

An introduction to the international, European and national legal framework of the sea



MSc Program: Management of Terrestrial and Marine Resources,
Biology Department, University of Crete,
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By:

ADRIatic Ionian
maritime spatial **PLANNing**

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Marine legislation

*“The EU is a pre-eminent player in sustainable development, adopting more than 200 pieces of legislation that have direct repercussions for marine environmental policy and management. Over five decades, measures have aimed to protect the marine environment by tackling the impact of human activities (**continuity**), but maritime affairs have been dealt with by separate sectoral policies without fully integrating all relevant sectors (**fragmentation**). Such compartmentalisation has resulted in a patchwork of EU legislation and resultant national legislation leading to a piecemeal approach to marine protection (**additive**). These are superimposed on international obligations emanating from UN and other bodies and are presented here as complex ‘**horrendograms**’ showing the complexity across vertical governance. These horrendograms have surprised marine experts despite them acknowledging the many uses and users of the marine environment. Encouragingly since 2000, the evolution in EU policy has progressed to more holistic directives.....”*

Boyes & Elliot (2014) *Marine Pollution Bulletin* 86: 39–47

Marine legislation

But how about when we add the multiple players involved and law implementing and enforcing authorities?

Now, THIS is the real **HORROR!!!!**

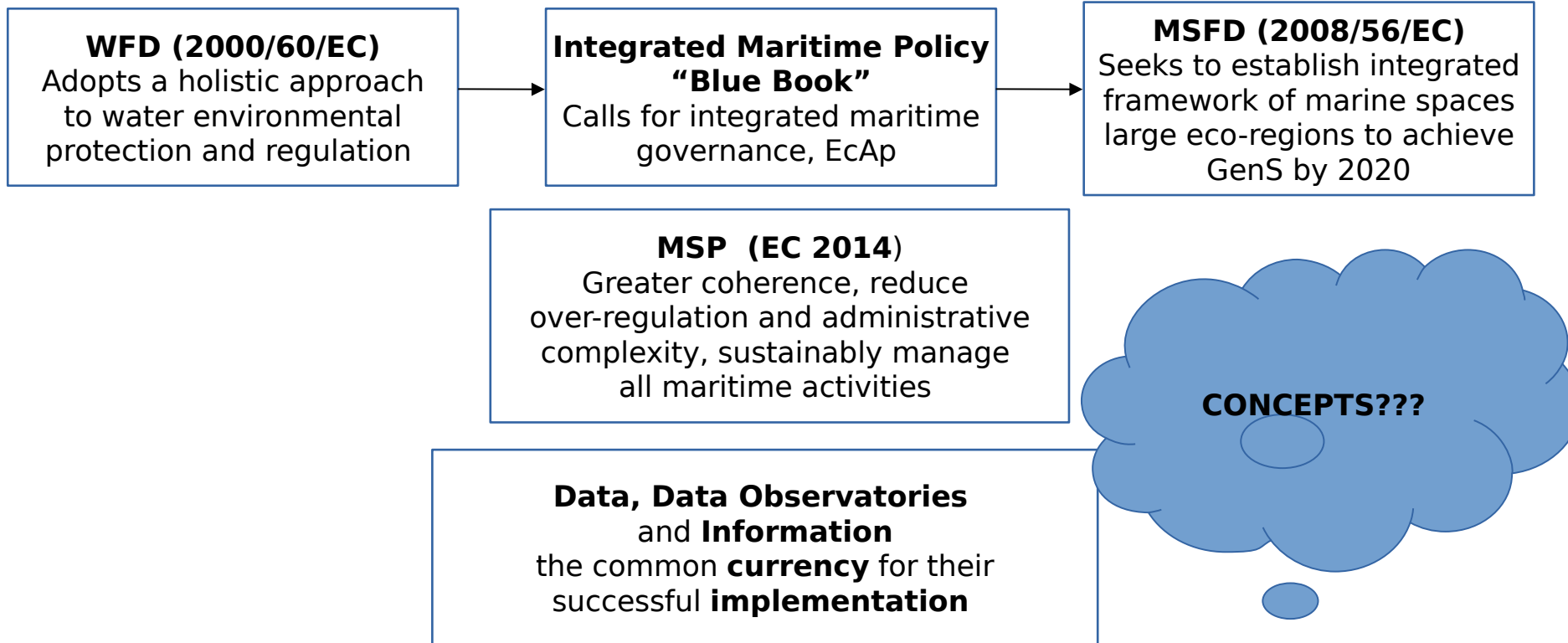
Let's be realistic and have a closer look ;)

Marine legislation “evolution”

United Nations Convention on the Law of the Sea (UNCLOS)

The **Law of the Sea Convention** defines the rights (incl. **borders**) and responsibilities of nations with respect to their use of the world's oceans, establishing guidelines for businesses, the environment, and the management of marine natural resources.

Marine legislation “evolution”



For an account of the legislation in Greece, see:
<https://www.lifewatchgreece.eu/?q=deliverables>
(requires registration)



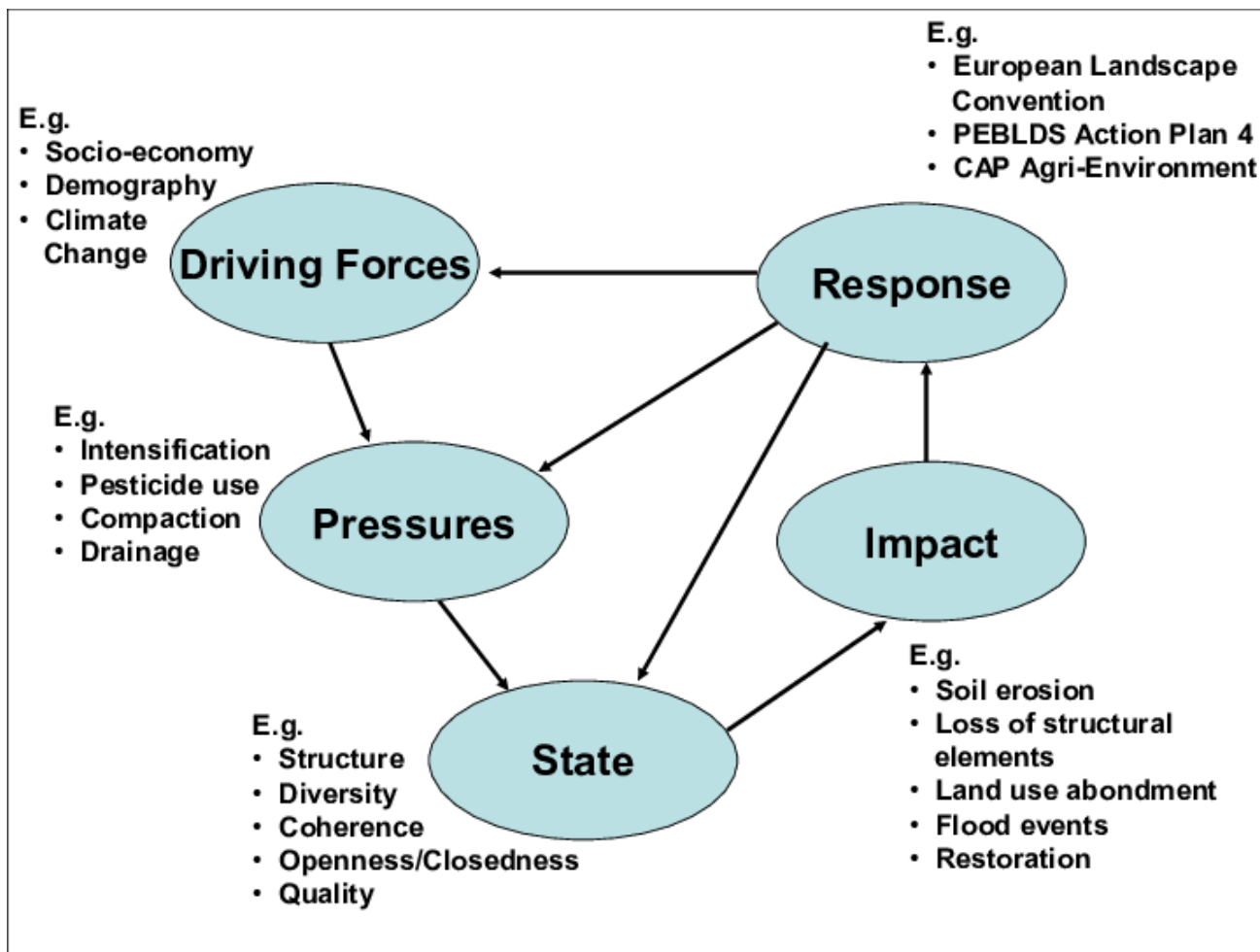
Concepts: EcAp, Participatory approach, Ecosystem services

Ecosystem Approach (EcAp): A **strategy** for the **integrated management** of land, water and living resources that **promotes conservation** and **sustainable use** in an **equitable way** (UNEP EMAP)

Participatory is a **quality of an approach** to enable and facilitate **involvement of the public** in the process of the **identifying problems** and to secure taking into consideration **their opinions** when deciding on **priorities** and proposing **solutions**.

Functions, and thus inherently also the **processes** by which they are carried out, are central to the 'ecosystem services' which the marine **environment provides** for its own **sustainability** and **human benefits**. Successful **structure** and **functioning** of the **physico-chemical and ecological systems** can produce ecosystem services: (i) **provisioning**, (ii) **regulating**, (iii) **supporting** (or habitat), and (iv) **culture and heritage**.

Concepts: DPSIR Framework



Marine legislation - framework comparisons

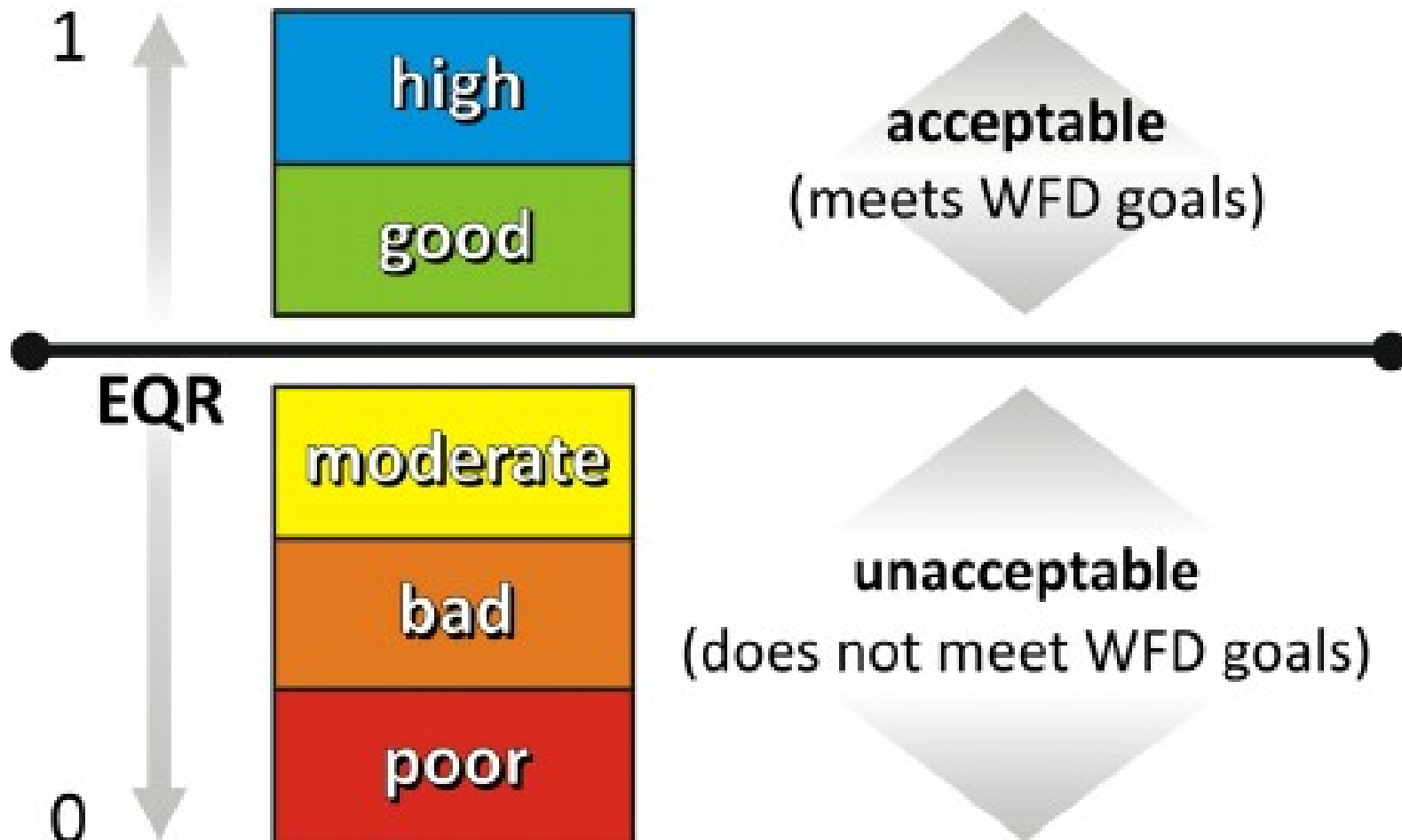
	WFD	MSFD	MSP	ICZM
Cause / Motivation	Integrated policy	Implementation of EcAp	Competition for maritime space	Integrative management of coastal resources
Target	Good Chemical Good environmental status	GES by 2020	Give greater coherence to all activities, reducing over-regulation	Sustainable development and improved living conditions of coastal populations
Coverage	Catchment areas, transitional waters, narrow band of coastal waters	Marine space, larger eco-regions	All EU Seas, including cross-border areas	All EU catchment, watershed and marine areas
Instruments	Indicators primarily for species and habitats	11 Descriptors and numerous indicators, at all levels of biological diversity	MSP applications, mostly GIS based software, DSS	EcAp, Participatory approach, DSS
Level of Implementation	Already implemented at national level	Already transposed into national legislation level, on the way to be implemented	Must be transposed into national legislation by 2016	Promoted by regional and international Organizations (e.g. Barcelona Convention)
Uniqueness	"Third wave" EU legislation, focus on biological quality elements	Applied across EU regional Seas: Focus on functioning and responses, according to Descriptors	Promotes "Blue Growth" while the ICZM aspect is removed	Bridging GenS and EcAp with regional development towards sustainable development

Marine legislation - WFD

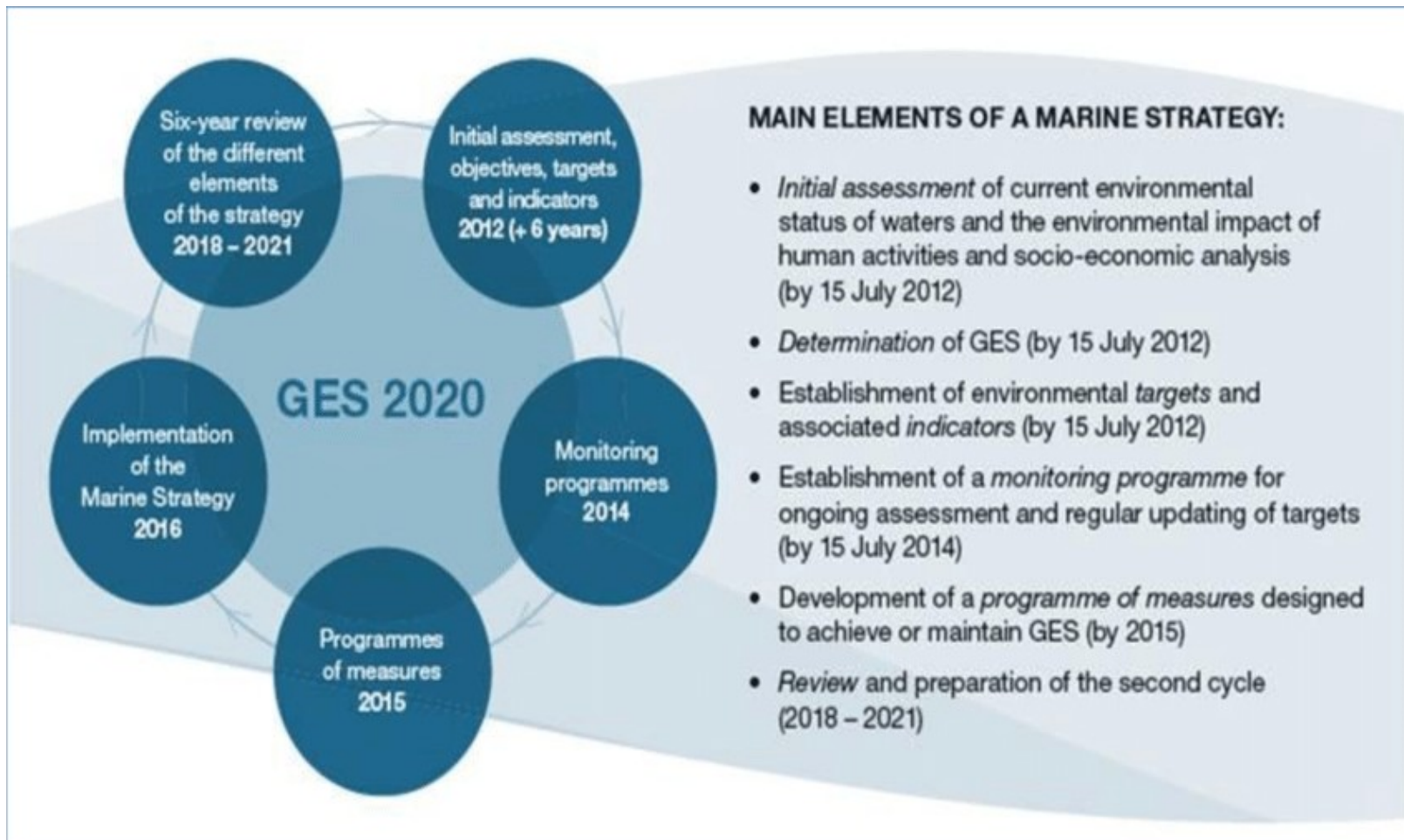
WFD Cycle in a Nutshell



Marine legislation - WFD



Marine legislation - MSFD



Marine legislation - MSFD



11 Descriptors

- Descriptor 1: Biological diversity
- Descriptor 2: Non-indigenous species
- Descriptor 3: Population of commercial fish / shell fish
- Descriptor 4: Elements of marine food webs
- Descriptor 5: Eutrophication
- Descriptor 6: Sea floor integrity
- Descriptor 7: Alteration of hydrographical conditions
- Descriptor 8: Contaminants
- Descriptor 9: Contaminants in fish and seafood for human consumption
- Descriptor 10: Marine litter
- Descriptor 11: Introduction of energy, including underwater noise



Marine legislation - MSP

<https://vimeo.com/219515087>

Marine legislation - MSP

Blue Growth is the European Commission's initiative to further harness the potential of Europe's oceans, seas and coasts for:



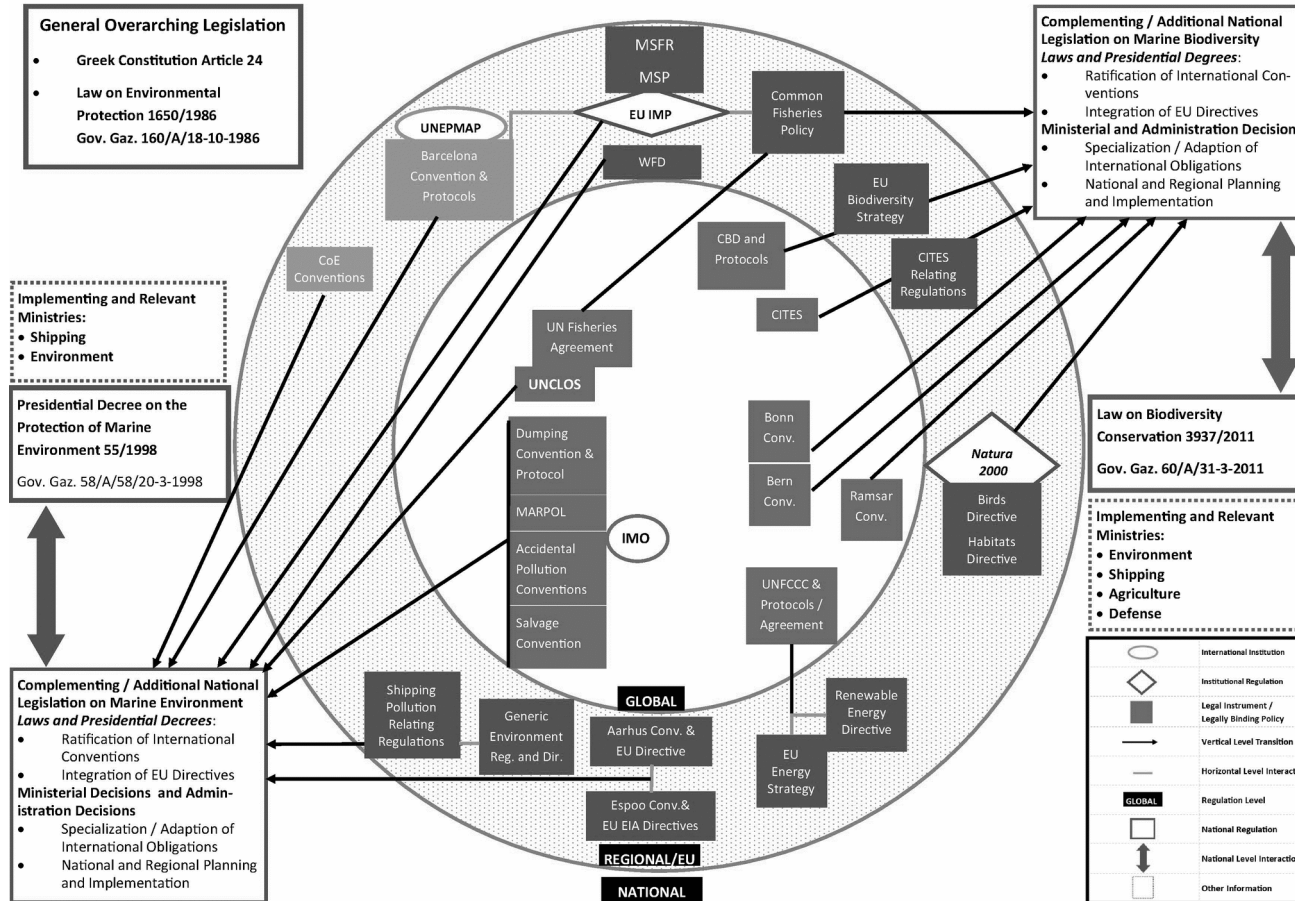
Five sectors with high potential for sustainable Blue Growth are to be further developed:



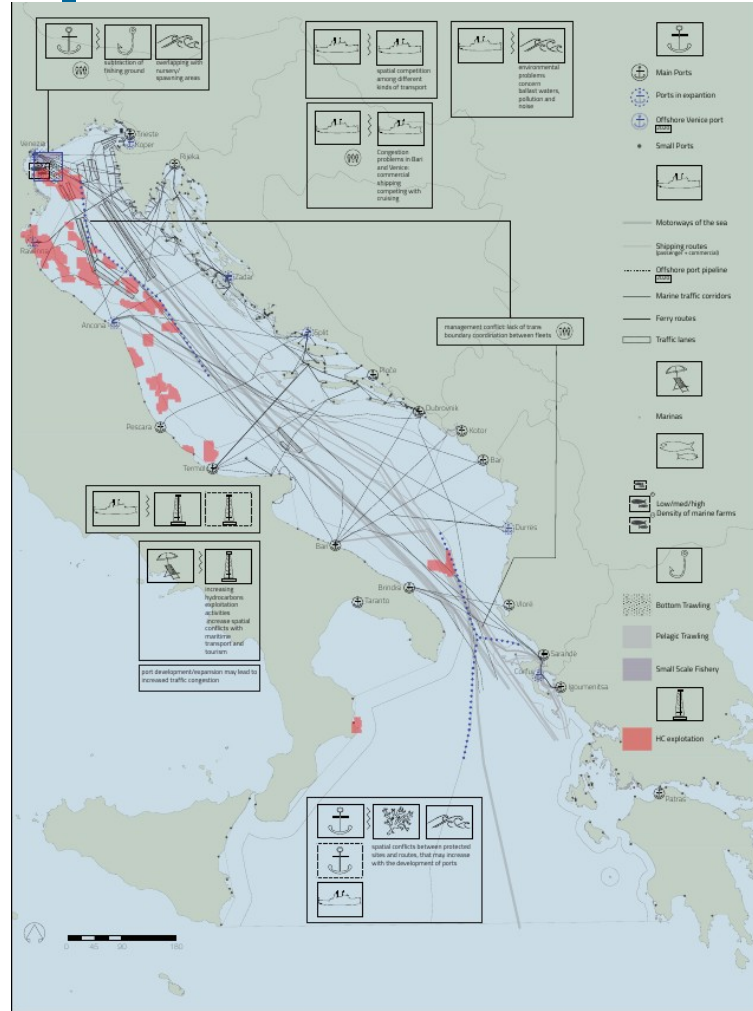
other **sectors of the blue economy** crucial for value & jobs



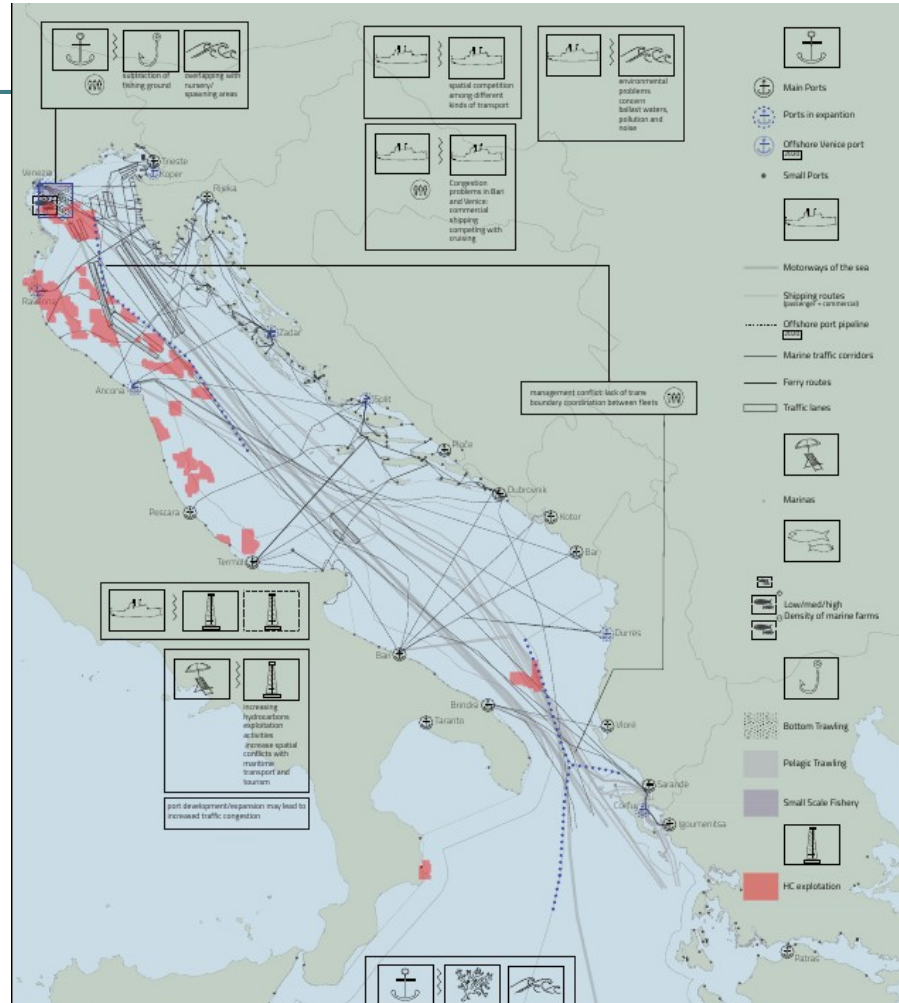
Legislation Framework - Greece



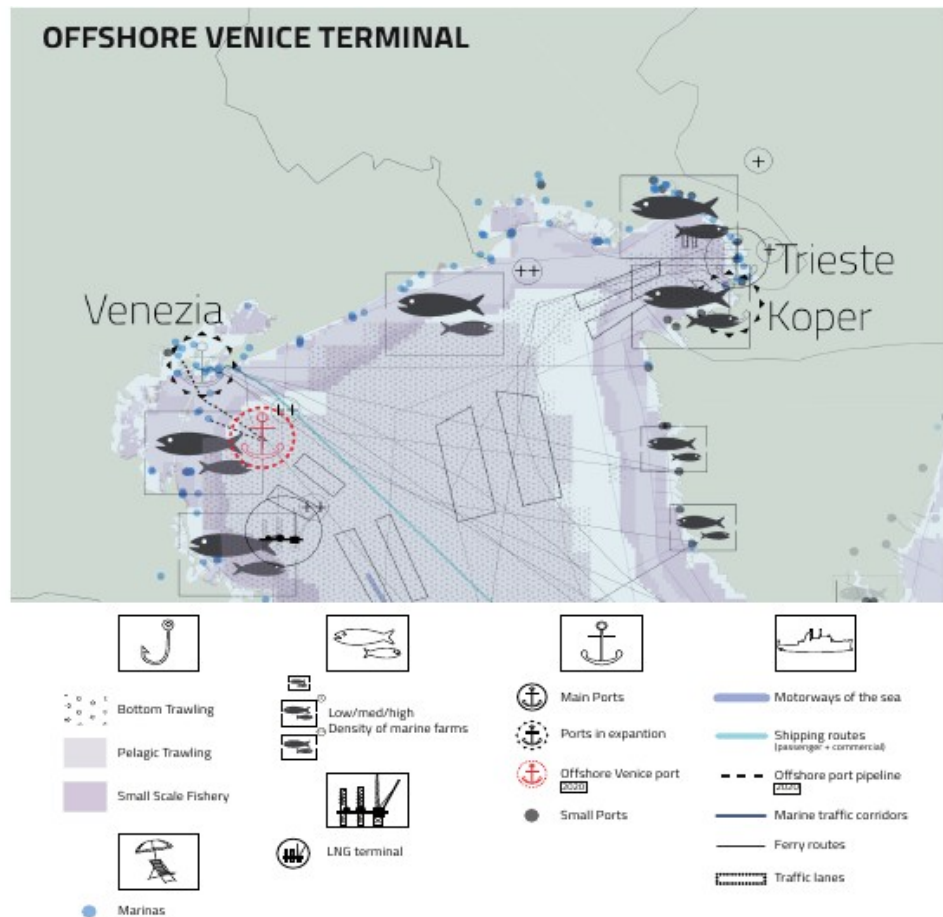
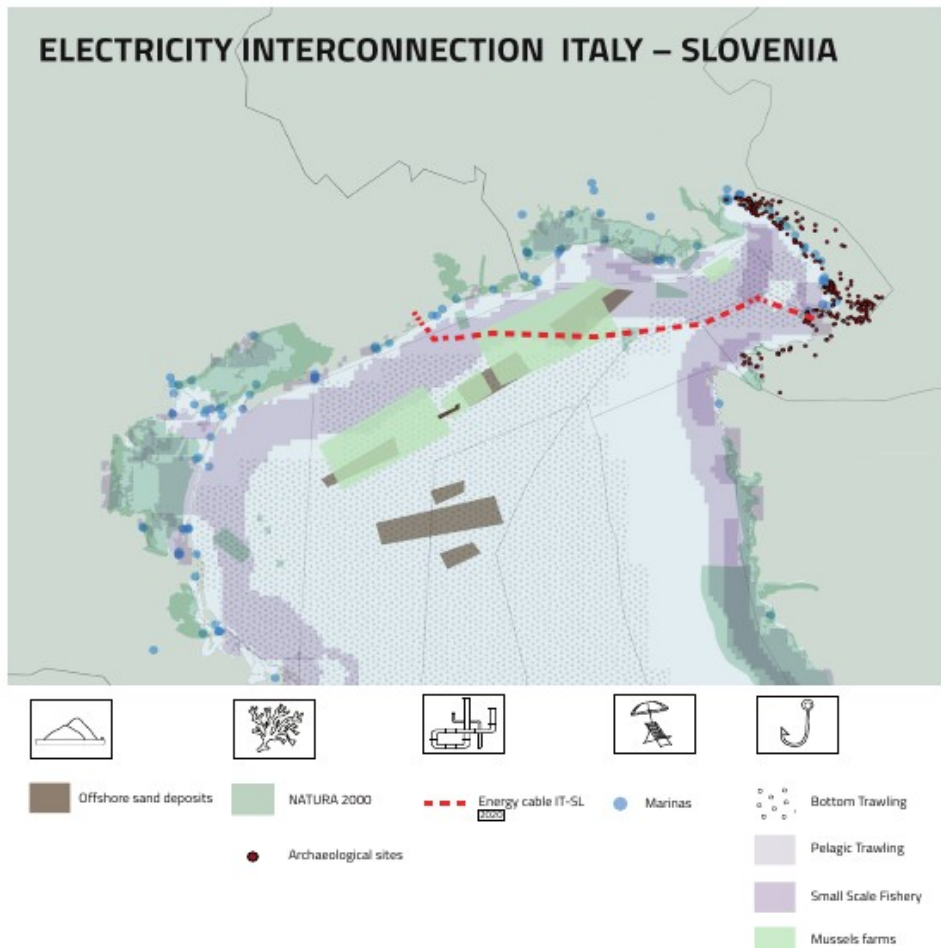
Examples from ADRIPLAN



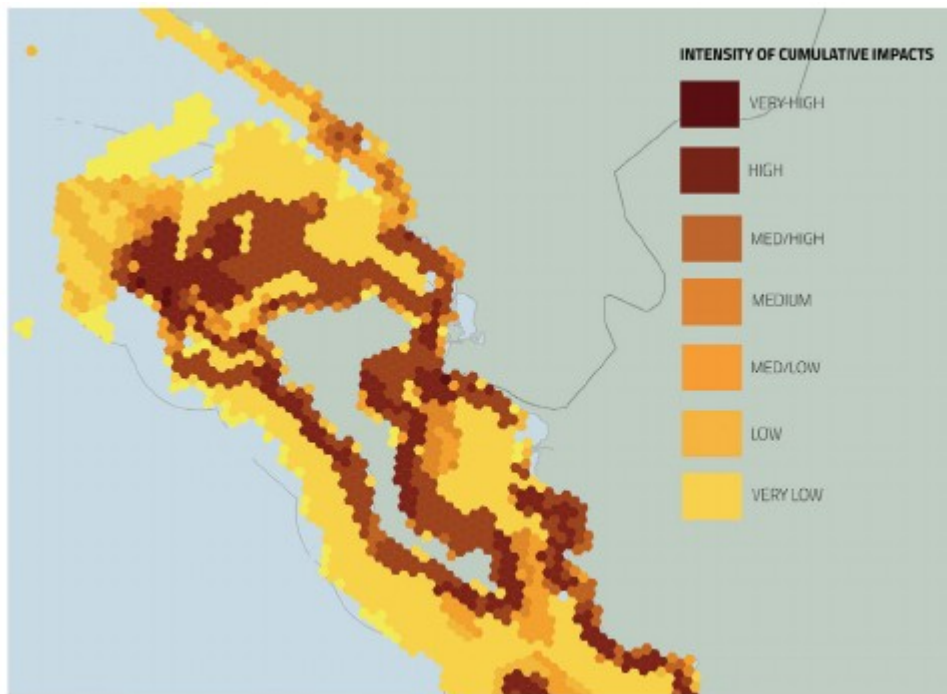
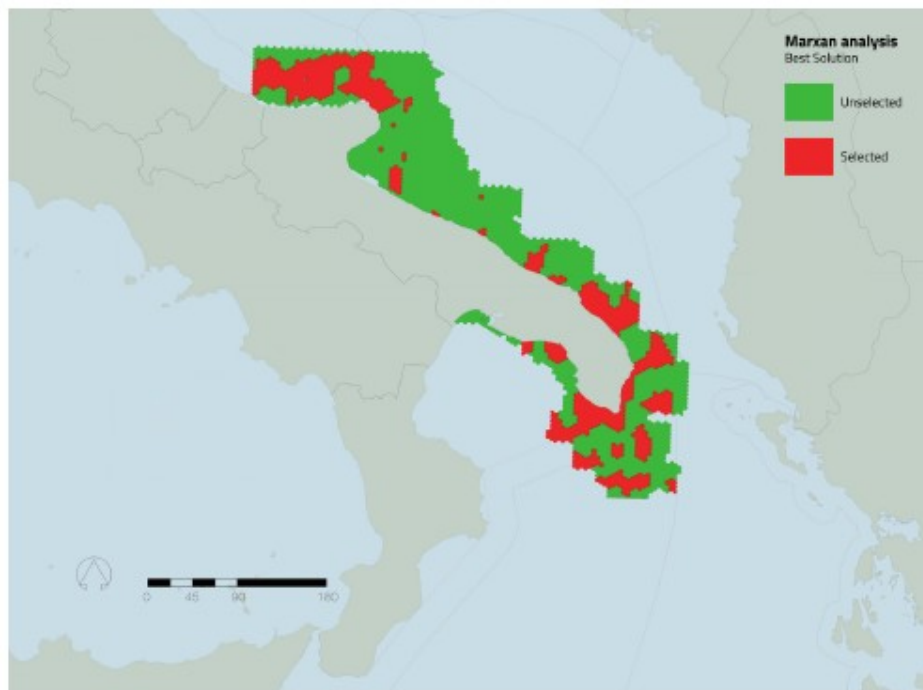
Examples from ADRIPLAN



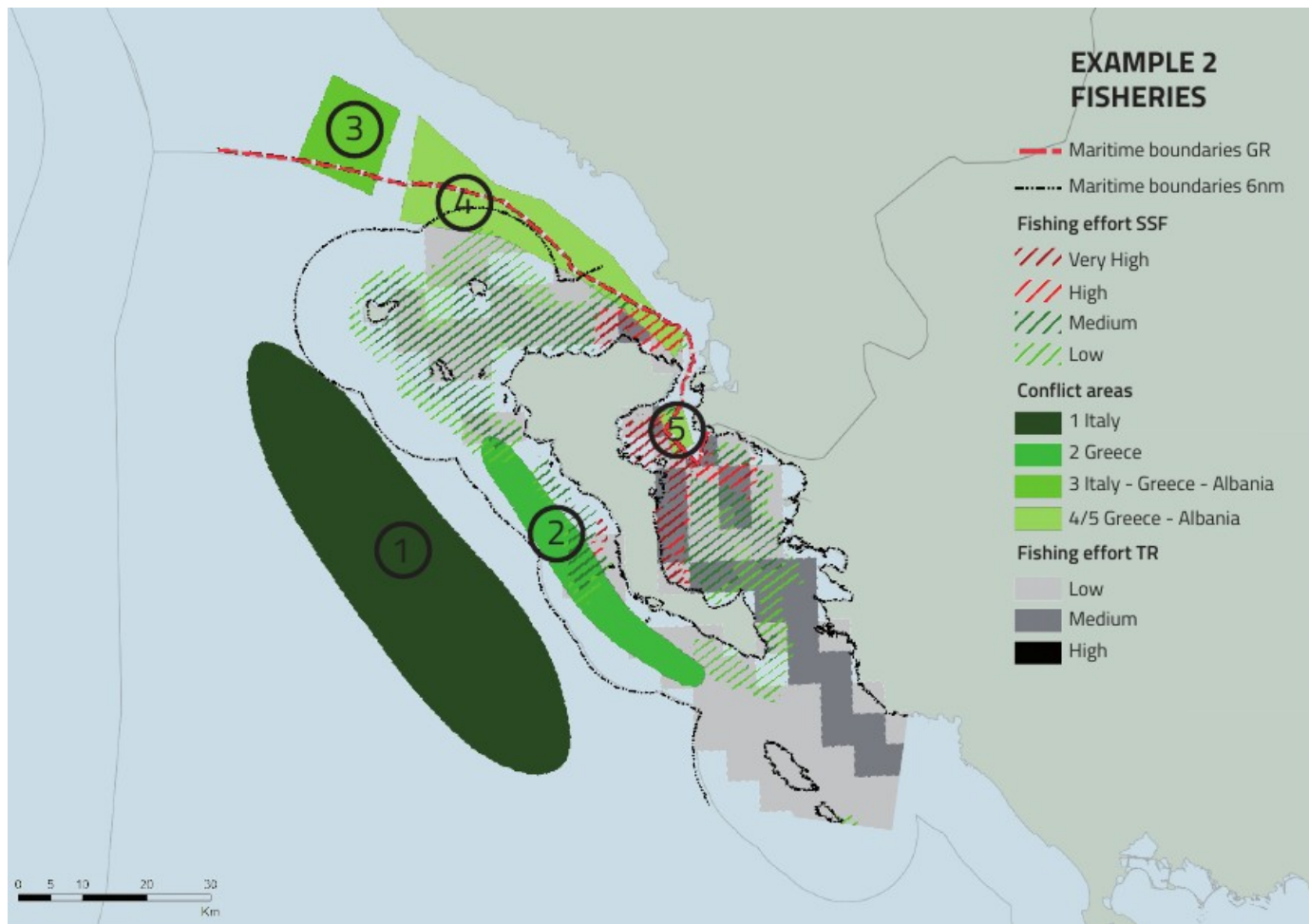
Examples from ADRIPLAN



Examples from ADRIPLAN



Examples from ADRIPLAN

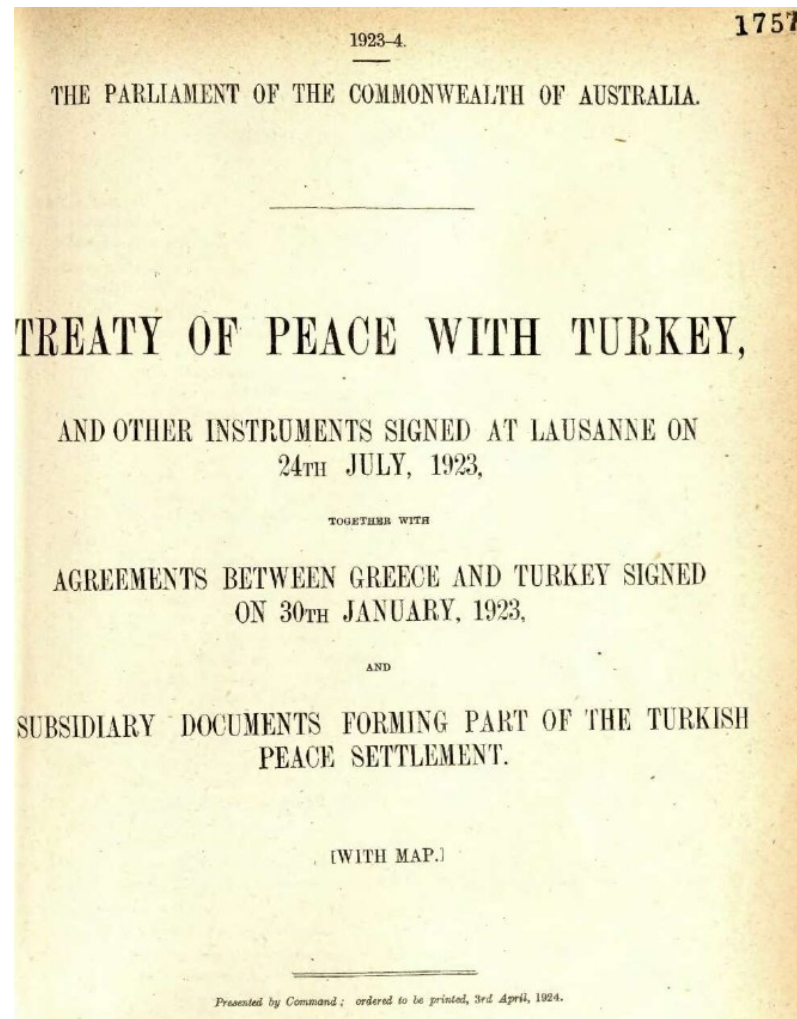


HCMR experience and expertise in the ecosystem approach of MSP

- ADRIatic Ionian maritime spatial PLANning (ADRIPLAN) EC – DG Maritime Affairs and Fisheries, 2013 – 2015
- IONian Integrated marine Observatory (IONIO)-INTERREG-III, Greece-Italy Spatial planning for aquaculture development zones in the Ionian Islands
- Monitoring and Evaluation of Spatially Managed Areas (MESMA) Towards COast to COast NETworks of marine protected areas (CoCoNet)Adriatic-Ionian sites
- "Development of a marine protected zone with artificial reefs in Preveza Prefecture (Ionian Sea)"
- Study of the Kerkyraikos Bay at aiming the sustainable management of the Fishery Resources
- Derelict Fishing Gear Management System in the Adriatic Region (DeFishGear)
- VECTORS: Vectors of Change in Oceans and Seas Marine Life, Impact on Economic Sectors / EU FP7 (Oceans of Tomorrow)

Exemplar Research Projects

- Architecture and roadmap to manage multiple pressures on lagoons (ARCH/)
- Technical specifications of Mediterranean trawl gears (MyGears)
- Estimation of maximum net length of trammel nets, gillnets and combined bottom set nets by using the volume or the mass of the net (ARCHIMEDES)
- Assessment of the interactions between corals, fish and fisheries, in order to develop monitoring and predictive modelling tools for ecosystem based management in the deep waters of Europe and beyond (CoralFISH/)
- Management and Monitoring of Deep-sea Fisheries and Stocks (DEEPPFISHMAN/)
- Mediterranean Sensitive Habitats (MEDISEH)
- Coralligenous based indicators to evaluate and monitor the «good ecological status» of the Mediterranean coastal waters (CIGESMED)
- Rapid assessment of alien marine species in the Albanian and Montenegrin coast (ALBAMONTE)



SECTION I.

1. TERRITORIAL CLAUSES.

Article 2.

From the Black Sea to the Ægean the frontier of Turkey is laid down as follows (see Map No. 1).*

(1.) *With Bulgaria:*

From the mouth of the River Rezvaya, to the River Maritza, the point of junction of the three frontiers of Turkey, Bulgaria and Greece:

the southern frontier of Bulgaria as at present demarcated:

(2.) *With Greece:*

Thence to the confluence of the Arda and the Maritza:

the course of the Maritza;

then upstream along the Arda, up to a point on that river to be determined on the spot in the immediate neighbourhood of the village of Tchörek-Keuy:

the course of the Arda;

thence in a south-easterly direction up to a point on the Maritza, 1 kilom. below Bosna-Keuy:

a roughly straight line leaving in Turkish territory the village of Bosna-Keuy. The village of Tchörek-Keuy shall be assigned to Greece or to Turkey according as the majority of the population shall be found to be Greek or Turkish by the Commission for which provision is made in Article 5, the population which has migrated into this village after the 11th October, 1922, not being taken into account:

thence to the Ægean Sea:

the course of the Maritza.

Article 12.

The decision taken on the 13th February, 1914, by the Conference of London, in virtue of Articles 5 of the Treaty of London of the 17th-30th May, 1913, and 15 of the Treaty of Athens of the 1st-14th November, 1913, which decision was communicated to the Greek Government on the 13th February, 1914, regarding the sovereignty of Greece over the islands of the Eastern Mediterranean, other than the islands of Imbros, Tenedos and Rabbit Islands, particularly the islands of Lemnos, Samothrace, Mytilene, Chios, Samos and Nikaria, is confirmed, subject to the provisions of the present Treaty respecting the islands placed under the sovereignty of Italy which form the subject of Article 15.

Except where a provision to the contrary is contained in the present Treaty, the islands situated at less than three miles from the Asiatic coast remain under Turkish sovereignty.

Article 13.

With a view to ensuring the maintenance of peace, the Greek Government undertakes to observe the following restrictions in the islands of Mytilene, Chios, Samos and Nikaria:—

- (1.) No naval base and no fortification will be established in the said islands.
- (2.) Greek military aircraft will be forbidden to fly over the territory of the Anatolian coast. Reciprocally, the Turkish Government will forbid their military aircraft to fly over the said islands.
- (3.) The Greek military forces in the said islands will be limited to the normal contingent called up for military service, which can be trained on the spot, as well as to a force of gendarmerie and police in proportion to the force of gendarmerie and police existing in the whole of the Greek territory.

Article 14.

The islands of Imbros and Tenedos, remaining under Turkish sovereignty, shall enjoy a special administrative organisation composed of local elements and furnishing every guarantee for the native non-Moslem population in so far as concerns local administration and the protection of person and property. The maintenance of order will be assured therein by a police force recruited from amongst the local population by the local administration above provided for and placed under its orders.

The agreements which have been, or may be, concluded between Greece and Turkey relating to the exchange of the Greek and Turkish populations will not be applied to the inhabitants of the islands of Imbros and Tenedos.

Article 15.

Turkey renounces in favour of Italy all rights and title over the following islands: Stampalia (Astrapalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi), and Cos (Kos), which are now occupied by Italy, and the islets dependent thereon, and also over the island of Castellorizzo (see Map No. 2).*

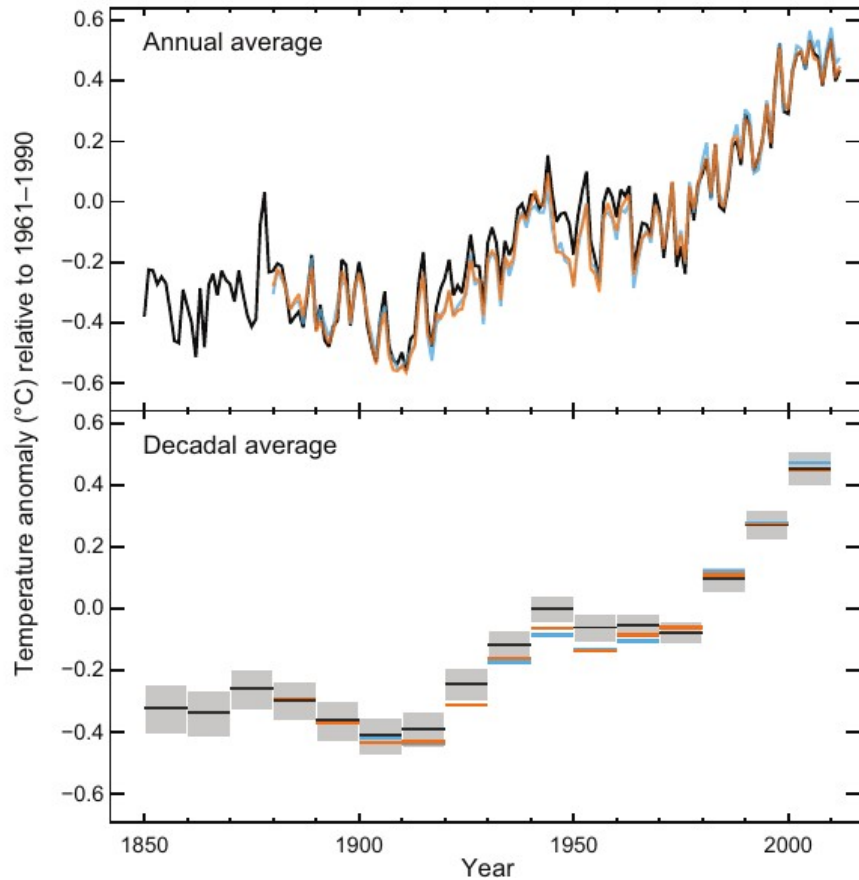
Treaty of Peace with Turkey and other Instruments



IPCC Report

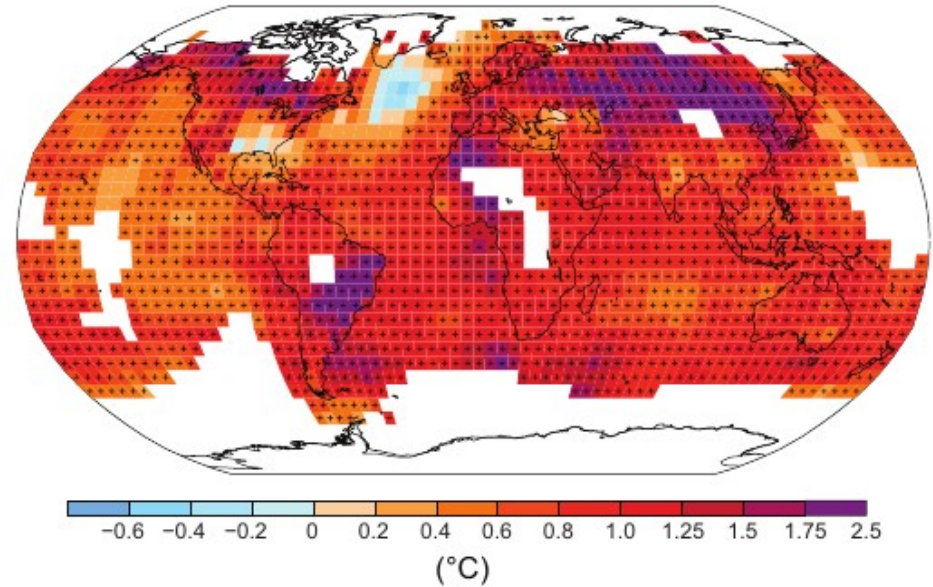
Observed globally averaged combined land and ocean surface temperature anomaly 1850–2012

(a)

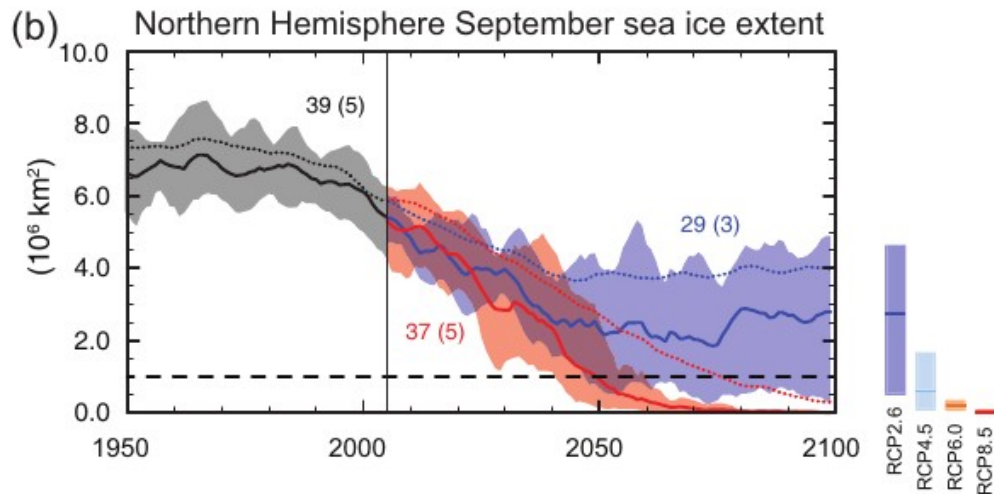
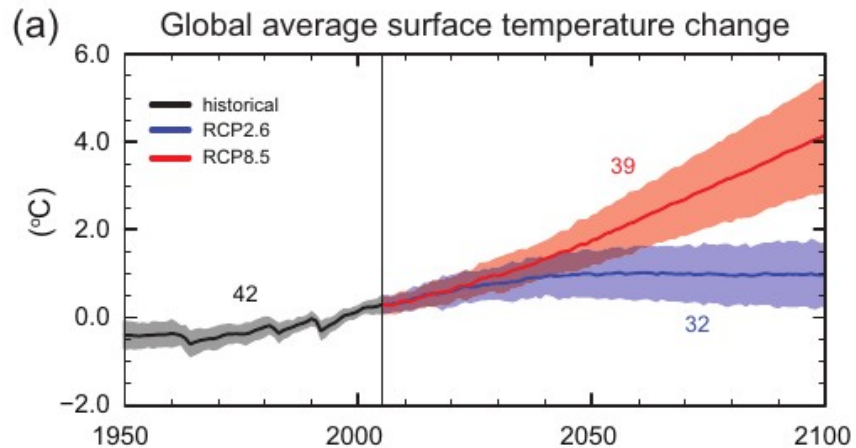


(b)

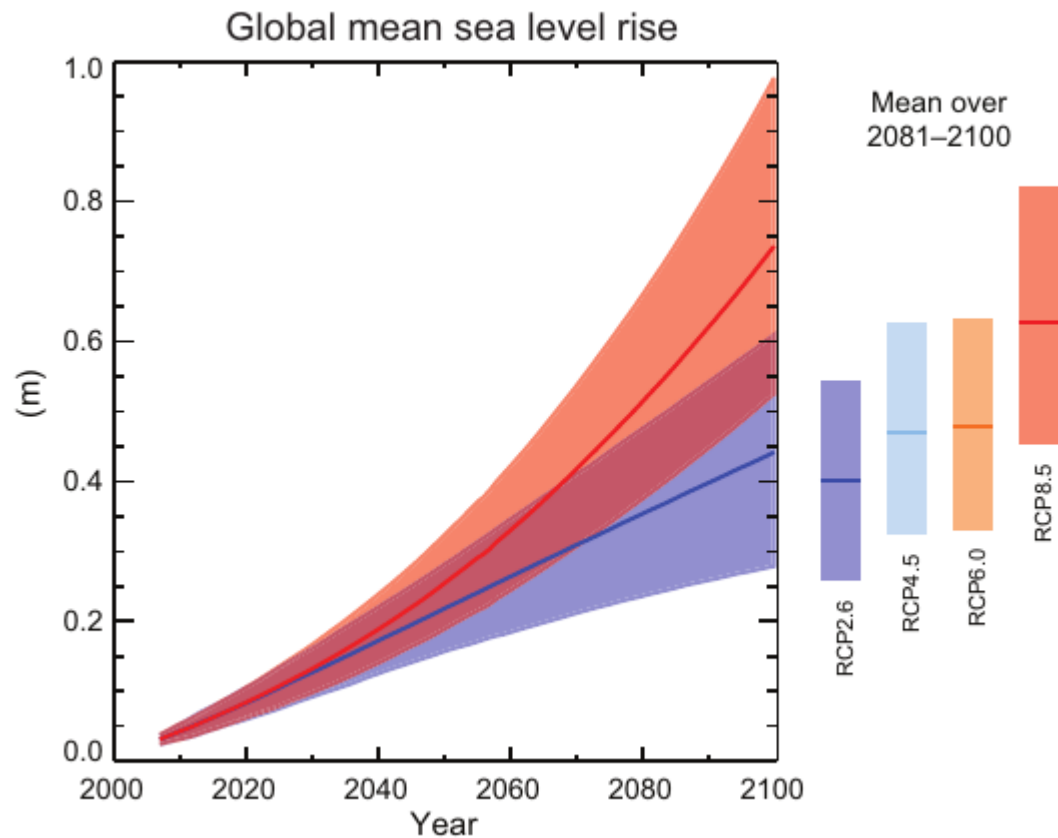
Observed change in surface temperature 1901–2012



IPCC Report



IPCC Report





General Assembly

Distr.: General
6 March 2019

Seventy-third session
Agenda item 14

Resolution adopted by the General Assembly on 1 March 2019

[without reference to a Main Committee (A/73/L.76 and A/73/L.76/Add.1)]

73/284. United Nations Decade on Ecosystem Restoration (2021–2030)

1. *Decides* to proclaim 2021–2030 the United Nations Decade on Ecosystem Restoration, within existing structures and available resources, with the aim of supporting and scaling up efforts to prevent, halt and reverse the degradation of ecosystems worldwide and raise awareness of the importance of successful ecosystem restoration;

2. *Stresses* that ecosystem restoration and conservation contribute to the implementation of the 2030 Agenda for Sustainable Development,²² as well as other

related United Nations major outcome documents and multilateral environmental agreements, including the Paris Agreement adopted under the United Nations Framework Convention on Climate Change,¹³ and the achievement of the Aichi Biodiversity Targets¹⁰ and the post-2020 global biodiversity framework;

3. *Encourages* Member States:

(a) To foster political will, the mobilization of resources, capacity-building, scientific research and cooperation and momentum for ecosystem restoration at the global, regional, national and local levels, as appropriate;

(b) To mainstream ecosystem restoration into policies and plans to address current national development priorities and challenges due to the degradation of marine and terrestrial ecosystems, biodiversity loss and climate change vulnerability, thereby creating opportunities for ecosystems to increase their adaptive capacity and opportunities to maintain and improve livelihoods for all;

(c) To develop and implement policies and plans to prevent ecosystem degradation, in line with national laws and priorities, as appropriate;

(d) To build on and reinforce existing restoration initiatives in order to scale up good practices;

(e) To facilitate synergies and a holistic view of how to achieve international commitments and national priorities through the restoration of ecosystems;

(f) To promote the sharing of experiences and good practices in ecosystem conservation and restoration;

***EU Nature
Restoration Plan:
restoring ecosystems
across land and sea***

“EU nature restoration target”

*The Commission will request and support Member States to raise the level of **implementation of existing legislation** within clear deadlines.*

*It will in particular request Member States to ensure **no deterioration in conservation trends and status of all protected habitats and species by 2030.***

*In addition, Member States will have to ensure that **at least 30% of species and habitats not currently in favourable status are in that category or show a strong positive trend.***

The Commission and the European Environmental Agency will provide guidance to Member States in 2020 on how to select and prioritize species and habitats.

Measuring target achievement by 2030

Close link to the reporting under Article 17 of the Habitats Directive and Article 12 the Birds Directive

Sub-target 1: no further deterioration in conservation trends and status by 2030

- HD: 6-y conservation status trend neither unknown nor declining
- BD: 12-y “short term” population trend neither unknown nor declining

Sub-target 2: improving (“strongly positive”) trends for 30% of species and habitats in unfavourable/non-secure status by 2030

- HD: not FV in 2019 and 6-y conservation status trend reported as improving or FV
- BD: not Secure at EU-level in 2020, and 12-y “short term” population trend reported as improving



Brussels, 11.12.2019
COM(2019) 640 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN
ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE
REGIONS**

The European Green Deal

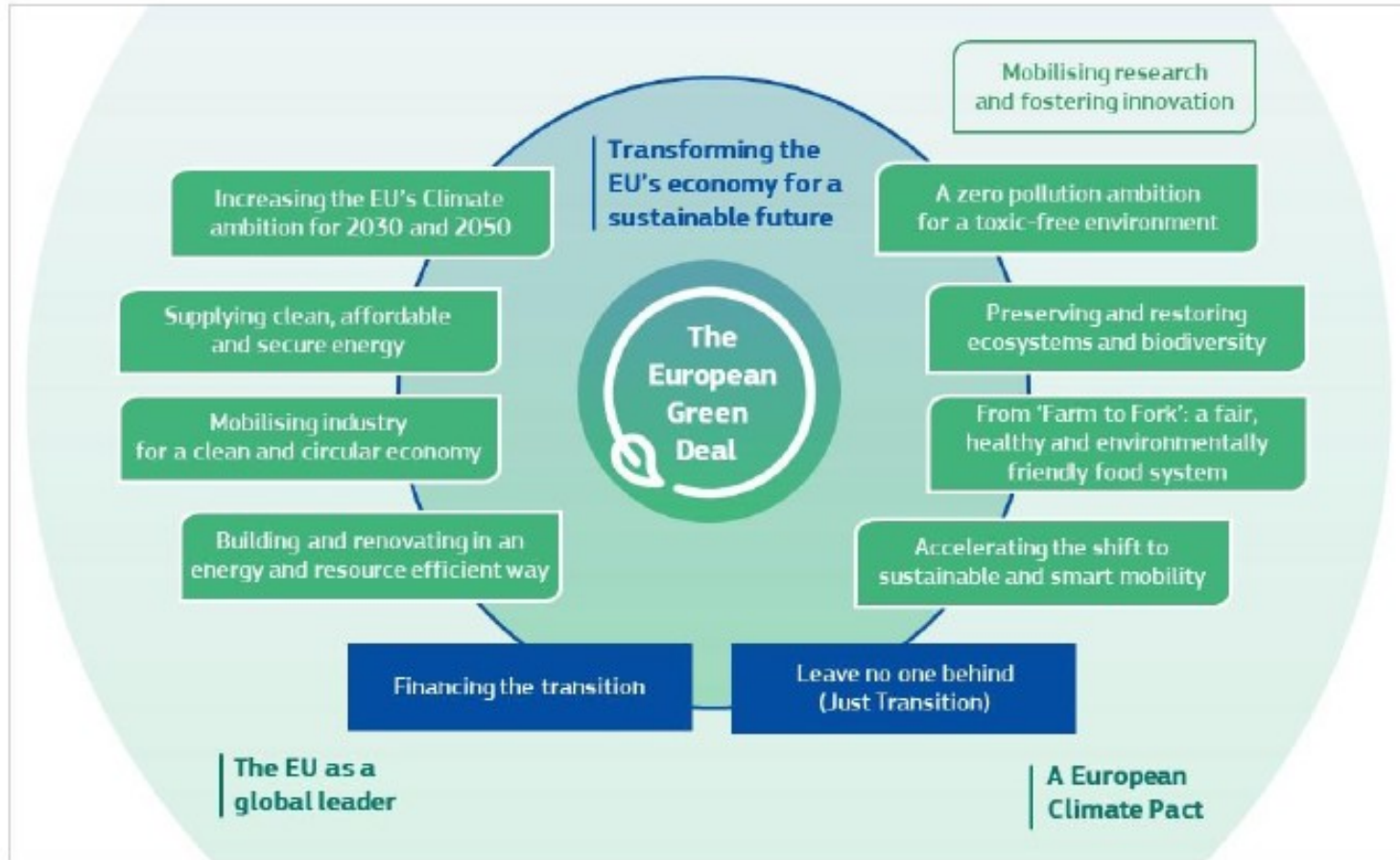


Figure 1: The European Green Deal



EUROPEAN
COMMISSION

Brussels, 20.5.2020
COM(2020) 380 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

EU Biodiversity Strategy for 2030

Bringing nature back into our lives

Nature protection: key commitments by 2030

1. Legally protect a minimum of 30% of the EU's land area and 30% of the EU's sea area and integrate ecological corridors, as part of a true Trans-European Nature Network.
2. Strictly protect at least a third of the EU's protected areas, including all remaining EU primary and old-growth forests.
3. Effectively manage all protected areas, defining clear conservation objectives and measures, and monitoring them appropriately.

EU Nature Restoration Plan: key commitments by 2030

1. Legally binding EU nature restoration targets to be proposed in 2021, subject to an impact assessment. By 2030, significant areas of degraded and carbon-rich ecosystems are restored; habitats and species show no deterioration in conservation trends and status; and at least 30% reach favourable conservation status or at least show a positive trend.
2. The decline in pollinators is reversed.
3. The risk and use of chemical pesticides is reduced by 50% and the use of more hazardous pesticides is reduced by 50%.
4. At least 10% of agricultural area is under high-diversity landscape features.
5. At least 25% of agricultural land is under organic farming management, and the uptake of agro-ecological practices is significantly increased.
6. Three billion new trees are planted in the EU, in full respect of ecological principles.
7. Significant progress has been made in the remediation of contaminated soil sites.
8. At least 25,000 km of free-flowing rivers are restored.
9. There is a 50% reduction in the number of Red List species threatened by invasive alien species.
10. The losses of nutrients from fertilisers are reduced by 50%, resulting in the reduction of the use of fertilisers by at least 20%.
11. Cities with at least 20,000 inhabitants have an ambitious Urban Greening Plan.
12. No chemical pesticides are used in sensitive areas such as EU urban green areas.
13. The negative impacts on sensitive species and habitats, including on the seabed through fishing and extraction activities, are substantially reduced to achieve good environmental status.
14. The by-catch of species is eliminated or reduced to a level that allows species recovery and conservation.

Thank you

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