Particularly Sensitive Sea Areas

What is a Particularly Sensitive Sea Area (PSSA)?

A Particularly Sensitive Sea Area (PSSA) is an area of the marine environment that needs special protection through action by the International Maritime Organization (IMO) because of its significance for recognised ecological, socio-economic, cultural heritage or scientific attributes that may be at risk of damage from international shipping activities. A PSSA is supported by associated protective measures (APMs), which prevent, reduce, or eliminate the risk.

There are currently thirteen designated Particularly Sensitive Sea Areas, as set out in Table 1.

Process for the designation of a PSSA

The IMO is the international body responsible for designating areas as PSSAs and adopting APMs. An application to the IMO for designation of a PSSA may be submitted only by an IMO Member Government or Governments.

Before submitting an application to the IMO, it must be determined that there is a threat to the recognised attributes of an area from international shipping activities. Threats to the marine environment from international shipping can generally be separated into three categories: impacts from ship accidents; operational discharges; and physical damage to marine habitats or organisms.

If there are concerns in the proposed area relating to biodiversity conservation, sustainable fisheries, sustainable tourism, or integrated coastal management, a PSSA is unlikely to be the most appropriate protection mechanism. In these circumstances, establishing Marine Protected Areas (MPA) are widely seen as more appropriate. Similarly, if the identified threat is caused primarily by domestic shipping activities, it may be more appropriate to address the threat through domestic law.

While PSSA designation might serve as a useful tool in conjunction with a Marine Protected Area (MPA), it is neither appropriate nor necessary that it be applied to all MPAs. Many MPAs will experience minimal pressure from international shipping activities. The value of PSSA designation will be undermined if the process is used everywhere – a PSSA should be seen as a unique designation and a management tool to be used in certain circumstances.

Required elements for a PSSA application

In accordance with the Revised IMO Guidelines for the Identification and Designation of Particularly Sensitive Sea Areas (PSSA Guidelines), adopted as IMO Assembly Resolution A.982 (24), an application for a PSSA will need to meet three key elements:

- The area must have recognised ecological, socio-economic, cultural heritage or scientific attributes;
- The recognised attributes of the area must be at risk or vulnerable to damage from international shipping activities; and
- There must be associated protective measures in place or that have been approved or adopted by IMO to protect the area from identified vulnerabilities.

An area being proposed for PSSA designation must satisfy one or more of the economic, socio-economic, cultural or scientific criteria described in the PSSA Guidelines. These criteria can be used by the IMO to designate PSSAs beyond the territorial sea with a view to the adoption of APMs. They may also be used by Member Governments to identify areas within their territorial seas that may have certain attributes reflected in the criteria and are at risk of damage by shipping activities.

The application should demonstrate how the recognised attributes of the area are at risk or vulnerable to damage from international shipping activities. This involves consideration of vessel traffic characteristics and natural factors (e.g. hydrographical, meteorological and oceanographic conditions). Additional information, such as evidence that international shipping activities are causing or may cause damage to the attributes of the area, and any history of grounding, collisions, or spills in the area and any consequences of such incidents, should also be included.

The APMs are limited to actions that are to be, or have been, approved or adopted by the IMO, which are aimed at preventing, reducing or eliminating the threat or identified vulnerability of the area. These measures may include ships' routeing measures; reporting requirements; discharge restrictions; operational criteria; prohibited activities; or other measures with an identified legal basis in IMO regulations or other international law (e.g. the United Nations Convention on the Law of the Sea (UNCLOS)).

Table 1 lists the APMs associated with all current PSSAs. There may also be other IMO-adopted measures in the designated PSSA and, in some cases, national measures may also be relevant.

IMO procedure for the designation of PSSAs and the adoption of APMs

An application for PSSA designation should be submitted to the IMO's Marine Environment Protection Committee (MEPC) in accordance with the procedures set forth in the PSSA Guidelines and the rules adopted by IMO for submission of documents.

The MEPC will assess each application on a case-by-case basis to determine whether identification of the area as a PSSA and the implementation of any proposed APMs are warranted. If appropriate, following its assessment, the MEPC may approve, in principle, the designation of the PSSA and will inform the appropriate Sub-Committee or Committee responsible for considering the proposed APMs (most commonly, this is the Sub-Committee on Navigation, Communications and Search and Rescue). After approval of the APMs by the appropriate Sub-Committee or Committee, the MEPC may designate the area as a PSSA.

After designation of a PSSA, relevant information is communicated to the maritime industry and APMs are identified on charts in accordance with the symbols and methods of the International Hydrographic Organization (IHO).

Compliance and Enforcement

IMO Member Governments are obliged to ensure that ships flying their flag comply with the APMs adopted to protect the designated PSSA. Nevertheless, in submitting proposals for APM's as part of a PSSA submission, Member Governments need to give careful consideration to strategies for ensuring compliance by international shipping. The IMO suggests[1] that an effective compliance program should incorporate all of the following elements:

- Compliance monitoring through routine inspections, surveys, and/or examinations;
- Detection and policing "patrols";
- Reporting procedures and incentives, including incentives for self-reporting;
- Adequate investigations of violations reported or otherwise detected;
- A system of adequate sanctions in respect of violations;
- Education and public awareness programmes; and
- Cooperation and coordination with other State parties.

For more information

International Maritime Organization – www.imo.org

Australian Maritime Safety Authority – www.amsa.gov.au

[1] International Maritime Organization (2007). *PSSA: Particularly Sensitive Sea Areas, 2007 Edition*. London: IMO, p.3

Table 1 – Designated PSSA's to January 2016

Area	Associated Protective Measures (APMs) *	Date of final MEPC designation	MEPC Resolution containing full description of PSSA
Great Barrier Reef, Torres Strait and Coral Sea - Australia	IMO-recommended compliance with Australian system of pilotage, mandatory ship reporting (GBR), two way route (Torres Strait), area to be avoided, two way routes (Coral Sea)	MEPC 30, September 1990 (Torres Strait added at MEPC 53, July 2005; Coral Sea added at MEPC 68, May 2015)	MEPC.44(30), MEPC.133(53) and MEPC 268(68)
Archipelago of Sabana-Camaguey - Cuba	Area to be avoided	MEPC 40, September 1997	MEPC.74(40)
Sea Area Around Malpelo Island - Columbia	Area to be avoided	MEPC 47, March 2002	MEPC.97(47)
Marine Area Around the Florida Keys - United States	Areas to be avoided, mandatory no anchoring areas	MEPC 47, March 2002	MEPC.98(47)
Wadden Sea - Netherlands, Denmark, Germany	Mandatory deep water route	MEPC 48, October 2002	MEPC.101(48)
Paracas National Reserve - Peru	Area to be avoided (for ships > 200 GT carrying hydrocarbons and hazardous liquids in bulk)	MEPC 49, July 2003	MEPC.106(49)
Western European Waters - Belgium, France, Ireland, Portugal, Spain, United Kingdom	Mandatory reporting for single hull tankers carrying heavy grades of fuel oil	MEPC 52, October 2004	MEPC.121(52)
Canary Islands, Spain	Areas to be avoided, recommended routes, mandatory ship reporting system	MEPC 53, July 2005	MEPC.134(53)
Baltic Sea Area - Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Sweden	Traffic separation, deep water route, areas to be avoided, mandatory ship reporting system, MARPOL Special Area, SOx Emission Control Area	MEPC 53, July 2005	MEPC.136(53)
Galapagos Archipelago - Ecuador	Area to be avoided, mandatory ship reporting system, recommended tracks	MEPC 53, July 2005	MEPC.135(53)
Papahanamokuakea Marine National Monument - United States	Areas to be avoided; recommended/ mandatory ship reporting system	MEPC 57, March 2008	MEPC.171(57)
Strait of Bonifacio - France and Italy	Mandatory ship reporting system, recommended pilotage	MEPC 62, July 2011	MEPC.204(62)
Saba Bank, Netherlands	Area to be avoided for ships > 300 GT and mandatory no anchoring area for all ships	MEPC 64, October 2012	MEPC.226(64)