|  |
| --- |
|  |



OSPAR Recommendation 2016/3 on furthering the protection and conservation of the Atlantic salmon (*Salmo salar)* in Regions I, II, III and IV of the OSPAR maritime area

**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 2003/3 as amended by OSPAR Recommendation 2010/2 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 2010/5 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 2008-6), in which the Atlantic salmon is listed as a species occurring in OSPAR Regions I, II, III and IV, and is categorised as a species under threat and/or in decline in those OSPAR Regions;

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), the respective Background Document for this species (OSPAR publication 2010/480), and the scientific references therein as well as the OSPAR publication 2010/520 on the OSPAR workshop on defining actions and measures for the OSPAR List of Threatened and/or Declining Species and Habitats, which indicate a severe decline in abundance and deterioration of diversity of this species and its high sensitivity to water quality making it a key indicator of healthy aquatic environments. These documents also provide information on *inter alia* the threats and impacts on the Atlantic salmon from human activities;

RECALLING the Memorandum of Understanding signed 2013 between the North Atlantic Salmon Conservation Organization (NASCO) and the OSPAR Commission recognising the complementary competences for the conservation, restoration and rational management of Atlantic salmon and for the protection of marine ecosystems, respectively, in the North-East Atlantic;

NOTING that the NASCO Convention area extends beyond the OSPAR maritime area, covering the entire migratory range of Atlantic salmon stocks;

RECALLING Article 2 (1) and Article 2 (2) of the NASCO Convention for the Conservation of Salmon in the North Atlantic Ocean;

NOTING that several Contracting Parties have fully or partially prohibited fishing of Atlantic salmon within their territorial sea;

NOTING that increased marine mortality is a major factor affecting Atlantic salmon abundance around the North Atlantic and that the decline in abundance is most marked for more southerly Atlantic salmon stocks in both Europe and North America and further noting the international, collaborative research efforts coordinated through NASCO’s International Atlantic Salmon Research Board to better understand the factors responsible for this mortality and the opportunities to counteract them.

NOTING that NASCO and its Parties have agreed to adopt and apply a Precautionary Approach to the conservation, management and exploitation of Atlantic salmon in order to protect the resource and preserve the environments in which it lives and that NASCO has adopted a range of Resolutions, Agreements and Guidelines relating to management of Atlantic salmon fisheries; habitat protection and restoration; aquaculture, introductions, transfers and transgenics;

NOTING that in order to support implementation of NASCO Resolutions, Agreements and Guidelines each NASCO Party in their respective jurisdictions has adopted a five year Implementation Plan and report annually to NASCO on progress in implementing the actions in those plans and their effectiveness and that these plans and progress reports are subject to critical evaluation;

NOTING that the European Union has established since 2008 a Community Framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy[[1]](#footnote-1). Such a framework also applies to Atlantic salmon at sea and in inland waters, limited to index rivers in the Baltic.

NOTING that, where appropriate, the programmes and measures of this Recommendation may further support the regional implementation of EU Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (“Habitats Directive”), of EU Directive 2000/60/EC establishing a framework for Community action in the field of water policy (“Water Framework Directive”), and of EU 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;

NOTING that the International Council for the Exploration of the Sea (ICES) 2014 assessments of Atlantic salmon stocks in the North Atlantic show there has been little improvement, despite the efforts made.

NOTING that the work of OSPAR will complement the implementation of measures taken under the Convention on the Protection of the Marine Environment of the Baltic Sea Area and by the International River Commissions of relevance to protect this species.

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

**1. Definitions**

1.1. For the purposes of this Recommendation:

“*Atlantic salmon*”means the anadromous populations of the species*Salmo salar* Linnaeus, 1758.

“*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 Atlantic salmon) 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 contribute to strengthening the protection of the Atlantic salmon at all life stages in order to restore its populations, to improve its status and to ensure that its populations are effectively conserved in Regions I, II, III and IV of the OSPAR maritime area.

**3. Programmes and measures**

3.1 Each Contracting Party should consider in Regions I, II, III and IV:

a. the need to introduce additional measures to enhance the conservation and protection and restoration of the Atlantic salmon at all relevant life stages in light of the review carried out pursuant to paragraph 3.1b;

b. assessing whether all measures that contribute to the conservation protection and restoration of Atlantic salmon, and its ecosystems, are effectively addressing the key threats identified in the Background document (OSPAR publication 2010/480) including:

(i) habitat alteration or loss especially of spawning and juvenile grounds, resulting from riverbed engineering schemes and hydrological management (e.g. for flood defence or navigation);

(ii) obstacles to migration, such as construction of dams or navigation weirs blocking access to spawning grounds;

(iii) water pollution, such as nutrient and organic matter enrichment and hazardous substances from urban and agro-industrial activities affecting Atlantic salmon spawning grounds and their reproductive success (e.g. PCBs in substrates, acidification);

(iv) incidental by-catch of Atlantic salmon at sea and targeted fisheries in key areas and overfishing of Atlantic salmon food sources (e.g. sand eel);

(v) fish farming, through escape and accidental release, resulting in interbreeding and genetic effects, or spread of diseases and parasites;

(vi) climate change, through changes in water temperatures and flows known to influence salmonid growth, life history and distribution;

c. encouraging liaison within their national administrations in developing future NASCO Implementation Plans and in reporting on progress against those plans as well as effectiveness of the actions taken, as reported through NASCO Annual Progress Reports;

d. whether any of the critical habitat or key areas justify selection and designation as marine protected areas for the protection and recovery of Atlantic salmon populations and whether such areas may become a component of the OSPAR network of marine protected areas;

e. improving scientific communication and information exchange including participating in and supporting NASCO’s research priorities to coordinate research on Atlantic salmon;

f. raising awareness of the status of and threats to the Atlantic salmon among relevant sectors and authorities and the general public;

g. acting for the fulfilment of the purpose of this Recommendation within the framework of relevant competent authorities.

3.2 Acting collectively within the framework of the OSPAR Commission and where relevant working under the MoU with NASCO, with the aim of promoting an ecosystem-based approach, Contracting Parties should:

a. consider new information arising from the International Council for the Exploration of the Sea (ICES), or other relevant scientific institutions, on the distribution, population status, biology, conservation measures and research needs for this species;

b. promote, as appropriate, the inclusion of Atlantic salmon as a protected species in relevant international biodiversity conventions, taking into account the OSPAR Regions for which threats and/or decline have been indicated in the OSPAR List of threatened and/or declining species and habitats (OSPAR Agreement 2008-6);

c. advocate conservation measures within existing marine protected areas when appropriate and evaluate the extent to which critical habitat or key areas for the Atlantic salmon are already included within the OSPAR network of marine protected areas, and whether this coverage can be improved as a complementary measure to other conservation and management measures;

d. promote the exchange of information with relevant river basin organisations regarding objectives and measures to address the key threats such as habitat alteration or loss, obstacles to migration, and water pollution, aiming to reach a coherent approach between the relevant international bodies;

e. cooperate and coordinate with other relevant competent international organistions and bodies, drawing upon the actions and measures suggested in the Background Document (OSPAR publication 2010/480) to address:

(i) diseases, parasites and gene pool dilution from aquaculture activities; and

(ii) the obstacles to migration as the key threats, having regard to management objectives and the supporting scientific advice;

f. in accordance with Article 4 of Annex V of the OSPAR Convention, or where coordination and cooperation with other international organisations and bodies is appropriate concerning a question relating to the management of fisheries, draw that question to the attention of the relevant authority or international body, drawing upon the actions and measures suggested in the Background Document (OSPAR publication 2010/480) to address in particular:

(i) any bycatch in fisheries that leads to overexploitation of Atlantic salmon;

(ii) overfishing of food sources of the Atlantic salmon(e.g. sand eel);

where this is necessary for conservation and recovery of Atlantic salmon.

**4. Entry into Force**

4.1 This Recommendation has effect from 24 June 2016.

**5. Implementation reports**

5.1 Contracting Parties should report by 31 December 2019 on the implementation of this Recommendation to the OSPAR Commission. After 2019 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[[2]](#footnote-2) should be used as far as possible.

***Appendix 1***

Format for implementation reports concerning OSPAR Recommendation 2016/3 on furthering the protection and conservation of the Atlantic salmon (*Salmo salar)* in Regions I, II, III and IV 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:** | yes/no[[3]](#footnote-3)\* |

|  |  |
| --- | --- |
| **Is this measure applicable in your country?** | yes/no\* |

If not applicable, then state why not

1. **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.

1. Council Regulation (EC) No 199/2008, OJ L 60, 5.3.2008, p. 1. [↑](#footnote-ref-1)
2. Contracting Parties members of NASCO may choose to attach reports submitted to NASCO when reporting under this Recommendation to avoid double reporting. [↑](#footnote-ref-2)
3. \* Delete whichever is not appropriate. [↑](#footnote-ref-3)