

OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic
Meeting of the the Biodiversity Committee (BDC)
Reykjavik (Iceland): 4 – 8 April 2022

Terms of Reference for ICG POSH on the implementation follow up of measures for the protection and conservation of species and habitat for 2022/2023

Background

1. OSPAR Ministers committed in 2010 to halt the decline of species and habitats, in particular to restore threatened and/or declining species and habitats by establishing measures to protect such species and habitats from the pressures of human activities (cf. §24 Bergen statement).
2. In order to progress this work, and on the basis of the OSPAR List of threatened and/or declining species and habitats agreed in 2008 (cf. Agreement 2008-6), there has been an extensive body of work to protect these species and habitats through the development of background documents and adopting measures.
3. There is a need to understand how these species and habitats are responding to pressures, and the measures that are being agreed to enhance their protection and conservation, in order to be in a position to deliver assessments that will provide a response to the objectives of the North-East Atlantic Environment Strategy i.e. to:
 - a. improve the status of threatened and/or declining species and habitats and ensure that they are effectively conserved, working, where appropriate, with other competent authorities.
 - b. ensure that the effects of human activities and pressures on the marine environment, individually or cumulatively, do not adversely affect species, habitats and ecosystems, in particular those on the OSPAR List of Threatened and/or Declining Species and Habitats.
4. These objectives can also serve the needs of the EU Marine Strategy Framework Directive (MSFD) and other relevant directives, both monitoring and assessment requirements and programmes of measures.

Objective

5. It is the objective of ICG-POSH to:
 - a. ensure and improve the effective and efficient implementation of the species and habitat Recommendations;
 - b. implement the actions in the Recommendations to be undertaken acting collectively within the framework of the OSPAR Commission;
 - c. deliver the relevant products described under Theme B of the JAMP for, in close cooperation with EIHA, ICG-COBAM and ICG-MPA.
 - d. ensure cross committee liaison where this is appropriate to the implementation of the Recommendations;
 - e. identify opportunities for work with national/ international competent organisations whose mandates intersect with OSPAR with respect to the species and habitat Recommendations.

- f. advise on possible arrangements to review the OSPAR list (Agreement 2008/6) and background documents.

Linkages to other work streams

6. The tasks set out in these terms of reference have relevance to a number of work streams within OSPAR:
 - a. the work of EIHA, and other relevant OSPAR bodies, looking at reducing the effect (individually and cumulatively) of human induced pressures on ecosystem components;
 - b. the delivery of the work of ICG-COBAM and ICG-MPA;
 - c. reporting of regionally coherent programmes of measures under the MSFD.

Practical arrangements

7. ICG-POSH will be coordinated by Biodiversity Committee, and will also report to the Environmental Impact of Human Activities Committee.
8. ICG-POSH will be convened by Michael McLeod (UK) and [AN Other]. The ICG is open to all Contracting Parties and Observers in accordance with the OSPAR Rules of Procedure.
9. ICG-POSH will work through correspondence, making use of appropriate electronic communication means. One face to face meeting for the period 2022/2023 is planned for 4 days from 24-27 October 2022 in [place] at the kind invitation of [contracting party].

Activities for 2022/2023

10. These terms of reference are relevant for the OSPAR meeting cycle 2022/2023, building on the work undertaken in previous meeting cycles to progress towards full implementation of the OSPAR Recommendations for the protection and conservation of threatened and/or declining species, key deliverables under the JAMP 2014-2023, and tasks for implementation of the North East Atlantic Environment Strategy.

Implementation and follow up of Recommendations

- a. Work with ICG-Data to develop a long-term solution for the 'POSH relational database' once all 2019 implementation reporting obligations have been delivered, and the database has been updated to include the recommendations adopted in 2021.
- b. Work to progress the approach for addressing 'orphan' collective actions in the 'POSH Roadmap' further developing alternative solutions for consideration at BDC such as an approach of developing action plans for specific topics as Tasks under the NEAES 2030.

Implementation of the JAMP

- c. Carry out data calls biennially for the OSPAR Threatened and/or Declining habitats database managed by the UK (JNCC/EMODNet Seabed) and review the data entries to create a regional dataset of occurrences of the habitats. A data call is foreseen in summer/autumn 2022.
- d. Undertake status assessments of OSPAR listed features using the Guidance on the Development of Status Assessments for the OSPAR List of Threatened and/or Declining Species and Habitats can be found [here](#).
- e. Use the EIHA feeder reports available in OAP as the source of information on human activity trends in status assessments.

f. Report progress to EIHA and BDC for the following habitats and species:

	2018/2019 Test year	2019/2020 assessments	2020/2021 assessments	2021/2022 Overflow year 20 assessments	2022/2023 Lessons learned year	2023/2024 post-QSR 2023 assessments
Habitats		OBHEG -Maerl beds (UK)	-Flat oyster (NL, DE) -Ostrea edulis beds (NL, DE)	Intertidal WS (NL hosting WS) -Zostera beds (SE) -Sea-pen and burrowing megafauna (UK) Deep sea WS (IE hosting WS) -Deep-sea sponge aggregation (SponGES, PT & SE sponsoring) -Coral gardens -Lophelia pertusa -Oceanic ridges with hydrothermal vents/fields -Seamounts -Carbonate mounds	-Intertidal Mytilus edulis beds on mixed and sandy sediments (NL) -Intertidal mudflats (NL)	- modiolus modiolus beds - Cymodocea meadows - Littoral chalk communities - Sabellaria spinulosa
Fish		- Houting (DK) - Sturgeon (DE)	<i>ICES advice</i> -Gulper shark (IE) -Leafscale gulper shark (IE) -Portuguese dogfish (IE) <i>ICES advice part I</i> -Angel shark (IE) -Common skate (IE) -Spotted ray (IE) -Thornback ray/skate (IE) -White skate (IE) <i>ICES advice part II</i> -Basking shark (IE) -Porbeagle shark (IE) -spurdog (IE)	-Allis shad (FR) -Sea lamprey (NO) -eel (FR) -salmon (FR)		-bluefin tuna -cod -orange roughy -long-nosed seahorse -short-snouted seahorse

	2018/2019 Test year	2019/2020 assessments	2020/2021 assessments	2021/2022 Overflow year 20 assessments	2022/2023 Lessons learned year	2023/2024 post-QSR 2023 assessments
Mammals	-trial assessment of Harbour porpoise (NL)	-Blue whale (NL) -Bowhead whale (BE, NL) -Northern right whale (BE, NL)				-Harbour porpoise
Birds	Trial assessment of Black-legged kittiwake (UK, JWGBIRD)		-Thick-billed murre (NO) -Lesser black-backed gull (NO)	-Balearic shearwater (ES) -Iberian guillemot (ES/PT)	-Roseate tern (PT) -Black-legged kittiwake (UK)	JWG BIRD -Ivory gull -Little shearwater -Stellers eider
Reptiles				-Leatherback turtle (FR, Turtle EG) -Loggerhead turtle (FR, Turtle EG)		
Invertebrates						-Dog whelk -Azorean Barnacle -Azorean limpet -Ocean quahog

Development and update of background documents, recommendations and list

g. Maintain oversight of the documentation relating to the OSPAR List, including:

- List of Threatened and/or Declining species and habitats;
- Case reports and definitions;
- Background documents including their relationship to status assessments;
- Recommendations; and
- Presentation of relevant information on the OSPAR website

h. consider any other proposals for listing or delisting species and habitats, as these arise.

Cross cutting issues

- i. co-operate with NEAFC through the collective arrangement on actions related to conservation measures for deep-sea sharks as described in BDC 18/5/9, BDC 19/7/info1.
- j. to keep under review the OSPAR science needs agenda providing updates where need is identified through status assessment work.
- k. Develop implementation plan tasks for any relevant operational objectives in NEAES 2030.

- I. Undertake a lessons learned exercise from the work to produce status assessments and report to BDC on the following matters:
- Whether there needs to be an update to the guidance on status assessments and what those changes should be;
 - How and when to address any discrepancies within OSPAR documents related to listed habitats and species;
 - What key issues have been identified in the status assessments, and provide advice on how these should be addressed by OSPAR;
 - Whether the status assessments indicate a need to modify the OSPAR list or any of the recommendations that are currently in place; and,
 - At what frequency should repeat status assessment be undertaken.

Memorandum of activities for future years

- Take forward workshops as required to address collective actions
- Address discrepancy issues relating to the OSPAR list as described in table 3 of BDC 21/05/04rev2

Scientific Name	OSPAR Regions where it is under threat and/or in decline			Proposed next steps
	List (Agreement 2008-6)	Background Document	Recommendation	
<i>Raja clavata</i> (Thornback ray)	II	II	All	Update of the Recommendation. Possibly once the status assessment has been completed (anticipated in 2021) At BDC 2018, France indicated they would investigate the possibility to take the lead on reassessing the case report with the aim of clarifying the discrepancy (BDC 18/10/1§2.13d)
Coral Gardens	All	I, II, IV, V	All	Update the Background Document once the status assessment has been completed (anticipated in 2022) to include Region III if the status assessment supports this claim.
<i>Modiolus modiolus beds</i>	All	All where they occur (no evidence of occurrence in region V)	All	Update the OSPAR List through a modification of the listing to state occurrence in Regions I, II, III, IV and threatened 'all where they occur' Update the Recommendation to 'all where they occur'

Maerl beds	III	I, II, III, IV	III	<p>Status assessment was completed in 2020 and concluded:</p> <p>“OSPAR Regions where species is under threat and/or decline: III (Source: Background Document Hall-Spencer et al., 2010); but also in I, II and IV according to this assessment.”</p> <p>Consider tasking ICG-POSH with evaluating whether the case report and OSPAR Listing needs to be updated accordingly. Based on outcome of those considerations, agree next steps for the Background Document and Recommendation.</p>
Deep-sea sponge aggregations	I, III, IV, V	OSPAR Regions; I, III, IV, V. Deep sea sponge aggregations also occur in the eastern Skagerrak in OSPAR Region II.	I, III, IV, V	<p>The status assessment in 2021 identified the habitat as occurring in Region II. The OSPAR List indicates presence in region III, however the status assessment did not identify any occurrences to be known from Region III, whereas Region II is known to be relevant</p> <p>Update OSPAR List, Case report, Recommendation</p>
Lophelia pertusa reef				<p>Status assessment in 2021 proposed modifying the OSPAR List entry to ‘stony coral reef’ to better capture the species that form these reefs</p> <p>Update OSPAR List, Case report, Habitat definition Background Document, Recommendation,</p>
Habitat definitions – several habitats				<p>Several 2021 status assessments of habitats (deep-sea and shelf) identified the habitat definitions as requiring an update. In some cases the habitat definition as too generic to be easily applied to occurrence data or excluded features that were considered to be descriptive of the habitat in other regions (e.g. carbonate mounds features exclude Region I occurrences that could be relevant).</p> <p>The habitat definitions refer to EUNIS codes which are out of date</p> <p>Update the Habitat definitions</p>