



# International Legal Requirements and Agreement obligations in Northern Europe

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# International Legal Requirements

International Convention for the Regulation of Whaling (ICRW)

International Whaling Commission (IWC)

United Nations Law of the Sea (UNCLOS)

North Atlantic Marine Mammal Commission (NAMMCO)

Convention on International Trade in Endangered Species (CITES)



# Biodiversity Conventions

Convention on Biological Diversity (CBD)

Convention on Migratory Species (CMS)

ASCOBANS

Oslo and Paris Conventions for the Protection of the  
Marine Environment of the North-East Atlantic (OSPAR  
Convention)

Convention on the Protection of the Marine Environment of  
the Baltic Sea Area (Helsinki Convention; HELCOM)



# International Convention on the Regulation of Whaling 1946



*‘provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry’*

Established the IWC. Activities are governed through the Schedule which is legally binding and can be amended annually.

Global moratorium on commercial whaling introduced in 1986. Aboriginal subsistence and special permit whaling are subject to agreement.

Areas of work include ship strikes, entanglement of large whales, whale watching, CMP for gray whale (W North Pacific) and two for southern right whales (E and W coasts of South America), and habitat degradation (chemical, noise and litter pollution, and climate change).

Designation of protected areas:

‘The Sanctuary’ 1938-1955

Indian Ocean Sanctuary 1979

Southern Ocean Sanctuary 1994

# United Nations Law of the Sea (UNCLOS) 1982



Article 65 notes that ‘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.’



# Agreement on Cooperation in Research, Conservation and Management of Marine Mammals in the North Atlantic 1992



Established North Atlantic Marine Mammal Commission (NAMMCO).

Recognizes the right to use marine resources sustainable and responsibly.

Covers all species of cetacean, seals and walrus



**Aim** is effective conservation and management measures, which take into account the needs of coastal communities, the dynamic and changing marine environment and best scientific evidence and user knowledge.

Areas of work include population assessments, compliance with hunting regulations and the effects of bycatch, noise and shipping

# Convention on International Trade in Endangered Species (CITES) 1973



Due to European Single Market, the EU Wildlife Trade Regulations have been introduced for application of CITES.

Introduced and implemented through Council Regulations No 338/97 and No 865/2006 (as amended), with permits issued through No 792/2012. Member States implement through national legislation.

All cetaceans are listed in Annex A: All CITES Appendix I species and some CITES Appendix II and III species, for which the EU has adopted stricter domestic measures.

# Convention on Biological Diversity (CBD) 1992



Article 8: management of biological resources to ensure conservation and sustainable use; rehabilitate/restore degraded ecosystems and recovery of threatened species; the development of legislation and/or other regulatory provisions for the protection of threatened species; designation of protected areas

Article 14: Introduce appropriate procedures requiring environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimizing such effects

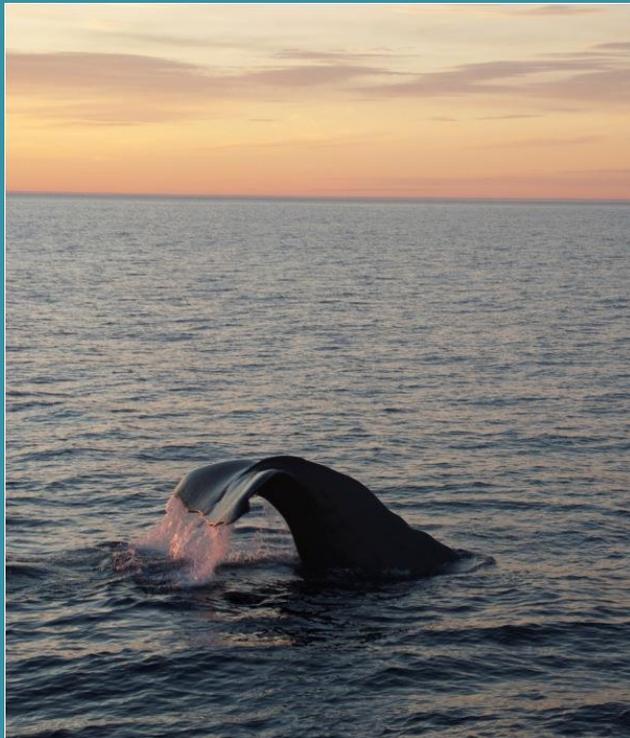
Article 17: international exchange of information including surveys

Article 18: promote international technical and scientific cooperation in the field of conservation and sustainable use of biological diversity through appropriate international and national institutions.

# Convention on Migratory Species (CMS) 1979



Aim is favourable conservation status and the avoidance of any migratory species becoming endangered



## In particular:

- support research relating to migratory species;
- immediate protection for migratory species considered endangered (Appendix I)
- conclude Agreements for the conservation and management of migratory species with an unfavourable conservation status (Appendix II) or for those which would significantly benefit from the international co-operation

# Agreement on the Conservation of Small Cetaceans in the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS) 1994



Aims to achieve and maintain a favourable conservation status for small cetaceans.

Work has largely focused on harbour porpoise.

The CMP requires Parties to assess status and movements of populations, identify threats, establish stranding and bycatch schemes, undertake post mortem investigations to identify cause of death and food composition, and identify important areas for survival.

Resolutions covering bycatch, underwater noise and other forms of disturbance, chemical pollution, habitat quality, health and status of species, and 3 conservation plans for harbour porpoise which take a threat or risk based approach

## Oslo and Paris Conventions for the protection of the marine environment of the North-East Atlantic (OSPAR Convention) 1992



Aims: prevent and eliminate pollution, taking measures to protect the maritime area against the adverse effects of human activities, to safeguard human health and conserve/restore marine ecosystems. Achieved through the OSPAR Commission.

OSPAR Threatened Species: North Atlantic right whale (all areas), blue whale (all areas), harbour porpoise (areas II and III), bowhead whale (area I).

Harbour porpoise: The top priority for management is reduction of bycatch. Other management measures should aim to reduce discharge of toxic and persistent chemicals liable to bioaccumulate. Links to work of ASCOBANS and ICES.

MSFD Common Indicators: Abundance and distribution of marine mammals, pup production in grey seals, bycatch of marine mammals.

# Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention) 1992



Aims: largely focused on prevention of pollution but also covers conservation of natural habitats, biodiversity and ecological processes, ensuring the sustainable use of natural resources within the Baltic Sea Area. Achieved through the Helsinki Commission (HELCOM) .

HELCOM Red List: harbour porpoise (critically endangered), the ringed seal (vulnerable), harbour seal (vulnerable) and grey seal (least concern).

Harbour porpoise: reduce bycatch; research on population distribution and abundance, stock identities, behaviour and threats including bycatch, underwater noise, pollutant levels, ship strikes, changes in food base, climate changes, marine construction; consider use of MPAs; Links to ASCOBANS and ICES

MSFD Core Indicators: Nutrition status of seals, Population growth rate, abundance and distribution of marine mammals, Pregnancy rates of marine mammals

# Summary

As with the Habitats Directive, of key importance for almost all international legal requirements and agreement obligations is the achievement of **Favourable Conservation Status**. This requires a good understanding of:

- population trends and movements,
- threats (including assessment of risk and mitigation options)
- appropriate management of relevant anthropogenic activities

Various instruments are available to achieve this including sectorial management, marine spatial planning and the use of protected areas.



# Any Questions?

We can only manage ourselves not the animals or the environment we are seeking to protect

Thank you for listening



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