Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution. Additional Protocol to the Lisbon Agreement

2009/0120(NLE) - 27/08/2009 - Legislative proposal

PURPOSE: to conclude the Additional Protocol to the Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution on behalf of the European Community.

PROPOSED ACT: Council Decision.

CONTENT: the European Community is a party to regional agreements on marine pollution, such as the Bonn Agreement, the Barcelona Convention and the Helsinki Convention, which facilitate mutual assistance and cooperation between Member States in this field in the North, Mediterranean and Baltic Seas. After tanker ship Aragon caused a major oil spill off the coast of Madeira in 1990, Portugal initiated the Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution (Lisbon Agreement), which creates a mechanism to ensure the cooperation between the Contracting Parties in case of pollution accidents, and obliges them to establish and implement their own emergency structures and plans. It applies to the north-east region of the Atlantic Ocean, defined by the external boundary of the Exclusive Economic Zone of each Contracting State, and by the boundaries of other regional agreements such as the Agreement for cooperation in dealing with pollution of the North Sea by oil and other harmful substances (Bonn Agreement) and the Convention for the protection of the Mediterranean Sea against pollution (Barcelona Convention).

The Lisbon Agreement was signed on 17 October 1990 by Portugal, Spain, France, Morocco and the European Community. Although ratification followed by Portugal, France and the European Community, a political dispute over the borders in Western Sahara prevented Spain and Morocco from ratifying the Agreement because of Article 3 (c) on the geographical scope of the Agreement, which stipulated: "to the south by the southern limit of the waters covered by the sovereignty or jurisdiction of the Kingdom of Morocco."

After agreement was reached on an Additional Protocol amending Article 3 (c) of the Lisbon Agreement, the Protocol was signed by Portugal, Spain, France and Morocco on 20 May 2008 in Lisbon. The Community was invited to sign the Protocol together with other contracting parties. The Council Decision on the signing, on behalf of the European Community, of the Additional Protocol to the Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution was adopted on 12 December 2008.

The Additional Protocol was co-signed on behalf of the European Community by the Czech Presidency and the Head of the European Commission Representation in Portugal on 25 March 2009.

Accordingly, this draft Decision provides for the Community to conclude the Additional Protocol to the Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution.