

OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic

Meeting of the Coordination Group

London: 10-11 May 2022

Terms of reference¹ for a task group on evaluation of the implementation and effectiveness of OSPAR measures as part of the OSPAR measures and action programme (TG-MAP)

For the period 2022-2025

Background

1. The OSPAR Measures and Actions Programme (MAP) is an overarching and integrative instrument to support the future planning, development and reporting of actions and measures. The MAP aims to internally structure OSPAR's approach to measures and externally enhance the visibility and transparency of what OSPAR has achieved and is currently working on.
2. OSPAR's work in relation to the measures (Decisions and Recommendations) it has adopted includes evaluation of their implementation by Contracting Parties and assessment of their effect on the marine environment.
3. The OSPAR North East Atlantic Environment Strategy 2030 chapter 6 outlines:
The implementation and effectiveness of all OSPAR programmes and measures will be assessed under its Measures and Actions Programme (MAP). The OSPAR Commission will develop a structured and systematic approach to this review that takes into account measures taken in other relevant fora, such as the UN and EU.
4. Development of a common follow-up system for structuring this work by TG-MAP should:
 - a. help to fulfil the OSPAR Commission's obligations under the OSPAR Convention (c.f. Article 6 on assessment of the quality of the marine environment and Article 23 on compliance);
 - b. contribute to the assessment of efficiency of measures;

¹ These terms of reference have been finalised following OSPAR 2018, according to the process set out at OSPAR 2018/20/1 para. 11.1, taking into account comments received from France and the Netherlands.

- c. support work at a national level on the implementation of OSPAR measures, as well as the reporting on regional work that is required of EU Member States within the EU context.

5. OSPAR Agreement 2003-23 outlines the Evaluation of Assessment of Effectiveness and includes the template for implementation reporting. The implementation reporting template does not request specific information on effectiveness to be reported. The guidance on evaluation of assessment of effectiveness is taken into account by Committees when preparing overview assessments upon the completion of implementation reporting rounds on OSPAR measures. There has been very little coherence and consistency in the assessments between Committees. In addition, and there has been very little quantitative information available to provide overall summary information about OSPAR-level implementation and effectiveness of measures.

6. Contracting Parties are working on measures in other contexts, nationally and regionally. OSPAR MAP work should explore synergies with existing strands of work. For example, the MAP could explore concepts for categorising measures and actions based on whether they directly influence the status of the environment, or whether they are contributing information to increase the knowledge base. It would be important to take into account national measures taken outside the scope of OSPAR competency which contribute to the OSPAR vision.

7. Programmes, measures and actions are taken at different levels and an assessment of the effectiveness of each might require a different level of abstraction. This will require further consideration. It could be relevant to carry out higher level assessments more regularly, and only go into full detail on the effectiveness of single actions when preparing for a review of a specific measure.

Participants

8. The task group will be convened by [Contracting Party] supported by [Contracting Party1 Contracting Party 2...]and the Secretariat. The task group is open to all interested OSPAR Contracting Parties and Observers.

Objective

9. To develop proposals to CoG and OSPAR to define OSPAR's overall approach for evaluation of the implementation and effectiveness of measures by developing a common follow-up system for structuring evaluation of the implementation and effectiveness of OSPAR measures.

10. The overall objective of the OSPAR work to assess the effectiveness of measures is to describe how well the OSPAR measures are working in reducing pressures and impacts on the marine environment. This will be done considering also coherence and added value of OSPAR measures with measures taken by the Contracting Parties as a result of their commitments in other relevant for a, such as the UN and EU. MAP work is an integral part of OSPAR general working procedures and should not be seen as a separate deliverable.

11. The MAP work can contribute to improved drafting of new measures, for example by ensuring a clear understanding of the cause and effect link between an action and an expected outcome as a result of full implementation of the measure.

Tasks, outputs and timing

12. The task group will work in a step wise approach. The task group will build on the findings of the '[Implementation of OSPAR Measures – A Progress Report](#)' produced by ~~TG-TG~~ MAP in the period 2018-2020 as well as consecutive overview assessments produced by Committees.

13. Tasks:

- a. **Develop a proposal for structuring OSPAR's approach to assessing effectiveness of measures.** Building on the DAPSIR framework and risk-based approaches such as the bow-tie approach which were used in the QSR 2023, exploring if there are other relevant approaches to model for example the relevant steps identified in the HELCOM SOM;
- b. **Produce a schematic/diagram showing how MAP work interacts and is integrated in OSPAR work streams.** This would be a communication tool for all OSPAR delegates or national experts to understand how the MAP work on measures fits into other work, such as the QSR or the wider NEAES 2030 framework. The ICG-POSH implementation/assessment cycle graphic could be used as inspiration.
- c. **Commission work from social scientists to undertake a theory of change exercise working backwards from the OSPAR vision of the outcomes it wants to see delivered by the NEAES (or parts of) to understand the changes that need to happen, in what order they should happen to implementation, in order to achieve the vision;**
- d. **Update the Annex 1 implementation reporting template, as in Agreement 2003-23.** This would include reviewing and revising existing questions on implementation, as well as defining new questions related to effectiveness of the measure. The template should specify how reporting should take into account measures that include multiple actions. To simplify reporting and analysis of the reported information, response options would be included (e.g. fully implemented/partially implemented) and for barriers to implementation categories should be used (e.g. OSPAR TG MAP, HOD(2) 18/3/2. Acceptance/Financing/Mechanism for implementation – national / Mechanism for implementation – regional / Mechanism for implementation – EU level / Mechanism for implementation – implementation / Technical implementation / Cost effectiveness / Data or information / Other). The update should consider if an online reporting platform could be developed where fields could be defined as mandatory/voluntary as well as specific response options or free text. The technical solutions should take into account national needs for consultation before submissions of a report.
- e. **Pilot the updated Annex 1 by organising a workshop.** Contracting Parties would submit prepared responses using the updated template for a small set of measures. The measures to be tested could be one simple Recommendation with only one action, and one Recommendation with several actions. Recommendations for which implementation reporting is imminent could also be selected for piloting.
- f. **Communicate to Committees on updated implementation reporting procedures.**

- g. **Develop updated guidance to Committees on drafting overview assessments.**
Committees would use information from the updated implementation reporting Annex 1. Committees could consider using third party information or information from stakeholder questionnaires to assess whether an OSPAR measure has been effective in causing a change in the wider community and/or environment. The guidance can build on the HELCOM SOM approach. Committees could use OSPAR common indicator assessments as the evidence base for demonstrating measures that have had an effect on the status of the environment.

14. Outputs:

- a. Updated Annex 1 to Agreement 2003-23.
- b. Improved implementation reporting process in OSPAR.
- c. Improved drafting of future OSPAR measures.

15. Timing:

- a. Tasks a-d during meeting cycles 2022/2023
- b. Task e pilot workshop spring 2024
- c. Tasks f/g in 2024/2025

Mode of work

The group will work primarily by correspondence and WebEx. If there is a need for a face-to-face meeting this would preferably be held back-to-back with another meeting involving relevant participants.

The group will use the TG-MAP folder on the CoG SharePoint site for working documents and sharing information.

Starting points

The documents and approaches upon which this task group bases its work include:

CoG(1) 18/5/2 – Developing evaluation of the implementation and effectiveness of OSPAR measures as part of the OSPAR measures and action programme (MAP)

OSPAR 2018 Summary Record (OSPAR 18/20/1) Annex 9 – Outline structure of the new OSPAR North-East Atlantic Environment Strategy 2020-2030 (Appendix 1)

Havs- och Vatten Myndigheten (2016). Evaluation of the implementation of OSPAR measures in Sweden. (Presented as CoG(1) 18/5/1)

The UN is also an important player when it comes to measures for substances (e.g. the PCBs).

Information on other national approaches provided by Contracting Parties