications on the construction of fishing gear, including:</p> <ul style="list-style-type: none"> <li>(i) modifications or additional devices to improve selectivity or to minimise the negative impact on the ecosystem;</li> <li>(ii) modifications or additional devices to reduce the incidental capture of endangered, threatened and protected species, as well as to reduce other unwanted catches;</li> </ul>		
Article 7 (2d)	<p>requirements for fishing vessels to cease operating in a defined area for a defined</p>	Temporary spatial closures	6

minimum period in order to protect temporary aggregations of endangered species, spawning fish, fish below minimum conservation reference size, and other vulnerable marine resources;

ARTICLES	SUMMARY	NOTES	WG
Article 7 (2e)	Specific measures to minimise the negative impact of fishing activities on marine biodiversity and marine ecosystems, including measures to avoid and reduce, as far as possible, unwanted catches.	Bycatch	
Article 8 (1)	The Union shall, while taking due account of existing conservation areas, endeavour to establish protected areas due to their biological sensitivity, including areas where there is clear evidence of heavy concentrations of fish below minimum conservation reference size and of spawning grounds. In such areas fishing activities may be restricted or prohibited in order to contribute to the conservation of living aquatic resources and marine ecosystems. The Union shall continue to give additional protection to existing biologically sensitive areas.	MPAs	6
Article 8 (3)	The Commission may be empowered in a multiannual plan to establish such biologically sensitive protected areas. Article 18(1) to (6) shall apply. The Commission shall report regularly to the European Parliament and to the Council on protected areas.		6

INSTRUMENT	Renewable Energy Directive (2009/28/EC) and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC
PRIMARY GOAL	A common framework for the promotion of energy from renewable sources.
TYPOLOGY	Indirect

ARTICLES	SUMMARY	NOTES	WG
Preamble (44)	The coherence between the objectives of this Directive and the Community's other environmental legislation should be ensured. In particular, during the assessment, planning or licensing procedures for renewable energy installations, Member States should take account of all Community environmental legislation and the contribution made by renewable energy sources towards meeting environmental and climate change objectives, in particular when compared to non-renewable energy installations.		1,2
Preamble (69)	The increasing worldwide demand for biofuels and bioliquids, and the incentives for their use provided for in this Directive, should not have the effect of encouraging the destruction of biodiverse lands. Those finite resources, recognised in various international instruments to be of value to all mankind, should be preserved... ...For these reasons, it is necessary to provide sustainability criteria ensuring that biofuels and bioliquids can qualify for the incentives only when it can be guaranteed that they do not originate in biodiverse areas or, in the case of areas designated for nature protection purposes or for the protection of rare, threatened or endangered ecosystems or species, the relevant competent authority demonstrates that the production of the raw material does not interfere with those purposes... ...The Commission should establish appropriate criteria and geographical ranges to define such highly biodiverse grasslands in accordance with the best available scientific evidence and relevant international standards.		2
Preamble (78)	It is appropriate to monitor the impact of biomass cultivation, such as through land-use changes, including displacement, the introduction of invasive alien species and other effects on biodiversity, on food production and on local prosperity. The Commission should consider all relevant sources of		

information, including the FAO hunger map. Biofuels should be promoted in a manner that encourages greater agricultural productivity and the use of degraded land.

ARTICLES	SUMMARY	NOTES	WG
Article 17 (	<p>Sustainability criteria for biofuels and bioliquids</p> <p>3. Biofuels and bioliquids taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:</p> <p>(a) primary forest and other wooded land, namely forest and other wooded land of native species, where there is no clearly visible indication of human activity and the ecological processes are not significantly disturbed;</p> <p>(b) areas designated:</p> <p>(i) by law or by the relevant competent authority for nature protection purposes; or</p> <p>(ii) for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature, subject to their recognition in accordance with the second subparagraph of Article 18(4);</p> <p>unless evidence is provided that the production of that raw material did not interfere with those nature protection purposes;</p>		1,2
Article 18 (4)	<p>The Commission may also recognise areas for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature for the purposes of Article 17(3)(b)(ii).</p>		1,6
Article 23 (5b)	<p>the impact of increased demand for biofuel on sustainability in the Community and in third countries, considering economic and environmental impacts, including impacts on biodiversity;</p>		
Article 23 (8bii)	<p>an assessment of the feasibility of reaching the target whilst ensuring the sustainability of biofuels production in the Community and in</p>		

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third countries, and considering economic, environmental and social impacts, including indirect effects and impacts on biodiversity, as well as the commercial availability of second-generation biofuels;

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INSTRUMENT	<b>Urban waste water treatment directive (91/271/EEC)</b>
PRIMARY GOAL	The objective of the Directive is to protect the environment from the adverse effects of the collection, treatment and discharge of urban wastewater and the treatment and discharge of wastewater from certain industrial sectors.
TYPOLOGY	Indirect

ARTICLES	SUMMARY	NOTES	WG
Preamble	Whereas it is necessary to monitor treatment plants, receiving waters and the disposal of sludge to ensure that the environment is protected from the adverse effects of the discharge of waste waters ;		4
Article 9	Where waters within the area of jurisdiction of a Member State are adversely affected by discharges of urban wastewater from another Member State, the Member State whose waters are affected may notify the other Member State and the Commission of the relevant facts. The Member States concerned shall organize, where appropriate with the Commission, the concertation necessary to identify the discharges in question and the measures to be taken at source to protect the waters that are affected in order to ensure conformity with the provisions of this Directive.		4, 5
Annex II	Criteria for the identification of sensitive and less sensitive areas. A. Sensitive areas - A water body must be identified as a sensitive area if it falls into one of the following groups: (a) natural freshwater lakes, other freshwater bodies, estuaries and coastal waters which are found to be eutrophic or which in the near future may become eutrophic if protective action is not taken. (ii) estuaries, bays and other coastal waters which are found to have a poor water exchange, or which receive large quantities of nutrients. Discharges from small agglomerations are usually of minor importance in those areas, but for large agglomerations, the removal of phosphorus and/or nitrogen should be included unless it can be demonstrated that the removal will have no effect on the level of eutrophication ;		4



<b>INSTRUMENT</b>	<b>Nitrates Directive (91/676/EEC)</b>		
<b>PRIMARY GOAL</b>	Reducing water pollution caused or induced by nitrates from agricultural sources and preventing further such pollution.		
<b>TYOPOLOGY</b>	Indirect		
<b>ARTICLES</b>	<b>SUMMARY</b>	<b>NOTES</b>	<b>WG</b>
<b>Preamble</b>	Whereas it is therefore necessary, in order to protect human health and living resources and aquatic ecosystems and to safeguard other legitimate uses of water, to reduce water pollution caused or induced by nitrates from agricultural sources and to prevent further such pollution; whereas for this purpose it is important to take measures concerning the storage and the application on land of all nitrogen compounds and concerning certain land management practices ;	Trans realm implications	4
<b>Article 6 (1 c)</b>	For the purpose of designating and revising the designation of vulnerable zones, Member States shall: review the eutrophic state of their fresh surface waters, estuarial and coastal waters every four years.		4

## Concluding remarks

While the aim of this document is to provide as many sources of information in the international instruments that may apply to marine conservation in the region this is not comprehensive. It would be very difficult to access all of these instruments including strategies and other soft legal frameworks. The aim of the document is to provide entry point into the diverse international legal instruments that apply in this region. This continues to be a work in progress and we would encourage researchers to add to this document as and when new instruments come into being.

MarCons is an interdisciplinary action and we encourage researchers from all fields to contribute to the ongoing work of marine conservation the European and contiguous seas.

Peter Mackelworth

Working group 5 leader, Regional coordination and transboundary conservation