



Cooperation in the **Danube-Black Sea** basin:
example of the **Black Sea Commission** and International
Commission on the Protection of the Danube River
(**ICPDR**)

Iryna Makarenko

LL.M., Pollution Monitoring and Assessment Officer
Permanent Secretariat of the Commission on the Protection of the Black
Sea Against Pollution





Commission on the Protection
of the Black Sea Against Pollution

icpdr iksd

International
Commission
for the Protection
of the Danube River

Internationale
Kommission
zum Schutz
der Donau

THE DANUBE RIVER BASIN the most international basin in the world

- » 10% of Europe territory
- » 81 Mio Inhabitants (10% of Europe)
- » 18 Countries
- » diverse cultures
- » particular situation of transition countries and new EU members and candidates
- » regional social and economic disparities



3rd Biennial GE

Danube-Black Sea case (1)



- ▶ The **ecological state of the coastal waters of the Western Black Sea has improved significantly since the late 1980s and early 1990s** (due to reduced nutrient inputs which have led to reduced eutrophication and fewer algal blooms, recovery of animal populations on the seafloor and an improved regeneration of macrophytes);
- ▶ At the same time, **nutrients still enter the Black Sea from the land based sources**, and in particular, through rivers. The Danube river accounts for **over half of the nutrient input to the Black Sea** and almost **half of the inputs of oil** from land based activities. The long practice of the **overfishing has also depleted many fish stocks**;
- ▶ To help to overcome these problems, the **Regional Sea Convention for the Black Sea (1992)** and the **Danube River Commission (1998)** were created.

Danube-Black Sea case (2)



Convention on the Protection of the Black Sea Against Pollution

- Was signed in **Bucharest** in April 1992;
- Ratified by all six Black Sea Countries in the beginning of **1994**;
- Its basic objective is to substantiate the general obligation of the Contracting Parties **to prevent, reduce and control the pollution in the Black Sea** in order to **protect and preserve the marine environment** and to **provide a legal framework for co-operation and concerted actions** to fulfil this obligation;
- We have:
 - 6 Contracting Parties,
 - 6 Advisory Groups,
 - 4 Protocols,
 - 4 people in the Secretariat ☹

Danube-Black Sea case (3)



It has 4 thematic Protocols:

1. Protocol on the Protection of the Black Sea Marine Environment Against Pollution from **Land Based Sources (LBS Protocol)**;
 2. Protocol on the Protection of the Black Sea Marine Environment Against Pollution by **Dumping**;
 3. Protocol on Cooperation in Combating Pollution of the Black Sea Marine Environment by **Oil and Other Harmful Substances in Emergency Situations**;
 4. The Black Sea **Biodiversity and Landscape Conservation Protocol (CBD Protocol)**.
- **Strategic Action Plan (SAP)** on the Protection and Rehabilitation of the Black Sea – adopted in 1996 and amended in **2009**.

Danube-Black Sea case (4)



6 Advisory Groups

- The Advisory Groups to the Black Sea Commission are the **main source of expertise, information and support** in the implementation of the Black Sea Strategic Action Plan.
- 1. ESAS - Advisory Group on the Environmental **Safety Aspects of Shipping**;
- 2. PMA - Advisory Group on the **Pollution Monitoring and Assessment**;
- 3. LBS - Advisory Group on Control of **Pollution from Land Based Sources**;
- 4. ICZM - Advisory group on the Development of Common Methodologies for **Integrated Coastal Zone Management**;
- 5. CBD - Advisory Group on the **Conservation of Biological Diversity**;
- 6. FOMLR - Advisory Group on the Environmental Aspects of the **Management of Fisheries** and other Marine Living Resources.

Danube-Black Sea case (5)



- ▶ **Strategic Action Plan (BS SAP)** on the Protection and Rehabilitation of the Black Sea (2009):

Item 3.1 Key management approaches.

The Black Sea SAP will adhere to **3 key environmental management approaches**. These are:

- ▶ Integrated Coastal Zone Management (ICZM);
- ▶ The Ecosystem Approach; and
- ▶ Integrated River Basin Management (IRBM).

The BS SAP was elaborated from consensus reached at a multinational level in relation to a series of proposals that include: **Ecosystem Quality Objectives (EcoQOs)**; short, medium and long term targets; and legal and institutional reforms and investments necessary to solve main environmental problems identified within the 2007 BS TDA.

Danube-Black Sea case (6)



- ▶ Bucharest Convention was elaborated 25 years ago, latest version of BS SAP is dated 2009, some new challenges as **climate change, marine litter, marine noise, green economy, MSFD requirements (definition of GES)** etc. were not reflected;
- ▶ Work to incorporate these considerations in the documents of the Bucharest Convention (**text of Convention, BS SAP, BSIMAP etc.**);
- ▶ Relevant chapters of **Black Sea SoE** and **SAPIR** include socio-economic aspects and new challenges;
- ▶ 30 datasets contribute to the indicators relevant to MSFD which are hosted by BSC and **Regional Activity Centre for Pollution Monitoring and Assessment (PMA RAC)**, **activities shall be sustained.**

Danube-Black Sea case (7)



- ▶ **Short format of reporting** elaborated and **adopted** (based on indicators agreed by consensus (E-TRIX, BEAST, H-Shannon 95 (biomass), Landings per unit of effort etc., compatible with MSFD, GFCM, ACCOBAMS and global approach to indicators (UNEP) and SDGs);
- ▶ Black Sea Integrated **Monitoring and Assessment Program** - BSIMAP for years 2017-2022 (drafted within EU MSFD Project, main approaches are harmonized, definition of GES and descriptors, reporting format to ICPDR, data-bases for harmonization) **was adopted in October, 2016**;
- ▶ First Report on the Implementation of the (amended) BS SAP (2009) – **SAPIR and** “State of the Black Sea Environment” Report – **SoE** (outlines reflect the MSFD requirements and global approach) are **being drafted**;



Danube-Black Sea case (8)

► **Agreed Fisheries Indicators:**

Parameter/BS State	BG	GE	RO	RU	TR	UA
Total catch and landing						
Fishing effort						
Stock biomass, incl. spawning biomass						
Fishing mortality						
By-catch of vulnerable and non-target species, including cetaceans						
Landings per unit of effort						
Aquaculture production						
Number of fishing free zones						
Name and number of stocks below biological safety limits						
Specimens of Black Sea bottlenose dolphins in captivity						
Biomass index Large fish indicator Optimal length Mean trophic level *In addition to these agreed indicators, the candidate indicators for which further work shall be done						

Danube-Black Sea case (9)



- ▶ The **International Commission for the Protection of the Danube River** (ICPDR):
- ▶ transnational body, which has been established to implement the **Danube River Protection Convention**. The main objective of the Convention is to ensure that surface waters and groundwater within the Danube River Basin are managed and used sustainably and equitably;
- ▶ this objective, *inter alia*, involves the **measures to reduce the pollution loads entering the Black Sea** from sources in the Danube River Basin.

Danube-Black Sea case (10)



- ▶ the **EC** signed the Danube Convention in 1994;
- ▶ In 2000, the ICPDR was nominated as the **platform for the implementation** of all transboundary aspects of the EU Water Framework Directive (**WFD**);
- ▶ In 2007, the ICPDR also took responsibility over **implementation of the EU Floods Directive** in the Danube River Basin;
- ▶ ICPDR has launched:
 - ▶ (1) the **Accident Emergency Warning System**;
 - ▶ (2) the **Trans-National Monitoring Network for water quality**, and
 - ▶ (3) the information system for the Danube (**Danubis**).
- ▶ In order to meet the objective of the WFD and reach “good chemical status”, **ICPDR developed its first “Danube River Basin Management Plan” (DRBM Plan) in 2009**, including assessments and measures towards the achievement of ‘good status’ by 2015 (was updated in 2015 and will be in 2021);
- ▶ The ICPDR is also a **member of the DABLAS Task Force**, which was set up in November 2001 as a platform for co-operation between IFIs, donors and beneficiaries.

Danube-Black Sea case (11)



- ▶ The **cooperation is triggered** due the following reasons:
- ▶ Despite common goals and objectives, the **approaches of both organizations differ**: different Contracting Parties, non-binding nature of the EU legislation for the Bucharest Convention, indicators for assessment(s) etc.;
- ▶ Despite availability of specific legal instruments and implementation bodies jointly created between the Danube and the Black Sea Commissions (BSC-ICPDR MoU, work of JTWG etc.), there is a **need to harmonize the assessment methodologies and ensure the regular exchanges of data on loads of pollution** from the Danube to the Black Sea;
- ▶ Existence of multitude legal instruments in the field of environmental protection in the Danube and Black Sea basins, i.e. **Espoo Convention, Aarhus Convention, Ramsar Convention and relevant EU legislation** (*inter alia*, WFD and MSFD Directives), requires compliance with their provisions, commitment to establish a broader cooperation aimed at harmonizing their activities, **avoiding duplications and promoting synergies**;
- ▶ Despite existence of multitude of environmental projects in the Danube-Black Sea region, the joint problems of this LME are not properly addressed (**no dedicated projects to support activities of both Commissions addressing the issues of common concern**).

Danube-Black Sea case (12)



- ▶ The institutional cooperation between the Danube and the Black Sea Commissions **could contribute to the implementation of the SDG #14.**
- ▶ Among concrete objectives is the **development of the regional monitoring program** which would envisage the **ecological status indicators, assessment methodologies and mutual reporting** in line with ICPDR and BSC requirements, as well as taking into account the MSFD and WFD provisions and other relevant legal instruments in the field of environmental protection in the Danube and Black Sea basins. Such harmonization may **contribute to the assessment of nutrient loads and further better coordination of efforts (including investments)** of the Contracting Parties of the both conventions.

Danube-Black Sea case (13)



- ▶ ICPDR has joined forces with the Black Sea Commission in 1997 on a preliminary basis, and was reinforced by granting mutual **observership status** and signing of a **Memorandum of Understanding (MoU)** at a ministerial meeting in Brussels in November, 2001.
- ▶ Later on the Danube – Black **Sea Joint Technical Working Group (JTWG)** **was established** between these two organizations. This body is currently drafting guidelines for achieving good environmental status in the coastal waters of the Black Sea, intending to establish a broader cooperation aimed at harmonizing their activities, avoiding duplications and promoting synergies through the relevant Memorandum of Understanding (MoU).
- ▶ The overall objective of the GTWG is to create a common base of understanding and agreement on the changes over time of the Black Sea ecosystem, and the causes of these changes, and to **report to both Commissions on the results, recommending strategies and practical measures for remedial actions.**

Danube-Black Sea case (14)



- ▶ The **challenges of the implementation of the MoU and work of the JTWG** are the following:
- ▶ **Different assessment methodologies** reflected in the statutory documents, non-legally binding nature of EU legislation under Bucharest Convention (only 2 countries – Bulgaria and Romania – are members to the EU, EU is not a Contracting Party to the Bucharest Convention);
- ▶ Exchange of data on loads of pollution from the Danube to the Black Sea is **not regular and information QA/QC is not always adequate;**
- ▶ **Lack of enforcement procedures** under Bucharest Convention to ensure that annual national information will be timely reported to the Secretariat;
- ▶ **Lack of financing of the work of the JTWG and implementation of the MoU** in general.

Danube-Black Sea case (15)



- ▶ In 2014, the JTWG elaborated the document “**BSC - ICPDR Reporting format**”, where the Commissions agreed to regularly exchange the necessary data flows. In accordance with this document, the data from the Danube is generated based upon data collected at the Reni Water Quality station by Romania. In its turn, the BSC is expected to present the annual summary report showing data in selected stations from Bulgaria, Romania and Ukraine (with short explanation on the significance of selected indicators) reflecting the effect of the Danube loads on the marine ecosystem. These efforts will also **contribute to the implementation of the requirements of the WFD and MSFD directives in the Black Sea region and to harmonize the policies with other relevant regional actors and global approaches, including the implementation of relevant SGDs in the Danube-Black Sea region.**
- ▶ This document was later on introduced as **Annex 10 of the draft Black Sea Integrated Monitoring and Assessment Program (BSIMAP)**, adopted by the Black Sea Commission at its 32nd BSC Regular Meeting (12-13th October, 2016), takes into account the relevant MSFD, GFCM and ACCOBAMS requirements and provides a legal basis for cooperation on MSFD and other relevant EU directives with ICPDR.
- ▶ Currently the Commissions **plan to carry out the next meeting of the JTWG** to discuss the modalities of the implementation of commitments under Annex 10 of the BSIMAP “BSC - ICPDR Reporting format” (tentatively March 2017).



Conclusions:



- ▶ **Both Commissions should take efforts to:**
- ▶ **Harmonize** the assessment methodologies;
- ▶ Ensure exchange of data on loads of pollution from the Danube to the Black Sea on a **regular basis and adequacy of QA/QC**;
- ▶ **Support the Contracting Parties** in their efforts to monitor and provide annual national information to be timely reported and exchanged between the Secretariats;
- ▶ **Seek for appropriate financial resources** in order to sustain the work of the JTWG and implementation of the MoU in general;
- ▶ Implement a **dedicated project on the regional level to support the abovementioned activities**;
- ▶ Ensure coordination of efforts, harmonization of approaches and exchange of relevant information **with other LMEs, RSCs and other organizations as appropriate**.



Thank you for your kind attention!

For more information please visit:

www.blacksea-commission.org

or contact:

irina.makarenko@blacksea-commission.org

