



12 June 2020

## Progress Report on Relevant Activities Undertaken within the Framework of ASCOBANS for the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea

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 (UNEP). Its secretariat is provided by the Convention on Migratory Species (CMS), itself a Multilateral Environmental Agreement under UNEP. ASCOBANS has been in force since 1994 and has ten Parties<sup>1</sup> 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 adopted by each Meeting of Parties (MOP). In addition, ASCOBANS oversees implementation of four 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); the Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan); and the Species Action Plan for North-East Atlantic Common Dolphin (*Delphinus delphis*).

This document summarizes the outcomes of recent meetings as well as other developments of relevance to the report of the Secretary-General on oceans and the law of the sea, pursuant to UNGA Resolution 74/19.

1. The **25<sup>th</sup> Meeting of the ASCOBANS Advisory Committee (AC25<sup>2</sup>)**, held in September 2019, focused on cetacean watching industry, recreational sea use, pollution and hazardous substances, ship strikes, climate change, physical habitat change, and marine protected areas, in line with Parties' national reports submitted to AC25. The meeting agreed several resolutions to be drafted or revised for the upcoming MOP in September 2020. The agreed action points and recommendations related to, inter alia:
  - Climate change: Because of changes in ecosystem dynamics due to climate change, there are changes in small cetacean populations' distribution, abundance, and life history. Parties were requested to look in more detail into the drivers of distributional shifts in context of climate change of cetaceans and prey.
  - Underwater noise: Parties were requested to ask their navies to provide their mitigation protocols for use of military sonar, with the view to the Advisory Committee assessing whether such protocols are effective.
  - Physical habitat change: Parties were encouraged to ensure that early in the process of drafting maritime spatial plans, the impact of cumulative effects of various physical

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

<sup>2</sup> <https://www.ascobans.org/en/meeting/ac25>

habitat changes, together with other pressures on the small cetaceans is duly taken into account in order to effectively contribute to an ecosystem-based approach. (A/RES/74/19 IX 192, 199, 202, 213, 215, 219, 224, 246; X 263, 267, 274; XI 287)

2. The **North Sea Group** was formed in 2010 to facilitate the implementation of the ASCOBANS North Sea Plan for **Harbour Porpoises**. The most recent meeting (NSG8) took place in September 2019. New information on bycatch estimates, EU Common Fisheries Policy and status in relation to cetacean bycatch, noise budgets in the North Sea, and overall implementation of the conservation plans were reviewed. Reports of the annual meetings can be accessed at the working group page<sup>3</sup>. (A/RES/74/19 X 279, 280, 284)
3. The **Jastarnia 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 page<sup>4</sup>. The most recent meeting was held in May 2020 via Zoom, which was the first official ASCOBANS meeting held online. It provided inter alia updates on national implementation of the Jastarnia and WBBK Plans, discussed the potential effects of cod fishing ban in the Baltic Sea, discussed the potential reasons for increased Harbour Porpoise strandings on the Polish coast, and discussed the ICES Special Request Advice on emergency measures to prevent bycatch of Common Dolphin and Baltic Proper Harbour Porpoise in the North-East Atlantic. It also saw presentations on recent research in the Baltic Sea region, including trials using acrylic pearls on static nets to mitigate bycatch of harbour porpoises.
4. The **Common Dolphin Group** is the Steering Group of the ASCOBANS Species Action Plan (SAP) for North-East Atlantic Common Dolphin<sup>5</sup>. It was formed in 2019 and held its first meeting in September 2019. The meeting discussed activities contributing to the implementation of the SAP, and prioritizing actions for the Steering Group and Range States over the next year.
5. An **ASCOBANS Workshop on Management of MPAs for Small Cetacean** was planned to be held in April 2020 in Finland but had to be postponed due to the COVID-19 pandemic (new dates are to be confirmed). The workshop aims to review and share experiences on best practice approaches to MPA management, taking them beyond being merely 'paper parks'. The objectives are to discuss and make recommendations on (i) criteria and clear options for well-formulated conservation objectives for small cetacean MPAs, and (ii) a toolbox of innovative and practical conservation measures for small cetacean MPAs. (A/RES/74/19 X 255, 263-265, 267)
6. A **Best Practice on Cetacean Post-mortem Investigation and Tissue Sampling**<sup>6</sup> protocol was jointly developed by several cetacean scientists from the ASCOBANS and ACCOBAMS<sup>7</sup> region. It describes the best practice for cetacean post-mortem investigations, with a multi-tiered approach offering a framework for data collection and interpretation appropriate to the resources available. Basic best practice is outlined for tier one (external examination and stranding data collection) and tier two (post-mortem investigations and tissue sampling). The protocol will be proposed for adoption at the upcoming MOP.
7. The **9<sup>th</sup> Meeting of the Parties to ASCOBANS**, scheduled for 8-10 September 2020, will consider resolutions on stranding response, marine debris, resource depletion, underwater noise, bycatch, conservation of common dolphins, and the Baltic Proper Harbour Porpoise. It is yet to be decided whether the meeting will take place in Brussels, Belgium, or be held online. (A/RES/74/19 IX 192, 199, 215, 219, 222-224; XI 287)

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<sup>3</sup> <http://www.ascobans.org/en/workinggroup/north-sea-group>

<sup>4</sup> <http://www.ascobans.org/en/workinggroup/jastarnia-group>

<sup>5</sup> <https://www.ascobans.org/en/document/ascobans-species-action-plan-north-east-atlantic-common-dolphin>

<sup>6</sup> <https://www.ascobans.org/en/document/best-practice-cetacean-post-mortem-investigation-and-tissue-sampling-0>

<sup>7</sup> Agreement for the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area