



OSPAR Decision 2021/01 on the establishment of the *North Atlantic Current and Evlanov Sea basin Marine Protected Area*

Source: OSPAR 21/13/1, Annex 23

Preamble

RECALLING Article 2(1) of the Convention for the Protection of the Marine Environment of the North-East Atlantic (“the OSPAR Convention”),

RECALLING Annex V to the OSPAR Convention on the protection and conservation of the ecosystems and biological diversity of the maritime area, and in particular its Article 3(1)(b)(ii), which imposes a duty on the OSPAR Commission to develop means, consistent with international law, for instituting protective, conservation, restorative or precautionary measures related to specific areas or sites or related to specific species or habitats,

RECALLING the adoption of OSPAR Recommendation 2003/03 at the joint OSPAR/HELCOM Ministerial Meeting 2003 in Bremen, which calls upon Contracting Parties to establish the OSPAR Network of Marine Protected Areas and to ensure that by 2010 it is an ecologically coherent network of well-managed marine protected areas,

RECALLING that the need for protection of the biodiversity and ecosystems in the maritime area beyond national jurisdiction of the Contracting Parties is further recognised in the OSPAR North-East Atlantic Environment Strategy,

RECALLING that the OSPAR Commission endorsed in 2020 conservation objectives for the North Atlantic Current and Evlanov Seamount as set out in the Background Document OSPAR publication 2020/771,

RECALLING the commitment of the World Summit on Sustainable Development (WSSD, Johannesburg, September 2002) to promote the conservation and management of the oceans through actions at all levels, giving due regard to the relevant international instruments to develop and facilitate the use of diverse approaches and tools, including the ecosystem approach, the elimination of destructive fishing practices, the establishment of marine protected areas consistent with international law and based on scientific information, including representative networks by 2012 and time/area closures for the protection of nursery grounds and periods, proper coastal land use and watershed planning and the integration of marine and coastal areas management into key sectors,

RECALLING the United Nations General Assembly (UNGA) resolution A/RES/75/239 of December 2020 reaffirming the need for States to continue and intensify their efforts, directly and through competent international organisations, to develop and facilitate the use of diverse approaches and tools for conserving and managing vulnerable marine ecosystems, including the possible establishment of marine protected areas, consistent with international law, as reflected in the Convention (UNCLOS),

and based on the best scientific information available and encouraging States to further progress towards the establishment of marine protected areas, including representative networks¹,

RECALLING UNCLOS, which establishes the general legal framework on the sovereign rights and obligations of coastal States to areas under national jurisdiction, and in particular article 76 on the definition of the continental shelf, which includes the right of the coastal State to delineate outer limits of its continental shelf, article 77 on the rights of the coastal State over the continental shelf and article 78 on the legal status of the superjacent waters and air space and the rights and freedoms of other States,

RECOGNISING further that a range of human activities occurring, or potentially occurring, at the North Atlantic Current and Evlanov Sea basin Marine Protected Area are regulated in the respective frameworks of other competent authorities. These activities include, in particular, fishing (North-East Atlantic Fisheries Commission (NEAFC), International Commission for the Conservation of Atlantic Tunas (ICCAT), North Atlantic Salmon Conservation Organization (NASCO), and International Whaling Commission (IWC), shipping (International Maritime Organization (IMO)), and exploration and exploitation of deep-seabed mineral resources (International Seabed Authority (ISA)).

The Contracting Parties to the Convention for the Protection of the Marine Environment of the North-East Atlantic DECIDE:

1. Definitions

1.1 For the purpose of this Decision:

“Marine Protected Area (MPA)” means an area within the maritime area for which protective, conservation, restorative or precautionary measures, consistent with international law, have been instituted for the purpose of protecting and conserving species, habitats, ecosystems or ecological processes of the marine environment.

“OSPAR Network of Marine Protected Areas” means those areas which have been, and remain, reported by Contracting Parties, together with any other area in the maritime area beyond the national jurisdiction of the Contracting Parties which has been included as a component of the network by the OSPAR Commission.

“North Atlantic Current and Evlanov Sea basin” refers to an area beyond national jurisdiction in OSPAR Region V (wider Atlantic) of approximately 595,196 km² within the boundaries given in §3.1. The North Atlantic Current and Evlanov Sea basin area is approximately bounded in the north by the Charlie-Gibbs Fracture Zone, in the west by the Flemish Cap and the Grand Banks of Newfoundland, in the east by the Mid-Atlantic Ridge and in the south by the Azores.

“UNCLOS” means the United Nations Convention on the Law of the Sea, 1982.

¹ UNGA Resolution A/RES/75/239 Oceans and the law of the sea adopted on 31 December 2020, Paras 265, and 267.

2. Purpose and Scope

2.1 The purpose of this Decision is to establish the North Atlantic Current and Evlanov Sea basin MPA with the goal of protecting and conserving seabirds and the ecosystems of the waters superjacent to the seabed including their biodiversity and processes that support those populations in accordance with the conservation objectives set out in OSPAR Recommendation 2021/1 on the Management of the North Atlantic Current and Evlanov Sea basin MPA.

2.2 By 2023, the OSPAR Commission will examine the case for broadening the conservation objectives of the North Atlantic Current and Evlanov Sea basin MPA as set out in Annex 1 of OSPAR Recommendation 2021/1 and the scope of this Decision on the delineation of the MPA in accordance with the Roadmap for further development of the North Atlantic Current and Evlanov Sea basin MPA in OSPAR Agreement 2021-08.

2.3 This Decision shall apply without prejudice to the rights and obligations of coastal States, other States and international organisations in accordance with UNCLOS.

3. Establishment of the North Atlantic Current and Evlanov Sea basin MPA

3.1 The North Atlantic Current and Evlanov Sea basin MPA is an area of 595,196 km² bounded by the following coordinates² and is established as a component of the OSPAR Network of Marine Protected Areas:

Point	Longitude	Latitude
1	-39.681	53.122
2	-37.979	50.996
3	-31.998	50.994
4	-31.999	46.765
5	-39.916	41.911
6	-42.000	44.180
7	-42.000	45.492
8	-40.506	46.504
9	-41.173	48.762
10	-42.001	49.588
11	-42.000	53.118
12	-39.681	53.122

3.2 The boundaries of the marine protected area in this Decision may be reviewed by the OSPAR Commission.

4. Entry into Force

4.1 This Decision enters into force on 19 April 2022, 200 days from the date of its adoption.

² All coordinates are in decimal degrees on the WGS84 datum.