

Agenda Item 6.2: Protected areas

Information by the Federal Republic of Germany

Submitted by: Germany



ASCOBANS

NOTE:
**IN THE INTERESTS OF ECONOMY, DELEGATES ARE KINDLY REMINDED TO BRING
THEIR OWN COPIES OF THESE DOCUMENTS TO THE MEETING**

Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS)

7th Meeting of the Advisory Committee to ASCOBANS
Bruges, Belgium, 13 - 16 March 2000

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The waters off the islands of Sylt and Amrum in the German Bight are probably the most important breeding and nursery area of harbour porpoise in the North Sea. Surveys have revealed high population densities there including high numbers of mother-calf groups.

Especially therefore and also for other reasons (like occurrence of grey seals and sea birds) great efforts were made in Germany to provide special protection for that area.

Most prominent of the recent developments are the measures taken by the federal state of Schleswig-Holstein.

The Act for the Protection of the Schleswig-Holstein Wadden Sea (National Park Act) was recently revised. Within the scope of this process a Whale Protection Area off Sylt and Amrum was defined and finally declared by law.

The National Park Act entered into force on 30th December 1999.

The new act for instance delineates the seaward border of the Whale Protection Area at twelve nautical miles offshore. Maps depicting this are integral part of the act.

It is of special international importance that the entire National Park area has now been designated by law as *Natura 2000* area, which is both in accordance with the Birds Directive and the Habitats Directive of the European Union (EU). The harbour porpoise is listed in Appendix II of the Habitats Directive.

The National Park Act also designates the entire National Park area as an area which meets the criteria of specially sensitive areas according to the International Maritime Organization and the criteria of a rare and sensitive ecosystem according to the Maritime Law Convention of the United Nations.

For the Whale Protection Area the act prohibits in particular to impair whales considerably.

The details of these regulations will be determined by special ordinances which are presently developed in co-operation between the ministries competent on the state and federal levels.

This concerns additional conservation measures, for example according to the ordinance of the European Council for the conservation of the fisheries resources by technical measures for the protection of juvenile marine animals. Fisheries endangering or adversely affecting whales will be forbidden in the Whale Protection Area. The legal provisions will have to be harmonized with the Fishery Directive in co-operation with the European Commission. On the national level it is only possible to regulate the national fishing methods.

In addition to the fisheries aspects the new National Park Act refers explicitly to number 2.2 of the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) which addresses the necessary application of the conservation, research and management measures.

In order to put the whole conservation regime necessary for the harbour porpoise into effect further international and EU commitment is needed.