

Agenda Item 4.1

Reports

Reports of the Chair and Vice-Chair of the
Advisory Committee

Document 4.1

**Evaluation of the Implementation of
the ASCOBANS Work Plan and the
Work of the ASCOBANS Advisory
Committee**

Action Requested

- Take note
- Give guidance

Submitted by

AC Chair & Vice Chair



**NOTE:
DELEGATES ARE KINDLY REMINDED
TO BRING THEIR OWN COPIES OF DOCUMENTS TO THE MEETING**

Evaluation of the Implementation of the ASCOBANS Work Plan and the Work of the ASCOBANS Advisory Committee

Sami Hassani & Penina Blankett

Chair and Vice-Chair, ASCOBANS Advisory Committee

1. Resolution No.2 of the 7th Meeting of Parties contains the ASCOBANS Work Plan 2013-2016. The Secretariat prepared progress reports for each meeting of the Advisory Committee.
2. With this document, we give a personal evaluation of progress, followed by a table with a scoring index (Annex 1).
3. We would like to thank the Parties, the Range States and the NGOs for their involvement and their contributions to the work of the Advisory Committee during these last four years to the benefit of the ASCOBANS agreement. Thanks are also due to the Secretariat, which is accomplishing its mission being reactive and helpful at all times. We would like to underline the efficient activity of the working groups. The workshops co-organized during the ECS annual conference on priority topics for ASCOBANS are also very helpful to move forward.

DESCRIPTIVE EVALUATION

Incidental Take

4. As known, one of the important problems that face the small cetacean in the agreement area is the problem of bycatch. Under this mandate the working group has regularly reviewed and provided information related to this issue. Several workshops were organized on this topic (revision of the EU bycatch legislation, Remote Electronic Monitoring, Threshold on Unacceptable Interaction). The ASCOBANS position on the requirements of legislation to address monitoring of small cetacean bycatch was sent to the European Commission. A [draft resolution on Monitoring and Mitigation of Small Cetacean Bycatch](#) was prepared.

Pollution

5. The Pollution Working Group has continuously reviewed information and literature on the impact of the pollutants with a focus on the impact on PCBs and recently on the marine debris (links needed with other fora). It was agreed during the AC to prepare a draft resolution on the PCBs and to encourage Parties to support research on this topic (impact on small cetaceans).

Noise

6. In the case of the impact of noise, one of the main changes was the decision to have a joint working group CMS/ACCOBAMS/ ASCOBANS with a co-chairing this, in order of synergies and to save time. A joint workshop (ASCOBANS/ACCOBAMS/ECS) was organized in 2014 on the assessment on marine noise. It was encouraged to support other workshop on this topic. A project report on noise impact indicators was written. A draft resolution on [Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities](#) was approved by the AC.

Disturbance

7. Considering the other anthropogenic activities that have impacts and disturbances on small cetaceans as, underwater munitions, marine energies, climate change and cumulative impacts, it was expressed the need of experts, of regular presentations, of collaborations and

collection of information transmitted to other fora. This was regularly done. Draft resolutions were prepared on: underwater munitions, cumulative impacts, and ocean energy.

Recovery and Conservation Plans

8. Since its beginning, the Agreement has concentrated more on the Recovery Plan (Baltic) than on the Conservation Plan (North Sea) for the Harbour porpoise. Some time ago, discussions were initiated to have a focus on other species relevant to the Agreement. Considering the extended area, it was decided recently, to develop a Conservation Plan for the Common Dolphin, one of the species most affected by fisheries interactions. A draft plan was then prepared. Considering the “overlap area”, cooperation with ACCOBAMS is needed and recommended.

9. More generally, considering that ACCOBAMS and ASCOBANS have the same goals (exception regarding large cetaceans), close cooperation between the two Agreements is natural. The two secretariats have already initiated this work in a constructive way.

10. The implementation of the Harbour Porpoise Plans (Conservation Plan for the North Sea, Recovery Plan for the Baltic Harbour Porpoise (Jastarnia), Conservation Plan for the Harbour Porpoise in the Western Baltic Belt Seas and Kattegat), were regularly evaluated. Some progress still has to be made to reach all the objectives of the plans. The related groups during their annual meetings have produced very clear reports with lists of action points for endorsement by the AC. Revised TORs of the Jastarnia Group were endorsed by the AC. We deeply believe that the success of these plans is dependant of close cooperation with the fisheries representatives and also by regular public awareness-raising activities and outreach. The Conservation Plan benefited from the assistance of a coordinator from 2011 to 2014. This experience was very conclusive but needs financial contributions.

Jastarnia Group

11. The 7th Meeting of Parties adopted the Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat as a self-standing document. The Plan has been administered through the Jastarnia Group, where one of three days meetings has been dedicated to discuss these matters.

12. The Jastarnia Group was charged with monitoring the implementation of the Baltic Sea Harbour Porpoise Recovery Plan as well as the Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat. It met annually (in Gothenburg, Sweden, 16-18 April 2013; in Bonn, Germany, 1-3 April 2013, in Stralsund, Germany, 10-12 March 2015 and in Hel, Poland 12-14 April 2016) and provided a substantial number of reports (on the ASCOBANS website). Furthermore, the Jastarnia Group continues to promote the International Day of the Baltic Sea Harbour Porpoise.

13. One of the main issues during the four-year period in the work of the Jastarnia Group has been the decision to revise the Jastarnia Plan due to the new information, coming up from the outcome of the SAMBAH Life + project. The new information on Baltic Sea harbour porpoise on abundance and distribution, made it crucial to revise the plan, last updated in 2009. The AC 22 meeting decided to fund the revision and the draft Plan prepared by the consultancy was discussed at the Jastarnia Group meeting in 2016, followed by an intersessional commenting round, before it was submitted as an MOP document. This represented very important progress in the work of protecting the Baltic Sea harbour porpoise.

14. Additionally items discussed at the Jastarnia Group meetings have been: mitigation and assessment of the levels of bycatch; habitat quality; the reform of the Common Fisheries Policy; and stakeholder involvement. Threats to cetaceans still appear to be increasing in all ASCOBANS areas, in particular, by-catch and new emerging threats such as noise and marine litter. There has been some progress in mitigating the by-catch rates through developing new

gear technologies, but more effort is needed, as is more interactions between the fisheries sector and the environmental/conservation side.

15. It has long been discussed that a Baltic Sea Coordinator is needed and the Terms of Reference for the coordinator have been adopted, but, at the moment there is not enough funding for a Baltic Sea Coordinator.

Other Matters

16. Knowing that strandings are a source of biological samples on small cetaceans that help to improve the understanding of the cause of mortality, reproductive status, and population health, in order to harmonize protocols (for dead or alive stranded animals) and encourage cooperation, it was decided to draft a resolution on stranding response. A questionnaire was sent by the Secretariat to collect information from the Parties on the responsible persons in the rescue schemes and on national laws.

17. One of the current works is the revision of the Reporting Format. In order to have homogeneity of reports, not to duplicate other national reports (IWC for example) and in order to allow statistical analysis of the information provided, it was recommended to have the assistance of a professional survey designer.

18. As said previously, more generally, in addition to research, surveys and national action plans, the success of the agreement requires a long-term process of Education, Public Awareness and Outreach. This has been delivered thanks to the initiatives (financial or concrete actions) of the parties, the past and present investment of the NGOs and the work of the Secretariat (field and website).

ASCOBANS Meetings, Working Groups and Workshops

Meetings and working groups

19. The ASCOBANS AC has had three meetings during the four-year period (AC20 in Warsaw Poland, 27-29 August 2013, AC21 in Gothenburg, Sweden 29 September-1 October 2014 and AC22 in The Hague, Netherland 29 September-1 October 2015.) At the AC20 meeting Sami Hassani (France) and Penina Blankett (Finland) were unanimously elected as Chair and Vice-Chair of the Advisory Committee for another term.

20. The North Sea Group has had its one-day meetings back to back with AC meetings. The Jastarnia Group has had its meeting yearly. Four intersessional working groups have been working on the following items 1) Bycatch, 2) Extension Area, 3) Marine Debris, 4) Marine Strategy Framework Directive (MSFD) and 5) Underwater Noise (a Joint WG of CMS, ACCOBAMS and ASCOBANS – see Annex 2 for a progress report) as well as 6) Pollution on ad hoc basis during the AC meetings. These WGs have reported yearly to the AC on the progress of their work. Most of these WGs have been working throughout the four-year period, some more intensively, some less so. The work they have done has been helpful for the AC and they should, as appropriate, continue their valuable work. To get a picture of all ASCOBANS WGs, it was appreciated that the Secretariat prepared a list of all intersessional working groups, including their membership and terms of reference, as an annex to the report of the AC 20 meeting.

Preparation for MOP8

21. The next ASCOBANS MOP8 will be held on 30 August - 1 September 2016 in Helsinki, Finland at the invitation of the Finnish Ministry of the Environment. At AC22 Parties agreed to develop draft resolutions for the adoption of MOP8. After AC22 13 draft resolutions were developed. Apart from the usual resolutions on the budget and work plan, and one on national reporting, there are nine resolutions on conservation issues, which is far more than in last two MOPs, indicative of how active the AC has been during the last period.

Workshops

22. Bycatch and bycatch-related issues especially the revision of Regulation 812/2004, DCF revision and MSFD, have been among the main issues during the four-year period in the work of the AC. Due to these issues, the AC decided to arrange three special workshops in 2015.¹ The outcomes of these workshops have been used e.g. to write a letter to the EU Commission concerning the revision of Regulation 812/2004. Additionally there has been one workshop within the CMS Family in 2016, also related to the bycatch issue, “*Exploring Synergies for Addressing Bycatch throughout the CMS Family*”. All these workshops have been identified at the AC meeting as being relevant for the work of ASCOBANS and it is recommended to arrange such workshops also in the future, when appropriate.

23. Also the cooperation between ASCOBANS and ECS has been good. During the past four years ASCOBANS has been involved in organizing workshops at the annual conference of the ECS.¹

Budgetary and Administrative Issues

24. In each of the three AC meetings the Secretariat has presented a report on budgetary and administrative issues as recommended in the work plan and Parties have accepted all these reports.

25. At the AC21 meeting the Secretariat presented a new structure within the CMS Secretariat which had resulted in ASCOBANS now being overseen by the head of the Aquatic Species Team (Melanie Virtue). This arrangement gives an opportunity to obtain more information and closer cooperation with CMS and its work with other species and areas.

Funding of projects and coordinators

26. During the four-year period there has been an opportunity to fund some conservation projects and workshops identified as priorities by the AC, mainly at the AC20 meeting. Both funded projects and workshops have helped the work of AC and provided new information on the items on question. Due to this, the decision taken by the two last AC meetings (21 and 22) to suspend the annual call for external projects in the absence of enough funds is very regrettable.

27. Concerning the North and Baltic Sea coordinators, there was some willingness e.g. from the Netherlands (under condition that other North Sea Parties contributed their share) to provide some funds. Also the United Kingdom pledged a voluntary contribution of GB£5,000 towards the cost of the North Sea Coordinator. Unfortunately, there were eventually not enough funds to hire a North Sea coordinator. The current situation of having no coordinators is regrettable, because the work the North Sea coordinator has done during the service time, has improved the work of the North Sea Group and made it effective. In future, the aim should still be to have at least one or preferably two coordinators for both sea areas.

Communication, Education and Public Awareness

Outreach issues

28. At each AC meeting the Secretariat has given a brief report on CEPA issues. The ASCOBANS website has been completely revised during this period and it looks good and it is easy to find things from it. All in all, outreach has been good and there has been progress e.g. the information that ASCOBANS is present in social media and has its own Facebook page. A new publication, the *Oceans full of plastic* leaflet, had been produced in collaboration with CMS.

¹ For details, refer to MOP8/Doc.4.2.a

29. It has been a pleasure to see, that the annual celebration of the International Day of the Baltic Harbour Porpoise on the third Sunday in May has been organized in many places across the Baltic Sea States.

Cooperation with other Organizations

30. In each AC meetings during the four year period the Secretariat have presented a compilation of reports of meetings attended by representatives of the Agreement.

31. At the AC20 meeting the revised draft Terms of Reference of the Joint ACCOBAMS/ASCOBANS MSFD Working Group was endorsed and Sinéad Murphy's offered to co-chair it on behalf of ASCOBANS. The work this WG has done has been very important for the MSFD, as an expert group on cetaceans. Concerning the implementation of the MSFD there was a presentation at AC21, summarizing the process within OSPAR for developing indicators for marine mammals in the Marine Strategy Framework Directive (MSFD).

32. Concerning cooperation with fishery sector there has not been any appreciable progress and this is something that should be paid more attention in the future.

Institutional Issues

Accession to the Agreement and the acceptance of the amendment to the Agreement

33. This was the first four-year period after the MOP7 decision to change from a triennial cycle to a four-year cycle.

34. During this period there has been no accession of any States or the European Union to the Agreement. At the moment the economic situation in Europe has probably had some influence on accession, but efforts on this should continue in the future also. At the AC 22 meeting, concerning the acceptance for the 2003 amendment to the Agreement, it was noticed that eight of the ten Parties had ratified the amendment extending the Agreement Area (Belgium and Lithuania were the two that had not).

National reporting

35. Mostly all reports have been received in time and all the Compilations of Annual Reports from can be downloaded from the ASCOBANS web site.

Revision of National Reporting format

36. At AC20 there was a training session to demonstrate how the online reporting system worked. After that, Parties have used this reporting system. At the same time there has been discussion on the revision of the national reporting system and an intersessional working group has been preparing the content of the reporting format to be adopted by the MOP. There is a need to have a reporting system, where it is easy for the Secretariat to make a compilation report, on the implementation of the Agreement as well as for Parties to make the reporting more in line with other similar reporting obligations.

Conclusions

37. This was also the first four-year period as a result of the decision at the MOP 7 and it seems that it has not caused any major problems in the implementation of the Agreement.

38. The four-year period 2013-2016 was marked by progress for the three harbour porpoise plans (Jastarnia Plan, North Sea Plan and the Western Baltic Plan). The first four years of the implementation of the Western Baltic harbour porpoise plan has started. In 2015 SAMBAH Life + ended and the outcome of the project has been taken into account when revising the Jastarnia Plan to be adopted at the MOP8. The revised ToRs for the three Groups were also adopted. There have been several workshops dealing with the bycatch issue, to feed

ASCOBANS' views in to the revision of EU Regulation 812/2014 and the revision of Data Collection Framework under the Common Fishery Policy.

39. Continuous efforts have been made to organize joint workshops with ECS and the sister agreement ACCOBAMS and to encourage close collaboration between groups and/or with other agreements and bodies and NGOs.

40. Also during this four-year period ASCOBANS has funded numerous external projects with savings from the budget and helped to promote research on small cetaceans. Unfortunately at the end of the period, the funding was limited to only a few projects and it was decided at the last AC meeting that there would not be any call for new projects for the timing being.

41. Efforts and progress have been regularly made by Parties, NGOs and the secretariat to promote the agreement and develop information materials.

42. At the last AC meeting it was agreed that a conservation plan for the Common dolphin should be developed and a draft resolution proposing it has been prepared for MOP8. Efforts and proposals still have to be made including in the Extension Area as there are small cetaceans that are threatened (bycatch, pollutions, noise...). This includes species such as the striped dolphin, bottlenose dolphin, pilot whales, Risso's dolphin, and also the harbour porpoise. Given the fact that there is an overlap area with ACCOBAMS, we have to encourage close cooperation with this sister agreement.

43. We have also to continue to solicit the Range State to accede to the agreement and to encourage fisheries representatives to attend the AC.

44. The main problems are still by-catch, underwater noise and pollution. The implementation of MSFD and new elements in the CFP will hopefully help Parties to make more progress in mitigating threats these causes. At the same time, there are emerging threats, such as plans for renewable energy at sea, where the ASCOBANS Parties should be aware and promoting the use of EIA and SEA guidance and maritime spatial planning and mitigation tools.

Acknowledgements

45. The Advisory Committee met formally three times between 2013 and 2015. These meetings were supplemented by an enormous amount of time put in by Advisory Committee members in between. We also owe thanks to the valuable and constructive input by representatives from non-Party Range States, IGOs and NGOs. The commissioning of experts to help in key areas of work has also been indispensable. We are extremely grateful for all of this work, without which most of the above achievements would have not been possible.

Annex 1

EVALUATION INDEX

The evaluation below is largely subjective and indicates whether the action was addressed sufficiently (++) , partly sufficiently (+) , partly, but not sufficiently (-) , or not addressed (--) .

Conservation Actions	
Review new information on bycatch and associated strandings, bycatch mitigation and monitoring measures, including local initiatives, and fisheries effort and make recommendations to Parties and other relevant authorities for further action, in particular advice concerning the EU Common Fisheries Policy reform and Regulation 812/2004	++
Review new information on pollution, including marine debris, and its effects on small cetaceans that occur in the ASCOBANS area and make recommendations to Parties and other relevant authorities	++
Review the extent of negative effects of sound, vessels and other forms of disturbance on small cetaceans and review relevant technological developments and best practices, working where possible with initiatives by other organizations	+
Develop guidelines which Parties and stakeholders may use to reduce disturbance by noise, where possible in collaboration with ACCOBAMS and other partners	-
Review knowledge about and potential adverse effects of underwater unexploded ordnance as well as methods for its environmentally friendly removal and make appropriate recommendations to Parties and other relevant authorities	+
Review and catalyse new information on small cetacean population size, distribution, structure and causes of any changes in the ASCOBANS area and make appropriate recommendations to Parties and other relevant authorities	++
Review new information on emerging issues posing a potential threat to small cetaceans, such as climate change effects, where possible in collaboration with ACCOBAMS and other partners	+
Review best practice approaches to management of marine protected areas for small cetaceans and make recommendations to Parties and other relevant authorities	-
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	++
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	++
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	++
Consider how the work of ASCOBANS should be extended to take account of the new Agreement Area, including information on ship strikes	+
Consider output of informal working group on large cetaceans in the Agreement Area, which summarizes information on the species and addresses aspects of their conservation	+
Review progress of bottlenose dolphin project (TURSIOPS SEAs) and advise on a way forward	++
Issue call for project proposals and conduct consultation on prioritization prior to each meeting of the Advisory Committee	+
Seek to develop improved liaison and skill sharing across the ASCOBANS Area concerning (1) responses to individual or groups of small cetaceans at risk in dangerous circumstances (this would include but not be limited to small cetaceans entering ports and rivers and live entangled animals); and (2) associated investigations into the causes of such problems and the development of strategies to address these issues	-
ASCOBANS Meetings, Working Groups and Workshops	
Ensure the cycle of Advisory Committee Meetings, with papers circulated one month in advance of the meetings	++
Seek to secure a host for the 8th Meeting of Parties at least a year in advance of the meeting; otherwise arrange for it to be held in Bonn	++

Organize meetings of regional working groups(Jastarnia Group, North Sea Group) at intervals defined in each group's ToR	++
Consider revisions to the national reporting format and make recommendation to the 8th Meeting of the Parties	++
Organize workshops at the annual conferences of the ECS on a topic of priority interest to ASCOBANS funding permitting	++
If feasible, hold a joint CMS Family workshop on a subject of common interest such as bycatch	-
Support intersessional correspondence working groups as needed	++
Propose priorities for the coming period	+
Budgetary and Administrative Issues	
Report on budgetary and administrative issues to each meeting of the Advisory Committee	++
Present a draft budget for the next financial period for consideration at the last meeting of the Advisory Committee prior to MOP8	++
Prepare draft resolutions on budgetary and administrative issues for consideration at the last meeting of the Advisory Committee prior to MOP8	++
Encourage Parties and partner organizations to provide voluntary contributions for projects prioritised by the AC or outreach initiatives	-
Assist in developing funding arrangements for projects prioritized by the Advisory Committee and Meeting of Parties	+
Communication, Education and Public Awareness	
Report on outreach and communication issues to each meeting of the Advisory Committee	++
Implement CEPA to raise awareness of issues related to cetacean conservation in the Agreement Area, with a particular focus on outreach to relevant stakeholders, and where possible in collaboration with partner organizations	+
Develop the ASCOBANS 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	+
Support annual celebration of the International Day of the Baltic Harbour Porpoise on the 3rd Sunday in May	++
Facilitate presentation of the ASCOBANS Outreach and Education Award at MOP8	++
Cooperation with other Organizations	
Identify priorities and improve co-operation between ASCOBANS and the European Union institutions	+
Ensure close collaboration with the Secretariats and scientific advisory bodies of CMS and other CMS Regional Agreements on all issues of mutual interest	++
Seek to cooperate closely with CBD, ECS, HELCOM, ICES, IWC, NAMMCO, OSPAR, UNCLOS and other relevant organizations	++
Work towards establishing positive relationships with other stakeholders, especially the fishing industry and Regional Advisory Councils	-
Compile for each meeting of the Advisory Committee a report of representation of ASCOBANS at other meetings and a list of Dates of Interest	++
Insofar as budgetary provisions and guidance by the Advisory Committee allow for it, ensure proper representation at meetings of other relevant organizations	+
Institutional Issues	
Promote accession of non-Party Range States and the European Commission to the Agreement	+
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	+
Present to the Meeting of Parties a summary of, <i>inter alia</i> , progress made and difficulties encountered since the last Meeting of Parties	++
Support Parties, Range States and Agreement bodies in implementing this Work Plan, in so far as primary responsibility does not lie with the Secretariat	+

Report of the Joint CMS/ACCOBAMS/ASCOBANS Noise Working Group (Joint NWG)

1 August 2015

Joint NWG Co-Chairs: Sigrid Lüber and Yanis Souami

I. Working group history

1. In 2011 the Working Group on Noise became a joint ACCOBAMS/ASCOBANS Noise Working Group, and then in 2013 the ASCOBANS Advisory Committee and ACCOBAMS MOP agreed to evolve it further to become a Joint CMS/ACCOBAMS/ASCOBANS Noise Working Group (Joint NWG) reflecting that the CMS Family was addressing this issue with more seriousness.
2. A broadened Terms of Reference for the Joint Noise Working Group was adopted by ASCOBANS and ACCOBAMS, reflecting the natural evolution of this group and the important work that it needs to address on behalf of these bodies: ACCOBAMS, ASCOBANS and CMS.
3. The invitation to join the Working Group was accepted by the CMS Scientific Council in July 2014.
4. The JNWG members are all noise expert that volunteer their time to the working group. Many of the most active of work for independent research institutions.

II. Report focus and report period

1. The Joint NWG continues to work to the work programme as revised by both ASCOBANS and ACCOBAMS processes.
2. This report builds on AC22/Doc.4.2 and provides details on working group activities between June 2015 and August 2016.

III. IGC Group and OSPAR

1. During 2015, initial contacts were made with the IGC Noise of OSPAR. The Co-Chairs believe it is important to create a cooperation with the IGC Noise Group since similar work areas shared with the Joint NWG, including: Development of an Impulsive Noise Indicator, Development of Ambient Noise Indicator Strategy, Joint Monitoring Program and Noise mitigation.

IV. Drafting key area statements for key regions of the Mediterranean

1. The Joint NWG developed an advisory statement about offshore exploration activities in sensitive areas in the Mediterranean Sea. The statement overlays information about the current Mediterranean Sea EBSA areas with ACCOBAMS science vulnerability as provided by the ACCOBAMS Scientific Committee. It reflects the ACCOBAMS, Pelagos Agreement, CMS, CBD and EU commitments on marine noise, recounts the relevant aspects of the ACCOBAMS Noise Guidelines and provides Joint NWG Recommendations for offshore exploration activities in the Mediterranean Sea, including that:
 - a. Environmental Impact Assessments should conform to the ACCOBAMS Noise Guidelines and ACCOBAMS Scientific Committee Recommendation 10.5, and should be based on appropriate data including characteristics of the specific survey being conducted; and professional modelling, as determined by government regulators, of sound transmission of the area to be surveyed.
 - b. Environmental Impact Assessments should include assessments of the seasonal distribution patterns of vulnerable species and likely seasonal changes in sound propagation conditions such that the timing of any survey could be chosen to minimise impacts.
 - c. The modelling should be used to assess the potential impact on all cetaceans likely to be exposed, and to define exclusion zones, and presented to the regulators. The results should be validated in the field with empirical measurements to allow plans to adapt

accordingly (as indicated in the ACCOBAMS Noise Guidelines and ACCOBAMS Scientific Committee Recommendation 10.5).

- d. Transmission of noise into any EBSA or protected areas within the region should also be considered.
- e. Engaging an independent review of Environmental Impact Assessment before approvals are given is highly recommended.
- f. Marine Mammal Observer and Passive Acoustic Monitoring reports should be made transparently available at the end of exploration surveys (within 2 months) by submission to the ACCOBAMS Secretariat for circulation through an agreed means.

V. Noise hotspots in the ACCOBAMS area

1. JNWG members contributed to an ACCOBAMS project “Overview of the noise hotspots in the ACCOBAMS area”, which contributes to meet the objectives of noise-related Conservation Actions of the ACCOBAMS Working Programme 2014-2016. The project produced a first inventory of noise-producing human activities, identified are as where such activities are carried out, and obtained cumulative maps of noise-producing human activities and proposed a first identification of noise-cetacean interaction hotspots. Finally, the project proposes a methodology for implementing an international noise registry, based on the experience gathered during the data collection phase.

VI. Mediterranean noise monitoring strategy

1. JNWG members contributed to an ACCOBAMS investigation into the Mediterranean noise monitoring strategy, based on TG-Noise guidance for Descriptor11. Two indicators have been proposed, one for impulsive noise and one for ambient noise. The recommendations from ACCOBAMS ScC is to have an inventory of impulsive noises to understand their distribution in space and time, with a spatial grid of 20x20 km to locate and count noise events during a calendar year. Environmental status can be assessed after establishing a spatial and a temporal threshold for impulsive noise distribution. For ambient noise the proposal is to monitor levels and trends in selected 1/3 octave bands (centred at 20, 63, 125, 250, 500 and 2000 Hz), and to identify and use a threshold in dB for environmental status assessment.

VII. CMS Family Environmental Impact Assessment Guidelines for Marine Noise-generating Activities

1. The JNWG members have had the opportunity to input to the development of CMS Family Environmental Impact Assessment Guidelines for Marine Noise-generating Activities.

VIII. Online workspace

1. Provision has been made for the Joint NWG to operate through the ASCOBANS online workspace. The ASCOBANS Secretariat has kindly established the space and the discussions are being channelled to it, but it has taken some time to transfer the group across to the workspace fully.

IX. Annex

1. To support this report one Annexe is also provided:
 - a. Annex A – Work Program of the Joint CMS, ASCOBANS and ACCOBAMS Noise Working Group, progress update 22 July 2016

Annex A – Work Program of the Joint CMS, ASCOBANS and ACCOBAMS Noise Working Group

This work program represents a range of activities for the Joint NWG from 2016-2018. These activities have been prioritized by ACCOBAMS SC and

ASCOBAMS AC to meet both the timing requirements of ASCOBANS and ACCOBAMS processes as well as the volunteer capacity of the Joint NWG.

Progress update: 22 July 2016

<p align="center">Joint NWG ToR</p>	<p align="center">Activities</p> <p align="center">Priorities assigned by ASCOBANS or ACCOBAMS are <u>underlined</u>. Priorities identified by both are <u>bold underlined</u>. Completed work is strikethrough or <u>bold strikethrough</u></p>	<p align="center">Activities completed</p> <p align="center">Details of completed work are provided with corresponding numbers</p>
<p>I. Update and complete information on:</p> <p>a) Relevant activities and developments in other international bodies (both regional and global) and under the EU Marine Strategy Framework Directive</p>	<p>1) Develop a list of forthcoming meetings of relevance to the Joint NWG</p>	<p>#1, this was completed for 2014. It needs to be done again for 2016 and 2017.</p>
<p>b) Relevant developments and new literature especially with respect to technologies aimed at mitigating the propagation of marine noise and noise sources that may present a threat to marine life and how cetaceans are affected</p>	<p>2) Contact the Secretariats, sending recent information as appropriate, requesting them to add the information to Conf. docs or Inf. docs or to make the information available to Parties in appropriate way</p> <p>3) Develop a summary document that presents quick and accessible information about technologies aimed to mitigate noise on marine mammals and noise sources; engage in workshops with the industry</p>	<p>#2, the co-Chairs circulate information to the Secretariat as becomes available.</p>

<p>c) Parties' progress in implementation of:</p> <ul style="list-style-type: none"> - CMS Res.9.19: Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other Biota - CMS Res.10.24: Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and other Migratory Species - ACCOBAMS Res.3.10: Guidelines to Address the Impact of Anthropogenic Noise on Marine Mammals in the ACCOBAMS Area - ACCOBAMS Res.4.17: Guidelines to Address the Impact of Anthropogenic Noise on Cetaceans in the ACCOBAMS Area - ACCOBAMS Res.5.13: Conservation of Cuvier's beaked whales in the Mediterranean - ACCOBAMS Res.5.15: Addressing the impact of anthropogenic noise - ASCOBANS Res.6.2: Adverse Effects of Underwater Noise on Marine Mammals during Offshore - Construction Activities for Renewable Energy Production - ASCOBANS Res.7.2: Activities of the ASCOBANS Advisory 	<p>4) With the assistance of the Secretariats, collect information from Parties about their progress and the effectiveness in implementing the listed Resolutions.</p>	
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<p>Committee and Work Plan And any relevant Resolutions still to be passed.</p>		
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<p>II. Improvement of existing guidelines based on new scientific findings, detailing available mitigation measures, alternative technologies and standards required for achieving the conservation goals of the treaties, in particular by:</p> <ul style="list-style-type: none"> d) Updating and structuring the recommendations in the ACCOBAMS and ASCOBANS noise guidelines and making them applicable globally e) Updating the guidance on relevant mitigation technologies and management measures, and their effectiveness and cost f) Continuing to consult stakeholders for advice on operational constraints to take into account g) Recommending appropriate biological indicators and thresholds 	<ul style="list-style-type: none"> 5) Request an update from the CMS Secretariat about progress on communications with Parties and any information received, as well as any additional information that might be presented to CBD SBSTTA18 and then also CBD CoP12 6) Develop a matrix of noise guidelines in use around the world (including the ACCOBAMS guidelines) for discussions by the Joint NWG 7) Once discussed, develop draft CMS noise guideline advice for presentation to the CMS Scientific Council – the emphasis of this should be to prepare something that is simple and short 8) <u>Develop a Standard for geophysical surveys (seismic, multi-beam research activities,...) in the Mediterranean Sea (GNCC/ACCOBAMS Guidelines Doc. 22 provides a basis for this work) To develop this standard, collect information on :</u> <ul style="list-style-type: none"> – <u>which guidelines are applied in Mediterranean Sea; look at the effectiveness of the measures.</u> – <u>what are the best practices of industries ?</u> – <u>what are the geophysical activities in the area ?</u> – <u>what need to be included in the standard (certified training of MMO, PAM, etc.)</u> – <u>organise a workshop with the industry</u> <p>[For II (d) Please refer to the item IV regarding</p>	<p>#5, a request was sent in late 2014. This is awaiting further communication from CMS</p>
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	collaboration with UNEP/MAP]	
III. Further develop the documents: h) ACCOBAMS-MOP5/2013/Doc.22 on Anthropogenic noise and marine mammals: review of the effort in addressing the impact of anthropogenic underwater noise in the ACCOBAMS and ASCOBANS areas, i) ACCOBAMS-MOP5/2013/Doc.23 on Implementation of underwater noise mitigation measures by industries: Operational and economical constraints, and j) ACCOBAMS-MOP5/2013/Doc.24 Methodological Guide: “Guidance on underwater noise mitigation measures” according to available knowledge and to report about progress made to the next Meeting of Parties to ACCOBAMS	9) <u>Develop further comments on :</u> a) <u>ACCOBAMS-MOP5/2013/Doc.22;</u> b) <u>ACCOBAMS-MOP5/2013/Doc.23 and</u> c) <u>ACCOBAMS-MOP5/2013/Doc.24</u> <u>Continue to update these three documents</u>	
IV. Provision of advice on: k) Collaboration with other international bodies, such as OSPAR, HELCOM, CBD, IMO and IWC	10) <u>Collaborate and engage with IMO on the next work plan related with the Sub-Committee on Ship Design and Construction</u> 11) <u>Write to OSPAR for additional information and update on their noise mitigation considerations</u> 12) Pursue the ACCOBAMS collaboration with UNEP/MAP to develop specific indicator related to EO11 13) <u>Pursue relevant collaboration activities with CBD</u>	#11, contacts has been made with the IGC Noise Group of OSPAR #12, Joint NWG members provided further support to ACCOBAMS directly for indicator EO11 #13, Joint NWG provided an expert paper to the CBD workshop, and members provided update information directly to CBD following their recent call. At this stage the Joint NWG is waiting for further advice from the CMS Secretariat in relation to #5

<p>l) Requirements of the relevant other bodies that countries have elected to adhere to with respect to underwater noise, such as European Directives (i.e. the Marine Strategy Framework Directive and the Habitats Directive)</p>	<p>14) Give recommendations on a development of an indicator on noise, with the overall aim of updating the list of the COP18 agreed GES, targets, indicators by COP19 in 2015 (UNEP/MAP).</p> <p>15) Further develop table presented during the COR-GEST Meeting regarding EO11 for adoption of noise indicator by COP19 (UNEP/MAP)</p> <p>16) With the assistance of the Secretariats, collect information from Parties about their progress and the effectiveness in implementing the Habitat Directive</p> <p>17) With the assistance of the Secretariats, collect information from Parties about their progress and the effectiveness in implementing the MSFD (descriptor 11)</p>	<p>#14 The timing for this opportunity passed</p> <p>#15, Joint NWG members provided further support to ACCOBAMS directly for indicator EO11</p>
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<p>m) Opportunities for influencing decisions of other relevant bodies in order to achieve more effective protection of marine life from impacts of underwater noise</p>	<p>18) Develop a draft advisory note for governments about factors to consider for effective mitigation of noise propagation into MPAs or other protected areas, and seeking comment from the:</p> <ul style="list-style-type: none"> a) IUCN SSC/WCPA Marine Mammal Taskforce b) IUCN WCPA Transboundary Conservation Specialist Group c) IUCN SSC Cetacean Specialist Group, Pinniped Specialist Group, Sirenian Specialist Group, Polar Bear Specialist Group, Shark Specialist Group and CMS ScC Aquatic Mammals Working Group <p>19) With comments incorporated, present the advisory note to the CMS Scientific Council, ASCOBANS Advisory Committee and ACCOBAMS Scientific Committee for comment and forward recommendation</p> <p>20) <u>Engage industries, Parties, NGO with implementing ship quieting guidelines</u></p>	<p>#18 a general statement has been developed as first draft, and can be circulated to the working groups for their comment</p>
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<p>V. Design, and help implement as appropriate, pilot projects to test and improve the existing noise guidelines (ACCOBAMS Res. 4.17 and ASCOBANS AC17/Doc.4-08) and mitigation measures for their application in the field</p>	<p>21) <u>Define 2 or 3 priorities of pilot project (ex.: define save levels (at least for MPAs), test quieting technologies, etc.)</u></p> <p>22) Propose 2 or 3 pilot projects to ASCOBANS/ACCOBAMS/CMS</p> <p>23) Engage with Gvmt and non Gvmt Parties in implementing the IMO ship quieting Guidelines within the region.</p> <p>The new guidelines:</p> <ul style="list-style-type: none"> – recognize that shipping noise can have short-term and long-term impacts on marine life; – call for measurement of shipping noise according to objective ISO standards, which are themselves on the verge of adoption; – identify computational models for determining effective quieting measures; – provide guidance for designing quieter ships and for reducing noise from existing ships, especially from propeller cavitation; and – advise owners and operators on how to minimize noise through ship operations and maintenance, such as by polishing ship propellers to remove fouling and surface roughness. <p>While these (as yet) are voluntary guidelines, not mandatory code, they put the IMO’s imprimatur on noise reduction.</p>	
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<p>VI. Follow up activities specified by ACCOBAMS Parties related to conservation of Cuvier's beaked whales in the Mediterranean, by:</p> <p>n) Developing, in collaboration with Parties, non-Parties, as well as NATO and other stakeholders as necessary, implementable measures to reduce impacts of intense noise activities within areas identified as of special concern for Cuvier's beaked whales for consideration by the next Meeting of the Parties of ACCOBAMS</p>	<p>24) Create dialogue with stakeholders and other potential organisation to reduce impacts</p> <p>25) Review of existing measures and if they could be applied in other regions</p> <p>26) Extend this activities to other regions than ACCOBAMS</p> <p>27) <u>Establish dialogue with stakeholders to develop implementable measures.</u></p> <p>28) <u>Dialogue needs to go through the secretariats and will need to be reviewed by Scientific Committee, Advisory Committee and Scientific Council</u></p> <p>29) <u>Attend September Meeting in Amsterdam, which focuses on military noise and organise a meeting around that workshop on which most NATO countries attend.</u></p> <p>30) <u>Develop a review of what the Navy does in EU waters</u></p>	
<p>o) Supporting the ACCOBAMS Scientific Committee over the study on the extent and temporal variability of the habitat of species that are known to be particularly vulnerable to man-made noise (eg <i>Ziphius cavirostris</i>), in order to ensure that more data are made available, to increase the model's robustness and to compare different algorithms for best results</p>	<p>31) Define the process of exchange and communication with the Scientific Committee</p> <p>32) Propose a technical presentation of models (methodology, advantage/disadvantage, performance/limit, etc.) both for scientific and non-scientific</p> <p>33) Develop the models in other area</p>	

<p>VII. Responding to relevant Resolutions and priorities of CMS, ACCOBAMS and ASCOBANS</p>	<p>34) <u>Further develop contacts with the industry, including writing to industry about the ACCOBAMS guidelines. Develop a summary document that present quick and accessible information about measures to mitigate noise on marine mammals: rules, tools and procedures</u></p> <p>35) Organize workshop with different industries (i.e. special workshop for geophysical Industry) and develop a standard.</p> <p>36) Aquatic mammal conference 2015 will dedicate one day on policy. Attend and establish and improve dialogue with member states.</p> <p>37) Attend 2015 Barcelona Conference on ONP. Host an Noise and Environmental Impact Assessment workshop at the ECS meeting (Remark: Risk assessment is a different audience, how to bring all people related to risk assessment in the process?)</p> <p>38) Develop CMS level guidelines (i.e. broader than European context) for EIA relating to marine noise for the CMS Scientific Council to consider, and possibly recommend to the CMS Conference of the Parties</p> <p>39) <u>Develop European level guidelines for EIA relating to marine noise for ASCOBAMS and ACCOBAMS to consider</u></p> <p>40) <u>Identify and map anthropogenic noise/cetaceans interactions hot spots in the ACCOBAMS area</u></p> <p>41) <u>Identify and map anthropogenic noise hot spots</u></p>	<p>#37, An Environmental Impact Assessment workshop was held in the margins of the ECS meeting</p> <p>#38, a member of the Joint NWG brought a discussion paper, based on the Joint NWG expert advice to CBD, to the CMS ScC. This needs to be pursued again.</p> <p>#40, Joint NWG members provided support to ACCOBAMS directly to identify and map anthropogenic noise/cetaceans interactions hot spots in the ACCOBAMS area</p>
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<p>Other) Increasing the Joint NWG Profile in coordination with the Secretariats</p>	<p>42) Identify and map cetacean hot spots</p> <p>43) <u>Prepare general presentation about the Joint NWG for use in meetings with other organisations</u></p> <p>44) Prepare the Joint NWG online workspace, and launch it to the whole Joint NWG</p> <p>45) Invite international bodies to join the Joint NWG and exchange information where possible (including seeking to have Joint NWG document distributed to member States of key organisations)</p> <p>46) Invite additional expert members to participate in the Joint NWG</p> <p>47) <u>Host a Joint NWG meeting in the margins of the ECS meeting</u></p> <p>48) Further develop contacts with the industry, including writing to industry about the ACCOBAMS guidelines</p> <p>49) Recirculate list of participants/members and reconfirm the aim and purpose of the NWG (i.e. to serve the ACCOBAMS SC, ASCOBANS AC and CMS SC as advisory group with the purpose to ensure cetacean conservation from ONP) into the work program.</p>	<p>#44, the online workspace has been developed and is now in use</p> <p>#45, key international bodies have been invited to participate as members of the Joint NWG. This needs to be pursued further to complete the activity fully</p> <p>#46, additional experts are periodically added to the members of the Joint NWG</p> <p>#47, a Joint NWG meeting was held in the margins of the ECS meeting</p> <p>#49, the aims and purpose of the Joint NWG were circulated and further discussed with all Joint NWG members.</p> <p>#49, the members table is regularly updated and appear as Annex C to this report</p>
<p>Other) General</p>	<p>50) Define what is to be produce for each meeting (ACCOBAMS, ASCOBANS, CMS)</p> <p>51) Clarify the organisation of the Joint NWG</p> <p>52) Organise more meetings of the Joint NWG</p>	<p>#51, Operational Procedures for the Joint NWG were developed and circulated to the Joint NWG by the three Secretariats</p>

Reference documents:

- Report of the 21st ASCOBANS Advisory Committee Meeting. Annex 11 Priorities of the Joint Noise Working Group.
- Report of the 9th ACCOBAMS Scientific Committee Meeting. Paragraph 4.2.2. Anthropogenic Noise