

The OSPAR Convention, Greenpeace and Iceland: Past, Present and Future

What is the OSPAR Convention?

The OSPAR Convention, or the Convention for the Protection of the Marine Environment of the North-East Atlantic, was opened for signature in September 1992 and entered into force on 25th March 1998. The OSPAR Convention, which was formed from the amalgamation of the former Oslo and Paris Conventions¹, is administered by the OSPAR Commission, which has its headquarters in London (www.ospar.org).

The OSPAR Convention aims to protect the marine environment through the monitoring and control of a wide range of human activities. In particular, it aims to prevent and eliminate pollution from land-based sources, offshore oil and gas installations and from the dumping of wastes at sea, this last practice being one which is now largely prohibited. The Convention is built on the fundamental principles of precaution and polluter pays and relies on the implementation of technologies and practices, including the development of clean technologies, in order, as far as possible, to prevent pollution at source. Over the years, the OSPAR Commission has adopted numerous binding measures (Decisions and Recommendations) to carry this work forward, including agreements carried over from the former Oslo and Paris Conventions.

There are 16 Contracting Parties to the OSPAR Convention; Belgium, Denmark, the European Commission, Finland, France, Germany, Iceland, Ireland, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom. In addition to numerous issue-specific committees and working groups, the OSPAR Commission meets annually to review progress, agree on programmes and measures and to develop the work of the Commission in the light of emerging issues. Approximately every five years, the Commission hosts a Ministerial Meeting, attended by Environment Ministers or other high level representatives from each Contracting Party, which serves to set overarching directions and long-term objectives for the OSPAR Convention. The two most recent Ministerial Meetings were held in Sintra (Portugal) in 1998 and, jointly with the Helsinki Commission², in Bremen (Germany) in 2003.

Some of the most ground-breaking commitments to have arisen from the OSPAR Commission were those agreed at the 1998 Ministerial Meeting in Sintra³. These included strategies to achieve continuous reductions in releases of hazardous chemicals, and progressive and substantial reductions in releases of radioactive substances, with the aim of cessation of these discharges within a generation (by 2020). The meeting also agreed on a ban on the disposal at sea of disused offshore installations, a preventative measure triggered by the case of the Brent Spar just a few years before, and put in place an entire new Annex to the Convention (Annex V), aimed specifically at the overall protection of ecosystems and biodiversity from human activities. With these forward-looking developments, building on the inspiration of the 4th North Sea Conference of Ministers in 1995⁴, the

¹ Oslo Convention (1974) on the Prevention of Marine Pollution by Dumping from Ships and Aircraft and the Paris Convention (1978) on the Prevention of Marine Pollution from Land-Based Sources

² HELCOM, the Helsinki Commission, or Baltic Marine Environment Protection Commission (www.helcom.fi)

³ Ministerial Meeting of the OSPAR Commission, Sintra, 1998 (<http://www.ospar.org/eng/html/md/mainresult.htm>)

⁴ The Esbjerg Declaration, Ministerial Declaration from the 4th North Sea Conference, Esbjerg (Denmark), 1995 (<http://odin.dep.no/md/nsc/declaration/022001-990243/dok-bn.html>)

Ministerial Declaration from Sintra ushered in a new era of commitment to protection of our regional seas.

Progress since 1998

Since 1998, OSPAR has worked towards the implementation of its strategies. So far, this has been a somewhat slow and difficult process, not least because OSPAR has often had to rely on other authorities, especially the institutions of the European Union and national governments, to implement its programmes and measures in practice. In some cases this has been effective; in others, far less so. In the specific case of discharges of radioactive substances, still dominated by the nuclear reprocessing sector, the unwillingness of the UK and France to accept the problem and act in the common interest has so far prevented progress within OSPAR. Over the same period, a number of hazardous substances have been identified and prioritised for action, but little has changed in practice and much of the initiative has been handed to the EU, currently engaged in a lengthy process of chemical policy reform, or trusted to voluntary initiatives by industry.

The most recent Ministerial Meeting of OSPAR, held in Bremen last year, was therefore a far less visionary forum than the Sintra meeting five years before. Ministers agreed on a number of additional areas of work, most notably programmes aimed at development of ecological quality objectives, an ecosystem approach to management and a network of marine protected areas. However, with regard to existing commitments on radioactive and hazardous substances, the meeting stopped short of an honest and critical evaluation of the lack of progress to date.

The meeting of the OSPAR Commission in Reykjavik comes only a year after this last Ministerial Meeting. It is likely, therefore, to be a meeting of quiet reflection and rather limited additional progress. Although there are a number of important items on the agenda, in many cases key evaluations and actions will only come to the table during the next session, in preparation for the Commission meeting in 2005. However, one issue of primary importance which will come before the Commission in Reykjavik is the disposal at sea of carbon dioxide derived from the burning of fossil fuels, promoted increasingly as part of the “solution” to climate change. Greenpeace strongly opposes this activity for many reasons⁵, not least because this end-of-pipe technology is seen by many as a “green light” for continued reliance on fossil fuels, and we will work in particular to ensure that the existing ban on dumping of industrial wastes at sea is not compromised by these proposals.

Greenpeace and OSPAR

Greenpeace is an official Observer Organisation under the OSPAR Convention and has played a very active role in the development and implementation of the Convention and its strategies for well over a decade. Since the 1998 Ministerial Meeting opened most OSPAR Committees to observer participation, Greenpeace has been able to contribute at an even more detailed and practical level in the work towards achievement of OSPAR’s commitments, including work on hazardous chemicals, radioactive substances, the offshore industry and the protection of biodiversity.

Ever since its first involvement with OSPAR, Greenpeace has pressed tirelessly for an end to nuclear reprocessing at Sellafield, Dounreay and Cap La Hague, which we see as an unavoidable necessity if commitments to progressive reductions, and ultimate elimination, of radioactive pollution are to be met. We have worked to assist OSPAR in identifying hazardous substances, to

⁵ Johnston, P., Santillo, D., Stringer, R., Parmentier, R., Hare, B. & Krueger, M. (1999) Ocean disposal/sequestration of carbon dioxide from fossil fuel production and use: an overview of rationale, techniques and implications. Greenpeace Research Laboratories Technical Note 01/99, March 1999 (<http://www.greenpeace.to/pdfs/co2dump.pdf>)

highlight practical alternatives and to promote the objective of OSPAR to rid the oceans of hazardous chemicals within other relevant fora. And we have watched closely developments within the offshore oil and gas industries, to ensure that the ban on platform dumping is upheld and that the industry takes increasing responsibility for its wastes, both historic and ongoing. More recently we have supported OSPAR's work to promote and facilitate the development of renewable energy alternatives, especially offshore wind, in a manner which does not have adverse impacts on the environment or on other sustainable uses of the sea. And we warmly welcomed the very clear statement made jointly by Ministers from both OSPAR and HELCOM parties in 2003 that culture of any genetically modified marine organisms must be confined to secure, self-contained land-based facilities⁶.

Greenpeace has therefore acted as a "critical friend" to OSPAR, helping wherever possible to ensure OSPAR can meet its objectives and highlighting wherever necessary where it is failing. After all, we share the same common goals to protect our environment. In Reykjavik Greenpeace will be seeking an honest recognition of the scale of the job which still remains to be done. There are now only 16 years until the "one generation" target of 2020, and the clock is ticking. In particular, we will work to ensure that OSPAR stands firm against pressure to re-open its ban on dumping industrial waste at sea in order to allow the so-called "special case" of carbon dioxide disposal. Though presented by some as a solution to climate change, ocean disposal will never be a sustainable solution for any of our problems. History has told us all too often that, once in the ocean, wastes are "out of sight, and out of mind" and our incentives to look upstream and find truly sustainable solutions at source are diminished. In tackling an issue of the scale and severity of climate change, this cannot be allowed to happen. At the same time, any decision to make an exception for one industrial waste, fossil fuel-derived carbon dioxide, could set OSPAR on the slippery path to negotiating away some of its most fundamental principles.

Greenpeace and Iceland as partners in marine environmental protection

Greenpeace has, over the years, worked closely with Iceland (among others) to help bring about some of OSPAR's most significant achievements⁷. For example, Greenpeace and Iceland have always had a common voice on the prohibition of the dumping at sea of radioactive and industrial waste. Iceland, perhaps more than any other country in the North-East Atlantic, understood Greenpeace's stand on the Brent Spar, recognising the precedent the dumping of the Spar would have set within international law, and was one of the driving forces behind the landmark decision by OSPAR to prohibit such practices. Furthermore, Greenpeace has stood firmly beside Iceland, along with Ireland, Denmark and Norway, in their long-standing opposition to ongoing discharges of radioactive wastes from nuclear reprocessing.

The future

Greenpeace supports strongly the purposes and objectives of OSPAR. Despite the obvious limits to progress since 1998, Greenpeace remains committed to work with the OSPAR Commission and with contracting parties to further the implementation of OSPAR's strategies and, thereby, to ensure the prevention and elimination of pollution and the protection of biodiversity. To this end, Greenpeace recognises and greatly values the vital role that Iceland has played to date towards the development and implementation of these objectives. We look forward, at OSPAR 2004 and beyond, to continuing the good working relationship we have built with Iceland in order to achieve these common aims in the interest of ensuring a sustainable future for our seas.

⁶ Declaration of the Joint Ministerial Meeting of the Helsinki and OSPAR Commissions, Bremen, 2003

(http://www.ospar.org/eng/html/md/joint_declaration_2003.htm)

⁷ see http://www.greenpeace.org/international/en/features/details?item_id=319905&campaign_id=