

Regional Seas programmes covering Areas Beyond National Jurisdiction

Regional Seas Reports and Studies No.202



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United Nations Environment Programme

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Introduction

Since 1974, the United Nations Environment Programme (UN Environment) Regional Seas Programme has brought together more than 143 countries to conserve and sustainably manage the shared marine and coastal environments. The 18 Regional Seas programmes across the world are an important part in the implementation of Part XII of the United Nations Convention on the Law of the Sea (UNCLOS), which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of “The future we want”.

Five Regional Seas Conventions currently includes Areas Beyond National Jurisdiction (ABNJ) within their geographical coverages: the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention); the Convention on the Conservation of Antarctic Marine Living Resources (CAMLR Convention); the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention); the Convention for the Protection of the Natural Resources and Environment of the South Pacific Region (Noumea Convention); and the Convention for the Protection of the Marine Environment and Coastal Area of the South-East Pacific (Lima Convention)¹.

Under two other Regional Seas programmes namely the Abidjan Convention for Cooperation in the Protection, Management and Development of Marine and Coastal Environment of the Atlantic Coast of the West, Central and Southern Africa Region (Abidjan Convention) and the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean (Nairobi Convention), member States started examining the issues related to marine biodiversity in Areas Beyond National Jurisdictions².

This paper illustrates the roles, regulatory functions, and current activities related to the Areas Beyond National Jurisdictions under the OSPAR Convention, CAMLR Convention and Barcelona Convention. The three case studies aim to show overview of relevant decisions and the current actions taken under the framework of these Regional Seas programmes.

¹ Lima Convention Article 1 defines the inclusion of the High Seas “up to a distance within which pollution of the high seas may affect that area” within its geographical coverage

² For further details, See: the Written Submission by the United Nations Environment Programme (UNEP), Available at: http://www.un.org/depts/los/biodiversity/prepcom_files/UNEP_and_BBNJ_PrepCom2.pdf

Chapter 1: OSPAR Convention

1. Brief history

Under the OSPAR Convention is the mechanism by which 15 Governments and the European Union cooperate to protect the marine environment of the North-East Atlantic.

OSPAR started in 1972 with the Oslo Convention against dumping and was broadened to cover land-based sources and the offshore industry by the Paris Convention of 1974. These two conventions were unified, up-dated and extended by the 1992 OSPAR Convention. The new annex on biodiversity and ecosystems was adopted in 1998 to cover non-polluting human activities that can adversely affect the sea.

Under its Ministerial Strategy; The North-East Atlantic Environment Strategy, OSPAR is taking forward work related to the implementation of the Ecosystem Approach, with a suite of five thematic strategies to address the main threats that it has identified.

Eutrophication - The aim is to achieve and maintain a healthy marine environment where anthropogenic eutrophication does not occur.

Biodiversity - Halt and prevent loss of biodiversity. Protect and conserve ecosystems and restore adversely affected marine areas.

Hazardous substances - To prevent pollution by continuously reducing discharges, emissions and losses. To achieve concentrations in the marine environment near background values for naturally occurring substances and close to zero for synthetic substances.

Offshore industry - To reduce discharges into the sea to a level which will not harm the marine environment. To progressively develop Best Available Techniques and Best Environmental Practice to prevent and eliminate marine pollution.

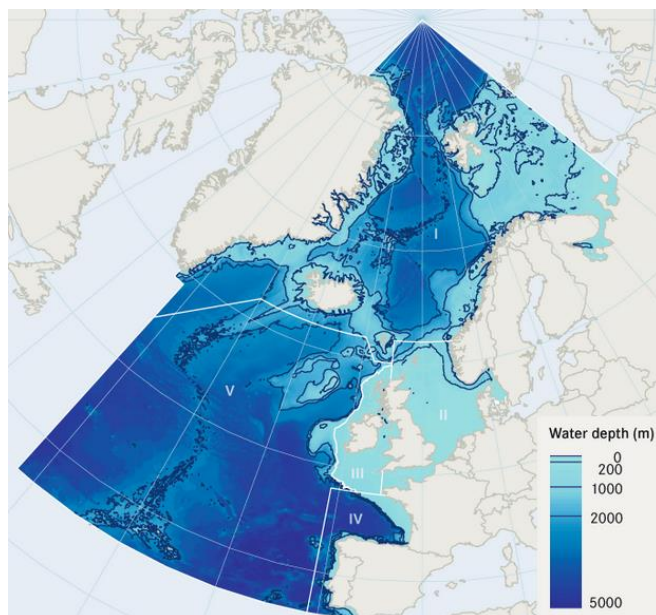
Radioactive substances - To ensure discharges, emissions and losses of radioactive substances are reduced to levels close to zero.

2. Participating Countries

Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom

3. Geographical Coverage

OSPAR Convention Article 1 (a) defines that “ ‘Maritime area’ means the internal waters and the territorial seas of the Contracting Parties, the sea beyond and adjacent to the territorial sea under the jurisdiction of the coastal state to the extent recognised by international law, and the high seas, including the bed of all those waters and its sub-soil, situated within the following limits: (i) those parts of the Atlantic and Arctic Oceans and their dependent seas which lie north of 36° north latitude and between 42° west longitude and 51° east longitude, but excluding: (1) the Baltic Sea and the Belts lying to the south and east of lines drawn from Hasenore Head to Griben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to Kullen, (2) the Mediterranean Sea and its dependent seas as far as the point of intersection of the parallel of 36° north latitude and the meridian of 5° 36' west longitude; (ii) that part of the Atlantic Ocean north of 59° north latitude and between 44° west longitude and 42° west longitude. ”



4. Legal instruments relevant to BBNJ

1992 OSPAR Convention (in particular Annex V agreed in 1998)

OSPAR Decision 2012/1 on the establishment of the Charlie-Gibbs North High Seas Marine Protected Area

Adopted: 2012, Bonn

Reference Number: OSPAR Decision 2012/01

Type: Decision
Work Area(s): Biodiversity
Language: English
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OSPAR Recommendation 2010/17 on the Management of the Mid-Atlantic Ridge North of the Azores High Seas Marine Protected Area

Adopted: 2010, Bergen
Reference Number: Recommendation 2010/17
Type: Recommendation
Work Area(s): Biodiversity
Language: English
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OSPAR Recommendation 2010/16 on the Management of the Josephine Seamount High Seas Marine Protected Area

Adopted:
2010, Bergen
Reference Number: Recommendation 2010/16
Type: Recommendation
Work Area(s): Biodiversity
Language: English
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OSPAR Recommendation 2010/15 on the Management of the Antialtair Seamount High Seas Marine Protected Area

Adopted: 2010, Bergen
Reference Number: Recommendation 2010/15
Type: Recommendation
Work Area(s): Biodiversity
Language: English
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OSPAR Recommendation 2010/14 on the Management of the Altair Seamount High Seas Marine Protected Area

Adopted: 2010, Bergen
Reference Number: Recommendation 2010/14

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https://www.yunbaogao.cn/report/index/report?reportId=5_15990

