



Progress Report on Relevant Activities Undertaken within the Framework of ASCOBANS for the United Nations Process on Oceans and the Law of the Sea

Introduction

The Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS) is a treaty concluded under the United Nations Environment Programme. Its secretariat is provided by the Convention on Migratory Species, itself a Multilateral Environmental Agreement under the United Nations Environment Programme. ASCOBANS has been in force since 1994 and has ten Parties¹ to date.

ASCOBANS covers small toothed whales, dolphins and porpoises, with individual measures being contained in a conservation and management plan annexed to the Agreement and individual Resolutions being passed by each Meeting of Parties (MOP9 is due in 2020). In addition, ASCOBANS oversees implementation of three Species Action Plans: The Conservation Plan for Harbour Porpoises in the North Sea (North Sea Plan); the Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat (WBBK Plan); and the Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan).

This document summarizes the outcomes of the 24th Meeting of the Advisory Committee to ASCOBANS in September 2018, as well as other developments which are of relevance to the report of the Secretary-General on oceans and the law of the sea, pursuant to UNGA Resolution 73/124.

1. The **24th Meeting of the ASCOBANS Advisory Committee (AC24)** met in September 2018 in Vilnius, Lithuania. The AC24 focused on bycatch, resource depletion, marine debris, surveys and research, and the use of bycatch and strandings. The final report and meeting documents can be accessed online². AC24 mandated the following work streams:

- a) Parties to address research questions regarding the conservation status and life history of the White-beaked Dolphin, placing a high priority on the data being shared between countries from necropsies. (*A/RES/73/124 sections, XI, XIII, XV*)
- b) Commission a cost-benefit analysis of potential and available monitoring tools aboard fishing vessels that will investigate options for more robust and cost-effective bycatch monitoring in the ASCOBANS region, in liaison with Parties and other relevant stakeholders³. The methods considered will also take into account vessels less than 15 meters in length. (*A/RES/73/124 sections XI, XII, XIII, XV*)

¹ <http://www.ascobans.org/en/parties-range-states>

² <https://www.ascobans.org/en/meeting/AC24>

³ Such as the European Commission, the Baltic Marine Environment Protection Commission (Helsinki Commission or HELCOM), International Council for the Exploration of the Sea (ICES), International Whaling Commission, the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR).

- c) Commission a review of available mitigation methods applicable to high-risk fisheries within the ASCOBANS region, to investigate gear, to investigate area specific solutions to mitigate bycatch, and to investigate alternative fishing methods. Parties further agreed to liaise with each other and with relevant stakeholders, such as the IWC Bycatch Mitigation Initiative. (*A/RES/73/124 sections XI, XII, XIII, XV*)
- d) Parties to pass on recommendations for bycatch monitoring and mitigation within their own country to facilitate engagement internationally, particularly in discussions with the EU Scientific, Technical and Economic Committee for Fisheries (STECF) and the European Commission. (*A/RES/73/124 sections XI, XII, XIII, XV*)
- e) Establish a Working Group on Resource Depletion to review new information on resource depletion and its impacts on small cetacean populations and to make recommendations to Parties and other relevant authorities for further action. (*A/RES/73/124 sections IX, X, XI, XII, XIII, XV*)
- f) Parties to support an increase in frequency of international SCANS⁴-type surveys to six years instead of every decade. The increased frequency will improve the power to detect trends for more species and within shorter time periods which will better support assessments for the reporting cycles of the EU Marine Strategy Framework Directive and Habitat's Directive. (*A/RES/73/124 sections IX, X, XI, XIII, XV.*)

2. Jastarnia Group

This group was established in 2003 to carry forward the Agreement's Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan). Reports of the annual meetings can be accessed on the working group page⁵. The most recent meeting was held in March 2019 in Finland. It provided updates on national implementation, reviewed progress under the Jastarnia and WBBK Plans; and discussed the EU Technical Measures Regulation, which will replace Regulation 812/2004 governing bycatch mitigation. The Jastarnia Group expressed concern that despite input in the consultation process, few of the recommendations made by ASCOBANS appeared to have been considered. (*A/RES/73/124 sections, X, XI, XIII, XV*)

3. North Sea Group

This group was formed in 2010 to facilitate the implementation of the ASCOBANS North Sea Plan for Harbour Porpoises. Reports of the annual meetings can be accessed at the working group page⁶. The most recent meeting (NSG7) took place in September 2018 in Lithuania. New information on bycatch estimates, Remote Electronic Monitoring projects, EU Common Fisheries Policy, and implementation of Parties' alternative bycatch mitigation methods were reviewed. (*A/RES/73/124 sections IX, X, XI, XIII, XV*)

4. Joint ACCOBAMS-ASCOBANS Bycatch Working Group

The ASCOBANS working group on bycatch, established in 2010, was merged into a joint working group with ACCOBAMS in early 2019 in order to increase the impact and influence of this group's work. The JBWG will address mandates of relevant resolutions; provide updates on bycatch mitigation measures and their effectiveness; review information on illegal, unreported, and unregulated fishing; and provide technical support when needed to facilitate dialogue with relevant bodies. (*A/RES/73/124 sections IX, X, XI, XII, XIII*)

5. Steering Group for the Common Dolphin Species Action Plan

The Short-beaked Common Dolphin (*Delphinus delphis*; hereafter referred to as the Common Dolphin) population in the North-East Atlantic is facing ever-increasing anthropogenic

⁴ Project 'Small Cetaceans in the European Atlantic and North Sea', aiming for robust, large-scale estimates of cetacean abundance in the North Sea and adjacent waters.

⁵ <http://www.ascobans.org/en/workinggroup/jastarnia-group>

⁶ <http://www.ascobans.org/en/workinggroup/north-sea-group>

pressures, the most significant of which is bycatch. Chemical pollution and noise disturbance are also major anthropogenic pressures. This group was established in line with ASCOBANS Resolution 8.4 on the Conservation of Common Dolphin. The Steering Group developed a draft plan 'ASCOBANS Species Action Plan for the North-East Atlantic Common Dolphin', summarizing necessary conservation activities and next steps. The action plan is currently being finalized, following a public consultation process. (*A/RES/73/124 sections X, XI, XIII*)

6. Workshop on harmonization of the best practices for necropsy of cetaceans and for the development of diagnostic frameworks

During AC24, two different protocols/best practices for the postmortem analyses on cetaceans were presented. The two initiatives, developed independently in the ACCOBAMS and ASCOBANS agreements, use the same multi-tiers approach but need harmonization and coordination to develop an 'European best practice' on cetacean necropsy. This workshop will take place on 24-25 June 2019 in Italy. Specific procedures targeting well-defined problems will be developed in order to standardize analyses and subsequent interpretation. Within these practices also specific procedures to evaluate and assess main threats due to human activities on cetaceans' conservation would be developed: a diagnostic framework built on most relevant postmortem techniques and process would be collected and discussed in order to identify proper analyses to diagnose by-catch, ship-strikes, sound-related mortalities, marine debris effects and other issues causing marine mammals' fatalities. (*A/RES/73/124 sections XI, XIII*)