

REPORT OF THE 19TH MEETING OF THE ASCOBANS ADVISORY COMMITTEE

Galway, Ireland

20-22 March 2012



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

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LIST OF ACTION POINTS AND DECISIONS
of the 19th ASCOBANS Advisory Committee Meeting

SCIENCE AND CONSERVATION SESSION

1. Noting comments made by the German delegation, the Advisory Committee endorsed the Action Points of the 8th Meeting of the Jastarnia Group. (Agenda Item 4.1)
2. The Secretariat would call for volunteers to serve on an Intersessional Working Group to further elaborate the Draft Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat, giving HELCOM HABITAT and other relevant fora the opportunity to submit comments to the working group. The deadline for submission of the final draft would be 30 June 2012, after which the Secretariat would submit it to the 7th Meeting of the Parties for adoption. (Agenda Item 4.1)
3. The Advisory Committee recommends that the Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat should be adopted as a self-standing document, and be administered through the Jastarnia Group where it would be discussed in a distinct session. (Agenda Item 4.1)
4. The recommendations contained in the Report of the Meeting of the North Sea Group held on 19 March 2012 were endorsed. (Agenda Item 4.2)
5. Revised Terms of Reference for the Bycatch Working Group were agreed (Annex 6). (Agenda Item 4.3)
6. The participation of ASCOBANS in the side event on ocean noise to be held at the 16th Meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA 16, 30 April - 5 May 2012) of the Convention on Biological Diversity was endorsed. (Agenda Item 4.4)
7. Within three months the Noise Working Group would complete its advice on underwater noise from renewable energy production and would submit a report to the 20th Advisory Committee Meeting. (Agenda Item 4.4)
8. The proposal of the chairs of the ACCOBAMS and ASCOBANS Noise Working Groups that the two groups be joined was endorsed. (Agenda Item 4.4)
9. The Joint ACCOBAMS/ASCOBANS Noise Working Group would *inter alia* elaborate a questionnaire for consultation with industry. (Agenda Item 4.4)
10. The Russian NGO Baltic Fund for Nature was encouraged to apply for funds for passive acoustic monitoring studies in the Kaliningrad region, ideally compatible with SAMBAH. (Agenda Item 5.1)
11. The Advisory Committee would write to the Faroese authorities welcoming the detailed information regarding the small cetacean hunts. (Agenda Item 5.1)
12. The dialogue with NAMMCO should be maintained. (Agenda Item 5.1)
13. Further research into species abundance, such as NAMMCO's T-NASS II and further CODA and SCANS surveys, should be encouraged and supported. (Agenda Item 5.1)

14. An Intersessional Working Group on Marine Debris, to be chaired by the North Sea Foundation, was established and its Terms of Reference agreed (Annex 8). (Agenda Item 5.2)
15. Parties should help the Secretariat acquire satellite-based data on shipping density in order to facilitate further analysis to identify high risk areas and trends, in collaboration with ACCOBAMS. (Agenda Item 5.3)
16. It was agreed that an ECS/ASCOBANS/ACCOBAMS Workshop on Management of Marine Protected Areas for Cetaceans would be held at the 2013 ECS Conference. The Advisory Committee encourages management authorities to participate. (Agenda Item 5.4)
17. The Secretariat was nominated to represent ASCOBANS in the HELCOM BALTFIMPA Reference Group. (Agenda Item 5.4)
18. The Extension Area Working Group was requested to continue its work in the next intersessional period. (Agenda Item 5.5)
19. Range States should be encouraged to develop collaborative efforts on topics identified as high priority in the extension area. (Agenda Item 5.5)
20. The report of the Informal Working Group on Large Cetaceans would in future be combined with that of the Extension Area Working Group. (Agenda Item 5.6)
21. The priority ranking of project proposals submitted by the deadline of 15 February which emerged from the consultation procedure, resulting in a list of 13 projects, was confirmed. For Secretariat activities, anniversary celebrations in the margins of MOP7 (Activity 3) and production of material for the 20th anniversary (Activity 2) were seen as priorities. (Agenda Item 6.2)
22. The Terms of Reference for the Joint ACCOBAMS/ASCOBANS Working Group on the Marine Strategy Framework Directive (MSFD) were agreed as amended (Annex 9). The Secretariats would set a deadline for the identification of a convener for the Group.
23. Intersessional Working Groups should take account of relevant CMS COP10 Resolutions in their work. (Agenda Item 7.1)
24. The draft resolution on the work plan for the next intersessional period was amended and endorsed for submission to the 7th Meeting of the Parties. (Agenda Item 8)
25. Parties were encouraged to consider tabling further resolutions by 19 July 2012. (Agenda Item 8)¹
26. The Jury for the ASCOBANS Outreach and Education Award informed the meeting that Mats Amundin of Kolmården Djurpark in Sweden had been chosen. (Agenda Item 9)

ADMINISTRATIVE SESSION

27. The time allocation for the Administrative Assistant would be increased from 50 to 75 per cent for the remainder of 2012 from funds available within the existing budget. (Agenda Item 13.1)

¹ The submission date has been corrected in this version.

28. Parties agreed in principle to consider moving to a four-year cycle for the Agreement and would consider the implications before making a final decision at the 7th Meeting of the Parties. (Agenda Item 14)
29. Parties agreed to UNEP/CMS continuing to provide secretariat services. (Agenda Item 14)
30. In addition to budget options 1 and 3, the Secretariat was asked to prepare a third option with no budgetary increase compared with the current triennium. (Agenda Item 14)
31. The draft resolutions on management of expenditures and future administrative and budgetary arrangements were amended and endorsed to be submitted for further consideration at the 7th Meeting of the Parties. (Agenda Item 14)
32. The draft Rules of Procedure for the 7th Meeting of the Parties were endorsed by the meeting. (Agenda Item 14)
33. It was agreed that the contract for the North Sea Plan Coordinator would be extended for a further six months on the same conditions. (Agenda Item 15)
34. Project 4 "Examine habitat exclusion and long-term effects of pingers" would be funded in full. (Agenda Item 15)
35. The "Kaliningrad CPOD project" submitted by Baltic Fund for Nature would receive €12,000 provided that 1) deployment would start by 1 September 2012, 2) it would receive sufficient co-funding, and 3) the use of SAMBAH resources in support of the project was in line with EU LIFE+ regulations. If these conditions were not met, project 6 "Enhanced detection of harbour porpoises" would be funded instead. (Agenda Item 15)
36. Sweden's offer to host the 20th Advisory Committee Meeting was welcomed. The Secretariat would liaise with Sweden and dates would be chosen after the decision on whether to have a three- or four-year cycle had been made. (Agenda Item 17)

REPORT OF THE 19TH MEETING OF THE ASCOBANS ADVISORY COMMITTEE

1. Opening of the Meeting

1. The Chairman, Sami Hassani (France), welcomed the participants to the meeting and was especially pleased to note the presence of observers from the Russian Federation and Ireland. He thanked the Irish authorities for their assistance with the meeting including the provision of coffee breaks.

2. Borja Heredia (Secretariat) speaking on behalf of the Acting Executive Secretary, Elizabeth Mrema, explained that Ms Mrema had now left Bonn to take up a new post in UNEP HQ in Nairobi but that she would still be in charge of both CMS and ASCOBANS until her successor was appointed later in the year. He too welcomed the observers from the Russian Federation and Ireland and commented that the timing of the meeting would allow interactions with delegates to the European Cetacean Society's Annual Conference. The recent CMS COP held in Bergen in November 2011 had dealt with a number of issues of interest to ASCOBANS: bycatch, noise and a programme of work for cetaceans as well as the assessment of the CMS-ASCOBANS merger. Synergies between the Agreement and the parent Convention were growing. The Advisory Committee was facing a busy agenda, just as the Agreement was facing a busy year, with the 20th Anniversary events and the Meeting of the Parties. He concluded by expressing his thanks to the Parties for their continuing support, and especially to Finland and Germany for their generous voluntary contributions.

3. Heidrun Frisch (Secretariat) sought volunteers to serve on the jury to decide the winner of the ASCOBANS Outreach and Education Award. She explained that two nominations had been received: the Fjord and Bælt Centre at Kerteminde in Denmark and Mats Amundin of the Kolmården Djurpark in Sweden. The terms of reference for the award adopted by the Parties required the jury to consist of the Chair of the Advisory Committee (or his nominee), the Executive Secretary (or her nominee), a representative of an NGO with experience of education and public awareness raising and representatives of any Parties wishing to participate. Mr Hassani and Mr Heredia agreed to serve along with a representative of WDCS and delegates from Germany and Finland.

1.1 Adoption of the Agenda of the Science and Conservation Session

4. Heidrun Frisch (Secretariat) introduced Document 1-01, revised Rules of Procedure based on those adopted at the 17th meeting of the Advisory Committee. As some discrepancies had been identified between the Advisory Committee rules and those governing the Meeting of Parties (MOP), it was proposed that the two sets should be harmonized. A rule was proposed setting deadlines for the submission of documents to the Advisory Committee and organizations would be granted observer status to both the MOP and the Advisory Committee. The reference to meetings being "open to the public" would be amended as the assumption now was that sessions should be open unless otherwise determined. Oliver Schall (Germany) pointed out that since the CMS-ASCOBANS merger, it was anomalous to list CMS as an observer. Subject only to this one modification, the Rules of Procedure were adopted (Annex 4).

5. Martine van den Heuvel-Greve (Netherlands) requested that item 4.2 be taken after lunch to allow sufficient time for the report of the North Sea Group to be prepared. Subject only to this one change, the agenda was adopted (Annex 2). No items were suggested for consideration under Any Other Business.

6. The Chair sought the views of the meeting on the establishment of in-session working groups. Mark Simmonds (WDCS) said that he would as customary produce a list of recent

literature on the issue of pollution and was content to chair the Working Group. It was also agreed that Yanis Souami (France) and the Netherlands would jointly lead a working group relating to underwater noise.

7. It was agreed that the Administrative session would be open to observers and the restricted papers were accordingly released.

2. Annual National Reports 2011

8. The Chair introduced Documents 2-01 to 2-10 and asked those Parties present to highlight any key elements of the reports they had submitted. It was noted with regret that, for a variety of reasons, Belgium, Lithuania and Sweden could not be present at the meeting.

9. Maj Munk (Denmark) reported that a dialogue forum had taken place to examine bycatch in Danish waters and a revised plan for strandings of live and dead specimens of cetaceans and seals had been adopted. It was planned to carry out post mortems on 25 harbour porpoises each year.

10. Kai Mattsson (Finland) said that no bycatch had been reported in Finland but data collected from fishermen and leisure boat owners indicated seven possible sightings in 2011 of 11 to 17 animals.

11. Martine Bigan (France) said that a programme investigating direct interactions within MPAs had been funded and set nets in the English Channel were being monitored to establish the level of bycatch. In the context of the Marine Strategy Framework Directive, the effects of noise were being examined, as were ship strikes (although these mainly affected larger species not covered by ASCOBANS). No new Marine Protected Areas (MPAs) had been designated in 2011 but new regulations had come into effect, outlawing disturbance, requiring fishermen to report bycatch and affording special protection to key habitats. Some research into distribution and population structure was being carried out, as were aerial line transect and acoustic surveys in the French EEZ and some adjacent waters.

12. Oliver Schall (Germany) introduced his new colleague, Anita Gilles of the Institute of Terrestrial and Aquatic Wildlife Research at the University of Veterinary Medicine in Hanover, who had replaced former Advisory Committee Chairman, Stefan Bräger, as advisor to the German delegation. The Institute was working on management plans for the harbour porpoise in the North and Baltic Seas.

13. Folchert van Dijken (Netherlands) introduced his new colleague, Sanne van Sluis who was working on the Dutch North Sea Plan. Meike Scheidat (Netherlands) reported on a series of activities, including bycatch reduction through use of pingers, alternative gear such as pots and monitoring through CCTV. Anthropogenic noise (piling, military sonar and wind farms) was being investigated for its effects on animals' hearing. One of the studies had been completed in 2010 and the results showing how harbour porpoises behaved during construction were expected shortly. Aerial surveys and shore-based observations had continued and revealed 849 stranding incidents in 2011 which had led to over 200 post mortems being carried out. These revealed a seasonal variation in the cause of death, with traumas more common early in the year and starvation more common in the summer.

14. Monika Lesz (Poland) reported that a bycatch project in Puck Bay had been completed. A number of positive detections had been recorded. Small-scale projects using cod traps had been initiated by the Hel Marine Station and the project on ghost nets was continuing. Four marine Special Areas of Conservation had been identified for the harbour porpoise and the associated management plans were being drafted and should be completed in 2014. Poland was participating in the SAMBAH project and had developed software (called HEL.1) for analysing the data collected from areas of low porpoise density. The Marine Station in conjunction with WWF Poland was continuing to monitor the entire Polish coast and training volunteers to respond to stranding incidents.

15. Anju Sharda (United Kingdom) said that estimates were now available for bycatch in 2010 in the western Channel and Celtic and Irish Seas from the UK's Independent Observer Monitoring Scheme. No estimates were available for the North Sea as sampling levels were insufficient to provide a reliable figure. Monitoring the efficacy of pingers in the gillnet fleet of vessels over 12 metres was also continuing, following a successful trial of DDD pingers completed in 2011. In July 2011, a pod of long finned pilot whales stranded in the Kyle of Durness. Twenty of the animals were successfully refloated, but 19 died. A full report of the investigation would shortly be published. Currently the cause of the stranding was unknown. During 2011, the Institute of Zoology conducted an analysis of 100 samples from the UK of stranded harbour porpoises (2004-2008) for polychlorinated biphenyls (PCBs). The Sea Mammal Research Unit had used spatial modelling to estimate abundance and explore species-habitat relationships of cetaceans in European Atlantic waters. Annual monitoring of bottlenose dolphin and harbour porpoise populations continued in Cardigan Bay. After earlier increases (from 2001-2007), abundance estimates of the bottlenose dolphin using the Cardigan Bay Special Area of Conservation declined. It was unclear at this time whether this was due to movement of the animals or a decline in the population.

3. Accession and Agreement Amendments

16. Heidrun Frisch (Secretariat) said that full details were contained in Document 3-01. No new Parties had acceded to the Agreement since the last meeting and the number of Parties that had ratified the Amendment remained at seven. Non-Parties continued to be contacted, and two were represented at the present meeting.

17. The United Kingdom reported that progress on ratifying the Amendment was continuing. The new Agreement Area included waters where British and Irish jurisdictions met and it was necessary to liaise bilaterally.

4. Priorities in the Implementation of the Triennium Work Plan (2010-2012)

18. Heidrun Frisch (Secretariat) introduced the explanatory Document 4-01 and suggested that participants keep it to hand during the following discussion. A revised version of the Work Plan is attached to this report as Annex 5.

4.1 ASCOBANS Baltic Recovery Plan (Jastarnia Plan)

4.1.1 Implementation

19. Signe Sveegaard (Denmark) reported that the SAMBAH project was progressing well with very few of the CPODs damaged or missing.

20. Oliver Schall (Germany) said that negotiations were under way with the Fisheries Ministry over the marine sites to be included in the Natura 2000 network.

4.1.2 Report and Recommendations of the 8th Meeting of the Jastarnia Group

21. In the absence of Rüdiger Stempel, the Chair of the Jastarnia Group and Karl-Hermann Kock, who had presided over most of the most recent meeting, held in Bonn, 31 January-2 February, Penina Blankett (Finland), who had chaired the last part of that meeting, gave a brief report of the discussions. These were reflected in Document 4-02 Addendum. A full day had been dedicated to consideration of the "gap" area and a full and useful discussion had ensued. The Draft Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat was progressing. The Action Points agreed by the Jastarnia Group were contained in Document 4-02 and the Committee's endorsement was sought.

22. Oliver Schall (Germany) pointed out that with regard to Action Point 11 it was the German Federal Nature Conservation Agency rather than Germany that had issued recommendations on noise and the official German position would only be established when internal negotiations were complete. He also suggested that the focal points to be designated to liaise with HELCOM over the database could be the people dealing with the SAMBAH project, given the high degree of overlap. He concluded by saying that he felt that the Jastarnia Group should try to restrict the number of recommendations it made.

23. Petra Deimer (Germany) noted that a number of countries had reported stranding incidents. In 2011 107 carcasses had been found along the German Baltic coast (72 in the west and 35 in the east) and according to an earlier publication by Germany at least half of the cases could be linked to bycatch.

24. The Chair said that Germany's comments would be recorded in the proceedings but the Advisory Committee should avoid amending the recommendations of the Jastarnia Group.

4.1.3 Coverage of the Western Baltic, Inner Danish Waters and Kattegat/Skagerrak Area

25. Signe Sveegaard (Denmark) made a presentation on Document 4-03, explaining that the draft plan had gone through various versions and it had been seen and discussed by the Jastarnia Group but had not yet been formally endorsed due to lack of time. She highlighted the importance of the Plan and its geographical scope and the status, structure and abundance of the area's harbour porpoise population. The draft contained eleven recommendations.

26. ASCOBANS had already established a North Sea Plan and the Jastarnia Plan, and whereas the geographic scope of the former was clearly defined, this was not the case with the latter, and there was an area between them that was not covered. It was known that there were three different populations of harbour porpoises with some overlap. The Baltic population was recognized as being critically endangered. The population of the Inner Danish Waters had some pockets of high density and many of these animals did not stray into the North Sea or the Baltic proper. As the Baltic and the so-called "gap area" had different populations each with a different conservation status and these were facing different threats, there was a case for having separate Plans.

27. Knowledge of the population in the Inner Danish Waters was good as this was one of the best researched populations. It was known that the population was not evenly distributed with high densities occurring in the Belts, which were turbulent waters with a large number of fish. Harbour porpoises needed ready supplies of prey as their energy needs required them to feed regularly.

28. The two SCANS surveys of 1994 and 2005 indicated that the population might have fallen by as much as 60 per cent but the variations around each estimate between the two surveys meant that they were not statistically significant. Nonetheless, the most likely outcome was that the harbour porpoise population had declined by approximately 11,000.

29. Under the EC Habitats Directive, Denmark, Germany and Sweden were all obliged to identify Natura 2000 sites in this region. The process had been completed by Denmark and Germany and was nearing completion in Sweden. Regulations governing fisheries and construction work were being drafted. Mitigation measures to address bycatch included the use of pingers but the application of the regulations differed in the Sound and the Belts.

30. It was known that bycatch was an issue but the magnitude of the problem was uncertain. Possible solutions included the use of acoustic deterrents ("pingers"), deployment of modified gear or localized prohibition of fishing altogether. It was not clear whether "pingers" had the detrimental effect of permanently excluding porpoises from their preferred

habitat or that in time the animals became used to them. The habitat was also being degraded through construction, gravel and sand extraction, and noise from shipping. Human activities could be restricted in areas of high porpoise density.

31. As a top predator, the harbour porpoise is subject to accumulated contamination from pollutants. Contamination was known to cause decreased fertility and poor health in seals. Examination of stomach contents showed the porpoises' preferred prey and the key species – whiting, cod and herring – were depleted. Prey species needed to be more closely managed and intensive fisheries excluded from key areas.

32. Five critical areas of activity had been identified. These were:

- a. Stakeholder involvement (Recommendations 7 and 11)
- b. Mitigation of bycatch (Recommendations 1, 2 and 6)
- c. Assessment of levels of bycatch (Recommendation 3)
- d. Monitoring population levels (Recommendations 4 and 10)
- e. Habitat quality (Recommendations 5 and 9)

33. It was agreed that further inter-sessional discussion was needed and that a Working Group should be established. The involvement of a wide range of stakeholders including other interested Government Ministries was important to ensure acceptance of the Plan. In view of the distinct population in the waters of the Baltic proper and the Western Baltic, Inner Danish Waters and Kattegat/Skagerrak Area, the different conservation status and the nature of the threats faced, the consensus was that the "gap area" should have a separate Plan. However, given the overlap of people dealing with both populations in the countries concerned, having the Plan administered through the Jastarnia Group, albeit in separate sessions, was recommended.

Actions and Decisions

Noting comments made by the German delegation, the Advisory Committee endorsed the Action Points of the 8th Meeting of the Jastarnia Group.

The Secretariat would call for volunteers to serve on an Intersessional Working Group to further elaborate the Draft Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat, giving HELCOM HABITAT and other relevant fora the opportunity to submit comments to the working group. The deadline for submission of the final draft would be 30 June 2012, after which the Secretariat would submit it to the 7th Meeting of the Parties for adoption.

The Advisory Committee recommends that the Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat should be adopted as a self-standing document, and be administered through the Jastarnia Group where it would be discussed in a distinct session.

4.2 ASCOBANS Conservation Plan for Harbour Porpoises in the North Sea

4.2.1 Implementation

4.2.2 Report of the Coordinator and Working Group

34. Referring to Document 4-05, Geneviève Desportes (North Sea Coordinator) explained that the terms of reference for the post comprised eight main elements. She had started work in September 2011, building on the progress already achieved by the North Sea Group and her predecessors. Her prime task was to promote and develop the Plan, complementing the efforts of the Steering Group and the Working Groups on noise and pollution. She had attended the North Sea RAC and the Jastarnia Group, taking particular interest in the discussions on the "gap" area which adjoined the North Sea.

35. Martine van den Heuvel-Greve (Netherlands) presented a report on the work of the North Sea Group which had held its second meeting the previous day. Since its first meeting, the Committee had seen the applications for the post of Coordinator and made its recommendation regarding the appointment. The agenda of the second meeting had been taken up with the ASCOBANS Anniversary and the Anniversary publication; reviewing the Action Points; receiving a report from the Coordinator, a presentation on the Netherlands' national conservation plan for the harbour porpoise; and the designation of SACs.

36. Immediate tasks for the Group included addressing the knowledge gaps such as a reliable population estimate (both overall and seasonal); an idea of the extent of movements; and a clearer understanding of bycatch levels given that it was evident that vessels under 15 metres using static gears were an area of concern (e.g. independent observer programmes operating in the UK fleet). The Norwegian study of coastal vessels under 15 metres had been most useful and Norwegian participation in meetings would be welcome.

37. The Group's recommendations included a follow-up to the SCANS II survey; improving synergies between Range States to secure better data on abundance, seasonal presence and population dynamics; bringing smaller vessels and recreational fisheries under the reformed Common Fisheries Policy; the Coordinator should attend the North Sea RAC at least once per annum and should be granted observer status at all relevant ASCOBANS Working Groups; extending the Coordinator's contract to ensure that the momentum gained was not lost and re-evaluating the North Sea Conservation Plan in the course of 2013. The Chair agreed that the future of the Coordinator's contract would have to be considered in depth in the Administrative Session.

38. Oliver Schall (Germany) with support from Folchert van Dijken (Netherlands) said that the investment in a Coordinator had been constructive and it was to be hoped that resources could be found to maintain the post. Mark Simmonds (WDCS) also complemented the North Sea Coordinator on the work completed to date and noted that the Norwegian bycatch study mentioned had also been considered by the IWC Scientific Committee. The high bycatch level (6,900 porpoises annually within the ASCOBANS area) and method used (contracted fishermen) were both important matters.

Actions and Decisions

The recommendations contained in the Report of the Meeting of the North Sea Group held on 19 March 2012 were endorsed.

4.3 Review of New Information on Bycatch

39. The Chair invited Heidrun Frisch (Secretariat) to present Document 4-07, a communication from the European Commission on the subject of Regulation 812/2004. A number of the concerns raised at ASCOBANS meetings were being addressed in the latest review of the Regulation, such as the targeting of monitoring on the wrong fisheries in the wrong places resulting in bycatch not being observed. A revision of the Regulation was however not foreseen; rather the Commission was planning to include targets and measures relating to cetacean bycatch in the new Technical Measures and Data Collection Frameworks to be developed for the new Common Fisheries Policy. ASCOBANS should seek to provide input to these documents through all appropriate channels.

40. Ms Frisch further drew the meeting's attention to Document 4-17, which discussed strategies for the prevention of bycatch of seabirds and marine mammals in Baltic Sea Fisheries, which had been translated into English with the help of the German voluntary contribution.

41. Petra Deimer (Germany) said that Document 4-18 submitted by the Society for the Conservation of Marine Mammals showed that limiting gillnet drop was not an effective bycatch mitigation technique.
42. Ms Frisch highlighted Document 7-05, which contained the resolution on bycatch in gillnet fisheries adopted at CMS COP10. The resolution contained numerous actions asked of Parties and the CMS Scientific Council.

4.3.1 Report of the Working Group

43. Referring to Document 4-06, Peter Evans (ECS/Sea Watch Foundation) on behalf of the chair Russell Leaper reported that the Bycatch Working Group had made a number of recommendations and felt that close collaboration with ICES was particularly important. The 1.7 per cent removal rate should be reviewed. New data available from the Norwegian study of small boat fisheries should be considered carefully as these showed a high degree of bycatch in what was a very large fishery. Important work had also taken place in Portuguese waters to assess the extent of the bycatch there and to develop mitigation measures.
44. The Working Group had not had the time to address all aspects of its mandate. It had discussed the North Sea Action Plan but not examined it in detail for all species in all areas. The active involvement in the work of RACs was being promoted, with the North Sea Coordinator attending the North Sea RAC and interest was being shown in increasing contacts with the Baltic RAC.
45. Yvon Morizur (France) said that in relation to ICES, Docs 4-11 and 4-13 dealing with the bycatch of protected species had been considered briefly by the meeting. ICES was looking to the reports submitted to the European Commission by EU member states under Regulation 812/2004, as these reports were the basis for ICES advice.

Actions and Decisions

Revised Terms of Reference for the Bycatch Working Group were agreed (Annex 6).

4.4 Review of New Information on the Extent of Negative Effects of Sound

46. Oliver Schall (Germany) referred to the German National Report and the section dealing with wind energy developments and the associated environmental impact assessments. Best practice and the most effective mitigation methods were being developed. Further research was being undertaken by the German agency responsible. A further development had been the Resolution adopted by CMS at COP10 submitted by the European Union, which was contained in Document 7-07.
47. Folchert van Dijken (Netherlands) referred to a symposium organized by the German Federal Nature Conservation Agency (BfN) in Stralsund (Document 4-19) which had dealt with the effects of wind energy developments on birds, bats and fish. The meeting had provided the opportunity for a useful exchange of views between scientists, policy-makers and industry, and the report would be published on the BfN website in due course.
48. Mark Simmonds (WDCS) referred to Document 4-10 which had been presented for information and was relevant given the issue of explosions raised earlier.
49. Heidrun Frisch (Secretariat) presented Document 4-16, which contained a scientific synthesis on the impacts of underwater noise on marine and coastal biodiversity and habitats provided by the CBD Secretariat. CBD had contacted CMS seeking comments on an earlier draft produced following a CBD COP10 Resolution. The document would be considered at the CBD SBSTTA 16 prior to CBD COP11 later in 2012. Related to this, CBD

had invited CMS and ASCOBANS to co-host a side event at the SBSTTA, and the CMS officer in Washington would most probably attend.

4.4.1 Report of the Working Group

50. In the absence of Karsten Brensing, the Chair of the Working Group, Mark Simmonds (WDCS) gave a brief report on the short sessional meeting and provided supplementary information to Document 4-08, which included references to work conducted under OSPAR, new literature on marine acoustics, and cooperation with ACCOBAMS, which was to be formalized through an exchange of letters among the Secretariats and the two Chairs. Yanis Souami (France), the Chair of the ACCOBAMS Working Group, warmly welcomed the proposed close collaboration. Mr Simmonds said that their work on advice related to marine renewables was not complete and would be presented at a later date.

51. Marie-Christine Grillo-Compulsione (ACCOBAMS) said that ACCOBAMS Parties had requested the Secretariat to present a set of mitigation measures to the next ACCOBAMS MOP due in 2013.

Actions and Decisions

The participation of ASCOBANS in the side event on ocean noise to be held at the 16th Meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA 16, 30 April - 5 May 2012) of the Convention on Biological Diversity was endorsed.

Within three months the Noise Working Group would complete its advice on underwater noise from renewable energy production and would submit a report to the 20th Advisory Committee Meeting.

The proposal of the chairs of the ACCOBAMS and ASCOBANS Noise Working Groups that the two groups be joined was endorsed.

The Joint ACCOBAMS/ASCOBANS Noise Working Group would *inter alia* elaborate a questionnaire for consultation with industry.

4.5 Publicity and Outreach

4.5.1 Report of the Secretariat

52. Heidrun Frisch (Secretariat) presented Document 4-09 emphasizing that the main current focus of publicity and outreach was the 20th Anniversary of the signing of ASCOBANS. This would be marked by the publication of a book being coordinated by Peter Evans, for which it was intended that the book would be sold commercially and a publisher was being sought. It would deal with the species found in the Agreement Area, highlight the threats they faced and explain how a treaty such as ASCOBANS was created, worked and what challenges it had to overcome. It was intended to launch the book at the MOP.

53. Peter Evans (ECS/Sea Watch Foundation) was seeking photographs of coastal scenery and of earlier ASCOBANS meetings. All contributions would be welcome.

54. Ms Frisch went on to report that, also related to the anniversary, a roadshow of inflatable life-size models of whales and dolphins had been offered to Parties and partners for hire. The roadshow was about to go on display at the Galway Shopping Centre, to raise public awareness of the presence of whales in local waters. Thanks to the NGO Planet Whale, the roadshow would also be in attendance at the MOP and at the following WhaleFest 2012.

55. The new ASCOBANS website had been launched and very positive feedback had been received. The site was still a static HTML-based one, and ASCOBANS was

participating in a CMS-wide project to re-vamp the underlying structures of the websites of the entire Bonn-based CMS Family. The new website would be able to draw on dynamic databases and would be compatible with the websites of other MEAs operating in the InforMEA project. ASCOBANS was also cooperating with other CMS bodies in developing an online “work space” for the Advisory Committee and its working groups, modelled on the one operated by AEWA for its Technical Committee.

56. Copies of Boris Culik’s revised encyclopaedia of toothed whale species had been distributed to members of the Advisory Committee and were available for sale at [Earthprint](#).

57. Martine Bigan (France) confirmed that funds had been found to translate the mobile information displays into French and sought guidance on how to proceed. Oliver Schall (Germany) informed the meeting that the first Meeting of Signatories to the Sharks MOU would be held in Bonn in September and that this might provide another opportunity to hold a marine-themed roadshow.

4.5.2 Reports of Parties, Range States and Partners

58. Kai Mattson (Finland) gave a presentation on the work done by the Särkänniemi Dolphinarium, which was conducted in close collaboration with the Finnish Environment Ministry and the SAMBAH team. CPODs had been tested using captive animals at the facility. Because of the animals’ curiosity, the data cards were full, and the exercise had generated considerable press interest. The SAMBAH exhibition had been translated into Finnish and set up in the park, where it had a potential annual audience of 250,000.

59. Information was collected for the database and all sightings by fishermen and leisure boat owners were checked whenever possible. It was clear that there were harbour porpoises in Finnish waters. The focus of the education effort had been pollution and ghost nets.

60. The Dolphinarium had organized events for the International Day of the Baltic Harbour Porpoise, with quizzes and treasure hunts for children. In 2011 an “adopt a porpoise” campaign had recruited thirty “godparents” including a class of schoolchildren. At the end of 2011 a t-shirt had been produced and a supply had been brought to the meeting and was available for purchase.

61. Petra Deimer (Germany) said that her NGO, GSM had ten years’ experience with data gathering and that even strandings of dead specimens yielded useful information. The Museum at Stralsund had assumed responsibility for gathering the data but GSM was still actively involved, and gave frequent media interviews.

62. Monika Lesz (Poland) said that a programme on harbour porpoises had been broadcast on Polish TV and a new project highlighting the species’ ecology was being launched.

63. Mark Simmonds (WDCS) said that details of his organization’s education campaigns were contained on the WDCS website. He also mentioned the WhaleFest 2011, a very successful event coordinated by Planet Whale which had taken place on the south coast of England, attended by several thousand visitors and addressed by interesting speakers. The event would be repeated in 2012. Heidrun Frisch (Secretariat) confirmed that she was in contact with Planet Whale to liaise over a possible collaboration during and following the MOP in Brighton.

5. Implementation of the Triennium Work Plan (2010-2012) – Other Issues

5.1 Review of New Information on Population Size, Distribution, Structure and Causes of Any Changes

64. Anna Cucknell (IFAW) made a presentation regarding two surveys conducted in the summer and winter of 2011, the first in the English Channel and the second around the Dogger Bank. Both surveys were conducted from a specially designed research vessel built to reduce noise.

65. Referring to Document 5-02, Ms Cucknell explained that harbour porpoises had been a concern for some time, as they were being affected by offshore energy developments, bycatch, shipping and leisure boats. The SCANS surveys had established some isolated occurrences in the Channel, reinforced by occasional opportunistic sightings. The new surveys used transects across the Channel designed to avoid the traffic. Two observers were stationed on an A-frame two metres above the water surface. In all, 4,000 km was covered and 21 acoustic detections made; no “hot spots” were identified, and among the species found were white beaked and common dolphins. Weather conditions were not good with the sea usually over sea state 3.

66. Few data sets had ever been compiled in the Dogger Bank in the winter, so the November survey there reported on in Document 5-03 was in that sense unusual and could establish baseline data for that time of year. The methodology used was similar to the summer survey in the English Channel and the area covered waters of Denmark, Germany, the Netherlands and the United Kingdom, including the UK’s candidate SAC zone. Transect lines were used factoring in wind conditions. Observers were equipped with binoculars and operated in seas up to sea state 4. There were detections made across the area surveyed, but the number was, as expected, quite low. Species located included minke whales, white-beaked dolphins and seals.

67. Ideally more data should be gathered in different seasons and dependence on naked-eye sightings in the winter was not ideal. The support from ASCOBANS, the Netherlands and WWF was appreciated.

68. Anita Gilles (Germany) presented Document 5-08, the results of an aerial survey for small cetaceans conducted over the Dogger Bank in the summer of 2011. The survey had been funded by Germany, the UK, Denmark and the Netherlands and had been conducted in collaboration with teams in the Netherlands. It had been undertaken to address the lack of open sea survey data. The methodology was the same as that used in SCANS II and involved transects totalling 6,460 km over an area of 66,000 km². From 28 July to 1 September conditions were good for 6,000 km and all but four of the transects were completed. In total 711 harbour porpoise sightings were recorded, representing 1,104 animals. Sightings were more frequent along the slopes of the Bank, and calves were detected in the areas where harbour porpoise density was highest. The estimated porpoise density in the entire study area was 1.82 (CV=0.31). Other marine mammals and sharks were also encountered; however, the number was too low to estimate density for other species than the harbour porpoise. Some oil slicks were also observed possibly associated with the Gannet Alpha incident.

69. The transect lines in the German sector had been surveyed regularly; the EEZ and 12-mile zone were covered every three years.

70. Mark Simmonds (WDCS) asked what constituted “trash”. In the German area of the survey, anything larger than a *Tetrapack* was included, but the Dutch partners had a different protocol and did not record garbage, but did monitor ghost nets. Peter Evans (ECS/Sea Watch Foundation) recommended some standardization of protocols for recording garbage at sea.

71. Irina Trukhanova (Baltic Fund for Nature) presented Document 6-03, the results of a project undertaken in the waters of the Russian Federation in 2011. The harbour porpoise had been considered extinct in the eastern Gulf of Finland, but some sightings had been recorded in Finnish waters close to the Russian border. The species was still listed in the Russian Red Book.

72. The Baltic Fund for Nature and academics from the Kaliningrad Institute had conducted a search for harbour porpoise remains such as bones on islands in the Baltic. The last time that remains had been found was in 1992.

73. A survey was conducted involving a questionnaire and some face-to-face interviews, eliciting 62 replies from Kaliningrad and 30 from the St Petersburg region. Russian language versions of the ASCOBANS leaflet had been distributed. It transpired that a common dolphin had been sighted in 2006 and the last record of a harbour porpoise dated from 1993.

74. The Baltic Fund for Nature worked with HELCOM and would pass on the results of the research. The project funding from UNEP/ASCOBANS was appreciated.

75. The desirability and possibility of conducting survey work in Kaliningrad linked to the SAMBAH project were discussed. Although EU LIFE funds could not be used in the Russian Federation, other funding mechanisms existed that were not similarly restricted. Russian organizations such as the Baltic Fund for Nature should be encouraged to make applications. There was a consensus that the involvement of a Russian NGO and the support of the Russian authorities were essential to the success of a project conducted in that country.

76. Heidrun Frisch (Secretariat) introduced Document 5-01 concerning the dolphin hunt in the Faroes. The issue had first been raised at the 17th meeting of the Advisory Committee following two successive years where Risso's dolphins had been taken. The exchange of correspondence between the Secretariat and the Faroese authorities had been presented to the 18th meeting of the Committee and while the issue surrounding the Risso's dolphins had been settled, other questions relating to the data used in order to determine sustainability remained open. The Secretariat therefore had written again to the Faroese authorities and had contacted NAMMCO as the competent international forum.

77. The document summarized the responses received and the Secretariat's interpretations of the data provided. The Secretariat found sufficient indication of an overlap between the stock utilized in the Faroes and the animals occurring in the ASCOBANS area. It further found that there were no reliable data on trends in pilot whale abundance and that population structure in the North East Atlantic remained unclear, and therefore concluded that ASCOBANS Resolution 3.3 specifying a total anthropogenic removal of much less than 1.7 per cent as an "unacceptable interaction" would be applicable. The available data did not allow a reliable estimation of total anthropogenic removal, which would have to take into account all threats to the population, not just the deliberate take.

78. Mario Acquarone (NAMMCO) explained that the pilot whale abundance estimates from the 2007 surveys for technical reasons were produced using conventional distance sampling methodology. In particular, he disapproved of the wording "lack of reliable data on abundance" used in Document 5-01. The catches were considered sustainable by NAMMCO and he was, he stressed, absolutely confident that the abundance estimate of pilot whales hunted lay at a minimum of 128,093 animals (95% CI: 75,682 to 216,802). According to these figures, the Faroese hunts which had taken on average 635 animals per year during the past ten years (representing 0.5% of the abundance estimate) were even well within the ASCOBANS 1.7% figure for unacceptable anthropogenic removals cited in Document 5-01.

79. Mark Simmonds (WDCS) said that he was aware of some doubts even among NAMMCO scientists. Mr Acquarone admitted that NAMMCO had not approved the model-

based estimates emanating from the T-NASS Surveys for use in assessments due to problems regarding estimates of pod sizes. However, he pointed out that a model-based abundance estimate would only have increased the approved abundance figures. He also mentioned that new survey work on the same scale as T-NASS was planned for 2014 or 2015 under the coordination of NAMMCO and in conjunction with the Russian Federation, Canada, the USA and the EU. ASCOBANS should positively welcome such studies. Mr Simmonds asked about the population structure of pilot whales in the North Atlantic, noting that there were some indications of there being several stocks.

80. Maj Munk (Denmark) asked what the next steps were. The Secretariat document had been produced for the Advisory Committee, but had been placed in the public domain. As ASCOBANS was neither the competent body nor in a position to set quotas, its best approach was to encourage open and constructive dialogue with the Faroe Islands on this issue.

81. Oliver Schall (Germany) welcomed the Secretariat's document and recognized that the Faroes lay outside the Agreement Area and were not Party to ASCOBANS. He noted that a full reply had been received to the Secretariat's enquiries, that the number of animals taken was below 1,000, and that efforts to modify the method of killing to ensure that animals were despatched quickly were being made to address welfare concerns. Folchert van Dijken (Netherlands) supported Germany and stated that the Dutch government had raised welfare concerns regarding the hunt both with Denmark and the Faroes. Ms Munk (Denmark) stressed that animal welfare was not within the remit of ASCOBANS.

82. Mark Simmonds (WDCS) welcomed the reply from the Faroese and the fact that a dialogue had been entered with NAMMCO. The Faroese hunt was an issue frequently raised by the public with WDCS. He was unaware of any moves on the part of the Faroese to join or collaborate with ASCOBANS, but was sure that the issue was so highly politically charged that no consensus was likely to emerge at ASCOBANS. He reiterated his doubts, which, he believed, were shared within NAMMCO, that the hunt was being conducted at sustainable levels.

83. Meike Scheidat (Netherlands) felt that as ASCOBANS was concerned with incidental taking of animals in bycatch, it was legitimate to have concerns about targeted hunting. She agreed that more survey work along the lines of SCANS should be welcomed but felt that financial constraints would be a problem.

Actions and Decisions

The Russian NGO Baltic Fund for Nature was encouraged to apply for funds for passive acoustic monitoring studies in the Kaliningrad region, ideally compatible with SAMBAH.

The Advisory Committee would write to the Faroese authorities welcoming the detailed information regarding the small cetacean hunts.

The dialogue with NAMMCO should be maintained.

Further research into species abundance, such as NAMMCO's T-NASS II and further CODA and SCANS surveys, should be encouraged and supported.

5.2 Review of New Information on Pollution and its Effects

84. Monika Lesz (Poland) introduced Document 5-04 and said that the project on ghost nets was an excellent example of inter-agency collaboration as it had involved fishermen, divers and conservation agencies. Baltic Sea 2020 and WWF Poland had both funded the project, which discovered that nets were being lost in large quantities and were still capable of trapping fish and other animals months after being lost.

85. Mark Simmonds (WDCS) introduced Document 5-05 on marine debris, which was a follow-up to a request for further research made the previous year. The interactions between debris and cetaceans were still not fully understood. An Argentinian study suggested that ingestion was a problem with some species such as beaked whales using suction feeding methods. It was also not clear what differences there were between entanglement in active and lost gear, but the IWC Science Committee was likely to continue its research. It was possible that much data existed in small amounts but had not been published. Debris had not been considered a major problem in the North Sea but the findings of the Dogger Bank survey reported on in Document 5-08 placed this in doubt.

86. Sinead Murphy (ZSL) made a presentation on her report contained in Document 6-04 on the effects of contaminants on reproduction in common dolphins and harbour porpoises. High contaminant burdens, above a threshold level for adverse effects on reproduction, were not inhibiting ovulation, conception or implantation. However, high contaminant burdens were affecting foetal and/or newborn survival rates. Within the control group of 'healthy' female common dolphins 8.9 per cent of mature females showed evidence of recent abortion during their second trimester. In addition, a significant number of abortion cases were documented within the harbour porpoise sample. A preliminary assessment of reproductive tract pathologies in both species was presented.

87. Peter Evans (ECS/Sea Watch Foundation) asked whether any demographic effects were being identified showing effects on age structure through failing reproduction. Ms Murphy noted that preliminary data suggested harbour porpoises off the southwest coast of the UK had a lower reproductive rate compared to porpoises inhabiting the English North Sea. The causes of which had not yet been identified. Borja Heredia (Secretariat) asked about mitigation and the management of toxic compounds. It was noted that levels of PCBs in harbour porpoises had plateaued since the 1990s to levels considered harmless for some affected species but still high in cetaceans, suggesting that their toxic effects would continue for some time yet. Some Scandinavian countries had banned the use of PCBs in the building trade.

88. Heidrun Frisch (Secretariat) presented Document 7-04 containing the COP Resolution on marine debris tabled by Australia. It was clear that all marine species could be affected by ingestion and entanglement. Parties were urged to identify locations where debris tended to aggregate, investigate the effects and develop mitigation action plans especially regarding ghost fishing.

89. Petra Deimer (Germany) commended the Swedish practice of paying fishermen to retrieve ghost nets during times when they were not allowed to fish. Anita Gilles (Germany) and Marchien de Ruiter (North Sea Foundation) both raised the issue of micro-plastics. Mark Simmonds (WDCS) suggested that an intersessional working group on marine debris convene.

90. Peter Evans (ECS/Sea Watch Foundation) reported that he was still collating the contributions to the proceedings of the 2011 ASCOBANS-ECS workshop on pollutants. Ten of the twelve articles had been received with the North Sea and Black Sea contributions still outstanding.

91. Mark Simmonds (WDCS) undertook to provide the list of recent literature compiled by the Pollution Working Group to the Secretariat as soon as possible (Annex 7).

Actions and Decisions

An Intersessional Working Group on Marine Debris, to be chaired by the North Sea Foundation, was established and its Terms of Reference agreed (Annex 8).

5.3 Review of New Information on the Extent of Negative Effects of Vessels and Other Forms of Disturbance

92. Peter Evans (ECS/Sea Watch Foundation) said that following the previous year's work on assessing the risks of ship strikes, further collaboration with WWF and a leading Norwegian container shipping company, WWL, was envisaged in the current year. The shipping company was working on a business plan to mitigate risks and if successful in Europe would apply it to its operations world-wide. Negotiations with the International Maritime Organization (IMO) to secure the release of satellite data on shipping data had been hampered by the unfortunate sudden death of the chairman of the IWC Scientific Committee Working Group on Ship Strikes. Parties might try to intervene to make these data available. Marie-Christine Grillo-Compulsione (ACCOBAMS) referred to the REPCET project in the Mediterranean, for which money was needed to acquire computers.

Actions and Decisions

Parties should help the Secretariat acquire satellite-based data on shipping density in order to facilitate further analysis to identify high risk areas and trends, in collaboration with ACCOBAMS.

5.4 Management of Marine Protected Areas

93. Peter Evans (ECS/Sea Watch Foundation) introduced Document 5-10 and thought that it might be a useful next step to hold a Workshop dealing with the management of MPAs. Mark Simmonds (WDCS) said that Erich Hoyt's book reviewing marine protected areas and their shortcomings provided useful background information, while Margi Prideaux (Migratory Wildlife Network) speaking through a Skype connection pointed to the CMS COP10 Resolution on ecological networks. Marie-Christine Grillo-Compulsione (ACCOBAMS) said that the workshop could be run under the auspices of the ECS/ASCOBANS/ACCOBAMS cooperation and should be targeted at managers of MPAs, rather than only scientists.

94. Katarzyna Kaminska (Poland) spoke on the HELCOM Project on Managing Fisheries in Baltic Marine Protected Areas (BALTFIMPA). The report of the first meeting was contained in Document 7-08. Heidrun Frisch (Secretariat) explained that a nomination was required in order to participate in the project's reference group.

Actions and Decisions

It was agreed that an ECS/ASCOBANS/ACCOBAMS Workshop on Management of MPAs for Cetaceans would be held at the 2013 ECS Conference. The Advisory Committee encourages management authorities to participate.

The Secretariat was nominated to represent ASCOBANS in the HELCOM BALTFIMPA Reference Group.

5.5 Extension of the Work of the Agreement into the new Agreement Area, incl. Areas Beyond National Jurisdiction

95. The Chair drew the meeting's attention to Document 5-09 and invited comments. Peter Evans (ECS/Sea Watch Foundation) proceeded to lead the discussion explaining that the Working Group's aim was to identify suitable activities for the extension area. He reported positive cooperation with the new Range States (Ireland, Portugal and Spain), but would still welcome more participation from these countries in the Working Group's inter-

sessional work conducted by e-mail. The extension area was home to many larger cetaceans as well as ASCOBANS species.

96. Martine Bigan (France) welcomed Mr Evans's report on the group's work and suggested identifying issues or species that had to be dealt, such as ship strikes or population structure of common dolphin. She thought that the mandate of the group should be to develop wider cooperation on a range of issues rather than to draft species-specific conservation plans at this stage.

97. Marie-Christine Grillo-Compulsione (ACCOBAMS) said that there was considerable scope for cooperation between ASCOBANS and ACCOBAMS in the ASCOBANS extension area, such as marine noise, ship strikes, and research into genetics and population structures.

98. Mr Evans mentioned that some populations of bottlenose dolphins in the region had an unfavourable conservation status. There was some evidence that populations inhabiting coastal waters may not mix with populations living offshore, with consequent differences in feeding ecology. American research had confirmed variations in genetics, social structure and diet between inshore and offshore specimens.

99. The ASCOBANS Extension Area Working Group met during AC19 and reaffirmed the value of reporting annually on recent research and conservation actions within the area. It highlighted the importance of collaboration between ASCOBANS and ACCOBAMS, and recommended that priority be given to the following joint actions: planning for a third SCANS survey; particular attention to *Tursiops* and *Delphinus* populations in the Extension Area, including obtaining a better understanding of stock structure; focus upon ship strikes and the need for the introduction of mitigation measures; and the development of risk profiles - identifying indicators that would contribute to the EU's Marine Strategy Framework Directive.

Actions and Decisions

The Extension Area Working Group was requested to continue its work in the next intersessional period.

Range States should be encouraged to develop collaborative efforts on topics identified as high priority in the extension area.

5.6 Report of the Informal Working Group on Large Cetaceans

100. Peter Evans (ECS/Sea Watch Foundation) identified as the main concerns bycatch of minke and humpback whales and ship strikes, which he was confident were under-reported. High-risk areas for ship strikes had been identified in the Bay of Biscay with fin, minke and sperm whales affected. The Agreement Area had significant populations of minke and fin whales, both species of which were known to breed in the area.

101. Heidrun Frisch (Secretariat) suggested that it might be more efficient to combine the Working Groups on the extension area and large cetaceans.

102. The Chair asked whether it would be possible to report separately on small and large cetaceans, in view of the Agreement's limited mandate. Maj Munk (Denmark) said that governments did not look to ASCOBANS to provide information on large cetaceans; these were the domain of the IWC. She did not want limited resources spread too thinly. Mr Evans replied that as some research did not differentiate between the two groups, this would not always be easy, and in any case the report simply reflected information and did not make recommendations. James Gray (United Kingdom) also thought that it might involve a disproportionate amount of work to edit out information on large cetaceans.

Actions and Decisions

The report of the Informal Working Group on Large Cetaceans would in future be combined with that of the Extension Area Working Group.

6. Project Funding through ASCOBANS

6.1 Progress of Supported Projects

103. Heidrun Frisch (Secretariat) presented Document 6-01 which contained a review of current and recently completed projects, some of which had already been reported on in detail under the relevant agenda items.

104. Rob Deaville (Zoological Society of London) presented Document 6-05 and gave a presentation on the construction of a central point of access for data collected by stranding networks to meet one of the long standing objectives of the Conservation and Management Plan. Questionnaires were circulated to representatives of stranding networks in advance of the workshop which was held during the ECS Annual Meeting in Cadiz in March 2011. They asked for qualitative information on strandings and necropsy data held by each network, along with information on data ownership, data storage and output methods, and whether each network was willing to contribute at least a proportion of data to a proposed database.

105. A total of 53 attendees from 11 countries attended. In the first session, presentations from representatives of the stranding networks from Belgium, Denmark, France, Germany, Ireland, the Netherlands, Portugal, Spain and the UK were heard. Presentations covered methods of data collection, archiving and dissemination, as well as background information on each stranding network. PDFs of the presentations were offered for download from a password protected link to the UK strandings programme website which was given in the report.

106. Three working groups were set up, discussing strandings data/national projects, pathology/cause of death data, and technical aspects of database creation. The overall feeling was that the database should initially have a simple structure focusing on information on species, spatial and temporal parameters, source organization and cause of death, with the potential to be expanded over time. Agreement was also reached that a putative database could link to existing databases via routine upload of data in XML format. The front end of such a system would include metadata pages for each stranding network or country. The main conclusion of the meeting, however, was that there was near unanimous approval amongst attending networks for the creation of a centralised web accessed database.

107. Eunice Pinn (United Kingdom) speaking about Document 6-07 said that it was hoped that progress with the development of the funding proposal for the Tursiops SEAS project could be made over the next six months.

6.2 Prioritization of Project Proposals

108. Heidrun Frisch (Secretariat) presented Document 6-02 explaining that 13 project proposals had been received by the deadline set. The projects had been circulated along with a scoring system. She presented a table summarizing the comments and scores, and invited feedback from Parties on how the system had worked. As the requests for funding exceeded the resources available, she suggested that it might be helpful to know whether part-funding would be feasible.

109. Oliver Schall (Germany) noted that two of the projects that had been rated as high priorities had been submitted by someone who had previously also received support from

the Friends of CMS. He asked how these activities were progressing. Ms Frisch replied that Phase I had been completed successfully and a project report in German had been submitted. The Friends had agreed to provide further support for the next stage.

110. Ms Frisch (Secretariat) described UNEP rules which excluded from project funding the purchase of non-expendable equipment with some exceptions and on condition that the items acquired remained UNEP property after the project. It was noted that one of the lower ranking proposals relating to SAMBAH concerned the acquisition of additional equipment to replace what had been lost. The view was expressed that such losses should be taken into account at the outset of the project and appropriate provision made. Ms Frisch also explained that the Advisory Committee had discretion to fund internal initiatives (such as the North Sea Coordinator) in preference to external projects. Mr Simmonds (WDCS) felt that a transparent system could be devised with flexibility to address emergencies and emergent issues that would be excluded from urgently needed support by strict adherence to procedural deadlines.

111. Geneviève Desportes (North Sea Coordinator) informed the meeting that she had contacted Mats Amundin regarding the possible involvement of the Russian Federation in SAMBAH-related activities to try to ensure that an application for funds was made this year. Mr Schall (Germany) welcomed this initiative as did Peter Evans (ECS/Sea Watch Foundation) who stressed the importance of Russian waters to the Jastarnia Plan and the good sense of making use of the equipment that he had ascertained would be made available freely by the CPOD manufacturer. Time was of the essence and a decision on funding deferred until the MOP while administrative hurdles were cleared might be too late. The representative of the Russian Federation, Leonid Belov, had indicated to Mr Schall that obtaining official permits to set the CPODs might require six months. While Russia had been approached at the outset of the SAMBAH project, only recently had potential partners been identified.

112. James Gray (United Kingdom) thought that the first task was to agree which proposals were a priority to the Parties and allocate the available funds. Maj Munk (Denmark) thought that the results of the scoring system contained in the table were sound, and the outstanding issues centred on the timing and eligibility of the Russian project and the constraints of UNEP regulations. Folchert van Dijken (Netherlands) was concerned that having adopted a transparent system with deadlines and clear criteria, exceptions were already being made to confuse matters. His views were supported by Martine Bigan (France). Mr Schall (Germany) emphasizing the unique opportunity to involve the Russian Federation in SAMBAH also felt that any project that had adhered to the process but lost out to the Kaliningrad project should receive special consideration the following year. It was agreed that the Administrative Session the following day would review the proposal for the Kaliningrad project and decide on overall funding priorities.

Actions and Decisions

The priority ranking of project proposals submitted by the deadline of 15 February which emerged from the consultation procedure, resulting in a list of 13 projects, was confirmed. For Secretariat activities, anniversary celebrations in the margins of MOP7 (Activity 3) and production of material for the 20th anniversary (Activity 2) were seen as priorities.

7. Relations with other Bodies

113. Heidrun Frisch (Secretariat) drew attention to Document 7-01 which contained reports received from delegates that had attended meetings of other fora.

114. Mark Simmonds (WDCS) said that in the section regarding the IWC, there was a reference to an online survey on pollution and he encouraged those present at the meeting to participate.

115. Ms Frisch referred to Document 7-09, which contained draft terms of reference for the Joint Working Group of ASCOBANS and ACCOBAMS on the Marine Strategy Framework Directive. James Gray (United Kingdom), Eunice Pinn (United Kingdom) and Martine van den Heuvel-Greve (Netherlands) expressed an interest in participating.

116. Martine Bigan (France) explained the purpose behind some of the revisions to the terms of reference and some outstanding questions regarding the mandate of the Group. She agreed to amend the wording in response to a comment from Sinead Murphy (ZSL) who stressed the importance of ASCOBANS, ACCOBAMS and OSPAR collaborating effectively and not duplicating each other's work.

Actions and Decisions

The Terms of Reference for the Joint ACCOBAMS/ASCOBANS Working Group on the Marine Strategy Framework Directive (MSFD) were agreed as amended (Annex 9). The Secretariats would set a deadline for the identification of a convener for the Group.

Intersessional Working Groups should take account of relevant CMS COP10 Resolutions in their work.

7.1 Outcome of CMS COP10

117. Heidrun Frisch (Secretariat) said that three of the four topics (bycatch, underwater noise and marine debris) had been dealt with in detail elsewhere on the agenda, leaving only the Global Programme of Work for Cetaceans (Document 7-06), the origins of which lay in CMS COP8 in 2005. COP10 had adopted the work programme which was based on an extensive review on the main threats to cetaceans per region and how these were addressed by a variety of MEAs. The review was available as a COP information document from the CMS website (UNEP/CMS/Inf.10.31). The resolution extended the mandate of the CMS Scientific Council's Aquatic Mammals Working Group led by the responsible CMS Appointed Councillor, Bill Perrin. The CMS Scientific Council also sought to draw on the expertise of other bodies, such as IUCN, FAO and CITES, and the cetacean-related Agreements under CMS.

118. Margi Prideaux (Migratory Wildlife Network) described the Programme of Work as a major achievement with its comprehensive global coverage addressing every region. She called upon the CMS cetacean instruments to collaborate as much as possible.

7.2 Dates of Interest 2012/2013

119. Heidrun Frisch (Secretariat) introduced Document 7-02 which was intended to include as many key events as possible. The meeting was invited to suggest additions and volunteers were sought to represent ASCOBANS or at least report back to the next meeting of the Advisory Committee. Various comments and suggestions were made from the floor and the revised list of dates of interest is appended to this report as Annex 10.

120. Marchien de Ruiter (North Sea Foundation) regretted that the proposed follow-up workshop on the Dutch harbour porpoise plan scheduled for Friday, 23 March had to be postponed and would be rearranged for a date in May or June in the Netherlands. The presentation given at the North Sea Group meeting a few days previously would however be available for posting on the ASCOBANS website shortly.

8. Consideration and Preparation of Draft Resolutions for MOP7

121. Heidrun Frisch (Secretariat) introduced Document 8-01, a draft resolution on the work plan for the coming intersessional period. The table was projected on the screen and comments and amendments were made as the document was discussed. The original document used standard terminology and was broadly based on the existing work programme adapted for the forthcoming triennium (or quadrennium). There would be further opportunities to refine the document at the MOP.

122. Martine Bigan (France) suggested that reference to Working Groups should be added where appropriate, e.g. in the section concerning noise. Mr Simmonds (WDCS) suggested that ASCOBANS liaise with ACCOBAMS on emerging threats (Section 6), as ACCOBAMS was already working on the effects of climate change. He also suggested adding marine debris under Action 2. Mr Schall (Germany) suggested the addition of the Common Fisheries Policy and review of Regulation 812 to Action 1. He also asked whether there would be a workshop or publication to mark the completion of the SAMBAH project. It was normal under the EC LIFE Regulation for there to be some special activity to finalize projects.

123. Some changes were needed to the procedures for the ASCOBANS Award which was currently biennial which did not synchronize well with the MOP cycle. The Secretariat proposed that the next award should be made at MOP8 with the preceding Advisory Committee convening a jury. This proposal was endorsed by the Parties.

124. The Secretariat pointed out that the draft work plan was so far the only non-administrative Resolution submitted. Another on the “gap” area was known to be in the pipeline. Parties were encouraged to submit other policy proposals. The draft Rules of Procedure to be considered in the Administrative Session would require draft Resolutions to be submitted to the Secretariat 65 days in advance of the MOP.

Actions and Decisions

The draft resolution on the work plan for the next intersessional period was amended and endorsed for submission to the 7th Meeting of the Parties.

Parties were encouraged to consider tabling further resolutions by 19 July 2012.

9. Any other Business

125. Mr Heredia (Secretariat) reported that the Jury for the ASCOBANS Outreach and Education Award comprising himself, Petra Deimer (Germany), Sami Hassani (Chair), Kai Mattsson (Finland) and Alison Wood (WDCS) had met on Monday to consider the two nominations. Some consideration had been given to whether the Award should be given to an individual rather than an organization. The Jury decided that the winner of the 2012 Award should be Mats Amundin, who had a considerable track record of research and education, and a long association with the Agreement.

Actions and Decisions

The Jury for the ASCOBANS Outreach and Education Award informed the meeting that Mats Amundin of Kolmården Djurpark in Sweden had been chosen.

10. Adoption of the List of Action Points of the Science and Conservation Session

126. The Secretariat projected the draft Action Points and Decisions on screen. The amended wording was agreed and the Action Points adopted.

11. Close of the Session

127. There being no other business and after the customary expression of thanks to all involved in the organization of the meeting, the Chair declared the Science and Conservation Session closed.

11. Opening of the Administrative Session

128. Penina Blankett (Finland) took the Chair for the Administrative Session and began by thanking the Secretariat and Germany for having organized the previous evening's reception and exhibition of life-size models of cetaceans.

12. Adoption of the Agenda of the Administrative Session

129. There were no comments on the draft agenda which was accordingly adopted as presented. No items were raised for discussion under Agenda Item 16 (Any Other Administrative Issues) and no items were identified as requiring a closed session with the exception of the discussion on projects where it was felt appropriate that those with a personal interest should not attend.

13. Report of the Secretariat on Finance and Administrative Issues

13.1 Administrative Issues

130. Borja Heredia (Secretariat) presented Document 13-01 and reported that at the CMS COP held in Bergen, Norway in November 2011, the Parties had reconfirmed their willingness to continue providing secretariat services to the Agreement. Elizabeth Mrema, the Acting Executive Secretary, had now returned to Nairobi to assume a new post, but would remain in charge of CMS and ASCOBANS until her successor had been appointed. The Administration and Fund Management Officer, Sergey Kurdjukov, was retiring and his successor, Bruce Noronha would be entering duty in June 2012.

131. Referring to Document 13-02, the report submitted to the COP on the merger, Mr Heredia said that essentially the Parties were now satisfied with the new arrangements but it had taken some time to overcome initial difficulties. He commended the commitment of the staff who were few in number compared with other Agreement Secretariats, and went on to acknowledge the support provided by a series of interns. He proposed that in view of the high workload associated with the preparations for MOP7, the surpluses being accrued on the staff budget lines be used to increase the Administrative Assistant's time commitment from 50 to 75 per cent for the rest of the year.

Actions and Decisions

The time allocation for the Administrative Assistant would be increased from 50 to 75 per cent for the remainder of 2012 from funds available within the existing budget.

13.2 Accounts for 2011

132. Heidrun Frisch (Secretariat) presented Document 13-03, the accounts for 2011, with the customary caveat that they had not been finally certified. She commended the Parties who had again all paid their contributions in full.

133. At the previous Advisory Committee meeting, it had been reported that the Agreement's Trust Fund balances had been dramatically reduced because of adverse currency fluctuations. The procedure used by UNEP HQ had severely affected all Bonn-based Secretariats, who had all vociferously complained with the result that the accounting methods used had been revised and the balances restored. There was an unspent balance of approximately €46,700 available for conservation initiatives and projects. UNEP had also agreed that ASCOBANS could continue operating in Euros and not revert to US Dollars.

14. Consideration and Preparation of Draft Resolutions for MOP7

134. Heidrun Frisch (Secretariat) presented Document 14-01, a standard text for a Resolution adopting the accounts. As the certified accounts could not be altered and these contained the reduced balances affected by the adjustments reflecting currency fluctuations, additional explanatory text had been provided. The accounts for 2011 would be finalized by the time of the MOP. The text was endorsed by the Committee.

135. Ms Frisch presented Document 14-02, a standard text for proposing the forthcoming budget with minor amendments and square bracketed text to account for questions that were still open, such as withdrawals from the Trust Fund to finance projects and the question of continuing with the merged Secretariat arrangements. The draft contained an option for adopting a four-year cycle (similar to EUROBATS and AEWA) as well as one retaining the current three-year cycle. A four-year cycle with a less frequent MOP provided other Agreements with considerable savings as they had to finance funded delegates. This was not an advantage from which ASCOBANS would benefit, but the Secretariat would have more time to implement decisions as there would be fewer meetings to organize. If a four-year cycle was to be adopted and Parties were not content, they could always revert to a three-year cycle.

136. Maj Munk (Denmark) while recognizing the advantages of a four-year cycle pointed out that the Agreement text explicitly stated that MOPs should occur at least once every three years. Ms Frisch explained that she had discussed this point with the Acting Executive Secretary whose judgement was that a time-consuming amendment would not be necessary and there were precedents for Parties making clear in Meeting Resolutions that they wished to deviate from the prescribed budgetary and meeting cycles. Ms Munk requested that the Parties be given sight of that advice.

137. Oliver Schall (Germany) said that he was open to the idea of moving to a four-year cycle but could not at this stage commit his support, while Martine Bigan (France) sought clarification of the consequences for the Advisory Committee in MOP years. She pointed out that under the Agreement on the Conservation of Albatrosses and Petrels, the Advisory Committee did not meet in the year of the MOP. The Netherlands and the United Kingdom also supported the idea in principle, but Kai Mattsson (Finland) asked whether there might be detrimental effects on programmes if decisions could only be made every four years rather than three. Ms Munk (Denmark) commented that given the merger, CMS and ASCOBANS needed to synchronize their decision making and moving to a four-year cycle might make that more difficult. Mr Schall felt that having to liaise with the parent Convention's decision-making bodies was a consequence of the merger, while Monika Lesz (Poland) pointed out that Europe was adequately represented on the CMS Standing Committee, so any concerns about ASCOBANS could be raised there.

138. Referring to Document 14-03, Ms Frisch explained that the Secretariat had prepared two budget proposals each with two variants, one reflecting a three-year cycle and another a four-year cycle and both assuming that the merger would continue. The first pair of proposals included inflation proofing, with staff costs rising two per cent a year and other items three per cent, with reductions in the allotments for costs related to telephone and postage to reflect previous levels of expenditure. The second pair of options included two new budget lines (1221 and 1222) for the North Sea and Baltic Sea Coordinators. These posts would require a 42 per cent budget increase, which it was appreciated was not likely to be accepted in the current financial climate.

139. Maj Munk (Denmark) requested that in addition to the two options presented, a third be prepared with no increase in the budget at all. Areas where savings could be made and the services that would be lost as a consequence should be highlighted. The second pair of options, she confirmed, was unacceptably high.

140. In order to keep the budget for the next period to the same level as the current triennium, savings of €28,275 had to be identified. Ms Frisch explained that the salary lines and the increases for inflation they included had been prescribed by UNEP. The scope for adjusting the percentage of time that staff shared between CMS and ASCOBANS dedicated to the Agreement was also limited. CMS had agreed to the merger on condition that the parent Convention would be compensated for the time its staff spent on ASCOBANS (e.g. the Executive Secretary's Personal Assistant). At least €3,000 therefore had to be allocated to budget line 1220 to cover CMS staff costs. Eliminating any further funds for consultancies would either mean work (such as Peter Evans' hugely useful trends data) would not be done or the Agreement would depend entirely on voluntary contributions.

141. Folchert van Dijken (Netherlands) expressed a preference for an inflation-proofed option and not undermining the Secretariat by reducing staff time; he favoured a reduction in the number of Advisory Committee meetings. Martine Bigan (France) confirmed that while the Coordinator consultancies were desirable, the financial pressures were such that no expansion of the Secretariat was possible. Oliver Schall (Germany) recognized financial reality but favoured the inflation-proofing option rather than freezing the budget. James Gray (United Kingdom) advocated a stable budget but felt that closer examination of the budget lines might reveal some scope for paring down certain items, without spending a disproportionate amount of time reducing individual lines by minimal amounts when the adoption of a four-year cycle would entail general savings.

142. In summary, the Chair requested that the Secretariat present an option with general cuts across all discretionary items with an explanation of the consequences of the reductions.

143. Ms Frisch (Secretariat) presenting Document 14-4 explained that some changes were needed in the Rules of Procedure as some documents had in the past been submitted too late for Parties to be able to consult fully before the MOP. It was therefore proposed that Rule 11 impose a 65-day deadline for Parties to submit draft resolutions (and a 60-day deadline for the Secretariat to circulate them), with discussion documents similarly subject to 35-day and 30-day deadlines.

Actions and Decisions

Parties agreed in principle to consider moving to a four-year cycle for the Agreement and would consider the implications before making a final decision at the 7th Meeting of the Parties.

Parties agreed to UNEP/CMS continuing to provide secretariat services.

In addition to budget options 1 and 3, the Secretariat was asked to prepare a third option with no budgetary increase compared with the current triennium.

The draft resolutions on management of expenditures and future administrative and budgetary arrangements were amended and endorsed to be submitted for further consideration at the 7th Meeting of the Parties.

The draft Rules of Procedure for the 7th Meeting of the Parties were endorsed by the meeting.

15. Project Funding

144. The Chair invited all those present with a personal interest in the process to leave the meeting room. It was explained that a maximum of approximately €46,700 was available for initiatives and project funding, and the total of the bids was €80,000. Parties had to decide how much of the available funds to commit and which projects, if any, to finance.

145. Heidrun Frisch (Secretariat) reminded the meeting that Germany had financed the North Sea Coordinator post for one year. If this post were to continue, it would now have to be supported from the surplus funds, and given the uncertainties of the budgetary position where there were no guarantees that sufficient surpluses would continue to accrue in future, it would be prudent to earmark the money from existing resources.

146. There was a discussion over whether the funding of the project proposal “Kaliningrad CPOD anchoring – SAMBAH satellite project” submitted during the meeting could be postponed. Oliver Schall (Germany) pointed out that it might take as long as six months to receive the necessary permissions, by which time it would be winter and field work would be difficult, with no guarantee that the requisite permissions would be granted. The project might also be a candidate for support from next year’s German voluntary contribution. Katarzyna Kaminska (Poland) preferred not to defer the Kaliningrad project and the Chair pointed out that the SAMBAH CPODs would only be deployed until May 2013, but there were possible problems about using SAMBAH time and equipment outside the EU, restrictions that would not apply to the German voluntary contribution.

147. Martine Bigan (France) sought clarification of the deadlines for making a decision about extending the contract of the North Sea Coordinator. She said that consideration should be given to widen the Coordinator’s remit and assigning her responsibility for the Jastarnia Plan in addition. She also announced a voluntary contribution of €8,000 for funding projects in relation with the 20th Anniversary.

148. James Gray (United Kingdom) asked whether it would be possible to extend the Coordinator’s contract initially by six months rather than a year, thereby releasing half of the amount for other projects. Folchert van Dijken (Netherlands) supported this proposal. Mr Schall (Germany) felt that it was important for the credibility of the funding process that as many as possible of the good projects that had been submitted in accordance with the procedures should be supported.

Actions and Decisions

It was agreed that the contract for the North Sea Plan Coordinator would be extended for a further six months on the same conditions.

Project 4 “Examine habitat exclusion and long-term effects of pingers” would be funded in full.

The “Kaliningrad CPOD project” submitted by Baltic Fund for Nature would receive €12,000 provided that 1) deployment would start by 1 September 2012, 2) it would receive sufficient co-funding, and 3) the use of SAMBAH resources in support of the project was in line with EU LIFE+ regulations. If these conditions were not met, project 6 “Enhanced detection of harbour porpoises” would be funded instead.

16. Any other Administrative Issues

149. Heidrun Frisch (Secretariat) announced that the draft letter to the Faroese authorities had been approved by the representatives of Denmark and the United Kingdom. The draft was presented on screen and was endorsed by the meeting. (See Agenda Item 5.1 in the Science and Conservation Session for the Action Point.)

17. Date and Venue of the 20th Meeting of the Advisory Committee in 2013

150. In the absence of a representative of Sweden, Heidrun Frisch (Secretariat) announced that an invitation had been received to hold the next Advisory Committee meeting in Gothenburg. The choice of an appropriate date was deferred until the MOP where the decision about adopting a four-year cycle would be made. Folchert van Dijken (Netherlands)

said that if there were to be three meetings of the Advisory Committee in a quadrennium, then thought should be given as to how to spread the dates to best effect.

Actions and Decisions

Sweden's offer to host the 20th Advisory Committee Meeting was welcomed. The Secretariat would liaise with Sweden and dates would be chosen after the decision on whether to have a three- or four-year cycle had been made.

18. Adoption of the List of Action Points of the Administrative Session

151. The Secretariat presented the list of draft Action Points on screen. Clarification was sought regarding when the Administrative Assistant's post would be increased from 50 per cent to 75 per cent. The Secretariat explained that the increase would take effect as soon as the administrative procedures could be completed. Subject to minor amendments the Action Points were adopted by the meeting.

19. Close of Meeting

152. After the customary expression of thanks to all those who had contributed to the organization and smooth running of the meeting, the Chair declared the Administrative Session of the Advisory Committee closed.

LIST OF PARTICIPANTS

PARTIES

Denmark

Maj F. MUNK
The Danish Nature Agency
Haraldsgade 53
2100 Copenhagen Ø
Denmark
mfm@nst.dk
Tel. +45 72 542428

Signe SVEEGAARD
Department of Bioscience, Aarhus
University
Frederiksborgvej 399
4000 Roskilde
Denmark
sign@dmu.dk
Tel. +45 8715 8496

Finland

Penina BLANKETT (Vice-Chair)
Ministry of the Environment
P.O. Box 35
00023 Government
Finland
penina.blankett@ymparisto.fi
Tel. +358 50 463 8196
Fax: +358 91 603 9318

Kai MATTSSON
Särkänniemi Dolphinarium
Tampereen Särkänniemi Oy
Fin-33200 Tampere
Finland
kai.mattsson@sarkanniemi.fi
Tel. +358 40 7654077

France

Martine BIGAN
Ministere de l'Ecologie, Developpement
Durable, Transports et Logement
Arche Sud 92055
La Défense cedex
France
martine.bigand@developpement-durable.gouv.fr
Tel. +33 1 40 81 32 09
Fax: +33 1 40 81 71 87

Sami HASSANI (Chair)
Océanopolis
Port de Plaisance du Moulin Blanc
29200 Brest
France
sami.hassani@oceanopolis.com
Tel. +33 2 98344052
Fax: +33 2 98344069

Yanis SOUAMI
French Navy
Etat-Major de la Marine
2 Rue Royale
75008 Paris
France
contact@sinay.fr
Tel. +33 648 391 721

Yvon MORIZUR
IFREMER
B.70, Centre de Brest
29280 Plouzane
France
yvon.morizur@ifremer.fr
Tel. +33 2 98 22 44 81

Germany

Petra DEIMER-SCHUETTE
Gesellschaft zum Schutz der
Meeressäuger
Garstedter Weg 4
25474 Hasloh
Germany
pdeimer@gsm-ev.de
Tel. +49 4106 4712
Fax: +49 4106 4775

Anita GILLES
Institute of Terrestrial and Aquatic Wildlife
Research (ITAW)
University of Veterinary Medicine
Hannover
Werftstrasse 6
D – 25761 Büsum
Germany
Anita.Gilles@tiho-hannover.de
Tel. +49 511 8568170
Fax: +49 511 8568181

Stefan LUDWIG
WTD 71 Bundeswehr Technical Centre
Research Department for Underwater
Acoustics and Marine Geophysics (FWG)
Berliner Str. 115
24340 Eckernförde
Germany
stefan2ludwig@bwb.org
Tel. +49 431 607 4101

Oliver SCHALL
Federal Ministry for the Environment,
Nature Conservation and Nuclear Safety
Robert-Schuman-Platz 3
53175 Bonn
Germany
oliver.schall@bmu.bund.de
Tel. +49 228 3052632
Fax: +49 228 3052684

Netherlands

Folchert VAN DIJKEN
Ministry of Economic Affairs, Agriculture
and Innovation
Prins Clauslaan 8
2595 AJ Den Haag
P.O. BOX 20401
2500 EK The Hague
The Netherlands
f.r.vandijken@mineleni.nl
Tel. +31 70 3785509
Fax: +31 703786146

Martine, van den HEUVEL-GREVE
IMARES Wageningen UR
P.O. Box 77
4400 AB Yerseke
The Netherlands
martine.vandenheuvel-greve@wur.nl
Tel. +31 317 483823
Fax: +33 317 487359

Sanne van SLUIS
Ministry of Economic Affairs,
Agriculture & Innovation
P.O. Box 20401
2500 EK The Hague
The Netherlands
s.vansluis@mineleni.nl
Tel. +31 70 3785172
Fax: +31 70 378 6146

Meike SCHEIDAT
IMARES
Postbus 68
1970 AB IJmuiden
The Netherlands
meike.scheidat@wur.nl
Tel. +31 317 487108

Poland

Monika LESZ
Ministry of the Environment
Wawelska 52/54
00-922 Warszawa
Poland
monika.lesz@mos.gov.pl
Tel. +48 22 5792667
Fax: +48 22 5792730

Katarzyna KAMINSKA
Ministry of Agriculture and Rural
Development - Fisheries Department
Wspolna 30 Street
00-930 Warsaw
Poland
Katarzyna.Kaminska@minrol.gov.pl
Tel. + 48 22 623 2099
Fax: + 48 22 623 2404

Kelly MACLEOD
JNCC
Inverdee House
Baxter Street
Aberdeen, AB11 9QA
UK
Kelly.Macleod@jncc.gov.uk
Tel. +44 1224 266584
Fax: +44 1224 896170

United Kingdom

Nicola CLARKE
Department for Environment, Food and
Rural Affairs (Defra)
Area 2D
17 Smith Square
Nobel House
London, SW1P 3JR
United Kingdom
Nicola.Clarke@defra.gsi.gov.uk
Tel. +44 207 238 4605

Eunice PINN
Joint Nature Conservation Committee
JNCC
Inverdee House
Baxter Street
Aberdeen, AB11 9QA
United Kingdom
eunice.pinn@jncc.gov.uk
Tel. +44 1224 266580
Fax: +44 1224 896170

James GRAY
Department for Environment, Food and
Rural Affairs (Defra)
Area 2D
17 Smith Square
Nobel House
London, SW1P 3JR
United Kingdom
james.gray@defra.gsi.gov.uk
Tel. +44 207 238 4392

Anju SHARDA
Department For Environment, Food and
Rural Affairs (DEFRA)
Area 2D,
Nobel House
17 Smith Square
London, SW1P 3JR
United Kingdom
Anju.Sharda@defra.gsi.gov.uk
Tel. +44 207 238 4341

OBSERVERS

NON-PARTIES

Ireland

Tara KEENA
Department of Arts, Heritage and the
Gaeltacht
3rd Floor, Customs House
Flood Street
Galway
Ireland
Tara.Keena@ahq.gov.ie
Tel. +353 91 532430

Eamonn KELLY
Department of Arts, Heritage and the
Gaeltacht
3rd Floor, Customs House
Flood Street
Galway
Ireland
Eamonn.Kelly@ahq.gov.ie
Tel. +353 91 532433

Russian Federation

Leonid P. BELOV
Ministry of Natural Resources and
Environment of the Russian Federation
4/6, Bolshaya Grusinskaya str.
Moscow
123995 Russian Federation
belov@mnr.gov.ru
Tel. +7 499 254 86 01
Fax: +7 499 254 82 83

INTER-GOVERNMENTAL ORGANIZATIONS

ACCOBAMS

Marie-Christine GRILLO-COMPULSIONE
ACCOBAMS
2, Terrasses de Fontvielle
MC 98 000 MONACO
mcgrillo@accobams.net
Tel. +377 98 98 42 75/8010
Fax: +377 98 98 4208

NAMMCO

Mario ACQUARONE
NAMMCO
PO Box 6453
Sykehusveien 21-23
N-9294 Tromsø
Norway
mario@nammco.no
Tel. +47 77687371
Fax: +47 77687374

NON-GOVERNMENTAL ORGANIZATIONS

Baltic Fund for Nature

Irina TRUKHANOVA
SPbCPO "Biologists for nature
Conservation"
Russian Federation
199034, St. Petersburg
Birzhevaya liniya 8
irina_trukhanova@yahoo.com
Tel.: + 7 8123289620
Fax: + 7 8123289753

Cetacean Strandings Investigation Programme (Wales)

Rod PENROSE
Cetacean Strandings Investigation
Programme (Wales)
Penwalk
Llechryd, Cardigan, Ceredigion
United Kingdom
SA43 2PS
rodpenrose@strandings.demon.co.uk
Tel. +44 1239683033

Coastal & Marine Union (EUCC)

Marije SIEMENSMA
Coastal & Marine Union (EUCC)
P.O. Box 11232
2301 EE Leiden
The Netherlands
m.siemensma@msandc.nl
Tel. +31 71 5122900

**European Cetacean Society /
Sea Watch Foundation**

Peter G.H. EVANS
Ewyn y Don, Bull Bay
Amlwch, Isle of Anglesey
Wales LL68 9SD
United Kingdom
peter.evans@bangor.ac.uk
Tel. +44 1407 832892

IFAW

Anna CUCKNELL
International Fund for Animal Welfare
IFAW HQ
290 Summer Street
Yarmouth Port
MA 02675-1734
USA
amoscrop@mcr-team.co.uk
Tel. + 44 7801 613 539
Fax: +44 1376 573071

Migratory Wildlife Network

Margi PRIDEAUX
Administration Office
Pennshaw LPO 641
Dudley East
South Australia
5222 Australia
margi@wildmigration.org
Tel.: + 618 8121 5841
Fax: + 618 8125 5857

North Sea Foundation

Marchien DE RUITER
Drieharingstraat 25
3511BH Utrecht
The Netherlands
m.deruiter@noordzee.nl
Tel. +31 30 2340016
Fax: +31 30 2302830

**Whale and Dolphin Conservation
Society (WDCS)**

Mark SIMMONDS
Brookfield House
38 St Paul Street
Chippenham Wiltshire SN15 1LJ
United Kingdom
mark.simmonds@wdcs.org
Tel. +44 1249 449500

Alison WOOD
Brookfield House
38 St. Paul Street
Chippenham Wiltshire SN15 1LJ
United Kingdom
alison.wood@wdcs.org
Tel. +44 1225 449524

Zoological Society of London

Rob DEAVILLE
Institute of Zoology,
Regents Park
London, NW1 4RY
United Kingdom
rob.deaville@ioz.ac.uk
Tel. +44 20 7449 6672
Fax: + 44 207 4832237

Paul JEPSON
Institute of Zoology
Regents Park
London, NW1 4RY
United Kingdom
paul.jepson@ioz.ac.uk
Tel. +44 207 449 6691
Fax: +44 207 483 2237

Sinead MURPHY
Institute of Zoology
Regents Park
London, NW1 4RY
United Kingdom
s.n.murphy@massey.ac.nz
Tel. +64 9 4140800 ext. 41524
Fax: +64 9 4439790

CONSULTANT

North Sea Plan Coordinator

Geneviève DESPORTES
GDnatur
Steijlestraede 9
Bregnor
DK-5300 Kerteminde
Denmark
genevieve@gdnatur.dk
Tel. +45 6532 1767
Fax: +45 2025 0267

SECRETARIAT

Heidrun FRISCH
UNEP/CMS/ASCOBANS Secretariat
UN Campus
Hermann-Ehlers-Str. 10
53113 Bonn
Germany
h.frisch@ascobans.org
Tel. +49 228 815 2418
Fax: +49 228 815 2440

Bettina REINARTZ
UNEP/CMS/ASCOBANS Secretariat
UN Campus
Hermann-Ehlers-Str. 10
53113 Bonn
Germany
breinartz@ascobans.org
Tel. +49 228 815 2416
Fax: +49 228 815 2440

Ana Berta GARCÍA
UNEP/CMS/ASCOBANS Secretariat
UN Campus
Hermann-Ehlers-Str. 10
53113 Bonn
Germany
agarcia@cms.int
Tel. +49 228 815 2459
Fax: +49 228 815 2440

Robert VAGG (Report Writer)
UNEP/CMS Secretariat
UN Campus
Hermann-Ehlers-Str. 10
53113 Bonn
Germany
rvagg@cms.int
Tel. +49 228 815 2476
Fax: +49 228 815 2440

Borja HEREDIA
UNEP/CMS/ASCOBANS Secretariat
UN Campus
Hermann-Ehlers-Str. 10
53113 Bonn
Germany
bheredia@cms.int
Tel. +49 228 815 2422
Fax: +49 228 815 2440

AGENDA

1. Opening of the Meeting
 - 1.1 Adoption of the Agenda of the **Science and Conservation Session**
2. Annual National Reports 2011
3. Accession and Agreement Amendments
4. Priorities in the Implementation of the Triennium Work Plan (2010-2012)
 - 4.1 ASCOBANS Baltic Recovery Plan (Jastarnia Plan)
 - 4.1.1 Implementation
 - 4.1.2 Report and Recommendations of the 8th Meeting of the Jastarnia Group
 - 4.1.3 Coverage of the Western Baltic, Inner Danish Waters and Kattegat/Skagerrak Area
 - 4.2 ASCOBANS Conservation Plan for Harbour Porpoises in the North Sea
 - 4.2.1 Implementation
 - 4.2.2 Report of the Coordinators and Working Group
 - 4.3 Review of New Information on Bycatch
 - 4.3.1 Report of the Working Group
 - 4.4 Review of New Information on the Extent of Negative Effects of Sound
 - 4.4.1 Report of the Working Group
 - 4.5 Publicity and Outreach
 - 4.5.1 Report of the Secretariat
 - 4.5.2 Reports of Parties, Range States and Partners
5. Implementation of the Triennium Work Plan (2010-2012) – Other Issues
 - 5.1 Review of New Information on Population Size, Distribution, Structure and Causes of Any Changes
 - 5.2 Review of New Information on Pollution and its Effects
 - 5.3 Review of New Information on the Extent of Negative Effects of Vessels and Other Forms of Disturbance
 - 5.4 Management of Marine Protected Areas
 - 5.5 Extension of the Work of the Agreement into the new Agreement Area, incl. Areas Beyond National Jurisdiction
 - 5.6 Report of the Informal Working Group on Large Cetaceans
6. Project Funding through ASCOBANS
 - 6.1 Progress of Supported Projects
 - 6.2 Prioritization of Project Proposals

7. Relations with other Bodies
 - 7.1 Outcome of CMS COP10
 - 7.2 Dates of Interest 2012/2013
8. Consideration and Preparation of Draft Resolutions for MOP7
9. Any other Business
10. Adoption of the List of Action Points of the Science and Conservation Session
11. Close of the Session

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11. Opening of the **Administrative Session**
 12. Adoption of the Agenda of the Administrative Session
 13. Report of the Secretariat on Finance and Administrative Issues
 - 13.1 Administrative Issues
 - 13.2 Accounts for 2011
 14. Consideration and Preparation of Draft Resolutions for MOP7
 15. Project Funding
 16. Any other Administrative Issues
 17. Date and Venue of the 20th Meeting of the Advisory Committee in 2013
 18. Adoption of the List of Action Points of the Administrative Session
 19. Close of Meeting

LIST OF DOCUMENTS

No.	Agenda Item	Document Title	Submitted by	Distributed
Doc.1-01 rev.2	1.1	Draft Rules of Procedure for the ASCOBANS Advisory Committee	Secretariat	20/02/12
Doc.1-02	1.2 / 12	Provisional Agenda	Secretariat	04/01/12
Doc.1-03 rev.1	1.2 / 12	Provisional Annotated Agenda	Secretariat	16/03/12
Doc.1-04 rev.1		List of Documents	Secretariat	16/03/12
Doc.2-01	2	Annual National Report Belgium	Belgium	23/02/12
Doc.2-02	2	Annual National Report Denmark	Denmark	15/03/12
Doc.2-03	2	Annual National Report Finland	Finland	12/03/12
Doc.2-04	2	Annual National Report France	France	14/03/12
Doc.2-05	2	Annual National Report Germany	Germany	16/03/12
Doc.2-07	2	Annual National Report Netherlands	Netherlands	13/03/12
Doc.2-08	2	Annual National Report Poland	Poland	20/02/12
Doc.2-10	2	Annual National Report United Kingdom	United Kingdom	15/03/12
Doc.3-01	3	Status of Accession and Acceptance of the Agreement's Amendment	Secretariat	20/02/12
Doc.4-01	4 / 5	ASCOBANS Triennium Work Plan 2010-2012 – Progress and Further Actions	Secretariat	10/02/12
Doc.4-02	4.1	Action Points of the 8 th Meeting of the ASCOBANS Jastarnia Group	Jastarnia Group	17/02/12
Doc.4-02 Addendum	4.1	Report of the 8 th Meeting of the ASCOBANS Jastarnia Group	Jastarnia Group	06/03/12
Doc.4-03	4.1	Draft Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat	Jastarnia Group	20/02/12
Doc.4-04	4.2	Report of the 1 st Meeting of the Steering Group for the Conservation Plan for the Harbour Porpoise in the North Sea	North Sea Group	15/02/12
Doc.4-05	4.2	Report of the North Sea Coordinator	Secretariat	16/03/12
Doc.4-06	4.3	Report of the Bycatch Working Group	Bycatch Working Group	12/03/12

No.	Agenda Item	Document Title	Submitted by	Distributed
Doc.4-07	4.3	Communication from the Commission to the European Parliament and the Council on the implementation of certain provisions of Council Regulation (EC) No 812/2004 laying down measures concerning incidental catches of cetaceans in fisheries and amending Regulation (EC) No 88/98	Secretariat	04/01/12
Doc.4-08	4.4	Report of the Noise Working Group	Noise Working Group	12/03/12
Doc.4-09	4.5	Report of the Secretariat on Outreach and Education Activities	Secretariat	20/02/12
Doc.4-10	4.4	Underwater Noise Pollution From Munitions Clearance and Disposal, Possible Effects on Marine Vertebrates, and Its Mitigation	Noise Working Group	20/02/12
Doc.4-11	4.3	ICES 2010: Report of the Study Group on Bycatch of Protected Species	United Kingdom	23/02/12
Doc.4-12	4.3	ICES Advice 2010: EC request on cetacean bycatch Regulation 812/2004	United Kingdom	23/02/12
Doc.4-13	4.3	ICES 2011: Report of the Working Group on Bycatch of Protected Species	United Kingdom	23/02/12
Doc.4-14	4.4	Draft Letter to the ASCOBANS and ACCOBAMS Noise Working Groups	Noise Working Group	07/03/12
Doc.4-15	4.3	Report of the Joint NAMMCO-ICES Workshop on By-Catch Monitoring	NAMMCO	14/03/12
Doc.4-16	4.4	CBD Scientific Synthesis on the Impacts of Underwater Noise on Marine and Coastal Biodiversity and Habitats	Secretariat	16/03/12
Doc.4-17	4.3	Strategies for the Prevention of Bycatch of Seabirds and Marine Mammals in Baltic Sea Fisheries	Secretariat	16/03/12
Doc.4-18	4.3	Is limiting gillnet drop a management perspective for the protection of cetaceans in SACs?	GSM	16/03/12
Doc.4-19	4.4	Scope and aims of the symposium "Towards an Environmentally Sound Offshore Wind Energy Deployment", held in Stralsund, Germany	Germany	16/03/12
Doc.5-01	5.1	Pilot Whale Hunt in the Faroe Islands	Secretariat	08/03/12
Doc.5-02	5.1	A final report on the presence and distribution of harbour porpoises (<i>Phocoena phocoena</i>) from visual and acoustic survey in French and British waters of the English Channel in May and June 2011	IFAW	20/02/12

No.	Agenda Item	Document Title	Submitted by	Distributed
Doc.5-03 rev.1	5.1	A preliminary report on the presence and distribution of harbour porpoises (<i>Phocoena phocoena</i>) from visual and acoustic surveys over the Dogger Bank and surrounding waters, Southern North Sea in November 2011	IFAW	12/03/12
Doc.5-04	5.2	Ecological Effects of Ghost Net Retrieval in the Baltic Sea Pilot project: collecting ghost nets	Poland	20/02/12
Doc.5-05 rev.1	5.2	Cetaceans and Marine Debris	WDCS	23/02/12
Doc.5-06	5.1	ICES 2010: Report of the Working Group on Marine Mammal Ecology	United Kingdom	23/02/12
Doc.5-07	5.1	ICES 2011: Report of the Working Group on Marine Mammal Ecology	United Kingdom	23/02/12
Doc.5-08	5.1	Survey for small cetaceans over the Dogger Bank and adjacent areas in summer 2011	Germany	02/03/12
Doc.5-09	5.5	Intersessional Working Group on Research and Conservation Actions Undertaken in the Extended Agreement Area	Extension Area Working Group	05/03/12
Doc.5-10	5.4	Marine Protected Areas	Sea Watch Foundation / WDCS	09/03/12
Doc.6-01 rev.1	6.1	Progress of Projects Supported through ASCOBANS	Secretariat	20/02/12
Doc.6-02	6.2	Project Proposals Received for Future Funding	Secretariat	16/02/12
Doc.6-03	6.1	Project Report: Inventories of harbour porpoise <i>Phocaena phocaena phocaena</i> presence in Russian territorial waters of the Baltic Sea	Secretariat	30/12/11
Doc.6-04	6.1	Project Report: Effects of contaminants on reproduction in small cetaceans, Phase II	Secretariat	05/03/12
Doc.6-05	6.1	Project Report: Interest and feasibility of a web-accessed database for marine mammal strandings and necropsy data in the ASCOBANS region	Secretariat	02/03/12
Doc.6-06	6.1	Preliminary Project Report: Understanding harbour porpoise (<i>Phocoena Phocoena</i>) and fishery interactions in the north-west Iberian Peninsula	Secretariat	02/03/12
Doc.6-07	6.1	Tursiops SEAS Project Proposal Progress	United Kingdom	23/02/12

No.	Agenda Item	Document Title	Submitted by	Distributed
Doc.7-01	7	Reports of Representation of ASCOBANS at Meetings	Secretariat	06/03/12
Doc.7-02	7.2	Dates of Interest to ASCOBANS in 2012/2013	Secretariat	20/02/12
Doc.7-03	7	North Atlantic Marine Mammal Commission (NAMMCO): Statement to the 19 th Meeting of the ASCOBANS Advisory Committee	NAMMCO Secretariat	09/02/12
Doc.7-04	7.1	CMS Resolution 10.4 on Marine Debris	Secretariat	13/02/12
Doc.7-05	7.1	CMS Resolution 10.14 on Bycatch of CMS-Listed Species in Gillnet Fisheries	Secretariat	13/02/12
Doc.7-06	7.1	CMS Resolution 10.15 on the Global Programme of Work for Cetaceans	Secretariat	13/02/12
Doc.7-07	7.1	CMS Resolution 10.24 on Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Migratory Species	Secretariat	13/02/12
Doc.7-08	7	HELCOM Project on Managing Fisheries in Baltic Marine Protected Areas (BALTFIMPA)	Secretariat	05/03/12
Doc.7-09	7	Draft Terms of Reference for the Joint ACCOBAMS/ASCOBANS Working Group on the Marine Strategy Framework Directive (MSFD)	Secretariat	13/03/12
Doc.8-01	8	Draft Resolution: Activities of the ASCOBANS Advisory Committee and Work Plan for the Triennium 2013-2015	Secretariat	10/02/12
Doc.13-01	13.1	Report on Administrative Issues 2011/2012	Secretariat	09/02/12
Doc.13-02	13.1	CMS COP10 Document: The Merger of the CMS and ASCOBANS Secretariat Functions	Secretariat	09/02/12
Doc.13-03 Restricted	13.2	Report on Budgetary Issues 2010	Secretariat	10/02/12
Doc.14-01 Restricted	14	Draft Resolution: Management of Expenditures between 2009 and 2011	Secretariat	17/02/12
Doc.14-02	14	Draft Resolution: Financial, Budgetary and Administrative Matters 2013-20[15][16]	Secretariat	13/02/12
Doc.14-03 Restricted	14	Budget Proposals 2013-2015 or 2013-2016	Secretariat	17/02/12
Doc.14-04	14	Draft Rules of Procedure for the Meeting of the Parties to ASCOBANS	Secretariat	10/02/12

RULES OF PROCEDURE FOR THE ASCOBANS ADVISORY COMMITTEE

as adopted by the 19th Meeting, Galway, Ireland, 20-22 March 2012

PART I

DELEGATES, OBSERVERS, SECRETARIAT

Rule 1: Delegates

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

Rule 2: Observers

- (1) All non-Party Range States and Regional Economic Integration Organizations bordering on the waters concerned, as well as organizations listed in Footnote 3 may be represented at the meeting by observers who shall have the right to participate but not to vote.^{2 3}
- (2) Any other body or individual qualified in cetacean conservation and management which has informed the Secretariat not less than 60 days before the meeting of its desire to be represented at the meeting by observers, shall be entitled to be present unless at least one-third of the Parties have opposed their application at least 30 days before the meeting.⁴ Once admitted, these observers shall have the right to participate but not to vote.

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

² See Agreement, paragraph 6.2.1

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

⁴ See Agreement, paragraphs 6.2.2

- (3) Seating limitations may require that no more than two observers from any non-Party Range State or body be present at a session of the Advisory Committee or of any working group established by it in accordance with Rule 18.

Rule 3: Secretariat

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

**PART II
OFFICERS**

Rule 4: Chairpersons

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

Rule 5: Presiding Officer

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

**PART III
RULES OF ORDER OF DEBATE**

Rule 6: Powers of Presiding Officer

- (1) In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at Advisory Committee meetings:
 - (a) open and close the sessions;
 - (b) direct the discussions;
 - (c) ensure the observance of these Rules;
 - (d) accord the right to speak;
 - (e) put questions to the vote and announce decisions;
 - (f) rule on points of order; and
 - (g) subject to these Rules, have complete control of the proceedings of the Meeting and the maintenance of order.

- (2) The Presiding Officer may, in the course of discussion at a meeting, propose:
 - (a) time limits for speakers;
 - (b) limitation of the number of times the members of a delegation or observers from a State which is not a Party or a Regional Economic Integration Organization, or from any other body, may speak on any subject matter;
 - (c) the closure of the list of speakers;
 - (d) the adjournment or the closure of the debate on the particular subject under discussion;
 - (e) the suspension or adjournment of any session; and
 - (f) the establishment of drafting groups on specific issues.

Rule 7: Right to Speak

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

Rule 8: Procedural Motions

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

Rule 9: Arrangements for Debate

- (1) The Meeting may, on a proposal by the Presiding Officer or by a Committee Member, limit the time to be allowed to each speaker and the number of times Committee Members, advisers or observers may speak on any subject matter. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.
- (2) During the course of a debate the Presiding Officer may announce the list of speakers and, with the consent of the Committee, declare the list closed. The Presiding Officer

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

Rule 10: Submission of Documents

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

PART IV VOTING

Rule 11: Methods of Voting

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

to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

Rule 12: Majority and Voting Procedures on Motions and Amendments

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

PART V LANGUAGES AND RECORDS

Rule 13: Working Language

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

Rule 14: Other Languages

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

Rule 15: Summary Records

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

PART VI OPENNESS OF DEBATES

Rule 16: Committee Meetings

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

Rule 17: Sessions of the Working Groups

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

PART VII WORKING GROUPS

Rule 18: Establishment of Working Groups

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

Rule 18: Procedure

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

PART VIII FINAL PROVISIONS

Rule 20: Omissions

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

Rule 21: Amendments to the Rules of Procedure

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

ASCOBANS TRIENNIUM WORK PLAN 2010-2012 – PROGRESS AND FURTHER ACTIONS

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
Conservation Issues					
<p>1. Review annually and as far as possible in conjunction with EU, ICES and IWC, new information on bycatch and make recommendations to Parties and other relevant authorities for further action. This should include information provided by Parties and Range States on the implementation, efficacy and impacts of measures introduced to <u>reduce</u> bycatch, and on effort in relevant fisheries</p>	<p>AC (supported by Secretariat)</p>	<p>Annually</p>	<p>Proposed strategic priority in the Strategy paper</p>	<p>Bycatch Working Group reported to AC18 (Doc.4-07) and AC19 (Doc.4-06) Global CMS study on effects of bycatch in gillnets on migratory species and mitigation measures (UNEP/CMS/Inf.10.30) CMS Res.10.14 on Gillnet Bycatch adopted New Terms of Reference for the Bycatch Working Group adopted (Annex 6 of AC19 Report)</p>	<p>Bycatch Working Group to report to AC20 Implement related Action Points/Recommendations of Jastarnia Group 8 and North Sea Group 2 Secretariat to participate in HELCOM BALTFIMPA Reference Group</p>
<p>2. Continue to review annually new information on pollution and its effects on small cetaceans that occur in the ASCOBANS area and, on the basis of this review, provide recommendations to Parties and other relevant authorities</p>	<p>AC</p>	<p>Annually</p>		<p>Pollution Review 2012 Annex 7 of AC19 Report Joint ECS/ ASCOBANS/ ACCOBAMS Workshop on Pollution and Marine Mammals held on 20 March 2011 CMS Res.10.4 on Marine Debris adopted Marine Debris Working</p>	<p>Proceedings of Workshop to be published Pollution Review 2013 to be presented to AC20 Marine Debris Working Group to report to AC20</p>

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
				Group established (ToR see Annex 8 of AC19 Report)	
3. Continue to review the extent of negative effects of sound, vessels and other forms of disturbance on small cetaceans and to review relevant technological developments and best practices with a view to developing guidelines which Parties may use to reduce disturbance by noise	AC (supported by Secretariat)	Annually	Proposed strategic priority in the Strategy paper	Joining of ACCOBAMS and ASCOBANS Noise Working Groups agreed by AC19 Noise Working Group reported to AC18 (Doc.4-08) and AC19 (Doc.4-08)	Noise Working Group to report to AC20 ASCOBANS to assist in facilitating requests for shipping data as needed ASCOBANS to participate in CDB SBSTTA 16 side event on ocean noise
4. Review new information, as far as possible in co-operation with EU, ICES and IWC, on cetacean population size, distribution, structure, and causes of any changes in the ASCOBANS area and based on implications for conservation to make appropriate recommendations to Parties and other relevant authorities	AC	Annually		Secretariat wrote to the authorities of the Faroe Islands and NAMMCO regarding the whale hunt (see AC18/Doc.5-06 and AC19/Doc.5-01) Tabular summary of the results of various trend analyses in strandings, sightings and bycatch prepared by Peter Evans (AC18/Doc.6-05) Document on Management of MPAs tabled at AC19 (Doc.5-10)	AC to investigate actual and potential effects of climate change distribution shifts Joint workshop on population structure to be held with ACCOBAMS at the 2013 ECS Conference (postponed by 1 year) ASCOBANS/ACCOBAMS Workshop on Management of MPAs to be held at the 2013 ECS Conference

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
5. Continue to 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	Jastarnia Group (supported by the Secretariat)	Annually	Proposed strategic priority in the Strategy paper	8 th Jastarnia Group meeting held in January/February 2012 (AC19/Doc.4-02) SAMBAH (Static Acoustic Monitoring of the Baltic Sea Harbour Porpoise) project (2010-2014) with support from Baltic Sea Parties and EU Terms of Reference for Baltic Coordinator endorsed (Annex 6 of AC18 Report)	Jastarnia Group to meet in early 2013
6. Review the effectiveness of the ASCOBANS Recovery Plan for Baltic Harbour Porpoises in 2011. Jastarnia Group to draft revision of plan if necessary for AC preceding the MoP7 *	Independent reviewer (e.g. R. Reeves) / Jastarnia Group	2011		External consultant developed draft paper containing background information and proposed objectives for the “gap area”, reviewed by Jastarnia Group (AC19/Doc.4-03) Jastarnia Group 8 Report (see AC19/Doc.4-02)	Intersessional WG to produce final draft by 30 June 2012
7. Incorporate the implications arising from the conclusions of the ASCOBANS/HELCOM Small	AC	AC17		External consultant developed draft paper containing background	Intersessional WG to produce final draft by 30 June 2012

* Activities arked with an asterisk may require additional funding

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
Cetacean Population Structure Workshops in the development of the Jastarnia and North Sea harbour porpoise action plans and potentially other actions (to be elaborated by the Advisory Committee), taking particular note of the fact that the western Baltic, Inner Danish Waters and Kattegat areas are at present not covered by either plan				information and proposed objectives for the “gap area”, reviewed by Jastarnia Group (AC19/Doc.4-03)	
8. Promote and coordinate the implementation of the Conservation Plan for Harbour Porpoises in the North Sea, gather information on its implementation and the results obtained, inform the public and evaluate the effectiveness of the Plan every three years to update it*	Coordinator/Steering Group (supported by the Secretariat)	Throughout the triennium	Proposed strategic priority in the Strategy paper	1 st Meeting of the North Sea Group held in 2011 (Report see AC19/Doc.4-04) 2 nd Meeting of the North Sea Group held in 2012 North Sea Plan Coordinator appointed in August 2011; progress report contained in AC19/Doc.4-05	Parties to make budgetary provision or voluntary contributions for the continuation of the North Sea Coordinator consultancy after mid-2013
9. Continue to consider how the work of ASCOBANS should be extended to take account of the new Agreement Area, which includes areas beyond national jurisdiction	AC (supported by Secretariat)	Throughout the triennium		Joint workshop with ECS and ACCOBAMS on implementation of the cetacean components of the Habitats Directive organized for 24 March 2012 at the ECS Conference	Intersessional Working Group under leadership of Peter Evans to report to AC20 Range States to develop collaborative efforts on high priority topics

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
10. Promote an informal Working Group of the Advisory Committee which shall summarise information on large cetaceans in the Agreement area and address aspects of their conservation (in accordance with the Terms of Reference proposed by MOP6 for this group)	AC	Throughout the triennium		Informal Working Group established at AC17 First report of Working Group AC18/Doc.5-04 rev.1 ; updated through AC19/Doc.5-09	WG to report to AC20 as part of the report of the Extension Area WG
11. Review progress of bottlenose dolphin project (TURSIOPS SEAs) and guide as required	AC, led by UK			Progress report contained in AC19/Doc.6-07	Update to be given to AC20
ASCOBANS Meetings and Workshops					
12. Ensure the annual cycle of Advisory Committee Meetings, with papers circulated one month in advance of the meetings	Secretariat	Annually	Article 4.2	Sweden to host AC20 Revised Rules of procedure adopted (Annex 4 of AC19 Report)	
13. Seek to secure a host for the 7 th Meeting of Parties at least a year in advance of the meeting; otherwise arrange for it to be held in Bonn	Secretariat	2011	Article 4.2	United Kingdom to host: 22-24 October 2012 in Brighton	
14. Organize meetings of regional working groups (Jastarnia Group, North Sea Group) at intervals defined in	Secretariat	Throughout the triennium	Article 4.1, 4.2	8 th Jastarnia Group meeting held in January/February 2012 (see AC19/Doc.4-02) 2 nd North Sea Group	

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
each group's ToR *				meeting held in March 2012	
15. If required by AC, organize a workshop, e.g. at an annual conference of the ECS, on a topic of priority interest to ASCOBANS *	Secretariat	During triennium	1. Habitat Conservation and Management	Joint ECS/ ASCOBANS/ ACCOBAMS Workshop on Pollution and Marine Mammals held on 20 March 2011 (AC18/Doc.5-03) Joint ECS/ ASCOBANS/ ACCOBAMS Workshop on implementation of the cetacean components of the Habitats Directive to be held on 24 March 2012	Joint workshop on population structure to be held with ACCOBAMS at the 2013 ECS Conference ASCOBANS/ACCOBAMS Workshop on Management of MPAs to be held at the 2013 ECS Conference
16. In conjunction with the European Cetacean Society and North Sea Foundation, organize one or more meetings to develop a constructive dialogue with the fisheries sector in the ASCOBANS area, in order to aid the Parties to progress bycatch mitigation measures in an effective manner. The first meeting is proposed to take place at the Annual Conference of the ECS in Stralsund in March 2010. To initiate the process, an intersessional Steering Group under the Advisory Committee Chair shall be established	AC (supported by Secretariat)	Throughout the triennium	Proposed strategic priority in the Strategy paper	Chair of Bycatch Working Group attended North Sea RAC Meeting in October 2010 (see AC18/Doc.7-01) North Sea Plan Coordinator attended North Sea RAC Meeting in October 2011 (see AC19/Doc.7-01) New Terms of Reference for the Bycatch Working Group adopted (Annex 6 of AC19 Report)	ASCOBANS representatives to be sent to RACs and similar fisheries meetings; Parties to provide funding Implement related Action Points/Recommendations of Jastarnia Group 8 and North Sea Group 2 Working Group to report to AC20

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
between MOP6 and AC17					
17. Propose priorities for the coming triennium (2013-2015)	AC	2012			
Budgetary and Administrative Issues					
18. Report on budgetary and administrative issues to each meeting of the Advisory Committee	Secretariat	Annually	Article 4.2	AC19/Doc.13-01 AC19/Doc.13-03	Continue mid-year report to Parties
19. Present a draft budget for the next triennium for consideration at an Advisory Committee meeting at least six months prior to the next Meeting of Parties	Secretariat / AC	2012	Article 4.1, 4.2	AC19/Doc.14-03	Secretariat to prepare a third budget option with no increase compared with the current triennium
20. Prepare draft resolutions on budgetary and administrative issues for consideration at the last meeting of the Advisory Committee prior to MoP7	Secretariat / AC	2012	Article 4.1, 4.2	AC19/Doc.8-01 AC19/Doc.14-01 AC19/Doc.14-02	Parties to consider tabling further resolutions by 18 August 2012 Secretariat to amend draft resolutions as instructed by AC19
21. Encourage Parties and partner organizations to provide voluntary contributions for projects prioritised by the AC or outreach initiatives	Secretariat	Throughout the triennium	Article 4.1	Facilitated co-funding of project (see Annex 3 to AC18/Doc.6-02) through Friends of CMS Funding priorities decided by AC19	Project proposals to be prioritized in advance of AC20 Parties to make voluntary contributions

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
22. Assist in developing funding arrangements for projects covering themes prioritised by the Advisory Committee (see task 15) and Meeting of Parties	Secretariat	Throughout the triennium	Article 4.1	For progress with projects managed through the Secretariat see AC19/Doc.6-01 Process for ranking project proposals adopted at AC18	Secretariat to conclude funding agreements for projects prioritized by AC19
Communication, Education and Public Awareness					
23. Develop a co-ordinated outreach programme, focussing particularly on activities that can help achieve the aims of ASCOBANS*	Secretariat/AC	2010	Proposed strategic priority in the Strategy paper	CEPA Plan adopted (Annex 11 of AC17 Report)	Parties to develop national material for outreach to fishermen Secretariat to use material from draft fisheries leaflet for further development of website (AC17/Doc.4-03)
24. Report on outreach and communication issues to each meeting of the Advisory Committee	Secretariat	Annually	Article 4.2	AC19/Doc.4-09	
25. Develop and implement CEPA to raise awareness of issues related to cetacean conservation in the Agreement Area*	Secretariat / Parties and observers	Throughout the triennium	5. Information and education	CEPA Plan adopted (Annex 11 of AC17 Report) Peter Evans contracted to write Anniversary Publication Cetacean roadshow proposal developed and offered to Parties and partners; Roadshow	Parties to host events celebrating the 20 th anniversary Secretariat to arrange ASCOBANS participation in WhaleFest 2012 (Brighton, UK) Parties to support related activities with voluntary

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
				brought to Galway Reprints of information material initiated to ensure adequate supply IDBHP supported and Secretariat events organized (see AC19/Doc.4-09)	contributions
26. Continue to update and translate ASCOBANS information material into the languages of both Party and non-Party Range States*	Secretariat	Throughout the triennium	5. Information and education	Regular reprints of revised ASCOBANS leaflet (available in all languages of the Agreement Area) 10-banner exhibition available in English (3 sets) and German (2 sets) New website contains basic information in all languages of the Agreement Area	Development/ finalization of further language versions of the exhibition; Parties to support with voluntary contributions
27. Continue to develop the ASCOBANS website, aiming to meet the needs of a wide range of target audiences and including educational material*	Secretariat	Throughout the triennium	5. Information and education	Revised website launched in July 2011 Plans for further enhancement outlined in AC19/Doc.4-09	Parties to provide voluntary contributions to enable development of additional sections as outlined in document
28. Collaborate with partner organizations to develop joint actions in educational and promotional activities, and create	Secretariat	Throughout the triennium	5. Information and education	Joint ASCOBANS/SAMBAH leaflet has been produced in all project languages	

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
synergy to provide added value while avoiding duplication of effort				funded through German voluntary contribution 2010	
29. Assess the need for targeted information material on conservation issues facing small cetaceans in the region in consultation with Parties and appropriate other bodies, and develop material as necessary in close cooperation with these partners *	Secretariat	Throughout the triennium	5. Information and education	Related recommendations made in AC17/Doc.4-03	Parties to provide voluntary contributions to enable development of additional sections as outlined in AC19/Doc.4-09
Cooperation with other Organizations					
30. Identify priorities and improve co-operation between ASCOBANS and the European Union institutions	AC / Secretariat	Throughout the triennium	Article 4.1, 4.2, Proposed strategic priority in the Strategy paper	Mission of Coordinator to Brussels in September 2011 (see AC19/Doc.7-01) Joint ECS/ ASCOBANS/ ACCOBAMS Workshop on implementation of the cetacean components of the Habitats Directive to be held on 24 March 2012 (see AC18/Doc.5-05) Joint ACCOBAMS / ASCOBANS Working Group on the MSFD established	Implement related Action Points/Recommendations of Jastarnia Group 8 and North Sea Group 2 Working Group to report to AC20
31. Ensure close collaboration	Secretariat	Throughout	Article 4.1, 4.2	Secretariat represented at	Examine the feasibility of a

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
with the Secretariats of CMS and other CMS Regional Agreements on all issues of mutual interest, and contribute to the process of defining the future shape of CMS		the triennium		ACCOBAMS SC7 (see AC18/Doc.7-01) Secretariat represented at Meetings of the ISWGoFS and at CMS ScC17 and COP10 (see AC19/Doc.7-01) Joint ACCOBAMS / ASCOBANS Working Group on the MSFD established	joint CMS Family workshop on a subject of common interest such as bycatch Secretariat representation agreed (see Annex 10 of AC19 Report for details)
32. Seek to cooperate with the HELCOM Secretariat in the creation and maintenance of a joint Baltic harbour porpoise database as part of HELCOM's online information system *	Jastarnia Group / Secretariat	Throughout the triennium	Article 4.1, 4.2	Project concluded; system online (final report contained in AC17/Doc.6-01 rev.3)	Parties to ensure relevant data is reported to HELCOM regularly Implement related Action Point of Jastarnia Group 8
33. Continue to invite intergovernmental bodies such as IWC, ICES, CMS, HELCOM, NAMMCO, OSPAR, ACCOBAMS, the European Commission and other relevant international organizations to send representatives to Advisory Committee meetings	Secretariat	Annually	Article 4.1, 4.2	Invitations and reminders sent for AC19	ASCOBANS representatives to be sent to RACs and similar fisheries meetings; Parties to provide funding Invite for MOP7 and AC20

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
34. Ensure that the chairs of the Advisory Committee receive invitations to meetings of CMS and other CMS Regional Agreements	Secretariat	Throughout the triennium	Article 4.1, 4.2	Contact details included in CMS database	
35. Explore the possibilities of further developing positive relationships with other stakeholders, especially the fishing industry and Regional Advisory Councils	AC / Secretariat	Throughout the triennium	Article 4.1, 4.2	Chair of Bycatch Working Group attended North Sea RAC Meeting in October 2010 (see AC18/Doc.7-01) North Sea Plan Coordinator attended North Sea RAC Meeting in October 2011 (see AC19/Doc.7-01) New Terms of Reference for the Bycatch Working Group adopted (Annex 6 of AC19 Report)	ASCOBANS representatives to be sent to RACs and similar fisheries meetings; Parties to provide funding Implement related Action Points/Recommendations of Jastarnia Group 8 and North Sea Group 2 Working Group to report to AC20
36. Compile for each meeting of the Advisory Committee a list of Dates of Interest	Secretariat	Annually	Article 4.1, 4.2	Annex 10 of AC19 Report	Representatives to report back to AC20
37. Insofar as budgetary provisions and guidance by the Advisory Committee allow for it, ensure proper representation at an appropriate level at meetings of other relevant organizations *	Secretariat	Throughout the triennium	Article 4.1	Reports of representatives of ASCOBANS at meetings contained in AC19/Doc.7-01 Representation agreed (see Annex 10 of AC19 Report for details)	Representatives to report back to AC20

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
38. Continue and improve effective communication with non-governmental and international organizations, such as OSPAR, HELCOM, ICES, ACCOBAMS, CBD and IWC	Secretariat / AC	Throughout the triennium	Article 4.1, 4.2	Ongoing Secretariat represented at MOP4 and SC7 of ACCOBAMS; areas for joint work identified and endorsed by AC18	ASCOBANS representatives to be sent to RACs and similar fisheries meetings; Parties to provide funding Representation agreed (see Annex 10 of AC19 Report for details)
Institutional Issues					
39. Promote the Agreement and its aims in Parties, Range States and with other relevant players *	Secretariat	Throughout the triennium	Article 4.1		ASCOBANS representatives to be sent to RACs and similar fisheries meetings; Parties to provide funding
40. Promote accession of non-Party Range States and the European Commission to the Agreement	Secretariat	Throughout the triennium	Article 4.1	Facilitated participation of ASCOBANS in 2010 Treaty Event of the UN Secretary General Repeated contacts with all non-Party Range States Mission of Coordinator to Brussels in September 2011 (see AC19/Doc.7-01)	
41. Present to Parties, each year no later than 30 June, provided all reports have been received by that date, a compilation of Annual National Reports	Secretariat	Annually	Article 4.2		Compilation to be published as soon as possible after receipt of last report

ACTIVITY TRIENNIUM WORK PLAN 2010-2012	ACTION BY	TIMING	LINKS TO AGREEMENT, CONSERVATION AND MANAGEMENT PLAN AND STRATEGY PAPER	PROGRESS MADE	FURTHER ACTION REQUIRED
42. Present to the Meeting of Parties a summary of, <i>inter alia</i> , progress made and difficulties encountered since the last Meeting of Parties	Secretariat	2012	Article 4.3		
43. Support Parties, Range States and Agreement bodies in implementing this Work Plan, in so far as primary responsibility does not lie with the Secretariat	Secretariat	Throughout the triennium	Article 4.1		

TERMS OF REFERENCE FOR THE ASCOBANS BYCATCH WORKING GROUP

The group will work interessionally with the provisional tasks listed below; these can be fine-tuned by the group itself where deemed necessary. A report will be submitted to the next AC meeting detailing *new* information. The group should coordinate its activities closely with the regional working groups of ASCOBANS.

Tasks:

- To further explore management procedures relating to bycatch, including those proposed under the SCANS II and CODA projects.
- To report on, and assist in, projects related to bycatch in which fishermen, gear technologists and cetacean scientists cooperate.
- To assess the best approaches to address the bycatch problem within fisheries fora.
- To identify relevant fisheries fora meetings where an ASCOBANS representation would be useful, and promote input as appropriate.
- To develop active ASCOBANS involvement at relevant RAC and other meetings, and report back from such meetings.
- To report on national initiatives concerning bycatch mitigation, alternative gear experiments, improvement of bycatch monitoring, etc.
- To report results of scientific studies on bycatch.
- To summarize the results of initiatives at, or meetings of other fora such as OSPAR, EC, ICES and HELCOM.
- To prepare an overview of problem areas (geographical and fishery type) and the status of knowledge of the problem, monitoring and mitigation in place to identify gaps.

ASCOBANS POLLUTION WORKING GROUP – LITERATURE REVIEW 2012

Chemical Pollution

1. Alava, J.J; Salazar, S; Cruz, M; Jimenez-Uzategui, G; Villegas-Amtmann, S; Paez-Rosas, D; Costa, D.P; Ross, P.S; Ikonou, M.G; Gobas, A.P.C. 2011. **DDT Strikes Back: Galapagos Sea Lions Face Increasing Health Risks.** *AMBIO* 40: 425-430.

US study on Sea lions, however interesting because it highlights a lifting of the DDT ban.

2. Andrady, A. L. 2011. **Microplastics in the marine environment.** *Marine Pollution Bulletin* 62:1596-1605.
3. Balmer, B.C., Schwacke, L.H., Wells, R.S., George, R.C., Hoguet, J., Kucklick, J.R., Lane, S.M., Martinez, A., McLellan, W.A., Rosel, P.E., Rowles, T.K., Sparks, K., Speakman, T., Zolman, E.S., Pabst, D.A. (2011). **Relationship between persistent organic pollutants (POPs) and ranging patterns in common bottlenose dolphins (*Tursiops truncatus*) from coastal Georgia, USA.** *Science of the Total Environment*, 409 (11): 2094-2101.

This study examined POP concentrations measured in bottlenose dolphin blubber samples from the Georgia, USA coast in relation to individual ranging patterns and specifically, distance of sightings from a polychlorinated biphenyl (PCB) point source (Superfund Site) near Brunswick, Georgia. Brunswick males had the highest concentrations of PCBs with a PCB pattern consistent with Aroclor 1268, a PCB mixture associated with a Superfund site in Brunswick. Individuals sighted farther from the Superfund point source had lower Aroclor 1268 proportions.

4. Buckman, A.H., Veldhoen, N., Ellis, G., Ford, J.K.B., Helbing, C.C., Ross, P.S. (2011). **PCB-associated changes in mRNA expression in killer whales (*Orcinus orca*) from the NE pacific ocean.** *Environmental Science and Technology*, 45 (23): 10194-10202.

A study focused on mRNA transcripts in blubber biopsies of 35 free-ranging killer whales in British Columbia. While the population-level consequences are unclear, the PCB-associated alterations in mRNA abundance provide evidence of adverse physiological effects of persistent environmental contaminants in killer whales.

5. Choi, M., Moon, H.-B., An, Y.-R., Choi, S.-G., Choi, H.-G. (2011). **Accumulation of butyltin compounds in cetaceans from Korean coastal waters.** *Marine Pollution Bulletin*, 62 (5): 1120-1123

This is the first study to investigate residue levels and accumulation patterns of BTs in livers of cetaceans (minke whales (*Balaenoptera acutorostrata*) and long-beaked common dolphins (*Delphinus capensis*)) from Korean coastal waters. Significant species-specific differences in BT concentrations, possibly due to the differences in their habitat and diet, were found between the two cetacean species. The concentrations of DBT and TBT in most cetacean samples exceeded the threshold value for cytotoxic effects in cetaceans (100 ng/g of DBT plus TBT, through in vitro experiments using peripheral blood isolated from Dall's porpoise lymphocytes).

6. Fair, P. A., J. Adams, G. Mitchum, T. C. Hulsey, J. S. Reif, M. Houde, D. Muir, E. Wirth, D. Wetzel, E. Zolman, W. McFee, and G. D. Bossart (2010). **Contaminant blubber burdens in Atlantic bottlenose dolphins (*Tursiops truncatus*) from two southeastern US estuarine areas: Concentrations and patterns of PCBs, pesticides, PBDEs, PFCs, and PAHs.** *Science of The Total Environment* 408:1577-1597.

PCBs, chlorinated pesticides i.e. (DDT) and its metabolites, (CHLs), dieldrin, HCB, and mirex, PBDEs, PFCs, and PAHs were measured in blubber biopsy samples collected from 139 wild bottlenose dolphins during 2003-2005 in Charleston (CHS), SC and the Indian River Lagoon (IRL), FL. Dolphins accumulated a similar suite of contaminants.

PCBs in adult male dolphins exceed the established PCB threshold of 17 mg/kg by a 5-fold order of magnitude with a 15-fold increase for many animals; 88% of the dolphins exceed this threshold. Collectively, the current operator PCB, DDT, and PBDEs blubber concentrations found in CHS dolphins are among the highest reported values in marine mammals. Both dolphin populations, particularly those in CHS, carry a suite of organic chemicals at or above the level where adverse effects have been reported in wildlife, humans, and laboratory animals warranting further examination of the potential adverse effects of these exposures.

7. Galatius, A; Dietz, R; Riget, F.F; Sonne, C; Kinze, C.C; Lockyer, C. & R. Bossi 2011. **Temporal and life history related trends of perfluorochemicals in harbor porpoises from the Danish North Sea.** *Marine Pollution Bulletin* 62: 1476–1483.

A study finding substantial differences in PFC concentrations among life history stages, the highest concentrations were found in neonates, suckling juveniles and lactating females.

8. Godard-Codding, C.A.J., Clark, R., Fossi, M.C., Marsili, L., Maltese, S., West, A.G., Valenzuela, L., Rowntree, V., Polyak, I., Cannon, J.C., Pinkerton, K., Rubio-Cisneros, N., Mesnick, S.L., Cox, S.B., Kerr, I., Payne, R., Stegeman, J.J. (2011). **Pacific ocean-wide profile of CYP1A1 expression, stable carbon and nitrogen isotope ratios, and organic contaminant burden in sperm whale skin biopsies.** *Environmental Health Perspectives*, 119 (3): 337-343.

This study shows that biomarker analysed in skin biopsies of sperm whale (*Physeter macrocephalus*) reveal significant regional differences within the Pacific Ocean. However, factors that explained this variation could not be identified (e.g. contaminant burdens in blubber).

9. Hidalgo-Ruz, V., Gutow, L., Thompson, R. C. Thiel., M. 2012. **Microplastics in the Marine Environment: A Review of the Methods Used for Identification and Quantification.** *Environmental Science & Technology*, DOI: 10.1021/es2031505
10. Isobe, T., Oshihoi, T., Hamada, H., Nakayama, K., Yamada, T.K., Tajima, Y., Amano, M., Tanabe, S. (2011). **Contamination status of POPs and BFRs and relationship with parasitic infection in finless porpoises (*Neophocaena phocaenoides*) from Seto Inland Sea and Omura Bay, Japan.** *Marine Pollution Bulletin*, 63 (5-12), pp. 564-571.

This study reports the contamination status of brominated flame retardants (BFRs) and persistent organic pollutants (POPs) in blubber of finless porpoises stranded along the coasts of Japan. Concentrations of PBDEs, HBCDs and organochlorine compounds in males increased with body length. Some temporal trends were found in contaminant concentrations. The study shows a possible relationship between PCB levels and parasitic infection.

11. Jensen, B. A., C. M. Reddy, R. K. Nelson, and M. E. Hahn. 2010. **Developing tools for risk assessment in protected species: Relative potencies inferred from competitive binding of halogenated aromatic hydrocarbons to aryl hydrocarbon receptors from beluga (*Delphinapterus leucas*) and mouse.** *Aquatic Toxicology* 100:238-245.
12. Kucklick, J; Schwacke, L; Wells, R; Hohn, A; Guichard, A; Yordy, J; Hansen, L; Zolman, E; Wilson, R; Litz, J; Nowacek, D; Rowles, T; Pugh, R; Balmer, B; Sinclair, C; Rosel, P. 2011. **Bottlenose Dolphins as Indicators of Persistent Organic Pollutants in the Western North Atlantic Ocean and Northern Gulf of Mexico.** *Environ. Sci. Technol.* 45: 4270-4277.

Large US study looking at legacy POPs.

13. Lailson-Brito, J., Dorneles, P.R., Azevedo-Silva, C.E., Azevedo, A.D.F., Vidal, L.G., Marigo, J., Bertozzi, C., Zanelatto, R.C., Bisi, T.L., Malm, O., Torres, J.P.M. (2011). **Organochlorine concentrations in franciscana dolphins, *Pontoporia blainvillei*, from Brazilian waters.** *Chemosphere*, 84 (7), pp. 882-887.

In this study blubber samples from franciscana dolphins either incidentally captured in fishing operations or stranded along the Brazilian coast were analysed for PCB, DDT and HCB concentrations. Dissimilarities in Σ DDT/ Σ PCB ratios point to different sources of organochlorine compounds to franciscana dolphins in the study area.

14. Law, R. J., P. Bersuder, J. Barry, R. Deaville, R. J. Reid, and P. D. Jepson. 2010. **Chlorobiphenyls in the blubber of harbour porpoises (*Phocoena phocoena*) from the UK: Levels and trends 1991–2005.** *Marine Pollution Bulletin* 60:470-473.
15. Malta, M. and F. P. Carvalho. 2011. **Radionuclides in marine mammals off the Portuguese coast.** *Journal of Environmental Radioactivity* 102:473-478.
16. McKinney, M.A; Dietz, R; Sonne, C; De Guise, S; Skirnisson, K; Karlsson, K; Steingrimsdottir, E. & R.J. Letcher 2011. **Comparative hepatic microsomal biotransformation of selected PBDEs, including decabromodiphenyl ether, and decabromodiphenyl ethane flame retardants in arctic marine-feeding mammals.** *Envir. Tox. & Chem.* 30(7): 1506–1514.
17. Moon, H.-B., K. Kannan, M. Choi, J. Yu, H.-G. Choi, Y.-R. An, S.-G. Choi, J.-Y. Park, and Z.-G. Kim. 2010. **Chlorinated and brominated contaminants including PCBs and PBDEs in minke whales and common dolphins from Korean coastal waters.** *Journal of Hazardous Materials* 179:735-741.

18. Murphy, S. 2010. **Assessing the Effect of Persistent Organic Pollutants on Reproductive Activity in Common Dolphins and Harbour Porpoises.** *J. Northw. Atl. Fish. Sci.* 42: 153-173.

Despite high contamination burden in North Atlantic common dolphin, ovulation disturbance was not found.

19. Murphy, S., Jepson, P., Deaville. 2012. **Effects of contaminants on reproduction phase II.** Final report of phase II to ASCOBANS. Sea Mammal Research Unit, University of St Andrews, St Andrews.
20. Nash, S.B., Bolton, J., Brownell, R., Collier, T., Dorneles, P.R., Godard-Coding, C., Gulland, F., Kucklick, J., Schwacke, L., Venn-Watson, S., Burkhardt-Holm, P., Donovan, G., Fossi, C., Hall, A., Rosa, C., Simmonds, M., Rowles, T., Ylitalo, G. (2011). **Report of the IWC pollution 2000+ phase II workshop.** *Journal of Cetacean Research and Management*, 12 (SUPPL.): 423-436.
21. Park, B.-K., G.-J. Park, Y.-R. An, H.-G. Choi, G. B. Kim, and H.-B. Moon. 2010. **Organohalogen contaminants in finless porpoises (*Neophocaena phocaenoides*) from Korean coastal waters: Contamination status, maternal transfer and ecotoxicological implications.** *Marine Pollution Bulletin* 60:768-774.
22. Raach, M., Lebeuf, M., Pelletier, E. (2011). **PBDEs and PCBs in the liver of the St Lawrence Estuary beluga (*Delphinapterus leucas*): A comparison of levels and temporal trends with the blubber.** *Journal of Environmental Monitoring*, 13 (3): 649-656.

The study reports the first temporal trends of PBDEs and PCBs in the liver belugas of the St Lawrence Estuary. Distribution of POPs were compared between liver and blubber using a lipid normalised concentration ratio R (blubber/liver) for PBDEs and PCBs. This study suggests that liver is more representative of recent exposure to lipophilic contaminants than blubber.

23. Reiner, J.L., O'Connell, S.G., Moors, A.J., Kucklick, J.R., Becker, P.R., Keller, J.M. (2011). **Spatial and temporal trends of perfluorinated compounds in beluga whales (*Delphinapterus leucas*) from Alaska.** *Environmental Science and Technology*, 45 (19): 8129-8136.

PFCs were measured in livers of beluga whales collected from two subpopulations in Alaska between 1989 and 2006. Temporal trends indicated most PFCAs, PFHxS, PFOS, and PFOSA concentrations increased from 1989 to 2006 ($p < 0.05$). Males had significantly higher concentrations of PFTriA, Σ PFCA, and PFOS ($p < 0.05$). The observations suggest the accumulation of PFCs in belugas is influenced by year, location, sex, and length.

24. Rotander, A., A. Kärman, B. v. Bavel, A. Polder, F. Rigét, G. A. Auðunsson, G. Víkingsson, G. W. Gabrielsen, D. Bloch, and M. Dam. 2012. **Increasing levels of long-chain perfluorocarboxylic acids (PFCAs) in Arctic and North Atlantic marine mammals, 1984–2009.** *Chemosphere* 86:278-285.
25. Rotander, A., B. van Bavel, A. Polder, F. Rigét, G. A. Auðunsson, G. W. Gabrielsen, G. Víkingsson, D. Bloch, and M. Dam. 2012. **Polybrominated diphenyl ethers (PBDEs) in marine mammals from Arctic and North Atlantic regions, 1986–2009.** *Environment International* 40:102-109.
26. Rotander, A., B. van Bavel, F. Rigét, G. A. Auðunsson, A. Polder, G. W. Gabrielsen, G. Víkingsson, B. Mikkelsen, and M. Dam. 2012. **Methoxylated polybrominated diphenyl ethers (MeO-PBDEs) are major contributors to the persistent organobromine load in sub-Arctic and Arctic marine mammals, 1986–2009.** *Science of The Total Environment* 416:482-489.
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28. Schwacke, L. H., E. S. Zolman, B. C. Balmer, S. De Guise, R. C. George, J. Hoguet, A. A. Hohn, J. R. Kucklick, S. Lamb, M. Levin, J. A. Litz, W. E. McFee, N. J. Place, F. I. Townsend, R. S. Wells, and T. K. Rowles. 2011. **Anaemia, hypothyroidism and immune suppression associated with polychlorinated biphenyl exposure in bottlenose dolphins (*Tursiops truncatus*).** *Proceedings of the Royal Society B: Biological Sciences*.
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In this study concentrations of PCBs were measured in different organs and tissues (melon, blubber, liver, kidney, lung, heart, and muscle tissue) of striped dolphins from the Adriatic Sea. Highest concentration were found in blubber and melon, followed by liver, kidney, lung, heart, and muscle tissue. PCB profiles were similar in all tissues and organs being dominated by the higher chlorinated homologues. The estimated 2,3,7,8-TCDD toxic equivalents of non- and mono-ortho PCBs were higher than the threshold

level of 255 pg/g lipid total TEQ which is based on an immunotoxicological study of pinnipeds.

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Confirming that OHC levels in these white whales are amongst the highest levels recorded in wildlife from Svalbard, and at the high end of the range when compared to white whales from the North American Arctic.

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36. Weijjs, L., Covaci, A., Yang, R.S.H., Das, K., Blust, R. (2011). **A non-invasive approach to study lifetime exposure and bioaccumulation of PCBs in protected marine mammals: PBPK modeling in harbor porpoises.** *Toxicology and Applied Pharmacology*, 256 (2): 136-145.

The study describes 1) the development of PBPK models for environmental relevant PCB congeners in harbor porpoises, 2) the predictive power of the models using time trends in the PCB concentrations in North Sea harbor porpoises, 3) the assessment of metabolic capacities of harbor porpoises for the investigated PCBs. Metabolic breakdown of PCB 118 is probably of lesser importance compared to other elimination pathways. For PCB 101 and 149, the presence of their metabolites can be attributed to bioaccumulation of metabolites from the prey and to metabolic breakdown of the parent compounds in the harbor porpoises.

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The study highlights that cetacean carcass detection rates only represent 2% of actual death caused by oil spills.

40. Yogui, G.T., Santos, M.C.O., Bertozzi, C.P., Sericano, J.L., Montone, R.C. (2011). **PBDEs in the blubber of marine mammals from coastal areas of São Paulo, Brazil, southwestern Atlantic.** *Marine Pollution Bulletin*, 62 (12), pp. 2666-2670.

This study presents concentrations of polybrominated diphenyl ethers (PBDEs) in the blubber of small cetaceans from the coast of Brazil. In general, continental shelf individuals exhibited higher contamination than inshore animals. This might be related to larger prey items consumed by continental shelf dolphins. The pattern of contamination indicates that Penta-BDE commercial mixtures are a major source of PBDEs to top predators in the southwestern Atlantic.

41. Yordy, J. E., R. S. Wells, B. C. Balmer, L. H. Schwacke, T. K. Rowles, and J. R. Kucklick. 2010. **Life history as a source of variation for persistent organic pollutant (POP) patterns in a community of common bottlenose dolphins (*Tursiops truncatus*) resident to Sarasota Bay, FL.** *Science of The Total Environment* **408**:2163-2172.

TERMS OF REFERENCE FOR THE ASCOBANS WORKING GROUP ON MARINE DEBRIS

The group will work intersessionally by correspondence. A report will be submitted to the 20th Meeting of the Advisory Committee.

Tasks:

- To establish recommendations for research methodologies to assess debris as seen during cetacean surveys conducted at sea, aiming for a standardised approach to recording types of debris
- To collate standardized information from beach surveys of debris
- To review the relevant literature and report back
- To facilitate investigations into micro-debris
- To liaise with working groups on marine debris established by the IWC Scientific Committee, OSPAR, HELCOM and relating to the EU Marine Strategy Framework Directive
- To advise on a standardized protocol for necropsies
- To examine and collate data available from stranding networks

TERMS OF REFERENCE FOR THE JOINT ACCOBAMS/ASCOBANS WORKING GROUP ON THE MARINE STRATEGY FRAMEWORK DIRECTIVE (MSFD)

This working group will operate by correspondence. It should collaborate closely with other relevant working groups, such as those established under HELCOM, OSPAR and the ICES Working Group on Marine Mammal Ecology as well as national processes.

In view of the elaboration of monitoring programmes (before mid-2013), the Working Group should:

- Identify relevant species, geographical and temporal scales and parameters to measure, including developing, if appropriate, an index of cumulative impacts, in order to assess the environmental status of cetaceans
- Propose a common methodology for cetacean monitoring

In view of improving GES and targets definition by 2018, the Working Group should:

- Review the work done on cetaceans by Regional Seas Conventions (including the OSPAR/ICG/COBAM/WKBIOD workshop organized in November 2011 regarding GES and targets for biodiversity descriptors, as well as HELCOM CORESET) and further discuss areas where no specific work has been done related to:
 - examining the proposed species list for the various MSFD subregions or establishing the species list for subregions where no proposal exist
 - establishing the relevant geographical scale for GES assessment for cetaceans
 - examining proposed GES determination and targets or establishing GES determination and targets where no proposal exists, following where relevant the methodology established by ICG COBAM (advice document that was widely distributed through the EU)
 - identifying the main pressures acting on cetaceans and proposing “pressure targets” in order to reach or maintain GES for cetaceans
- Participate in the current Ecosystem Approach process within the Mediterranean Action Plan
- Complete the table containing the expert appraisal for “Criteria and methodological standards relevant to ACCOBAMS on good environmental status of marine waters” for the ASCOBANS area
- Participate in the future revision of the EC Decision on criteria and methodological standards on good environmental status of marine waters, to include relevant aspects related to the status of and pressures on cetaceans

DATES OF INTEREST TO ASCOBANS IN 2012/2013

Date	Organizer	Title	Venue	Participation/ Report
24/03/12	ECS / ASCOBANS / ACCOBAMS	Workshop: The EU Habitats Directive and its Implementation in Relation to Cetaceans (www.iwdg.ie/ecs/)	Galway, Ireland	Heidrun Frisch (Secretariat)
24-28/03/12	ECS	26 th Annual Conference of the European Cetacean Society (www.iwdg.ie/ecs/) - Workshops (24-25 March) - Conference (26-28 March)	Galway, Ireland	Heidrun Frisch (Secretariat)
25/03/12	CBD	5 th Meeting of the Chairs of the Scientific Advisory Bodies of Biodiversity-related Conventions (CSAB)	Dublin, Ireland	Borja Heredia (Secretariat) Fernando Spina (CMS ScC Chair)
27-28/03/12	HELCOM	Fifth HELCOM CORESET biodiversity expert workshop (HELCOM CORESET BD 5/2012) (www.helcom.fi)	Helsinki, Finland	
27-29/03/12	Southern Ocean Research Partnership (IWC SC)	Symposium and Workshop: Living whales in the southern ocean – advances in methods for non-lethal cetacean research (www.marinemammals.gov.au/sorp/living-whales-symposium)	Puerto Varas, Chile	
16-20/04/12	OSPAR	Meeting of the Environmental Impact of Human Activities Committee (EIHA 2012) (www.ospar.org)	The Hague, Netherlands	
19-22/04/12	NAMMCO	Scientific Committee Meeting	Tasiilaq, Greenland	
30/04-05/05/12	CBD	Sixteenth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-16) (www.cbd.int/sbstta16/)	Montréal, Canada	Monika Thiele (Secretariat)
02-03/05/12	Baltic Sea RAC	Executive Committee & General Assembly (www.bsrac.org)	Tallinn, Estonia	Jastarnia Group Member?

Date	Organizer	Title	Venue	Participation/ Report
13-15/05/12	ICES	Symposium on "Research and ecosystem-based management strategies supporting the implementation of the Marine Strategy Framework Directive" (www.ices.dk)	Copenhagen, Denmark	Official Report to be tabled
14/05/12	European Commission	Marine Strategy Coordination Group	Brussels, Belgium	
22-25/05/12	HELCOM	14 th Meeting of the Nature Protection and Biodiversity Group (HELCOM HABITAT 14/2012) (www.helcom.fi)	Germany	Penina Blankett (Finland)
03-08/06/12	Great North Museum & The Whale Workshop	North East Marine Wildlife Festival	Newcastle, United Kingdom	
05/07/12	North Western Waters RAC	Executive Committee (www.nwwrac.org)	Dublin, Ireland	
09/06-06/07/12	IWC	64 th Annual Meeting of the International Whaling Commission (www.iwcoffice.org) <ul style="list-style-type: none"> - Scientific Committee pre-meeting on Marine Renewable Energy Developments and Cetaceans (9-10 June) - Scientific Committee (13-23 June) - Conservation Committee (26 June) - Commission Meeting (2-6 July) 	Panama City, Panama	SC: Mark Simmonds (WDCCS) IWC: United Kingdom
18-22/06/12	German Federal Agency for Nature Conservation (BfN)	3rd International Conference on Progress in Marine Conservation in Europe 2012 (www.bfn.de/habitatmare/de/tagungen-progress-in-marine-conservation-in-europe-2012.php)	Stralsund, Germany	Heidrun Frisch (Secretariat)
25-29/06/12	OSPAR	OSPAR Commission (OSPAR 2012) (www.ospar.org)	Bonn, Germany	Heidrun Frisch (Secretariat)
28/08-01/09/12	Society for Conservation Biology	European Congress of Conservation Biology 2012 (www.eccb2012.org/)	Glasgow, United Kingdom	

Date	Organizer	Title	Venue	Participation/ Report
11-12/09/12	HELCOM	Sixth Meeting of the <i>ad hoc</i> HELCOM SEAL Expert Group (HELCOM SEAL 6/2012) (www.helcom.fi)	St. Petersburg, Russia	Penina Blankett (Finland) Baltic Fund for Nature
11-13/09/12	NAMMCO	Annual Meeting of the NAMMCO Council	Svolvær, Norway	
17-21/09/12	ICES	Annual Science Conference	Bergen, Norway	
26/09/12	North Western Waters RAC	Executive Committee & General Assembly (www.nwwrac.org)	Dublin, Ireland	
September 2012 (exact dates tbd)	ACCOBAMS	Workshop on Climate Change	tbd	Secretariat Mark Simmonds (WDCS)
01-05/10/12	IMO	64 th Marine Environment Protection Committee (www.imo.org)	London, United Kingdom	
08-19/10/12	CBD	11 th Meeting of the Conference of the Parties to the Convention on Biological Diversity (www.cbd.int)	Hyderabad, India	Penina Blankett (Finland)?
22-24/10/12	ASCOBANS	7 th Meeting of the Parties (www.ascobans.org)	Brighton, United Kingdom	
25-26/10/12	Planet Whale	World Whale Conference (www.planetwhale.com/World-Whale-Conference)	Brighton, United Kingdom	Heidrun Frisch (Secretariat)
27-28/10/12	Planet Whale	WhaleFest 2012 (www.planetwhale.com/WhaleFest-2012)	Brighton, United Kingdom	Heidrun Frisch (Secretariat)

Date	Organizer	Title	Venue	Participation/ Report
13-14/11/12	European Commission	Marine Strategy Coordination Group	Brussels, Belgium	
November 2012 (exact dates tbd)	ACCOBAMS	8 th Meeting of the Scientific Committee	tbd	Heidrun Frisch (Secretariat)
tbd	CMS	40 th Standing Committee Meeting (www.cms.int)	Bonn, Germany	Heidrun Frisch (Secretariat)
tbd	North Sea RAC	Executive Committee / General Assembly (www.nsrac.org)	tbd	
January/February 2013	ASCOBANS	9 th Meeting of the Jastarnia Group (www.ascobans.org)	tbd	
March/April 2013	ASCOBANS	20 th Meeting of the Advisory Committee (www.ascobans.org)	Sweden	
04-07/02/13	ICES	Working Group on Bycatch of Protected Species (WGBYC) (www.ices.dk)	tbd	Kelly Macleod (United Kingdom)
tbd	ICES	Working Group on Marine Mammal Ecology (WGMME) (www.ices.dk)	tbd	Eunice Pinn (United Kingdom)