

International Conferences on the Protection of the North Sea

MINISTERIAL DECLARA- TIONS

Bremen - Germany - 1984

London - United Kingdom - 1987

The Hague - The Netherlands - 1990

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Abstract: The Ministerial Declarations of the North Sea Conferences in Bremen (1984), London (1987) and The Hague (1990) have been compiled in order to serve as a background document to the 4th North Sea Conference in general and to the Progress Report in particular.

Terms: North Sea, Skagerrak, the Channel, Wadden Sea, North Sea Conferences, Ministerial Declarations, Bremen, London, The Hague, Intermediate Ministerial Meeting.

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Supplementary notes: The logo of the 4th North Sea Conference is a reproduction of a prehistoric rock carving from Nord-Trøndelag in Norway. The carving was found in 1979 on a large boulder lying near to the prehistoric shoreline. The boulder carries 9 rock carvings of reindeer, fish and several whales, thought to be porpoises. This seems to reflect the age-old relationship between dwellers along the North Sea and Atlantic coasts and the wildlife around them, including porpoises and other marine organisms. It serves as a reminder of the relationship between man and the marine environment, and of the continuing need for a modern industrial and post-industrial society to safeguard the marine environment.

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Contents

Preface	5
History of the North Sea Conferences	7
The Bremen Declaration	17
The London Declaration	43
The Hague Declaration	65
Statement of Conclusions of the Intermediate Ministerial Meeting 7-8 December 1993 in Copenhagen	99
Statement of the 7th Trilateral Governmental Conference to the 4th International North Sea Conference, June 1995	127

Preface

The 4th North Sea Conference (4NSC) Secretariat has compiled the Ministerial Declarations of the International Conferences on the Protection of the North Sea in Bremen (1984), London (1987) and The Hague (1990) into a single document. The Statement of Conclusions of the 1993 Intermediate Ministerial Meeting in Copenhagen is together with a statement of the 7th Trilateral Governmental Conference on the Wadden Sea to the 4NSC also included. This document is intended to serve as a background document to the 4NSC in general and to the Progress Report in particular.

The Progress Report to the 4NSC provides an up-to-date assessment of the status of implementation of the above mentioned Declarations, in particular The Hague Declaration, by the North Sea States and the international organizations addressed in these Declarations. The Progress Report is intended to be a factual statement based on information supplied by the North Sea States and by the competent international organizations working for the North Sea environment.

To support readers not familiar with the history and role of the North Sea Conferences, a chapter from the Progress Report "History of the North Sea Conferences" has been included. This briefly summarizes the background and outcome of Conferences in Bremen (1984), London (1987) and The Hague (1990) together with the Intermediate Ministerial Meeting (1993).

It is the hope of the 4NSC Secretariat that this compilation will not only be used as a supplement to the Progress Report, but will also serve as a working document in the future work on the protection of the North Sea.

History of the North Sea Conferences

Background

In June 1980 the Council of Environmental Advisors, an independent body of experts appointed by the German Government, presented its report on the environmental problems of the North Sea. The report concluded that, although there was considerable difficulty in obtaining empirical ecological evidence, there was a case from the limited knowledge about pollution loads that certain harmful substances could cause long term and perhaps irreversible damage as a result of their chronic toxicity. The growing inputs of heavy metals, chlorinated hydrocarbons (and especially PCBs) and other persistent substances were identified for action. The Council of Environmental Advisors concluded that:

- a successful environmental protection policy for the North Sea had to be based on the "precautionary principle" (Vorsorgeprinzip);
- protection of the North Sea was only possible through international cooperation.

The early 1980s were characterized by certain changes in the economic and sociological climate which, although they differed in their intensity from one country to another, nevertheless affected all North Sea riparian states to some degree. Many countries experienced severe recession affecting particularly the older, and generally more polluting, heavy industries; consequently, there were political pressures not to impose too stringent environmental conditions on industry.

On the other hand, there was growing environmental awareness, particularly in the countries of northern Europe, which expressed itself in different forms, from the growth of dedicated non-governmental organizations (NGOs) to the formation of specific "green" parties with their own political agenda. Even though such parties did not constitute the parties of government, their opinions and actions were influential in requiring all political parties to reconsider and assess their own policies towards environmental protection.

Furthermore, some countries were dissatisfied with the lack of progress in the competent international organizations charged with protecting the marine environment. In part this was due to the wider geographical coverage of the bodies concerned and the lack of focus at North Sea level.

It was in this climate that in 1983 the Government of the Federal Republic of Germany took the initiative of inviting the North Sea coastal states to an International Conference on the Protection of the North Sea at ministerial level. From the outset it was acknowledged that it would not be the aim of the Conference to create a new set of international agreements. On the contrary, the aim was to provide political impetus for the intensification of the work of the competent commissions and international bodies and to ensure more efficient and effective implementation of the existing international rules in all the North Sea States.

History of the International Conferences on the Protection of the North Sea

Bremen, 1984

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The discovery of a number of oiled seabirds washed ashore in the German Bight during the winter of 1983 was a further occurrence which prompted the German Government to propose an international conference for the protection of the North Sea environment. The purpose was to make a political declaration which, from a North Sea perspective, would stimulate and further ongoing work within the existing international conventions (*e.g.* the Oslo Convention for dumping at sea; the Paris Convention for pollution from land-based sources; the IMO Conventions for shipping issues).

At a preparatory meeting of all the North Sea coastal states in December 1983 an important agreement was reached that the Conference should not restrict itself to general principles but should examine all pollution sources and adopt definite decisions. The decision to address all pollution sources ensured that a holistic approach to the North Sea's environmental problems would be followed and it enabled both ministers and their advisors to look at the wider problems rather than through the constraints imposed by the respective scope of the existing international legal frameworks.

In preparation, expert groups compiled resolution proposals on the range of subjects to be discussed at the Conference. Subsequently, a hearing took place in August 1984 at which international associations and NGOs presented their suggestions. In September 1984 the preparatory work was concluded in Wilhelmshaven at a meeting of the permanent Secretaries of State responsible for North Sea affairs. Finally, the Conference itself was held in Bremen from 31 October to 1 November 1984 and was attended by the Ministers responsible for the protection of the North Sea of all the riparian states (Belgium, Denmark, France, the Federal Republic of Germany, the Netherlands, Norway, Sweden and the United Kingdom) and by the Member of the European Commission responsible for environmental protection. Observers from the states which were parties to the Oslo and Paris Conventions and Member States of the EEC also attended the Conference, as did representatives of the international bodies concerned.

Although the Bremen Conference was initially envisaged as a unique event, the Ministers welcomed the invitation of the United Kingdom Government to host a Second International Conference on the Protection of the North Sea for the purpose of reviewing the implementation and effectiveness of the decisions taken in Bremen and to adopt further concrete measures for the maintenance of the quality of the North Sea.

London, 1987

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The United Kingdom set out with the intention that the London Conference should reach conclusions about the state of the North Sea having regard to the best scientific evidence available, in other words that it should be science based and the preparatory work would produce a comprehensive quality status report (QSR) of the North Sea environment. The focus of the London Conference was essentially determined by the political priorities of the North

Sea States. After 21 months, the preparatory work was concluded at a meeting of the permanent Secretaries of State in Edinburgh in September 1987. The Second International Conference on the Protection of the North Sea took place in London on 24 and 25 November 1987 and was attended by representatives of the same interests as the First Conference. For the first time, NGOs were permitted to attend the opening session only and make brief statements to the Conference.

Based on the gaps in the data in evidence in the QSR, the London Conference concluded that there was a need to enhance the scientific knowledge and understanding of the North Sea. Although a great deal was known, the QSR showed that there were still shortcomings in the data and that it was not possible to make links between contaminant levels and environmental changes. The Oslo and Paris Commissions and ICES were therefore charged with establishing a joint working group, which was subsequently instituted as the North Sea Task Force (NSTF), to organize a coordinated scientific programme leading, in a reasonable timescale, to a dependable and comprehensive statement of circulation patterns, inputs and dispersion of contaminants, ecological conditions and effects of human activities in the North Sea.

The Hague, 1990

LOGO

It was also decided in London that a Third Conference should be held at Ministerial level in the Netherlands in early 1990 in order to review the implementation of commitments entered into at the First and Second North Sea Conferences and, in particular, to evaluate the measures agreed in the London Declaration from a policy viewpoint. The international preparations began with a high level government executives' meeting at The Hague in October 1988 and was effected by the establishment of a Preparatory Working Group with several sub-groups. The Third International Conference on the Protection of the North Sea was held in The Hague on 7 and 8 March 1990 and was the subject of much media attention and public interest. In recognition of the importance of the contribution of riverine inputs to the North Sea, the ministers were joined for the first time by a colleague from the Swiss Confederation, whose government also endorsed the commitments entered into at Bremen and London. Observers from the former Czechoslovakia and the former German Democratic Republic also attended the Conference.

Intermediate Ministerial Meeting, Copenhagen, 1993

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The Hague Conference accepted the offer of the Danish Government to host a Fourth International Conference on the Protection of the North Sea in 1995. It was also agreed to hold an Intermediate Ministerial Meeting (IMM) in 1993:

- to discuss the 1993 Quality Status Report on the North Sea;
- to evaluate the actions taken within IMO on Annex I and Annex II of MARPOL 73/78 and to decide what additional measures might be required, including the possibility of declaring the North Sea a Special Area under these Annexes;
- to discuss problems of implementation of the North Sea Conference Declaration with regard to nutrients and pesticides, for which purpose Ministers of Agriculture would also participate.

The IMM-93 was held in Copenhagen on 7 and 8 December 1993. It was essentially a review meeting to determine at ministerial level what issues needed to be addressed in preparation for the Fourth North Sea Conference.

Principal Outcome of the North Sea Conferences

The Bremen Declaration

In the Bremen Declaration the Ministers underlined their joint responsibility in safeguarding the North Sea as an important and irreplaceable ecosystem, and in doing so they undertook to bring forward a number of initiatives to improve the protection of the North Sea. These initiatives focused on five main areas:

- reduction of inputs from rivers and coastal waters to the North Sea by quickly establishing further internationally binding measures;
- reduction of atmospheric pollution through the preparation of a new Protocol to the Paris Convention;
- reduction of pollution from ships, off-shore platforms and waste dumping at sea, as well as strengthening the possibilities to combat oil pollution by extension of existing conventions and cooperation (*e.g.* by coordinated aerial surveillance);
- promotion of environmentally compatible technologies and products;
- improvement of joint monitoring and assessment of the North Sea environment.

The Bremen Conference brought together for the first time the Ministers responsible for the protection of the North Sea environment to discuss common problems in a specific geographical context. It brought political focus on an important ecosystem which is the responsibility of all neighbouring states. It did indeed result in increased activity within the international fora as a result of the heightened political interest. Perhaps most significantly, it paved the way for further political activity on the North Sea at subsequent Ministerial Conferences.

The London Declaration

One of the most important political decisions at the London Conference was the acceptance by all North Sea States that the basis of their action in regard to the reduction of inputs of substances that are persistent, toxic and liable to bioaccumulate should be based on "the principle of precautionary action" and that such inputs should be limited "by the use of the best available technology and other appropriate measures". The key elements of the political programme which was agreed at the London Conference were:

- a substantial reduction (of the order of 50%) between 1985 and 1995 in total inputs to the North Sea via rivers and estuaries of substances that are persistent, toxic and liable to bioaccumulate;
- a substantial reduction (of the order of 50%) between 1985 and 1995 in inputs of phosphorus and nitrogen to those areas of the North Sea where such inputs are likely, directly or indirectly, to cause pollution;
- to prepare national action plans to achieve both these goals;

- to reduce atmospheric emissions of pollutants from key industrial and other sectors by taking appropriate action, including the use of strict emission standards based upon best available technology, if practicable within 4 years;
- to phase out the dumping of industrial wastes in the North Sea by 31 December 1989;
- to reduce the use of marine incineration by not less than 65% by 1 January 1991 and to phase out the practice totally by 31 December 1994;
- to initiate action within IMO for designating the North Sea a Special Area for the purpose of Annex V (garbage) of MARPOL 73/78.

Ministers repeated their commitment to renewed efforts, both nationally and within the framework of the international conventions, to take measures which would protect the North Sea. One of these measures was the decision to establish the North Sea Task Force to enhance the scientific knowledge and understanding of the North Sea.

The Hague Declaration

The principal task of The Hague Conference was to review the implementation of the Bremen and London Conferences and to clarify the political decisions in measurable terms. For example, with respect to inputs of hazardous substances, a list of 36 substances was identified in respect of the 50% reduction target and a 70% reduction target was established for the most dangerous substances to the environment, *i.e.* dioxins, cadmium, mercury and lead. Further concrete steps were taken to alleviate eutrophication: notably measures with respect to municipal waste water and industrial effluents and measures in agriculture. The termination date for marine incineration was brought forward to 31 December 1991.

As regards new measures, agreement was reached to phase out and destroy PCBs and hazardous PCB-substitutes and to aim for a substantial reduction in the quantities of pesticides reaching the North Sea. The Ministers also turned their attention for the first time to matters concerning the protection of species and habitats (a Memorandum of Understanding on Small Cetaceans in the North Sea was adopted) and on the impact of fishing activities. It was further agreed to seek a global strengthening of the regulations for ships' operational discharges of oil and chemical residues, and to exercise greater control over the activities of the off-shore industry.

Statement of Conclusions of the IMM-93

In preparing for the Fourth North Sea Conference, the Intermediate Ministerial Meeting (IMM-93) in Copenhagen reached conclusions on:

- the need for measures to make significant reductions (of the order of 50%) of anthropogenic inputs of polyaromatic hydrocarbons (PAHs) between 1985 and 2000 from all sources of concern to the marine environment;
- the possible need for a joint initiative to designate the North Sea as a Special Area for the purposes of Annexes I and II of MARPOL 73/78

- and to study intersessionally the possibility of declaring the North Sea a Special Area for the purposes of the new air pollution Annex;
- the need for proposals on economic arrangements, control and monitoring systems for port reception facilities;
 - an agreement to work to adopt international rules as soon as possible concerning liability and compensation for damage caused by accidents involving ships carrying cargoes of hazardous and noxious substances;
 - the acknowledgement that, although most North Sea States expect to reach the 50% reduction target for phosphorus, the 50% nitrogen target will not be achieved mainly because the reductions in the agriculture sector are insufficient, as well as the time lag between the application of measures and their effects; the Ministers encouraged the development of an operational definition of balanced fertilization with a view to adoption as a common international standard;
 - the fact that insufficient progress had been made in reducing the use of pesticides to reach the goals of The Hague Declaration.

The IMM-93 was particularly noteworthy in that it provided the first opportunity for a cross-sectoral approach at political level to certain environmental problems affecting the North Sea. Ministers of agriculture were able to discuss issues of common concern, notably measures for nutrients and pesticides, with their colleagues responsible for the protection of the North Sea environment. The Ministers drew attention to the need for suitable regimes for the protection of coastal and marine areas (including species and habitats) and to the importance of fisheries management in the context of safeguarding the sustainability of the North Sea ecosystem as a whole.

The Work of the North Sea Task Force

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The first international Report on the Quality Status of the North Sea was that compiled by the Group of Experts which was commissioned to prepare a synthesis of the scientific material submitted by North Sea riparian states and the European Commission to the Bremen Conference. Their report was presented to the preparatory meeting of State Secretaries at Wilhelmshaven (September 1984).

In line with the policy that the Second North Sea Conference should be science based, a revised and updated QSR was prepared in 1987. Whereas the report prepared for the Bremen Conference was essentially a compilation of the national reports and opinions of North Sea States, the 1987 QSR was the first attempt to produce a synthesized overview of the North Sea ecosystem describing its human uses, its physical oceanography, the inputs and concentrations of inorganic and organic contaminants, the ecological effects, trends and an overall assessment of the status of the North Sea.

Although the 1987 QSR demonstrated that much was known about the North Sea ecosystem, it also showed that there were shortcomings in the data and that it was not possible to make links between contaminant levels and environmental changes. The London Conference concluded that there was a need to enhance the scientific knowledge and understanding of the North Sea and the Oslo and Paris Commissions and ICES were therefore charged with

establishing a joint working group, which was subsequently instituted as the North Sea Task Force (NSTF), to organize a coordinated scientific programme leading, in a reasonable timescale, to a dependable and comprehensive statement of circulation patterns, inputs and dispersion of contaminants, ecological conditions and effects of human activities in the North Sea.

An interim report from the NSTF was submitted to The Hague Conference in 1990. This was not an attempt to update the 1987 QSR. It contained the results of scientific research on two major ecological incidents in the North Sea which had occurred since the London Conference: the exceptional algal blooms and the seals epidemic. In addition, the NSTF identified four sensitive issues which it considered deserved special attention because of recent developments in scientific knowledge and understanding:

- the impact of the fishing industry on the North Sea ecosystem;
- surveillance of chemicals not usually covered in routine monitoring programmes;
- the environmental impact of persistent chemicals;
- the role of atmospheric input as a source of contaminants to the North Sea.

The Hague Declaration invited the NSTF to address these issues in the 1993 QSR and also added a number of additional tasks, such as elaborating techniques for the development of ecological objectives for the North Sea, elaborating first proposals for possible methods for the reconstruction of already damaged ecosystems, and considering the possibilities of developing analytical tools to assess and compare the effects that policy decisions have on the North Sea.

The NSTF completed its task and published an updated North Sea Quality Status Report in 1993. The report was welcomed by Ministers at the IMM in Copenhagen in December 1993 and was debated by the international scientific community, including representatives of NGOs, at a Scientific Symposium at Ebeltoft, Denmark, on 18 - 21 April 1994.

Role and Influence of the North Sea Conferences

Whilst the pertinent Conventions and their executive bodies are rather specialised in their scope, the International Conferences on the Protection of the North Sea have the advantage of providing a political framework for a broad and comprehensive assessment of the measures needed to protect the North Sea environment. This enables Ministers to deal with a broad range of North Sea issues and allows them to respond swiftly and to focus on key issues at each Conference. The follow-up to the political decisions taken within the framework of the INSCs is taken, not only at national level, but often within the framework of the competent international bodies in order to give legal effect to the political commitments.

Apart from the decisions for agreed action to protect the North Sea recorded in the Conference Declarations, the most important of which are summarised

above, the North Sea Conferences have played an important role in influencing environmental management decisions on a much wider level.

It should be remembered that the dominant debate during the early 1980s was whether pollution control measures should be based on uniform emission standards (UES) or environmental quality objectives (EQO). The debate had serious implications, not only for environmental protection but also for industrial costs and international competition. The argument had far reaching effects and permeated most international discussions on the environment at that time, especially in the framework of the EC and the Paris Commission. Within the latter, special working groups were established to examine the complementarity of the two approaches and, gradually, it was generally accepted that both philosophies had their merits and, indeed, that there was a need for both within a precautionary approach to discharges of dangerous substances.

There was also at this time a scientific argument advanced that the sea had an assimilative capacity which should be taken into account when making management decisions affecting inputs. On the other hand, it was recognised that there was not sufficient knowledge to prove causal links between emissions and effects. It was therefore argued that, where there was reason to assume that certain damage or harmful effects on the living resources of the sea are likely to be caused by polluting emissions of substances that are persistent, toxic and liable to bioaccumulate, even where there is no scientific evidence to prove a causal link between emissions and effects, then in order to safeguard marine ecosystems such emissions should be reduced at source by the use of best available technology and other appropriate measures ("the principle of precautionary action").

The adoption of the precautionary principle, although hinted at at the Bremen Conference, was indisputedly accepted by all North Sea States at the London Conference. Although the adoption of the precautionary principle has not put an end to the debates as to what measures are "appropriate" or what constitutes "best available technology" for a particular industrial sector, it does mean that the discussions stem from the same premise. More fundamentally, it reversed the concept which had guided international policy on dumping for the previous 15 years; whereas the conventions negotiated in the 1970s provided a regulatory framework for dumping subject to certain restrictions to minimize damage, now there was an onus to prove that such activities would cause no harm in the marine environment and to show that there were no practical alternatives on land before dumping would be permitted.

The adoption of the precautionary principle is one of the most important decisions emanating from the North Sea Conferences. Its ramifications are so important and far-reaching that the decision could only be taken by ministers. Once made at political level, the principle has been adopted within the appropriate legislative fora, notably by Oslo and Paris Commissions, first by the adoption of a Recommendation to all Contracting Parties and subsequently by explicit inclusion in the text of the Convention for the Protection of the Marine Environment of the North-East Atlantic (Oslo and Paris Convention", Paris 1992). But the influence of the London Declaration decision has spread far beyond the North Sea and has become a generally accepted basic principle for

protection of the environment on a par with the "polluter pays" principle adopted at the 1972 Stockholm Conference on the human environment.

Over the years there has been a gradual shift in emphasis of the matters discussed at the North Sea Conferences. Although the reduction of emissions of polluting substances is still important - and has indeed become more focused - political attention has been directed at the means of achieving those ends, by the adoption of concepts such as best available technology, including "clean technology", for point sources, and "best environmental practice" for dealing with diffuse sources of pollution. An integrated approach to pollution control has gradually been developed in order to ensure that all aspects of processing and waste management are addressed in a holistic manner (including the development and use of non- and low-waste processes) rather than focusing on a single emission pathway.

The political forum provided by the North Sea Conferences has been a useful opportunity to keep North Sea policy up to date with trends in modern environmental concepts. For example, The Hague Declaration accepted the implications of the concepts of sustained use and sustainable development, and the integrated ecosystem approach, as indicated by the World Commission on Environment and Development. These sentiments were not only accepted as matters of principle within the preamble to the Declaration but were reflected in the issues discussed at The Hague Conference.

Hence, Ministers discussed their concern about issues other than contamination by harmful substances, such as the impact of fishing activities and the wider question of fishing in the North Sea as a sustainable resource. More importance has been given to the protection of the North Sea ecosystem *per se* and is reflected in the instigation of measures for the protection of habitats and species. The importance of the Wadden Sea for the ecological functioning of the North Sea has always been recognised within the framework of the North Sea Conferences whose Declarations have special significance for this unique and fragile ecosystem.

The North Sea Conferences are political events and the decisions of Ministers, as recorded in the Conference Declarations, are political commitments rather than legally binding obligations. In assessing whether the Conferences have fulfilled their unwritten objectives, it is necessary to judge whether political progress has been made. The protection of the North Sea calls for international cooperation by all riparian states - and, indeed, states within the catchment areas of the major rivers discharging to the North Sea - as recognised by the German Council of Environmental Advisors back in 1980. Judged on this yardstick, the Conferences have provided the vehicle for political cooperation: ambitious targets have been set and decisions have been reached unanimously without a single dissenting voice.

Due to the fact that the North Sea Conferences have been held at Ministerial level, it has been possible to agree upon important issues of principle, whose implementation requires strong political commitment from the parties concerned. This commitment is essential in the transformation of agreements of the North Sea Conferences by legal means or into national, or international,

concrete action programmes, taking due consideration of the financial constraints of respective countries.

Broad-brush decisions have been taken to reduce emissions by politically attractive percentage reductions. The original ambiguities and vagueness in such decisions have, to some extent, been cleared up, but even if the measurement of their success will be an imprecise science, the important thing is that the government machinery has set in motion the range of consequential regulations which will be necessary to give effect to the political decisions.

The early ambitions of the North Sea Conferences to give a political impetus to the work in the competent international bodies have successfully provided the political direction which would not have been achieved within international organizations working only at the level of officials. In this context, the role of the competent international bodies should be made clear. It should be acknowledged that the political decisions made at the North Sea Conferences would not have been possible without the overall scientific and technical preparatory work concerning the North Sea and its catchment area carried out in particular by the Oslo and Paris Commissions but also, with regard to monitoring and assessment, by ICES. Although the main reporting obligation is on individual North Sea States, the Oslo and Paris Commissions have played a significant role in providing, when requested by North Sea Ministers, synthesis reports concerning its Contracting Parties' implementation of the North Sea Conference Declarations as well as comprehensive technical background reports.

Although the North Sea Conferences have provided the political skeleton, it has been left to the established legal frameworks, in particular the Oslo and Paris Commissions, the EU (and more recently the EEA Agreement), IMO and the Bonn Agreement to implement Ministers' decisions by providing the necessary detailed and binding (legal) framework for the North Sea States, in particular through the medium of Decisions and Recommendations adopted by the Oslo and Paris Commissions and by EU Directives.

The history of the North Sea Conferences is proof that the political involvement of Ministers has enabled important and far-reaching decisions to be taken. This is acknowledged by the new Oslo and Paris Convention (signed by Ministers in 1992 but not yet ratified by all Contracting Parties) under which regular meetings at Ministerial level will be convened in the future. Even if full implementation of past Conference Declarations has not yet been achieved, the successes of the Conferences so far confirms the importance of keeping the protection of the North Sea to the forefront of the political agenda.

Declaration of the International Conference on the Protection of the North Sea

The Ministers responsible for the protection of the North Sea of the Governments of

the Kingdom of Belgium
the Kingdom of Denmark
the French Republic
the Federal Republic of Germany
the Kingdom of the Netherlands
the Kingdom of Norway
the Kingdom of Sweden
the United Kingdom of Great Britain and Northern Ireland as well as
the Member of the Commission of the European Communities
responsible for environmental protection

after careful preparation at the International Conference on the Protection of the North Sea in Bremen on 31 October and 1 November 1984, have reached agreement on necessary measures for the protection of the North Sea. They agreed to take timely preventive measures to maintain the quality of the North Sea and to closely cooperate herein.

To this end they have resolved the following conference results with a comprehensive and detailed set of protective measures for the North Sea.

Focal areas of joint action include:

1. Reduction of pollution from land-based sources with regard to contamination through rivers and coastal waters the Ministers affirmed their strong support for further binding regulations for black and grey list substances which should be adopted within the framework of the EEC, the Paris Commission and the River Commission concerned, if possible as early as 1985. In these regulations the prevention of pollution of sediments shall be taken into account. These regulations should refer to both new and existing installations.

Furthermore, with regard to additional regulations which might prove to be necessary, potentially hazardous substances, in particular new synthetic organic compounds, are to be continually examined for deleterious effects on the North Sea.

The coastal states of the North Sea and the EEC¹, taking into account the working programme adopted in the Paris Commission relating to atmospheric inputs and proposals already submitted, will take a joint initiative in the Paris Commission that in 1985 an additional protocol to the Paris Convention, which relates to the prevention, reduction or elimination of marine pollution through the atmosphere, can be adopted; this joint initiative should cover, as far as necessary, the adoption of corresponding joint programmes and measures.

¹ *To the extent that in this declaration reference is made to the participation of the European Economic Community in initiatives within the framework of conventions to which it is a contracting party, this means that the Commission of the European Community will make the appropriate proposals to the Council of Ministers.*

In the Paris Commission, in the River Commissions and in the EEC activities aiming at a phasing out of the use and discharge of polychlorinated biphenyls (PCB's) will be intensified without delay.

The Ministers jointly demand that wastes including sewage sludge, containing such amounts of substances which are or could be harmful to the marine environment will not be dumped into the North Sea.

They stress that increase attention is to be paid in particular to the protection of the Wadden Sea which is important for the whole North Sea.

2. Reduction of pollution at sea

The Ministers will intensify their work towards the prevention of marine pollution due to the operation of ships. They will ensure that the system of reception facilities, in particular for residues and mixtures of oily and noxious liquid wastes which has already been established, will be comprehensive and they will introduce practicable procedures for their use; in addition, the coastal states of the North Sea will do their utmost in 1985 within the International Maritime Organization (IMO) that appropriate International regulations for harmful substances in packaged form and for garbage from ships (Annexes III and V of MARPOL 73/78) will enter into force as soon as possible. The Ministers will pursue the detection, prosecution and punishment of violations against anti-pollution regulations. They will ensure stringent controls on ships entering their ports in accordance with the Memorandum of Understanding on Port State Control.

With a view to a possible initiatives to declare the North Sea a special area, the riparian states of the North Sea will evaluate the effects of MARPOL 73/78 on the quality of the North Sea with the intention to decide upon this question at the next International Conference on the Protection of the North Sea at the latest. The same applies to the mandatory requirement for equipment on board ships and the availability of reception facilities.

The North Sea states request the IMO and other competent bodies to consider the development of a mandatory reporting system for ships, which due to the nature of their cargo pose a potentially grave and imminent threat of marine pollution, including ships carrying radioactive substances.

Cooperation in the long-range airborne surveillance of the North Sea will be strengthened. In order to take immediate and effective action, in particular against violations of anti-pollution regulations and in case of accidents, airborne surveillance equipment which can function even at night and in bad weather should be developed or improved.

Technical equipment used to explore and exploit petroleum in the North Sea (including transportation pipelines) should be constructed and operated in conformity with the best available technology.

Oil pollution from platforms will be prevented by application of the best available technology and subject to considerations of the guiding discharge values agreed to. A responsible person should be appointed on every platform to monitor the pollution prevention equipment.

3. Further development of the Joint Monitoring Programme.

The Ministers underline that it is urgent to make more coherent and to intensively develop the Joint Monitoring Programme of the Oslo and Paris Commission, and to examine in this connection the possibilities for the establishment of a joint International Environmental Data Base on the North Sea and the North East Atlantic.

The Ministers agree to hold a second International Conference on the Protection of the North Sea in the United Kingdom.

At this conference the implementation and effectiveness of the decisions taken in Bremen shall be reviewed and further concrete measures necessary for the maintenance of the quality of the North Sea shall be adopted.

Done at Bremen on November 1, 1984

CONCLUSIONS OF THE CONFERENCE

The participants at the International Conference on the Protection of the North Sea held in Bremen on 31 October and 1 November 1984,

the Ministers responsible for the protection of the North Sea of the Governments of the Kingdom of Belgium, the Kingdom of Denmark, the French Republic, the Federal Republic of Germany, the Kingdom of the Netherlands, the Kingdom of Norway, the Kingdom of Sweden and of the United Kingdom of Great Britain and Northern Ireland as well as the Member of the Commission of the European Communities responsible for environmental protection.

- A 1 Aware that the North Sea, and in particular its natural resources contribute an important, irreplaceable environment;
- A 2 Recognizing that the North Sea is bordered by densely populated and highly industrialized states and crossed by much frequented shipping routes;
- A 3 Conscious that man can alter nature and endanger natural resources as a result of his activities, in particular through pollution and its consequences;
- A 4 Convinced that special attention should therefore be given to the conservation of the North Sea as a vital ecosystem, including the Wadden Sea and other highly sensitive coastal areas, especially for the protection of spawning grounds and wild migratory bird species;
- A 5 Conscious of the need to conserve for present and future generations this most important marine ecosystem for recreational purposes as well - in view of its importance for fisheries - as a source of wholesome food;
- A 6 Recognizing that the environment is best protected against pollution through timely preventive measures;
- A 7 Conscious that damage to the marine environment can be irreversible or remediable only at considerable expense and over long periods and that, therefore, coastal states and the EEC must not wait for proof of harmful effects before taking action;
- A 8 Aware that the central and northern part of the North Sea on the whole do not seem to be considerably effected, but that pollution has in particular been determined in the estuaries and regions next to the coast, and convinced that many gaps in knowledge are yet to be filled by intensified monitoring and scientific research;
- A 9 Aware that the inputs of pollutant loads to the North Sea mainly come from land-based sources via rivers, coastal waters and the atmosphere and that moreover pollutant inputs via direct discharges, dumping and the operation of ships may cause serious local damage to the North Sea;
- A 10 Conscious that new synthetic substances the effects of which on the North Sea are hitherto undetermined continue to be discharged into the North Sea;

- A 11 Concerned that the marine environment of the North Sea may be endangered to an increasing extent by the input of pollutants through various paths;
- A 12 Conscious that the input of pollutants contained in suspended material and sediments into the North Sea via rivers and via dumping of dredged materials may cause damage to parts of the marine environment and therefore considering it important to take these transport routes and their ecological and economic impact into account,
- A 13 Recognizing that pollution through rivers and coastal waters needs to be prevented or markedly reduced for the preservation or restoration of the marine environment of the North Sea;
- A 14 Convinced that it is important to lay down early priorities in the competent international bodies for reduction measures (in particular setting emission and environmental quality standards) for substances which are or could be harmful to the marine environment;
- A 15 Recognizing that considerable importance is to be attached to the maintenance of the quality of sediments;
- A 16 Recognizing that the approaches according to uniform emission standards (UES) or according to environmental quality objectives (EQO) aim at the protection, conservation and improvement of the marine environment;
- A 17 Aware that the licensing practices and the extent of monitoring of discharges in the coastal states vary;
- A 18 Conscious that the contamination of the North Sea also comes via the atmosphere and that because of this there is a need for detailed knowledge concerning atmospheric inputs into the North Sea;
- A 19 Aware of the necessity to eliminate intentional pollution from ships completely and noting that the International Maritime Organization (IMO) is the competent body for this international task;
- A 20 Expecting that the International Convention for the Prevention of Pollution from Ships, 1973 and the Protocol of 1978 relating to this Convention (MARPOL 73/78) with its Annex I (oil) which entered into force on 2 October 1983 will have an increasing effect as regards the reduction of marine pollution from ships, and noting that these instruments provide the framework for the improvement of existing regulation, the aim being the elimination or further definitive reduction of marine pollution by ships;
- A 21 Convinced of the necessity of a comprehensive system of reception facilities in particular for oily residues and mixtures, noxious liquid substances and garbage as well as of practicable and low-cost procedures to prevent pollution from ships;
- A 22 Convinced that Annex II of MARPOL 73/78 needs to enter into force speedily and be applied effectively in order to eliminate pollution of the North Sea by noxious liquid substances carried in bulk;
- A 23 Emphasizing that rapid accession to MARPOL 73/78 by as many countries as possible is a matter of urgency;

- A 24 Conscious of the particular importance of measures for the prevention of marine pollution by harmful substances carried by sea in packaged forms and garbage from ships (Annexes III and V of MARPOL 73/78) for the protection of the North Sea;
- A 25 Convinced that besides from the threat of severe penalties, effective detection, prosecution and punishment of violations of anti-pollution regulations are necessary to discourage potential polluters to pollute the environment;
- A 25a Conscious that there are considerable risks in the North Sea of pollution caused by accidents which are due to heavy maritime traffic, especially in the narrow straits, and that, in the event of an accident or incident, a rapid exchange of relevant information can be of vital importance for the decisionmaking process in order to cope with the effects of the accident or incident;
- A 26 Emphasizing that dumping as well as incineration at sea of wastes which are or could be harmful for the marine environment should be avoided for the protection of the North Sea;
- A 27 Recalling the importance attached to the London Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter as well as additional provisions of the International Atomic Energy Agency with regard to radioactive wastes or other radioactive matter;
- A 28 Conscious of the particular importance of airborne surveillance independent of visibility in the case of oil spills and for the detection of violations of the provisions on the prevention of marine pollution by ships;
- A 29 Confirming the necessity of keeping oil discharges from platforms to a minimum in order to protect the marine environment;
- A 30 Noting that requirements on the technical equipment on platforms represent an important instrument for the maintenance of the quality of the marine environment;
- A 31 Affirming that the coastal states and the EEC have a common responsibility for the marine environment of the North Sea area and that there is a need for increased efforts to protect it and take care of it, preferably through preventive measures;
- A 32 Recognizing the importance to be attached to scientific, technical and administrative cooperation for improved protection of the marine environment of the North Sea, and to co-ordinated action at international level, in particular in the existing international Commissions and other bodies involved, when implementing the necessary measures;
- A 33 Recalling the importance of the international agreements for the prevention of and dealing with marine pollution concluded in Oslo, Paris and Bonn as well as of other relevant agreements through which further considerable progress in the protection of the North Sea can be achieved;
- A 34 Recognizing the efforts of the Council of Europe, the Committee on Water Problems of the United Nations Economic Commission for Europe, of international River Commissions, the Helsinki Commission, the United Nations Environment Programme and the United Nations International Maritime Organization, aimed at the protection of international waters;

- A 35 Conscious of the particular need to ensure that marine transportation of radioactive substances and wastes is carried out in a safe way.
- B declare their firm determination
- B 1 - to make every effort at national and international levels as well as at EEC level to protect the marine environment of the North Sea effectively and permanently, and for this purpose to prevent, reduce and control adverse effects on the marine environment which result or are likely to result from human activities,
- B 2 - in view of the implement of parts of the North Sea and the possible impairment of the ecosystem of the North Sea as a whole, to continue the efforts made in the past few years at national and international levels as well as at EEC level in order to urgently further reduce existing contamination, in particular through rivers, coastal waters and the atmosphere and to prevent additional contamination or the risk of contamination and to pay increased attention in particular to the protection of the Wadden Sea which is of importance for the whole North Sea,
- B 3 - to implement the existing international agreements for the protection of nature with a view to the conservation of the ecosystem of the North Sea - above all of the Wadden Sea and similar particularly sensitive coastal areas - without delay, and to make use of the instruments provided therein and intensively to continue existing cooperation for the protection of these areas,
- B 4 - to set clear objectives to be met within specific timelimits, taking account of economic conditions, and to use efficient instruments to achieve them,
- B 5 - to lay down emission and environmental quality standards for preserving or restoring the marine environment,
- B 6 - to bring closer together the uniform emission standards and environmental quality objectives approaches,
- B 7 - to prevent waste from production and consumption as far as possible or to at least reduce it, and where this is not practicable, to recycle unavoidable waste as far as possible; the disposal of wastes which cannot be recycled - should be in accordance with the best possible protection of the environment - in particular wastes which are or could be harmful to the marine environment and which cannot be recycled shall be disposed of on land in a controlled manner instead of discharged into the North Sea,
- B 8 - to ensure that measures adopted by coastal states and the EEC to protect the North Sea are applied in such a way as to prevent the dumping in other seas of wastes including sewage sludges, which could do harm to the marine environment,
- B 9 - to prevent or at least to reduce the input of hazardous substances into waste water as far as possible, and where this is not practicable, waste waters contaminated by such substances are to be treated, aiming at preventing or at least reducing, as far as possible, such discharges into the aquatic environment,

- B 10 - to intensify research and development for the improvement of knowledge relating to forms of marine pollution and for enhancing water quality in the North Sea, for example with the aim of using new low or non-waste and low-emission or emission-free technologies and to exchange internationally the information thus obtained,
- B 11 - to ensure that, with regard to the North Sea, information on licensing practices is exchanged and arrangements for monitoring discharges are compatible,
- B 12 - to develop existing monitoring programmes in order to secure a coherent system indispensable to the protection of the North Sea,
- B 13 - to analyze and assess likely effects of protects and measures on the marine environment in the earliest possible stage of decision-making processes in relation to programmes and plans as well as the permissibility of individual projects,
- B 14 - to make highly effective use of the possibilities offered by international agreements on the prevention of marine pollution and to develop them to the extent required, as well as to strengthen existing co-operation to lasting effect in order to achieve co-ordinated implementation of the Oslo and Paris Conventions and the EEC environment programme,
- B 15 - to take initiatives in international bodies to ensure that appropriate measures for the prevention of marine pollution are indicated and implemented as soon as possible, taking into account all economic and technical aspects.
- B 16 - to review at regular intervals whether measures and programmes to maintain the quality of the marine environment of the North Sea adopted by the competent international bodies and implementing measures taken by national authorities in the coastal states that are members of those bodies, are sufficiently effective and to take further decisions at political level, as appropriate, with regard to the prevention and further marked reduction of marine pollution,
- B 17 - to call upon other States which use the North Sea or whose activities adversely affect the marine environment of the North Sea to accede to the relevant international agreements for protection of the marine environment, to implement the provisions thereof, to monitor compliance with these provisions and to take further necessary measures at national and international level as may be required,
- B 18 - to use their best endeavours so as to make available appropriate financial means for the implementation in good time of the foregoing principles of environmental policy for the North Sea,
- B 19 consider it necessary to make the results of this conference the basis of their environmental political action for the North Sea on the national level and within the EEC,

- B 20 and resolve in order to bring about a comprehensive set of protective measures for the North Sea, to take the conclusions of this Conference as a basis for concerted action in the competent international bodies.
- C Reduction of pollution of the North Sea through rivers and coastal waters - Specific measures concerning substances of the black and grey lists -
- C 1 In the framework of the EEC and the Paris Commission, when uniform emission standards are being set, mandatory regulations for black-list substances, in particular organohalogen compounds and heavy metals as well as for problematic grey-list heavy metals/metalloids in Annex (2) on the basis of the best technical means available will be adopted rapidly, if possible as early as 1985, and applied to new installations immediately and to existing installations as soon as possible, if necessary on a step-by-step basis. When environmental quality objectives are being used, best technical means available should be taken into account when new installations are constructed and its application to existing plants should be encouraged.
- C 2 In the Paris Commission, in the River Commissions and in the EEC activities aiming at a phasing out of use and discharge of polychlorinated biphenyls (PCB's) will be intensified without delay.
- C 3 In the Oslo and Paris Commission as well as in the EEC potentially hazardous black-list and grey-list substances including new compounds have to be examined more intensively in accordance with Annex (3), for new compounds above all with a view to their inclusion in the lists.
- C 4 If necessary for the protection of the environment, restrictions - and, if required, bans - on marketing, use, production and disposal of specific hazardous substances should be laid down in the framework of the competent international organizations and within the EEC, the necessary technical and administrative measures should be taken and incentives be created as - appropriate.
- C 5 The prevention of the pollution of sediments is to be taken into account to a greater extent when setting emission standards and quality standards in the EEC, the Oslo and Paris Commissions as well as in the River Commissions whose regulations may also have a bearing on the quality of the North Sea in accordance with Annex (4).
- C 6 - Principles for the approaches: environmental quality objectives and uniform emission standards -
- C 7 The North Sea coastal states and the Commission of the European Communities expect present studies, in the Framework of the competent bodies, in particular within the Paris Commission, on the comparability of the two approaches in respect to environmental quality objectives and uniform emission standards to bring results as soon as possible. Within the framework of the next conference, at the latest, political decisions should be considered on the simultaneous and/or complementary application of the two approaches on the basis of the results of the assessment of the scientific, economic and environmental data.
- C 8 Emissions normally should be limited at source; emission standards should take into account the best technical means available and quality objectives should be fixed on the basis of the latest scientific data.

- C 9 If the state of knowledge is insufficient, a strict limitation of emissions of pollutants at source should be imposed for safety reasons.
- C 10 Emission standards and quality objectives should be reviewed periodically and appropriate time limits should be fixed for this.
- C 11 with either approach adequate environmental monitoring is required. If it shows that the quality of the environment is insufficient, emission controls should be tightened or bans imposed.

C 12 - Radioactive discharges -

The North Sea coastal states declare their firm intention to respect the applicable recommendations of the competent International organisations and to this end to take account of the best available technology in order to reduce radioactive discharges coming from all of nuclear industries including reprocessing plants into the marine environment.

D Pollution of the North Sea through the atmosphere

- D 1 The working programme adopted in the Paris Commission relating to atmospheric inputs, Annex (5), should be carried out as soon as possible.
- D 2 The coastal states of the North Sea and the EEC, taking into account this working programme and proposals already submitted, will take joint initiative in the Paris Commission that in 1985 an additional protocol to the Paris Convention, which relates to the prevention, reduction or elimination of marine pollution through the atmosphere can be adopted; this joint initiative should cover, as far as necessary, the adoption of corresponding joint programmes and measures.
- D 3 Precautionary measures for air quality control by reduction of emissions at source should also be determined for the protection of the North Sea, based on the best available technology.

E Prevention of marine pollution due to the operation of ships

- E 1 With reference to the requirement laid down in Annex I to MARPOL 73/78 to make available adequate facilities for the reception of oily residues and mixtures by 2nd October 1984, a comprehensive system of reception facilities should be established, and practicable and low-cost procedures for their use introduced in accordance with Annex (6) .
- E 2 With regard to noxious liquid substances in bulk, adequate facilities should be speedily provided in ports, in accordance with the obligations under Annex II of MARPOL 73/78, for the reception of all residues containing noxious liquid substances that ships are prohibited from discharging into the sea.
- E 3 With a view to a possible initiative to declare the North Sea a special area, the riparian states of the North Sea will evaluate the effects of MARPOL 73/78 on the quality of the North Sea in order to decide upon this question at the next International Conference on the Protection of the North Sea at the latest. The same applies to the mandatory requirement for equipment on board ships and to the availability of reception facilities.

- E 4 The coastal states of the North Sea will apply harmonized principles regarding the implementation of requirements on small ships flying their flag other than oil tankers and make their best efforts within IMO to the effect that these principles be applied by all Contracting Parties to MARPOL 73/78 .
- E 5 With regard to noxious liquid substances in bulk the coastal states of the North Sea will do their utmost within IMO to bring all necessary technical preparations to a conclusion to such an early point in time as to enable the effective application of Annex II of MARPOL 73/78 by 2 October 1986.²
- E 6 Appropriate regulations for the prevention of marine pollution by harmful substances carried by sea in packaged forms and garbage from ships (Annexes III and V of MARPOL 73/78) should enter into force as soon as possible; the coastal states of the North Sea will do their utmost in 1985 within IMO to this end in accordance with Annex (7).
- E 7 The coastal states of the North Sea will make efforts within IMO and on a bilateral level that as many states as possible become parties to MARPOL 73/78.
- E 8 The coastal states of the North Sea and the EEC will improve the dissemination of information on regulations concerning pollution by discharges into the sea. The states concerned will intensify the detection, prosecution and punishment of violations against anti-pollution regulations in accordance with Annex (8).
- E 9 The national and international bodies competent for deepsea pilotage services should take into account that the use of the services of deep-sea pilots is considered as a means to prevent accidents which may cause marine pollution.
- E 10 The Ministers of the coastal states of the North Sea and the Commission of the European Communities stress the necessity to give priority consideration to certain points including the following:
- the obligation for every vessel to inform the coastal state concerned in the event of an accident or incident in the fastest possible way in order to enable the coastal state to assess the situation and to take appropriate action. Such information should include, *inter alia*, nature of the cargo carried, stowage plan, position and condition of oil tanks and intentions with regard to salvage operation;
 - the mandatory introduction of a special "keep-away" signal or ships carrying a cargo implying risks for other users of the sea so as to allow to identify the danger in an accident or incident.

The categories of goods have to be laid down;

- the review and completion, if necessary, of regulations for packing and stowing high-risk goods liable to be transported by ship and representing a risk for man and the marine environment, in order to ensure the safety of these

² 2 October 1986 is the date at which Annex II of MARPOL 73/78 is to enter into force unless a later date is agreed upon within the IMO according to Article II of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, Article II.

transports, the safety of the other users of the sea and to facilitate salvage operations in the event of accidents;

The Ministers note that some of these aspects have already been dealt with in IMO and they will do their utmost to ensure that the necessary additional work is carried out as a matter of urgency.

- E 11 The coastal states of the North Sea request the IMO and other competent bodies to consider the development of a mandatory reporting system for ships which due to the nature of their cargo, pose a potentially grave and imminent threat of marine pollution, including ships carrying radioactive substances, so that coastal states will be informed when such ships enter areas where special attention is required.
- E 12 In addition to the work in progress with regard to annex (7) of this declaration the coastal states of the North Sea request the competent bodies to continue their endeavours to simplify and thus make more effective the control mechanisms in conventions and regulations regarding dangerous goods. Simple and rapid control would rule out additional risks resulting from the nonapplication of these regulations.
- E 13 The coastal states of the North Sea take note of the principles underlying the proposals relating to safety of navigation through the entrances to the Baltic Sea, which borders the North Sea. These proposals have been submitted to IMO under the symbols Nav 30/3 and Nav 30/3/1, and they extend the existing recommendations concerning oil and chemicals tankers and gas carriers to include ships carrying a full load of class 7 radioactive substances as defined in the International Maritime Dangerous Goods (IMDG) code.
- F Waste disposal at sea
- F 1 Wastes including sewage sludges, containing such amounts of substances which are or could be harmful to the marine environment will not be dumped into the North Sea.
- F 2 Wastes which because of their harmful effects are no longer being dumped or incinerated at sea will not instead be discharged into the North Sea directly from the shore or via rivers or estuaries.
- G Airborne surveillance of the North Sea
- G 1 The relatively new technology of airborne surveillance system independent of visibility for the detection of oil spills already being employed by the coastal states of the North Sea requires further examination to achieve technical and operational improvements. Apart from bilateral cooperation between neighbouring countries, technical questions in this connection are above all treated within the framework of the 1969 Agreement for Co-operation in Dealing with Pollution of the North Sea by Oil (Bonn Agreement).
- G 2 The national and international efforts to introduce airborne surveillance systems independent of visibility in the North Sea area and to co-operate accordingly in particular in relation to the exchange of information resulting from such surveillance should be continued, intensified, and further co-ordinated in the international bodies concerned, particularly within the framework of the Bonn Agreement.

G 3 The desirable objective is to develop or improve airborne surveillance systems which can function even at night and in thick weather when visibility is poor and to achieve the detailed objectives listed in Annex (9). In the longer term such work should lead to better co-operation in long-range airborne surveillance within the North Sea area.

H Measures to prevent or reduce oil pollution from platforms

H 1 Any technical equipment used to explore and exploit petroleum and natural gas in the North Sea including transportation pipelines should be constructed and operated in conformity with the best available technology.

H 2 Insofar as for the lack of other solutions the necessity arises for improvement on existing platforms of important equipment necessary for controlling pollution on the sea, such improvement should be carried out as soon as possible; this should in principle be completed within a period of three years.

H 3 Contracting parties to the Paris Convention should inform the Paris Commission of the improvements achieved.

H 4 Permits issued for the exploration and exploitation of petroleum and natural gas deposits or any other administrative acts harmonized with such permits as to the material contents and the time frame should include requirements to prevent, on the basis of the best available technology, marine pollution through technical and organizational measures to the greatest possible extent.

H 5 Marine pollution by drilling mud and drill cuttings should be avoided or prevented to the greatest possible extent in accordance with Annex (10).

H 6 Oily waste waters will be prevented as far as possible by application of the best available technologies and subject, to consideration of guiding values in accordance with Annex (11).

H 7 Precautionary measures for emergencies/accidents should be taken through detailed plans according to Annex (12).

H 8 Special events on platforms will be reported in accordance with Annex (13) in order to keep hazards to the marine environment owing to oil pollution as limited as possible.

H 9 Companies should appoint a responsible person on every platform for the task of monitoring the operational equipment designed to protect the environment. This person should have the necessary knowledge and experience; a professional environmental officer should be appointed for companies with extensive activities in the North Sea.

H 10 Supervision of platforms and pipelines should be carried out by national authorities in accordance with Annex (14).

H 11 A regular exchange covering data on the amount of oil spilt into the North Sea during the exploration and exploitation of petroleum and natural gas, including the reasons for this, as well as the expected amounts of oil discharged into the North Sea should be intensified, in particular within the Paris Commission and in the framework of the Bonn Agreement, aiming at further improvement in the protection of the North Sea;

- I Research into and development of environmentally sound technologies and products and of substitutes to prevent or reduce hazardous wastes and pollutants in waste waters
- I 1 The exchange of information and experience on low-waste/non-waste and low-emission/non-emission technologies, on waste management, on the protection of the aquatic environment, on substitutes and economic incentives, as well as the technical cooperation with regard to solutions which render the disposal of wastes at sea unnecessary (*e.g.* recycling, reprocessing, waste disposal on land) should be intensified and be a permanent feature in international bodies; to this end, the coastal states of the North Sea and the EEC will cooperate more closely without delay.
- I 2 In this context, a certain amount of investigation may be carried out to provide evidence of the harmlessness or uses of certain inert residues (*e.g.* from collieries) or of sewage sludges not contaminated with substances which are or could be harmful to the marine environment, as well as on their effects which do not give cause for concern.
- I 3 Nationally, internationally and within the EEC, regulations should be agreed which aim at the development and introduction of environmentally sound technologies, products and substitutes; such regulations should be subject to regular review in light of changing technologies and understanding of environmental problems with a view to improved environmental protection; the development and introduction of these technologies, products and substitutes should be encouraged by incentive measures which may include economic instruments, provided always that the "polluter pays" principle is observed.
- J Further development of monitoring programmes
- J 1 Monitoring of the sea is to be actively developed in accordance with Annex (15).
- J 2 The international Joint Monitoring Programme (JMP) already operated by the Oslo and Paris Commissions should be continued, taking account of the long-term strategy adopted by the Commissions, with the aim of developing it further in a cost-effective and fruitful way in accordance with Annex (16).
- J 3 The extension of the Joint Monitoring Programme should be discussed with particular speed in the Oslo and Paris Commissions as early as 1985 with the aim of implementing it at the earliest possible date.
- J 4 The Oslo and Paris Commissions should review the present licensing practices and procedures for monitoring discharges and the marine environment to determine whether a greater degree of international co-ordination and compatibility is required.
- J 5 The results of national monitoring programmes should be made available for the purposes of the Joint Monitoring Programme. Efforts should be made to intensify research in the North Sea and monitoring as well as to support such national programmes that comply with the requirements of the Joint Monitoring Programme.
- J 6 Further measures for the protection of the North Sea should above all be taken on the basis of data and information to be collected and of their evaluation and assessment. The Joint Monitoring Group (JMG) should consider which data and information from

the Joint Monitoring Programme, other monitoring programmes and current surveys and statistics might be put together, evaluated and assessed for this purpose.

- J 7 The coastal states of the North Sea and the EEC will take a Joint initiative in 1985 in the Oslo and Paris Commissions in order to bring about a decision on how current and planned action in the framework of existing groups can be used for this purpose.
- J 8 It should be considered in the Oslo and Paris Commissions how the action taken in the framework of the existing groups to establish a joint International Environmental Data Base on the North Sea and the North East Atlantic might be promoted.

**A N N E X
OF THE DECLARATION
OF THE INTERNATIONAL CONFERENCE
ON THE PROTECTION OF THE NORTH SEA**

(1) Definitions

1. For the purposes of this declaration the North Sea area comprises
 - a) the North Sea southwards of latitude 62°N;
 - b) the Skagerrak, the southern limit of which is determined east of the Skaw by latitude 57°44,8'N;
 - c) the English Channel and its approaches eastwards of longitude 5°W.
2. Coastal states of the North Sea are Belgium, Denmark, the Federal Republic of Germany, France, the Netherlands, Norway, Sweden and the United Kingdom.
3. Throughout this text, the concepts of "best technical means available" or "best available technology" take into account the economic availability of these means.

(2) Regulations on black-list and grey-list substances (C 1)

1. General explanations

1.1 Black list and grey list are understood to mean the following, unless otherwise defined:

1. Annex lists I and II to the Council Directive of 4 May 1976 on pollution caused by dangerous substances discharged into the aquatic environment of the Community (76/464/EEC)
2. Annex A Parts I and II to the Convention of 4 June 1974 for the Prevention of Marine Pollution from Land-Based Sources (Paris Convention)
3. Annexes I and II to the Convention of 15 February 1972 for the Prevention of Marine Pollution by Dumping from Ships and Aircraft (Oslo Convention)

1.2 The problematic heavy metals/metalloids on the grey list include zinc, copper, nickel, chromium, lead and the metalloid arsenic.

1.3 Directives of the EEC

"Council Directive of 26 September 1983 on limit values and quality objectives for cadmium discharges" (83/513/EEC),

"Council Directive of 8 March 1984 on limit values and quality objectives for mercury discharges by sectors other than the chloralkali electrolysis industry" (84/156/EEC),

"Council Directive of 9 October 1984 on limit values and quality objectives for discharges of hexachlorocyclohexane" (84/491/EEC)

2. Regulations

- 2.1 The coastal states of the North Sea and the EEC will take a joint initiative within the Paris Commission so that the Paris Commission will adopt, as a first step, the limit values and quality objectives with the pertinent provisions and time limits of the directives of the EEC on cadmium, mercury and hexachlorocyclohexane in 1985. These limit values and relevant objectives will then have to be reviewed continually with the aim of improving the protection of the sea.
- 2.2 The directive on cadmium is to be extended to discharges from the production of phosphoric acid and/or phosphatic fertilizers from phosphatic rock as soon as economically feasible technical methods make it possible to remove the cadmium from the discharges of the sectors. The Paris Commission has to provide appropriate regulations.
- 2.3 The Paris Commission should provide regulations immediately in order to improve the protection of the marine environment from pollution by mercury and its compounds with regard to mercury discharges from various non-industrial sources, in particular:
 - (1) thermometers: collection of mercury from broken thermometers in hospitals and replacement of these thermometers by electronic devices working on the basis of liquid crystals,
 - (2) batteries: collection, recycling and substitution of mercury batteries,
 - (3) dental health establishments,
 - (4) analytical laboratories,
 - (5) electronic appliances and instruments,
 - (6) chloralkali products, *e.g.* sodium hydroxide.

This is to be done immediately for the sectors where the changeover will not involve any problems, and as soon as possible for the remaining sectors.

- 2.4 To achieve a noticeable reduction in the discharge of substances and the grey list, in particular of certain problematic heavy metals/metalloids, the coastal states of the North Sea and the EEC will take a joint initiative in the Paris Commission in 1985 with the aim that the Contracting Parties set up reduction programmes and take the necessary measures for their implementation. Provision has to be made that four years after the entry into force of appropriate measures national reports are to be submitted on the reduction of inputs and their impact on the North Sea.
 - 2.5 In order to reduce hydrocarbon pollution of the North Sea the coastal states of the North Sea and the EEC will take a joint initiative within the Paris Commission in 1985 with regard to the reduction of discharges from refineries and the input of petroleum hydrocarbons with storm water. Decisions have to be taken by 1986 at the latest; it is considered possible to reduce hydrocarbons in the discharges from refineries to 5 mg/l.
- (3) Examination of potentially dangerous black-list and grey-list substances (C 3)
1. The potentially hazardous substances of the black list which have to be examined more intensively in close cooperation of the Commissions of Oslo and Paris as well as in the EEC are, for instance, the 129 substances which are mentioned in the Communication of 22 June 1982 from the Commission to the Council on hazardous substances within

the meaning of list I or Council Directive 76/464/EEC and to which priority is attached by the Commission of the European Communities.

2. These potentially hazardous substances, in particular new synthetic organic compounds, have to be continually examined for deleterious effects on the North Sea; decisions have to be taken on the prevention, reduction and monitoring of their input.
3. The coastal states Norway and Sweden and, as appropriate, other Contracting Parties of the Conventions of Oslo and Paris should be included, in particular through the Oslo and Paris Commissions, in the collection of data on the 129 substances (see no. 1).
4. Effects of nutrients on the North Sea should be studied intensively. On the basis of the results inclusion on the grey list of the Paris Convention is to be examined.

(4) Prevention of pollution of sediments (C 5)

1. To prevent pollution of sediments measures should be applied, where possible at source, in any case before discharge into the aquatic environment. The discharge and/or use of hazardous substances should be strictly limited if necessary.
2. The EEC, the Oslo and Paris Commissions as well as River Commissions whose regulations may also have a bearing on the quality of the North Sea and, as appropriate, other relevant international organizations and national authorities should establish suitable programmes and initiate measures for selected substances before the end of 1986 and put them into practice as soon as possible. In this context it is important to improve scientific knowledge as follows:
 - 2.1 Review of existing methods to determine sediment contamination by such substances; if necessary, harmonization with a view to achieving international comparability.
 - 2.2 Exchange of experience with dumping and other forms of disposal of severely contaminated dredging material.
 - 2.3 If possible, preparation of recommendations concerning the acceptable level of contamination in dredged materials to be disposed of in the North Sea.
 - 2.4 Improvement of knowledge on sedimentation processes and accumulation as well as on remobilization of hazardous substances, if necessary by establishing research programmes.

(5) Working programme of the Paris Commission on atmospheric inputs (D 1)

1. to review ongoing activities within the Contracting Parties and other international organizations concerned with the measurement and assessment of atmospheric inputs to the sea;
2. to review research activities designed to improve methodology and knowledge in this area;
3. to identify gaps in monitoring and research and to make appropriate proposals;
4. to assess the importance and effects of atmospheric inputs to the sea;

5. to consider the need for programmes and measures to reduce pollution of Convention waters arising from atmospheric inputs and to make appropriate proposals.
- (6) Facilities for the reception of oily residues and mixtures to prevent marine pollution due to the operation of ships (E 1)
 1. Additional reception facilities should be set up, where necessary as soon as possible, in particular when reports show inadequacy of such facilities.
 2. Taking into account IMO recommendations, the number, the locations, and the types of facilities as well as operational procedures should be such as to minimize the time needed for their use and to make such use possible while the ship is simultaneously engaged in other operations.
 3. When setting up and operating reception facilities the best available technologies should be used so as to ensure that such shore reception facilities do not become a new source of land-based pollution.
 4. Low-cost provision and operation of facilities for the reception of oily residues and mixtures at reasonable costs are encouraged in order to ensure that no financial advantages may be obtained by not using reception facilities; costs caused by reception facilities may be covered by such means as
 - charges for the use of these facilities
 - increase of general port dues and
 - other contributions.
 5. The use of the facilities is to be encouraged through detailed and updated information on their location and possibilities of utilization. Relevant IMO activities are to be taken into account.
 6. Strict controls in ports and thorough surveillance in order to detect illegal discharges must be carried out to ensure the use of the facilities.
- (7) Prevention of the pollution of the marine environment by harmful substances carried by sea in packaged forms and garbage from ships (Annexes III and V of MARPOL 73/78) - E 6
 1. The regulations of Annex III of MARPOL 73/78 should be examined with a view to improving their effectiveness and to allowing effective controls in order to prevent the pollution of the marine environment of the North Sea by harmful substances carried by sea in packaged forms.
 2. Compliance with the regulations for the prevention of pollution by garbage from ships (Annex V of MARPOL 73/78) is contingent upon the availability of adequate reception facilities in ports for all garbage which ships are prohibited to dispose of into the sea. Such facilities have to be provided in the ports bordering the North Sea area as soon as possible with a view to eliminating the disposal of garbage from ships into the sea.
- (8) Prosecution of violations of anti-pollution regulations and information on prohibitions of discharges (E8)

1. Penal legislation exists in the coastal states or the North Sea in accordance with the obligations under Article 4 para 4 MARPOL 73/78 which provides penalties that are adequate in severity to discourage violations of antipollution regulations.
2. There is an urgent need to overcome the difficulties encountered on matters concerning detection, investigation and prosecution of illegal discharges from ships.
3. Efforts towards effective surveillance at sea should be vigorously advanced in order to detect illegal discharges, in particular of oil, in an effective way and to dissuade those responsible on ships from such discharges.
4. Co-operation within the framework of the competent international organizations and relevant agreements (IMO, Bonn Agreement, Memorandum of Understanding on Port State Control) should be intensified, with a view to improving.
 - 4.1 the detection of pollution, especially oil pollution, and the identification of those responsible on ships,
 - 4.2 the means of collecting and preserving evidence,
 - 4.3 the prosecution of offences, including inquiries at the next port of call,
 - 4.4 the exchange of the relevant data.
5. Officers and crews of ships have to be regularly and comprehensively informed of the regulations concerning the prevention of discharges into the sea; dissemination of such information should be improved both at national and international levels.
- (9) When developing airborne surveillance systems which can also be employed at night and when visibility is poor, the following detailed objectives should be achieved (G 3)
 1. Routine observation of the sea to detect any oil pollution and its potential causes.
 2. Employment in the case of accidents in order to investigate reported oil pollutions with the shortest possible delay and over large areas.
 3. Co-ordination of the employment of the vessels for the removal of any oil pollution.
 4. Identification of the polluter and documentation for transmission to the competent investigation authorities.
- (10) Prevention or reduction of marine pollution from platforms by drilling mud and drill cuttings (H 5)
 1. Principles
 - 1.1 The use of oil-based mud should be limited to a minimum.
 - 1.2 Whole oil-based muds should not be dumped or discharged at sea.
 - 1.3 All steps should be taken to prevent leakages and avoid spillages of muds.

1.4 Whenever oil-based muds are used, the residual oil on cuttings should be reduced using best available solid control technology to ensure the separation of the mud from the cuttings.

2. Binding character of the principles

The coastal states of the North Sea and the EEC will take a joint initiative within the Paris Commission so that it is reviewed in 1985 as to whether the recommendations in no. 1 on drilling muds might be transformed into binding obligations, and whether the best available cleaning technology should be applied for treating the cuttings whenever oil-based drilling mud is used, and how efficient operation of the cleaning installation should be ensured by regular checks.

3. Setting up of test systems

Toxicity test systems to classify oil-based muds (either as low-toxicity or diesel-based) should be set up. Results should be discussed with priority within the Paris Commission in order to make the test systems comparable and to propose measures to prevent the discharge of cuttings with substantial toxic mud content. Research into alternative substances for base oils which are biodegradable and of nontoxicity as well as into the ecological impact of drilling muds based on diesel and other low-toxicity based oils should be undertaken.

4. International exchange of information

A regular exchange of data on the amount of oil introduced into the North Sea in combination with drill cuttings should be intensified, in particular within the Paris Commission.

(11) Prevention of oily waste waters from platforms (H 6)

1. Principles

When granting authorization for the discharge of production waste water and oily drainage from platforms the best available technology will be applied. In case of such discharges the guiding value of 40 mg/l of hydrocarbons (IR-method) or less will be observed.

2. Binding character of the principles

The coastal states of the North Sea and the EEC will take a joint initiative in the Paris Commission to review, on the basis of scientific evidence, better technology and more experience, the adoption of a limit value or adoption of an even more stringent value and to decide on this matter.

(12) Emergency plans for platforms (H 7)

To prevent emergencies/accidents and to limit the effects of accidents that occur nevertheless to a minimum, emergency plans with the following lay-out and basic content (minimum data) will be set up:

1. List of

- 1.1 technical equipment, systems and other items of importance for the maintenance of the quality of the sea, testing schedules and condition of equipment listed,
- 1.2 equipment and systems to be used and measures to be taken in dealing with accidents and emergencies,
- 1.3 personnel trained to deal with accidents and emergencies, their training in minor and major emergency exercises and their availability on call.
- 1.4 possibilities of storage, disposal and utilisation of recovered oil and residues.
2. Details concerning type, scope and intervals of emergency exercises.
3. Instructions concerning assistance to be obtained from agencies within the operational unit or outside in the event of accidents and emergencies and co-operation with such agencies.
4. List of agencies inside and outside the operational unit to be informed of emergencies/accidents. Instructions on type of information to be provided and basic content of the report.

International co-operation in this field will be strengthened.

(13) Reporting procedures for special events on platforms (H 8)

1. Oil and gas eruptions as well as other incidents as a result of which oil escapes or may escape into the sea will be reported immediately to a national authority. Pursuant to the reporting obligations and procedures laid down under the Agreement for Co-operation in Dealing with pollution of the North Sea by Oil, the latter shall notify without delay the authorities of the other coastal states nominated in a list.
2. Reporting procedures will be subjected to continued checks with a view to their effectiveness and possible improvements.

(14) National supervision of platforms and pipelines to increase safety and to ensure compliance with regulations for the prevention or reduction of oil pollution (H 10)

In supervision by national authorities all technically appropriate means should be used. Inspections should be made at irregular intervals. Insofar as access to a platform is necessary to carry out an inspection, notification should be given on a short-term basis only.

(15) Objectives and requirements of monitoring of the sea for the evaluation of the need for and effectiveness of programmes for the control and reduction of marine pollution (J1)

The aim of monitoring is to provide the basis for

- the assessment of the state of the marine environment with regard to pollution and contamination and their effects,
- the assessment of which uses of the water body are or might be affected,
- decisions on measures for the protection of the marine ecosystem against contamination and for the reduction of pollution of the marine environment,

- the evaluation of the effectiveness of measures already taken.

To this end it is necessary

- to describe the state of the marine environment and its changes,
- to identify the effects of inputs of substances on the marine environment,
- to collect information on the origin, paths, fate and effects of potentially harmful substances detected in, or discharged into, the marine environment, and
- to harmonize the methods of procedure.

(16) Further development of the Joint Monitoring Programme (JMP) - J 2

1. Methodology and extent are to be reviewed, the aim being in particular to extend the JMP beyond the substances monitored so far (cadmium, mercury and PC8) to include additional substances/groups of substances on the basis of existing national programmes and the systematic examination of endangered North Sea regions in respect of problematic substances (*cf.* no. 3).
2. It should be examined at a matter of priority and without delay which potentially hazardous black-list substances (*cf.* Annex (3) no. 1) and grey-list substances, in particular zinc, copper, nickel, chromium, lead and arsenic, and whether nutrients are to be included in the monitoring programme.
3. Qualitative screening, *e.g.* with regard to the occurrence of the 129 potentially hazardous substances (*cf.* Annex (3) no. 1) should be conducted for the first time by mid-1985 within the framework of JMP and then be repeated at appropriate intervals, taking into account any experience gathered.
4. Methods for the collective determination of
 - physical characteristics, *e.g.* salinity, suspended solids
 - chemical characteristics, *e.g.* chemical oxygen demand (COD), total organic carbon (TOC), adsorbable organohalogen compounds (AOX), hydrocarbons
 - biological characteristics, *e.g.* biochemical oxygen demand (BOD), chlorophyll, biotests may be cost-effective methods to identify certain forms of water pollution.
5. The Paris Commission and the Commission of the European Communities should therefore evaluate available methods for the collective determination of the characteristics of the marine environment, give increased encouragement to the development of further methods and, where appropriate, apply such methods in the JMP.
6. Biological monitoring of the marine ecosystem should be carried out.
7. Inputs of harmful substances from all sources should be determined; this applies in particular to inputs from rivers and the atmosphere. A clearly defined joint, monitoring programme for quantifying the atmospheric input of substances should be implemented as soon as possible.
8. Information should be exchanged on new analytical methods and measuring instruments in order to assess which new developments may be of use to the JMP.

Forside fra London

The Ministers responsible for the protection of the North Sea of the Governments of:

the Kingdom of Belgium

the Kingdom of Denmark

the French Republic

the Federal republic of Germany

the Kingdom of the Netherlands

the Kingdom of Norway

the Kingdom of Sweden

the United Kingdom of Great Britain and Northern Ireland

as well as

**the Member of the Commission of the European Communities
responsible for environmental protection**

As agreed in 1984 at the First International Conference on the Protection of the North Sea held in Bremen, Federal republic of Germany, met at the Second International Conference on the Protection of the North Sea in London on 24 and 25 November 1987. After careful consideration they have reached agreement on further measures necessary for the protection of the North Sea.

They agreed to take further timely preventive measures to maintain the quality of the North Sea and to co-operate closely therein.

To this end they have resolved a comprehensive and detailed set of protective measures for the North Sea in relation to:

Inputs via Rivers and Estuaries of Substances that are Persistent,
Toxic and liable to Bioaccumulate
Inputs of Nutrients;
Inputs of Pollutants via the Atmosphere;
Dumping and Incineration at Sea;
Pollution from Ships;
Pollution from Offshore Installations;
Discharges and Disposal of Radioactive Waste;
Co-operation on Airborne Surveillance;
The Special Needs of the Wadden Sea.

They endorsed the need for a further enhancement of scientific knowledge and understanding and welcomed the United Kingdom's invitation to host a preparatory meeting for a North Sea Task Force in early 1988.

They also agreed to hold a third International Conference on the Protection of the North Sea in the Netherlands, in early 1990, to review progress.

Second International Conference on the Protection of the North Sea, London, 24-25 November 1987

Ministerial Declaration

- I. **The participants** at the Second International Conference on the Protection of the North Sea,¹ held in London on 24 and 25 November 1987, being the Ministers responsible for the protection of the North Sea of the Governments of Belgium, Denmark, France, Federal Republic of Germany, Netherlands, Norway, Sweden, United Kingdom and the Member of the Commission of the European Communities responsible for environmental protection.
- II. **Recalling** the importance to them all of the need to protect the environment of the North Sea, as they affirmed in the Declaration of the First International Conference on the Protection of the North Sea held in Bremen on 31 October and 1 November 1984;
- III. **Noting** the essential role of international co-operation and agreed regimes, especially at regional level, in the management of the seas, as expressed in the Report of the World Commission on Environment and Development;
- IV. **Welcoming** the progress which has been made in the protection of the North Sea in the fields of action agreed upon at the Bremen Conference; but reaffirming the need for further action at both national and international level in all these fields;
- V. **Noting with appreciation** the progress made in reviewing scientific knowledge of the condition of the North Sea and, in particular, the valuable contribution made by the Quality Status Report;
- VI. **Noting with appreciation** the progress made in the integration of the environmental quality standards approach and the emission standards approach;
- VII. **Accepting** that, in order to protect the North Sea from possibly damaging effects of the most dangerous substances, a precautionary approach is necessary which may require action to control inputs of such substances even before a causal link has been established by absolutely clear scientific evidence;
- VIII. **Recognising** that to this end simultaneous and complementary action is called for:
 - (a) to reduce pollution at source by:

¹ For the purposes of this declaration the North Sea area comprises: a) the North Sea southwards of latitude 62°N; b) the Skagerrak, the southern limit of which is determined east of the Skaw by latitude 57°44,8N; c) the English Channel and its approaches eastwards of longitude 5°W.

- (i) for point sources, the use of best available technology²; and
 - (ii) for diffuse sources, restrictions on the manufacture, marketing and use of such substances and products containing such substances; and
 - (b) to establish strict quality objectives as a guide to control decisions and as reference points for assessing environmental quality;
- IX. **Recognising** also that some countries find it necessary to move faster in taking action to prevent pollution of the North Sea;
- X. **Recognising** further that the measures adopted in this Declaration, and especially the application of the best available technology, should be applied in such a way as to prevent any increase in pollution in the North Sea, in other sea areas, or in other parts of the environment, or any risk to the health of industrial workers or the general population;
- XI. **Accepting** also that, in order to protect the North Sea, this approach calls for specific measure in relation to:
- Inputs via Rivers and Estuaries of Substances that are Persistent,
Toxic and liable to Bioaccumulate;
 - Inputs of Nutrients;
 - Inputs of Pollutants via the Atmosphere;
 - Dumping and Incineration at Sea;
 - Pollution from Ships;
 - Pollution from Offshore Installations;
 - Discharges and Disposal of Radioactive Wastes;
 - Co-operation on Airborne Surveillance.
- XII. **Recognising** the vulnerability of the Wadden Sea, and its importance to the North Sea as a whole, and noting with concern that its ecological value is threatened by a variety of factors;
- XIII. **Noting** that significant improvements in the scientific base and monitoring data are needed for a thorough assessment of the condition of the North Sea,
- XIV. **Noting** that, building on the broad policy guidelines adopted at the First International Conference on the Protection of the North Sea, specific policy measures are required by specific dates including both national programmes and joint actions by the North Sea states, and that it would be desirable to hold a third Ministerial Conference to evaluate progress with the implementation of these measures;
- XV. **Decide to:**
- (i) reaffirm the principles for the use of Environmental Quality Objectives (EQO) and Uniform Emission Standards (UES) approaches set out in the Bremen Declaration, namely:

² Throughout this Declaration, the term "best available technology" is understood to take into account economic availability.

- C8 Emissions normally should be limited at source: emission standards should take into account the best technical means available and quality objectives should be fixed on the basis of the latest scientific data.
- C9 If the state of knowledge is insufficient, a strict limitation on emissions of pollutants at source should be imposed for safety reasons.
- C10 Emissions standards and quality objectives should be reviewed periodically and appropriate time limits should be fixed for this .
- C11 With either approach adequate environmental monitoring is required. If it shows that the quality of the environment is insufficient, emission controls should be tightened or bans imposed.
- (ii) accept that by combining, simultaneously and complementarily, approaches based on emission standards and environmental quality objectives, a more precautionary approach to dangerous substances will be established;
- (iii) ensure that strategies to control inputs of substances which are toxic, persistent and liable to bioaccumulate, include both emission standards based on best available technology to eliminate or drastically reduce discharges from point sources, and appropriate controls (*eg.* restrictions on manufacture, supply and use) for diffuse sources of such substances and products containing such substances;
- (iv) ensure that quality objectives based on the latest scientific findings should also form part of such strategies as an indication of the environmental goals to be attained, thereby guaranteeing the fitness of the water systems for appropriate uses, and the health of marine ecosystems, and providing a basis for monitoring and reference values for the assessment of environmental quality;
- (v) note the progress that has been achieved and is continuing in developing and applying such integrated approaches by North Sea states and the EEC, and within the Paris Commission and ICES;
- (vi) carry forward these conclusions by inciting:
- (a) national governments and the international organisations mentioned above to explore further the scope for the greater integration of the approaches based on emission standards and environmental quality objectives, incorporating the principles set out above, and to make proposals;
- (b) the Paris Commission:
1. to assess the relative contributions of point sources and diffuse sources as inputs of the most dangerous substances to the North Sea and then examine the appropriateness of different methods of control;
 2. to promote at an appropriate time, the exchange of experience of using ES, EQO and combined approaches, using as the basis for

the exchange a limited, agreed list of examples of specific substances or groups of substances (which could include nutrients) and processes; and,

3. to support the development of agreed common quality standards based on the latest scientific information, experience, and use.

XVI. Therefore agree to:

Inputs via rivers and estuaries of substances that are persistent toxic and liable to bioaccumulate

1. accept the principle of safeguarding the marine ecosystem of the North Sea by reducing polluting emissions of substances that are persistent, toxic and liable to bioaccumulate at source by the use of the best available technology and other appropriate measures. This applies especially when there is reason to assume that certain damage or harmful effects on the living resources of the sea are likely to be caused by such substances, even where there is no scientific evidence to prove a causal link between emissions and effects ("the principle of precautionary action");
2. take measures to reduce urgently and drastically the total quantity of such substances reaching the aquatic environment of the North Sea, with the aim of achieving a substantial reduction (of the order of 50%) in total inputs from these sources between 1985 and 1995;
3. intensify, to this end, measures in hand to reduce inputs of the substances listed in Annex A, which are already the subject of specific action, and take positive action by setting concrete targets to reduce inputs of other potentially significant pollutants of the North Sea, including those from the sectors exemplified in Annex B, by:
 - (a) identifying the best available technology for particular processes giving rise to point source discharges of such substances or groups of substances;
 - (b) identifying the principal diffuse sources of such substances or groups of substances giving rise to inputs to the North Sea;
 - (c) defining strict environmental quality standards for such substances or group of substances;
 - (d) making every effort to ensure that best available technologies are used when constructing new industrial installations giving rise to discharges of such substances or groups of substances;
 - (e) making every effort to reduce inputs from existing industrial installations, particularly when quality or emission standards are not being met, using measures based on the use of best available technology,
 - (f) taking measures to control the production sale and use of such substances, and products containing such substances, where diffuse sources represent a significant input to the North Sea;

- (g) adopting enhanced monitoring and inspection procedures to ensure compliance with regulations to reduce inputs to the North Sea, and adopting rigorous measures to ensure compliance or proceed against infringements;
4. note with approval the work being undertaken, especially in the Paris Commission, on other types of discharges which may pose environmental risk, such as those exemplified in Annex C, to evaluate the extent to which further action is required and the form it should take;
 5. consider a number of waste streams, such as those exemplified at Annex D, containing hazardous substances whose fate cannot as yet be adequately accounted for and which may be causing a deleterious effect in the North Sea, in order to define and adopt the best practicable environmental option for disposal;
 6. ensure that industries using dangerous substances instal appropriate facilities to prevent pollution as a result of accidents or to limit the consequences thereof;
 7. urgently prepare plans of action to achieve the goals set out above;
 8. establish, nationally and internationally, appropriate procedures for monitoring inputs to the North Sea and for reporting the results of such monitoring and the actions taken to reduce inputs;
 9. invite the appropriate international bodies to undertake the relevant measures proposed above;³

Inputs of Nutrients

10. take effective national steps in order to reduce nutrient inputs into areas where these inputs are likely, directly or indirectly, to cause pollution;
11. aim to achieve a substantial reduction (of the order of 50%) in inputs of phosphorus and nitrogen to these areas between 1985 and 1995;
12. urgently prepare plans of action to achieve the goals set out above;
13. pursue detailed elaboration of possible measures to reduce nutrient inputs within the framework of the Paris Commission Working Group on Nutrients;
14. consider the actions listed in Annex E in order to achieve these goals and implement these national plans of action;
15. pursue appropriate measures, including use of best available technology, that will reduce emissions of nitrogen oxides to the atmosphere from vehicles and combustion plants and so reduce inputs of these oxides to the sea;

³ *To the extent that in this Declaration reference is made to the participation of the European Economic community in initiatives within the framework of conventions to which it is a contracting party, this means that the Commission of the European Communities will make the appropriate proposals to the Council of Ministers.*

Inputs of Pollutants via the Atmosphere

16. urge their respective Governments to ratify the Protocol amending the Paris Convention by the earliest practicable date;⁴
17. encourage the Paris Commission to develop its monitoring programme from its present pilot phase, and to establish a comprehensive, long-term monitoring programme, making use of existing programmes where possible;
18. take measures on a national or international basis, as appropriate:
 - a) to continue and refine the process of identification of priority industrial sectors, other point sources and also diffuse sources, by means *inter alia* of the emission inventory being carried out under the auspices of the Paris Commission;
 - b) to assess which emissions need to be reduced or, if appropriate, eliminated in order to protect the marine environment;
 - c) to promote new, cleaner industrial technologies to reduce atmospheric emissions;
 - d) to reduce emissions of pollutants from key industrial and other sectors, by taking appropriate action, including the use of strict emission standards based upon best available technology, if practicable within 4 years;
 - e) to reduce atmospheric emissions of pollutants where possible even if the impact of these sources on the North Sea has not been confirmed beyond doubt;
19. take the necessary measures within national administrations to ensure that there is full cooperation between the authorities responsible for controlling atmospheric emissions and those responsible for the protection of the marine environment;
20. further promote and encourage the use of lead-free petrol for vehicles, aiming at the phasing-out of the use of petrol containing lead as early as possible, thereby eliminating a significant source of lead input to the North Sea;

Dumping and Incineration at Sea

21. accept as a matter of principle that:
 - (a) it is important to end the dumping of polluting materials in the North Sea at the earliest practical date,
 - (b) as from 1 January 1989, no material should be dumped in the North Sea unless there are no practical alternatives on land and it can be shown to the

⁴ The EEC, France, The Netherlands, Norway, Sweden and the UK have already concluded their acceptance of the Protocol.

competent international organisations that the materials pose no risk to the marine environment;

22. take the following interim steps to this end:
- (a) phase out the dumping in the North Sea of industrial wastes by 31 December 1989, except for inert materials of natural origin or other materials which can be shown in the competent international organisations to cause no harm in the marine environment;
 - (b) carry forward action to improve the quality of dredged materials disposed of in the North Sea, for example by reducing the inputs of toxic, persistent or bioaccumulable materials to rivers and estuaries, and ensure that, with immediate effect, Governments strictly adhere to the Oslo Commission Guidelines on Dredged Materials which have been agreed in order to prevent dumping of contaminated dredged material;
 - (c) take urgent action, in the case of those countries that dispose of sewage sludge in the North Sea, to reduce the contamination of such sludges by persistent, toxic or bioaccumulable materials, so that they pose no hazard to the marine environment, and to ensure that the quantities of such contaminants disposed to sea by this pathway in the immediate future do not increase above 1987 levels;
 - (d) undertake, in implementing this part of the Declaration, that wastes which they no longer dump at sea shall not be discharged to the sea by pipelines, and to apply measures in such a way as to prevent an increase in pollution of sea areas beyond the North Sea and in other parts of the environment;
 - (e) monitor performance, and continue to discuss directly, and in the Oslo Convention and other fora, the whole question of alternatives, to the dumping of wastes at sea so as to achieve the objective of termination of pollution by this route at the earliest practical date;
23. support work within the Oslo Commission on the extension of the geographical coverage of the Oslo Convention so as to include internal waters behind baselines with the aim of securing effective international surveillance over all dumping activities and expedite this work with the aim of reaching agreement in principle by 1 January 1988;
24. reaffirm the status of **marine incineration** as an interim method of waste treatment, as set out in the 1983 Protocol to the Oslo Convention, while continuing vigorously to promote alternative methods of treatment, disposal or elimination on land, and in this connection:
- (a) welcome the fact that several Governments have terminated the issue of new permits for marine incineration in the North Sea and note that these Governments are opposed in principle to the issue of any new permits for marine incineration in the North Sea;
 - (b) where such action has not been taken, agree to take steps to minimise or substantially reduce, by not less than 65%, the use of marine incineration by 1 January 1991;

- (c) agree to phase out such operations by 31 December 1994, and to seek urgent agreement to such a date within the Oslo Convention by 1 January 1990;
- (d) agree not to export the wastes involved for incineration in marine waters outside the North Sea, or to allow their disposal in other ways harmful to the environment;
- (e) agree further that it is preferable that the waste to be incinerated be loaded in a harbour of the country from which it originates, and under full control of this country, instead of being exported to another country;

Pollution from Ships

- 25. initiate action within the International Maritime Organization, for designating the North Sea a Special Area for the purpose of Annex V of MARPOL 73/78;
- 26. keep under permanent review the ready availability, capacity and standards of service of reception facilities and operate stringent control procedures in ports including inspections to verify that ships dispose of residues and wastes to shore reception facilities in compliance with the requirements of MARPOL 73/78;
- 27. continue to ensure appropriate dissemination to seafarers of information on the availability of facilities for the reception of residues and wastes, and the procedures established for the use of such facilities in ports;
- 28. work together to promote the use of shore reception facilities for residues and wastes from ships, *inter alia*, by making such facilities available at reasonable costs or without charging special fees to the individual ships;
- 29. continue to co-operate under the Memorandum of Understanding on Port State Control so that after the detection of operational violations all reports on alleged pollution incidents are dealt with speedily and effectively, so as to ensure that ships reported in respect of an alleged pollution incident will be subject to stringent and wide-ranging inspection procedures in ports, that prosecution of a violation under MARPOL 73/78 will be facilitated, and that the documentation for prosecution of violation under MARPOL 73/78 will be improved;
- 30. continue their efforts, within the International Maritime Organization, to bring into force Annexes III and V of MARPOL 73/78 at the earliest possible time and further to take action by jointly agreeing to implement, on a regional basis, Annex V as from 31 December 1988;
- 31. initiate actions, within the appropriate international bodies concerned such as the International Maritime Organization and the International Standards Organization as may be appropriate, leading to improved quality standards of heavy fuels, and actively support this work aimed at reducing marine and atmospheric pollution;
- 32. endeavour to obtain early entry into force of the protocols adopted under the auspices of the International Maritime Organization in 1984 relating to liability and compensation for oil pollution damage;

33. continue the efforts within the International Maritime Organization to elaborate an instrument which would provide adequate compensation for damage caused by pollution from ships in connection with the carriage of harmful substances other than oil;

Pollution from Offshore Installations

34. invite the Paris Commission to consider and, if necessary, to tighten the criteria for the use of oil based muds;
35. invite the Paris Commission, in order to reduce the environmental impact of discharged cuttings, to establish strict standards to reduce their oil content, based on: (a) the optimal use of the best available solids control and cuttings cleaning technology; (b) the use of new mud formulations which of themselves will reduce residual oil on cuttings; (c) new drilling techniques to reduce the quantity of oil contaminated cuttings; or combinations of 'a', 'b' and 'c' above;
36. prohibit or strictly limit the discharge by offshore industry of chemicals with a potential risk for the marine environment by applying specific criteria, to be agreed upon by the Paris commission or in other appropriate fora;
37. welcome the enhanced cooperation on airborne surveillance proposed in paragraphs 46-50, and call on the Paris Commission to consider discrepancies between data on accidental spills reported by operators and those from airborne surveillance;
38. encourage the Paris Commission to continue its work on the improvement of monitoring and reporting programmes, the introduction of cleaner technologies and the strengthening of standards and control systems;

Discharges and Disposal of Radioactive Wastes

39. respect the relevant recommendations of the competent international organisations, and to this end to apply the best available technology to minimise any pollution caused by radioactive discharges from all nuclear industries, including reprocessing plants; into the marine environment;
40. take note of and welcome the current downward trend in inputs of radioactivity to the North Sea and the related extensive work concerning radioactive substances that has been and is being carried forward in various international fora;
41. agree that the design and construction of repositories for the disposal of radioactive wastes should aim to preclude pollution of the North Sea and interference with the legitimate uses of the sea;
42. report the development of such repositories for the safe disposal of radioactive wastes to the relevant international organisations and upon request to the Governments of the North Sea states;

The Wadden Sea

43. endorse the shared responsibility of the North Sea littoral states to protect the Wadden Sea against pollution and to safeguard the reproductive capacity of these regions which are important for the living resources of the whole of the North Sea;
44. welcome the Joint Statement of the Wadden Sea States (at Annex F), aiming at the reduction and ultimate elimination of pollution of this area in order to maintain and where necessary restore its important function for the North Sea as a whole;
45. declare their firm intention to give a high priority to the implementation of measures agreed in this declaration which are likely to have special significance for the protection of the Wadden Sea;

Airborne Surveillance

46. use airborne surveillance, when appropriate with bilateral or multilateral co-operation, as an Aid to enforcing anti-pollution regulations;
47. take appropriate action with the aim of improving and, where necessary, extending in other suitable frameworks, international co-operation on airborne surveillance of the North Sea which has been initiated in the Bonn Agreement;
48. continue to use the Bonn Agreement as the appropriate framework for the exchange of information on developments in the technology of remote sensing and for exchanging information about the results of co-operation trials to evaluate the technique;
49. continue to exploit the capability of airborne surveillance for providing information about levels of oil pollution in the sea;
50. continue to gain experience in the use of remote sensing devices with a view to improving the enforcement of existing regulations particularly with respect to the prosecution of offenders;

The Enhancement of Scientific Knowledge and Understanding

51. endorse the need for further development of harmonised methods for monitoring, modelling and assessment of environmental conditions at national and international level;
52. request ICES and the Oslo and Paris Commissions to consider together the optimal means to achieve these ends including the possible benefits of a joint Working Group (or Task Force) established by the three bodies, and to organise a harmonized programme of studies taking into account the proposals made in Annex G;
53. welcome the invitation of the Government of the United Kingdom to host the inaugural meeting of this Task Force in early 1988;

54. request the above organisations to prepare and publish, taking the 1987 Quality Status Report as a basis, further reports on the quality of the North Sea at regular intervals, perhaps every 5 years, commencing in 1991;

Follow-Up

55. hold a third International Conference on the Protection of the North Sea at Ministerial level in the Netherlands in early 1990, in order to continue their joint efforts towards the protection and preservation the North Sea environment, and in particular to:
- a) evaluate the measures agreed in this Declaration from a policy viewpoint, especially progress:
 - (i) on the implementation of plans of action to reduce inputs of persistent and toxic substances via rivers and estuaries (XVI.7), and of nutrients (XVI.12);
 - (ii) in the field of dumping and incineration at sea (XVI. 21-24); and
 - (iii) on measures taken to protect the Wadden Sea (XVI. 43-45); and,
 - b) consider further the need for cooperation at the administrative level, and the role that the Ministerial Meeting of the Oslo and Paris Commissions in 1991 is to play in the protection and preservation of the North Sea environment;
56. recognise that appropriate resources will need to be made available to OSPARCOM and ICES for the implementation of the measures agreed in this Declaration that fall to them.

Mercury

Cadmium

PCBs/PCTs (polychlorinated biphenyls/polychlorinated triphenyls)

CTC (carbon tetrachloride)

Organotin compounds

Biocides

- HCH (hexachlorocyclohexane *e.g.* lindane)
- DDT (an organochlorine insecticide)
- PGP (pentachloro phenol)
- PCC (polychlorinated camphenes)
- Drins (a group of organochlorine insecticides)

Wastes from the titanium dioxide industry

Oil from refineries and reception facilities

Examples of further actions which can be considered

- Revision of present EQS's and UES's
- Implementation and follow-up on product control measures
- Reduction programmes for discharges from for example the fertiliser industry, the titanium dioxide industry and the chloralkali industry
- Programmes for phasing out of existing uses of PCBs/PCTs and drins

Persistent halogenated compounds from

- organic chemical industry
- pulp industry
- pesticides manufacture and use
- paper making industry

Use of chemical products(including PACs (polychlorinated aliphatic hydrocarbons))

Dioxins

Grey List Metals

Examples of Actions which can be Considered

Reduction programmes for discharges from selected sectors

Product Control Programmes for selected sectors

Persistent surfactants, organic phosphorus and sulphur compounds

Stable organic compounds (not halogenated) in the organic chemical and other industries

Polyaromatic hydrocarbons *e.g.* in the aluminium industry

**EXAMPLES OF SPECIFIC WASTE STREAMS
CONTAINING HAZARDOUS SUBSTANCES**

ANNEX D

WASTE STREAMS	HAZARDOUS SUBSTANCES
Inks, dyes, pigments, paints, laquers, varnish	Heavy metals
Wood preservatives	Chromium, copper, chlorinated organic substances
Photographic chemicals and processing materials	Silver, cadmium, organic contaminations
Oil/water, hydrocarbon(water) mixtures, emulsions	Oil
Mineral oils and oily substances (e.g. cutting sludges etc.)	Oil
Liquids or sludges containing metals	Heavy metals
Residues from substances employed as solvents	Organic contaminanes
Halogenated organic substances not employed as solvents	Organic contaminants
Residues from cleaning of tanks and/or equipment	Heavy metals, organic contaminations, oil
Residues from pollution control operations	Various contaminants
Biocides	Organic contaminants, heavy metals

- a) Best available technology should be used to reduce nutrients in discharges from **waste water treatment plant**, including the use as appropriate of:
 - (i) central collection of sewage for biological treatment;
 - (ii) additional (tertiary) treatment to reduce phosphorus, and removal of nitrogen by nitrification and denitrification stages;
 - (iii) restrictions on the nitrogen and phosphorus contents of sludges applied to arable land.
- b) regulate, as necessary, the use of phosphate in **detergents**.
- c) to reduce nutrient inputs from **agriculture**:
 - (i) the capacity of storage facilities should be large enough to ensure that waste is only applied to land at times when plants can use the nutrients within it;
 - (ii) promote cultivation practices that ensure optimum use of nutrients, and avoid manure and fertilizer application at inappropriate times;
 - (iii) proper management of livestock *e.g.* by the designation of minimum area per animal unit to avoid excessive nutrient run-off;
 - (iv) establishment of protection zones for waters (including aquifers);
 - (v) encouragement of research, monitoring and information designed to improve cultivation practices from an environmental standpoint, to record the scale of nutrient movement in aquatic systems, and to inform farmers about the environmental effects of agricultural practices and the best systems to pursue.
- d) In order to reduce inputs of nutrients from industry, Government should scrutinise the discharge licences for chemicals, food and fertilizer industries and others that are a major potential source of nitrogen, phosphorus and organic matter in the areas of the North Sea liable to eutrophication, and ensure that best available technology is taken account of by such industrial sources

General Principles

1. The Wadden Sea States are determined to do their utmost in cooperation with the other North Sea States to further reduce pollution of the North Sea from whatever source with the aim to conserve and protect the Wadden Sea area. The Wadden Sea States are of the opinion that actions in this respect should be based on the principle of precaution and that emissions of all pollutants should be limited at source.

Harmful Substances

2. The Wadden Sea States agree to take measures, within the scope of their own responsibilities, to increase their efforts aimed at the reduction of pollution entering the Wadden Sea.
3. The Wadden Sea States are of the opinion that: (i) high priority must be given to measures to limit the impact of harmful substances on the environment of the Wadden Sea and that the work programmes of the international organisations concerned (IMO, PARCOM, OSCOM *etc.*) should recognise this; (ii) when preparing new international regulations priority should be given to PAHs, HCB, and other persistent organic compounds, zinc, copper, lead and chromium (iii) a considerable reduction of the inputs of nutrients needs to be accomplished.
4. The Quality Status Report indicates that existing international directives and regulations concerning cadmium, mercury, PCB, HCH and other relevant pollutants have not had substantial positive effect on the water quality of the Wadden Sea. The Wadden Sea States therefore urge all other North Sea States to take on short notice all measures required to effectively implement the directives and regulations.

Shipping

5. In order to further reduce operational and accidental pollution by shipping the Wadden Sea States agree and intend:
 - to intensify and coordinate airborne surveillance and to link such operations to the port state control system as referred to in the Memorandum of understanding on Port State Control;
 - to streamline their national procedures for processing reports on alleged pollution incidents so that these reports can be dealt with speedily and effectively at an international level;
 - to consider establishing a system to provide information for vessels in order to minimize the risk of accidental pollution in the Wadden Sea and its adjacent area;

- to reduce pollution by garbage from ships, in particular ensuring a complete ban on the discharges of plastics by implementing Annex V of MARPOL 73/78;
- to promote public awareness to prevent pollution by litter.

Offshore Installations

6. The Wadden Sea States agree that new installations and equipment for the exploration and exploitation of oil or gas within the Wadden Sea area should be strictly regulated. They also agree that such new installations if placed in adjacent areas should be subject to appropriate regulations in order to avoid accidental and operational pollution.

Research

7. The Wadden Sea States intend to cooperate in joint and international scientific research in particular focussed on:
 - the exchange of water, sediment, sediment-bound contaminants and nutrients between the North Sea and the Wadden Sea;
 - the exchange of contaminants between the air, water, sediment and organisms;
 - the effects of pollutants on organisms, especially with regard to fish diseases and reproduction;
 - the development of indicators to assess the quality of the Wadden Sea.

1. In preparing the Quality Status Report, it emerged that although a great deal is known about the North Sea, there are still shortcomings in the data for certain contaminants. This became particularly apparent when looking for trends in inputs, linking these to actual contaminant levels and trying to link those in turn to environmental changes.
2. A co-ordinated scientific programme needs to be developed in the North Sea, to provide more consistent and dependable data and to permit links between inputs, concentrations and effects to be established with greater confidence. Such knowledge is needed not only as a basis for further decisions but also to show the effectiveness or otherwise of measures already taken or planned.

Objective

3. To carry out work leading, in a reasonable time scale, to a dependable and comprehensive statement of circulation pattern, inputs and dispersion of contaminants, ecological conditions and effects of human activities in the North Sea.

Elements in the Programme

4. The following are the proposed elements in the proposed programme:
 - (1) Agreement on the substances and/or parameters to be measured; the methods to be used to measure or calculate these; the frequency and location of sampling and/or measurement;
 - (2) A properly designed and managed quality assurance programme covering sampling and analysis for monitoring and research purposes;
 - (3) More and better quality data to be collected in a harmonized manner specifically for the purpose of defining conditions in the North Sea;
 - (4) Special programmes in specific areas of higher risk *e.g.* the Wadden Sea, Kattegat, British estuaries;
 - (5) The development of models for:
 - (a) assessment purposes which are able to make full use of the improved data base,
 - (b) as management tools to determine the effectiveness of existing or planned control strategies.
 - (6) Research to fill gaps in our knowledge of causal mechanisms needed for the interpretation of results from (1) to (5) above, and which will be of use to all North Sea states. The Quality Status Report identifies several such topics *e.g.* impacts on marine ecosystems, indicators of biological change, fish diseases, nutrient enrichment, the development of techniques for assessing the dispersions of contaminants from sources, sediment movement.

Forside fra Haag

Ministerial Declaration of the Third International Conference on the Protection of the North Sea

The Hague, 8 March 1990

The Ministers responsible for the protection of the North Sea¹ environment and the rivers entering the North Sea of the Governments of:

the Kingdom of Belgium

the Kingdom of Denmark

the Federal Republic of Germany

the French Republic

the Kingdom of the Netherlands

the Kingdom of Norway

the Kingdom of Sweden

the Swiss Confederation

the United Kingdom of Great Britain and Northern Ireland and

**the Member of the Commission of the European Communities
responsible for environmental protection**

participated in the Third International Conference on the Protection of the North Sea in the Hague on 7 and 8 March 1990.

Observers from the following states also attended the Conference:

Czechoslovakia, Finland, the German Democratic Republic, Iceland, Ireland, Italy, Portugal and Spain,

as well as representatives from the following International Organizations and Conventions:

the Paris and Oslo Commissions,

the Bonn Agreement,

the International Maritime Organization,

the International Commission for the Protection of the Rhine,

the Memorandum of Understanding on Port State Control,

the Helsinki Commission,

the Barcelona Convention,

the International Council for the Exploration of the Sea,

the Trilateral Co-operation on the Protection of the Wadden Sea,

the Convention on the Conservation of Migratory Species of Wild Animals and

the Committee on the Environment, Public Health and Consumer Protection of the European Parliament.

¹ For the purposes of this Declaration the North Sea comprises the body of water: a) southwards of latitude 62° N, and eastwards of longitude 5° W at the north west side; b) northwards of latitude 57° 44.8' N from the northern most point of Denmark to the coast of Sweden, and c) eastwards of longitude 5°W and northwards of latitude 48° 30' N, at the south side.

PREAMBLE

Participants remain individually and jointly fully committed towards the protection of the North Sea environment and agree that there is a need for continuous action, including action at the political level, to ensure that such protection is indeed effected.

The main tasks of this Third International Conference on the Protection of the North Sea have been to assess whether the targets and the time frames set with respect to the policies and measures adopted at the Second Conference will be met, and to decide, on the basis of this assessment and new developments, which further initiatives needed to be taken.

The political work regarding the protection of the North Sea environment has taken place within what has become an effective international framework. The first step towards the establishment of this framework was taken by the Federal Republic of Germany in 1984. It convened the First International Conference on the Protection of the North Sea. The decisions taken on that occasion were elaborated at the Second International Conference, organized by the United Kingdom in 1987. The commitments entered into at both these Conferences still fully apply and have now also been endorsed by Switzerland.

In order to provide continuity for the ongoing work regarding the protection of the North Sea environment, officials will meet as regularly as necessary during the forthcoming years.

The participants:

- welcome the growing interest in their work of non-littoral states and of governmental and non-governmental organizations and in particular appreciate the participation of Switzerland and the presence as observers of the German Democratic Republic and Czechoslovakia;
- take note of the recommendations made to the Conference and underline the importance of being informed by many governmental and non-governmental organizations about their knowledge and viewpoints relevant to the further protection of the North Sea environment;
- recognize the need to broaden and intensify co-operation between states in the region from which riverine and atmospheric emissions find their way into the North Sea;
- invite states sharing the catchment area of major rivers entering the North Sea to establish mechanisms for the joint management of their waters, taking as an example the instruments developed for the river Rhine; and
- recognize that individual states in implementing the policies agreed at North Sea Conferences encounter specific problems related to their own national situation and accordingly develop national policies for reaching the common goals established.

The participants considered the progress made in the protection of the North Sea environment. They:

- welcome the progress made in implementing the decisions taken at the previous Conferences as reported in the report on the Implementation of the Ministerial Declaration of the Second International Conference on the Protection of the North Sea and the 1990 Interim Report on the Quality Status of the North Sea; and
- welcome the initiatives of the Wadden Sea states towards the protection of this area of vital importance for the North Sea.

The participants adopted the following premises as a basis for their future work. They:

- will improve at the national level, and where appropriate at the international level, the control and enforcement of regulations to reduce emissions which directly or indirectly affect the North Sea environment;
- will continue to apply the precautionary principle, that is to take action to avoid potentially damaging impacts of substances that are persistent, toxic and liable to bioaccumulate even where there is no scientific evidence to prove a causal link between emissions and effects;
- accept the implications of the concepts of sustained use and sustainable development, and the integrated ecosystem approach, as indicated by the World Commission on Environment and Development; and
- take as a basis for further action towards the reduction of pollution in the North Sea:
 - the further development and use of non- and low-waste processes and environmentally non-hazardous products;
 - an integrated approach towards the environmental management of anthropogenic sources of land-based pollution from rivers, estuaries and the atmosphere, both by effective co-operation between the various authorities responsible and by developing comprehensive policies which take into account both emissions to air and to water;
 - co-operation with industry, to continue to reduce polluting emissions at source by using the Best Available Technology²;
 - the further reduction, as far as possible, of the risk of accidents which may harm the North Sea environment, and the continued improvement of response systems and procedures in case an accident does occur; and
 - continued combination of the advantages of approaches based on both environmental quality objectives and emission standards.

COMMON ACTIONS

To further protect the North Sea environment the participants decided to adopt a comprehensive set of common actions.

INPUTS OF HAZARDOUS SUBSTANCES³

In continuation of the policies agreed to further reduce inputs entering the North Sea via rivers, estuaries and the atmosphere, additional measures have been adopted. In order to effectively implement these measures, priority substances have been selected which are presently considered to contribute most to the pollution of the North Sea. And to this end:

1. To agree that, as a matter of principle, all substances that are persistent, toxic and liable to bioaccumulate and that could reach the marine environment, should, regardless

² Throughout this Declaration, the term 'Best Available Technology' is understood to take into account economic availability.

³ In the context of this Declaration hazardous substances are defined as "(groups of) substances that are persistent, toxic and liable to bioaccumulate".

of their anthropogenic sources, be covered by reduction measures as required in the London Declaration, and furthermore, to agree that discharges of these substances should be reduced to levels that are not harmful to man or nature before the year 2000.

2. To achieve a significant reduction (of 50% or more) of:
 - (i) inputs via rivers and estuaries between 1985 and 1995 for each of the substances in **Annex 1A**; and
 - (ii) atmospheric emissions by 1995, or by 1999 at the latest, of the substances specified in **Annex 1A**, provided that the application of Best Available Technology, including the use of strict emissions standards, enables such a reduction.
3. For substances that cause a major threat to the marine environment, and at least for dioxins, mercury, cadmium and lead, to achieve reductions between 1985 and 1995 of total inputs (via all pathways) of the order of 70% or more, provided that the use of Best Available Technology or other low waste technology measures enables such reductions.
4. To aim for a substantial reduction in the quantities of pesticides reaching the North Sea and to this end, by 31 December 1992, to control strictly the use and application of pesticides and to reduce, where necessary, emissions to the environment. Special attention will be paid to:
 - (i) the phasing out of those pesticides which are the most persistent, toxic and liable to bioaccumulate (see part (c) of **Annex 1B**);
 - (ii) the establishment of approval systems specifying permitted pesticides and permitted uses; and
 - (iii) examples of measures to reduce inputs of pesticides listed in **Annex 1B** part (d).
5. To implement the measures listed in part (a) of the list of measures in **Annex 1B** and to initiate action within the appropriate international bodies in order to adopt decisions on these measures at the earliest possible date and to consider further the examples of product control measures listed in part (b) of **Annex 1B**.
6. To take initiatives in accordance with **Annex 1C** to reduce the emissions from specified activities which substantially contribute to the inputs of hazardous substances to the North Sea via rivers, estuaries and the atmosphere, by defining the Best Available Technology and applying it to specified point sources, and by defining and applying the Best Environmental Practice to specified diffuse sources.
7. To take initiatives in accordance with **Annex 1D** to improve the setting of priorities for taking future measures with regard to the reduction of inputs of hazardous substances to the North Sea via rivers, estuaries and the atmosphere, *inter alia.*, by co-operating to develop and use a selection scheme for the identification of substances hazardous to the aquatic environment.
8. To exchange information on the experience gained in exercising control with respect to the implementation of the measures taken, and in particular:
 - (i) to stimulate the exchange of information between the experts involved, *e.g.* through organizing international seminars;
 - (ii) to accept the invitation of the Netherlands to organize a first meeting of experts involved in exercising control; and

- (iii) to report on the results of these meetings to the meetings of officials which will take place between the Third and the Fourth Conferences.

PHASING OUT OF PCBs

- 9. To prevent PCBs and hazardous PCB-substitutes⁴ from entering the marine environment, and to this end:
 - 9.1 (i) to take measures to phase out and to destroy in an environmentally safe manner all identifiable PCBs as soon as possible with the aim of complete destruction, including the interim option of safe deep underground disposal in dry rock formation of capacitors and empty transformers, by 1995 and by the end of 1999 at the latest, ensuring that the time between taking out of service and destruction is as short as practicable;
 - (ii) to undertake to develop the necessary destruction facilities, sufficient for each North State to deal with its own waste, in accordance with this time schedule; and
 - (iii) to submit to the meeting of the Oslo and Paris Commissions at ministerial level in 1992 national plans on the implementation of these decisions.
- 9.2 to co-operate in developing criteria for safe substitutes for PCBs and to cease production of, phase out and destroy hazardous PCB-substitutes according to a comparable timetable for phasing out and destruction of PCBs themselves, and taking into account the outcome of the review underway by the Paris Commission of criteria for environmentally safe substitutes for PCBs;
- 9.3 to urge the EEC and other countries to take measures to prevent identifiable PCBs and/or hazardous PCB-substitutes, or equipment containing such substances, to be imported, exported or sold except for the sole purpose of ensuring the environmentally safe destruction of such substances; and
- 9.4 to initiate actions within the appropriate international bodies, aiming at comparable measures on a global scale.

INPUTS OF NUTRIENTS

In applying the precautionary principle, to co-ordinate initiatives to reduce nutrient inputs with the aim of achieving the goal set at the Second Conference on the Protection of the North Sea, in particular through implementation by the Contracting Parties to the Paris Convention of the programme for the reduction of nutrient inputs as established by the Paris Commission. In addition:

⁴ *In the context of this Declaration hazardous PCB-substitutes are defined as "persistent, bioaccumulative organic compounds with hazard and structure characteristics comparable to those revealed by PCBs".*

10. To identify some coastal zones of the North Sea, including the Skagerrak, as being actual eutrophication problem areas and, in view of the increased inputs and levels of nutrients, some other coastal zones as being potential problem areas.
11. To agree that for the North Sea catchment area, as a minimum level of treatment, urban areas (*e.g.* 5000 p.e or more) and industries with a comparable waste water load should be connected to sewage treatment plants with secondary (biological) or equally effective treatments, unless, on a case by case basis, comprehensive scientific studies demonstrate to the satisfaction of the competent international authorities, that this discharge will not adversely affect the North Sea environment on a local or regional level. In these cases primary treatment should at least be provided. Full information should be provided in time for an assessment at the meeting of the Oslo and Paris Commissions at ministerial level in 1992.
12. To agree that further measures are required in order to meet the aim of a reduction of the order of 50% for inputs of nutrients between 1985 and 1995 into areas where these inputs are likely, directly or indirectly, to cause pollution. To this end the states concerned take the following measures or a combination of these measures:
 - (i) **municipal treatment plants:**
to apply nutrient removal at municipal sewage treatment plants (*e.g.* with a capacity above 20.000 p.e.), reaching effluent concentrations of nitrogen below 10 - 15 mg/l and of phosphorus below 1 - 2mg/l;
 - (ii) **industry:**
to limit the nutrient content of relevant industrial effluents not entering municipal waste water treatment plants by applying Best Available Technology; and
 - (iii) **agriculture:**
to aim at achieving an environmentally acceptable relationship between crop uptake and the amount of nutrients applied in manure and fertilizer and to that end:
 - to establish regulations for the handling and application of manure and fertilizers, including the use of manure and fertilizer application plans or records;
 - to ensure the availability of adequate manure storage or treatment capacity for the longest period during which the application of manure is restricted;
 - to promote extensification measures, in particular alternative methods of arable farming and livestock management; and
 - to take measures to prevent inputs of manure and fertilizers into water bodies.
13. To agree to establish common assessment and reporting procedures for calculating the reduction of nutrients and the determination of the sensitive areas referred to in paragraphs 10 and 12, for consideration at the fourth North Sea Conference in 1995.

DUMPING AND INCINERATION AT SEA

Sewage sludge

14. To note with pleasure that almost all North Sea states have stopped the dumping of sewage sludge at sea.
15. To note that the United Kingdom has given a firm undertaking to stop dumping of sewage sludge as soon as possible and has also undertaken to draw up programmes by the end of 1990 to phase out this practice completely, and at the very latest at the end of 1998.
16. To invite the Paris Commission to undertake before 1992 a review of alternative methods of handling and disposal of sewage sludge aiming at developing clean and low waste technology.

Industrial Waste

17. To note with pleasure that almost all North Sea states have stopped dumping at sea of industrial waste covered by paragraph 22(a) of the London Declaration.
18. To note that the United Kingdom has given a firm undertaking to end industrial waste dumping as soon as possible and no later than by the end of 1992, with an extension into 1993 only if absolutely necessary on technical grounds and excluding new dumping licences. Any continuing dumping will be covered by paragraph 22(a) of the London Declaration.

Dredged materials

19. To take further action to improve the quality of dredged materials disposed of in the North Sea by reducing inputs of contaminants to rivers and estuaries.
20. To request the Oslo Commission to complete its review of guidelines on the Disposal of Dredged materials in the light of recent scientific information by 1991.
21. To apply the Oslo Commission's revised guidelines for dredged material to all disposals of dredged material into estuarine and saline waters discharging into the North Sea and to provide available information on disposals of dredged material into estuarine and saline waters discharged into the North Sea from 1988.
22. To invite the Oslo Commission to examine further measures to control the inputs of pollutants from the dumping of anthropogenic contaminated dredged materials and to consider the establishment of an environmental assessment procedure, which should take into account landbased alternatives, regionally defined environmental quality criteria and dispersion characteristics.

Incineration at sea

23. To reaffirm the status of marine incineration as an interim method of waste treatment and agree:
- (i) to phase out such operations by 31 December 1991; and
 - (ii) to seek urgent agreement on this date within the Oslo Commission by 31 December 1990.

POLLUTION FROM SHIPS

24. To improve control and enforcement and to deter all ships from contravening the requirements of MARPOL 73/78, and to this end:
- 24.1 to take concerted action within the International Maritime Organization to identify explicit rights and obligations of port states to monitor and control the operational requirements of the various safety and pollution prevention Conventions;
 - 24.2 to intensify control by port states by ensuring that ships are regularly inspected for compliance with operational requirements for pollution prevention and safety and to make efforts to harmonize control procedures, preferably within the framework of the Memorandum of Understanding on Port State Control and to provide the necessary resources for such control; and
 - 24.3 to take action aimed at improving the deterrents against violations and the collection of sufficient evidence for the prosecution of violators in accordance with **Annex 2A**.
25. To improve legal instruments and rules aimed at the minimization of intentional pollution, agree that the application of the precautionary principle requires the application of the Best Available Technology in order to minimize discharges of wastes and residues, and to this end:
- 25.1 to take concerted action within the International Maritime Organization:
 - (i) to make discharge requirements for oily wastes and residues under Annex I (oil) of MARPOL 73/78 more stringent on a global basis in accordance with **Annex 2B**;
 - (ii) to make the requirements for cargo unloading arrangements on chemical tankers and the requirements for the discharge of chemical wastes and residues into the sea under Annex II (noxious liquid substances in bulk) of MARPOL 73/78 more stringent on a global basis in accordance with **Annex 2C**; and
 - (iii) to establish effective measures to minimize air pollution from ships in accordance with **Annex 2D**; and
 - 25.2 to implement measures whereby the discharge of sewage into the coastal zones of the North Sea states, from ships engaged in international voyages between North Sea ports and which are certified to carry more than 50 persons, is only permitted in accordance with the sewage discharge requirements of Annex IV (sewage) of MARPOL 73/78.

26. To minimize accidental pollution and, in accordance with **Annex 2E**, to this end:
- 26.1 to improve legal instruments aimed at minimizing accidental oil pollution from ships;
 - 26.2 to reduce the risk of packaged goods being lost at sea by implementing the latest form of the International Maritime Dangerous Goods Code from 1 January 1991, and when Annex III of MARPOL 73/78 (harmful substances carried in packaged form) enters into force to implement the amended and more stringent version; and
 - 26.3 to improve the possibility of recovering these goods.
27. To continue applying stringent control procedures, verifying that ships dispose of harmful residues and wastes to shore reception facilities in compliance with the requirements of MARPOL 73/78, and to promote the use of these facilities, and to this end:
- 27.1 to take further concerted action to make shore reception facilities available at reasonable costs or without charging special fees to the individual ships, ensuring that the best environmental objectives are met and by considerably improving the standard of service; and
 - 27.2 to continue the dissemination of appropriate information to seafarers, in particular by publishing a brochure on the availability of facilities for the reception of residues and wastes and the procedures for the use of such facilities in ports.

POLLUTION FROM OFFSHORE INSTALLATIONS

28. To further reduce operational discharges from offshore installations and to this end:
- 28.1 to eliminate, if necessary by steps, the pollution caused by oil contaminated cuttings and to this end:
 - (i) to develop national action plans before 1991, aiming at prohibiting discharges of oil contaminated cuttings and to present these plans to the Paris Commission in 1991;
 - (ii) to request the Paris Commission to co-ordinate this work and to work out criteria for the definition of oil contaminated cuttings in accordance with **Annex 3A**;
 - (iii) to prohibit discharges of all oil contaminated cuttings from exploration and appraisal wells by 1994; and
 - (iv) to request the Paris Commission to decide not later than 1992, based on the outcome of their work as laid out in **Annex 3A**, on a practical and achievable date for prohibiting the discharge of all oil contaminated cuttings;
 - 28.2 to request the Paris Commission to continue its investigation on the oil content of production water and displacement water of existing and new offshore installations with a view to indicating whether a 30 ppm oil content of

discharges is technically feasible and to report before 1992 to the meeting of the Oslo and Paris Commission at ministerial level in 1992; and

- 28.3 to request the Paris Commission to develop and adopt a harmonized mandatory control system for the discharge and use of chemicals offshore and related measures, in accordance with **Annex 3B**.
29. To take initiatives towards the further improvement of safety and reduction of the risk of calamities involving offshore installations, of the management of risks to the marine environment arising from offshore activities and accidents and to request the Paris Commission to assess, on the basis of information available from national offshore safety authorities and from the North Sea Offshore Authorities Forum, the risks such accidents pose to the marine environment.
30. To agree that specific conditions in the North Sea require specific safeguards in order to protect the marine environment from the disposal of installations or parts thereof and to this end to invite the Oslo Commission to continue its work in developing guidelines with the aim of ensuring that offshore installations are disposed of in an environmentally satisfactory manner.

DISCHARGES AND DISPOSAL OF RADIOACTIVE WASTES

- 31 To continue to apply the Best Available Technology to reduce radioactive discharges, including the disposal of natural substances whose radioactivity has been enhanced by human activities, and to this end:
- 31.1 to extend regulation of radioactive discharges to non-nuclear industrial processes as appropriate; and
- 31.2 to invite Governmental Authorities and relevant International Organizations such as IAEA, OECD/NEA and CEC:
- (i) to review the possibilities and effectiveness of Best Available Technology for minimizing risks associated with discharges of radioactive substances from all sources (nuclear industries as well as other industries whose effluents contain radioactive substances), taking into account economic and social factors; and
- (ii) to take steps in order to develop guidelines for the application of Best Available Technology.
32. To agree that, in accordance with the recommendations of the competent International Organizations the North Sea is not suitable for the dumping of radioactive waste nor for disposal of such waste into the seabed.⁵

⁵ *The United Kingdom was unable to accept this provision on grounds that competent international authorities have not declared this method of disposal unsuitable. The United Kingdom's position is, nevertheless, that it has no present intention of any such disposals.*

AIRBORNE SURVEILLANCE

33. To improve the effectiveness of airborne surveillance in particular by using the possibilities of airborne surveillance as a tool for adequate control and surveillance at sea and as an aid to the enforcement of existing regulations and to this end to encourage the Contracting Parties to the Bonn Agreement:
- 33.1 to continue to develop remote sensing techniques especially to identify pollution and polluters under conditions of bad visibility and difficult weather;
 - 33.2 to continue the development of reliable methods to estimate the total level of oil pollution of the sea arising from oil spills based on statistically elaborated observations of oil spills from aircraft; and
 - 33.3 to ensure a balanced coverage of the North Sea, commensurate with the present shipping intensity and offshore activities, and if necessary increase the surveillance effort in those areas where likely results would be beneficial.

WADDEN SEA

34. To give high priority to the implementation of the measures agreed in this Declaration which are likely to have a special significance for the Wadden Sea, an area which is of vital importance for the North Sea as a whole, and to this end:
- 34.1 to take note of the Joint Statement of the Wadden Sea states as contained in **Annex 4**;
 - 34.2 to implement, where appropriate, the recommendations of the Wadden Sea states; and
 - 34.3 to invite the Wadden Sea states to continue to report on the progress made with respect to the protection of the Wadden Sea and to continue to recommend policies which are important for the protection of this area to North Sea Conferences.

ENHANCEMENT OF SCIENTIFIC KNOWLEDGE

35. To further enhance the scientific knowledge and understanding of the North Sea ecosystem as a basis for future measures, and to this end:
- 35.1 to invite the North Sea Task Force:
 - (i) to continue to implement its programme, and in particular to assess research carried out on exceptional algal blooms and on the epidemic death of seals and to extend the biological monitoring programme of the coastal waters;
 - (ii) to address in the 1993 Quality Status Report on the overall ecological situation of the North Sea and its coastal waters the following sensitive issues:
 - the impact of fishing activities on the North Sea ecosystem;

- surveillance of chemicals not usually covered in routine monitoring programmes;
 - the environmental impact of persistent chemicals;
 - the role of atmospheric inputs as a source of contaminants to the North Sea; and
 - the assessment of existing damage;
- (iii) to elaborate techniques for the development of ecological objectives for the North Sea and its coastal waters;
- (iv) to elaborate first proposals for possible methods for the reconstruction of already damaged ecosystems and the protection of ecosystems still intact, on the basis of the 1993 Quality Status Report;
- (v) to co-ordinate relevant actions and measures with regard to the protection of species and habitats; and
- (vi) to establish a notification system for epidemic or major pollution incidents in the marine environment not at present covered by existing systems of communication;
- 35.2 to make available the necessary resources in order to implement these actions and the harmonized programme of monitoring, modelling and research established by the North Sea Task Force; and
- 35.3 to consider the possibilities of developing analytical tools to assess and compare the effects that policy decisions will have on the North Sea.

COASTAL STATE JURISDICTION

36. To co-ordinate action, with the aim of increasing coastal state jurisdiction, in accordance with international law, including the possibility of establishing Exclusive Economic Zones in the areas of the North Sea where they do not exist and to that end request the Government of the Netherlands to initiate the co-ordination of this action and to submit the findings to the North Sea Ministers by the beginning of 1992. This, without prejudice to the completion of the delimitation of the continental shelves of all riparian states of the North Sea and to the rights to be derived therefrom.

SALVAGE OF SUNKEN SHIPS AND/OR THEIR HAZARDOUS CARGOES

37. To reduce the risk of damage to the marine environment of accidents involving ships and to this end:
- (i) stranded or sunken ships and/or cargoes lost at sea and which constitute threats of harm to the marine environment should be removed where appropriate, or otherwise rendered harmless;
 - (ii) states undertaking such operations should be compensated for the costs involved; and
 - (iii) such compensation should in principle be obtained from the polluters in question.
38. To improve the conditions for such removal and to this end:
- 38.1 to endeavour to obtain the early entry into force of the Salvage Convention;

- 38.2 to actively contribute to the work of the International Maritime Organization in preparing the Convention on Hazardous and Noxious Substances; and
- 38.3 (i) to undertake an investigation into the various aspects of the rendering harmless of sunken ships and/or their hazardous cargoes in the North Sea region and, if necessary to consider the implementation of appropriate measures. This investigation will cover, *inter alia*, salvage capacity, technical aspects and financial aspects and take into account developments within the IMO. The Commission of the European Communities is requested to co-ordinate this action; and
- (ii) to take concerted action within the International Maritime Organization with the aim of ensuring sufficient salvage capacity on a world-wide basis.

PROTECTION OF HABITATS AND SPECIES

39. To give further protection to marine wildlife in the North Sea and to tackle important gaps in knowledge which remain, and to this end:
- 39.1 to invite states that have not yet ratified the Convention on the Conservation of Migratory Species of Wild Animals (Bonn 1979) to do so as soon as possible;
- 39.2 to welcome the Memorandum of Understanding on Small Cetaceans in the North Sea, as an interim step towards the conclusion of a regional agreement on the protection of small cetaceans between North Sea and Baltic Sea coastal states under the Bonn Convention (1979);
- 39.3 to investigate the possibilities of using beached oil pollution victims among seabird and coastal birds as indicators for the effectiveness of the actions in this Declaration under the headings "Pollution from Ships" and "Pollution from offshore installations"; and
- 39.4 to improve the protection of marine wildlife and to that end to adopt, in accordance with **Annex 5**, a common and co-ordinated approach for developing species and habitat protection and develop appropriate conservation measures for the North Sea, especially with regard to seals, sea- and coastal birds, habitat and site protection.

FISHERIES

40. To consider both the impact of fisheries (including fish farming) on the North Sea ecosystem and the impact of the marine environment on fisheries resources, also in relation to the socio-economic value of fisheries.
In view of the above and the conclusions of the World Commission on Environment and Development on renewable resources, to continue their efforts aimed at reducing the pollution of the North Sea and agree to request the responsible authorities:

- 40.1 to continue their efforts aimed at ensuring that the fishing activities and the level of fishing effort in the North Sea are compatible with maintaining the fish stocks as a renewable resource at a satisfactory level and avoiding destabilisation of the ecosystem; and
- 40.2 to stimulate further research aimed at a better understanding of
- (i) the relationships between fish stocks; and
 - (ii) the impact of pollution on fisheries and the relationship between fish stocks, fisheries and the other components of the ecosystem.

INFORMATION AND CONSULTATION

41. To agree to inform and, where necessary, to consult with any state likely to be significantly affected by the construction of an installation with a significant adverse impact on the North Sea environment, where an Environmental Impact Assessment is required by either national or international law.
42. To ensure that where two or more states share a common body of water, the relevant authorities of those countries co-operate to ensure that the significant adverse environmental effects on that body of water of a proposal (including where appropriate the effects of related proposals and cumulative effects) are fully investigated before a decision on that proposal is made.

ARRANGEMENTS FOR FUTURE CO-OPERATION

As regards future work the participants made the following arrangements:

In principle a working group meeting at ministerial level will be held in 1993:

- (i) to discuss the 1993 Quality Status Report of the North Sea;
- (ii) to evaluate the actions taken within IMO on Annex I and Annex II of MARPOL 73/78 and to decide which additional measures are required, including declaring the North Sea a Special Area under these Annexes; and
- (iii) to discuss the problems encountered with the implementation of the North Sea Conference Declaration with regard to nutrients and pesticides; the ministers of agriculture will be invited to participate in this meeting.

A Fourth International Conference on the Protection of the North Sea will be held in 1995 at the kind invitation of the Government of Denmark.

Officials will meet as regularly as necessary during the intervening years in order:

- (i) to closely follow the implementation of the North Sea Conference Declarations; and
- (ii) to assess the need for further international action to achieve the jointly agreed goals, drawing on the experience and on the established procedures of the relevant international organizations, in particular the Oslo and Paris Commissions.

Appropriate resources will need to be made available to these organizations with due regard to the tasks requested from them in this Declaration.

A Scientific Symposium will be organized to assess the 1993 Quality Status Report of the North Sea including ecological aspects and to develop a basis for further measures to protect the North Sea.

This seminar will be hosted by Denmark.

The Fourth International Conference on the Protection of the North Sea will address, *inter alia*, the following issues:

- (i) the progress made in reducing pollution of the North Sea and in implementing measures agreed during previous Conferences;
- (ii) the national experience regarding control and enforcement of measures taken with respect to the reduction of hazardous substances and the need for further improvements;
- (iii) the current environmental status of the North Sea and the need for further measures, based, *inter alia*, on the 1993 Quality Status Report; and
- (iv) global perspectives of the experience gained through the joint efforts of the participants.

The North Sea states and the European Community will actively participate in the meeting of the Oslo and Paris Commissions at ministerial level to be held in 1992 in France.

Furthermore, the North Sea states and the Commission of the European Communities declare their intention

- (i) to implement, where appropriate, the above Declaration into national or EEC legislation; and
- (ii) to increase substantially their contributions to the secretariat of the Oslo and Paris Commissions in order to give them the necessary resources to carry out their commitment.

LIST OF PRIORITY HAZARDOUS SUBSTANCES

ANNEX 1A

	Substance	Water	Air	CAS-number
1.	Mercury	*	*	7439976
2.	Cadmium	*	*	7440439
3.	Copper	*	*	7440508
4.	Zinc	*	*	n.a.
5.	Lead	*	*	7439921
6.	Arsenic	*	*	7440382
7.	Chromium	*	*	n.a.
8.	Nickel	*	*	7440020
9.	Drins	*		--
10.	HCH	*	*	608731
11.	DDT	*		50293
12.	Pentachlorophenol	*	*	87865
13.	Hexachlorobenzene	*	*	118741
14.	Hexachlorobutadiene	*		87683
15.	Carbontetrachloride	*	*	56235
16.	Chloroform	*		67663
17.	Trifluralin	*		1582098
18.	Endosulfan	*		115297
19.	Simazine	*		122349
20.	Atrazine	*		1912249
21.	Tributyltin-compounds	*		--
22.	Triphenyltin-compounds	*		--
23.	Azinphos-ethyl	*		2642719
24.	Azinphos-methyl	*		86500
25.	Fenitrothion	*		122145
26.	Fenthion	*		55389
27.	Malathion	*		121755
28.	Parathion	*		56382
29.	Parathion-methyl	*		298000
30.	Dichlorvos	*		62737
31.	Trichloroethylene	*	*	79016
32.	Tetrachloroethylene	*	*	127184
33.	Trichlorobenzene	*	*	--
34.	Dichloroethane 1,2-	*		107062
35.	Trichloroethane	*	*	71556
36.	Dioxins	*	*	n.a.

Part (a) Agreed measures*Chlor-alkali plants*

1. Existing mercury cell chlor-alkali plants should be phased out as soon as practicable on a national basis with the objective that they should be phased out completely by 2010.
2. Mercury based chlor-alkali plants should be required to meet, by 1996 a limit value of 2g Hg/t Cl₂ capacity for emissions to the atmosphere, unless there is a firm commitment that the plant will be converted to mercury-free technology by the year 2000.
3. Mercury in hydrogen which is released to the atmosphere, or is burnt, shall be included in this standard.

Mercury in batteries

The content of mercury in alkaline manganese batteries should be limited to 0.025%. Alkaline manganese batteries for certain specialized applications where, due to technical reasons, the mercury content cannot be limited to 0.025%, should be excluded. These batteries should not exceed 2% of all batteries in question.

Aluminium scrap smelting

1. To the extent that Best Available Technology allows it, to reduce the use of hexachloroethane in aluminium smelters with a view to its elimination by the end of 1992, in order to minimise the formation of hazardous chlorinated organic substances, such as dioxins.
2. To invite the Paris Commission to prepare proposals containing a time scale for the complete elimination of hexachloroethane for adoption at the meeting of the Oslo and Paris Commissions at ministerial level in 1992.

Pulp industry

1. From 1995, as a first step, the discharge of chlorinated substances should not, as an average, exceed the following values for each mill:

Bleached softwood Kraft pulp:	2 kg of AOX/tADP; ¹
Bleached hardwood Kraft pulp:	1 kg of AOX/tADP;
Bleached sulphite pulp:	1 kg of AOX/tADP.

or any other equivalent limit values if more suitable parameter(s) have been identified.

2. To invite the Paris Commission to examine as soon as possible, whether more suitable parameters than AOX for chlorinated substances can be identified and to develop

¹ AOX/tADP = absorbable organic halogens per tonne air dry pulp.

regulations by 1995 at the latest for Best Available Technology to be used for the production of Bleached Kraft Pulp and in doing so, to aim at a maximum content not exceeding 1 kg of AOX/tADP for all sorts of Bleached Kraft Pulp, or an equivalent limit value, if more suitable parameter(s) have been identified.

Refineries

To reaffirm their intention to intensify measures in hand to reduce inputs of oil from refineries, and to this end to make progress towards the implementation of the standards contained in the Recommendation 89/5 of the Paris Commission, setting emission standards for discharges of oil from refineries.

Part (b) Examples of product control measures

Mercury:	Recycling or replacement of mercury in fluorescent tubes, thermometers and discharges from dentists.
Cadmium:	Reduction of the cadmium content in commercial phosphate fertilizer. Ban or regulation on use of cadmium as stabilizer or pigment in plastics.
Lead:	Arrangements for return of lead-accumulator batteries. A ban on the use of lead shot.
Chromium:	Approval system or regulations on the use of chromium in impregnation agents and paints.
Arsenic:	Approval system or regulations on the use of arsenic in impregnation agents and paints.
Copper:	Approval system or regulations on the use of copper in impregnation agents, paints and antifouling agents.
Tributyltin:	Working towards an international agreement of regulations on the use of tributyltin on ships longer than 25 m.

Part (c)

The use of the following substances as pesticides must be strictly limited or banned:

Aldrin	Atrazine
Carbon tetrachloride	Chlordane
Chloropicrin	1,2-Dibromoethane
1,2-Dichloroethane	Dieldrin
Endrin	Fluoroacetic acid and its derivatives
Heptachlor	Hexachlorobenzene
Hexachlorocyclohexane (α and β isomers)	Mercury compounds
Nitrofen	Pentachlorophenol
Polychlorinated terpenes	Quintozene

The following substances would have been included in the above list but they are not currently in use as pesticides.

Acrylonitrile	Aramite
Lead compounds	Cadmium compounds
Captafol	Chlordecone (Kepone)
Chlordimeform	Chloroform
Crimidine	Isobenzan
Isodrin	Kelevan
Morfamquat	Toxaphene
Selenium compounds	2,4,5-T

Part (d) Examples of measures to reduce inputs of pesticides

1. Promotion of non-chemical means of pest control.
2. Improvement of control on the disposal of surplus pesticides and of pesticide containers.
3. Reduction of the use of pesticides via optimization of their application.
4. Inspections and type approval of spraying equipment.
5. Strict regulation of spraying in or near water.
6. Strict regulation of spraying from aircraft.
7. Education of farmers to take account of the health and environmental effects and early warning services.
8. Development of damage threshold values (damage of crops), prognosis and early warning services.
9. Provisional approval of pesticides, including testing of their effectiveness as a pesticide.
10. Paying particular attention to persistent pesticides which may reach surface waters via soil and groundwater.
11. Promotion of extensification measures.
12. Development of measures to quantify and to control diffuse inputs into water bodies from agriculture.
13. Ensure to use plant protection agents only in line with reliable expert practice.
14. Limitation of plant protection agents which tend to seep and which are persistent.

1. To request the Paris Commission to continue its work on internationally agreed definitions of Best Available Technology for particular processes and for Best Environmental Practice for reducing pollution from specified diffuse sources, and to regard the activities listed in the "**Reference List of Priority Activities**" as priorities for this work.
2. To apply at the national level the Best Available Technology and Best Environmental Practice as defined by the Paris Commission with special reference to the priority substances listed in **Annex 1A**.
3. As regards the atmospheric emissions of the activities listed in the "**Reference List of Priority Activities**", to take the following measures to reduce atmospheric emissions of the substances specified in **Annex 1A**:
 - (i) identification of the best available technology for the listed point sources and making every effort to reduce atmospheric emissions from new and existing industrial installations;
 - (ii) the adoption of measures to control the production, sale, use and disposal of the listed substances, and products containing these substances, where diffuse sources give rise to atmospheric emissions; and
 - (iii) the adoption of enhanced monitoring and inspection procedures to ensure compliance with regulations to reduce inputs to the North Sea via the atmosphere, and adoption of rigorous measures against infringements.

REFERENCE LIST OF PRIORITY ACTIVITIES¹

Activities	Examples of substances	Water	Air
Point sources			
Aluminium industry	fluoride, PAHs	*	*
Iron and steel industry	heavy metals, chlorinated paraffins, mineral oil, dioxins, PAH, dust	*	*
Non-ferrous metal industry	heavy metals, dioxins, halogenated aromatics, dust	*	*
Fertilizer industry	cadmium	*	*
Pulp and paper industry	chlorinated substances, dioxins, persistent organic substances, AOX	*	*
Textile industry	persistent organic substances, AOX	*	
Organic chemical industry			
- pharmaceutical industry	halogenated aromatics, persistent organic substances	*	*
- production of halogenated hydrocarbons	halogenated aromatics, halogenated hydrocarbons	*	*
- production of dichloroethane and vinylchloride	halogenated hydrocarbons	*	*
- petrochemical industry	oil	*	
- refineries	mineral oil, phenol	*	*
- production and formulation of pesticides	pesticides	*	*
- production of glycerol	halogenated hydrocarbons	*	*
- others	mineral oil, PAHs, persistent organic substances	*	*
Chlor alkali industry	mercury	*	*
Surface treatment	heavy metals, chlorinated substances, persistent organic substances	*	*
Production of pigments, paints, inks and enamels	heavy metals, TiO ₂ -waste	*	*

¹ Best Available Technology will in principle be applied to all sectors of this Annex, starting, however, with those sectors which cause the highest pollution.

Activities	Examples of substances	Water	Air
Production and tanning of leather	Cr, AOX, pesticides	*	
Shipyards	metals, oil	*	
Mining			
- oil	mineral oil	*	*
- ores	heavy metals	*	*
Burning of fuels			
- power generation (oil, coal)	heavy metals, PAHs	*	*
- others (eg wood, coke ovens)	PAHs, benzene, phenol, cyanide	*	*
- traffic	lead, PAHs		*
Waste incineration	heavy metals, dioxins, dust	*	*
Reception facilities	mineral oil, chemical residues	*	
Dry cleaning	halogenated hydrocarbons	*	*
Diffuse sources			
Agriculture	biocides	*	*
Storage, shipment and trans-shipment of chemicals and petroleum products, cleaning of tanks and barrels	halogenated hydrocarbons, benzene	*	*
Wood preservation	heavy metals, PAHs, PCP, TBT	*	*

As regards initiatives to improve the setting of priorities for taking future measures with regard to the reduction of inputs of substances to the North Sea via rivers, estuaries and the atmosphere:

A. OCCURRENCE OF SUBSTANCES IN THE MARINE ENVIRONMENT

To request the Paris Commission to investigate:

- (i) the occurrence of possible harmful effects in the marine environment of brominated flame retardants, polychlorinated naphthalenes and chlorinated paraffins;
- (ii) the possibilities of reducing inputs of these substances as far as possible; and
- (iii) possible measures to reduce inputs of polycyclic aromatic hydrocarbons and nonyl-phenol-ethoxylates.

B. INVENTORIES OF EMISSIONS TO THE ATMOSPHERE

To request the Paris Commission to co-operate with other relevant international organizations, in particular the executive body of the Geneva Long-range Transboundary Air Pollution Convention:

- (i) to elaborate by 1991 the order of magnitude of emissions of the hazardous substances specified in **Annex 1A** as reaching the aquatic environment of the North Sea via the atmosphere as a basis for setting priorities for reduction measures for such emissions;
- (ii) to elaborate by 1991 principles and methodologies for establishing inventories of emissions to the atmosphere; and
- (iii) to determine, between 1991 and 1995, on the basis of these principles and methodologies, those substances for which priority action should be taken.

C. FURTHER SELECTION OF PRIORITY SUBSTANCES

1. To welcome the initiative of the Commission of the European Communities to undertake, in close co-operation with Member States of the European Community and States which are not members of the European Community:
 - (i) to develop internationally and regionally applicable criteria for the identification of substances dangerous to the aquatic environment with the aim of achieving a selection scheme;
 - (ii) to use the selection scheme for at least the substances listed below in order to compile a draft list of additional priority substances hazardous to the aquatic environment; and
 - (iii) to introduce the selection scheme and the draft list of additional priority substances before the Fourth North Sea Conference.
2. To regard the substances listed below as a common reference list, which will be used as a basis for the further development of national lists of priority substances.

REFERENCE LIST OF SUBSTANCES

ALKANES	CAS-number	BENZENES (cont.)	CAS-number
Chlorohexane, 1-	n.a.	Ethylbenzene	100414
Cyclohexane	110827	Fluoro-4-isocyanatobenzene, 1-	1544689
Dichloroethane, 1,1-	75343	Isopropylbenzene (cumene)	98828
Dichlorohexane, 1,6-	n.a.	Nitrobenzene	98953
Dichloromethane (methylenechloride)	75092	Nitro-1-isopropylbenzene, 4-	1817476
Dichloropropane, 1,2-	78875	Pentachlorobenzene	608935
Diphenylmethane	101815	Tetrachlorobenzene, 1,2,4,5-	95943
Hexachloroethane	67721		
Methylcyclohexane	108872	PHENOLS	
Octane	111659	Amino-4-chlorophenol, 2-	95852
Pentachloroethane	76017	Benzyl-4-chlorophenol, 2-	120321
Pentane	109660	Chlorophenol, 2-	95578
Tetrabromomethane	558134	Chlorophenol, 3-	108430
Tetrachloroethane, 1,1,2,2-	79345	Chlorophenol, 4-	106489
Trichloroethane, 1,1,2-	79005	Chloro-3-methylphenol, 4-	59507
Trichlorotrifluoroethane, 1,1,2-	76131	Dichlorophenol, 2,3-	576249
		Dichlorophenol, 2,4-	120832
ALKENES (OLEFINS)		Dinitro-2-methylphenol (dinitro-o-cresol, DNOC)	1335859
Chloroethene (vinylchloride)	75014	Dodecylphenol [mixed isomers]	27193868
Chloropropene, 3- (allylchloride)	107051	Methoxy-4-propenylphenol, 2-	97541
Chloro-1,3-butadiene, 2- (chloroprene)	126998	Methylethylidenebisphenol, 4,4'-	80057
Dichloroethene, 1,1-	75354	Methylphenol, 2-	95487
Dichloroethene, 1,2-	540590	Nonylphenol, 4-	104405
Dichloropropene, 1,3-	542756	Tetramethyl-4-butylphenol, 1,1,3,3,-	140669
Dichloropropene, 2,3-	78886	Trichlorophenol [all isomers]	95954
POLYCYCLIC AROMATIC HYDROCARBONS		TOLUENES & XYLENES	
Acenaphthene	83329	Butyltoluene, 4-tert-	98511
Anthracene	120127	Chloroaminotoluene [all isomers] (chlorotoluidine)	n.a.
Biphenyl	92524	Chloronitrotoluene [all isomers]	n.a.
Chloroanthracene, 2-	131099	Chlorotoluene, 2-	95498
Chloronaphthalene [all isomers]	n.a.	Chlorotoluene, 3-	108418
Fluoranthene	206440	Chlorotoluene, 4-	106434
Hexachloronaphthalene	1335871	Chlorotoluene, alpha- (benzylchloride)	100447
Hexachloronorborene, 1,2,3,4,7,7-	3389717	Dichlorotoluene, alpha, alpha- (benzylidenechloride)	98873
Naphthalene	91203	Dinitrotoluene, 2,3-	602017
Phenanthrene	85018	Dinitrotoluene, 2,4-	121142
		Ethyltoluene [mixed isomers]	25550145
BENZENES		Toluene	108883
Benzene	71432	Trifluoro-2-nitrotoluene, alpha-	384225
Chlorobenzene	108907	Trifluoro-3-nitrotoluene, alpha-	98464
Chlorodinitrobenzene [mixed isomers]	25567673	Trifluoro-3-nitro-4-chloro-toluene, alpha-	n.a.
Chloronitrobenzene, 2-	89214	Trifluoro-4-nitrotoluene, alpha-	402540
Chloronitrobenzene, 3-	88733	Xylene, 1,2-	95476
Chloronitrobenzene, 4-	121733	Xylene, 1,3-	108383
Chloro-2,4-dinitrobenzene, 1-	97007	Xylene, 1,4-	106423
Dichlorobenzene, 1,2-	95501		
Dichlorobenzene, 1,3-	541731	ANILINES	
Dichlorobenzene, 1,4	106467	Chloroaniline, 2-	95512
Dichloronitrobenzene [all isomers]	n.a.	Chloroaniline, 3-	108429
Dinitrobenzene, 1,3-	99650		

ANILINES (cont.)	CAS-number	ORGANIC PHOSPHORUS COMPOUNDS	CAS-number
Chloroaniline, 4-	106478	Cresyldiphenylphosphate	26444495
Chloro-2-nitroaniline, 4-	121879	Tributylphosphate	126738
Dichloroaniline [all isomers]	n.a.	Tricresylphosphate	1330785
Dichlorophenoxy-4-aniline, 2,4-	14861177	Trioctylphosphate	78422
		Triphenylphosphate	115866
		Tris(2,3-bromo-1-propyl)phosphate	126727
		Trixylenylphosphate	25155231
ORGANIC METAL COMPOUNDS			
Dibutylbis(oxyauroyl)tin	77587		
Dibutyltinoxide	818086		
Diphenylchloro arsine	712481		
Ethylidichloro arsine	598141		
Tetrabutyltin	1461252		
Tetracarbonyl nickel	13463393		
Tetraethyl lead	78002		
ORGANIC NITROGEN COMPOUNDS			
Cyanoguanidine	461585		
Cyclohexylamine	108918		
Diaminodiphenyl, 4,4' - (benzidine)	92875		
Dichlorodiaminodiphenyl [all (dichlorobenzidine)]	n.a.		
Diethylamine	109897		
Dimethylamine	124403		
Diphenylamine, N,N-	122394		
Ethanediamine, 1,2-, N(4-bromophenyl)methyl-	33855479		
Isoxazolamine, 5-	14678058		
Trichloro-1,3,5-triazine, 2,4,6-(cyanuric chloride)	108770		
ORGANIC OXYGEN COMPOUNDS			
Bis(2-chloroisopropyl)ether	108601		
Butylbenzylphthalate	85687		
Chloroacetic acid	79118		
Chloroethanol, 2-	107073		
Decanol	112301		
Dibutylphthalate	84742		
Dichloropropionic acid, 2,2-	75990		
Dichloro-2-propanol, 1,3-	96231		
Diethylphthalate	84662		
Diphenoxymethanal (carbonic acid, diphenylester)	102090		
Diphenylether	101848		
Di-n-octylphthalate	117840		
Epichlorohydrine	106898		
Ethyl-1-hexanol, 2-	104767		
Isodecanol	25339177		
Isononanol	27258942		
Octanol	111875		
Phtalic acid (benzenedicarbonic acid, 1,2-)	90193763		
Trichloroacetic acid	76039		
Trichloroethanal (chloral, trichloroacetaldehyde)	302170		
Trimethyl-1-hexanol, 3,5,5-	3452979		
		PESTICIDES	
		Aldicarb	116063
		Amitrol	61825
		Bentazone	25057890
		Carbazole	86748
		Carbofuran	1563662
		Cumafos	56724
		Demeton	298033
		Dibutyltin salt [all]	n.a.
		Dichlorobenzonitrile, 2,6-	1194656
		Dichlorophenoxyacetic acid, 2,4-(D, 2,4-)	94757
		Dichlorophenoxypropanoic acid, 2,4-(dichlorprop)	120365
		Dicofol	115322
		Dihydrazinesulphate	13464807
		Dimethoate	60515
		Dinoseb	88857
		Disulfoton	298044
		Dithiocarbamates	148185
		Foxim	14816183
		Linuron	330552
		Methamidophos	10265926
		Methyl-4-chlorophenoxyacetic acid, 2-(MCPA)	94746
		Methyl-4-chlorophenoxypropanoic acid, 2-(MCP)	93652
		Mevinphos	7786347
		Monolinuron	1746812
		Omethoate	1113026
		Oxydemeton-methyl	301122
		Paraquat	2074502
		Propanil	709988
		Pyrazone (chloridazon)	1698608
		Triazophos	24017478
		Trichlorfon	52686
		PRODUCTS	
		Mineral oil	8012951

- A.** As to improving the deterrence against violations of the requirements of MARPOL 73/78 and the collection of evidence:
1. action will be taken at national level, in consultation with the authorities of the North Sea states responsible for prosecution, aimed at improving both the collection of sufficient evidence of alleged contraventions and the international exchange thereof, thus enabling effective prosecution of all violations of the provisions of MARPOL 73/78; and
 2. action will be taken aimed at increasing the acceptability of this information as evidence in court:
 - (i) by inviting the Contracting Parties to the Bonn Agreement and competent international bodies to produce a manual explaining the systems of airborne surveillance and other methods used in identifying offenders, and for obtaining evidence; this manual should be addressed to authorities in charge of detecting violations, to Prosecutors and to Courts; and
 - (ii) the International Maritime Organization could then be invited to evaluate and adopt the manual produced by the Contracting Parties to the Bonn Agreement.
- B.** As to the discharge requirements for oily wastes and residues under Annex I of MARPOL 73/78 the following initiatives will be taken in the International Maritime Organization:
1. to make the present discharge standards for oily wastes and residues from machinery spaces of all ships as presently applicable in near coastal zones and Special Areas applicable to all sea areas, so that permitted discharges do not exceed 15 ppm; and
 2. with respect to the discharge standard for oily wastes and residues from the cargo tanks of oil tankers outside Special Areas, to take concerted action to reduce the permitted discharge of oil into the sea from 60 to 30 litres per nautical mile.
- C.** As to the requirements for unloading arrangements on chemical tankers and the requirements for the discharge of chemical wastes and residues into the sea under Annex II of MARPOL 73/78, the following initiatives will be taken in the International Maritime Organization:
1. to improve the requirements for piping, pumping and cargo-unloading arrangements for chemicals regulated under Annex II by using the Best Available Technology, so as to ensure that chemical tankers unload all their cargoes to specified minimal residue quantities; and
 2. with respect to the discharge standards for chemical wastes and residues, to make the present discharge requirements more stringent for all sea areas by ensuring that no discharges exceed specified minimal quantities.

- D.** As to the minimization of air pollution from ships, proposals containing reduction objectives and target dates will be submitted to the International Maritime Organization with respect to the following:
- (i) limitation of the emission of harmful components in exhaust gases;
 - (ii) development of suitable quality standards for heavy fuels, in particular concerning the content of sulphur, chlorine and heavy metals and including the prohibition of adding chemical waste;
 - (iii) application of Best Available Technology to reduce nitrogen oxide and sulphur dioxide emissions;
 - (iv) reduction, with the intention of eliminating, the use of chemical compounds on board ships which are known to affect the ozone-layer such as chloro-fluorocarbons and halons; and
 - (v) development of suitable measures to control the emission of hydrocarbons and other harmful vaporizing fluids.

- E.** As to the minimization of accidental pollution the following steps will be taken:
1. to give full support to the initiative by the International Maritime Organization to review the adequacy of international conventions aimed at the improvement of technical standards and on-board procedures in order to prevent and mitigate accidents causing oil spills threatening the marine environment;
 2. to make every effort to provide the technical bodies of the International Maritime Organization with the most exhaustive results of investigations of accidents and other studies so as to assist them in deciding to what extent technical standards and on-board procedures can be improved and to introduce proposals for such improvements;
 3. to ensure that after an accident information on dangerous and harmful substances carried by sea in packaged form is readily available to those authorities and organizations who have to deal with the aftermath of the accident in order to mitigate the consequences thereof:
 - (i) to continue the present joint action within the International Maritime Organization to amend the SOLAS and MARPOL Conventions so as to make it mandatory for ships before leaving port to provide the Port Authorities with detailed information about the hazardous cargoes on board; and
 - (ii) to consider the possibility for developing a reporting, information and monitoring (RIM)-system for ships carrying dangerous goods in the North Sea; and
 4. to take concerted action within the International Maritime Organization to develop guidelines and checklists for ensuring that the Code of Safe Practice for Stowage and Securing Cargo will be implemented at all times.

- A.** As regards the co-ordination of the work of the Paris Commission on the elimination of pollution by oil contaminated cuttings, the Paris Commission is requested:
1. to review the developments in this field, and to work out criteria for the definition of "oil contaminated cuttings"; and
 2. in doing this to take into account all possible alternatives, e.g..
 - (i) alternative technology (*e.g.* full application of water-based muds);
 - (ii) alternative cuttings cleaning technology;
 - (iii) land-based disposal of oil contaminated cuttings; and
 - (iv) alternative disposal offshore.
- B.** As regards the development of a harmonized mandatory control system for the discharges and use of chemicals offshore, the Paris Commission is requested:
1. to develop such a system based on an evaluation of the environmental effects of these chemicals and taking into account considerations such as:
 - (i) the exclusion of substances listed at Annex A Part I of the Paris Convention; and
 - (ii) the evaluation of toxicity for marine species of different trophic levels, biodegradability and potential for bioaccumulation;
 2. to establish a monitoring and reporting system for discharges and use of chemicals offshore, including the type and quantity of the chemicals; and
 3. to take measures, in 1991 at the latest, in order to reduce the input of substances listed at Annex A, Part II of the Paris Convention into the North Sea arising from the use of chemicals offshore.

GENERAL VIEWS

1. The Wadden Sea is a nature area of wide international importance and vital for the ecological functioning of the North Sea. In view of the strong interdependence between the Wadden Sea and the North Sea, it is essential that an integrated and comprehensive approach to the protection of the North Sea marine environment and its living resources is applied.

MEASURES AND ACTIVITIES OF THE WADDEN SEA STATES

2. In order to further enhance the protection of the Wadden Sea and safeguard its function for the whole of the North Sea, the Wadden Sea states agree to take the following specific actions:
 - (i) the development of guidelines for the municipalities in the Wadden Sea area for reducing of the negative effects to the environment from certain activities, *a.o.* from tourism, especially:
 - the necessary capacity and high performance for sewage treatment plants in the near coast-line adjacent to the Wadden Sea;
 - equipment of harbours especially for leisure boats, with reception facilities, eliminating to the maximum extent all pollution from ships operating in the Wadden Sea; and
 - restrictions of sport and tourist activities in sufficiently large areas;
 - (ii) the development of policies to reduce considerably the emission of pesticides and nutrients from agricultural activities in the countries adjacent to the Wadden Sea;
 - (iii) the development of principles to end activities to gain new arable land in the Wadden Sea area by land reclamation;
 - (iv) the obligation of environmental impact assessments for the construction or major modification of new bridges, dikes, port facilities and off-shore installations in the Wadden Sea area;
 - (v) the obligation of environmental impact assessments for the construction of waste disposal facilities, especially for sewage sludge and for harbour dredged materials;
 - (vi) the prohibition of all discharges from off-shore installations directly into the Wadden Sea or into adjacent areas;
 - (vii) the development of an integrated joint monitoring programme for the Wadden Sea;
 - (viii) the development of an early warning system for detecting qualitative and quantitative changes in the Wadden Sea and its sediment; and

- (ix) ensuring that all activities in shipyards within the Wadden Sea area (in particular those which cause adverse effects of toxic anti-fouling treatment) are carried out in an environmentally acceptable way and eliminating all effluents from shipyards liable to damage the Wadden Sea environment.
- 3. The Wadden Sea states agree to a specific transboundary early warning and information procedure for the Wadden Sea making use of existing systems and organizations, with a view to enhancing co-operation and efforts in case of incidents with hazardous substances that may have noxious effects in the coastal waters of the Wadden Sea.
- 4. The Wadden Sea states are concerned about the enhanced greenhouse effect and the consequent sea level rise, which is a very serious threat to the long term preservation of the Wadden Sea and other wetlands along the North Sea coast and elsewhere in the world.
Wadden Sea states support the important work by the Intergovernmental Panel on Climate Change and specifically support the actions mentioned in the Noordwijk Declaration on Atmospheric Pollution and Climatic Change (November 1989).

RECOMMENDATIONS FOR MEASURES TO BE TAKEN BY NORTH SEA STATES

Harmful Substances

- 5. The Wadden Sea states are of the opinion that action should be taken within relevant international organizations (PARCOM, OSCOM, EC, IMO *etc.*) to ensure that sufficiently high priority is given to the aim of reducing the harmful impact on the environment and, where necessary, the phasing out of PAHs, pesticides and other persistent compounds.

Phasing out of PCBs and PCTs

- 6. Scientific research strongly indicates that PCBs and PCTs cause reproductive failure in seals and harm to the marine environment in general. The Wadden Sea states therefore urge the complete phasing out of these substances as soon as possible and request the North Sea states to:
 - (i) establish a time-schedule for the most efficient phasing out of PCBs and PCTs;
 - (ii) establish a national registration system for existing uses; and
 - (iii) install adequate and sufficient incineration capacity for their ultimate destruction.

Shipping

- 7. In order to increase efforts towards the elimination of operational pollution by harmful substances and the minimization of accidental discharges of such substances by shipping, the Wadden Sea states recommend:
 - (i) the establishment of a system to provide information concerning vessels carrying hazardous chemical substances; and

- (ii) the establishment of a system which will facilitate the recovery of lost cargo containers, in particular those loaded with dangerous and harmful substances.

Atmospheric Pollution

- 8. The Wadden Sea states urge the Third International Conference on the Protection of the North Sea to reach agreement on measures with the aim of substantially reducing total atmospheric inputs of pollutants on the basis of criteria to be agreed upon, reaching directly or indirectly the aquatic environment of the North Sea and more specifically the Wadden Sea.
- 9. The Wadden Sea states call upon the Third International Conference on the Protection of the North Sea to invite the competent international bodies (*e.g.* the EC, Paris Commission, Executive Body of the Geneva Convention on Long-Range Transboundary Air Pollution) to prepare steps aiming at substantial reductions, particularly by identification of the best available technology for industrial processes and other point sources giving rise to atmospheric emissions of hazardous substances, and by identification of measures to control the emission at production, sale, use and disposal of these substances, and products containing these substances, where diffuse sources give rise to atmospheric emission of these substances.

Conservation of Wildlife

- 10. Considering the wide international importance of the Wadden Sea for the conservation and management of wildlife and the ecological interrelationships between the Wadden Sea and the North Sea, the Wadden Sea states request the North Sea littoral states to take measures to conserve, protect and, where necessary, restore the wildlife of the North Sea, in particular with respect to:
 - (i) the making of inventories of the occurrence of endangered or otherwise unfavourable conserved migratory species and on the basis thereof the initiation of common action within the Bonn Convention on Migratory Species of Wild Animals;
 - (ii) the establishment of joint action programmes to restore vulnerable or depleted populations of wildlife; the action programme of the Wadden Sea states to restore the seal population may serve as an example;
 - (iii) the inclusion of important coastal and estuarial wetlands of the North Sea in the List of Wetlands of International Importance under the Ramsar Convention; and
 - (iv) the establishment of nature reserves in these areas and the inclusion of the monitoring of wildlife species in the monitoring activities.
- 11. The Wadden Sea states urge the North Sea states to support initiatives within the framework of international nature conservation organizations, such as the Bonn, Bern and Ramsar Conventions.

1. To collaborate on research initiatives with the assistance of the North Sea Task Force:
 - 1.1 common and grey seals population studies including migration, diet, disease and environmental factors, survey techniques; establishment of a blood and tissue bank for future study of pathogens and contaminants; establishment of a data inventory including planned research;
 - 1.2 studies to establish the source and characteristics of the 1988 seal epidemic, including immune response and the role of contaminants; identification of vulnerable colonies, their causes of decline, quality of habitat, and restoration techniques;
 - 1.3 an international register recording all reports of strandings of marine mammals including external characteristics, post mortem analysis, age, health, contaminant analysis and relevant research; and
 - 1.4 an investigation of ways beached sea- and coastal birds can be used as an indicator to assess and compare the effectiveness of policy decisions made on the reduction of oil pollution, and to this end:
 - (i) consider how far the percentage of oil polluted birds on the total of beached birds can be used as an indicator; and
 - (ii) consider possibilities to intensify chemical analysis of oil samples taken from beached indicator species for comparison with detected oil spills.

2. Survey of sites and areas - to be reported to and co-ordinated by the North Sea Task Force, with the assistance of lead countries:
 - 2.1 to integrate and update national data on sea- and coastal birds at sea on a standardized basis to enable identification of vulnerability standards for species and areas; to be available to pollution response authorities and sea users; and
 - 2.2 to carry out surveys of marine sites including coastal, estuarial and open sea areas in order to identify sites of national or international importance, in accordance with criteria to be adopted by the North Sea Task Force for relevant species and communities.

3. To implement appropriate methods for conservation management and protection for the sites identified in 2.2 above. These may include:
 - (i) designation under the Ramsar Convention or the European Communities Bird Directive;
 - (ii) potentially damaging operations to be subject to a mandatory notification scheme for such coastal sites, including salt marshes and inter-tidal areas, and consultation in other areas offshore;
 - (iii) legal controls over particular sea uses in designated areas; and
 - (iv) the taking of appropriate measures to conserve or restore common seal populations severely depleted by disease or pollution, including restrictions on killing and disturbance, and the provision of reserves with controlled public access allowing seal colonies to be re-established without disturbance.

Forside fra IMM

Statement of Conclusions from the Intermediate Ministerial Meeting 7-8 December 1993 in Copenhagen

At the Third International Conference on the Protection of the North Sea (3NSC) in the Hague 7-8 March 1990, the Ministers responsible for the protection of the environment of the North Sea and the Member of the Commission of the European Communities (CEC) responsible for environmental protection made arrangements for a working group meeting at ministerial level in 1993, before the Fourth International Conference on the Protection of the North Sea (4NSC) in 1995, in order:

- to discuss the 1993 Quality Status Report on the North Sea;
- to evaluate the actions taken within the International Maritime Organization (IMO) on Annexes I and II of MARPOL 73/78 and to decide which additional measures are required, including declaring the North Sea a Special Area under these Annexes; and
- to discuss the problems encountered with the implementation of the North Sea Conference Declaration with regard to nutrients and pesticides.

The Ministers responsible for the protection of the environment of the North Sea, the Ministers of agriculture and the Members of the CEC responsible for environmental protection and for agriculture (the Ministers) met in Copenhagen on 7 and 8 December 1993 for the Intermediate Ministerial Meeting (IMM93).

Observers from Inter-Governmental Organisations as well as international Non-Governmental Organisations attended the IMM93.

A list of participants is attached as Annex 1.

After having discussed the items on the agenda for the IMM93, the Ministers adopted the following Statement of Conclusions:

I. QUALITY STATUS REPORT ON THE NORTH SEA

1. The Ministers CONGRATULATE the North Sea Task Force on the successful completion of the North Sea Quality Status Report (QSR), which is intended to provide a dependable and comprehensive statement of circulation patterns, inputs and dispersion of contaminants, ecological conditions and effects of human activities in the North Sea.
2. The Ministers further WELCOME that the QSR will be considered during a Scientific Symposium at Ebeltoft, Denmark, on 18-21 April 1994 and that the views expressed from the Scientific Symposium will be considered as part of the preparatory work for the 4NSC.
3. The Ministers AGREE to terminate the mandate of the North Sea Task Force with effect from 31 December 1993, and to REQUEST the Oslo and Paris Commissions, in collaboration with the International Council for the Exploration of the Sea (ICES), to take forward the work with regard to assessment and monitoring.

4. In addition to taking into account the recommendations of the QSR on nutrients, pesticides and pollution from shipping in the consideration of these matters at the IMM93, the Ministers CONCLUDE that early action is needed on the following points. Accordingly, they AGREE:
- 4.1 to INVITE the CEC through the services of ICES to investigate the scientific criteria for the establishment, on an experimental basis, of undisturbed areas in the North Sea for scientific purposes, in order to assess the recovery and redevelopment of the marine ecosystem and to request all States concerned to examine the legal aspects;
 - 4.2 to TAKE FORWARD in the preparatory meetings for the 4NSC the consideration of suitable regimes for the protection of coastal and marine areas (including species and habitats) of special ecological interest and significance;
 - 4.3 to APPEAL to the States concerned that have not signed and ratified the Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas to complete their national reviews of this agreement in order to bring forward an early decision on the question of signature and ratification;
 - 4.4 to INVITE the CEC to acknowledge the needs for further research set out in the QSR, and to ensure that they are taken into account in the planning of research initiatives with regard to agriculture, fisheries and environment and marine science, and to invite Norway and Sweden, in collaboration with ICES, to proceed in the same way in respect of their research programmes;
 - 4.5 to REQUEST the IMO to develop, as a matter of urgency, regulations for the strict control of emissions from ships of tributyl tin (TBT) and to consider a ban of its use, taking into account the environmental impact of the use of TBT and its alternatives;
 - 4.6 to INVITE the Oslo and Paris Commissions to consider and develop measures to make significant reductions of anthropogenic inputs of the order of 50% or more between 1985 and 2000 from all sources of PAHs of concern to the marine environment; but
 - (i) for the States, that cannot at present establish figures for the 1985 situation to urge them to establish before 1995 the necessary basis for making decisions at 4NSC on reduction targets to be achieved by 2000; and
 - (ii) to REQUEST the Oslo and Paris Commissions to undertake an appraisal of the significance of and the possibilities to reduce emissions of PAHs from offshore installations; and
 - 4.7 to REVIEW at the 4NSC the strategy needed to reach the goal set in the Hague Declaration (para 1) and in the Final Declaration of the 1992 Ministerial Meeting of the Oslo and Paris Commissions, *i.e.* of reducing by the year 2000, discharges and emissions of substances which are toxic, persistent and liable to bioaccumulate, to levels that are not harmful to man or nature with the aim of their elimination, and to request the advice of the Oslo and Paris Commissions on this issue.

5. The Ministers further AGREE to take concerted action to ensure the proper consideration of the recommendations set out in the QSR through the channels identified for each recommendation in Annex 2 and AGREE to consider a report on the action taken on each of the recommendations at the 4NSC.
6. The Ministers, taking into account chapter 17 of Agenda 21 of the UNCED Conference, WELCOME the decisions taken in November 1993 at the FAO Conference which agreed on a text for a Convention on flag state responsibility and on the necessity of giving the utmost priority to the drafting of a code of conduct for responsible fishing in the framework of the 1994-1995 programme. Accordingly, the Ministers AGREE:
 - 6.1 to ACCEPT as a general goal that fisheries management should safeguard the sustainability of the North Sea ecosystem as a whole, taking into account the socio-economic importance of fisheries, and the need to assess and manage the stocks throughout the full range of distribution;
 - 6.2 to INVITE the EEC, Norway and Sweden, in collaboration with ICES, to improve the quality and range of data used as a basis for fisheries management, including by-catch and discard data and descriptions of the effects of various fishing gear on juvenile fish, non-commercial fish species, sea-bed biota, sea-birds and sea-mammals; and
 - 6.3 to REQUEST the EEC to continue the development of fisheries management in the context of the Common Fisheries Policy and to request the EEC, Norway and Sweden, in collaboration with ICES, to develop proposals for strengthening the stocks of the most vulnerable fish species of the North Sea.

II. MARPOL 73/78 - THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS

7. With respect to the actions taken within the IMO on Annexes I and II of MARPOL 73/78, including the possibility of declaring the North Sea a Special Area under these Annexes, the Ministers WELCOME:
 - 7.1 the stringent discharge requirements for oily mixtures and residues under Annex I of MARPOL 73/78, which entered into force on 6 July 1993; and
 - 7.2 the progress in the Marine Environment Protection Committee of the IMO on revision of Annex II of MARPOL 73/78.
8. The Ministers also WELCOME the initiatives which are being taken by the EC Council (Transport and Environment) to protect the seas against maritime pollution, including the action following the Commission Communication on a common policy on "Safe Seas".
9. Furthermore, the Ministers AGREE:
 - 9.1 to EVALUATE the progress made on the issues of reception facilities and enforceability and the impact of the new regulations in respect of discharge requirements for oily mixtures and residues, which have recently entered into force, and to CONSIDER the need for a joint initiative at the 4NSC with

respect to designation of the North Sea as a Special Area for the purposes of Annexes I and II of MARPOL 73/78 within the framework of the IMO;

- 9.2 to CONCERT action within the framework of the IMO to ensure that adequate priority is given to the review of the MARPOL Convention, in particular Annex II, aiming at the inclusion of more stringent discharge requirements worldwide, by ensuring that no discharges exceed specified minimal quantities;
 - 9.3 to REVIEW action and, where necessary, take additional steps on the provision of shore reception facilities, as required in the Hague Declaration (paragraph 27) with respect to overall availability, adequacy and scope for enhanced and harmonized economic measures;
 - 9.4 to TAKE actions aimed at further control of garbage disposed of to the North Sea from all types of ships and other relevant sources and to evaluate at 4NSC progress made;
 - 9.5 in respect of reception facilities, to BRING FORWARD to the 4NSC, proposals for:
 - (i) appropriate economic arrangements;
 - (ii) systems for control and monitoring of the use of the facilities including the collection of data on generation of waste onboard ships and amounts disposed of to reception facilities; and
 - (iii) the procedures for inspection arrangements, *e.g.* wider participation in the "Promotion in Ports of MARPOL" (PPM) system; and
 - 9.6 to CONDUCT the improvement of existing legal instruments and rules, as required in the Hague Declaration (paragraph 25 and 26) and the development of new measures for the prevention on pollution from ships, in a way that will ensure that aspects of enforceability and the relevant rules of international law, as set out in the UN Convention on the Law of the Sea, in particular in Articles 218 and 220, are fully taken into account in all appropriate national and international forums.
10. In WELCOMING the adoption by the Bonn Agreement of the manual 'Oil Pollution at Sea, Securing Evidence on Discharges from Ships', which explains the systems of airborne surveillance and other methods used in identifying offenders, the Ministers AGREE to REQUEST the Contracting Parties to the Bonn Agreement:
- (i) to UPDATE this manual in accordance with future developments in techniques and experience gathered by them; and
 - (ii) to SUPPLEMENT this manual by a review of existing legal provisions in the North Sea States on the admissibility of different forms of evidence.
11. Furthermore the Ministers, in WELCOMING the development of the new MARPOL Annex on Air Pollution from ships AGREE:
- 11.1 to STUDY the possibility of having the North Sea declared a Special Area for the purposes of the new Air Pollution Annex, in relation to sulphur oxides, and if appropriate to take concerted action by mid 1994 within the framework of the IMO to achieve this goal; and

- 11.2 to WELCOME the Norwegian invitation to convene a North Sea Working Group in spring 1994 to consider such concerted action.
12. The Ministers NOTE:
- 12.1 with regret, that an international agreement to define and apportion liability for damage caused by accidents involving ships carrying cargoes of hazardous or noxious substances has not yet been adopted; and
- 12.2 with satisfaction, that the IMO has now set a target date of 1996 for the adoption of a convention on liability and compensation for damage caused by such accidents.
13. The Ministers AGREE:
- 13.1 to WORK within the IMO to secure the adoption, as soon as possible, of a convention which will ensure adequate and effective compensation for damage caused by accidents involving hazardous or noxious substances; and
- 13.2 to CONSIDER the progress made within the IMO on this subject at the 4NSC, with a view to seeking a solution if adequate progress is not being made; and
- 13.3 to APPEAL to the states concerned that have not signed and ratified the 1992 protocols to the Civil Liability Convention, 1969 and the Oil Compensation Fund Convention, 1971 to do so as soon as possible.

III. NUTRIENTS

14. The Ministers decided in the Hague Declaration (paragraphs 10-13), to adopt a comprehensive set of common actions with regard to input of nutrients, in order further to protect the North Sea environment.
15. The following technical documents provided the necessary background information to enable the Ministers at the IMM93 to note progress and to take further action in this regard:
- (i) Paris Commission, 1993: Eutrophication Symptoms and Problem Areas;
 - (ii) Paris Commission, 1993: Nutrients in the Convention Area:
 - Part A. Overview of Progress Reports on the Implementation of National Action Plans to Reduce Inputs of Nutrients and the Need for Further Action;
 - Part B. Nutrients from Agriculture; and
 - (iii) North Sea Task Force, 1993: North Sea Quality Status Report.
16. The Hague Declaration (paragraph 10) records the decision "to identify some coastal zones of the North Sea, including the Skagerrak, as being actual eutrophication problem areas and, in view of the increased inputs and levels of nutrients, some other coastal zones as being potential problem areas".
17. The Ministers NOTE:

- 17.1 that the following areas have been identified, on the basis of national criteria, as either actual eutrophication problem areas or potential problem areas and therefore require the reduction of input of nutrients of the order of 50% between 1985 and 1995 into areas where these inputs are likely, directly or indirectly, to cause pollution (*cf.* Annex 3):
- (i) certain sites on the Northern French coast, bordering the Channel;
 - (ii) Belgian coastal waters;
 - (iii) Dutch coastal waters;
 - (iv) the German Bight;
 - (v) Danish coastal waters and fjords;
 - (vi) the Wadden Sea;
 - (vii) the Norwegian coast of the Skagerrak and the Oslofjord;
 - (viii) the Swedish coast of the Skagerrak; and
 - (ix) the Ythan Estuary and Langstone Harbour in the United Kingdom (although they were identified as problem areas in 1992, the United Kingdom is currently reconsidering these areas and they, together with two sites in the Wash area, are under investigation as possible problem areas); and
- 17.2 that the identification of actual and potential eutrophication problem areas is not based on a common procedure, and therefore INVITE the Paris Commission to develop a common procedure for the identification of actual and potential eutrophication problem areas and to report progress to the 4NSC and subsequently to assess the application of the procedure.
18. The Hague Declaration (paragraph 11) records the decision "to agree that for the North Sea catchment area, as minimum level of treatment, urban areas (*e.g.* 5000 p.e. or more) and industries with a comparable waste water load should be connected to sewage treatment plants with secondary (biological) or equally effective treatment, unless, on a case by case basis, comprehensive scientific studies demonstrate to the satisfaction of the competent international authorities, that this discharge will not adversely affect the North Sea environment on a local or regional level. In these cases primary treatment should at least be provided. Full information should be provided in time for assessment at the meeting of the Oslo and Paris Commissions at ministerial level in 1992".
19. The Ministers NOTE:
- 19.1 with concern, the magnitude of the amount of untreated urban waste water, about 30 million p.e., that is expected to be discharged into the North Sea catchment area even after 1995;
 - 19.2 that most North Sea States will be required to comply with the provisions in the EEC Directive 91/271/EEC on urban waste water treatment.
 - 19.3 that Denmark, Germany (old Federal States), the Netherlands, Sweden and Switzerland will have by 1995 at least secondary treatment, or even more advanced treatment, of all discharges of waste water from urban areas above 5000 p.e. and industries with a comparable waste water load;

- 19.4 that, for the new German Federal States, plans for secondary treatment, or even more advanced treatment, are established in accordance with the timetable prescribed in the EEC Directive on Urban Waste Water Treatment;
 - 19.5 that Belgium will have by 1995 at least secondary treatment, or even more advanced treatment, of all discharges of waste water to coastal waters from urban areas above 5000 p.e and industries with a comparable waste water load; and that for discharges to inland waters, plans for secondary or more advanced treatment are established in accordance with the timetable prescribed in the EEC Directive on Urban Waste Water Treatment;
 - 19.6 that Belgium, Denmark, Germany, the Netherlands, Sweden and Switzerland are therefore not under the obligation to carry out comprehensive scientific studies on a case by case basis to demonstrate that these discharges will not adversely affect the North Sea environment on a local or regional level; and
 - 19.7 that France, Norway and the United Kingdom will not have, by 1995, provided secondary treatment for all discharges from the urban areas and industries referred to in the Hague Declaration (paragraph 11); and that they will be carrying out comprehensive scientific studies on a case by case basis to demonstrate that such discharges not so treated will not adversely affect the North Sea environment on a local or regional level, in accordance with the timetable set out in the EEC Directive on Urban Waste Water Treatment.
20. The Ministers NOTE that France, Norway and the United Kingdom will provide to the Paris Commission full information on the comprehensive scientific studies completed by the end of 1994, and INVITE the Paris Commission to assess the information provided, as well as other information, and prepare a report for the 4NSC on:
- 20.1 progress in improving the treatment of urban and industrial sewage discharged to the North Sea and its catchments; including
 - 20.2 a survey of the cases where secondary treatment will not be or is not yet provided, based on the comprehensive scientific studies.
21. Hague Declaration (paragraph 12) records decision "to agree that further measures are required in order to meet the aim of a reduction of the order of 50% for inputs of nutrients between 1985 and 1995 into areas where these inputs are likely, directly or indirectly, to cause pollution".
22. The Ministers NOTE that the progress reports on the implementation of National Action Plans to reduce the anthropogenic inputs of nutrients into areas where these inputs are likely, directly or indirectly to cause pollution show that:
- 22.1 Belgium, Denmark, Germany, the Netherlands, Norway, Sweden and Switzerland expect to reach by 1995 a reduction in phosphorus input of the order of 50% into areas where these inputs are likely, directly or indirectly, to cause pollution, whereas France expects to reach a reduction in phosphorus inputs of the order of 25% by 1995;
 - 22.2 the phosphorus reductions achieved are mainly due to the improved treatment of sewage and/or the reduction of the use of phosphate in detergents;

- 22.3 the United Kingdom has not submitted information with regard to expected reductions of phosphorus and nitrogen input between 1985 and 1995 because of the nature and small size of the areas concerned;
- 22.4 Belgium, Denmark, France, Germany, the Netherlands, Norway and Sweden expect not to reach the reduction in nitrogen input of the order 50% by 1995, but they expect to achieve reductions in nitrogen input of between 20 and 30% into areas where these inputs are likely, directly or indirectly, to cause pollution;
- 22.5 the nitrogen reduction target will not be achieved mainly because the reductions achieved and expected within the agriculture sector are insufficient; this is because the losses from the agriculture sector have proved to be much more difficult to influence than anticipated and because the measures adopted have been inadequate or inadequately implemented; and
- 22.6 part of the reason why the reduction target will not be achieved is the time lag between application of measures and their effects on nutrient inputs to the North Sea; in particular, this is the case for the agriculture sector.
23. The Ministers NOTE that:
- 23.1 Belgium, Germany (old Federal States), the Netherlands, Norway, Sweden and Switzerland expect to reach by 1995 a reduction in nitrogen from municipal treatment plants between 6 and 32%; Denmark expects to reach by 1995 a reduction in nitrogen from municipal treatment plants of 73%; and
- 23.2 although many North Sea states have made progress with regard to improving the treatment of sewage, some North Sea states still discharge substantial quantities of untreated sewage either directly or via rivers into identified problem areas in the North Sea.
24. The Ministers INVITE those North Sea States concerned to review their national action plans with the aim of obtaining a sewage treatment capacity at a level which would enable these states to make further progress towards the overall reduction target of 50%.
25. Ministers NOTE that Directive 91/676/EEC on the protection of waters against pollution caused by nitrates from agricultural sources has objectives and contains commitments to adopt programs to reduce nitrate discharges from agriculture. This Directive is therefore one of the tools to progress towards the reductions agreed at the 3NSC.
26. The Ministers AGREE to implement, or to improve the implementation of all appropriate measures, especially in the agriculture sector, in order to achieve the required reduction of the order of 50% of inputs of nitrogen at the earliest possible time, even though it is doubtful, based on scientific and economic facts, that this reduction target can be achieved by 1995 and, in doing so, to reduce further the nutrient discharges from agriculture to the North Sea by measures and means such as:
- 26.1 improving the effectiveness of the measures adopted by sufficient means such as:

- (i) enlargement of the areas for the measures already implemented; and
 - (ii) improvement of information and of advisory services to farmers;
- 26.2 introducing economic instruments *e.g.* by changing the price level or using taxes, levies or direct payments to farmers, designed *inter alia* to discourage the use of excess fertiliser;
- 26.3 introducing legal instruments; and
- 26.4 ensuring effective control and enforcement of all measures implemented by North Sea States.
27. The Ministers INVITE the Paris Commission:
- 27.1 to coordinate the development of national definitions of balanced fertilisation; and
 - 27.2 to establish an operational definition of balanced fertilisation, taking into account the work carried out in the EEC, with a view to assessing whether this concept can be used as a common international standard and to report progress to the 4NSC.
28. The Ministers INVITE the Paris Commission to develop a methodology for assessing:
- 28.1 surpluses of nitrogen and phosphorus over a defined area;
 - 28.2 the effect on reductions of nutrient inputs to the sea as a result of a given change in nutrient surplus from a given level; and
 - 28.3 subject to the establishment of this relationship, acceptable levels of phosphorus and nitrogen surpluses; and to report progress to the 4NSC.
29. The Ministers INVITE the Paris Commission to adopt all measures necessary to achieve by the year 2000, or the year 2002 at the latest, the acceptable levels of phosphorus and nitrogen surpluses if these levels can be established; and
- 29.1 AGREE to aim to achieve balanced fertilisation for nitrogen and phosphorus in agricultural production by the year 2000 or the year 2002 at the latest, subject to an agreement on definitions, and having regard to directive 91/676/EEC, in particular the action programmes in that directive.
30. The Ministers AGREE:
- 30.1 to REQUEST the Paris Commission to coordinate future work on monitoring the deposition of nitrogen compounds into the North Sea;
 - 30.2 to WELCOME the work in progress within the EEC, Norway, Sweden and Switzerland on reductions of emissions of nitrogen oxides to the atmosphere and to INVITE the EEC, as a matter of urgency, to enlarge the scope of the work including transportation policy with regard to these emissions;

- 30.3 to TAKE action as a matter of urgency on reduction of the emission of ammonia, nationally, through regional co-operation and through the appropriate international forums, and to consider, at the 4NSC, the need to set specific targets for ammonia emissions; and
- 30.4 to INVITE the ECE Convention on Long Range Transboundary Air Pollution to pursue, as a matter of urgency, its work on reductions of emissions of nitrogen oxides, especially with regard to the North Sea.
31. The Ministers AGREE to pursue the integration of environmental policy objectives into agricultural policy, including EEC agricultural policy.
32. The Ministers AGREE to promote agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside, *inter alia* ecological farming, of which Council Regulation EEC 2078/92 ("Agro-Environment Regulation") may be taken as example.
33. The Hague Declaration (paragraph 13) records the decision "to agree to establish common assessment and reporting procedures for calculating the reduction of nutrients and the determination of the sensitive areas referred to in paragraphs 10 and 12, for consideration at the 4NSC in 1995".
34. The Ministers NOTE that the Paris Commission is in the process of establishing common methodologies for assessing anthropogenic inputs of nutrients from agriculture and other sources to the aquatic environment.
35. The Ministers INVITE the Paris Commission to propose to the 4NSC common assessment and reporting procedures for calculating the reduction of nutrient inputs.

FURTHER CONCLUSIONS ON NUTRIENTS

36. The Ministers AGREE to INVITE the Paris Commission:
- 36.1 to consider the size and nature for further reduction targets for nutrients in light of the strategy developed (*cf.* paragraph 38), the QSR and additional scientific knowledge; and
- 36.2 to report to the 4NSC on this issue.
37. The Ministers INVITE North Sea States:
- 37.1 sharing the catchment areas of major rivers entering the North Sea to COOPERATE to reduce nutrient inputs by coordinating their Action Plans, following the examples of the International Commissions for the Protection of the Rhine and the Elbe; and
- 37.2 to REPORT to the 4NSC on the progress achieved with regard to reduction of nutrient inputs from major rivers: the Elbe, the Meuse, the Rhine, the Scheldt, the Seine, the Somme and the Weser; for the Thames only the evolution of nutrient inputs will be reported.

38. Drawing on the outcome of their deliberations on the implementation of paragraphs 10-13 of the Ministerial Declaration of the Hague, the Ministers AGREE to develop further the strategy to combat the eutrophication of the North Sea; the work on the strategy should be based on the foregoing conclusions, and take into account *inter alia*:
- (i) nutrient input levels;
 - (ii) nitrogen/phosphorus ratio;
 - (iii) ecological objectives;
 - (iv) quality objectives;
 - (v) regional differences;
 - (vi) seasonal variations;
 - (vii) reduction of emissions at the source by application of BAT; and
 - (viii) cost effectiveness of measures;

and to REQUEST the Paris Commission to take this issue forward and to REPORT the outcome of its work to the 4NSC.

IV. PESTICIDES

39. The Ministers adopted in the Hague Declaration (paragraphs 2, 4 and 6) decisions to implement effectively measures to reduce inputs of hazardous substances, and in doing so, *inter alia*, to aim for a reduction in the quantities of pesticides discharged to the North Sea.

40. The Hague Declaration records the decisions (paragraphs 2, 4 and 6):

"to achieve a significant reduction (of 50% or more) of:

- (i) inputs via rivers and estuaries between 1985 and 1995 for each of the substances in Annex 1A; and
- (ii) atmospheric emissions by 1995, or by 1999 at the latest, of the substances specified in Annex 1A, provided that the application of Best Available Technology, including the use of strict emissions standards, enables such a reduction."

"to aim for a substantial reduction in the quantities of pesticides reaching the North Sea and to this end, by 31 December 1992, to control strictly the use and application of pesticides and to reduce, where necessary, emissions to the environment. Special attention will be paid to:

- (i) the phasing out of those pesticides which are the most persistent, toxic and liable to bioaccumulate (see part (c) of Annex 1B);
- (ii) the establishment of approval systems specifying permitted pesticides and permitted uses; and
- (iii) examples of measures to reduce inputs of pesticides listed in Annex 1B part (d)."

"to take initiatives in accordance with Annex 1C to reduce the emissions from specified activities which substantially contribute to the inputs of hazardous substances to the North Sea via rivers, estuaries and the atmosphere, by defining the Best Available Technology and applying it to specified point sources, and by defining and applying the Best Environmental Practice to specified diffuse sources."

41. The following technical documents provided the necessary background information to enable Ministers at the IMM93 to note progress and to take further action in this regard:
- (i) Danish Environmental Protection Agency, 1993: Progress Report - Implementation by the North Sea States of the Hague Declaration Requirements on Pesticides; and
 - (ii) Paris Commission, 1993: Pesticides and the Marine Environment: Progress on Reduction Measures.
42. The Ministers AGREE:
- 42.1 to CLARIFY that, for the pesticides listed in the Annexes of the Hague Declaration, all uses, including non-agricultural uses, must be considered;
 - 42.2 to NOTE that all North Sea States have introduced input reduction measures as listed in the Hague Declaration (Annex 1B part d); and
 - 42.3 to NOTE that, with respect to pesticides, in addition to the work in individual North Sea States, the Paris Commission is to consider in 1994 a draft report on Best Environmental Techniques for the production and formulation of pesticides; the EEC is also studying this topic.
43. The Ministers CONCLUDE that:
- 43.1 progress has been made towards achieving the targets agreed in 1990 for reduced inputs via rivers and estuaries between 1985 and 1995 for substances listed in the Hague Declaration (Annex 1A);
 - 43.2 progress has also been made in strictly limiting or banning the use(s) of pesticides listed in the Hague Declaration (Annex 1B part c); and
 - 43.3 progress is also being made in the definition of Best Available Techniques with regard to point sources of pesticides and in defining and applying Best Environmental Practice for diffuse sources in agriculture.
44. The Ministers AGREE:
- 44.1 that key strategies to achieve the reduction of risks from pesticides are: the reduction of quantities used, reduction of dependence on pesticide use and measures to reduce the environmental transfer and impact of pesticides;
 - 44.2 to LIMIT strictly or BAN the use(s) of pesticides causing environmental harm by substitution with less harmful pesticides, non-chemical methods or other strategies, where alternatives are available; and when adopting substitutes or alternatives, proper consideration must be given to the consequences for pest resistance and the protection of human health, animal welfare, ecosystems, water, soil, and air;
 - 44.3 to DEVELOP agricultural codes of practice aimed at environmental protection, taking into account existing agricultural practices, and to use the Paris Commission Recommendation 93/3 on the Elaboration of National Action Plans

and Best Environmental Practice for the Reduction of Inputs to the Environment of Pesticides from Agricultural Use as a valuable basis for this purpose;

- 44.4 to ATTACH greater emphasis to environmental considerations as an integral part of agricultural and other sectoral policies and that this is a pre-requisite to a reduction of the use of pesticides and a decrease in the risk for the marine environment;
 - 44.5 to ENSURE that future mechanisms for authorization and regulation of both agricultural and non-agricultural uses of pesticides give adequate protection to the marine environment, taking into account atmospheric pathways;
 - 44.6 to CONSIDER, in addition to measures already applied, economic instruments for reducing the environmental impacts of pesticide usage;
 - 44.7 to PROMOTE agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside, *inter alia* ecological farming, of which Council Regulation EEC 2078/92 ("Agro-Environment Regulation") may be taken as an example, and in doing so:
 - (i) to PROMOTE further research and development on these agricultural production methods; and
 - (ii) to BRING these new methods to the attention of those preparing the relevant educational and training programmes; and
 - 44.8 to ENSURE the collection and publication by national authorities of information on sales and/or usage (including data on application rates or other indices) of individual pesticides.
45. In RECOGNISING that insufficient progress has been achieved in the reduction of the use of the following pesticides: atrazine, azinphos-methyl, copper compounds, dichlorvos, endosulfan, lindane, simazine and trifluralin, the Ministers AGREE to increase efforts aimed at reaching the goals set in the Hague Declaration (paragraphs 2 and 4).
46. The Ministers AGREE:
- 46.1 to INVITE the competent authorities to improve the data base concerning inputs and concentrations of pesticides in fresh water systems discharging to the North Sea and in the marine environment;
 - 46.2 to LOOK FORWARD TO a presentation at the 4NSC by the CEC of a methodology for ranking of substances by risk category.
47. The Ministers AGREE to INVITE the Paris Commission to:
- (i) identify pesticides, which are not covered by the Hague Declaration (Annexes 1A or 1B part c) but which pose a threat to the marine environment; this work should take account of the progress achieved in the framework of the EEC; and

- (ii) consider the input of pesticides to the North Sea, in particular via the atmosphere;

and to TAKE appropriate action.

- 48. The Ministers WELCOME the decisions of the Paris Commission to collect data on non-agricultural uses of pesticides with a view to the adoption of Codes of Best Environmental Practice or Best Available Techniques, or other measures to control the non-agricultural use of pesticides.

BELGIUM

- For the Minister for the Environment,
- For the Minister of Agriculture,
- Mr. E. Bal, Ambassador of Belgium

COMMISSION OF THE EUROPEAN COMMUNITIES

- Mr. Yannis Paleokrassas, Member of the Commission of the European Communities

DENMARK

- Mr. Svend Auken, Minister for the Environment
- Mr. Bjørn Westh, Minister of Agriculture and Fisheries

FRANCE

- Mr. Patrick O’Cornisse, Ambassador of France

GERMANY

- Mr. Clemens Stroetmann, State Secretary, Ministry of the Environment, Nature Conservation and Nuclear Safety
- Mr. Jörg Wendisch, Ministry of Food, Agriculture and Forestry

NETHERLANDS

- Ms. Hanja R.H. Maij-Weggen, Minister of Transport, Public Works and Water Management
- Mr. Piet Bukman, Minister of Agriculture, Nature Management and Fisheries

NORWAY

- Mr. Thorbjørn Berntsen, Minister for the Environment
- Mr. Ottar Befring, State Secretary, Ministry of Agriculture and Fisheries

SWITZERLAND

- Mr. Philippe Roch, Director of the Federal Office for the Environment, Forests and Landscape
- Mr. Hans Burger, Director of the Federal Office for Agriculture

SWEDEN

- Mr. Olof Johansson, Minister for the Environment and Natural Resources
- Mr. Karl-Erik Olsson, Ministry of Agriculture

UNITED KINGDOM

- Mr. Tim Yeo, Minister for the Environment and Countryside
- The Earl Howe, Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food

COMMON WADDEN SEA COOPERATION

- Mr. Folkert de Jong

INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA

- Mr. Emory D. Anderson,

NORTH SEA TASK FORCE

- Mr. Ronny Ferm

OSPAR COMMISSION

- Ms. Claire Nihoul

RHINE COMMISSION

- Mr. Dirk Hogervorst

CEFIC

- Mr. Bruce Julin

COPA

- Mr. Carsten Voltzmann

EUREAU

- Mr. Peter Hall

GREENPEACE INTERNATIONAL

- Mr. Remi Parmentier

ICS

- Mr. P. Randum Nielsen

SAR

- Mr. John Maggs

WWF

- Ms. Alja D. Schmidt-van Dorp

In taking forward the recommendations set out in Chapter 7 of the Quality Status Report, through the channels identified in this Annex, Ministers agreed

- 0.1 to INVITE the Commission for the European Communities (CEC) to take the recommendations into account when bringing forward proposals relevant to their areas of competence for the recommendations identified for them;
- 0.2 to TAKE joint initiatives to ensure consideration in the International Maritime Organisation (IMO) of the recommendations identified for it;
- 0.3 to INVITE the Oslo and Paris Commissions (OSPARCOM), the International Council for the Exploration of the Sea (ICES) and the parties to the Paris Memorandum of Understanding on Port State Control (PCS), the Agreement on Small Cetaceans of the Baltic and North Seas (ASCOBANS), the UN Economic Commission for Europe Convention on Long Range Transboundary Air Pollution (UNECE-LRTAP) and the discussions on Exclusive Economic Zone jurisdiction in the North Sea (EEZ) to consider the recommendations identified respectively for them;
- 0.4 to ENSURE that the conclusions of the Quality Status Report are taken into account in the relevant work of the Organisation for Economic Cooperation and Development (OECD);
- 0.5 to CONSIDER individually the items identified for the North Sea states or some of them.

Ministers agreed to take forward the recommendations of the Quality Status Report through the following channels:

Recommendations

Channel

METALS AND ORGANIC CONTAMINANTS

General

- | | | |
|----|--|----------|
| 1. | In order to assess the degree of pollution by chemical substances, an agreement on background concentrations of natural compounds is required. | OSPARCOM |
| 2. | The achievement of substantial emission reductions by 1995 that is now under way for many substances makes it imperative to develop policies to ensure that the reductions are at least maintained after 1995. | 4NSC |
| 3. | Large quantities of chemicals are used offshore by the oil industry. Their use and discharge to the marine environment are not sufficiently controlled, and measures need to be | OSPARCOM |

introduced through the Paris Commission to regulate and reduce such emissions of chemicals from offshore platforms.

Heavy metals

4. The existing reduction goals for inputs of metals to the North Sea should be implemented. The high concentrations of cadmium found in liver-tissue of fish from the central North Sea indicate that cadmium is a priority substance in this respect and could be made subject to more stringent and specific reduction goals for atmospheric emissions.

North Sea States +
UNECE-LRTAP

In general, there is a need to pay more attention to reduction measures directed towards atmospheric emissions of heavy metals.

Organic contaminants

5. For many organic contaminants, no conclusions can be drawn as to whether the existing goals and measures are sufficient. For some substances, however, such as TBT and hexachlorocyclohexane (HCH), there is evidence of serious problems, which provide the basis for concluding that more stringent goals and measures are urgently needed. Therefore, further reductions in use of TBT or even a ban on its use, should have high priority, especially in areas where measures to date have had little effect. The possible total ban on the use of TBT also implies the need to identify safe substitution products.

IMO: Shipping uses
of TBT

OSPARCOM +
CEC: HCH and
land-based uses of
TBT

6. For other organic substances (*e.g.*, PCBs and DDT), there is a policy against their production and use. Concentrations in the marine environment indicate that there are still problems. It is important that sources of PCBs and DDT should be located in order to develop adequate strategies to prevent them from entering the environment.

North Sea States
(use and storage) +
CEC

7. There are also substances (*e.g.*, PAHs), which have not yet been identified as priority substances within the framework of the North Sea Conferences, although they are found in the North Sea in concentrations that may affect the health of the ecosystems. For these substances, reduction policies should be considered. In order to reduce emissions of PAHs, international goals and measures are required, and attention should be paid to emissions to water as well as to the air, both for land-based and sea-based sources

OSPARCOM +
CEC

8. There are a large number of synthetic organic chemicals in current use that may, on the basis of comparative toxicity and other studies, be toxic and persistent if they are discharged into the marine environment and may, thus, affect marine life. Many of these chemicals are difficult to charac-

OSPARCOM +
CEC

terize in marine samples and are commonly referred to by chemists as "unknown" substances. There is a need to evaluate the relative risk from different groups of these substances in terms of toxicity, persistence, and amounts produced and potentially discharged into the sea. High-risk substances should be strictly regulated and their use phased out, even though there is insufficient information on their occurrence in sea water, sediments, and marine biota.

The Precautionary principle is applicable to substances that are toxic and persistent and detectable in the marine environment.

Research

9. Knowledge about which synthetic organic compounds occur in the North Sea and at what concentrations is scarce. The effects of PCBs on the susceptibility of seals to infectious diseases and on their reproductive capacity require attention. The effects of co-toxicant (combining organic substances and metals) anti-fouling substances on ecosystems also need clarification. In general, information is still needed on the relationship between inputs of organic contaminants and the concentrations of these contaminants observed in sediments and biota and their effects on the latter.
- OSPARCOM +
CEC + ICES

Assessment tools

10. Current policy and its expected results, as well as the recommendations contained in this chapter, will substantially reduce the number and seriousness of issues of concern. However, appropriate methodology is lacking by which to assess whether contaminant concentrations in the various parts of the North Sea, including coastal areas, estuaries, and fjords, will have reached levels by the year 2000 that are no longer harmful to man or nature. Therefore, there is a need to develop adequate and duly validated tools to assess the progress in reaching this goal. These tools should make use of background levels and, where this is not possible or feasible, of ecotoxicological information. For specific coastal areas, estuaries, and fjords, detailed assessments should be conducted. Consequently, in developing the assessment tools, the fact that these areas may have different background levels, or differences in vulnerability to specific substances, must be taken into account.
11. Monitoring to evaluate the effectiveness of regulatory measures should be carried out as close as possible to the sources of inputs and in sedimentation areas.
- OSPARCOM

PETROLEUM HYDROCARBONS

12. Oil (from cuttings, production water, flaring operations, and leaks in existing installations) and its effects on fish are still a matter of concern, and reduction efforts should be continued. Further steps may be required. OSPARCOM
13. Regarding shipping, concerted action may be necessary to strengthen the enforcement of reduction measures, for instance by better policing and the prosecution of offenders. NL (EEZ) + PSC + Bonn-agreement
14. Accidental oil pollution from ships remains a main threat to the North Sea and its coastal areas. Further regional measures could be considered to prevent accidental oil pollution and to decrease the chances of oil being washed ashore in the event of accidental pollution. CEC + IMO + Bonn-agreement
15. In 1995 it should be possible to assess the effectiveness of the measures already agreed, and an assessment should be made available to the Fourth International Conference on the Protection of the North Sea. The monitoring of oiled seabirds should continue as a useful indicator of the effectiveness of these measures.

NUTRIENTS AND EUTROPHICATION

General

16. A detailed assessment of measures taken to reduce the inputs of nutrients to the North Sea is still needed. It is expected that the goal of a 50% reduction in inputs of nitrogen to potential problem areas will not be realized by 1995, with the measures currently being taken or planned. In view of this, additional measures and better implementation and control to reduce nitrogen inputs must be considered. Given the indications that a further shift in the N/P ratio could increase current eutrophication problems, there is a need to seek a balanced reduction in nutrient inputs. PARCOM + North Sea States
17. High priority should be given to achieving the goals set for nutrient reduction at the Second and Third International Conferences on the Protection of the North Sea. However, compared with background levels, it is expected that nutrient levels will still be elevated in certain areas even after a 50% reduction in inputs has been realized. Consequently, in 1995 the North Sea Ministers should consider the need to take decisions on the next steps in their strategy to reduce the eutrophication problems in the North Sea. These decisions should, *inter alia*, take into account: 4NSC

- the input reductions realized and the use of existing national and international guidelines to reduce the input problem areas of nutrients from agriculture and forestry;
- the implementation of the common European agricultural policy and, particularly, of its extensification aspects;
- the observed change of the eutrophication status in problem areas (including impact on species composition and productivity of higher trophic levels);
- the ratio between phosphorus and nitrogen inputs and the possible impact of a shift in this ratio on the occurrence of toxic algal blooms and other effects (*e.g.*, algal composition);
- other anticipated benefits.

Research

- | | | |
|-----|---|------------------------|
| 18. | Reliable data on eutrophication are still required. They should include phytoplankton time series in the open sea to supplement land-based surveys and a better quantification of nutrient budgets and production, recycling, and circulation processes. Research should be intensified in order to improve risk assessment capability. | PARCOM + ICES
+ CEC |
| 19. | Further studies are also needed on plankton to determine any shift in species composition in the plankton community and at other trophic levels. | PARCOM + ICES
+ CEC |
| 20. | In future, assessments for estuaries which take into account local dynamics and fluxes should be used to provide calculated input budgets to the North Sea that can serve as a basis for control policies. The contribution of atmospheric inputs of nitrogen should also be investigated in greater detail with a view to identifying possible options for further reductions. | PARCOM + ICES
+ CEC |

RADIOACTIVITY

Research

- | | | |
|-----|---|-------------------|
| 21. | There is a need to investigate the release of polonium-210 from the discharge of phosphogypsum wherever such discharges have occurred in the recent past. | OSPARCOM +
CEC |
|-----|---|-------------------|

Assessment tools

- | | | |
|-----|--|-------------------|
| 22. | Collecting data and modelling are necessary in order to keep under review the important radionuclides, and their pathways and processes, which contribute to doses to the public and marine organisms. | OSPARCOM +
CEC |
|-----|--|-------------------|

LITTER

23. Given the commitments on further control of litter disposal from ships and leisure craft, it is necessary to assess the impact of such controls through increased surveillance, and to improve the access to reception facilities in harbours. North Sea States

MICROBIOLOGICAL POLLUTION

General

24. Poor bathing-water quality and poor shellfish quality present real human health risks that can only be avoided either by keeping away from the contaminated areas or, where the shellfish are only lightly contaminated, by subjecting them to approved purification techniques. The quality of bathing water can be adversely affected by discharges from inadequately treated sewage and agricultural areas or storm water run-off. This indicates a need for additional policy measures. All waste water should be treated in such a way that environmental objectives concerning the quality of bathing water and of mariculture products are met. Diffuse sources of pollution should be addressed in similar terms. CEC

Research

25. The CEC has initiated an intercalibration exercise for microbiological determination and quantification methods from 1991 to 1993. Following the successful completion of this exercise, an attempt ought to be made to carry out a holistic assessment of the bacteriological status of North Sea coastal water. CEC

FISHERIES AND MARICULTURE

CEC + ICES + other parties responsible for regulation of fish stocks

General

26. Policies for sea fisheries should be directed towards stimulating a sustainable situation with respect to the ecosystem of the North Sea as a whole. Some countries have recently decided to adopt such an approach.

Measures to reduce fisheries impact

27. To implement the above objective and to reduce the effects described, North Sea countries could undertake concerted action to reach agreement on the following measures, taking

into account the biological constraints and with due respect for the marine ecosystem:

To reduce the general level of fishing to a more sustainable level;

To reduce the by-catch of non-target fish by technical measures (closed season and closed areas, technical improvements to enhance the selectivity of fishing gear) and by changes in the system of Total Allowable Catches (TAC) and quotas; consideration should be given to the introduction of multispecies TACs in the management of commercial fisheries;

To reduce, as a matter of urgency, fishing effort on those species (*e.g.*, North Sea stocks of cod and haddock) which are now exploited at levels that are considered to be in excess of sustainable levels;

To establish undisturbed areas in the North Sea for scientific purposes in order to investigate the recovery and redevelopment of the marine ecosystem, particularly in the absence of fishing activities.

Research

28. Information is needed on short-lived fish species exploited by the industrial fisheries. The impact of fishing activities on non-commercial species of fish should also be assessed.
29. A better understanding of recruitment of benthic species in areas disturbed by fishing gear is required. General information on the population dynamics of birds and mammals in relation to fishing activities should be collected, and there is a need to improve the knowledge of interrelationships between species and their environment. Fisheries should be viewed as one component of a whole ecosystem.
30. The need for scientific advice based on ecosystem models (or at least broad considerations) is at present being discussed. As scientific advice on ecosystem management becomes more available, it can form the basis for improved environmentally oriented fisheries management. This also applies to mariculture, where efforts should be made to integrate its development into coastal zone management plans.
31. Proposals should be developed to reduce the negative effects of beam trawling on benthic life. Undisturbed reference sites are not available, and the establishment of areas closed to fishing for purposes of scientific investigation would facilitate an understanding of the processes.

32. There is a need to investigate the occurrence of incidental by-catches of sea mammals and birds in fishing gear and to introduce measures based on these investigations.

SPECIES AND HABITATS

General

33. Individual species require particular habitats. Specific habitats can be of value because they represent an important or unique ecosystem within the wider context of the North Sea. Although the Third International Conference on the Protection of the North Sea has taken a first step towards protecting species and habitats, including calling attention to the need to identify marine sites of national or international importance, improving the quality of the North Sea requires that more emphases be given to species and habitat protection. As far as individual species are concerned, this is especially true for sea mammals, seabirds and coastal birds, and benthic and long-lived species. The North Sea (or parts of it) should be considered as habitats for these species. CEC+4NSC+ North Sea States + ASC-OBANS
34. Generally, coastal areas are habitats which have a special ecological significance for the North Sea. Many of these habitats are interlinked through ecological relationships and also play a role in the life cycle of a number of the species mentioned above. CEC + 4NSC + North Sea States
35. The protection of species and habitats in the North Sea should not be based on a number of separate measures directed to the protection of certain species on the one hand and certain habitats on the other. The protection of species and habitats needs an integrated ecosystem approach, based on the conviction that an ecological network should be protected and restored where necessary. CEC + 4NSC + North Sea States

Measures

36. With reference to the general remarks above, the following is recommended: North Sea States + ASCOBANS
- in the context of the protection of species and habitats, pollution reduction continues to deserve high priority.

In the further development of a strategy to protect species and habitats, the following policy options should be considered:

- to implement with high priority the provisions of the Declaration of the Third International Conference on the Protection of the North Sea concerning the protection of species and habitats, *i.e.*, the identification of marine sites

(including coastal, estuarine, and open sea areas) of national or international importance, in accordance with criteria to be adopted;

- to identify an ecological network of habitats in the North Sea which could serve as the focal point for the protection of selected species;
 - to use the elements (species and habitats) of this network, and the identified marine sites of national or international importance, for the further elaboration of ecological objectives for the North Sea;
 - to develop special protection regimes for these habitats (including coastal, estuarine, and open sea areas), *inter alia*, including measures to reduce particular sea uses and to establish water quality objectives;
 - to establish programmes for the protection and/or recovery of selected species.
37. Marine biodiversity is a matter of growing concern for the protection of species and habitats, but there is a basic need to define "biodiversity" in terms of the marine environment. OSPARCOM + ICES
38. Monitoring habitats is necessary. The monitoring programme should be able to provide information that will be useful in guiding the restoration and protection of North Sea resources by maintaining long-term continuity. OSPARCOM + ICES
39. Not enough is known about diet, food ecology, and the complex relationships between plankton, fish, birds, mammals, and the other components of the ecosystem. OSPARCOM + ICES

Statement of the 7th Trilateral Governmental Conference to the 4th International North Sea Conference, June 1995

The Ministers, responsible for the protection of the Wadden Sea, gathered at the 7th Governmental Conference on the Protection of the Wadden Sea, Leeuwarden, The Netherlands, 30 November 1994,

EUTROPHICATION

- 1 **aware** of the work carried out by the OSPAR ad-hoc working group on eutrophication (EUT Group) on the development of criteria for distinguishing between eutrophication problem and non-problem areas;
- 2 **aware** that there has been no clear improvement in the eutrophication status of the Wadden Sea and other North Sea coastal waters, although a general reduction of phosphorus inputs has been achieved;
- 3 **recalling their** decision to base their nutrient reduction policies upon the ecological target to improve the eutrophication status of the Wadden Sea from 'eutrophication problem area' to that of 'eutrophication non-problem area';
- 4 **recalling** the decision of the Intermediate Ministerial North Sea Meeting to consider at the fourth North Sea Conference 'the size and nature for further reduction targets for nutrients in the light of the strategy developed, the QSR and additional scientific knowledge';
- 5 **call upon** the North Sea Ministers to base their future policies for the reduction of nutrient inputs upon the target that all North Sea eutrophication problem areas be transferred into eutrophication non-problem areas';
- 6 **call upon** the North Sea ministers to apply the Precautionary Principle in the process of further developing and specifying criteria for distinguishing between the said two categories, by giving nature the benefit of the doubt in cases where little or insufficient data is available for fixing criteria;
- 7 **call upon** the North Sea Ministers to apply the Precautionary Principle in the further development of the strategy to combat the eutrophication in the North Sea and to give impulses to the application of the source oriented approach, which includes:
 - BAT, especially designed for nitrogen and phosphorus removal from industrial and urban sewage;
 - BAT for the reduction of atmospheric emissions of nitrogen;
 - BEP for agriculture, *e.g.* the concept of balanced fertilization; unless it can be demonstrated to the satisfaction of the competent international organizations. that for

nonproblem areas scientific studies demonstrate that inputs of nutrients will not adversely affect the North Sea on a local or regional level;

POLLUTION

- 8 **welcome** the generally observed reductions of inputs of heavy metals to the marine environment and the resulting reductions in concentrations of these substances in water, sediment and biota;
- 9 **aware** of the fact that many organic micropollutants occur in the marine environment, which are not part of regular monitoring programs;
- 10 **aware** that there is increasing evidence for the impairment of the immune and reproductive functions in seals due to the combined presence of polluting substances in the (marine) environment;
- 11 **recalling** the decision of the Ministerial Meeting of the Oslo and Paris Commissions (1992), reiterated by the Inter Ministerial North Sea Meeting (1993), of 'reducing by the year 2000, discharges and emissions of substances which are toxic, persistent and liable to bio-accumulate, to levels that are not harmful to man or nature with the aim of their elimination';
- 12 **call upon** the North Sea Ministers to base the future policies for the reduction of inputs of natural and man-made micropollutants to the North Sea upon ecosystem targets derived from 11 of this Annex;
- 13 **call upon** the North Sea Ministers to give the current practice of developing definitions of BAT and BEP an impulse towards a continuous improvement which focuses on all aspects of product life cycles, including possibilities for cleaner process technology, environmentally sound products and substitution of the use of hazardous substances by non-hazardous substances or by the application of environmentally sound practices;

PROTECTION OF SPECIES AND HABITATS

- 14 **note** that the implementation of already agreed on measures with regard to pollution reduction and additional measures to reduce the negative ecological effects of fishery are prerequisites for an effective policy for the protection of species and habitats in the North Sea;
- 15 **recommend** the further development of Ecological Quality Objectives, together with a comprehensive set of measures to reach those targets, as an important step in the elaboration of policies for the protection of species and habitats;
- 16 **recommend** that ecological networks to be established, should contain a variety of different habitat types, including habitats of the coastal zone;
- 17 **recalling** that the collaboration between the trilateral cooperation and the Wash North Norfolk coast is a first step in establishing such networks;

- 18 **recalling** their decisions and initiatives to establish in the Wadden Sea considerable areas permanently closed for cockle and mussel fishery, and to designate sufficiently large areas where all exploitation and disturbing activities are banned and which can serve as reference areas for scientific purposes;
- 19 **stress** the importance of investigating the establishment of undisturbed areas in the North Sea for scientific purposes on an experimental basis in order to assess the recovery and redevelopment of the marine ecosystem;
- 20 **recommend** to the North Sea Ministers to combine this initiative with research programs on the possible value of areas with or without restricted human use, for species and habitat protection;

SHIPPING

- 21 **being aware** of the current discussion within the IMO about environmental problems caused by shipping, in order to improve the protection of the marine environment through various measures, including the establishment of Particularly Sensitive Areas (PSAs);
- 22 **recalling** their decisions to study and consider a proposal to the IMO to designate the Wadden Sea and an adjacent zone as a Particularly Sensitive Area, to support the initiatives in the IMO to make routing measures and reporting systems mandatory for all ships, or for certain categories of ships, carrying dangerous or harmful cargoes, and to invite the competent authorities to take appropriate steps to minimize discharges into the sea, especially from recreational shipping, including systems for the operations of shore reception facilities as soon as possible, at the latest by 1996;
- 23 **urge** the North Sea Ministers
- (i) to study and consider a proposal to the IMO to establish the status of Special Area with respect to Annex I and II of the Marpol Convention;
 - (ii) to continue to improve the availability and the quality of shore reception facilities for residues and wastes, to encourage the use of such reception facilities and to study alternative methods of charging the costs of the use of such facilities;
 - (iii) to promote expeditious enactment of Annex IV of the Marpol Convention after adjustment of the present text of that Annex;
 - (iv) to explore the possibilities of additional protection of the North Sea, and hence of the Wadden Sea, resulting from the enactment of the UN Convention on the Law of the Sea on 16 November of this year;
 - (v) to give an impulse to the development of measures for waste prevention, recycling and closed-loop processes in the conduct of shipping operations, with the final aim of eliminating discharges in order to protect the Wadden Sea from any kind of waste disposed of by ships.