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Collective arrangement between competent international organizations on cooperation and coordination regarding selected areas in areas beyond national jurisdiction in the North-East Atlantic

Note by the Secretariat

On 1 July 2014, the Secretariat of the International Seabed Authority received a note verbale from the Legal Directorate of the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland, referring to the attached paper entitled “Collective arrangement between competent international organizations on cooperation and coordination regarding selected areas in areas beyond national jurisdiction in the North-East Atlantic”.

By that note verbale, the United Kingdom of Great Britain and Northern Ireland informs the Authority that this collective arrangement now exists between the North-East Atlantic Fisheries Commission and the OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic. The United Kingdom of Great Britain and Northern Ireland, and Germany, would like to jointly request that this item be included in the agenda for the twentieth session of the Council of the International Seabed Authority, under item 17 (Other matters), with a view to requesting the Secretariat of the Authority to consider joining the collective arrangement.

The above-mentioned note verbale and the collective arrangement are attached as enclosure I and enclosure II, respectively.



Enclosure I

Note verbale dated 1 July 2014 from the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland

The Legal Directorate of the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the International Seabed Authority and has the honour to refer to the attached paper “Collective arrangement between competent international organizations on cooperation and coordination regarding selected areas in areas beyond national jurisdiction in the North-East Atlantic”.

The United Kingdom of Great Britain and Northern Ireland would like to inform the International Seabed Authority that this Collective Arrangement now exists between the North-East Atlantic Fisheries Commission and the OSPAR Commission for the protection of the North-East Atlantic. The United Kingdom of Great Britain and Northern Ireland, and Germany, would like to jointly request that this item is put on the agenda for the Council meeting of the International Seabed Authority at its twentieth session, under agenda item 17, “Other matters”, with a view to requesting the Secretariat of the International Seabed Authority to consider joining the Collective Arrangement.

Enclosure II

Collective arrangement between competent international organizations on cooperation and coordination regarding selected areas in areas beyond national jurisdiction in the North-East Atlantic

1. This collective arrangement between competent international organizations applies to selected areas in areas beyond national jurisdiction in the North-East Atlantic as specified in annex 1 to this collective arrangement.
2. Competent international organizations should inform each other of any new area that they notify as being covered by this collective arrangement, as well as of any area being removed from being covered by this collective arrangement and any change regarding the border or status of an area previously notified. Annex 1 should be updated in accordance with such information.
3. Competent international organizations referred to in this collective arrangement (see annex 2) are entities that have international legal competence under relevant international law to protect the marine environment in the North-East Atlantic and/or manage human activities that can affect the marine environment in the North-East Atlantic.
4. The cooperation and coordination of competent international organizations regarding selected areas in areas beyond national jurisdiction in the North-East Atlantic should be based on:
 - (a) Applicable internationally agreed principles, standards and norms;
 - (b) Memoranda of understanding and other bilateral cooperation arrangements between competent international organizations (in annex 2 to this arrangement);
 - (c) Scientific evidence;
 - (d) Relevant binding and non-binding international instruments, including the United Nations Convention on the Law of the Sea; the Convention for the Protection of the Marine Environment of the North-East Atlantic; the Convention on Future Multilateral Cooperation in North-East Atlantic Fisheries; the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations; the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area; the Regulations on Prospecting and Exploration for Polymetallic Sulphides in the Area; the Regulations on Prospecting and Exploration for Cobalt-rich Ferromanganese Crusts in the Area; and the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto.
5. The competent international organizations should, within the framework of their respective mandate, competence, principles and rules, cooperate and seek coordination to ensure that suitable measures for the conservation and management of these areas are implemented, informed, where appropriate, by conservation objectives established for these areas.

6. To this end the international organizations should:

(a) Inform each other, as appropriate, of any relevant updated scientific information and environmental assessment and monitoring data;

(b) Notify and inform each other of existing and proposed human uses relating to any area in annex 1;

(c) Cooperate, where appropriate, on environmental impact assessments, strategic environmental assessments and equivalent instruments;

(d) Consult annually to review their respective objectives in relation to the areas listed in annex 1, the status of the areas concerned and existing measures;

(e) Cooperate to obtain a better knowledge of the areas concerned through, where appropriate, developing exchange of data, sharing of databases and collecting data in standardized formats;

(f) Consult the coastal State in those cases where the areas listed in annex 1 are superjacent to areas under national jurisdiction, as appropriate.

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Annex 1

Selected areas beyond national jurisdiction in the North-East Atlantic

This arrangement between competent international organizations applies to the following areas beyond national jurisdiction in the North-East Atlantic:

Explanatory note [to annex 1]:

This annex will include all areas that have been notified pursuant to paragraph 2 of this arrangement. This will presumably include areas established as components of the OSPAR Network of Marine Protected Areas; areas the North-East Atlantic Fisheries Commission has closed to bottom fishing; and any other areas where a competent international organization has established area-based management measures.

Annex 2

Memoranda of understanding and other bilateral cooperation arrangements between competent international organizations

Explanatory note [to annex 2]:

This annex will include the memoranda of understanding between the competent international organizations that have agreed to this collective arrangement. This will include the memorandum of understanding between the North-East Atlantic Fisheries Commission (NEAFC) and the OSPAR Commission. As other organizations join the collective arrangement, the relevant memoranda of understanding will then be added to this annex.
