



Document title	Draft Recommendation on Conservation of Baltic Sea species categorized as threatened according to the HELCOM red list
Code	4-12
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Agenda Item	4 – Matters arising from the HELCOM Groups
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Submitted by	Executive Secretary
Reference	

Background

This document contains the final draft HELCOM Recommendation on ‘Conservation of Baltic Sea species categorized as threatened according to the HELCOM Red List’. To develop such a Recommendation was agreed by the 2013 HELCOM Ministerial Meeting (paragraph 4B) to follow-up on the critical situation of many Baltic Sea species as revealed in the 2013 HELCOM Red List of Baltic Sea species in danger of becoming extinct (BSEP 140).

HELCOM 36-2015 welcomed the draft HELCOM Recommendation on Conservation of Baltic Sea species categorized as threatened according to the HELCOM Red List as presented by Lead Country Germany, noting that all other Contracting Parties except Denmark were ready to adopt the Recommendation as presented. The Meeting considered proposed amendments by Denmark and agreed to some of the proposed revisions, while Denmark made a study reservation on some parts of the Recommendation (Outcome HELCOM 36-2015, para 2.21).

HOD 48-2015 took note that the Danish study reservation remained and was informed that the reservation is based on two concerns (Outcome HOD 48-2015, para 3-70). The first concern is that since the Kattegat and Danish Straits are transitional areas many species are naturally rare since they are living on the limit of their distribution area. The second concern is the three fixed years for achievements of specific actions, included in paragraph 1 of the “ Recommends ” part.

HOD 48-2015 welcomed the offer of the Lead Country Germany to seek a solution together with Denmark and other interested countries and that an amended version of the Recommendation should be presented to State and Conservation 3 - 2015 with the view of endorsing the Recommendation at HOD 49 - 2015 for adoption at HELCOM 37 - 2016.

State and Conservation 3-2015 took note that Denmark is not yet able to lift her study reservation on the draft Recommendation on species, however, that a solution is sought with view of the upcoming HOD meeting.

State and Conservation recalled that the Danish study reservation is related to the Kattegat and Danish Straits being transitional areas where many species are naturally rare, as well the fixed years for achievements of specific actions included in paragraph 1 of the “Recommends” part (Outcome of HOD 48-2015). The Meeting emphasized that the draft Recommendation should not be interpreted in such a way that a conservation plan needs to be developed for each threatened species. The protection of associated biotopes may be sufficient and cover the protection of several species. The Meeting also underlined that when assessing the Kattegat area as part of the HELCOM Red list assessment, the particular transitional situation of the Kattegat was taken into account.

Action required

Denmark is invited to clarify their study reservation as soon as possible.

The Meeting is invited to consider the draft Recommendation with a view to endorsing the Recommendation.

DRAFT
HELCOM RECOMMENDATION 37/X

Adopted [date]
having regard to Article 20, Paragraph 1 b)
of the Helsinki Convention

**CONSERVATION OF BALTIC SEA SPECIES CATEGORIZED AS THREATENED ACCORDING TO THE HELCOM
RED LIST**

THE COMMISSION,

RECALLING Article 15 of the 1992 Helsinki Convention requiring Contracting Parties to take all appropriate measures to conserve and protect biodiversity of marine and coastal areas,

BEING DEEPLY CONCERNED about the alarming situation for Baltic Sea species being in danger of becoming extinct, i.e. those categorized as “critically endangered”, “endangered” or “vulnerable” according to the 2013 HELCOM Red List and termed “HELCOM threatened species” hereafter,

RECALLING HELCOM Recommendations aiming at the protection and conservation of specific (groups of) Baltic Sea species, in particular Recommendations 17/2, 27-28/2, 34E-1, 19/2 and 32-33/1,

HAVING REGARD to the complementary HELCOM Recommendation 21/4 on the Protection of heavily endangered or immediately threatened marine and coastal biotopes in the Baltic Sea area,

RECALLING ALSO the commitment of the 2007 HELCOM Baltic Sea Action Plan to improve the conservation status of threatened and/or declining species of the Baltic Sea area by 2015 (including specific agreements regarding fish and lamprey species), and the goal to achieve a favourable conservation status of all species by 2021,

RECALLING FURTHER the 2013 HELCOM Copenhagen Ministerial Declaration stating that species included in the 2013 HELCOM Red List (BSEP No. 140) are priorities for protection and should receive specific protection through an ecologically coherent network of well-managed marine protected areas, and that conservation plans for species at risk of extinction should be established,

RECALLING FURTHERMORE the EU Biodiversity Strategy to 2020 as well as the Convention on Biological Diversity and the Strategic Action Plan for Biodiversity 2011-2020 and its associated Aichi Biodiversity Targets, specifically Aichi Target 12 to prevent extinction of threatened species and improve and sustain their conservation status, and Aichi Target 6 to put in place recovery plans and measures for depleted species and that fisheries shall have no significant adverse impacts on threatened species, both to be met by 2020,

BEING AWARE that those Contracting Parties being also EU Member States, have to coordinate their activities regarding threatened species with the implementation of relevant EU Directives and the Common Fisheries Policy as relevant,

HIGHLIGHTING that HELCOM threatened species can be associated *inter alia* with “biological features” according to Annex III Table 1 of the MSFD and thus their protection and conservation contributes to the MSFD objective of achieving Good Environmental Status of EU marine waters by 2020,

RECALLING the ecosystem approach to fisheries management as required by the Common Fisheries Policy and the 2003 HELCOM / OSPAR Statement on the Ecosystem Approach to the Management of Human Activities and the Baltic Sea Action Plan,

ACKNOWLEDGING the important contributions of other regional fora and cooperation frameworks to the conservation of HELCOM threatened species, *inter alia*, under the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS), the implementation of which this Recommendation will support,

RECOGNISING however that, in spite of some overlaps of threatened Baltic Sea species with species listed in the Annexes of EU Birds Directive (BD, 2009/147/EC) and Habitats Directive (HD, 92/43/EEC), most of the HELCOM threatened species do not fall under the strict protection regimes of the BD and HD, and therefore specific protection measures for those threatened Baltic Sea species are required beyond the scope of these directives,

AIMING at specific protection and conservation measures for HELCOM threatened species, and when scientifically meaningful, reintroduction programmes for “regionally extinct” species,

RECOMMENDS that the Governments of Contracting Parties to the Helsinki Convention take necessary measures to improve the status of HELCOM threatened species according to the 2013 HELCOM Red List and reduce the number of red listed species, herewith also working towards the achievement of their favourable conservation status by 2021, and to carry out the following steps:

1. Make an inventory of existing and planned national and regional conservation-, recovery- and/or action plans as well as other relevant programmes and measures for the protection of species which are threatened according to the HELCOM Red List and evaluate the sufficiency and effectiveness of their protection by 2016, and based on this:
 - 1.1. Determine by 2017 which additional actions are needed to mitigate the identified threats (pressures and/or impacts) for HELCOM threatened species as specified in BSEP No. 140.
 - 1.2. Specify respective conservation needs for HELCOM threatened species, develop and implement by 2018 additional or updated plans and measures for HELCOM threatened species or groups of species for which they are lacking or considered insufficient, where appropriate in cooperation with neighboring countries or relevant organizations.
2. Consider the possibility to introduce and/or update national legislation, or if more appropriate choose different kinds of instruments (such as incentives, administrative actions or negotiated agreements), to provide for effective protection of relevant HELCOM threatened species in all their life stages in the Baltic Sea sub-regions where they are threatened.
3. Whenever applicable, conduct an EIA or similar procedures for plans and projects which are likely to cause adverse effects on populations of HELCOM threatened species, including:
 - 3.1. a baseline study with specific consideration of the occurrence of such species,
 - 3.2. a documentation of the human induced pressures and/or impacts,
 - 3.3. provisions for appropriate measures to avoid or limit and mitigate the relevant pressures and/or impacts,
 - 3.4. the possibility to prohibit activities which may significantly affect, destroy or damage HELCOM threatened species, populations or their habitats.

4. Consider whether any sites justify selection as new or expanded MPAs for the conservation of HELCOM threatened species such as sites of particular ecological significance for their different life stages (e.g. habitats of sessile species, feeding grounds, moulting/haul-out sites, nursery and resting areas), with the aim to improve connectivity between populations and key areas along migration routes.
5. Identify and map areas of ecological significance, such as migration corridors for individual or groups of HELCOM threatened species, also in order to support maritime spatial planning based on the ecosystem approach.
6. Support, and if necessary take measures to reduce transboundary pressures and/or impacts on HELCOM threatened migrating species which are moving across national borders including such pressures and/or impacts on species not occurring within the waters where the pressures and/or impacts originate from.
7. Encourage other international organizations or bodies to promote and strive for taking all appropriate measures in areas of their specific competence, such as in fisheries management or shipping, in order to reduce pressures and/or impacts on HELCOM threatened species including an evaluation of whether all necessary measures have been undertaken to ensure that pressures and/or impacts on HELCOM threatened species are reduced to a minimum.
8. Increase coordinated efforts to improve spatial data, monitoring and assessment and quality assured data management in order to enhance knowledge on HELCOM threatened species, and more specifically:
 - 8.1. improve the exchange of data on HELCOM threatened species between HELCOM and other international and national bodies that produce or use similar data in order to create synergies,
 - 8.2. systematically investigate and as far as possible regularly monitor the distribution, abundance, diversity and ecology of HELCOM threatened species as well as the pressures and/or impacts that are causing threats to these species,
 - 8.3. together with recreational and commercial fishermen, seamen, and other relevant stakeholders, set up information campaigns on HELCOM threatened species, also targeted to the general public, with the aim to encourage reporting of observations and incidental catches to improve knowledge on the distribution of HELCOM threatened species.
9. Raise awareness about the alarming situation of several Baltic Sea species amongst all stakeholders and the general public.

RECOMMENDS ALSO that

10. Contracting Parties will report on their first activities taken to implement this Recommendation in 2016, and thereafter according to the schedule to be agreed by the State & Conservation Working Group with the aim to harmonize reporting intervals and content with EU and other reporting obligations supported by this Recommendation, using an appropriate template to be developed,
11. based on the progress in implementing this Recommendation and following the next Red List assessment of the Baltic Sea species and habitats/biotopes in 2019, the Governments of Contracting Parties to the Helsinki Convention utilize new knowledge on threatened species to maintain or further improve the status of HELCOM threatened species also beyond 2021.