

Criteria for the Identification of Species and Habitats in need of Protection and their Method of Application

(The Texel-Faial Criteria)

(OSPAR Agreement 2019-03)¹

1. Annex V to the OSPAR Convention – on the Protection and Conservation of the Ecosystems and Biological Diversity of the Maritime Area – was adopted in July 1998, together with a Strategy on the Protection and Conservation of the Ecosystems and Biological Diversity of the Maritime Area.
2. This Annex V gives the OSPAR Commission a duty to develop means, consistent with international law, for instituting protective, conservation, restorative or precautionary measures related to specific areas or sites or related to particular species or habitats, but at the same time provides that no programmes and measures concerning a question relating to the management of fisheries shall be adopted under this Annex.
3. The Strategy asks the Commission to assess which species and habitats need to be protected and those human activities that are likely to have an actual or potential adverse effect on these species and habitats or on ecological processes. For this assessment the following actions should be taken:
 - a. development of criteria for the selection of such species, habitats and ecological processes;
 - b. to the extent necessary, compilation of lists of species and habitats, including the development of lists of threatened or declining species and threatened habitats, based upon:
 - (i) the criteria developed under subparagraph (a) above;
 - (ii) inventories of species and habitats in the maritime area;
 - (iii) relevant lists developed by other international fora.
4. The following package has been prepared to identify those species and habitats in need of protection, conservation, and where practical, restoration and/or surveillance or monitoring. It has been through various stages of development, revision and testing by working groups of OSPAR, involving specialists from Contracting Parties and Observers, and incorporates comments from an e-mail correspondence group comprised of Heads of Delegations and Observers to the Biodiversity Committee, workshop participants and specialists who worked on the initial nominations of species and habitats for an OSPAR list.
5. There are two sections to the package:
 - a. the Texel-Faial criteria, with supporting guidance;
 - b. outline contents for the supporting Case Report and Background Document.

¹ This Agreement replaces OSPAR Agreement 2003-13

SECTION ONE
THE TEXEL-FAIAL CRITERIA
FOR THE IDENTIFICATION OF SPECIES AND HABITATS

6. The following criteria and associated guidelines should be used for the identification of species and habitats in need of protection by OSPAR.
7. Three key issues need to be considered when applying the criteria:
- a. the sufficiency of the available data on a particular species/sub-species or habitat/habitat complex;
 - b. the extent to which reasonable expert judgement can be used to support a nomination;
 - c. when assessing specific species/sub-species or populations (stocks), all the criteria (1) – (6) in section (a) below should, as far as possible, be included in that assessment.
8. Limited data and the use of expert judgement will not automatically exclude the species/habitat but will give a clear indication of the situation to those charged with confirming any nomination. A statement on the sufficiency of the data, with careful documentation of supporting references, and an indication where reasonable expert judgement has been used, should therefore be included with the nomination in the proposed “case report” (see Section Two).
9. It should be noted that the percentages, time scales and other figures in the supporting notes are only for guidance.

(a) Selection criteria for species

1.	Global importance: Global importance of the OSPAR area for a species. Importance on a global scale, of the OSPAR Area, for the species is when a high proportion of a species at any time of the life cycle occurs in the OSPAR Area.
2.	Regional importance: Importance within the OSPAR Area, of the regions for the species where a high proportion of the total population of a species within the OSPAR Area for any part of its life cycle is restricted to a small number of locations in the OSPAR Area.
3.	Rarity: A species is rare if the total population size is small. In case of a species that is sessile or of restricted mobility at any time of its life cycle, a species is rare if it occurs in a limited number of locations in the OSPAR Area, and in relatively low numbers. In case of a highly mobile species, the total population size will determine rarity.
4.	Sensitivity: A species is “very sensitive” when: <ol style="list-style-type: none"> a. it has very low resistance (that is, it is very easily adversely affected by human activity); and/or b. it has very low resilience (that is, after an adverse effect from human activity, recovery is likely to be achieved only over a very long period, or is likely not to be achieved at all). A species is “sensitive” when: <ol style="list-style-type: none"> a. it has low resistance (that is, it is easily adversely affected by human activity); and/or b. it has low resilience (that is, after an adverse effect from human activity, recovery is likely to be achieved only over a long period).
5.	Keystone species: a species which has a controlling influence on a community.
6.	Decline: means an observed or indicated significant decline in numbers, extent or quality (quality refers to life history parameters). The decline may be historic, recent or current. ‘Significant’ need not be in a statistical sense.

(b) Guidance on the selection criteria for species

Criterion	Guidance
1.	'High proportion' is considered to be more than 75%, when known.
2.	'High proportion' is considered to be 90% of the population in a small number of locations of 50 km x50 km grid squares. This is dependent on scientific judgement regarding natural abundance, range or extent and adequacy of recording. A different scale may be needed for different taxa.
3.	'A limited number of locations' could be in a small number of 50 km x 50 km grid squares, but a different scale may be needed for different taxa. This is dependent on scientific judgement regarding natural abundance, range or extent and adequacy of recording. Species which are present in high abundance outside of the OSPAR Area and only occur at the edges of the OSPAR Area will not generally qualify as 'rare' species.
4.	<p>A 'very long period' may be considered to be more than 25 years and 'long period' in the range of 5 to 25 years. The time frame should be on an appropriate scale for that species.</p> <p>Sensitivity to human activities is measured by</p> <ol style="list-style-type: none"> a. life-history characteristics (including natural behaviour); b. dependence on other specific ecological attributes e.g. restricted/specific habitats requirements.
5.	No guidance
6.	<p>'Decline' is divided into the following categories:</p> <ol style="list-style-type: none"> 1. Extirpated (extinct within the OSPAR Area): a population of a species formerly occurring in the maritime area is defined as extirpated: <ul style="list-style-type: none"> • if it was still occurring in the area at any time during the last 100 years; and • if there is a high probability, or it has been proved, that the last individuals have since died or moved away; or • if surveys in the area have repeatedly failed to record a living individual in its former range and / or known or expected habitats at appropriate times (taking into account diurnal, seasonal, annual patterns of behaviour) for at least 10 years. 2. Severely declined: a population of species occurring in the maritime area is defined as severely declined <ul style="list-style-type: none"> • if individual numbers show an extremely high and rapid decline in the area over an appropriate time frame, or the species has already disappeared from the major part of its former range in the area; or • if individual numbers are at a severely low level due to a long continuous and distinct general decline in the past. 3. Significantly declined: means a considerable decline in number, extent or quality 4. High probability of a significant decline in number, extent or quality in the future. <p>Where the decline is "clear and present", and can be linked directly or indirectly to human activity, the species is also considered to be "currently threatened". Where there is a high probability of significant decline linked directly or indirectly to human activity, the species is considered to be "potentially threatened". Where the species satisfies criterion 3 (rarity) or 4 (sensitivity), a lower threshold of probability can justify regarding the species as "potentially threatened".</p> <p>For these purposes, "decline" should only be regarded as occurring where the decline goes beyond that which can be expected from what is known about long-term natural variability and resilience in that species, over a time frame appropriate for it.</p>

(c) Selection criteria for habitats

1.	Global importance (importance of the OSPAR Area for the habitat in a global context): a high proportion of the habitat occurs in the OSPAR Area.
2.	Regional importance (importance of the sub-regions of the OSPAR Area for the habitat): a high proportion of the habitat occurs within a specific biogeographic region and/or region of national responsibility within the OSPAR Area.
3.	Rarity: a habitat is assessed as being rare if it is restricted to a limited number of locations or to small, few and scattered locations in the OSPAR area.
4.	<p>Sensitivity: A habitat is “very sensitive” when:</p> <ul style="list-style-type: none"> a. it has very low resistance (that is, it is very easily adversely affected by human activity); and/or b. it has very low resilience (that is, after an adverse effect from human activity, recovery is likely to be achieved only over a very long period, or is likely not to be achieved at all). <p>A habitat is “sensitive” when:</p> <ul style="list-style-type: none"> a. it has low resistance (that is, it is easily adversely affected by human activity); and/or b. it has low resilience (that is, after an adverse effect from human activity, recovery is likely to be achieved only over a long period).
5.	Ecological significance: the habitat is very important for the wider significance of the ecological processes, functions and species that it supports.
6.	Status of decline: Decline means a significant decline in extent or quality. The decline may be historic, recent or current. The decline can occur in the whole OSPAR maritime area or regionally.

(d) Guidance on the selection criteria for habitats

Criterion	Guidance
1.	'High proportion' is considered to be more than 75%, when known. This criterion may require knowledge of the distribution of habitats at a global scale.
2.	'High proportion' is considered to be more than 75%, when known.
3.	<p>'The 'limited number of locations' is set at 2% of the 50 km by 50 km UTM grid squares for each of the following three bathymetric zones: a. littoral (intertidal and splash zone) b. sublittoral (down to 200 m depth) c. bathyal / abyssal (below 200 m depth)</p> <p>The assessment is dependent on scientific judgement regarding natural abundance, range or extent and adequacy of recording.</p>
4.	A 'very long period' is considered to be more than 25 years and a 'long period' in the range of 5 to 25 years, dependent on the habitat. It is considered that the sensitivity of a habitat differs according to specific impacts of different human activities and, as such, should be applied at the end of the selection process with respect to the specific impacts of human activities.
5.	The ecological functions within the habitat support species and ecosystem processes over a much wider area. Example habitats could be: spawning, breeding, reproduction, or nursery areas for fish, mammals or birds, resting and feeding areas, areas with a high natural productivity or diversity, areas with a high proportion of endemic species, and areas important as migratory routes.
6.	<p>Where the decline is "clear and present", and can be linked directly or indirectly to human activity, the habitat is also considered to be "currently threatened". Where there is a high probability of decline that is linked directly or indirectly to human activity and that will reduce the extent of the habitat by 15% or more or move it into a more severely affected category as a result of changes in extent and/or quality, the habitat is considered to be "potentially threatened". Where the habitat satisfies criterion 3 (rarity) or 4 (sensitivity), a lower threshold of probability can justify regarding the habitat as "potentially threatened".</p> <p>For these purposes, "decline" should only be regarded as occurring where the decline goes beyond that which can be expected from what is known about long-term natural variability and resilience in that type of habitat, over a time frame appropriate for it.</p>

(d) Guidance on the selection criteria for habitats (contd.)

	Extent	Quality
1. Extirpated (extinct within the OSPAR Area)	A habitat which was previously present in the OSPAR Area, but no information is available that it still exists.	A habitat for which quality is affected so severely that its typical or natural components are completely destroyed.
2. Severely Declined	A habitat that has declined by 80% of its former natural distribution in the OSPAR Area, or that has become extinct in several sub-regions.	A habitat for which quality is negatively affected in the entire OSPAR Area so that typical or natural components can only be found in one or very few sub-regions.
3. Significantly Declined	A habitat that has declined by between 15% and 80% of its former natural distribution in the OSPAR Area	A habitat for which quality is negatively affected by: (1) a change of its typical or natural components over almost the entire OSPAR area, or (2) the loss of its typical or natural components in several sub-regions.
4. Probability of significant Decline	There is a high probability that the habitat will decline by 15% or more if no protection or management measures are taken.	There is a high probability that the habitat will significantly decline in quality if no protection or management measures are taken.

Note: Lesser degrees of decline than “Significantly Declined” will occur, but will not qualify under this criterion. Evidence for decline can be based on actual evidence or reasonable expert judgement. The percentages suggested for categorising habitat decline reflect the fact that habitats are far less likely to recover from even a small percentage loss than most species.

SECTION TWO

CONTENTS OF CASE REPORTS AND BACKGROUND DOCUMENTS

12. The proposal to list, delist or modify the content of the OSPAR List of species and habitats should be presented as a “case report” describing the assessment against the Texel-Faial Criteria, along with a “background document” setting out the threats, pressures, and potential management actions to help draft the OSPAR Recommendation on furthering the protection and conservation of the feature of interest. This will assist with the quality assurance and review process and will be a useful format for discussing a number of general issues, such as sufficiency of data, as part of the submission process.
13. The procedural aspects of the listing, delisting or modifying the content of the List process are detailed in Agreement 2019-04 and those steps need to be followed once the draft case report and background document have been produced.
14. The outline for the case reports is as follows:

Contents for the “Case Report” supporting the proposal to list, delist or modify the content of the OSPAR list

a. Nomination

This should specify the species, subspecies, species stock, habitat or habitat complex that is being put forward for consideration².

b. Reason for review

Short description of main reasons for suggesting listing/delisting/modifying.

c. Definition for habitat mapping (only habitats)

Common definition of habitat and correlation with habitat classifications. Cross-reference habitat descriptions to at least EUNIS level 3 but ideally 4 or 5 as work on the classification becomes more advanced. It is also important to consider recommending habitat complexes. Other classification systems, can also be used but a full definition should be provided to enable correlation with the EUNIS classification to be made;

d. Geographic extent

List of OSPAR Regions and Dinter biogeographic zones where the feature occurs.

Indicate the distribution of the species/habitat in relation to the area covered by the nomination (eg. a particular OSPAR region or EEZ), and relevant biogeographic zones marking those that are at the centre of their distribution. Where there is sufficient information, the detailed biogeographic zones presented by Dinter (2001) based on species distribution patterns may be used;

e. Application of the Texel-Faial criteria

A listing and detailed information about each criterion Supporting references should be provided.

For delisting and modification of the content of the List: changes relevant to the original evaluation against criteria justifying the revision of the List should be highlighted

² For listing it is recommended that OSPAR uses common standards to define its listed species and habitats; WoRMS for species, and EUNIS for habitats or suitable equivalent classification.

Indicate if the threat and/or decline only applies to localised populations/stocks and whether it is threatened or declining in the central area of its distribution, or only in the periphery of its distribution.

f. Relevant additional considerations

The sufficiency of the data on the nominated species/habitat, how changes relate to natural variability, and the extent to which expert judgement has been used in preparing the nomination are useful issues to address in this section.

g. Trends and prospects on the status of the species/habitat

Population (for species) or extent (for habitat) (trends/future prospects) + Condition (trends/future prospects)

Limitations in knowledge

h. Conclusion on overall status

List of OSPAR regions where the feature is under threat and/or in decline. Indicate if the threat and/or decline only applies to localised populations/stocks and whether it is threatened or declining in the central area of its distribution, or only in the periphery of its distribution

i. Overview of data and information provided by Contracting Parties

j. References

k. Contacts

The person or organisation compiling the submission and the Contracting Party or Observer making the submission to OSPAR Biodiversity Committee, with contact details.

15. The outline for the background document is as follows:

Contents for the “Background document” supporting the OSPAR Recommendation on furthering the protection and conservation of the feature of interest

a. Threat and link to human activities

Information should be presented on the degree of threat that the habitat or species is facing, and whether the threat is attributable to pressure from human activities. This should use the Pressures and Human Activities information that is provided in the OSPAR Joint Assessment and Monitoring Programme

For listing (and modification if relevant): A cross reference should be made to the JAMP List of human activities and pressures (OSPAR Agreement 2014-2) For delisting (and modification if relevant): Description of any changes to the threats or the level of such threats that applied when the feature was originally listed.

b. Existing management measures

Indicate whether the species or habitats have already been identified for possible conservation action by other authorities or bodies, international legislation or other Contracting Parties’ regulations (for example, through the EC Habitats or Birds Directives, the Berne Convention, the Bonn Convention, the IUCN Red List, or the HELCOM Red List) and, where authorities or international bodies other than OSPAR might have competence to adopt measures to protect the species or habitats in the OSPAR maritime area, give information on any measures that are already in place or under consideration;

For listing (or modification if relevant): Note of whether the species/habitat is already listed for protection under other Conventions, and the potential role of OSPAR or other bodies in the management of the species/habitat.

For delisting (or modification if relevant): Short description of any management mechanisms that have been successful and/or has helped improve species/habitat’s status.

c. Management needs and actions to be taken by OSPAR

Issues which need to be addressed should be clearly identified, and added value of having feature on the OSPAR-list should be described:

- action to be taken by OSPAR,
- action/measures that OSPAR could take, subject to OSPAR agreement,
- actions/measures for relevant Contracting Parties,
- brief summary of monitoring system to be implemented (description of the recommended monitoring and assessment strategy to be included in Annex)
- Suggestions for further research

Where OSPAR has competence to adopt programmes and measures, the advantages and disadvantages of possible management mechanisms to resolve the problems should be examined and reported. Where OSPAR does not have competence, information should be provided that enables OSPAR to draw the attention of the relevant authority or international body to the problem.

The management needs can be described in three ways:

PRIORITY ACTION – Where OSPAR has the competence to adopt programmes and measures, it should promote, support, and/or instigate actions necessary for protection, conservation and where practical, restoration and/or surveillance or monitoring.

INFORM – When OSPAR does not have competence it should inform the relevant international fora of its concern, and agree where joint or additional action through OSPAR or other authorities or international bodies might be desirable for protection, conservation, and where practical, restoration and/or surveillance or monitoring.

RESEARCH – When OSPAR should draw to the attention of those authorities and bodies which promote, support, and/or instigate research the need for research to help determine what actions should be taken for protection, conservation, and where practical, restoration and/or surveillance or monitoring.

d. References

e. Contacts

The person or organisation compiling the document and the Contracting Party or Observer making the submission to OSPAR Biodiversity Committee, with contact details.