

Agenda Item 4.3

Priorities in the Implementation of the
Triennium Work Plan (2010-2012)
Review of New Information on Bycatch

Document 4-07

**Report of the ASCOBANS/ECS
Cetacean By-catch Mitigation
Workshop**

Action Requested

- Take note of the report and recommendations
- Comment
- Endorse the recommendations
- Provide guidance on further follow-up of Work Plan Activity 16

Submitted by

AC Chair / ECS / Secretariat



NOTE:
IN THE INTERESTS OF ECONOMY, DELEGATES ARE KINDLY REMINDED TO BRING THEIR
OWN COPIES OF DOCUMENTS TO THE MEETING

Report of the ASCOBANS/ECS Cetacean By-catch Mitigation Workshop

20 March 2010, Stralsund, Germany

For many years, by-catch has been a major conservation issue facing a variety of cetacean species in Europe, with harbour porpoises being particularly affected. Globally, mitigation measures that have been developed have included the introduction of acoustic alerting/deterrent devices (e.g. pingers), fishery management procedures (e.g. no-take zones, "quotas", and effort management), and gear modification (e.g. changes in net type, acoustically reflective nets, floating head ropes, separator grids). Within the EU Common Fisheries Policy, there have been a number of new regulations introducing mitigation measures with the aim of reducing by-catch. Notable amongst these have been Council Regulations 2371/2002 (Article 2) regarding the Common Fisheries Policy, 92/43/EEC (Article 12.4) giving powers for the introduction of further measures; Regulations 812/2004 & 2187/2005 which introduced the widespread use of pingers in particular gillnet fisheries, and phased out driftnets in the Baltic; Regulation 520/2007 (Article 29) prohibiting the setting of purse seine nets around dolphins; and Regulation 530/2008 which banned the use of purse seine nets for bluefin tuna fisheries in parts of the Atlantic and in the Mediterranean Sea.

Unfortunately, for various reasons, not all of the measures outlined above have been very successful. Therefore it was felt that a new approach was needed that would lead to a closer collaboration with fishers to reduce unwanted mortality. This workshop, organised under the auspices of ASCOBANS and the European Cetacean Society (ECS) with input from the European Commission (DG MARE), aimed to provide an up-to-date review of mitigation measures and their effectiveness - their strengths and limitations, and then to discuss possible new cooperative approaches to improve the chances of successful mitigation of cetacean by-catch amongst different fisheries within Europe. The workshop was organised by Peter Evans, Marije Siemensma, and Stefan Bräger, at the German Oceanographic Museum in Stralsund in the margins of the 24th Annual Conference of the ECS on 20 March 2010. Heidrun Frisch was rapporteur for the meeting.

The workshop started with speakers highlighting various approaches for addressing the problem of cetacean by-catch in their countries, including the United States, Poland, Norway, Germany, the Netherlands, France and Spain. The workshop was informed about by-catch reduction methods including alternative gear, the use of pingers, and other lessons that could be learned from work to reduce seabird by-catch. Emphasis was placed on the importance of engaging fishing communities in order to make mitigation measures more effective. The session was attended by 65 people from 20 countries. The programme is attached as Annex 1, and Annex 2 lists the participants.

In the afternoon, forty invited participants considered different aspects of collaboration with fishers, mainly within two discussion groups meeting in parallel, with the aim of developing key recommendations for the ASCOBANS parties.

The first group, chaired by Marije Siemensma with Heidrun Frisch as rapporteur, discussed ways to improve communication with fishing communities. The group considered why fishers would want to mitigate by-catch. These included economic incentives either in the form of marketing opportunities or by avoiding costly damage to gear or catch; avoiding negative public perception; an affinity to cetaceans; concern for the welfare of the animals; the inconvenience of by-catch (in terms of taking away time from landing catches); and the necessity to comply with legal imperatives. In any approach to fishers, these reasons should be taken into account, since they provide the key to motivating them. It was acknowledged that most fishers were genuinely interested in reducing by-catch – it was important to listen to

them so as to understand why measures were failing, sometimes through not being implemented. Detailed regulations imposed without consultation were not to be recommended. Direct pressure should be avoided; rather we should offer to help fishers meet any goals set by society (often through regulations) by giving them the information they need to find the solutions best fitting each situation. For this, cooperative projects bringing together fishers, gear technologists and cetacean scientists were considered ideal. In order to reach the fishers, we should go to their meetings (such as RACs and those fora established for inshore fisheries), rather than expect them to come to us. Successful outreach often starts with those fishers (who may serve as peers) known to appreciate the issues as they can help in reaching others. Ideally, engagement should be made by persons that already have some direct experience of fishing, with direct contact within the fishing ports, wherever possible, and sharing of knowledge between fishers, technologists and scientists.

The second discussion group, chaired by Karl-Herman Kock and Yvon Morizur with Sven Koschinski as rapporteur, considered ways to work with fishing communities to improve by-catch mitigation and monitoring for both mobile and static gear. They concluded that the introduction of alternative gear should be favoured over set nets wherever practicable and after a study of the impact on the ecosystem. Such trials and gear exchange needed to be made free of charge to be attractive for the fishers. It was also important to create incentives such as eco-labelling, for changes in fishing methods. These might for example allow higher quotas for responsible fisheries or allow fishing to take place in MPAs on condition that environmentally friendly gear was used. Attending workshops on environmental issues could be linked to the renewal of fishing licenses. A further topic that received widespread support was the need to revise EC Regulation 812/2004 to cover adequately the types of gear and fleets with high risk of by-catch (including vessels less than 15m in length), as well as to make the regulations more practicable for fishers. In the latter context, for example, the responsible authorities needed to ensure that appropriate mitigation devices such as pingers were available to meet the needs of the different fisheries. The imposition of a regulation without the products being available to enable fishers to comply was considered unworkable. This includes situations where fishers have fitted pingers with no guarantee of working over a period of time, no simple method for testing pingers onboard, and an inadequate monitoring programme to ensure continuity of pinger coverage on set nets. It was felt that fitting a faulty pinger was worse than not fitting pingers at all as fishers would quickly lose confidence in their use.

After considering the main findings of each discussion group, the workshop participants, chaired by Arne Bjørge, identified key recommendations for ASCOBANS Parties to take from the workshop:

- 1) **Parties should fund cooperative projects that bring together fishers, gear technologists and cetacean scientists to work on finding solutions for by-catch mitigation.**

This approach should ideally be developed in consultation with RACs and the appropriate fora for inshore fishermen. At the same time, the scientific community (and other groups working with the industry) should be encouraged to actively engage in establishing such projects. Due consideration should be given to cultural differences that exist across the ASCOBANS region, with fishing communities varying in levels of awareness and the degree to which they are receptive to the cetacean by-catch issue.

- 2) **Parties should try to influence the revision of EC Regulation 812/2004** so that it
 - a) covers significantly and adequately the fleets and fisheries having a high risk of by-catch in European waters. This requires consideration of the impact of fishing from vessels of 15 m length or less.
 - b) allows fishers (and other stakeholders) to participate fully and from the start in the development of the revision.
 - c) does not prescribe which measures to take but instead sets targets that need to be met in each area, thus allowing fishers to find the most suitable solutions for their specific situations.
 - d) calls for financial resources to be made available for the improvement of pingers, and research into alternative mitigation measures and alternative gear types.
 - e) includes an adequate monitoring and support system to ensure that mitigation devices like pingers are maintained adequately and that their efficacy is checked.
- 3) **Parties should create incentives for the development of environmentally friendly, sustainable, fishing methods.** These should also include actions such as collection schemes to remove netting that is lost or discarded at sea, and for the collection of other marine debris.

AGENDA

OPEN SESSION:

Reviewing the by-catch problem and status of current mitigation measures

08.30 - 09.00	Registration
09.00 - 09.15	Peter Evans: <i>Welcome & Introduction to the Problem</i>
09.15 - 09.35	Mike Simpkins & Andy Read: <i>U.S. Approach to Managing Marine Mammal By-catch</i>
09.35 - 09:55	Krzysztof Skóra: <i>Bycatch as a Potential Threat to Harbour Porpoises in EEZ Poland - Investigation, Actions and Results</i>
09:55 - 10:10	Sven Koschinski: <i>Alternative Fishing Methods to Reduce By-catch of Harbour Porpoises & Seabirds in the Baltic Sea</i>
10.10 - 10.25	Arne Bjørge: <i>Using Fishery-dependent data for Monitoring Marine Mammal By-catch</i>
10.25 - 10.45	Session 1 Discussion
10.45 - 11.15	Coffee / Tea break
11.15 - 11.30	Karl-Hermann Kock: <i>Progress in Germany towards Implementing EU Regulation 812/2004</i>
11.30 - 11.45	Marije Siemensma: <i>Ingredients for Synergy - Porpoises and People: the Dutch case</i>
11.45 - 12.00	Richard Caslake: <i>Practical application of Acoustic Deterrents ('pingers') for the Prevention of Porpoise By-catch</i>
12:00 - 12:15	Yvon Morizur: <i>Collaboration with the Fishing Industry in By-catch and Mitigation Studies: the Case of France</i>
12:15 - 12:30	Graham Pierce: <i>By-catch Monitoring and Research in Spain, with Particular Reference to Galicia</i>
12.30 - 12.45	Euan Dunn: <i>Mitigating Seabird By-catch: Towards an EU Plan of Action</i>
12.45 - 13.05	Session 2 Discussion
13.05 - 13.30	General Discussion & Conclusions
13:30 - 14:30	Lunch

CLOSED SESSION:

A strategy to work with fishing communities to improve mitigation measures

14.30 - 14.45	Welcome & Outline of Objectives
14.45 - 15.45	Parallel discussion group on ways to improve collaboration with fishing communities: engagement at national & local levels, publicity materials, regional meetings, role of Regional Advisory Councils
14.45 - 15.45	Parallel discussion group on ways to work with fishing communities to improve by-catch mitigation & monitoring for specific gear types: pingers, excluder devices, other gear modifications, time-area closures, small boat fisheries
15.45 - 16.15	Coffee / Tea break
16.15 - 16.45	Summaries of findings of each of the Parallel discussion groups
16.45 - 17:30	General Discussion
17.30 - 17.45	Conclusions

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