



*MISIS Project Workshop
May 29 - 31th, 2013, Varna, Bulgaria*



Policy/law enforcement, transboundary MPA designation, results and recommendations for further work

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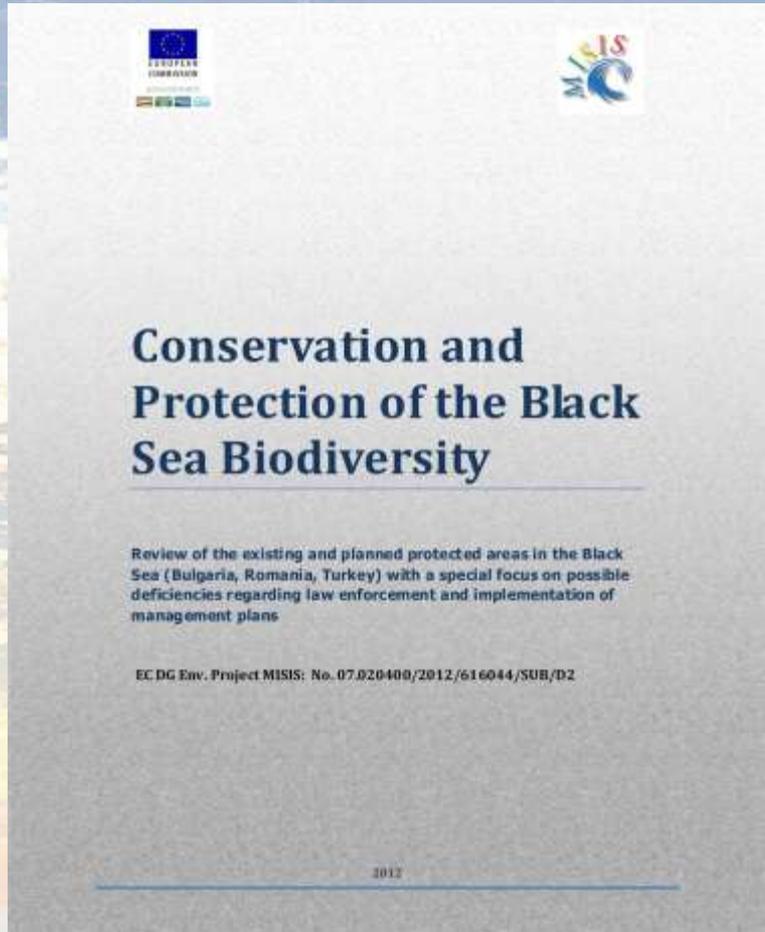


PA4 – MPAs: Increase number and size of protected areas in the Black Sea as well as increase their degree of protection. Prospective of going beyond the art



First Report in PA4

PA4.1 Review of the existing and planned protected areas in the Black Sea (Bulgaria, Romania, Turkey) with a special focus on possible deficiencies regarding law enforcement and implementation of management plans



Begun T., Muresan M., Zaharia T., Dencheva K., Sezgin M., Bat L., Velikova V., 2012. Conservation and Protection of the Black Sea Biodiversity. Review of the existing and planned protected areas in the Black Sea (Bulgaria, Romania, Turkey) with a special focus on possible deficiencies regarding law enforcement and implementation of management plans. EC DG Env. MISIS Project Deliverables.





II. Review of the existing and planned protected areas in the Black Sea with a special focus on possible deficiencies regarding law enforcement and implementation of management plans



Transboundary Protected Area: *“An area of land and/or sea that straddles one or more boundaries between states, sub-national units such as provinces and regions, autonomous areas and/or areas beyond the limits of national sovereignty or jurisdiction whose constituent parts are especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed co-operatively through legal or other means”* (Sandwith et al. 2001).

In the frame of the MISIS project there has been raised the idea for a Black Sea transboundary protected area to be proposed for designation in between Bulgarian and Turkey. It would include the **Strandzha protected area** from the Bulgarian side and Igneada proposed area to become protected area from the Turkish side.



Current situation on MPAs in partner countries

Bulgaria has an overall of **15 marine protected areas**, which comprise parts of both marine and terrestrial environments. Currently, several are being in the **process of extension (6 sites)** while **proposals for 3 new sites** have been elaborated in 2012 and submitted to the Ministerial Council for approval. It has **11 RAMSAR sites**, 3 of them bordering the Black Sea, 4 are in close proximity to the coast.

Currently, **Turkey** has in total **13 RAMSAR sites**, and only one of them is on the coast of the Black Sea (the Delta of the Kizilirmak River).



II. Review of the existing and planned protected areas in the Black Sea with a special focus on possible deficiencies regarding law enforcement and implementation of management plans

TURKEY

8% of Turkey's territorial water is protected.

2 internationally important wetlands:

- ▶ **Kizilirmak delta**, designated in 1998 as Ramsar site and
- ▶ **Yeşilirmak delta**, both deltas are located in the province Samsun.

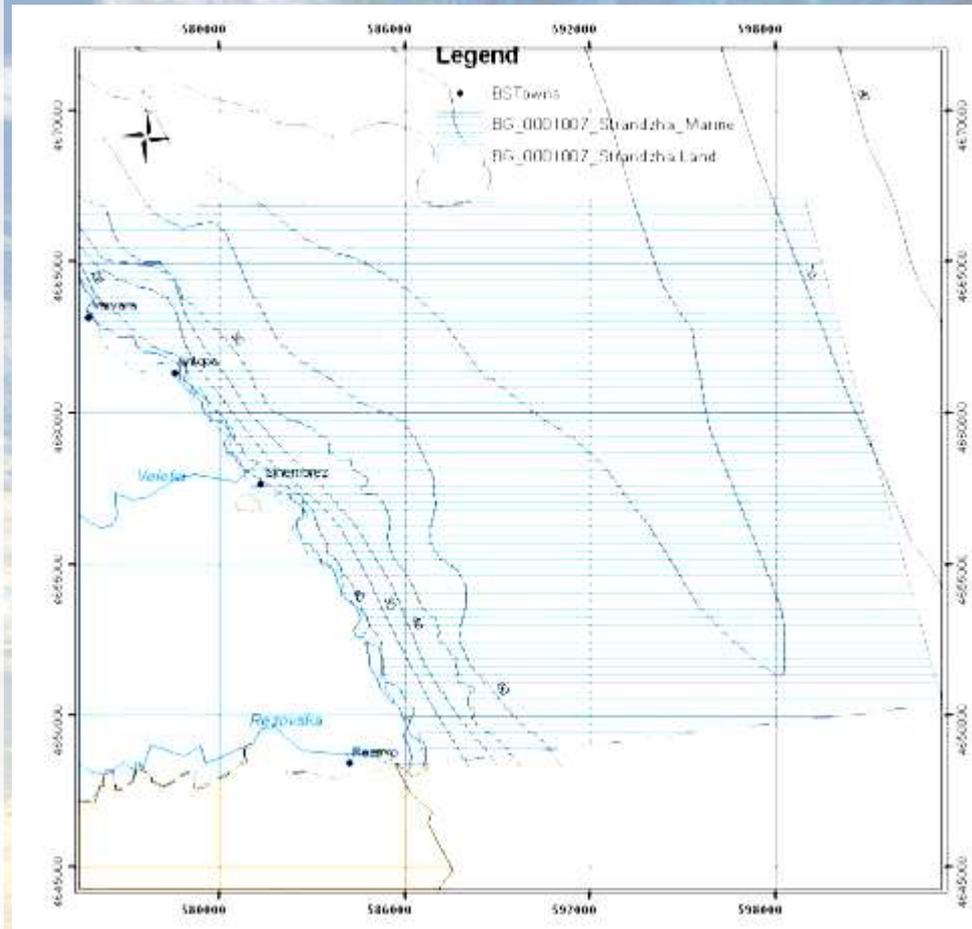
Proposed MPAs for Turkish Black Sea Coast



1. İğneada;
2. Pre-bosphoric region;
3. Cide to Doğanyurt;
4. Zone 4 is between Kizilirmak and Yeşilirmak Rivers;
5. Mesgit reef

➤ The protected area **BG0001007 Strandzha** was designated under the **Habitats Directive** (transposed in the Bulgarian Biodiversity Act) as a Natura 2000 SCI with the Decision of the Council of Ministers.

➤ As a result of an initiative undertaken by the Institute of Oceanology - BAS (implementation of the project “Extension of the marine Natura 2000 in the Bulgarian Black Sea” carried out in 2011-2012 and an official proposal to the MOEW) a Decision of the Council of Ministers 660/2013 **extended significantly the marine range of SCI Strandzha to the current 37 612.52 ha and 75 m depth, which comprises 15 % of the overall national coverage of marine protected areas within Natura 2000 ecological network in Bulgaria.**



The criteria for site (MPA) selection in Bulgarian waters were based on those provided in the Annexes of Decision IX/20 CBD (uniqueness or rarity; special importance for life history stages of species; importance for threatened, endangered or declining species and/or habitats; vulnerability, fragility, sensitivity or slow recovery; biological productivity; biological diversity; naturalness). In Turkey, this process has just begun in 2012 and 2013 with the occasion of first expeditions performed in the area. This activity must continue.

Coastal habitats of conservation importance

2110 - Embryonic shifting dunes

2120 - Shifting dunes along the shoreline with *Ammophila arenaria* (“white dunes”)

2130 * - Fixed coastal dunes with herbaceous vegetation (“grey dunes”)

The majority of the coastline is occupied by well conserved cliff habitat of the type:

1240 Vegetated sea cliffs of the Mediterranean coasts with endemic *Limonium* spp.

1130 estuaries (of Veleka, Butamiata, Silistar and Rezovska rivers.

The estuaries support high biodiversity and provide shelter for endangered species such as *Emys orbicularis* and *Mauremys caspica*.

Marine habitats of conservation importance

1110 Sandbanks which are slightly covered by sea water all the time.

1140 Mudflats and sandflats not covered by seawater at low tide.

1170 Reefs

The **species listed in Annex II of the Habitats Directive found in Strandzha SCI** comprise 13 invertebrates, 7 fish, 2 amphibians, 5 reptiles and 42 mammals. Among them there are

5 marine species:

1103 *Alosa fallax* (Twaite shad)

4125 *Alosa immaculata* (Pontic shad)

4127 *Alosa tanaica* (Azov shad)

1349 *Tursiops truncatus* (Bottlenose dolphin)

1351 *Phocoena phocoena* (Harbour porpoise)

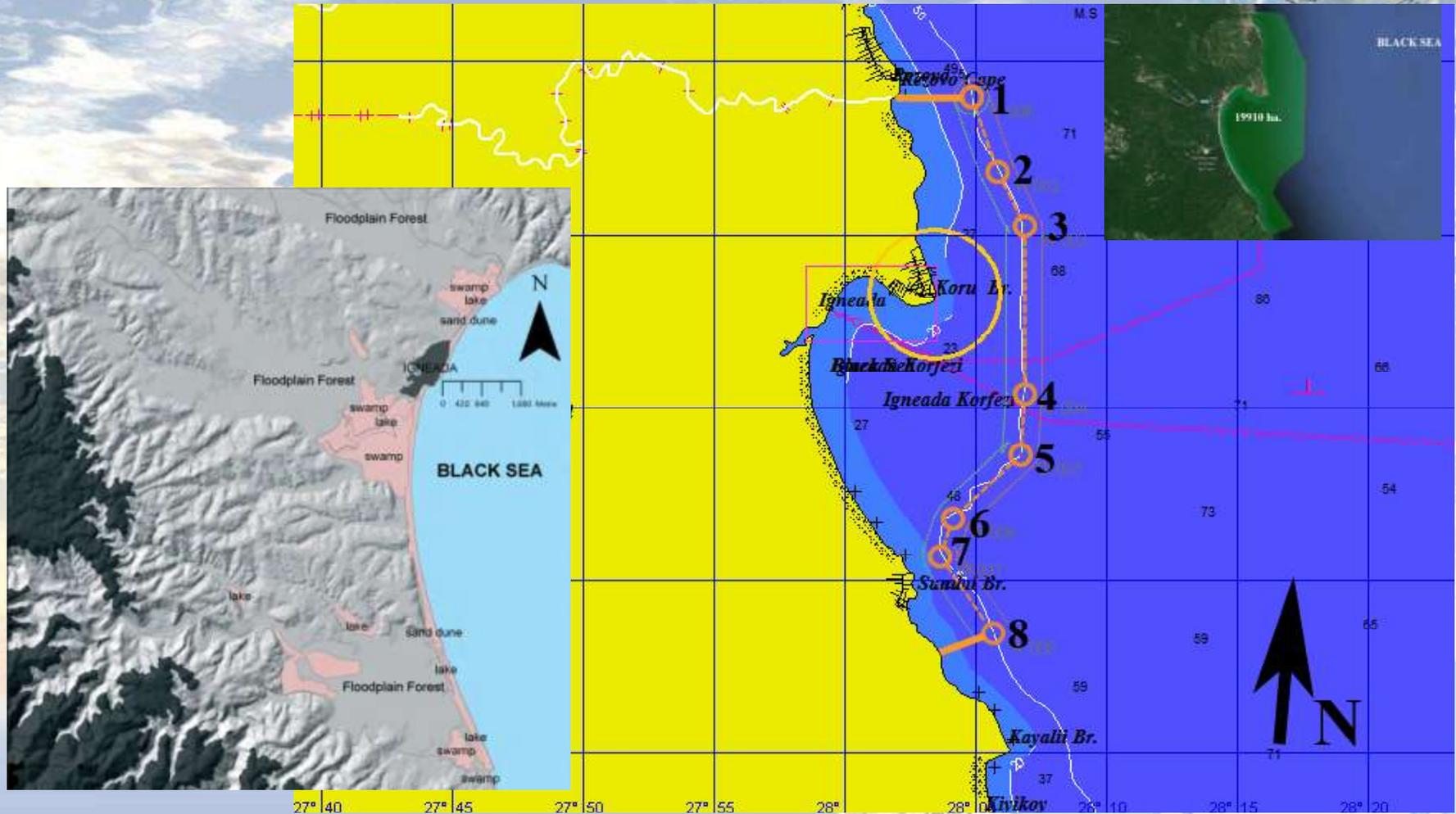
Other marine species of national or **Black Sea conservation importance** listed for the site include:

Algae: *Cystoseira barbata*, *Cystoseira crinite*, *Phyllophora crispa*;

Benthic invertebrates: *Chamelea gallina*, *Donacilla cornea*, *Donax trunculus*, *Lentidium mediterraneum* *Ostrea edulis*, *Mytilus galloprovincialis*, *Eriphia verrucosa*, *Pachygrapsus marmoratus*, *Xantho poressa*;

Fishes: *Acipenser gueldenstaedtii*, *Acipenser stellatus*, *Aidablennius sphyinx*, *Anguilla anguilla*, *Atherina boyeri*, *Coryphoblennius galerita*, *Dasyatis pastinaca*, *Hippocampus guttulatus*, *Huso huso*, *Liza ramada*, *Pegusa lascaris*, *Pomatoschistus microps*, *Raja clavata*, *Salaria pavo*, *Sarda sarda*, *Syngnathus typhle*, *Trachinus draco*

İğneada is located in the north-western part of Turkey, being a small town within the district of Demirköy in Turkey's Kırklareli Province. It lies on the Black Sea coast and is approximately 5 km south of the Rezovo River, which forms the border with Bulgaria. The İğneada region is well-known for the **national park (3155 ha) designated in 2007** and the lakes situated within its borders.



STANDARD DATA FORM

Special Protection Areas (SPA), proposed Sites of Community Importance (pSCI), Sites of Community Importance (SCI) and for Special Areas of Conservation (SAC)

Habitat types present on the site

Annex I Habitat types

1110 Sandbanks which are slightly covered by sea water all the time.

1140 Mudflats and sandflats not covered by seawater at low tide.

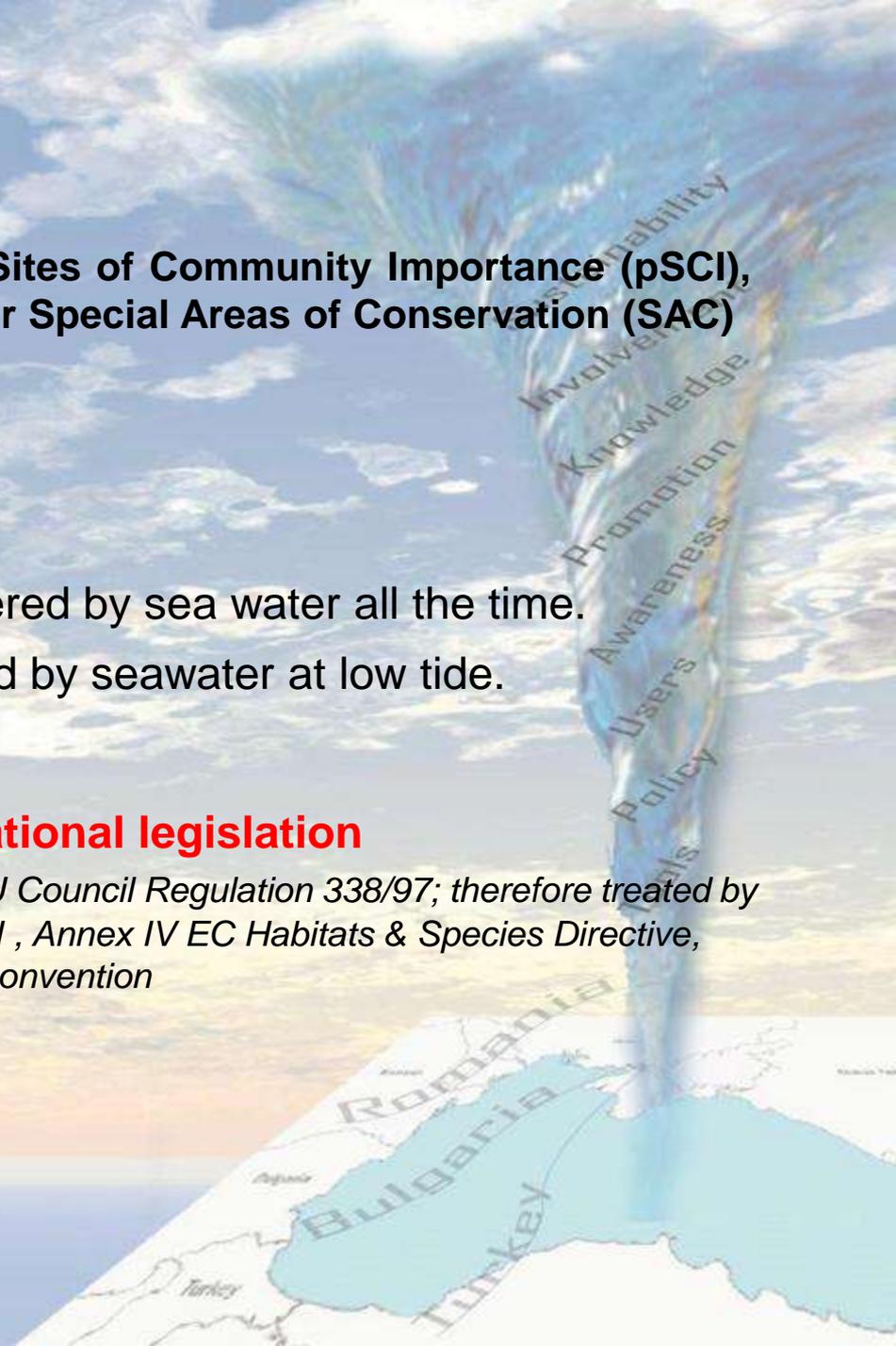
1170 Reefs

National Red Book and other international legislation

Delphinus delphis (included in Annex A of EU Council Regulation 338/97; therefore treated by the EU as if they are included in CITES Appendix I , Annex IV EC Habitats & Species Directive, Appendix II Bern Convention , Appendix II Bonn Convention

1349 *Tursiops truncatus*

1351 *Phocoena phocoena*



Is the actual legislative framework helpful for TMPA designation?

- ❑ To allow transboundary MPAs to function, appropriate **institutional arrangements** are needed. These can be in the form of overarching mechanisms for **marine spatial management frameworks**, facilitating joint MPA management or through the establishment of **specific agreements between states and between the competent authorities in the concerned countries, referring specifically to the MPA.**
- ❑ The **regional seas conventions** of the United Nations Environment Programme (UNEP), designed to promote regional cooperation on marine and coastal environmental issues, are also an important mechanism in the establishment of transboundary MPAs.

2009 Strategic Action Plan for the Environmental Protection and Rehabilitation of the Black Sea

The Black Sea TDA-2007 reconfirmed four priority transboundary problems expressed in the BS SAP 1996, amended 2002.

Key management approaches

- Integrated Coastal Zone Management (ICZM);
- **The Ecosystem Approach;**
- Integrated River Basin Management (IRBM)

Long-term Ecosystem Quality Objectives (EcoQOs)

EcoQO 2: Conservation of Black Sea Biodiversity and Habitats.

EcoQO 2a: Reduce the risk of extinction of threatened species.

EcoQO 2b: Conserve coastal and marine habitats and landscapes.

EcoQO 2c: Reduce and manage human mediated species introductions

Management targets and priority status required to meet the EcoQOs

One of the overall targets

*Consider the necessity of creation of new and/or expansion of existing protected areas, including **transboundary areas in consultation with the relevant Black Sea countries with particular attention to marine protected areas.** Establish or extend these areas where necessary - Short and medium term target*

- **The Black Sea Biodiversity and Landscape Conservation Protocol to the Convention on the Protection of the Black Sea Against Pollution**

• The Convention on Biological Diversity (CBD)

This framework agreement is for the conservation of biodiversity (which is defined so as to include biological productivity), sustainable use of biological resources and the sharing of benefits from their use. This agreement is described in detail in IUCN's *Guide to the Convention on Biological Diversity* (Glowka et al., 1994)

• The Ramsar or Wetlands Convention

Its mission, “The conservation and wise use of wetlands by national action and international cooperation as a means of achieving sustainable development throughout the world”. Although initially focused on wetlands for migratory waterbirds, the Convention now takes into account the full range of wetland functions and values, and the need for an **integrated approach to their management**.

• The World Heritage Convention

The Convention aims to identify and protect cultural and natural sites of outstanding, universal value.

• The European Marine Strategy

In its explanatory moratorium, the document states that “*the marine environment **does not accord with existing geo-political boundaries**. It is by essence **transboundary** and therefore requires co-operation and common principles*”.

EU Habitats Directive from 1992 in its Article 18, paragraph 2, states that:

“particular attention shall be paid to scientific work necessary for the implementation of Articles 4 and 10, and transboundary cooperative research between Member States shall be encouraged”

This may be considered as a starting point for a further development of the transboundary Marine Protected Area management concept, as the “Draft Guidelines for the Establishment of the Natura 2000 network in the marine environment. Application of the Habitats and Birds Directives’ of 2006 read:

“In case of features containing natural values present in community marine zones having a transboundary dimension, the Commission will support a cooperative approach to the designation of a coherent set of Natura 2000 sites to include altogether a natural feature”.

• Water Framework Directive: *Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000* establishing a framework for Community action in the field of water policy

In its Article 35, the WFD calls for a transboundary management within a river basin, where use of water may have transboundary effects.

- **Espoo Convention: *The Espoo Convention on Environmental Impact Assessment in a Transboundary Context***

The convention requires the parties to *“either individually or jointly, take all appropriate and effective measures to prevent, reduce and control significant adverse transboundary environmental impact from proposed activities”* (Article 2, General Provisions).

- **The SEA Directive 2001/42/EC on the assessment of the effects of certain plans and programmes** on the environment deals with environmental assessment at a higher, more strategic, level than that of projects subject to the EIA directive.

- **EIA Directive: *Council Directive 85/337/EEC of 27 June 1985 as amended by Directive 97/11/EC on the assessment of the effects of certain public and private projects on the environment***

The EIA shall assess the project's direct and indirect effect on:

- Human being, fauna and flora
- Soil, water, air, climate and the landscape
- The interaction between the above factors
- Material assets and cultural heritage

In Article 7, the Directive refers to transboundary aspects. It requires a Member State aware of the likeliness of significant effects of a project on another Member States environment



TURKEY

European Level

The implementation of the **Birds and Habitat Directives has been supported by the EU since 2002.** Activities related to the Habitat and Bird Directives is going on under The Ministry of Forestry & Water Affairs, General Directorate of Nature Conservation and National Parks.

International Cooperation/Agreements

- **Convention on biological diversity**
- **Intergovernmental Science- Policy Platform on Biodiversity and Ecosystem Services (IPBES) under CBD**
- **CITES**
- **RAMSAR Convention**
- **EU Landscape Convention**
- **Bern Convention on the conservation of the European Wildlife and habitats.**
- **Natural Habitats (Natura 2000)**
- **The World Heritage Convention**
- **The UNESCO Man and the Biosphere Programme and its work on Biosphere Reserves**
- **Bonn Convention on the conservation of migratory species of wild animals, marine fauna (Turkey didn't sign)**
- **ACCOBAMS (Turkey didn't sign)**
- **Convention on the Protection of the Black Sea Against Pollution, Bucharest, 1992**
- **Strategic Action Plan for the Rehabilitation and Protection of the Black Sea, 1996**
- **EU Habitat & Bird Directive**
- **European Marine Strategy Directive**

BULGARIA

International Cooperation/Agreements

Bulgaria has signed and ratified a large number of global, European and regional conventions, most important among them being:

- **Convention on Biological Diversity,**
- **Convention on the Conservation of European Wildlife and Natural Habitats (Bern);**
- **Convention on International Trade with Endangered Species (CITES);**
- **Convention on Wetlands of International Importance as Habitat of Wild Birds (Ramsar);**
- **Convention on Protection of World Cultural Heritage;**
- **Convention on the Protection of the Black Sea Against Pollution and the Protocol on Biodiversity and Landscape Conservation;**
- **Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), ratified in October 1999, in force since 1 June 2001, State Gazette 95/8 October 2002.**



Examples of bilateral and multilateral cooperation:

- **The South Pacific Regional Environment Programme (SPREP), which is the main vehicle for collaboration on conservation in the Pacific region, encourages community-based conservation areas which extend into the marine environment.**
- **Denmark, Germany and Netherlands have collaborated for many years over the conservation of the Wadden Sea, with strong NGO involvement.**
- **In the Baltic, the surrounding nations are creating a large network of MPAs under the Helsinki Convention.**
- **In 1999, France, Italy and Monaco declared the Ligurian Sea (85,000km² of the Mediterranean in the angle between France and Italy) to be a cetacean sanctuary, much of which is in international waters.**
- **The Danube Delta Biosphere Reserve, shared with Romania and Ukraine**
The biosphere reserve was declared as both Natural World Heritage and Ramsar site in 1991.

● Are PAs categories the same in the beneficiary countries?

- All three countries have established protected areas in the sea (TR – in the Mediterranean, not in the Black Sea), the categories of protection being quite similar.
- The process of identification and designation of protected areas has been carried out mostly in the frames of NATURE2000 in Bulgaria and Romania, and under the Emerald Network (Bern Convention) and RAMSAR Convention in Turkey.



● Are criteria for identification of areas in need for protection the same?

- In **Romania and Bulgaria**, when proposing MPAs, the ecological criteria recommended in the IUCN guidelines for MPAs designation are applied.
- In **Turkey**, a first evaluation of IUCN criteria to justify the eligibility of the area to be designated as an MPA was done within the MISIS. According to the first results, 6 types of habitats fulfill the criteria.
- However the process of designation of the proposed areas is expected to be long as the adoption of the **Law on Conservation of Nature and Biodiversity** has been delayed.



● What are the differences in the practices of designation of PAs?

- In **Bulgaria and Romania** the designation is done according to the national legislation after the transposition of the Habitats and Birds Directives (referring to NATURA 2000 sites). The **regular process** consists of: **initial assessment of the areas proposed for protection, completion of NATURE2000 official forms (reporting sheets), analyses of data/information by superior forum, which could be a scientific authority and then submission to responsible governmental authority that is also in charged with the presentation of the request to EC for the final decision.**
- In **Turkey**, a slower decision process made difficult the designation of protected areas on and in front of the coast of the Black Sea. So far measures are being taken to simplify the procedures and fasten decision-making; however, the process goes with certain difficulties mainly due to conflicts of interest (e.g. environment protection versus economic interests).



● What are the problems in designation of transboundary MPAs?

■ Possible impediments for designation of Transboundary Protected Areas Strandzha–Igneada

- ✘ Not to meet the ecological criteria used to verify the eligibility of the area for designation as a TBPA and the type of protection proposed.
- ✘ To obtain the agreement and support of local communities, officials from competent authorities for putting the basis for the bilateral cooperation.
- ✘ **Reaching agreement at the governmental level** is beyond the scope of the MISIS Project, however, promotion of the idea and preparation of all needed documents to proceed with the designation of the proposed area (Strandzha-Igneada) will be ensured.
- ✘ Given the political, social and economical discrepancies between Bulgaria and Turkey, it is expected that the decision on the designation of the proposed TBPA will not be taken fast and easy. Therefore, the stakeholders (especially local communities) from both countries should play a significant role in the process.



IV. Conclusions and Recommendations



- **Combining the provisions in CBD Decision IX/20, the obligations of the Birds and Habitats Directive, and Natura 2000, it is possible to sketch out a “common approach” for establishing MPAs in the Black Sea**
- The starting point is to establish a standard list of habitats types and key marine species in need for protection and/or conservation.
- After habitats identification a habitat mapping is mandatory acquiring also information about their distribution and abundance
- The criteria for site (MPA) selection must be based on those provided in the **Annexes of Decision IX/20 CBD (uniqueness or rarity; special importance for life history stages of species; importance for threatened, endangered or declining species and/or habitats; vulnerability, fragility, sensitivity or slow recovery; biological productivity; biological diversity; naturalness)**
- The boundaries of sites must be established, and the maritime jurisdiction if is a transboundary or an offshore area (according to different agreements or conventions: UNCLOS, MARPOL etc).
- Monitoring and reporting; a standard set of key indicators should be devised and used for tracking progress with MPA establishment and management



IV. Conclusions and Recommendations

- Experience with proposing EU Natura 2000 sites in the marine environment has shown that this exercise presents more of a challenge than originally expected because of a general lack of scientific knowledge on the distribution and abundance of species and habitats, and the high costs of carrying out research and surveys in offshore marine areas. Further, assessment should be carried of the adequacy and viability of selected MPAs in terms of their size, shape, boundaries, buffering and appropriateness of proposed site management regime.



Thank you very much!

Sustainable
Involvement
Knowledge
Promotion
Awareness
Users
Policy
Tools

