



OSPAR Recommendation 2021/02 on furthering the protection and conservation of *Megabalanus azoricus* (Azorean barnacle) in Region V of the OSPAR maritime area

Source: OSPAR 21/13/1, Annex 26

Preamble

RECALLING Article 2(1) of the Convention for the Protection of the Marine Environment of the North-East Atlantic ('the OSPAR Convention');

RECALLING Annex V to the OSPAR Convention on the protection and conservation of the ecosystems and biological diversity of the maritime area, and in particular Article 3(1)(b)(ii), which makes it a duty of the OSPAR Commission to develop means, consistent with international law, for instituting protective, conservation, restorative or precautionary measures related to specific areas or sites or related to specific species or habitats; and Article 3(1)(b)(iv), which aims for the application of an integrated ecosystem approach, subject to Article 4;

RECALLING Article 4(1) of Annex V, which provides that in accordance with the penultimate recital of the OSPAR Convention, no programme or measure concerning a question relating to the management of fisheries shall be adopted under that Annex, while recognising that where the OSPAR Commission considers that action is desirable in relation to such a question, it shall draw that question to the attention of the authority or international body competent for that question;

RECALLING OSPAR Recommendation 2003/03 as amended by OSPAR Recommendation 2010/02 that calls upon Contracting Parties to report to the OSPAR Commission sites selected for inclusion as components of the OSPAR network of marine protected areas and develop appropriate management plans and measures;

RECALLING OSPAR Recommendation 2010/05 on assessments of environmental impact in relation to threatened and/or declining species and habitats;

RECALLING the OSPAR List of Threatened and/or Declining Species and Habitats (OSPAR Agreement 2008-06), in which the Azorean barnacle is listed as occurring in OSPAR Region V, where it is categorised as a population under threat and/or in decline;

RECALLING the Statement on the Common Understanding of the Recommendations on Species and Habitats (OSPAR Agreement 2013-13);

NOTING the Case Report (OSPAR publication 2008/358) and respective Background Document for this species (OSPAR publication 2020/756) and the scientific references therein; which indicate that the Azorean barnacle is an endemic species of the Macaronesia region, especially vulnerable due to its life-history traits (e.g. hermaphroditism with separate gonads and seasonal reproductive peaks and gregarious recruitment), and considered keystone species for rocky shore communities. Information is provided on, *inter alia* the threats and impacts on the Azorean barnacle from human activities;

NOTING that, where appropriate, the actions and measures of this Recommendation will support the regional implementation of the Directive 2008/56/EC establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive), and corresponding legislation of other Contracting Parties;

The Contracting Parties to the Convention for the Protection of the Marine Environment of the North-East Atlantic RECOMMEND:

1. Definitions

For the purpose of this Recommendation:

“*Azorean barnacle*” means the species *Megabalanus azoricus* (Pilsbry, 1916) endemic of the Macaronesia region.

“*Marine protected area*” means an area within the maritime area for which protective, conservation, restorative or precautionary measures, consistent with international law, have been instituted for the purpose of protecting and conserving species, habitats, ecosystems or ecological processes of the marine environment.

“*Critical habitat*” or “*key area*” means a specific area within the geographic range of the species that is or may be occupied by the species concerned (i.e. the Azorean barnacle) within which are found those physical or biological features which are essential to the conservation of the species.

2. Purpose and scope

2.1. The purpose of this Recommendation is to strengthen the protection of the Azorean barnacle at all life stages in order to recover its population, to improve its status and to ensure that the population is effectively conserved and sustainably exploited in Region V of the OSPAR maritime area.

3. Programmes and measures

3.1 Individually, Contracting Parties with national waters in the Azores in Region V should consider:

- a. introducing legislation to protect the Azorean barnacle, in particular through the development of national or regional conservation plans for this species;
- b. improving control of collecting and fishing activities with a view to combatting illegal and unreported harvesting of the Azorean barnacle;
- c. assessing whether existing management measures for the protection of the Azorean barnacle are effective and determine whether further measures are needed to address the key threats;
- d. seeking ways and means to broaden the knowledge base on the occurrence of, and threats to, the Azorean barnacle by gathering additional knowledge from sources such as national planning authorities, environmental impact assessments and post-development monitoring, research institutes, fisheries research, local fishing committees, commercial and recreational fisheries, non-governmental organisations (NGOs) and the general public;
- e. whether any sites justify selection and designation as marine protected areas for the protection of the Azorean barnacle and whether such areas may become a component of the OSPAR network of marine protected areas;
- f. facilitating and improving research on the life history, biology and stock discrimination among the different areas where the Azorean barnacle occurs, trend data on populations and

distribution, the genetic and behavioural divergence of local populations, multispecies interactions as well as trade data (import/export);

- g. promoting monitoring and assessment programmes for the Azorean barnacle and contributing to the development of a data collection strategy covering all the islands in the archipelago and elsewhere in the Macaronesia region where possible, (particularly on catch and catch per unit of effort data, resilience, rates of recovery, and trade data);
- h. raising awareness about the status of and threats to the Azorean barnacle among the general public, addressing in particular the local communities and tourists, as well as management authorities and the fishermen;
- i. promoting the introduction of the Azorean barnacle as a protected species in European and international biodiversity conventions;
- j. acting for the fulfillment of the purpose of this recommendation within the framework of relevant competent authorities.

3.2 Acting collectively within the framework of the OSPAR Commission, with the aim of promoting an ecosystem-based approach, Contracting Parties should:

- a. communicate the current knowledge base on the Azorean barnacle to OSPAR Contracting Parties, stakeholders and other international competent authorities;

4 Entry into Force

4.1 This Recommendation has effect from 1 October 2021.

5 Implementation reports

5.1 Contracting Parties should report by 31 December 2025 on the implementation of this Recommendation to the appropriate OSPAR subsidiary body. After 2025 Contracting Parties should report every six years on the implementation of this Recommendation.

5.2 When reporting on implementation, the format as set out in Appendix 1 should be used as far as possible.

Appendix 1

Format for implementation reports concerning OSPAR Recommendation 20XX/XX on furthering the protection and conservation of the Azorean barnacle (*Megabalanus azoricus*) in Region V of the OSPAR maritime area

(Note: In accordance with Section 5 of this Recommendation, this format should be used as far as possible in implementation reports)

I. Implementation Report on Compliance

Country:

Reservation applies:

Is measure applicable in your country?

If not applicable, then state why not.

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Means of Implementation:

by legislation	by administrative action	by negotiated agreement
yes/no*	yes/no*	yes/no*

Please provide information on:

- a. specific measures taken to give effect to this measure;
- b. any special difficulties encountered, such as practical or legal problems, in the implementation of this measure;
- c. any reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported.

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* Delete whichever is not appropriate.