



Council of the
European Union

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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	9254/23 - COM(2023) 236 final
Subject:	Draft Council Decision on the position to be taken on behalf of the European Union within the Commission established by the Convention for the Protection of the Marine Environment of the North-East Atlantic as regards amendments to OSPAR Decision 2021/01 on the establishment of the North Atlantic Current and Evlanov Sea basin Marine Protected Area and OSPAR Recommendation 2021/01 on the Management of the North Atlantic Current and Evlanov Sea basin Marine Protected Area - Adoption = Statement

Statement by Portugal

1. The OSPAR Convention creates a stable and sound decision-making and cooperation framework aimed at promoting macro-regional ocean governance in the North-East Atlantic. It is our view that the Council Decision should not affect the well-established procedures and practices of the OSPAR Convention and that changes to its institutional arrangements should be based on unequivocal political and legal grounds. Portugal believes that the introduction of any changes to the existing institutional arrangements should be fully justified.

2. Portugal welcomes the Decision on the delineation of the NACES Marine Protected Area and the respective Recommendation on its implementation. It constitutes an important instrument for the protection of the marine biodiversity and ecosystems.
 3. We support the adoption of the Council Decision. However, we remain of the opinion that this act does not constitute a precedent, neither in terms of representation in the OSPAR Convention, nor in what relates to the set procedures for the creation and implementation of marine protected areas within the framework of the aforementioned Convention.
 4. Without prejudice to the coordination of positions among the European Union and its Member States, Portugal reserves the right to speak on its own behalf during further discussions on the NACES MPA, as an individual contracting party to OSPAR, in line with Article 20 of the OSPAR Convention.
 5. Portugal believes it would be useful to clarify future procedures involving decisions at Regional Seas Conventions.
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