

Strengthening the co-operation on the protection of the marine environment in the Baltic Sea

Pauwels A. and D. Vervoort

Vrije Universiteit Brussel, Department of International Law
Pleinlaan 2, B-1050 Brussels, Belgium
E-mail : ann.pauwels@vub.ac.be

This project intends to strengthen the co-operation between the coastal states in the Baltic Sea on the protection of the marine environment. More specifically, it would be the idea to investigate whether the establishment of 'marine parks' is a useful instrument to develop a common policy and to strengthen the regional co-operation on the protection of the marine environment, in order to increase the chances of rehabilitation of the Baltic Sea.

The concept of marine parks is rather new and quite recently, several international institutions and programmes, such as the International Maritime Organization (IMO), the European Union (EU), the 1982 Law of the Sea Convention (LOSC), the Baltic Environment Protection Commission (HELCOM) and the United Nations Environment Programme (UNEP), have taken some initiatives in this regard. It seems therefore useful to examine together with the two foreign research partners (Queen Mary and Westfield College in London and the University of Uppsala in Sweden) the existing international legal framework and practice in this regard. Quite often different terms are used to describe identical or nearly identical concepts. We refer here for instance to article 211 (6) of the LOSC which envisages the possibility for coastal states to designate in their exclusive economic zone 'clearly defined areas', where additional mandatory measures can be imposed to protect the marine environment. Also the International Convention for the Prevention of Pollution from Ships (MARPOL) provides for the establishment of so-called 'special areas', where more stringent rules than the generally accepted international rules and standards, can be imposed. In addition, IMO introduced in this regard quite recently another concept, namely the so-called 'particularly sensitive sea areas'. The European Union on her part, introduced after the *Braer* incident the concept of 'environmentally sensitive areas'. After having examined and clarified the existing international legal framework, it would be the idea to make a comparative analysis of the state practice in the Baltic Sea in this respect. In order to collect the necessary information, a system of national correspondents in the countries involved, would be set up. The idea is to co-operate therefore during a first phase with the academic world. These so-called national correspondents would commit themselves to provide information on their national legislation with regard to the protection of the marine environment and the establishment of marine parks. The information, obtained from the correspondents by means of a questionnaire, will serve as a basis for the comparative analysis of the state practice, undertaken by a research assistant in co-operation with the foreign research partners. Finally, the results of the comparative scientific study would serve as a basis for the formulation of concrete proposals for possible closer co-operation on the protection of the marine environment in the Baltic Sea by means of the establishment of marine parks.