

Report to ASCOBANS AC21 from the Working Group for the Further Development of Management Procedures for Defining the Threshold of 'Unacceptable Interactions'

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During the Advisory Committee Meeting in 2013, the establishment of a Working Group for the Further Development of Management Procedures for Defining the Threshold of 'Unacceptable Interactions' was agreed following a request from the UK for advice in these matters (see presentation by Eunice Pinn (United Kingdom) on making choices necessary for the definition of unacceptable interaction in AC20/Doc.3.1.2; slides attached as Annex 11). At the 2013 AC, terms of reference were agreed for the working group and a coordinator, Eunice Pinn, appointed.

The ToR state that the working group will:

- Seek to develop interim advice in a timely fashion in the context of ASCOBANS' conservation aims to assist in the further development of thresholds for 'unacceptable interactions';
- Prepare an input from ASCOBANS to the work on indicators undertaken by OSPAR COBAM in December (see for example AC20/Doc.3.1.1.b);
- Facilitate further discussion and interpretation of ASCOBANS conservation objectives (see for example AC20/Doc.3.2.1).

Group members: Jan Haelters (Belgium), Vincent Ridoux (France), Oliver Schall (Germany), Meike Scheidat (Netherlands), Eunice Pinn (UK), Kelly Macleod (UK), Mark Simmonds (Humane Society International), Peter Evans (ECS/Sea Watch Foundation), Margi Prideaux (Wild Migration), Phil Hammond (SMRU),

Suggested invitees: Russell Leaper (consultant/University of Aberdeen) and Rus Hoelzel (Durham University).

Progress to date

Unfortunately it has not been possible to progress the work of this group since the August 2013 AC meeting. The Secretariat were notified during the 2013 AC that the coordinator may not be able to devote sufficient time to progress the work of the group as desired but the need for the work was obvious. However, other UK government priorities for work related to cetacean conservation have meant that no time has been available to progress this work within ASCOBANS.

AC20/Doc.3.1.2 noted that, in 2013, the European Commission requested that ICES *'propose effective ways to define limits or threshold reference points to bycatch that could be incorporated into management targets under the reformed CFP. Limits or threshold reference points should take account of uncertainty in existing bycatch estimates, should allow current conservation goals to be met, and should enable managers to identify fisheries that require further monitoring, and those where mitigation measures are most urgently required.'*

The ICES response was *'ICES has reviewed the existing procedures to establish limits and reference points (CLA, PBR and 1.7%) several times in the past decade (SGFEN, 2001, 2002, ICES 2012). In all cases it was found that the choice of the most appropriate procedure depended on choices by managers in defining precisely the conservation*

objectives. These objectives essentially describe a societally-chosen balance between exploitation of resources and conservation of protected species. The most appropriate way of working is therefore jointly between managers and scientists to explore and define conservation objectives. Further than that, the choice of the most appropriate procedure to be adopted to achieve the conservation or management goal should be driven by the availability of suitable data. The European Commission has not yet acted upon (or rejected) this ICES advice.

Improved communication and coordination between those administrations responsible for the implementation of the EU Habitats Directive, the MSFD and fisheries legislation within Member States and/or the European Commission would be beneficial. The monitoring of bycatch, probably the most important anthropogenic threat to small cetaceans, is likely to be increasingly integrated into EU fisheries legislation whilst at the same time initiatives for monitoring bycatch through, for example, the Habitats Directive and MSFD continue to be developed (see the relevant AC21 working group reports). Coordinating these various strands will help develop a coherent approach to the monitoring of bycatch whilst ensuring the most effective use of available resources.

The completion of the UK project from which this request for ASCOBANS input originated has also been delayed until Spring 2015. Without further input from ASCOBANS (as outlined in AC20/Doc.3.1.2), the UK project will be completed using the definitions outlined in SCANS-II (Winship et al. 2008). The delays experienced through the various strands contributing to this work (i.e. the UK project, the ASCOBANS advice and the European Commission decision in relation to ICES advice) will affect the work of OSPAR's Intersessional Correspondence Group on the Coordination of Biodiversity Assessment and Monitoring (COBAM) for the development of indicators and targets for marine mammal bycatch that could be used collectively by relevant OSPAR Contracting Parties when implementing MSFD.

The need for input from this working group has not changed despite missing the opportunity to contribute to OSPAR COBAM in December 2013. It is proposed that the working group be maintained (with revision of the ToR second bullet) but with the suggestion that, possibly, a new coordinator be appointed. If no progress is made over the next 12 months to MoP8, consideration needs to be given to finding an alternative mechanism to the WG for making the choices necessary for the definition of unacceptable interactions.

References:

- ASCOBANS 2013. Societal decisions required for the determination of safe bycatch limits for harbour porpoise, common dolphin and bottlenose dolphin. AC20/Doc.3.1.2. Available at: <http://www.ascobans.org/en/meeting/AC20>
- ICES (2012) Report of the Working Group on Marine Mammal Ecology (WGMME). ICES CM 2012/ACOM:27. 140pp.
- SGFEN 2002a. Incidental catches of small cetaceans. Report of the meeting of the subgroup on fishery and the environment (SGFEN) of the Scientific, Technical and Economic Committee for fisheries (STECF), Brussels, 10- 14 December 2001. SEC (2002) 376. 83pp.
- SGFEN 2002b. Incidental catches of small cetaceans. Report of the second meeting of the subgroup on fishery and the environment (SGFEN) of the Scientific, Technical and Economic Committee for fisheries (STECF), Brussels, 11- 14 June 2002. SEC (2002) 1134. 63pp.
- Winship, A., Berggren, P. and Hammond. P. S. 2008. Management framework to assess the impact of bycatch and recommend safe bycatch limits for harbour porpoise and other small cetaceans. Appendix D1.1 of the Final Report of the Small Cetaceans in the European Atlantic and North Sea (SCANS-II).