EU/Greece, Albania and FYROM Agreement: Protection and Sustainable Development of the Prespa Park Area

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PURPOSE: to conclude an Agreement on the Protection and Sustainable Development of the Prespa Park Area (protected area shared by Greece, Albania and FYROM).

PROPOSED ACT: Council Decision.

BACKGROUND: the EU has a long-standing legislation protecting its waters, starting in the 1970s and culminating in the 2000 Water Framework Directive (WFD), establishing the objective of protection of all waters (rivers, lakes, groundwaters and coastal waters) and providing for coordination of efforts within shared river basins, across administrative and political boundaries. Under the WFD, where river basins extend beyond the territory of the Union, Member States shall endeavour to establish appropriate coordination with the relevant non-Member States, with the aim of achieving the objectives of the WFD throughout the river basin district. Where coordination takes the form of an international agreement, participation of the European Union as a Party is necessary to the extent that the agreement covers matters falling within the Union's competence.

The Commission received an authorisation from the Council in 2006, based on Articles 175 and 300(1) of the EC Treaty to participate, on behalf of the European Community with regard to the matters within the Community's field of competence, in the negotiations aiming at the conclusion of international river basin agreements in relation to river basins shared amongst others between Greece on the one hand and Albania, FYROM and/or Turkey on the other hand.

The Prespa Park Area was designated as a transboundary protected area under the Declaration of 2 February 2000 by the Prespa countries, and it is the first transboundary protected area in south-eastern Europe. The Prespa Lakes and their surroundings are a unique natural area with high ecological significance, which can only be preserved through a holistic approach at basin level.

Enhanced cooperation through international agreements similar to existing successful Conventions, such as those for the Protection of the Danube River and for the Protection of the Rhine River supports Member States in their efforts to fully and effectively implement EU water legislation and contributes to a common understanding and shared priorities with third countries for the use of available funding instruments. The Agreement on the Protection and Sustainable Development of the Prespa Park Area has been negotiated by the European Commission, Greece, Albania and FYROM and constitutes an upgrade of the existing cooperation in the area while holding the potential to contribute to the successful implementation of the WFD.

It is therefore appropriate for the Union to conclude the Agreement on the Protection and Sustainable Development of the Prespa Park Area.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 192 (1) in conjunction with Article 218 (6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal aims to conclude the Agreement on the Protection and Sustainable Development of the Prespa Park Area.

The Agreement on the Protection and Sustainable Development of the Prespa Park Area has been negotiated by the European Commission, Greece, Albania and FYROM and constitutes an upgrade of the existing cooperation in the area while holding the potential to contribute to the successful implementation of the EU Water Framework Directive.

The text of the Agreement to be concluded is set out in the Annex to this Decision. The main measures may be summarised as follows:

Objective of the Agreement: the Parties shall cooperate in order to ensure an integrated protection of the ecosystem and the sustainable development of the Prespa Park Area, including the development of integrated river basin management plans, according to international and European Union standards.

Basic obligations: for the fulfilment of the objectives, the Parties shall take the necessary measures and apply best available techniques, individually and in cooperation on the basis of sovereign equality, territorial integrity, mutual benefit, and good faith, to:

- manage prudently the water quality and quantity of the Prespa Lakes giving special attention to the water level of both lakes;
- prevent, control and reduce pollution of the waters in the Prespa Lakes Area;
- protect and conserve the biodiversity of the Area by protecting especially the endemic, rare, threatened or endangered species of flora and fauna and by restoring and managing sensitive habitats;
- protect the soil from erosion, depletion, infections and pollution;
- ensure, promote and control the prudent use of natural resources and the sustainable development of the Prespa Park Area;
- prevent introduction and breeding of alien animal and plant species;
- effectively regulate the activities which cause or may cause negative impact in the Prespa Lakes Area in order to prevent or minimise such effects.

To this end, the Parties shall **design and implement integrated management plans and programmes for the protection and sustainable development of the Area**; develop coherent strategies for spatial, urban and other land-use plans as well as protected area management plans; approve and apply faithfully the environmental standards and criteria for the watershed. They should also adopt and implement legal, administrative, economic, financial and technical measures.

Measures are also provides to **facilitate the regular exchange of ideas** among the Parties, conserve traditional architecture and monuments, develop and implement a joint strategy for the touristic development of the Area, and promote public awareness and environmental education as a means for reaching local solutions.

Cooperation: the Parties shall seek partners locally, nationally and internationally, and will especially cooperate with, inter alia: UNESCO and the Institutions of the European Union, etc. The Agreement also establishes the **Prespa Park Management Committee** which shall have the international legal capacity of a plurilateral institution necessary for the exercise of its functions, including keeping relations with donors in order to secure projects and donations, which will be used for the implementation of this Agreement.

FINANCIAL IMPLICATION: the implementation of the work plan of the Prespa Park Management Committee shall be financed by regular annual contributions of the Parties and from other sources.