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|  |  Annex 12 |
| OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic |
| Meeting of the the Biodiversity Committee (BDC) |
| Dordrecht (Netherlands) 17 – 21 April 2023 |

Terms of Reference for ICG POSH for the protection, conservation, and recovery of species and habitats for 2023/2024

**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). This was re-affirmed by the Ministers in 2021 (§13 Cascais 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 document, status assessments and measures.

3. There is a need to understand how these species and habitats are responding to pressures based on the results of the Quality Status Report 2023, and develop new measures to enhance their protection and conservation, and enable recovery and restoration where required to deliver the North-East Atlantic Environment Strategy 2023 (NEAES) 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 developing new measures where they are required;

c. develop and implement new measures and actions to meet the operational objectives in the NEAES.

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:

1. Manage the OSPAR List of Threatened and/or Declining Species and Habitats through effective implementation of all Recommendations, and ensuring relevant documentation is kept up to date in accordance with any Agreements in place.
2. Deliver periodic status assessments for each species and habitat on the OSPAR list as required under Theme B of the JAMP for, in close cooperation with EIHA, ICG-COBAM, ICG-MPA and other OSPAR subsidiary bodies.
3. Develop and implement collective measures to achieve relevant operational objectives in the NEAES 2030 in support of delivering the OSPAR vision for the marine environment (see annex A for relevant operational objectives).

**Practical arrangements**

7. ICG-POSH will be coordinated by and report to the Biodiversity Committee, and also report to the Environmental Impact of Human Activities Committee on relevant issues.

8. ICG-POSH will be convened by Michael McLeod (UK) and Marianne Olsen (NO). 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 2023/2024 is planned for 4 days from 23-26 October 2023 in Trondheim at the kind invitation of Norway.

**Activities**

10. These terms of reference are split into recurring activities, specific activities, products to be delivered to EIHA/BDC in 2024, and future activities beyond the next meeting cycle.

**Recurring Activities**

1. Biennial datacall for the OSPAR Threatened and/or Declining habitats database to create a regional dataset of occurrences of the habitats managed by the UK (JNCC/EMODNet Seabed). Next data call is foreseen in summer/autumn 2024.
2. Undertake status assessments of OSPAR listed features using the process set out in the Guidance on the Development of Status Assessments for the OSPAR List of Threatened and/or Declining Species and Habitats (which can be found [here](https://www.ospar.org/documents?v=40966)).
3. Maintain oversight of the documentation relating to the OSPAR List of Threatened and/or Declining species and habitats, as required by Agreements 2019-03 and 2019-04, including:
* Case reports and definitions;
* Background documents including their relationship to status assessments;
* Recommendations;
* Presentation of relevant information on the OSPAR website;
* Consideration of any other proposals for listing or delisting species and habitats, as these arise.
1. Co-operation 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.
2. Reviewing the OSPAR science needs agenda providing updates where need is identified through status assessment work.

**Specific Activities**

1. 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.
2. Complete 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.
3. Develop and implement tasks to support relevant objectives from the NEAES (see annex A), reporting progress on a regular basis to EIHA, BDC and the Coordination Group.
4. Production, review and revision of the draft Regional Action Plan for the Recovery of Marine Birds
5. Examine the turtle indicators as developed by the Sea Turtles Expert Group.
6. Development of a proposal to update the EUNIS habitat classification for the north-east Atlantic, taking account of other ongoing initiatives and all interested Contracting Parties needs, and including establishment of OSPAR list/EUNIS correlation tables.
7. Update guidance for undertaking status assessments (OSPAR Agreement 2019‐05)
8. Review of draft guidelines of best practice for Zostera beds habitat restoration (task S6.O1.T1)
9. Development of the benthic shelf habitats action plan (task S5.O4.Tx)

**Products to be delivered in 2024**

1. Based on the list of recurring and specific activities listed above, ICG POSH expects to deliver the following main key products for approval in 2024:
	* + Report on the lessons learned exercise
		+ Status Assessments as listed in Table 1 (some may not be delivered in one year)
		+ Regional Action Plan for Marine Birds (RAP-Bird)
		+ Draft recommendation on the reduction of marine bird bycatch
		+ Report on the knowledge gaps of the status assessments
		+ Proposal to update the EUNIS classification for the north-east Atlantic
		+ Proposed best practice guidelines for the restoration of Zostera Beds
		+ Amended version of OSPAR Agreement 19-05 (guidance for status assessments)

Table 1 List of Status Assessments to be produced in 2023/2024\*. The full list of completed and outstanding status assessments can be found on [SharePoint](https://osparcsp.sharepoint.com/%3Aw%3A/r/sites/POSH/Shared%20Documents/ICG-POSH%202022/Resources/ICG-POSH%20List%20of%20Status%20Assessments_20230208.docx?d=w9be3949c6c7d491c86ac2be9aab2cb33&csf=1&web=1&e=nCXV0F).

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| **Functional group** | **Habitat or species** | **Lead contracting party** |
| Habitats | modiolus modiolus beds  | UK |
|  | Cymodocea meadows | Spain |
| Fish | bluefin tuna | Ireland |
|  | cod | Ireland |
|  | orange roughy | Ireland |
|  | long‐nosed seahorse | France |
|  | short‐snouted seahorse | France |
| Invertebrates | Ocean quahog | The Netherlands |

**Future Activities**

1. Reporting on progress with implementation of the Recommendations for OSPAR listed habitats and species – preparatory work in 2024-25, Contracting Party reporting 2025-26, report to OSPAR 2026‑27.
2. Address discrepancy issues relating to the OSPAR list as described in table 3 of BDC 21/05/04rev2

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| **Scientific Name** | **OSPAR Regions where it is under threat and/or in decline** | **Proposed next steps** |
| **List (Agreement 2008-6)** | **Background Document** | **Recommendation** |  |
| *Raja clavata* (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.  |
| *Modiolus modiolus beds* | 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 | Status assessment was completed in 2020 and concluded:“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.”*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.  |
| Deep-sea sponge aggregations | I, III, IV, V | OSPAR Regions; I, III, IV, V. Deep sea sponge aggregations also occur in the easternSkagerrak in OSPAR Region II. | I, III, IV, V | 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 relevantUpdate OSPAR List, Case report, Recommendation |
| Lophelia pertusa reef |  |  |  | Status assessment in 2021 proposed modifying the OSPAR List entry to ‘stony coral reef’ to better capture the species that form these reefsUpdate OSPAR List, Case report, Habitat definition Background Document, Recommendation,  |
| Habitat definitions – several habitats |  |  |  | Several 2021/2022 status assessments of habitats (deep-sea and shelf), e.g. seapens and burrowing megafauna, 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). The habitat definitions refer to EUNIS codes which are out of dateUpdate the Habitat definitions |
| 1. *Mytilus edulis* beds
 | All, where they occur, II, III | II, III | II, III | ICG-POSH 2022 noted that the definition for *Mytilus edulis beds* had caused difficulties for the assessor. The definitions for habitats were set out in Agreement 2008 – 07 on Descriptions of habitats on the OSPAR List of threatened and/or declining. A decision would need to be taken on whether to prepare amendments on all relevant definitions in one exercise or whether to do them separately. |

1. Complete the first cycle of status assessments by completing the following assessments:

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| **Functional group** | **Habitat or species** |
| Habitats | Littoral chalk communities |
|  | Sabellaria spinulosa |
| Mammals | Harbour porpoise |
| Birds | Ivory gull |
|  | Little shearwater |
|  | Stellers eider |
| Invertebrates | Dog whelk  |
|  | Azorean Barnacle |
|  | Azorean limpet |

\*Status Assessments, which are not included in the 6-year cycle: Roseate tern, kelp forest and haploops.

Annex A

**Relevant operational objectives from the North-East Atlantic Strategy 2030**

Table A- 1: Relevant operational objectives from the NEAES 2030

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| **ID** | **Operational Objective** |
| S1.O6 | By 2030 OSPAR will develop and implement a regional approach to applying nature-based solutions to reinstate and safeguard the natural capacity of the ecosystem to sequester nutrients through conservation and restoration of estuarine, coastal and marine habitats, where this is practicable. |
| S5.O4 | By 2025 at the latest OSPAR will take appropriate actions to prevent or reduce pressures to enable the recovery of marine species and benthic and pelagic habitats in order to reach and maintain good environmental status as reflected in relevant OSPAR status assessments, with action by 2023 to halt the decline of marine birds. |
| S5.O5 | By 2025 OSPAR will have implemented all agreed measures to enable the recovery of OSPAR Listed threatened and/or declining species and habitats and will take additional measures as needed |
| S6.O1 | By 2023 OSPAR will identify habitats suitable for restoration, and develop a common knowledge base on the most appropriate and effective methods for restoration of degraded habitats. |
| S6.02 | By 2025 OSPAR will develop a regional approach, including relevant qualitative and/or quantitative targets for restoration of degraded habitats suitable for restoration, and will then implement actions to achieve the targets as appropriate |
| S12.O1 | By 2025 OSPAR will develop a regional approach to applying nature-based solutions for carbon storage and implement specific measures to protect and restore relevant carbon sequestration and storage habitats, such as seagrass beds, kelp forests and saltmarshes. |
| S12.O2 | By 2025 OSPAR will take nature-based carbon storage into account when reviewing the criteria for the designation of marine protected areas, and reviewing the OSPAR List of threatened and/or declining species and habitats. |