



# OSPAR Recommendation 2010/20 on an OSPAR framework for reporting encounters with conventional and chemical munitions in the OSPAR Maritime Area

As amended by OSPAR Recommendation 2023/02

## **(Consolidated text<sup>1</sup>)**

[OSPAR Recommendation 2010/20](#), adopted by OSPAR 2010. OSPAR 10/23/01, Annex 48

[OSPAR Recommendation 2023/02](#), adopted by OSPAR 2023. OSPAR 23/17/01, Annex 14

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 makes it a duty of the OSPAR Commission to develop means, consistent with international law, for instituting protective, conservation, restorative or precautionary measures related to specific areas or sites,

RECALLING that the OSPAR Quality Status Report 2010 and the Assessment of the Impact of Dumped Conventional and Chemical Munitions (publication 365/2008 (update 2009)) have concluded that the vast amounts of dumped munitions in the sea are a historical legacy representing a risk to fishermen, other coastal users and marine species and TAKING INTO ACCOUNT the experience gained in applying OSPAR Recommendation 2010/20 on an OSPAR Framework for Reporting Encounters with Conventional and Chemical Munitions in the OSPAR Maritime Area,

BEING AWARE of the problems that can arise from encounters at sea and on the coastline with conventional and chemical munitions and of the need to improve knowledge of the risks of such encounters,

BEING AWARE of research projects, for example, DISARM (Dumpsites of munitions: Integrated Science Approach to Risk and Management) and Interreg North Sea Wrecks in the OSPAR Maritime Area and DAIMON (Decision Aid for Marine Munitions) in other regions like the Baltic, which aim to provide a framework for the risk assessment of conventional and chemical munitions in dumping sites and ship wrecks,

DESIRING to provide a means through which Contracting Parties can exchange information on such encounters and thus promote discussion and informed decisions on the management options for munitions dumping sites,

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<sup>1</sup> The consolidated text integrates the original OSPAR measure with subsequent amendments adopted by OSPAR in a single, non-official document to facilitate documentation. Only the original OSPAR measure and the subsequent measures adopted by OSPAR to amend the basic measure are official documents.

NOTING that the OSPAR Commission has created, will maintain, and continue to make available to the public, a database of encounters with conventional and chemical munitions.

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

## **1. Definitions**

1.1 For the purpose of this Recommendation:

*“Conventional and chemical munitions”* means all types of conventional and chemical weapons and munitions, including chemical warfare agents and white phosphorous in any type of receptacle, weapon or munitions.

*“Dumping sites”* means areas of the maritime area where conventional or chemical munitions have been dumped.

## **2. Purpose and Scope**

2.1 The purpose of this Recommendation is:

2.1.1 to promote the reporting of encounters with conventional and chemical munitions by fishers, divers, surveyors, dredgers and any other users of the sea and its coastline,

2.1.2 to establish a record of such encounters, with the aim of facilitating:

- a. discussion and informed decisions on the management options for dumping sites;
- b. identification of the extent of areas around known dumping sites where dumped conventional and chemical munitions are to be found;
- c. the identification of previously unknown, or unrecorded, dumping sites;
- d. the designation on navigational charts of areas where a high risk exists of encounters on the seabed with conventional and chemical munitions.

2.2 This Recommendation applies to Contracting Parties which are coastal States of the OSPAR maritime area.

## **3. Programmes and Measures**

3.1 Contracting Parties should maintain systems whereby:

- a. fishers, divers, surveyors, dredgers and any other users of the sea and its coastline can readily report to an appropriate authority or body any encounters at sea or on the coastline with conventional or chemical munitions, and are encouraged to do so;
- b. those making such reports are encouraged to provide, for each such encounter, information on the location and nature of the encounter, the type and state of the device encountered (if known), the action taken with the device and, if the device was released or destroyed at sea, the location of the release or destruction;
- c. such reports are collected at a central point;
- d. public authorities which have to deal with any conventional or chemical munitions found at sea or on shore should report such encounters to the same central point, giving the information specified in subparagraph (b).

3.2 Contracting Parties should report the information collected under these systems by their central points to the OSPAR Commission as specified in paragraph 5.2. Only encounters that occur within Contracting Parties' own jurisdiction should be reported. Encounters in areas beyond national jurisdiction should be reported by the flag state of the vessel involved.

- 3.3 Contracting Parties should report encounters which occur within a short period of time to the OSPAR Commission as soon as they are aware of these encounters and not wait until the next report is due to be submitted to the OSPAR Commission.
- 3.4 Contracting Parties are encouraged to provide information to fishers, divers, surveyors, dredgers and any other users of the sea and its coastline on safe practices when encountering conventional or chemical munitions.
- 3.5 Within the framework of the OSPAR Commission, Contracting Parties should promote information sharing on munitions in general, especially on environmental risk assessment of conventional and chemical munitions within the OSPAR maritime area with the aim of developing a shared approach.
- 3.6 Contracting Parties which are Member States of the European Union should ensure that systems operated for the purpose of this Recommendation are consistent with the provisions of the Marine Strategy Framework Directive, the Water Framework Directive and related legislation.
- 3.7 The arrangements set out in this Recommendation should be reviewed periodically in the light of experience.

#### **4. Entry into Force**

- 4.1 This Recommendation has effect from 1 January 2011. Upon taking effect this Recommendation supersedes OSPAR Recommendation 2003/2 on an OSPAR Framework for Reporting Encounters with Marine Dumped Conventional and Chemical Munitions.

#### **5. Implementation Reports**

- 5.1 The first reports under this Recommendation should be submitted to the OSPAR Commission by 1 September 2011. Reporting will be annually thereafter.
- 5.2 Contracting Parties should use the reporting format in Agreement 2023-08 for their reports to the OSPAR Commission.