

CONVENTION ON THE PROTECTION OF THE MARINE
ENVIRONMENT OF THE BALTIC SEA AREA

HELSINKI COMMISSION - Baltic Marine
Environment Protection Commission

HELCOM 21/2000
Minutes of the Meeting

Annex 7

21st Meeting
Helsinki, 20-21 March 2000

HELCOM RECOMMENDATION 21/4

Adopted 20 March 2000,
having regard to Article 20 (1), Paragraph b)
of the 1992 Helsinki Convention

**PROTECTION OF HEAVILY ENDANGERED OR IMMEDIATELY THREATENED MARINE
AND COASTAL BIOTOPES IN THE BALTIC SEA AREA**

THE COMMISSION,

HAVING REGARD to Article 15 of the 1992 Helsinki Convention and in particular the efforts
of Contracting Parties to conserve and protect biodiversity of marine and coastal areas,

NOTING HELCOM Recommendations 15/1 on Protection of the Coastal Strip and 16/3 on
Preservation of Natural Coastal Dynamics,

RECALLING the 1994 HELCOM-List of "Types of Coastal and Marine Biotopes and Nature
Types of the Baltic Sea Area with Particular Ecological Value",

BEING AWARE that in the Baltic Sea region some marine and coastal biotopes and biotope
complexes, often important for rare or threatened species, are continuing to deteriorate,

TAKING INTO ACCOUNT the alarming situation presented in the 1998 HELCOM-Red List of
Marine and Coastal Biotopes and Biotope Complexes in the Baltic Sea, Belt Sea and Kattegat
(BSEP No. 75),

AIMING at effective protection of those marine and coastal biotopes rated "Heavily
Endangered" or "Immediately Threatened" by loss of area in the afore mentioned HELCOM-
Red List,

RECOGNISING that within Annex I of the EU Habitats Directive many of the heavily
endangered and immediately threatened biotopes of the HELCOM-Red List are listed as
natural habitat types of community interest and that member states of the EU are not hindered
from taking protective measures on national level concerning those biotopes which are not in
Annex I,

BEING AWARE that many of the Contracting Parties already have in their national legislation
an instrument for general biotope protection which can be used and extended to cover
additional biotopes,

RECOMMENDS to the Governments of the Contracting Parties to the Helsinki Convention:

- a) to include in and/or update their national legislation provisions that provide biotope protection for specific marine and coastal biotopes, or if considered more appropriate, choose different kinds of existing legal instruments to provide similar protection of the biotopes. In doing so, preference should be given to those marine and coastal biotopes that were identified in the individual states as "Heavily Endangered" or "Immediately Threatened" by "loss of area" in the HELCOM Red List (BSEP No. 75).
- b) that hereby those activities that may significantly affect, destroy or damage such biotopes be prohibited;
- c) that derogations from the prohibition shall only be granted for activities of overwhelming public interest or when the negative impacts can be remedied by appropriate mitigation or compensation measures for the benefit of nature conservation;
- d) that anyone who wishes to conduct activities which might significantly affect, destroy or damage marine or coastal areas that have not been mapped or surveyed so far, must document as part of an EIA or similar procedure the occurrence or non-occurrence of such biotopes, preferably through mapping according to the HELCOM classifications in BSEP No. 75, to the relevant authorities;
- e) that marine and coastal biotopes, if feasible, be identified and mapped using the HELCOM classification system in BSEP No. 75;
- f) to conduct restoration of such biotopes or elements thereof with appropriate measures.

RECOMMENDS FURTHER that the Contracting Parties report to the Helsinki Commission about the implementation of this Recommendation every three years starting in 2002 using the attached reporting format.

Reporting format for HELCOM Recommendation 21/4

1. Which specific legal instruments, acts or laws for nature conservation that regulate the conservation and protection of biotopes have been introduced in your country since the last reporting?
2. Which biotopes listed in the HELCOM Red List are legally protected in your country? Please list name and code number.
3. What details are regulated (loss of area, loss of quality, compensation, mitigation measures etc.)?
4. For which biotopes is a corresponding legal protection under preparation?
5. What other legal instruments have been used to ensure protection of the biotopes?
 - Which marine and coastal biotopes have been protected in that way?
6. Does in your country a biotope mapping exist which includes marine and coastal biotopes?
 - If yes, which marine and coastal biotopes are mapped?
 - If yes, are they compatible with the classifications given in the 1998 HELCOM - Red List (BSEP No. 75)?
 - If no, is such a mapping planned for the coming years?
7. Have restoration measures for such biotopes been taken? Please list name, place, number and measures.