

REPORT OF THE
7th MEETING OF THE ADVISORY
COMMITTEE

BRUGES, BELGIUM
13-16 MARCH 2000



ASCOBANS
Agreement on the Conservation
of Small Cetaceans of the
Baltic and North Seas

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Executive Summary - Points for Action

Rules of Procedure (Item 2)

The SECRETARIAT will draft an amendment of the Rules of Procedure for the Advisory Committee, making provisions for the possibility that neither the Chairman nor the Vice-Chairman should be available for a Meeting of the Committee.

Quadrennial Workplan 2000 - 2004 (Item 4.1)

The CHAIRMAN, VICE-CHAIRMAN and SECRETARIAT will compile a draft quadrennial workplan to be presented to the Third Meeting of Parties, based in part on the discussions of the four ad hoc working groups established at AC7 and in the plenary of AC7.

Review of bycatch mitigation measures with special reference to the ASCOBANS area (Item 5.1.1)

A report by Andy Read, focussing on mitigation measures applicable to the ASCOBANS area, will be commissioned by the STEERING GROUP with the help of the SECRETARIAT. This report should be available by the end of 2000. Prior to AC8, RANGE STATES will discuss this report at the national level with appropriate stakeholders. In light of these discussions, the report will be evaluated by AC8 in order to formulate advice to Range States.

Disturbance by seismic surveys (Item 5.3)

The SECRETARIAT will formulate a Draft Resolution for the Third Meeting of Parties regarding reduction of disturbance to small cetaceans by seismic surveys, based on the UK guidelines on seismic surveys.

The SECRETARIAT with the help of the VICE-CHAIRMAN will write directly to the IAGC requesting the information needed by ASCOBANS.

Post mortem research and stranding schemes, information submitted by Parties (Item 5.4.1)

PARTIES that have not yet submitted data in response to the Secretariat's questionnaire will do so.

The SECRETARIAT will prepare an overview of the information submitted for consideration by the Third Meeting of Parties.

The collated material should be updated approximately every two years. The SECRETARIAT will liaise on this with PETER EVANS to ensure that information available to ECS is fully used.

PARTIES and OBSERVERS are encouraged to draw up proposals on possible damage to small cetaceans' auditory systems caused by noise.

Pollution issues (Item 5.5.2)

The SECRETARIAT will inform HELCOM and OSPARCOM of ASCOBANS' support for the Pollution 2000+ programme and will again report on ASCOBANS' deliberations on pollution.

The POLLUTION WORKING GROUP is requested to continue its work of monitoring pollution literature, to report to AC8, and to prepare an overview for the next Meeting of Parties, describing the work of ASCOBANS Parties on this subject.

The SECRETARIAT will bring the IWC programme Pollution 2000+ to the attention of ASCOBANS Parties, Range States and observer organisations, with the recommendation that Parties, Range States and observers should contribute to the programme.

Recovery plan for harbour porpoises in the Baltic Sea (Item 5.7)

The CHAIRMAN or VICE-CHAIRMAN will write to Finn Larsen, Chairman of the Baltic Discussion Group, requesting completion of the work of this group.

The BALTIC DISCUSSION GROUP should present a progress or final report to the Third Meeting of Parties.

The CHAIRMAN or VICE-CHAIRMAN will present a brief description of possible elements of the plan to the Third Meeting of Parties.

An ASCOBANS workshop aimed at drafting the Baltic Action Plan will be held by the end of 2000. PARTIES will consider when this workshop should take place and report to the Secretariat. The SECRETARIAT will inform PARTIES of the response to this query.

Fisheries statistics (Item 5.8)

PARTIES will continue to collect data on fishing effort. The information will be submitted to the Secretariat in a format based on the report submitted by Belgium (AC7/Doc. 16), focussing in particular on the types of fisheries relevant to small cetaceans and bycatch.

Southward extension of the Agreement area (Item 6.3.2)

The SECRETARIAT, having ascertained Portugal's possible position on the subject, will write to Spain, suggesting it take the part of lead country in this process.

Any other business

The SECRETARIAT will write to the relevant intergovernmental bodies following AC meetings, enclosing the minutes of the meeting and highlighting points of potential particular interest to that body.

COMMITTEE MEMBERS representing ASCOBANS at various meetings will submit reports (approx. one page in length) to the Secretariat for immediate distribution to Parties. The SECRETARIAT will produce a compilation of these reports.

The EXECUTIVE SECRETARY will write to the European Commission suggesting a meeting between himself, the Chairman and the Vice-Chairman of the AC and the European Commission to discuss issues concerning the upcoming Meeting of Parties.

Report on the 6th Meeting of the Advisory Committee to ASCOBANS

1. Introduction

Mark Tasker, as Chairman in the absence of Peter Reijnders, opened the 7th Meeting of the Advisory Committee at 2 p.m. on 13 March 2000.

Thierry Jacques welcomed participants to Bruges on behalf of the Belgian Government, and the Royal Belgian Institute of Natural Sciences, stating that Belgium shared an interest with all in the conservation of cetaceans. Mr. Jacques pointed out that recently there had been increased strandings of small cetaceans on the Belgian coast. While the cause of this phenomenon was not known, it was having the effect of leading to better coordination between Belgian, Dutch and French colleagues. Stating that in his view conservation started with knowledge, he wished the Meeting every success.

The Chairman expressed his deep regret at the absence of the elected Advisory Committee Chairman Peter Reijnders, and hoped that any problems would be resolved rapidly. He extended a special welcome to the most recent Party to have acceded to the Agreement, Finland, and to those delegates who were attending an Advisory Committee Meeting for the first time.

Germany introduced the new Executive Secretary, Rüdiger Stempel and thanked the former Executive Secretary, Holger Auel, for the excellent work he had done.

On behalf of the Advisory Committee, the Chairman echoed these sentiments in thanking Holger Auel, who had been a very able Executive Secretary.

The representative of Finland, Penina Blankett, stated that Finland was very pleased to be a Party to ASCOBANS. Finland hoped to contribute to the work of the Agreement, although in the last 20 years the harbour porpoise had been a very rare visitor to Finnish waters.

Andres Kruus, the representative of Estonia, also expressed his pleasure at being able to participate in this meeting, stating that he saw the prospect of Estonia's possibly acceding to ASCOBANS at some point in the future.

2. Adoption of the Rules of Procedure

The Chairman pointed out that the Rules of Procedure (AC7/Doc. 2) did not provide any guidance for the eventuality that neither the Chairman nor the Vice-Chairman should be available for a Meeting of the Committee. For this reason, an amendment of the Rules of Procedure should be drafted and discussed at the next Advisory Committee meeting. The Rules of Procedure as amended by the 4th Advisory Committee (Texel 1997) were adopted.

3. Adoption of the Agenda

The Agenda was adopted as amended (attached as Annex 1).

4. Advisory Committee Quadrennial Workplan 2000 – 2004

4.1 Next Quadrennial Workplan

The Advisory Committee acknowledged that in the long run having the ASCOBANS and EUROBATS Meetings of Parties in the same year might lead to administrative difficulties for the Secretariats. For this reason it was agreed that the term between ASCOBANS Third Meeting of Parties and Fourth Meeting of Parties should be extended by one year. The Fourth Meeting of Parties will therefore take place in 2004. After this time, ASCOBANS will return to a three-year term.

The Meeting split into four working groups to consider 1) fisheries, 2) disturbance, 3) education and 4) population status, monitoring etc. requirements and the needs for the next quadrennium. Summaries of their discussions are appended (Annexes 4 - 7). In addition, the Pollution Working Group (Agenda Item 5.5.1) reported back on its intersessional working group. The Chairman, Vice-Chairman and Secretariat will work with these reports to compile a draft Quadrennial Workplan for consideration at the Meeting of Parties.

4.2. Preparations for Third Meeting of Parties

An update on preparations for the upcoming Meeting of Parties in Bristol (AC7/Doc. 6) was presented by the representative of the United Kingdom. The meeting will include a joint business session with Eurobats to discuss the future status of the two Secretariats. A joint reception hosted by the Deputy Minister for the Environment, Chris Mullins MP will be held on Wednesday 26 July 2000. The draft agenda for the Meeting (AC7/Doc. 35) was not considered by the Advisory Committee.

5. Matters related to research

5.1 Bycatch issues

5.1.1 Preparations for the meeting and workshop “A review of bycatch mitigation measures with special reference to the ASCOBANS area”

The Chairman presented an update on progress in preparing the meeting and workshop “A review of bycatch mitigation measures with special reference to the ASCOBANS area”, noting that for a number of reasons little progress had been made. He explained that much to his regret he had not been able to devote as much attention to this project as he would have wished before the last quarter of 1999. At the end of 1999 he had, however, suggested that Andy Read of Duke University, USA be commissioned to draft a paper and that a workshop be held at the end of February 2000, in time for its results to be discussed at the

7th Meeting of the Advisory Committee. Since Parties had considered this timetable to be too tight and there had been no further progress on this issue, he asked Parties to explain how they wished to proceed.

All Parties agreed that this discussion was very important, but opinions differed as to the format of the exercise, the time frame and the preparatory work needed to ensure a successful outcome. The IWC is currently reviewing work in relation to non-acoustic mitigation measures. Germany suggested that a duplication of the work of the IWC should be avoided and that it might be sensible to review the IWC report, to be presented in June, to determine its relevance to the needs of ASCOBANS and to decide what further action is needed.

The Nordic countries stated that in their opinion a dialogue between fishermen, scientists and administrators was indispensable.

The UK and Germany agreed that it was very important to move ahead on this very urgent matter and that some results should be ready for presentation to Third Meeting of Parties in July of this year.

Mark Simmonds of the WDCS expressed great concern at the delay on this very pressing issue and also urged that some progress should be made ahead of Third Meeting of Parties.

In order to progress on this matter, the Chairman established two ad hoc working groups, one of which, chaired by Mark Tasker, reviewed the scope of work for a review of bycatch mitigation measures with special reference to the ASCOBANS area (Annex 8). The other working group, chaired by Victor Hjort, discussed timing and institutional arrangements.

The Advisory Committee agreed that the original intention of holding the workshop on bycatch mitigation was to provide guidance to the upcoming Meeting of Parties on how Parties and Range States could best meet other obligations under the Agreement on how to reduce bycatch. Since the workshop would not take place before the Meeting of Parties, the situation had changed substantially. It was agreed this issue was extremely pressing and that commissioning a report as suggested by AC6 remained a useful initiative.

A report should be produced by Andy Read, focussing on mitigation measures applicable to the ASCOBANS area by the end of 2000. Prior to AC8 Range States should discuss this report at the national level with appropriate stakeholders. In light of these discussions within Range States the report should be evaluated by AC8. AC8 should formulate advice to Ranges States on the basis of this evaluation.

5.1.2 Other matters

Germany presented a paper titled “Understanding the echolocation behaviour of harbour porpoises (*Phocoena phocoena*) in order to reduce bycatch” (AC7/Doc. 7). This project investigates the echolocation behaviour of harbour porpoises foraging for live fish in the presence and absence of obstacles made out of net modifications (reflectors). Preliminary research has shown that porpoises when hunting seem to “lock” onto their prey acousti-

cally. Further research is necessary to determine what happens when the fish is caught in a net.

Denmark reported on progress in implementing the Danish Government Action Plan on Bycatch Reduction, adopted in autumn 1998. This issue had been discussed extensively in Denmark. An important point of reference had been Resolution 2 of the Second Meeting of Parties. Accordingly, the first actions would be undertaken in the North Sea. The emphasis in the Plan was on pingers. Obtaining this equipment had been the most serious problem, however Denmark believed that conditions for progress were now favourable. The requisite regulation would be ready soon and would be circulated in Denmark for comments. Coordinating actors and achieving consensus was a complicated task, but hopefully the third, or possibly the fourth quarter of 2000 would see first action. Denmark was proceeding with caution, since the project was in a delicate phase during which resources should not be wasted. Good evaluation was necessary.

The representative of the Danish Society for the Conservation of Nature, Bo Håkansson, provided an update on the complaint by Danish NGOs against the Danish Action Plan. The European Commission was currently considering Denmark's response to its inquiry as to how Denmark was meeting its obligations under the Habitats Directive. A decision on whether or not an infringement procedure against Denmark would be initiated was to be expected in two or three months. The Commission was also considering directing enquiries to all EU Member States.

Carsten Krog, representing the Nordic Fishermen's Association, stated that the Danish fishermen approved of the use of pingers, but felt that they were not the optimum. Rather, other options, such as modifications to fishing gear would also have to be considered. Danish fishermen were beginning a (small scale) evaluation of a new type of net that was more acoustically "visible". Carsten Krog cautioned against subjecting only Danish fishermen to restrictions.

Norway reported that while it was behind Denmark in taking measures to alleviate incidental bycatch, first steps had been taken. Budget allocations had been made to place observers on fishing vessels, and Norwegian databases were being scanned for data on incidental bycatch. Fishermen would compulsorily be required to record bycatch in their logbooks in future.

Sami Hassani, the representative of France, reported that the French Ministry of the Environment proposed asking the Ministry of Agriculture to supply data on bycatch.

In the UK, the bycatch monitoring programme was continuing with an emphasis on filling gaps in coverage, including pelagic trawl fisheries. The Ministry of Agriculture, Fisheries and Food had initiated two new studies on porpoise behaviour near nets. The Ministry of Agriculture was to fund a new study on porpoise behaviour in the vicinity of nets.

The UK presented a draft of its strategy for the conservation of the harbour porpoise (AC7/Doc. 40). Mark Simmonds explained that he appreciated the ongoing dialogue with

the UK authorities, but that he expected consensus in the NGO community would be that the strategy was not sufficiently far-reaching.

Denmark provided a brief report on results obtained during the EPIC programme, an EU-funded study on harbour porpoises and their behaviour in relation to acoustic deterrents and habituation in Danish waters. The study would be finished in June 2000 and results would be brought to the attention of ASCOBANS as soon as the EU had accepted the final report.

5.2 Disturbance by seismic surveys

The information submitted by Parties in response to the request of the 6th meeting of the Advisory Committee (AC7/Doc. 8) was considered.

Denmark stated that while information on seismic surveys was very important, collecting the necessary data placed too heavy a workload on Parties. Gaining the information from other sources, on the other hand, would cost time and money. In general there was a tendency to collect large amounts of data even though it was not always certain whether there was actually a need for this. The question as to whether reports already in existence could not be relied upon should be examined.

The UK explained that it was faced with similar problems as Denmark. However, an international seismic database was being set up by the International Association of Geophysical Contractors.

Norway and Belgium also questioned the need for very detailed information on seismic surveys. Germany urged that the information should be collected in “easily digestible form”.

The representative of Belgium, Jan Haelters, informed the meeting that there were very few seismic surveys in Belgian waters, that one such survey had however been conducted by a Belgian vessel south of Ireland.

The Meeting agreed that ideally line-kilometre of “high energy” seismic information, per 1° x 1° rectangle (or similar) for each month and year since 1997 in the ASCOBANS area was a minimum. If information on the size/power of gun and use of observers was easily obtainable, that information should be sought also.

Mark Simmonds (WDCS) pointed out that low frequency sonar in military activities was an increasing source of concern.

Denmark urged that guidelines on reducing disturbance to small cetaceans by seismic surveys be introduced as foreseen in the Resolution on further implementation of ASCOBANS, adopted at Second Meeting of Parties. Belgium suggested that an ASCOBANS resolution based on the UK’s guidelines on seismic surveys be formulated.

The Chairman suggested that the Secretariat write directly to the IAGC asking for the information needed by ASCOBANS.

5.3 Disturbance by high-speed ferries

The Secretariat presented an update on high-speed ferries in the ASCOBANS (AC7/Doc. 9) and contiguous areas. The Executive Secretary pointed out that since a number of Parties and Range States had not responded to the Secretariat's request for information, this compilation did not cover the whole of the Agreement area. Moreover, as the information received by the Secretariat was less comprehensive than in the previous year, it was difficult to determine any trends in the development of high-speed ferry routes in the Baltic and North Seas. However, even this incomplete compilation of data clearly highlighted the "hot spots" described in the Secretariat's report for 1999: the English Channel, the Irish Sea and the Kattegat and Belt Seas. In addition, a high concentration of high-speed ferry routes was also evident for the Sound, an area not conspicuous in last year's report.

The Secretariat reported that in response to the request for information on high-speed ferry connections, several Parties and Range States had raised the issue of the exact definition of "high-speed ferries" used by ASCOBANS in monitoring these craft. However, no formal (technical) definition had been agreed on. Rather, ASCOBANS conducted its surveys on the basis of a "pragmatic" definition, according to which the term "high-speed ferry" encompasses all catamaran and trimaran ferries and hydrofoils. The Executive Secretary suggested that in the interest of greater clarity and precision a technical definition might be agreed upon.

The Secretariat's concern regarding a definition was echoed by Norway and Denmark, who also felt that a definition was needed.

The Advisory Committee, after extensive debate on the need for a definition and a possible revision of the ASCOBANS questionnaire form, agreed that this questionnaire should continue to be used and that the following definition of high speed ferries should be used:

"All types of vessels (including hovercraft) capable of travelling at speeds in excess of 30 knots".

The Executive Secretary reported that no new scientific studies on the interaction of high-speed ferries and small cetaceans in the ASCOBANS area had come to the attention of the Secretariat. Possible effects of such ferries on sperm whales were however being studied extensively by Dr Michel André of the University of Las Palmas de Gran Canaria, Spain (AC7/Doc. 10). The Secretariat had contacted Dr André, who had agreed to provide ASCOBANS with a number of relevant papers currently being prepared as soon as they appeared in print.

5.4 Post-mortem research and stranding schemes

5.4.1 Information submitted by Parties in response to the cetacean stranding schemes questionnaire

The information submitted by Parties in response to the cetacean stranding schemes questionnaire (AC7/Doc. 11) was discussed. The Secretariat pointed out that not all Parties had submitted data. Parties yet to supply information were encouraged to do so, and a check of the list of schemes would be made between the Secretariat and ECS.

Denmark explained that it was in the process of collecting material and that it would forward this to the Secretariat as soon as possible. Denmark also informed the Advisory Committee about the national stranding network and a contingency plan for strandings and that cooperation on this issue would be improved by the implementation of a new project "Focus on Whales". The Danish Institute for Fisheries Research continued to collaborate with the Fisheries and Maritime Museum, Esbjerg and the Zoological Museum in Copenhagen. Full dissections of stranded and bycaught animals were being undertaken, samples were taken, kept and recorded in a very comprehensive database, which was available to the scientific community. More dialogue and collaboration between countries in sharing databases would be appreciated.

Norway informed the meeting that, due to the nature of its coastline, a stranding scheme had not been established. However, post-mortem research on harbour porpoises was carried out based on bycaught specimens.

At the suggestion of Norway it was agreed that the form distributed by the Secretariat should be renamed "Data on post-mortem research".

It was agreed that by Third Meeting of Parties an overview similar to AC7/Doc. 11 should be in place and that Parties who had not done so should submit the requisite information to the Secretariat.

The collated material should be updated approximately every two years; the Secretariat should liaise on this with Peter Evans as ECS was collating similar material.

In the light of the results of recent studies (in particular the research done by Dr Michel André of the University of Las Palmas de Gran Canaria, indicating that noise may be causing auditory damage in whales (AC7/Doc. 10), Mark Simmonds suggested that in the future Parties should collect cetaceans' ears for study, rather than discard them with the rest of the carcass. Peter Evans agreed that it would be useful to collect this information. The representative of Belgium stated that Belgium already examined the auditory system to some extent, and that an increased effort in studying cetacean ears could be recommended.

The Chairman pointed out that there might be some difficulty in distinguishing between the normal results of ageing and damage caused by noise. Denmark stated that while such research might be interesting in principle, there were a number of problems, such as the need for very well-preserved samples, and the difficulty of the necessary examinations.

Very few researchers currently had the skill or the time and funding to engage in such work. In any case, very clear guidelines on how this research should be conducted would be required. The issue of hearing damage studies needed to be considered against other research priorities.

The United Kingdom echoed Denmark's concerns, suggesting that this issue should be considered during the upcoming quadrennium.

The Interim Secretary to ACCOBAMS pointed out that some protocols on sampling already existed, but Peter Evans explained that to his knowledge no protocol precisely on this subject currently existed. Germany stated that work of this kind was currently based on the 1993 ECS protocol.

The Advisory Committee agreed that a process towards doing research in this area should be initiated. Peter Evans and Christina Lockyer suggested that the ECS would act as initiator. It was felt that more guidance was needed and that a first step should be a paper on this issue, preferably in time for presentation at the upcoming Meeting of Parties. The Advisory Committee invited Committee members to produce papers for this Meeting.

5.4.2 Other matters

The representative of Belgium presented a paper on harbour porpoise strandings on Belgian beaches from 1990 to 1999 (AC7/Doc. 12), explaining that from 1997 onwards a rising number of sightings of harbour porpoises had been reported and the number of strandings had increased in Belgian waters. During recent years, relatively more young (1-2 year-old) animals had stranded. While this could point to a growing population size and/or dispersion of the population towards the southern North Sea, the data presented were only given as information, any interpretation would be premature.

5.5 Pollutants issues

5.5.1 Report by Pollutants Working Group on relevant publications

Mark Simmonds reported on the work of the ASCOBANS Working Group on Pollution and provided an update on publications since the last Advisory Group meeting (Annex 9) and a brief report on the progress of the IWC working group in pollution in cetaceans. The Advisory Committee also considered the issue of co-operation with relevant international fora (i.e. Helcom and OSPAR).

The Advisory Committee noted that systematic pathological investigations in Germany (AC7/Doc. 13) had showed that harbour porpoises from the North and Baltic Seas were significantly more highly affected by severe bacterial infections than those from less polluted waters.

Further work on contaminant levels in harbour porpoises in the Baltic, Danish and Greenlandic waters was also in press.

5.5.2 Other Matters

Germany presented a paper on the influence of pollutants on the endocrine and immune systems of harbour porpoises in German waters. Tilman Pommeranz explained that this was part of a wider German research programme on animals and humans.

John Clorley stated that similar work, focussing on abnormalities, was currently being done in the UK. The UK strandings network had recently published a paper considering the relationship between infectious disease and pollution in harbour porpoises. Blubber concentrations of 25 individual chlorobiphenyl (CB) congeners were compared in two groups of porpoises. One group (N=34) consisted of healthy porpoises that had died of physical trauma (mainly by-catch) and the other (N=33) had died of infectious disease. The infectious disease group had significantly greater total CB concentrations than the physical trauma group, even allowing for confounding variables. These findings were consistent with the hypothesis that chronic PCB exposure predisposes porpoises to mortality caused by infectious disease.

Jan Haelters suggested that the results of such studies should be made available to other organisations, such as OSPAR.

Mark Simmonds reported that the programme for the comprehensive IWC programme of work to investigate the impacts of pollutants on cetaceans (“Pollution 2000+”) had recently been published in the first special edition – Chemical Pollutants and Cetaceans - of the new IWC journal “Cetacean Research and Management” (details and a summary are available on the IWC website). Peter Reijnders had described the programme to the 1999 Advisory Committee meeting, noting that bottlenose dolphins and harbour porpoises had been identified as priority species for study. Primary study areas for the harbour porpoise were the North and Baltic seas.

Pollution 2000+ had been reviewed by the 1999 IWC Scientific Committee and endorsed by the IWC meeting. The programme had the following short term objectives:

- (a) to select and examine a number of biomarkers of exposure to and/or effects of PCBs and try to determine whether a predictive a quantitative relationship with PCB levels in certain tissues exists;
- (b) to validate/calibrate sampling and analytical techniques to address such questions for cetaceans, specifically:
 - i. determination of changes in concentrations of variables with post-mortem times;
 - ii. examination of relationships between concentrations of variables obtained from biopsy sampling with those of concentrations in other tissues that can only be obtained from fresh carcasses.

Phase 1 of the project will concentrate on objective (b) and consists of two subprojects: firstly effect of post-mortem time and secondly, relationship between information gained

from biopsy samples and that obtained from live-captured animals or carcasses (either from bycaught or freshly stranded animals).

Noting the opportunity afforded by Pollution 2000+ to progress the work of ASCOBANS on pollution matters, the Advisory Committee strongly endorsed the programme and mandated the Executive Secretary to bring it to the attention of ASCOBANS Parties, Range States and observer organisations, with the recommendation that Parties, Range States and observers should contribute wherever possible

- i. by facilitating sampling procedures
- ii. following the IWC guidelines; and
- iii. providing additional funding.

In addition, the Executive Secretary was requested to inform HELCOM and OSPARCOM of the support of ASCOBANS for Pollution 2000+ and to again report on the deliberations of ASCOBANS on pollution. This letter would be drafted with the assistance of the pollution working group.

The Executive Secretary confirmed that his predecessor had written to OSPAR, HELCOM and other relevant international organisations in order to draw to their attention those pollutants that are a major concern to ASCOBANS and to highlight the role of ASCOBANS in monitoring this issue.

The Advisory Committee requested the Working Group on pollution to continue its work of monitoring the pollution literature, to report back to the next Advisory Committee and to prepare an overview for the next Meeting of Parties on this theme and describing the work by ASCOBANS Parties on this issue.

5.6 Further survey and research needs

Further survey and research needs were considered in connection with the drafting of a workplan for the upcoming quadrennium (cf. Item 4.1).

5.7 Recovery plan for harbour porpoises in the Baltic Sea

The Chairman noted that no progress had been made in elaborating a Recovery Plan for harbour porpoises in the Baltic Sea. Several NGOs expressed concern over the lack of progress in completing a recovery plan for the Baltic as tasked at Second Meeting of Parties.

Denmark and Sweden urged that the work of the Baltic Discussion Group, which was currently suspended, be concluded. Sweden explained that funding for a meeting of the Working Group (approximately 100.000 SKR) could possibly be provided by the Swedish Environmental Protection Agency.

The Advisory Committee established an ad hoc working group to consider ways to take the Baltic Action Plan forward (see Annex 10).

The Advisory Committee arrived at the following conclusions:

- The chairman of the Baltic Discussion Group is asked to finish the work of this group and present a report. This report, however, is not a prerequisite for continuing work on a Baltic Action Plan. The Chairman should write to Finn Larsen, Chair of the Baltic Discussion Group, requesting completion of its work.
- A progress or final report by the Baltic Discussion Group should be presented at Third Meeting of Parties.
- An ASCOBANS workshop aimed at drafting the Action Plan should take place by the end of 2000 irrespective of the termination of the work of the Baltic Discussion Group.
- The Advisory Committee requests Parties to consider when this workshop should be organised and to report to the Secretariat. The Secretariat will inform Parties of the response to this query.

The Advisory Committee also recommended that another step in the process would be to contact HELCOM and IBSFC in order to facilitate an ASCOBANS participation at IBSFC's and HELCOM's next sessions to enhance knowledge on the situation of harbour porpoises in the Baltic. The main purpose should be to address the need for the recovery plan and to build up a useful communication between the organisations and authorities in the countries which in different ways will be involved in the implementation of the recovery plan. In addition it was believed to be most appropriate that IBSFC, when addressing the issue, should do so during the open part of the annual meeting, during which progress in the ongoing implementation of the fisheries sector Agenda 21 for the Baltic Sea region will be discussed. The Advisory Committee especially urged the participating Parties and Range States to raise the issue during their national preparations for IBSFC's session in September 2000 to ensure a possible participation for ASCOBANS.

Abundance and number of bycaught harbour porpoises in most parts of the Baltic are very low, and may require further considerations before monitoring strategies can be agreed. However, hot spots of high bycatch rates are known to occur, e.g. in the Puck Bay of the Gulf of Gdansk. Due to the acute status of the Baltic harbour porpoises, the Advisory Committee recommended that immediate efforts should be allocated to further identify such hot spots, and to develop and implement measures to diminish bycatches adequate to the local situation.

Further, the Advisory Committee recommended that an international collaborative effort be established to facilitate and fund research in the Baltic, and to develop and implement local action plans to mitigate incidental mortality.

Poland informed the meeting that a project on the biology and ecology of mammals in Polish waters was being carried out by the Marine Station of Gdansk University at Hel. The status of harbour porpoises and other cetaceans in the Polish Baltic zone was being studied, in particular: bycatch problem, contaminants (heavy metals), elements of biology (population structure, diet, components, parasites), interaction with fishery activities, education

and information in active conservation of sea mammals in Polish Baltic waters. Parties and Range States were encouraged to cooperate with Poland in this endeavour.

5.8 Fisheries statistics

The Advisory Committee considered the data and comments on fishing effort submitted by the Parties (AC7/Docs. 14-18, 39). The Secretariat pointed out that several Parties and Range States had failed to return completed forms to the Secretariat.

The Advisory Committee debated whether the form currently in use to collect these data needed modification. Parties agreed that the effort needed to submit detailed sets of forms was inordinate. Denmark suggested duplication of the work of other organisations should be avoided. The European Commission was currently discussing a proposal for the collection of fisheries data aimed at improving the standard of information on fisheries. This involved both the industry and conservationists. The regulation was expected to be adopted later this year, possibly in June.

Norway suggested that unless a precise objective of this exercise were developed, the exercise be dropped altogether. Carsten Krog stated that the collection of these data required an independent set of observers.

The Advisory Committee noted that these data could be of particular value in locating gaps in information and concluded that data on fishing effort should continue to be collected, but that future reporting should be modelled on the summary style of report submitted by Belgium (AC7/Doc. 16) and requested Parties and Range States to provide information in this format, focussing in particular on the types of fisheries relevant to small cetaceans and bycatch.

5.9 Molecular genetic research project on the population structure of harbour porpoises

Germany reported on a molecular genetic research project on the population structure of harbour porpoises. The project, conducted by the University of Kiel, was funded with a part of the German voluntary contribution for 1999. The study showed that the differences in DNA between harbour porpoises in the North Sea, Kattegat and Belt Seas and the Sound, and in the western inner waters of the Baltic and the inner Baltic specimens was larger than would be expected from the geographic distance separating them. This indicated that there was a distinct Baltic subpopulation, possibly even two Baltic subpopulations of harbour porpoises.

6 Matters related to Parties and Range States

6.1 National legislation

6.1.1 Potential conflicts between national legislation and the Agreement

Germany presented a paper on potential conflicts between German national legislation and ASCOBANS (AC7/Doc. 19). According to this paper, the legal situation in Germany does not pose any obstacles to achieving the ASCOBANS conservation objectives. Germany suggested that if other Parties or Range States to ASCOBANS experienced such problems, they should be asked to report on this in detail to the Secretariat. If necessary a draft resolution for the upcoming Meeting of Parties could be prepared.

The Advisory Committee stressed that in order to facilitate cross-border research, it was essential to respect the relevant national and international legislation.

6.2 Protected areas

Germany reported on the specially protected area off the islands of Sylt and Amrum, established in the autumn of 1999 (AC7/Doc. 41). The specially protected area had been established because of scientific evidence that there was a high population density of harbour porpoises (including females with calves) in the area. Great efforts for conservation had been made by the German Federal State of Schleswig-Holstein. The area had been established within the framework of a National Park Act, which had been revised in 1999.

Cetaceans in the specially protected area were now protected by law. The area fitted the requirements of the Habitats and the Birds Directives of the European Union and the IMO criteria for specially sensitive sea areas. Ordinances were being developed to prohibit any activity that may adversely affect harbour porpoises in the area.

WWF Sweden and WDCS welcomed the designation of the area, but suggested also including the adjacent waters (Amrum to Aussengrund), as these were a corridor for harbour porpoises.

The Interim Secretary to ACCOBAMS presented the Ligurian Sea Protected Area. The Agreement on this area was signed on 25 November 1999. An area of 1000 km² including territorial waters as well as international waters is covered.

6.3 Progress in the accession of Range states

6.3.1 Accession of Range States

The Secretariat provided an update on the accession of Range States. There had been no progress since the accession of Finland in September 1999. There was no official information from France. The Secretariat would continue to try and involve Range States in ASCOBANS activities. Thus, for example, the questionnaire on high-speed ferries had been distributed to all Range States. The Range States had been invited to AC7 and would

be invited to Third Meeting of Parties. The Secretariat was very pleased to note the participation of two Range States, Estonia and Latvia, at this meeting.

The representative of France informed the meeting that France would possibly ratify both the ASCOBANS and ACCOBAMS Agreements before the end of the year.

The UK informed the Meeting that Jersey and Guernsey were currently in the process of reviewing their legislation to bring it into line with ASCOBANS requirements. Accession is expected in the not too distant future.

6.3.2 (Southward) Extension of the Agreement Area

The Secretariat informed the Meeting that Spain had recently shown a serious interest in acceding to the Agreement. While Art. 1.2 (f) of the Agreement opened up the possibility of Spain's acceding to the Agreement without extending the Agreement area if Spanish vessels operated within the current Agreement area, the Spanish initiative might present a welcome opportunity to pursue the long-standing objective of extending the ASCOBANS area southward. To this end, the Secretariat suggested that it approach Spain, proposing that it might act as lead country in advancing this issue.

The representative of the UK agreed that extending the Agreement area southward was a logical objective and the Secretariat should proceed along the lines suggested.

Peter Evans noted that Portugal was possibly still interested in acceding to the Agreement. The Executive Secretary pointed out that to his knowledge there had been no recent initiatives by Portugal on this issue.

The Meeting agreed that the Secretariat, having ascertained what the possible position of Portugal on this issue was, should write a letter to Spain suggesting it take the part of lead country in this process.

6.4 New information regarding population status

Mark Simmonds brought a report on development of a population model for bottlenose dolphins in the Moray Firth to the attention of the Advisory Committee.

7 Cooperation with IWC, OSPAR, HELCOM and other international organisations

7.1 Harmonisation of reporting schemes regarding HELCOM Recommendation 17/2

The Secretariat provided an update on progress in harmonising reporting schemes for the Baltic. The Executive Secretary explained that the Secretariat had submitted the ASCOBANS form (AC7/Doc. 20) to HELCOM EC Nature (held at Vilm in May 1999). This meeting had endorsed the proposal to harmonise reporting schemes (AC7/Doc. 21). The draft reporting format presented at this meeting, which was nearly identical to the

ASCOBANS form, had been formally adopted by HELCOM EC 10/99 in Copenhagen in October 1999.

7.2 Letter of 15 December 1999 from HELCOM to the International Baltic Sea Fishery Commission

The Advisory Committee discussed the letter of 15 December 1999 from HELCOM to the IBSFC (AC7/Doc. 22). The Executive Secretary informed the meeting that the letter had not been copied to the Secretariat by HELCOM, but rather had been brought to the attention of the Secretariat by Denmark. Denmark explained that it had received this letter from the European Commission, who had passed it on to Member States.

The Advisory Committee agreed that ASCOBANS could and should play a major part in the development of a recovery plan for harbour porpoises in the Baltic Sea and should make it clear that it intended to assume this role. In trying to promote this process, HELCOM expected ASCOBANS to take the lead.

7.3 Protected areas

The representative of Belgium delivered a report on the OSPAR-IMPACT Workshop on the criteria for the selection of species and habitats (AC7/Doc. 23), held in Horta in July 1999 as a follow-up to the workshop held in Texel in February 1997. He explained that protection of species and habitats was the subject of a new Annex V to the OSPAR Convention and the related strategy on the protection and conservation of the ecosystem and biological diversity of the maritime area.

The objectives of the Horta workshop were to finalise the Texel criteria, summarise information on relevant species and habitats, test the criteria for these species and habitats, and to develop a procedure for applying them.

Jan Haelters explained that not all objectives of the meeting had been met. It was clear that criteria would be needed to execute the OSPAR protection strategy. While this workshop had developed acceptable criteria, and suggestions for the guidance and means of applying these criteria had been developed, much work still had to be done.

Jan Haelters also presented a report on the OSPAR-IMPACT meeting held in Brest in November 1999 (AC7/Doc. 24), explaining that of the many subjects dealt with, those most relevant to ASCOBANS had been ecological quality and ecological quality objectives, and the assessment of species and habitats in need of protection and protected areas.

Peter Evans presented two papers (AC7Docs. 36, 37) on protected areas for cetaceans and on the application of OSPAR criteria for the selection of priority species for protective measures using cetaceans.

WWF presented a report on a workshop held in Brest in November 1999 (AC7/Doc. 25).

7.4 Other business

Mark Bravington, speaking on behalf of the International Whaling Commission, reported that the IWC study on the susceptibility of porpoises to bycatch in the North Sea proposed by the joint IWC/ASCOBANS Working Group had recently commenced.

8 Business session

8.1 AEWG report on future status and location of the ASCOBANS Secretariat

8.1.1 AEWG report

The Advisory Committee took note of the AEWG report (AC7/Doc. 26).

8.1.2 Draft Resolution No. 1: Integration of the ASCOBANS Secretariat into the UNEP/CMS Agreements Unit

All Parties present, except Finland, who did not comment, declared themselves to be in favour of integrating the ASCOBANS Secretariat into the CMS Agreements Unit (AC7/Doc. 28), but expressed concern at the substantial budget increase connected with this.

Draft Resolution No. 1 on integration of the ASCOBANS Secretariat into the UNEP/CMS Agreements Unit was approved as amended (AC7/Doc. 27).

8.2 Budgetary issues

8.2.1 Succession AC/MoP financial/administrative officer

8.2.2 Budget for 1999

The Executive Secretary presented the audited budget for 1999 (AC7/Doc. 29).

Germany reported on the use of the German voluntary contribution for 1999, stating that it had been used to cover the travel expenses of delegates of Range States to attend AC6 at Aberdeen, for public relations and to fund the molecular genetic research projection the population structure of harbour porpoises presented under item 5.9 (cf. above).

Germany explained that it intended to allocate 10,000 DEM of the voluntary contribution for 2000 to covering travel expenses for delegates to attend AC7 and Third Meeting of Parties. The remainder of the money was to be allocated to the production of PR material.

The Advisory Committee thanked Germany for this useful and generous contribution.

8.2.3 Budget for 2001 - 2004

8.2.3.1 Draft Resolution No. 2: Financial, Budgetary and Administrative Matters

The Executive Secretary presented Draft Resolution No. 2 and its annexes. (AC7/Doc. 30), explaining the various budget lines described in Annex 4 to Draft Resolution No. 2.

All Parties represented expressed their concern at the substantial budget increase linked to the integration of the Secretariat into the UNEP/CMS Agreements Unit. The majority of Parties represented agreed that since the budget increase was primarily attributable to personnel costs, the related budget line held the greatest promise of substantial savings. For this reason the Executive Secretary was asked to prepare three alternative draft budgets reflecting the following arrangements:

- Half-time Executive Secretary and half-time assistant
- Half-time Executive Secretary and full-time assistant
- Full-time Executive Secretary and half-time assistant

These drafts were considered by the Advisory Committee meeting and will be submitted to the coordinating authorities of the Parties for further consideration.

Draft Resolution No. 2 was approved as amended, without the annexes.

8.3 PR Issues

8.3.1 New ASCOBANS Poster

The Executive Secretary emphasised the need for ASCOBANS to upgrade its PR work. He presented the new ASCOBANS poster (AC7/Doc. 32), produced with the financial assistance of Germany. Denmark proposed that the word “Flipper” should be replaced by “harbour porpoise” in a revised English version.

8.3.2 New ASCOBANS exhibition “Harbour Porpoise in Distress”

The Executive Secretary presented the new exhibition “Harbour Porpoise in Distress”, which was also partially financed by the German voluntary contribution. He explained that the Secretariat had contacted the Rhein-Sieg District for the exhibition to be shown on the premises of the district administration, and also hoped to be able to show it at the Sea Life Centre in Constance in late April.

The Secretariat stated that it would welcome offers from Parties and Range States to show the exhibition throughout the ASCOBANS area.

Belgium and Poland expressed an interest in having Dutch and Polish versions of the exhibition produced.

8.3.3 10th Anniversary of ASCOBANS

The Secretariat presented some considerations on an event to celebrate the 10th anniversary of ASCOBANS in September 2001 (AC7/Doc. 33).

The Advisory Committee agreed that a reception on 13 September 2001 in Bonn should be envisaged.

8.4 Meetings of interest to ASCOBANS in 2000

The Advisory Committee considered a list of meetings to be attended by ASCOBANS in 2000 and 2001 and agreed on the ASCOBANS representatives at these meetings (Annex 11).

9 Agreement on the draft report

The Advisory Committee adopted the draft report prepared by the Secretariat.

10 Date and venue of next meeting

Denmark graciously offered to host the 8th meeting of the Advisory Committee from 2 - 5 April 2001 in West Jutland.

11 Any other business

Update on ACCOBAMS

The Interim Secretary to ACCOBAMS provided an update on ACCOBAMS, explaining that the Agreement was expected to enter into force at the end of 2000. The First Meeting of Parties would probably take place in the first half of 2001. The new ACCOBAMS poster was also presented.

There was consensus that the two Agreements should seek close cooperation and that the Secretariats should liaise. The Executive Secretaries of the Agreements should represent their Agreements at the Meetings of Parties of the other Agreement.

Options for improving the functioning of the Advisory Committee

The Advisory Committee considered options for improving the functioning of the Advisory Committee in order to drive forward ASCOBANS objectives more quickly and more efficiently. The UK stated that the purpose of the Advisory Committee should be to take stock of what progress had been made in implementing recommendations of the Meeting of Parties and what improvements were needed. The Advisory Committee agenda should be focussed accordingly.

Peter Evans added that scientific objectives should also be considered and that to this end more scientists should be present at meetings. ECS would be happy to provide assistance,

for instance by presenting reviews of ongoing scientific work to the Advisory Committee (cf. information on ECS attached as Annex 12). Christina Lockyer suggested that individual participants might be asked to present papers on specific agenda items to improve the scientific input. This could be coordinated through the Secretariat. Participants should be reminded of tasks assigned to them or invited to submit papers.

The representative of the RSPCA asked that Parties' delegations include delegates who could discuss the policy aspects of ASCOBANS' work.

The Advisory Committee agreed that input from the relevant intergovernmental bodies should also be assured. It was suggested that the Secretariat write to the relevant organisations following Advisory Committee meetings highlighting the points of special emphasis of the meeting.

Germany suggested that there might be some merit in holding a mini-symposium on specific topics in connection with the Advisory Committee meetings. The UK expressed concern at the extra expenses this might entail, and suggested that delegations might be comprised of more experts.

Peter Evans proposed that ASCOBANS might hold the Advisory Committee meetings and the ECS Annual Meeting back to back occasionally. This would cost little extra. In addition, ASCOBANS should inform the ECS if it saw the need for information on specific topics. ECS could organise workshops on the topics concerned.

The Advisory Committee agreed:

- That it should focus in greater depth on one area at each meeting
- That a time-schedule for Advisory Committee work in a triennium/quadrennium should be established; among other things, this would enable Parties to provide for the necessary expertise in their delegations.
- That the agenda for Advisory Committee should be specifically geared to each individual meeting rather than based on a fixed "standard agenda".
- That intergovernmental bodies should be engaged more closely in the work of the AC.
- That reports (of approximately one page in length) from the ASCOBANS representatives at various meetings and events should be submitted to the Secretariat for immediate distribution to Parties and to help produce a compilation of these reports.

Cooperation with the EU Commission

The Chairman stated that there had been unnecessary difficulties in cooperating with the European Commission at the last Meeting of Parties. In order to avoid a repetition of these problems he reminded delegates that papers for submission to the Meeting of Parties must be available to be sent to the Commission ninety days in advance of the Meeting. The Advisory Committee also recommended that another step in the process would be to contact HELCOM and IBSFC in order to facilitate an ASCOBANS participation at IBSFC's and

HELCOM's next sessions to enhance knowledge on the situation of harbour porpoises in the Baltic.

Annual National Reports

Parties agreed that their Annual National Reports and the compilations of these reports were to be considered public documents not subject to restrictions concerning their distribution.

12 Close of Meeting

The Chairman thanked all participants for their attendance. On behalf of the Advisory Committee, he expressed his special thanks to the host country, Belgium. The Advisory Committee also thanked the Secretariat. The Chairman closed the Meeting at 4 p.m. on 16 March 2000.

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List of Documents

Number	Agenda Item	Document Title	Submitted by
Doc. 1	-	List of Documents	Secretariat
Doc. 2	2	Rules of Procedure for the ASCOBANS Advisory Committee	
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Doc. 4	-	Opening Statement by Danish NGOs	Danish NGOs
Doc. 5	-	Opening Statement by the World Wide Fund for Nature (WWF)	WWF
Doc. 6	4.2	Report on preparations for the Third Meeting of Parties to ASCOBANS	United Kingdom
Doc. 7	5.1.2	Understanding the echolocation behaviour of harbour porpoises (<i>Phocoena phocoena</i>) in order to reduce bycatch	Germany
Doc. 8	5.2.	Location and extent of seismic activities in the ASCOBANS and neighbouring areas during 1997 and 1998 and mitigation measures (data submitted by Parties)	Secretariat
Doc. 9	5.3	Disturbance by high-speed ferries. Secretariat's Update	Secretariat
Doc. 10	5.3	The conservation of the sperm whale in the Canary Islands	Secretariat
Doc. 11	5.4.1	Information submitted by Parties in response to cetaceans stranding schemes questionnaire	Secretariat
Doc. 12	5.4.2	Harbour porpoises on Belgian beaches from 1990 to 1999	Belgium
Doc. 13	5.5.2	Investigations of the influence of pollutants on the endocrine and immune systems of harbour porpoises from the German North and Baltic Seas	Germany
Doc. 14	5.8	Fisheries Statistics: Note from the Secretariat	Secretariat
Doc. 15	5.8	Data on fishing effort submitted by Belgium	Belgium
Doc. 16	5.8	Data and comments on fishing effort submitted by Germany	Germany
Doc. 17	5.8	Data on fishing effort submitted by Poland	Poland
Doc. 18	5.8	Data on fishing effort submitted by Sweden	Sweden
Doc. 19	6.1.1	Paper on potential conflicts between national legislation and the Agreement	Germany
Doc. 20	7.1.	Draft: reporting format for ASCOBANS and HELCOM recommendation 17/2 "Protection of harbour porpoise in the Baltic Sea area"	Secretariat
Doc. 21	7.1.	Extract from report of HELCOM EC 10/99: Implementation and reporting of HELCOM recommendations in the field of EC	Secretariat

Number	Agenda Item	Document Title	Submitted by
Doc. 22	7.2	Letter of 15 December 1999 from HELCOM to the International Baltic Sea Fishery Commission	Secretariat
Doc. 23	7.3	Report on the OSPAR-IMPACT Workshop on the criteria for the selection of species and habitats (Horta, Azores, 12-16 July 1999)	Belgium
Doc. 24	7.3	Report on the OSPAR-IMPACT meeting 1999 (Brest, 15-19 November 1999)	Belgium
Doc. 25	7.3	Developing a framework for marine protected areas in the North-East Atlantic. Report from the workshop held 13-14 November 1999 in Brest, France	WWF
Doc. 26	8.1	AEWG Report	Secretariat
Doc. 27	8.1.2	Draft Resolution No. 1: Integration of the ASCOBANS Secretariat into the Agreements Unit of UNEP/CMS	Secretariat
Doc. 28	8.1.2	Considerations on the Future Status of the ASCOBANS Secretariat	Secretariat
Doc. 29	8.2.2	Audit report for the 1999 Budget	Secretariat
Doc. 30	8.2.3.1	Draft Resolution No. 2 and Annexes: Financial, budgetary and administrative matters	Secretariat
Doc. 31	8.2.3.2	Basis for annual contribution to ASCOBANS	Secretariat
Doc. 32	8.3.1	ASCOBANS Poster	Secretariat
Doc. 33	8.3.2	Considerations on the 10 th Anniversary of ASCOBANS	Secretariat
Doc. 34	8.4	List of dates of interest to ASCOBANS in 2000	Secretariat
Doc. 35	4.2	Draft Agenda for Third Meeting of Parties	Secretariat
Doc. 36	7.3.	Protected areas for cetaceans	Peter Evans
Doc. 37	7.3	Testing the application of OSPAR criteria for the selection of priority species for protective measures using cetaceans.	Peter Evans
Doc. 38	-	Opening Statement by Danish Fishermen's Association	Danish Fishermen's Association
Doc. 39	5.8	Data on fishing effort and notes on the ASCOBANS fisheries statistics form submitted by the United Kingdom	United Kingdom
Doc. 40	5.1.2	A UK conservation strategy for the harbour porpoise (<i>Phocoena phocoena</i>)	United Kingdom
Doc. 41	6.2	Information by the Federal Republic of Germany on protected areas	Germany

Agenda

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 - 4.2 Preparations for Third Meeting of Parties
- 5 Matters related to research
 - 5.1 Bycatch issues
 - 5.1.1 Preparations for the meeting and workshop "A Review of Bycatch Mitigation Measures with Special Reference to the ASCOBANS Area"
 - 5.1.2 Other matters
 - 5.2 Disturbance by seismic surveys
 - 5.3 Disturbance by high-speed ferries
 - 5.4 Post-mortem research and stranding schemes
 - 5.4.1 Information submitted by Parties in response to cetacean stranding schemes questionnaire
 - 5.4.2 Other matters
 - 5.5 Pollutants issues
 - 5.5.1 Report by Pollutants Working Group on relevant publications
 - 5.5.2 Other matters
 - 5.6 Further survey and research needs
 - 5.7 Recovery plan for harbour porpoises in the Baltic Sea
 - 5.8 Fisheries statistics
 - 5.9 Molecular genetic research project on the population structure of harbour porpoises
- 6 Matters related to Parties and Range States
 - 6.1 National legislation
 - 6.1.1 Potential conflicts between national legislation and the Agreement

- 6.1.2 Other matters
- 6.2 Protected areas
- 6.3 Progress on the accession of Range States
 - 6.3.1 Accession of Range States
 - 6.3.2 (Southward) Extension of the Agreement Area
- 6.4 New information regarding population status
- 7 Cooperation with IWC, OSPAR, HELCOM and other international organisations
 - 7.1 Harmonisation of reporting schemes regarding HELCOM Recommendation 17/2
 - 7.2 Letter of 15 December 1999 from HELCOM to the International Baltic Sea Fishery Commission
 - 7.2.1 Protected Areas
- 8 Business session
 - 8.1 AEWG report on future status and location of the ASCOBANS Secretariat
 - 8.1.1 AEWG Report
 - 8.1.2 Draft Resolution No. 1: Integration of the ASCOBANS Secretariat into the UNEP/CMS Agreements Unit
 - 8.2 Budgetary issues
 - 8.2.1 Succession AC/MoP financial/administrative officer
 - 8.2.2 Preliminary outline of budget for 1999
 - 8.2.3 Budget for 2001 - 2004
 - 8.2.3.1 Draft Resolution No. 2: Financial, budgetary and administrative matters
 - 8.2.3.2 Basis for calculation of annual national contributions to the ASCOBANS Secretariat¹²
 - 8.3 PR issues
 - 8.3.1 New ASCOBANS poster
 - 8.3.2 New ASCOBANS exhibition "Harbour Porpoise in Distress"

¹ Item subject to decision on Draft Resolutions No. 1 and 2

² This item was not considered by the AC

- 8.3.3 10th Anniversary of ASCOBANS Secretariat
- 8.4 Meetings of interest to ASCOBANS during 2000
- 8.5 Agenda for Third Meeting of Parties¹
- 9 Agreement on the draft report
- 10 Date and venue of next meeting
- 11 Any other business
- 12 Close of meeting

¹ Item was not considered by the AC

Record of Discussion of the Working Group on Fisheries

Direct effects on by-catch

Effects on fisheries on small cetaceans can be broadly categorised into direct and indirect effects. Direct effects are to understand how porpoises get entangled in nets, the actual monitoring of by-catch in fisheries, research on the effect of pingers to scare away small cetaceans, gear modifications to reduce the possibility of getting entangled and other mitigation measures, such as time/area closures. Research on causes of entanglement is currently being undertaken in Kerteminde and the United Kingdom. Results are likely to be available in 1 – 3 years' time. The conduct of additional research why harbour porpoises and particularly young animals are being caught was suggested.

The fisheries which very likely take most small cetaceans in the ASCOBANS area were gill nets, large pelagic trawls and the salmon drift net fishery in the Baltic. It was encouraging to note that there were attempts to phase out drift nets in the near future. Some of the Danish gill net fishermen in the North Sea have changed to longlines to catch fish of a better quality which obtain higher prizes on the market.

Causes why small cetaceans and in particular harbour porpoise are getting entangled are still poorly understood. Primarily juvenile animals were being caught.

While these studies are important ASCOBANS should now start to implement measures to monitor and reduce by-catch subsequently. Fisheries where high levels of by-catch are known to occur should be closely investigated by observer programmes in order to estimate the present level of by-catch. The relevant fisheries commissions should be approached by ASCOBANS and should be informed of the problem and their help in implementing measures to mitigate by-catch should be sought. If possible specific mitigation measures should be suggested, such as the potential use of pingers. Promising attempts with pingers have been undertaken by Loughborough University (United Kingdom) and others in the last couple of years. However, ASCOBANS felt that this method has its shortcomings, such as the possibly wide range and level of noise directed to harbour porpoise which, given the high level of fishing effort in gill net fisheries, may exclude porpoises from parts of the North Sea. Habituation was another problem for which already some data exist from the US east coast (see Report of the Scientific Committee of the IWC 51, 1999). Both aspects need further investigation before the use of pingers can be widely recommended.

The group felt that gear modification, change to other gear and/or time/area closures might have a greater potential to alleviate by-catch of porpoises and dolphins on the longer run. Parties to ASCOBANS should increase funding into research on the other methods of by-catch reduction in the future.

Indirect effects on by-catch

Indirect effects are to enhance the awareness and cooperation with fishermen, the close collaboration with bodies relevant for the fisheries management of an area. The awareness of the EU for problems concerning ASCOBANS and the improvement of EU legislation towards a better protection of small cetaceans was found to be another important field where ASCOBANS could enhance future activities. A side effect which is hardly addressed at present is food depletion due to competition with fisheries or pollution which needs further consideration in the future.

ASCOBANS should act at various levels to mitigate by-catch of small cetaceans. Fishermen should be informed on this problem and mitigation measures should be discussed and developed in close collaboration

with them whenever possible. Poland seemed to be the only country where both supervision of the fishery and by-catch reporting of small cetaceans occur regularly. Relevant fisheries organisations, such as ICES and IBSFC, and other marine conventions working in the area, such as HELCOM, should be informed on ASCOBANS and specific problems which certain fisheries may have in parts of the ASCOBANS area with small cetaceans. The support of these organisations should be sought to implement aims of ASCOBANS in certain areas by better protecting small cetaceans. It is obvious that action can be taken only by the relevant fisheries organisations but not by ASCOBANS itself.

The European Union (EU) regulate fisheries on behalf of all its member states. Up to now, EU was largely ignorant of ASCOBANS and the goals ASCOBANS wanted to achieve. ASCOBANS should seek closer collaboration with EU in order to bring specific ASCOBANS problems to the attention of the EU and to give small cetaceans a higher standing in discussions inside the EU. ASCOBANS offers its help to harmonise legislation inside the EU regarding nature and habitat conservation (General Directory XI) on the one hand and fisheries development and policies (General Directory XIV) on the other hand. EU is asked to ratify ASCOBANS and become a member of the convention. ASCOBANS could direct specific requests through the relevant fisheries organisation to the EU, such as the reduction or even phasing out of a fishery when the by-catch of small cetaceans deemed to be too high. Member states should help ASCOBANS to establish closer liaison with EU.

ASCOBANS considered food depletion to become a potential problem in the near future given the high level of fishing effort and the depletion of important fish stocks, such as herring, in part of their distributional range. However, ASCOBANS was still assigning lower priority to this field of research as very little was currently known on marine mammals and their reaction to the depletion of potential food resources.

Record of Discussion of the Working Group on Disturbance

The Working Group considered two areas. Sources of disturbance and effects of disturbance. The key areas of disturbance identified were:

Big noise - short duration

Seismic testing activities

Military activities

Medium noise - long term duration

Shipping activities, including high-speed ferries

Pingers (possible)

Low noise or actual disturbance

Recreational activities, including whale watching, jet skis, speedboats.

Areas of harm identified were changes in behaviour, both short and long term, and physical harm including direct injuries (through collisions etc.) and hearing damage.

Areas for priority work for the next four years were thought to include:

Promotion of research into behavioural changes influenced by acoustic activity- although some work had been carried out on short term behavioural changes, it was noted that there was a lack of information on any long term effects. These could include displacement of populations, and it was noted that harbour porpoises were absent from the main shipping lanes.

Continuation of the work in collection of information on seismic and high speed ferry activities.

Military authorities of Range States should be encouraged to work closely with their environmental colleagues when deciding when and where to carry out activities which have the potential to disturb cetaceans.

Protocols for the removal and examination of the ears of cetaceans should be developed.

Protected areas

The Group agreed that the current work on the criteria for protected areas through OSPAR, HELCOM and the EU was the most appropriate route, and ASCOBANS should not try to duplicate this work. Range States should work through these to ensure that the criteria developed for protection areas do not exclude small cetaceans on the grounds that data on population size and trends in population is lacking for some small cetaceans.

Record of Discussion of the Working Group on Education and Promotion

Focus on objectives, targets and achievements of ASCOBANS, rather than trying to market the name too heavily (It will never be a household name after all!)

Identify the target audience(s): the most important in terms of achieving results is the fishing community/industry. But need to reach decision-makers in international, national and local arenas; other organisations in conservation and related scientific fields; and the general public, especially school kids.

The 10th Anniversary is on the horizon so start to prepare now. The publicity should build up to the date so that impact is maximised and interest sustained - the "Where can I find out more?" approach needs to be encouraged and satisfied by co-ordinating material from the Secretariat and Parties.

A brochure to mark the 10th Anniversary should be restricted to the target readership of decision-makers in policy, fishing industry and scientific spheres. The brochure should have a decent shelf-life so that it isn't 'spent' after the Anniversary. To achieve this it needs to be in a format that allows info to be updated (using inserts that could also be tailored for each Party and Range State, maybe?). A draft of the material should be ready by end 2000 to allow complementary national publicity to be developed in time.

But the most important job is revamping the web-site by adding good hyperlinks; different tiers of info to appeal to the different target audiences; scope for interaction, perhaps including a game for kids to test what they know or have learned. The hits on the site and the feedback will be valuable evaluation tools.

To mark the Anniversary there could be a PRIZE awarded ... for the best innovation in 'x' or the most effective 'y'.

Following Advisory Committee and MoP meetings there should be Press Releases (and Press Packs produced with supporting info). This strategy should get some local and also national coverage, and result too in some well-informed features. Briefing sessions for specialist press could be considered. And events on the fringes of the Advisory Committees and Meetings of Parties could be staged for representatives from groups to be educated, e.g. the tourist industry.

Ideas to be considered for the longer term include: producing a CD Rom; creating a system of conservation emblems to certify cetaceans friendly fish; encouraging more conservation tourism, maybe plugging into EU Structural Funds to do so. Learn from successes like the Moray Firth Listen-to-the-Dolphins Centre, and Sponsor-a-Dolphin Scheme.

ABOVE ALL, MAKE SURE YOU CAN EVALUATE THE SUCCESS/IMPACT/VALUE-FOR-MONEY BOTH OF THE INDIVIDUAL ACTIONS AND THE OVERALL FOUR-YEAR STRATEGY.

Record of Discussion of the Working Group on Monitoring, Status and Population Studies

1. Harbour porpoise

Lack of information on spatial and seasonal distribution is one of the most important limitations in determining the impact of by-catch and other anthropogenic impacts on harbour porpoise and in designing effective mitigation measures. Highest research priority should be given to research on spatial and seasonal distribution. This may involve analysis of old sightings data from surveys or platforms-of-opportunity, the collection of new data, and/or the use of acoustic listening devices (e.g. PODs).

Apart from direct surveys, valuable information on population studies, and on susceptibility to by-catch and other anthropogenic impacts, can also be gained from satellite telemetry, and from studies on genetics, pollution signatures and morphometrics. Although there is already a considerable body of work on harbour porpoise population structure in the ASCOBANS area, there has been much less investigation of seasonal variations, which have important management implications. Biopsy sampling is potentially useful here; samples can be collected from any desired place or time, without relying on fishery by-catch (if any) or on strandings data with its inherent biases.

Monitoring population trends is an important long-term consideration. Because of logistical considerations, and the need to estimate porpoise abundance in unsurveyed waters west of the ASCOBANS area (the same population as in the northern ASCOBANS area), it is unlikely that a "SCANS II" absolute abundance survey in the North Sea will be feasible before the next MoP. However, given the long lead-time required to organise such a survey, high priority should be given soon to planning another survey, so it can be carried out in timely fashion after 2004.

Finally, there should be continued collection of the valuable baseline data from stranded and by-caught animals, as detailed in the Resolution on further implementation of ASCOBANS, Second Meeting of Parties, Annex 1. This information is also useful in assessing population trends, and in giving early warning of problems such as epidemics.

2 Other species

Despite the above-mentioned gaps in our understanding, harbour porpoises are much better understood in terms of life history, population structure, and vulnerability to impacts than most other small cetacean species in the ASCOBANS area. Particular attention should be given to *Lagenorhynchus* species, especially white-beaked dolphins, and bottlenose dolphins. White-beaked dolphins and bottlenose dolphins have restricted distributions with significant population units within the ASCOBANS area, and are potentially vulnerable to anthropogenic impacts (possible trawl by-catch for white-beaked dolphins; coastal pollution and disturbance for bottlenose dolphins). Improved life history and population structure data for both species should be given high priority.

Review of bycatch mitigation measures with special reference to the ASCOBANS area

Scope of work

Review of the practicality of mitigation measures for small cetacean bycatch in ASCOBANS waters

Background

One of the greatest threats to small cetaceans in ASCOBANS waters is from bycatch in fishing nets. The second Meeting of Parties in 1997 reviewed bycatch problems and concluded that bycatch in several fisheries was likely to be greater than levels necessary to maintain populations, let alone restore them to desirable levels. Research and modelling since then has confirmed this. There is therefore an obvious and urgent need to reduce these levels of bycatch. Any measures to reduce the bycatch would have to be put in place by fisheries managers, and would usually need to be implemented by fishers.

At a meeting of the ASCOBANS Advisory Committee in April 1999, it was decided that guidance to fisheries managers and fishers, in the form of a review of bycatch mitigation measures might help in deciding on particular actions to be taken to reduce bycatch. One of the key parts of any such review is to describe experience from other parts of the world where similar problems have been addressed. This contract is to write a report on experience from all parts of the world and how mitigation measures might relate to the ASCOBANS area.

Objective

To write a report, describing concisely the variety of possible mitigation measures for bycatch problems in the ASCOBANS area.

Bycatch problems are known to be present in set-net fisheries (harbour porpoise) and may be present in pelagic trawl fisheries (certain dolphins). The report should focus on these two fisheries, but may bring in other examples where relevant. The report should include case studies, noting difficulties and successes. A summary for managers and fishers should be included. Any information on adverse or beneficial side-effects to other parts of the ecosystem would be useful.

Timing

The 3rd Meeting of Parties will be held in July 2000. The report therefore needs to be produced by the end of 2000.

Pollutants Working Group

Review of relevant publications

Heavy metals and organochlorine compounds continued to be the main categories of pollutants reported in marine mammal tissues and often at comparatively high levels. At the sixth meeting of the Advisory Committee, Reijnders had identified a series of recent bibliographies concerning these marine pollutants and their effects on marine mammals. In addition, the 1999 working group had specifically drawn attention to the threats posed by two “new” groups of chemicals, the polybrominated compounds and the organotin compounds. Both types of compound were increasingly being widely reported in cetacean tissues. For example, in 1999, Japanese researchers had identified organotins in liver samples from cetaceans from Japanese coastal waters. Similarly, in the same year, British researchers had reported the presence of butyltin compounds in liver samples from pelagic cetaceans that had stranded around the British coasts. These data indicated the widespread distribution of butyltin residues in the deep offshore waters and oceanic food chains of mysticetes and odontocetes. Another 1999 paper had reported on polybrominated diphenyl esters in long-finned pilot whales from the Atlantic.

In 1999, new information was published on the patterns and levels of organochlorines in harbour porpoises from the Baltic Sea, the Kattegat-Skagerrak Seas and the west coast of Norway. Principal component and classification analyses had showed that mature male porpoises from the Baltic had significantly different contaminant patterns from those from the other two locations. Levels of some organochlorines were higher in animals collected in 1978-1981 compared to animals collected in 1988-1990, indicating a temporal decline in these particular compounds. The researchers nonetheless concluded that “The contaminant levels recorded in the Baltic Sea are a serious case for concern and could have management implications for the already threatened harbour porpoises in this area.”

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Szefer, P., Zdrojewska, I., Jensen, J., Lockyer, Skora, K., Kuklik, I. and Malinga, M. Inter-comparison studies on distribution and co-associations of heavy metals in liver, kidney and muscle of harbour porpoise *Phocoena phocoena* from the southern Baltic sea, coastal waters of Denmark and Greenland (in preparation).

Process to develop a recovery plan for harbour porpoises in the Baltic

The Advisory Committee concluded that the first step to produce a recovery plan for harbour porpoise in the Baltic should, in addition to the progress report from the Baltic Discussion Group, be to include a brief description of possible elements of the plan to be presented at the Meeting of Parties.

Ten elements were proposed for the plan:

1 Long term and short term objective

In addition to objectives, indicators should be included in order to measure the progress of the plan (changes in population size and level of by-catch)

2 Background

Past status (historic reviews, museum collections)

Potential and known causes for the decline of harbour porpoises (climatic changes, hunting, by-catches, pollution, human disturbance, reduced food supply etc.)

3 Present population status and trends, population structure and population parameters

Compilation of results from various surveys

Conclusion regarding the status of three possible separate subpopulations in the North Sea, Belt Sea/Kattegat and the Baltic

Migration patterns and geographical distribution

If necessary extrapolation from adjacent populations in order to develop and test alternative recovery methods

Possible mixing of parts of the populations at certain times of the year.

4 Threats

Incidental capture/bycatches, possible mitigation methods for specific fisheries

Disturbance

Pollution, review and need for further studies

Indirect effects of fisheries through reduction of food supply and competition for prey

Diseases/epizootics, need for test of immunity of various populations

5 Consideration of ecological effects

Trials for studying various effects of pollutants on health status, sex, age and diet within threatened populations

Multispecies interactions

Ecological status in especially important marine and coastal habitats (using the harbour porpoise as a biological indicator)

6 Legal obligations

Implementation and enforcement of recommendations at international, regional, national and local levels?

7 Additional research needed

Identification and specification of prioritised research

8 Development of specific action plans within the overall recovery plan

- 8.1 In known 'hot spots' of porpoise bycatch, immediate steps should be taken to reduce mortality
- 8.2 Action plans to reduce by-catches (short term)
 - Specific needs for observer programmes in specific fisheries with high by-catches
- 8.3 Action plan to reduce harmful pollution (long term)

9 Monitoring and surveillance

- 9.1 Surveys to long term monitoring of trends in the harbour porpoise sub-populations in the Baltic
- 9.2 Methods for surveillance:
 - Continued assessments of the level of by-catches
 - Collection of all stranded and by-caught animals
 - Investigations of toxic substances

10 Public awareness (at regional, national and local level)

Involvement of local people in implementation of specific parts of the overall recovery plan and to monitor the results of the plan (including fishermen and other interested stakeholders)

The Advisory Committee also recommended that another possible step in the process would be to contact HELCOM and IBSFC in order to facilitate an ASCOBANBS participation at IBSFC's and HELCOM's next sessions to enhance knowledge on the situation of harbour porpoises in the Baltic. The main purpose should be to address the need for the recovery plan and to build up a useful communication between the organisations and authorities in the countries which in different ways will be involved in the implementation of the recovery plan. In addition it was believed to be most appropriate by IBSFC to address the issue during their open part of the annual session when progress in the ongoing implementation of the fisheries sector Agenda 21 for the Baltic Sea region will be discussed. The Advisory Committee especially urged the ASCOBANS Parties to raise the issue during their national preparations for IBSFC's session in September 2000 to ensure a possible participation for ASCOBANS.

The group also concluded the urgent need for a special working group/meeting within ASCOBANS to be organised as soon as the Baltic Discussion Group has presented their final report, and preferably before the end of 2000, in order to be able to finalise the Recovery Plan as soon as possible. The objective of the meeting should also include discussions between scientists and managers regarding a number of scientific aspects under the various points of the ten elements of the Recovery Plan. The need to facilitate necessary participation of experts and scientists from all interested Parties and Range States including representatives for the fishermen and NGOs was especially expressed within the group.

Dates of interest to ASCOBANS in 2000

Date	Organiser	Title	Venue	Participation
2-5 April	ECS	Meeting (and Workshops 2 + 6 April)	Cork	Christina Lockyer
22-26 May	HELCOM	1st Meeting Nature Conservation and Coastal Zone Management Group	Denmark	Penina Blankett
1 June - 31 October	EXPO 2000/UNIC	EXPO 2000 – UN Exhibition	Hanover	Executive Secretary
12-13 June	IWC	Small Cetaceans Sub-Committee (Scientific Committee)	Adelaide	Peter Reijnders or Arne Bjørge
14-23 June	IWC	Scientific Meeting	Adelaide	Peter Reijnders or Arne Bjørge
3-6 July	IWC	52 nd Annual Meeting	Adelaide	Palle Uhd Jepsen
6-10 September	IBSFC	Annual Session	Warsaw	Peter Funegård
End September	ICES	Annual Science Meeting	Bruges	Mark Tasker
24 October	CIC Bonn	United Nations Day Celebrations	Bonn	Secretariat
	OSPAR	OSPAR-IMPACT Meeting		Mark Tasker
	Bern Convention	Annual Meeting	Strasbourg	Executive Secretary
	ACCOBAMS	First Meeting of Parties (if held before May 2001)	Monte Carlo?	Executive Secretary
	OSPAR	Ministerial Meeting		

European Cetacean Society

- ECS is an international professional society comprising a predominantly scientific membership of about 450*; students are encouraged to join.
- ECS was founded in 1987 with scientific goals
- Focus: cetaceans in European waters but encourages the exchange of information on other marine mammals and in adjacent areas.
- ECS holds annual conferences with scientific presentations (talks and posters), emphasising new studies/research
- ECS convenes special topic workshops with invited experts, e.g. dissection protocols; bycatch issues; populations structure related to management etc.; survey techniques; protected areas
- ECS has a potential reservoir of specialists who can meet and interact outside the international government arena on neutral ground where international collaboration is fostered.
- ECS is in a position to promote and encourage special workshops to address topics of relevance to ASCOBANS.
- ECS has no political affiliation, and is not a pressure group.

* Membership comprises nearly all cetaceans researchers in Europe