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## Progress Report on Activities Relevant to UNGA Resolution 75/239 'Oceans and the Law of the Sea' Undertaken within the Framework of ASCOBANS

The Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS), opened for signatures in 1992, is a treaty with ten Parties<sup>1</sup> and seven non-Party Range States. ASCOBANS covers small toothed whales, dolphins and porpoises, with individual measures detailed in a Conservation and Management Plan annexed to the Agreement and in Resolutions adopted by each Meeting of Parties (MOP). Its secretariat is provided by the Convention on Migratory Species (CMS), itself a Multilateral Environmental Agreement under UNEP. Given the migration of these small cetaceans across national boundaries, ASCOBANS promotes close cooperation between countries and engagement with relevant stakeholders such as intergovernmental and non-governmental organisations.

To this end, ASCOBANS oversees the implementation of four Species Action Plans: The Conservation Plan for Harbour Porpoises in the North Sea (North Sea Plan) and in the Western Baltic, the Belt Sea and the Kattegat (WBBK Plan); the Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan); and the North-East Atlantic Common Dolphin (*Delphinus delphis*) Species Action Plan (Common Dolphin SAP). In addition, ASCOBANS supports scientific research and conducts capacity-building and public awareness activities in order to achieve its goal of maintaining a favourable conservation status for small cetaceans.

Virtual meetings and workshops concluded under ASCOBANS since the last reporting period (September 2020 to June 2021) have addressed a range of marine conservation and management issues relating to UN General Assembly Resolution 75/239:

1. The [9<sup>th</sup> Meeting of the Parties to ASCOBANS](#) (September 2020) adopted new resolutions as well as amendments to existing resolutions relating to, inter alia:
  - Marine science, marine environment: The resolution on **Marine Debris**<sup>2</sup> encouraged Parties and non-Party Range States to collaboratively identify and mitigate the impacts of marine debris on marine mammals (*A/RES/75/239 IX 217, 218, 226*), to strengthen research on the effect of marine debris on small cetaceans (*IX 220; XI 289*), and to work closely with other regional and international stakeholders to mitigate marine pollution and develop best practices (*IX 218, 225, 226*).
  - Marine biodiversity: In adopting the **Baltic Harbour Porpoise** resolution<sup>3</sup>, Parties were urged to prioritise the full implementation of the Jastarnia Plan and to increase their understanding of the impact of threats such as climate change, environmental contaminants and underwater noise (*IX 215; X 281-283, 286; XI 287*). Similarly, the

<sup>1</sup> Belgium, Denmark, Finland, France, Germany, Lithuania, the Netherlands, Poland, Sweden, and the United Kingdom.

<sup>2</sup> [UNEP/ASCOBANS/Res.9.3](#)

<sup>3</sup> [UNEP/ASCOBANS/Res.9.2](#)

updated resolution on the Conservation of **Common Dolphins**<sup>4</sup> encouraged Parties to implement various monitoring measures to reduce bycatch and other anthropogenic pressures (X 269; IX 198(b)(d)). Further efforts to strengthen the monitoring of small cetacean populations and health status (XI 287; XII 308) were outlined in the Resolution on **Food Availability and Resource Depletion**<sup>5</sup>.

- **Capacity-building:** The MOP saw the adoption of guidelines on EIAs for **Marine Noise-generating Activities**<sup>6</sup> (IX 201, 215; X 281-283, 286) and of **best practices on Cetacean Post-mortem Investigation and Tissue Sampling**<sup>7</sup>, the latter a result of joint efforts between several cetacean scientists from the ASCOBANS and ACCOBAMS<sup>8</sup> regions (II 18).
2. The Steering Group of the ASCOBANS **Common Dolphin** SAP (Common Dolphin Group) held its [2<sup>nd</sup> meeting](#) in December 2020. The meeting saw Range States discuss activities contributing to the implementation of the SAP (XIII 330; X 353), emergency measures to prevent the bycatch of common dolphins in accordance with the ICES Special Request Advice on bycatch prevention in the Bay of Biscay (IX 196; X 264; XV 353), as well as priority actions for the Steering Group and Range States over the next year.
  3. Formed in 2010 to facilitate the implementation of the North Sea Plan for **Harbour Porpoises**, the **North Sea Group** concluded its [9<sup>th</sup> meeting](#) in January 2021. In order to enhance implementation of existing bycatch-related regulations and programmes, Parties were encouraged to support collaborative research on harbour porpoise behaviours and on the effects of anthropogenic sounds on harbour porpoises (X 264, 265, 281-283, 286; XI 289). To achieve greater alignment with ASCOBANS mandates and the EU Habitats Directive, Parties were also urged to support an upcoming collaborative SCANS-IV survey on the distribution and abundance of Small Cetaceans in European Atlantic waters and the North Sea in 2022 (XI 287, 289; XV 353).
  4. The ASCOBANS and ACCOBAMS Agreements joined forces in February 2021 to host the [1<sup>st</sup> meeting](#) of their **Joint Bycatch Working Group**. Parties and Range States were urged to adopt an integrated approach in tackling cetacean bycatch (X 264), to encourage regional and sub-regional cooperation programmes and to implement the ICES Special Request Advice on Baltic Proper harbour porpoise populations (IX 196; X 264; XV 353). Case studies from both Agreement areas further served to support the cross-diffusion of knowledge and experiences on bycatch monitoring and mitigation measures (IX 198(b)(d); XIII 330,335; XV 353, 355). Parties were further encouraged, inter alia, to develop new mitigation technologies alongside corresponding monitoring programmes through multi-stakeholder collaborations (X 269; IX 198(b)(d); XV 353) and increase current sampling levels to generate better bycatch estimates (XI 287).
  5. The ASCOBANS **Jastarnia Group**, established in 2003 to carry forward the Jastarnia and WBBK Plans, concluded its [17<sup>th</sup> meeting](#) in May 2021. It provided inter alia updates on national implementation of the Baltic Proper and Western Baltic action plans for harbour porpoises, discussed potential ways to support its proposed SAMBAH II<sup>9</sup> LIFE project (IX 198(d); X, 265; XI 287), and highlighted the need for further research on the use of acoustic deterrent devices and their alleged interference with military surveillance (X 281, 283; XV 353). Given the critical status of the Baltic Proper harbour porpoise population, Parties also confirmed plans to propose the listing of the species on CMS Appendix I to ensure stricter protection under the Convention (IX 196, 198(b)(d); XIII 330).

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<sup>4</sup> [UNEP/ASCOBANS/Res.8.4\(Rev.MOP9\)](#)

<sup>5</sup> [UNEP/ASCOBANS/Res.9.4](#)

<sup>6</sup> [UNEP/ASCOBANS/Res.8.11\(Rev.MOP9\)](#)

<sup>7</sup> [UNEP/ASCOBANS/Res.8.10\(Rev.MOP9\)](#)

<sup>8</sup> Agreement for the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area

<sup>9</sup> Static Acoustic Monitoring of the Baltic Sea Harbour Porpoise

6. An **ASCOBANS Workshop on Management of MPAs for Small Cetacean** took place virtually in May and June 2021. Jointly organized by ASCOBANS, the Finnish Ministry of the Environment and a range of international and non-governmental organizations (*XIII 330; XV 353*), the workshop facilitated the diffusion of knowledge on best practice approaches to MPA management and discussions on well-formulated conservation objectives and conservation measures for small cetacean MPAs (*II 18; X 255, 264-267, 269, 271*). The objective was for the outcomes of the workshop to form a toolbox of practical measures to inspire and provide guidance to MPA management plan developers and authorities. The outcomes will be posted on the [ASCOBANS website](#) in due course.