



OSPAR
COMMISSION

*Protecting and conserving the
North-East Atlantic and its resources*

Overview of OSPAR responses to comments received through the public consultation procedure on the revised nomination proforma for the North Atlantic Current and Evlanov Sea basin Marine Protected Area



Overview of OSPAR responses to comments received through the public consultation procedure on the revised nomination proforma for the North Atlantic Current and Evlanov Sea basin Marine Protected Area

Biodiversity and Ecosystems Series - 2023

OSPAR Convention

The Convention for the Protection of the Marine Environment of the North-East Atlantic (the “OSPAR Convention”) was opened for signature at the Ministerial Meeting of the former Oslo and Paris Commissions in Paris on 22 September 1992. The Convention entered into force on 25 March 1998. The Contracting Parties are Belgium, Denmark, the European Union, Finland, France, Germany, Iceland, Ireland, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom.

Convention OSPAR

La Convention pour la protection du milieu marin de l'Atlantique du Nord-Est, dite Convention OSPAR, a été ouverte à la signature à la réunion ministérielle des anciennes Commissions d'Oslo et de Paris, à Paris le 22 septembre 1992. La Convention est entrée en vigueur le 25 mars 1998. Les Parties contractantes sont l'Allemagne, la Belgique, le Danemark, l'Espagne, la Finlande, la France, l'Irlande, l'Islande, le Luxembourg, la Norvège, les Pays-Bas, le Portugal, le Royaume-Uni de Grande Bretagne et d'Irlande du Nord, la Suède, la Suisse et l'Union européenne.

Acknowledgements

This Publication has been developed by the OSPAR Intersessional Correspondence Group on Marine Protected Areas, the Biodiversity Committee and the OSPAR Secretariat.

Executive Summary

The OSPAR Commission meeting in 2021 agreed the *Roadmap for further development of the North Atlantic Current and Evlanov Sea basin Marine Protected Area* ([OSPAR Agreement 2021-08](#)). The Roadmap included the procedure for a wide and inclusive consultation procedure as set out in the *General consultation procedure for establishing Marine Protected Areas in Areas Beyond National Jurisdiction of the OSPAR Maritime Area* ([OSPAR Agreement 2019-09](#)).

This publication provides an overview of the comments received through the consultation procedure for the update of the nomination proforma for the North Atlantic Current and Evlanov Sea basin Marine Protected Area which was carried out from 1 December 2022 to 28 February 2023. Submissions were received and considered through the consultation procedure from the following organisations: North-East Atlantic Fisheries Commission (NEAFC), BirdLife International, Sargasso Sea Commission (SSC), Greenpeace International, North Atlantic Marine Mammal Commission (NAMMCO) Scientific Committee, Birdwatch Ireland, Fair Seas, the International Commission for the Conservation of Atlantic Tunas (ICCAT) and the International Seabed Authority (ISA).

The International Council for the Exploration of the Sea (ICES) were requested by OSPAR to provide scientific advice on the case for the expansion of the conservation objectives of the Site. Therefore, ICES did not respond to the invitation to participate in the consultation procedure. The ICES advice on the peer review was delivered on the 24 February 2023 and is [available online](#). The OSPAR Biodiversity Committee noted at its annual meeting in 2023 that the ICES peer review on the updated nomination proforma had concluded that the scientific case for expanding the conservation objectives of the MPA was sound (BDC 23/12/1 §7.10).

Récapitulatif

En 2021, la Commission OSPAR a adopté une *feuille de route pour le développement de l'aire marine protégée du courant Nord Atlantique et du bassin maritime d'Evlanov* ([Accord OSPAR 2021-08](#)). La feuille de route prévoyait une procédure de consultation large et inclusive, telle que définie dans les *Procédures de consultation générale pour la création d'aires marines protégées dans des zones situées au-delà de la juridiction nationale de la zone maritime OSPAR* ([Accord OSPAR 2019-09](#)).

La présente publication donne une vue d'ensemble des commentaires reçus lors de la procédure de consultation pour la mise à jour du formulaire de désignation de l'aire marine protégée du courant Nord Atlantique et du bassin maritime d'Evlanov qui s'est déroulée du 1er décembre 2022 au 28 février 2023. Les organisations suivantes ont soumis des commentaires qui ont été examinés dans le cadre de la procédure de consultation : Commission des pêches de l'Atlantique du Nord-Est (CPANE), BirdLife International, Commission de la mer des Sargasses (CSM), Greenpeace International, Comité scientifique de la Commission des mammifères marins de l'Atlantique Nord (NAMMCO), Birdwatch Ireland, Fair Seas, Commission internationale pour la conservation des thonidés de l'Atlantique (CICTA) et Autorité internationale des fonds marins (AIFM).

OSPAR a demandé au Conseil international pour l'exploration de la mer (CIEM) de fournir un avis scientifique sur les arguments en faveur de l'élargissement des objectifs de conservation du site. Le CIEM n'a donc pas répondu à l'invitation à participer à la procédure de consultation. L'avis du CIEM sur l'examen par les pairs a été rendu le 24 février 2023 et [est disponible en ligne](#). Lors de sa réunion annuelle en 2023, le Comité OSPAR sur la biodiversité a noté que l'examen par les pairs du CIEM sur le formulaire de nomination mis à jour avait conclu que les arguments scientifiques en faveur de l'élargissement des objectifs de conservation de l'AMP étaient solides (BDC 23/12/1 §7.10).

Overview of OSPAR responses to comments received through the public consultation procedure on the revised nomination proforma for the North Atlantic Current and Evlanov Sea basin Marine Protected Area

This publication provides an overview of the comments received through the consultation procedure for the update of the nomination proforma for the North Atlantic Current and Evlanov Sea basin Marine Protected Area which was carried out from 1 December 2022 to 28 February 2023. The consultation procedure was carried out in accordance with *General consultation procedure for establishing Marine Protected Areas in Areas Beyond National Jurisdiction of the OSPAR Maritime Area (OSPAR Agreement 2019-09)*. Submissions were received and considered through the consultation procedure from the following organisations: North-East Atlantic Fisheries Commission (NEAFC), BirdLife International, Sargasso Sea Commission (SSC), Greenpeace International, North Atlantic Marine Mammal Commission (NAMMCO) Scientific Committee, Birdwatch Ireland, Fair Seas, the International Commission for the Conservation of Atlantic Tunas (ICCAT) and the International Seabed Authority (ISA). Table 1 presents the comments provided through the consultation procedure and the OSPAR response to the comment.

Table 1. Overview of responses by the OSPAR Intersessional Correspondence Group on Marine Protected Areas and the Biodiversity Committee to comments received via the public consultation on the revised NACES nomination proforma.

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
1	General	ICES	Thank you for informing ICES about the public consultation on a proposed revision to the nomination proforma for the 'North Atlantic Current and Evlanov Sea basin Marine Protected Area'. Given ICES' involvement providing the peer review of a draft revised nomination proforma for the 'North Atlantic Current and Evlanov sea basin' MPA in the OSPAR Maritime Area, we will not be able to respond to the public consultation.	Thank you for this explanation.
2	General	BirdLife International	Overall, we find the revised nomination proforma to be detailed and comprehensive with additional information justifying the expansion of the conservation objectives to a wider variety of species and habitats, including the seafloor	This support is noted with thanks.
3	General	Birdwatch Ireland	We fully support the submission of BirdLife International to this call, and have added some additional comments to our submission. Overall, we find the revised nomination proforma to be detailed and comprehensive with additional information justifying the expansion of the	This support is noted with thanks.

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			conservation objectives to a wider variety of species and habitats, including the seafloor.	
4	General	Consultant commissioned by Greenpeace International	I am pleased to respond that broad intent of the proposed revisions to the nomination proforma for the NACES MPA (hereafter, 'the Site') are entirely positive and merit strong support.	This support is noted with thanks.
5	General	SSC	We write in our personal capacities as Sargasso Sea Commissioners, with our mandate to "encourage and facilitate voluntary collaboration toward the conservation of the Sargasso Sea." Although the Sargasso Sea is outside the bounds of the proposed NACES MPA area, the ecosystem of the Sargasso Sea is highly connected to other ecosystems around the Atlantic basin, including those within the OSPAR Convention area, by physical oceanographic features and migratory species. The Sargasso Sea Commission supports both the inclusion of new species and habitats within the scope of the NACES MPA, as well as the inclusion of the water column, seabed, ocean floor, and subsoil thereof.	This support is noted with thanks.
6	General	NAMMCO Scientific Committee	The SC indicated that it has no new information on abundance and distribution of marine mammal species in the focus area since 2019. It noted that the area was not and would not become a whaling/sealing area for any NAMMCO countries in the future. The SC was not aware of new range wide information which would change its assessment of the importance of the proposed marine protected area for cetaceans. It again specifically underlined the lack of distributional and density data for the winter period, which is likely when the area is the most important to large cetacean species as many of them move to northern feeding area in the spring until late autumn. If the area was deemed to be important for birds, this could indicate a level of productivity that may also make it an important area for cetaceans. However, this was not necessarily the case, and the SC was still not aware of any evidence to indicate this. Disturbance to cetacean species is logically reduced in areas where human activities are limited. However, the SC reiterated its inability to draw any conclusion on the specific importance of the NACES area to significantly enhancing the conservation of cetacean species such as blue and sei whales due to the lack of data available to make such an assessment.	Thank you for this comment - we agree that the data on abundance and distribution of marine mammal species in the focus area are limited.
7	General	NAMMCO Scientific Committee	In conclusion, the SC underlined the paucity of data related to cetaceans and referring to the area. It reiterated that if the area was deemed important	Thank you for your comment. The information has been noted. No

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			for birds, and other taxa, this could indicate a level of productivity that may also make it an important area for cetaceans. This may however not be the case, and the SC was still not aware of any evidence that indicate this. Disturbance to cetacean species is logically reduced in areas where human activities are limited. However, the SC reiterated its inability to draw any conclusion on the specific importance of the NACES MPA to significantly enhancing the conservation of cetacean species such as blue and sei whales due to the lack of data available to make such an assessment.	amendment to the nomination proforma was considered necessary.
8	Future projects	NAMMCO Scientific Committee	The SC would like to bring to the attention of the OSPAR Commission to two of its projects that might shed some light on cetaceans' movements and habitat use in the wider Atlantic. The next survey of the North Atlantic Sightings Surveys (NASS) series is under planning and will be conducted in the summer 2024. The series has brought information on cetacean, distribution, abundance and trends in abundance over 30 years (see NAMMCO Scientific Publication Series volume 7 and volume 11, with in particular the following overview article Estimates of Cetacean Abundance in the North Atlantic of Relevance to NAMMCO). NASS 2024 will continue this important series and might bring some information relevant to the NACES MPA. NAMMCO is engaged in a collaborative initiative with Japan, the MINTAG Project, with the aim of developing smaller and lighter satellite tag with longer retention performance. As such, these tags will be better adapted for being deployed at longer distance on fast-swimming species, such as blue, fin, sei and minke whales, but also pilot whales. If the project succeeds, such tags should bring information relevant to the movement and habitat use and in particular on the wintering ground of these less-known species, information particularly pertinent to the process of creating or extending marine MPAs in general and in particular the NACES MPA. The project itself concentrates on the development of the MINTAG and its test deployment on fin, minke and pilot whales in summer 2024 and 2025. The NAMMCO Scientific Committee of NAMMCO will make sure that the OSPAR Commission is kept informed on the development and outcome of these two projects. (Note relevant links included in the letter)	Thank you for bringing this information to our attention, this has been noted as being useful to follow in terms of future research and monitoring of the site. No amendment was made to the nomination proforma.
9	Relating to Q 1	SSC	See letter for the full response to Question 1: Can you provide any additional information of relevance on the species, habitats and ecosystems included as	The additional species suggested in the table have been double-checked and no

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			<p>a result of the new evidence in the revised nomination proforma of the MPA?</p> <p>The response includes a table of species and some specific examples of species that depend on the benthos.</p>	<p>evidence can be found for their occurrence with NACES. Raine et al. (2021) includes some references for other petrel species in the same genus that feed on mesopelagic fish, but not the Bermuda petrel specifically, so this has been added on p. 67. Further discussion on European eels has been added to the proforma on p. 69 and in the benthopelagic coupling section on p. 98.</p>
10	Relating to Q 1	NAMMCO Scientific Committee	<p>(i) Can you provide any additional information of relevance on the species, habitats and ecosystems included as a result of the new evidence in the revised nomination proforma of the MPA? In its review of the first nomination proforma in October 2019, the SC based its response on the information that could be extrapolated from the North Atlantic Sightings Surveys (NASS) series. The last survey conducted in this series was in summer 2015-16. The SC is not aware of any new information on abundance and distribution of marine mammal species in the focus area since that first answer in 2019. It noted that the new information reported in the revised nomination proforma were based on studies/observations of incidental characters and not deriving from studies systematically evaluating the importance of the NACES area contra another area. The SC noted in its response in 2019, that spatial analyses of the NASS data had been completed for many species, including the sei whale (Houghton et al, 2019)(1) , and could be extrapolated beyond the coverage of the NASS and provide more substantial information on summer densities in the NACES area. The NACES MPA area is without doubt an area used or passed-through by many cetacean species, in particular sei whales. The SC, however, was not aware of new range-wide information which would change its assessment of [or its inability to assess] the importance of the NACES MPA for cetaceans. It again specifically underlined the lack of distributional and density data for the winter period, which is likely when the area is the most important to large cetacean species as many of them move to northern feeding area in the spring until late autumn</p> <p>Source:</p>	<p>This is noted with thanks, however, we believe that application of the methodology from Houghton et al. (2019) is outside the scope of the nomination proforma - though we support and welcome the suggestion to carry out an additional modelling study to improve understanding of summer densities of sei whales within NACES MPA.</p>

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			1https://septentrio.uit.no/index.php/NAMMCOSP/article/view/5211/5223	
11	18	NEAFC	The vision says: Maintenance and, where appropriate, restoration of seabird populations, marine biodiversity and the integrity of the various ecosystems and their functions and processes within the North Atlantic Current and Evlanov Sea basin MPA (NACES MPA). But the objectives say 1. To protect and conserve the seabirds, marine biodiversity, habitats, ecosystems, and their processes and functions of the North Atlantic Current and Evlanov Sea basin MPA. I.e. the bit in red does not make sense in English I think? Presume it should be within.	Thank you for this observation - corrected as suggested.
12	18;19; 20	NEAFC	NEAFC notes that at the proposal is not only to include the seabed in the NACES MPA with view to protect seabirds (the original objective of the MPA), but to widen the general conservation objectives from birds to biodiversity, habitats, ecosystems etc. (page 18). This is further specified for pelagic and benthic species on pages 19-21.	This is noted as an observation on NEAFCs understanding of the process. No amendment to the nomination proforma was considered necessary.
13	19 Table 1	BirdLife International	We strongly support the inclusion of the seafloor and the full list of species and habitats listed in Table 1 in the proforma. The inclusion of Footnote 8 alongside this table is a sensible compromise to acknowledge the competency of other international bodies while also providing a comprehensive overview of the knowledge of species and habitats within the Site.	Thank you for your comment. The information has been noted. No amendment to the nomination proforma was considered necessary.
14	19 Table 1	BirdLife International	Additional seabird species that can be included in the proforma thanks to new tracking data: • Parasitic jaeger <i>Stercorarius parasiticus</i> Source: Harrison et al., 2021 https://doi.org/10.1002/ece3.8451	Thank you for this valuable addition, the species has been added to Table 1 and elsewhere in the text.
15	19 Table 1	BirdLife International	We note that some of the Latin names of seabirds have been edited and no longer align with the taxonomy BirdLife uses for much of its global priority-setting work, including the assessment of all birds for the IUCN Red List. BirdLife's taxonomic list is also followed by a number of international conservation agreements, such as the Convention on Migratory Species, the African-Eurasian Waterbird Agreement, and the EU Birds Directive. We suggest the following species names are updated: • Leach's Storm Petrel <i>Hydrobates leucorhous</i> • Great Shearwater <i>Ardena gravis</i> • South Polar Skua <i>Catharacta maccormicki</i> • Great Skua <i>Catharacta skua</i>	All species names in the proforma have been standardised using World Register of Marine Species www.marinespecies.org To avoid confusion, for the bird species, the nomenclature suggested by BirdLife has been accepted with synonymised species names noted in footnotes. Bird species names have been reverted to the ones

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			Source: http://datazone.birdlife.org/species/taxonomy	suggested by BirdLife throughout the text.
16	20, 56, Table 3	NEAFC	NEAFC notes that grenadiers are listed by the proforma as ecologically significant, although they are not on the OSPAR list of threatened and/or declining species. Several of our Contracting Parties have noted that stocks managed by NEAFC i.e. the grenadiers in this case, are included in the listed species of the MPA. This observation is in particular given that these fish are not OSPAR listed threatened species. Notwithstanding that where the OSPAR Commission considers that an action is desirable in relation to a question, it shall draw that question to the attention of the relevant competent organisation, the relevant Parties believe that dual management of stocks by several organizations makes for cumbersome administration without adding any value in the regards to the protection of the stock. Further, they believe that any stock covered by NEAFC is sufficiently protected through ecosystem-based management. In this context, NEAFC draws OSPAR's attention to the fact that it regularly receives scientific advice from ICES on grenadiers on which to base its management measures. This scientific advice can be found on the ICES website.	Thank you for these comments. It is not a prerequisite for a species to be on the TD-list to be ecologically significant. However, there is no intention from OSPAR for dual management. Any question regarding the management of any stock covered by NEAFC will be drawn to the attention of NEAFC, as specified in Annex V para IV of the OSPAR Convention.
17	48-50	NEAFC	NEAFC notes that pages 48-50 provide further detail on fish such as cod and mesopelagic fish, but no further mention of grenadiers. Table 6, page 78 'Summary of key threats to non-seabird species and biogenic habitats identified as present in the MPA' does not list grenadiers either. Additionally, one of the NEAFC Contracting Parties highlights that while the text on cod explains that there is high variability in cod status it then goes on to refer to poor status in OSPAR Regions II and III, without being clear about what the status is in other regions (for instance in OSPAR Region I where stocks are healthier). Perhaps reference to ICES advice on cod stocks more relevant to the NACES MPA area is required here.	Table 6 has been improved to either include the species, or where there are too many to list, a signpost to where a species list relating to each ecological group can be found within the proforma. The section on code has been reworded to reflect that stock status has improved since the 1980s, and that population and stock health varies within and between OSPAR regions with certain stocks T&D in Regions II and III, but healthier stocks elsewhere such as in Region I.
18	79-80	NEAFC	NEAFC notes that on Page 79/80, there is text on naturalness and potential for restoration. This should more explicitly be linked to later sections on the actual or potential human impacts in the area. There seems to be a contrast between the high level of	An amendment has been made to the section to improve this sentence and ensure a coherent narrative between the levels of naturalness in the light of

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			naturalness stated, and the assessment of current or future impacts.	the existing low levels of human activity.
19	From p83 (human uses of the site)	SSC	<p>Consultation question (ii) Can you provide any additional information on current and/or potential future human activities at the site, including their intensity, type and timing?</p> <ul style="list-style-type: none"> While the Commission is not in a position to advise about activities taking place in the NACES MPA area, it has identified several potential current/future activities in the Sargasso Sea, which may have a lot of overlap for the MPA in question, as it is also a North Atlantic ocean ABNJ. These potential future activities include – squid jigging (which may have knock on trophic effects), increased vessel traffic, pollution, and climate change. IUU fishing and seabed mining are also potential threats. Detailed analyses of these activities will be reported on as part of our Ecosystem Diagnostic Analysis, expected to be completed in the next two years. 	This information is noted with thanks. A number of potential threats including shipping, pollution, climate change, and seabed mining are addressed. No amendment has been made to the nomination proforma, but retained for later consideration of the monitoring plan.
20	Relating to Q2 (human uses of the site)	NAMMCO Scientific Committee	<p>(ii) Can you provide any additional information on current and/or potential future human activities at the site, including their intensity, type and timing?</p> <p>The SC noted that the area was not and would not become a whaling/sealing area for any NAMMCO countries in the future.</p>	Thank you for this additional information. This has been noted. No amendment made to the nomination proforma.
21	87-88	NEAFC	<p>Page 87-88; Figures 28 and 29; This covers actual fishing activity in the area. NEAFC notes that the Secretariat has already had interactions with OSPAR and its research group explaining that the basis of the analysis (Global Fishing Watch/AIS) can lead to a large overestimation of actual fishing in the area. Despite the caveats expressed in the text, it is not at all clear if the overestimation of fishing activity by the GFW algorithm is a 50%, 100% or more, overestimate. This section thus appears to give a wrong impression of the level of activity in the area and the confidence in this estimate. The colouring in figures themselves also could be misinterpreted. It is not clear for instance why a dark colour has been chosen to represent zero fishing hours, with the use of grey in half the area in the map not explained (is this no AIS data? Does that mean zero activity?). The overall impression given on a quick viewing by the choice in colouring the map is of quite high activity in the dark areas, which is not the case. As an example of a clearer colouring scheme, ICES, for similar mapping uses no colour for zero activity with gradually darkened cells for increasing activity. NEAFC data will show no fishing activity in this area,</p>	Thank you for these comments - the figures and captions have been updated.

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			although ICCAT data may be more likely show some limited seasonal activity.	
22	Threats to seabirds	BirdLife International	<p><u>Fishing – threats to seabirds</u>: overall this section covers the impacts to seabirds well and the call to report incidental bycatch is strongly supported (pg. 89). We would also like to see inclusion a mention of mitigation measures here, suggested text added in square brackets below:</p> <p>Systematic collection of seabird incidental bycatch data is needed to more accurately assess the threat posed to the seabird species (as in Table 1 and Table 5) at the Site and understand the overall impact this threat poses to the populations.</p> <p>[ICCAT requires data collection on seabird incidental catch by species through scientific observers to be reported annually, and to achieve reductions in levels of seabird by-catch across all fishing areas, seasons, and fisheries through the use of effective mitigation measures (ICCAT Recommendation 11-09) (source: ICCAT (2009). Supplemental recommendation by ICCAT on reducing incidental bycatch of seabirds in ICCAT longline fisheries, 11-09; https://iccat.int/Documents/Recs/compendiopdf-e/2011-09-e.pdf). Subsequent consideration of identification and implementation of effective mitigation measures to minimize, and where possible, eliminate, seabird bycatch should then be a management priority for discussion with relevant competent authorities via the Collective Arrangement.]</p>	Recommendation to make mitigation activities to avoid by-catch a management priority added to the text.
23	89	Birdwatch Ireland	<p><u>1. Fishing</u>: overall this section covers the impacts to seabirds well and we provide comment on the following impacts related to fishing:</p> <p><u>A) Bycatch</u></p> <p>The call to report incidental bycatch is strongly supported (pg. 89). We would like to see a mention of seabird bycatch mitigation measures added here, suggested text added in square brackets below:</p> <p>Systematic collection of seabird incidental bycatch data is needed to more accurately assess the threat posed to the seabird species (as in Table 1 and Table 5) at the Site and understand the overall impact this threat poses to the populations. [Subsequent identification and implementation of effective mitigation measures to minimize, and where possible, eliminate, seabird bycatch should then be a management priority for discussion with relevant competent authorities via the Collective Arrangement.]</p>	Proposed recommendation added to the text.

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
24	89	BirdLife International	We would also like to see a similar data call included for light pollution, which is a threat associated with fisheries and shipping. We suggest including the following text (pg. 89, following the existing text on light pollution): The impact of light pollution on seabirds at-sea is currently a knowledge gap, systematic collection of data on ship strikes (seabirds colliding with the ship deck) would help assess this threat and provides an opportunity for research and collaboration.	Suggested text added to the section on light pollution.
25	89 (Threats to pelagic species)	BirdLife International	<u>Threats to pelagic species:</u> We would like to see specific reference to data collection and mitigation implementation for sea turtles included. We suggest adding the following text in square brackets on pg. 89, immediately after the sentence that reads: o Fisheries bycatch is also considered the highest threat to leatherback populations globally (Wallace et al. 2010). [ICCAT requires fisheries operating in the Convention Area to reduce and eliminate, to the extent practicable, interactions with sea turtles (Recommendation 22-124)]. Source: ICCAT (2022). Recommendation by ICCAT on the bycatch of sea turtles caught in association with ICCAT fisheries, 22-12; https://iccat.int/Documents/Recs/compendiopdf-e/2022-12-e.pdf	Suggested text added with an appropriate reference.
26	89	BirdLife International	We would also like to see Mesopelagic Fisheries included in the section on fisheries because mesopelagic fish are an important food source for seabirds and their extraction poses a potential future threat, particularly for areas beyond national jurisdictions: - Exploitation of mesopelagic fisheries: there are consistent, high concentrations of mesopelagic fish within the NACES MPA(5) . Mesopelagic fish are one of the principal pathways through which energy from primary producers is made accessible to higher order predators(6) ; meaning mesopelagic fish are an important food source for many seabirds(7) , with some species (including many petrels) specialising on this prey (8). At present, mesopelagic fisheries remain economically unviable, but as global marine fish catches continue to decline, there is growing interest in this fishery, and a number of nations have already issued experimental licences for commercial harvesting(9) although none yet in areas as deep as NACES. As well as potentially undermining the importance of the area for marine megafauna (including seabirds), it is anticipated that extraction of mesopelagic fish will have substantial effects on marine life, food webs and the global climate(10) .	Thank you for these valuable additions - relevant references have been included in mesopelagic fish discussions earlier in the text and in the threats section for seabirds.

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			<p>An appropriate management measure could be a moratorium on all mesopelagic fishing within high-seas MPAs.</p> <p>Sources:</p> <p>(5) Fort et al. 2010. https://doi.org/10.1098/rsbl.2010.0082</p> <p>(6) McMahon et al. 2019. https://doi.org/10.1038/s41598-019-55152-4</p> <p>(7) Neves et al. 2012. https://doi.org/10.1016/j.dsr.2012.08.003</p> <p>(8) Waap et al. 2017. https://doi.org/10.1038/s41598-017-01312-3</p> <p>(9) Wright et al. 2020. Fishing in the Twilight Zone: Illuminating governance challenges at the next fisheries frontier. IDDRI.</p> <p>(10) Sutherland et al. 2019. https://doi.org/10.1016/j.tree.2018.11.001</p>	
27	89	Birdwatch Ireland	<p><u>D) Mesopelagic Fish and Mesopelagic Fisheries</u></p> <p>We would also like to see mesopelagic fisheries included in this section because mesopelagic fish are an important food source for seabirds and their extraction poses a potential future threat, particularly for areas beyond national jurisdictions:</p> <ul style="list-style-type: none"> - - Exploitation of mesopelagic fisheries: there are consistent, high concentrations of mesopelagic fish within the NACES MPA(11). Mesopelagic fish are one of the principal pathways through which energy from primary producers is made accessible to higher order predators(12); meaning mesopelagic fish are an important food source for many seabirds(13), with some species (including many petrels) specialising on this prey. At present, mesopelagic fisheries remain economically unviable, but as global marine fish catches continue to decline, there is growing interest in this fishery, and a number of nations have already issued experimental licences for commercial harvesting(14) although none yet in areas as deep as NACES. As well as potentially undermining the importance of the area for marine megafauna (including seabirds), it is anticipated that extraction of mesopelagic fish will have substantial effects on marine life, food webs and the global climate(15). “Globally, 43.5% of the blue carbon extracted by fisheries in the high seas comes from areas that would be economically unprofitable without subsidies. Limiting blue carbon extraction by fisheries, particularly on unprofitable areas, would reduce CO2 emissions by burning less fuel and reactivating a natural carbon pump through the rebuilding of fish stocks and the increase of carcasses deadfall.(16)” <p>Given the role of mesopelagic fish as key nodes in</p>	<p>We support this addition, paragraph on mesopelagic fisheries has been added with supporting references.</p>

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			<p>the carbon cycle (as noted in the Revised Nomination Proforma, e.g. Watanuki and Thiebot 2018, p.69), mesopelagic fisheries would have a direct impact on the site's General Conservation Objectives (p.18), in particular the following:</p> <p><i>1. To protect and conserve the seabirds, marine biodiversity, habitats, ecosystems, and their processes and functions of the North Atlantic Current and Evlanov Sea basin MPA.</i></p> <p><i>3. To prevent degradation of, and damage to, habitats and ecological processes including the benthic-pelagic coupling, nutrient fluxes, and connectivity, in order to maintain the structure and functions of marine ecosystems in the North Atlantic Current and Evlanov Sea basin MPA.</i></p> <p><u>Threat of Climate Change on Mesopelagic Fish (and other Ecological Groups):</u> We would also suggest that the impacts of Climate Change should be reflected in the threats to Mesopelagic Fish. It has been reported that the mesopelagic zone will be the first zone to lose significant amounts of oxygen(17). As noted in the Revised Nomination Proforma one of the two vital roles mesopelagic fish play in the Site are as key nodes in the carbon cycle (p.77). The inclusion of 'Climate/oceanographic induced changes to food availability' as a Known/Likely Threat at Sea for Kittiwakes and other seabirds in the original proforma was greatly welcomed, but where such prey sources are threatened by climate change and are listed in the revised proforma, this threat to the prey's Ecological Group should also be noted so that cumulative impacts to such groups are adequately assessed, and their contributions to other ecological functions, in this case, to the carbon cycle, are not overlooked.</p> <p>Sources:</p> <p>11 Fort et al. 2010. https://doi.org/10.1098/rsbl.2010.0082</p> <p>12 McMahon et al. 2019. https://doi.org/10.1038/s41598-019-55152-4</p> <p>13 Neves et al. 2012. https://doi.org/10.1016/j.dsr.2012.08.003</p> <p>14 Wright et al. 2020. Fishing in the Twilight Zone: Illuminating governance challenges at the next fisheries frontier. IDDRI.</p> <p>15 Sutherland et al. 2019. https://doi.org/10.1016/j.tree.2018.11.001</p> <p>16 Mariani, G., et al. (2020) 'Let more big fish sink: Fisheries prevent blue carbon sequestration—half in unprofitable areas'</p>	

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			17 Gong, H., Li, C., & Zhou, Y. (2021) 'Emerging global deoxygenation across the 21st century'	
28	General	Birdwatch Ireland	<p>B) Plastic Pollution</p> <p>More evidence on the individual and population level impacts of plastic ingestion of seabirds is required to fully understand this as a threat, but nevertheless, plastics and microplastics ingestion is a justified concern for seabirds. Ingestion of macroplastic items can lead to gut obstruction and death through starvation(2) and microplastics have a range of impacts from injuries due to ingestion and toxicity impacts (3).</p> <p>While ingestion of plastic for chicks and associated fledging weight impact is not a direct concern for this Site, some species rarely regurgitate (4) and therefore may maintain plastics in their system over several months(5). This may lead to an accumulation of plastics in an individual's body, which not only impacts the individual's health and condition throughout proceeding breeding seasons, but may also impact their capacity to feed chicks.</p> <p>Furthermore, plastics ingested over a period of time, could contribute to the accumulation of plastics at breeding colonies(6), introducing direct impacts to spatially and temporally separated breeding colonies and seasons.</p> <p>Measures and monitoring implemented for the NACES Site could provide much needed information to better understand the impacts of plastic pollution for seabirds, which is lacking for many of the populations that use the Site. For example, there is currently no insight into the spatiotemporal variation of how marine plastic affects different seabird species, information which is currently lacking for the Northeastern Atlantic Ocean despite it being an area of international importance for seabirds(7).</p> <p>The main sources of plastic pollution at the Site (i.e. from fishing equipment) should be addressed and to limit the impacts. "Whilst OSPAR doesn't have a mandate for fisheries management it does have a responsibility to assess the environmental effects of fisheries on the marine ecosystem..."(8) and greater understanding of the impacts to seabirds from plastic pollution at the Site is needed. Although plastic impacts to seabirds are increasing significantly globally, reductions in exposure will result in reduced ingestion, and regional efforts can make a difference to this end(9). For example, Monitoring of ingestion rates in northern fulmars as part of the European Union's Environmental Quality Objectives demonstrated a significant decrease in the ingestion of plastic pellets, thought to be driven</p>	Thank you for the suggestions – review of impacts of plastic pollution on birds has been added to 'Sensitivity' section before Table 5.

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			<p>by management actions to reduce their loss from industrial processes into the marine environment in Northern Europe(10). If restoration is part of the conservation vision for the Site (as is stated on p.80), there should at minimum be management measures in place to achieve a reduction in the level of plastic pollution at the Site. This would need to be done in a manner consistent with the conservation objectives of the site. There could also be a wider role for OSPAR in advocating for tackling the source of the trash and plastic issue in addition to an assessment of the impact of fisheries pollution.</p> <p>Sources:</p> <p>2 Pierce, K.E., et al. (2004) 'Obstruction and starvation associated with plastic ingestion in a Northern Gannet <i>Morus bassanus</i> and a Greater Shearwater <i>Puffinus gravis</i>'.</p> <p>3 Navarro et al. (2023) 'Microplastics ingestion and chemical pollutants in seabirds of Gran Canaria (Canary Islands, Spain)'.</p> <p>4 Wilcox, C. et al. (2015) 'Threat of plastic pollution to seabirds is global, pervasive, and increasing'</p> <p>5 See Navarro et al. (2023) 'Microplastics ingestion and chemical pollutants in seabirds of Gran Canaria (Canary Islands, Spain)'.</p> <p>6 Grant, M.L., et al. (2021) 'Seabird breeding islands as sinks for marine plastic debris'</p> <p>7 Cummins, S., Lauder, C., Lauder, A. & Tierney, T. D. (2019) The Status of Ireland's Breeding Seabirds: Birds Directive Article 12 Reporting 2013 – 2018. Irish Wildlife Manuals, No. 114. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht, Ireland. Available at: https://www.npws.ie/sites/default/files/publications/pdf/IWM114.pdf</p> <p>8 https://www.ospar.org/work-areas/eiha/fishing-mariculture</p> <p>9 Wilcox, C. et al. (2015) 'Threat of plastic pollution to seabirds is global, pervasive, and increasing'</p> <p>10 Van Franeker, J.A. et al. (2011) 'Monitoring plastic ingestion by the northern fulmar <i>Fulmarus glacialis</i> in the North Sea'.</p>	
29	89-90	NEAFC	<p><u>Threats from fisheries</u>, NEAFC notes that much of the text is related to generic effects and is focused on ICCAT type fisheries. The text on threats to benthic habitats appears to be contradictory as it sets out potential damage, while indicating that there is in fact very little, if any, fishing.</p>	<p>Thank you for this comment. The lack of fishing activity in the Site has been emphasised. A statement on the lack of NEAFC fisheries in the Site, as well as mention of adopted recommendations relating to fishing restrictions and or bans that apply within the NEAFC Regulatory Area, provide a broader context.</p>

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
				The text on benthic habitats has been edited to clarify the nature of impacts.
30	90 (Shipping/Transport routes)	BirdLife International	<u>Shipping/transport routes</u> : requesting data collection on any ship strikes by seabirds could also be referenced under this section (pg. 90): “systematic collection of data on ship strikes (seabirds colliding with the ship deck) would help assess the impact of light pollution from vessel traffic and provides an opportunity for research and collaboration.” The data call could also be expanded to other taxa, e.g., reporting of ship strike data for marine mammals. The impact of acoustic disturbance is well noted in the proforma. A relevant management action could be to implement shipping mitigation measures, such as reducing vessel speed, or designating the Site as a “Quiet Zone”(11), actions that could be considered nationally and with relevant competent authorities. Source: (11) https://www.oceancare.org/en/marine-conservation/underwater-noise-pollution/	The sentence regarding the importance of the systematic data collection on ship strikes added to the 'Shipping/transport routes' section.
31	91 (Extractive industries)	BirdLife International	<u>Extractive industries</u> : currently this section focuses on oil and gas exploration, but we would also like to see Deep-sea Mining included here as it is a potential future human activity for areas beyond national jurisdiction that is projected to have huge ecosystem consequences. o Deep-sea mining: the process of extracting mineral deposits from the deep seabed at depths greater than 200 m. There are currently no mining licences for the NACES MPA area but there are mineral deposits within the area. Research suggests deepsea mining would severely harm marine biodiversity and ecosystems; from direct destruction of the seafloor to disruption of the wider ecosystem via sediment plumes altering foraging and communication behaviours of a wide range of species, and pollution, including noise, vibrations and light pollution caused by equipment and surface vessels affecting various species(12),(13) Sources: (12) Drazen et al. 2020. https://doi.org/10.1073/pnas.2011914117 (13) Miller et al. 2018. https://doi.org/10.3389/fmars.2017.0041	Thank you for this suggestion, the section is now divided into 'Oil and gas activities' and 'Deep-sea mining' sub-sections, as clarified by the sub-headings. Additional information and references added with thanks.
32	91 (Extractive industries)	Birdwatch Ireland	<u>3. Extractive industries</u> : Currently this section focuses on oil and gas exploration, but we would also like to see Deep-sea Mining included here as it is a potential future human activity for areas beyond national jurisdiction that is projected to have huge ecosystem	Thank you for these valuable additions - consideration of the potential impacts of deep-sea mining outside the

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			<p>consequences.</p> <p>- Deep-sea mining: the process of extracting mineral deposits from the deep seabed at depths greater than 200 m. There are currently no mining licences for the NACES MPA area but there are mineral deposits within the area. Research suggests deep-sea mining would severely harm marine biodiversity and ecosystems; from direct destruction of the seafloor to disruption of the wider ecosystem via sediment plumes altering foraging and communication behaviours of a wide range of species, and pollution, including noise, vibrations and light pollution caused by equipment and surface vessels affecting various species(19,20).</p> <p>Deep sea mining outside of the Site could also result in negative impacts for Site's habitats, ecological process, and the species that utilise the Site. Sediment plumes and noise at the seabed and in the water column may have extensive ecological effects in deep midwaters and can extend from an approximate depth of 200 metres to 5 kilometres (21), and resuspended seafloor sediments that create environmentally detrimental plumes may disperse for tens to hundreds of kilometres from the mining site(22). The OSPAR Guidance on Environmental Considerations for Offshore Wind Farm Development requires, for example, that "The construction and operation of a wind farm should not endanger birds" and "The erection, operation and removal of wind turbines should not endanger the quality of the water and air or the conservation of the species using the impacted area as their habitat"(23).</p> <p>In this regard, OSPAR should protect the migratory routes of species using the Site, ensuring that all routes to the Site and the Site itself are not impacted by any future efforts to carry out Deep Sea Mining activities. We believe Deep Sea Mining should be prohibited at the Site, and within areas which could result in negative impacts to migratory routes or transboundary areas (between the Site and surrounding non-protected areas) which are critical to the health of species, habitats and processes of the Site, either while at the Site or in transit to or from the Site.</p> <p>Sources:</p> <p>19 Drazen et al. 2020. https://doi.org/10.1073/pnas.2011914117</p> <p>20 Miller et al. 2018. https://doi.org/10.3389/fmars.2017.00418</p> <p>21 Drazen et al. 2020.</p>	<p>site have been added to the 'Deep-sea mining' section.</p>

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			https://doi.org/10.1073/pnas.2011914117 22 See Drazen et al. 2020. https://doi.org/10.1073/pnas.2011914117 23 http://www.ospar.org/documents?d=32631	
33		NEAFC	On the key issue of any human activity or pressure related to NEAFC fishing vessels, there is no new information to provide regarding the NACES area. As indicated in 2020, any reported activity of NEAFC notified vessels relates to some vessels steaming across the area on the way to other fishing grounds or ports, rather than any pelagic or bottom fisheries activities.	This information is noted with thanks. No amendment required to the nomination proforma.
34	Part C: Proposed management and protection status	BirdLife International	Effective management of MPAs are needed to deliver positive conservation outcomes. MPA management needs to consider relevant threats and impacts on protected features to achieve the conservation objectives. We fully support the mention of a need for a management plan and for this to account for cooperative management. OSPAR's Collective Arrangement provides a huge opportunity for the effective management of the NACES MPA and sets a strong precedence for cooperative management of biodiversity beyond national jurisdiction. We look forward to cooperative management being discussed and progressing under meetings of the Collective Arrangement when these are able to go forward. The proforma includes many proposed measures to achieve the conservation objectives, particularly related to threatened and declining species and habitats. These are species specific measures, but there is a lot of repetition, and more streamlined, generic measures could be more appropriate. Reference to potential future threats (noted in response to Question ii above) could also be included in the Proposed Management section of the proforma. We suggest the inclusion of an additional bullet point for both Deep-sea mining and Mesopelagic Fishing (specific text proposals provided row 28; row 30).	Thank you for these considerations which will be fed into OSPAR discussion on developing a more effective management of the MPA (including through the Collective Arrangement)
35	Part C: Proposed management and protection status	SSC	Similarly, while the Commission is not in a position to advise about management actions taking place in the NACES MPA area, it can comment on management of the Sargasso Sea. The Sargasso Sea Commission is currently implementing a Global Environment Facility Grant to develop a Strategic Action Programme for the Sargasso Sea intended to deliver improved stewardship and conservation	Thank you for these considerations which will be fed into OSPAR discussion on developing a more effective management of the MPA (including through the Collective Arrangement)

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
36	Part C: Proposed management and protection status	Consultant commissioned by Greenpeace International	Response to consultation question (iii): Can you provide additional indicative information about current and/or potential future management actions within the site to deliver the proposed revisions to the conservation objectives for the site? Review email. My understanding of the response provided against Question iii is that no concrete amendments are proposed.	Thank you for these considerations which will be fed into OSPAR discussion on developing a more effective management of the MPA (including through the Collective Arrangement)
37	104	BirdLife International	a. Fishing using fixed and mobile gears (pg. 104): • Including possible ecosystem disruption caused by fishing lower trophic fish (e.g., mesopelagic fish)	Added to the section as suggested.
38	104	NEAFC	NEAFC notes that this section on potential management actions needed by competent authorities remains unchanged – with little detail on what fisheries actions may actually be needed (if any). NEAFC already has provisions to prohibit all directed fishing of basking shark and certain deep seas sharks, rays and chimaera in the Regulatory Area. While there is no NEAFC fishing in the area, these prohibitions should be noted somewhere in the proforma.	Thank you for this comment. These provisions have been added to the threats section on pg. 89-90.
39	105	BirdLife International	c. Seabed mining or other extractive activities (pg. 105) • Including any damage or disturbance to the seabed and associated vulnerable habitats.	Added to the section as suggested.
40	105 (Research and monitoring plan)	BirdLife International Same text also submitted by Birdwatch Ireland	<u>Research and Monitoring plan</u> Remote sensing data provides a huge opportunity to help deliver the proposed conservation objectives for remote high seas MPAs, such as the NACES MPA. BirdLife International has already taken steps and presented a proof of concept to OSPAR (ICG-MPA 2022), on an approach to understand the baseline of human activities within the Site using remote sensing data, from which any change in activity since the Site came into force can be monitored, and evidence-based management recommendations can be drawn. BirdLife is keen to develop this work further for the revised conservation objectives of the Site, and support OSPAR with information relevant to communicating with other competent organisations, and to achieve the objectives relating to MPA management (including S5.O4, S5.O5) set out in the North-East Atlantic Environment Strategy 2030 (source: (14) https://www.ospar.org/convention/strategy)	Thank you for these considerations which will be fed into the discussion of the Research and Monitoring plan.
41	105	Birdwatch Ireland	In addition to supporting BirdLife's calls in relation to Research and Monitoring, we believe that the impacts of climate change should be more centrally specified in this section. For example, the Research	Thank you for these considerations which will be fed into the discussion of the

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			and Monitoring Plan should state explicitly that it will be established in the context of a changing climate and will incorporate measures to assess climate impacts on species at the Site. Currently, the Research and Monitoring activities list 'Long Term monitoring of the protected features to determine any trends over time' but this is listed as a potential inclusion (and so is not mandated requirement) (p.105) and does not specifically mention the issue of climate change	Research and Monitoring plan.
42	General	Fair seas Ireland	<p>We believe that it is necessary and right that 'marine biodiversity' in its widest sense is considered and incorporated into effective, ecosystem-based MPA conservation management, especially when dealing with sites located far offshore in areas beyond national jurisdiction.</p> <p>It is therefore encouraging that the scope of the NACES MPA conservation objectives are being broadened to include the 'seabed, ocean floor and subsoil thereof and additional species and habitats'. Furthermore, these changes will result in the holistic implementation of a wider and stronger suite of protective management measures by OSPAR Member States, also aiding the more efficient delivery of the site's original conservation goal of 'protecting and conserving seabirds' through an ecosystem-based approach to management, and therefore should be welcomed on all fronts.</p> <p>Fair Seas fully supports the process and ambition to have a whole-site ecosystem-based MPA in the Atlantic which protects not only important seabird populations, but all marine biodiversity found within its boundaries. Below we highlight two potential future human uses which we believe are worthy of more detailed consideration in the nomination proforma along with associated management suggestions.</p> <p>We commend the OSPAR Commission for progressing this work, and look forward to the publishing of the revised nomination proforma and subsequent adoption of the amending decision and recommendations</p>	This support is noted with thanks.
43	Response to Q1	Fair seas Ireland	<p>(i) Can you provide any additional information of relevance on the species, habitats and ecosystems included as a result of the new evidence in the revised nomination proforma of the MPA?</p> <p>Fair Seas believe the compiled information is comprehensive. We fully support the revised and expanded list of habitats and resident, visiting and</p>	This support is noted with thanks.

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			migratory species of ecological significance in NACES MPA outlined in Table 1	
44	Response to Q2 (human activities)	Fair seas Ireland	<p>Fair Seas believe are worthy of consideration when identifying potential future human activities that might occur in the NACES MPA.</p> <p>“The biodiversity of marine and coastal habitats is experiencing unprecedented change. While there are well-known drivers of these changes, such as overexploitation, climate change and pollution, there are also relatively unknown emerging issues that are poorly understood”</p> <p>(1) “Impacts of fishing for mesopelagic species on the biological ocean carbon pump. Impacts of fishing for mesopelagic species on the biological ocean carbon pump. Growing concerns about food security have generated interest in harvesting largely unexploited mesopelagic fishes that live at depths of 200–1,000m(33). Small lanternfishes (Myctophidae) dominate this potentially 10 billion ton community, exceeding the mass of all other marine fishes combined(34) and spanning millions of square kilometres of the open ocean.</p> <p>Mesopelagic fish are generally unsuitable for human consumption but could potentially provide fishmeal for aquaculture(34) or be used for fertilizers. Although we know little of their biology, their diel vertical migration transfers carbon, obtained by feeding in surface waters at night, to deeper waters during the day across many hundreds and even thousands of metres depth where it is released by excretion, egestion and death. This globally important carbon transport pathway contributes to the biological pump(35) and sequesters carbon to the deep sea(36). Recent estimates put the contribution of all fishes to the biological ocean pump at 16.1% (±s.d. 13%) (37). The potential large-scale removal of mesopelagic fishes could disrupt a major pathway of carbon transport into the ocean depths.”</p>	<p>Noted with thanks - importance of mesopelagic fish to carbon flow had already been noted in the Proforma in the 'benthopelagic coupling section': 'For example, mesopelagic myctophid fish may be globally important to seabirds and carbon flow more generally (Watanuki and Thiebot 2018).'</p> <p>Additional focus on threats from mesopelagic fisheries had also been added in the 'Threats to pelagic species' section.</p>
45	Response to Q2 (human activities)	Fair seas Ireland	<p>(2) “Extraction of lithium from deep-sea brine pools. Extraction of lithium from deep-sea brine pools. Global groups, such as the Deep-Ocean Stewardship Initiative, emphasize increasing concern about the ecosystem impacts from deep-sea resource extraction(38). The demand for batteries, including for electric vehicles, will probably lead to a demand for lithium that is more than five times its current level by 2030(39). While concentrations are relatively low in seawater, some deep-sea brines and cold seeps offer higher concentrations of lithium.</p>	<p>Noted with thanks – this is an interesting addition, however, the data on brine pools are rare and for those we know about, all occur within either the Red Sea, Mediterranean Sea, or Gulf of Mexico - nowhere else, based on current data. We searched the available literature and are not aware</p>

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			Furthermore, new technologies, such as solid-state electrolyte membranes, can enrich the concentration of lithium from seawater sources by 43,000 times, increasing the energy efficiency and profitability of lithium extraction from the sea(39). These factors could divert extraction of lithium resources away from terrestrial to marine mining, with the potential for significant impacts to localized deep-sea brine ecosystems. These brine pools probably host many endemic and genetically distinct species that are largely undiscovered or awaiting formal description. Moreover, the extremophilic species in these environments offer potential sources of marine genetic resources that could be used in new biomedical applications including pharmaceuticals, industrial agents and biomaterials(40). These concerns point to the need to better quantify and monitor biodiversity in these extreme environments to establish baselines and aid management."	of any discoveries in the NACES area or wider region. What we know of the geology at NACES would suggest it is unlikely there are brine pools therefore at this point we do not have evidence to add any data on brine pools to the proforma.
46	104	Fair seas Ireland	(1) 'Impacts of fishing for mesopelagic species on the biological ocean carbon pump' In the section (pg 104) detailing 'actual or potential pressures from human activities within the boundary of the NACES MPA or the broader region might need management action' include an additional bullet point to 'a. Fishing using fixed and mobile gears': 'Including possible ecosystem disruption caused by fishing lower trophic fish (e.g. mesopelagic fish)'	Added to the section as suggested.
47	105	Fair seas Ireland	(2) 'Extraction of lithium from deep-sea brine pools' In the section (pg 105) detailing 'actual or potential pressures from human activities within the boundary of the NACES MPA or the broader region might need management action' include an additional bullet point to 'c. Seabed mining or other extractive activities': 'Including any damage or disturbance to the seabed and associated vulnerable habitats'	Added to the section as suggested.
48	Response to Q3	ICCAT	A list of ICCAT Conservation and Management Measures, which can be found here https://www.iccat.int/en/RecRes.asp	The information is noted with thanks. Updates were made to reflect the information.
49	Response to Q1 and Q2	ICCAT	To deal with task i) and ii), I first used the definition of the OSPAR MPA in the attached OsmarMPA-Coords.xlsx file to define their area. With this definition in hand, I extracted all observer data records submitted using the 2018 version of ST09 spanning 2015-2021 with records in this area (ObsDataInOSPAR.csv) but anonymized.	The information is noted with thanks. The section on A8. Characteristics of the area was updated to reflect the additional species based on the catch data provided.

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			<p>A spreadsheet ('ObsDatainOSPAR.csv') with Task 2 observation catch data for NACES in 2021. There are 7 records. These species are in the proforma.</p> <ul style="list-style-type: none"> • <i>Thunnus thynnus</i> – Atlantic bluefin tuna (x1) [OSPAR T&D] • <i>Prionace glauca</i> – Blue shark (x2) • <i>Isurus oxyrinchus</i> – Shortfin mako shark (x1) • <i>Xiphias gladius</i> - Swordfish (x2) • <i>Lepidocybium flavobrunneum</i> - Escolar (x1) <p>A spreadsheet ('t2catchInOspar.csv') with Task 2 catches in NACES for 2000-2022. These include catch units. I checked all species and there are 4 not included in the proforma (the rest are in Table 1 or Annex 8). None are OSPAR T&D.</p> <ul style="list-style-type: none"> • Katsuwonus pelamis - Skipjack tuna (LC/LC) • Makaira nigricans - Blue marlin (—/VU) • Istiophorus albicans - Atlantic sailfish • Kajikia albida - Atlantic white marlin (—/LC) <p>ICCAT did the same as above for Task 2 longline effort. There were 10 records from 1982-1988 but nothing from recent years.</p> <p>The file 'ST09-DomObPrg' shows the excel stat software used to calculate Task 2 catch data and provides codes to understand the other spreadsheets</p>	
50	Q2	ISA	<p>As shown in a figure provided, currently, there exist no mineral resource-related activities in the seabed lying beneath the NACES MPA. ISA has yet to receive any application for prospecting or exploration of mineral resources in this part of the Area. Existing ISA contract areas for the exploration of polymetallic sulfides are located south of the NACES MPA, with a distance of approximately 800km to the closest location of the NACES MPA. Three contracts have been granted by ISA for the exploration for polymetallic sulfides in the Atlantic Ocean, which are held by the Government of the Republic of Poland, the Government of the Russian Federation and the Institut français de recherche pour l'exploitation de la mer (Ifremer, France). The contract areas are located along the Mid-Atlantic Ridge, within 30km from the axis of the ridge.</p> <p>At this stage, there is not enough information to predict if there exist any mineral-resource interests in the seabed adjacent to the NACES MPA. Based on a recent report published by ISA, the known distribution of all three types of mineral resources (polymetallic sulphides (PMS), polymetallic nodules (PMN) and cobalt-rich ferromanganese crusts (CFC)) is limited at the NACES MPA site. The probability of economic resource-related occurrences of PMS and PMN is considered minor due to intense sedimentation processes. The estimated age of the oceanic crust underneath the NACES MPA and any occurring seamounts largely preclude the existence of</p>	<p>OSPAR 2023 received the letter with thanks and reflects the important information here. This is to recognise the value of the engagement and to take note of the information as a basis for future engagement.</p> <p>Due to the lateness of the response, it was not possible to include the information in the NACES MPA nomination proforma.</p>

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			prospective CFC, which usually occur on the top of seamounts.	
51	Q3	ISA	<p>Selected paragraphs from the letter:</p> <p>With respect to the protection of the marine environment, Article 145 of UNCLOS and section 1(5)(g) of the 1994 Agreement mandate ISA to adopt appropriate rules, regulations, and procedures to ensure effective protection of the marine environment from harmful effects which might arise from activities in the Area. This mandate is closely related to the other competences recognized to ISA relating to the promotion and encouragement of marine scientific research in the Area, and the equitable sharing of monetary and non-monetary benefits derived from activities in the Area.</p> <p>In line with article 145 of UNCLOS, the Council at its 18th session (2012), approved the establishment of the first ever environmental management plan for the Clarion-Clipperton Zone, on the basis of the recommendation of the Commission (ISBA/18/C/22). The plan included the designation of a network of nine areas of particular environmental interest.</p> <p>Building on several years of work and lessons learnt, the Commission presented a draft Regional Environmental Management Plan for the Area of the Northern Mid-Atlantic Ridge with a Focus on Polymetallic Sulphide Deposits (the “draft REMP”, ISBA/27/C/38) in November 2022 to the Council for consideration and adoption. Currently, the draft REMP does not cover the seabed under the NACES MPA area, notwithstanding its jurisdictional characters as part of the Area. The draft REMP applies to the Area in the northern Mid-Atlantic Ridge, and its geographical scope extends 100 km on each side of the ridge axis to ensure a broad coverage of the ridge system, including its axis and ridge flanks. This is in line with the priorities identified by the Council and the strategy (ISBA/24/C/3) endorsed on the rationale that the priority areas for REMP development should be areas where there are currently exploration contracts, including the Mid-Atlantic Ridge. The draft REMP sets out the goals and objectives for regional environmental management, including the encouragement of cooperation among stakeholders such as competent international and regional organizations within their mandates.</p> <p>The draft REMP has been developed through an extensive expert process involving three expert workshops during 2018-2020 and a formal stakeholder consultation from April to June 2022. The OSPAR Commission has been invited to attend the workshops and the stakeholder consultations. The draft REMP has been considered by the Council of ISA during its meeting in November 2022. The Council has requested the Legal and Technical Commission to further review the draft REMP, upon the adoption of a standardized approach to REMP development,</p>	<p>OSPAR 2023 received the letter with thanks and reflects the important information here. This is to recognise the value of the engagement and to note the information as a basis for future engagement.</p> <p>Due to the lateness of the response, it was not possible to include the information in the NACES MPA nomination proforma.</p>

N	Page or section	Organisation	Comments provided through the consultation procedure	Response by OSPAR
			<p>approval and review by the Council. It is also included in the draft REMP that after its adoption, the plan is to be reviewed by ISA at least every five years to determine its effectivity and suitability or need for amendment, on the basis of best available data and information.</p> <p>The draft REMP has been developed through an extensive expert process involving three expert workshops during 2018-2020 and a formal stakeholder consultation from April to June 2022. The OSPAR Commission has been invited to attend the workshops and the stakeholder consultations. The draft REMP has been considered by the Council of ISA during its meeting in November 2022. The Council has requested the Legal and Technical Commission to further review the draft REMP, upon the adoption of a standardized approach to REMP development, approval and review by the Council. It is also included in the draft REMP that after its adoption, the plan is to be reviewed by ISA at least every five years to determine its effectivity and suitability or need for amendment, on the basis of best available data and information.</p> <p>In this context, ISA wishes to reiterate its invitation the OSPAR Commission to join the global process initiated under UNCLOS and contributes to ensure that the available scientific data and information inform the discussion on the possible extension of the draft REMP under the auspices of ISA. This initiative would also provide a valuable opportunity to strengthen the cooperation between the OSPAR Commission and ISA under the Memorandum of Understanding (MoU) signed in 2010, through sharing of environmental data and ensuring appropriate coordination of measures is in place to conciliate the development of seabed mineral resources with comprehensive protection of the marine environment in the Area. In this context it is also worth recalling that the MoU recognizes that the ISA is the competent organization through which States Parties to UNCLOS shall organize and control activities in the Area, particularly with a view to administrating the mineral resources of the Area and to take necessary measures in order to ensure effective protection of the marine environment from harmful effects which may arise from activities in the Area as set out in article 145 of UNCLOS. Furthermore, that in areas where the “maritime area” defined in article 1(a) of the OSPAR Convention and the Area defined in article 1(1)(1) of the UNCLOS overlap, both the OSPAR Commission and ISA have complementary competence, and that this competence has to be exercised in accordance with the principles governing the Area and as stipulated in section 2 of Part XI of UNCLOS.</p>	



OSPAR Secretariat
The Aspect
12 Finsbury Square
London
EC2A 1AS
United Kingdom

t: +44 (0)20 7430 5200
f: +44 (0)20 7242 3737
e: secretariat@ospar.org
www.ospar.org

**OSPAR's vision is of a clean, healthy and biologically diverse
North-East Atlantic used sustainably**

Publication Number: 938/2023

© OSPAR Commission, 2023. Permission may be granted by the publishers for the report to be wholly or partly reproduced in publications provided that the source of the extract is clearly indicated.

© Commission OSPAR, 2023. La reproduction de tout ou partie de ce rapport dans une publication peut être autorisée par l'Editeur, sous réserve que l'origine de l'extrait soit clairement mentionnée.