

THE COMPREHENSIVE REPORT ON OCEANS AND THE LAW OF THE SEA

Input from the Baltic Marine Environment Protection Commission (Helsinki Commission – HELCOM)

A. Salient issues that have arisen during 2002 within our respective areas of competence.

During the year a series of issues have attracted major attention. These are:

1. EU Enlargement and European Marine Strategy

The (present) EU accession process by several HELCOM Contracting Parties will be finalized on 1st May 2004 with the consequence that nine of ten HELCOM Contracting Parties will be EU members with the consequence that all HELCOM member states except the Russian Federation will be committed to fulfilling EU Directives. That will cause a loss of regulatory competence of HELCOM in general.

For the moment the European Commission is preparing a European Strategy for Protection and Conservation of the Marine Environment. The consequences of such a strategy will probably strongly influence the future work of the Helsinki Commission.

Nevertheless there will be a continuous need for strict and tailor-made solutions/measures to protect the unique and particularly sensitive ecosystem of the Baltic Sea, thus still calling for regional approaches even under the roof of the EU regulatory system. That includes stricter regulations in fields where existing EU legislation doesn't adequately reflect the particular needs of the Baltic Sea. Particular regional measures have to be adopted under the umbrella of the Helsinki Convention.

Measures that are being undertaken to address the issue

During the last years the HELCOM Subsidiary Bodies have been working on harmonisation of HELCOM Recommendations with EU and OSPAR Regulations in order to avoid inconsistencies or possible direct regulatory conflicts. In fields where there is a need to safeguard the sensitivity of the Baltic Sea Area special actions have been taken.

Further actions

The forthcoming HELCOM Ministerial Meeting in June 2003 will discuss the role of HELCOM and its future priorities seen in the light of the described development.

2. Oxygen depletions and eutrophication

In August 2002, extraordinary strong oxygen depletion was observed in large areas of the Kattegat, Belt Sea, the Sound and Western Baltic Sea. Excessive leaching of

nutrients from land in combination with excellent growth conditions for algae during a

B. Areas of focus selected for the fourth meeting of the Open-ended informal consultation process on oceans and Law of the Sea

1. Protecting vulnerable marine ecosystems

Natural conditions in the Baltic Sea (stratified brackish waters with varying temperatures) have restricted the occurrence of most of the marine and freshwater species. This has resulted in an ecosystem with low number of species and short food chains making the ecosystem very vulnerable for external stress.

into environmental and nature conservation policies is an ongoing process both in HELCOM and IBSFC.

HELCOM has supported development of a joint database on non-indigenous species (alien species) in the Baltic Sea, promoted concerted actions to improve the management of ballast water and supported international actions in IMO.

Further actions

Protection of marine biological diversity, including the environmental effects of fisheries and the further development of the network of marine protected areas will be a theme for the forthcoming HELCOM Ministerial Meeting in June 2003.

2. Safety of navigation

The “Baltic Carrier” accident on 29 March 2001, resulting in the outflow of 2,700 tonnes of heavy fuel oil to the Baltic Sea, put to the fore the increased risk associated with the dense traffic in the area.

An Extraordinary HELCOM Ministerial meeting on 10 September 2001 promptly and efficiently responded to the increased risk, by adopting a Declaration on the safety of navigation and emergency capacity in the Baltic Sea area (the HELCOM Copenhagen Declaration).

Measures that are being undertaken to address the issues

The HELCOM Copenhagen Declaration contains a voluminous package of measures to increase the safety of navigation and ensure the adequacy of emergency capacity.

These measures include:

Maritime safety measures

- New and improved routes for shipping;
- Enhanced use of pilots in high-risk areas;
- Regular hydrographical surveys;
- Use of Electronic Navigational Charts (ENC) and Electronic Chart Display and Information Systems (ECDIS);
- A monitoring system for shipping in the Baltic Sea area;
- Extension of the Baltic Sea area to include the Baltic Proper and the Gulf of Gdansk.

- Co-operation during shore-line clean-up operations;

Future tasks

- Assessment of trends in maritime traffic as a basis for risk analyses;
- Possible designation of parts of the Baltic Sea area as Particularly Sensitive Sea Areas (PSSA's).

The Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1992 (the Helsinki Convention) was amended, as of 1 December 2002, to make the consequent measures binding under international law.

Further actions

The need for further actions will be considered during the forthcoming HELCOM Ministerial meeting in June 2003.