

OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic
Meeting of the OSPAR Commission
Copenhagen: 20-24 June 2022

Terms of Reference for the North Sea Network of Investigators and Prosecutors

1. The North Sea Network of Investigators and Prosecutors (NSN) is a subsidiary body of OSPAR comprising representatives of all Contracting Parties and OSPAR Observer organisations. The function of NSN is to help enforcement and prosecution of MARPOL maritime pollution offences aiming to prevent and minimize pollution from ships and installations in the Greater North Sea and its Approaches.

Background

2. NSN was set up in 2002 by Ministers at the Fifth North Sea Conference to fulfill their commitment to “greater co-operation between North Sea States and at the European Union level to enforce internationally agreed rules and standards for the prevention, control and reduction of pollution from ships ... to increase detection of illegal discharges and ... improve the investigation and prosecution of offenders”.

Scope of work

3. The scope of work of NSN includes:
- providing a strong regional platform whereby investigators and prosecutors work together with a view to identifying features which lead to effective enforcement and ways of handling pollution offences from ships in a transboundary context;
 - enhancing information exchange of best practices and the results of the judicial proceedings on all MARPOL Annexes;
 - maintaining a database with enforcement cases on all MARPOL Annexes;
 - updating the North Sea Manual on Pollution Offences to support the detection of pollution offences, the collection of evidence and the imposition of penalties; and
 - cooperating with the Bonn Agreement, in particular with its technical working group OTSOPA.

Operation and organisation of work

- NSN holds at least one annual meeting.
- NSN maintains a List of Actions for small and short-term tasks to be completed within a meeting cycle.
- NSN reports to CoG¹ and provides an annual progress report to the OSPAR Commission.
- NSN ensures there is exchange of information in both directions with other OSPAR Committees as required, but specifically:
 - with HASEC² in respect of prevention of pollution by hazardous substances according to MARPOL Annexes I and II;

¹ OSPAR's Coordination Group

² OSPAR's Hazardous Substances & Eutrophication Committee (HASEC)

- b. with EIHA³ in respect of prevention of pollution by garbage from ships according to MARPOL Annex V;
- c. with OIC⁴ in respect of prevention of pollution by oil from offshore installations; and
- d. with CoG⁵ in respect of prevention of air pollution from ships according to MARPOL Annex VI.

Implementation of the North-East Atlantic Environment Strategy 2030

8. The North Sea Network of Investigators and Prosecutors (NSN) facilitates the implementation of the North-East Atlantic Environment Strategy (NEAES 2030) by developing tasks that contribute to the following strategic objectives:

- a. S2 on preventing pollution by hazardous substances, by eliminating their emissions, discharges and losses, to achieve levels that do not give rise to adverse effects on human health or the marine environment, with the ultimate aim of achieving concentrations in the marine environment of near background values for naturally occurring hazardous substances and close to zero for manmade hazardous substances;
- b. S4 on preventing inputs of and significantly reduce marine litter, including microplastics, in the marine environment to reach levels that do not cause adverse effects to the marine and coastal environment with the ultimate aim of eliminating inputs of litter;
- c. S10 on raising awareness of climate change and ocean acidification by monitoring, analysing and communicating their effects.

International engagement

9. NSN maintains appropriate interaction with other international organisations, when instrumental for the fulfilment of these Terms of Reference. In particular, the Network of Prosecutors on Environmental Crime in the Baltic Sea Region (ENPRO) and the Mediterranean Network of Law Enforcement Officials relating to MARPOL within the framework of the Barcelona Convention (MENELAS) contribute to the work of NSN by participating in the annual meetings. In addition, NSN collaborates regularly with the International Maritime Organisation (IMO) and the International Crime Police Organization (Interpol).

³ OSPAR's Environmental Impacts of Human Activities Committee (EIHA)

⁴ OSPAR's Offshore Industry Committee (OIC)

⁵ OSPAR's Coordination Group