



A S C O B A N S

AGREEMENT ON THE CONSERVATION OF SMALL CETACEANS
OF THE BALTIC AND NORTH SEAS
ACCORD SUR LA CONSERVATION DES PETITS CÉTACÉS
DE LA MER BALTIQUE ET DE LA MER DU NORD
ABKOMMEN ZUR ERHALTUNG DER KLEINWALE
IN DER NORD-UND OSTSEE
СОГЛАШЕНИЕ ОБ ОХРАНЕ МАЛЫХ КИТОВ
БАЛТИЙСКОГО И СЕВЕРНОГО МОРЕ

ADVISORY COMMITTEE MEETING

Cambridge

29 November - 1 December 1995

Report of the Second Meeting of the Advisory Committee

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Concluded under the auspices of the Bonn Convention

Executive Summary - Points for Action

1. National Reports

- 1.1 Reminder to Parties and Range States that have promised National Reports or updates since September 1994, but have not yet submitted them, to send them to the Secretariat as soon as possible. Any reports submitted at this late stage should be revised before 31 March 1996. The Secretariat, Peter Reijnders and Mark Tasker will draft a letter to be sent to contact persons to reinforce this matter. Before the letter is sent out, the Secretariat will remind contact persons informally. A deadline for submission will be set (Note that Belgium, Germany and the UK have submitted reports or updates).
- 1.2 The Secretariat will provide a summary of the National Reports and circulate this to all Parties and Range States of ASCOBANS through both Advisory Committee members and national co-ordinators, and also provide a summary to the Scientific Committee of the IWC meeting in 1996. This is a repeat request - item 2 on Executive Summary, March 1995.

2. National legislation

Copies to be sent to the Secretariat (also on diskette in WP51 (IBM compatible) or ASCII format). English summaries should be sent, addressing: take, kill and injury to cetaceans, bycatch and strandings, as well as information relevant to ASCOBANS. Deadline for submission by Parties is end 1995, but compilation will be before 1997 meeting of Parties. This is a repeat request - item 23 on Executive Summary, March 1995 meeting.

3. EC status

- 3.1 Peter Reijnders will contact M. Julien of EC DGXI to establish the current status of the EC in relation to ASCOBANS, and with whom we should be communicating.
- 3.2 Each Party should approach their EC/EU representative and remind them that the EC have signed ASCOBANS (subject to ratification), but does not participate in any meetings other than the First Meeting of Parties. We would welcome their participation and full membership.
- 3.3 Secretariat to write to EC DG sections (decided after consideration of the scope of each) to request that they inform us of proposals submitted for funding to investigate matters relevant to small cetaceans. This is to avoid duplication of effort by other organisations and bodies. We should express interest to help review such applications.

4. Scale of Contributions

Secretariat to send out scale of contributions to non-member Range States contact persons to indicate their likely required contribution should they join. This is a repeat request - item 10 on Executive Summary, March 1995.

5. Relevant Meetings

The Secretariat will prepare a list of internationally relevant meetings for 1996 and circulate to all members. This is a repeat request - item 3 on Executive Summary, March 1995. Should any Advisory Committee members attend any meetings relevant to ASCOBANS, they should be sure to copy any important documentation for the Secretariat, and if possible and/or relevant, provide a summary of meeting outcome. The Secretariat will try to ensure that an observer will attend relevant meetings.

6. Rules of Procedure

Further consideration of rules prescribing the means of amending the Rules of Procedure, and the way in which NGOs may attend the Advisory Committee meeting, will be placed on the agenda for 1996.

7. Triennium budget

A Working Group addressing the budget for the next triennium (1998-2000), will work towards a preliminary draft (**Chris Lockyer** (convenor), Trevor Salmon, Peter Reijnders, Jan Haelters, Olaf Christiani, Astrid Thyssen).

8. Extension of ASCOBANS agreement area

The Secretariat will seek the views of France, Spain and Portugal on the possible extension of ASCOBANS waters to include areas that might adjoin future ASCOMABS areas. This question will be discussed by the UK and Ireland in their ongoing dialogue about possible inclusion of Irish waters.

9. Advisory Committee Working Group

Working Group - **Peter Reijnders** (convenor), **Chris Lockyer**, **Mark Tasker** - to critically assess the Advisory Committee's function and effectiveness before the 1996 meeting and report back suggesting improvements or otherwise.

10. ICES

10.1 ASCOBANS to endorse the ICES recommendation to approach ICES members about recording marine mammal bycatches, and request ICES members to move forward on this issue. The Secretariat will notify John Harwood, chairman of the ICES Study Group concerned with these matters. (Note: there was subsequent concern by some Advisory Committee members that there were deficiencies in the ICES recommendation.)

10.2 Request the opinion of the ICES Study Group concerned with seals and small cetaceans, about the question of definitions of "unacceptable take" particularly bearing in mind the 1995 IWC definition of the same (for input to a draft resolution for the 1997 ASCOBANS Meeting of Parties).

11. NAMMCO

Arne Bjørge to approach NAMMCO about possible involvement of Iceland and the Faroe Islands in the ongoing international collaboration that addresses population structure of harbour porpoise in the North Atlantic.

12. Definition of "unacceptable take"

The IWC definition of 1995 was noted. However, the Working Group appointed in March this year to address this issue- **Mark Tasker** (convenor), **Arne Bjørge**, **Per Berggren** - should complete their task before the next meeting of the Advisory Committee. A draft resolution will be provided to the 1997 meeting of Parties, taking into account:

- (i) The opinion of the ICES Study Group concerned with seals and small cetaceans in European seas (to be requested, and possibly not publicly available until the general meeting of ICES in the autumn of 1996).
- (ii) Results of the 1996 IWC meeting.

13. Bycatch

Place as a priority topic on the agenda for the 1996 Advisory Committee meeting.

14. Document 4 - Northridge paper

Comments to be received by 10 December, and given directly to Mark Tasker. The final paper will be generally available soon and should be distributed by the Secretariat to other relevant organisations, e.g. IWC.

15. Irish Survey

The Advisory Committee noted the need to survey the waters west of the present ASCOBANS area for small cetaceans, to compliment existing surveys e.g. SCANS in 1994 and the North Atlantic (IWC) surveys in 1995.

16. Baltic Area research

- 16.1 Sweden, Poland and Germany to explore possible routes for collaboration with other Baltic States on matters of porpoise sample analyses and surveys.
- 16.2 Secretariat to: circulate Finnish cetacean sightings / strandings data (Doc. 2) to other Baltic States; invite other Baltic states to compile historic and archival records on cetaceans, emphasising the importance of historic and present distribution of porpoises in the Baltic.

17. Disturbance to Cetaceans

Committee members to provide feedback as soon as possible on draft guidelines on disturbance to cetaceans (Docs 8 and 9) to Mark Tasker.

18. Military Activities

- 18.1 The Swedish Environmental Protection Agency will send information on military use of explosives and possible interaction with cetaceans to the Secretariat before the end of December 1995.
- 18.2 Each Party will take up the matter of military activities in relation to cetaceans before the next Committee meeting, and report back. **This is a repeat request - item 18 on Executive Summary, March 1995 meeting.** In addition the guidelines given in Doc.12 will be forwarded to relevant defense departments in member countries to find out if they might be applicable there.

19. Protected Areas

- 19.1 The matter of "protected areas criteria" to be placed on the 1996 meeting's agenda.
- 19.2 A Working Group to discuss "protected areas criteria" and their relevance within the ASCOBANS region - **Trevor Salmon** (convenor), Olaf Christiani, Peter Reijnders, Mark Tasker, Arne Bjørge - will work inter-sessionally and will report to the next meeting of the Advisory Committee. All Parties should send information to Trevor Salmon on criteria they are using nationally. A list of such criteria will be compiled.
- 19.3 The Swedish Environmental Protection Agency will provide information on how they define protected areas by the end of December 1995.

20. Effects of Pollutants

A Working Group to address the effects of pollutants - **Peter Reijnders** (convenor), Arne Bjørge, Mark Tasker and Chris Lockyer - is to work inter-sessionally, and to address specific issues including how we might further goals of the IWC workshop in Bergen this year.

21. National stranding schemes

Jan Haelters will write to all Parties and request information on national strandings schemes. He will report back on strandings network schemes at the 1996 meeting. **All members should respond on this matter by forwarding information on operation of national strandings schemes to Jan Haelters, or putting him in contact with persons who can assist.**

22. Media and Education

A Working Group report on media and education aspects of ASCOBANS will be drafted by Mark Tasker incorporating the summary of Media Natura's presentation . This will be circulated to all Advisory Committee members for comment, with the aim of completing the report to Parties by March 1996.

ASCOBANS Advisory Committee

Report of the meeting 29 November - 1 December 1995, Cambridge

1. Confirmation of chairperson

Peter Reijnders, chairman of the Advisory Committee was elected to chair the meeting. He welcomed everyone to the second meeting of the Advisory Committee, and then Christina Lockyer of the Secretariat, explained domestic arrangements for the meeting.

2. Appointment of rapporteurs

The Committee appointed Christina Lockyer, assisted by Sara Heimlich-Boran, both from the Secretariat, to act as rapporteur for the meeting; Lockyer has since left the Secretariat for a post at the Danish Institute for Fisheries Research.

3. Adoption of the agenda

The agenda was adopted (Annex 1), and a working group chaired by Trevor Salmon, was set up to address agenda item 19 (amendments to the Rules of Procedure), with the intention to meet later and report back with recommendations on Friday, 1 December.

Item 11, addressing by-catches, was considered to be the most important for the Committee's consideration, and the Chairman requested that sufficient time be made available for a full discussion of this issue.

4. Admission of observers

A full list of participants, Committee members and their advisors, and observers from Range States, is provided in Annex 2.

5. Documentation

A number of documents were submitted for the Committee's work at the meeting, and these are listed with numbers in Annex 3. Several other papers and information were available for consideration and reference but were not provided with numbers.

6. Report on the Baltic aerial survey, summer 1995, and other surveys

The results of the Baltic aerial survey, designed to complement SCANS from 1994, were reported in draft summary ASCOBANS/ADV.COM./2/DOC.7. The results were presented by Julia Carlström. The outcome of the survey was that in the two block areas A and B, total abundances of 655 and 524 were estimated, with an estimated total of about 1,200 porpoises in the southern Baltic. The estimates were based on actual sightings of only three animals. Unfortunately, coastal areas adjacent to Poland and Russia were not covered because permission to survey was not requested in time. Krzysztof Skóra explained that normally granting of permission would not be a problem in Poland. The only reason that it had not been granted this time was that the authorities were not warned sufficiently in advance for approval to be granted.

The survey was coordinated by Sweden, and Skóra reported that Poland may well collaborate closely with Sweden in the future regarding this matter. Poland was not in a position to design and run surveys themselves at this time, with no access to suitable aircraft and other resources. The Committee encouraged Poland and Russia to collaborate with Sweden on these matters in the future. In the meantime, the Committee expressed a wish to see the final report of this survey.

Karl Herman Kock reported on a German aerial survey in October 1995 that covered block B. Results will hopefully be available soon.

Mark Tasker commented that surveys of coastal areas are important, and could be land-based or operated in conjunction with other aerial surveys e.g. duck surveys off Lithuania and Latvia, if observers are requested to also record cetacean sightings.

Reijnders reported on a pilot survey study in the area of Bay of Biscay north to Ireland. The report of this would soon be completed and would be submitted to ASCOBANS. The intention was to resubmit a proposal for funding a full survey in the area in two years' time. The Committee noted that the area was adjacent to the current ASCOBANS area.

Arne Bjørge reported on a 1995 summer survey organised in the central North Atlantic which extended from Orkney and Shetlands, to the Barents Sea. The results from this survey would be submitted to the 1996 meeting of the International Whaling Commission (IWC) Scientific Committee. The survey was conducted as a Norwegian national survey but operated under the umbrella of NAMMCO. A total of 11 vessels and one aircraft were involved. Tasker mentioned that in the Faroese and Icelandic survey effort in the North Atlantic, observers from the British JNCC were on board vessels. These surveys were of considerable interest to the Committee, with recognition of the fact that these areas were adjacent to ASCOBANS area.

Trevor Salmon suggested that the Irish Republic should be invited to survey their westerly waters, pointing out the relative importance with regard to other recently conducted surveys.

7. National Reports

The Secretariat reported that both Germany and Belgium had submitted National reports. The United Kingdom had revised an earlier report and also sent a diskette as requested. However, this had not been received by the Secretariat. Salmon said that it would be sent again (now received). Reijnders said that a report had been prepared by May 1995, but that it had still not been sent to the Secretariat. Skóra said that the Polish report, completed in March 1995 but awaiting translation, was now ready and would be submitted soon.

The Committee agreed that the Chairman (Reijnders), Vice-chairman (Tasker) and the Secretariat (Lockyer) should together draft a letter to Parties reminding them of their obligations and of the importance of National Reports. Before sending written reminders, Lockyer would contact Parties unofficially to remind them and also find out if there are problems in compiling the reports. In the written reminder there would be a deadline for submission. Tasker mentioned that any reports sent late for 1995 would require updating for 1996.

The Secretariat reminded Parties of the requirement to provide a diskette of the text, preferably either in WP5.1 or ASCII format.

8. Progress on implementation and accession to ASCOBANS

The Secretariat reported that there were no new Parties to ASCOBANS, and that there had been no move by France and the EC to sign or ratify. There was some discussion about how to pressure the EC into taking a more active role in ASCOBANS. It was considered that the responsible unit in DG XI (Environment), headed by Mr. B. Julien, as well as DG XIV (Fisheries), headed by Mr. R. Geiser should be approached. Reijnders suggested that M. Julien would be a useful contact in the EC, for finding out the current position regarding ratification. Olaf Christiani mentioned that currently Spain chairs the EU Council, but this change will change. If a Range State or Party were chair of the EU council, the matter could easily be taken up in an environmental group. Italy would chair the council in 1996 but Netherlands would chair in 1997. Salmon suggested that each Party approach their EU representative directly about ratification, reminding them that the EC have already signed up to ASCOBANS.

Lockyer reported that some contact had been made with Finland and that they intended to sign but that progress through Parliament was very lengthy. Germany confirmed Finland's position but stated that ASCOBANS was not regarded as a priority.

Skóra reported that the Polish parliament had considered the ASCOBANS papers and planned to sign, but that recent elections in October might delay actions; Poland has become a Party since the Advisory Committee meeting and preparation of the draft copy of this report, signing in January 1986.

Bjørge reported that Norway regarded ASCOBANS as an important agreement, and plans to cooperate actively with ASCOBANS scientific endeavours. This intention is independent of whether or not Norway ultimately signs the Agreement. Norway also plans to submit a National Report.

Salmon reported that internal governmental changes in the Irish Republic had led to delays in negotiation about joining ASCOBANS, and some rethinking on Ireland's part.

Tasker mentioned that contributions to ASCOBANS through the Secretariat for furthering Agreement aims were welcome from non-Party Range States.

9. Secretariat report on UN scale of contributions

The Secretariat prepared two tables showing calculated contributions by Parties according to the 1996 and 1997 UN scales (Annex 4). These showed the contributions should all Range States accede to ASCOBANS, and the second showed the contributions should France, Norway, Poland and the EC join the current six Parties. The latter demonstrated the most likely scenario in the near future. It was agreed that the Secretariat should circulate these to all Range States with a covering letter.

10. Reports from observers at meetings since 10 March 1995

10.1 NAMMCO, Shetlands, April 1995

Arne Bjørge reported on this meeting which focused on the exchange of information on the impacts of contaminants to marine mammal life, humans and environment. Two lectures

(Oehme - *Sources and pathways of persistent organic pollutants to the North Atlantic and levels in the marine food chain*, and Hall - *The impact of the Braer oil spill on seals in Shetland*) were particularly relevant to ASCOBANS, and addressed issues of pollution in the Agreement area. There were presentations on the impact of pollutants through human consumption of marine mammal meat and blubber in Faroese and Greenlanders. Some research had been undertaken on the effects of regular versus irregular consumption of such products in children and the likely outcome on educational levels. Significant levels of contaminants were reported but no firm conclusions were reached. There was a panel discussion at the end of the meeting, but this concentrated mainly on the human aspects of consumption both for health and economy. It was also noted that a presentation was given by Lockyer on ASCOBANS, that explained the aims of the Agreement and the desire for the Agreement to work with other organisations on aspects such as contaminants in marine mammals.

10.2 IWC, Bergen, March 1995

Peter Reijnders had prepared a document ASCOBANS/ADV.COM./2/DOC.3, on this workshop on chemical pollution and cetaceans. This meeting focused on key-note presentations, effects of chemical pollution on cetaceans and the research implications. The key-note presentations indicated that there had been progress in analytical techniques, toxicokinetics and biomarker techniques. The major chemical threat to cetaceans was regarded as the uptake of persistent lipophilic contaminants through the food chain, which may, over time, induce lethal or sub-lethal effects. Sublethal effects in relation to immuno-suppression, reproductive pathology, disease, cancers and mutagens, behaviour and epizootics, were discussed. The workshop concluded with "if any progress is to be made within a reasonable time frame, a multidisciplinary, multinational focused programme of research is required that concentrates on those species/areas where there is most chance of success". Three species were selected as especially suited for research and included the bottlenose dolphin, the harbour porpoise and the white whale. Finally, there was a list of 21 recommendations, many of which were of direct relevance to ASCOBANS.

The Committee agreed that ASCOBANS should endorse these IWC recommendations, and that Reijnders, Bjørge, Tasker and Lockyer should develop a plan to explore ways ASCOBANS can move on some of these in a working group.

Tasker noted that it was important to make a proposal regarding the studies needed now. Polar waters appeared to act as a sink for volatile contaminants, and therefore information on the impact on such regions was needed now and not in 10 years. The terms of reference for such a working group would include:

- o research needed
- o endorsement of IWC recommendations on particular points and exploration of ways to facilitate these recommendations
- o identification of lipophilic compounds, and others that are very toxic
- o action to reduce pollution effects through approaching organisations such as HELCOM.

The terms of reference of this working group is provided in Annex 5.

10.3 IWC, Dublin, May 1995

Lockyer reported on the work of the Scientific Committee and reviewed the report of the small cetaceans sub-committee that had focused on harbour porpoise. Efforts had been taken to

attempt to define management areas rather than stocks / populations, based on current knowledge from distribution, fisheries interactions and genetics. The results of the SCANS survey which covered most of the ASCOBANS area and the Celtic Shelf, were presented. The total population in the area surveyed was around 352,000 porpoises, and estimates for other species were also provided. Discussion focused on fisheries interactions and by-catches, and ways to reduce the latter through gear modifications. Discussion on what constituted "unacceptable take" with regard to by-catches was considered highly relevant to ASCOBANS, and would be taken up later in the agenda of the Advisory Committee meeting. A report was also received on satellite tracking of porpoises in the Gulf of Maine, indicating that such methods may be helpful in establishing movements and migrations of these animals.

Sara Heimlich-Boran reported briefly on the outcome of a whale-watching meeting held in the week after the Scientific Committee. Whale-watching is an issue newly-approached by the IWC, and much discussion was given over to its application and suitability as an agenda item appropriate to the manifest of the IWC. However, there was some agreement that whale-watching is becoming a world-wide industry with few globally-accepted recommended regulations. Spain was particularly interested in having some guidelines upon which national policy could be based, and felt the IWC was an appropriate resource. There was general agreement that whale-watching is an issue worth further discussion.

10.4 ACCOBAMS (Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area), Monaco, September 1995

Heimlich-Boran reported on the outcome of this meeting which highlighted some geographical and political difficulties between potential Range States. The content of the draft text of the Agreement was more detailed than that of ASCOBANS. Tasker also reported that ACCOBAMS was considering inclusion of all cetaceans in the area of the Agreement, thus overlapping with the IWC. ACCOBAMS was also considering extending the area of coverage outside the Mediterranean and linking up with ASCOBANS, perhaps in the region of Biscay. Range States would be defined to include all nations fishing the waters of the ACCOBAMS Agreement. Heimlich-Boran mentioned the possibility that the Agreement would function through two Scientific Committees - eastern (Black Sea) and western (Mediterranean) because of political differences, and in addition two separate administrative committees might be considered (eastern and western).

There was discussion as to whether or not some Parties to ASCOBANS might also be party to ACCOBAMS. Trevor Salmon mentioned that the United Kingdom would be involved through Gibraltar, but could not say whether or not the UK would join or act as observer to provide advice when requested.

The Committee requested the Secretariat to ask CMS how ASCOBANS might proceed in view of possible extension of areas and inclusion of large cetaceans. It was pointed out that the consequences of these issues should be examined before the next meeting if Ireland is likely to be involved in joining ASCOBANS. A working group was set up with Olaf Christiani, Astrid Thyssen, Mark Tasker and Chris Lockyer, to discuss these matters. The report of this working group is included as Annex 6.

The meeting had agreed that the inclusion of all cetaceans in ACCOBAMS had a sound scientific basis, that the area west of the Straits of Gibraltar should be included, and that the

Mediterranean and Black Seas would be considered separately for the purposes of conservation actions.

10.5 CMS Scientific Council meeting, Bonn, November 1995

Reijnders reported on proposals for working groups to preparing action plans on

- o small cetaceans in southeastern Asia
- o small cetaceans in the southwestern Atlantic ocean
- o small cetaceans off the west African coast.

There was a revision of the Appendix 2 species (of the Bonn Convention), and certain taxa were selected as priority, the primary focus being on small cetaceans.

The Committee agreed that an observer for ASCOBANS would be desirable at future meetings of the CMS Scientific Council. In discussing the distribution of funds within the Bonn Convention, small cetaceans were mentioned. A total fund of \$500,000 was available, of which some might possibly benefit ASCOBANS.

Finally, mention was made of agreements that may be prepared to cover marine turtles.

10.6 North Sea Ministerial Conference, Esbjerg DK, June 1995

This meeting welcomed the ASCOBANS agreement, which had derived partly from a previous Ministerial conference. A number of resolutions of the conference had some relevance to improving cetacean conservation in the North Sea and would be taken forward both by States and the EC. An Intermediate Ministerial meeting was planned for Oslo in march 1997 on Fisheries and the Environment.

The Committee considered that this might be a useful opportunity for ASCOBANS to feed information and make requests.

10.7 Other meetings

Reijnders requested that any members of the Committee that attended any other meetings of relevance to ASCOBANS, to photocopy important documents, abstracts, reports and lists of documents, and provide the Secretariat with the same.

11. By-catches

A major two-year programme of research, BY-CARE, part-funded by the European Commission DG XI to approximately ECU 800,000 and commencing December 1996, addressing by-catches and fisheries interaction with marine mammals was discussed (ASCOBANS/ADV.COM./2/DOC.15). The participating nations were the UK (Sea Mammal Research Unit and Warwick University), Denmark (Danish Institute for Fisheries Research), Sweden (University of Stockholm) and Ireland (University of Cork). Among the target fisheries were the bottom-set gill nets in the North Sea and the surface drift nets for tuna off southwest Ireland and the salmon fisheries off Sweden. Tasker mentioned that the major objectives of the project were outlined in the paper ASCOBANS/ADV.COM./2/DOC.4, and would include

independent observer schemes and investigation into fishery practice and gear modification.

The Committee's attention was drawn to ASCOBANS/ADV.COM./2/DOC.13 on the draft Resolution from HELCOM on protection of the harbour porpoise in the Baltic Sea area. Highest priority was to be given to reducing by-catches of porpoises. Other points covered most of ASCOBANS aims.

11.1 By-catch observer and reporting schemes

Simon Northridge presented his paper ASCOBANS/ADV.COM./2/DOC.4 addressing marine mammal by-catch observer schemes. The executive summary to this report is provided as Annex 7. The report was commissioned by the UK Joint Nature Conservation Committee (JNCC) following discussions at the first ASCOBANS Advisory Committee meeting. The paper which was originally requested by ASCOBANS was well received by the Committee. The paper was discussed in the context in terms of cost-effectiveness and what exactly could be expected of observers.

Tasks expected of observers:

There was discussion as to the most important information that observers could collect after recording by-catch. Bjørge mentioned that observer costs may to some extent be covered by other reporting requirements e.g. ICES, if observers were primarily fishery observers. Carlström considered that observers could also report on performance of trial fishery gear. Kock agreed that collection of technical data on gear and fishery practice was very important. Northridge noted that mesh size can vary with each string, so that mesh size should be measured with each haul. In general, it may be better if observers were fishery-orientated rather than marine mammal-orientated. Kock mentioned that fisheries observers may be occupied for long periods of time when there is fishery activity on board, so that other tasks may not be possible. In general, many fisheries regard deck autopsies as a bio-hazard. The fishery considerations are thus of prime importance.

Reijnders enquired whether or not birds occurred in nets and whether or not these were recorded by observers. Tasker mentioned that few birds had been recorded in schemes in the NE Atlantic, but turtles and sharks were recorded in nets on the Celtic Shelf and Bay of Biscay.

Sampling:

The problems of collecting samples from carcass were discussed. Bjørge mentioned that most European vessels would not permit deck autopsies. If samples were to be collected it would be preferable to return the entire carcass to shore although smaller vessels would only be able to do this if fishing trips were of short duration because of limited storage space. However, some countries do not permit landings of cetaceans under CITES rules. Kock mentioned that carcasses could be maintained on deck in ice. If the carcass could not be retained, then the simplest data should be collected i.e. date, location, length, girth, sex, perhaps weight, a photograph. Before disposing of the carcass overboard, the body might be tagged in case of eventual recovery as a stranding.

Bjørge stated that, in Norway, payment was made for porpoises to be collected for use

in determining biological parameters. In situations where observer schemes were not practicable, modified systems were operational. Such modifications included options of logbook-keeping, policing by fishery vessels and sub-sampling observations. The question was which fisheries should be targeted.

Sightings:

The possibility of collecting sightings data as well as by-catch information was discussed. Northridge reported that in dedicated watches in the Gulf of Maine, data on sightings had not been used and had been considered unreliable. The main problem was that observers were generally trained to collect data and samples from carcasses and not "at sea" sightings identifications. Another factor was that vessels had different platforms and height of eye for sightings so that there were limitations on what could be done especially for porpoises that were difficult to see in anything other than near-perfect visibility and calm sea state. The only factor considered useful was that sightings (or absence of) may indicate the likelihood of by-catches. Tasker considered that biological data should be collected first, before any sightings.

Implementation of schemes:

Tasker stated that target fisheries first need to be identified e.g. UK tuna surface nets and bottom-set gill nets. There was, however, a problem with inshore fisheries from smaller vessels. Northridge mentioned that cliff-top observers with binoculars or telescope could be useful for these fisheries, and videos on board vessels could be helpful in recording by-catch incidence. Northridge was unenthusiastic about the use of logbooks as they had been demonstrably ineffective in other parts of the world. For small vessels, one approach would be to quantify the actual netting and effort so that the likely scale of a problem could be assessed for particular segments of a fishery.

Christiani requested an outline of the minimum data requirements and priorities. Reijnders noted that there were three questions initially:

- o in which type of fishery is the risk of by-catch highest?
- o how can one assess the above if this is unknown?
- o are observer schemes operational in high-risk fisheries right now?

Tasker suggested that while this information needed to be collated, the matter could be referred also to ICES. Bjørge noted that this year ICES had recommended that all members record marine mammal by-catches. The Advisory Committee could perhaps endorse this recommendation and ask ICES to move forward on this matter.

Discussion covered the topic of fishery traps operated outside usual fishery control. Bjørge mentioned that in Norway, farmers frequently operated inshore traps. Tasker mentioned that in the UK traps sometimes caught otters. Kock noted that animals could frequently be released alive from traps. Christiani reported that in inner Danish waters, fyke nets (used to catch eels) frequently caught harbour porpoises, but these were usually released alive. Lockyer asked if such animals might be tagged before release to investigate whether or not they returned to the nets and what their movements were. Discussion on this point was deferred to later.

In Poland in the Gulf of Gdansk, fyke traps were used year-round and very popular, but in 20 years of monitoring, none had ever caught small cetaceans. However, such nets appeared to be hazardous for seals and seabirds. Gill nets were the main problem for porpoises.

In Belgium, set-nets of 2 km from a single operational vessel and activities by several sports fishermen resulted in about one by-caught cetacean per annum. Off Belgium, a vessel must stay with any net of 50m set. However, off the French coast regulations were different. Kock mentioned that off Germany, local Baltic regulations did not allow nets within 200 m of the shore to allow sea trout migration.

Conclusions:

The Advisory Committee welcomed and endorsed the report, and thanked Northridge for his effort. It was requested that comments on the paper be submitted by 10 December. The final amended report would be completed by the end of March 1996 and would be published by JNCC. The Secretariat should ensure that the report received a full circulation to other bodies e.g. IWC, and make them aware in due course.

11.2 Fishing gear modification

The Committee discussed the task of gear trials in the BY-CARE project. This would continue former efforts, and attach pingers and deterrent devices to the nets, as tried in the Gulf of Maine, employing Danish fishing nets. Tasker queried the possible trial of windows and panels in nets. Reijnders drew attention to an ongoing project between Denmark and Netherlands, funded by the EC, study number BIOECO/93/17 on "By-catch and discarding in pelagic trawl with emphasis on marine mammals". This study focuses on bio-acoustical behaviour of the animals and how this may affect their chances of being trapped in nets. Some of this study will be undertaken in captive facilities, and yet other parts in sea-trial conditions with fishing vessels. The use of flume tanks to test gear is also an important part of the study. In all, six organisations are involved.

The Committee requested that the ASCOBANS Secretariat write to both EC Directorates DG XI and DG XIV, asking for information on what current and planned projects relate to cetaceans. ASCOBANS should offer to assist in reviewing project proposals concerned with cetaceans.

11.3 Gulf of Maine pinger deterrent scheme

Julia Carlström spoke on behalf of Per Berggren who was originally charged with reporting on this matter, but was unable to attend the meeting. She drew attention to the paper SC/47/SM17 presented to the IWC Scientific Committee in June 1995, and listed as ASCOBANS/ADV.COM./2/DOC.6. This paper reported a successful experimental trial in gill nets using pingers, which reduced the mortality of harbour porpoises. Northridge drew attention to the socio-economic aspects of this technology which although potentially effective, was costly and possibly too expensive for general use. In the Gulf of Maine a compromise situation had been tried with a close season being imposed on Jeffreys Ledge in late fall. Fisheries could only operate then if pingers were installed and observers allowed on board. The pingers appeared to change the non-target fish proportions with less herring taken. The Committee recognised the importance of similar trials being conducted in other fisheries in other geographical areas, as recommended by the IWC. The IWC had recommended that pingers be incorporated into the nets for the life of the net.

Kock reported on the German set net fishery in the North Sea during 1995, and on

fisheries operations in the Baltic and North Seas (ASCOBANS/ADV.COM./2/DOCS 1 and 5), but there were no trials on gear modifications. Harbour porpoises appeared to be the only incidentally-caught cetacean species.

11.4 Recommendations for "unacceptable level of take"

Berggren suggested in a note which was circulated in his absence, that the Committee might consider the current IWC suggestion of 1-2% of the population (May, 1995, Dublin). Tasker also proposed that this be considered, and apologised for the fact that Berggren, himself and Bjørge had been unable to meet and report on this matter. Bjørge asked that the Committee recommend that the real scientific and biological aim was 0% take, but accept that 1% was a more realistic goal. Christiani queried whether ASCOBANS was just endorsing the IWC recommendation. Salmon suggested that the matter be referred to the relevant ICES study group for their opinion. Reijnders suggested that ASCOBANS await expert opinion of other competent bodies before our working group put forward a recommendation. However, a report should be made for the second Meeting of Parties in 1997. The matter of by-catches should be placed again on the agenda of the next Advisory Committee meeting in November 1996.

12. Educational and promotional matters relating to ASCOBANS

The Advisory Committee were introduced to Bruce McKinnon from Media Natura, by Tasker. McKinnon discussed the aspects of communication and how to put over one aspect of work, showing how a campaign operates. Media Natura was established in 1988 as a charitable organisation to promote social justice and environmental issues with professionalism and maximum impact. There are nine elements in a campaign comprising background, opportunity, proposition, substantiation, call to action, target audience, medium, timing and budget. A slide showing and videos of a variety of advertisements and campaigns were presented. The aim was to translate a message into an easily understandable advert. An important aspect of the advert is that it should convey a clear message about action and motivation. Following this, an entire group participation lead by McKinnon, in how to mount a campaign was conducted with a nine-point questionnaire.

The Committee chose as a test case the promotion of guidelines on whale-watching and how to approach cetaceans at sea (ASCOBANS/ADV.COM./2/DOCS 8 and 9). However, the outcome of the group exercise illustrated that it was imperative to have thought about the campaign process before approving guidelines in order to manufacture the desired product.

A report of this subject is provided in Annex 8, where points for planning and executing a campaign are listed and explained.

Subsequent discussion by the Committee focused on the need to identify commonalities. Efforts could be concentrated on by-catches, but whilst ASCOBANS might pick up the costs, there would be local requirements for translation and also local problems. These matters would have to be dealt with by individual States. A start would be to list universal issues and regional issues. Within each Party, different government departments would need to be involved to put forward their own concerns. Reijnders proposed a working group to make an outline of topics relevant to actions. Salmon suggested that the impact of guidelines would need to be monitored. After initial circulation to Parties, final guidelines could be drawn up for the 1997 Meeting of Parties. The Committee considered that the ASCOBANS logo could be used as a hallmark to

endorse and associate with actions.

Tasker reported that the guidelines to reduce disturbance from seismic survey had been widely used in UK waters in 1995. They were being reviewed, and a second version would be used in the 1996 seismic season. This second version would be sent to Advisory Committee members.

Two further guidelines had been drafted (ASCOBANS/ADV.COM/2 Doc.s 8 & 9) on the reduction of disturbance from whale-watching and recreational activities. These would be generic guidelines, which allowed adaptation to local circumstances. Two examples of such local adaptations were also circulated:

- o Moray Firth, Scotland whale-watching guide;
- o Welsh Marine Heritage Coast (Cardigan) boat-users guide.

Comments on these were invited with a view to future adoption as ASCOBANS guidelines.

13. Progress on the N. Atlantic harbour porpoise population structure proposal

Lockyer and Bjørge reviewed the current ongoing studies throughout northeastern Europe and the Baltic states as well as eastern N. America, and also noted where samples existed but were not being utilised. Studies incorporated aspects of genetics, tooth growth layers, contaminant levels, parasites and morphometrics. Lockyer reported on the Secretariat's approach to NAMMCO, requesting co-operation from Iceland, Faroes and Greenland on this project (in addition to co-operation on other matters relating to by-catch recording and observer schemes and exchange of data from surveys in adjacent areas). Bjørge stated that he would raise the matter again with Iceland about involvement in porpoise population structure studies at the forthcoming meeting of the NAMMCO Scientific Council in February 1996 in Torshavn. Kock reported on a national project in Germany, 4-7 December 1995, addressing porpoise genetics.

Kuklik reported that there were porpoise samples available from Poland since 1980, in addition to the current 3-year project. These samples were available for analysis, but Poland had no resources, either funds or expertise, to undertake them themselves. Samples included skulls, blubber, teeth, and other tissues.

Reijnders suggested that an inventory of ongoing activities would be useful. Carlström reported three approaches being used in Sweden to examine Baltic versus North Atlantic porpoises. These included morphological differences where comparisons of females resulted in $p < 0.5$, mt-DNA and contaminant levels. However, the latter two characters were not significantly different in the putative populations. Sweden offered to collaborate with Poland on Baltic porpoise studies, and the Committee encouraged this co-operation. The Committee also noted the HELCOM draft Resolution on protection of harbour porpoises in the Baltic, which requested investigation on stock identity.

14. Cetaceans in Finnish waters and contact with Finland

Lockyer presented ASCOBANS/ADV.COM./2/DOC.2 on reports of cetaceans in Finnish waters. The report was considered significant by the Committee which noted that harbour porpoises had been seen in Finnish waters in the last 5-10 years. Occasional belugas had also been reported. It was suggested that the Secretariat circulate this report to other Baltic States with an invitation to provide similar information.

Lockyer was able to report on some progress towards signing ASCOBANS, from information received personally from the Finnish embassy in Bonn in late March 1995. However, accession to ASCOBANS was not a priority for Finland.

15. Military activities in relation to cetacean behaviour and distribution

Reijnders reported that a request to the Ministry of Defence in the Netherlands produced no news on possible interference between cetaceans and military activities. The Ministry offered to co-operate in observations. Belgium only looked at military interactions in relation to the Oslo Convention. In Germany, there were no reports of problems although explosives testing had been carried out in the Wadden Sea by naval vessels. The Swedish Environmental Protection Agency would look into the issue and forward information to the Secretariat in due course. Denmark had no information. The UK had prepared ASCOBANS/ADV.COM./2/DOC.12 on Ministry of Defence involvement in marine mammal projects. This document included guidelines for naval presence for certain areas where cetaceans were frequently observed. However, there was a question as to how relevant these guidelines might be for other countries. There was a request that each Party take up contact with their Ministry of Defence before November 1996 and report to the next Advisory Committee meeting.

Lockyer drew attention to ASCOBANS/ADV.COM./2/DOC.16, a published paper on "Shipshock" and "ATOC" trials, in *Marine Mammal Science*. Of particular interest to the Committee were the surveys designed and executed before the trials and the proposed protocols about safety zone of 3.7km radius, where no damage would be suffered by marine mammals from the detonations.

16. Intersessional working groups

Protected areas:

Salmon introduced three papers ASCOBANS/ADV.COM./2/DOCS 10a, 10b and 10c, concerned with different aspects of protected areas. Document 10b provided information on two trials for determining criteria for protected areas in Skomer and Lundy. Of the protocols for defining protected areas, Documents 10a and 10c giving the Barcelona Convention Article 3-6 of Annex V, provided the best so far in Salmon's opinion. Christiani proposed that the entire ASCOBANS area could be considered as a protected area for small cetaceans. Reijnders claimed that the Netherlands were interested in and promotes the establishment of protected areas, but that the primary objective was associated with benthos because cetaceans are highly mobile. To cope with that, protected areas for cetaceans would need to shift from time to time, which is complicated from an environmental point of view. At present, plans for protected areas were not specific to cetaceans but were linked to other species.

Christiani proposed that fisheries causing by-catches could be restricted seasonally in protected areas. Northridge noted that in some protected areas e.g. Stelweggon Bank off the eastern USA, where large whales occurred, there was no precedent because no problem existed, but there was a desire to maintain the *status quo*. Bjørge noted that in other areas, protected areas were created to stop exploitation, but that this was not the case in the North Sea. Thyssen stated that the Habitats Directive is the correct instrument for ASCOBANS to protect areas. However, Tasker reminded Committee members of the conservation and management plan adopted at the First Meeting of Parties (Annex 4, Resolution 2), and of the commitment to co-

operate with HELCOM, CWSS and the EU on establishing criteria for defining protected areas. The HELCOM draft Resolution on protection of the porpoise in the Baltic requires the establishment of protected marine areas for porpoises. Skóra pointed out the advantage of adopting the HELCOM plan e.g. Gulf of Gdansk, in that the protected zone includes the coast through from shore to the sea. This approach can cover cetaceans as well as the ecosystem. However, Reijnders noted that the traditional manner of establishing protected areas may be unsatisfactory for small cetaceans. One particular example cited was the Island of Sylt where mother/calf pairs are in the area seasonally very close to the shoreline. A seasonal protection could be useful here.

Salmon noted that at this time there was insufficient information to progress further on this matter, but that advice could be sought from other bodies and reported at the next Advisory Committee meeting.

Effects of pollution:

The terms of reference for this working group are given in Annex 5. This group will report to the next Advisory Committee meeting. McLachlan requested clarification on whether this intersessional meeting would provide only the scientific basis for management measures or if it would also recommend actual management plans on the basis of scientific findings. Bjørge responded by noting that the intersessional meeting would likely provide the scientific basis for management plan recommendations for the Parties to consider.

Implications of ACCOBAMS working group:

The report of this group is given in Annex 6. Concern was expressed about a potential conflict of interests between ACCOBAMS and the IWC, vis à vis expanding the scope of ACCOBAMS to include large cetaceans which traditionally fall within the competence of the IWC. McLachlan noted that this may not be a valid point with which to justify not expanding the scope of ACCOBAMS, and that there should be no conflict as long as any national legislation for large cetaceans covered by the ICRW does not undermine IWC legislation; problems would likely arise only if ACCOBAMS demanded less stringent measures than those already agreed under the ICRW. Salmon suggested that the Secretariat approach France, Spain and Portugal about the possible extension of the areas of the Agreements. France should be contacted first, because of their interest in the ASCOBANS area. However, the United Kingdom would continue to take the lead on discussions with Ireland. This matter is important in relation to possible adjoining areas and common boundaries.

Budget:

A working group to discuss the budget for the next triennium, 1998-2000, should report to the next Advisory Committee meeting. Members would include Lockyer, Thyssen, Salmon, Haelters, Christiani, Reijnders and a Swedish member.

17. Draft standards for analysis

Boye presented ASCOBANS/ADV.COM./2/DOC.14 addressing standards for autopsy, tissue sampling, biochemical and contaminant analyses of tissues, measurements of skulls, etc. The Committee welcomed this paper, but standards for the toxicological analyses should wait

until the working group on effects of pollution has been able to convene and report back.

18. Review of strandings schemes

Little progress had been made on this issue, and only the United Kingdom had provided information. Haelters reported that there was no network in Belgium, and with only five strandings a year, laboratories were not collaborating and data were lost. However, the situation was improving rapidly. Haelters planned to request strandings network information formally from each Party, and present a report before the next Advisory Committee meeting.

19. Amendments to the Rules of Procedure

Rule 2:

Salmon presented ASCOBANS/ADV.COM./2/DOC.11 listing proposed draft amendments to the Committee's Rules of Procedure, new Rule 2 concerning admission of observers from non-governmental organisations. Carlström preferred NGOs to apply for observer status through the Committee rather than through Parties, because 1) the Meeting of Parties Rules of Procedure allows general attendance; 2) if affiliated to Parties, different NGOs will be treated in different ways by different Parties. Christiani and Salmon preferred to leave the draft amendment as written at present, but continue to review the situation. Reijnders stated that NGO participation and input would be welcomed but that the Committee should be able to keep control of the situation. On this matter, Tasker pointed out that the ratio of Committee members to NGO observers is critical. Finally, it was agreed that the draft Rule 2 amendment would become part of Rule 1. However, the Committee requested that the report of the meeting should reflect the possibility for NGOs to attend meetings under Rule 1 and Rules 2 and 3.

Rule 12:

Here there were two areas of financial concern:

- o assistance to the Secretariat on financial decisions;
- o proposal of the next triennium budget for the 1997 Meeting of Parties.

This could partly be resolved in the interim by a working group to address the triennium budget.

Rule for amending ROP:

Consideration of a rule for amending the Rules of Procedure should be placed on the agenda for the next Advisory Committee meeting.

20. Other business

Many comments were received on the draft guidelines in Documents 8 and 9, particularly relating to speeds and distances. These revised guidelines would be returned by end of March 1996.

The Secretariat undertook to notify the Committee about meetings and conferences of other organisations and bodies, and appoint observers for ASCOBANS if required.

21. Executive summary of Points for Action

A draft version was provided by the Secretariat and approved.

22. Date and venue of next meeting

A meeting of the Advisory Committee in Copenhagen, 13-15 November 1996 was agreed.

23. Close of meeting

The Committee expressed its thanks to the Chairman, Peter Reijnders, and to the vice-chairman, Mark Tasker, for their efforts. The Secretariat was also thanked for its support.

List of Annexes

Annex 1	Agenda
Annex 2	Participants
Annex 3	List of documents
Annex 4	UN scale of contributions tables for Parties
Annex 5	Terms of reference for the intersessional working group on effects of pollution
Annex 6	Report of the ASCOMABS working group
Annex 7	Marine mammal by-catch observer schemes - executive summary
Annex 8	Report on educational and promotional needs in relation to the work of ASCOBANS

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

ADVISORY COMMITTEE MEETING
Cambridge, 29 November - 1 December 1995

PROVISIONAL AGENDA

1. Confirmation of chairperson for the meeting (Peter Reijnders)
2. Appointment of rapporteurs (Secretariat and others)
3. Adoption of the agenda
4. Admission and status of observers (non-Party Range States)
5. Documentation submitted to the meeting
6. Report on the status of the proposed Baltic aerial survey scheduled for summer 1995 (Per Berggren)
7. Preliminary evaluation of National Reports and report system.
8. Progress on implementation and/or accession to ASCOBANS (all Range States and Parties)
9. Secretariat report on UN scale of contributions to ASCOBANS by Parties
10. Reports from observers at meetings since March 1995 (NAMMCO, Shetland - Arne Bjørge; IWC, Bergen - Peter Reijnders, IWC, Dublin - Chris Lockyer and Sara Heimlich-Boran; ASCOMABS, Monaco - Sara Heimlich-Boran; other relevant meetings)
11. By-catches:
 1. By-catch observer and reporting schemes
 2. Fishing gear modification
 3. Gulf of Maine pinger deterrent scheme (Per Berggren)
 4. Recommendations for "unacceptable level of take" (Per Berggren, Mark Tasker and Arne Bjørge)
12. Educational and promotional matters relating to ASCOBANS
13. Progress on the North Atlantic harbour porpoise population structure proposal (Chris Lockyer and Arne Bjørge)
14. Progress on contact with Finland and information about cetaceans in Finnish waters (Chris Lockyer)
15. Information about military activities relating to cetacean behaviour and distribution (all Range States)
16. Establishment of working groups intersessionally
17. Draft standards for analysis (Peter Boye)
18. Review of strandings schemes (Thierry Jacques)
19. Amendments to the Rules of Procedure for the Advisory Committee
20. Other business (e.g. collisions with shipping; criteria for defining protected areas)
21. Draft Summary of Points of Action, and distribute
22. Date and venue of next meeting
23. Close of meeting

ASCOBANS Advisory Committee Meeting 29 Nov 95 - 01 Dec 95
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(guest speaker)

LIST OF DOCUMENTS

ASCOBANS Advisory Committee Meeting 29 Nov 95 - 01 Dec 95

ASCOBANS/ ADV.COM. / 2 / 1

Agenda (with an attachment from Per Berggren)

ASCOBANS/ ADV.COM. / 2 / 2

List of Participants

ASCOBANS/ ADV.COM. / 2 / 2 rev.1

ASCOBANS/ ADV.COM. / 2 / 3

Scale of Contribution

ASCOBANS/ ADV.COM. / 2 / 3 rev.1

ASCOBANS/ ADV.COM. / 2 / 3 rev.1.add.

ASCOBANS/ ADV.COM. / 2 / 4

List of Documents

ASCOBANS/ ADV.COM. / 2 / 4.rev.1

ASCOBANS/ ADV.COM. / 2 / DOC.1

K-H Kock & H. Benke. On the By-catch of Harbour Porpoise (*Phocoena phocoena*) in German Fisheries in the Baltic and the North Sea.

ASCOBANS/ ADV.COM. / 2 / DOC.2

Mattsson, K. Cetaceans in Finnish waters

ASCOBANS/ ADV.COM. / 2 / DOC.3

Reijnders, P. Report on IWC Workshop on Chemical Pollution and Cetaceans. Working document, agenda item 10, ASCOBANS Adv. Ctee, Nov./Dec. 1995

ASCOBANS/ ADV.COM. / 2 / DOC.4

Northridge, S. A review of marine mammal observer schemes with recommendations for best practice. Draft report to the UK's Joint Nature Conservation Committee.

ASCOBANS/ ADV.COM. / 2 / DOC.5

Kock, K-H. Preliminary Investigation on the German Set Net Fisheries in the North Sea in 1995. Working Paper not to be cited.

ASCOBANS/ ADV.COM. / 2 / DOC.6

Kraus, S; Read, A; Anderson, E; Baldwin, K; Solow, A; Spradlin, T; Williamson, J.
A Field Test of the Use of Acoustic Alarms to Reduce Incidental Mortality of Harbor Porpoises in Gill Nets. IWC document SC/47/SM17

ANNEX 3

ASCOBANS/ ADV.COM. / 2 / DOC.7

Berggren, P. Draft summary report of the 1995 Baltic harbour porpoise survey. Not to be cited.

ASCOBANS/ ADV.COM. / 2 / DOC.8

Guidelines for minimising disturbance to cetaceans from cetacean-watching operations.

Draft report of the UK's Joint Nature Conservation Committee.

ASCOBANS/ ADV.COM. / 2 / DOC.9

Guidelines for minimising disturbance to cetaceans from vessels at sea.

Draft report of the UK's Joint Nature Conservation Committee.

ASCOBANS/ ADV.COM. / 2 / DOC.10

Documentation from the UK's Department of Environment

/10 (a) Protocol concerning specially protected areas and biological diversity
in the Mediterranean

/10 (b) Criteria used in Defining Marine Protection Areas

/10 (c) Barcelona Protocol

ASCOBANS/ ADV.COM. / 2 / DOC.11

Amendments to Rules of Procedure. UK Department of Environment

ASCOBANS/ ADV.COM. / 2 / DOC.12

Ministry of Defense Involvement in Marine Mammal Projects. UK Department of Environment

ASCOBANS/ ADV.COM. / 2 / DOC.13

Draft HELCOM recommendation: Protection of harbour porpoise in the Baltic area.

ASCOBANS/ ADV.COM. / 2 / DOC.14

Boye, P. Draft list of standards for cetacean analysis.

ASCOBANS/ ADV.COM. / 2 / DOC.15

Assessment and reduction of the by-catch of small cetaceans (By-care).

ASCOBANS/ ADV.COM. / 2 / DOC.16

Marine Mammal Science and U.S. Navy Ship Shock Trials. Marine Mammal Science,
11(4):590-593 (October 1995)

Other Documentation available

ASCOBANS

Agreement, Final Text

Report of the First Meeting of Parties, Stockholm, 26 -28 September 1994

Report of the First Meeting of the Advisory Committee, Cambridge 8 -10 March 1995

ASCOMABS

Report of the Negotiation Meeting, Monaco, 26 - 30 September 1995

Draft Agreement Text, third revision, November 1995

NAMMCO

Report (Summary) of the International Conference on Marine Mammals and the Marine Environment, Lerwick, Scotland, 20 - 21 1995

Dolphin Space Programme

Ceredigion Marine Heritage Coast Boat Uses' Guide

**SCALE OF CONTRIBUTIONS IF ALL RANGE STATES ARE PARTIES
AND CONTRIBUTING TO THE ASCOBANS SECRETARIAT**

All contributions calculated as per United Nations scale, recognising maximum Party contribution as 25% total
budget and fixed 2.5% for the EC

Party	Range State	1996	1997
Belgium		1,650	3,064
Denmark		1,171	2,184
	Estonia	83	121
	Finland	1,006	1,881
	France	10,509	19,474
Germany		13,017	23,293
Netherlands		2,524	4,823
	Norway	924	1,699
	Poland	594	1,001
	Russian Federation	8,216	12,952
Sweden		2,013	3,731
United Kingdom		8,744	16,137
	European Commission	1,302	2,329
Total		52,067	93,173

SCALE OF CONTRIBUTIONS IF ALL RANGE STATES ARE PARTIES
AND CONTRIBUTING TO THE ASCOBANS SECRETARIAT

All contributions calculated as per United Nations scale, recognising maximum Party contribution as 25% total
budget and fixed 2.5% for the EC

Party	Range State	1996	1997
Belgium		2,316	4,154
Denmark		1,644	2,962
	France	13,017	23,293
Germany		13,017	23,293
Netherlands		3,543	6,540
	Norway	1,297	2,303
	Poland	833	1,358
Sweden		2,825	5,059
United Kingdom		12,273	21,882
	European Commission	1,302	2,329
Total		52,067	93,173

Terms of Reference for the ASCOBANS Intercessional Working Group on Effects of Pollutants

The ASCOBANS Advisory Committee acknowledges the Report of the IWC Workshop on Pollutants and Cetaceans, Bergen, Norway 27-29 March 1995, and Recognizes the importance of the recommendations made by this workshop for the full implementation of the ASCOBANS Conservation and Management Plan. The ASCOBANS Advisory Committee therefore recommends the establishment of an Intercessional Working Group to facilitate the transformation of the IWC Workshop Recommendations into specific actions within the Agreement Area. The terms of reference of the Intercessional Working Group include:

1. Assess which pollutants are likely to adversely affect small cetaceans;
2.
 1. Make an inventory of ongoing and planned research and other activities within member nations and range states relevant to item 1, above;
 2. Make suggestions of steps that should be taken to complete remaining research needs;
3. Provide the scientific basis for advice of the Advisory Committee to the parties for further research needs and management measures;
4. Explore the possibilities to promote the implementation of recommendations 1 and 4 in the IWC Pollutant Workshop Report within the ASCOBANS Agreement area;
5.
 1. Assess the needs to standardization of sampling, storage, analytical and reporting procedures in pollution analysis;
 2. Explore the need for coordination of pollution studies and advise on measures to coordinate such studies within the Agreement Area.
6. Report to the Advisory Committee at its next meeting.

ASCOBANS Advisory Committee meeting, 29 Nov - 1 Dec 1995

REPORT: ACCOBAMS Working Group
RE: Extension of ASCOBANS in relation to
1. Species
2. Area

1. Species:

In light of the report from the negotiating meeting of ACCOBAMS, Monaco, the question of changing the scope mentioned in the ASCOBANS Agreement, Article 1, was discussed:

It was found that there is no need to alter the scope with respect to the species covered by the ASCOBANS Agreement, on the following grounds:

1. Competence problems in relation to the IWC
2. Lack of resources to deal with large cetaceans and the risk of duplicating the work of the IWC Scientific Committee.

2. Area:

The working group recognized benefits from expansion of the Agreement Area, and would welcome an extension of the Area of the Agreement West and Southwards, pending the view of the Range States concerned.

The Secretariat will seek the views of Ireland, France, Spain and Portugal on a possible extension of the Agreement Area.

The view of these Range States should be considered during the next Advisory Committee Meeting with the aim to give Parties the possibility to prepare proposals to amend the Agreement at the next Conference of Parties.

This report should be cited as:
Northridge, S.P. 1996. A review of
marine mammal bycatch observer
schemes with recommendations
for best practice. *JNCC Report*, No. 219.

JNCC Report No. 219

**A review of
marine mammal bycatch
observer schemes with
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Simon Northridge

April 1996

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Summary

This report was commissioned by the Joint Nature Conservation Committee at the request of the ASCOBANS Advisory Committee to provide advice on how best to establish schemes to monitor bycatches of marine mammals in commercial fishing operations.

Fishery observer schemes are the preferred means of monitoring bycatch, not just of marine mammals, but of all species.

Fishery observer schemes have proliferated over the past two decades as the most reliable means of obtaining data on fishery catch composition; so too has the number of observer schemes recording marine mammal bycatch.

Observer schemes are seen to be expensive, so the combining of objectives within an observer programme, to facilitate marine mammal bycatch monitoring along with more general fishery management objectives, is clearly a sensible approach.

Marine mammal bycatch observer schemes generally need to be accompanied by marine mammal population assessments in order to be able to determine bycatch as a proportion of population size. The geographical extent of the impacted population also needs to be addressed.

Alternatives to observer schemes include port interviews, collection or counting of marine mammal carcasses when they are brought to port, or logbook schemes which rely on fishermen themselves reporting bycatches.

All of these methods are found to be unreliable as methods of estimating total catches. Nevertheless, interviews and questionnaires may be able to provide limited information on the seasonality or relative scale of bycatch, and salvage schemes (whereby mammal carcasses are retrieved for autopsy) enable biological data to be collected.

Independent observer schemes to monitor fish or marine mammal discards or bycatch are the best means of obtaining reliable bycatch estimates, and often marine mammal bycatch monitoring schemes are integrated within a fish discard or bycatch programme.

In Europe several discard programmes have been established. Generally, a low level of coverage means that these schemes are designed to provide indicative statistics on discards rather than precise estimates. One scheme in the Danish gillnet fishery has been expanded to examine marine mammal bycatch in detail.

Dedicated marine mammal observer schemes have also been established in several European countries. Globally, most marine mammal observer programmes have been set up as an extension of existing fishery observer programmes.

Co-operation with the fishing industry is identified as a key factor contributing to the success of most observer schemes. The importance of explaining the problem to the fishing industry and addressing the issue of bycatch in a positive and constructive manner are stressed.

Practical considerations in establishing a scheme include safety at sea, insurance, sampling problems associated with the dispersed nature of some fleets, reimbursement of skippers for expenses, confidentiality of commercially sensitive information, and feedback and discussion of the results with the industry.

The level of coverage in a fishery will generally be constrained by the available resources. Notwithstanding this issue, the general aim should be to sample a fishery at a level sufficient to provide a reliable estimate of total bycatch.

In general this will entail producing a total bycatch estimate with a sufficiently low coefficient of variation (CV). It is not possible to specify an exact sampling level which will produce a target CV before the scheme has been established, but rather a scheme can be tuned to produce the desired level of accuracy after it has been established.

Observer schemes generally need to be stratified, by season, by area or by fishery. Sampling can be optimised within strata to maximise the accuracy of the total bycatch estimate for a given level of sampling. Alternatively sampling may be proportional within strata.

Extrapolating observed bycatch rates to bycatches for the entire fleet relies upon a suitable indicator of effort for the entire fleet. If existing measures of effort are found to be inadequate, bycatch estimates may have to be extrapolated based on landings rather than effort statistics. For this reason it is important that observer schemes collect landings data on observed trips.

It is also important to understand any possible inherent biases in fleet effort or landings statistics.

Observer schemes are expensive, with costs estimated to run from a minimum of around US\$100 per observer day at sea, where most of the programme is run on a volunteer basis, up to US\$1000 per observer day at sea when fully costed. Insurance, transport, observer payments and data management are all significant costs. These factors need to be accounted for during the planning stage. It is generally agreed that the observers themselves should be trained technicians rather than volunteers.

The data to be collected by an observer scheme will depend on the objectives of that scheme. The establishment of an observer scheme provides the possibility of addressing a range of bycatch-related issues, but care must be taken to ensure that redundant data are not collected so that the data management potential is not swamped by unnecessary data collection. The core observer data collection duties must not be compromised by the excessive collection of additional data either.

Other issues which might be addressed in a bycatch observer scheme include biological aspects of the bycaught species, mechanical aspects of the capture, fishery management issues, and socio-economic aspects of the fishery. Incorporating such objectives may assist in integrating a bycatch observer scheme into a broader-based fishery management programme, thereby bringing additional resources to the scheme.

Report on the educational and promotional needs in relation to the work of ASCOBANS

DRAFT 1 by Mark Tasker, with help from Helen Maclachlan

Introduction

Virtually all conservation action relies on persuading people to change their behaviour, to either do something, do something differently or to cease doing it. Any actions taken under the heading of ASCOBANS is likely therefore to require a change in behaviour. At a simple level this might be to ask someone to send a piece of paper. At a more complex level, a full public information programme might be required. The issues surrounding these more complex programmes were explored by the ASCOBANS Advisory Committee on 30 November 1995, at a seminar led by Bruce MacKinnon of Media Natura. The seminar took as an example the need to introduce guidelines to minimise disturbance from cetacean watchers, and developed a draft brief for a programme to do this (Annex 1).

Key aspects for any campaign are to evaluate the following:

Opportunity	(Why is the campaign needed?)
Proposition	(What is the key message?)
Substantiation	(More detail on the proposition)
Target Audience	(Who precisely are you aiming to influence?)
Call to Action	(What do you want your target audience to do?)
Medium	(Which medium is best to get the message across?)
Timing	(One-off or long term campaign, when best to start?)
Budget	(How much resource is available? Money, People)
Other points	(Does the campaign need to be in several languages etc.?)

At the seminar we examined the above issues in some depth for a theoretical campaign to promote the guidelines to reduce disturbance from recreational activities. A sub-group of the Advisory Committee then reviewed the 1994-1997 Action Plan and outlined ideas for those actions that might require educational and promotional activities. We reduced analysis of these to describing the key message, the target audience and the medium. A summary of the thoughts of the sub-group is laid out below.

A key lesson of the workshop was that any conservation action needs to integrate its promotional and educational aspects during planning. A good example is that it is no use in agreeing on guideline texts without having considered the medium by which the guidelines will be got to its target audience. It is important to have a professional and systematic approach to the issue. Equally, there is no point in planning educational and promotion if the message has not been agreed. Thus the summary below is not complete, but should give Parties an idea of what might be required.

Pollution

Message:	Chemicals X, Y and Z (to be decided) are, or are likely to be, damaging small cetaceans
Target Audience	Potential polluters (manufacturers, transporters), regulatory authorities (e.g. government departments), international bodies (e.g. IMO)
Medium	Fact sheet with high impact, briefing document (well produced) maximum length 2 sides of A4 (also need back-up material)

Standardisation of analysis

Message: Standards have been agreed, please follow them
 Target Audience: Parties to ASCOBANS and cetacean scientists
 Medium: Fact sheet, information sheet, scientific journals (ECS Newsletter), Internet

Bycatch assessment schemes

Message: We wish to work with fishermen to reduce needless catch of dolphins. We would like a clean but practical fishery. We need to find out what is happening, not just catch but also details of fishing methods
 Target Audience: Fishermen and their organisations
 Medium: Articles in Fishing News, International Fishing News, local newsletters NOT too wide, Person to person - key people in community, small information sheet. Labour intensive.

Gear and method developments

Message: Here is an easy and practical way to reduce bycatch
 Target Audience: As above - in main "problem" fisheries
 Medium: Start one to one and develop out once it works
 (Labour intensive)

Reduce disturbance from whale-watching

Message: Enjoy whale-watching Use the guidelines
 Target Audience: Whale-watch operators, public going on tours
 Medium: Whale-watch operators accredited scheme, local posters, touris offices,

Reduce disturbance from recreation

See Annex 1

Reduce disturbance from seismic activity

Message: Minimise disturbance from activities (and act responsibly) Use the guidelines
 Target Audience: Oil industry, seismic operators
 Medium: Direct mail, articles in industry newsletters, promotion of relevant industry conferences

Reduce disturbance from military

Message: Minimise disturbance from activities Develop some guidelines
 Target Audience: MoD(s) colleagues,
 Medium: Attractive briefing sheet, direct letters, person to person Problem - Collaborate

Reduce indirect disturbance

Very large promotion needs onces protected areas identified

Message: Varied

Target Audience Users of the area

Medium Local - posters, meetings, PR, articles in papers etc

Monitoring, status and population studies

Message: (Result of project

Target Audience Scientists, Conservation, gem publics

Medium Press Releases

Annex 1: Results of a Media Natura led seminar at November 1995 ASCOBANS advisory committee meeting

DRAFT BRIEF ON REDUCTION OF INCIDENTAL DISTURBANCE OF CETACEANS

Opportunity

Cetacean watching is increasingly popular among the general boat owning public and whale watching tour operators.

Whilst the public's increased interest in and awareness of cetaceans is encouraging, it also provides cause for grave concern for the welfare of this species. Collisions with boats may result in injury or death, engine noise may interfere with their acoustic communication, and the whole business of boats coming close and chasing them may cause the animals to suffer from stress.

Therefore the ASCOBANS advisory committee is preparing set guidelines to attempt to safeguard the natural habitat of cetaceans from curious but potentially lethal onlookers.

These guidelines provide simple to understand rules to minimise cetacean disturbance. However, it is recognised that in order for these guidelines to be effective, they need to be widely distributed to the right target audience and communicated in the right manner.

Therefore the opportunity for the ASCOBANS Party is to produce promotional materials that will create *awareness, understanding and compliance* with the guidelines.

Proposition

Respect and enjoy dolphins and porpoises in their environment, give them space and follow the guidelines.

Target audience

The target audience is split into users (those who will be using the guidelines) and stakeholders (those who would feel an 'ownership' of the issues and would generate positive awareness of them).

Primary	Boat owners, general public, professionals, speed boat owners, marine authorities.
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Secondary	All those interested in environmental issues, i.e. journalists, travel industry, 'ethicals', greens.
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Call to action

1. To read and adhere to the guidelines
2. Understand their responsibilities to dolphins and porpoises.

Medium

Primary	A4/A5 leaflet	insert to relevant magazines, general press mailshot - source database laminated A3 posters.
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Timing (example)

Start production	July 1996
Product	September 1996
Launch	Spring 1997

Budget

To be agreed

Guidelines

1. Brand the guidelines strongly with ASCOBANS
2. Not to target any specific group
3. Needs to be communicated in each member language
4. Should include telephone numbers for further information or useful local contacts
5. Strong corporate ID logo

Next steps

Brief designer to develop draft creative proposals.