

Overview of OSPAR's activities with relevance to the ocean affairs and UN Law of the Sea 2012 – 2013

Executive Summary

The OSPAR Convention is the legal instrument guiding international cooperation on the protection of the marine environment of the North-East Atlantic. Work under the Convention is managed by the OSPAR Commission, made up of representatives of fifteen Governments and the European Commission, representing the European Union.

OSPAR is continuing work to reduce pollution and protect biodiversity focused on the bio-geographic and ecosystem characteristics of its region. Progress includes further development of Recommendations for the protection and conservation of species and habitats that are listed as threatened and/or declining in the OSPAR maritime area. In addition, OSPAR has carried out a regional Economic and Social Analysis and developed, jointly with the Helsinki Commission, Guidelines related to the granting of exemptions to the Ballast Water Management Convention to ensure a consistent approach and protection of the marine environment.

OSPAR continues to implement its work related to the establishment of a network of Marine Protected Areas across the OSPAR maritime area. OSPAR has worked closely with the North East Atlantic Fisheries Commission to continue the development of a "collective arrangement", a document to set out how cooperation and coordination can take place between organisations with differing sectoral, regional or global competencies in areas beyond national jurisdiction. The Current NEAFC and OSPAR drafting will deliver a basis for further development with other relevant organisations. OSPAR and NEAFC are also collaborating on the development of proposals for areas within the North East Atlantic, beyond 200 nautical miles, that meet the CBD scientific criteria for Ecologically or Biologically Significant Marine Areas (EBSAs), in line with Decision X/29 of the Convention on Biological Diversity.

The report also describes the developing OSPAR relationship with the Convention for the Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region.

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The OSPAR Convention is the current legal instrument guiding international cooperation on the protection of the marine environment of the North-East Atlantic. Work under the Convention is managed by the OSPAR Commission, made up of representatives of fifteen Governments and the European Commission, representing the European Union. The OSPAR Commission is the mechanism by which the Contracting Parties can reach consensus on the issues of concern and develop binding measures to deal with them. The fifteen Governments are Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, The Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and United Kingdom. OSPAR's maritime area covers both areas within national jurisdiction (territorial waters and Exclusive Economic Zones) and areas beyond national jurisdiction.

Regional work

OSPAR continues to be a leading example of collaborative governance, harnessing its unique Contracting Party driven process to deliver innovative regional approaches to stand alongside national, European and global environmental protection initiatives. This focuses work on the specifics of sea basins in terms of biogeographic and ecosystem characteristics. Over the last year, OSPAR has focused on making real progress in taking forward its work set out in the North East Atlantic Environment Strategy, <http://www.ospar.org> NEA Strategy. At the June OSPAR Commission meeting in Gothenburg, OSPAR continued with arrangements to finalise measures to further protect and conserve 23 species and habitats whose status has been classified by OSPAR as threatened and/or declining. These are to be protected by means of OSPAR Recommendations, and are listed at OSPAR's website at: <http://www.ospar.org> programmes. The Regional coordination of the European Union's Marine Strategy Framework Directive has been another key area of work, with exploration of potential regional initiatives such as on marine litter. OSPAR has also been able to deliver this year its report on Regional Economic and Social Analysis; one of the first to apply such a regional approach. OSPAR continues close cooperation with the Helsinki Commission in the Baltic Sea in the development and adoption of Joint Guidelines on the granting of exemptions from the International Maritime Organisation Ballast Water Management Convention, allowing a consistent approach across Northern Europe to minimise the risk of introduction of non-indigenous species. Regional cooperation has also extended this year through the agreement of a Memorandum of Understanding with the North Atlantic Salmon Conservation Organization. OSPAR also provided input to the United Nations Environment Programme - Mediterranean Action Plan (UNEP/ MAP) working group drafting an Action Plan to implement the Offshore protocol to the Barcelona Convention. OSPAR continues to facilitate its Contracting Parties in their contribution to the United Nations Regular Process.

Areas Beyond National Jurisdiction

The OSPAR Marine Protected Area (MPA) network has made excellent progress and now covers over 5 % of the total OSPAR maritime area, both within and beyond national jurisdiction. The agreement on Charlie-Gibbs North High Seas MPA last year was a further step in encouraging step in this, bringing OSPAR's MPAs to 6.4% of the OSPAR maritime area in areas beyond national jurisdiction. Recent work on assessment of the network's ecological coherence adds to our understanding of what further efforts need to be made in the development of the MPA network. OSPAR fully recognises that its designations in areas beyond national jurisdiction are only binding for its own contracting parties and no other. However we believe that by pragmatic designation we can start a process of engagement with other bodies competent in areas beyond national jurisdiction to improve the protection of such areas. Already the North East Atlantic Fisheries Commission (NEAFC) has been proactive in designating no-fishing areas in the North East Atlantic, several of which overlap closely with the OSPAR MPA's. This de facto protects these areas from a major potential impact. OSPAR is continuing to develop with others a 'Collective Arrangement', a jointly agreed document to set out how cooperation and coordination can take place with different organisations with sectoral, regional or global competencies in areas beyond national jurisdiction. The draft is currently being refined by NEAFC and OSPAR to then form a basis for further discussion with other relevant organisations.

OSPAR and NEAFC are also collaborating on the development of proposals for areas within the North East Atlantic, beyond 200nm, that meet the Convention on Biological Diversity scientific criteria for Ecologically or Biologically Significant Areas (EBSAs) in line with Decision X/29 of the CBD. This has been a very useful learning process, especially given the differing decision frameworks that our organisations operate under.

Cooperation with coastal African States

OSPAR is continuing to develop its relationship with the Abidjan Convention; The Convention for the Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region. Current activity is focused on developing a functional MOU to enhance exchange of experience, including mutual observership at commission meetings.