

REPORT OF THE 8TH MEETING OF THE PARTIES TO ASCOBANS

Helsinki, Finland

30 August - 1 September 2016



**Agreement on the Conservation of Small Cetaceans
of the Baltic, North East Atlantic, Irish and North Seas**

All information relating to the 8th Meeting of the Parties to ASCOBANS is available at www.ascobans.org/en/meeting/MOP8.

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REPORT OF THE

8TH MEETING OF THE PARTIES TO ASCOBANS

1. Opening of the Meeting

1.1 Welcoming Addresses

1. Penina Blankett (Finland) welcomed participants and said that the honour of opening the 8th Meeting of the Parties to ASCOBANS fell to her as Vice-Chair of the Advisory Committee.

2. She invited Kimmo Tiilikainen, Minister of Agriculture and the Environment, to welcome delegates to Finland.

3. Mr Tiilikainen said that this was the first time that Finland had hosted the MOP, having previously welcomed the Advisory Committee and the Jastarnia Group. Protecting the Baltic environment was important and the headquarters of the Helsinki Commission were situated nearby. In the early 20th century harbour porpoises were seen regularly in the archipelago. They were now infrequent visitors, but the SAMBAH LIFE project had shown that there were still some in the area. Finland's membership of ASCOBANS was therefore important. The Agreement's work went beyond the Baltic and it was necessary for all the Parties to work together and base their decisions on sound science. There was intense competition for use of marine space and resources, and the marine environment had deteriorated over the years leading to the accelerated loss of biodiversity. The Marine Strategy Framework Directive (MSFD) of the European Union (EU) and other legislation aimed to improve the situation. Mr Tiilikainen's speech is attached as Annex 1.

4. Next, a theatre performance by Barbara Geiger (alias Frollein Brehm) put the spotlight on the harbour porpoise. She explained that Alfred Brehm was a famous 19th century German biologist who popularized the study of animals and had published books well-loved by children and adults alike, and Frollein Brehm adopted 21st century methods to conveying the message (more information on brehms-tierleben.com/en/). Frollein Brehm's performance covered the physical attributes, behaviour, abilities, and food and habitat preferences of harbour porpoises, as well as how human activities affected them in marine environments that suffered from "humanitis".

5. Ms Blankett thanked Ms Geiger for the performance saying that initiatives such as Frollein Brehm's were an important means of raising awareness especially amongst the younger generation. Next it was time to listen to the keynote presentation by Chris Butler-Stroud, the Chief Executive Officer of Whale and Dolphin Conservation (WDC).

6. Mr Butler-Stroud said that it had always been a great pleasure for him and his organization, previously known as the Whale and Dolphin Conservation Society (WDCS), to have been associated with ASCOBANS and its work. He thanked the host and the Secretariat for inviting him to address the meeting.

7. In his address, Mr Butler-Stroud highlighted some of the key items on the meeting's agenda and the associated draft resolutions, but said that he wanted to stress the overall strategic aims of the Agreement. Cetaceans were increasingly facing cumulative threats. Mr Butler-Stroud recalled that he had attended the first Meeting of the Parties (MOP) in Stockholm in 1994, where the Parties had had high hopes of a holistic rather than piecemeal approach to

finding solutions to the challenges of small cetacean conservation. The WDC had called for urgent action and the adoption of the precautionary principle, urging action rather than a “wait and see” approach, in the face of threats such as polychlorinated biphenyls (PCBs) and climate change. He noted that many of the countries present at the current meeting were among the first to recognize the potential dangers of climate change and to start instigating mitigation measures and should be congratulated for this.

8. Mr Butler-Stroud recognized that conservation measures faced the challenges of the realities of financial austerity, but cited Edmund Burke’s words that “mere parsimony was not economy”. The EU Marine Strategy (available [here](#)) had a wide remit and he noted that the European Commission said that the Member States had shown a lack of ambition. Non-governmental organizations (NGOs) were accordingly here to help Parties but also to hold them to account. Governments needed to balance the environment and conservation with other demands, but whilst conservation suffered when the economy faltered, a healthy environment underpinned a strong economy.

9. With regard to monitoring and mitigating small cetacean bycatch, Mr Butler-Stroud urged that Parties should never lose the ambition to reduce bycatch to zero. He recalled the first time that the 1.7 per cent threshold had been mentioned, but this never meant to apply across the board as an acceptable level of take; that 1.7 per cent was still being mentioned was a discouraging sign. In the Baltic Proper, there were now only 500 harbour porpoises left, and as with the vaquita and Maui’s dolphin, where the International Whaling Commission (IWC) was actively engaged, there were severe doubts about the concept of safe limits for bycatch because of the cumulative effects of all threats.

10. Thought also needed to be given to the role of individual animals living in highly social groups. The public was aware of welfare issues of animals suffering in bycatch, and other international conventions were taking welfare into account. Caring for animals was part of what made people human, and caring for individuals implied care for the family and the population.

11. Mr Butler-Stroud mentioned the 2016 report on PCBs and population resilience, noting that concentrations of these chemicals were not falling. On noise, he noted the collaboration through a joint working group of the Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS), ASCOBANS and the Convention on the Conservation of Migratory Species of Wild Animals (CMS). He also mentioned the EU MSFD and welcomed Germany’s work on this subject. Agreed indicators were needed. Exclusion, time/area restrictions and buffer zones should be considered and Environment Impact Assessments (EIA) and Strategic Environmental Assessments (SEA) should take the impacts of noise into account.

12. Mr Butler-Stroud suggested that a paradigm shift was needed and questioned whether the current approach was sufficient. The role of cetaceans in marine ecosystems had to be fully understood. Healthy oceans meant a healthy planet and healthy oceans needed cetaceans. Whaling had claimed 3 million whales reducing some populations by 99 per cent, and this had disrupted the life cycles of their plankton prey affecting the food chain and commercial fisheries. Whales had an important role as ecosystem engineers. The Earth was a shared habitat and did not belong to humans alone. He had no instant solution, just a policy challenge. We needed to protect small discrete social units, indeed, cultural units if these could be defined, to preserve species.

13. The [Helsinki Declaration 2010](#) – initiated by scientists and philosophers – recognized the needs of individual and family units, and CMS had started to take this on board. This recently acquired knowledge indicated that the necessary elements for effective conservation were considerably more complex than we had conceived just 20 years ago. The EU had many challenges ahead, especially following the referendum in the United Kingdom, and staff at the

Department for Environment, Food and Rural Affairs (Defra) would have additional tasks as a result; therefore, cooperation through bodies such as ASCOBANS was even more important as we move forward together (the full speech can be accessed at uk.whales.org/blog/2016/08/holistic-approach-to-conservation-and-protection).

14. Next, a recorded address by Lewis Pugh, the United Nations' Patron of the Oceans was shown, during which he called on Parties of ASCOBANS to continue and step up their efforts to protect small cetaceans, which faced a multitude of problems (the video is available at youtu.be/EZWdvAmfEHo).

15. Bradnee Chambers, the Executive Secretary of CMS and of ASCOBANS, said he was pleased to see so many participants representing most of the Parties, ACCOBAMS, the International Whaling Commission (IWC), the North Atlantic Marine Mammal Commission (NAMMCO), the Helsinki Commission (HELCOM) and non-governmental organizations. The MOP presented the opportunity to review past work and look to the future.

16. The meeting had already heard of the plight of the Baltic harbour porpoise reduced to fewer than 500 individuals and of the daily struggle of the region's cetaceans to survive in an increasingly hostile environment. The Jastarnia Plan had been shown to be indispensable in efforts to protect cetaceans from cumulative and simultaneous threats. Action was needed in all environments for a wide number of species, and ASCOBANS was part of the solution, as the principal role of Multilateral Environment Agreements (MEAs) was to foster cooperation, the lifeblood of international species conservation. It was necessary to bring countries together to do what they could not achieve alone. The planet's growing human population led to greater human pressures on the earth and its resources including its seas. Marine biodiversity had to be protected and restored.

17. Mr Chambers closed by saying that ASCOBANS and the actions agreed and implemented by its Parties played an important and active part in a global movement underway, which recognized and alleviated the results of human actions on the natural world – the United Nations Sustainable Development Goals. He applauded the work of ASCOBANS and hoped for a productive meeting (the speech is available at www.ascobans.org/sites/default/files/Statement_Bradnee_Chambers_CMS_ES_ascobansmop8.pdf).

1.2 Rules of Procedure

18. The Rules of Procedure as presented in document MOP8/Inf.1.2 were adopted (Annex 3).

1.3 Election of Officers

19. Penina Blankett (Finland) called for nominations for the two posts of Chair and Vice-Chair of the meeting.

20. Jeroen Vis (Netherlands) nominated Jussi Soramäki of Finland to be Chair. This proposal was seconded and then agreed by the meeting.

21. Oliver Schall (Germany) nominated Monika Lesz of Poland to serve as Vice-Chair. This proposal was seconded and then agreed by the meeting.

1.4 Adoption of the Agenda and Meeting Schedule

22. The Chair, Jussi Soramäki (Finland) thanked the meeting for the confidence shown in him by his election and asked whether there were any requests to amend either the agenda or the schedule.

23. The Chair explained that the bulk of the detailed work would be carried out in two Working Groups, which would as far as possible not meet in parallel as some Parties had delegations of just one member. Further contact groups would be established to deal with the resolutions on noise and bycatch. Working Groups and contact groups could meet during the lunch breaks if necessary.

24. The working and contact groups needed a chair or convener. The Chair offered to lead the Technical Working Group. Regarding the Budget Working Group, Monika Lesz (Poland) had been nominated. Jeroen Vis (Netherlands) had been proposed to lead the group on noise and Peter Evans (Sea Watch Foundation/European Cetacean Society (ECS)) for the group on bycatch. Having ascertained that Parties were content for a representative of an NGO to lead one of the groups, these appointments were confirmed.

25. The agenda and schedule (MOP8/Doc.1.4.a Rev.2 and 1.4.b Rev.1) were adopted (Annex 4) and the working and contact groups established.

1.5 Credentials Committee and Other Sessional Committees

26. France (Florian Expert), Germany (Oliver Schall) and the United Kingdom (Jamie Rendell) were elected to serve on the Credentials Committee and the United Kingdom was elected to chair it.

27. On the second day of the meeting, Mr Rendell reported that the credentials of all nine Parties present had been received and examined and found to be in order. He added that the Committee recommended that the Rules of Procedure should be reviewed and in particular Rule 3 regarding the authorities entitled to issue credentials. He asked that the Secretariat work with Parties on elaborating a revision.

2. Opening Statements

28. The Chair opened the floor to participants to make opening statements.

29. Oliver Schall (Germany) expressed thanks to the Finnish Government for hosting the meeting.

30. Greg Donovan (IWC) said that the IWC had worked with ASCOBANS since the Agreement's inception and looked forward to continued cooperation.

31. Geneviève Desportes (NAMMCO) invited ASCOBANS to cooperate more intensely on scientific issues of shared interest such as the assessment of the North Sea harbour porpoise and bycatch.

32. Maylis Salivas (ACCOBAMS) extended the warm regards of Florence Descroix-Comanducci, the Executive Secretary of ACCOBAMS. There were many areas of common interest between ASCOBANS and ACCOBAMS, such as bycatch, effects of noise, marine debris, climate change, or whale watching. The work of the two Agreements complemented each other in many ways, and collaboration was active and very much welcome.

33. Peter Evans (Sea Watch Foundation/ECS) drew the meeting's attention to the fact that since that last meeting of the Advisory Committee, Krzysztof Skóra, a great champion of the cause of cetacean conservation and pioneer of education and public awareness campaigns, had passed away. The meeting observed one minute's silence in Professor Skóra's memory.

3. ASCOBANS Outreach and Education Award 2016

34. Bradnee Chambers (Secretariat) said that education was one of the most important tools at the disposal of the Agreement as it could be effective in changing people's values and thinking.

35. The ASCOBANS Outreach and Education Award for 2016 was being conferred on Whale and Dolphin Conservation and it was being accepted on behalf of WDC by the organization's Chief Executive, Chris Butler-Stroud.

36. In his acceptance speech Mr Butler-Stroud said that dolphins should have the right to live as nature intended not as how humans decided. WDC helped excite public interest in whales and dolphins and within the ASCOBANS Area had offices in the United Kingdom and Germany. It ran a visitor centre in Scotland and undertook lecture tours. This work, accomplished over the past decades, gave people the knowledge that they needed to help them decide what they wanted to change.

37. Mr Butler-Stroud said that WDC was happy to have worked with ASCOBANS in spreading the message of cetacean conservation and achieving changes in human behaviour and attitudes, and hoped that the collaboration continued in the future.

4. Reports

4.1 Report of the Chair and Vice-Chair of the Advisory Committee

38. Penina Blankett (Finland), in her capacity as Vice-Chair of the Advisory Committee, referred to MOP8/Doc.4.1, the report of the Chair and Vice-Chair of the Advisory Committee. The highlights of the previous four years had been the implementation of the three harbour porpoise conservation/recovery plans, the execution of the SAMBAH project, the intensive work on bycatch and some initial progress on a Conservation Plan for the common dolphin. There had been many opportunities to work with other organizations and some limited funding to support projects (but it was noted that no new calls for project submissions were being made for the time being). Bycatch, noise and pollution remained the principal threats to small cetaceans in the Agreement Area and the main focus of the Agreement's work.

39. The change to a four-year as opposed to the previous three-year cycle for the Meetings of the Parties had shown no detrimental effects on the running of the Agreement.

4.2 Report of the Secretariat

40. Heidrun Frisch-Nwakanma (Secretariat) referred to MOP8/Doc.4.2 Rev.1, the report of the Secretariat concerning activities over the past four years and progress regarding accession and acceptance of the 2003 amendment to the Agreement. She pointed out that Parties had received regular updates through the Secretariat's reports to meetings of the Advisory Committee.

41. The Secretariat had organized sixteen meetings since MOP7, including this present MOP, the meetings of the Advisory Committee, meetings of the Jastarnia and North Sea Groups, and workshops. Numerous meetings had been attended either by Ms Frisch-Nwakanma herself, colleagues from the CMS Secretariat, or Party and NGO representatives requested by the Advisory Committee to report back to ASCOBANS.

42. Public awareness raising continued to be an important area of activity for the Agreement, as recognized also by the award that was presented (see Agenda item 3). Ms Frisch-Nwakanma highlighted some of the outreach activities that had taken place, including the International Day of the Baltic Harbour Porpoise (IDBHP), the creativity competition "The last 300" run together with WDC, NABU (Naturschutzbund, a German NGO) and OceanCare followed by an exhibition at the German Oceanographic Museum in Stralsund, Germany, as well as the Agreement's website.

43. Intensive media work had been done in conjunction with the CMS Joint Information and Communications Team in run-up to the MOP with weekly articles posted on the websites and the Twitter and Facebook accounts. The United Nations Environment Programme had also covered the MOP with a news article and had facilitated contacts with UN Patron of the Oceans, Lewis Pugh, whose address participants had seen earlier.

44. The Secretariat continued to seek to reach out to and cooperate with non-Parties, but these efforts had not resulted in further accessions. The number of Parties remained at ten and non-Parties at seven. Parties were requested to continue promoting accession to the Agreement in their bilateral dealings with non-Party Range States to encourage their participation.

45. The Secretariat continued to work with CMS, ACCOBAMS and other marine-related instruments of the CMS Family. A workshop on bycatch had been held in April 2016 examining the commonalities on problem gear and fisheries and mitigation measures among the members of the CMS Family. Consideration was being given to repeating the exercise with the possible involvement of representatives from the advisory bodies.

46. Ms Frisch-Nwakanma concluded her report by acknowledging the collaboration with HELCOM, OSPAR, NAMMCO, the European Commission and the support received from various NGOs thanking them for their help with intersessional work. She also thanked all the Parties for their positive support since MOP7.

4.3 Annual National Reports of ASCOBANS Parties

47. Heidrun Frisch-Nwakanma (Secretariat) referred to the compilations of annual national reports contained in documents MOP8/Inf.4.3.a-d. These did not include any analysis but simply brought together the answers to each question from all national reports submitted by the Parties, allowing an easy overview for each topic.

48. The Chair conducted a 'tour de table', calling on Parties to highlight items of particular interest from their national reports.

49. Camilla Uldal (Denmark) said funds had been allocated to a study of bycatch to address gaps. Studies were also being carried out on population size and distribution. The SAMBAH project indicated that there was a breeding population in Swedish waters that moved southwest into Danish waters in the winter. Denmark was considering further Natura 2000 sites in addition to the 16 in Inner Danish Waters and the North Sea. In late 2016 or early 2017 work on a national strategy for the harbour porpoise would be launched addressing interactions with

fisheries and bycatch. The contingency plan in place for stranding incidents was working well and post-mortems were being carried out.

50. Penina Blankett (Finland) said that an update of the national Harbour Porpoise Action Plan had been passed to the Minister. The sightings campaign was being continued and a new website included a map where all sightings from the past 15 years had been entered. The SAMBAH project had proved that harbour porpoises were present in Finnish waters. New fisheries legislation had been in force since the beginning of 2016 which included an obligation to report any seal or harbour porpoise bycatch.

51. Florian Expert (France) said that he had nothing further to add to the written report submitted by France.

52. Oliver Schall (Germany) said the highlights of 2016 included the development of a sound protection concept for the Baltic, similar to the one in the North Sea. The Baltic version was now in draft and was being circulated to other ministries. More information should be available the following year (2017). Proposals for sites for inclusion in the Natura 2000 marine site network had been sent to other ministries and NGOs for comment. A number of sperm whales had stranded on the North Sea coast and post-mortems had been carried out. It was assumed that the whales had gone off course while pursuing squid.

53. Jeroen Vis (Netherlands) said that in 2011 a protection plan for harbour porpoises had been drawn up and knowledge of the population was improving. There were no specific protected areas designated for the species, which was protected in all Dutch waters. Efforts were being made to minimize the detrimental cumulative effects of offshore windfarms and other ecological threats. A new windfarm had been built at low cost and with less noise affecting birds and, it was hoped, harbour porpoises and was now in operation. The associated research would be shared and would probably be made available in English.

54. Monika Lesz (Poland) said that a national plan for harbour porpoises had been adopted. A project on ghost nets started years ago by WWF was now being emulated worldwide. A new project related to noise had started. Ms Lesz concluded her comments by thanking Peter Evans (Sea Watch Foundation/ECS) for his eulogy of Krzysztof Skóra. It had been a pleasure to have known Krzysztof and the Hel Marine Station was now named after him. Katarzyna Kaminska (Poland) added that new fisheries legislation had been enacted and this required marine mammal bycatch to be reported. Owners of all fishing vessels had been informed. All “pingers” had been checked to ensure that they were working. Bycatch was being monitored under EU Regulation 812/2004 but there were no reports of harbour porpoises being taken.

55. Susanne Viker (Sweden) said that additional work was being undertaken in the light of the results of the new data from SAMBAH. Proposals for new Marine Protected Area were being submitted to the Government. A new national conservation plan drawing on recommendations from ASCOBANS was being drawn up and the development of alternative gear and “pingers” was progressing.

56. Jamie Rendell (United Kingdom) said that work continued on reporting on and mitigating bycatch with details of a monitoring programme being refined. Funding was being provided to the strandings programme and work was being done on ship strikes and contaminants. Protected areas for small cetaceans and Special Areas of Conservation for harbour porpoises under the Habitats Directive were being identified.

57. In response to the reports, Nicolas Entrup (Wild Migration) noted a significant improvement in reporting on noise. Pointing out that ACCOBAMS had a formal policy framework to encourage collaboration, he asked if there were any plans to establish a similar set-up for ASCOBANS. Regarding the sperm whale strandings, he urged that the authorities

react quickly to try to ascertain the cause and urged that ASCOBANS worked closely with the appropriate Regional Seas Programmes.

58. Mr Vis agreed that it was important to know the causes of the strandings. Mr Rendell agreed saying that it should be ascertained whether noise was a contributing factor.

59. Fabian Ritter (WDC) had two questions arising from the National Reports. Regarding the sound protection concept for the Baltic being developed by Germany, he asked which ministries and agencies were involved and whether there would be a public consultation. Regarding the construction of wind farms in the Netherlands and government collaboration with industry, he asked whether Mr Vis was aware of developments in Germany, and whether there was an information exchange between the two countries on an industry level.

60. Mr Schall said that the Ministries involved would be Defence, Economics, Research and Transport, but the leading section within the Environment Ministry was the one responsible for energy and nature conservation rather than the species conservation division where Mr Schall worked.

61. Mr Vis said that new information coming from industry developments was being analysed. The working assumption was that harbour porpoises were being disturbed, so the number of days when disturbance was likely to be caused was being reduced and developers had to operate within strict timeframes. The Netherlands was looking beyond Dutch waters to consider the ecology of the wider North Sea. This entailed bringing different concepts together and both industry and the Government were looking at innovative thinking.

4.4 Reports from Non-Party Range States

62. There were no reports from non-Party Range States.

4.5 Reports from Observer Organizations

63. Monika Stankiewicz (HELCOM) outlined elements of her organization's work of interest to ASCOBANS, including that relating to endangered species. Common indicators for the Baltic were being developed to define Good Environmental Status (GES) relating to the EU MSFD. Principles were being identified for quantitative boundaries of GES relating to noise. Regarding incidental catch, the Data Collection Framework was being discussed in the HELCOM Fisheries Group, which had been established three years ago. The work being done by HELCOM on submerged objects and on developing indicators for the harbour porpoise might also be of interest to ASCOBANS, while the issue of cumulative effects being examined by ASCOBANS would be of interest to the HELCOM Spatial Planning Group. Ms Stankiewicz concluded her comments by expressing thanks to Penina Blankett (Finland) who was the main conduit of communication between HELCOM and ASCOBANS.

64. Greg Donovan (IWC) said that there were a great many areas of common interest between ASCOBANS and the IWC. The IWC had published a number of reports, all of which were available on the IWC website. Examples of key areas where ASCOBANS and IWC could cooperate were climate change, whale watching and cumulative effects. The next meeting of the IWC was taking place in Slovenia in October 2016.

65. Geneviève Desportes (NAMMCO) said that the latest North Atlantic Sightings Surveys (NASS) had been conducted in 2015 and 2016 and the reports would be published in due course. NAMMCO was looking very much to these new abundance results, especially in connection with the estimates generated by SCANS III. NAMMCO had re-established its

bycatch group, which would meet in the spring of 2017, under the chairmanship of K. Murray (NFSC, NOAA, USA).

66. Maylis Salivas (ACCOBAMS) reported on developments since 2012. ACCOBAMS now had 23 Parties, but only six of them had ratified the extension of the Agreement Area which therefore was not yet in effect. The Joint Working Group on Noise had done extensive work relating to the Mediterranean and a certification scheme had been introduced for whale-watching operations. Marine Protected Areas and critical cetacean habitats were being mapped and interactions with fisheries were being monitored.

67. Ida Carlén (Coalition Clean Baltic) said that a new version of the brochure on the Baltic harbour porpoise had been produced, initially in English, Swedish and Danish. A German and a Polish translation had followed and Estonian and Russian versions were in the pipeline. The Coalition was also supporting the process initiated in Sweden to designate Marine Protected Areas for harbour porpoises, especially those containing breeding areas, and encouraging the Swedish Government to keep up the momentum in this process.

68. Peter Evans (Sea Watch Foundation/ECS) said that the ECS had been formed in 1987 as a response to concerns about the conservation status of the North Sea harbour porpoise. The Society now had 500 members and had met in Madeira earlier in 2016; the next meeting would probably be in Denmark in 2017. In 2016, ACCOBAMS and ASCOBANS had held a joint workshop with the ECS on the synergies between different legislative frameworks.

5. Strategic and Institutional Issues

5.1 Strategic Plan for Migratory Species

69. Melanie Virtue (Secretariat) introduced MOP8/Doc 5.1 on the Strategic Plan for Migratory Species (SPMS), which had been adopted by the CMS Conference of the Parties (COP) in 2014 and covered the period 2015-23. The SPMS was not directed exclusively at CMS nor indeed the CMS Family but at all stakeholders. A Companion Volume and a set of indicators were being developed and the latter had recently been published on the CMS website and were being circulated for consultation. The “zero draft” of the Companion Volume was being prepared and would be published for comments shortly. Input had been received from the ASCOBANS Secretariat and other members of the CMS Family, which had been requested to integrate their aims into the SPMS. Further input from the governing bodies of CMS Family instruments would be welcome. The draft ASCOBANS Work Plan (MOP8/Doc.5.3 Rev.1) contained wording to that effect.

70. Mark Simmonds (Humane Society International (HSI)) asked about the possibility of combining various work streams with other instruments, mentioning ACCOBAMS and the IWC in particular, given that similar threats occurred in different areas albeit with distinct regional facets. The trilateral Working Group on noise established to serve under ACCOBAMS, ASCOBANS and CMS could be a model. Another topic of strategic and far-reaching importance was bycatch, which threatened harbour porpoises in the Baltic and Black Seas, and probably other small cetacean populations in the Agreement Area.

71. Peter Evans (Sea Watch Foundation/ECS) said that he had recently met the Chair of the ACCOBAMS Scientific Committee and had discussed options for cooperation and the response had been entirely positive.

72. Ms Virtue welcomed the idea of cooperation and reiterated that the Secretariats had held a joint two-day workshop on bycatch. In future, this could be extended to include Party representatives and experts.

73. Bradnee Chambers (Secretariat) stressed that the Strategic Planning process was not for CMS alone but was intended for migratory species in general. The SPMS was also based on the Aichi Targets under the Convention on Biological Diversity, as were the strategic plans of other biodiversity-related MEAs. The SPMS also took account of goals 14 and 15 of the Sustainable Development Goals, addressing biodiversity in the oceans and on land. CMS wanted to be inclusive and encouraged the other members of the CMS Family to participate in the process. The Companion Volume would draw upon existing tools under other CMS instruments and identified areas of possible cooperation.

74. The Chair commented that in a previous post he had dealt with biodiversity MEAs and so saw the merits of this approach.

5.2 National Reporting

75. Jamie Rendell (United Kingdom) introduced the draft Resolution and the accompanying outline of a new reporting template, which had been developed by an intersessional drafting group. It recognized the time pressures on those compiling the report and the usefulness of the data collected. In drawing up the new template, reporting requirements under the IWC, the EU Habitats Directive and the MSFD and the ASCOBANS Work Plan had been taken into account. The aim was help assess the success of the implementation of the Agreement through garnering information in quantities that could be handled easily.

76. The Agreement required annual reports but did not prescribe the content, so it would be possible to provide one comprehensive report in the four-year cycle with shorter topic-related reports in the other years. These would then be reflected in the agenda for the Advisory Committee Meeting in the year in which the report was received. The reporting deadline of 31 March would be retained.

77. Mr Rendell proposed that the Parties should agree the basic outline of the reporting format and leave it to the Advisory Committee to work up the details.

78. Supportive comments were made by Jeroen Vis (Netherlands), Camilla Uldal (Denmark), Katarzyna Kaminska (Poland) and Greg Donovan (IWC), noting that sections I and VII required annual updates.

79. In response to a question regarding possible confusion over which sections of the new template needed to be filled in when, Heidrun Frisch-Nwakanma (Secretariat) pointed out that ASCOBANS already used online reporting and that each year only the relevant sections of the report sections would be included in the form.

80. The amendments proposed during the first day's discussion were incorporated into a revised draft which was posted online. There being no further comments on the text at the final day's Plenary session, Resolution 8.1 on National Reporting was adopted (Annex 8).

5.3 Activities of the Advisory Committee and Work Plan

81. Heidrun Frisch-Nwakanma (Secretariat) introduced MOP8/Doc.5.3 Rev 1 for an initial discussion in Plenary. The accompanying draft resolution followed a standard and familiar format and would be considered in greater detail by the Technical Working Group.

82. Besides adopting the Agreement's Work Plan for the coming intersessional period, as requested in the CMS Resolution on the Strategic Plan for Migratory Species (UNEP/CMS/Res.11.02), adoption of the SPMS was suggested. This draft resolution was

directly linked to the one on National Reporting (see agenda item 5.2) as national reports would be aligned to the Work Plan and would be structured in such a way as to facilitate read across. The Work Plan also indicated the principal actors and contained an indicative timescale.

83. Detailed consideration of the draft resolutions on the Work Plan and National Reporting was delegated to the Technical Working Group.

84. Florian Expert (France), Jeroen Vis (Netherlands), Katarzyna Kaminska (Poland) and Oliver Schall (Germany) stressed the need to link the work of ASCOBANS to the work of other fora, such as ICES, the IWC, ACCOBAMS, OSPAR and HELCOM. Such overlaps could be more clearly identified in the table. It was important for ASCOBANS to identify its niche and work with others drawing on their expertise.

85. Ms Stankiewicz (HELCOM) said that ASCOBANS and HELCOM should discuss exactly where the two organizations could work together to best effect and to avoid duplication. ASCOBANS could, for instance, lead on the development of alternative fishing gear.

86. Ms Frisch-Nwakanma suggested that adding cross-references to the work of other organizations could be taken care of when the first progress report on the implementation of the Work Plan was prepared for the 23rd Meeting of the Advisory Committee in 2017.

87. Returning to the Plenary session on the final day, Ms Frisch-Nwakanma presented a revised document showing the changes requested by the Technical Working Group and those evolving from changes to other resolutions.

88. Following some further amendments, Parties adopted Resolution 8.2 on the Work Plan for the ASCOBANS Advisory Committee and Secretariat 2017-2020 and Strategic Plan for Migratory Species 2015-2023 (Annex 9).

5.4 Rules of Procedure for the Advisory Committee and Meeting of the Parties

89. Heidrun Frisch-Nwakanma (Secretariat) said that at the previous meeting of the Advisory Committee, Parties had considered a proposal to make some changes to the Rules of Procedure regarding the admission of observers. Parties wanted to balance avoiding an annual repetition of the accreditation procedure for the Advisory Committee and the MOP and keeping some control over attendance.

90. Two documents had been prepared: draft Rules of Procedure for the Advisory Committee (MOP8/Doc.5.4.a) and the MOP (MOP8/Doc.5.4.b), which were largely identical to the latter having additional text relating to credentials and voting procedures. There were also some differences in the deadlines for observer requests and the submission of documents for the two bodies.

91. The changes proposed affected Rule 2 of both documents. There were two categories of observers: some organizations were given permanent observer status in the text of the Agreement or had subsequently been added to the standing list by previous MOPs. Others had to apply for observer status for each meeting they wished to attend. The new procedure would mean that an organization admitted to three meetings would no longer have to apply. The Secretariat had posted a list of such organizations online, which would be updated as required. As Parties wanted to retain a degree of control, there was a provision to allow objections to be raised at the inclusion of an organization within 60 days, under which one third of Parties would have to request removal from the list of permanent observers. At the Heads of Delegation meeting requests had been made to clarify the procedure and additional language had been included regarding the Secretariat's practice of notifying Parties of organizations' requests to attend a meeting.

92. Following supportive comments from Jamie Rendell (United Kingdom), Oliver Schall (Germany) and Fabian Ritter (WDC), the Meeting adopted the amended rules (Annexes 6 and 7).

6. Further Implementation of the Agreement

6.1 Species Action Plans

6.1.1 Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan)

93. This item was handled by the Technical Working Group.

94. Heidrun Frisch-Nwakanma (Secretariat) referred to MOP8/Doc.6.1.1 Rev.1, which contained a draft resolution for the adoption of the annexed second revision (third version) of the Jastarnia Plan. The original Jastarnia Plan had been welcomed by MOP4 in 2003 and MOP6 in 2009 had adopted the first revision. MOP8 was invited to adopt the second revision. The Plan itself required its regular review and the Jastarnia Group had deemed a revision necessary in the light of new evidence after the results of the SAMBAH project had been published.

95. The consultants engaged to review the Plan were AquaBiota, which had also been involved with SAMBAH. The revised Plan followed the template agreed by Parties in 2015, which was based on the format used by the IWC. The Jastarnia Group had been fully involved in the review process with repeated opportunities to provide input and comments both at the last meeting and by correspondence before and after the meeting.

96. Julia Carlström (Sweden), the author of the review, explained the main changes with respect to the previous version of the Jastarnia Plan. Some of the actions and recommendations had been retained while others had been dropped and replaced by new ones. At the request of the Jastarnia Group, the actions had been reordered to produce a more logical structure, not ordered by priority. A small number of editorial amendments were required before finalization.

97. Some amendments to the annex of the draft resolution were requested by Patricia Brtnik (Germany) and recommended by Greg Donovan (IWC) and subsequently agreed. Mr Donovan suggested that costings and the technical expertise needed for implementation be added in due course.

98. Ida Carlén (Coalition Clean Baltic) referred to MOP8/Inf.6.1.1, containing a proposal to reorder and modify actions so that the most urgent ones were clearly identified. Without this recognition of priorities, there was a risk of no action being taken.

99. At the Plenary session on the final day, Resolution 8.3 on the Revision of the Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan) was adopted (Annex 10).

6.1.2 Development of a Conservation Plan for Common Dolphins

100. Eunice Pinn (United Kingdom) introduced MOP8/Doc.6.1.2.a and 6.1.2.b to the Technical Working Group, reminding the meeting that Sinead Murphy had led a session on the common dolphin at the previous meeting of the Advisory Committee. It had been agreed that a conservation plan for common dolphins should be prepared. The north-west European population had an unfavourable status as a result of bycatch and other threats.

101. The draft resolution set out a series of desirable actions. As many of these would also benefit other cetacean species, consideration had been given at the Heads of Delegation meeting held immediately before the MOP to broadening the species coverage beyond common dolphins.

102. After hearing arguments to the contrary by Mark Simmonds (HSI), Peter Evans (Sea Watch Foundation/ECS) and Camilla Uldal (Denmark), it was decided that the original species focus should be retained, as the common dolphin had been chosen because a fair amount was known about the species, providing a basis for some conservation actions. In future, however, Parties might consider adding modules addressing other species, defining management units and populations and specific actions required. Conservation Plans needed to be living documents that evolved over time.

103. Following some amendments suggested by Florian Expert (France) and Camilla Uldal (Denmark), the draft text was deemed ready for submission to the Plenary for adoption. At the Plenary session of the final day, Resolution 8.4 on the Conservation of Common Dolphins was adopted (Annex 11).

6.2 Conservation Issues

6.2.1 Monitoring and Mitigation of Small Cetacean Bycatch

104. Peter Evans (Sea Watch Foundation/ECS) introduced this agenda item to the Technical Working Group by presenting a revised text proposal for the draft resolution contained in MOP8/Doc.6.2.1 developed by the contact group established under item 1.4. As requested by the Parties, the contact group had significantly shortened the text and taken into account the specific comments received from Parties. In editing the text, the aim had been to avoid losing substance that had not been objected to, in particular the reiteration of the general aims of the Agreement's work relating to bycatch. The paragraph relating to fines for infractions had been deleted.

105. Following some further amendments proposed by Florian Expert (France) and additional references proposed by András Demeter (European Commission), the Technical Working Group recommended the draft resolution to Plenary for adoption. The Chair congratulated the Parties on reaching agreement on a key conservation issue and the convener of the contact group for his work. On the final day, Resolution 8.5 on Monitoring and Mitigation of Small Cetacean Bycatch was adopted (Annex 12).

6.2.2 Ocean Energy

106. Heidrun Frisch-Nwakanma (Secretariat) presented the draft resolution contained in MOP8/Doc.6.2.2 to the Technical Working Group, stating that ocean energy was a relatively new issue for ASCOBANS. Presentations had been given at the 21st and 22nd Meetings of the Advisory Committee, and it had been agreed to elaborate a resolution specifically including tidal and wave energy devices to complement those on noise and wind turbines. Only limited data on impacts of these new technologies were available as the industry was in its infancy. There did seem to be some risks to species covered by ASCOBANS. Wave energy was part of renewable mix to combat climate change, and was therefore to be welcomed but potential negative effects had to be avoided or minimized. The Advisory Committee had set up a drafting group for the topic and the Secretariat had produced a first draft drawing on reports from the IWC, ICES and other sources on the state of the science.

107. Following some comments from Florian Expert (France), Jamie Rendell (United Kingdom) and Greg Donovan (IWC), Resolution 8.6 on Ocean Energy was referred to the Plenary session on the final day, where it was adopted (Annex 13).

6.2.3 Impacts of Polychlorinated Biphenyls (PCBs)

108. Oliver Schall (Germany) introduced the draft resolution contained in MOP8/Doc.6.2.3 to the Technical Working Group, referring to previous resolutions on chemical pollution and to other international fora established to deal with them, such as the Stockholm Convention on Persistent Organic Pollutants. The continued interest of ASCOBANS in the subject was justified by the findings of Paul Jepson's research into the effects of PCBs on cetaceans, and the 22nd Meeting of the Advisory Committee had discussed the issue and had set up a Drafting Group, which had developed the draft resolution.

109. Some amendments were proposed by Julia Carlström (Sweden), Jeroen Vis (Netherlands), Greg Donovan (IWC), Mark Simmonds (HSI) and Peter Evans (Sea Watch Foundation/ECS).

110. Mr Simmonds observed that this was the first time that a pollution-related resolution had included reference to live sampling (i.e. biopsy). Given that this offered some risk to the animals concerned, the Resolution was clear that such activities should be minimized – i.e. statistically defined across the region and that this was a key part of the coordination identified in the Resolution.

111. At the Plenary session on the final day, Resolution 8.7 on the Impacts of Polychlorinated Biphenyls (PCBs) was adopted (Annex 14).

6.2.4 Addressing the Threats from Underwater Unexploded Ordnance (UXO)

112. Patricia Brtnik (Germany) opened the discussion on this topic in the Working Group by introducing MOP8/Doc.6.2.4. At the meeting of the Advisory Committee in 2014 the issue had been examined and the Secretariat had been asked to collate information. It was clear that old conventional and chemical weapons were a threat. At the 22nd Meeting of the Advisory Committee, the Netherlands had made a presentation on the threats posed by controlled explosions in the North Sea. The situation was not essentially different in the Baltic. The noise from explosions and poisoning from leakages of chemicals were a threat to cetaceans. A draft resolution prepared by the Secretariat had been reviewed and amended by a drafting group established by AC22.

113. Following some supportive comments and proposed amendments suggested by Jeroen Vis (Netherlands), Katarzyna Kaminska (Poland), Florian Expert (France), Jamie Rendell (United Kingdom) and Monika Stankiewicz (HELCOM), the text was approved and submitted to the Plenary for adoption.

114. At the Plenary session on the final day, Resolution 8.8 on Addressing the Threats from Underwater Munitions was adopted (Annex 15).

6.2.5 Managing Cumulative Anthropogenic Impacts in the Marine Environment

115. Jeroen Vis (Netherlands) reminded the Technical Working Group of the 22nd Meeting of the Advisory Committee, where this subject had been identified as an emerging issue. The

drafting group established by AC22 and the Secretariat had accordingly prepared the draft resolution contained in MOP8/Doc.6.2.5. Many issues were beyond the capacity of ASCOBANS acting alone and should be considered therefore in conjunction with partners, which might in some cases take the lead. The draft resolution identified OSPAR, HELCOM, the European Commission and the Convention of Biological Diversity in particular. With regard to issues of a transboundary nature, it was important to start strategic thinking early in the process. ASCOBANS should be recommending management practices and addressing the private sector.

116. Some additions and amendments to the text were proposed by Camilla Uldal (Denmark), Penina Blankett (Finland), Florian Expert (France) and Oliver Schall (Germany), and some clarification given by Peter Evans (Sea Watch Foundation/ECS), Nicolas Entrup (Wild Migration) and Chris Butler-Stroud (WDC). Slightly revised text was recommended by the Technical Working Group for adoption at the Plenary session on the final day, where Resolution 8.9 on Managing Cumulative Anthropogenic Impacts in the Marine Environment was adopted (Annex 16).

6.2.6 Necropsy and Rescue of Small Cetaceans

117. In introducing MOP8/Doc.6.2.6 to the Technical Working Group, Mark Simmonds (HSI) said that the public were often deeply perplexed by mass strandings as this seemed to be an odd behaviour by intelligent mammals. It was a humane response to want to help stranded creatures and to want to find out why they acted in this way. Rescues had to be carried out by experts, and well-intentioned, but inexpertly executed, interventions often made matters worse. Action 16 in the ASCOBANS Work Plan was relevant and the draft resolution had been prepared by the Secretariat and reviewed by the drafting group.

118. Several Parties expressed their support for the draft resolution and offered some textual amendments, including Jamie Rendell (United Kingdom), Jeroen Vis (Netherlands), Florian Expert (France), Oliver Schall (Germany) and Katarzyna Kaminska (Poland).

119. Maylis Salivas (ACCOBAMS) said that a common protocol was foreseen under the ACCOBAMS Scientific Committee, which they hoped to develop in conjunction with the IWC and ASCOBANS.

120. At the Plenary session on the final day, Resolution 8.10 on Small Cetacean Stranding Response was adopted (Annex 17).

6.2.7 CMS Family Environmental Impact Assessment Guidelines for Noise-generating Offshore Industries

121. Jeroen Vis (Netherlands) presented the work of the contact group established under item 1.4 to the Technical Working Group. It was important to signal that underwater noise was a serious issue that needed to be addressed, as it affected not only small cetaceans but also many other species, too. Therefore, even though Parties were at this point not ready to adopt the draft guidelines presented in MOP8/Doc.6.2.7.b Rev.1, the contact group proposed to retain a resolution on the subject. Changes had been made to the original proposal (MOP8/Doc.6.2.7.a Rev.1). The proposal was therefore that, following further opportunities for consultation, the Conference of the Parties to CMS adopt the guidelines.

122. Following some considerations made by Oliver Schall (Germany), András Demeter (European Commission) and Nicolas Entrup (Wild Migration), the revised text was recommended to Plenary for adoption.

123. On the Plenary session on the final day, Resolution 8.11 on the CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities was adopted (Annex 18).

7. Administrative and Budgetary Issues

7.1 Financial and Administrative Matters 2012-2016

124. Melanie Virtue (Secretariat) introduced MOP8/Doc.7.1 Rev.1 in Plenary on the first day, summarizing highlights from the preceding four-year period. The CMS Secretariat continued to provide secretariat services to the Agreement. A restructuring of the CMS Secretariat meant that ASCOBANS was now placed under the Aquatic Species Team. The new arrangements brought ASCOBANS into closer contact with other marine instruments under the CMS Family dealing with species such as sharks, turtles, seals, polar bears and eels.

125. Annex 1 of the document contained the financial report for the year 2015. This was the first time that there had not been a meeting of the Advisory Committee in the MOP year, so this report was being submitted to the MOP rather than the Advisory Committee.

126. Annex 2 of the document contained the mid-term report for the year 2016, showing the state of the accounts as at 30 June. All contributions had now been received for 2016, the final payment had however been received after the period covered in the document.

127. Next, Ms Virtue introduced MOP8/Doc.7.1.b Rev 2, containing a draft resolution relating to the certified account statements received from the United Nations Office in Nairobi (UNON) for the main trust fund (BAL) and the voluntary contributions (QVL) for the years 2012 to 2015. The draft resolution called for the approval of the expenditure up to 2015 and deferred approval for the year 2016 until the next MOP.

128. The Chair proposed that considering that all Parties were content with the accounts Resolution 8.12 on the Management of Expenditures between 2012 and 2015 did not need to be referred to the Budget Working Group and could be adopted. The Parties concurred and the Resolution was duly adopted (Annex 19).

7.2 Financial and Administrative Matters 2017-2020

129. Melanie Virtue (Secretariat) briefly introduced to Plenary MOP8/Doc.7.2.a, which contained the draft budget resolution. The text in the cover resolution and attached annexes was standard. The related budget options for Parties to consider were contained in a separate document (MOP8/Doc.7.2.b).

130. The substantive discussion of this agenda item was conducted in the Budget Working Group chaired by Monika Lesz (Poland).

131. Reporting back to Plenary, Ms Lesz explained that the Advisory Committee had requested that the Secretariat prepare several budget scenarios, as contained in MOP8/Doc.7.2.b. The Working Group had examined these options and attempted to elaborate its own variant. Each budget line had been scrutinized. Ultimately after lively discussion over the future of the Agreement and the implications of the budget and the expectations of the Parties, the Working Group had decided to recommend Option 1 unchanged.

132. The dissenting views of Parties with respect to the staffing level of the Coordinator post were reflected in two new paragraphs introduced to the draft resolution.

133. Ms Lesz concluded her comments by thanking the other members of the Budget Working Group for their support.

134. Mark Simmonds (HSI) noted that the budget line for conservation projects was set at zero and was concerned that the Agreement's project funding mechanism had come to a halt.

135. Ms Virtue explained that ASCOBANS had two Trust Funds, one for the assessed contributions of Parties for the core budget and another for voluntary contributions, which could be made by Parties and partners alike. Projects had been funded in the past through unspent amounts on budget lines in the core budget or through ad hoc voluntary contributions. The allocation of such funds was decided by the Advisory Committee.

136. Peter Evans (Sea Watch Foundation/ECS) asked what thought had been given to the future of the North Sea Plan which now no longer had a coordinator.

137. Heidrun Frisch-Nwakanma (Secretariat) said that AC22 had established a working group to consider this issue, but work had not yet commenced. Some voluntary contributions had been provided by Parties for a North Sea Plan Coordinator, but these were insufficient to fund the post properly.

138. András Demeter (European Commission) said that he had written a report a few years before on the projects funded through the LIFE programme. He asked whether ASCOBANS had ever considered applying for funding through LIFE.

139. As there were no further comments from the floor, Resolution 8.13 on Financial and Administrative Matters 2017-2020 was adopted (Annex 20).

8. Any Other Business

140. No issues were raised for consideration under this agenda item.

9. Date and Venue of the 23rd Meeting of the Advisory Committee and the 9th Meeting of the Parties

141. Heidrun Frisch-Nwakanma (Secretariat) said that there would be a meeting of the Advisory Committee in 2017 and the next MOP would be in 2020. No offers for hosting had been made to date. Making arrangements for AC23 was more pressing. The Parties' views on the best timing of the meetings were sought.

142. Oliver Schall (Germany) reminded the meeting that the Conference of the Parties to CMS would take place from 22 to 28 October 2017, so a clash with those dates had to be avoided.

143. Penina Blankett (Finland) expressed a preference for holding the next meeting of the Advisory Committee in the autumn of 2017.

144. The Chair encouraged Parties to make offers to host the meetings in due course.

10. Adoption of Any Documents

145. Heidrun Frisch-Nwakanma (Secretariat) said that as agreed at the meeting of the Heads of Delegation and in keeping with the practice for the Advisory Committee, the Secretariat would provide a draft report of the MOP within a few weeks, after which there would be a one-month consultation period. Advance unedited copies of the Resolutions would be circulated by email by the next day, and final versions posted on the Agreement's website as soon as possible after the MOP.

11. Close of Meeting

146. After the customary expression of thanks to all of those that had contributed to the organization and smooth running of the Meeting, including the Chair, the Host Government, the Chairs of Working Groups and contact groups and the Secretariat, the Chair declared proceedings closed.

Opening Speech of Mr Kimmo Tiilikainen, Minister of Agriculture and the Environment

Ladies and Gentlemen,

I would like to welcome most warmly the delegates of Member States of the ASCOBANS Agreement, representatives of the Agreement Secretariat, CMS Convention and the representatives of the world of science and non-governmental organizations.

This is the first time that Finland has hosted the MOP meeting and I am glad to welcome all of you to Helsinki and to the 8th Meeting of the Parties of ASCOBANS.

The wellbeing of the Baltic Sea is a very important issue for Finland. We are working hard to achieve a cleaner Baltic Sea in cooperation with HELCOM, the Baltic Marine Environment Protection Commission, the secretariat of which is situated here in Helsinki just few hundred metres from us.

The work that ASCOBANS is doing to protect small cetaceans in the Baltic, North East Atlantic, Irish and North Sea is highly appreciated. We share the concern about the protection of small cetaceans in all these sea areas and especially the situation of the only small cetacean species in the Baltic Sea – namely the critically endangered Baltic Sea harbour porpoise.

In the early 1900s harbour porpoises were seen every summer in our archipelago and they were well known by people living near the sea. Now after 100 years, the population has decreased and there are only few sightings per year – but they ARE still here. And the SAMBAH LIFE + project, in which Finland also participated, showed that the small remaining population of the Baltic Proper also lives in our waters

Therefore we feel that our membership of the ASCOBANS Agreement is of great value to us. It gives us a chance to get more information on cetaceans, to share our knowledge, doubts and problems and work together for the protection of small cetaceans in the whole Agreement area.

Membership of the Agreement also lets us gather objective, scientifically sound data that can serve as a basis for our future decisions and tasks.

Finland has hosted an AC meeting in Tampere and a Jastarnia meeting in Turku; now we decided to have the MOP here in Helsinki, the capital of Finland and a seaside city of beautiful islands and we will take you today to a small nearby island just in front of the city. If you are lucky, I mean very, **very** lucky, perhaps you will see a harbour porpoise!! There have been sightings near Helsinki, so it is not a mission impossible. ☺

During the last decades the competition for marine space and the utilization of marine resources have increased. At the same time the state of the marine environment has deteriorated and the loss of biodiversity has accelerated.

We are aware of the situation and we know that we have to do something and quickly to save our oceans and the biodiversity it holds. The Marine Strategy Framework Directive and its programme of measures and the Maritime Spatial Planning Directive, as examples, provide tools to improve the situation. Our work - and responsibility - is to implement these.

A healthier, cleaner and diverse marine environment is a good environment also for all small cetaceans.

We hope, however, that the meeting, which I have the privilege of opening today, will bring us closer to the goal of improving the welfare of small cetaceans and allow us to reach the good status of biodiversity protection of the Baltic Sea and all the waters falling under the ASCOBANS Agreement.

I wish you a pleasant stay here in our beautiful Helsinki and a fruitful meeting with good decisions for the protection of small cetaceans in our oceans.



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RULES OF PROCEDURE FOR THE MEETING OF THE PARTIES TO ASCOBANS

PART I

DELEGATES, OBSERVERS, SECRETARIAT

Rule 1: Delegates

- (1) A Party to the Agreement (hereafter referred to as a "Party")¹ shall be entitled to be represented at the meeting by a delegation consisting of a Representative and such Alternative Representatives and Advisers as the Party may deem necessary.
- (2) The Representative of a Party shall exercise the voting rights of that Party. In the absence of the Representative, an Alternative Representative of that Party shall act as a substitute over the full range of the Representative's functions.
- (3) Seating limitations may require that no more than four delegates of any Party be present at a plenary session and sessions of the Advisory Committee or any working group established by the Meeting of the Parties in accordance with Rule 23.

Rule 2: Observers

- (1) All non-Party Range States and Regional Economic Integration Organizations bordering on the waters concerned, as well as organizations listed in Footnote 3 may be represented at the meeting by observers who shall have the right to participate but not to vote.^{2 3}
- (2) Any other body qualified in cetacean conservation and management which has informed the Secretariat not less than 90 days before the Meeting of its desire to be represented at the Meeting by observers, shall be entitled to be present unless at least one-third of the Parties have opposed their application at least 30 days before the meeting.⁴ Once admitted, these observers shall have the right to participate but not to vote.
- (3) Seating limitations may require that no more than two observers from any non-Party Range State or body be present at a plenary session and sessions of the Advisory

¹ See Agreement, paragraph 1.2, sub-paragraph (e), and paragraphs 8.4 and 8.5. A Party is a Range State or a Regional Economic Integration Organization which has deposited with the United Nations Headquarters by 27 August 1994 its consent to be bound by the Agreement

² See Agreement, paragraph 6.2.1

³ The United Nations, acting as the Depository to this Agreement; the Secretariats, insofar as they are not included under Rule 3, and technical advisory bodies of the Convention on the Conservation of Migratory Species of Wild Animals and its daughter Agreements and Memoranda of Understanding; the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention); The Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR); the Common Secretariat for the Co-operation on the Protection of the Wadden Sea (CWSS); the North-East Atlantic Fisheries Commission (NEAFC); the International Whaling Commission (IWC); the Baltic Marine Environment Protection Commission (HELCOM); the International Council for the Exploration of the Sea (ICES); the International Union for the Conservation of Nature (IUCN); the North Atlantic Marine Mammal Commission (NAMMCO); the European Cetacean Society (ECS); the Inter-American Tropical Tuna Commission (IATTC)

⁴ See Agreement, paragraphs 6.2.2

Committee or of any working group established by the Meeting of the Parties in accordance with Rule 23.

Rule 3: Credentials

- (1) Each contracting Party shall assign a Representative for each meeting and Alternative Representatives as it thinks appropriate. Contracting Parties shall submit the names of these delegates to the Secretariat through their coordinating authorities by the start of the Meeting.
- (2) The names of assigned Representatives and Alternative Representatives shall be available for inspection by contracting Parties.

Rule 4: Secretariat

Unless otherwise instructed by the Parties, the Secretariat shall service and act as secretariat for the meeting. Secretariat services are provided through the UNEP/CMS Secretariat.

PART II

OFFICERS

Rule 5: Chairpersons

- (1) The Chairperson of the Advisory Committee shall act as temporary Chairperson of the Meeting until the Meeting elects a Chairperson in accordance with Rule 5, paragraph (2).
- (2) The Meeting in its inaugural session shall elect from among the delegates of the contracting Parties a Chairperson and a Vice-Chairperson.

Rule 6: Presiding Officer

- (1) The Chairperson shall preside at all plenary sessions of the meeting.
- (2) If the Chairperson is absent or is unable to discharge the duties of Presiding Officer, the Vice-Chairperson shall deputise.
- (3) The Presiding Officer shall not vote, but may designate an Alternative Representative from the same delegation.

PART III

RULES OF ORDER OF DEBATE

Rule 7: Powers of Presiding Officer

- (1) In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at plenary sessions of the Meeting:

- (a) open and close the session;
 - (b) direct the discussions;
 - (c) ensure the observance of these Rules;
 - (d) accord the right to speak;
 - (e) put questions to the vote and announce decisions;
 - (f) rule on points of order; and
 - (g) subject to these Rules, have complete control of the proceedings of the Meeting and the maintenance of order.
- (2) The Presiding Officer may, in the course of discussion at a plenary session of the Meeting, propose to the Meeting:
- (a) time limits for speakers;
 - (b) limitation of the number of times the members of a delegation or observers from a State which is not a Party or a Regional Economic Integration Organization, or from any other body, may speak on any subject matter;
 - (c) the closure of the list of speakers;
 - (d) the adjournment or the closure of the debate on the particular subject under discussion;
 - (e) the suspension or adjournment of any session; and
 - (f) the establishment of drafting groups on specific issues.

Rule 8: Seating, Quorum

- (1) Delegations shall be seated in accordance with the alphabetical order in the English language of the names of the Parties, non-Party Range States, including Regional Economic Integration Organizations, and non-Range States.
- (2) A quorum for plenary sessions shall consist of two thirds of the Parties. No plenary session shall take place in the absence of a quorum.

Rule 9: Right to Speak

- (1) The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the delegates.
- (2) A delegate or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
- (3) A speaker shall not be interrupted, except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during his speech to allow any delegate or observer to request elucidation on a particular point in that speech.

Rule 10: Submission of Proposals for Amendment of the Agreement and its Annex

- (1) As a general rule, proposals for amendment of the Agreement or its Annex, together with the reasons for the amendment, shall be communicated at least 90 days before the Meeting to the Secretariat, which shall circulate them to all Parties in the working language of the Meeting. Proposals arising out of discussion of the foregoing may be discussed at any plenary session of the Meeting, provided copies have been circulated

to all delegations not later than the day preceding the session. However, decisions with respect to such proposals shall follow the provisions of paragraph 6.5 of the Agreement.

- (2) After a proposal has been adopted or rejected by the Meeting, it shall not be reconsidered unless a two-thirds majority of the Parties participating in the meeting so decide. Permission to speak on a motion to reconsider a proposal shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote.

Rule 11: Submission of Documents and Resolutions

- (1) As a general rule, draft Resolutions shall be submitted to the Secretariat at least 95 days before the meeting, who shall circulate them to all Parties at least 90 days before the meeting. The remaining provisions of Rule 10 shall also apply *mutatis mutandis* to the treatment of draft Resolutions.
- (2) As a general rule, documents intended for discussion at the meeting shall be submitted to the Secretariat at least 35 days before the meeting, who shall circulate them to all Parties at least 30 days before the meeting.

Rule 12: Procedural Motions

- (1) During the discussion of any matter, a delegate may raise a point of order, and the point of order shall be immediately, where possible, decided by the Presiding Officer in accordance with these Rules. A delegate may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the Presiding Officer's ruling shall stand unless a majority of the Parties present and voting decide otherwise. A delegate raising a point of order may not speak on the substance of the matter under discussion, but only on the point of order.
- (2) The following motions shall have precedence in the following order over all other proposals or motions before the Meeting:
 - (a) to suspend the session;
 - (b) to adjourn the session;
 - (c) to adjourn the debate on the particular subject or question under discussion;
 - (d) to close the debate on the particular subject or question under discussion.

Rule 13: Arrangements for Debate

- (1) The Meeting may, on a proposal by the Presiding Officer or by a delegate, limit the time to be allowed to each speaker and the number of times delegates or observers may speak on any subject matter. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.
- (2) During the course of a debate the Presiding Officer may announce the list of speakers and, with the consent of the meeting, declare the list closed. The Presiding Officer may, however, accord the right of reply to any delegate if a speech delivered after the list has been declared closed makes this desirable.
- (3) During the discussion of any matter, a delegate may move the adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a delegate may speak in favour of, and a delegate of each of two Parties may speak against the motion, after which the motion shall immediately be

- put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
- (4) A delegate may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other delegate has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
 - (5) During the discussion of any matter a delegate may move the suspension or the adjournment of the session. Such motions shall not be debated but shall immediately be put to the vote. The Presiding Officer may limit the time allowed to the speaker moving the suspension or adjournment of the session.

PART IV

VOTING

Rule 14: Methods of Voting

- (1) Without prejudice to the provisions of Rule 1, Paragraph 2, each Representative duly accredited according to Rule 3 shall have one vote. Regional Economic Integration Organizations, in matters within their competence, shall exercise their voting rights with a number of votes equal to the number of their Member States that are Parties to the Agreement. In such case, the Member States of such organizations shall not exercise their right individually.
- (2) The Meeting shall normally vote by show of hands, but any Party may request a roll-call vote.
- (3) At the election of officers or of prospective host countries, any Party may request a secret ballot. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may not be conducted by secret ballot.
- (4) Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast by Parties present and voting.
- (5) If votes are equal, the motion or amendment shall not be carried.
- (6) The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by tellers appointed by the Secretariat.
- (7) After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Representative on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Representatives to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

Rule 15: Majority

Except where otherwise provided for under the provisions of the Agreement or these Rules, all votes on procedural matters relating to the forwarding of the business of the meeting shall be decided by a simple majority of Parties. All other decisions shall be taken by a simple majority among Parties present and voting, except that financial decisions and amendments to the Agreement and its Annex require a three-quarter majority among those present and voting.

Rule 16: Procedure for Voting on Motions and Amendments

- (1) A delegate may move that parts of a proposal or of an amendment be voted upon first. Permission to speak on the motion for division shall be accorded only to a delegate from each of two Parties wishing to speak in favour of and a delegate from each of two Parties wishing to speak against the motion. If the motion for division is carried, those parts of the proposal or amendment that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.
- (2) When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Meeting shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all amendments have been put to the vote. If, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amendment proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.
- (3) If two or more proposals relate to the same question, the Meeting shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Meeting may, after voting on a proposal, decide whether to vote on the next proposal.

Rule 17: Elections

- (1) If, in an election to fill a vacancy, no candidate obtains the required majority in the first ballot, a second ballot shall be taken restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.
- (2) If, in the first ballot, there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held to reduce the number of these candidates to two.

PART V

LANGUAGES AND RECORDS

Rule 18: Working Language

English shall be the working language of the Meeting.

Rule 19: Other Languages

- (1) A delegate may speak in a language other than English, provided he/she furnishes interpretation into English.
- (2) Any document submitted to the Meeting shall be in English.

Rule 20: Summary Records

Summary records of the Meeting shall be kept by the Secretariat and shall be circulated to all Parties in English.

PART VI

OPENNESS OF DEBATES

Rule 21: Plenary Sessions

All plenary sessions of the Meeting shall be open to the public, except that in exceptional circumstances the Meeting may decide, by a two-thirds majority of Parties present and voting, that any single session be closed to the public.

Rule 22: Sessions of the Working Groups

As a general rule, sessions of working groups shall be limited to the delegates and to observers invited by the Chairs of working groups.

PART VII

WORKING GROUPS

Rule 23: Establishment of Working Groups

The Meeting of the Parties may establish such working groups as may be necessary to enable it to carry out its functions. It shall define the terms of reference, composition, and elect the Chairpersons of each working group. Seating limitations may restrict the size of each working group.

Rule 24: Procedure

Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups.

PART VIII

FINAL PROVISIONS

Rule 25: Amendments to the Rules of Procedure

These rules may be amended as required by decision of the Meeting of the Parties. They will remain in force until and unless an amendment is called for and adopted.

Agenda

1. Opening of the Meeting
 - 1.1 Welcoming Addresses
 - 1.2 Rules of Procedure
 - 1.3 Election of Officers
 - 1.4 Adoption of the Agenda and Meeting Schedule
 - 1.5 Credentials Committee and Other Sessional Committees
2. Opening Statements
3. ASCOBANS Outreach and Education Award 2016
4. Reports
 - 4.1 Report of the Chair and Vice-Chair of the Advisory Committee
 - 4.2 Report of the Secretariat
 - 4.3 Annual National Reports of ASCOBANS Parties
 - 4.4 Reports from Non-Party Range States
 - 4.5 Reports from Observer Organizations
5. Strategic and Institutional Issues
 - 5.1 Strategic Plan for Migratory Species
 - 5.2 National Reporting
 - 5.3 Activities of the Advisory Committee and Work Plan
 - 5.4 Rules of Procedure for the Advisory Committee and Meeting of the Parties
6. Further Implementation of the Agreement
 - 6.1 Species Action Plans
 - 6.1.1 Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan)
 - 6.1.2 Development of a Conservation Plan for Common Dolphins
 - 6.2 Conservation Issues
 - 6.2.1 Monitoring and Mitigation of Small Cetacean Bycatch
 - 6.2.2 Ocean Energy
 - 6.2.3 Impacts of Polychlorinated Biphenyls (PCBs)

- 6.2.4 Addressing the Threats from Underwater Unexploded Ordnance (UXO)
 - 6.2.5 Managing Cumulative Anthropogenic Impacts in the Marine Environment
 - 6.2.6 Necropsy and Rescue of Small Cetaceans
 - 6.2.7 CMS Family Environmental Impact Assessment Guidelines for Noise-generating Offshore Industries
- 7. Administrative and Budgetary Issues
 - 7.1 Financial and Administrative Matters 2012-2016
 - 7.2 Financial and Administrative Matters 2017-2020
 - 8. Any Other Business
 - 9. Date and Venue of the 23rd Meeting of the Advisory Committee and the 9th Meeting of the Parties
 - 10. Adoption of Any Documents
 - 11. Close of Meeting

List of Documents

No.	Document Title	Submitted by	Distributed
Doc.1.4.a Rev.2	Provisional Agenda	Secretariat	01/06/16
Doc.1.4.b Rev.1	Provisional Annotated Agenda and Schedule	Secretariat	16/08/16
Doc.4.1	Evaluation of the Implementation of the ASCOBANS Work Plan and the Work of the ASCOBANS Advisory Committee	AC Chair & Vice-Chair	19/08/16
Doc.4.2 Rev.1	Report of the ASCOBANS Secretariat	Secretariat	22/08/16
Doc.5.1	ASCOBANS and the Strategic Plan for Migratory Species	Secretariat	15/07/16
Doc.5.2	Draft Resolution: National Reporting	Advisory Committee	24/05/16
Doc.5.3 Rev.1	Draft Resolution: Work Plan for the ASCOBANS Advisory Committee and Secretariat 2017-2020 and Strategic Plan for Migratory Species 2015-2023	Advisory Committee	15/07/16
Doc.5.4.a	Draft Rules of Procedure for the Advisory Committee	Secretariat	01/07/16
Doc.5.4.b	Draft Rules of Procedure for the Meeting of the Parties to ASCOBANS	Secretariat	01/07/16
Doc.6.1.1 Rev.1	Draft Resolution: Third Revision of the Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan)	Advisory Committee	01/07/16
Doc.6.1.2.a	Development of a Conservation Plan for Common Dolphins	Advisory Committee	28/07/16
Doc.6.1.2.b	Draft Resolution: Conservation of Common Dolphins	Advisory Committee	24/05/16
Doc.6.2.1	Draft Resolution: Monitoring and Mitigation of Small Cetacean Bycatch	Advisory Committee	26/05/16
Doc.6.2.2	Draft Resolution: Ocean Energy	Advisory Committee	25/05/16
Doc.6.2.3	Draft Resolution: Impacts of Polychlorinated Biphenyls (PCBs)	Advisory Committee	24/05/16
Doc.6.2.4	Draft Resolution: Addressing the Threats from Underwater Munitions	Advisory Committee	24/05/16
Doc.6.2.5	Draft Resolution: Managing Cumulative Anthropogenic Impacts in the Marine Environment	Advisory Committee	30/05/16
Doc.6.2.6	Draft Resolution: Small Cetacean Stranding Response	Advisory Committee	27/05/16

Doc.6.2.7.a Rev.1	Draft Resolution: CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities	Secretariat	12/08/16
Doc.6.2.7.b Rev.1	CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities	Secretariat	23/08/16
Doc.7.1.a Rev.1	Report of the Secretariat on Financial and Administrative Matters 2013-2016	Secretariat	11/08/16
Doc.7.1.b Rev.2	Draft Resolution: Management of Expenditures between 2012 and 2015	Secretariat	29/08/16
Doc.7.2.a	Draft Resolution: Financial and Administrative Matters 2017-2020	Secretariat	01/06/16
Doc.7.2.b	Proposals for the Budget of the Financial Period 2017-2020	Secretariat	01/06/16

Information Documents

No.	Document Title	Submitted by	Distributed
Inf.1.2	Rules of Procedure for the Meeting of the Parties to ASCOBANS	Secretariat	30/11/15
Inf.1.4 Rev.2	List of Documents	Secretariat	29/08/16
Inf.2.a	Opening Statements: Parties		
Inf.2.b	Opening Statements: Observers	NAMMCO WWF	28/09/16
Inf.4.3.a	Compilation of Annual National Reports for 2012	Secretariat	05/07/16
Inf.4.3.b	Compilation of Annual National Reports for 2013	Secretariat	05/07/16
Inf.4.3.c	Compilation of Annual National Reports for 2014	Secretariat	05/07/16
Inf.4.3.d	Compilation of Annual National Reports for 2015	Secretariat	24/08/16
Inf.4.3.e	First Advice Harbour Porpoise Research in The Netherlands	Netherlands	29/07/16
Inf.4.4	Reports from Non-Party Range States		
Inf.4.5.a	Reports from Observer Organizations: NAMMCO	NAMMCO	28/07/16
Inf.4.5.b	Reports from Observer Organizations: UNEP	UNEP	28/07/16
Inf.4.5.c	Reports from Observer Organizations: ACCOBAMS	ACCOBAMS	28/08/16
Inf.5.1.a	Strategic Plan for Migratory Species 2015-2023	Secretariat	05/07/16

No.	Document Title	Submitted by	Distributed
Inf.5.1.b	Draft Companion Volume for the Strategic Plan for Migratory Species	Secretariat	
Inf.6.1.1	Concerning the Third Revision of the Jastarnia Plan for Recovery of the Baltic Harbour Porpoises	CCB & WDC	29/07/16
Inf.6.2.1.a	Bycatch-related Fisheries Legislation in the ASCOBANS Area	Secretariat	24/08/16
Inf.6.2.1.b	Development of a Rationale for Monitoring Protected Species Bycatch	United Kingdom	29/07/16

RULES OF PROCEDURE FOR THE ASCOBANS ADVISORY COMMITTEE

(as adopted by the 8th Meeting of the Parties, Helsinki, Finland, 30 August - 1 September 2016)

PART I

DELEGATES, OBSERVERS, SECRETARIAT

Rule 1: Delegates

- (1) A Party to the Agreement (hereafter referred to as a "Party")⁵ shall be entitled to be represented at the meeting by a delegation consisting of a Committee Member and Alternate, when appropriate and such Advisers as the Party may deem necessary.
- (2) The Committee Member shall exercise the voting rights of that Party. In the absence of the Committee Member, the Alternate or an Adviser may be appointed by the Committee Member to act as a substitute over the full range of the Committee Member's functions.
- (3) The appointed Committee Member or alternate shall be available for consultation intersessionally.
- (4) Seating limitations may require that no more than four delegates of any Party be present at a session of the Advisory Committee or any working group established by it in accordance with Rule 18.

Rule 2: Observers

- (1) All non-Party Range States, Regional Economic Integration Organizations bordering on the waters concerned, and other bodies referred to in Article 6.2.1 of the Agreement may be represented at the meeting by observers.
- (2) Any other body or individual qualified in cetacean conservation and management referred to in Article 6.2.2 of the Agreement desiring to be represented at the meeting by observers shall inform the Secretariat at least 60 days prior to the opening of the meeting, unless previously approved for participation.⁶ The Secretariat shall inform the Parties of the new requests received within five days of receipt. The observers shall be entitled to be present unless at least one-third of the Parties have opposed their application in writing at least 30 days before the meeting.
- (3) Observers shall have the right to participate but not to vote.
- (4) Seating limitations may require that no more than two observers from any non-Party Range State or body be present at a session of the Advisory Committee or of any working group established by it in accordance with Rule 18.

⁵ See Agreement, paragraph 1.2, sub-paragraph (e), and paragraphs 8.4 and 8.5. A Party is a Range State or a Regional Economic Integration Organization which has deposited with the United Nations Headquarters its consent to be bound by the Agreement

⁶ The Secretariat shall maintain a list of approved bodies, available at <http://www.ascobans.org/en/page/approved-observer-organizations-mop-and-ac-meetings>. This list shall include bodies referred to in Article 6.2.1 of the Agreement, as well as any that have been admitted as observers to at least three meetings of the Advisory Committee or Meeting of the Parties. The list of approved observers can be amended at the written request of at least one-third of the Parties up to 60 days before the meeting.

Rule 3: Secretariat

Unless otherwise instructed by the Parties, the Secretariat shall service and act as secretariat for the meeting. Secretariat services are provided through the UNEP/CMS Secretariat.

PART II OFFICERS

Rule 4: Chairpersons

- (3) The Chairperson of the Advisory Committee shall hold office until the end of the first meeting of the Advisory Committee following each Meeting of Parties.
- (4) The Chairperson and Vice-chairperson may be nominated for re-election at the end of a term of office. In the event of the election of a new Chairperson or Vice-chairperson, the Advisory Committee shall elect these persons from among the Committee Members or their advisers.

Rule 5: Presiding Officer

- (4) The Chairperson shall preside at all meetings of the Advisory Committee.
- (5) If the Chairperson is absent or is unable to discharge the duties of Presiding Officer, the Vice-Chairperson shall deputize.
- (6) In the event that both the Chairperson and the Vice-Chairperson are absent or unable to discharge the duties of Presiding Officer, the appointed Committee Member of the Party hosting the Meeting shall assume these duties.
- (7) The Presiding Officer may vote.

PART III RULES OF ORDER OF DEBATE

Rule 6: Powers of Presiding Officer

- (3) In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at Advisory Committee meetings:
 - (h) open and close the sessions;
 - (i) direct the discussions;
 - (j) ensure the observance of these Rules;
 - (k) accord the right to speak;
 - (l) put questions to the vote and announce decisions;
 - (m) rule on points of order; and
 - (n) subject to these Rules, have complete control of the proceedings of the Meeting and the maintenance of order.
- (4) The Presiding Officer may, in the course of discussion at a meeting, propose:
 - (g) time limits for speakers;

- (h) limitation of the number of times the members of a delegation or observers from a State which is not a Party or a Regional Economic Integration Organization, or from any other body, may speak on any subject matter;
- (i) the closure of the list of speakers;
- (j) the adjournment or the closure of the debate on the particular subject under discussion;
- (k) the suspension or adjournment of any session; and
- (l) the establishment of drafting groups on specific issues.

Rule 7: Right to Speak

- (4) The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the Committee Members.
- (5) A Committee Member, adviser or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
- (6) A speaker shall not be interrupted, except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during his speech to allow any Committee Member, adviser or observer to request elucidation on a particular point in that speech.

Rule 8: Procedural Motions

- (3) During the discussion of any matter, a Committee Member may raise a point of order, and the point of order shall be immediately, where possible, decided by the Presiding Officer in accordance with these Rules. A delegate may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the Presiding Officer's ruling shall stand unless a majority of the Parties present and voting decide otherwise. A delegate raising a point of order may not speak on the substance of the matter under discussion, but only on the point of order.
- (4) The following motions shall have precedence in the following order over all other proposals or motions before the Meeting:
 - (e) to suspend the session;
 - (f) to adjourn the session;
 - (g) to adjourn the debate on the particular subject or question under discussion;
 - (h) to close the debate on the particular subject or question under discussion.

Rule 9: Arrangements for Debate

- (6) The Meeting may, on a proposal by the Presiding Officer or by a Committee Member, limit the time to be allowed to each speaker and the number of times Committee Members, advisers or observers may speak on any subject matter. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.
- (7) During the course of a debate the Presiding Officer may announce the list of speakers and, with the consent of the Committee, declare the list closed. The Presiding Officer may, however, accord the right of reply to any individual if a speech delivered after the list has been declared closed makes this desirable.

- (8) During the discussion of any matter, a Committee Member may move the adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a Committee Member may speak in favour of, and a Committee Member of each of two Parties may speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
- (9) A Committee Member may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other individual has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to a Committee Member from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
- (10) During the discussion of any matter a Committee Member may move the suspension or the adjournment of the session. Such motions shall not be debated but shall immediately be put to the vote. The Presiding Officer may limit the time allowed to the speaker moving the suspension or adjournment of the session.

Rule 10: Submission of Documents

As a general rule, documents intended for discussion at the meeting shall be submitted to the Secretariat at least 35 days before the meeting, who shall circulate them to all Parties at least 30 days before the meeting.

PART IV VOTING

Rule 11: Methods of Voting

- (8) Without prejudice to the provisions of Rule 1, Paragraph 2, each Committee Member shall have one vote.
- (9) The Committee shall normally vote by show of hands, but any Committee Member may request a roll-call vote. In the event of a vote during an inter-sessional period, there will be a postal ballot, which may include ballot by email or fax.
- (10) At the election of officers, any Committee Member may request a secret ballot. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may not be conducted by secret ballot.
- (11) Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast by Committee Members present and voting.
- (12) If votes are equal, the motion or amendment shall not be carried.
- (13) The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by the Secretariat. Inter-sessional voting by postal ballot, email or fax will be co-ordinated by the Secretariat.
- (14) After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Committee Member on point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Committee Members to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

Rule 12: Majority and Voting Procedures on Motions and Amendments

- (1) Except where otherwise provided for under the provisions of the Agreement or these Rules, all votes on procedural matters relating to the forwarding of the business of the meeting shall be decided by a simple majority of Parties.
- (2) Financial decisions within the limit of the power available to the Advisory Committee shall be decided by three-quarter majority among those Parties present and voting.
- (3) Amendments to the Rules of Procedure require a three-quarter majority among those present and voting.
- (4) All other decisions shall be taken by simple majority among Parties present and voting.
- (5) When an amendment is moved to a proposal, the amendment shall be voted on first. If the amendment is adopted, the amended proposal shall then be voted upon.

PART V LANGUAGES AND RECORDS

Rule 13: Working Language

English shall be the working language of the Committee meeting and working groups.

Rule 14: Other Languages

- (3) An individual may speak in a language other than English, provided he/she furnishes interpretation into English.
- (4) Any document submitted to a meeting shall be in English.

Rule 15: Summary Records

Summary records of Committee meetings shall be kept by the Secretariat and shall be circulated to all Parties in English.

PART VI OPENNESS OF DEBATES

Rule 16: Committee Meetings

All sessions of meetings shall be open to the public, except that in exceptional circumstances the Meeting may decide, by a two-thirds majority of Parties present and voting, that any single session be closed to the public.

Rule 17: Sessions of the Working Groups

As a general rule, sessions of working groups shall be limited to the Committee Members, their advisers and to observers invited by the Chairs of working groups.

PART VII WORKING GROUPS

Rule 18: Establishment of Working Groups

- (1) The Advisory Committee may establish such working groups as may be necessary to enable it to carry out its functions. It shall define their terms of reference. The Advisory Committee as well as the working groups may nominate members of each working group, the size of which may be limited according to the number of places available in assembly rooms.
- (2) The working group can appoint committee members, advisers as well as observers as its Chair and Vice-Chair.

Rule 18: Procedure

Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups.

PART VIII FINAL PROVISIONS

Rule 20: Omissions

In matters not covered by the present Rules, the Rules of Procedure as adopted by the last regular Meeting of the Parties shall be applied *mutatis mutandis*.

Rule 21: Amendments to the Rules of Procedure

- (1) The Committee shall, by three-quarter majority, establish its own Rules of Procedure.
- (2) These rules may be amended by the Committee as required. They will remain in force until and unless an amendment is called for and adopted.

RULES OF PROCEDURE FOR THE MEETING OF THE PARTIES TO ASCOBANS

(as adopted by the 8th Meeting of the Parties, Helsinki, Finland, 30 August - 1 September 2016
for use at the 9th Meeting of the Parties)

PART I

DELEGATES, OBSERVERS, SECRETARIAT

Rule 1: Delegates

- (1) A Party to the Agreement (hereafter referred to as a "Party")⁷ shall be entitled to be represented at the meeting by a delegation consisting of a Representative and such Alternative Representatives and Advisers as the Party may deem necessary.
- (4) The Representative of a Party shall exercise the voting rights of that Party. In the absence of the Representative, an Alternative Representative of that Party shall act as a substitute over the full range of the Representative's functions.
- (5) Seating limitations may require that no more than four delegates of any Party be present at a plenary session and sessions of the Meeting of the Parties or any working group established by the Meeting of the Parties in accordance with Rule 23.

Rule 2: Observers

- (4) All non-Party Range States, Regional Economic Integration Organizations bordering on the waters concerned, and other bodies referred to in Article 6.2.1 of the Agreement may be represented at the meeting by observers.
- (5) Any other body qualified in cetacean conservation and management referred to in Article 6.2.2 of the Agreement desiring to be represented at the meeting by observers shall inform the Secretariat at least 90 days prior to the opening of the meeting, unless it has previously been approved for participation.⁸ The Secretariat shall inform the Parties of the new requests received within five days of receipt. The observers shall be entitled to be present unless at least one-third of the Parties have opposed their application in writing at least 30 days before the meeting.
- (6) Observers shall have the right to participate but not to vote.
- (7) Seating limitations may require that no more than two observers from any non-Party Range State or body be present at a plenary session and sessions of the Meeting of the Parties or of any working group established by the Meeting of the Parties in accordance with Rule 23.

⁷ See Agreement, paragraph 1.2, sub-paragraph (e), and paragraphs 8.4 and 8.5. A Party is a Range State or a Regional Economic Integration Organization which has deposited with the United Nations Headquarters by 27 August 1994 its consent to be bound by the Agreement

⁸ The Secretariat shall maintain a list of approved bodies, available at <http://www.ascobans.org/en/page/approved-observer-organizations-mop-and-ac-meetings>. This list shall include bodies referred to in Article 6.2.1 of the Agreement, as well as any that have been admitted as observers to at least three meetings of the Advisory Committee or Meeting of the Parties. The list of approved observers can be amended at the written request of at least one-third of the Parties up to 60 days before the meeting.

Rule 3: Credentials

- (3) Each contracting Party shall assign a Representative for each meeting and Alternative Representatives as it thinks appropriate. Contracting Parties shall submit the names of these delegates to the Secretariat through their coordinating authorities by the start of the Meeting.
- (4) The names of assigned Representatives and Alternative Representatives shall be available for inspection by contracting Parties.

Rule 4: Secretariat

Unless otherwise instructed by the Parties, the Secretariat shall service and act as secretariat for the meeting. Secretariat services are provided through the UNEP/CMS Secretariat.

PART II

OFFICERS

Rule 5: Chairpersons

- (5) The Chairperson of the Advisory Committee shall act as temporary Chairperson of the Meeting until the Meeting elects a Chairperson in accordance with Rule 5, paragraph (2).
- (6) The Meeting in its inaugural session shall elect from among the delegates of the contracting Parties a Chairperson and a Vice-Chairperson.

Rule 6: Presiding Officer

- (8) The Chairperson shall preside at all plenary sessions of the meeting.
- (9) If the Chairperson is absent or is unable to discharge the duties of Presiding Officer, the Vice-Chairperson shall deputise.
- (10) The Presiding Officer shall not vote, but may designate an Alternative Representative from the same delegation.

PART III

RULES OF ORDER OF DEBATE

Rule 7: Powers of Presiding Officer

- (5) In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at plenary sessions of the Meeting:
 - (o) open and close the session;
 - (p) direct the discussions;
 - (q) ensure the observance of these Rules;

- (r) accord the right to speak;
 - (s) put questions to the vote and announce decisions;
 - (t) rule on points of order; and
 - (u) subject to these Rules, have complete control of the proceedings of the Meeting and the maintenance of order.
- (6) The Presiding Officer may, in the course of discussion at a plenary session of the Meeting, propose to the Meeting:
- (m) time limits for speakers;
 - (n) limitation of the number of times the members of a delegation or observers from a State which is not a Party or a Regional Economic Integration Organization, or from any other body, may speak on any subject matter;
 - (o) the closure of the list of speakers;
 - (p) the adjournment or the closure of the debate on the particular subject under discussion;
 - (q) the suspension or adjournment of any session; and
 - (r) the establishment of drafting groups on specific issues.

Rule 8: Seating, Quorum

- (3) Delegations shall be seated in accordance with the alphabetical order in the English language of the names of the Parties, non-Party Range States, including Regional Economic Integration Organizations, and non-Range States.
- (4) A quorum for plenary sessions shall consist of two thirds of the Parties. No plenary session shall take place in the absence of a quorum.

Rule 9: Right to Speak

- (7) The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the delegates.
- (8) A delegate or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
- (9) A speaker shall not be interrupted, except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during his speech to allow any delegate or observer to request elucidation on a particular point in that speech.

Rule 10: Submission of Proposals for Amendment of the Agreement and its Annex

- (3) As a general rule, proposals for amendment of the Agreement or its Annex, together with the reasons for the amendment, shall be communicated at least 90 days before the Meeting to the Secretariat, which shall circulate them to all Parties in the working language of the Meeting. Proposals arising out of discussion of the foregoing may be discussed at any plenary session of the Meeting, provided copies have been circulated

to all delegations not later than the day preceding the session. However, decisions with respect to such proposals shall follow the provisions of paragraph 6.5 of the Agreement.

- (4) After a proposal has been adopted or rejected by the Meeting, it shall not be reconsidered unless a two-thirds majority of the Parties participating in the meeting so decide. Permission to speak on a motion to reconsider a proposal shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote.

Rule 11: Submission of Documents and Resolutions

- (3) As a general rule, draft Resolutions shall be submitted to the Secretariat at least 95 days before the meeting, who shall circulate them to all Parties at least 90 days before the meeting. The remaining provisions of Rule 10 shall also apply *mutatis mutandis* to the treatment of draft Resolutions.
- (4) As a general rule, documents intended for discussion at the meeting shall be submitted to the Secretariat at least 35 days before the meeting, who shall circulate them to all Parties at least 30 days before the meeting.

Rule 12: Procedural Motions

- (5) During the discussion of any matter, a delegate may raise a point of order, and the point of order shall be immediately, where possible, decided by the Presiding Officer in accordance with these Rules. A delegate may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the Presiding Officer's ruling shall stand unless a majority of the Parties present and voting decide otherwise. A delegate raising a point of order may not speak on the substance of the matter under discussion, but only on the point of order.
- (6) The following motions shall have precedence in the following order over all other proposals or motions before the Meeting:
 - (i) to suspend the session;
 - (j) to adjourn the session;
 - (k) to adjourn the debate on the particular subject or question under discussion;
 - (l) to close the debate on the particular subject or question under discussion.

Rule 13: Arrangements for Debate

- (11) The Meeting may, on a proposal by the Presiding Officer or by a delegate, limit the time to be allowed to each speaker and the number of times delegates or observers may speak on any subject matter. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.
- (12) During the course of a debate the Presiding Officer may announce the list of speakers and, with the consent of the meeting, declare the list closed. The Presiding Officer may, however, accord the right of reply to any delegate if a speech delivered after the list has been declared closed makes this desirable.
- (13) During the discussion of any matter, a delegate may move the adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a delegate may speak in favour of, and a delegate of each of

two Parties may speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.

- (14) A delegate may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other delegate has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
- (15) During the discussion of any matter a delegate may move the suspension or the adjournment of the session. Such motions shall not be debated but shall immediately be put to the vote. The Presiding Officer may limit the time allowed to the speaker moving the suspension or adjournment of the session.

PART IV

VOTING

Rule 14: Methods of Voting

- (15) Without prejudice to the provisions of Rule 1, Paragraph 2, each Representative duly accredited according to Rule 3 shall have one vote. Regional Economic Integration Organizations, in matters within their competence, shall exercise their voting rights with a number of votes equal to the number of their Member States that are Parties to the Agreement. In such case, the Member States of such organizations shall not exercise their right individually.
- (16) The Meeting shall normally vote by show of hands, but any Party may request a roll-call vote.
- (17) At the election of officers or of prospective host countries, any Party may request a secret ballot. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may not be conducted by secret ballot.
- (18) Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast by Parties present and voting.
- (19) If votes are equal, the motion or amendment shall not be carried.
- (20) The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by tellers appointed by the Secretariat.
- (21) After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Representative on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Representatives to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

Rule 15: Majority

Except where otherwise provided for under the provisions of the Agreement or these Rules, all votes on procedural matters relating to the forwarding of the business of the meeting shall be decided by a simple majority of Parties. All other decisions shall be taken by a simple majority among Parties present and voting, except that financial decisions and amendments to the Agreement and its Annex require a three-quarter majority among those present and voting.

Rule 16: Procedure for Voting on Motions and Amendments

- (4) A delegate may move that parts of a proposal or of an amendment be voted upon first. Permission to speak on the motion for division shall be accorded only to a delegate from each of two Parties wishing to speak in favour of and a delegate from each of two Parties wishing to speak against the motion. If the motion for division is carried, those parts of the proposal or amendment that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.
- (5) When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Meeting shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all amendments have been put to the vote. If, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amendment proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.
- (6) If two or more proposals relate to the same question, the Meeting shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Meeting may, after voting on a proposal, decide whether to vote on the next proposal.

Rule 17: Elections

- (3) If, in an election to fill a vacancy, no candidate obtains the required majority in the first ballot, a second ballot shall be taken restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.
- (4) If, in the first ballot, there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held to reduce the number of these candidates to two.

PART V

LANGUAGES AND RECORDS

Rule 18: Working Language

English shall be the working language of the Meeting.

Rule 19: Other Languages

- (5) A delegate may speak in a language other than English, provided he/she furnishes interpretation into English.
- (6) Any document submitted to the Meeting shall be in English.

Rule 20: Summary Records

Summary records of the Meeting shall be kept by the Secretariat and shall be circulated to all Parties in English.

PART VI

OPENNESS OF DEBATES

Rule 21: Plenary Sessions

All plenary sessions of the Meeting shall be open to the public, except that in exceptional circumstances the Meeting may decide, by a two-thirds majority of Parties present and voting, that any single session be closed to the public.

Rule 22: Sessions of the Working Groups

As a general rule, sessions of working groups shall be limited to the delegates and to observers invited by the Chairs of working groups.

PART VII

WORKING GROUPS

Rule 23: Establishment of Working Groups

The Meeting of the Parties may establish such working groups as may be necessary to enable it to carry out its functions. It shall define the terms of reference, composition, and elect the Chairpersons of each working group. Seating limitations may restrict the size of each working group.

Rule 24: Procedure

Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups.

PART VIII

FINAL PROVISIONS

Rule 25: Amendments to the Rules of Procedure

These rules may be amended as required by decision of the Meeting of the Parties. They will remain in force until and unless an amendment is called for and adopted.

Resolution No. 1: National Reporting

Recalling Article 2.5 of the Agreement requesting Parties to submit to the Secretariat a brief report not later than 31 March each year, covering progress made and difficulties experienced during the past calendar year in implementing the Agreement;

Conscious that an assessment of the progress in implementing the Agreement is possible only through meaningful national reporting;

Mindful that in national reporting, the right balance needs to be struck with respect to the information desired and the use to which the data will be put, so as not to burden the Parties unnecessarily;

Grateful for the work undertaken by the Advisory Committee in developing a new reporting format that reflects the range of issues relevant to small cetacean conservation in the Agreement Area, and for its advice on the periodicity;

The Meeting of the Parties to ASCOBANS

1. *Decides* that Parties will be required to submit one comprehensive national report within each MOP-cycle;
2. *Further decides* that in order to meet the requirements of Article 2.5 of the Agreement the obligation to submit brief annual reports is retained, covering basic information as well as in-depth considerations on specific topics, as outlined below;
3. *Adopts* the outline for national reports presented in Annex 1;
4. *Directs* that each topic should be considered at least once per intersessional period, and that the report submitted in the year of the Meeting of the Parties should provide up-to-date information on all these topics, as follows:
 - (a) all reports (annually): Section I, Section VII
 - (b) 2016 Report (for AC23 in 2017) and 2019 Report (for MOP9 in 2020): Section II B3, B4, C8 and D15
 - (c) 2017 Report (for AC24 in 2018) and 2019 Report (for MOP9 in 2020): Section II A1, A2 and C9, Section III, Section IV
 - (d) 2018 Report (for AC25 in 2019) and 2019 Report (for MOP9 in 2020): Section II B5, B6, B7, C10, C11, C12, C13, C14, E16 and E17, Section VI
 - (e) only 2019 Report (for MOP9 in 2020): Section V
5. *Requests* the Advisory Committee:
 - (a) to develop the sections of the reporting format one by one, starting with those to be considered in each report and at the first Advisory Committee Meeting after this Meeting of the Parties;

- (b) in developing the detail of each section, to consult experts on the subjects in order to ensure that essential information is gathered in a form that standardizes responses and lends itself to statistical analysis as far as possible, and to decide which topics should be reported on by region;
 - (c) to make full use of the information submitted in order to assess progress in the implementation of the Agreement and make recommendations to Parties;
 - (d) to tailor the agenda for each of its meetings to reflect the topics selected for the previous year's national reports;
6. *Urges* Parties to submit their national reports by the deadline of 31 March of each year, indicated in Article 2.5 of the Agreement, making use of the online reporting system developed for the CMS Family;
7. *Requests* the Secretariat to remind Parties of the date for submission of their national reports;
8. *Recognizes* that in order to meet its obligation to present Parties with a summary of the Party reports by 30 June of each year, as required in Article 4.2 of the Agreement, the Secretariat requires the submission of all national reports sufficiently in advance of this date;
9. *Requests* the Secretariat to inform the Common Information Management, Communication and Outreach Team of the UNEP/CMS and UNEP/AEWA Secretariats of the comments made by ASCOBANS Parties regarding the functionalities of the online reporting system, which would be useful when working to improve it; and
10. *Repeals* Resolution No. 1 of MOP1 (1994) on National Reports.

Annex 1 to Resolution No. 1

Outline of a Revised National Reporting Format for ASCOBANS

Section I: General Information

A. Party Information

1. Name of Party
2. Details of National Coordinator (Focal Point) for ASCOBANS
3. Details of delegates (contributors to the report)
4. List of relevant national institutions

Section II: Habitat Conservation and Management (threats and pressures on cetaceans)

[Where indicated, each threat/pressure shall have the following standard questions associated with it:

- *Specific, where available quantitative information on the threat, provided on a national or regional geographic scale, as appropriate (by sea area / by action plan area)*
- *The perceived level of risk to favourable conservation status (FCS) or good environmental status (GES), i.e. is the pressure increasing, decreasing, staying the same or unknown; to be done on a species by species basis where applicable*
- *Any notable instances/issues in the reporting period*
- *How the pressure is being managed, incl. relevant regulations / guidelines and the year of implementation (current and planned)*
- *Relevant new research/work/collaboration*

Any additional questions considered appropriate are indicated separately below].

A. Fisheries-related Threats

1. Bycatch

- *Standard questions*
- *Changes in fishing effort (for fisheries known to have an impact)*
- *Application of mitigation measures and alternative gear*
- *Monitoring / data collection programmes (also in recreational fisheries)*

2. Resource Depletion

- *Standard questions*

B. Disturbance (including potential physical impacts)

3. Noise (impulsive i.e. piling and continuous/ambient i.e. shipping)

- *Standard questions (unless already covered below)*
- Any notable instances/issues in the reporting period, including providing information on planned or completed significant developments/activities, including the details of EIAs and monitoring in place before, during and after the project and relevant new research and work/collaborations
- Noise management for individual approved activities
- Noise management for cumulative impact, including assessment of associated or coincidental activities, regulations and guidelines, seismic shot point densities and level of impact that was assessed and deemed acceptable

4. Ocean Energy

- *Standard questions*

5. Cetacean Watching Industry

- *Standard questions*

6. Recreational Sea Use

- *Standard questions*

7. Other Sources of Disturbance

- *Standard questions*

C. Habitat Change and Degradation (incl. potential physical impacts)

8. Unexploded Ordnance

- *Standard questions*

9. Marine Debris (ingestion and entanglement)

- *Standard questions*

10. Pollution and hazardous substances (incl. microplastics)

- *Standard questions*

11. Ship Strikes

- *Standard questions*

12. Climate Change (incl. ocean acidification)

- *Standard questions*

13. Physical Habitat Change (e.g. from construction)

- *Standard questions*

14. Other Issues

- *Standard questions*

D. Management of Cumulative Impacts

15. Marine Spatial Planning

- National processes
- Transboundary processes

E. Area-based Conservation / Marine Protected Areas

16. List of protected areas, e.g. Natura 2000 sites

- Number, names and status of MPAs with cetaceans forming part of the selection criteria
- Information on management measures, including any temporal/spatial restriction of activities i.e. seasonal fishery closures, changes to vessel activity etc.

17. Website or contact where spatial information on MPAs can be obtained

Section III: Surveys and Research

A. Biological Information (per species)

1. Abundance estimates

- Area of coverage
- Survey period applicable
- Method of abundance estimation

- Confidence limits where applicable

2. *New information on life history parameters*

- Age at sexual maturity
- Inter-birth intervals
- Calf and adult mortality rates
- Potential reproductive span
- Longevity

B. Monitoring Programmes

3. *High level overview of current monitoring programme*

4. *Detail of any planned activities of note*

5. *Relevant outputs to note (by species)*

C. Dedicated Surveys and Other Relevant Research

6. *Aerial surveys (how many have been conducted, over which area, when)*

- Number of surveys
- Area covered (with map)
- For which species
- Timeframe of survey

7. *Passive Acoustic Monitoring (PAM)*

- Locations of moored instruments (with map)
- Timeframe of survey
- Target species
- Make and model of instruments used

8. *Other research (not mentioned elsewhere in Section II, III or IV)*

- Name of the project
- Institution
- Duration

- Aim
- Method

Section IV: Use of Bycatches and Strandings

A. Stranding Network

1. *Collection of Carcasses*

- Details (phone, email, website)

2. *Live-Stranding Responses*

- Details (phone, email, website)

B. Strandings

3. *Recorded events (for each)*

- Species
- Location
- Number of animals found per event
- Found dead or alive

4. *Chosen response in the event of live strandings*

- (Attempted/successful) re-floating
- (Attempted/successful) rehabilitations
- Euthanasia (including method used)

5. *Necropsies*

- Details of responsible institution (phone, email, website)
- Protocol used for dissection methodologies, collection of samples etc.
- Number of carcasses necropsied
- Causes of death identified
- Any notable issues to report

6. Database

- Details of responsible institution (phone, email, website)

Section V: Legislation

A. Overview of Legislative Framework

1. National

- Legislation
- Guidelines

2. Regional / International

- Legislation
- Guidelines

Section VI: Information and Education

A. Education and outreach

- Details of education/outreach events, stakeholders engaged i.e. industry, and threat/species focused on
- Details of information/outreach materials produced, threat/species focused on and target audience

Section VII: Other Matters

A. Other information or comments important for the Agreement

B. Difficulties in implementing the Agreement

Resolution No. 2:

Work Plan for the ASCOBANS Advisory Committee and Secretariat 2017-2020 and Strategic Plan for Migratory Species 2015-2023

Reaffirming the importance of cooperating with and complementing the work of other international bodies and the desirability of drawing upon their expertise;

Recognizing that much progress is achieved by the commissioning of work by specialists, whether members of the Advisory Committee or otherwise;

Recalling Resolution 11.2 “Strategic Plan for Migratory Species 2015-2023”, Resolution 11.11 “Enhancing the Relationship between the CMS Family and Civil Society”, Resolution 11.22 “Live Captures of Cetaceans from the Wild for Commercial Purposes”, Resolution 11.23 “Conservation Implications of Cetacean Culture”, Resolution 11.26 “Programme of Work on Climate Change and Migratory Species”, Resolution 11.27 “Renewable Energy and Migratory Species”, Resolution 11.29 “Sustainable Boat-Based Marine Wildlife Watching” and Resolution 11.30 “Management of Marine Debris” adopted by the 11th Meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) in November 2014;

Further recalling CMS Resolution 10.14 “Bycatch of CMS-listed Species in Gillnet Fisheries”, Resolution 10.15 “Global Programme of Work for Cetaceans” and Resolution 10.24 on “Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Migratory Species” adopted by the 10th Meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) in November 2011 and still extant;

Also recalling United Nations General Assembly Resolution 70/1 (2015) adopting the 2030 Agenda for Sustainable Development, and welcoming the inclusion therein of Sustainable Development Goal 14 and its commitment on the conservation and sustainable use of oceans, while recognizing also the connections between healthy and productive oceans and other Sustainable Development Goals;

Reaffirming that the Advisory Committee, as a body with the task of providing advice on scientific, policy-related and administrative matters, needs a balance of scientists, policy-makers and administrators to cover its role adequately;

Stressing that the successful work of the Advisory Committee depends on the ability of its members to allocate sufficient time to the work of the Committee and its working groups;

Grateful to the chairs and members of the working groups supporting the Advisory Committee in its functions;

Acknowledging the important role that non-governmental organizations play in the work of the Advisory Committee and its working groups;

Noting also the other resolutions adopted at this meeting and having a bearing on this Work Plan, in particular Resolution No. 1 on National Reporting;

The Meeting of the Parties to ASCOBANS

1. *Decides* that, subject to sufficient resources being provided, the Advisory Committee and Secretariat should carry out the Work Plan attached as Annex 1;
2. *Instructs* the Secretariat to provide reports on its progress with the implementation of relevant parts of the Work Plan to each meeting of the Advisory Committee;
3. *Decides* that the Advisory Committee, its working groups and the Secretariat, with respect to the implementation of the activities requested of the Parties, should:
 - (a) focus each year's agenda for the Advisory Committee meeting on the issues covered in the Annual National Reports on the previous year, according to the schedule outlined in Resolution No. 1 on National Reporting;
 - (b) monitor general developments with respect to other issues at stake, and report if new urgencies arise, including from topic areas considered by the working groups;
 - (c) identify for each relevant activity in the Work Plan related work streams of other fora, and strengthen the cooperation and interaction in particular with the European Commission (DG Mare and DG Environment), other international organizations (e.g. ACCOBAMS, CBD, CMS, HELCOM, ICES, IWC, NAMMCO and OSPAR), fishery and other economic sectors and non-governmental organizations;
 - (d) encourage co-operation and interaction with non-Party Range States;
4. *Calls upon* Parties to submit meaningful National Reports as outlined in Resolution No. 1 adopted at this meeting in order to enable the Advisory Committee to assess progress with the implementation of the Agreement and make recommendations accordingly;
5. *Reiterates* its request that Parties:
 - (a) ensure that all nominated Advisory Committee members and their advisors can allocate time to attend Advisory Committee meetings, to intersessional work, and to participate in intersessional Advisory Committee working groups;
 - (b) continue to ensure where possible suitable expertise within delegations to the Advisory Committee;
6. *Encourages* Parties and relevant non-governmental organizations to support the activities outlined in Annex 1 by means of financial and in-kind contributions;
7. *Adopts* the Strategic Plan for Migratory Species 2015-2023 as appended in Annex 1 to CMS Resolution 11.2;
8. *Urges* Parties and *invites* other States, relevant multilateral bodies, intergovernmental organizations and civil society organizations working towards the conservation of migratory species to integrate the goals and targets of the Strategic Plan within relevant policy and planning instruments, and also to take action to raise awareness of the Plan; and
9. *Urges* Parties to implement the relevant actions agreed in other extant Resolutions adopted by the Meeting of the Parties to ASCOBANS as well as the Conference of the Parties to CMS.

Annex 1 to Resolution No. 2 – ASCOBANS Work Plan 2017-2020

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
Habitat Conservation and Management			
Fisheries-related Threats			
<p>1. Review new information on bycatch and associated strandings, bycatch mitigation and monitoring measures, including remote electronic monitoring and any further new techniques as well as local initiatives, and fisheries effort. Make recommendations to Parties and other relevant authorities for further action.</p>	<p>8.3 Jastarnia Plan 8.4 Common Dolphins 8.5 Bycatch 8.9 Cumulative Impacts</p>	<p>AC (incl. relevant Working Groups)</p>	<p>2018</p>
<p>2. Develop a joint working group with ACCOBAMS on bycatch.</p>	<p>8.5 Bycatch</p>	<p>AC (incl. Bycatch Working Group) / Secretariat</p>	<p>As soon as possible</p>
<p>3. Review whether the following remain appropriate, bearing in mind the overall objective of the Agreement to achieve and maintain a favourable conservation status for small cetaceans, and to make recommendations to Parties as appropriate:</p> <p>(a) the current maximum annual removal rate of 1.7 per cent of the best available estimate of abundance</p> <p>(b) the current intermediate precautionary aim of reducing bycatch to less than 1 per cent of the best available estimate of abundance</p> <p>(c) the objective of restoring and/or maintaining management units or populations to 80 per cent or more of their carrying capacity</p> <p>(d) the assessment/management units that have been proposed for regularly occurring species.</p>	<p>8.5 Bycatch 5.7 Research 5.5 Incidental Take 3.3 Incidental Take</p>	<p>AC (incl. relevant Working Groups)</p>	<p>2018</p>

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
4. Make recommendations on appropriate triggers indicating when an environmental limit (an unacceptable interaction) is at risk of being reached or exceeded.	8.5 Bycatch	AC (incl. relevant Working Groups)	2018
5. Review new information on resource depletion and its impacts on small cetacean populations. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts	AC (incl. relevant Working Groups)	2018
Disturbance (incl. potential physical impacts)			
6. Review new information on underwater noise , its impacts on small cetaceans and their prey species, mitigation measures, technological developments, best practices and guidelines. Make recommendations to Parties and other relevant authorities for further action.	8.6 Ocean Energy 8.8 Munitions 8.9 Cumulative Impacts 8.11 Noise EIA Guidelines 6.2 Offshore Construction 5.4 Adverse Effects	AC (incl. relevant Working Groups)	2017
7. Review new information on ocean energy , its impacts on small cetaceans, mitigation measures, technological developments, best practices and guidelines. Make recommendations to Parties and other relevant authorities for further action.	8.6 Ocean Energy 8.9 Cumulative Impacts 6.2 Offshore Construction 5.4 Adverse Effects	AC (incl. relevant Working Groups)	2017
8. Review new information on the cetacean watching industry , impacts on small cetaceans, best practices and guidelines. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts	AC (incl. relevant Working Groups)	2019

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
9. Review new information on recreational sea use , impacts on small cetaceans, best practices and guidelines. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts	AC (incl. relevant Working Groups)	2019
10. Review new information on other sources of disturbance , impacts on small cetaceans, best practices and guidelines. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts 5.4 Adverse Effects	AC (incl. relevant Working Groups)	2019
Habitat Change and Degradation (incl. potential physical impacts)			
11. Review new information on underwater munitions , their impacts on small cetaceans and cetacean habitat, and methods for their environmentally-friendly removal. Make recommendations to Parties and other relevant authorities for further action.	8.8 Munitions 8.9 Cumulative Impacts	AC (incl. relevant Working Groups)	2017
12. Review new information on marine debris (ingestion and entanglement), including microplastics, and its impacts on small cetaceans. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts	AC (incl. relevant Working Groups)	2018
13. Review new information on other forms of pollution and hazardous substances, and their impacts on small cetaceans and cetacean habitat. Make recommendations to Parties and other relevant authorities for further action.	8.7 PCBs 8.9 Cumulative Impacts 7.4 Chemical Pollution 5.7 Research	AC (incl. relevant Working Groups)	2019
14. Review new information on ship strikes and their impacts on small cetaceans. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts 5.4 Adverse Effects	AC (incl. relevant Working Groups)	2019

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
15. Review new information on climate change and ocean acidification, and the impacts these have on small cetaceans, their prey and their habitat. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts	AC (incl. relevant Working Groups)	2019
16. Review new information on physical habitat change , e.g. from construction, and its impacts on small cetaceans, their prey and their habitat. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts	AC (incl. relevant Working Groups)	2019
17. Review new information on any other issues , including emerging issues posing a potential threat, and the impact they have on small cetaceans, their prey and their habitat. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts	AC (incl. relevant Working Groups)	2019
Management of Cumulative Impacts			
18. Review best practice approaches to management of cumulative impacts on small cetaceans and their habitats, such as marine spatial planning. Make recommendations to Parties and other relevant authorities for further action.	8.9 Cumulative Impacts	AC (incl. relevant Working Groups)	2017
19. Contribute to the development of risk maps showing the spatial and temporal (by season) distribution of activities that have an impact on cetaceans, including information provided in National Reports, taking into account the work done by other organizations (funding may be required).	8.1 National Reporting	AC	2020
Area-based Conservation / Marine Protected Areas			
20. Review best practice approaches to management of marine protected areas for small cetaceans. Make recommendations to Parties and other relevant authorities for further action.	8.1 National Reporting 5.7 Research	AC (incl. relevant Working Groups)	2019
21. Contribute to the development of a map of MPAs where cetaceans form part of the selection criteria, for the entire ASCOBANS Area, including information provided in National Reports, taking into account the work done by other organizations (funding may be required).	8.1 National Reporting	AC	2020

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
Species Action Plans and Regional Initiatives			
22. Evaluate progress in the implementation of the Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan), establish further implementation priorities, carry out the periodic review of the Plan and promote the implementation of the Plan.	8.3 Jastarnia Plan 7.1 Porpoise Conservation 6.1 Jastarnia and North Sea Plans	Jastarnia Group	At each annual meeting
23. Evaluate progress in the implementation of the Conservation Plan for Harbour Porpoises in the North Sea, establish further implementation priorities, carry out the periodic review of the Plan and promote the implementation of the Plan.	7.1 Porpoise Conservation 6.1 Jastarnia and North Sea Plans	North Sea Group	At each annual meeting
24. Evaluate progress in the implementation of the Conservation Plan for Harbour Porpoises in the Western Baltic, the Belt Seas and the Kattegat, establish further implementation priorities, carry out the periodic review of the Plan and promote the implementation of the Plan.	7.1 Porpoise Conservation	Jastarnia Group	At each annual meeting
25. Finalize the Conservation Plan for Common Dolphins and circulate it to the Parties for adoption.	8.4 Common Dolphins	AC	2017
26. Review progress and actions in the “Extension Area”, maintain or establish collaboration, as appropriate.	8.1 National Reporting 7.3 Actions in Extension Area 5.3 Extension of Area	AC (incl. relevant Working Groups)	At each AC meeting

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
Surveys and Research			
Biological Information			
27. Review new information on population size, distribution, structure, life-history parameters and causes of any changes in the ASCOBANS Area of populations of small cetaceans. Make appropriate recommendations to Parties and other relevant authorities.	8.1 National Reporting 5.7 Research	AC (incl. relevant Working Groups)	2018
Monitoring Programmes			
28. Review new information on monitoring programmes relevant for small cetaceans, their prey and their habitat. Make recommendations to Parties and other relevant authorities for further action.	8.1 National Reporting 5.7 Research	AC (incl. relevant Working Groups)	2018
Dedicated Surveys and Other Relevant Research			
29. Review new information on dedicated surveys and other research relevant for small cetaceans, their prey and their habitat. Make recommendations to Parties and other relevant authorities for further action.	8.1 National Reporting 5.7 Research 4.7 Populations 3.5 Population Studies	AC (incl. relevant Working Groups)	2018
30. Contribute to the development of maps of survey effort, including information provided in National Reports, taking into account the work done by other organizations where appropriate (funding may be required).	8.1 National Reporting	AC	2020
Project Funding			
31. Issue call for project proposals when instructed to do so by the Advisory Committee, and conduct consultation on prioritization to the next meeting.		Secretariat	When instructed
32. Prepare for each meeting of the Advisory Committee an overview of approved activities requiring funding.		Secretariat	At each AC Meeting

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
Use of Bycatches and Strandings			
Stranding Networks			
33. Review new information on the establishment and functionality of stranding networks, especially with a view to facilitating liaison and skill-sharing. Make recommendations to Parties and other relevant authorities for further action.	8.10 Stranding Response	AC (incl. relevant Working Groups)	2018
34. Engage actively in the ongoing work on best practice guidelines for stranding events in the frameworks of the International Whaling Commission and ACCOBAMS.	8.10 Stranding Response	AC (incl. relevant Working Groups) / Secretariat	Throughout the intersessional period
35. Facilitate development of guidelines for responses to individual or groups of small cetaceans at risk in dangerous circumstances.	8.10 Stranding Response	AC (incl. relevant Working Groups)	
Strandings			
36. Review new information provided through the national reports. Make recommendations to Parties and other relevant authorities for further action.	8.1 National Reporting 8.10 Stranding Response	AC (incl. relevant Working Groups)	2018
37. Engage actively in the ongoing work on best practice guidelines for necropsies in the frameworks of the International Whaling Commission, the European Cetacean Society and ACCOBAMS.	8.10 Stranding Response	AC (incl. relevant Working Groups) / Secretariat	Throughout the intersessional period
38. Continue monitoring new information on the causes of strandings and mortality of cetaceans, as well as best practice guidance on stranding responses and necropsies, and to make recommendations to Parties as appropriate.	8.10 Stranding Response 5.7 Research	AC (incl. relevant Working Groups)	2018
39. Contribute to the development of a map showing location and numbers of strandings (both dead and alive), including information provided in National Reports, taking into account the work done by other organizations where appropriate.	8.1 National Reporting	AC	2020

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
Information and Education			
Information, Outreach and Education			
40. Make efforts to implement the existing (and possible future) Communication, Education and Public Awareness (CEPA) Plan.		Parties / Partners / Secretariat	Throughout the intersessional period
41. Review and revise, if necessary, the ASCOBANS Communication, Education and Public Awareness (CEPA) Plan, in alignment with the Communication Strategy for Migratory Species (currently in draft).		AC / Secretariat	2019
42. Develop the ASCOBANS website, including the children's website and other information material as needed, aiming to meet the needs of a wide range of target audiences in the languages of the Agreement Area.	5.8 Education and Promotion	Secretariat	Throughout the intersessional period
43. Support annual celebration of the International Day of the Baltic Harbour Porpoise on the 3 rd Sunday in May.	8.3 Jastarnia Plan	Parties / Partners / Secretariat	Every year
44. Facilitate presentation of the ASCOBANS Outreach and Education Award at MOP9.		Secretariat / AC	2019
45. Take advantage of attendance at other fora to give presentations or make information available on topics related to ASCOBANS.		Secretariat / Parties / Partners	Throughout the intersessional period
46. Report on outreach and communication issues to each meeting of the Advisory Committee.		Secretariat	At each AC Meeting
Stakeholder Involvement			
47. Work towards strengthening or establishing positive relationships with stakeholders, especially the fishing industry and European fisheries Advisory Councils.		AC / Secretariat	Throughout the intersessional period

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
Institutional Issues			
Meetings, Working Groups and Workshops			
48. Ensure Advisory Committee Meetings are organized as scheduled, with papers circulated one month in advance of the meetings.		Secretariat	For each AC Meeting
49. Arrange for a special session dealing with a species selected by the previous meeting at each meeting of the Advisory Committee, covering issues such as population status and structure, distribution, abundance, life history, threats and pressures, the conservation status and recommendations for research and conservation actions.		AC / Secretariat	For each AC Meeting
50. Organize meetings of regional working groups (Jastarnia Group, North Sea Group) at intervals defined in each group's ToR.		Secretariat	Throughout the intersessional period
51. Organize workshops including at the annual conferences of the ECS on topics of priority interest to ASCOBANS, funding permitting.		Secretariat	As instructed
52. Support intersessional correspondence working groups as needed.		Secretariat	Throughout the intersessional period
53. Seek to secure a host for the 9 th Meeting of Parties at least a year in advance of the meeting; otherwise arrange for it to be held in Bonn.		Secretariat	2019
Budgetary and Administrative Matters			
54. Report on budgetary and administrative issues to each meeting of the Advisory Committee.		Secretariat	At each AC Meeting
55. Prepare draft budget options and resolutions on budgetary and administrative issues for consideration at the last meeting of the Advisory Committee prior to MOP9.		Secretariat / AC	2019

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
56. Encourage Parties and partner organizations to provide voluntary contributions for projects prioritized by the AC or outreach initiatives.		Secretariat	Throughout the intersessional period
57. Develop funding arrangements for projects prioritized by the Advisory Committee and Meeting of Parties.		Secretariat	Throughout the intersessional period
Cooperation with Other Organizations			
58. Identify priorities and improve co-operation between ASCOBANS and institutions of the European Union.		AC / Secretariat	Throughout the intersessional period
59. Ensure close collaboration with the Secretariats and scientific advisory bodies of the CMS Family on all issues of mutual interest.		Secretariat	Throughout the intersessional period
60. Seek to implement the Strategic Plan for Migratory Species 2015-2023 (CMS Resolution 11.2) and consider the development of sub-targets.		AC	Throughout the intersessional period
61. Seek to cooperate closely with CBD, ECS, HELCOM, ICES, IWC, NAMMCO, OSPAR, UNCLOS, UNEP and other relevant organizations.	8.6 Ocean Energy 8.7 PCBs 8.8 Munitions 8.10 Stranding Response 5.8 Education and Promotion	AC / Secretariat	Throughout the intersessional period

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
62. Seek to collaborate with the ICES Working Group on Bycatch of Protected Species (WGBYC), the Scientific, Technical and Economic Committee for Fisheries (STECF) established by the European Union, the Regional Coordination Groups, and other relevant organizations addressing bycatch.	8.5 Bycatch	AC	Throughout the intersessional period
63. Transmit information on the effects of PCBs on small cetaceans to UNEP, the Stockholm Convention, the CLRTAP Protocol on POPs, HELCOM and OSPAR for further consideration and possible action, and seek to engage with these processes as far as feasible.	8.7 PCBs	Secretariat / Ac	Throughout the intersessional period
64. Seek to strengthen collaboration with civil society organizations and non-governmental organizations.		AC / Partners / Secretariat	Throughout the intersessional period
65. Compile a list of Dates of Interest and report back to each meeting of the Advisory Committee on attendance at such meetings.		Secretariat / Parties / Partners	At each AC Meeting
66. Insofar as budgetary provisions and guidance by the Advisory Committee allow for it, ensure proper representation at meetings of other relevant organizations.		Secretariat	Throughout the intersessional period
National Reports			
67. Develop the sections of the reporting format one by one, starting with those to be considered in each report and at the first Advisory Committee Meeting after MOP8.		AC	Annually
68. In developing the detail of each section, consult experts on the subjects in order to ensure that essential information is gathered in a form that standardizes responses and lends itself to statistical analysis as far as possible, and decide which topics should be reported on by region.		AC	Annually
69. Make full use of the information submitted in order to assess progress in the implementation of the Agreement and make recommendations to Parties.		AC	Annually

WORK PLAN ACTIVITY	LINK TO EXTANT RESOLUTIONS	ACTION BY	TIMING
70. Tailor the agenda for each of the meetings of the Advisory Committee to reflect the topics selected for the previous year's national reports.		AC	Annually
Other Matters			
71. Consider output of the informal working group on large cetaceans in the Agreement Area, which summarizes information on the species and addresses aspects of their conservation.		AC (incl. relevant Working Groups)	As appropriate during the intersessional period
72. Promote accession of non-Party Range States and the European Commission to the Agreement.		Secretariat / Parties	Throughout the intersessional period
73. Present to the Meeting of Parties a summary of, <i>inter alia</i> , progress made and difficulties encountered since the last Meeting of Parties.		Secretariat	At MOP9
74. Support Parties, Range States and Agreement bodies in implementing this Work Plan, in so far as primary responsibility does not lie with the Secretariat.		Secretariat	Throughout the intersessional period
75. Present to Parties, each year no later than 30 June, provided all reports have been received sufficiently in advance of that date, a compilation of Annual National Reports.		Secretariat	At each AC Meeting

Resolution No. 3:

Revision of the Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan)

Recalling the aim of the Agreement to achieve and maintain a favourable conservation status for small cetaceans;

Further recalling the requirements of the EU treaty and its subsidiary legislation, in particular in the field of European nature protection and the Common Fisheries Policy;

Emphasizing the need to implement the requirement to protect the harbour porpoise as a species included in Annex IV of the Habitats Directive (Council Directive 92/43/EEC) and considering the Jastarnia Plan as a valuable contribution;

Recalling that Good Environmental Status of European Seas is set as a goal to be achieved by 2020 under the Marine Strategy Framework Directive (MSFD);

Noting the enhanced scientific knowledge regarding the population and abundance of Baltic Sea harbour porpoises generated by the SAMBAH (Static Acoustic Monitoring of the Baltic Sea Harbour Porpoise) project;

Very concerned that the available evidence indicates that the harbour porpoise population of the Baltic Proper continues to be in serious danger, and that the IUCN status of the population in the Baltic Proper is “endangered by extinction”;

Aware that bycatch in gillnet fisheries has been identified as the greatest threat to the populations, but that other factors such as high contaminant levels and both chronic and impulsive underwater noise are also of serious concern;

Recognizing the efforts under HELCOM and the European Union to achieve good environmental status in the Baltic Sea;

Recalling Resolution No. 1 of MOP6 on the Adoption and Implementation of the Jastarnia and North Sea Plans, and Resolution No. 1 of MOP7 on Conservation of Harbour Porpoises and Adoption of a Conservation Plan for the Western Baltic, the Belt Sea and the Kattegat;

Acknowledging with appreciation the efforts undertaken by Parties to date to implement the three regional harbour porpoise action plans developed under the Agreement;

Recalling the requirement for regular reviews and updates of both the Jastarnia Plan and the Conservation Plan for the Western Baltic, the Belt Sea and the Kattegat (WBBK Plan);

Stressing that further actions to implement all three harbour porpoise action plans are urgently needed;

Expressing thanks to the individuals and institutions around the Baltic Sea that made efforts to raise awareness of the Baltic harbour porpoise and the threats it faces, for example, by participating in the annual celebration of the International Day of the Baltic Harbour Porpoise (IDBHP);

Further expressing thanks to the experts that contributed to the development of this document, including the members of the Jastarnia Group that provided valuable input and comments;

Noting other related resolutions adopted at this meeting, in particular Resolution No. 5 on Monitoring and Mitigation of Small Cetacean Bycatch, Resolution No. 6 on Ocean Energy, Resolution No. 7 on Impacts of Polychlorinated Biphenyls (PCBs), Resolution No. 8 on Addressing the Threats from Underwater Munitions, Resolution No. 9 on Managing Cumulative Anthropogenic Impacts in the Marine Environment, Resolution No. 10 on Small Cetacean Stranding Response, and Resolution No. 11 on CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities;

The Meeting of the Parties to ASCOBANS

1. *Adopts* the Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan) attached as Annex 1;
2. *Urges* the Parties concerned to implement this Plan fully and without delay;
3. *Invites* non-Party Range States also to implement this Plan;
4. *Reiterates* that as a matter of urgency, every effort should be made to reduce bycatch towards zero as quickly as possible, noting that gillnet fisheries are considered the primary threat for the survival of the harbour porpoise population primarily inhabiting the Baltic Proper;
5. *Urges* Parties and *encourages* other stakeholders to support the implementation of the high priority actions identified in the Plan relating to mitigation measures, through international cooperation, national efforts, and by providing the necessary financial means in order to progress this work;
6. *Encourages* Parties and other stakeholders to support the implementation of the actions relating to cooperation, public awareness and capacity-building, research and monitoring, through concerted national efforts, their participation in related fora and processes, and by providing the necessary financial means in order to progress these work areas;
7. *Invites* individuals and institutions around the Baltic Sea to support the annual celebration of the International Day of the Baltic Harbour Porpoise (IDBHP) by means of outreach events and educational activities;
8. *Calls on* Parties that are Range States to the WBBK Plan or the North Sea Plan to continue and to step up implementation of these action plans, recognizing the importance of coordinated conservation measures throughout the Agreement Area;
9. *Encourages* Parties and *invites* non-Party Range States to nominate fisheries and environment experts to the Jastarnia Group and enable them to participate regularly in this working group, which is to be composed of representatives from the environment and fisheries sectors of the countries surrounding the Baltic Sea;
10. *Requests* Baltic Sea Parties and Range States to continue supplying ASCOBANS, in particular through the meetings of the Jastarnia Group, with updated information on progress in implementing the Plan;
11. *Further requests* the Advisory Committee to continue reviewing the recommendations of the Jastarnia Group and to endorse them as appropriate; and
12. *Also requests* ASCOBANS Parties to ensure that the necessary funding is provided for a revision of the present Plan prior to the next Meeting of the Parties and for a timely revision of the WBBK Plan.

ASCOBANS

Recovery Plan for Baltic Harbour Porpoises

Jastarnia Plan (2016 Revision)



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Executive Summary

This is the ASCOBANS species action plan for what is called Baltic harbour porpoise population primarily inhabiting the Baltic Proper. The population's abundance has recently been estimated at only 497 individuals (95% CI 80 – 1091) and it has a wide overall distribution range. During the winter season, it stretches from the Åland and Archipelago Seas in the north, to the Southern Baltic Proper in the southwest, and perhaps even further west thereof. In the summer season, however, when calving and mating take place, the majority of the population aggregates at and around the Hoburg's and Northern and Southern Mid-sea banks in the Baltic Proper. Thus, this area should be considered essential and probably the main breeding area for the Baltic harbour porpoise population. The population's current status calls for immediate conservation actions. Bycatch in gillnet fisheries has been recognized as the primary threat for the survival of the Baltic harbour porpoise population, although high contaminant levels are also of serious concern. Continuous and impulsive underwater noise and possibly also reduced prey quality are further contributing factors.

The Jastarnia Plan serves as a framework for international collaboration towards achieving ASCOBANS' interim goal of restoring the population to at least 80 per cent of carrying capacity, and, ultimately, a favourable conservation status for Baltic harbour porpoises.

The plan lists a number of actions, of which the following should be carried out as a matter of urgency:

1. Involve stakeholders, use alternative fishing gear, apply available technology such as pingers, and reduce or eliminate fishing effort to reduce the number of bycaught harbour porpoises in the Baltic towards zero.
2. Designate marine protected areas for harbour porpoises together with management plans and monitoring schemes for efficient contribution to the protection and monitoring of the population.
3. Minimize the impact of anthropogenic underwater noise through the use of available mitigation measures and implementation of internationally harmonized national threshold limits and guidelines.

The outline of the Plan is as follows:

1. *Introduction*: An outline of the scope, context and policy setting of the Plan, including information on previous conservation management actions, as well as overall objectives.
2. *Legal frameworks*: A list of relevant legal frameworks, including international conventions and agreements, European and national legislation and management arrangements.
3. *Governance*: An outline of the management structure identifying the roles, responsibilities and interactions between the key stakeholders, as well as the timeline from the development stage through the implementation and review stages.
4. *Scientific background*: Information on biology, status, environmental parameters, critical habitats, and attributes of the population to be monitored.
5. *Threats, mitigation measures and monitoring*: A summary of the known or suspected threats together with a discussion of their evidence of impact, and the mitigation measures for the key threats and how they will be monitored.
6. *Actions*: Descriptions of actions including information such as concise objective, rationale, activity or method, timeline, actors and priority.

Introduction

The harbour porpoise is the only cetacean species occurring throughout the year in the Baltic Sea. Genetic (Wiemann et al., 2010), morphometric (Galatius et al., 2012) and distributional studies (Sveegaard et al., 2015; SAMBAH, 2016a) indicate a separate harbour porpoise population in the Baltic Proper. Since the mid-20th century, its numbers have declined drastically. This decline has probably been caused by a combination of factors: commercial hunting up to the end of the 19th century which was resumed during the two world wars (Lockyer and Kinze, 2003; Skóra and Kuklik, 2003), severe ice conditions during the first half of the 20th century (Svårdson, 1955), environmental contaminants (Beineke et al., 2005; Berggren et al., 1999) probably causing immunosuppression, increased disease risk and reproductive failure (Jepson et al., 2005; Murphy et al., 2015), and, most importantly during the last decades, the use of synthetic gillnets (Hammond 2008, HELCOM 2013). Visual aerial surveys conducted in the southern Baltic Sea in 1995 and 2002 indicated that only a few hundred animals remained (Berggren et al., 2004, 2002) (Annex 1, Figure 1). The population is currently listed as Critically Endangered (CR) by IUCN (Hammond, 2008) and listed in Annex II and IV of the Habitats Directive.



Figure 1. Map of geographical terms used in the Jastarnia Plan.

With the aim of estimating the abundance and mapping the distribution of the harbour porpoise in the Baltic Sea, the LIFE+ project SAMBAH (Static Acoustic Monitoring of the Baltic Sea Harbour Porpoise) was carried out (www.sambah.org). Based on an acoustic survey using harbour porpoise click loggers deployed at 304 locations from May 2011 to April 2013, the abundance of the Baltic harbour porpoise population was estimated at 497 individuals (95% CI 80 – 1091) (SAMBAH, 2016a). The SAMBAH survey area covered the waters of 5 – 80 m depth from the Darss and Drogden underwater sills in the southwest, up to and

including the Åland and Archipelago Seas and the EU waters of the Gulf of Finland in the northeast (Figure 1). Modelled maps of the probability of detecting harbour porpoises show a spatial separation between the Belt Sea and Baltic populations during the summer season (Figure 1) (SAMBAH, 2016a). Particularly during May – August, i.e. when calving and mating take place (Börjesson and Read, 2003; Lockyer, 2003), the Baltic harbour porpoises aggregate at and around the Hoburg's and Northern and Southern Mid-sea banks in the Baltic Proper (Figure 1). During the winter season, especially during January – March, the animals are more spread out across the study area and they overlap spatially with the Belt Sea population (Figure 2; enlarged in Appendix I, Figures 2a – 2b).

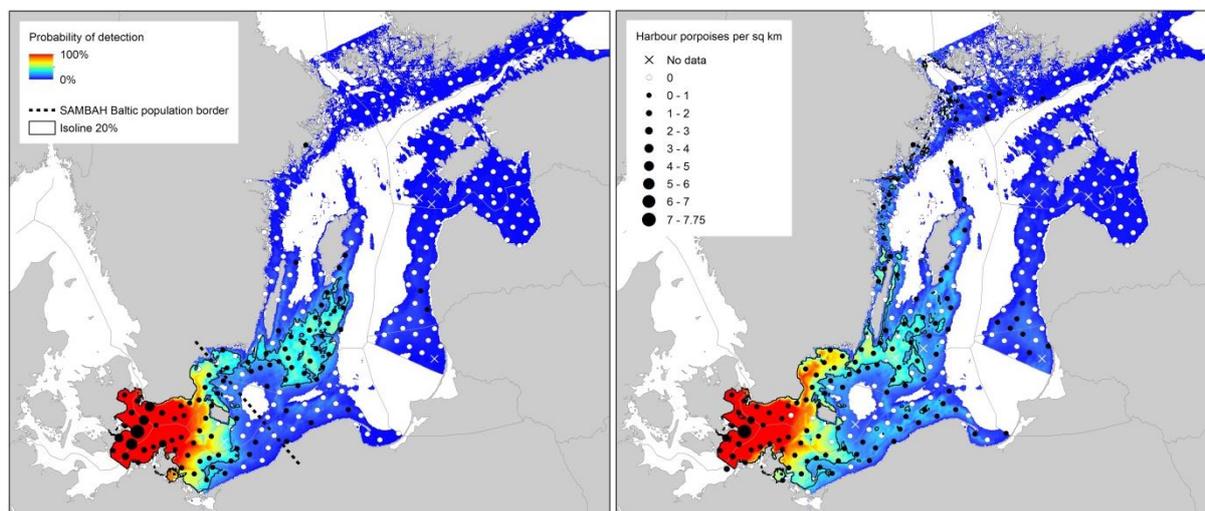


Figure 2. Predicted probability of detection of harbour porpoises per month in the SAMBAH project area during May – October (left) and November – April (right). The black line indicates 20% probability of detection, approximately equivalent to the area encompassing 30% of the population, often used to define high-density areas. The dots or crosses show the probability of detection at the SAMBAH survey stations. The border indicates the spatial separation between the Belt Sea and Baltic harbour porpoise populations during May – October according to SAMBAH (2016a).

The current threats in combination with the low population abundance estimate call for urgent mitigation action to secure the survival of the Baltic harbour porpoise. The distribution maps provide the first thorough spatio-temporal basis for efficient conservation measures. In addition, the overall year-round distribution range clearly demonstrates the importance of international cooperation to optimize the success of such measures.

This is the third version of the ASCOBANS Recovery Plan for Baltic Harbour Porpoises (ASCOBANS, 2002, 2009). Among other things, the lack of data has inhibited the implementation of concrete conservation measures. A total of 17 Special Areas of Conservation (SACs) within the Natura 2000 network have been designated for harbour porpoises in Danish (1), German (11), Polish (4) and Swedish (1) waters east of the Darss and Drogden underwater sills. For 13 of those sites the harbour porpoise population's status calls for a management plan, however none of the sites has a management plan including the harbour porpoise.

Overall objectives of the Jastarnia Plan

ASCOBANS has the interim goal of restoring the Baltic harbour porpoise population to at least 80% of the carrying capacity. In order to work towards achieving this interim goal and, ultimately, a favourable conservation status for Baltic harbour porpoises, Baltic Range States should, as a matter of urgency, seek to reach the following objectives:

1. Involve stakeholders, use and continue to develop alternative fishing gear and available technology such as pingers, and reduce or eliminate fishing effort to reduce the number of bycaught harbour porpoises in the Baltic towards zero.
2. Designate marine protected areas for harbour porpoises together with management plans and monitoring schemes for efficient contribution to the protection and monitoring of the population.
3. Minimize the impact of anthropogenic underwater noise through the use of available mitigation measures and implementation of internationally harmonized national threshold limits and guidelines.

In the short to medium term, the following objectives are of high priority:

4. Improve knowledge on population structure, assess population status and develop recovery targets.
5. Improve knowledge, develop indicators or threshold levels, and assess impacts of habitat degradation, such as increased levels of anthropogenic underwater noise, contaminants and decreased prey quality.
6. Improve monitoring methods for bycatch and estimate bycatch rates, including their spatio-temporal distribution.
7. Increase public awareness of the threats faced by Baltic harbour porpoises, the need to take action to conserve the species, and the options for action. Cooperate between ASCOBANS and other international bodies.

In the long term, the following objective is of high priority:

8. Monitor the absolute abundance and population trend with high precision.

Legal and institutional framework

International legal instruments and international organizations

In addition to ASCOBANS, a number of other international legal instruments or international organizations deal to a greater or lesser extent with the conservation of harbour porpoises in the Baltic Sea. Among these are the following:

The United Nations Convention on the Law of the Sea (UNCLOS) is an international treaty that seeks to regulate all aspects of the use of the ocean and seas and their resources. UNCLOS contains a general obligation to protect and preserve the marine environment and specific obligations for the various jurisdictional zones defined by the Convention, such as exclusive economic zones (EEZs), the continental shelf and the high seas. It also stipulates that parties to the convention shall cooperate with and work through competent international organizations in seeking to achieve the aims of the Convention.

The Convention on Biological Diversity (CBD) has three main objectives: conservation of biological diversity, sustainable use of the components of biological diversity, and fair and equitable sharing of the benefits arising out of the utilization of genetic resources. For the conservation of biodiversity, five strategic goals have been developed for a total of 20 targets called the Aichi Biodiversity Targets.

ASCOBANS was concluded under the auspices of the *Convention on the Conservation of Migratory Species of Wild Animals (CMS)*. CMS is an environmental treaty elaborated under the aegis of the United Nations Environment Programme. It provides a global platform for the conservation of migratory animals, defined as any population, or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of which cyclically and predictably crosses one or more jurisdictional boundaries. According to the fundamental principles of the Convention (Article II), the Parties acknowledge the importance of migratory species being conserved and of Range States agreeing to take action to this end whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in co-operation appropriate and necessary steps to conserve such species and their habitat. CMS differentiates between species that are endangered (Article III) and those species that require international agreements for their conservation and management, or which have a conservation status which would significantly benefit from the international cooperation that could be achieved by an international agreement (Article IV). ASCOBANS was concluded under Article IV. CMS has also adopted several resolutions relevant for the protection of cetaceans.

In 2013, the *Baltic Marine Environment Protection Commission (HELCOM)* updated its Recommendation 17/2 on the protection of the harbour porpoise in the Baltic Sea, which was first adopted in 1996. The Recommendation gives highest priority to avoiding bycatch of harbour porpoises, calls for close cooperation with ASCOBANS and ICES (*see below*) on the collection and analysis of data on population status and threats, and recommends the establishment of protected areas for harbour porpoises. Further, HELCOM develops core indicators for the assessment of the Baltic marine environment against targets that reflect good environmental status. For harbour porpoises there is one core indicator, 'Number of drowned mammals and waterbirds in fishing gear'. However this currently lacks monitoring data on bycaught harbour porpoises. There is also one candidate core indicator regarding 'Harbour porpoise distribution and abundance'. This indicator is aimed to be developed based on passive acoustic monitoring, which is currently not in place, and the indicator requires further development once the data become available. In addition to these, core indicators are being developed to evaluate the population condition of seals based on nutritional and reproductive status. Presently harbour porpoises are not included in these indicators. However comparable parameters could be developed. Available core indicators are to be used in the second holistic assessment of ecosystem health in the Baltic Sea (HOLAS II). The indicators on harbour porpoises are currently not foreseen to be operational in time to deliver evaluations to HOLAS II, thus information on the status of harbour porpoises will need to be included in a more descriptive manner in the holistic assessment.

The International Council for the Exploration of the Sea (ICES) has a Working Group on Marine Mammal Ecology (WGMME), which provides scientific advice in relation to marine mammals, and another Working Group on Bycatch of Protected Species (WGBYC), which collates and assesses information on bycatch monitoring and assessment for protected species, including mammals, birds, turtles, and rare fish. WGMME annually examines any new information relevant for population status, anthropogenic impacts (linking with the WGBYC) and management frameworks, and assesses how these can contribute to the regulatory requirements of Contracting Parties. WGBYC focuses on improvements of monitoring and mitigation methodologies and reviews the EU Member States' actions under Regulation 812/2004. Regarding monitoring of protected species bycatch, it provides advice on how monitoring can be improved, and has recently focused on how protected species monitoring might be addressed under the EU Data Collection Framework (DCF). Regarding bycatch mitigation, it looks at relevant bycatch mitigation measures and helps coordinate relevant experimental work.

The harbour porpoise in the Baltic Sea is listed as Critically Endangered (CR) by the *International Union for Conservation of Nature (IUCN)* (Hammond et al. 2008) and HELCOM (2013).

European legislation

The harbour porpoise is listed in Annex II and Annex IV of *Council Directive 92/43/EEC*, also called the *Habitats Directive*. The overall aim of the Habitats Directive is to maintain or restore, at a favourable conservation status, natural habitats and species of wild fauna and flora of Community interest. Annex II stipulates that EU Member States shall designate areas of the harbour porpoise's habitat as Natura 2000 sites and under Annex IV Member States are required to establish a system of strict protection throughout the natural range of the species. The protection measures shall encompass, for example, a prohibition of all forms of deliberate killing in the wild, deterioration or destruction of breeding sites, and deliberate disturbance, particularly during breeding, rearing and migration.



Figure 3. Natura 2000 sites from the Darss and Drogden underwater sills and eastwards, for which harbour porpoises are on the species list. The numbers refer to the serial numbers in Table 1.

From the Darss and Drogden underwater sills and eastwards, the EU Member States have up until now designated a total of 17 Natura 2000 sites with harbour porpoises on the species list (Figure 3, Table 1). The total marine area of these sites is 904,839 ha (data created on 14 April 2015 by the European Environmental Agency, EEA, and downloaded from <http://www.eea.europa.eu/data-and-maps/data/natura-6> on 23 Feb 2016). For 13 of the 17 sites the harbour porpoise population's status calls for management plans (data from end of 2015 to 3 February 2016, downloaded from <http://natura2000.eea.europa.eu> on 3 May 2016), however none of the sites has a management plan including the harbour porpoise. In May 2016, the Swedish County Administrative Boards are preparing proposals of new Natura 2000 sites for harbour porpoises. The proposals for the Baltic Sea are based on results from the SAMBAH project.

Table 1. Natura 2000 sites from the Darss and Drogden underwater sills and eastwards, for which harbour porpoises are on the species list. For each site the total area, the marine area, the status of the population and whether a management plan is in place or not is given. Population status indicates the ratio between the population within the site in relation to within the national territory, with A = 15 – 100%, B = 2 – 15%, C = 0 – 2%, D = non-significant. For population status D, the species does not have to be included in the site management plan.

Serial no.	Country	Site code	Site name	Total area (ha)	Marine area (ha)	Population status
1	DK	DK00VA261	Adler Grund og Rønne Banke	31,910	31,910	D
2	DE	DE1249301	Westliche Rönnebank	8,601	8,601	C
3	DE	DE1251301	Adlergrund	23,397	23,397	C
4	DE	DE1339301	Kadetrinne	10,007	10,007	C
5	DE	DE1343301	Plantagenetgrund	14,909	14,909	C
6	DE	DE1346301	Steilküste und Blockgründe Wittow	1,850	1,633	D
7	DE	DE1540302	Darßer Schwelle	38,421	38,421	C
8	DE	DE1541301	Darß	4,204	673	D
9	DE	DE1544302	Westrügensche Boddenlandschaft mit Hiddensee	23,278	19,949	D
10	DE	DE1552401	SPA Pommersche Bucht	200,417	200,417	B
11	DE	DE1652301	Pommersche Bucht mit Oderbank	110,115	110,115	B
12	DE	DE1749302	Greifswalder Boddenrandschwelle und Teile der Pommerschen Bucht	40,401	40,401	C
13	PL	PLH220023	Ostoja Słowińska	32,955	11,501	B
14	PL	PLH220032	Zatoka Pucka i Półwysep Helski	26,566	21,798	A
15	PL	PLH320019	Wolin i Uznam	30,792	5,761	B
16	PL	PLH990002	Ostoja na Zatoce Pomorskiej	243,059	242,718	B
17	SE	SE0340144	Hoburg's Bank	122,627	122,627	C
	<i>Total</i>			963,509	904,839	

According to Article 17 of the Habitats Directive, Member States shall report on the conservation status of the natural habitats and species that are of Community interest, such as the harbour porpoise. Based on the Member State assessments, the Commission delivers a summary assessment for each habitat or species on the biogeographical level. Member State reports shall be drawn up every sixth year. The assessments of the harbour porpoise conservation status in the Marine Baltic bioregion (Annex I, Figure 1), for the last two reporting periods, are shown in Table 2 (data downloaded from European Topic Centre on Biological Diversity, EIONET, database <http://art17.eionet.europa.eu/article17/reports2012/>, on 25 February 2016). As the harbour porpoise populations do not follow the same geographical borders as the bioregions, the status for the Danish and Swedish waters is a mix of animals from both the Belt Sea and the Baltic harbour porpoise populations, although to different extents. In the most recent assessment, no Member State reported any information on the future prospects of the harbour porpoise in the Marine Baltic bioregion.

Table 2. Member State assessments and summary assessment of the harbour porpoise conservation status in the marine Baltic bioregion following the Habitats Directive Article 17. Assessments are given for the last two reporting periods, 2001 -2006, and 2007 – 2012, respectively. No assessment is made by Finland as the species is reported as occasional.

Member State	2001 – 2006	2007 – 2012
Denmark*	Unfavourable – Bad (U2)*	Unfavourable – Bad (U2)*
Estonia	Unfavourable – Inadequate with a negative trend (U1-)	Unfavourable – Inadequate (U1)
Germany*	Unfavourable – Bad (U2)	Unfavourable – Bad (U2)
Latvia	Unfavourable – Bad (U2)	Unknown (XX)
Lithuania	n.a.	n.a.
Poland	Unfavourable – Bad (U2)	Unfavourable – Bad (U2)
Sweden*	Unfavourable – Bad with a negative trend (U2-)*	Unfavourable – Bad (U2)*
<i>Biogeographical summary</i>	<i>Unfavourable – Bad (U2)</i>	<i>Unfavourable – Bad (U2)</i>

* The national assessment for the bioregion includes parts of the distribution ranges of both the Belt Sea and the Baltic harbour porpoise populations.

Directive 2008/56/EC of the European Parliament and of the Council, or the Marine Strategy Framework Directive (MSFD), aims at achieving or maintaining good environmental status (GES) in the marine environment by the year 2020 at the latest. GES shall be determined by a set of eleven qualitative descriptors, of which four are directly relevant to the harbour porpoise; Descriptor 1 on maintaining biological diversity, Descriptor 4 on normal abundance and diversity of the elements of the marine food web, Descriptor 8 referring to concentrations of contaminants that are at levels that do not give rise to pollution effects, and Descriptor 11, stipulating that the introduction of energy, including underwater noise, shall not adversely affect the marine environment. In addition to these descriptors, the harbour porpoise is indirectly affected by e.g. Descriptor 3 referring to the aim that populations of all commercially exploited fish and shellfish are within safe biological limits, and Descriptor 6 related to the aim that seafloor integrity is at a level that ensures that the structure and functions of the ecosystems are safeguarded.

One of the objectives of *Regulation EU 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy (CFP)* is that the CFP shall implement the ecosystem-based approach to minimize negative impacts of fishing activities on the marine ecosystem. For this purpose, conservation measures such as modifications or additional devices to reduce incidental capture of endangered, threatened and protected species, or limitations on the use of certain fishing gears, shall be adopted. Also highly relevant is the request that Member States should collect data on fleets and their fishing activities. Member States should manage the collected data and make them available to end-users and other interested parties. The data include biological, environmental, technical and socio-economic aspects, for example data on the impact of fisheries on biological resources and the marine ecosystem.

The aim of *Council Regulation EC 812/2004 on measures concerning incidental catches of cetaceans in fisheries* is to mitigate incidental catches of cetaceans by fishing vessels in specific areas. With regard to the Baltic Sea, the Regulation states that pingers are mandatory all year round in ICES statistical area 24, located west of Bornholm in the southern Baltic Sea, and an area in Hanö Bight in southern Sweden, for vessels above 12 m in length fishing with bottom-set gillnets or entangling nets (Annex I, Figure 1). For vessels above 15 m fishing with pelagic trawls, or bottom-set gillnets or entangling nets with mesh size equal to or greater than 80 mm, Member States shall design and implement monitoring schemes using on-board observers. The monitoring schemes shall be designed to achieve an estimate of the cetacean bycatch rate with a coefficient of variation (CV) not exceeding 0.3. For vessels under 15 m, Member States shall take the necessary steps to collect scientific data on incidental catches by scientific studies or pilot projects.

New projected regulations on fisheries data collection (COM(2015)294) and on technical measures (COM(2016)134), will repeal Council regulation 812/2004. The obligation to monitor bycatch of cetaceans will probably be included in the fisheries data collection regulation and bycatch mitigation measures, such as the obligation to use pingers on all set nets used on vessels of 12 m length or over, will be addressed by the regulation on technical measures. ASCOBANS does not consider this to be sufficient, and has

proposed a new or an amended regulation focusing specifically on cetacean conservation objectives, coupled with the incorporation of the monitoring requirements and mitigation measures under the DCF for fisheries and the technical measures framework (ASCOBANS, 2015).

National Red Data Books or Red Lists

Table 3 gives an overview of the conservation status of the harbour porpoise according to national red data books or red lists. Note that Denmark, Germany and Sweden do not give a separate classification for the Baltic harbour porpoise population, but one general classification for all populations in their national waters.

Table 3. National red list status of the harbour porpoise in the Baltic Sea.

Country	Red list status	Reference
Denmark*	Vulnerable (VU)*	Wind & Pihl (2004)
Estonia	Data Deficient (DD)	Anonymous (2008)
Finland	Regionally extinct (RE)	Liukko et al. 2016
Germany*	Endangered (EN)	Haupt et al. (2009)
Latvia	Probably extinct (0)	Andrušaitis (2000)
Lithuania	Not listed	Rašomavičius (2007)
Poland	Least Concern (LC)	Głowacinski et al. (2002)
Russian Federation	Uncertain (4)	Iliashenko & Iliashenko (2000)
Sweden*	Vulnerable (VU)*	Artdatabanken (2015)

* No separate assessment has been made for the Baltic harbour porpoise population.

Governance

Coordination of the Jastarnia Plan

The Jastarnia Group is a working group of the ASCOBANS Advisory Committee, acting as the Steering Group for the ASCOBANS Recovery Plan for Baltic Harbour Porpoises. It evaluates progress in the implementation of the Plan, establishes further implementation priorities and makes appropriate recommendations, and carries out the periodic reviews of the Plan.

The Jastarnia Group is composed of representatives from the environment and fisheries sectors of the countries surrounding the Baltic Sea. The full Terms of Reference for the Jastarnia Group are available online (http://www.ascobans.org/en/working_group/jastarnia).

The actual implementation of this Plan falls within the remit of the Parties.

Timeline for implementation of the Jastarnia Plan

This Conservation Plan is adopted without prejudice to the exclusive competence of the European Union for the conservation of marine biological resources under the Common Fisheries Policy. Upon adoption, this revised Plan will supersede the revised Jastarnia Plan of 2009.

It is important that the revised plan and the recommendations outlined within it be implemented without delay, and that ASCOBANS undertake a formal re-evaluation and revision of the plan at least every five years. The next review should occur at the Advisory Committee Meeting before the Meeting of the Parties following the adoption of the Plan.

Scientific background

Biology, status and environmental parameters

Population structure

Since the previous revision of the Jastarnia Plan, three extensive studies on the population structure of the harbour porpoise in the Baltic region have been published: Wiemann et al. (2010) who analysed genetic samples from a total of 497 harbour porpoises, Galatius et al. (2012) who analysed the three-dimensional shape of 277 harbour porpoise skulls, and Sveegaard et al. (2015) who analysed the distribution pattern of a total of 96 harbour porpoises fitted with satellite transmitters, as well as genetic samples from 48 harbour porpoises and data on harbour porpoise echolocation frequency at 40 C-POD stations in the southwest Baltic Sea deployed in the framework of the SAMBAH project.

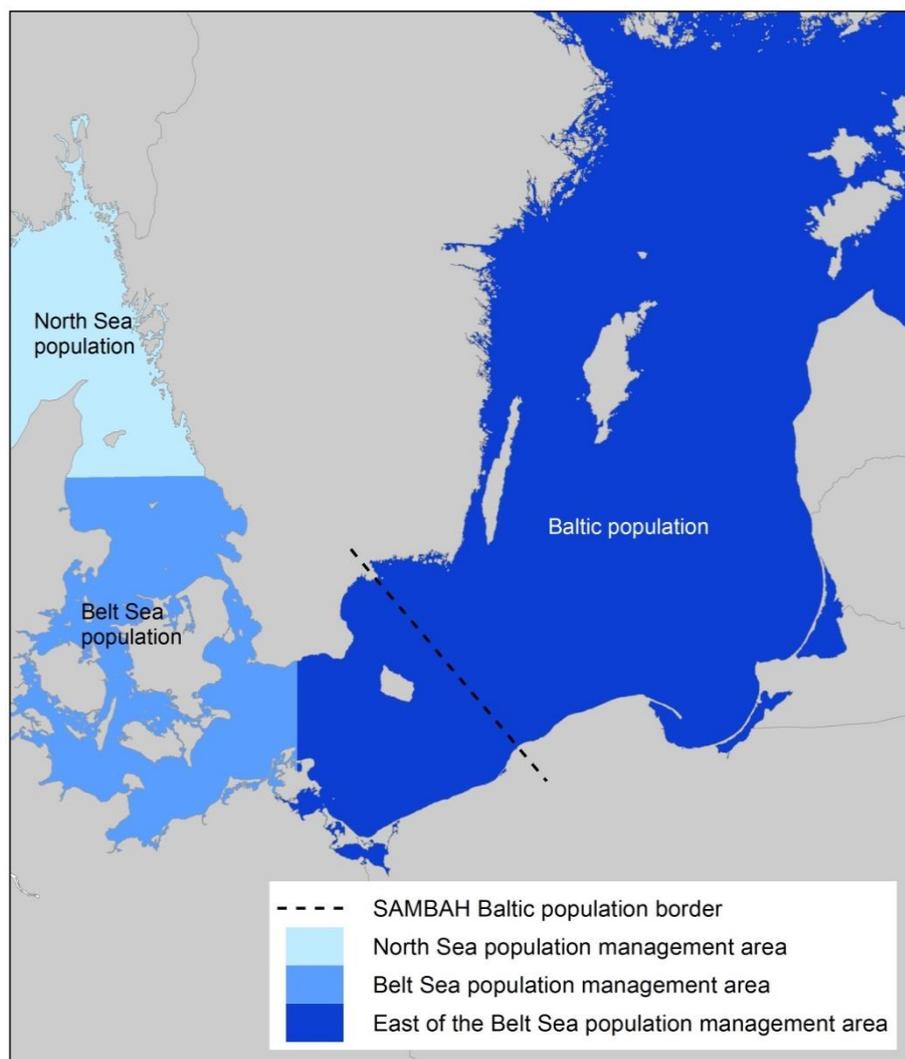


Figure 4. Harbour porpoise populations in the Baltic region. Blue shades indicates the borders proposed for the management unit of the Belt Sea population by Sveegaard et al. (2015), the dotted black line the spatial separation by the Belt and Baltic populations by SAMBAH (2016a). All borders are for the summer half-year only.

Both Wiemann et al. (2010) and Galatius et al. (2012) found significant but not always unequivocal differences between the animals from the southern Kattegat, Belt Sea and Western Baltic on the one hand (the Belt Sea population), and animals from further east in the Baltic Sea on the other hand (the Baltic population). Both tested for several alternative geographical delimitations between the populations. Wiemann et al. (2010) found that the most prominent split was at the Darss and Drogden underwater sills (Figure 1), however the number of samples from the sub-regions further east was relatively small. Galatius et al. (2012) tested for three different delimitations, of which the easternmost was the Darss and Drogden underwater sills. All three delimitations were found to be significant, although the results pointed somewhat

more strongly to a split in Fehmarn Belt in combination with the Drogden Sill (Figure 1), i.e. further west than Wiemann et al. (2010) assumed. However, Galatius et al. (2012) also conclude that the morphometric approach is not very useful for establishing clear boundaries among different population units. Departing from these two studies, the aim of Sveegaard et al. (2015) was to define the geographical management unit of the Belt Sea population based on biological evidence during May – September. Identifying that very few harbour porpoises fitted with satellite transmitters in the inner Danish waters moved further east than 13.5°E, and noting a simultaneous drop in echolocation frequency at the 40 SAMBAH C-POD stations in the southwest SAMBAH area, Sveegaard et al. (2015) proposed this as the eastern border for the management unit of the Belt Sea population (Figure 4). However, they point out that this does not necessarily mean the best management delineation for the neighbouring populations, and the situation is especially uncertain for the Baltic population.

In addition to the three published studies, SAMBAH found a spatial separation of harbour porpoises across the deep water area east of the island of Bornholm (SAMBAH, 2016a), i.e. east of the borders proposed by Wiemann et al. (2010) and of those investigated by Galatius et al. (2012) and Sveegaard et al. (2015). Based on expert judgement relying on visual inspection of the monthly maps of detection rate at SAMBAH C-POD stations, a border was drawn to delineate the area for which the abundance of the Baltic population was then estimated. In Annex I, Figures 3a – 3b, the monthly maps of harbour porpoises per square kilometre estimated at each SAMBAH station are shown. In addition to the primary aim of yielding a representative abundance estimate, care was taken not to underestimate the population's distribution range for management reasons. A six-month period was sought, and as a spatial separation was found during most months from approximately mid-spring to mid-autumn, the final placement of the line was for the months of May – October (Figure 4). Recent analyses of individual-specific genomic data (RAD-tag genotyping by sequencing) are consistent with the SAMBAH border, although the number of analysed samples is still limited (Lah et al. 2014). Additional studies using individual-specific genomic data are expected to yield further insights both of the population structure during summer when mating takes place, and movement patterns during the winter season.

Spatio-temporal distribution

In the SAMBAH project, both probability of detection and density were spatially modelled (SAMBAH, 2016b). The best detection model explained 53.5 per cent of the deviance and was found to be stable by inspection of the residuals, while the best density modelled explained up to 75.1 per cent although the model was found to be less stable (SAMBAH, 2016b). Mean probability of detection was modelled both per month and per season (May – October and November – April, respectively), while density was modelled per season only. In Figure 2, the mean probability of detection per season is presented, showing the different distribution patterns of harbour porpoises during May – October and November – April, respectively. During May – October, i.e. when calving and mating take place, the highest probability of harbour porpoise detection is on and around the offshore banks south of Gotland and east of Öland. During November – April, the animals are more spread out, ranging as far as the coasts of Poland and Lithuania, the southern part of the Latvian coast, along the eastern coast of Sweden up to the Åland Sea, and offshore areas in the southwestern Finnish EEZ. In Figure 5 (enlarged in Appendix I, Figures 4a – 4d), the mean density per season shows the same general pattern, although the areas with aggregations are more pronounced.

The seasonal movements of harbour porpoises in the southwestern part of the SAMBAH area support the pattern previously described by Benke et al. (2014). Based on acoustic monitoring of harbour porpoises in German waters of the Baltic Sea during 2002 – 2012, Benke et al. (2014) proposed that the Pomeranian Bay is primarily used by the Belt Sea population during July – October, and by the Baltic population during November – March.

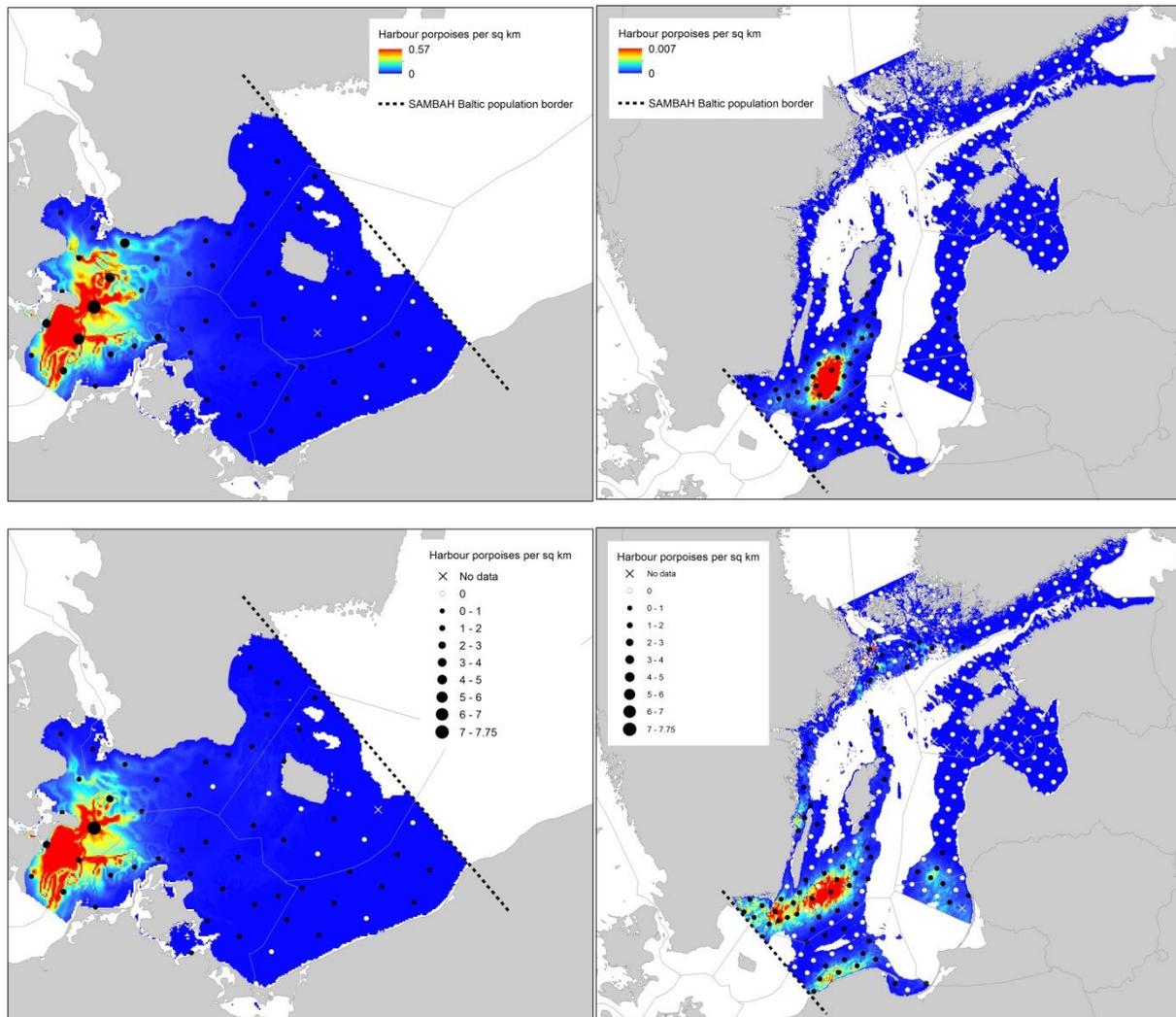


Figure 5. Predicted density of harbour porpoises in the SAMBAH project area during May – October (upper panels) and November – April (lower panels). The border indicates the spatial separation between the Belt Sea and Baltic populations during May – October according to SAMBAH (2016a). Note the different scales in the southwest and northeast parts of the project area.

Abundance and population trends

SAMBAH (2016a) estimated the population abundance of the Baltic harbour porpoise population at 497 animals (95 per cent CI 80 – 1091). This is the total number of harbour porpoises within the SAMBAH project area northeast of the spatial separation line during May – October (Figures 2 and 5). For the southwest part of the SAMBAH area during May – October, i.e. the area inhabited by a portion of the Belt Sea population, the abundance estimate was 21,390 harbour porpoises (95 per cent CI 13,461 – 38,024). During November – April, when no clear spatial separation could be found between the Belt Sea and the Baltic populations by visually inspecting the detection rate at the SAMBAH C-POD positions, the total number of harbour porpoises within the SAMBAH area was estimated at 2,889 animals (95 per cent CI 1,285 – 8,380). This indicates that the majority of, but not all Belt Sea animals left the southwestern part of the SAMBAH area during the winter season. It is not known if all Baltic animals stayed within the SAMBAH area or migrated even further west.

Previously, two visual line-transect surveys had been carried out in the southwestern Baltic Sea. These have generated very few observations, yielding uncertain abundance estimates and no data on distribution. In 1995, an aerial survey sighted three groups of single harbour porpoises and estimated a group abundance of 599 with a 95 per cent CI of 200 – 3,300 groups (Hiby and Lovell, 1996, Berggren et al., 2002). A new survey in 2002, again only in the south-western part of the Baltic Sea, sighted two single animals and estimated a total of 93 groups with a 95 per cent CI of 10 – 450 groups (Berggren et al. 2004).

These surveys extended to the northeast to only include the southern portion of the Baltic Sea Annex I, Figure 1), so that the results are not comparable to the SAMBAH population estimate.

For want of previous abundance estimates, a population trend can only be derived from other sources of information. Based on a review of catches, bycatch, strandings and opportunistic sightings, Koschinski (2001) concludes that the population has declined considerably in abundance and distribution during the last century. A substantial decline in the number of bycaught, stranded and sighted harbour porpoises has also been reported for Polish waters during 1922 – 1999 (Skóra and Kuklik, 2003).

Basic biology: feeding, habitat preferences, reproduction and survival

The harbour porpoise is generally found to feed on small, schooling fish, but also to adapt to local and seasonal conditions. In the Baltic region, the diet is usually dominated by pelagic clupeids, such as herring (*Clupea harengus*), and bottom-dwelling gadids, such as cod (*Gadus morhua*) (Aarefjord et al., 1995; Börjesson et al., 2003; Sveegaard et al., 2012). Variations in isotopic ratios (Fontaine et al., 2007) support findings on stomach contents (Aarefjord et al., 1995), showing a general shift from pelagic prey species in deep water off northern Norway to more coastal and/or demersal prey in more shallow waters in the Belt and Baltic Seas. Analyses of skull morphometrics even indicate an adaptation on an evolutionary timescale, with the Belt Sea population more adapted to feeding on benthic and demersal prey than the Skagerrak-North Sea and the Baltic populations (Galatius et al., 2012)

Regarding habitat preferences, only preliminary information is available for the Baltic harbour porpoise. In addition to predicting the probability of detection and density, spatial modelling was used to investigate the relationships between 18 environmental predictors and the spatio-temporal distribution of harbour porpoises in the SAMBAH project (SAMBAH, 2016b). It should be noted that the outcomes of such an analysis are limited by the availability of predictors, and that the relationships found may only be statistical and not causal. Nevertheless, analyses were carried out with both probability of detection and density as response variables since different processes may govern their spatio-temporal patterns. For each of the two response variables, the significance and the response curves of the four models with the highest explained deviance were studied and preliminary conclusions were drawn.

The analyses show that in general within the SAMBAH area, harbour porpoises were found to occur in higher numbers in areas with higher salinity. This is not unexpected as the salinity is higher in the southwestern part that is mainly inhabited by the Belt Sea population. Depth was also found to be a strong predictor, with harbour porpoises primarily occurring in waters shallower than 40 m and with a tendency to higher densities at 20 – 40 m depth. Regarding the topographic position, harbour porpoises occurred more frequently in generally even areas, although there was also a tendency to higher densities in somewhat elevated areas. This corresponds to the higher detection rates and densities over the relatively even seafloors in the southwestern part of the SAMBAH area, but also to the higher densities over the slopes of the offshore banks in the central Baltic Proper (SAMBAH, 2016b). The locations of the Hoburg's, Northern and Southern Mid-sea Banks are shown in Figure 1.

The one-year reproductive cycle for harbour porpoises in the Baltic region is shown in Figure 6. The Figure is primarily based on data from Börjesson and Read (2003) and Lockyer and Kinze (2003), although comparisons have also been made to data reviewed by Lockyer (2003). The animals caught in the Little Belt (Figure 1) in 1942 – 1944 were assumed to be animals migrating out of the Baltic Sea during winter (Møhl-Hansen, 1954). However it is unknown whether these animals originated from the Belt Sea or Baltic populations as they are defined today.

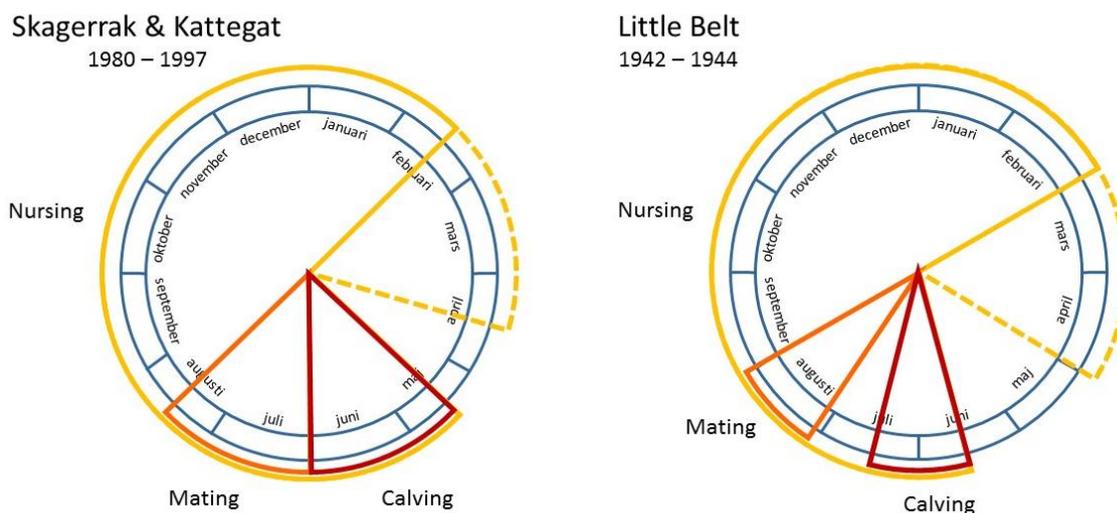


Figure 6. Yearly reproductive cycle for harbour porpoises bycaught or stranded in the Kattegat and Skagerrak Seas during 1980 – 1997, and caught in the Little Belt, Denmark, during 1942 – 1944. The harbour porpoises caught in the Little Belt may be migrating animals from the Baltic population. Data primarily from Börjesson and Read (2003) and Lockyer and Kinze (2003)

Lockyer and Kinze (2003) present data on age, growth and reproduction of harbour porpoises in Danish waters from a database on nearly 1,900 individuals collected from 1934 to 2003, even though not all data were available for all individuals. The data were combined for all years and locations, but separated by sex. The largest age class was 0 years, with a rapid decline to 2 years, followed by a continued slow decline. Longevity was 22 – 23 years, but less than 5 per cent of the animals had lived beyond 12 years. Sexual maturity was estimated to occur between the ages of 3 and 4 years in both sexes and data supported a pregnancy every second rather than every year, although the potential for an annual pregnancy existed. The total number of calves delivered during the lifetime of a female was estimated at four to six.

Critical habitats

The Convention on Biological Diversity (CBD) has adopted seven scientific criteria for identifying ecologically or biologically significant marine areas in need of protection in open-ocean waters and deep-sea habitats (EBSAs; annex I, decision IX/20). Five of the criteria are mainly applicable to habitats, but two are directly applicable for identification of critical habitats of the Baltic harbour porpoise:

- Special importance for life history stages of species.
- Importance for threatened, endangered or declining species and/or habitats.

The Habitats Directive Article 4 states that for aquatic species listed in Annex II and ranging over wide areas, only sites where there is a clearly identifiable area representing the physical and biological factors essential to their life and reproduction shall be proposed as SACs. The site selection criteria for SACs are further developed in guidelines developed by the European Commission (EC 2007). For Annex II species, these are:

- Size and density of the population of the species present on the site in relation to the population present within the national territory.
- Degree of conservation of the features of the habitat which are important for the species concerned and restoration possibilities.
- Degree of isolation of the population present on the site in relation to the natural range of the species.
- Global assessment of the value of the site for conservation of the species concerned.

Further, Ross et al. (2011) give ten guiding principles for the delineation of priority habitat for endangered small cetaceans. These include the cetacean's requirements regarding the habitat's physical, chemical and biological features; the size of the habitat size and its connections to the surroundings; specific requirements for reproduction, specialized social behaviours or temporal patterns; anthropogenic threats; and management approaches.

Given the criteria and principles set out above, and due to the lack of information on Baltic habitat preferences derived from other sources than modelling of detection rate and density, and the almost year-round engagement in reproductive activity by adult harbour porpoise females (mating, pregnancy, calving and/or nursing), critical habitats for Baltic harbour porpoises can currently only be identified based on areas of high probability of detection or density. With further information on habitat use or responses to anthropogenic pressures, potentially varying among different life stages or sexes, the identification of critical habitats and the management needs of those habitats may be developed further.

In the Baltic Sea, high-density areas for harbour porpoises have been identified based on predictions of probability of detection per month. Two levels of high-density areas were defined: larger areas encompassing 30 per cent or more of the population, and smaller sub-areas encompassing 7.8 per cent of the population. In the Skagerrak and Kattegat Seas, areas encompassing 30 per cent of the population have been used to identify high-density areas of harbour porpoises (Sveegaard et al., 2011). To convert from probability of detection to proportion of the population, it was assumed that there is a linear relationship between probability of detection and density, and that the average density within each 10 per cent interval of probability of detection is representative for the probability within the entire area of that interval. The latter means that for e.g. the area covered by the interval of 20 – 30 per cent probability of detection, it was assumed that for any grid cell within that area, the probability of detection was 25 per cent. The areas of every 10 per cent interval were calculated on the prediction of average probability of detection per month for the distribution range of the Baltic harbour porpoise population during May – October as defined by SAMBAH (i.e. east of the SAMBAH population border). By summing up the areas of all 10 per cent intervals and relating those to 100% of the population, it was found that during May – October, 30 per cent of the population was within the isoline of ≥ 30 per cent probability of detection, and 7.8 per cent of the population was within the isoline of ≥ 20 per cent probability of detection. For the first Commission criteria, the proportion of the national population present on the site shall be estimated and assigned into one of the following classes: A: 100 per cent $> p > 15$ per cent ; B: 15 per cent $> p > 2$ per cent ; C: 2 per cent $> p > 0$ per cent , D=non-significant. With disregard to national borders, this implies that the larger identified areas encompassing 30 per cent of the population are of class A, while the smaller sub-areas encompassing 7.8 per cent of the population are of class B.

As the reproductive behaviour of harbour porpoises and their spatial distribution and anthropogenic pressures vary over the year, the isolines of 20 per cent and ≥ 30.0 per cent probability of detection, respectively, were applied to the predictions of probability of detection for the following three-month periods: February – April, May – July, August – October, and November – January, respectively. The resulting high-density areas are shown in Figure 7 (enlarged in Annex 1, Figures 5a – 5f). During the two summer quarters, high-density areas were only identified east of the Baltic harbour porpoise population border defined by SAMBAH. During the two winter quarters, the spatial overlap between the Baltic and Belt Sea population in the southwestern Baltic Sea prevents any correlation between the probability of detection and the proportion of the Baltic harbour porpoise population, so that high-density areas were identified by applying the same isolines of detection as during summer. This implies that the high-density areas delineated during November – April are not correlated to the proportion of the Baltic harbour porpoise population, and the identified area southwest of the SAMBAH border is utilized by a mix of animals from the Baltic and Belt Sea populations.

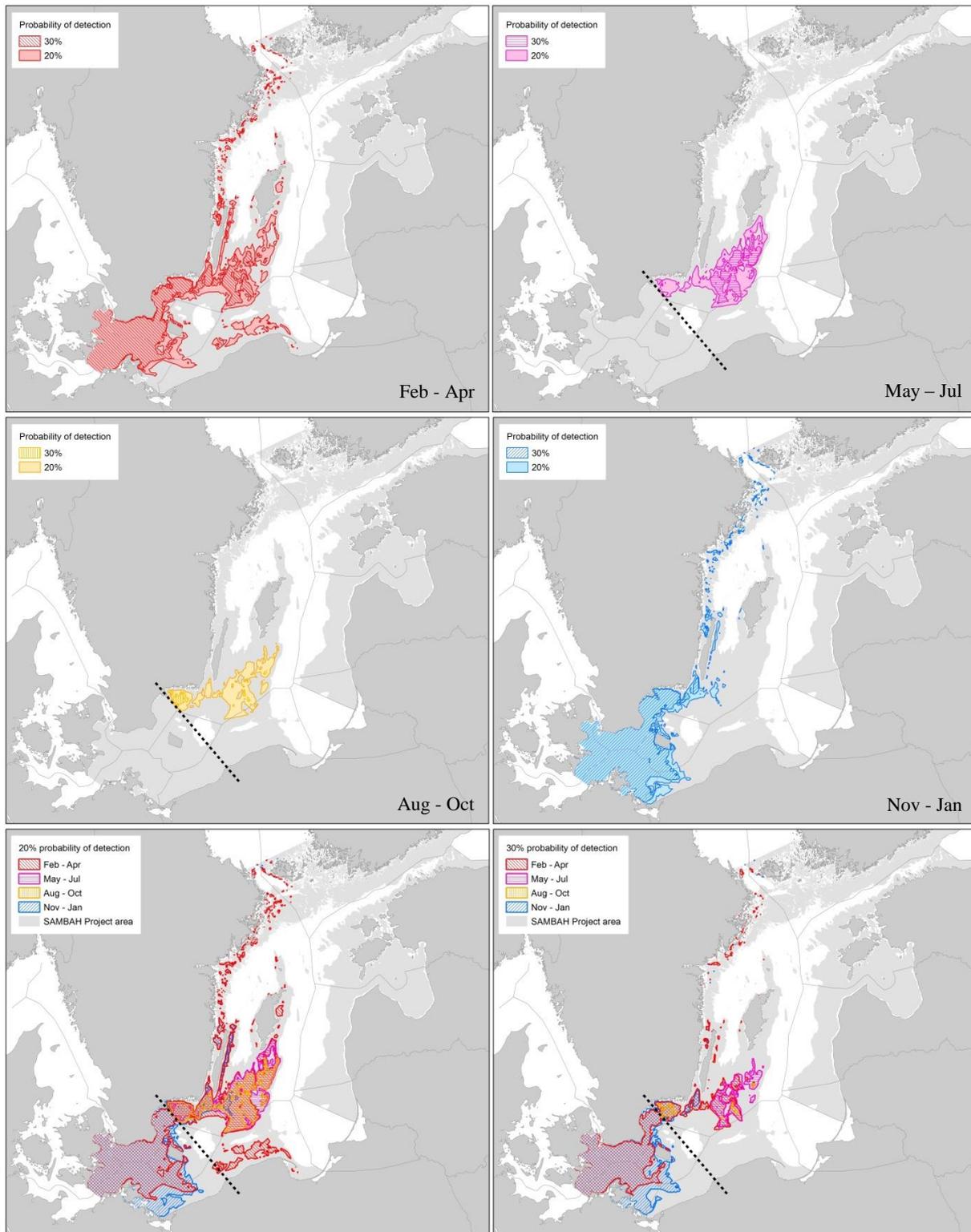


Figure 7. High-density areas for harbour porpoises in the SAMBAH area (shaded) based on predictions of probability of detection. The four upper panels show the high-density areas of two different levels per quarter, and the two lower panels show the full-year pictures for each of the two density levels. During May – October, the isoline of 20% probability of detection encompasses approximately 30% of the Baltic harbour porpoise population, while the isoline of 30% probability of detection encompasses approximately 7.8% of the Baltic harbour porpoise population. During November – April, the same isolines for probability of detection are shown without correlating them to the proportions of the population. Southwest of the SAMBAH population border, the high-density areas are inhabited by animals from both the Baltic and the Belt Sea populations during November – April.

Attributes of the population to be monitored

The ultimate success or failure of the Jastarnia Plan is defined by improvements (or lack of improvements) in the conservation status of the Baltic harbour porpoise, which can only be assessed by monitoring. The potential 'attributes' of the Baltic harbour porpoise that can be considered for monitoring, to determine the success of the overall plan and/or individual actions and to amend the Jastarnia Plan are listed below, together with the numbers of the relevant Actions (described in section 6. *Actions*).

- Bycatch rates and total annual estimate in relation to estimated mortality limits: RES-03, MON-03, RES-04, RES-08
- Environmental status in regard to impact of impulsive or continuous anthropogenic underwater noise on harbour porpoises: RES-07
- Harbour porpoise health status, contaminant levels, and life-history parameters: MON-04
- Harbour porpoise abundance and distribution: PACB-01, MON-01, RES-02, MON-02
- Harbour porpoise population viability: RES-08

The development of suitable indicators shall be undertaken in close cooperation with HELCOM's development of core indicators for marine mammals.

Threats, mitigation measures and monitoring

Identification of threats

The information presented below is primarily related to the individual level, although there are ongoing efforts at developing frameworks for assessing population level consequences (Harwood et al., 2016). For the harbour porpoise population in the "Inner Danish Waters", approximately corresponding to the defined management borders of the Belt Sea population (Figure 4) (Sveegaard et al., 2015), an individual-based mathematical model has been developed and applied (Nabe-Nielsen et al., 2014). The model includes both physiological and behavioural responses to the following threats: bycatch, underwater shipping noise, underwater noise from offshore wind turbines in operation (not construction noise), and prey depletion. Given the model assumptions, the population was found to be most sensitive to bycatch mortality, followed by the speed at which food species recover after being depleted. Whether or not underwater noise from shipping and windfarms in operation had a significant negative impact was related to the recovery time of prey. No similar modelling information is available for the harbour porpoise population in the Baltic Sea.

ICES WGMME has developed a threat matrix and applied this to the harbour porpoise in the Baltic Sea using expert judgement based on available scientific data (ICES 2015b). In the highest threat category, bycatch and contaminants have been listed. For these, it is judged that there is evidence or a strong likelihood of negative population effects, mediated through effects on individual mortality, health and/or reproduction. In the medium category, underwater noise from pile driving and shipping, and prey depletion by removal of non-target species are listed. For these, evidence or a strong likelihood of impact at individual level on survival, health or reproduction are assumed to exist, but effect at population level is not clear. Finally, seven threats are listed in the low category as having possible negative impact on individuals but evidence is weak and/or occurrences are infrequent. Examples of those threats are nutrient enrichment, litter, barriers to species movements and introduction of pathogens. The low category threats are not dealt with in this document. In the WGMME matrix, habitat degradation is also listed in the highest threat category. However after consultation with ICES WGMME, this seems to be an error and the threat matrix will be revised accordingly in the 2016 report (Graham Pierce, 4 April 2016, pers.comm.). The cumulative anthropogenic impact, including habitat degradation, on the Baltic Sea ecosystem has been assessed as high (Korpinen et al., 2013). This may well affect harbour porpoises, but due to lack of evidence on functional relationships, habitat degradation is not dealt with in this document. In addition to the threats identified by ICES WGMME, the compilation below also includes active military sonar as substantial impacts zones have been estimated for harbour porpoises in the Baltic Sea.

Bycatch in gillnets

For harbour porpoises in the Baltic Sea, bycatch in gillnets is recognized as the greatest source of anthropogenic mortality (Hammond 2008, HELCOM 2013). Since the introduction of synthetic gillnets in the Baltic Sea in the early 1960s, the effort and fishing practices have undergone considerable changes due to changes in profitability and management policies. This calls for recent data on bycatch. Therefore

the following compilation focuses on bycatch data from the year 2000 and onwards in the waters east of the Darss and Drogden underwater Sills (Figure 1).

Figure 8 (enlarged in Annex I, Figures 6a – 6b) shows the spatial distribution of probability of detection of harbour porpoises per month, averaged over May – October and November – April, respectively (data from SAMBAH, 2016a), together with the total hours fished per ICES rectangle with gillnets of a mesh size of ≥ 90 mm during April – September and October – May 2014, respectively (STECF, 2015; data downloaded from the European Commission DCF – Data dissemination database on 13 April 2016, <https://datacollection.jrc.ec.europa.eu/dd/effort/maps>). The fishing effort is available per quarter, wherefore the two quarters that fit the seasonal distribution of harbour porpoises best are shown together. For spatio-temporal estimates of the bycatch risk of harbour porpoises, the resolution of both harbour porpoise distribution and fishing effort need to match the management needs.

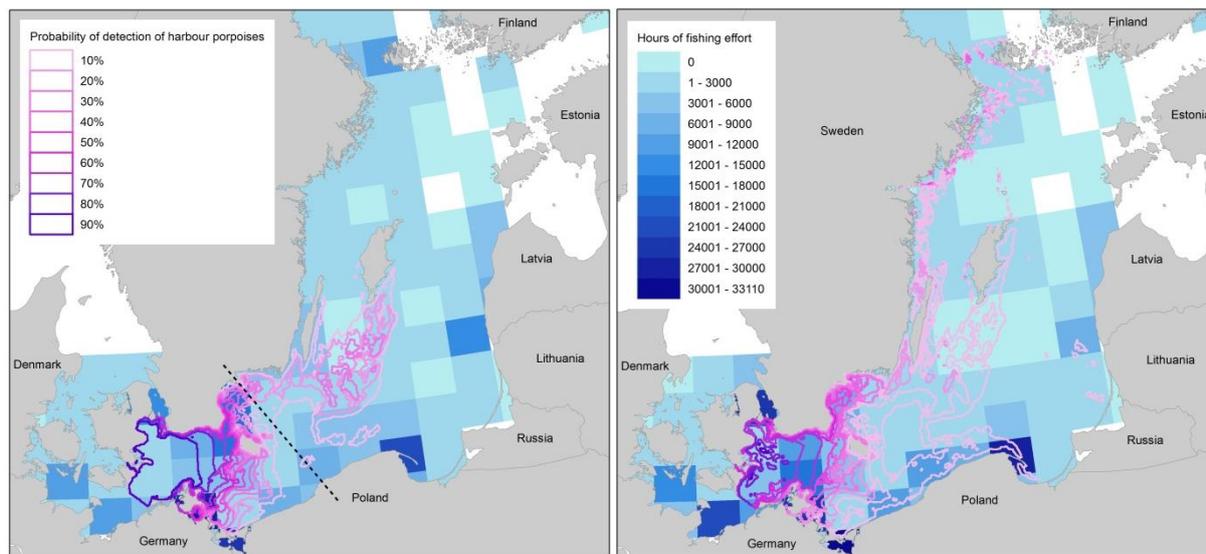


Figure 8. Monthly probability of detection of harbour porpoises 2011 – 2013 within the SAMBAH area (data from SAMBAH, 2016a), together with total hours fished per ICES rectangle with gillnets of a mesh size of ≥ 90 mm during April – September and October – May 2014, respectively (STECF, 2015; data downloaded from the European Commission DCF – Data dissemination database <https://datacollection.jrc.ec.europa.eu/dd/effort/maps>). The dotted line indicates the border used for estimating abundance of the Baltic harbour porpoise population in SAMBAH.

ICES WGBYC has undertaken a historical review of Regulation 812/2004, based on the annual data reported by the Member States 2006 – 2013 and other data sets provided by the ICES Member States (ICES 2015a). In short, the review shows that the evaluation of bycatch under the regulation is limited due to the lack of an accurate estimate or census of total fishing effort from relevant European waters, considerable uncertainty in the representativeness of total fishing effort in the Member State reports, and inconsistent submission of annual reports by some Member States. Further, compared with other data collection frameworks, monitoring under the regulation results in significantly fewer bycatch observations. The reasons for these differences are not entirely clear, but a combination of several factors is proposed. Nevertheless, for ICES statistical areas 24+ (Figure 1), a bycatch rate of 0.000 – 0.004 (95% CI) harbour porpoises per gillnet day at sea was estimated for 2006 – 2013. The bycatch rate was based on zero observed harbour porpoise bycatch in 741 “pingered” and “non-pingered” gillnet days during 2006 – 2013 (ICES 2015a).

National bycatch data

In Denmark, systematic information on stranded or killed marine mammals has been collected in a national database since 1991. A compilation of data on harbour porpoises from the reports covering the years 2006 – 2014 shows that on the average 2.75 harbour porpoises per year were collected in the waters east of the Darss and Drogden underwater sills (range 1 – 7), of which 0.67 on the island of Bornholm (range 0 – 3) (geographical terms shown in Figure 1). The cause of death has generally not been determined for these animals (Jensen et al., 2008, 2012; Thøstesen et al., 2009, 2010, 2011, 2013; Jensen & Thøstesen 2014; Jensen 2015).

In Latvia, two harbour porpoises were reported as bycaught in 2003 – 2004 (ICES 2005).

In German Baltic waters, data on bycatch are only available for the federal state of Schleswig – Holstein and the waters west of Rügen in Mecklenburg – Western Pomerania (Figure 1) (Rubsch and Kock, 2004; Siebert et al., 2006), i.e. west of the area covered by the Jastarnia Plan.

In Polish waters, data on harbour porpoise bycatch and strandings are collected by Hel Marine Station of the Institute of Oceanography, University of Gdansk. During the period 1990 – 2009, a total number of 66 harbour porpoises were reported as bycaught (Hel Marine Station database). Of 49 of these animals, 39 per cent were bycaught in semi-driftnets for salmonids, 35 per cent in set gillnets for cod, 21 per cent in other set gillnets, 3 per cent in pelagic trawls and 2 per cent in driftnets (EC-DGMARE, 2014). In all Polish national reports to ASCOBANS from 2010 to 2014, only one case of bycatch was reported. This individual was caught in a Polish cod net in 2014. Since the driftnet ban in 2008, the Polish offshore fishery with drifting surface nets of strings ranging up to 21 km and operated by vessels above 12 m in length have ceased. However, the inshore semi-driftnet fishery has continued as before as this gear is classified as a set gillnet (GNS) and not a driftnet (GND). The semi-driftnet usually consists of one to two surface net panels (30 – 70 m in total length), it is anchored at one end, and deployed mainly by vessels below 12 m in length. The mesh size of both the offshore driftnets and the inshore semi-driftnets is 157 mm. The inshore semi-driftnet fishery is mainly used in the Gulf of Gdansk including Puck Bay, which is also the hotspot for harbour porpoise bycatch (EC-DGMARE, 2014).

In Sweden, telephone interviews on bycatch of marine mammals and seabirds were carried out with 220 randomly selected Swedish commercial fishermen using any gear type in 2002. This corresponds to almost 17 per cent of the total Swedish fishing fleet in 2001. Harbour porpoise bycatch were reported from the Skagerrak and Kattegat Seas, but not from the Baltic Sea (Lunneryd et al., 2004).

No harbour porpoise bycatch has been documented in Estonia, Finland or Lithuania for the years since 2000.

Ghost nets

In addition to actively used gillnets, derelict fishing nets called “ghost nets” may also catch harbour porpoises. On a global scale, less than 10 per cent of the volume of marine litter has been estimated to be discarded fishing gear, and ghost-fishing has been recognized as an issue of global significance by the United Nations Environment Programme (UNEP) and Food and Agriculture Organization of the United Nations (FAO) (Macfadyen et al., 2009). In the Baltic Sea, a number of projects and activities have been carried out to estimate the amount and impacts of derelict fishing gear, and on prevention, retrieval and recycling of derelict fishing gear. In a project carried out in Polish and Lithuanian waters (WWF Poland 2013), the annual loss of gillnet panels (not strings) for cod or flounder were estimated at 5,500 – 10,000 during 2005 – 2008. Upon correction of the data according to results in diving operations in 2012, the total amount of pair trawl netting entangled in ship wrecks was estimated at 270 – 810 tonnes in the Polish EEZ and 67 – 100 tonnes in the Lithuanian EEZ. In an experiment to measure the catch efficiency of ghost nets, 24 cod nets were set in the Hanö Bight (Figure 1) in southern Swedish waters over 27 months, starting in 1998 – 1999 (Tschernij and Larsson, 2003). Over the first three months, catch efficiency was reduced to around 20 per cent of its initial value. Thereafter, the monthly reduction was less strong and after 27 months it seemed to have stabilized at around 5 – 6 per cent. Based on these results and an estimation of the number of lost cod net panels in 2009, WWF Poland (2013) estimated that in the Baltic Sea, a total of 20.8 tonnes of cod were caught in the cod net panels that were lost in 2009. In summary, WWF Poland (2013, 2015) concludes that with high probability, ghost nets deposited on ship wrecks have a significant negative impact on fish resources in the Baltic Sea. For harbour porpoises, there are currently no quantitative assessments on the potential problem. Even though stranded harbour porpoises have been encountered entangled in fishing gear, it is usually difficult to distinguish between entanglement in active or discarded gear (Laist, 1997; Simmonds, 2012).

An evaluation of global and regional protocols for data collection and management measures to prevent and remediate derelict fishing gear and ghost fishing has been carried out by (Gilman, 2015). Based on the findings, recommendations are given on modifications the organizations’ mandates, harmonization of data collection protocols, and implementation of a broader suite of mandatory and/or complementary management methods.

Contaminants

As harbour porpoises feed at higher trophic levels and have a large lipid store, environmental contaminants such as persistent organic pollutants (POPs) and heavy metals are biomagnified in their tissues, leading to an increased risk of individual and population level toxicity.

Examples of POPs are chlorinated or bromated compounds and perfluorinated alkylated substances (PFASs). Among the chlorinated or bromated compounds are polychlorinated biphenyls (PCBs), dichlorodiphenyltrichloroethane (DDT), polybrominated diphenyl ether (PBDE) and dioxins (e.g. polychlorinated dibenzo-p-dioxins, PCDDs). Due to a high number of PCB congeners, analyses are often made of their total concentration, presented as Σ PCBs. The toxicity of PCBs, dioxins and dioxin-like compounds such as dibenzofurans (PCDFs) can be expressed as a single value by using the toxic equivalency (TEQ) system. Among the PFASs are perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). While compounds such as PCBs, DDT and dioxins are accumulated and analysed in fatty tissues such as blubber, PFASs and heavy metals such as mercury (Hg) are primarily accumulated and analysed in the liver.

In harbour porpoises, stranded specimens have been found to have significantly higher concentrations of Σ PCBs than animals that have died of physical trauma (mainly bycatch) (Beineke et al., 2005; Jepson et al., 1999). Further, increased levels of PCBs and PBDE have been found to be associated with emaciation and an impaired health, and correlated to phenotypical changes in thymus and spleen (Beineke et al., 2005). Follow-up studies have given support to the hypothesis that PCBs and PBDE cause increased disease susceptibility due to an impaired immune response (Beineke et al., 2007a, 2007b), and a threshold value of 17 mg Σ PCB /kg lipid has been suggested for adverse health effects (Jepson et al., 2005). Other published Σ PCB toxicity thresholds for marine mammals are 9 mg/kg lipid for the onset of physiological impacts (Kannan et al., 2000), and 41 mg/kg lipid for causing profound reproductive impairment in ringed seals (*Pusa hispida botnica*) in the Baltic Sea (Helle et al., 1976).

Regarding reproductive health, the relationships between concentrations of summed PCB congeners (Σ PCBs) and reproductive failure have been investigated in 329 female harbour porpoises stranded in UK waters in 1990 – 2012 (Murphy et al., 2015). In the sexually mature females, 19.7 per cent showed evidence of reproductive failure (foetal death, aborting, dystocia or stillbirth), and 16.5 per cent had infections of the reproductive tract or tumours of tissues in the reproductive tract that could contribute to reproductive failure. Σ PCBs was found to be a significant predictor of mature female reproductive status, with resting mature females (non-lactating and non-pregnant) more likely to have a higher PCB burden. Health status was also a significant predictor, with successfully reproducing females more likely to have good health status compared with other individuals. In this study, the mean Σ PCBs for resting mature females was 18.5 mg/kg lipid, which was significantly higher than for both lactating (7.5 mg/kg) and pregnant females (6 mg/kg), though not significantly different to sexually immature females (14.0 mg/kg). In comparison to male harbour porpoises, Jepson et al. (1999) showed that adult females had significantly lower Σ PCBs levels than adult males due to maternal transfer of PCBs to offspring.

In the Baltic Sea, concentrations of Σ PCBs in harbour porpoises have been reported from analyses of specimens collected in the 1980s and 1990s (Table 4). In comparison with the published threshold values for the onset of physiological impacts (9 mg/kg lipid (Kannan et al., 2000)), adverse health effects (17 mg/kg (Jepson et al., 2005)) and profound reproductive impairment (41 mg/kg (Helle et al., 1976)), the PCB concentrations in Baltic harbour porpoises have been alarmingly high.

Table 4. Concentrations of ΣPCBs of harbour porpoises in the Baltic Sea. All animals from the German Baltic Sea were collected west of the Darss underwater sill.

Geographical area	Years	Source	No. of samples of age and sex class	Mean (range) of ΣPCBs (mg/kg lipid)	Reference
East of the Darss and Drogden sills, Sweden	1985-1993	Bycaught	13 immature	16 (2.9-32)	(Berggren et al., 1999)
East of the Darss and Drogden sills, Sweden	1988-1989	Bycaught	4 mature males	46 (14-78)	(Berggren et al., 1999)
Schleswig-Holstein, Mecklenburg-Western Pomerania, Germany	1994-1995	Stranded or bycaught	17 immature, 1 mature female	14.9 (5,6-38.6)	(Bruhn et al., 1999)
Puck Bay, Poland	1989-1990	Bycaught	3 immature	23-42	(Kannan et al., 1993)

The high concentrations of PCBs in Baltic harbour porpoises in relation to harbour porpoises sampled further west correspond to the spatial pattern of TEQ values of dioxins and dioxin-like PCBs in herring sampled at 11 locations from the British Isles to the coast of Latvia in 1999 – 2002. From west to east, the TEQ value increased by 35 times (Karl and Ruoff, 2007). However since the 1990s, environmental monitoring of guillemot eggs (*Uria aalge*) and herring show that the concentrations of POPs and the TEQ values have decreased in the Baltic environment. The rate of decrease varies among different compounds and PCB congeners (Jörundsdóttir et al., 2006; Miller et al., 2014; Szlinder-Richert et al., 2009). For Baltic ringed seals, a long-term analysis has been carried out of dioxins (PCDDs), dioxin-like dibenzofurans (PCDFs) and dioxin-like PCBs. The seals were bycaught or incidentally shot, mistaken for grey seals (*Halichoerus grypus*), from 1978 to 2014. With a few exceptions, the concentrations decreased until around 2000, after which time they have been stable (Roos & Hagström, 2015).

PFOS and PFOA have been recognized as emerging environmental contaminants because of their ubiquitous occurrence in the environment, biota and humans. The compounds have been detected globally in the tissues of fish, bird and marine mammals (Suja et al., 2009). PFOS bio-accumulate by binding to specific proteins in liver, kidney and blood plasma (Van de Vijver et al., 2003). Contrary to e.g. PCBs and dioxins, long-term environmental monitoring of concentrations of PFOS in guillemot eggs shows that its levels are increasing in the Baltic marine environment. Between 1968 and 2003, there was an almost 30-fold increase in PFOS concentrations, with a sharp peak in 1997 followed by decreasing levels up to 2002. PFOA was not detected in any of the samples (Holmström et al., 2005). A later time-series has been analysed for harbour porpoises from the German Baltic and North Seas. Of three analysed PFAS compounds, PFOS was predominating and its concentration decreased from 1991 to 2008. Of the two other analysed compounds, one decreased (perfluoroalkyl sulfonates, PFASs) and one increased (perfluoroalkyl carboxylate, PFCA) over time. A comparison of the spatial distribution of the contaminant concentrations showed consistently higher concentrations in the Baltic Sea and lowest concentrations in the Icelandic population of the Atlantic Ocean (Huber et al., 2012).

In addition to POPs such as PCBs and DDT, heavy metals such as mercury (Hg) have been shown to cause immunosuppression in several species of marine mammals (Desforges et al., 2016). In Baltic harbour porpoises, significant correlations have been found between age and mercury (Ciesielski et al., 2006; Siebert et al., 1999). While significant associations have been found between mercury levels and severity of lesions have been found in harbour porpoises stranded or bycaught in the German Baltic and North Seas in 1991 – 1993, no significant relationships were found between mercury concentration and nutritional status/condition of harbour porpoises stranded or bycaught in Polish waters in 1996 – 2003 (Ciesielski et al., 2006).

Underwater noise

The harbour porpoise has very acute hearing, a wide hearing range (Andersen, 1970; Kastelein et al., 2002; Lucke et al., 2009), and a high responsiveness to sounds (e.g. Dähne et al., 2013; Dyndo et al., 2015; Teilmann et al., 2006). This makes the species susceptible to impact from a vast frequency range of anthropogenic underwater noise, from shipping, seismic surveys with airguns and pile driving, to military sonars and echo-sounders.

Underwater noise is often divided into two categories: impulsive or continuous noise. In turn, the impact of underwater noise on marine organisms is often divided into three categories: masking, behavioural response or physiological injury (Richardson et al., 1995; Southall et al., 2007). Physiological injury is generally considered to range from temporary threshold shift (TTS), via permanent threshold shift (PTS) to the more extreme case of severe or fatal injuries. TTS does not involve a destruction of hair cells and the definition of the hearing loss as temporary is based on the assumption that destruction of hair cells is the primary cause of inner ear hearing loss. However, recent work by Kujawa and Liberman (2015) has shown that noise exposures causing TTS (and no hair cell loss) cause permanent loss of >50 per cent of cochlear-nerve/hair-cell synapses. Given that noise levels below the TTS threshold have been shown to cause neurologically-based PTS, the TTS-PTS concept is likely to be re-evaluated, although much of the information currently available is based on this.

Recent analyses of behavioural reactions and TTS onset during exposures to various anthropogenic noise sources indicate that for toothed cetaceans whose hearing is geared to very high frequencies, such as the harbour porpoise, the two most important factors determining whether and to what extent there is an impact is the duration or repetition rate of the stimulus and the level above the hearing threshold (sensation level) (Tougaard et al., 2015). For avoidance behaviour, a sound pressure level (SPL) of $L_{eq-fast}$ 45 dB above the harbour porpoise's hearing threshold was proposed as an exposure limit for harbour porpoises, where $L_{eq-fast}$ denotes the total sound energy averaged over 1/8 of a second. For TTS, a sound exposure level (SEL) of 100 – 110 dB above the porpoises' hearing threshold for pure tones at the relevant frequency was suggested as a preliminary exposure limit, however this was based on limited data.

Noise generating activities

One of the most extreme sources of underwater noise is detonations of underwater explosions, producing some of the highest peak sound pressures of all underwater anthropogenic sound sources. Underwater explosions can be used in e.g. construction work or navy exercises, or for controlled detonations of unexploded ordnance for safety concerns. In the Dutch part of the southern North Sea, noise levels were measured and modelled for controlled detonations of approximately 230 pieces of unexploded ordnance with charge masses ranging from 10 – 1,000 kg (most 125 – 250 kg) (von Benda-Beckmann et al., 2015). There was a trend towards increasing effect distances with increased charge mass, with substantial scatter due to variations in water depth in which explosives were detonated. The estimated effect distances varied greatly, from hundreds of metres to 15 km for PTS and about 3 – 25 km for TTS. Based on modelled sound exposure maps, impact thresholds for harbour porpoises and seasonal models of harbour porpoise distribution, a total of 1,280 – 5,450 harbour porpoise PTS events was estimated within the Dutch North Sea during one year. Unexploded ordnance is of high importance in the Baltic Sea. Although it has been estimated that around 40,000 tons of chemical munitions were dumped in the Baltic Sea mainly around Bornholm (HELCOM, 1995), it is yet not well known how much unexploded ordnance is still in the whole Baltic Sea. For Germany, it has been estimated that 1,300,000 tons are still in the North Sea and 300,000 tons in the Baltic Sea (Böttcher et al., 2011).

The noise levels generated during construction of offshore installations such as wind farms are highly dependent on the choice of foundation type, which in turn is dependent on the soil structure. For offshore windfarms, monopiles driven into the seabed with a hydraulic hammer are most common. Examples of other piled foundations are tripod or jacket foundations. Increased diameter of the pile or the hammer, harder soils, and increased blow energy generates higher source levels (Bailey et al., 2014; Betke 2008). The most commonly used foundation type that generates lower noise levels is gravity foundations. During pile driving of offshore monopile foundations, harbour porpoises are typically deterred by 18 – 25 km (Brandt et al., 2011; Dähne et al., 2013; Tougaard et al., 2009a). In addition to behavioural impact, pile driving can also cause TTS in harbour porpoises (Brandt et al., 2011; Dähne et al., 2013; Lucke et al., 2009). To avoid this, pingers (acoustic deterrence devices, ADDs) and/or seal scarers (acoustic harassment devices, AHDs) are often used to displace harbour porpoises from the zone of physical injury. Thereby TTS is not discussed further for pile driving in this document.

Seismic surveys to find oil and gas, but also for research programmes, creates impulses of up to 262 dB re 1 μ Pa $_{peak-peak}$ and 30 – 60 ms duration (Götz et al., 2009) with a repetition rate ranging between 8 and 20 s. Thompson et al. (2013) report that porpoises react within 5 – 10 km radius to a seismic survey with peak-to-peak received levels (RLs) of 165 – 172 dB re 1 μ Pa and sound exposure levels (SELs) of 145 –

151 dB re 1 $\mu\text{Pa}^2\text{s}$. Compared to natural variation in acoustic detections of harbour porpoises, the airgun noise caused a significant but small reduction, and animals were typically detected again at within a few hours the seismic vessel had passed. In addition, Pirodda et al. (2014) report for the same survey that the probability of buzzing was reduced by 15 per cent, and that the probability of recording a buzz was positively correlated with distance to the vessel, indicating a loss in feeding opportunities during the seismic episode.

Active sonars are often used by national armed forces for searching and investigating objects on the water surface, in the water column, on the sea floor or in the sediment. For antisubmarine warfare sonars to be efficient in the shallow brackish environment of the Baltic Sea, higher frequencies and other pulses are used in comparison to the NATO low- and mid-frequency active sonars (LFAS and MFAS) that are relatively well studied in terms of environmental effects. In the Baltic Sea, the sonar frequencies typically range from 20 to 100 kHz. One sonar type is the variable depth sonar (VDS) that generally is towed behind a vessel and can transmit a variety of pulses at frequencies around 25 kHz, with a source level up to 220 dB re 1 μPa at 1 m. Based on VDS noise characteristics, noise propagation modelling, and published data on threshold levels for harbour porpoise behavioural reactions and injury, the impact zones of a VDS have been estimated to 1 – 20 km for behavioural reactions and 3 – 6 km for physical injury of harbour porpoises in the Baltic (Andersson and Johansson, 2016).

For continuous noise, the current knowledge level is more limited than for impulsive noise. Hermannsen et al. (2014) recorded ship noise at four locations in shallow waters (15 – 20 m) in inner Danish waters. This showed that across the entire frequency band of 0.025 – 160 kHz, vessel noise from a range of different ship types substantially elevated ambient noise levels at ranges between 60 and 1,000 m. Estimates of masking effects on harbour porpoises showed that ship noise is able to cause a decrease in hearing range of more than 90 per cent within 1,190 m in the 1/3 octave bands of 1 and 10 kHz. At 125 kHz, i.e. the frequency of harbour porpoise echolocation signals, the maximum communication range between a harbour porpoise mother and calf was estimated to be reduced from approximately 500 m (Clausen et al., 2011) to only 40 m.

Regarding behavioural response, Dyndo et al. (2015) recorded the behaviour of harbour porpoises in a net pen while they were exposed to a high number of vessel passages. The noise level for each of the 12 octave bands with centre frequencies between 31.5 Hz and 63 kHz was measured, together with the 1/3 octave bands with a centre frequency as proposed by the MSFD (see below). Similarly to Hermannsen et al. (2014), considerable energy was found across the recording range, although most power was below 10 kHz. Across all passages of a wide range of vessel types, almost 30 per cent elicited a strong stereotypic behavioural response in the form of porpoising. By several complementing statistical analyses, it was concluded that higher levels of medium- to high-frequency components (0.25 – 63 kHz octave bands) of vessel noise significantly increase the probability of porpoising. Analyses of the MSFD 1/3 octave bands around 63 and 125 kHz showed a non-significant relation to harbour porpoise behaviour.

In addition to the studies on shipping noise, there is also information on continuous noise from offshore wind turbines in operation. Based on noise measurements from three different types of wind turbines in Danish and Swedish waters during normal operation, the zone of audibility for harbour porpoises was estimated at 20 – 70 m from the foundation (Tougaard et al., 2009b). A masking experiment measuring auditory evoked potentials in a captive harbour porpoise indicate that the potential masking effect is limited to short ranges in the open sea (Lucke et al., 2007). Given the very limited estimated impact, wind turbines in operation are not considered further in this document.

Spatio-temporal distribution of underwater noise

Under the MSFD, hitherto two indicators have been developed for Descriptor 11 on introduction of energy/noise:

- 11.1. Distribution in time and place of loud, low and mid frequency impulsive sounds
- 11.2. Continuous low frequency sound

Despite the knowledge gap on the relationship between ambient noise levels and the state of the ecosystem, Dekeling et al. (2013) have undertaken work to make the indicators operational. For Indicator 11.1, ICES has set up a registry in support of HELCOM and OSPAR. The registry provides an overview of the spatial and temporal distribution of impulsive noise events over the frequency band of 10 Hz to 10 kHz causing a “considerable” displacement (<http://www.ices.dk/marine-data/data-portals/Pages/underwater->

[noise.aspx](#)). “Considerable” displacement is defined as displacement of a significant proportion of individuals for a relevant time period and at a relevant spatial scale. All activities by impact pile-drivers are to be included, together with sonars, airguns, acoustic deterrent devices and explosives above certain thresholds (Dekeling et al., 2013). By 26 May 2016, the beta version of the registry does not yet include any data for the Baltic marine region.

For indicator 11.2, the trends of ambient noise measured in 1/3 octave bands centred at 63 and 125 Hz are to be monitored. In the Baltic marine region, the LIFE+ project BIAS (September 2012 – August 2016) measured the ambient noise during 2014 and is currently modelling monthly soundscape maps based on the measurements, data on AIS traffic and environmental covariates (www.bias-project.eu). In addition to the MSFD centre frequencies, BIAS also measured the ambient noise at 2 kHz. Being a compromise between the hearing ranges of herring, seals and the harbour porpoise, 2 kHz was chosen as an ecologically relevant frequency. As shown by both Dyndo et al. (2015) and Hermannsen et al. (2014), the MSFD frequencies are unsuitable for assessing impact of continuous noise on harbour porpoises.

In anticipation of maps from the ICES registry of impulsive noise events and the BIAS soundscape maps of continuous noise, Figures 8 – 11 (enlarged in Annex I, Figures 7a – 9b), show the spatial distribution of harbour porpoise occurrence together with present and planned offshore windfarms, mines and dumped ammunition, and AIS traffic. Note that the potential impact zones of these activities vary greatly depending on how they are carried out.

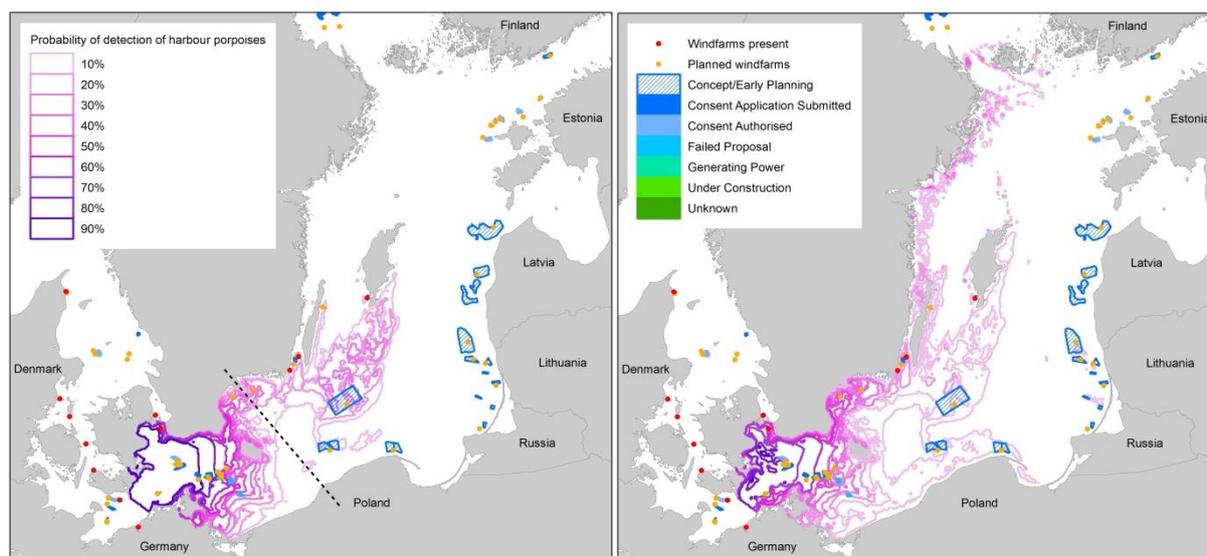


Figure 9. Monthly probability of detection of harbour porpoises within the SAMBAH area during May – October (left) and November – April (right) 2011 – 2013 (data from SAMBAH, 2016a), together with present and planned offshore windfarms in 2009 (Swedish Environmental Protection Agency, 2010). The dotted line indicates the border used for abundance estimation of the Baltic harbour porpoise population in SAMBAH.

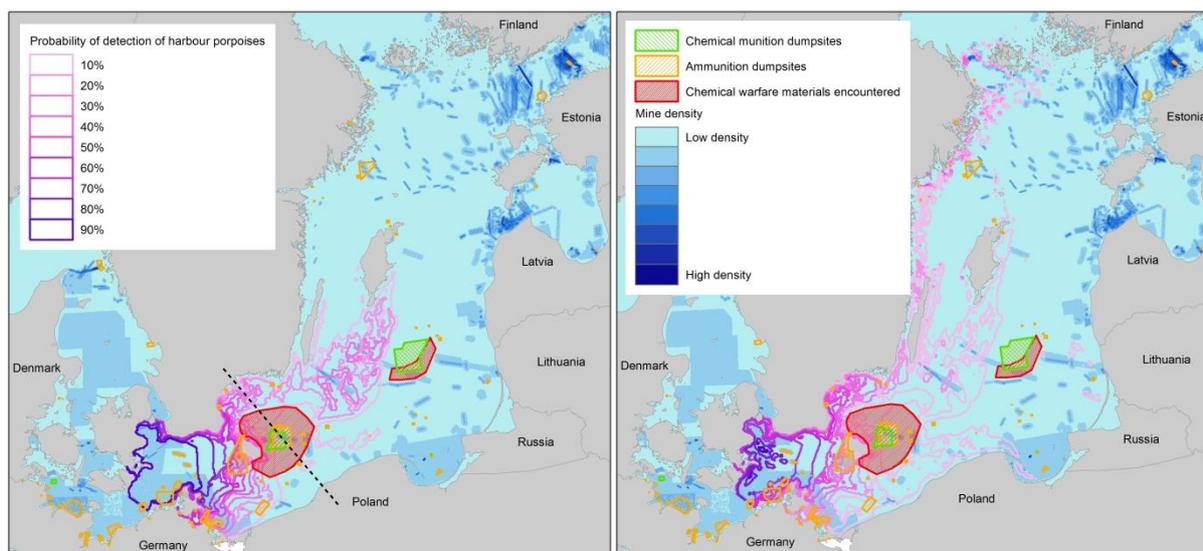


Figure 10. Monthly probability of detection of harbour porpoises within the SAMBAH area during May – October (left) and November – April (right) 2011 – 2013 (data from SAMBAH, 2016a), together with mines and dumped ammunition (courtesy HELCOM data and map service, and Swedish Armed Forces). The dotted line indicates the border used for abundance estimates of the Baltic harbour porpoise population in SAMBAH.

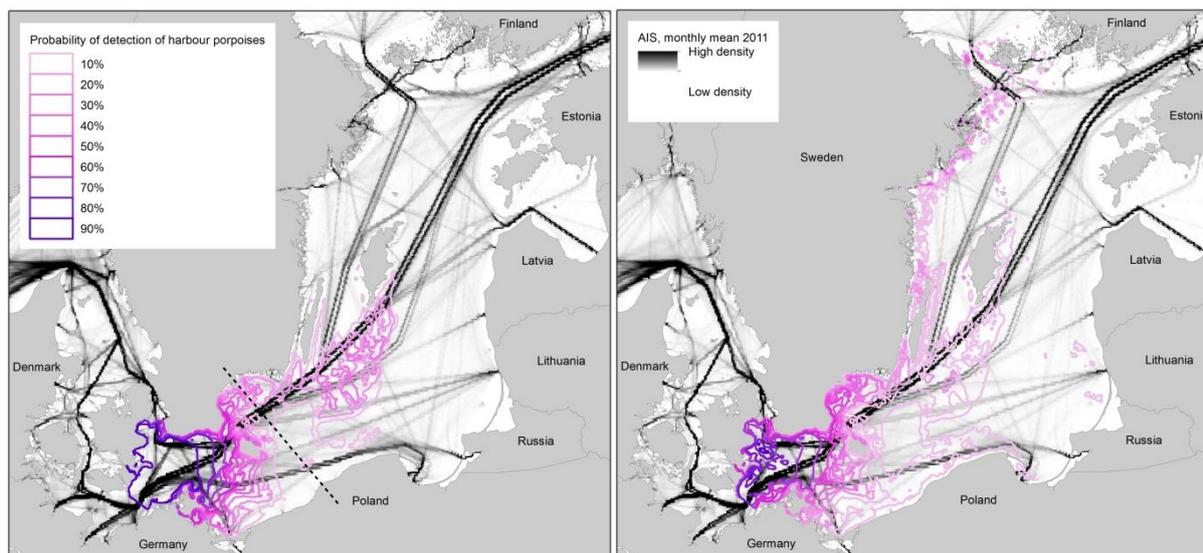


Figure 11. Monthly probability of detection of harbour porpoises within the SAMBAH area during May – October (left) and November – April (right) 2011 – 2013 (data from SAMBAH, 2016a), together with AIS shipping in 2011 (courtesy HELCOM data and map service). The dotted line indicates the border used for abundance estimation of the Baltic harbour porpoise population in SAMBAH.

Reduced prey quality

For the harbour porpoises in inner Danish waters, individual-based modelling has shown that next to bycatch, food depletion is the most serious threat to the population (see 5.1. *Identification of Threats*; Nabe-Nielsen et al., 2014). Further, harbour porpoise distribution has been found to correlate to fine-scale oceanographic features aggregating prey in the Bay of Fundy (Johnston et al., 2005) and to large-scale patterns of herring distribution in the Sound (Sveegaard et al., 2012b). No such data are available for the Baltic harbour porpoise population, although there is extensive information on changes in herring and sprat condition and density from acoustic surveys in ICES statistical areas 25 – 29 (Baltic Proper) during 1978 – 2008. Generalized additive models show that the main driver of observed spatio-temporal changes in the condition of both clupeid species is sprat density. During 1984 – 1991, the body condition was high and similar in all areas of the Baltic Proper for both species. However during 1992 – 2008, sprat abundance increased and the body condition of both species dropped. A clear south-north pattern occurred with strongest effects in the northern part of the Baltic Proper (Casini et al., 2011). The increased sprat density

is suggested to be a consequence of high fishing pressure on the predator cod, which led to an almost total disappearance of the species at that time (Casini et al., 2011, 2008; Österblom et al., 2007).

Given the very low population estimate for the Baltic harbour porpoise population, it is unlikely that there is strong competition for food. However reduced prey quality may have a negative impact on harbour porpoises' body condition and spatio-temporal changes may affect the species' distribution. In a study of 11 species of cetaceans in the North Atlantic, including the harbour porpoise, prey quality was found to be tightly coupled to metabolic costs. The relationship appeared to be independent of phylogeny and body size, suggesting that quality rather than quantity of food is a major determinant of foraging strategies. The dependence is pointed out as having implications for risk assessment of changing prey quality and quantity for marine top predators (Spitz et al., 2012).

Summary of threats

A summary of the threats described above is given in Table 5.

Table 5. Summary of actual and potential threats to the population. The action numbers refer to those described under "6. Actions". The priority for all actions listed is high, but for RES-02, MIT-04 and RES-09 where it is medium.

Actual/ potential threat	Cause or related activity	Evidence	Possible impact	Directly relevant actions
Direct lethal threats				
Bycatch in gillnets	Gillnet fishing	Strong in active nets, weak in derelict nets	Mortality	COOP-01—02; PACB-01; RES-03—06, 08; MON-03—04; MIT-01—04, 06
Physical injury from underwater noise	Clearance of underwater ordnance and other underwater explosions, use of active military sonar	Strong	Hearing damage and mortality	COOP-02; PACB-01; RES-07—08; MON-04; MIT-05—06
Sub-lethal threats				
Contaminants	Chemical use in the society	Strong	Immunosuppression, increased disease risk and reproductive failure	COOP-02, PACB-01, RES-08, MON-04
Behavioural impact from impulsive noise	Pile driving, use of active military sonar	Strong	Behavioural avoidance	COOP-02, RES-07—08, MIT-05—06
Masking and behavioural impact from continuous noise	Shipping	Moderate	Masking of echolocation and environmental signals, behavioural disruption and avoidance	COOP-02, RES-07—08, MIT-05—06
Reduced prey quality	Commercial fishing	Weak	Reduced nutritional status	COOP-02, PACB-01, RES-08—09, MON-04, MIT-06

Mitigation measures and monitoring

In the improvement of assessment approaches and methods, account shall be taken of the needs for monitoring programmes specified in MSFD Annex V. These include the needs to provide information on:

- the assessment of status in relation to GES,
- the identification of suitable indicators, and
- the assessment of the impact of the measures.

Further, there are needs to:

- aggregate the information on the basis of marine regions or sub-regions, and
- ensure the comparability within and between marine regions and/or sub-regions.

The improvement shall also take account of the following key principles for collection, management and use of data given in CFP Article 25(2):

- accuracy
- reliability and timeliness
- avoidance of duplication through improved coordination
- safe storage in database systems
- improved availability of data
- compliance with laws on personal data protection
- access for the European Commission, enabling it to check the availability and quality of data and the methodology used to collect them.

Regarding determination of GES, MSFD Article 3 set out that this shall be determined at the level of marine regions.

Monitor and estimate abundance and distribution

Acoustic monitoring of distribution and abundance shall be carried out both as continual long-term monitoring in selected areas, and as full-scale surveys regularly and with time intervals suitable in synchrony with the reporting cycles of the Habitats Directive and the MSFD. The methods shall build upon those developed in national monitoring programmes and in the SAMBAH project. For improvement of full-scale surveys, the methods for determining the detection function of acoustic harbour porpoise loggers in the Baltic Sea need to be improved.

Relevant Actions:

- Action MON-01: Implement and harmonize long-term continual acoustic harbour porpoise monitoring
- Action RES-02: Improve methods for estimation of absolute density and abundance of the Baltic harbour porpoise
- Action MON-02: Carry out full-scale surveys of harbour porpoise abundance and distribution

Monitor, estimate and reduce bycatch in gillnets

Bycatch can be independently monitored by on-board observers or remote electronic monitoring (REM) systems. Remote electronic systems have been successfully used on Danish commercial gillnetters of 10 – 15 m in length (Kindt-Larsen et al., 2012). Compared to on-board observers, REM systems can yield higher coverage at lower costs, they can be used on smaller vessels, and their data can be evaluated more than once by multiple persons. Among the challenges are data storage limitations, the limitations of vessels that can be covered, getting the fishermen to accept the REM system on-board, data confidentiality issues, and limited manufacturers of REM systems (Kindt-Larsen et al., 2012). In areas with very low bycatch risk of harbour porpoises, the use of REM systems is likely not highly prioritized. In those areas, reporting schemes, interview surveys etc. may be the most realistic options. The rate of success of such methods is highly dependent on respectful communication and long-term engagement in bycatch issues, taking socioeconomic aspects into account, by relevant partners. In addition to monitor harbour porpoise bycatch, REM systems can also be used for monitoring of pinger use, although not of their functioning.

Relevant Actions:

- Action RES-03: Improve methods for monitoring and estimation and harbour porpoise bycatch
- Action MON-03: Monitor and estimate harbour porpoise bycatch rates and estimate total annual bycatch

For efficient bycatch mitigation, the actions should be based on a spatio-temporal bycatch risk assessment (Kindt-Larsen et al., in press). The principle of such an analysis is to multiply spatio-temporal data on fishing

effort for relevant gear types with harbour porpoise density. In order to get absolute estimates, data on bycatch rate is also needed. The spatio-temporal resolution of the data shall be of sufficient resolution for management purposes. To avoid moving the bycatch risk in time or space, the bycatch risk assessment should preferably include scenario analyses building on estimated responses by the fisheries to the considered management actions.

Relevant Action:

- Action RES-04: Carry out a spatio-temporal risk assessment of harbour porpoise bycatch

There are three main methods for reduction bycatch of harbour porpoises in active gillnets: replacement of gillnets by fishing gear with no harbour porpoise bycatch, use of acoustic deterrence devices (ADDs, generally called “pingers”) or acoustic alerting devices (AADs), or just reduction of fishing effort with relevant gillnets. To mitigate potential bycatch in ghost nets, the derelict fishing gear needs to be retrieved.

Examples of fishing gear with no harbour porpoise bycatch are traps, pots, hooks and seine nets. In the Baltic Sea, these gear types have often been developed and tested with the aim of reducing seal damage to fishing gear and catch in the fisheries of Atlantic cod, salmon (*Salmo salar*), sea-trout (*Salmo trutta*) and whitefish (*Coregonus* spp.) (Hemmingsson et al., 2008; Lunneryd et al., 2003; Suuronen et al., 2006; Westerberg et al., 2008). In areas where the use of these gear types overlaps with the distribution range of harbour porpoises, the elimination of harbour porpoise bycatch is an added value. Similar to gillnets, pots and traps are relatively cheap, do not cause physical damage of the sea floor, use less energy than trawls, and can have high catch selectivity. In a study carried out in the commercial cod fishery in Hanö Bight and a nearby archipelago area (Karlskrona skärgård) in 2009 – 2011, the catches of cod pots were evaluated in relation to gillnets and longlines (Königson et al., 2015). A comparison could be made of mean daily weight of cod per fishing vessel (WPUE) between the cod pots and the combined catches in gillnets and longlines for the time period of February – December 2009. Based on data on catch effort and assumed total gear capacity per vessel, no difference was found in daily WPUE between the cod pots and the traditional gillnets and longlines over the year. However the pot WPUE was markedly more variable between seasons with on average 52 per cent lower WPUE during April – June and 54 per cent higher during August – November, in relation to the traditional gear types. The pot WPUE of legal-sized cod was found to be significantly affected by water depth, time of year (month), and soak time. In one of the areas, the pot WPUE was also affected by the direction of the water current in relation to the orientation of the string of pots. Yet other studies in the Baltic Sea have shown that escape windows increase the size selectivity (Ovegård et al., 2011), and that green light stimuli increases the catch in numbers and biomass for cod above 38 cm (Bryhn et al., 2014). For flat fish there are currently no commercially useful pots available, however the development of small-scale seine nets are ongoing (Sara Königson, 26 May 2016, pers. comm.).

Relevant Actions:

- Action RES-05: Further develop and improve fishing gear that is commercially viable with no harbour porpoise bycatch
- Action MIT-01: Implement the use of fishing gear that is commercially viable with no harbour porpoise bycatch

As explained above, if reduction or elimination of fishing effort is used as a bycatch mitigation measure for harbour porpoises, the action should be based on a bycatch risk assessment to ensure a realized decrease of the bycatch risk. From 2005 to 2014, the overall fishing effort (hours) with gillnets of mesh size ≥ 90 mm was reduced by 77 per cent in the Baltic Sea (STECF, 2015; data downloaded from the European Commission DCF – Data dissemination database on 13 April 2016, <https://datacollection.jrc.ec.europa.eu/dd/effort/maps>). However this decrease is a result of fisheries regulations for other reasons together with changes in profitability, and not a result of strategic bycatch mitigation for harbour porpoises. Without a spatio-temporal bycatch risk assessment, it is not possible to estimate how the overall reduction in fishing effort may have affected the bycatch risk of harbour porpoises in the Baltic Sea.

Relevant Action:

- Action MIT-02: Reduce or eliminate fishing effort with gillnets or other gear known to cause porpoise bycatch in areas with higher harbour porpoise density or occurrence, and/ or in areas with higher risk of harbour porpoise bycatch, according to spatio-temporal risk assessments

The efficiency of pingers as a method to reduce bycatch of harbour porpoises has been evaluated in a number of studies. The general conclusion from 16 controlled experiments in North America and Europe is that harbour porpoises seem to avoid the area ensounded by pingers (review by Dawson et al., 2013; Kyhn et al., 2015; Larsen and Eigaard, 2014). Elements of habituation, measured as decreasing deterrence distance over time, have been found in experiments using pingers emitting sounds of constant frequencies and repetition rate (Carlström et al., 2009; Cox et al., 2001; Gearin et al., 2000; Kyhn et al., 2015). This has not been observed in experiments using pingers with more varied sounds (Kyhn et al., 2015). As the sound of commercially used pingers typically deterred harbour porpoises by a few hundred metres (Carlström et al., 2009; Culik et al., 2001), concern has been raised that substantial use of pingers in areas that are critical to harbour porpoises, such as reproduction areas, migration routes or SACs, may have negative impact on the population level. To evaluate this, further information is needed on how harbour porpoises react to pingers, for example how far they relocate, if the sensitivity varies for different sub-groups, such as mother-calf pairs, and how this may vary over time. Until adequate information is available, pingers should be used with caution. Regarding the implementation of pinger use, Dawson et al. (2013) conclude that effective implementation is difficult, and to this end education, outreach and enforcement are all critical components of effective implementation plans. Further, post-implementation monitoring is critical in assessing temporal trends in compliance and efficacy. In an operational gillnet fishery, bycatch rates of observed hauls with an incomplete set of pingers have been higher than in observed hauls with pingers (Palka et al., 2008). To be practical in areas where harbour porpoises and seals co-exist, seals cannot learn to associate the sound of pingers to food resources, the so called “dinner bell” effect. This has been observed for example for harbour seals (*Phoca vitulina*) in an experiment in a salmon fishery in northern Washington State, US, (Gearin et al., 2000), and for California sea lions (*Zalophus californianus*) during practical use of pingers in swordfish and thresher shark drift gillnet fishery in California (Carretta and Barlow, 2011). A possible solution to this is to use pingers that are audible to harbour porpoises, but not to seals.

Relevant Actions:

- Action RES-06: Improve the knowledge on potential population-level effects of the use of pingers, and develop acoustic devices for bycatch mitigation further
- Action MIT-03: Continue or implement the use of acoustic deterrent devices (“pingers”) and acoustic alerting devices proven to be successful when and where deemed appropriate

To reduce the risk of bycatch in ghost nets, actions shall be taken on the prevention, retrieval and safe handling of derelict fishing gear. The retrieval includes both identification of accumulation areas for derelict fishing gear, and the removal of the gear. A report on practical guidance on preventing and mitigating the significant adverse impacts of marine debris on marine and coastal biodiversity and habitats is given by CBD (2014), a toolkit for marine litter retention is available from the MARELITT project (Pilot project: Removal of marine litter from Europe's four regional seas, (<http://www.marelitt.eu>), and Baltic regional and national actions are outlined in the HELCOM Marine litter action plan (HELCOM, 2015).

Relevant Action:

- Action MIT-04: Prevent, retrieve and recycle derelict (“ghost”) fishing gear, with focus on high-density areas of harbour porpoises

Monitor and mitigate impact of underwater noise

The current situation in the Baltic Sea with extensive plans for construction of offshore windfarms, intense shipping and the critical conservation status of the Baltic harbour porpoise calls for urgent action both for further research and for the development and implementation of regionally harmonized national guidelines and thresholds. Important research topics are population level effects of impulsive noise, individual level and population level effects of continuous noise, and the development of indicators relevant for monitoring of environmental status with regard to underwater noise.

Impulsive underwater noise

Guidelines and thresholds to avoid, minimize or reduce the impacts on marine mammals by impulsive underwater noise are fundamental tools for transparent and consistent management of anthropogenic activities that generate underwater noise. Similarly, environmental impact assessment (EIA) guidelines are as fundamental for monitoring and evaluating their potential impact. In the Baltic region, guidelines or threshold values are available for Danish and German waters.

In Denmark, a model for calculating the cumulative underwater noise impact from construction of offshore wind farms, together with recommended threshold values for sound exposure levels generating PTS and TTS for harbour porpoises and harbour and grey seals, and behavioural changes on harbour porpoises, are presented in a memo from Energinet.dk (Energinet.dk 2015). Minimum requirements are given for calculations of project specific sound attenuation, for control measurements for determination of SEL of the pile installation, and for reporting. The model has been developed for Horns Rev 3 Offshore Windfarm in the North Sea, future offshore wind farms at Kriegers Flak in the Baltic Sea, and six nearshore windfarms. It is important to note that the recommended thresholds only reflect the onset of certain effects. As they do not take into consideration the conservation status of the population in question, this has to be done in the application of the threshold values. Areas where information is either sparse or missing, and are critical for evaluation of the effects of noise on marine mammals, are listed in the memo. For harbour porpoises, these concern information on verification of frequency weighting, whether the energy content of the signal determines the TTS threshold (“the equal energy hypothesis”), the effective deterring range of seal scarers, how individual behavioural responses translate to potential population effects on long-term survival and reproduction, and potential habituation to the noise emitted by pingers and seal scarers.

In Germany, thresholds for TTS in harbour porpoises, which is regarded as injury by national law (BNatSchG), have been established for the German North Sea (BMU, 2013). The thresholds consist of a dual criteria for SEL and peak-to-peak SPL. Regarding behavioural disturbance, only significant disturbance is prohibited, which is defined differently depending on the season. May – August is defined as a particularly sensitive period for harbour porpoises in the German North Sea, and outside this period, significant disturbance is defined by a maximum percentage of the marine area that falls within the disturbance radii of offshore windfarms under construction. For the sensitive period, and also in areas with high harbour porpoise densities such as northwest of the island of Sylt, it is noted that there is a greater potential to cause population-relevant disturbance. Given that the German thresholds take the harbour porpoise conservation status into account and are legally binding, they cannot be directly applied on the harbour porpoise population in the Baltic Sea. In addition to the thresholds, Germany has also developed a standard for investigation of the impacts of offshore wind turbines on the marine environment on features of conservation interest, including harbour porpoises (StUK4) (BSH, 2013). The objectives of the standard is to determine the spatial distribution and temporal variability of impacts in the pre-construction phase (baseline survey), to monitor the effects of construction, operation and decommissioning, and to establish a basis for evaluating the monitoring results.

Regarding marine mammal guidelines and thresholds for impacts on marine mammals by underwater noise in other countries, a brief global overview is given by Erbe (2013). Examples of national documents published after this overview are a Dutch framework for assessing ecological and cumulative effects of offshore wind farms (Heinis et al., 2015), guidance on how to manage the risk to marine mammals from man-made sound sources in Irish waters (NPWS, 2014), and the US draft guidance for assessing the effects of anthropogenic sound on marine mammals’ hearing (NOAA, 2015).

The mitigation methods for reduction of impact on harbour porpoises by impulsive underwater noise can generally be carried out on the following three different levels, in descending order of suitability regarding ecological impact of underwater noise:

1. reduction of the generation of underwater noise,
2. reduction of the spreading of underwater noise, or
3. reduction of the exposure to underwater noise.

The first two kinds of measures are dependent on the anthropogenic activity. For constructions of offshore windfarms, the most important measure for reducing the noise levels generated is the selection of foundation type. Reviews of alternatives and modifications of monopile foundations for noise mitigation are given by BMU (2013), OSPAR (2014) and Saleem (2011). For reduction of spreading of underwater noise,

dampening constructions such as bubble curtains or cofferdams (noise isolation chambers) may be used (BMU, 2013; OSPAR, 2014). Bubble curtains may also be used to reduce the spreading of underwater noise from underwater explosions (Koschinski, 2011). For most kinds of noise generating activities, the exposure to underwater noise can be reduced by the following measures:

1. spatial and seasonal planning to avoid high risk areas and seasons,
2. visual and acoustic monitoring combined with stopping procedures, or
3. use of pingers and/or seal scarers to deter harbour porpoises from the zone of physical injury.

It should be noted that the last measurement may even increase the zone of behavioural disturbance.

Continuous underwater noise

For continuous underwater noise, the knowledge gaps on potential impacts are even greater than for impulsive noise, and no national guidelines or threshold values are available. The *International Maritime Organization (IMO)* has developed voluntary guidelines for the reduction of underwater noise from commercial shipping to address adverse impacts on marine life (IMO, 2014). These include methods for predicting underwater noise levels, standards and references for underwater noise measurements, design considerations for the propeller and hull, aspects on on-board machinery, and operational and maintenance considerations, such as propeller cleaning, maintenance of a smooth hull surface, selection of ship speed, and rerouting and operational decisions to reduce adverse impacts on marine life.

Relevant Actions for both impulsive and continuous underwater noise:

- Action RES-07: Improve the knowledge on impact of impulsive and continuous anthropogenic underwater noise on harbour porpoises, and development of threshold limits of significant disturbance and GES indicators
- Action MIT-05: Implement regionally harmonized national threshold limits and guidelines for regulation of underwater noise

Monitor and assess population status

The assessment of population status is dependent on the collection of dead specimens (bycatch and strandings) and results from the monitoring of distribution and abundance throughout the distribution range of the Baltic harbour porpoise population. Methods of estimating mortality limits include Potential Biological Removal (PBR) (Wade, 1998) and Catch Limit Algorithm (CLA) (Winship, 2009).

Relevant Actions:

- Action MON-04: Collect dead specimens and assess health status, contaminant levels, cause of mortality and life-history parameters of harbour porpoises
- Action RES-01: Improve knowledge on harbour porpoise population structure in the Baltic region
- Action RES-08: Estimate mortality limits and assess population viability for the Baltic harbour porpoise

Investigate habitat use and protect important areas

The development of acoustic and digital imaging monitoring methods and analysis tools opens up for new research and improved monitoring of harbour porpoise habitat use. The information is of high importance for the designation of protected areas, and the development of management plans including monitoring schemes of these.

Relevant Actions:

- Action RES-09: Develop and improve methods for and investigate spatio-temporal patterns of habitat use by harbour porpoises
- Action MIT-06: Expand the network of protected areas for harbour porpoises, improve its connectivity, and develop and implement appropriate management plans including monitoring schemes for these areas

Actions

The Actions in this section are organized in a logical order in broad terms. They are not in the order of implementation timeline or priority, but these are specified under each Action. A summary of all Actions and their relations to the objectives of the Jastarnia Plan are given in section "6.7 Summary and implementation of actions".

Actions are categorized as follows:

- COOP = cooperation
- MIT = mitigation measures
- MON = monitoring
- PACB = public awareness and capacity building
- RES = research essential for providing adequate management advice or filling in knowledge gaps.

The underlying rationale for all Actions is to reach the ultimate goal of ASCOBANS, i.e. to reach and maintain a favourable conservation status of the Baltic harbour porpoise population. In addition to this, the Actions are also relevant, in general, to the fulfilment of the following HELCOM objectives, Ministerial Declarations and Recommendations:

- The HELCOM Baltic Sea Action Plan ecological objective on viable populations of species (HELCOM, 2007)
- The HELCOM ministerial declaration of 2010 acknowledging:
 - the step towards the implementation of an ecosystem based approach, and insofar the beginning of the development of the Baltic Sea as a model of good management of human activities, and
 - the ambitious ongoing work to produce red lists on species and habitats.
- The HELCOM ministerial declaration of 2013 deciding to:
 - implement a regional Strategic Plan for Biodiversity for the 2011- 2020 period of the UN Convention of Biological Diversity, including the Aichi Biodiversity Targets, bearing in mind that the implementation of the Plan in the EU and its Member States is carried out through the EU Biodiversity Strategy, and more specifically
 - take decisive action to work towards a favourable conservation status of the harbour porpoise based on implementation of the ASCOBANS Jastarnia Plan for the harbour porpoise in the Baltic Sea, in particular by addressing the pressing problem of bycatch.
- HELCOM Recommendation 37/2 (2016) concerning the conservation of Baltic Sea species categorized as threatened according to the 2013 HELCOM Red List.

Increase involvement, awareness and cooperation

Action COOP-01: Involve stakeholders in the work of reducing bycatch of harbour porpoises

Description

Objectives:

- Reduction of bycatch by enhanced cooperation among relevant stakeholders.
- Increased involvement of fishermen throughout the process of bycatch mitigation, from planning to implementation.

Threats: Bycatch

Rationale:

By involvement of all relevant stakeholders in the development of bycatch mitigation measures, the rate of success in finding solutions that are practicable, equitable and meet with the acceptance of fishermen will most likely increase. Acceptance by fishermen is needed to ensure consistent and efficient implementation of mitigation measures.

This Action improves the following Actions:

- PACB-01: Improve communication and education for increased public awareness and collection of live observations and dead specimens of the Baltic harbour porpoise
- RES-03: Improve methods for monitoring and estimation and harbour porpoise bycatch
- MON-03: Monitor and estimate harbour porpoise bycatch rates and estimate total annual bycatch
- RES-05: Further develop and improve fishing gear that is commercially viable with no harbour porpoise bycatch
- MIT-02: Reduce or eliminate fishing effort with gillnets or other gear known to cause porpoise bycatch in areas with high harbour porpoise density or occurrence, and/ or in areas with high risk of harbour porpoise bycatch
- MIT-03: Continue or implement the use of acoustic deterrent devices (“pingers”) and acoustic alerting devices proven to be successful when and where deemed appropriate

- MIT-04: Prevent, retrieve and recycle derelict (“ghost”) fishing gear, with focus on high-density areas of harbour porpoises
- MON-04: Collect dead specimens and assess health status, contaminant levels, cause of mortality and life-history parameters of harbour porpoises

Activity or method:

- Establish working groups consisting of fishermen, scientists, competent authorities, and fisheries and environmental organizations to develop guidelines and methods for reducing and monitoring bycatch in relevant fisheries. Working groups can be established nationally and/or locally, with priority of areas with identified high risk of harbour porpoise bycatch (RES-04).
- Facilitate environmental certification of fisheries.

Implementation timeline: Continued

Actors

Responsible for implementation: Baltic Parties and Range States, including national armed forces

Relevant stakeholders: Professional and recreational fishermen, scientists, relevant authorities, fisheries and environmental NGOs, HELCOM Fish Group, HELCOM Seal Expert Group

Responsible for evaluation: Baltic Parties and Range States, including national armed forces

Priority

High

Action PACB-01: Improve communication and education for increased public awareness and collection of live observations and dead specimens of the Baltic harbour porpoise

Description

Objectives:

- Increased awareness among the general public and people with jobs related to the sea, in particular fishermen, of the threats faced by Baltic harbour porpoises, the need to take action to conserve the species and the options for action.
- Increased amount and harmonized quality of information collected, compiled and presented on harbour porpoise observations throughout the distribution range of the Baltic harbour porpoise population.

Threats: Bycatch, contaminants, underwater noise, reduced prey quality

Rationale:

Public awareness plays an essential part in supporting any recovery plan. People need to be aware that harbour porpoises are an integral part of the fauna of their local waters, that they are worth saving, what actions that can be undertaken to improve their survival, and what to do if an animal is encountered. The key target groups are Baltic fishermen and others working or recreating at or by the Baltic Sea. Fishermen are most likely to interact directly with harbour porpoises, and members of all groups working at or by the Baltic Sea are most likely to encounter harbour porpoises due to their long time spent at or by the sea. Further, due to their high numbers, the general public spending time by or at the Baltic Sea is also a key target group for information on harbour porpoise observations. The general public are also consumers of fishery products and the ultimate arbiters of public policy.

This Action improves the following ones:

- MON-04: Collect dead specimens and assess health status, contaminant levels, cause of mortality and life-history parameters of harbour porpoises

Activity or method:

- Continue the development and promotion of a regional approach to Baltic harbour porpoise conservation.
- Further develop and harmonize the means of reporting and presenting observational data, such as mobile apps and interactive web sites.
- Establish direct communication links between ASCOBANS and Baltic fishermen and fisheries organizations, and seek their assistance in determining how to reach fishing communities more effectively.

- Enlist the support of the general public and people related to the sea in obtaining reports of live harbour porpoise observations and collection of dead specimens.
- Cooperate internationally for further harmonization of data standards and improved uploading of national data to the HELCOM data and map service.
- Designate national contact points for continual cooperation on public awareness activities within the Baltic Parties/Range States.

In the realization of this Action, attention should be paid to the fact that public awareness work has to be objective, attendant to and respectful towards cultural and linguistic differences, and candid about scientific uncertainty.

Implementation timeline: Continued

Actors

Responsible for implementation: Baltic Parties and Range States, ASCOBANS Secretariat

Relevant stakeholders: Professionals working at or by the Baltic Sea (including fishermen), the general public, national authorities, scientists and scientific institutions, fisheries and environmental NGOs, media, HELCOM Secretariat

Responsible for evaluation: Baltic Parties and Range States, ASCOBANS Advisory Committee

Priority

High

Action COOP-02: Strive for close cooperation between ASCOBANS and other international bodies

Description

Objectives:

- Informed actions and recommendations by ASCOBANS and cooperating partners.
- Ensuring that ASCOBANS positions are known and taken into account in relevant processes (including legislation) at the international and EU levels.
- Leveraging of synergies between competent international organizations, avoidance of duplication of effort.

Threats: Bycatch, contaminants, underwater noise, reduced prey quality

Rationale:

Cooperation between ASCOBANS and other relevant regional and international players will contribute to achieving synergies, avoiding duplication of effort and promoting more efficient and result-oriented use of available resources. It is also in line with the MSFD, stating that Member States shall:

- take due account of the fact that the marine waters of the Baltic Sea form an integral marine region (Article 4(1)),
- cooperate to ensure that the measures required to achieve the MSFD objectives are coherent and coordinated across the marine region (Article 5(2)), and,
- in order to achieve coordination, use existing relevant regional institutional cooperation structures, including Regional Sea Conventions (Article 6(1)).

Activity or method:

- Send the revised Jastarnia Plan to the national governments of the Baltic Parties and Range States, as well as to the European Commission, HELCOM, ICES and other relevant bodies, including NGOs. An appropriate cover letter informing them of the revision of the Plan and outlining what is expected of them should be included.
- Have regular consultations between ASCOBANS Secretariat and Secretariats of other relevant organizations, mutual representation at meetings, and continual exchange of information.

Implementation timeline: Continued

Actors

Responsible for implementation: ASCOBANS Secretariat, Baltic Parties

Relevant stakeholders: European, regional and international organizations and bodies, such as the EU, HELCOM including relevant working groups, and international conventions

Responsible for evaluation: ASCOBANS Advisory Committee

Priority

High

Monitor and estimate abundance and distribution

Action RES-01: Improve knowledge on harbour porpoise population structure in the Baltic region

Description

Objective:

- More thoroughly defined populations and their distribution throughout the year in the Baltic region.

Threats: n/a

Rationale:

A good knowledge of population structure and population distribution throughout the year is fundamental for determining the population status and carrying out necessary conservation actions. Current knowledge of the population structure of the harbour porpoise in the Baltic region shows that this population should be managed separately. However, there are uncertainties as to how strong the separation is and as to the spatio-temporal distribution of the Baltic harbour porpoise population.

This Action improves all Actions with a spatio-temporal component, including:

- MON-03: Monitor and estimate harbour porpoise bycatch rates and estimate total annual bycatch
- RES-04: Carry out a spatio-temporal risk assessment of harbour porpoise bycatch
- MIT-05: Implement regionally harmonized national threshold limits and guidelines for regulation of underwater noise
- MIT-06: Expand the network of protected areas for harbour porpoises, improve its connectivity, and develop and implement appropriate management plans including monitoring schemes for these areas
- MON-01: Implement and harmonize long-term continual acoustic harbour porpoise monitoring
- MON-02: Carry out full-scale surveys of harbour porpoise abundance and distribution

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 11 concerning the surveillance of the conservation status of relevant species covered.
- MSFD Article 11(1) concerning the establishment and implementation of coordinated monitoring programmes for the assessment of the environmental status, including a description of the population dynamics of species of marine mammals (Annex III, Table 1).

This Action is directly related to the fulfilment of HELCOM Recommendation 17/2(b) (2013) concerning close co-operation with ASCOBANS and ICES for collection and analysis of additional data on, among other things, population distribution and abundance and stock identities.

Activity or method:

- Integrated analysis of available genetic and morphological evidence, taking account of new acoustic, tracking, and genetic data.
- Broad initiative to obtain and analyse additional tissue samples from the Baltic Proper.
- Enhancement of efforts to locate stranded and bycaught animals and to obtain samples from these individuals (PACB-01).

Implementation timeline: Continued

Actors

Responsible for implementation: National authorities, scientists

Relevant stakeholders: HELCOM Seal Expert Group

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice

Priority

High

Action MON-01: Implement and harmonize long-term continual acoustic harbour porpoise monitoring

Description

Objective:

- Sufficient monitoring for providing input to assessment of trends in population abundance and distribution between full-scale surveys.

Threats: n/a

Rationale:

For assessment of trends or detecting early warnings in changes in population abundance and distribution, continual monitoring is needed between full-scale surveys. The cost-effectiveness of continual monitoring can be increased if combined with monitoring of protected areas for harbour porpoises and potentially also monitoring of underwater noise in accordance with the MSFD.

This Action improves the following Actions:

- RES-08: Estimate mortality limits and assess population viability for the Baltic harbour porpoise

Activity or method:

- Build upon the methodology for acoustic monitoring developed in national monitoring schemes and the SAMBAH project.
- Harmonize the continual acoustic monitoring across the Baltic Sea by cooperation with national monitoring schemes in protected areas for harbour porpoises and monitoring of underwater noise in accordance with the MSFD.
- Develop a methodology for evaluation of the results from continual monitoring in relation to those from full-scale surveys of harbour porpoise distribution and abundance.
- Collaborate with HELCOM in the development of core indicators.

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 11 concerning the surveillance of the conservation status of listed habitats and species, including the harbour porpoise.
- Habitats Directive Article 17 concerning the reporting of, among other things, the main results of the surveillance of the conservation status of those habitats and species.
- MSFD Article 11(1) concerning the establishment and implementation of coordinated monitoring programmes for the ongoing assessment of the environmental status of their waters by reference to the established environmental targets.
- MSFD Article 17(2) concerning the coordinated review of the marine strategies, including the monitoring programmes.

This Action is directly related to the fulfilment of following HELCOM Recommendation 35/1(k) (2014) concerning the assessment of the effectiveness of the management plans or measures of HELCOM MPAs by conducting monitoring, including the placement of monitoring stations inside the MPAs.

Implementation timeline: Immediate

Actors

Responsible for implementation: National authorities, scientists

Relevant stakeholders: Relevant European, regional and international organizations and bodies, relevant international conventions, HELCOM Seal Expert Group, HELCOM Gear group

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice

Priority

High

Action RES-02: Improve methods for estimation of absolute density and abundance of the Baltic harbour porpoise

Description

Objective:

- Improved methods for determining the detection function of acoustic harbour porpoise loggers in low-density areas.

Threats: n/a

Rationale:

Practical and reliable methods for determining the detection function for acoustic loggers are essential for estimating absolute density and abundance of harbour porpoises by acoustic surveys. Ideally, the detection function should be determined throughout the survey area both in time and space to capture the actual environmental conditions and harbour porpoise behaviour. The low density of harbour porpoises in the Baltic Sea calls for further development of such methods and up until now their application in the Baltic Sea has been very limited.

This Action improves the following Actions:

- MON-02: Carry out full-scale surveys of harbour porpoise abundance and distribution

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 18(1) encouraging the necessary research and scientific work regarding the monitoring obligation referred to in Article 11. For the purpose of proper coordination of research, information shall be exchanged at Member State and Community Level.

Activity or method:

- Develop acoustic methods for determining the detection function of harbour porpoise loggers in the Baltic Sea, such as spatially explicit capture recapture (SECR) techniques, "stereo" or "ranging" devices, or improved methods for measuring and modelling the sound propagation of harbour porpoise echolocation signals.

Implementation timeline: Continued

Actors

Responsible for implementation: National authorities, scientists

Relevant stakeholders: The industry of relevant underwater acoustic recording or logging devices, HELCOM Seal Expert Group

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice

Priority

Medium

Action MON-02: Carry out full-scale surveys of harbour porpoise abundance and distribution

Description

Objective:

- Updated abundance estimates and distribution maps of the Baltic harbour porpoise provided in synchrony with the requirements on reporting by the Habitats Directive and the MSFD.

Threats: n/a

Rationale:

Regular full-scale surveys are essential for the assessment of population status and trends.

This Action improves the following Actions:

- RES-08: Estimate mortality limits and assess population viability for the Baltic harbour porpoise

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 11 concerning the surveillance of the conservation status of listed habitats and species, including the harbour porpoise.
- Habitats Directive Article 17 concerning the reporting of, among other things, the main results of the surveillance of the conservation status of those habitats and species.
- MSFD Article 11(1) concerning the establishment and implementation of coordinated monitoring programmes for the ongoing assessment of the environmental status of their waters by reference to the established environmental targets.
- MSFD Article 17(2) concerning the coordinated review of the marine strategies, including the monitoring programmes.

Activity or method:

- Build upon the methodology developed by the SAMBAH project, taking account for improved methods of estimating the harbour porpoise detection function (RES-02).
- Collaborate with HELCOM in the development of core indicators.
- Carry out full-scale surveys of harbour porpoise abundance and distribution on a regular basis and with time intervals suitable for detecting trends and in synchrony with the reporting cycles of the Habitats Directive and the MSFD.

Implementation timeline: Intermediate

Actors

Responsible for implementation: National authorities, scientists

Relevant stakeholders: Relevant European, regional and international organizations and bodies, relevant international conventions, HELCOM Seal Expert Group, HELCOM Gear group

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice

Priority

High for each reporting period of the Habitats Directive and the MSFD

Monitor, estimate and reduce bycatch

Action RES-03: Improve methods for monitoring and estimation of harbour porpoise bycatch

Description

Objective:

- Accurate, practical and cost-efficient methods for estimating bycatch rates of Baltic harbour porpoises for all vessel sizes/types within the geographical scope of the Jastarnia Plan.

Threats: Bycatch

Rationale:

Very limited information on bycatch rates is available for the Baltic harbour porpoise population. The relatively low harbour porpoise density, the population's wide distribution range, and the high proportion of small fishing vessels call for improved methods of bycatch monitoring and estimation. Accurate bycatch rates are essential for assessing the effectiveness of bycatch mitigation measures, and to carry out the following Actions with high precision:

- MON-03: Monitor and estimate harbour porpoise bycatch rates and estimate total annual bycatch
- RES-04: Carry out a spatio-temporal risk assessment of harbour porpoise bycatch

Further, improvement of collection of bycaught specimens, as a part of bycatch monitoring, also provides essential information to the following Action:

- MON-04: Collect dead specimens and assess health status, contaminant levels, cause of mortality and life-history parameters of harbour porpoises

This Action is directly related to the fulfilment of HELCOM Recommendation 17/2(b) (2013) concerning close co-operation with ASCOBANS and ICES for collection and analysis of additional data on, among other things, threats such as bycatch mortality.

Activity or method:

- Adapt existing surveillance methods (remote electronic monitoring systems, on-board observers, carcass collection programmes, reporting schemes, and interview surveys) to local fishing conditions (vessel size, gear type, professional or recreational fishery etc.) as well as harbour porpoise density and bycatch risk (Action RES-04), to make them practical and efficient.
- Collaborate with HELCOM in the development of core indicators and coordinated monitoring programmes
- Involve fishermen and fisheries organizations for increased success and reliability of results (COOP-01).
- For remote electronic monitoring systems, further develop digital tools for data analyses.
- Facilitate landings of harbour porpoises (MON-04). This may require changes in national and/or international legislation.

Implementation timeline: Immediate

Actors

Responsible for implementation: National authorities, scientist, fisheries

Relevant stakeholders: Professional and recreational fishermen, fisheries and environmental NGOs, the industry relevant for development of bycatch monitoring methods, relevant HELCOM working groups such as HELCOM Gear and HELCOM Seal Expert Group

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice

Priority

High

Action MON-03: Monitor and estimate harbour porpoise bycatch rates and estimate total annual bycatch

Description

Objective:

- Bycatch rates and total annual bycatch of Baltic harbour porpoises estimated with high precision for all vessel sizes/types within the geographical scope of the Jastarnia Plan.

Threats: Bycatch

Rationale:

Very limited information on bycatch rate and no reliable estimate of total annual bycatch are available for the Baltic harbour porpoise population. Regardless of vessel size, vessel type, type of fishery or gear type, accurate bycatch rates are essential for assessing the effectiveness of bycatch mitigation measures, and to carry out the following Action with high precision:

- RES-08: Estimate mortality limits and assess population viability for the Baltic harbour porpoise

Further, the collection of bycaught specimens, as a part of bycatch monitoring, also provides material the following Action:

- MON-04: Collect dead specimens and assess health status, contaminant levels, cause of mortality and life-history parameters of harbour porpoises

This Action is directly related to the implementation of the following Articles of EU directives:

- Habitats Directive Article 12(4) concerning the establishment of a system to monitor the incidental capture and killing.
- MSFD Article 10(1) referring to the establishment of environmental targets and associated indicators to guide progress towards achieving GES.
- MSFD Article 11(1) concerning the establishment monitoring programmes of, among other elements, the selective extraction of species, including incidental non-target catches (e.g. by commercial and recreational fishing).

This Action is directly related to the fulfilment of HELCOM Recommendation 17/2(b) (2013) concerning close co-operation with ASCOBANS and ICES for collection and analysis of additional data on, among other things, threats such as bycatch mortality.

Activity or method:

- Apply existing and improved methods for monitoring and estimating bycatch (RES-03).
- Collect and compile data on total fishing effort with relevant gear types for estimation of total bycatch numbers.
- Collaborate with HELCOM in the development of core indicators and coordinated monitoring programmes.
- Involve fishermen and fisheries organizations for increased success and reliability of results (COOP-01).

Implementation timeline: Immediate

Actors

Responsible for implementation: National authorities

Relevant stakeholders: Relevant European, regional and international organizations and bodies, relevant regional conventions, relevant HELCOM working groups such as HELCOM Gear and HELCOM Seal Expert Groups, scientists, professional and recreational fishermen, fisheries and environmental NGOs

Responsible for evaluation: National authorities

Priority
High

Action RES-04: Carry out a spatio-temporal risk assessment of harbour porpoise bycatch

Description

Objective:

- Estimated spatio-temporal bycatch risk throughout the population's distribution range.

Threats: Bycatch

Rationale:

A bycatch risk assessment can be carried out with two different purposes:

- Based on current data, it is a powerful tool to identify where and when bycatch mitigation measures are most efficient, and where and when they are not needed.
- By adjusting the theoretical fishing effort, it can be used for scenario analyses, investigating predicted changes in bycatch numbers due to changes in fishing effort as a result of e.g. changes in fishing regulations.

This Action improves the following ones:

- MIT-02: Reduce or eliminate fishing effort with gillnets or other gear known to cause porpoise bycatch in areas with higher harbour porpoise density or occurrence, and/ or in areas with higher risk of harbour porpoise bycatch, according to spatio-temporal risk assessments
- MIT-03: Continue or implement the use of acoustic deterrent devices ("pingers") and acoustic alerting devices proven to be successful when and where deemed appropriate
- MIT-06: Expand the network of protected areas for harbour porpoises, improve its connectivity, and develop and implement appropriate management plans including monitoring schemes for these areas

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 12 concerning the implementation of a strict system of protection within the natural range of the harbour porpoise.
- MSFD Article 1(1) referring to that necessary measures shall be taken to achieve or maintain GES by 2020 at the latest, especially with regard to descriptors 1 (marine biological diversity) and 4 (marine food web).
- MSFD Article 11(1) referring Annex V stating, among other things, that monitoring programmes shall include activities to confirm that the corrective measures deliver the desired changes and not any unwanted side effects.
- CFP Article 2(3) referring to the implementation of the eco-system based approach to fisheries management as to ensure minimized negative impacts of fishing activities on the marine ecosystem.
- CFP Article 2(5j) referring to that the CFP shall be coherent with the EU environmental legislation, in particular the objective of achieving GES by 2020 as set out in MSFD Article 1(1).

This Action is directly related to the fulfilment of HELCOM Recommendation 17/2(b) (2013) concerning close co-operation with ASCOBANS and ICES for collection and analysis of additional data on, among other things, threats such as bycatch mortality.

Activity or method:

- Collate data or carry out expert judgement based on available information on gear-specific bycatch rates (MON-03), spatio-temporal distribution of harbour porpoises (MON-02), and spatio-temporal information on fishing effort.
- Carry out a spatio-temporal bycatch risk assessment for as large proportion as possible of the distribution range of the Baltic harbour porpoise population.
- Improve the level of accuracy and/or size of the geographical area when further data of improved quality or quantity becomes available.

- Carry out scenario analyses of potential effects on total bycatch numbers due to potential changes in fishing effort, especially in the case of proposed changes in fishing regulations.

Implementation timeline: Immediate

Actors

Responsible for implementation: National authorities, scientists

Relevant stakeholders: Fishermen, fisheries NGOs, HELCOM Seal Expert Group

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice

Priority

High

Action RES-05: Further develop and improve fishing gear that is commercially viable with no harbour porpoise bycatch

Description

Objective:

- Locally adopted, commercially viable coastal fishing methods with no harbour porpoise bycatch.

Threats: Bycatch

Rationale:

Fishing gear with no harbour porpoise bycatch, such as traps, pots, hooks and seine nets, have in some instances been shown to be an economically profitable alternative to gillnets, including in the Baltic Sea. As local conditions vary, further development is needed to increase the applicability of such gear types to include additional geographical areas, target species etc. It may also be desirable to improve the economic profitability, handling aspects etc. in areas or fisheries where these gear types already have been shown to be successful.

This Action improves the following ones:

- MIT-01: Implement the use of fishing gear that is commercially viable with no harbour porpoise bycatch
- MIT-02: Reduce or eliminate fishing effort with gillnets or other gear known to cause porpoise bycatch in areas with higher harbour porpoise density or occurrence, and/ or in areas with higher risk of harbour porpoise bycatch, according to spatio-temporal risk assessments

This Action is directly related to the fulfilment or implementation of following the HELCOM BSAP actions of the biodiversity and nature conservation segment (HELCOM 2007) or HELCOM Recommendations:

- Development and implementation of fisheries management based on the ecosystem approach in order to enhance the balance between sustainable use and protection of marine natural resources.
- Cooperation between competent authorities and fisheries organizations for evaluation of the effectiveness of existing technical measures to minimize bycatch of harbour porpoises, and to introduce adequate new technologies and measures.
- HELCOM Recommendation 17/2(a) (2013) giving highest priority to avoiding bycatch of harbour porpoises, particularly following the recommendations of ASCOBANS and the ASCOBANS Jastarnia Plan, in order to achieve the ecological objective of reaching bycatch rates close to zero.

Activity or method:

- Develop and evaluate alternative fishing gear and/or practices, building upon existing experiences and devices and paying attention to the ecosystem approach.
- Investigate suitable ways of implementing fishing gear with no harbour porpoise bycatch
- Focus on fisheries with high risk of harbour porpoise bycatch (RES-04).
- Involve fishermen and fisheries organizations for increased success and reliability of results (COOP-01).

Implementation timeline: Immediate/continued

Actors

Responsible for implementation: National authorities, scientists, fisheries

Relevant stakeholders: Professional and recreational fishermen, fisheries and environmental NGOs, eco-labelling organizations, the fishing gear industry, HELCOM Fish Group

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice, and fisheries

Priority
High

Action MIT-01: Implement the use of fishing gear that is commercially viable with no harbour porpoise bycatch

Description

Objective:

- Significant contribution to reaching bycatch levels at or below sustainable mortality limits with sustained viable fisheries.

Threats: Bycatch

Rationale:

In order to maintain viable fisheries while reducing or eliminating the fishing effort with gillnets or other gear known to cause porpoise bycatch (MIT-02), implementation of fishing gear with no harbour porpoise bycatch is fundamental.

This Action is directly related to the following Articles of EU directives or regulations:

- Habitats Directive Article 12(4) concerning the establishment of a system of strict protection within the harbour porpoise's natural range.
- Habitats Directive Article 12(1b) concerning the establishment of a system of strict protection prohibiting all forms of deliberate capture or killing of Annex IV species within their natural range.
- Habitats Directive Article 12(4) concerning further conservation measures to ensure that incidental capture and killing do not have a significant negative impact on the Annex IV species.
- MSFD Article 1(1) referring to the need for measures to be taken to achieve or maintain GES by 2020 at the latest, especially with regard to descriptors 1 (marine biological diversity) and 4 (marine food web).
- CFP Article 2(3) referring to the implementation of the ecosystem-based approach to fisheries management as to ensure minimized negative impacts of fishing activities on the marine ecosystem.
- CFP Article 2(5j) referring to that the CFP shall be coherent with the EU environmental legislation, in particular the objective of achieving GES by 2020 as set out in MSFD Article 1(1).

This Action is directly related to the fulfilment or implementation of following the HELCOM BSAP actions of the biodiversity and nature conservation segment (HELCOM 2007) or HELCOM Recommendations:

- Development and implementation of fisheries management based on the ecosystem approach in order to enhance the balance between sustainable use and protection of marine natural resources.
- Cooperation between competent authorities and fisheries organizations for evaluation of the effectiveness of existing technical measures to minimize bycatch of harbour porpoises, and to introduce adequate new technologies and measures.
- HELCOM Recommendation 17/2(a) (2013) giving highest priority to avoiding bycatch of harbour porpoises, particularly following the recommendations of ASCOBANS and the ASCOBANS Jastarnia Plan, in order to achieve the ecological objective of reaching bycatch rates close to zero.

Activity or method:

- Implement existing and improved commercially viable fishing gear with no harbour porpoise bycatch (RES-05), such as traps, pots, hooks and seine nets.
- Focus on fisheries with high risk of harbour porpoise bycatch (RES-04).
- Involve fishermen and fisheries organizations for increased success and reliability of results (COOP-01).
- Find incentives for the fisheries, such as eco-labelling, to switch to fishing gear with no harbour porpoise bycatch.

Implementation timeline: Immediate

Actors

Responsible for implementation: National authorities, fisheries

Relevant stakeholders: Scientists, professional and recreational fishermen, fisheries and environmental NGOs, eco-labelling organizations, the fishing gear industry, HELCOM Fish Group

Responsible for evaluation: National authorities

Priority

High

Action MIT-02: Reduce or eliminate fishing effort with gillnets or other gear known to cause porpoise bycatch in areas with higher harbour porpoise density or occurrence, and/ or in areas with higher risk of harbour porpoise bycatch, according to spatio-temporal risk assessments

Description

Objective:

- To allow population recovery

Threats: Bycatch

Rationale:

As bycatch has been identified as the greatest source of mortality to harbour porpoises in the Baltic Sea, the fishing effort with gillnets and other gear types with high risk of harbour porpoise bycatch needs to be reduced or eliminated to reach bycatch levels at or below sustainable limits (RES-08). This applies to all vessels, regardless of size or type.

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 12(1b) concerning the establishment of a system of strict protection prohibiting all forms of deliberate capture or killing of Annex IV species within their natural range.
- Habitats Directive Article 12(4) concerning further conservation measures to ensure that incidental capture and killing do not have a significant negative impact on the Annex IV species.
- MSFD Article 1(1) referring to that necessary measures shall be taken to achieve or maintain GES by 2020 at the latest, especially with regard to descriptors 1 (marine biological diversity) and 4 (marine food web).
- CFP Article 2(3) referring to the implementation of the ecosystem-based approach to fisheries management as to ensure minimized negative impacts of fishing activities on the marine ecosystem.
- CFP Article 2(5j) referring to that the CFP shall be coherent with the EU environmental legislation, in particular the objective of achieving GES by 2020 as set out in MSFD Article 1(1).

This Action is directly related to the fulfilment or implementation of following the HELCOM BSAP actions of the biodiversity and nature conservation segment (HELCOM 2007) or HELCOM Recommendations:

- Development and implementation of fisheries management based on the ecosystem approach in order to enhance the balance between sustainable use and protection of marine natural resources.
- Cooperation between competent authorities and fisheries organizations for the designation of additional permanent closures of sufficient size for fisheries to prevent capture of non-target species to protect important reproduction and feeding areas and to protect ecosystems.
- HELCOM Recommendation 17/2(a) (2013) giving highest priority to avoiding bycatch of harbour porpoises, particularly following the recommendations of ASCOBANS and the ASCOBANS Jastarnia Plan, in order to achieve the ecological objective of reaching bycatch rates close to zero.

Activity or method:

- Reduce or eliminate fishing effort with gillnets or other gear known to cause porpoise bycatch, preferably in combination with the implementation of commercially viable fishing gear with no harbour porpoise bycatch (MIT-01) to maintain vital fisheries.
- Focus on fisheries with high risk of harbour porpoise bycatch (RES-04), using the most relevant and current data.
- Involve fishermen and fisheries organizations for increased success and reliability of results (COOP-01).

Implementation timeline: Immediate

Actors

Responsible for implementation: National authorities, fisheries

Relevant stakeholders: Scientists, professional and recreational fishermen, fisheries and environmental NGOs, HELCOM Seal Expert Group, HELCOM Fish Group

Responsible for evaluation: National authorities

Priority

High

Action RES-06: Improve the knowledge on potential population-level effects of the use of pingers, and develop acoustic devices for bycatch mitigation further

Description

Objectives

- Ensure that acoustic deterrent and alerting devices reduce harbour porpoise bycatch and have no negative effects on the population level.
- Ensure that acoustic deterrent and alerting devices are practical to use in relation to handling, battery lifetime and the presence of seals.

Threats: Bycatch

Rationale:

For vessels above a certain size, using certain fishing gear and fishing in certain areas, pinger use is mandatory under EU legislation. Pingers can also be required by national or local rules or regulations, and in other areas they can be used voluntarily. Pingers are often the bycatch mitigation measure preferred by gillnet fisheries, as they reduce harbour porpoise bycatch without altering the fishing gear. However, further knowledge is needed on habitat exclusion and habituation of harbour porpoises, and how this may transfer to the population level. Particular consideration needs to be taken to reproduction areas.

In areas where harbour porpoises and seals coexist, it is important that pingers do not act as “dinner bells” to the seals. Most commercially available pingers are not seal-safe, therefore further development of the design is needed.

Acoustic alerting devices are a potential alternative to acoustic deterrent devices. An alerting device is intended to emit signals that are not perceived as threatening by harbour porpoises, but rather cause them to increase their own echolocation activity and thereby increase their chances of detecting the fishing gear. Initial work has been carried out on this, but further studies are needed to improve and evaluate the method.

This Action improves the following ones:

- MIT-03: Continue or implement the use of acoustic deterrent devices (“pingers”) and acoustic alerting devices proven to be successful when and where deemed appropriate

This Action is directly related to the fulfilment or implementation of following the HELCOM BSAP actions of the biodiversity and nature conservation segment (HELCOM 2007) or HELCOM Recommendations:

- Development and implementation of fisheries management based on the ecosystem approach in order to enhance the balance between sustainable use and protection of marine natural resources.
- Cooperation between competent authorities and fisheries organizations for evaluation of the effectiveness of existing technical measures to minimize bycatch of harbour porpoises, and to introduce adequate new technologies and measures.
- HELCOM Recommendation 17/2(a) (2013) giving highest priority to avoiding bycatch of harbour porpoises, particularly following the recommendations of ASCOBANS and the ASCOBANS Jastarnia Plan, in order to achieve the ecological objective of reaching bycatch rates close to zero.

Activity or method:

- Examine habitat exclusion and habituation of harbour porpoises, and how this may transfer to the population level.
- Develop and evaluate seal-safe pingers.

- Develop and evaluate acoustic alerting devices that are efficient in reducing harbour porpoise bycatch without causing negative effects on the population level.
- Involve fishermen and fisheries organizations for increased success and reliability of results (COOP-01).

Implementation timeline: Immediate/continued

Actors

Responsible for implementation: National authorities

Relevant stakeholders: Scientists, professional fishermen, fisheries and environmental NGOs, eco-labelling organizations, the industry of acoustic alerting or deterrence devices, HELCOM Seal Expert Group

Responsible for evaluation: National authorities

Priority

High

Action MIT-03: Continue or implement the use of acoustic deterrent devices (“pingers”) and acoustic alerting devices proven to be successful when and where deemed appropriate

Description

Objective:

- Significant contribution to reaching bycatch levels at or below sustainable mortality limits with sustained viable fisheries.

Threats: Bycatch

Rationale:

In addition to the mandatory use of pingers under EU legislation, pingers may be a suitable bycatch mitigation measure in further areas, time periods and gear types. Seal-safe pingers may be needed, and if proven successful regarding effectiveness, potential population effects and practical aspects, acoustic alerting devices may be a suitable alternative (RES-06).

This Action is directly related to the following Articles of EU directives or regulations:

- Habitats Directive Article 12(4) concerning the establishment of a system of strict protection within the harbour porpoise’s natural range.
- MSFD Article 1(1) referring to the fact that necessary measures shall be taken to achieve or maintain GES by 2020 at the latest, especially with regard to descriptors 1 (marine biological diversity) and 4 (marine food web).
- CFP Article 2(3) referring to the implementation of the ecosystem-based approach to fisheries management as to ensure minimized negative impacts of fishing activities on the marine ecosystem.
- CFP Article 2(5j) referring to that the CFP shall be coherent with the EU environmental legislation, in particular the objective of achieving GES by 2020 as set out in MSFD Article 1(1).

This Action is directly related to the fulfilment or implementation of following the HELCOM BSAP actions of the biodiversity and nature conservation segment (HELCOM 2007) or HELCOM Recommendations:

- Development and implementation of fisheries management based on the ecosystem approach in order to enhance the balance between sustainable use and protection of marine natural resources.
- Cooperation between competent authorities and fisheries organizations for evaluation of the effectiveness of existing technical measures to minimize bycatch of harbour porpoises, and to introduce adequate new technologies and measures.
- HELCOM Recommendation 17/2(a) (2013) giving highest priority to avoiding bycatch of harbour porpoises, particularly following the recommendations of ASCOBANS and the ASCOBANS Jastarnia Plan, in order to achieve the ecological objective of reaching bycatch rates close to zero.

Activity or method:

- Where and when deemed appropriate, continue or initiate the use of pingers.
- Avoid negative effects on the population level, for example by causing considerable habitat exclusion and disturbance in reproduction areas (RES-06).
- Where and when implemented, monitor the use and functionality of pingers.

- Make sure to continue the development and further improvement of commercially viable fishing gear with no harbour porpoise bycatch (RES-05) as pingers shall be seen as an interim mitigation measure due to noise pollution.
- If proven successful regarding effectiveness, potential population effects and practical aspects, consider the use of seal-safe pingers or acoustic alerting devices (RES-06) as an alternative to traditional pingers.
- Involve fishermen and fisheries organizations for increased success and reliability of results (COOP-01).

Implementation timeline: Immediate/continued

Actors

Responsible for implementation: National authorities, fisheries

Relevant stakeholders: HELCOM Fish Group, scientists, professional and recreational fishermen, fisheries and environmental NGOs, eco-labelling organizations, the fishing gear industry

Responsible for evaluation: National authorities

Priority

High

Action MIT-04: Prevent, retrieve and recycle derelict (“ghost”) fishing gear, with focus on high-density areas of harbour porpoises

Description

Objective:

- Reduce the risk of harbour porpoise bycatch in ghost nets.

Threats: Bycatch

Rationale:

Ghost nets contribute to effective fishing effort of fish, and most probably also to bycatch of harbour porpoises, in the Baltic Sea. The clearance of ghost nets constitutes a reduction in fishing effort without decreasing the fishing yield.

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 12(4) concerning further conservation measures to ensure that incidental capture and killing do not have a significant negative impact on the Annex IV species.
- MSFD Article 1(1) referring to the fact that necessary measures shall be taken to achieve or maintain GES by 2020 at the latest, especially with regard to descriptor 10 (marine litter).
- CFP Article 2(3) referring to the implementation of the ecosystem-based approach to fisheries management so as to ensure minimized negative impacts of fishing activities on the marine ecosystem.
- CFP Article 2(5j) referring to that the CFP shall be coherent with the EU environmental legislation, in particular the objective of achieving GES by 2020 as set out in MSFD Article 1(1).

This Action is directly related to the fulfilment or implementation of the following HELCOM Recommendations:

- HELCOM Recommendation 36/1 concerning regional (RS10 – RS12) and voluntary national actions (NS8 – NS10) addressing sea-based sources of marine litter including: mapping sites with high risk of ghost nets, removal of ghost nets, promotion of removal of lost fishing gear, safe management of ghost nets on land, and the establishment of partnerships for implementation of passive Fishing for Litter schemes.
- HELCOM Recommendation 36/1 concerning regional (RE1 – RE3) and voluntary national actions (NE1 – NE3, NE6) addressing education and outreach on marine litter including: assist in or develop educational programmes or activities for professional seafarers including fishermen, provide information on national marine litter management activities and update the HELCOM website with the information, develop a communication strategy for the HELCOM Marine litter action plan, and enhance cooperation and coordination with relevant global marine initiatives.

- HELCOM Recommendation 17/2(a) (2013) giving highest priority to avoiding bycatch of harbour porpoises, particularly following the recommendations of ASCOBANS and the ASCOBANS Jastarnia Plan, in order to achieve the ecological objective of reaching bycatch rates close to zero.
- HELCOM Recommendation 28E/10 'Application of the no-special fee system to ship-generated wastes and marine litter caught in fishing nets in the Baltic Sea area'.

Activity or method:

- Identify areas with high ghost net densities by, for example, semi-structured interviews and establishment of local and regional reporting systems. Further, to increase the likelihood of reducing harbour porpoise bycatch, priority should be given to areas with high density of harbour porpoises.
- Survey and remove ghost nets at sea in combination with capacity-building for prevention of fishing gear loss.
- Facilitate landings of ghost nets and other marine litter in fishing harbours.
- Improve reuse of old fishing gear.
- ID label fishing gear.
- Conduct further studies on the environmental impacts of derelict fishing gear.
- Involve fishermen and fisheries organizations for increased success (COOP-01).
- Pay attention to guidance given by for example CBD (2014), MARELITT toolkit (<http://www.marelitt.eu>), and HELCOM Marine Litter Action Plan (HELCOM Recommendation 36/1) (HELCOM 2015) (COOP-02).

Implementation timeline: Immediate/continued

Actors

Responsible for implementation: National authorities, fisheries

Relevant stakeholders: Relevant European, regional and international organizations and bodies, HELCOM, scientists, professional and recreational fishermen, fisheries and environmental NGOs, eco-labelling organizations, the fishing gear industry, HELCOM Expert Network on Marine Litter, HELCOM Fish Group, HELCOM Seal Expert Group

Responsible for evaluation: National authorities

Priority

Medium

Monitor and mitigate impact of underwater noise

Action RES-07: Improve knowledge on impact of impulsive and continuous anthropogenic underwater noise on harbour porpoises, and development of threshold limits of significant disturbance and GES indicators

Description

Objective:

- Improved knowledge on impact of impulsive and continuous anthropogenic underwater noise on individuals and at the population level of the Baltic harbour porpoise. The specific objectives are to:
 - Develop regionally harmonized threshold limits for significant disturbance of Baltic harbour porpoises by impulsive or continuous anthropogenic underwater noise; and
 - Develop regional environmental targets and indicators for monitoring the environmental status of the Baltic harbour porpoise in regard to impact of impulsive or continuous anthropogenic underwater noise.

Threats: Underwater noise

Rationale:

The harbour porpoise has acute hearing, a wide hearing range and a high responsiveness to sounds. At the same time the Baltic soundscape is heavily affected by anthropogenic activities, such as intense shipping, offshore wind farm construction, use of active sonars and seismic surveys. Yet our knowledge of

the spatio-temporal distribution of anthropogenic underwater noise and its impact on the Baltic Sea harbour porpoise is insufficient for adequate management. Due to the environmental conditions affecting noise propagation in the Baltic Sea, and the critical conservation status of the Baltic harbour porpoise population, threshold limits for significant disturbance by anthropogenic noise developed elsewhere cannot be directly applied in the Baltic Sea. Further, data gaps are preventing the development of ecologically relevant GES indicators with regard to underwater noise.

This Action improves the following ones:

- MIT-05: Implement regionally harmonized national threshold limits and guidelines for regulation of underwater noise
- RES-08: Estimate mortality limits and assess population viability for the Baltic harbour porpoise
- MIT-06: Expand the network of protected areas for harbour porpoises, improve its connectivity, and develop and implement appropriate management plans including monitoring schemes for these areas

This Action is directly related to the implementation of the following Articles of EU directives:

- Habitats Directive Article 12(1b) concerning the establishment of a system of strict protection prohibiting deliberate disturbance of Annex IV species within their natural range.
- MSFD Article 10(2) referring to that environmental targets and associated indicators shall be established.

This Action is directly related to the fulfilment of the following HELCOM Ministerial Declarations and Recommendations:

- HELCOM Recommendation 17/2(b) (2013) concerning close co-operation with ASCOBANS and ICES for collection and analysis of additional data on, among other things, threats such as underwater noise, marine installations and construction.
- HELCOM Ministerial Declaration of 2013 agreeing that the level of ambient and distribution of impulsive sounds in the Baltic Sea should not have negative impact on marine life, and that human activities that are assessed to result in negative impacts on marine life should be carried out only if relevant mitigation measures are in place, and accordingly as soon as possible and by the end of 2016, using mainly already ongoing activities, to:
 - establish a set of indicators including technical standards which may be used for monitoring ambient and impulsive underwater noise in the Baltic Sea;
 - encourage research on the cause and effects of underwater noise on biota;
 - map the levels of ambient underwater noise across the Baltic Sea;
 - set up a register of the occurrence of impulsive sounds;
 - consider regular monitoring of ambient and impulsive underwater noise as well as possible options for mitigation measures related to noise taking into account the ongoing work in IMO on non-mandatory draft guidelines for reducing underwater noise from commercial ships and in CBD context.

Activity or method:

- Study behavioural and physiological responses of harbour porpoises to impulsive and continuous anthropogenic noise from various sources.
- Measure and model propagation of relevant impulsive and continuous noise for relevant and representative areas of the Baltic Sea.
- Map the spatio-temporal distribution of relevant impulsive and continuous noise in the Baltic Sea.
- Estimate population level impact of relevant impulsive and continuous noise in the Baltic Sea.

Implementation timeline: Continued

Actors

Responsible for implementation: National authorities, national armed forces, scientists, Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS

Relevant stakeholders: Relevant European, regional and international organizations and bodies, relevant regional conventions, the shipping sector, the offshore industry, marine geological surveyors, recreational seafarers, HELCOM Pressure group, HELCOM Expert Network on Underwater Noise

Responsible for evaluation: National authorities, national armed forces, scientists, Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS

Priority
High

Action MIT-05: Implement regionally harmonized national threshold limits and guidelines for regulation of underwater noise

Description

Objective:

- Harmonized national threshold limits and guidelines for transparent and reliable management of anthropogenic activities generating underwater noise across the Baltic Sea.

Threats: Underwater noise

Rationale:

Due to the critical conservation status of the Baltic harbour porpoise in combination with the species' acute hearing, wide hearing range and high responsiveness to sounds, national threshold limits and guidelines must be established to minimize the risk of significant disturbance. Due to the wide distribution range of the Baltic harbour porpoise and the transboundary nature of underwater noise, the threshold limits and guidelines need to be regionally harmonized to be effective.

This Action improves the following one:

- MIT-06: Expand the network of protected areas for harbour porpoises, improve its connectivity, and develop and implement appropriate management plans including monitoring schemes for these areas

This Action is directly related to the implementation of the following Articles of EU directives:

- Habitats Directive Article 6(2) referring to that steps shall be taken to avoid disturbance of the species in the SACs.
- Habitats Directive Article 12(1b) concerning the establishment of a system of strict protection prohibiting deliberate disturbance of Annex IV species within their natural range.
- MSFD Article 1(1) referring to that necessary measures shall be taken to achieve or maintain GES by 2020 at the latest, especially with regard to descriptors 1 (biological diversity) and 11 (underwater noise).

Activity or method:

- In anticipation of improved knowledge on the impact of anthropogenic underwater noise on the Baltic harbour porpoise (RES-07), implement interim threshold limits and guidelines based on the best available knowledge on impact of anthropogenic underwater noise and conditions for the propagation of sound in the Baltic Sea, taking the critical conservation status of the Baltic harbour porpoise into account.
- Establish regional working groups for harmonisation of threshold limits and guidelines across the Baltic Sea.
- Update established threshold limits and guidelines regularly, taking account of improved knowledge on the spatio-temporal distribution of anthropogenic noise and its impact on the Baltic harbour porpoise.
- Collaborate with current international and regional efforts on management of underwater noise.

Implementation timeline: Immediate, with regular revision

Actors

Responsible for implementation: National authorities, national armed forces, scientists

Relevant stakeholders: Relevant European, regional and international organizations and bodies, relevant regional conventions, the shipping sector, the offshore industry, marine geological surveyors, recreational seafarers, environmental NGOs, HELCOM Pressure group, HELCOM Expert Network on Underwater Noise

Responsible for evaluation: National authorities, national armed forces, scientists, Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS

Priority
High

Monitor and assess population status

Action MON-04: Collect dead specimens and assess health status, contaminant levels, cause of mortality and life-history parameters of harbour porpoises

Description

Objective:

- Knowledge on current status and trends in health status, contaminant levels, life-history parameters and cause of mortality for dead specimens.

Threats: Bycatch, contaminants, underwater noise, reduced prey quality

Rationale:

Due to the limited number of available samples and in some respects limited knowledge on biology and impacts of threats, it is of utmost importance that dead specimens be collected, necropsied and analysed. This can provide information on the population's exposure to pressures such as bycatch, contaminants, diseases, parasites, reduced prey availability or quality, and physical effects of underwater noise. It can also yield information on biological parameters such as growth, pregnancy rate, timing of reproduction, age distribution, genetics and morphometrics. The information is important for developing and implementing indicators for assessment and monitoring of the status of the Baltic harbour porpoise population, as well as for informed conservation measures.

This Action improves the following ones:

- MON-03: Monitor and estimate harbour porpoise bycatch rates and estimate total annual bycatch
- RES-01: Improve knowledge of harbour porpoise population structure in the Baltic region
- RES-08: Estimate mortality limits and assess population viability for the Baltic harbour porpoise

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 11 concerning the surveillance of the conservation status of relevant species covered.
- MSFD Article 11(1) concerning the establishment and implementation of coordinated monitoring programmes for the assessment of the environmental status, including a description of the population dynamics of species of marine mammals (Annex III, Table 1).

This Action is directly related to the fulfilment or implementation of following the HELCOM BSAP actions of the hazardous substances segment (HELCOM 2007) or HELCOM Recommendations:

- Screening and assessment of the occurrence and effects of hazardous substances.
- Cooperation between competent authorities and fisheries organizations for landing of all bycaught species that cannot be released alive or without injuries are landed and reported.
- HELCOM Recommendation 17/2(b) (2013) concerning close co-operation with ASCOBANS and ICES for collection and analysis of additional data on, population distribution and abundance, stock identities, behaviour and threats such as bycatch mortality, underwater noise, contaminant levels, ship strikes, changes in food base, epizooties, climate changes, marine installations and construction.

Activity or method:

- Establish or maintain networks for collection and transportation of encountered dead specimens (linked to PACB-01).
- Conduct necropsies and analyse samples to determine the cause of death, fitness, diseases, life-history parameters, consumed prey, contaminant levels, stable isotopes, age etc. using standardized protocols.
- Take samples for analyses of population structure etc.
- Collaborate with HELCOM in the development of core indicators.

Implementation timeline: Continued

Actors

Responsible for implementation: National authorities, scientific institutions

Relevant stakeholders: Scientists, professionals working by or at the Baltic Sea (including fishermen), the general public, fisheries and environmental NGOs, HELCOM Seal Expert Group, media

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice

Priority
High

Action RES-08: Estimate mortality limits and assess population viability for the Baltic harbour porpoise

Description

Objectives:

- Assessment of population viability, including impacts on this of relevant anthropogenic activities or mitigation measures.
- Estimates of mortality limits (environmental limits and triggers) for evaluation of current bycatch levels.

Threats: Bycatch, contaminants, underwater noise, reduced prey quality

Rationale:

A population viability assessment (PVA) takes the population characteristics, environmental variability and anthropogenic pressures into account to forecast population health and risk of extinction. By altering the input variables accordance to different scenarios of anthropogenic activities or mitigation measures, the impact or efficiency of those can be evaluated.

Estimates of mortality limits (environmental limits and triggers) are useful for quantifying bycatch mortality objectives, for evaluation of the sustainability of current mortality numbers and for assessment of the population's survival under different levels of mortality. An environmental limit is used as a 'critical' or 'unacceptable' point in the environment that should never be exceeded and above which defined conservation objectives would not be achieved. Triggers are lower than environmental limits and used as indicators of the success or lack thereof of measures taken to reduce bycatch and other anthropogenic causes of mortality of small cetaceans, and to signal the need for changes in management action.

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 2(2) concerning the designation of measures to maintain or restore species of Community interest at favourable conservation status, as defined in Article 1(i).
- Habitats Directive Article 17(1) concerning the reporting on, among other things, the evaluation of the impact of the conservation measures taken in accordance with Article 6, and the main results of the surveillance referred to in Article 11.
- MSFD Article 10(1) concerning the establishment of environmental targets and associated indicators, taking pressures and impacts such as underwater noise, marine litter, hazardous substances and bycatch into account (Annex III, Table 2).
- MSFD Article 13(2) concerning the identification of measures which need to be taken in order to achieve or maintain GES.
- MSFD Article 17(2) concerning the coordinated review of the marine strategies, including the environmental targets.

Activity or method:

Based on updated information on total annual bycatch (MON-03), health status and life-history parameters (MON-04), population structure (RES-01), and abundance and distribution (MON-01 and MON-02), carry out:

- PVA analyses, including scenario analyses to evaluate the risk or efficiency of various anthropogenic activities or mitigation measures.
- Analyses of mortality limits (environmental limits and triggers), such as analyses of potential biological removal (PBR; Wade, 1998) or catch limit algorithm (CLA; Winship, 2009), including analyses of scenarios to evaluate the effects of various mortality limits.
- Collaborate with HELCOM in the development of core indicators.

Implementation timeline: Immediate

Actors

Responsible for implementation: National authorities, scientists

Relevant stakeholders: HELCOM Seal Expert Group, fisheries and environmental NGOs, national armed forces, the offshore industry, the shipping sector

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice

Priority

High

Investigate habitat use and protect important areas

Action RES-09: Develop and improve methods for and investigate spatio-temporal patterns of habitat use by harbour porpoises

Description

Objectives:

- Reliable and cost-efficient methods for studies of habitat use of harbour porpoises, including foraging and calving.
- Predictions of spatio-temporal patterns in the use of habitat by harbour porpoises in the Baltic Sea, including foraging and calving.

Threats: Bycatch, underwater noise, reduced prey quality

Rationale:

Knowledge on the spatio-temporal habitat use of harbour porpoises is highly relevant for assessments of their sensitivity to various anthropogenic threats, improvement of mitigation measures, designation of protected areas, and development of management plans. The current knowledge on habitat use in the Baltic Sea is very limited, and methodological developments are likely to improve this.

This Action improves the following ones:

- RES-05: Further develop and improve fishing gear that is commercially viable with no harbour porpoise bycatch
- RES-01: Improve knowledge on harbour porpoise population structure in the Baltic region
- RES-08: Estimate mortality limits and assess population viability for the Baltic harbour porpoise
- MIT-06: Expand the network of protected areas for harbour porpoises, improve its connectivity, and develop and implement appropriate management plans including monitoring schemes for these areas

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 4(1) referring to that for aquatic species which range over wide areas, only clearly identifiable areas representing the physical and biological factors essential to the species' life and reproduction shall be proposed as SACs.
- Habitats Directive Article 18(2) referring to particular attention to scientific work necessary for the implementation of Article 4, among two Articles.

Activity or method:

- Improve acoustic methods for identification of harbour porpoise behaviour, such as foraging or, if possible, for acoustic determination of calves vs adults.
- For acoustic methods applicable on C-POD data, utilize the SAMBAH dataset for identification of spatio-temporal patterns.
- Improve visual methods for identification of calves regarding cost-efficiency and applicability in relevant areas.
- Survey the high-density areas of the Baltic Sea during summer to confirm calving grounds and determine the timing of calving.

Implementation timeline: Immediate/continued

Actors

Responsible for implementation: National authorities, scientists

Relevant stakeholders: n/a

Responsible for evaluation: National authorities, based on appropriate scientific expertise and advice

Priority

Medium

Action MIT-06: Expand the network of protected areas for harbour porpoises, improve its connectivity, and develop and implement appropriate management plans including monitoring schemes for these areas

Description

Objective:

- Designated protected areas with implemented management plans and monitoring schemes significantly contributing to documented favourable conservation status of the Baltic harbour porpoise population.

Threats: Bycatch, underwater noise, reduced prey quality

Rationale:

Areas identified as important for the reproduction and survival of the Baltic harbour porpoise shall be designated as protected areas for the population. To be efficient, the protected areas need to be of sufficient size and connected in a network, with implemented plans of efficient management of anthropogenic threats. Further, monitoring schemes shall be established for evaluation of the efficiency of mitigation measures taken and trends in harbour porpoise densities. Preferably monitoring schemes shall be regionally harmonized to serve as a basis for determining trends in population distribution and abundance.

This Action improves the following Actions:

- MON-01: Implement and harmonize long-term continual acoustic monitoring of harbour porpoises

This Action is directly related to the implementation of the following Articles of EU directives or regulations:

- Habitats Directive Article 3(1) concerning the establishment of a coherent European ecological network of SACs, composed of sites hosting listed habitat types or the habitats of listed species, such as the harbour porpoise, to enable the maintenance or restoration of the species at a favourable conservation status in their natural range.
- Habitats Directive Article 6(1) concerning the establishment the necessary conservation measures involving, if need be, appropriate management plans and appropriate statutory, administrative or contractual measures.
- Habitats Directive Article 11 concerning the surveillance of the conservation status of listed habitats and species.
- Habitats Directive Article 17 concerning the reporting of the implementation of conservation measures taken, evaluation of the impact of those measures on the conservation status of listed habitats and species, and the main results of the surveillance of the conservation status of those habitats and species.
- MSFD Article 13(4) referring to the fact that established programmes of measures shall include spatial protection measures, such as special areas of conservation pursuant to the Habitats Directive, and marine protected areas as concerned in the framework of international or regional agreements.
- MSFD Article 17(2) concerning the coordinated review of the marine strategies, including the programme of measures.

This Action is directly related to the fulfilment or implementation of the following HELCOM BSAP actions of the biodiversity and nature conservation segment (HELCOM 2007) or HELCOM Recommendations:

- Close cooperation between HELCOM Contracting Parties, competent authorities and fisheries organizations in developing and implementing management measures for fisheries inside marine protected areas in the Baltic Sea area in order to fulfil conservation targets.
- HELCOM Recommendation 17/2(c) (2013) concerning the establishment of marine protected areas for harbour porpoises.
- HELCOM Recommendation 35/1 (2014) concerning a system of coastal and marine Baltic Sea protected areas (HELCOM MPAs). Among others, the Recommendation specifies that management plans or measures for protected areas shall be developed, implemented and updated with a maximum interval of 12 years (h, i), and that monitoring shall be implemented to assess the effectiveness of the management plans or measures (k). When designating new areas, connectivity shall be taken into consideration (d), and in transboundary areas, the designation shall be harmonized and, where appropriate, neighbouring states shall join forces when setting up management plans or measures (j).

Activity or method:

- Expand the existing network of protected areas for harbour porpoises in the Baltic Sea by, where appropriate, increase the size existing protected areas and/or designate new protected areas.
- Base the expansion of existing protected areas on available and emerging information on harbour porpoise distribution and abundance and spatio-temporal patterns of habitat use.
- Develop and implement management plans based on the best available knowledge on mitigation measures, the spatio-temporal distribution of anthropogenic threats, and their impacts on harbour porpoises.
- Regularly update and improve implemented management plans to take account for new information on harbour porpoise habitat use and density, mitigation measures, and impacts of and changes in anthropogenic threats.
- Develop and implement monitoring schemes of the efficiency of taken mitigation measures and harbour porpoise density in the protected areas, taking account for the benefits of regional harmonization of long-term continual monitoring.

Implementation timeline: Continued

Actors

Responsible for implementation: National authorities in Baltic Parties and Range States where designation of protected areas is appropriate

Relevant stakeholders: Relevant European, regional and international organizations and bodies, relevant international conventions, scientist, professional and recreational fishermen, the shipping sector, the general public, fisheries and environmental NGOs, HELCOM State and Conservation Working Group

Responsible for evaluation: National authorities in Baltic Parties and Range States where designation of protected areas is appropriate, based on appropriate scientific expertise and advice

Priority

High

Summary and implementation of actions

In Table 6, the Actions described above are summarized with relevance to the relevant objectives of the Jastarnia Plan. The implementation of the Jastarnia Plan is described under “3. Governance”.

Table 6. Summary of all Jastarnia Plan Actions. Actions RES-02, MIT-04 and RES-09 are listed as being of medium priority, all others as high priority. The timelines for implementation are: Cont. = continued, Imm. = immediate, Intern. = intermediate.

Type	Action no. and name	Time-line	Relevant objectives
<i>Increase involvement, awareness and cooperation</i>			
COOP	COOP-01: Involve stakeholders in the work of reducing bycatch of harbour porpoises	Cont.	1. Involve stakeholders and reduce bycatch 7. Increase awareness and cooperation
PACB	PACB-01: Improve communication and education for increased public awareness and collection of live observations and dead specimens of Baltic harbour porpoise	Cont.	7. Increase awareness and cooperation
COOP	COOP-02: Strive for close cooperation between ASCOBANS and other international bodies	Cont.	7. Increase awareness and cooperation
<i>Monitor and estimate abundance and distribution</i>			
RES	RES-01: Improve knowledge on harbour porpoise population structure in the Baltic region	Cont.	2. Designate MPAs with management plans and monitoring 4. Improve knowledge on population structure and population assess status 8. Monitor abundance
MON	MON-01: Implement and harmonize long-term continual acoustic harbour porpoise monitoring	Imm.	2. Designate MPAs with management plans and monitoring 8. Monitor abundance
RES	RES-02: Improve methods for estimation of absolute density and abundance of the Baltic harbour porpoise	Cont.	8. Monitor abundance
MON	MON-02: Carry out full-scale surveys of harbour porpoise abundance and distribution	Intern.	8. Monitor abundance
<i>Monitor, estimate and reduce bycatch</i>			
RES	RES-03: Improve methods for monitoring and estimation and harbour porpoise bycatch	Imm.	1. Involve stakeholders and reduce bycatch 6. Improve bycatch monitoring methods and estimate bycatch
MON	MON-03: Monitor and estimate harbour porpoise bycatch rates and estimate total annual bycatch	Imm.	4. Improve knowledge of population structure and population assess status 6. Improve bycatch monitoring methods and estimate bycatch
RES	RES-04: Carry out a spatio-temporal risk assessment of harbour porpoise bycatch	Imm.	4. Improve knowledge on population structure and population assess status 6. Improve bycatch monitoring methods and estimate bycatch
RES	RES-05: Further develop and improve fishing gear that is commercially viable with no harbour porpoise bycatch	Imm./cont.	1. Involve stakeholders and reduce bycatch
MIT	MIT-01: Implement the use of fishing gear that is commercially viable with no harbour porpoise bycatch	Imm.	1. Involve stakeholders and reduce bycatch 2. Designate MPAs with management plans and monitoring

Table 6. Continued

Type	Action no. and name	Time-line	Relevant objectives
MIT	MIT-02: Reduce or eliminate fishing effort with gillnets or other gear known to cause porpoise bycatch in areas with higher harbour porpoise density or occurrence, and/ or in areas with higher risk of harbour porpoise bycatch, according to spatio-temporal risk assessments	Imm.	1. Involve stakeholders and reduce bycatch 2. Designate MPAs with management plans and monitoring
RES	RES-06: Improve the knowledge on potential population-level effects of the use of pingers, and develop acoustic devices for bycatch mitigation further	Imm./cont.	1. Involve stakeholders and reduce bycatch
MIT	MIT-03: Continue or implement the use of acoustic deterrent devices ("pingers") and acoustic alerting devices proven to be successful when and where deemed appropriate	Imm./cont.	1. Involve stakeholders and reduce bycatch 2. Designate MPAs with management plans and monitoring
MIT	MIT-04: Prevent, retrieve and recycle derelict ("ghost") fishing gear, with focus on high-density areas of harbour porpoises	Imm./cont.	1. Involve stakeholders and reduce bycatch 2. Designate MPAs with management plans and monitoring
<i>Monitor and mitigate impact of underwater noise</i>			
RES	RES-07: Improve the knowledge on impact of impulsive and continuous anthropogenic underwater noise on harbour porpoises, and development of threshold limits of significant disturbance and GES indicators	Cont.	2. Designate MPAs with management plans and monitoring 3. Implement threshold limits and guidelines for underwater noise 5. Improve knowledge on habitat degradation
MIT	MIT-05: Implement regionally harmonized national threshold limits and guidelines for regulation of underwater noise	Imm. w/ regular rev.	3. Implement threshold limits and guidelines for underwater noise
<i>Monitor and assess population status</i>			
MON	MON-04: Collect dead specimens and assess health status, contaminant levels, cause of mortality and life-history parameters of harbour porpoises	Cont.	4. Improve knowledge on population structure and population assess status 5. Improve knowledge on habitat degradation
RES	RES-08: Estimate mortality limits and assess population viability for the Baltic harbour porpoise	Imm.	4. Improve knowledge on population structure and population assess status 8. Monitor abundance
<i>Protected areas</i>			
RES	RES-09: Develop and improve methods for and investigate spatio-temporal patterns of habitat use by harbour porpoises	Imm./cont.	2. Designate MPAs with management plans and monitoring
MIT	MIT-06: Expand the network of protected areas for harbour porpoises, improve its connectivity, and develop and implement appropriate management plans including monitoring schemes for these areas	Cont.	2. Designate MPAs with management plans and monitoring

Stakeholder engagement, public awareness and education

Public awareness is an essential element in gaining support for a recovery plan. People need to be aware that harbour porpoises are an integral part of the fauna of their local waters and are worth saving. Whereas other elements of the plan depend largely on the decision-making processes of national or intergovernmental agencies and international and supra-national regulatory bodies, public awareness is an area in which ASCOBANS has an autonomous role to play. Parties to ASCOBANS have ongoing responsibilities and commitments to disseminate reliable information about Baltic harbour porpoises, to further and maintain the favourable conservation status of the species and to actively promote its protection and recovery.

In general, work relating to stakeholder engagement, public awareness and education has to be objective, attendant to and respectful towards cultural and linguistic differences, and candid about scientific uncertainty. In the Actions of the Jastarnia Plan, a wide range of responsible and/or relevant stakeholders have been identified. Some stakeholders are relevant for several actions, these include relevant authorities, professional and recreational fishermen, scientists, and fisheries and environmental NGOs. The fishermen are a key target group as they are among those people most likely to interact most directly and most frequently with harbour porpoises. Other stakeholders are primarily relevant for specific actions or specific threats, where they may have a very important role to play. Such stakeholders are the general public, European, regional and international organizations and bodies, international conventions, specific industry sectors and national armed forces.

Reporting process

It is suggested that Baltic Range States (ASCOBANS members and non-members alike) be asked to supply ASCOBANS with updated information at the meetings of the Jastarnia Group regarding progress in implementation.

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Annex I

This Annex contains a map showing some of the geographical terms used in the Jastarnia Plan (Figure 1), seasonal probability of detection of harbour porpoises (Figure 2a – 2b), estimated density of harbour porpoises per SAMBAH station and month (Figures 3a – 3l), estimated seasonal density of harbour porpoises (Figures 4a – 4b), high-density areas of harbour porpoises (Figures 5a – 5f), seasonal fishing effort together with probability of detection of harbour porpoises (Figures 6a – 6b), offshore windfarms together with seasonal probability of detection of harbour porpoises (Figures 7a – 7b), mines and ammunition together with seasonal probability of detection of harbour porpoises (Figures 8a – 8b), and AIS traffic together with seasonal probability of detection of harbour porpoises (Figures 9a – 9b). All figures but Figure 1 and Figures 3a – 3l are also shown in the Jastarnia Plan, but in smaller size.

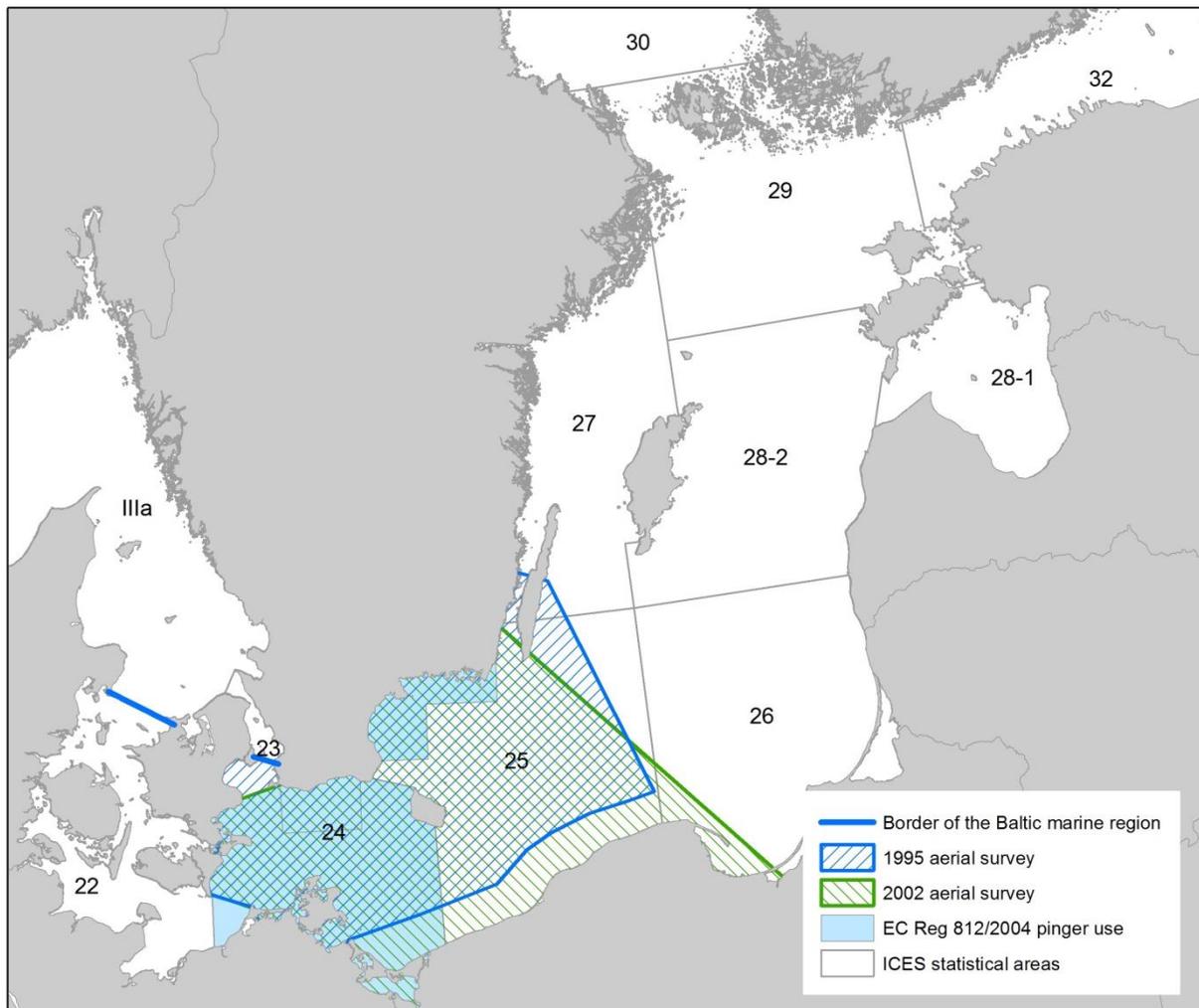


Figure 1. Map showing the border of the Baltic marine region, the 1995 and 2002 aerial survey areas, the areas of mandatory pinger use stated by Regulation EC 812/2004, and the ICES statistical areas.

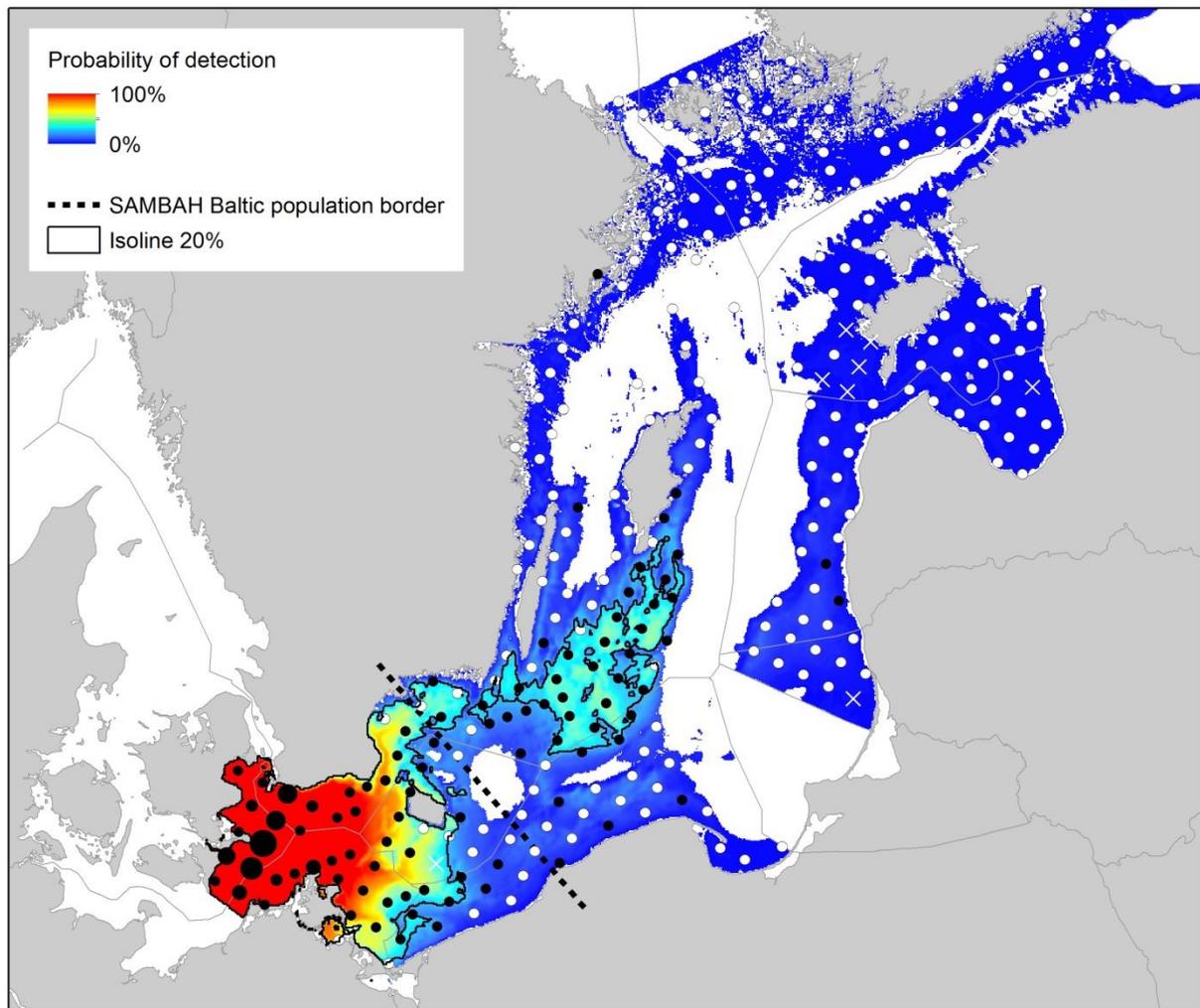


Figure 2a. Predicted probability of detection of harbour porpoises per month in the SAMBAH project area during May – October. The black line indicates 20% probability of detection, approximately equivalent to the area encompassing 30% of the population, often used to define high-density areas. The dots or crosses show the probability of detection at the SAMBAH survey stations. The border indicates the spatial separation between the Belt Sea and Baltic harbour porpoise populations during May – October according to SAMBAH (2016).

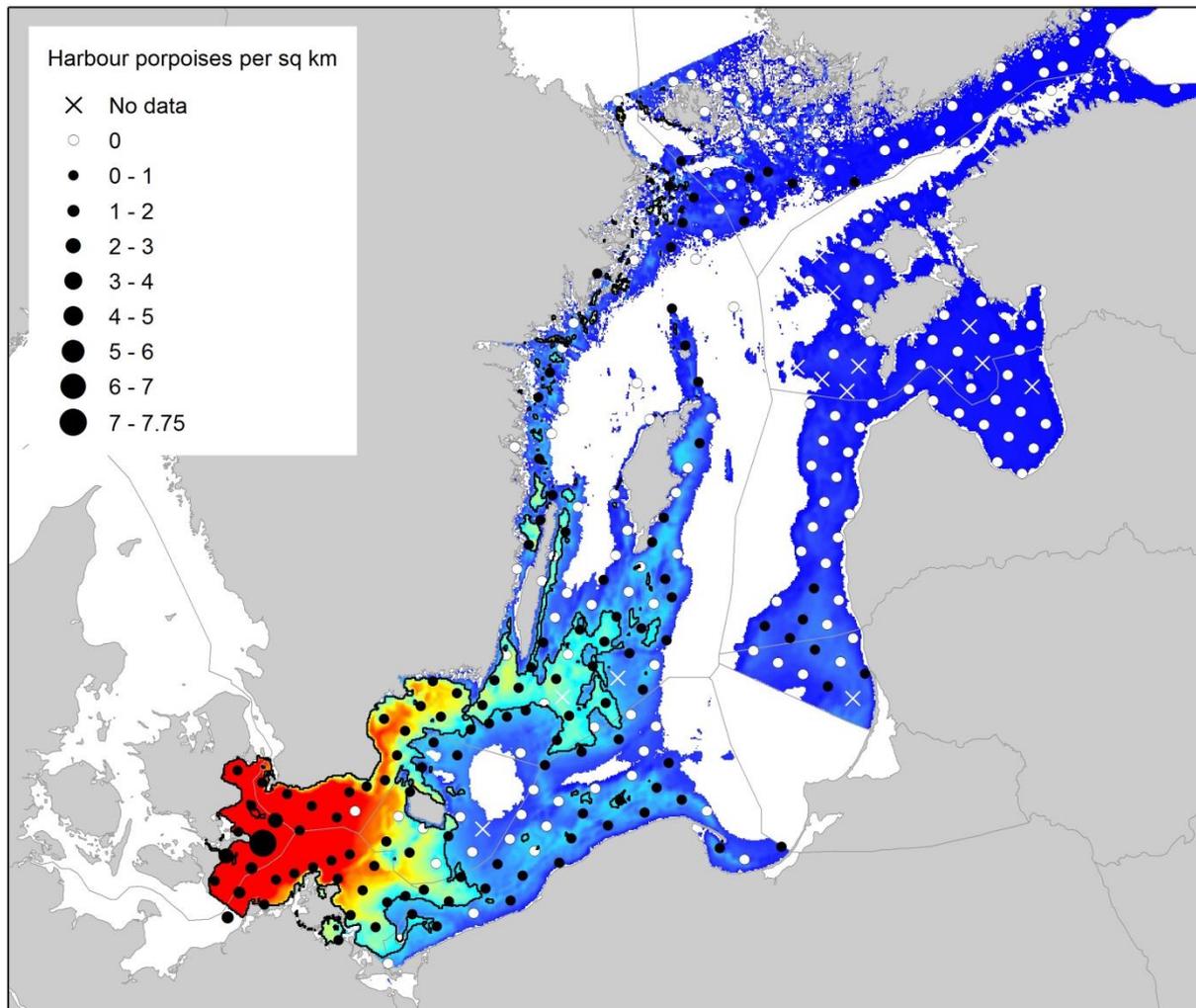


Figure 2b. Predicted probability of detection of harbour porpoises per month in the SAMBAH project area during November – April. The black line indicates 20% probability of detection, approximately equivalent to the area encompassing 30% of the population, often used to define high-density areas. The dots or crosses show the probability of detection at the SAMBAH survey stations.

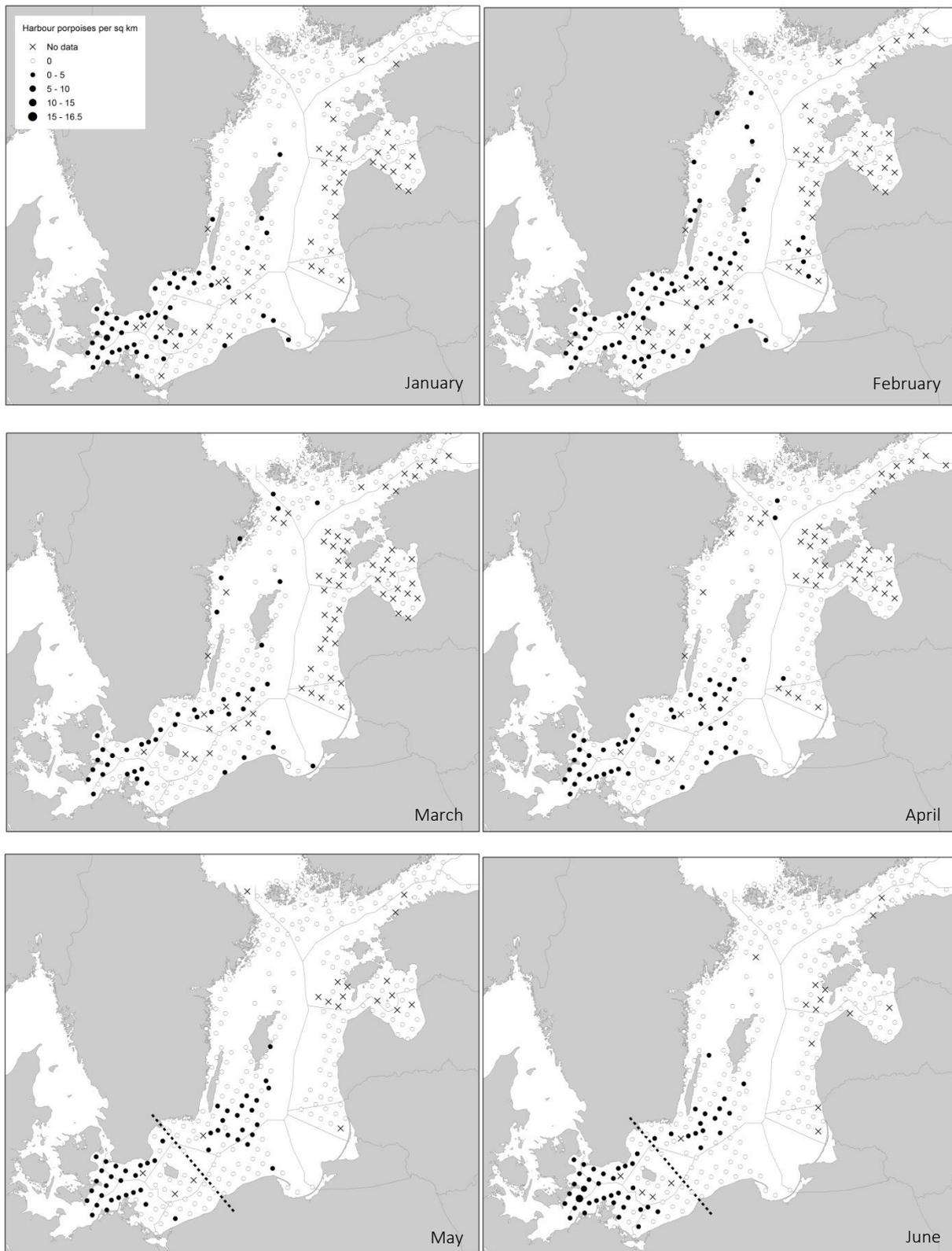


Figure 3a. Estimated number of harbour porpoises per square kilometre estimated at each SAMBAH station during January – April, combined for 2012 and 2013, and May – June, combined for 2011 and 2012. The dotted black line indicates the spatial separation between the Belt Sea and Baltic harbour porpoise populations during May – October according to SAMBAH (2016).

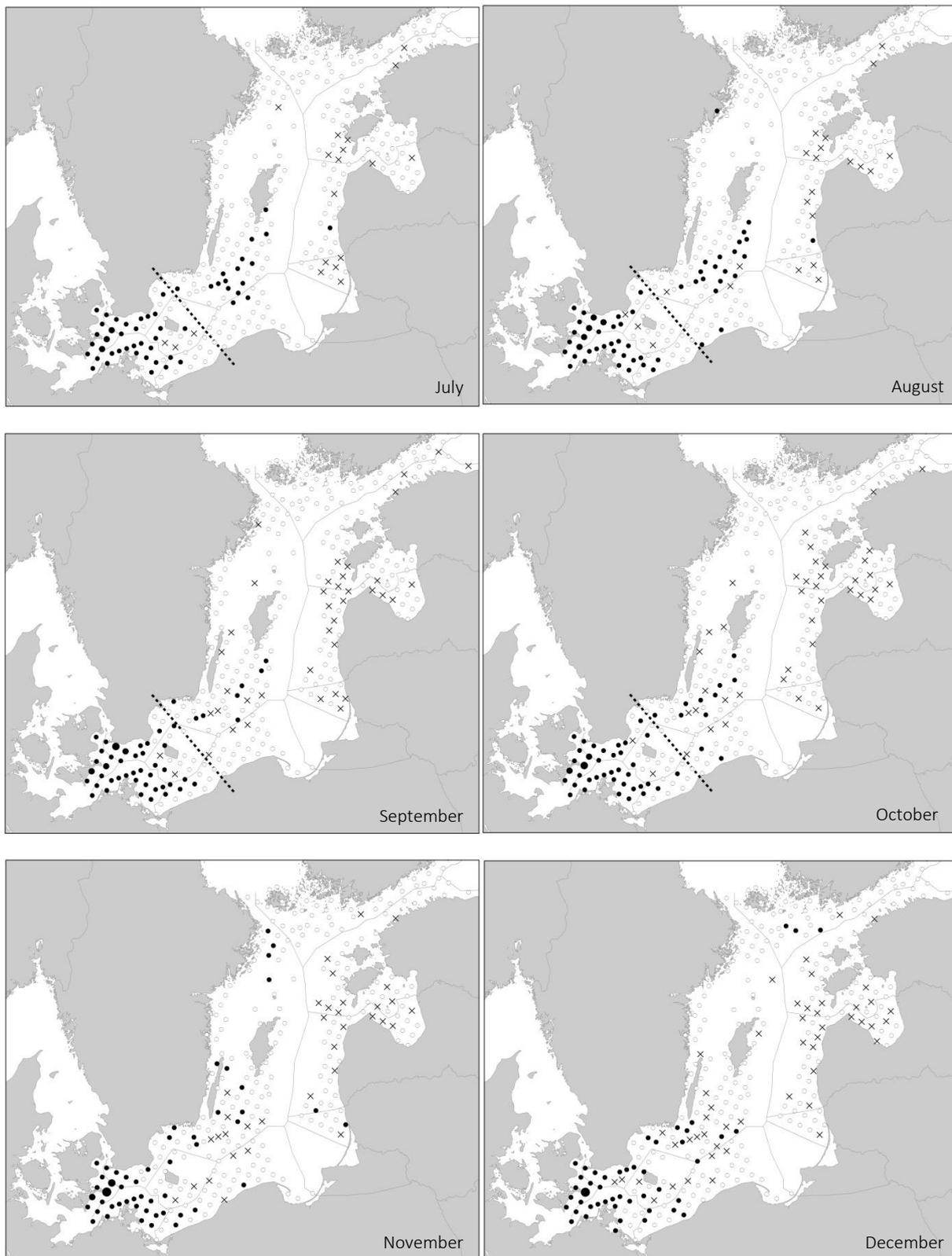


Figure 3b. Estimated number of harbour porpoises per square kilometre estimated at each SAMBAH station during July – December, combined for 2011 and 2012. The dotted black line indicates the spatial separation between the Belt Sea and Baltic harbour porpoise populations during May – October according to SAMBAH (2016). The legend is shown in Figure 3a.

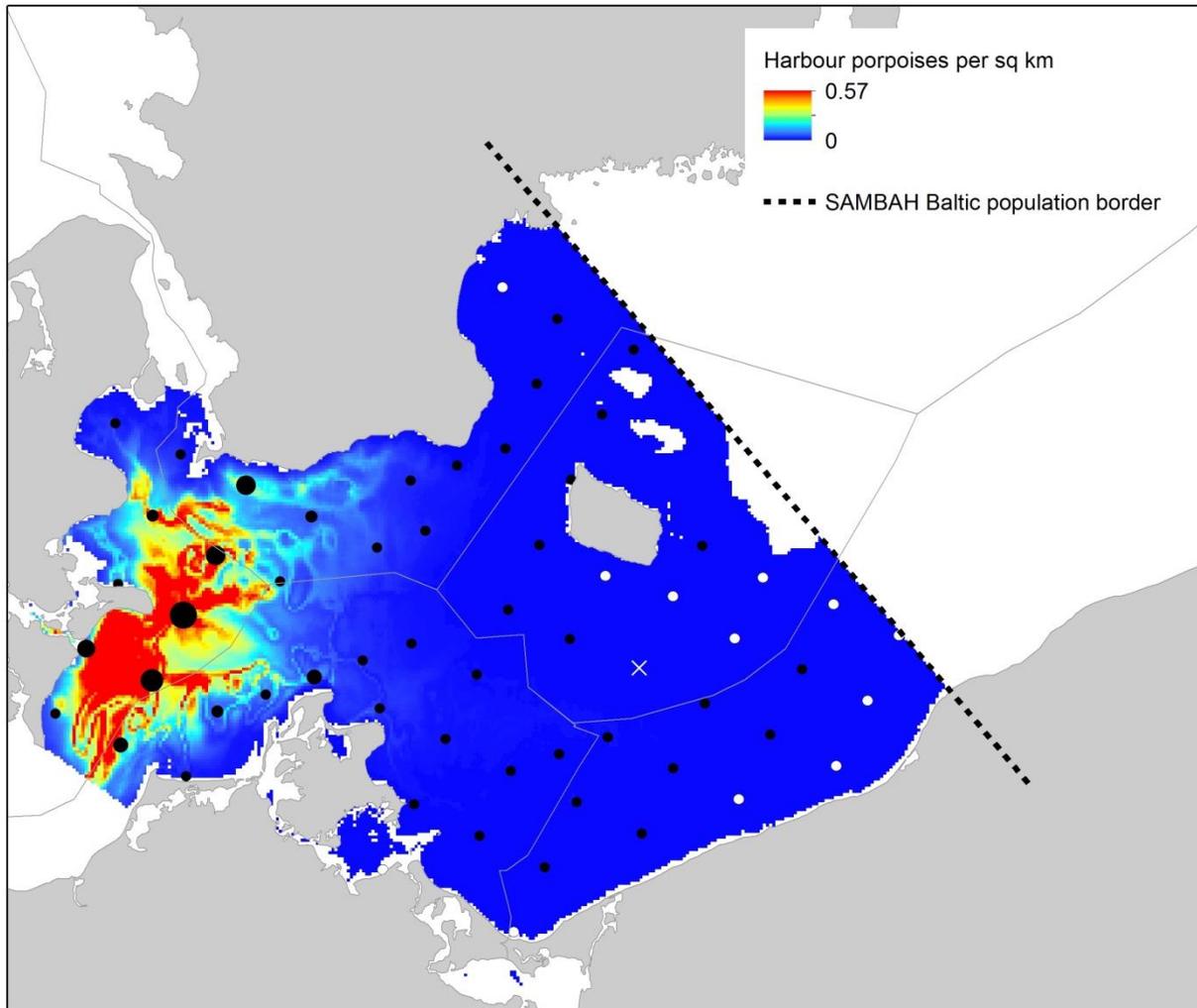


Figure 4a. Predicted density of harbour porpoises in the southwestern part of the SAMBAH project area during May – October. The border indicates the spatial separation between the Belt Sea and Baltic populations during May – October according to SAMBAH (2016). The legend for the density estimations at the SAMBAH positions is given in Figure 4c.

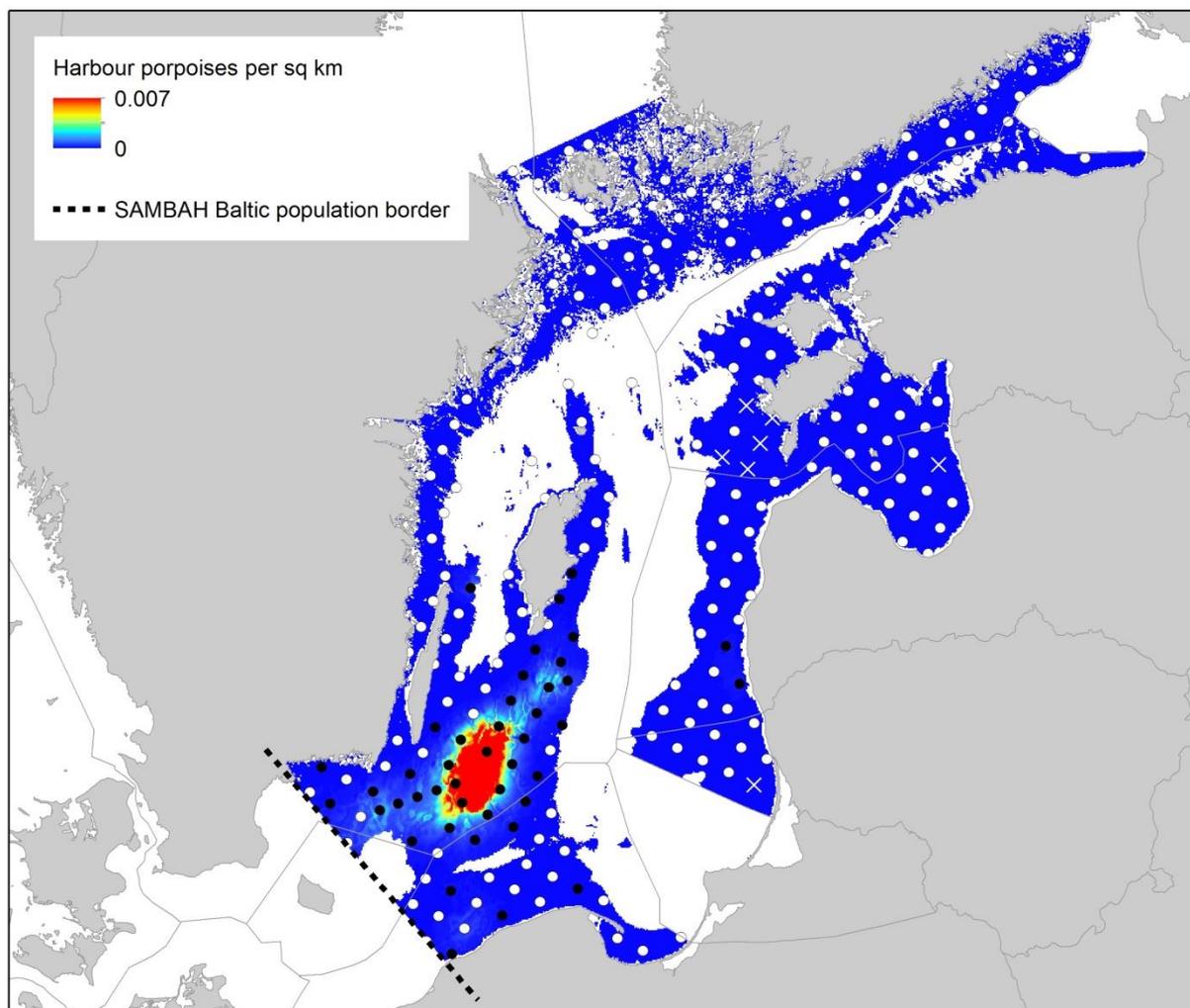


Figure 4b. Predicted density of harbour porpoises in the northeastern part of the SAMBAH project area during May – October. The border indicates the spatial separation between the Belt Sea and Baltic populations during May – October according to SAMBAH (2016). The legend for the density estimations at the SAMBAH positions is given in Figure 4d.

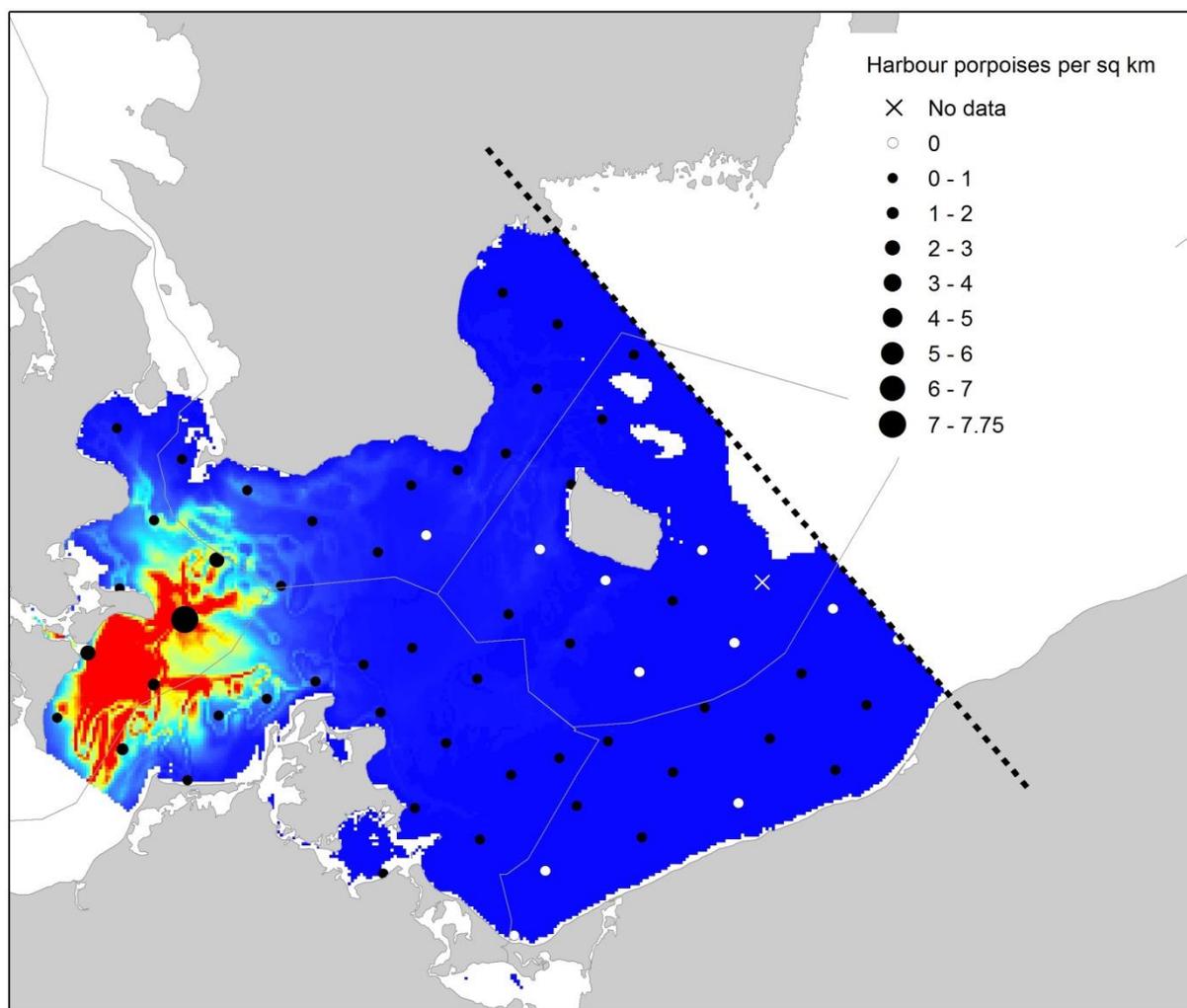


Figure 4c. Predicted density of harbour porpoises in the southwestern part of the SAMBAH project area during November – April. The border indicates the spatial separation between the Belt Sea and Baltic populations during May – October according to SAMBAH (2016). The legend for the spatial prediction is given in Figure 4a.

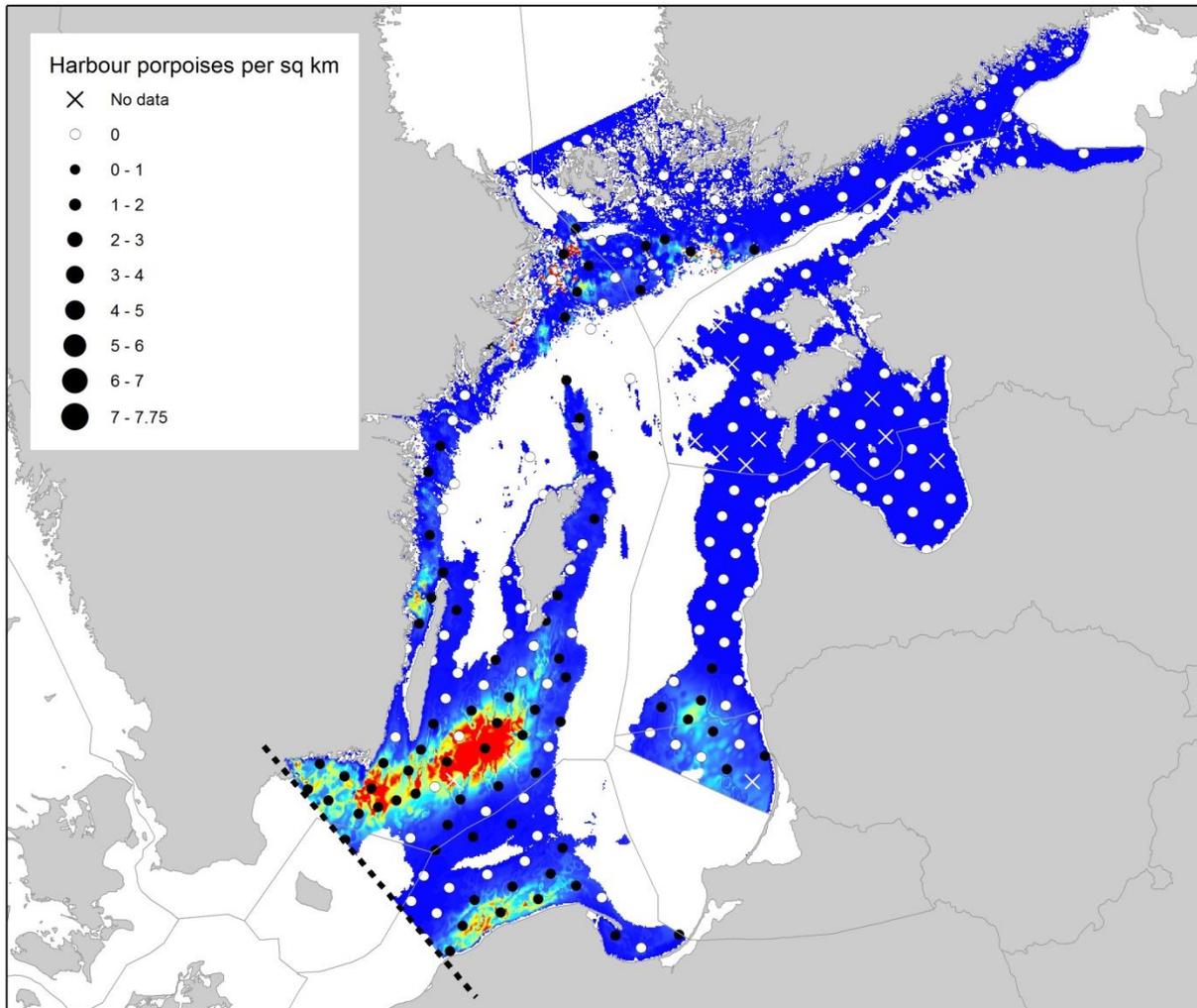


Figure 4d. Predicted density of harbour porpoises in the northeastern part of the SAMBAH project area during November – April. The border indicates the spatial separation between the Belt Sea and Baltic populations during May – October according to SAMBAH (2016). The legend for the spatial prediction is given in Figure 4b.

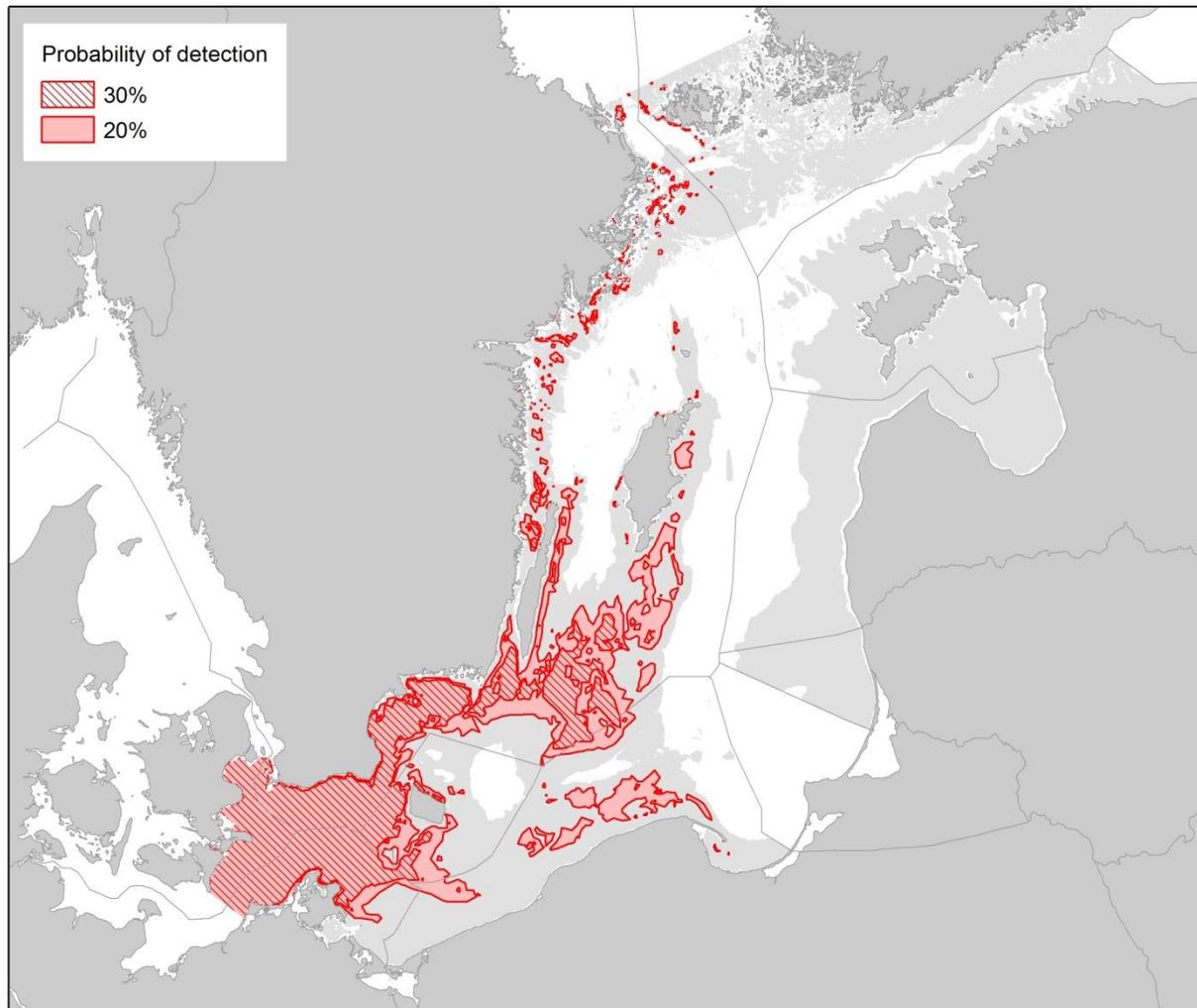


Figure 5a. High-density areas for harbour porpoises in the SAMBAH area (shaded) during February – April based on predictions of probability of detection. During May – October, the isoline of 20% probability of detection encompasses approximately 30% of the Baltic harbour porpoise population, while the isoline of 30% probability of detection encompasses approximately 7.8% of the Baltic harbour porpoise population. The same isolines have been applied for February – April without correlating them to the proportions of the population. During November – April, there is no clear spatial separation between harbour porpoises from the Baltic and the Belt Sea population.

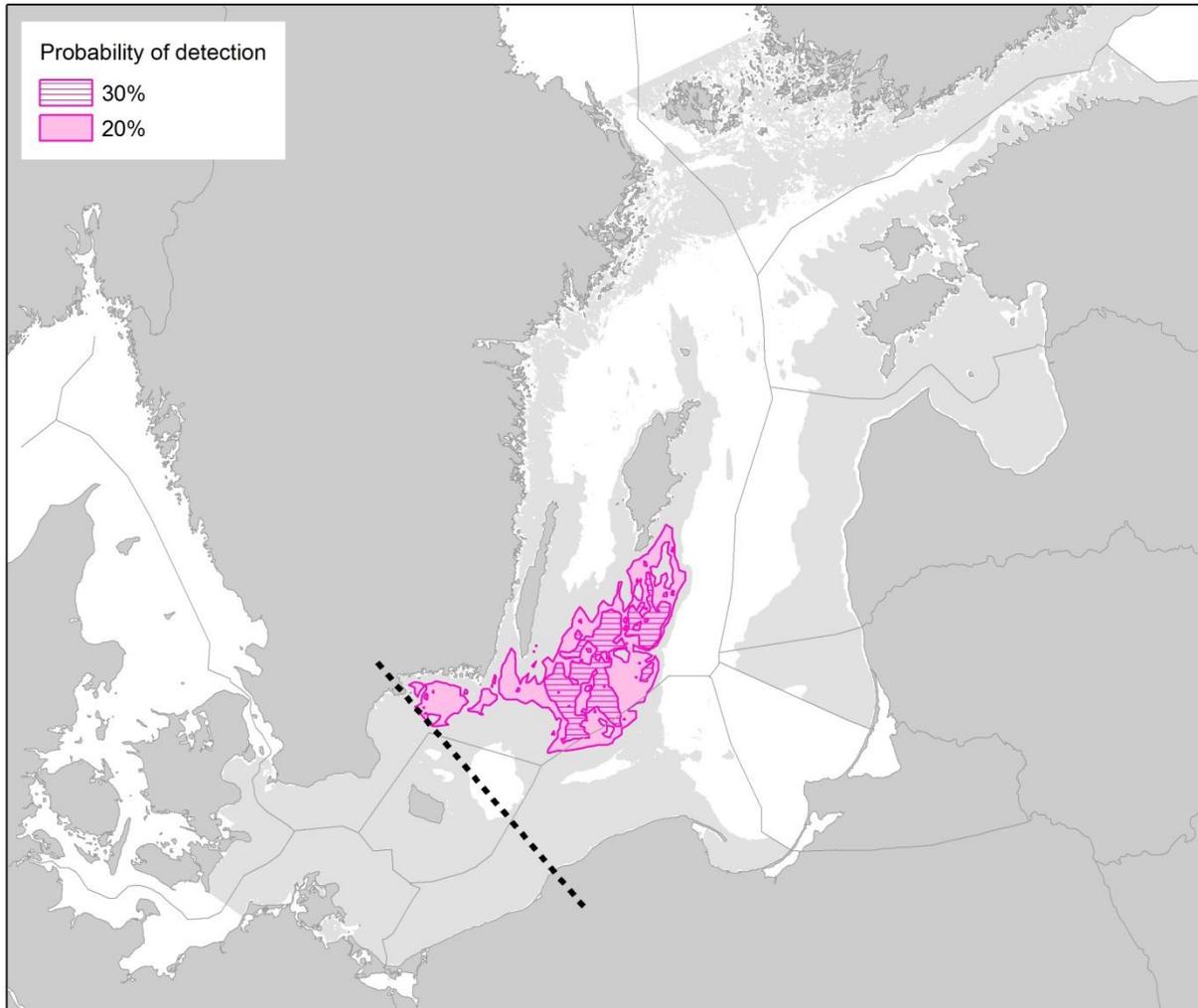


Figure 5b. High-density areas for harbour porpoises in the SAMBAH area (shaded) during May – July based on predictions of probability of detection. During May – October, the isoline of 20% probability of detection encompasses approximately 30% of the Baltic harbour porpoise population, while the isoline of 30% probability of detection encompasses approximately 7.8% of the Baltic harbour porpoise population.

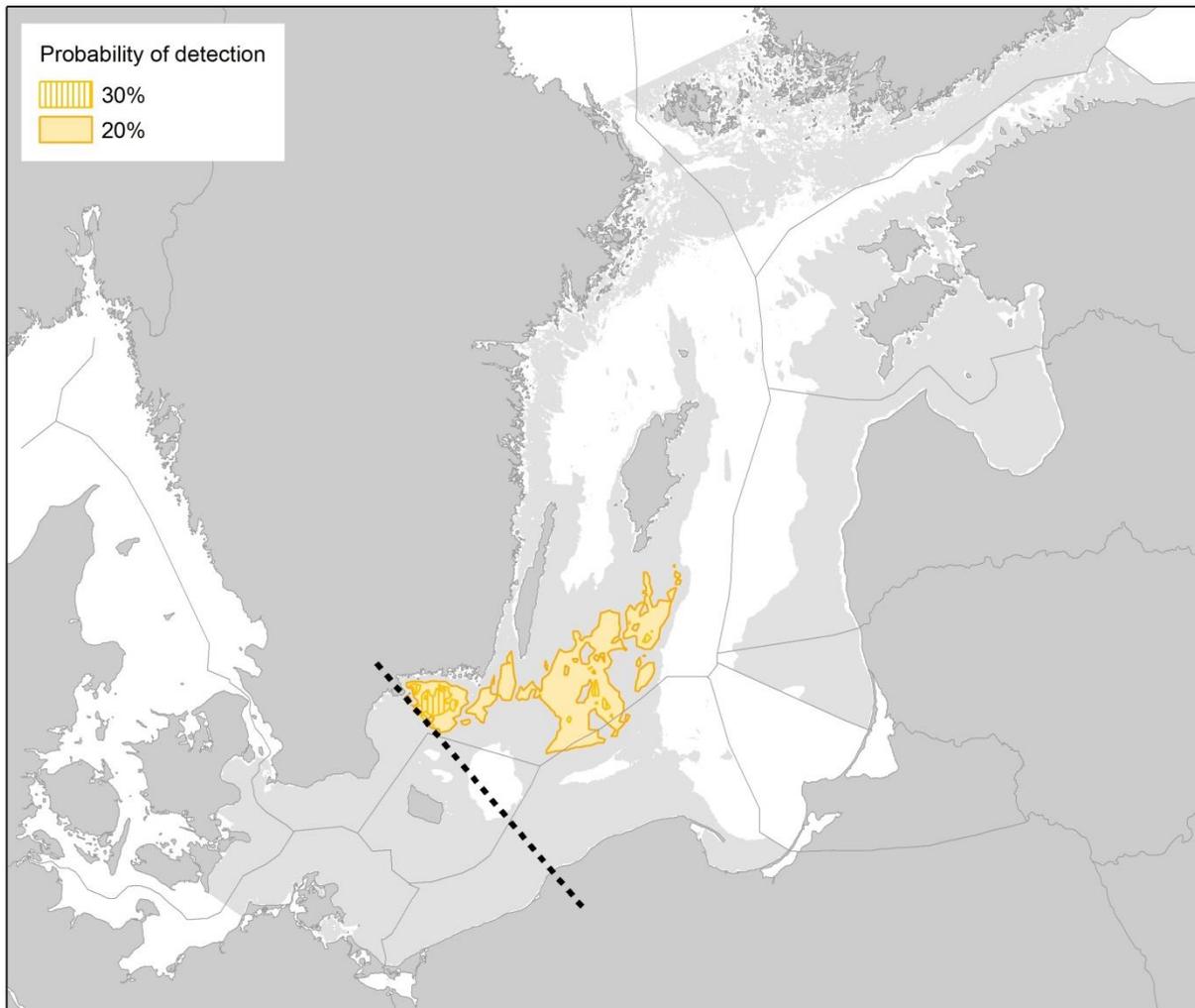


Figure 5c. High-density areas for harbour porpoises in the SAMBAH area (shaded) during August – October based on predictions of probability of detection. During May – October, the isoline of 20% probability of detection encompasses approximately 30% of the Baltic harbour porpoise population, while the isoline of 30% probability of detection encompasses approximately 7.8% of the Baltic harbour porpoise population.

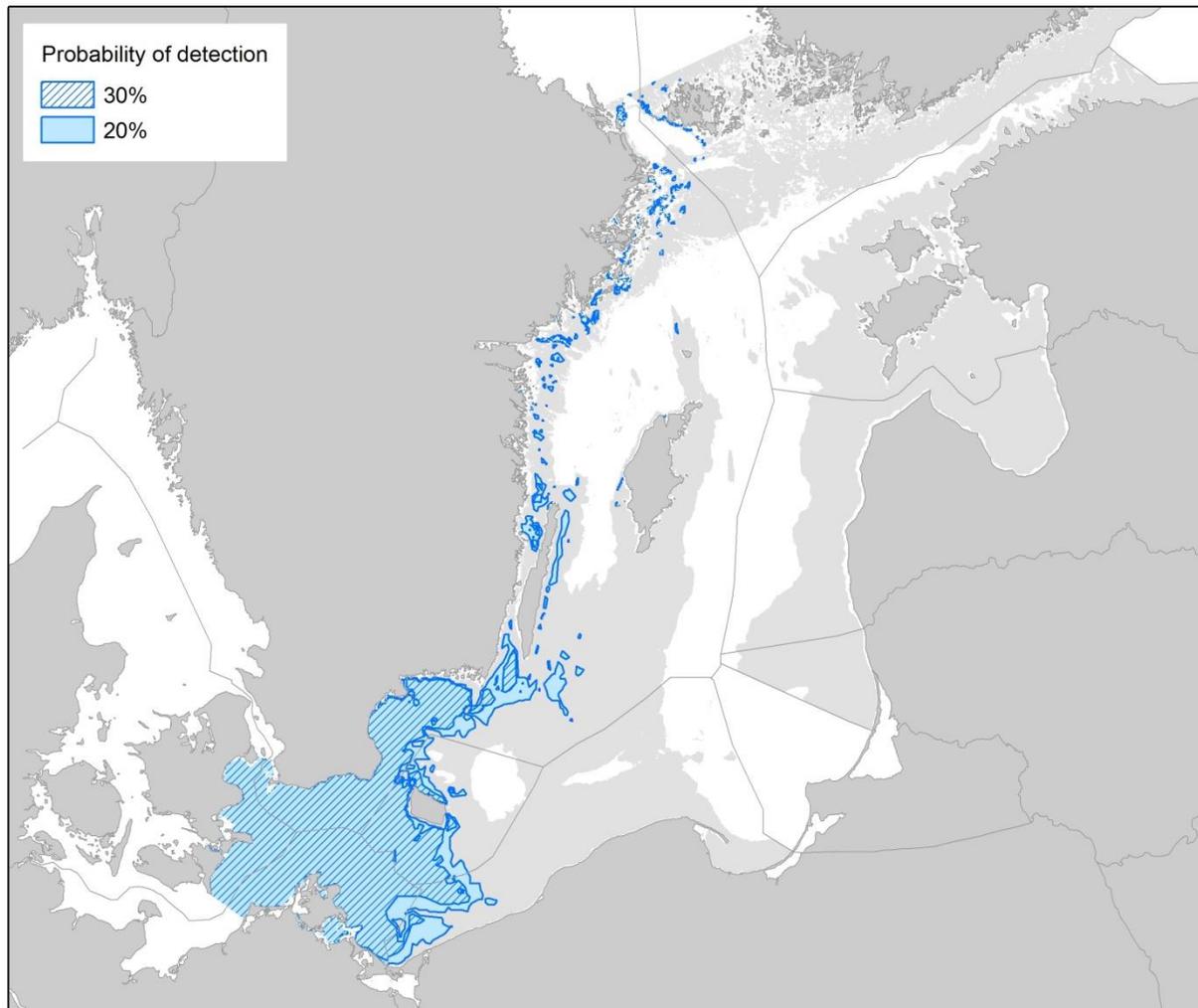


Figure 5d. High-density areas for harbour porpoises in the SAMBAH area (shaded) during November – January based on predictions of probability of detection. During May – October, the isoline of 20% probability of detection encompasses approximately 30% of the Baltic harbour porpoise population, while the isoline of 30% probability of detection encompasses approximately 7.8% of the Baltic harbour porpoise population. The same isolines have been applied for November – January without correlating them to the proportions of the population. During November – April, there is no clear spatial separation between harbour porpoises from the Baltic and the Belt Sea population.

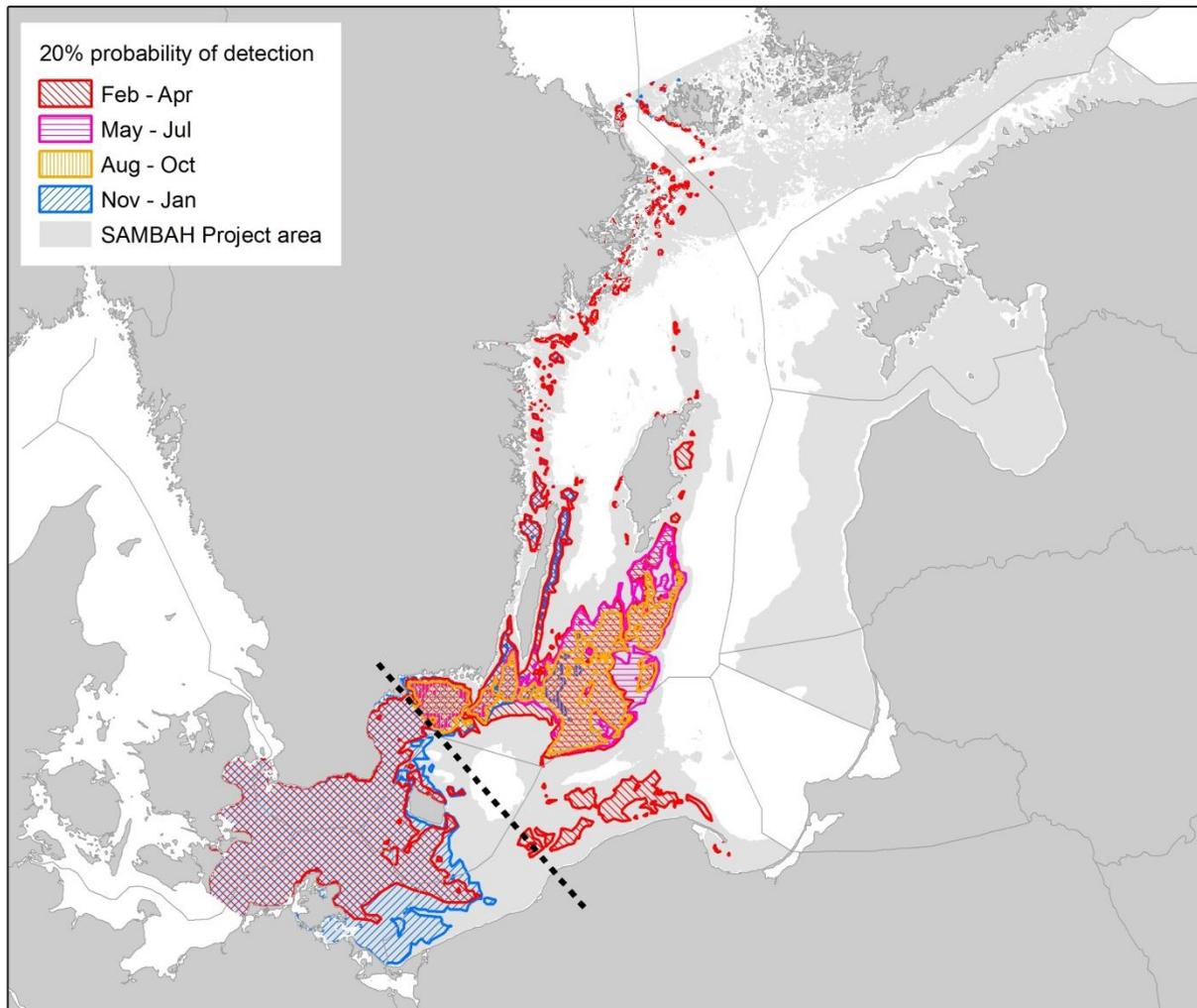


Figure 5e. High-density areas for harbour porpoises in the SAMBAH area (shaded) based on predictions of probability of detection. During May – October, the isoline of 20% probability of detection encompasses approximately 30% of the Baltic harbour porpoise population. During November – April, the same isolines for probability of detection are shown without correlating them to the proportions of the population. Southwest of the SAMBAH population border, the high-density areas are inhabited by animals from both the Baltic and the Belt Sea populations during November – April.

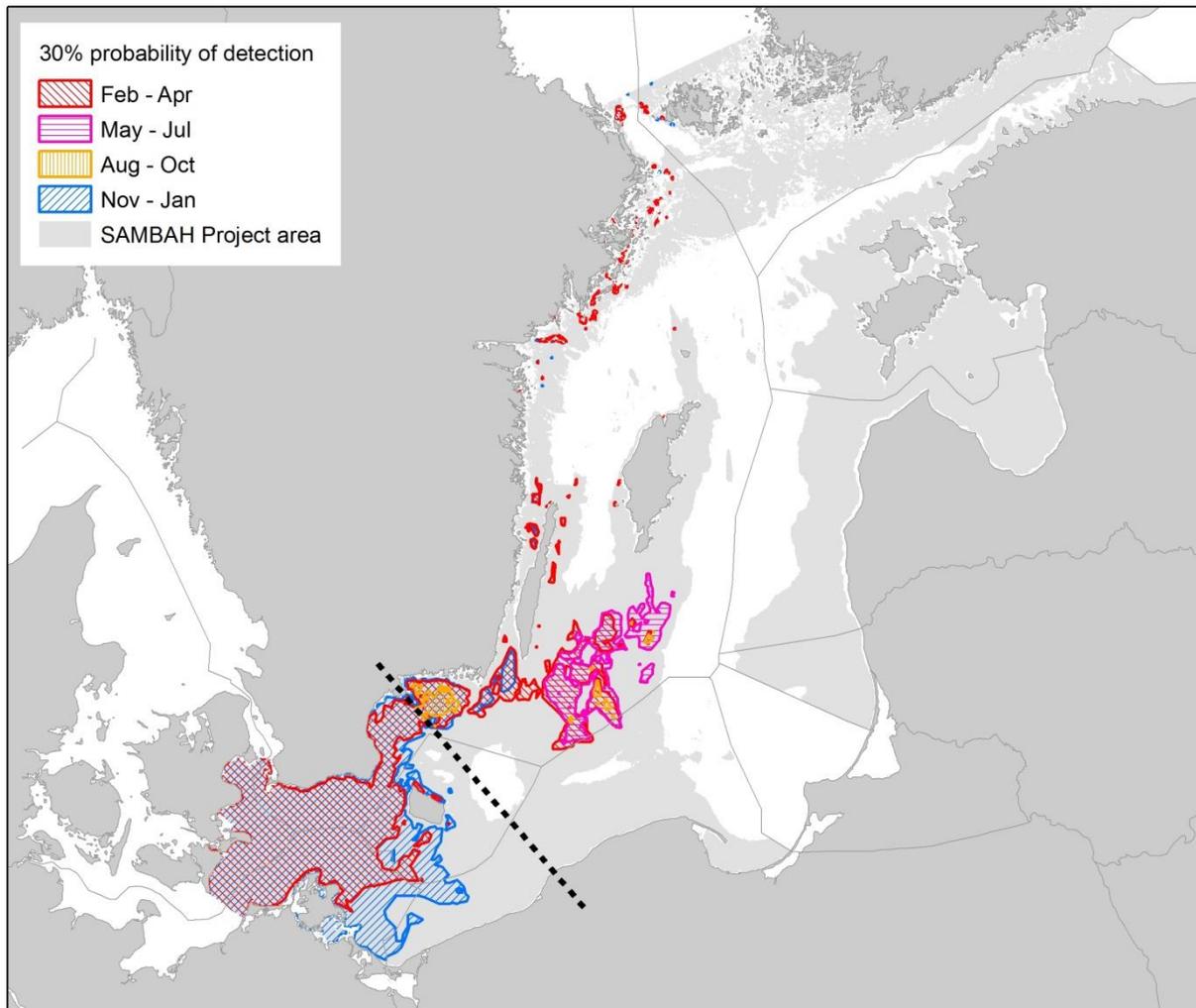


Figure 5f. High-density areas for harbour porpoises in the SAMBAH area (shaded) based on predictions of probability of detection. During May – October, the isoline of 30% probability of detection encompasses approximately 7.8% of the Baltic harbour porpoise population. During November – April, the same isolines for probability of detection are shown without correlating them to the proportions of the population. Southwest of the SAMBAH population border, the high-density areas are inhabited by animals from both the Baltic and the Belt Sea populations during November – April.

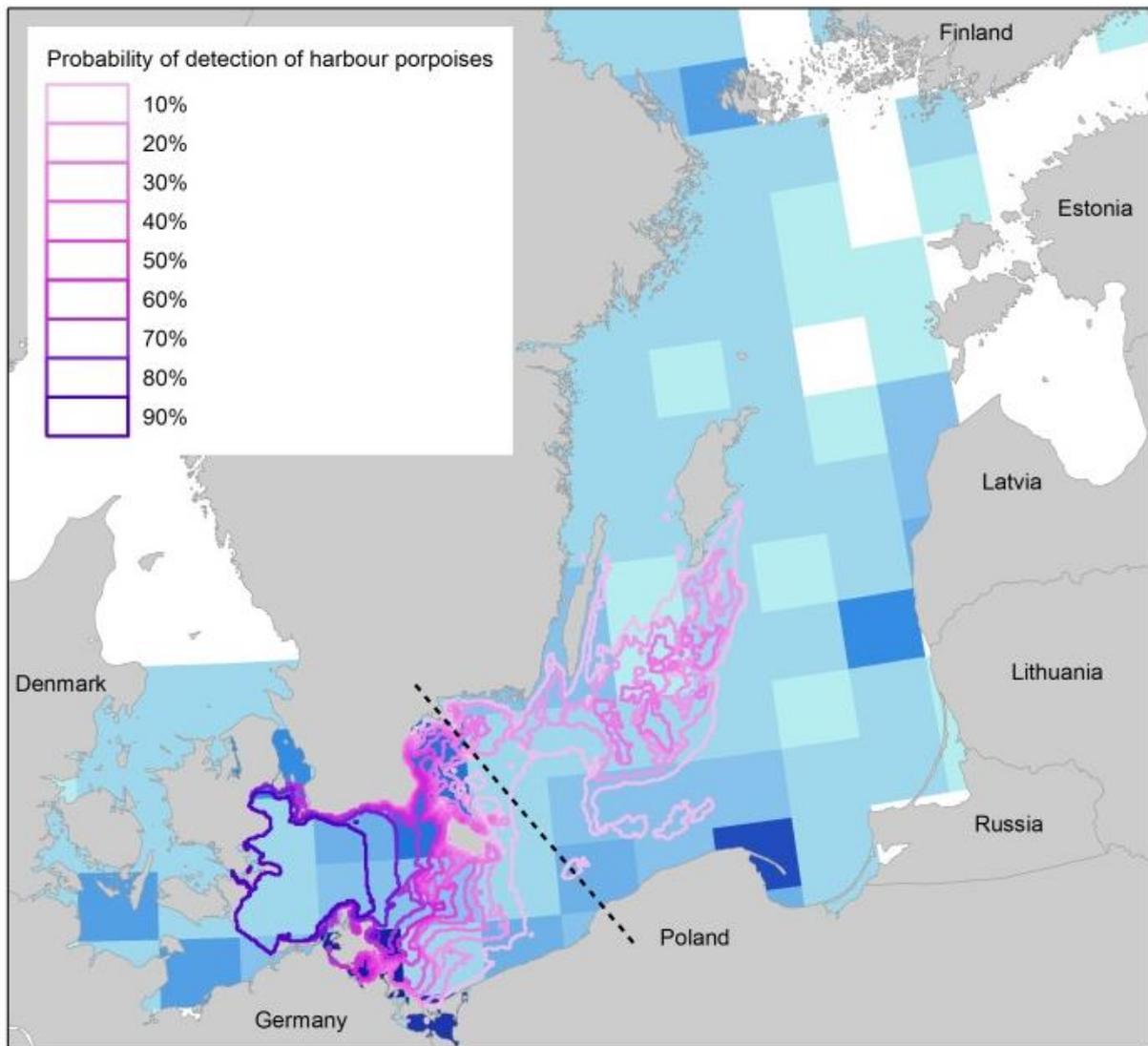


Figure 6a. Monthly probability of detection of harbour porpoises during May – October 2011 – 2013 within the SAMBAH area (data from SAMBAH, 2016), together with total hours fished per ICES rectangle with gillnets of a mesh size of ≥ 90 mm during April – September 2014 (STECF, 2015; data downloaded from the European Commission DCF – Data dissemination database <https://datacollection.jrc.ec.europa.eu/dd/effort/maps>). The legend for the fishing effort is shown in Figure 6b. The dotted line indicates the border used for abundance estimation of the Baltic harbour porpoise population in SAMBAH.

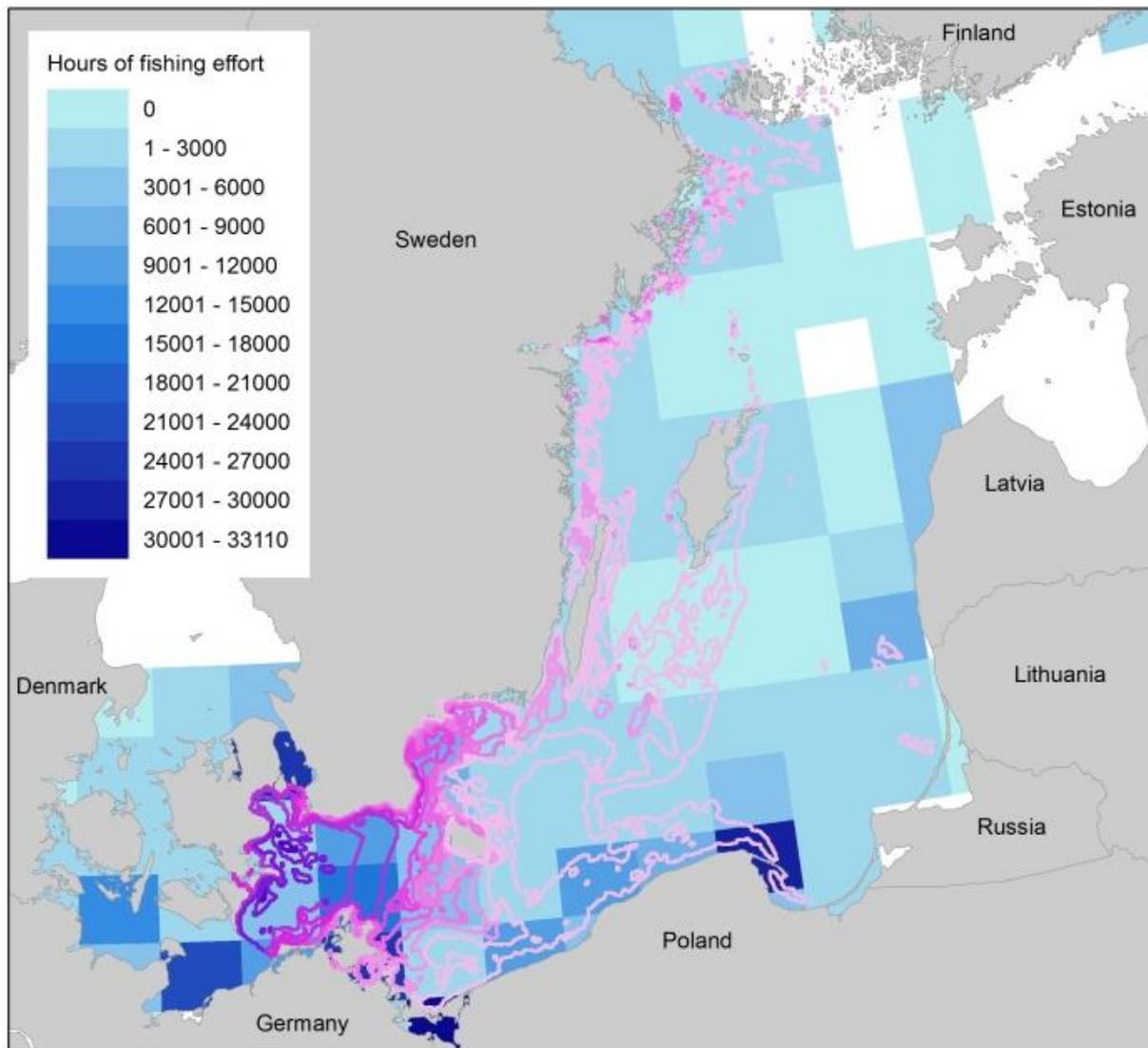


Figure 6b. Monthly probability of detection of harbour porpoises during November – April 2011 – 2013 within the SAMBAH area (data from SAMBAH, 2016), together with total hours fished per ICES rectangle with gillnets of a mesh size of ≥ 90 mm during April – September and October – May 2014, respectively (STECF, 2015; data downloaded from the European Commission DCF – Data dissemination database <https://datacollection.jrc.ec.europa.eu/dd/effort/maps>). The legend for the probability of detection of harbour porpoises is shown in Figure 6a.

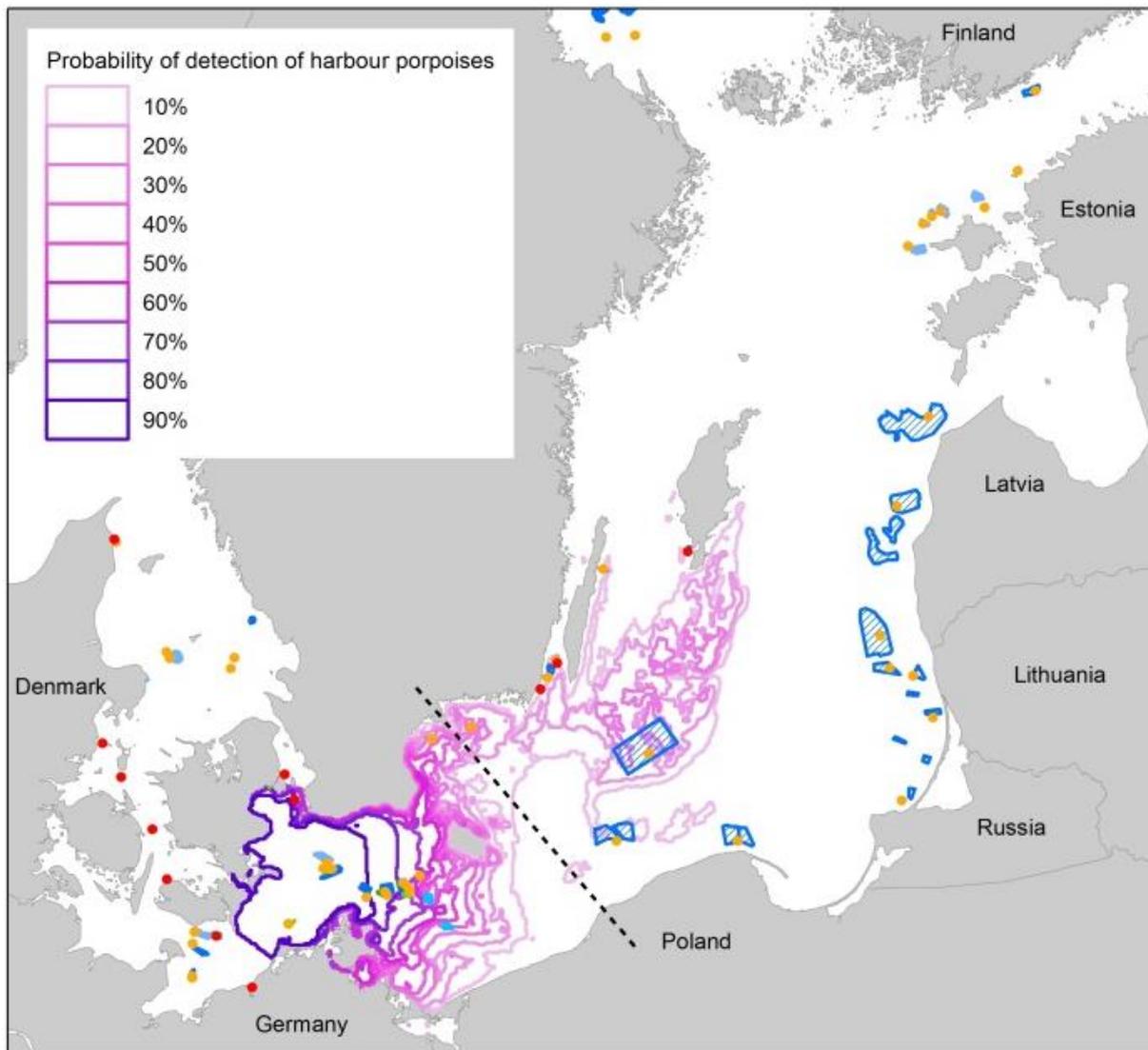


Figure 7a. Monthly probability of detection of harbour porpoises within the SAMBAH area during May – October 2011 – 2013 (data from SAMBAH, 2016), together with present and planned offshore windfarms in 2009 (Swedish Environmental Protection Agency, 2010). The dotted line indicates the border used for abundance estimation of the Baltic harbour porpoise population in SAMBAH. The legend for the offshore windfarms is shown in Figure 7b.

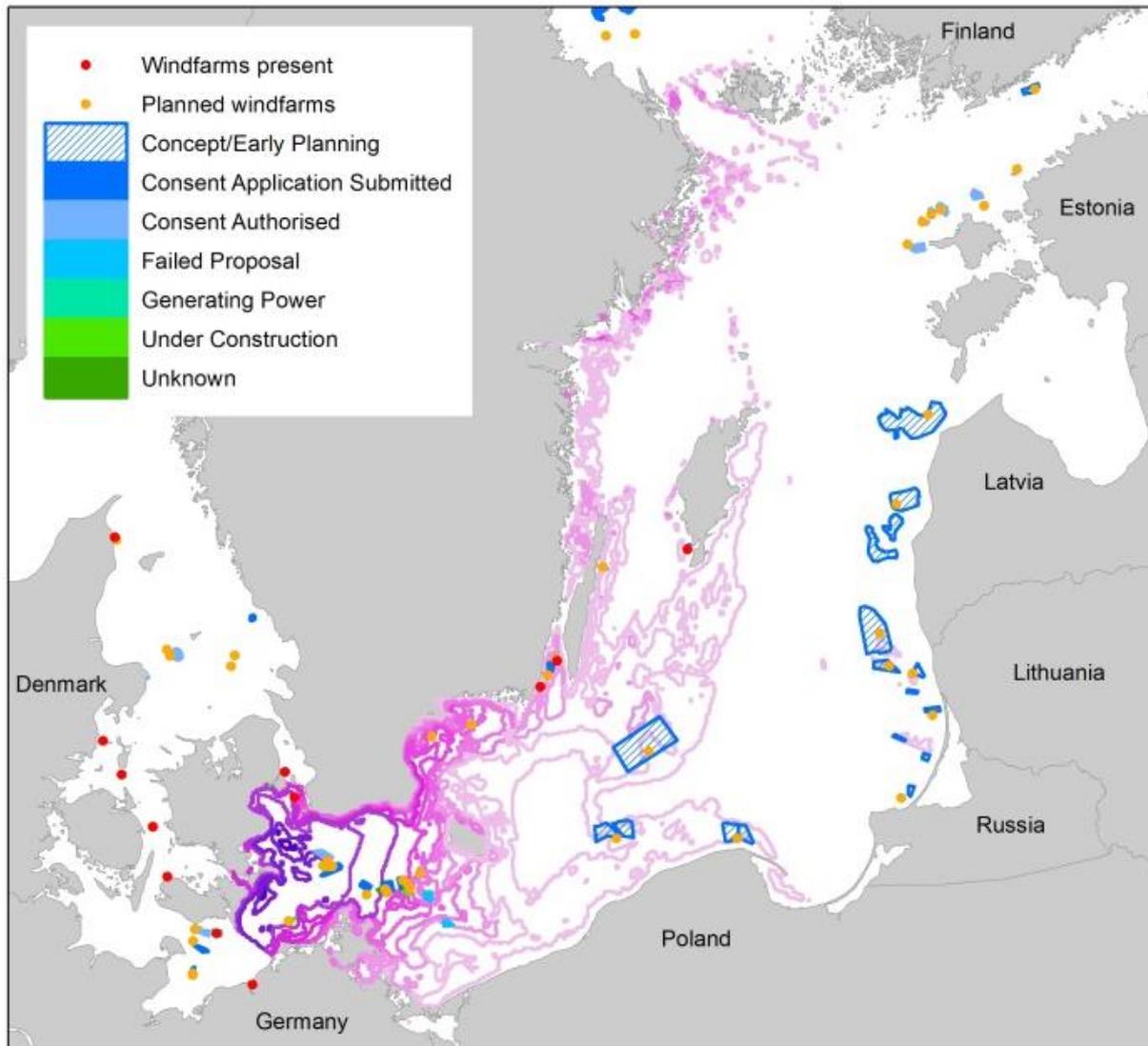


Figure 7b. Monthly probability of detection of harbour porpoises within the SAMBAH area during November – April 2011 – 2013 (data from SAMBAH, 2016), together with present and planned offshore windfarms in 2009 (Swedish Environmental Protection Agency, 2010). The legend for probability of detection of harbour porpoises is shown in Figure 7a.

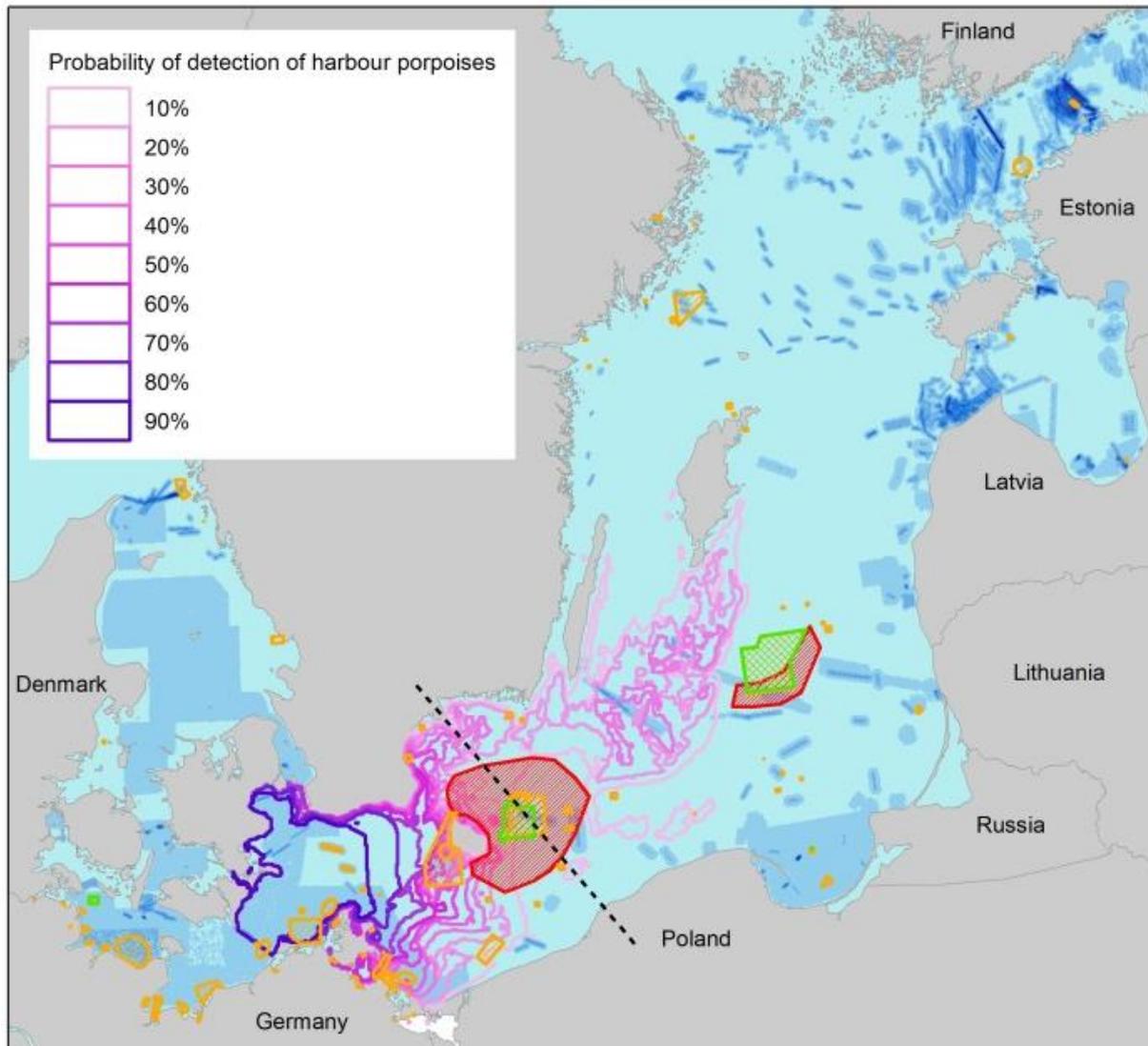


Figure 8a. Monthly probability of detection of harbour porpoises within the SAMBAH area during May – October 2011 – 2013 (data from SAMBAH, 2016), together with mines and dumped ammunition (courtesy HELCOM data and map service, and Swedish Armed Forces). The dotted line indicates the border used for abundance estimation of the Baltic harbour porpoise population in SAMBAH. The legend for mines and dumped ammunition is shown in Figure 8b.

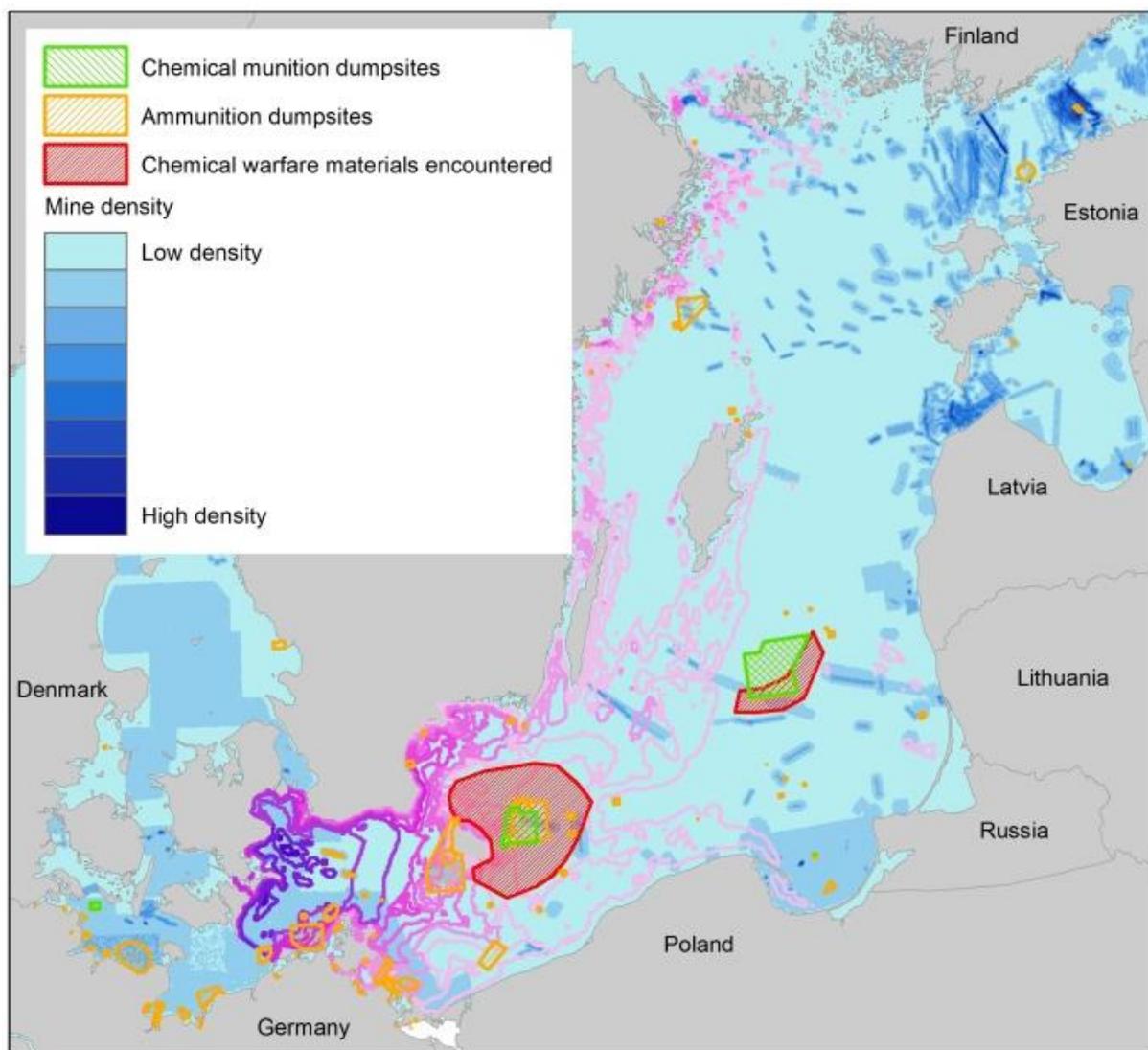


Figure 8b. Monthly probability of detection of harbour porpoises within the SAMBAH area during November – April 2011 – 2013 (data from SAMBAH, 2016), together with mines and dumped ammunition (courtesy HELCOM data and map service, and Swedish Armed Forces). The legend for probability of detection of harbour porpoises is shown in Figure 8a.

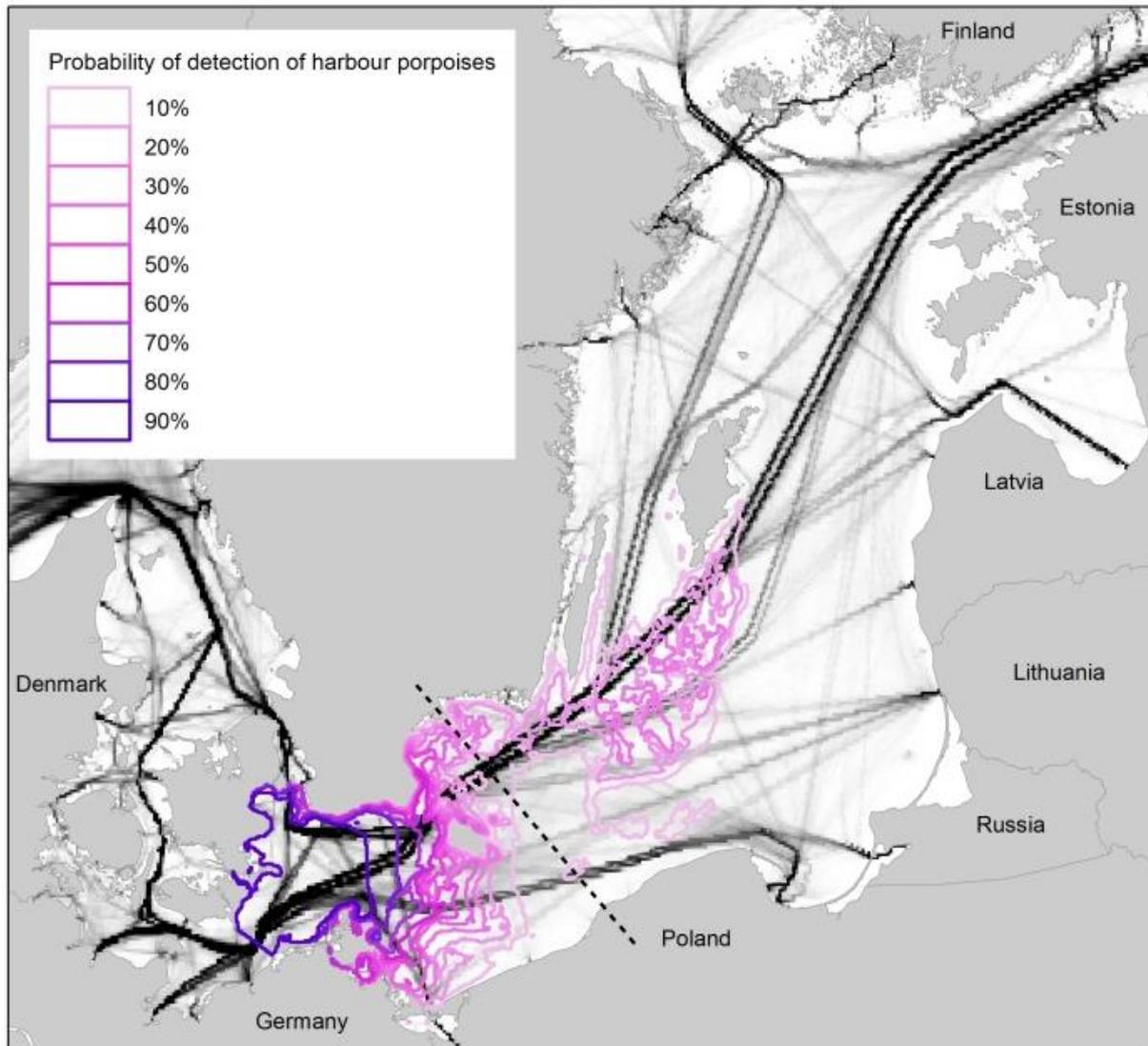


Figure 9a. Monthly probability of detection of harbour porpoises within the SAMBAH area during May – October 2011 – 2013 (data from SAMBAH, 2016), together with AIS shipping in 2011 (courtesy HELCOM data and map service). The dotted line indicates the border used for abundance estimation of the Baltic harbour porpoise population in SAMBAH. The legend for AIS shipping is shown in Figure 9b.

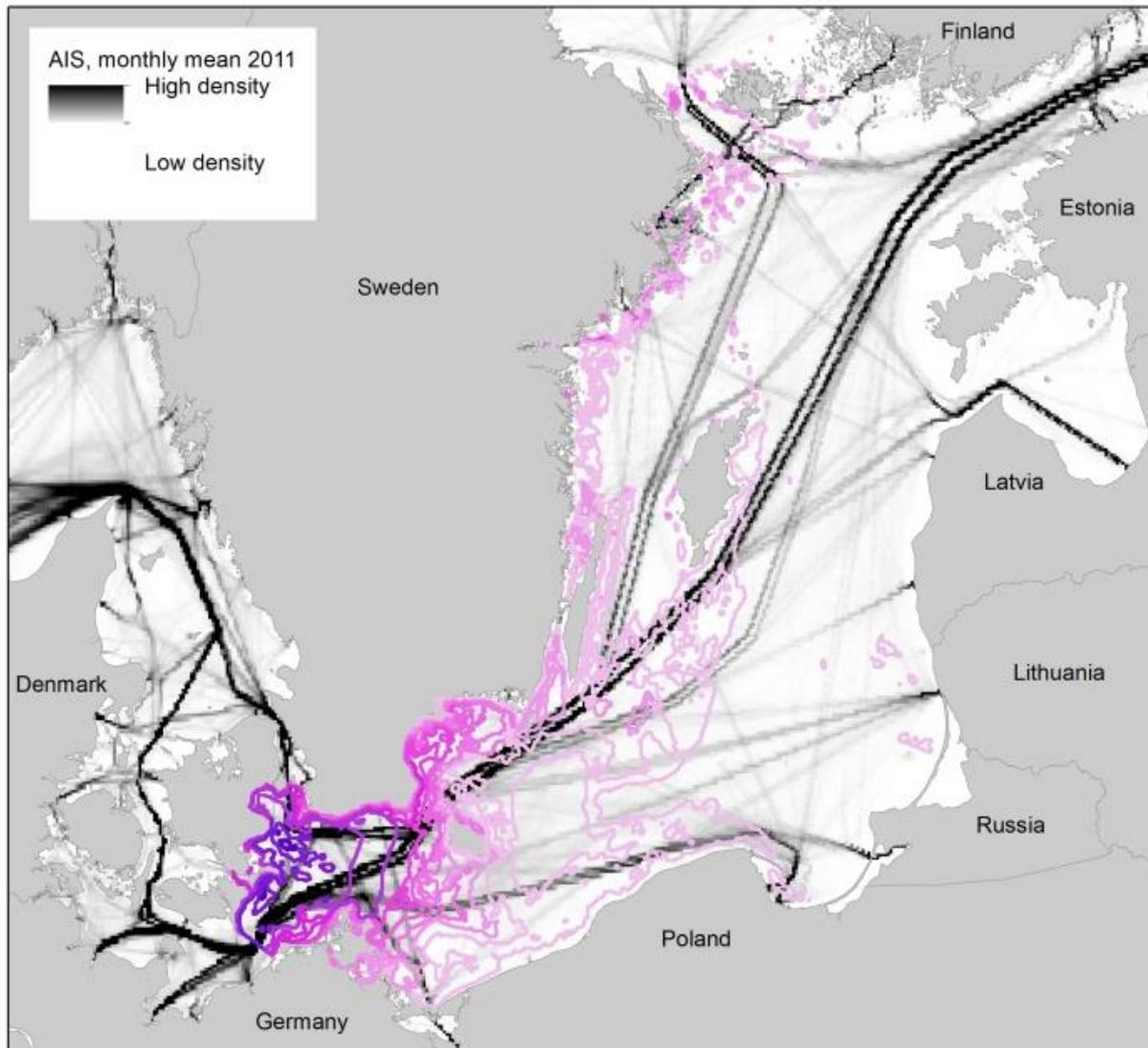


Figure 9b. Monthly probability of detection of harbour porpoises within the SAMBAH area during November – April 2011 – 2013 (data from SAMBAH, 2016), together with AIS shipping in 2011 (courtesy HELCOM data and map service). The legend for probability of detection of harbour porpoises is shown in Figure 9a.

Resolution No. 4:

Conservation of Common Dolphins

Conscious that the common dolphin is one of the most widespread cetacean species in the eastern North Atlantic and, like other cetacean species, plays a key functional role within the ecosystem as a top predator;

Concerned that the most recent assessment of the conservation status of the eastern North Atlantic population under Article 17 of the Habitats Directive estimated that two-thirds of the European Atlantic population was in an unfavourable condition;

Further concerned that the unfavourable conservation status is related to bycatch as the greatest anthropogenic threat to this species, which is also affected by other pressures such as pollution and underwater noise;

Noting that in 2016, ICES advised that the most recent review of national reports under Regulation 812/2004, based on data from the year 2014, suggests that bycatch of common dolphins may be unsustainable;

Recognizing that coordinated actions are required in order to improve the conservation status of the common dolphin in the eastern North Atlantic;

Noting that the Advisory Committee at its 22nd Meeting established a steering group to develop a Conservation Plan for the Common Dolphin;

Noting also other related resolutions adopted at this meeting, in particular Resolution No. 5 on Monitoring and Mitigation of Small Cetacean Bycatch, Resolution No. 7 on Impacts of Polychlorinated Biphenyls (PCBs), Resolution No. 9 on Managing Cumulative Anthropogenic Impacts in the Marine Environment, and Resolution No. 11 on CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities;

The Meeting of the Parties to ASCOBANS

1. *Encourages* Parties to undertake the following actions required for the conservation of common dolphins in the eastern North Atlantic:
 - (a) continue work towards establishing a management framework procedure for bycatch in order to enable specified conservation objectives to be met;
 - (b) coordinate their monitoring programmes on other direct and indirect pressures, including chemical pollution and anthropogenic noise, to allow assessment of the effects on the population;
 - (c) support the research necessary, using both genetic and ecological markers, for a thorough assessment of the range boundary and any subdivisions of the eastern North Atlantic population(s) in order to re-assess the management unit;
 - (d) coordinate their bycatch monitoring programmes to allow assessment of the population bycatch rate;
 - (e) apply appropriate bycatch mitigation strategies for all high- and medium-risk fisheries;

- (f) monitor population status through large- and small-scale surveys at appropriate intervals in order to estimate trends in abundance and detect changes in distribution;
 - (g) monitor health and nutritional status, reproductive parameters, pollutant burdens, and causes of mortality using samples and data collected from stranding and bycatch monitoring programmes;
 - (h) continue to review of the effects of anthropogenic noise and other threats and pressures on common dolphins, including an evaluation of the population level consequences of disturbance;
 - (i) assess the independent, in-combination and cumulative effects of multiple stressors;
 - (j) continue requesting overarching legislation for cetaceans in European waters that ensures the effective protection of cetaceans from all threats;
 - (k) establish a coordinated and regionalized approach;
2. *Requests* the steering group established by the Advisory Committee to continue its work to develop a comprehensive conservation plan for the common dolphin in the eastern North Atlantic;
3. *Further requests* the steering group to present its draft, if feasible, a minimum of three months before the 23rd Meeting of the Advisory Committee to enable national consultations to take place;
4. *Calls on* Parties and *invites* non-Party Range States of the species to support the development of the conservation plan by participating in the drafting process and by involving all stakeholders;
5. *Invites* other relevant stakeholders such as the European Commission, intergovernmental bodies including ACCOBAMS, ICES, NAMMCO and OSPAR, Advisory Councils for European fisheries, other relevant bodies such as NGOs, universities and other institutes, and other appropriate stakeholder representatives, to support the development of the conservation plan by participating in the drafting process;
6. *Mandates* the Advisory Committee, following appropriate time for national consultations on the draft conservation plan, to finalize the conservation plan and circulate it to the Parties for adoption; and
7. *Requests* the Advisory Committee, if applicable supported by a steering group for the implementation of the conservation plan, to continue reviewing new information on the conservation status of common dolphins in the Agreement Area and to make recommendations to Parties as appropriate.

Resolution No. 5:

Monitoring and Mitigation of Small Cetacean Bycatch

Concerned that despite the efforts made so far by Parties, bycatch remains one of the major causes of mortality for small cetaceans in the Agreement Area;

Conscious that available data indicate that levels of bycatch in the Agreement Area may threaten the conservation status of some small cetacean populations, for example, common dolphins and harbour porpoises;

Further conscious that different regions present different risks to cetaceans depending upon fishing practices, and the occurrence and conservation status of cetacean species;

Concerned that many human activities in the marine environment have a negative impact on small cetaceans and their habitats, and that consequently these species face multiple, cumulative and often synergistic threats with possible effects over large areas, including from activities taking place outside the Agreement Area, such as bycatch, prey reduction, pollution, habitat degradation, underwater noise, hunting and climate change;

Aware that bycatch in fisheries is not only a threat to the conservation status of small cetaceans and other marine species, but also has significant animal welfare implications;

Recalling the Conservation and Management Plan annexed to the Agreement, according to which modifications of fishing gear and fishing practices shall be applied in order to reduce bycatch where data indicates unacceptable interaction;

Also recalling previous related decisions on incidental take adopted by the Meeting of the Parties, in particular Resolution No.3 of MOP3 and Resolution No.5 of MOP5;

Taking into account the outcomes of the ASCOBANS Expert Workshop on the Requirements of Legislation to Address Monitoring and Mitigation of Small Cetacean Bycatch (Bonn, Germany, January 2015) and the ASCOBANS Workshop on Further Development of Management Procedures for Defining the Threshold of 'Unacceptable Interactions' – Part I: Developing a Shared Understanding on the Use of Thresholds / Environmental Limits (London, United Kingdom, July 2015);

Following the submission of agreed Recommendations of ASCOBANS on the Requirements of Legislation to Address Monitoring and Mitigation of Small Cetacean Bycatch, to the European Commission in October 2015;

Conscious of the related work underway under the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and *recalling* related decisions adopted by the Conference of the Parties to CMS, in particular Resolution 9.18 on Bycatch and Resolution 10.14 on Bycatch of CMS-listed Species in Gillnet Fisheries;

Mindful that Parties that are also EU Member States moreover have obligations for a system of strict protection under the EU Habitats Directive, as well as to monitor and reduce bycatch under the Habitats Directive, the Marine Strategy Framework Directive, the Common Fisheries Policy and EU Regulation 812/2004;

Noting the review of Bycatch-related Fisheries Legislation in the ASCOBANS Area, presented to this meeting as MOP8/Inf.6.2.1;

The Meeting of the Parties to ASCOBANS

1. *Reaffirms* the positions previously agreed in Resolution No.3 of MOP3 that:
 - (a) the general aim should be to minimize (i.e. ultimately to reduce to zero) anthropogenic removals (i.e. mortality), and in the short term, to restore and/or maintain biological or management units to/at 80 per cent or more of the carrying capacity;
 - (b) in order to reach this objective, the intermediate precautionary aim is to reduce bycatch to less than 1 per cent of the best available population estimate;
 - (c) a total anthropogenic removal (e.g. mortality from bycatch and vessel strikes) above 1.7 per cent of the best available estimate of abundance is to be considered unacceptable in the case of the harbour porpoise;
 - (d) if available evidence suggests that a population is severely reduced, or in the case of species other than the harbour porpoise, or where there is significant uncertainty in parameters such as population size or bycatch levels, then “unacceptable interaction” may involve an anthropogenic removal of much less than 1.7 per cent;
2. *Requests* the Advisory Committee to:
 - (a) complete its ongoing work in defining unacceptable interactions including consideration of scientifically-based environmental limits and triggers for further conservation action, consideration of a management framework, and re-evaluation of 1b, 1c and 1d above;
 - (b) keep under review new developments in bycatch monitoring techniques;
3. *Requests Parties and calls upon* non-Party Range States to ensure (by species and management unit) that:
 - (a) monitoring programmes ensure robust estimation of cetacean bycatch for all relevant fisheries (this may include for different vessel sizes and through dedicated observers, remote electronic monitoring, rapid bycatch assessment methods and other measures as appropriate);
 - (b) appropriate technical and other measures to mitigate cetacean bycatch are developed, implemented and evaluated (this may include alternative fishing methods that are ecologically sustainable, pingers not audible to seals and alerting devices proven to be effective for appropriate mitigation, or gear-exchange schemes aiming at reducing bycatch);
4. *Calls upon Parties:*
 - (a) to work closely with the fishing sector in order to make use of its valuable knowledge and expertise to jointly tackle the issue of bycatch;
 - (b) to make available their implementation reports on EU legislation regarding cetacean bycatch to ASCOBANS as part of their national reports;
 - (c) to facilitate the provision of dead bycaught animals for scientific research purposes;
 - (d) to allocate the necessary funding for bycatch related issues in national and European financial planning and support schemes, including through the European Maritime and Fisheries Fund;

- (e) and other stakeholders to take note of the best practice advice contained in the report of the ASCOBANS Workshop on Remote Electronic Monitoring with Regards to Bycatch of Small Cetaceans (The Hague, Netherlands, October 2015), which covers stakeholder involvement, sampling design, data collection and analysis;
 - (f) and other stakeholders to take into account potential effects on other species, such as other marine mammals, seabirds, marine turtles and sharks, when choosing mitigation measures, and to monitor such effects;
5. *Agrees* that the Secretariat and the Advisory Committee continue to provide input into the further development of assessment requirements relating to cetacean bycatch under relevant agreements and European legislation; and
6. *Requests* the Secretariat and Advisory Committee to monitor, engage and participate as appropriate in relevant bycatch related work including the ICES Working Group on Bycatch of Protected Species (WGBYC), the Scientific, Technical and Economic Committee for Fisheries (STECF) established by the European Union, the Regional Coordination Groups, and work undertaken by ACCOBAMS, CMS, HELCOM, IWC, NAMMCO, OSPAR and other relevant organizations.

Resolution No. 6:

Ocean Energy

Recalling that the Conservation and Management Plan annexed to the Agreement stipulates that ASCOBANS should work towards “the prevention of other significant disturbance”;

Aware that ocean wind, waves, tides and temperature differences result in movement of water creating a vast store of kinetic energy;

Recognizing that ocean energy can be harnessed to generate electricity, and that together with offshore wind turbines these technologies form an important component of the efforts to supply human energy needs from renewable sources in order to combat climate change;

Stressing the importance of making use of renewable energy sources in a way that does not have a harmful impact on biological diversity and the marine environment;

Noting that displacement, injury and mortality of individuals may also affect the long-term status of animal populations, as identified in a recent study of harbour porpoises and wind farms in the North Sea undertaken by the Netherlands;

Recalling Resolution No. 2 of MOP6 on Adverse Effects of Underwater Noise on Marine Mammals during Offshore Construction Activities for Renewable Energy Production and Resolution No. 4 of MOP5 on Adverse Effects of Sound, Vessels and Other Forms of Disturbance on Small Cetaceans;

Further recalling related decisions adopted by the Conference of the Parties to CMS, in particular Resolution 9.19 on Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other Biota and Resolution 10.24 on Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Migratory Species;

Further recalling the Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development adopted in September 2015, and especially Goal 14 to Conserve and sustainably use the oceans, seas and marine resources, which includes the following targets:

- By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution;
- By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans;
- Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries;

Noting the recommendations contained in the Report of the IWC Workshop on Interactions between Marine Renewable Energy Projects and Cetaceans Worldwide;

Concerned that there is a high degree of uncertainty regarding quantifying risks from ocean energy production for marine life, including cetaceans;

Further concerned that apart from lethal interactions or injury including to the auditory system, negative impacts on cetaceans could include displacement and changes in parameters such as fecundity, calf survival and juvenile and adult mortality;

Emphasizing that the difficulty of predicting and assessing detrimental effects on cetaceans necessitates a precautionary approach in dealing with this issue, taking into account both local and global short- and long-term consequences of decisions for or against deployment;

Welcoming the efforts of Parties and industry to investigate risks and robustly monitor and mitigate them in order to ensure sustainable energy production, including from a conservation perspective;

Noting also other related resolutions adopted at this meeting, in particular Resolution No. 9 on Managing Cumulative Anthropogenic Impacts in the Marine Environment and Resolution No. 11 on CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities;

The Meeting of the Parties to ASCOBANS

1. *Expresses* its concern about the potential for adverse effects of ocean energy on cetaceans during both construction and operational phases;
2. *States* its concern that more recent technologies, such as those harvesting tidal and wave energy, also referred to as marine renewable energy, present a number of potential risks to cetaceans in addition to the introduction of noise, including collisions, and that the magnitude of these risks is so far poorly understood;
3. *Calls on* Parties to coordinate and support research investigating the risk to cetaceans from marine renewable energy production, in particular during the operational life-time of the installation, regarding:
 - (a) collisions, in particular with moving parts such as rotor blades, including observations of animal behaviour in the vicinity of devices, such as evasion, avoidance or attraction and modelling to calculate the likelihood of strikes, including with increasing numbers of devices in arrays;
 - (b) effects of underwater noise, noting that while the introduction of additional sound sources into the marine environment can have detrimental effects, it can also potentially protect animals from strikes;
 - (c) habitat alteration, such as changes in hydrodynamics, sediment dynamics and ecosystem interactions;
 - (d) other potential risks, such as pollution from paint and lubricants;
4. *Urges* Parties to ensure appropriate baseline assessments of habitat use prior to the onset of related exploration or construction;
5. *Further urges* Parties and *invites* industry to make full use of the experience gained from early development projects to understand environmental risks and animal responses, to monitor effects of ocean energy production on protected species and their habitats, to develop

appropriate mitigation strategies for unavoidable impacts on the environment and biodiversity, and to develop alternative and new technologies preventing threats;

6. *Further urges* Parties to ensure that thorough environmental impact assessments are carried out addressing all aspects relevant to the conservation of protected species and their habitats prior to development of pilot-scale as well as commercial-scale deployments, and that such assessments take into account both the construction and the operational phase, as well as cumulative impacts from other anthropogenic activities in the area;

7. *Further urges* Parties to make full use of marine spatial planning in order to choose the most appropriate siting for ocean energy production, paying particular regard to protecting critical habitat, including migration corridors;

8. *Requests* the Advisory Committee to continue monitoring new information on negative as well as positive effects of ocean energy with regard to cetaceans and to make recommendations to Parties as appropriate concerning:

- (a) effects of static structures on cetacean habitat;
- (b) risk and occurrence of animal strikes, likely to lead to injury or mortality;
- (c) behavioural changes, such as avoidance of or attraction to the source and distances at which animals take action to avoid potentially injurious encounters;
- (d) masking of communication, navigation and detection of prey;
- (e) effects of altered or additional sources of electromagnetic fields in the marine environment on cetaceans and their prey;
- (f) disturbance through activities related to site identification, construction, operation and servicing of the structures required for ocean energy production;
- (g) relative risks associated with different types of device and mitigation options;
- (h) the nature of additive effects of multiple devices in arrays beyond those produced by single devices;
- (i) cumulative and in-combination effects arising from the construction and operation of individual and multiple renewable energy sites and other anthropogenic and natural pressures, including climate change;

9. *Further requests* the Advisory Committee and the Secretariat to collaborate with other organizations working on or potentially interested in this issue, such as UNEP, HELCOM, OSPAR, ACCOBAMS, IWC, ICES and the European Commission;

10. *Invites* other organizations working on issues related to ocean energy production to take full account of the impacts on protected species and their habitats, and to mitigate and minimize any such impacts to the fullest degree possible; and

11. *Reaffirms* Resolution No. 2 of MOP6 (2009) on Adverse Effects of Underwater Noise on Marine Mammals during Offshore Construction Activities for Renewable Energy Production, as well as Resolution No. 4 of MOP5 (2006) on Adverse Effects of Sound, Vessels and Other Forms of Disturbance on Small Cetaceans.

Resolution No. 7:

Impacts of Polychlorinated Biphenyls (PCBs)

Recalling Resolution No. 4 of MOP7 on Impacts of Chemical Pollution on Small Cetaceans;

Expressing again concern that chemical pollution continues to represent a significant threat to populations of small cetaceans within the Agreement Area, as evidenced by new data on correlation between reproductive failure in the North East Atlantic harbour porpoise population and PCB burdens, and very high concentrations of PCB in the blubber of killer whales, bottlenose dolphins and other cetacean species across the ASCOBANS range;

Acknowledging the international efforts under the United Nations Environment Programme (UNEP), the Stockholm Convention, the Geneva Convention on Long-range Transboundary Air Pollution with its Aarhus Protocol on Persistent Organic Pollutants (CLRTAP Protocol on POPs), and through the PCB Elimination Network (PEN) to reduce levels of PCBs in the environment;

Further acknowledging the important role of the European Union and regional agreements such as OSPAR and HELCOM, in addressing this problem at a regional level;

The Meeting of the Parties to ASCOBANS

1. *Encourages* Parties to prioritize and support appropriate research and in particular to:
 - (a) continue to monitor PCB exposure in small cetacean species across the ASCOBANS range, with particular emphasis on species considered to be at high risk, such as killer whales, bottlenose dolphins and harbour porpoises, and in geographic areas with high concentrations;
 - (b) seek to identify geographic areas where pollutant levels are higher than elsewhere ("PCB hotspots"), possibly involving collaborative studies between countries and other regional agreements;
 - (c) continue time-series analysis of trends in PCBs and other contaminants in harbour porpoises (as a sentinel species) wherever possible using stranded and bycaught animals;
 - (d) where the use of dead stranded or bycaught animals is not sufficient i.e. for vulnerable species with low stranding rates and high pollution levels (e.g. bottlenose dolphins and killer whales), coordinate the taking of any tissue samples from live animals across the Agreement Area to ensure efficient and effective sampling and to minimize any welfare implications;
 - (e) use skin samples to help determine population structure of species with high exposure to PCBs;
 - (f) maintain key data-flow from strandings networks across the ASCOBANS range;
 - (g) coordinate and jointly plan research efforts with involvement of the Advisory Committee;

2. *Encourages* Parties and *invites* non-Party Range States, in their capacity as Parties to global and regional processes and treaties aimed at reducing the levels of PCBs in the environment, to inform these fora of the recent findings on the effects of PCBs on small cetaceans and to use their influence to have this problem addressed proactively;
3. *Reiterates* its call to Parties to continue their efforts to implement fully the relevant provisions and decisions of other global and regional processes and treaties to which they are Party, in particular the Stockholm Convention, the CLRTAP Protocol on POPs, OSPAR and HELCOM;
4. *Urges* Parties and *invites* non-Party Range States to expedite efforts to (i) identify sources of PCBs and (ii) using this and other appropriate knowledge to avoid the further input of PCBs into the marine environment;
5. *Supports* the IWC Pollution 2020 Programme;
6. *Requests* the Secretariat to transmit this resolution and information on the effects of PCBs on small cetaceans to UNEP, the Stockholm Convention, the CLRTAP Protocol on POPs, HELCOM and OSPAR for further consideration and possible action;
7. *Further requests* the Secretariat and the Advisory Committee to engage with these processes as far as is feasible;
8. *Requests* the Advisory Committee to continue reviewing new information on this issue and to make recommendations to Parties as appropriate;
9. *Reaffirms* Resolution No. 4 of MOP7 (2012), as well as Resolution No. 7 of MOP5 (2006) on Research on Habitat Quality, Health and Status of Small Cetaceans in the Agreement Area; and
10. *Repeals* Resolution No. 4 of MOP2 (1997) on Management and Further Research Needs to Address Effects of Pollutants on Cetacean Health.

Resolution No. 8:

Addressing the Threats from Underwater Munitions

Recalling that the Conservation and Management Plan annexed to the Agreement stipulates that ASCOBANS should work towards “the prevention of other significant disturbance, especially of an acoustic nature”;

Recalling Resolution No. 4 of MOP5 on Adverse Effects of Sound, Vessels and Other Forms of Disturbance on Small Cetaceans;

Further recalling related decisions adopted by the Conference of the Parties to CMS, in particular Resolution 9.19 on Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other Biota and Resolution 10.24 on Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Migratory Species;

Also recalling United Nations General Assembly Resolution 68/208 on Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea;

Further recalling the Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development adopted in September 2015, and especially Goal 14 to Conserve and sustainably use the oceans, seas and marine resources, which includes the following targets:

- By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution;
- By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans;
- Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries;

Aware of estimates that tens of millions of tons of unexploded chemical and conventional munitions are present in the marine environment in the ASCOBANS Area, and that thousands of fishermen and other sea users encounter such munitions every year;

Further aware that knowledge of sites, types of munition and ways of disposal (en route, item by item, in container or in hulls), state of corrosion and quantities of dumped munitions is fragmentary, as are meaningful data on the environmental impacts of munitions and their constituents;

Concerned that both chemical and conventional munitions present in the marine environment, whether as unexploded ordnance (UXO) or discarded military munitions (DMM), pose a threat to the health and safety of humans as well as marine life, and that through corrosion and chemical changes these devices might become more volatile, thus increasing the danger of unexpected explosions;

Further concerned that munitions are regionally point sources of pollution, both as chronic contamination of the marine environment through leakages, and sudden release of toxic substances through explosions;

Also concerned that cetaceans are at risk through both chemical and physical hazards posed by munitions, encompassing direct contact and possible accumulation of toxic substances in their tissues, including through ingestion of contaminated prey, as well as injury due to pressure and noise resulting from explosions;

Grateful for the work of OSPAR and HELCOM on this issue, and especially welcoming the priority afforded this issue by HELCOM through the Expert Group on Environmental Risks of Hazardous Submerged Objects (SUBMERGED);

Conscious that hearing is the primary sense for cetaceans and that damage to auditory functions will affect the animals' ability to hunt, communicate and navigate, and therefore has direct relevance for their survival, welfare and reproduction;

Aware that research and modelling undertaken recently in the Netherlands and Germany indicate that each year thousands of harbour porpoises in the ASCOBANS Area are at risk of suffering injury ranging from permanent shifts of their auditory threshold to trauma to the ear caused by blast waves, and many more are at risk of suffering from temporary threshold shifts;

Recognizing that underwater munitions are an unquantified pressure and further efforts are needed to understand the significance of its impact on small cetaceans in the ASCOBANS Area and beyond;

Emphasizing that the difficulty of proving detrimental effects to cetaceans and their habitats necessitates a precautionary approach in dealing with this issue;

Further emphasizing that this is a global problem and a wider environmental issue that requires attention and a targeted response from a range of organizations and stakeholders, including policy-makers;

The Meeting of the Parties to ASCOBANS

11. *Encourages* Parties to support research investigating the risk to marine animals and habitats from underwater munitions, especially with respect to:

- (a) identification and mapping of actual locations and contents of dump sites;
- (b) effects of disintegrating submerged munitions on the marine environment and marine life, for example, by monitoring or testing for chemicals and the products that typically arise when chemical or conventional munitions degrade, or signs of underwater detonations as a possible cause of death when conducting necropsies of marine animals;
- (c) analysing the risk of chemicals emanating from chemical or conventional munitions to the marine food chain, especially considering that the characteristics of their behaviour and distinctive acute toxicity in combination with the underwater pathway of introduction sets them apart from the majority of man-made marine pollutants regarded hitherto;
- (d) development of alternative ways of removal other than detonation, paying close regard to safety of life at sea;

12. *Further encourages* Parties systematically to integrate munitions detection programmes into all surveys of the sea floor (e.g. MSFD benthic habitat mapping and assessment);
13. *Further encourages* Parties (i) to require all vessels under their flag, when encountering underwater munitions, to notify relevant national authorities, and (ii) to provide simple ways for submitting this information and ensure that agreed OSPAR and HELCOM reporting procedures are followed;
14. *Recommends* that all relevant information be made available to regional and international organizations addressing this issue, such as HELCOM and OSPAR and the United Nations Environment Programme (UNEP), to facilitate coordinated responses;
15. *Urges* Parties to support efforts to address this threat in other regional and international organizations and use their influence to have this topic treated as priority in these fora;
16. *Calls upon* UNEP to investigate and address the problem of underwater munitions on a global scale, bearing in mind the implications for human health and safety, and the conservation of protected species and their habitats;
17. *Invites* UNEP to consider creating a mechanism, such as a joint task force which might include the Regional Seas Conventions, the CMS Family and other relevant intergovernmental organizations, to address this issue in a coordinated fashion and facilitates knowledge exchange;
18. *Recommends* that based on work done, e.g. under the auspices of OSPAR, HELCOM, NATO and national governments and involving all relevant stakeholders and organizations, ideally under UNEP's leadership, international guidelines for removal of munitions be developed, which should cover *inter alia*:
 - (a) using a precautionary approach when choosing mitigation and removal methods;
 - (b) taking into account wider environmental effects, potential negative impacts for marine life, costs and risk to human health and safety, when deciding on removal and choosing mitigation and removal techniques;
 - (c) advising on methods of removal other than targeted detonations;
 - (d) advising on alternative technologies such as the use of underwater robotics, water abrasive suspension cutting or mobile detonation chambers and the circumstances under which these might safely be applied;
 - (e) advising on possible mitigation techniques to be employed when no alternatives to detonation are feasible, such as techniques to reduce the shock and acoustic waves, dedicated visual and passive acoustic observation techniques to increase detection of cetaceans and the additional use of acoustic deterrents to reduce the risk of harm to marine mammals;
19. *Further recommends* that an international conference be held on the issue, ideally under UNEP's leadership in partnership with NATO, ensuring that an overview of the status of knowledge and practices in different parts of the world is gained and that cooperation can be fostered for capacity-building;
20. *Invites* NATO and national armed forces to continue to take a leading role in efforts to detect, categorize and remove, in the most environmentally-friendly way feasible, any potentially hazardous underwater munitions, and *welcomes* the planned workshop in October 2016 in Bulgaria;

21. *Requests* the Secretariat to collaborate with UNEP, HELCOM, OSPAR and other relevant regional and international organizations in addressing this issue; and

22. *Requests* the Advisory Committee to continue looking for new available information on impacts of underwater munitions and their removal on cetaceans and to make recommendations to Parties as appropriate.

Resolution No. 9:

Managing Cumulative Anthropogenic Impacts in the Marine Environment

Aware that human activities introduce a great variety of threats and pressures into the marine environment, the impacts of which on marine mammals range from direct mortality, to injury, to fitness impairments, and to disturbance, as well as indirect effects on habitat quality and prey availability;

Concerned that cetaceans face multiple, cumulative and often synergistic threats with possible effects over vast areas, jeopardizing their favourable conservation status, the achievement of which constitutes the principal aim of ASCOBANS, CMS and European Union legislation such as the Habitats Directive and the Marine Strategy Framework Directive;

Reaffirming that the objective of ASCOBANS is to restore and/or maintain biological or management units of small cetaceans to/at the level they would reach when there is the lowest possible anthropogenic influence, and that the general aim remains to minimize, i.e. to ultimately reduce to zero, anthropogenic removals;

Conscious that not all of the direct or less direct impacts on cetaceans have been, and in some cases cannot be, quantified to a satisfactory degree, but that governments need to make decisions on the use of the marine environment;

Recognizing the efforts under OSPAR, HELCOM, the HELCOM VASAB MSP Working Group and the European Union, through policies such as the Marine Strategy Framework Directive, the Maritime Spatial Planning Directive, the Environmental Impact Assessment Directive and the Strategic Environmental Assessment Directive, to integrate the management of all human activities influencing the marine environment;

Noting also other related resolutions adopted at this meeting, in particular Resolution No. 5 on Monitoring and Mitigation of Small Cetacean Bycatch, Resolution No. 6 on Ocean Energy, Resolution No. 7 on Impacts of Polychlorinated Biphenyls (PCBs), Resolution No. 8 on Addressing the Threats from Underwater Munitions and Resolution No. 11 on CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities;

The Meeting of the Parties to ASCOBANS

23. *Urges* Parties to continue to give their full support to the activities related to applying an ecosystem approach to the management of human activities under the frameworks of OSPAR, HELCOM, the European Union and the Convention in Biological Diversity;

24. *Strongly encourages* Parties to use their influence to ensure that issues pertinent to the conservation of cetaceans are fully taken into account in all relevant regional and international fora;

25. *Calls upon* Parties to ensure that cross-sectoral and transboundary consultations take place as early as the planning stage of activities in marine areas (maritime spatial planning) with the aim of identifying potential impacts on cetaceans and the wider marine environment and minimizing or mitigating such impacts effectively;

26. *Strongly recommends* making full use of strategic and environmental impact assessments of marine areas (maritime spatial planning) that take into account:

- (a) other pressures on marine mammals making use of the area;
- (b) potential consequences beyond the immediate physical location of that activity, such as the emission of sounds or the spread of pollutants;

27. *Recommends* measures aimed at minimizing the exposure of animals and impacts on the wider marine environment, such as:

- (a) introducing management cycles, for example, an annual application deadline, enabling decision-makers to review project proposals and related EIAs collectively;
- (b) encouraging cross-company collaboration, such as mitigation measures for activities occurring in one area at the same time;
- (c) encouraging, within the framework of national legislation, that appropriate seismic survey data be made public in order to eliminate the need for duplicate surveys;
- (d) introducing zero-sum management requiring a documented reduction of impacts before additional activities can be permitted;
- (e) requiring, where available, the use of alternative and/or new technologies to avoid negative impacts, including technologies that mitigate bycatch or reduce noise emissions during seismic surveys and wind farm construction;

28. *Further recommends* that in order to improve the conservation outcomes of decisions on human activities in the marine environment and in application of the precautionary principle:

- (a) potential impacts of all activities, including chronic, cumulative and synergistic impacts on cetaceans, be taken into account;
- (b) uncertainty be integrated into management frameworks setting environmental limits and triggers, or recovery and conservation targets;
- (c) the collection of data be required to determine the extent to which the ecosystem will be altered and the likely resulting impacts, and this data be made publicly accessible to facilitate management decisions and Environmental Impact Assessments in both the short- and the long-term;

29. *Calls upon* Parties and *invites* non-Party Range States to collaborate closely with neighbouring states when reviewing the potential impact of planning decisions on cetaceans and their habitats, and to consider:

- (a) appropriate ways of undertaking such reviews collectively;
- (b) ways of taking into account effects of activities requiring licensing, as well as of those not carried out under specific permits;
- (c) acceptable mechanisms for sharing the burden of effects and impacts of activities between countries;

30. *Welcomes* the efforts of the private sector and other stakeholders to reduce their environmental impact and *strongly encourages* them to continue making this a priority;

31. *Urges* the private sector and other stakeholders to undertake baseline monitoring and controlled impact studies prior to planning new activities in an area; and

32. *Requests* the Advisory Committee to continue monitoring new available information on cumulative anthropogenic impacts in the marine environment and their effective management and mitigation and to make recommendations to Parties as appropriate.

Resolution No. 10:

Small Cetacean Stranding Response

Recalling that the Conservation and Management Plan annexed to the Agreement stipulates that “each Party shall endeavour to establish an efficient system for reporting and retrieving by-catches and stranded specimens and to carry out, in the framework of the studies mentioned above, full autopsies in order to collect tissues for further studies and to reveal possible causes of death and to document food composition”;

Recognizing that information collected from necropsies of stranded and bycaught animals is crucial for improving the understanding of causes of mortality, as well as population health and reproductive status;

Emphasizing the importance of standardizing necropsy protocols throughout the Agreement Area, and if possible beyond, in order to ensure data collected are comparable and of high quality;

Recalling that the Conservation and Management Plan annexed to the Agreement stipulates that “Parties shall endeavour to establish the obligation to release immediately any animals caught alive and in good health”, and *noting* that the principle should apply to live stranded animals as well;

Commending the efforts of stranding networks which have resulted in large numbers of animals having been rescued and returned to the sea throughout the ASCOBANS Area;

Mindful that effective responses to live strandings not only contribute to achieving and maintaining a favourable conservation status of small cetaceans, but also have significant animal welfare implications;

Noting related decisions adopted by the Meeting of the Parties to ACCOBAMS, in particular Resolution 4.16 on Guidelines for a Coordinated Cetacean Stranding Response;

Aware of ongoing work on the subjects of necropsy protocols and guidance for stranding responses in the frameworks of the International Whaling Commission (IWC), ACCOBAMS and the European Cetacean Society, as well as of related national and transboundary activities;

The Meeting of the Parties to ASCOBANS

33. *Encourages* Parties that have not yet done so to establish national strandings response networks fitting to their specific situation which:

- (a) follow best practice guidelines, insofar as available in line with internationally agreed protocols;
- (b) train volunteers on animal welfare as well as on health and safety measures during live stranding events and during the handling of dead cetaceans;
- (c) operate in connection with one nationwide helpline number, if feasible, to make it easy for the public to call for assistance;

- (d) examine stranded cetaceans at post-mortem where appropriate, to establish causes of death and mortality baselines within the ASCOBANS Area;
 - (e) engage in appropriate sampling and make their data and samples available to researchers, contributing to the web-accessed database for marine mammal strandings and necropsy data called for in Resolution No. 4 of MOP7 once this database is defined and created;
34. *Further encourages* Parties to support their stranding networks with the funds necessary to carry out their work, and to facilitate knowledge exchange and capacity-building between networks;
35. *Encourages* Parties, through national stranding networks and relevant institutes, as appropriate, to share experiences, data, samples and research outputs, with their counterparts in other countries in order to help build capacity throughout the ASCOBANS Area, and beyond;
36. *Requests* the Advisory Committee and the Secretariat to engage actively in the ongoing work on best practice guidelines for response to stranding events and establishment of an updated necropsy protocol within the frameworks of the IWC, ACCOBAMS and the European Cetacean Society;
37. *Recommends* that such best practice guidelines for stranding responses and necropsies be developed collaboratively in order to ensure that they are relevant to all regions, covering topics such as:
- (a) appropriate protocols for responses to both live and dead stranded cetaceans;
 - (b) exchange of experiences, case studies, and other relevant information at both a national and international level;
 - (c) training and capacity-building;
 - (d) health and safety considerations;
38. *Further recommends* that a repository for the dissemination of best practice on strandings response, including national strandings response strategies, appropriate training materials, euthanasia, necropsy protocols etc. be established, possibly under the framework of the IWC, to allow stranding networks access to relevant information;
39. *Also recommends* that basic advice to the general public be provided on animal welfare and on human health and safety considerations during live stranding events and when encountering dead cetaceans;
40. *Further recommends* that a core post-mortem protocol be developed and widely disseminated, covering sampling and diagnostic techniques, in order to harmonize data collection and interpretation, and supplemented by more detailed protocols for the investigation of specific causes of mortality such as bycatch, ship-strike, underwater noise and marine pollution;
41. *Calls on* Parties to provide sufficient funding and support for:
- (a) the post-mortem examination of a relevant proportion of the number of available stranded animals;
 - (b) research focusing on the further improvement of techniques;
 - (c) the periodic revision and update of the protocols as required;

- (d) the creation and maintenance of a web-accessed database for marine mammal strandings and necropsy data called for in Resolution No. 4 of MOP7; and

42. *Requests* the Advisory Committee to continue monitoring new information on the causes of strandings and mortality of cetaceans, as well as best practice guidance on stranding responses and necropsies, and to make recommendations to Parties as appropriate.

Resolution No. 11:

CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities

Mindful that Parties to CMS, ACCOBAMS and ASCOBANS have in several resolutions recognized underwater noise as a major threat to many marine species;

Recalling that the Conservation and Management Plan annexed to the Agreement stipulates that ASCOBANS work towards “the prevention of other significant disturbance, especially of an acoustic nature”;

Further recalling Resolution No. 2 of MOP6 on Adverse Effects of Underwater Noise on Marine Mammals during Offshore Construction Activities for Renewable Energy Production and Resolution No. 4 of MOP5 on Adverse Effects of Sound, Vessels and Other Forms of Disturbance on Small Cetaceans;

Also recalling related decisions adopted by the Conference of the Parties to CMS, in particular Resolution 9.19 on Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other Biota, and Resolution 10.24 on Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Migratory Species;

Noting related decisions adopted by the Meeting of the Parties to ACCOBAMS, in particular Resolution 4.17 on Guidelines to Address the Impact of Anthropogenic Noise on Cetaceans in the ACCOBAMS Area, and Resolution 5.15 on Addressing the Impact of Anthropogenic Noise;

Aware that these resolutions also call for noise-related considerations to be already taken into account in the planning stages of activities, especially by making effective use of Environmental Impact Assessments (EIA);

Reaffirming that the difficulty of proving detrimental effects of acoustic disturbance on cetaceans necessitates a precautionary approach in dealing with this issue;

Grateful to the Principality of Monaco for providing funds for the development of these guidelines for the CMS Family under the Migratory Species Champion Programme, and to OceanCare for co-funding the project;

Expressing thanks to the experts that contributed to the development of this document, as well as to focal points and members of the scientific advisory bodies and working groups of CMS, ACCOBAMS and ASCOBANS that provided input and comments;

Recognizing that anthropogenic marine noise affects many species, and that the adoption of guidelines for environmental impact assessments for marine noise-generating activities would benefit a number of CMS species, including cetaceans, pinnipeds, marine turtles and sharks;

Noting also other related resolutions adopted at this meeting, in particular Resolution No. 6 on Ocean Energy, Resolution No. 8 on Addressing the Threats from Underwater Munitions and Resolution No. 9 on Managing Cumulative Anthropogenic Impacts in the Marine Environment;

The Meeting of the Parties to ASCOBANS

1. *Notes and welcomes* the progress on the “CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities” presented in ASCOBANS/MOP8/Doc.6.2.7.b;
2. *Agrees* that there is a need for further updates to the document and *invites* CMS to establish a process allowing Parties to CMS, ACCOBAMS and ASCOBANS and Signatories to relevant Memoranda of Understanding to contribute further to the document’s development;
3. *Recognizes* the broad scope of the guidelines and therefore *invites* CMS to consider the adoption of revised “CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities” at the 12th Meeting of the Conference of the Parties;
4. *Recognizes* that the work done in relation to underwater noise is rapidly evolving, and *invites* the CMS Scientific Council, in collaboration with the Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS, to review and update such guidelines regularly, as appropriate;
5. *Invites* the private sector and other stakeholders to take note of the development of these draft guidelines in assessing, mitigating and minimizing the negative effects of sound on marine species;
6. *Welcomes* the efforts of the private sector and other stakeholders to reduce anthropogenic noise in the marine environment and *strongly encourages* them to continue making this a priority;
7. *Requests* the Advisory Committee, supported by the Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS, to continue monitoring new available information on the effects of underwater noise on cetaceans and their prey species, as well as the effective assessment and management of this threat, and to make recommendations to Parties as appropriate; and
8. *Requests* the Advisory Committee, supported by the Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS, to engage and collaborate with other relevant bodies considering anthropogenic noise, including the IWC, ICES, HELCOM and OSPAR.

Resolution No. 12:

Management of Expenditures between 2012 and 2015

Recalling ASCOBANS Resolution 7.5 on Management of Expenditures between 2009 and 2011, adopted by the 7th Meeting of the Parties in Brighton, United Kingdom, in October 2012;

Appreciating that the financial situation of the Agreement has continued to be at a satisfactory level since the previous Session as a result of voluntary support received and careful stewardship by the Secretariat;

Giving special thanks to the German Government for providing, and agreeing to continue to provide, the accommodation for the Secretariat rent-free and its annual voluntary contribution in support of special measures and projects aimed at improving the implementation of the Agreement;

Acknowledging with appreciation also the additional support provided voluntarily by the Governments of France, the Netherlands and the United Kingdom to contribute to the implementation of the Agreement;

The Meeting of the Parties to ASCOBANS

1. *Discharges* and *approves* the expenditures for the years 2012 to 2015 attached as Annex 1 to this resolution; and
2. *Decides* that the expenditures for the year 2016 onwards should be discharged and approved by the 9th Meeting of Parties (MOP9) in 2020.

Annex 1 to Resolution 8.12

United Nations Environment Programme

General Trust Fund for the Conservation of Small Cetaceans of the Baltics and North Seas (ASCOBANS) (Fund code: BAL)	
I. Statement of income and expenditure and changes in reserves and fund balances for the first one year ended at 31 December 2012 of the biennium 2012-2013 (United States Dollars)	
	Total 2012
Income	
Voluntary contributions	253,231
Other/Miscellaneous:	
Interest income	2,220
Total income	255,451
Expenditure	
Staff and other personnel costs	147,299
Contractual services	29,445
Travel	5,845
Operating expenses	40,282
Exchange losses	12,087
Acquisitions	2,420
Programme support costs	29,288
Total Expenditure	266,666
Net excess/(shortfall) of income over expenditure	(11,215)
Fund balances, beginning of period	76,911
Fund balances, end of period	65,696
Reserves, beginning of period	87,542
Reserves, end of period	87,542
Total reserves and fund balances	153,238
II. Statement of assets, liabilities, reserves and fund balances as at 31 December 2012 (United States Dollars)	
	Total 2012
Assets	
Cash pool - US dollar	108,322
Cash pool - Euro	34,380
Accounts receivable:	
Voluntary contributions receivable	32,645
Other accounts receivable	486
Total assets	175,833
Liabilities	
Unliquidated obligations	13,872
Accounts payable:	
Inter-fund payable	8,717
Other accounts payable	6
Total liabilities	22,595
Reserves and fund balances	
Operating reserves	87,542
Cumulative surplus	65,696
Total reserves and fund balances	153,238
Total liabilities, reserves and fund balances	175,833
 Jeremiah Atuke Chief ACCOUNTS SECTION BUDGET AND FINANCIAL MANAGEMENT SERVICE, UNON	
 United Nations Office ACCOUNTS SECTION Budget and Financial Management Service 3 September 2013 	

United Nations Environment Programme

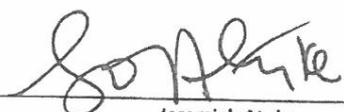
Support of the ASCOBANS Secretariat
(Fund code: QVL)

I. Statement of income and expenditure and changes in reserves and fund balances
for the first one year ended at 31 December 2012 of the biennium 2012-2013
(United States Dollars)

	Total 2012
Income	
Voluntary contributions	80,971
Other/Miscellaneous:	
Interest income	755
Total Income	81,726
Expenditure	
Contractual services	6,359
Operating expenses	16,689
Exchange losses	3,790
Programme support costs	2,766
Total Expenditure	29,604
Net excess/(shortfall) of income over expenditure	52,122
Fund balances, beginning of period	38,286
Fund balances, end of period	90,408
Reserves, end of period	-
Total reserves and fund balances	90,408

II. Statement of assets, liabilities, reserves and fund balances
as at 31 December 2012
(United States Dollars)

	Total 2012
Assets	
Cash pool - US dollar	79,633
Cash pool - Euro	25,424
Total assets	105,057
Liabilities	
Unliquidated obligations	6,085
Accounts payable:	
Inter-fund payable	5,977
Other accounts payable	2,587
Total liabilities	14,649
Reserves and fund balances	
Cumulative surplus	90,408
Total reserves and fund balances	90,408
Total liabilities, reserves and fund balances	105,057

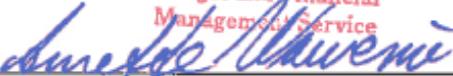

 Jeremiah Atuke
 Chief
 ACCOUNTS SECTION
 BUDGET AND FINANCIAL MANAGEMENT SERVICE, UNON

20 September 2013


United Nations Environment Programme

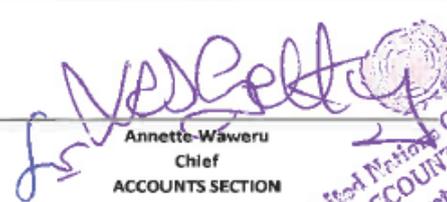
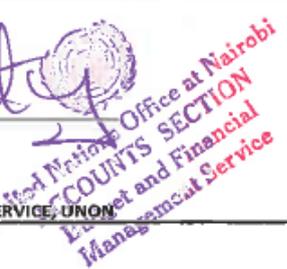
General Trust Fund for the Conservation of Small Cetaceans of the Baltic, North East Atlantic and North Seas (ASCOBANS) (Fund code: BAL)	
I. Statement of income and expenditure and changes in reserves and fund balances for the period of the biennium 2012-2013 (United States Dollars)	
	Total
	2013
Income	
Voluntary contributions	497,834
Other/Miscellaneous:	
Interest income	3,151
Total Income	500,985
Expenditure	
Staff and other personnel costs	300,344
Contractual services	50,195
Travel	12,852
Operating expenses	61,053
Exchange losses	9,541
Acquisitions	4,012
Programme support costs	53,634
Total Expenditure	491,631
Net excess/(shortfall) of income over expenditure	9,354
Fund balances, beginning of period	76,911
Fund balances, end of period	86,265
Reserves, beginning of period	87,542
Reserves, end of period	87,542
Total reserves and fund balances	173,807
II. Statement of assets, liabilities, reserves and fund balances as at 31 December 2013 (United States Dollars)	
	Total
	2013
Assets	
Cash pool - US dollar	173,371
Cash pool - Euro	2,911
Accounts receivable:	
Voluntary contributions receivable	3,692
Inter-fund receivable	6,080
Other accounts receivable	561
Other assets	16,482
Total assets	203,097
Liabilities	
Unliquidated obligations	388
Accounts payable:	
Other accounts payable	12,420
Other liabilities	16,482
Total liabilities	29,290
Reserves and fund balances	
Operating reserves	87,542
Cumulative surplus	86,265
Total reserves and fund balances	173,807
Total liabilities, reserves and fund balances	203,097
 United Nations Office at Nairobi ACCOUNTS SECTION Budget and Financial Management Service  Annette Waweru Officer in Charge ACCOUNTS SECTION BUDGET AND FINANCIAL MANAGEMENT SERVICE, UNON	
	 23 July 2014

United Nations Environment Programme

Support of the ASCOBANS Secretariat (Fund code: QVL)	
I. Statement of income and expenditure and changes in reserves and fund balances for the period of the biennium 2012-2013 (United States Dollars)	
	Total 2013
Income	
Voluntary contributions	114,134
Other/Miscellaneous:	
Interest income	1,407
Total Income	115,541
Expenditure	
Contractual services	37,590
Operating expenses	48,247
Exchange losses	3,056
Programme support costs	10,929
Total Expenditure	99,822
Net excess/(shortfall) of income over expenditure	15,719
Fund balances, beginning of period	38,286
Fund balances, end of period	54,005
Reserves, end of period	-
Total reserves and fund balances	54,005
II. Statement of assets, liabilities, reserves and fund balances as at 31 December 2013 (United States Dollars)	
	Total 2013
Assets	
Cash pool - US dollar	98,356
Cash pool - Euro	1,652
Accounts receivable:	
Inter-fund receivable	3,485
Other assets	1,724
Total assets	105,217
Liabilities	
Unliquidated obligations	49,488
Other liabilities	1,724
Total liabilities	51,212
Reserves and fund balances	
Cumulative surplus	54,005
Total reserves and fund balances	54,005
Total liabilities, reserves and fund balances	105,217
 United Nations Office at Nairobi ACCOUNTS SECTION Budget and Financial Management Service  Annette Waweru Officer in Charge ACCOUNTS SECTION BUDGET AND FINANCIAL MANAGEMENT SERVICE, UNON <div style="float: right; text-align: right;">  23 July 2014 </div>	

General Trust Fund for the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (Fund code: BAL)	
I. Statement of Financial Performance for the year ended 31 December 2014 (United States Dollars)	
	Total 2014
Revenue	
Assessed Contributions	260,989
Investment Revenue	1,348
Total Revenue	262,337
Expenses	
Employee salaries, allowances and benefits	146,398
Non-employee compensation and allowances	5,073
Grant and other transfers	33,802
Travel	13,549
Other Operating expenses	7,551
Programme Support costs	29,402
Total expenses	235,775
Surplus/(deficit) for the period	26,562
II. Statement of Financial Position as at 31 December 2014 (United States Dollars)	
Current Assets	
Cash and Cash Equivalents	49,179
Short-term investments	95,447
Assessed contributions Receivable	2,612
Total Current Assets	147,238
Non-Current Assets	
Long-term investments	81,036
Property, Plant and Equipment	550
Total Non-Current Assets	81,586
Total Assets	228,824
Current Liabilities	
Accounts Payable and Accrued Payables	9,677
Employee benefits	126
Other Liabilities	18,009
Total Current Liabilities	27,806
Total Liabilities	27,806
Net Assets	201,018
Total Liabilities & Net assets	228,824
III. Statement of Changes in Net Assets for the year ended 31 December 2014 (United States Dollars)	
	Total 2014
Net Assets:	
Accumulated surpluses/ (deficits) - unrestricted	173,807
IPSAS adjustment	649
Restated Balance	174,455
Excess/ (Deficit) of Revenue over expenditure for period	26,562
Total Net Assets	201,018
 Annette Waweru Chief ACCOUNTS SECTION BUDGET AND FINANCIAL MANAGEMENT SERVICE, UNON	
20/08/2015	

United Nations Office at Nairobi
 ACCOUNTS SECTION
 Budget and Financial
 Management Service

Support of the ASCOBANS Secretariat (Fund code: QVL)	
I. Statement of Financial Performance for the year ended 31 December 2014 (United States Dollars)	
	Total 2014
Revenue	
Voluntary Contributions	31,220
Investment Revenue	486
Total Revenue	31,705
Expenses	
Non-employee compensation and allowances	24,574
Grant and other transfers	4,208
Other Operating expenses	29,543
Other expenses	48
Programme Support costs	3,906
Total expenses	62,279
Surplus/(deficit) for the period	(30,574)
II. Statement of Financial Position as at 31 December 2014 (United States Dollars)	
	Total 2014
Current Assets	
Cash and Cash Equivalents	17,730
Short-term investments	34,410
Voluntary Contributions Receivable	1,102
Total Current Assets	53,242
Non-Current Assets	
Long-term investments	29,215
Total Non-Current Assets	29,215
Total Assets	82,457
Current Liabilities	
Accounts Payable and Accrued Payables	3,049
Other Liabilities	6,491
Total Current Liabilities	9,539
Total Liabilities	9,539
Net Assets	72,918
Total Liabilities & Net assets	82,457
III. Statement of Changes In Net Assets for the year ended 31 December 2014 (United States Dollars)	
	Total 2014
Net Assets:	
Accumulated surpluses/ (deficits) - unrestricted	54,004
IPSAS adjustment	49,488
Restated Balance	103,492
Excess/ (Deficit) of Revenue over expenditure for period	(30,574)
Total Net Assets	72,918
	
Annette Waweru Chief ACCOUNTS SECTION BUDGET AND FINANCIAL MANAGEMENT SERVICE, UNON	
24/08/2015	
	

General Trust Fund for the Conservation of Small Cetaceans of the Baltics and North Seas (ASCOBANS) (Fund code: BAL)	
I. Statement of Financial Performance for the year ended 31 December 2015 (United States Dollars)	
	Total 2015
Revenue	
Assessed Contributions	220,975
Investment Revenue	331
Total Revenue	221,306
Expenses	
Employee salaries, allowances and benefits	132,609
Non-employee compensation and allowances	14,891
Grant and other transfers	2,764
Travel	17,356
Other Operating expenses	24,877
Other expenses	5,098
Programme Support costs	23,398
Total expenses	220,993
Surplus/(deficit) for the period	313
II. Statement of Financial Position as at 31 December 2015 (United States Dollars)	
	Total 2015
Current Assets	
Cash and Cash Equivalents	34,667
Short-term investments	106,903
Assessed contributions Receivable	2,337
Other Receivables	148
Total Current Assets	144,055
Non-Current Assets	
Long-term investments	71,730
Total Non-Current Assets	71,730
Total Assets	215,785
Current Liabilities	
Accounts Payable and Accrued Payables	14,454
Total Current Liabilities	14,454
Non current Liabilities	
Total Liabilities	14,454
Net Assets	201,331
Total Liabilities & Net assets	215,785
III. Statement of Changes in Net Assets for the year ended 31 December 2015 (United States Dollars)	
	Total 2015
Net Assets:	
Accumulated surpluses/ (deficits) - unrestricted	113,476
Restated Balance	113,476
Excess/ (Deficit) of Revenue over expenditure for period	313
Reserves	87,542
Total Net Assets	201,331
 Annette Waweru Chief ACCOUNTS SECTION BUDGET AND FINANCIAL MANAGEMENT SERVICE, UNON	
04/08/2016	

Support of the ASCOBANS Secretariat (Fund code: QVL)	
I. Statement of Financial Performance for the year ended 31 December 2015 (United States Dollars)	
	Total 2015
Revenue	
Voluntary Contributions	41,740
Investment Revenue	214
Total Revenue	41,954
Expenses	
Other Operating expenses	7,453
Other expenses	1,443
Programme Support costs	(88)
Total expenses	8,808
Surplus/(deficit) for the period	33,146
II. Statement of Financial Position as at 31 December 2015 (United States Dollars)	
	Total 2015
Current Assets	
Cash and Cash Equivalents	17,550
Short-term investments	54,119
Voluntary Contributions Receivable	140
Total Current Assets	71,809
Non-Current Assets	
Long-term investments	36,313
Total Non-Current Assets	36,313
Total Assets	108,122
Current Liabilities	
Accounts Payable and Accrued Payables	2,057
Total Current Liabilities	2,057
Non current Liabilities	
Total Liabilities	2,057
Net Assets	106,065
Total Liabilities & Net assets	108,122
III. Statement of Changes in Net Assets for the year ended 31 December 2015 (United States Dollars)	
	Total 2015
Net assets at the beginning of the period	72,919
Excess/ (Deficit) of Revenue over expenditure for period	33,146
Net assets, end of period	106,065
 United Nations Office at Nairobi ACCOUNTS SECTION Budget and Financial Management Service  Annette Waweru Chief ACCOUNTS SECTION BUDGET AND FINANCIAL MANAGEMENT SERVICE, UNON	
	25/08/2016

Resolution No. 13:

Financial and Administrative Matters 2017-2020

Recalling Article 6.1 c) of the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (hereinafter referred to as "the Agreement"), which states that the Meeting of Parties shall consider and decide upon "the establishment and review of financial arrangements and the adoption of a budget for the forthcoming three years";

Having regard to Article 7 of the Agreement, which states that the Parties agree to share the cost of the budget according to the United Nations Scale of Assessment and that these sums shall be paid to the government or international organization hosting the Secretariat;

Appreciating that the financial situation of the Agreement has continued at a satisfactory level since the previous Session as a result of voluntary support received and careful stewardship by the Secretariat;

Giving special thanks to the Government of Germany for providing, and agreeing to continue to provide, the accommodation for the Secretariat on a rent-free basis and its annual voluntary contribution in support of special measures and projects aimed at improving the implementation of the Agreement;

Acknowledging with appreciation also the additional support provided on a voluntary basis by the Government of the United Kingdom and the Government of the Netherlands to contribute to the implementation of the Agreement;

Recognizing the need to provide sufficient resources, including manpower, to enable the Secretariat of the Agreement to continue to carry out the Agreement's Work Plan and to serve its Parties;

Appreciating the willingness of the Parties to the Convention on Migratory Species (CMS) to continue to provide Secretariat services to ASCOBANS (CMS Resolution 11.1, Quito, Ecuador, November 2014);

The Meeting of the Parties to ASCOBANS

3. *Adopts* the budget for 2017-2020 attached as Annex 1 to this resolution;
4. *Decides* to maintain the current staffing structure, although a majority of Parties expressed the wish that the structure be changed to reflect more accurately the responsibilities of the Secretariat;
5. *Acknowledges* the need for further discussion, in consultation with CMS, on funding and staffing arrangements to ensure the long-term viability of the Agreement;
6. *Further adopts* the scale of annual contributions, based on the UN Scale of Assessment, as listed in Annex 2 to the present resolution and *decides* to apply that scale pro rata to new Parties;
7. *Agrees* that the maximum contribution shall be restricted to 20 per cent of the total budget;

8. *Reiterates* that in accordance with Paragraph 7.2 of the Agreement, the annual contributions are to be paid as soon as practicable after the end of March and no later than the end of June of the calendar year to which they relate;
9. *Decides* that all contributions to the Trust Fund shall be paid in Euros;
10. *Further decides* that there shall be maintained a working capital at a constant level of at least 15 per cent of estimated annual expenditure or three months' salaries, whichever is higher;
11. *Requests* Parties that are required to pay a small contribution to consider paying for the whole financial period in one instalment;
12. *Decides* to continue the current Secretariat arrangements and therefore *decides* that the UNEP/CMS Secretariat shall continue to serve as the Secretariat pursuant to provision No. 4 of the ASCOBANS Agreement;
13. *Instructs* the Secretariat to allocate the contributions of Parties that accede to the Agreement after 1 January 2017 towards the funding of approved activities not covered by the core budget;
14. *Further instructs* the Secretariat to report on its income and expenditure to the Advisory Committee at each of its meetings, and to report back to the Meeting of Parties at its next session;
15. *Requests* the Secretariat to monitor carefully exchange rate fluctuations and adjust levels of expenditure, where necessary;
16. *Authorizes* the Advisory Committee to decide upon withdrawals from the Trust Fund of the core budget reserve in the event of unforeseen major shortfalls on established budget lines and subject to the provision of satisfactory documentation by the Secretariat;
17. *Authorizes* the Secretariat, subject to paragraph 6 above, to approve withdrawals from the fund balance to finance conservation projects approved by the Parties;
18. *Invites* Parties and Non-Party Range States, governmental, intergovernmental and non-governmental organizations to make voluntary contributions towards special activities for the implementation of the Agreement;
19. *Encourages* Parties to consider financing Junior Professional Officers and/or providing technical experts to the Secretariat to increase its capacity in line with UN Rules and Regulations;
20. *Requests* the Secretariat to provide Parties with a detailed list of ongoing and future activities and projects not covered by the core budget, to assist Parties and others to identify those they intend to fund;
21. *Requests* the Executive Director of UNEP to extend the duration of the Trust Funds to 31 December 2020;
22. *Requests* the Executive Director of UNEP to consider, as appropriate, providing financial support for special activities;
23. *Approves* the Terms of Reference for the administration of the Trust Funds, as set out in Annex 3 to this Resolution, for the period 2017-2020.

Annex 1 to Resolution 8.13

Budget Estimates for 2017-2020– ASCOBANS Trust Fund (BA) in Euro

YEAR	2017	2018	2019	2020	TOTAL
BUDGET ITEM	EUR	EUR	EUR	EUR	BUDGET
STAFF PERSONNEL					
Executive Secretary (D1) - 3%	6,259	6,384	6,512	6,642	25,797
CMS Senior Advisor (P4) - 15%	22,808	23,264	23,729	24,204	94,006
Associate Coordination Officer (P2) - 75%	77,995	79,555	81,146	82,769	321,466
Administrative Assistant (GS-5) - 50%	34,053	34,734	35,429	36,137	140,354
Coordination for Harbour Porpoise Action Plans	-	-	-	-	-
Consultants	2,000	2,000	2,000	4,000	10,000
STAFF PERSONNEL TOTAL	143,115	145,938	148,816	153,753	591,622
TRAVEL					
Staff Travel	5,000	5,100	5,202	5,306	20,608
Experts Travel	1,800	1,836	1,873	1,910	7,419
TRAVEL TOTAL	6,800	6,936	7,075	7,216	28,027
GRANTS OUT					
Conservation Projects	-	-	-	-	-
GRANTS OUT TOTAL	-	-	-	-	-
MEETINGS					
Meeting of Parties	-	-	-	3,877	3,877
Meeting of the Advisory Committee	3,654	3,727	3,801	-	11,182
Meeting of Working Groups	1,000	1,000	1,000	1,000	4,000
MEETINGS TOTAL	4,654	4,727	4,801	4,877	19,059

YEAR	2017	2018	2019	2020	TOTAL
BUDGET ITEM	EUR	EUR	EUR	EUR	BUDGET
EXPENDABLE & NON-EXPENDABLE EQUIPMENT					
Office Supplies	500	510	520	531	2,061
Office Equipment	900	900	900	900	3,600
EXPENDABLE & NON-EXPENDABLE EQUIPMENT TOTAL	1,400	1,410	1,420	1,431	5,661
OPERATING COSTS					
Operation/Maintenance Computers	200	204	208	212	824
IT Services	10,200	10,404	10,612	10,824	42,040
Operation/Maintenance of Printers	300	306	312	318	1,236
Information Material/Outreach and Education Work	1,500	1,530	1,561	1,592	6,182
Reference Material	120	122	125	127	495
Website Maintenance and Development	2,000	2,040	2,081	2,122	8,243
Telephone and Fax, Postage and Miscellaneous	1,000	1,020	1,040	1,061	4,122
OPERATING COSTS TOTAL	15,320	15,626	15,939	16,258	63,143
SUB-TOTAL	171,289	174,637	178,051	183,534	707,511
UN-PSC - 13%	22,268	22,703	23,147	23,859	91,976
GRAND TOTAL	193,556	197,339	201,198	207,394	799,488

Annex 2 to Resolution 8.13

Scale of Contributions by Parties to the UNEP/ASCOBANS Trust Fund for 2017-2020 in Euro

Country	Scale of Assessment			2017	2018	2019	2020
	2016-2018	UN Scale %	ASCOBANS %				
Belgium	0.885	4.2%	6.7%	12,987	13,241	13,500	13,915
Denmark	0.584	2.8%	4.4%	8,570	8,737	8,908	9,183
Finland	0.456	2.2%	3.5%	6,692	6,822	6,956	7,170
France	4.859	23.2%	20.0%	38,711	39,468	40,240	41,479
Germany	6.389	30.4%	20.0%	38,711	39,468	40,240	41,479
Lithuania	0.072	0.3%	0.5%	1,057	1,077	1,098	1,132
Netherlands	1.482	7.1%	11.2%	21,748	22,173	22,606	23,302
Poland	0.841	4.0%	6.4%	12,341	12,582	12,828	13,224
Sweden	0.956	4.6%	7.2%	14,029	14,303	14,583	15,032
United Kingdom	4.463	21.3%	20.0%	38,711	39,468	40,240	41,479
Total	20.987	100.0%	100.0%	193,556	197,339	201,198	207,394

Annex 3 to Resolution 8.13

Terms of Reference for the Administration of the Trust Funds for the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish And North Seas

1. The Trust Funds for the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (hereinafter referred to as the Trust Funds) shall be extended for a period of four years to provide financial support for the aims of the Agreement.
2. The financial period for budgeting and reporting purposes of the Agreement shall be the period beginning 1 January 2017 and ending 31 December 2020.
3. The Trust Funds shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP.
4. The administration of the Trust Funds shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations and other administrative policies or procedures promulgated by the Secretary-General of the United Nations.
5. In accordance with United Nations rules, UNEP shall deduct from the expenditure of the Trust Funds an administrative charge equal to 13 per cent of the expenditure charged to the Trust Funds in respect of activities financed under the Trust Fund.
6. In the event that the Parties wish the Trust Funds to be extended beyond the financial period, the Executive Director of UNEP shall be so advised in writing immediately after the eighth session of the Meeting of Parties. It is understood that such extension of the Trust Funds shall be decided at the discretion of the Secretary-General of the United Nations.
7. The financial resources of the Trust Funds for 2017-2020 shall be derived from:
 - (a) The contributions made by the Parties by reference to Annex 2, including contributions from any new Parties; and
 - (b) Further contributions from Parties and contributions from States not Parties to the Agreement, other governmental, intergovernmental and non-governmental organizations and other sources.
8. All contributions to the Trust Fund shall be paid in Euros. Contributions shall be paid in annual instalments. The contributions shall be due on 1 January for each budget year. Contributions shall be paid into the following account:

UNEP Euro Account
JP Morgan AG
PO Box 60284
Junghoffstr. 14
60311 Frankfurt/Main
Germany
Account No. 6161603755
Bank code number 501 108 00
SWIFT No. CHASDEFX
IBAN: DE 56501108006161603755

9. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the thirtieth day after deposit of the instrument of ratification, acceptance or accession until the end of the financial period) shall be determined pro rata based on the contribution of other States Parties on the same level on the United Nations scale of assessment, as it applies from time to time. However, if the contribution of a new Party determined on this basis were to be more than 20 per cent of the budget, the contribution of that Party shall be 20 per cent of the budget for the financial year of joining (or *pro rata* for a partial year). Contributions of Parties acceding to the Agreement during the ongoing financial period will not be used to reduce the subscriptions of existing Parties during that financial period, but will rather flow into the Trust Fund of the core budget. Contributions for all Parties throughout the financial period shall be based on the UN Scale of Assessments applicable at the time of adoption of this resolution.

10. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Agreement of their assessed contributions.

11. Contributions received into the Trust Funds that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Funds.

12. The Trust Funds shall be subject to audit by the United Nations Board of Auditors.

13. The budget estimates covering the income and expenditure for each of the calendar years constituting the financial period to which they relate, prepared in Euros, shall be submitted to the ordinary session of the Meeting of Parties to the Agreement.

14. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditures, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable.

15. The proposed budget, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least ninety days before the date fixed for the opening of the ordinary session of the Meeting of Parties at which they are to be considered.

16. The budget shall be adopted by a three-quarters majority of the Parties present and voting at the ordinary session.

17. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, who shall seek the advice of the Advisory Committee as to its priorities for expenditure.

18. Commitments against the resources of the Trust Funds may be made only if they are covered by the necessary income of the Agreement.

19. Upon the request of the Secretariat of the Agreement, after seeking the advice of the Advisory Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of any calendar year within the financial period, the Executive Director of UNEP may transfer any uncommitted balance of appropriations to the following calendar year, provided that the total budget approved by the Parties is not exceeded, unless specifically sanctioned by the Advisory Committee.

20. At the end of each calendar year within the financial period⁹, the Executive Director of UNEP shall submit to the Parties, through the Secretariat of the Agreement, the year-end accounts. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period. These shall include full details of actual expenditure compared to the original provisions for each budget line.

21. Those financial reports required to be submitted by the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Agreement to the members of the Advisory Committee.

22. The present terms of reference shall be effective from 1 January 2017 to 31 December 2020.

⁹ The calendar year 1 January to 31 December is the accounting and financial year, but the accounts official closure date is 31 March of the following year. Thus, on 31 March the accounts of the previous year have to be closed, and it is only then that the Executive Director can submit the accounts of the previous calendar year.



ASCOBANS