



Environmental Policies in the Black Sea related to MSFD Principles

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Content of the lecture



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 - - ***Advisory Groups (AGs) & Activity Centers (ACs)***
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- ***Interaction of BSC documents and EU Directives (WFD and MSFD)***
- ***Conclusions***



Some facts



- The Black Sea is the **most isolated from the World Ocean** - connected to the Oceans via the Mediterranean Sea through Istanbul, Canakkale (Turk Straits) and Gibraltar straits and with the Sea of Azov in the northeast through the Kerch Strait;
- The Black Sea **ecosystem is unique** in terms of biodiversity;
- The Black Sea is one of the **most environmentally threatened regional seas on the planet** - it is very vulnerable to pressure from:
 - **oil pollution** (increase in the amount of oil and other goods transported through the Black Sea and Turkish Straits, the transportation of Caspian oil, potential risk for oil spills or other hazardous material in the Black Sea);
 - **land based human activity**;
 - **invasive species** which are easily transported from one region to another (the Black Sea is one of the most affected marine regions in the world by the ship-mediated transfer of invasive species).
- New threats for Black Sea environment and safety:
New Energy Projects:
 - Bourgas - Alexandroupolis oil pipeline
 - South Stream gas pipeline
 - Nuclear Power Plants (Belene, Bulgaria; Turkey)
- Today 87% of the total volume of the sea is **anoxic**.

*Convention on the Protection of the **Black Sea** Against Pollution (Bucharest Convention)*



- *was signed **in Bucharest** in April 1992;*
- *ratified by all six Black Sea countries in the beginning of **1994**;*
- *basic objective: to substantiate the general obligation of the Contracting Parties **to prevent, reduce and control the pollution in the Black Sea** in order to protect and preserve the marine environment and to provide legal framework for co-operation and concerted actions to fulfill this obligation.*

Important satellite documents



1. *Protocol on the Protection of the Black Sea Marine Environment Against Pollution from the Land Based Sources (LBS Protocol);*
 2. *Protocol on the Protection of the Black Sea Marine Environment Against Pollution by Dumping;*
 3. *Protocol on Cooperation in Combating Pollution of the Black Sea Marine Environment by Oil and Other Harmful Substances in Emergency Situations;*
 4. *The Black Sea Biodiversity and Landscape Conservation Protocol (CBD Protocol).*
- *Strategic Action Plan (SAP) on the Protection and Rehabilitation of the Black Sea – adopted in 1996 and amended in 2009.*

Institutional mechanism



Article 17 of the Bucharest Convention:

The Commission

- *“... the Contracting Parties shall establish a Commission on the Protection of the Black Sea Against Pollution, hereinafter referred to as “the Commission””.*
- *Each Contracting Party shall be represented in the Commission by one Representative;*
- *The Chairmanship of the Commission shall be assumed by each Contracting Party, in turn, in the alphabetical order of the English language;*
- *The Chairman shall serve for one year, and during his term he cannot act in the capacity of Representative of his country;*
- *The Commission shall meet at least once a year. The Chairman shall convene extraordinary meetings upon the request of any Contracting Party.*
- *Decisions and recommendations of the Commission shall be adopted unanimously by the Black Sea States”.*

Institutional mechanism



Article 17 of the Bucharest Convention

The Commission

- *The Commission shall be assisted in its activities by a **Permanent Secretariat.***
- *The Commission:*
 - *shall **nominate the Executive Director and other officials** of the Secretariat. The Executive Director shall appoint the **technical staff** in accordance with the rules to be established by the Commission. The Secretariat shall be composed of **nationals of all Black Sea States**;*
 - *shall have headquarters in **Istanbul**. The location of the headquarters may be changed by the Contracting Parties by consensus;*
 - *shall adopt its **Rules of Procedure** and establish subsidiary bodies;*
 - *The **privileges and immunities** of the officials and shall conclude a **Headquarters Agreement** with the host Contracting Party.*

Institutional mechanism



- *The **Advisory Groups** to the Black Sea Commission are its main source of expertise, information and support to in implementation of the Black Sea Strategic Action Plan.*
- *They are established pursuant to Articles 22, 23 (**The Istanbul Commission**), and **BS SAP Annex 1**.*
- *Each Advisory Group elects a **Chairperson**. The Advisory Groups act with the mandate of the Black Sea Commission and their respective Terms of Reference.*

*BSC **Advisory Groups**:*

- *ESAS - Advisory Group on the Environmental Safety Aspects of **Shipping***
- *PMA - Advisory Group on the **Pollution Monitoring and Assessment***
- *LBS - Advisory Group on Control of Pollution from **Land Based Sources***
- *ICZM - Advisory Group on the Development of Common Methodologies for **Integrated Coastal Zone Management***
- *CBD - Advisory Group on the **Conservation of Biological Diversity***
- *FOMLR - Advisory Group on the Environmental Aspects of the **Management of Fisheries and other Marine Living Resources**.*

Institutional mechanism



BSC Activity centers:

- *The Bucharest Convention defines the role and functions of the Activity Centers as, inter alia, supporting to the activities of the Black Sea Commission.*
- *The Black Sea Strategic Action Plan 1996 further elaborates on this and defines the Advisory Groups/Activity Centers in the seven strategic sectors of the BS SAP.*
- *The Strategic Action Plan for the Environmental Protection and Rehabilitation of the Black Sea (2009), adopted at the Ministerial Meeting/Diplomatic Conference in Sofia, Bulgaria, elaborates on the further increase of their role and efficiency.*

Black Sea Commission



The Commission for the Protection of the Black Sea Against Pollution

Permanent Secretariat

Advisory Groups

AG ESAS	AG PMA	AG LBS	AG ICZM	AG CBD	AG FOMLR	AG IDE
Environmental Safety Aspects of Shipping (AG ESAS)	Pollution Monitoring and Assessment	Control of Pollution from Land Based Sources	Development of the Common Methodologies for Integrated Coastal Zone Management	Conservation of Biological Diversity	Environmental Aspects of Fisheries and Other Marine Living Resources Management	Information and Data Exchange

Regional Activity Centers

Environmental Safety Aspects of Shipping (AC ESAS), <u>Varna</u> , Bulgaria	Pollution Monitoring and Assessment (AC PMA), <u>Odessa</u> , Ukraine	Control of Pollution from Land Based Sources (AC LBS), <u>Istanbul</u> , Turkey	Development of Common Methodologies for Integrated Coastal Zone Management (AG ICZM), <u>Krasnodar</u> , Russian Federation	Conservation of Biological Diversity (AC CBD), <u>Batumi</u> , Georgia	Environmental Aspects of Fisheries and Other Marine Living Resources Management (AG FOMLR), <u>Constanta</u> , Romania	Information and Data Exchange (AC IDE), Permanent Secretariat, <u>Istanbul</u> , Turkey
						

National Focal Points

Bg, Ge, Ro, Ru, Tr, Ua	Ua, Bg, Ge, Ro, Ru, Tr	Tr, Bg, Ge, Ro, Ru, Ua	Ru, Bg, Ge, Ro, Tr, Ua	Ge, Bg, Ro, Ru, Tr, Ua	Ro, Bg, Ge, Ru, Tr, Ua	Bg, Ge, Ro, Ru, Tr, Ua
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BSC Observers



- **DG Environment** - (observer status granted at 7th Regular Meeting, 29-31 May 2001)
- **GEF/UNDP** - Global Environmental Facility/United Nations Development Programme (observer status granted at 7th Regular Meeting, 29-31 May 2001)
- **UNEP** - United Nations Environmental Programme (granted observer status at 8th Regular BSC Meeting, 18-19 February 2002)
- **ICPDR** - International Commission for the Protection of the Danube River. (observer status granted at 7th Regular Meeting, 29-31 May 2001)
- **BSEC** - Organization of the Black Sea Economic Cooperation (observer status granted at 7th Regular Meeting, 29-31 May 2001)
- **ACCOBAMS** - Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (granted observer status at 8th Regular BSC Meeting, 18-19 February 2002)
- **BSC MoU** - signed and enforced by all Black Sea countries, the PSC MOU and the BSC have granted each other observer status (observer status granted at 7th Regular Meeting, 29-31 May 2001)
- **BS NGO Network** - The Black Sea NGO Network (observer status granted at 7th Regular Meeting, 29-31 May 2001)
- **International Maritime Organization (IMO)** - The Agreement on Cooperation enabling reciprocal observership between the BSC and International Maritime Organization (IMO) (was approved by the IMO during its 26th General Assembly on 26th November 2009 and by BSC during its 22nd Regular Meeting on 19-21st January 2010)
- **OSPAR** - Convention for the Protection of the Marine Environment of the North-East Atlantic - recently granted the observership status (ongoing).



EU-BSC relations:



- *EU members in the BS basin (Romania and Bulgaria)*
- *Mutual observer status since 2001*
- *Projects (direct and FP7 Projects)*
- *Indirect cooperation (ICPDR etc.)*
- *Wish of EU to become a party to Bucharest Convention*

Mutual observer status:



- *the EU here is represented by the **EC DG Environment**;*
- *the observer status was **granted at the 7th Regular BSC Meeting in May, 2001**;*
- *Commissions are **able to be present and to contribute at each other's meetings and activities**;*
- *no particular Memoranda of Understanding signed between the two Commissions, in terms of the implementation of joint activities, but a **Grant Agreement** or a **Contribution Agreement** is always signed for each and every project.*



Areas of cooperation with EU through various projects:



- *Cooperation in the development of the EU Marine Strategy;*
- *Support to the BSC in the implementation of the EU Marine Strategy;*
- *Collaboration in the harmonization with the related EU Directives (WFD and MSFD) in the Black Sea region;*
- *Gap analysis of the implementation of the BS SAP (2002);*
- *Black Sea component of the DABLAS Investment Projects Database;*
- *MONINFO Project: Environmental Monitoring of the Black Sea Basin and Monitoring and Information Systems for Reducing Oil Pollution and EU Marine Strategy Project;*
- *Relevant EU FP7 Projects.*

THE EU MARINE STRATEGY PROJECT:



- *The main objective of the Project is to cooperate in harmonizing and complementing approaches, policies and measures.*
- *The adoption of the Marine Strategy Framework Directive (MSFD) by the European Parliament (2008) and the adoption of the Strategic Action Plan (SAP) for the Environmental Protection of the Black Sea (2009) marked the adoption of new policies by both to this end.*

THE EU MARINE STRATEGY PROJECT:



During 2009-2011 *significant activities supported by the EC* were carried out with the aim of:

- Development of a common understanding of *Good Environmental Status* (GES);
- Development of a *monitoring program, further harmonization of standards, methodologies and monitoring strategies;*
- Further development of *management targets, including those defined in the SAP;*
- Further development of the *program of measures* (reduction of eutrophication, reduction of pollutants, originating from land based sources, conservation of Black Sea biodiversity and habitats, sustainable use of commercial fisheries, addressing climate change, reduction of pollution from shipping activities and offshore installations, ballast water management etc.);
- Improving the *coherence between EU member and non member states in the Black Sea.*

THE **MONINFO** PROJECT: SUCCESSFUL COMPLETION



- *The EU and BSC concluded 2 consecutive Contribution Agreements for the development and implementation of a **Black Sea oil pollution monitoring and information system**.*
- *The project was implemented in two, interdependent stages, referred to as **MONINFO 1** and **MONINFO 2**.*
- *Whereas **MONINFO 1** prepared the necessary concepts, investigated and prepared the necessary grounds for a regional data exchange mechanism and prepared the ground for adoption of state of the art practices in combating oil pollution,*
- ***MONINFO 2** designed and deployed the **prototype of the Regional Database Information Platform (RDIP)**.*

THE *MONINFO* PROJECT: SUCCESSFUL COMPLETION



The Regional Database Information Platform (RDIP) comprises of the following components:

- ***Document Repository***
- ***Database and GIS server***
- ***Satellite Images (CleanSeaNet/BSSatNet with SCANEX/ITU CSCRS)***
- ***Oil Spill Drift Model (BlackSeaTrackWeb)***
- ***AIS data***

EU *FP7* Projects:



- **Indirect funding is also available in the framework of EU's *Seventh Framework Programme (FP7)* (PEGASO, SESAME, Envirogrids, UP-GRADE BS-SCENE and other related projects); ENPI-related projects etc.**
- ***PERSEUS Project - Policy-oriented Marine Environmental Research for the Southern European Seas***
- ***From August 2012 we will have no joint Projects with EU.***

Indirect cooperation: ICPDR



One of our main partners, we also have **mutual observer status** since 2001 and we **implement the MoU** between our Commissions.

The Danube - Black Sea Joint Technical Working Group was established between our Commissions. The main objectives are the following:

- **Information Exchange** between ICPDR and the Black Sea Commission (including Marine Directive Reporting);
- Exchange of **data on loads of pollution from the Danube** to the Black Sea as provided by the Transnational Monitoring Network of the ICPDR (set of parameters agreed);
- Exchange of data on indicators for the **assessment of the ecological status of the Black Sea** (reporting format and method of analysis for the data, because both Romania and Bulgaria have designated coastal water bodies, monitoring and assessment of these water bodies has been carried out in connection with the obligations under the WFD);
- **Harmonizing of the assessment methodologies** for point and diffuse pollution (based on the ICPDR experience on the Emission inventories, Hot Spots analysis and review of ranking methodologies).

EU Water Framework Directive – experience of Danube Region



- ***The EU Water Framework Directive (2000) is considered to be the most significant piece of European water legislation for over twenty years (MSFD (2008) and Floods Directive (2007) further expanded the scope of integrated water management)***
- ***Legal framework to protect and restore clean water across Europe, including public participation principle***
- ***Innovative approach for water management based on river basins (addresses the inland surface waters, transitional waters, coastal waters and groundwater) and development of river basin managements plans***
- ***Calls for creation of international districts for water basins***

EU Water Framework Directive – experience of Danube Region



- *Successful example of implementation of the WFD – Danube river basin*
- *Danube river basin district is the largest in the EU, stretching across 10 member states and 9 neighboring countries*
- *Includes Black Sea coastal waters, one of land-based pollution source for the Black Sea (linking the WFD and MSFD)*
- *ICPDR – Regional Convention for Danube – prepared common analysis of the basin (Art. 5) and developed shared river basin management plan*
- *ICPDR works via sub-basins – largest is Tisza River sub-basin (Romania, Slovakia and Hungary (EU members), Serbia and Ukraine (neighboring countries)) – developed and implement a joint management plan for this sub-basin*

Indirect cooperation: Misc.



- 1. Helsinki Convention*
- 2. Barcelona Convention*
- 3. OSPAR Convention*
- 4. UN FAO General Fisheries Committee for Mediterranean (GFCM)*

Intention of EU to become a member to Bucharest Convention:



- ***The Bucharest Convention has never foreseen the possibility to take on board the **Regional Economic Integration Organizations (REIO)** such as the European Union (EU).***
- ***After the latest EU enlargement in 2007, the EU reached the Black Sea through its new members, **Romania and Bulgaria.*****
- ***The **proposal to consider the accession of EU** as an equal Contracting Party came from Romania and Bulgaria and was presented at the 13th Regular Meeting of the Black Sea Commission followed by the submission to the Depository of the Bucharest Convention during the Ministerial Meeting/Diplomatic Conference held in Sofia back to April, 2009.***
- ***the European Community (EC) is a Party to the regional water and sea conventions relating to the **Danube River, Baltic Sea, the Mediterranean and the North East Atlantic**, by virtue of certain procedural provisions contained in such conventions. In the case of Bucharest Convention **some amendments to the official text** of the Convention are needed.***

Intention of EU to become a member to Bucharest Convention:



- *Apart from the immediate enforcement and financial benefits that EU membership to the Black Sea Commission would bring to the Black Sea, there will be **advantages of an institutional and political nature** which are sometimes not so clearly and quickly visible or quantifiable, but are nonetheless strategically important.*
- *Despite the obvious benefits from the EU's accession to the Bucharest Convention, these amendments are still on the agenda of each and every meeting of the Black Sea Commission. The **ad hoc Expert Group** created on the implementation of Item 8 of the Sofia Declaration, 2009 after its three meetings came to the conclusion that **"the Black Sea countries could not reach a common position on this issue"**.*

Interaction of BSC documents and related EU legislation



The **provisions of the MSFD** related to the:

- The **Black Sea** as such
- Regional Seas Conventions (incl. **Bucharest Convention**)
- Comparison or coherence with **international organizations or agreements**
- **Transboundary impacts** on marine environment
- Relations with **third countries**

*Interaction of BSC documents and related EU legislation - **MSFD***



- Preamble
- (1) Marine waters under the sovereignty and jurisdiction of Member States of the European Union include waters in the Mediterranean Sea, the Baltic Sea, **the Black Sea** and the North-east Atlantic Ocean, including the waters surrounding the Azores, Madeira and the Canary Islands.
- (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. Since marine regions or subregions are shared both with other Member States and with third countries, **Member States should make every effort to ensure close coordination with all Member States and third countries concerned.** 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.

Interaction of BSC documents and related EU legislation - MSFD



- Preamble
- (16) Since action at international level is indispensable to achieve cooperation and coordination, this **Directive should further enhance the coherence of the contribution of the Community and its Member States under international agreements.**
- (19) This **Directive should contribute to the fulfillment 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: the Convention on the Protection of the Marine Environment of the **Baltic Sea Area**, ..., the Convention for the Protection of the Marine Environment of the **North-East Atlantic**, ..., including its new Annex V on the Protection and Conservation of the Ecosystems and Biological Diversity of the Maritime Area and the corresponding Appendix 3, ..., the Convention for the Protection of the Marine Environment and the Coastal Region of the **Mediterranean**, ..., as well as its Protocol for the Protection of the Mediterranean Sea Against Pollution from Land-Based Sources, ... This Directive should also contribute to the fulfillment of Member States' obligations under the **Convention on the Protection of the Black Sea Against Pollution**, under which they have entered into important commitments relating to the protection of the marine environment from pollution, and **to which the Community is not yet a party but in respect of which it has observer status.**

Interaction of BSC documents and related EU legislation - MSFD



- Preamble
- (20) **Third countries** with waters in the same marine region or subregion as a Member State **should be invited to participate in the process laid down in this Directive**, thereby facilitating achievement of good environmental status in the marine region or subregion concerned.
- (24) As a first step in the preparation of programmes of measures, **Member States across a marine region or subregion should undertake an analysis** of the features or characteristics of, and pressures and impacts on, their marine waters, identifying the predominant pressures and impacts on those waters, and an economic and social analysis of their use and of the cost of degradation of the marine environment. **They may use assessments already carried out in the context of regional sea conventions as a basis for their analyses.**

Interaction of BSC documents and related EU legislation - MSFD



- **Preamble**
- (25) On the basis of such analyses, **Member States should then determine for their marine waters a set of characteristics for good environmental status.** For those purposes, it is appropriate to make provision for the development of criteria and methodological standards to ensure consistency and to allow for comparison between marine regions or subregions of the extent to which good environmental status is being achieved. **These should be developed with the involvement of all interested parties.**
- (27) Member States should then **establish and implement programmes of measures** which are designed to achieve or maintain good environmental status in the waters concerned, **while accommodating existing Community and international requirements and the needs of the marine region or subregion concerned.** Those measures should be devised on the basis of the precautionary principle and the principles that preventive action should be taken, that environmental damage should, as a priority, be rectified at source and that the polluter should pay.

Interaction of BSC documents and related EU legislation - MSFD



- CHAPTER I
- GENERAL
- PROVISIONS
- Article 1
- Subject matter

- 4. *This Directive shall contribute to coherence between, and aim to ensure the integration of environmental concerns into, the different policies, agreements and legislative measures which have an impact on the marine environment.*

Interaction of BSC documents and related EU legislation - MSFD



- **Article 2**
- **Scope**
- *1. This Directive shall apply to all marine waters as defined in Article 3(1), and shall take account of the transboundary effects on the quality of the marine environment of third States in the same marine region or subregion.*

Interaction of BSC documents and related EU legislation - MSFD



Article 3

Definitions

- 9. *'regional cooperation'* means **cooperation and coordination of activities** between Member States and, **whenever possible, third countries sharing the same marine region or subregion**, for the purpose of developing and implementing marine strategies;
- 10. *'regional sea convention'* means **any of the international conventions or international agreements** together with their governing bodies established for the purpose of protecting the marine environment of the marine regions referred to in Article 4, such as the Convention on the Protection of the Marine Environment of the **Baltic Sea**, the Convention for the Protection of the Marine Environment of the **North-east Atlantic** and the Convention for the Marine Environment and the Coastal Region of the **Mediterranean Sea**.

Interaction of BSC documents and related EU legislation - MSFD



Article 4

Marine regions or subregions

- *1. Member States shall, when implementing their obligations under this Directive, take due account of the fact that marine waters covered by their sovereignty or jurisdiction form an integral part of the following marine regions:*
 - *(a) the Baltic Sea;*
 - *(b) the North-east Atlantic Ocean;*
 - *(c) the Mediterranean Sea;*
 - *(d) the Black Sea.*

Interaction of BSC documents and related EU legislation - MSFD



Article 6

Regional cooperation

- 1. In order to achieve the coordination referred to in Article 5(2), **Member States shall, where practical and appropriate, use existing regional institutional cooperation structures, including those under Regional Sea Conventions**, covering that marine region or subregion.
- 2. For the purpose of establishing and implementing marine strategies, **Member States shall, within each marine region or subregion, make every effort, using relevant international forums, including mechanisms and structures of Regional Sea Conventions, to coordinate their actions with third countries having sovereignty or jurisdiction over waters in the same marine region or subregion.**
- In that context, **Member States shall, as far as possible, build upon relevant existing programmes and activities developed in the framework of structures stemming from international agreements such as Regional Sea Conventions.**
- **Coordination and cooperation shall be extended, where appropriate, to all Member States in the catchment area of a marine region or subregion, including land-locked countries, in order to allow Member States within that marine region or subregion to meet their obligations under this Directive, using established cooperation structures prescribed in this Directive or in Directive 2000/60/EC.**

Interaction of BSC documents and related EU legislation - MSFD



- CHAPTER II
- MARINE STRATEGIES:
 - PREPARATION
 - *Article 8*
 - *Assessment*
- 2. *The analyses* referred to in paragraph 1 shall take into account elements regarding coastal, transitional and territorial waters covered by relevant provisions of existing Community legislation, in particular Directive 2000/60/EC.
- They shall also take into account, or use as their basis, other relevant assessments such as those carried out jointly in the context of *Regional Sea Conventions*, so as to produce a comprehensive assessment of the status of the marine environment.

Interaction of BSC documents and related EU legislation - MSFD



- **Article 9**
- Determination of
- good environmental
- status
- 3. **Criteria and methodological standards** to be used by the Member States, which are designed to amend non-essential elements of this Directive by supplementing it, shall be laid down, on the basis of Annexes I and III, in accordance with the regulatory procedure with scrutiny referred to in Article 25(3) by 15 July 2010 in such a way as **to ensure consistency and to allow for comparison between marine regions or subregions** of the extent to which good environmental status is being achieved.
- Before proposing such criteria and standards **the Commission shall consult all interested parties, including Regional Sea Conventions.**

Interaction of BSC documents and related EU legislation - MSFD



- *Article 10*
- *Establishment of*
- *environmental targets*
- *1. On the basis of the initial assessment made pursuant to Article 8(1), Member States shall, in respect of each marine region or subregion, establish a comprehensive set of environmental targets and associated indicators for their marine waters so as to guide progress towards achieving good environmental status in the marine environment, taking into account the indicative lists of pressures and impacts set out in Table 2 of Annex III, and of characteristics set out in Annex IV.*
- *When devising those targets and indicators, Member States shall take into account the continuing application of relevant existing environmental targets laid down at national, Community or international level in respect of the same waters, ensuring that these targets are mutually compatible and that relevant transboundary impacts and transboundary features are also taken into account, to the extent possible.*

Interaction of BSC documents and related EU legislation - MSFD



- CHAPTER III
- MARINE STRATEGIES:
PROGRAMMES OF
MEASURES
- *Article 13*
- *Programmes of measures*
- 2. *Member States shall integrate the measures devised pursuant to paragraph 1 into a programme of measures, taking into account relevant measures required under Community legislation, in particular Directive 2000/60/EC, Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (1) and Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality (2), as well as forthcoming legislation on environmental quality standards in the field of water policy, or international agreements.*

Interaction of BSC documents and related EU legislation - **MSFD**



- **CHAPTER III**
- **MARINE STRATEGIES:
PROGRAMMES OF MEASURES**
- **Article 13**
- **Programmes of measures**
- **2. Member States shall integrate the measures** devised pursuant to paragraph 1 into a programme of measures, **taking into account relevant measures required under Community legislation**, in particular Directive 2000/60/EC, Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (1) and Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality (2), **as well as forthcoming legislation on environmental quality standards in the field of water policy, or international agreements.**

Interaction of BSC documents and related EU legislation - MSFD



- **CHAPTER III**
- **MARINE STRATEGIES:
PROGRAMMES OF
MEASURES**
- **Article 13**
- **Programmes of measures**
- 4. *Programmes of measures* established pursuant to this Article shall include *spatial protection measures*, contributing to coherent and representative networks of *marine protected areas*, adequately covering the diversity of the constituent ecosystems, such as *special areas of conservation* pursuant to the Habitats Directive, special protection areas pursuant to the Birds Directive, and *marine protected areas* as agreed by the Community or Member States concerned *in the framework of international or regional agreements to which they are parties*.
- 5. Where *Member States consider that the management of a human activity at Community or international level is likely to have a significant impact* on the marine environment, particularly in the areas addressed in paragraph 4, *they shall, individually or jointly, address the competent authority or international organisation concerned* with a view to the consideration and possible adoption of measures that may be necessary in order to achieve the objectives of this Directive, so as to enable the integrity, structure and functioning of ecosystems to be maintained or, where appropriate, restored.

Interaction of BSC documents and related EU legislation - MSFD



- *Article 15*
- *Recommendations for*
- *Community action*
- 1. Where a Member State *identifies an issue which has an impact on the environmental status of its marine waters and which cannot be tackled by measures adopted at national level, or which is linked to another Community policy or international agreement, it shall inform the Commission accordingly and provide a justification to substantiate its view.*

Interaction of BSC documents and related EU legislation - MSFD



- CHAPTER IV
- UPDATING, REPORTS AND PUBLIC INFORMATION
- *Article 17*
- *Updating*
- 3. *Details of any updates made following the reviews provided for in paragraph 2 shall be sent to the Commission, to the Regional Sea Conventions and to any other Member States concerned within three months of their publication in accordance with Article 19(2).*

Interaction of BSC documents and related EU legislation - MSFD



- *Article 19*
- *Public consultation and information*
- 1. In accordance with relevant existing Community legislation, *Member States shall ensure that all interested parties are given early and effective opportunities to participate in the implementation of this Directive, involving, where possible, existing management bodies or structures, including Regional Sea Conventions, Scientific Advisory Bodies and Regional Advisory Councils.*

Interaction of BSC documents and related EU legislation - MSFD



- *Article 21*
- *Progress report*
- *on protected areas*
- *On the basis of the information provided by the Member States by 2013, the Commission shall report by 2014 on progress in the establishment of marine protected areas, having regard to existing obligations under applicable Community law and international commitments of the Community and the Member States.*

Interaction of BSC documents and related EU legislation - MSFD



- **ANNEX II**
- Competent authorities
- (5) **Regional or subregional coordination** – a summary is required of the **mechanisms established in order to ensure coordination** between the Member States whose marine waters fall within the same marine region or subregion.
- **ANNEX IV**
- Indicative list of characteristics to be taken into account for setting environmental targets
- (11) **Compatibility of targets with objectives** to which the Community and its Member States have committed themselves under **relevant international and regional agreements**, making use of those that are most relevant for the marine region or subregion concerned with a view to achieving the environmental objectives laid down in Article 1.
- **ANNEX V**
- Monitoring programmes
- (10) Need to ensure, as far as possible, **compatibility with existing programmes developed at regional and international level** with a view to fostering consistency between these programmes and avoiding duplication of effort, making use of those monitoring guidelines that are the most relevant for the marine region or subregion concerned.

Conclusions:



- The problem of *comparative analysis and adherence to the regional environmental conventions* ratified by these countries and the EU legislation, let alone the improvement of the synergy between them, are on the agenda today;
- Compliance to such legislative instruments as Environmental Conventions in this region, considering the process of integration of Ukraine, Moldova and Turkey to the European Union and Bulgaria and Romania's recent membership in the EU, will facilitate the *unification of environmental legislation and implementation of EU legislation in the region*;
-
- EU could contribute to the introduction of *integrated management approach* (as in WFD) and *Environmental Impact Assessment (EIA) procedure* (as in EIA Directive and related provisions of Espoo Convention) for the Black Sea countries;

Conclusions:



- *Further involvement of the EU in the activity of two regional Commissions (the ICPDR and Black Sea Commission) could assist them to unify the approaches related to the technical indicators of the pollution and to refresh the activities under the MoU between the Commissions signed in 2001, since the level of their current interaction is not very well coordinated and active;*
- *The lack of joint projects implemented by the European Commission in the Black Sea region makes it completely impossible to secure the proper implementation of European Black Sea Strategy on-the-spot.*



Thanks for your kind attention!

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