

Presentation prepared for:



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A photograph of a dolphin leaping from the water, creating a splash. The dolphin is in the center, moving from left to right. The water is a deep blue color, and the splash is a lighter, yellowish-green color. The dolphin's body is sleek and curved, with a dark dorsal fin visible. The background is a vast expanse of blue water with gentle ripples.

Legal framework: European seas

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European seas

Stretch from the Arctic Ocean, via NE Atlantic, including North and Baltic Seas, to the Mediterranean and Black Seas

Wide range of habitats (and therefore species)

Wide range of legal jurisdictions



Several levels of framework

International 'Regional Seas' Conventions

International 'Conservation' Agreements

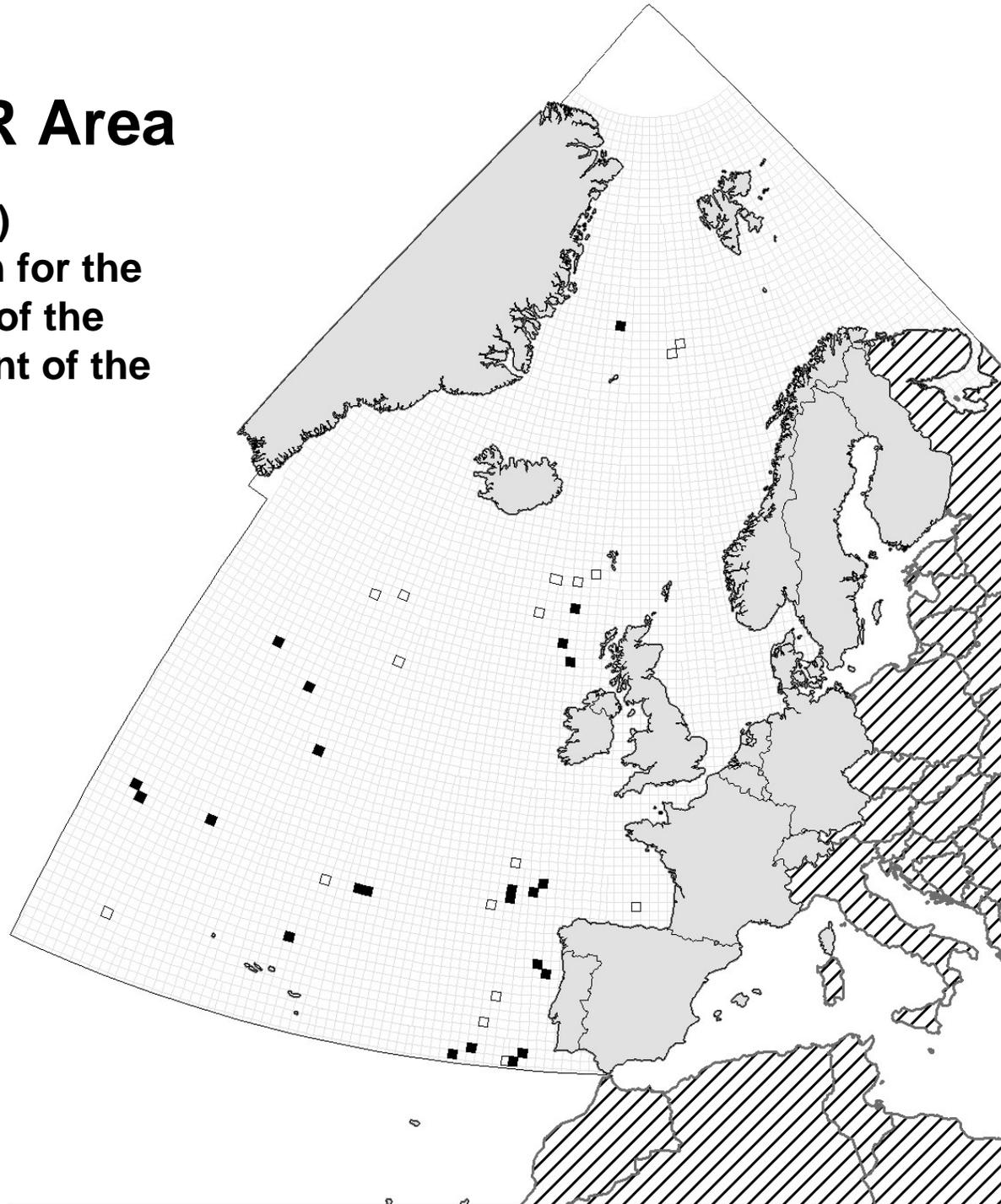
International Economic Integration Organisations

National Laws

Each have different geographic applicability and legal 'bite'

OSPAR Area

(Oslo Paris)
Convention for the
Protection of the
Environment of the
NE Atlantic





Bucharest Convention

Barcelona Convention

Regional Seas definition of pollution:

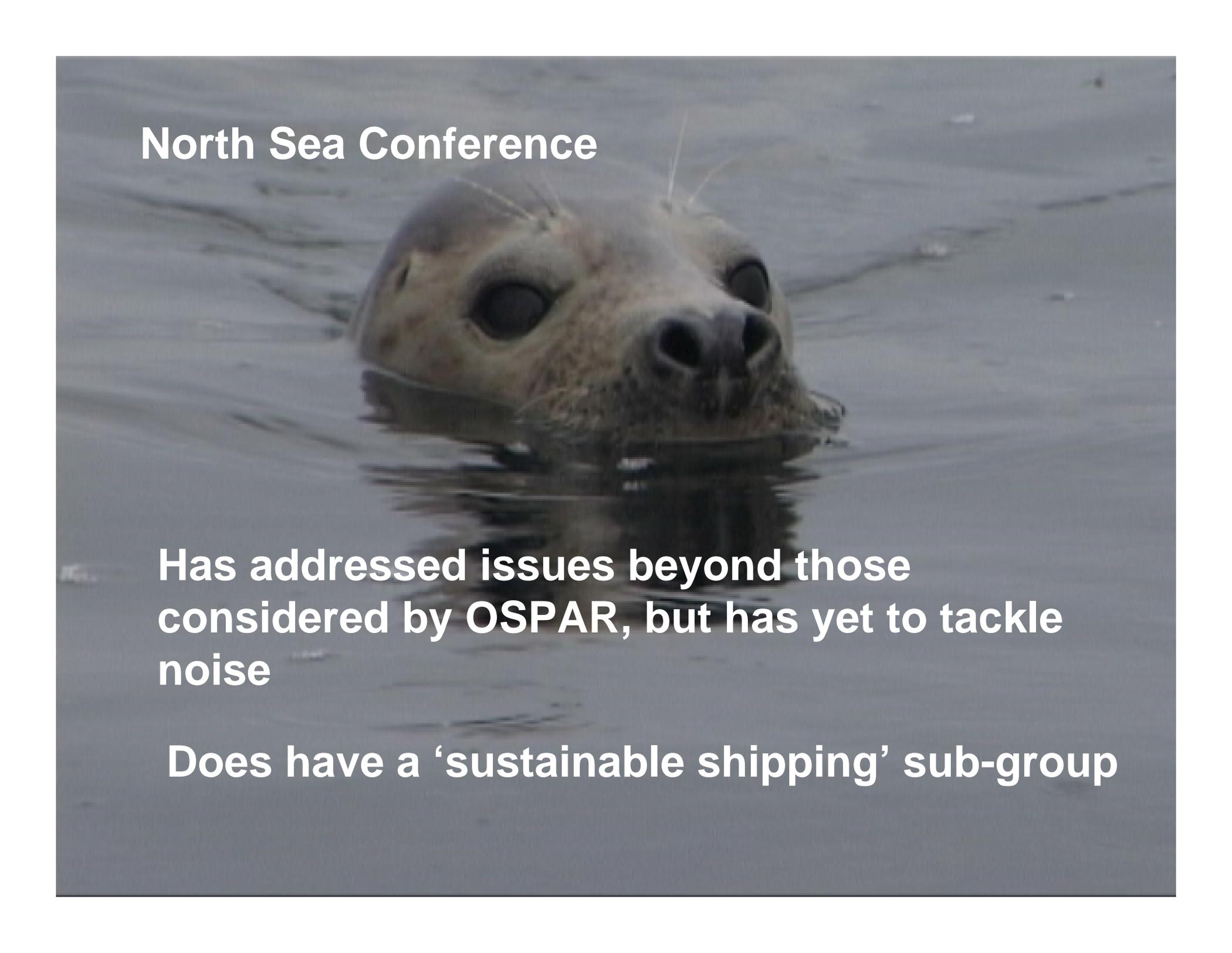


"Pollution" means the **introduction by man**, directly or indirectly, **of** substances or **energy** into the maritime area **which results**, or is likely to result, **in** hazards to human health, **harm to living resources** and marine ecosystems, damage to amenities or interference with other legitimate uses of the sea. (OSPAR)



Most Regional Seas Conventions have a framework underneath which a series of more detailed Decisions/Resolutions/Agreements are set

None have yet passed a detailed Decision relating to noise

A close-up photograph of a seal's head above the water surface. The seal has a light brown, speckled coat and large, dark eyes. It is looking directly at the camera with a neutral expression. The water is dark and slightly rippled.

North Sea Conference

Has addressed issues beyond those considered by OSPAR, but has yet to tackle noise

Does have a 'sustainable shipping' sub-group

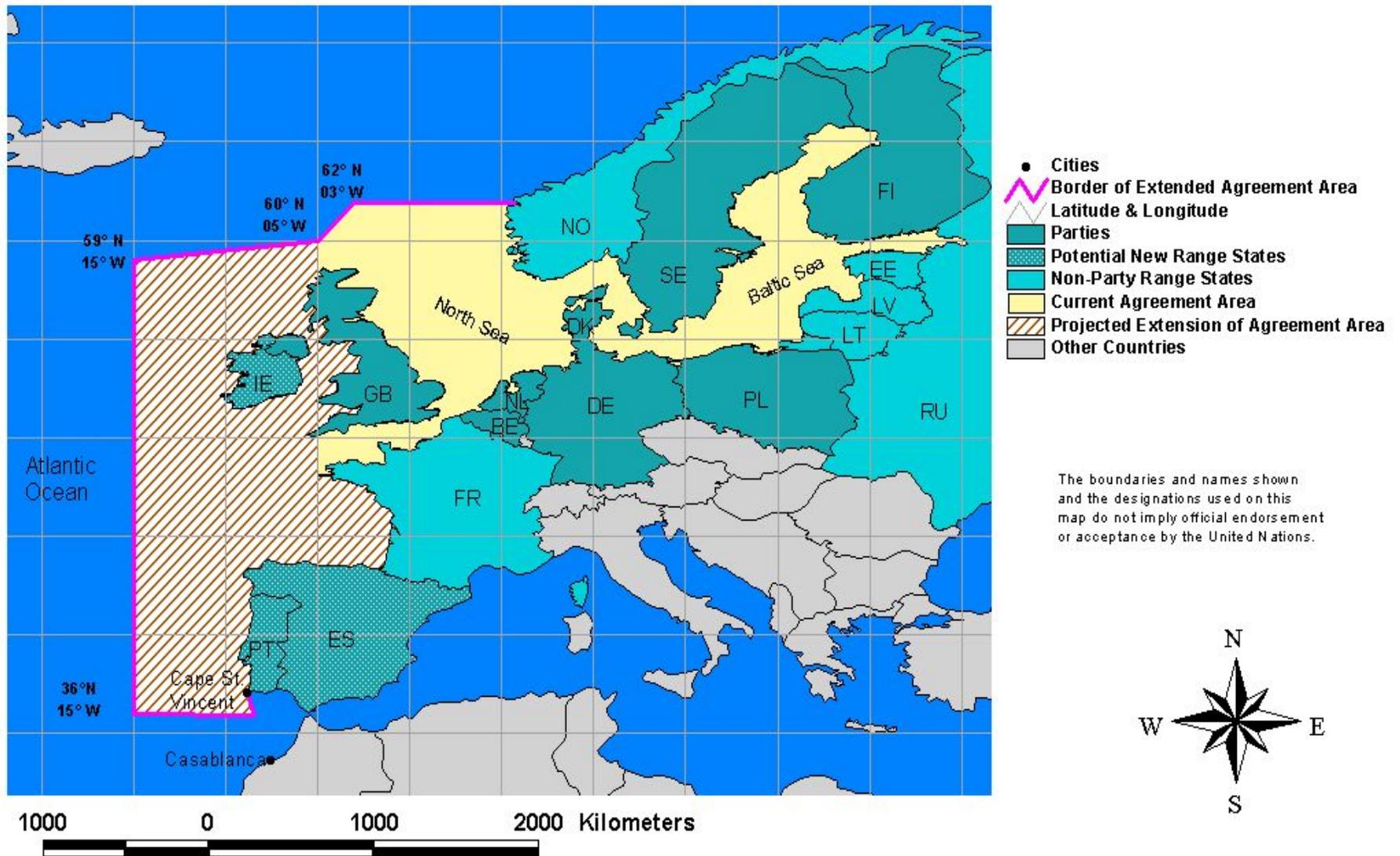
ASCOBANS

Agreement on the Conservation of Small
Cetaceans of the Baltic and North Seas



Agreement on the Conservation of Small
Cetaceans of the Baltic, North East
Atlantic, Irish and North Seas

Projected Extension of ASCOBANS Agreement Area



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

ASCOBANS



Work towards... "the prevention of other significant disturbance, especially of an acoustic nature"

Seismic – worked with industry to produce guidelines

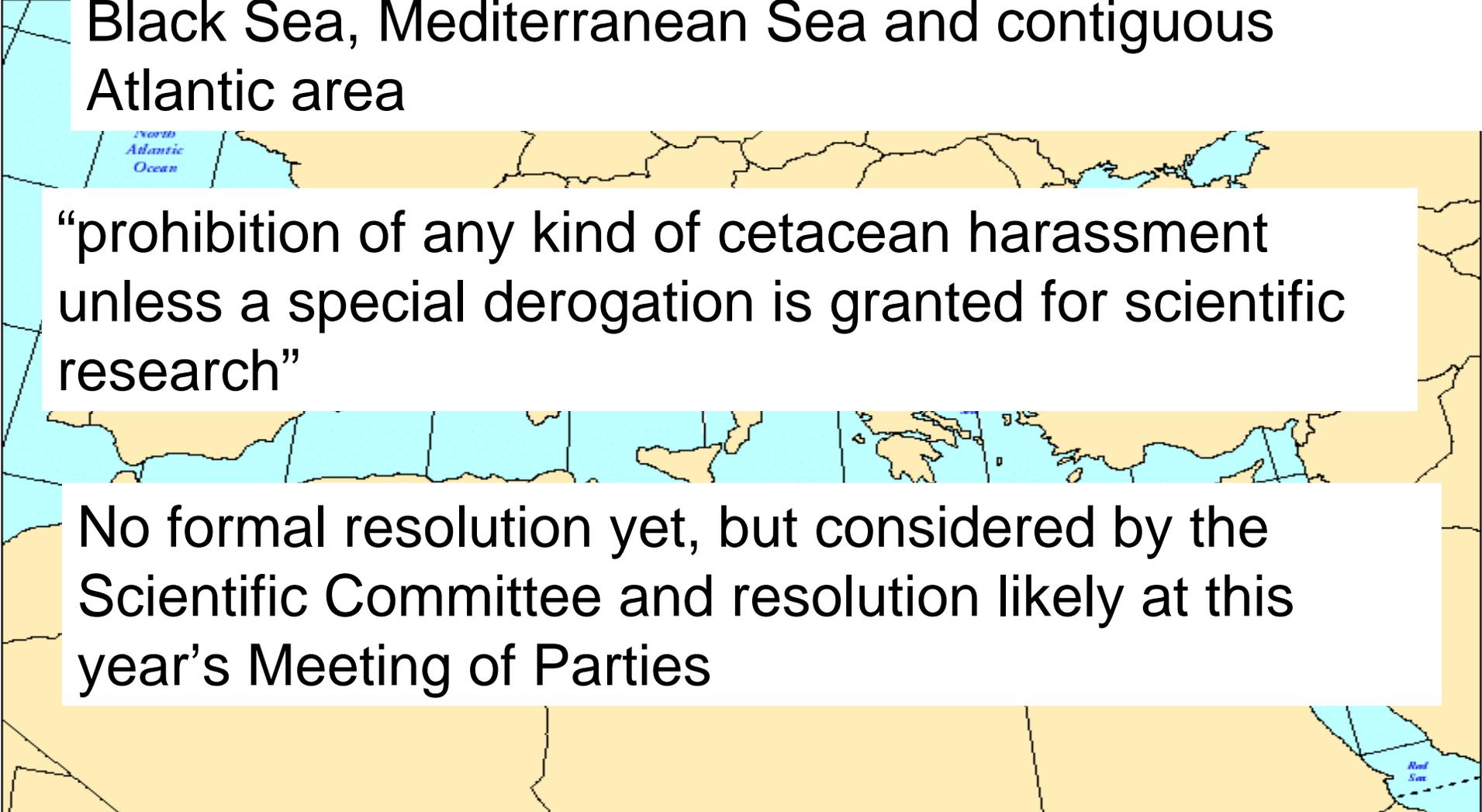
Recreation and whale-watching – produced agreed guidelines

Military – current area, start reporting in 2005

Shipping – some discussion – recommended research

ACCOBAMS

Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area

A map showing the geographical region covered by the ACCOBAMS agreement, including the Black Sea, Mediterranean Sea, and the contiguous Atlantic area. The map is overlaid with two white text boxes. The text in the top box reads: "prohibition of any kind of cetacean harassment unless a special derogation is granted for scientific research". The text in the bottom box reads: "No formal resolution yet, but considered by the Scientific Committee and resolution likely at this year's Meeting of Parties".

“prohibition of any kind of cetacean harassment unless a special derogation is granted for scientific research”

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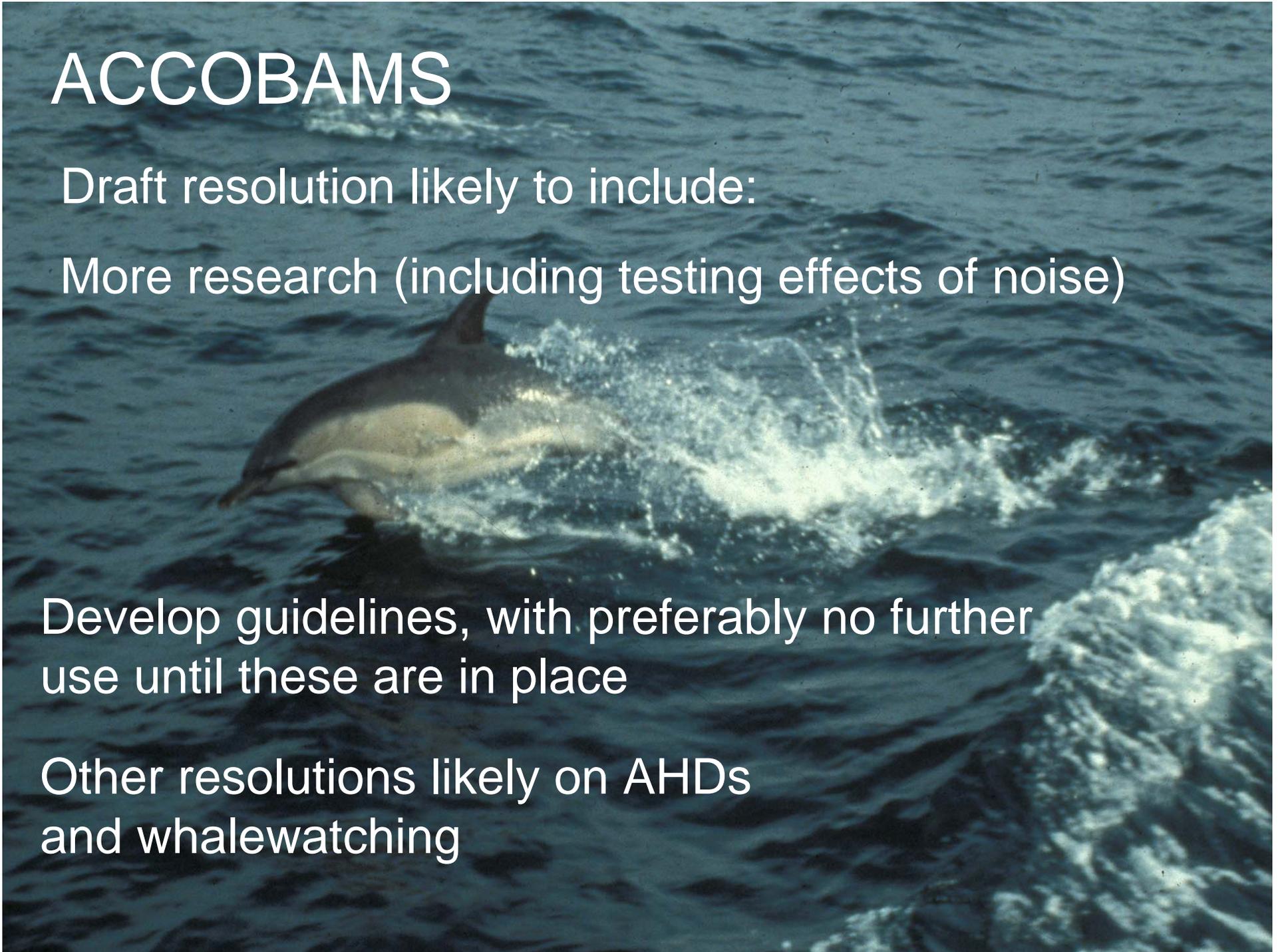
ACCOBAMS

Draft resolution likely to include:

More research (including testing effects of noise)

Develop guidelines, with preferably no further use until these are in place

Other resolutions likely on AHDs and whalewatching



European Union





EU operates with Directives

These applied by national law, though often there is direct transposition

Relevant EU Directives:

Habitats Directive

EIA Directive

SEA Directive



Habitats Directive

Creates protected areas for seals, bottlenose dolphins and harbour porpoises if certain conditions met

“Strict” protection of all cetacean species, including prohibition of deliberate disturbance

Take measures to reduce effects of incidental killing

Prohibition of indiscriminate means of killing capable of causing local disappearance of a cetacean species



EIA and SEA Directives

Requires 'look ahead' by authorities (SEA) or users (EIA)

Only applies to some users of sea (or their authorities) [oil and gas at present]

Take measures to reduce effects of activities

Full public participation, encourages relevant research

National legislation

UK – has transposed and applied EU Directives

Variable application by sector though

Hydrocarbons industry: full SEA and EIA, seismic guidelines, explosive use guidelines

Fisheries: none yet

Shipping: none yet

Military: limited use of “EIA”, some guidance

Aggregate extraction: none yet

Tourism (whale watching): Guidelines + no ‘reckless’ disturbance

Summary

Some framework exists at international scale both within Regional Seas conventions and international conservation Agreements

Some possibilities exist at a national/regional economic entity scale

Plenty more remains to be done at a national scale and with 'trans-national' activities