

Agenda Item 7: Report on meeting between ASCOBANS and EU Commission

Submitted by: Secretariat



ASCOBANS

NOTE:
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Meeting between Representatives of the European Commission and ASCOBANS, Brussels, 14 February 2001

A meeting between representatives of the European Commission and ASCOBANS was held at the offices of the European Commission's DG Environment (formerly DG XI) in Brussels on 14 February 2001. The Commission was represented by Mr. Nicholas Hanley, Head of Unit DG XI, ENV B2 (Nature and Biodiversity), Mr. José Rizo-Martin (ENV B2) and Mr. Franco Biagi, DG Fisheries (formerly DG XIV). The Chairman of the Advisory Committee, Dr. Peter J.H. Reijnders and the Executive Secretary, Mr. Rüdiger Stempel, represented ASCOBANS.

The following issues were discussed:

1. Aim of the meeting

Dr. Reijnders reiterated that there were two reasons for this joint meeting. The first of these was to have an exchange of information between the European Commission and ASCOBANS on aspects of small cetacean conservation and management; this was in line with the common interest of both organisations, expressed earlier, in having at least one such meeting. The second was to explore possibilities for co-operation between the EC and ASCOBANS to achieve the common objective of a favourable conservation status for small cetaceans. Given that bycatch is considered by ASCOBANS to be the major threat to small cetaceans in the Agreement area, it was of particular interest in this context whether possibilities of addressing bycatch (incidental catches) and bycatch mitigation measures in the ongoing formulation of the new CFP existed.

2. Enhanced Contacts Between the European Commission and ASCOBANS

Mr. Nicholas Hanley introduced himself as successor to Mr. Bruno Julien as head of ENV B2, the unit of the Commission dealing with the Bonn Convention and its Regional Agreements. This unit is the Commission's focal point for all issues related to ASCOBANS.

There was agreement that the exchange of information between ASCOBANS and the Commission at the working level was essential and the necessary contacts between the Secretariat and ENV B2 should be maintained. It was also agreed that to this end annual meetings between the Commission and ASCOBANS in a format similar to the present meeting should be held.

Concerning the Commission's representation at ASCOBANS Meetings of Parties and Advisory Committee Meetings, Mr. Hanley reiterated that the Commission was interested in participating. However, budgetary constraints and limited staff resources prohibited the Commission from attending all meetings. Therefore, the decision to participate would continue to be taken on a case by case basis, depending on the agenda of the meeting in question.

In response to a query by Dr. Reijnders, the representatives of the Commission explained that the most suitable way to convey scientific information and data engendered and collected within the framework of ASCOBANS was through the International Commission for the Exploration of the Sea (ICES), the regional fisheries organisations of the area (namely IBSFC, NEAFC) as well as the scientists represented in the relevant Committees of the Commission.

3. Possible Areas of Cooperation

a) Bycatch Mitigation; Abundance Surveys

Mr Biagi reported that in the context of the ongoing reform of the CFP, DG Fisheries had launched a wide consultation in the last years involving national fishery administrations, fishermen's organisations, and environmental NGOs, to assess the situation of the fisheries sector (resources and industry) in Europe. Environmental concerns as well as means of mitigation of bycatches of cetaceans would be examined.

He informed the meeting that ICES, as an advisory body to DG Fisheries on these matters, had been asked to report on this by mid-2001 and that the Commission's advisory scientific body, the Scientific, Technical and Economic Committee for Fisheries (STECF), had been requested to convene a meeting on this issue before the end of this year. He also made reference to Commissioner Fischler's letter of 18 December 2000, asking Member States to report on measures taken to address this issue at the national level. Mr. Biagi explained that some forthcoming communications from the Commission (Biodiversity Action Plan, Elements of a strategy for the integration of requirements of environmental protection into the CFP, Green Paper on the future of the CFP), containing recommendations for action, would

be relevant to address more properly the issue of incidental catches of cetaceans. ASCOBANS is invited to suggest up to two scientists to be invited to the above-mentioned meeting of a STECF subgroup.

Mr. Stempel expressed the opinion that there was clearly some degree of parallelism in the efforts of the European Community and ASCOBANS to achieve their common goal of reducing incidental catches of cetaceans. Referring to ongoing research within the framework of ASCOBANS, such as Dr. Read's study on bycatch mitigation and the collection of data, and the recommendations of the ASCOBANS Baltic Discussion Group on research needs, he suggested that there seemed to be potential for cooperation in this area. Dr. Reijnders pointed out that in addition to research on bycatch and Baltic harbour porpoises, a survey in the order of a "SCANS II" was necessary and would have to be carried out in the not too distant future.

The representatives of the Commission agreed that there was parallelism. However, DG Environment lacked a research budget. Funding for research would therefore have to be obtained from DG Research. This, however, required an approach going beyond mere gap-filling by way of individual, small-scale research activities. A broad, substantial research programme would then have to be envisioned.

Dr. Reijnders added that work on stock structure and establishment of cost-intensive observer schemes were also needed to address the problem of bycatch and suggested that these could be part of a large-scale research package.

The representatives of the Commission stated that DG Environment and DG Fisheries would jointly explore with DG Research the current or future possibilities of such a broad research project. Mr. Hanley suggested that ASCOBANS was very well placed to contribute to such a project by clarifying and precisely outlining the exact research needs. The details of such an outline could then be presented to Commission Services.

Mr. Biagi explained that under the recently adopted Data Collection Regulation¹, Member States were to draw up national programmes of collection and management of data. By May 2001, each Member State was to submit its individual programme for the period 2002-2006. Until 2003, the main focus would be on fisheries, collecting data on the main target species and fleets. By 31 December 2003 the Commission was to review whether it is appropriate to extend the range of data collected under this Regulation and the relationship of fisheries with

¹ Council Regulation (EC) No 1543/2000 of 29 June 2000 establishing a Community framework for the collection and management of the data needed to conduct the common fisheries policy, OJ L 176, 15 July 2000, p. 1

the environment could also be addressed. Under the Regulation and the Council Decision of 29 June 2000², financial assistance could be provided to Member States and/or research institutes for studies and pilot projects aiming to address, among other issues, the links between fishing activities and aquatic ecosystems. Within this context, studies on technical mitigation measures to reduce/avoid bycatch of cetaceans could be taken into consideration. These projects would have to be proposed following a call for proposals or a call for tenders. An evaluation of discards of the most important commercial species and fleets is foreseen within the Regulation No 1543/2000. Therefore, interested Member States could benefit from an observer scheme, enabling them to collect data on bycatch of cetaceans albeit possibly outside the framework of the programme of data collection envisaged by Regulation 1543/2000.

by Member States, planned and implemented at the national level and receive Community funding and could consist in observer schemes or pilot projects targeting technical mitigation measures. Mr. Hanley suggested that an ideal agenda for pilot studies and other research on bycatch mitigation might be derived from the ASCOBANS study on bycatch mitigation.

b) Pollution

Mr. Hanley reported that the implementation of the thematic Marine Conservation Strategy contained in the 6th Environmental Action Programme of the EC was now under way. He expressed the opinion that the involvement of ASCOBANS in this process was of mutual interest and the expertise ASCOBANS could contribute, was needed. Mr. Rizo-Martin was the key contact person for all matters related to this.

4. Ratification of ASCOBANS by the European Community

The issue of ratification of the Agreement by the EC was raised by Mr. Stempel. He stated that while the involvement of the EC in ASCOBANS matters as an observer was undoubtedly useful, it would be highly beneficial if the EC, a signatory of the Agreement since its inception, were to ratify the Agreement. Referring to a letter on this issue that had recently been sent to Commissioner Wallström by CMS and on behalf of the European Regional Agreements, he stated that mutual benefits could be derived from the accession of the EC to ASCOBANS. Mr. Hanley explained that the legal and budgetary implications of ratification were currently being examined by the European Commission.

² Council Decision of 29 June 2000 on a financial contribution from the Community towards the expenditure incurred by Member States in collecting data, and for financing studies and pilot projects for carrying out the common fisheries policy, OJ L 176, 15 July 2000, p. 42