

Ensuring Compliance with Multilateral Environmental Agreements¹

PAPER 7. OSPAR CONVENTION ON THE PROTECTION OF THE MARINE ENVIRONMENT OF THE NORTH-EAST ATLANTIC

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The OSPAR Commission ("OSPAR") is the means by which the countries of the North-East Atlantic cooperate in protecting their seas. It was created by the Convention for the Protection of the Marine Environment of the North-East Atlantic, which was opened for signature in Paris on 22 September 1992, and entered into force on 25 March 1998.

2. This paper sets out to cover five aspects of the question of how the OSPAR Commission ensures compliance with the obligations and commitments that the Contracting Parties enter into under the OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic:

- a. to set the scene about the origins of the OSPAR Convention's predecessors, and the approach to compliance that was initially adopted;
- b. to describe the way in which practice on compliance developed in the first twenty years of operating the OSPAR system;
- c. to explain the changes that were made in 1992;
- d. to describe the way in which those changes have been implemented;
- e. to set out what has been achieved as a result.

A. Scene-setting

The origins of the Commission

3. OSPAR is the latest stage in developments which began in the late 1960s.

4. In 1967, the oil tanker *Torrey Canyon* ran aground on the Seven Stones reef to the south-west of England. This led to the release of 117 000 tonnes of oil into the sea, with disastrous consequences for the environment. These events proved to be a pivotal point for international cooperation to combat marine pollution in the North-East Atlantic. It ultimately stimulated the signature, in 1969, of the Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil (the "Bonn Agreement"), a sister organisation of the OSPAR Commission, which shares the same secretariat.

5. At the same time, concern about the effects of chemicals on the environment was leading to stricter controls over chemical waste. One reaction was the rapid growth in the dumping of such waste at sea. In 1968 the International Council for the Exploration of the Sea (ICES) drew attention to the vast quantities of waste which were being disposed of in this way.

6. Several initiatives by Governments resulted. The Nordic States met in January 1971, and agreed both to adopt bans on dumping toxic and persistent substances from their own ships, and

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² The views in this paper are personal, and do not necessarily represent the views either of the OSPAR Commission or the Contracting Parties to the OSPAR Convention. The paper is subject to revision in the light of discussion at the conference and should not be quoted in its present form.

to set up an international conference to consider an international agreement on the subject. The German Government was considering a similar initiative. Preparations were in hand for the 1972 United Nations Stockholm Conference on the Human Environment, and a meeting was organised in London in June 1971 to prepare material for that conference on the issue of dumping at sea.

7. Events then precipitated international action. A Dutch ship, the *Stella Maris*, sailed from the port of Rotterdam on 16 July 1971 to dump 650 tonnes of chlorinated chemical waste in the North Sea. The combined weight of public opinion and the views of the Governments of many North-East Atlantic countries obliged her to return to port on 25 July without carrying out the planned dumping. While this was happening, a meeting between Belgium, France, the Federal Republic of Germany, the Netherlands and the United Kingdom started on 23 July 1971 in Paris, as a result of the London meeting in June 1971, to develop a common position on the issue of dumping. The coincidence of the events led to agreement to develop international rules to control dumping at sea. In cooperation with the Nordic States, the Oslo Convention³ was negotiated and signed on 15 February 1972 - within eight months of these events. It entered into force on 6 April 1974.

8. In June 1972, the UN Stockholm Conference on the Human Environment adopted a declaration setting out the Stockholm Principles. Principle 7 states that "States shall take all possible steps to prevent pollution of the seas by substances that are liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea."

9. To give effect to this principle for the North-East Atlantic, the French Government organised a diplomatic conference in Paris in December 1972. There was ready agreement to draw up an international agreement dealing with the prevention of marine pollution by discharges of dangerous substances from land-based sources, watercourses or pipelines, but the details proved more complex to resolve than those of the Oslo Convention. Nevertheless, by June 1974, all the details had been resolved and the Paris Convention⁴ was opened for signature. It entered into force on 6 May 1978.

10. Both the Oslo Convention and the Paris Convention created a Commission to oversee their implementation. These two Commissions worked closely together, established a common secretariat, and organised joint activities, some of which, as I shall explain, have been important from the point of view of compliance.

Compliance mechanisms

11. As will be seen from the relationship of dates of the adoption of the Conventions to the date of the Stockholm Conference, these were among the earliest international conventions of the modern period which imposed obligations on States about the way in which they would manage their internal controls on activities affecting the environment. To that extent, it is not surprising that the Conventions do not contain detailed provisions on how compliance by any Contracting Party with the requirements of the Conventions should be ensured. It was relatively novel that Contracting Parties were entering into international obligations about the way in which they would manage their national legislation and administration in this field. It would, at that stage, have been an even greater innovation to give to other States the right to intervene to check on the performance of that national legislation and administration.

12. Nevertheless, the Conventions did contain some effective measures to ensure that there was implementation.

13. A distinction can be drawn between compliance measures: which are

³ Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft, Oslo, 15 February 1972.

⁴ Convention for the Prevention of Marine Pollution from Land-Based Sources, Paris, 4 June, 1974.

- a. some are “external” and operate independently of the national legislation and administration; and
- b. some are “internal” and involve examination of the national legislation and administration

Both Conventions contained requirements of both kinds, but the subsequent emphasis was very much on the former kind, which could create public confidence that the Conventions were being implemented without detailed intervention in what national legislatures and administrations were doing.

14. The main element of the first kind was a provision in both Conventions establishing joint monitoring programmes⁵. The idea behind this was that, since the Conventions were aimed at preventing and eliminating marine pollution, the best way to see whether there was compliance was to see what was the scale of pollution that was found in the marine environment. If the level of marine pollution was reduced, then there was at least significant compliance with the obligations of the Conventions.

15. The Oslo Convention contented itself with specifying that the purpose of this monitoring system was to see “the distribution and effects of pollutants” in the Convention area. Within two years, however, thinking had progressed, and the Paris Convention provided that the permanent monitoring system should allow:

- a. “the earliest possible assessment of the existing level of marine pollution”; and
- b. “the assessment of the effectiveness of measures for the reduction of marine pollution from land-based sources taken under the terms of the present conventions.”

This was not exactly checking *compliance*, but it would tend to show whether there was compliance, since any question about the effectiveness of the measures would immediately raise questions whether the measures had been properly implemented.

16. Both Conventions also contained provisions requiring some information to be reported about the operation of the national administrations in implementing the Conventions:

- a. the Oslo Convention, which prohibited the dumping of the most polluting substances (the “Black List”) and required individual permits for dumping other polluting material (the “Grey List”) and approval of all dumping, required Contracting Parties “keep, and transmit to the Commission, according to a standard procedure, records of the nature and the quantities of the substances and materials dumped under permits or approvals issued by that Contracting Party, and of the dates, places and methods of dumping”⁶;
- b. the Paris Convention, which required Contracting Parties to endeavour to reduce existing pollution and to forestall future pollution, also required Contracting Parties to transmit to the Commission “the most detailed information available on the substances listed in the Annexes to the present convention and liable to find their way into the maritime area”.

In both cases, the Commission was to consider this material and consider what further programmes and measures were needed.

17. Finally, the Paris Convention⁷ went further and required more information about national legislation and administration, by requiring Contracting Parties:

- a. “to ensure compliance with the provisions of this convention and to take in its territory appropriate measures to prevent and punish conduct in contravention of the provisions of the present convention”; and

⁵ Oslo Convention, Article 13; Paris Convention, Article 11.

⁶ Oslo Convention, Article 11.

⁷ Paris Convention, Article 12.

- b. to “inform the Commission of the legislative and administrative measures they have taken to implement the provisions of the preceding paragraph”.

The Convention⁸ then empowered the Commission to review this information.

B. Practice on compliance checking in the 1970s and 1980s

18. As the Commissions began their work, they concentrated on the major forms of marine pollution that were seen as threats to the North-East Atlantic. These included particularly the pollution from the dumping of industrial waste, and from discharges and emissions from the chlor-alkali industries (largely mercury pollution), the titanium dioxide (white pigment) industries, pulp and paper industries and oil pollution from offshore installations.

19. The work of the Commissions was stimulated very much by the parallel work of the first three International Conferences for the Protection of the North Sea – the Bremen (1983), London (1987), Hague (1990) North Sea Conferences. These conferences brought together the Ministers (and the Member of the European Commission) responsible for the marine environment of the North Sea and thus provided a firm political input to the process, by setting targets which were specific (50% reductions in discharge levels for certain pollutants, for example) and demanding, but not legally binding.

20. In the light of the distinction drawn above between “external” and “internal” means of verification of compliance, the approaches adopted to show what was happening were largely “external”.

21. Statistics on dumping of wastes were regularly collected, analysed and published. These showed a steady reduction in the amount of waste being dumped, and the cessation of dumping of various kinds of waste as Oslo Convention programmes and measures were progressively adopted and implemented. These statistics were published in the annual reports of the Commissions, and thus demonstrated publicly the progress of implementation.

22. Likewise, statistics on the various industries targeted by specific measures were collected analysed and published by the Paris Commission.

23. These approaches were, however, supplemented by a major independent verification effort in the form of the Joint Monitoring Programme of the two Commissions. The Joint Monitoring Group, which organised and supervised this programme. It set out to provide high-quality scientific data on what was happening with the relevant pollutants. The work again was made public through the Commissions’ annual reports and publications in peer-reviewed scientific publications. The scientific quality of the work was underwritten through the following approaches:

- a. the monitoring was carried out in many States by marine research institutes which were not responsible for the administration of the licensing and control systems;
- b. there was regular peer-review of what was being done;
- c. the International Council for the Exploration of the Sea (ICES) was used to develop some of the scientific techniques. Although this international body is manned by many of the same people as were active in the Oslo and Paris Commissions, it sets out to provide an independent scientific framework for its work, thus giving an objectivity to its inputs. It also involves scientists from major States (Canada, Russian Federation, United States of America) outside the Oslo and Paris “family”, further enhancing the objectivity.

24. The Joint Monitoring Programme thus provided a major, objective check on whether the goals of the two Conventions were being achieved, and thus on whether Contracting Parties were

⁸ Paris Convention, Article 16.

complying with the programmes and measures which they contained or which had been developed within their frameworks.

25. This external compliance-checking was underpinned by the work done by the North Sea Conferences. For the Bremen and London conferences, there were prepared quality status reports, which aimed at giving an overview of all aspects of the health and (in today's language) sustainability of the North Sea. These reports showed, among other things, how little was known about the state of the North Sea. A major programme was therefore set up by the OSPAR Secretariat and ICES to produce a thorough evaluation of the quality of the North Sea. This took until 1993 to produce, but resulted in a check on progress of a very thorough kind. In summary, it showed that the goals of the Oslo and Paris Conventions were very much on the way to achievement, and that the major problems of maintaining the health and sustainability of the North Sea lay elsewhere – particularly in fisheries, pollution from shipping and other non-polluting human impacts.

26. This emphasis on the “external” approach to compliance checking was made clear in the “Strategy for the Future” adopted jointly by the two Commissions in 1984⁹. This said that information on such issues as changes in discharge rates and trends in monitoring data were important tools for assessing the effectiveness of the Conventions, and recorded decisions that their technical groups should collect this information on a regular basis, although the then current practice of examining some issues at intervals of several years was satisfactory.

27. “Internal” compliance-checking was not, however, completely neglected. In 1982, to mark the tenth anniversary of the Oslo Convention, the two Commissions prepared a book¹⁰ which, as well as giving a history of the first ten years, described in detail what each Contracting Party had done by way of implementation.

C. Up-dating and unification

General

28. When the twentieth anniversary of the Oslo Convention was approaching, the two Commissions decided that the time had come to up-date and unify the Conventions. A revision process was therefore started. Most of the discussion during this process was concerned with how to incorporate into a new convention concepts which had been developed over the first twenty years, such as the precautionary principle, the “polluter pays” principle, the use of best available techniques, and the “reverse list” approach to the control of dumping¹¹.

29. One very important substantive development was the inclusion in the revised convention of a provision allowing the convention to be extended to cover fields other than pollution prevention. Use was made of this to adopt, immediately after the new convention had entered into force, a new Annex covering the protection and conservation of marine biological diversity and ecosystems.

30. To organise the work of the Commission, the first Ministerial meeting of the unified Commission in 1998 adopted four strategies (on biodiversity and ecosystems, on eutrophication, on hazardous substances and on radioactive substances) and arranged for the adoption of a fifth strategy in 1999 (on the offshore industries). These strategies, revised by the second Ministerial meeting in 2003, now lay down the lines on which decisions, recommendations and other agreements will be developed.

Compliance

31. Some of the discussion in the development of the new unified convention, however, was concerned with procedural issues. One important aspect was the clarification that the new unified

⁹ Section D1/84-E of the (loose-leaf) PARCOM Manual, paragraphs 34 – 37.

¹⁰ *The Oslo and Paris Conventions: The First Ten years*, London, 1982.

¹¹ That is, that dumping was prohibited generally, subject to limited exceptions.

OSPAR Commission would be able to adopt decisions which would be binding in international law on the Contracting Parties that accepted them, and the agreement of a clear mechanism for the adoption of such decisions.

32. During the discussions, however, Germany drew attention¹² to a proposal that Finland had submitted to the parallel revision process that was under way for the Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area. Finland had proposed that, on the model of the procedure adopted under the Montreal Protocol¹³, the up-dating of the Helsinki Convention should include provision for an implementation committee of three Contracting Parties, to consider how amicable resolution could be achieved of cases where one or more Contracting Party considered that another Contracting Party was failing to meet its obligations.

33. A Policy Working Group was established to resolve the more difficult issues. At its first meeting in Paris in January 1991, this considered an initial outline of the unified convention developed by the Netherlands, and agreed that an initial draft should be prepared by France and the Netherlands, with assistance from Norway. When this first draft was considered by the second meeting of OSPARREV, it contained a draft clause on compliance. As a result of discussion, this was amended

- a. to give functions directly to the Commission, rather than to a special committee;
- b. to divide it into separate clauses on reporting and on compliance;
- c. to extend the reporting obligations to the (legally binding) decisions and the (non-binding) recommendations of the Commission, as well as the primary obligations contained in the convention.

34. The further discussions during 1991 and 1992 did not make any major changes to this draft, although the references to the role of a complainant Contracting Party and to information provided by observers from non-governmental observers were removed.

35. As a result, the OSPAR Convention as adopted contained two articles providing that:
"The Contracting Parties shall report to the Commission at regular intervals on:

- (a) the legal, regulatory, or other measures taken by them for the implementation of the provisions of the Convention and of decisions and recommendations adopted thereunder, including in particular measures taken to prevent and punish conduct in contravention of those provisions;
- (b) the effectiveness of the measures referred to in subparagraph (a) of this Article;
- (c) problems encountered in the implementation of the provisions referred to in subparagraph (a) of this Article."

"The Commission shall:

- (a) on the basis of the periodical reports referred to in Article 22 and any other report submitted by the Contracting Parties, assess their compliance with the Convention and the decisions and recommendations adopted thereunder;
- (b) when appropriate, decide upon and call for steps to bring about full compliance with the Convention, and decisions adopted thereunder, and promote the implementation of recommendations, including measures to assist a Contracting Party to carry out its obligations."¹⁴

¹² In document OSPARREV 1/1/8, presented to the first meeting of the Joint Meeting of the Ad Hoc Working Groups on the Review of the Conventions (OSPARREV), in Berlin in November 1990..

¹³ The Protocol on Substances that Deplete the Ozone Layer, Montreal, 1987, article 8.

¹⁴ OSPAR Convention for the Protection of the Marine Environment of the North East Atlantic, Paris, September 1992, articles 22 and 23.

36. The Ministerial Declaration, adopted by the joint Ministerial meeting of the Oslo and Paris Commissions, "EMPHASISE[D] the importance of the new compliance procedure in ensuring the effectiveness of the measures taken by the Contracting Parties" and "DECLARE[D] their willingness to exchange information on ways and means of enforcing the measures adopted under the Convention"¹⁵. Accordingly, an item (F1) was included in the action plan¹⁶ "to establish and apply a mechanism to report on the implementation of, and to assess the compliance of Contracting Parties with, the Conventions and the Decisions and Recommendations adopted under them".

"External" measurement of implementation

37. The new unified convention also included a stronger emphasis on the need for monitoring and assessment of what was occurring in the marine environment. An annex to the convention, parallel to the three annexes on the control of pollution, set out obligations to monitor the marine environment, to assess it and to produce quality status reports. Building on the work of the North Sea Quality Status report of 1993, in 2000, five sub-regional reports were produced, which were synthesised into a holistic report covering the whole of the North East Atlantic. This represented a major achievement, since no such detailed report had previously been produced for such a large area of the world's oceans. This Quality Status Report, which was subjected to peer review, gave an authoritative assessment of what had been achieved under the Oslo and Paris Conventions, and showed, again, that much was moving in the right direction, but that major efforts continued to be required in certain fields.

38. The Fourth North Sea Conference (Esbjerg, Denmark, 1995) and the Fifth North Sea Conference (Bergen, Norway, 2002) also made major contributions to "external" measurement of what was being achieved. Both conference produced detailed progress reports on what was being done to deliver the commitments of earlier North Sea Conferences, and the Bergen Conference resulted in the development of harmonised reporting procedures for discharges and emissions of hazardous substances and of nutrients, which are being applied to ensure more consistent reporting of what is happening, both in OSPAR and in some of the European Community contexts.

D. Implementing the new approach

39. Once the new convention had been adopted, it was necessary to consider how to follow up the new features that it contained. Some preliminary consideration has been given to this in 1991, when the Paris Commission endorsed the conclusion of its Industrial Sectors Working Group (INDSEC) that "Contracting Parties should, as a general rule, report on the implementation of all PARCOM recommendations and decisions elaborated by INDSEC one year after they had entered into force"¹⁷.

40. In March 1993, the Heads of Delegation considered the various issues, and as a result, the United Kingdom presented a document¹⁸ to the next joint meeting of the Oslo and Paris Commissions in Berlin in June 1993 (OSPAR 1993). This examined the possible ways in which the new provisions of effectiveness and compliance could be followed up, and drew attention to the fact that, although the new convention continued in force the *acquis* of the old conventions, unaltered in its legal force, the new compliance provisions applied only to new measures adopted under the new convention.

41. In the light of the discussion of this paper, the 1993 joint meeting of the two Commissions decided¹⁹ that in principle Contracting Parties should report on the implementation of decisions and

¹⁵ *Ministerial Meeting of the Oslo and Paris Commissions, Paris 21-22 September 1992*, London, 1993 at pages 117 and 119.

¹⁶ *Ibidem*, page 126.

¹⁷ Summary Record of the Paris Commission meeting at the Hague, June 1991 (PARCOM 13/9/1), paragraph 4.71.

¹⁸ OSPAR 15/6/3.

¹⁹ Summary Record of OSPAR 1993 held at Berlin, in June 1993 (OSPAR 15/13/1), paragraphs 4.14 and 7.3.

recommendations to the working group from which they had emanated one year after the instruments had come into force, but that further decisions on the Commission's working structure were needed before methods and time-frames were decided.

42. After an informal discussion at the subsequent meeting of the heads of delegation to the Commission, the Programmes and Measures Committee noted²⁰ that only one Contracting Party had reported on all nine instruments due for an implementation report under the approach agreed in 1991, and that no assessment could be made of compliance with a further seven instruments because of the complexity of the requirements. The overall conclusion can best be summarised by saying that this was a difficult field that needed further work.

43. In the light of this discussion, the 1994 joint meeting of the Commissions²¹ agreed to publish the implementation reports as they stood, with such improvements as could be agreed by correspondence, and, more importantly, that new guidelines were needed both for the preparation of decisions and recommendations and for implementation reports. A similar approach was adopted for subsequent implementation reports in 1995 – 1997.

44. As a result of work by the OSPAR Secretariat with the chairmen of the relevant committee and working groups, a new set of guidelines for both the preparation of decisions and recommendations and for implementation reporting was agreed by the 1994 meeting of the Programmes and Measures Committee²² on a provisional basis, subject to review.

45. An important element of these guidelines was guidance that all future drafts of OSPAR decisions and recommendations should be accompanied by an implementation reporting format, for which details were given. It is to be noted, however, that the eventual conclusion²³ was that the requirement for the use of the reporting format should only have the status of a recommendation, even if included in a decision, the rest of which was legally binding. This was because of the problems of some Contracting Parties in handling in their national implementing legislation legal obligations on reporting.

46. At the same time, a process was under way to clarify which pre-1992 decisions and recommendations should be regarded as remaining in force. Before 1992, decision and recommendations had not usually been drafted as formal instruments, but would often taken the form of a paragraph in the summary record. Since many had been superseded by subsequent decisions or recommendations and others had been converted into provisions of the revised convention, considerable examination was needed. Each working group and committee was asked to review the instruments in its field. The outcome was a proposal for a decision by the first meeting of the OSPAR Commission under article 31(2) of the new Convention, formally revoking the spent and unnecessary decisions and recommendations. This would leave the way clear for a list of what was recognised as still in force.

47. The OSPAR Convention entered into force on 25 March 1998. All this work could therefore be brought to a conclusion by the first meeting of the new Commission, held in Sintra, Portugal, in July 1998. This Ministerial Meeting adopted²⁴:

²⁰ Summary Record of PRAM 1994 held at Dresden in March 1994 (PRAM 1/15/1) paragraphs 6.3 to 6.12.

²¹ Summary Record of OSPAR 1994 held at Karlskrona, Sweden, in June 1994 (OSPAR 16/13/1), paragraphs 3.6 to 3.15.

²² Summary Record of PRAM 1995 held at Oviedo, Spain, in February 1995 (PRAM95/13/1), paragraphs 2.1 to 2.3 and Annex 4.

²³ See paragraph of the Summary Record of OSPAR 1999 held at Copenhagen in June 1999 (OSPAR 99/

²⁴ Summary Record of OSPAR 1998 held at Sintra, Portugal in July 1998 (OSPAR98/14/1), paragraphs 4.7 (Official Segment) and 2.2 (Ministerial Segment) and Annexes 7 and 28.

- a. OSPAR Decision 98/1, which revoked a whole range of decisions, recommendations and other agreements;
- b. a Standard Implementation Reporting and Assessment Procedure.

48. The main features of the Standard Procedure is that for each instrument a lead country should be identified (in practice this will be the country that prepared the first draft of the original instrument, although where this country is not a coastal state of the OSPAR maritime area and monitoring of the sea is required another country will need to assist). This lead country has the task of preparing (where the instrument whose implementation is being reported does not already contain a reporting format) a suitable reporting format, which will be agreed by the relevant committee. In accordance with the timetable laid down in the Standard Procedure, the countries concerned should report on what they have done to implement the instrument (some countries may be able simply to report that they have no relevant industries). The lead country then prepares an overview of the implementation reports, which is discussed and agreed by the relevant committee and approved for publication by the OSPAR Commission.

E. What has been achieved – and the future

49. There has now been a complete cycle of implementation reporting since the adoption of the Standard Procedure. There have been difficulties in obtaining implementation reports from all the Contracting Parties. However, the meeting of Heads of Delegation has started regularly (twice a year) reviewing a report on the status of the submission of implementation reports, showing the deadlines for submission of reports, the dates on which countries have reported and which countries have not reported, and has now (2004) approved the publication of this report in the Commission's annual report. This has been remarkably successful in ensuring that reports have been submitted.

50. The results are that overviews of implementation reports have now been published on the OSPAR website²⁵ for 38 instruments relating to the eutrophication strategy, the hazardous substances strategy and the offshore industries strategy. The instruments concerned are listed in the appendix.

51. Implementation reporting in relation to the radioactive substances strategy has proceeded rather differently. There are several instruments on which implementation reporting is not sensible, since they have been adopted by a majority which does not include the only Contracting Parties with installations covered by them, and which are not therefore bound by the instruments in question. A report will, however, shortly be published on PARCOM Recommendation 91/4 on the use of best available techniques to reduce discharges of radioactive substances from nuclear plants. This is based on a four-yearly reporting cycle by the relevant Contracting Parties, which has been managed separately from the other implementation reporting.

52. The development of the biological diversity and ecosystem strategy is now raising new questions on implementation reporting. The new recommendation on the creation of an ecologically coherent network of well-managed marine protected areas raises different sorts of question on implementation reporting from those raised by the traditional instruments for controlling pollution. New approaches are being developed, but it is too early to report on these.

53. All the work on "internal" reporting, as described in the last two sections, has not meant an end to the work of "external" reporting on whether the desired improvements in the marine environment of the OSPAR maritime area can be shown to be occurring. On the contrary, this has been continuing, and has been developed into a Joint Assessment and Monitoring Programme, which is the subject of a sixth main strategy. This aims to produce a second Quality Status Report which will aim to integrate assessment of what has been achieved by the implementation of the various OSPAR measures and the measurement of the quality of the marine environment.

Appendix – OSPAR Instruments on which Overviews of Implementation Reports have been produced

eutrophication Strategy

PARCOM Recommendation 88/2 and National Action Plans on the reduction of the inputs of nutrients (Update 2003)

PARCOM Recommendation 89/4 and National Action Plans on a coordinate programme for the reduction of inputs of nutrients (Update 2003)

PARCOM Recommendation 92/7 on the Reduction of Nutrient Inputs from Agriculture into Areas where these Inputs are Likely, Directly or Indirectly, to Cause Pollution

Hazardous Substances Strategy

PARCOM Recommendation 87/1 on the Use of Tributyl-Tin Compounds and PARCOM Recommendation 88/1 on Measures to Reduce Organotin Compounds reaching the Aquatic Environment through Docking Activities

PARCOM Recommendation 89/3 on Programmes and Measures for Reducing Mercury Discharges from Various Sources

PARCOM Recommendation 89/5 Concerning Refineries - Report updated in 2004 and now (includes an addendum which covers reports from France, Luxembourg and Spain)

PARCOM Decision 90/3 on Reducing Atmospheric Emissions from Existing Chlor-alkali Plants. (Update 2004).

PARCOM Recommendation 91/3 on Measures to be Taken and Investigations to be Carried Out in order to Reduce Pollution from Secondary Iron and Steel Production

PARCOM Decision 92/1 on the Reduction of Discharges of Chlorinated Organic Substances from the Production of Bleached Kraft and Sulphite Pulp

PARCOM Decision 92/3 on the Phasing Out of PCBs and Hazardous PCB Substitutes

PARCOM Recommendation 92/1 on BAT for plants producing anodes and for new electrolysis installations in the primary aluminium industry

PARCOM Recommendation 92/4 on the Reduction of Emissions from the Electroplating Industry

PARCOM Recommendation 92/5 Concerning Best Available Technology in the Pharmaceutical Manufacturing Industry. (This report was updated in 2004 to include information submitted by Luxembourg and Spain.)

PARCOM Recommendation 92/8 on Nonylphenol-Ethoxylates

PARCOM Recommendation 93/1 Concerning Limitation of Pollution from Existing Primary Iron and Steel Production Installations

PARCOM Recommendation 93/2 on Further Restrictions on the Discharge of Mercury from Dentistry

PARCOM Recommendation 93/4 on the Phasing Out of Cationic Detergents DTDMAC, DSDMAC and DHTDMAC in Fabric Softeners. (Update published in 2003).

PARCOM Recommendation 94/1 on Best Available Techniques for New Aluminium Electrolysis Plants

PARCOM Recommendation 94/2 on Best Available Techniques and Best Environmental Practice for the Integrated and Non-Integrated Sulphite Paper Pulp Industry

PARCOM Recommendation 94/3 on Best Available Techniques and Best Environmental Practice for the Integrated and Non-Integrated Kraft Pulp Industry

PARCOM Recommendation 94/4 on Best Available Techniques for the Organic Chemical Industry. (This assessment has been updated in 2004 to include information submitted by France, Luxembourg and Spain.)

PARCOM Recommendation 94/5 on BAT and BEP for Wet Processes in the Textile Processing Industry (Overview published in 2003)

PARCOM Recommendation 94/6 on Best Environmental Practice for the Reduction of Inputs of Potentially Toxic Chemicals from Aquaculture Use (Update published in 2003)

PARCOM Recommendation 94/7 on the Elaboration of National Action Plans and Best Environmental Practice (BEP) for the Reduction of Inputs to the Environment of Pesticides from Agricultural Use (update 2003)

PARCOM Decision 95/1 on Short Chained Chlorinated Paraffins

PARCOM Decision 95/2 on Discharge and Emission Limit Values for the Integrated and Non-integrated Sulphite Paper Pulp Industry

PARCOM Decision 95/3 on Discharge and Emission Limit Values for the Integrated and Non-Integrated Kraft Pulp Industry

PARCOM Decision 96/2 on the Phasing -Out of processes using Molecular Chlorine (Cl₂) in the Bleaching of Kraft and Sulphite Pulp (Update published in 2003)

PARCOM Recommendation 96/3 Concerning Best Available Techniques for the Manufacture of Suspension PVC from Vinyl Chloride Monomer

PARCOM Recommendation 96/4 for the Phasing Out of the Use of One-Component Coal Tar Coating Systems for Inland Ships and of the OSPAR 'Policy in Regard to Two -Component Coating Systems Containing PAHs (Update 2003)

PARCOM Recommendation 97/2 on Measures to be Taken to Prevent or Reduce Emissions of Heavy Metals and Persistent Organic Pollutants due to Large Combustion Plants

OSPAR Recommendation 98/1 concerning Best Available Techniques and Best Environmental Practice for the Primary Non-Ferrous Metal Industry (Zinc, Copper, Lead and Nickel Works)

Implementation report Dec. 92/1

OSPAR Recommendation 2000/2 on BEP for the Use of Pesticides on Amenity Areas

Implementation Report Rec. 98/1

Offshore Industries Strategy

PARCOM Decision 92/2 on the Use of Oil-Based Muds

PARCOM Decision 96/3 on a Harmonised Mandatory Control System for the Use and Reduction of the Discharge of Offshore Chemicals

National Plans towards Implementation of OSPAR Recommendation 2001/1 for the Management of Produced Water from Offshore Installations

Overview assessment of implementation of OSPAR Decision 2000/3 - - Use of Organic-phase Drilling Fluids (OPF) and the Discharge of OPF -contaminated Cuttings

OSPAR CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT OF THE
NORTH-EAST ATLANTIC

MEETING OF THE OSPAR COMMISSION

SINTRA: 20-24 JULY 1998

**Standard Implementation
Reporting and Assessment Procedure
(Reference number: 1998-9)**

Scope

1. Reporting on the implementation of OSCOM, PARCOM and OSPAR Decisions and Recommendations in accordance with this procedure applies in principle to those measures adopted by the Commission(s) from 1992 onwards. In certain cases the question of implementation reporting may not be relevant - e.g. measures of a formal nature such as the convening of a diplomatic conference to sign a protocol or the adoption of reporting formats. Conversely, there may be measures adopted before 1992 which should be the subject of implementation reports. The inclusion of pre-1992 measures in this system should be decided on a case by case basis.
2. With respect to OSCOM, PARCOM and OSPAR measures related to sea-based activities, Finland, Luxembourg and Switzerland stated that these Contracting Parties to the OSPAR Convention could accept these measures. However, because Finland, Luxembourg and Switzerland do not border the maritime area, any OSCOM, PARCOM and OSPAR measures related to sea-based activities could not be implemented in their national legislation. Consequently, it is appropriate:
 - a. not to ask these Contracting Parties for implementation reports on measures related to sea-based activities;
 - b. to include a statement in future implementation report assessments of measures related to sea-based activities to the effect that these measures were not applicable to Finland, Luxembourg and Switzerland.
3. A list of the measures which should be the subject of implementation reports is at Appendix 1.

Timing

4. Draft measures should include a section on implementation reports which specifies when implementation reports should be submitted. This practice has already been followed in respect of most draft measures, but with a view to having a consistent approach the following wording should be taken as a guideline for the drafting of such sections:

“Implementation reports on this [Decision/Recommendation] should be made to the appropriate OSPAR Working Group meeting preceding the meeting of OSPAR [date] in accordance with the Standard Implementation Reporting and Assessment Procedure. When reporting, the format as set out in the Appendix should be used to the extent possible.”

5. As a rule of thumb in determining the date to be included in the above wording, implementation reports should be made:

- a. **for measures which specify a deadline/s for implementation reporting** - to the meeting of the appropriate Working Group following the intersessional period in which the deadline/s specified in the measure falls (e.g. - implementation reports on a "SEBA" measure with a deadline of 31 December 1998 should be submitted to SEBA 1999/2000). If the measure has not been fully implemented by all the Contracting Parties concerned, further implementation reports should, by default, be submitted to the appropriate working group every four years. However, the responsible working group should, on a case-by-case basis and as it deems necessary, evaluate the need for different draft arrangements (e.g. time intervals shorter than 4 years) for updating the implementation report. The outcome of these evaluation should be forwarded for examination and adoption at PRAM;
 - b. **for measures without a specified deadline/s for implementation reporting** - to the meeting of the appropriate working group in the intersessional period 4 years after the adoption of the measure (e.g. implementation reports on a "SEBA" measure adopted by OSPAR 1997 should be submitted to SEBA 2000/2001) and every 4 years thereafter until fully implemented.
6. As regards measures which require implementation reports to be submitted in the year following the commissioning of a **new plant**, it is the responsibility of the Contracting Party concerned to submit such reports to the appropriate working group when the circumstance arises.
7. As regards measures which require Contracting Parties to take action when specified circumstances arise, it is the responsibility of the Contracting Party concerned to submit an implementation report to the appropriate working group if and when the circumstance arises.
8. The list of measures at Appendix 1 includes the dates on which implementation reports should be submitted to the responsible working groups. Each Working Group meeting shall review a list of implementation reports due to be presented at the next meeting of that Working Group. The Working Group shall consider to what extent Contracting Parties should consider the effectiveness of the measures and what Contracting Parties should make a contribution. Contracting Parties shall send their implementation reports in respect of each measure to be reported on to the Secretariat (for onward transmission to the appropriate lead country) at least 2 months before the first day of the meeting of the Working Group meeting concerned. The lead country shall prepare and send an overview of those reports to the Secretariat at least one month before the Working Group meeting concerned.

Content of Implementation Reports and Overviews

General

9. The national implementation reports shall be drawn up in accordance with the agreed reporting formats, which are now, as a matter of routine, attached to all new Decisions and Recommendations. These formats should consist of:
- a. a section for the assessment of compliance (cf. model format at Appendix 2);
and, as appropriate;
 - b. a section for the assessment of the effectiveness.

Measures without implementation report format

10. In cases where no implementation report format exists (e.g. for older OSCOM or PARCOM measures), a draft format for reporting on compliance (and, as appropriate, effectiveness) shall be prepared by the lead country to be presented to, and adopted by, the responsible Working Group

at its meeting in the year before the implementation reports are due to be presented at that Working Group.

Evaluation and Assessment of Effectiveness

11. The evaluation of the effectiveness of programmes and measures adopted by the Commission(s) comprises the stepwise assessment of relevant data and information with respect to:

- a. the sources, inputs and impacts of pollutants;
- b. activities, which were assessed by the Commission as having an adverse impact on the marine environment.

12. When establishing the need and requirements for an assessment of the effectiveness of a measure, the responsible Working Group should, on a case-by-case basis, take into account, *inter alia*:

- a. the need to deploy to the best effect the inevitably limited resources available to Contracting Parties and the Commission;
- b. the need for a harmonised reporting of data and information, which would allow a proper comparison and assessment;
- c. to what extent the information to be gathered could facilitate OSPAR's future work concerning the issues regulated in the measure;
- d. whether Contracting Parties should submit information:
 - (i) on the balance of emissions and discharges from sectors (aggregated data); or
 - (ii) on data on a plant-by-plant basis. If such a reporting was required, Contracting Parties should inform the responsible Working Group whether they would be in the position to supply such data.

Draft overviews of implementation

13. The draft overviews of implementation reports prepared by lead countries should have the following objectives:
- a. to show what the current state of compliance with the measure is throughout the Convention area (e.g. via an overview table of reports submitted by Contracting Parties, which should also indicate which Contracting Parties had not yet submitted any implementation report);
 - b. to give an indication, where appropriate, of the effectiveness of the measure in quantifiable terms with respect to the field/s addressed by the measure, such as trends in:
 - (i) inputs to the marine environment;
 - (ii) discharges and emissions of relevant contaminants from the source/sector concerned;
 - (iii) activities, which were assessed by the Commission as having an adverse impact on the marine environment;
 - c. to give a summary assessment of the above information.

Assessment and Publication of Implementation Reports

14. The responsible Working Groups should examine the draft overview assessment of implementation reports prepared by the lead countries and shall also have available - by way of background information - the individual national reports on which the overview assessment is based. The Working Groups should adopt (with or without further elaboration and corrections) the draft overview assessment and send them on to PRAM together with any relevant observations.

15. PRAM should examine the draft overview assessments forwarded by the Working Groups and make a recommendation to OSPAR as regards their publication. OSPAR should then decide whether or not these overviews should be published.

16. Publication should take the form of a compilation of all the overview assessments which have been dealt with during the preceding year. The publication should also include a statement to the effect that further information about individual national implementation reports is available and can be obtained on request from the Secretariat.

Termination of the Implementation Reporting

17. When assessing the draft overview assessments, the responsible Working Groups should:
- a. evaluate whether or not there is a need for a further round of implementation reporting;
and accordingly
 - b. make a recommendation to PRAM for amendments to the list of measures given in Appendix 1.

**Implementation Reporting Requirements with Respect to Measures Applicable under the
1992 OSPAR Convention**

Contents:

Table 1:	Implementation Reporting Requirements Related to POINT
Table 2:	Implementation Reporting Requirements Related to DIFF
Table 3:	Implementation Reporting Requirements Related to SEBA
Table 4:	Implementation Reporting Requirements Related to NEUT
Table 5:	Implementation Reporting Requirements Related to RAD

Notes:

1. Attached are tables which specify the implementation reporting requirements with respect to measures applicable under the 1992 OSPAR Convention. For each of the measures listed, information is given on:
 - a. the lead country concerned;
 - b. whether or not an agreed implementation report format exists for the assessment of the effectiveness of the measure;
 - b. the dates for the submission of implementation reports (cf. also paragraphs 5 and 6 of this procedure);
 - d. relevant background notes (e.g. publication of previous rounds of implementation reports, issues to be addressed in future).
2. The attached implementation reporting requirements should be reviewed on an annual basis by all third tier working groups concerned. Any changes proposed by the third tier working groups should be reported to PRAM with a view to being taken into account in the revision of these requirements.
3. In the 1998/1999 intersessional period, the responsible third tier working groups should clarify the issues marked ??? in this Appendix. Furthermore the following issues should be addressed:
 - a. discussion (on a case-by-case basis) of the need for assessing the effectiveness of measures for which no effectiveness reporting format has been established. If deemed necessary, the procedure for establishing such a format should be developed;
 - b. in previous years, lead countries have established and circulated questionnaires and formats for some measures, which had no implementation reporting formats attached. In some cases, these formats were not officially agreed by the responsible third tier working group and, consequently, were never attached to a Summary Record. Any such questionnaires or formats should be presented to the responsible third tier working group with a view to their confirmation/adoption as implementation report format.

Table 1: Implementation Reporting Requirements Related to POINT

Reference Number	Title	Lead Country	Effectiveness format	Implementation Report	Notes
PARCOM Recommendation 89/5	Refineries	Sweden	to be discussed at POINT 1998	To be submitted to POINT the first year following the commissioning of a new refinery existing refineries – POINT 1999	part concerning new refineries published in 1996 information contained in the draft OSPAR Report on Refineries (1994-1997) might be taken into account by POINT 1998 when discussing effectiveness format
PARCOM Decision 90/3	Reducing Atmospheric Emissions from Existing Chlor-Alkali Plants	Spain	not established	In the light of the outcome of the workshop on the chlor-alkali industry, PRAM 1999 should discuss the need for, and timing of, further implementation reporting with respect to the recommendation in § 3 of this Decision	previous round published in 1998 PRAM 1998 agreed that the measure stipulated in §1 of this Decision has been implemented by all Contracting Parties
PARCOM Recommendation 91/3	Measures to be Taken and Investigations to be Carried out in order to Reduce Pollution from Secondary Iron and Steel Production	Sweden	cf. § 4 of this measure	POINT 1998 to discuss the need for further reporting	previous rounds published in 1996, 1998
PARCOM Decision 92/1	The Reduction of Discharges of Chlorinated Organic Substances from the Production of Bleached Kraft and Sulphite Pulp	Sweden	established	To be submitted to POINT the first year following the commissioning of a new mill; reporting for all mills to POINT 1998	previous rounds published in 1996, 1997, 1998
PARCOM Recommendation 92/1	Best Available Technology for Plants Producing Anodes and for New Electrolysis Installations in the Primary Aluminium Industry	Norway	not established	To be submitted to POINT the first year following the commissioning of a new plant. Existing plant - POINT ???	previous round published in 1996, 1998

Reference Number	Title	Lead Country	Effectiveness format	Implementation Report	Notes
PARCOM Recommendation 92/2	Limitation of Pollution from New Primary Iron and Steel Production Installations	The Netherlands	not established	To be submitted to POINT the first year following the commissioning of a new plant POINT ???	previous round published in 1996
PARCOM Recommendation 92/3	Limitation of Pollution from New Secondary Steel Production and Rolling Mills	Sweden	not established	To be submitted to POINT the first year following the commissioning of a new plant	previous round published in 1996 POINT 1998 to discuss the need for effectiveness format
PARCOM Recommendation 92/4	The Reduction of Emissions from the Electroplating Industry	Germany	not established	To be submitted to POINT the first year following the commissioning of a new plant. Existing plant - POINT 1998	previous round published in 1996
PARCOM Recommendation 92/5	Best Available Technology in the Pharmaceutical Manufacturing Industry	The Netherlands	to be discussed at POINT 1999	POINT 2000	a provisional format for the previous round had been circulated by the Secretariat on 27 September 1996. This previous round was published in 1997
PARCOM Recommendation 93/1	The Limitation of Pollution from Existing Primary Iron and Steel Production Installations	The Netherlands	not established	POINT 2001	
PARCOM Recommendation 94/1	Best Available Techniques for New Aluminium Electrolysis Plants	Norway	not established	To be submitted to POINT the first year following the commissioning of a new plant.	previous round published in 1996
PARCOM Recommendation 94/2	Best Available Techniques and Best Environmental Practice for the Integrated and Non-Integrated Sulphite Paper Pulp Industry	Sweden	established	POINT 2001	previous round published in 1998
PARCOM Recommendation	Best Available Techniques and Best Environmental Practice for the	Sweden	established	POINT 2001	previous round published in 1998

Reference Number	Title	Lead Country	Effectiveness format	Implementation Report	Notes
94/3	Integrated and Non-Integrated Kraft Pulp Industry				
PARCOM Recommendation 94/4	Best Available Techniques for the Organic Chemical Industry	The Netherlands	available	POINT 1998, POINT 2001	an implementation reporting format was circulated by NL on 1 May 1997
PARCOM Recommendation 94/5	Best Available Techniques and Best Environmental Practice for Wet Processes in the Textile Processing Industry	Belgium	cf. notes	POINT 1999, POINT 2004	Belgium will present to POINT 1998 a draft implementation report format
PARCOM Decision 95/2	Discharge and Emission Limit Values for the Integrated and Non-Integrated Sulphite Paper Pulp Industry	Sweden	attached	POINT 1998, POINT 2001	
PARCOM Decision 95/3	Discharge and Emission Limit Values for the Integrated and Non-Integrated Kraft Pulp Industry	Sweden	attached	POINT 1998, POINT 2001	
PARCOM Recommendation 96/1	Best Available Techniques and Best Environmental Practice for Existing Aluminium Electrolysis Plants	Norway	attached	POINT 2006	
PARCOM Decision 96/1	The Phasing-Out of the Use of Hexachloroethane in the Non-Ferrous Metal Industry	EC	cf. notes	POINT 1998	In addition to reporting on compliance, CPs should report on any special difficulties encountered in the implementation of this measure and outline when the phase-out can be achieved in practice
PARCOM Decision 96/2	The Phasing-Out of Processes Using Molecular Chlorine (Cl ₂) in the Bleaching of Kraft and Sulphite Pulp	Sweden	cf. notes	POINT 1998	In addition to reporting on compliance, CPs should report on any special difficulties encountered in the implementation of this measure and

Reference Number	Title	Lead Country	Effectiveness format	Implementation Report	Notes
					outline when the phase-out can be achieved in practice
PARCOM Recommendation 96/2	Concerning Best Available Techniques for the Manufacture of Vinyl Chloride Monomer	Norway	attached	Year following commissioning of new plant, POINT 2003	
PARCOM Recommendation 96/3	Concerning Best Available Techniques for the Manufacture of Suspension-PVC from Vinyl Chloride Monomer	Norway	attached	Year following commissioning of new plant, POINT 2003	
PARCOM Recommendation 97/1	Reference Values for Effluent Discharges for Wet Processes in the Textile Processing Industry	Belgium	attached	POINT 2003	

Reference Number	Title	Lead Country	Effectiveness format	Implementation Report	Notes
PARCOM Recommendation 97/2	Measures to be Taken to Prevent or Reduce Emissions of Heavy Metals and Persistent Organic Pollutants Due to Large Combustion Plants (\geq 50 MWth)	France	attached	Year following commissioning of new or substantially modified plant; preliminary report to POINT 1999; POINT 2002, then every two years until 2006; existing plants POINT 2006	
OSPAR Decision 98/4	Emission and Discharge Limit Values for the Manufacture of Vinyl Chloride Monomer (VCM) including the Manufacture of 1,2-dichloroethane (EDC)	[Norway]	attached	new plants in the year following commissioning existing plants POINT 2007	will enter into force and become binding on 9 February 1999
OSPAR Decision 98/5	Emission and Discharge Limit Values for the Vinyl Chloride Sector, Applying to the Manufacture of Suspension-PVC (s-PVC) from Vinyl Chloride Monomer (VCM)	[Norway]	attached	new plants in the year following commissioning existing plants POINT 2004	will enter into force and become binding on 9 February 1999
OSPAR Recommendation 98/1	Best Available Techniques and Best Environmental Practice for the Primary Non-Ferrous Metal Industry (Zinc, Copper, Lead and Nickel Works)	[Spain]	attached	POINT 2000	
OSPAR Recommendation 98/2	Emission and Discharge Limit Values for Existing Aluminium Electrolysis Plants	[Norway]	attached	POINT 2006	

Table 2: Implementation Reporting Requirements Related to DIFF

Reference Number	Title	Lead Country	Effectiveness format	Implementation Report	Notes
PARCOM Recommendation 89/3	Programmes and Measures for Reducing Mercury Discharges from Various Sources	UK	???	DIFF 2000	previous round published in 1997
PARCOM Decision 92/3	The Phasing Out of PCBs and Hazardous PCB Substitutes	Germany	not established	DIFF 2000	previous round published in 1997
PARCOM Recommendation 92/8	Nonylphenol-Ethoxylates	Sweden	???	DIFF 2000	previous round published in 1998
PARCOM Recommendation 93/2	Further Restrictions on the Discharge of Mercury from Dentistry	UK	cf. notes	DIFF 2001	previous round published in 1998. The UK to prepare a draft implementation report format for the effectiveness assessments for examination at DIFF 1998
PARCOM Recommendation 93/4	The Phasing Out of Cationic Detergents DTDMAC, DSDMAC and DHTDMAC in Fabric Softeners	The Netherlands	established	DIFF 1998, DIFF 2002	previous rounds published in 1995
PARCOM Recommendation 94/6	Best Environmental Practice (BEP) for the Reduction of Inputs of Potentially Toxic Chemicals from Aquaculture Use	Norway	not established	DIFF 2002	previous round published in 1998
PARCOM Recommendation 94/7	The Elaboration of National Action Plans and Best Environmental Practice (BEP) for the Reduction of Inputs to the Environment of Pesticides from Agricultural Use	France	not established	DIFF 1998, DIFF 2002	previous round published in 1998
PARCOM Decision	The Phasing Out of the Use of	Sweden	cf. notes	DIFF 1998, DIFF 2000, DIFF 2005	In addition to reporting on compliance,

Reference Number	Title	Lead Country	Effectiveness format	Implementation Report	Notes
95/1	Short-Chained Chlorinated Paraffins				CPs should report on any special difficulties encountered in the implementation of this measure and outline when the phase-out can be achieved in practice
PARCOM Recommendation 96/4	The Phasing Out of the Use of One-Component Coal Tar Coating Systems for Inland Ships	The Netherlands	attached	DIFF 1999 and then triennially DIFF 2002, DIFF 2005 etc	
PARCOM Agreement 97/1	Policy in regard to two-component coating systems containing PAHs	The Netherlands	not established	DIFF 1999	

Table 3: Implementation Reporting Requirements Related to SEBA

Reference Number	Title	Lead Country	Effectiveness format	Implementation Report	Notes
PARCOM Decision 92/2	The Use of Oil-Based Muds	UK	Not established	SEBA 2000	previous round published in 1998
PARCOM Recommendation 92/6	Best Available Technology for Produced Water Management on Offshore Gas and Oil Installations	UK	Not established	SEBA 2000	previous round published in 1998
PARCOM Decision 96/3	A Harmonized Mandatory Control System for the Use and Reduction of the Discharge of Offshore Chemicals	Denmark		SEBA 1999 and then annually Annex 7 of SEBA 98??	

Table 4: Implementation Reporting Requirements Related to NEUT

Reference Number	Title	Lead Country	Effectiveness format	Implementation Report	Notes
PARCOM Recommendation 88/2	The Reduction in Inputs of Nutrients to the Paris Convention Area	Norway	cf. NUT 97/13/1, Annex 8	current round (to be reported to NUT 1998) should be made on the basis of 1995 data (and, where available, 1996 data)	last round was published by OSPAR in 1995; next round on the basis of 1998 data to be submitted to NUT 2000
PARCOM Recommendation 89/4	Coordinated Programme for the Reduction of Nutrients	Norway	cf. NUT 97/13/1, Annex 9	NUT 1998	further reports on how to reach the reduction targets for inputs of nutrients should be made every 2 years thereafter. Interim reports could be provided by Contracting Parties on a voluntary basis
PARCOM Recommendation 92/7	Reduction of Nutrient Inputs from Agriculture into Areas Where these Inputs are Likely, Directly or Indirectly, to Cause Pollution	Germany	cf. NUT 97/13/1, Annex 7	NUT 1998	

Table 5: Implementation Reporting Requirements Related to RAD

Reference Number	Title	Lead Country	Effectiveness format Implementation Report	Notes
PARCOM Recommendation 91/4	Radioactive Discharges	none	not applicable, reporting in accordance with the existing BAT guidelines for nuclear installations Second round to be completed at RAD 1999 (Belgium, Denmark, Spain)	First round completed in 1995; Third round (all CPs concerned) to start at RAD 2000
PARCOM Recommendation 93/5	Increases in Radioactive Discharges from Nuclear Reprocessing Plants	none	none/ not applicable	RAD 1997 and RAD 1998 addressed the implementation of Recommendation 93/5

Appendix 2

**Model for an Implementation Report Format on compliance with
OSPAR [Recommendation] [Decision] ???/??**

Country:

Reservation applies

**Is measure applicable
in your country?**

If not applicable, then state why not (e.g. no relevant plant)

.....

Means of Implementation:	by legislation	by administrative action	by negotiated agreement
	yes/no ¹	yes/no ¹	yes/no ¹

Please provide information on:

- a. specific measures taken to give effect to this measure;
- b. any special difficulties encountered, such as practical or legal problems, in the implementation of this measure;
- c. the reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported;
- d. if appropriate, progress towards being able to lift the reservation.

.....

²⁶ Delete as appropriate