RECOMMENDATIONS
FROM THE 2nd MEETING OF THE JOINT BYCATCH WORKING GROUP OF ACCOBAMS AND ASCOBANS

General

1. In pursuance of regional conservation initiatives (e.g. national plans of action under the EU Biodiversity Strategy, Barcelona Convention, Bucharest Convention, Bern Convention, HELCOM, OSPAR) and their bycatch reduction / elimination targets, Parties and Range States should have in place national plans of action to tackle cetacean bycatch. (JBWG1/Rec1)

2. Regional and sub-regional cooperation projects/programs are encouraged to be undertaken by Parties, research, fisheries and other relevant organisations, supported by national funding or other funding organisations. Countries are encouraged to support regular wide-scale surveys including SAMBAH (Spatio-temporal Assessment of the Baltic Proper Harbour Porpoise and its Habitat Quality), SCANS (Small Cetaceans in European Atlantic waters and the North Sea), and ASI (ACCOBAMS Survey Initiative), and international projects on cetacean bycatch. (JBWG1/Rec2*)

3. The current sampling level needs to be increased and directed towards fishing métiers known to cause cetacean bycatch in order to improve bycatch estimates. Monitoring on small vessels in particular needs to be increased. Where some bycatch information already exists[1,2], this can be refined to target specific fisheries. (JBWG1/Rec3*)

4. Studies on the interactions between Black Sea cetaceans and fisheries indicate a high bycatch level for the Black Sea harbour porpoise population which threatens the viability of the subspecies. Measures to refine estimates of porpoise abundance and bycatch are required, along with measures to reduce bycatch levels, as a matter of urgency. (JBWG1/Rec4*)

5. Given the critically endangered status of the Baltic Proper harbour porpoise population, bycatches in the population range need to be eliminated as a matter of urgency. Countries are urged to implement the ICES special request advice published on 26 May 2020, relating to the Baltic Proper porpoise population. Taking into account the efforts made, if pingers cannot be used in the full area, countries are urged to find and implement alternative effective bycatch mitigation measures. (JBWG1/Rec5*)

6. Recognizing the OSPAR conservation status of the Iberian harbour porpoise, the requirement to eliminate bycatch of this population is also urgent, and should be a priority for bycatch mitigation action.

Data Collection towards better Bycatch Monitoring and Assessment

7. In most cases, legal instruments and standardised data reporting/monitoring mechanisms are already in place, but their implementation should be strengthened and harmonised to ensure scientifically robust cetacean bycatch assessments, including extending those

[1] ICES. 2024. Third Workshop on appropriate sampling schemes for Protected, Endangered and Threatened Species bycatch (WKPETSAMP3). ICES Scientific Reports. 6:1. 96 pp. https://doi.org/10.17895/ices.pub.25061522
[2] ICES. 2024. DGENV request on appropriate bycatch monitoring systems at Member State level and on regional coordination. In Report of the ICES Advisory Committee, 2024. ICES Advice 2024, sr.2024.04, https://doi.org/10.17895/ices.advice.25562220

mechanisms across all Range States. Information on the amount of effort directed at sensitive/vulnerable species bycatch monitoring (in units that allow raising to total fleet effort) should be included in bycatch data reporting. The ongoing development of BEAM (Bycatch Evaluation and Assessment Matrix) by ICES (to be reviewed in December 2025) is endorsed. To supplement onboard monitoring, DG MARE is strongly encouraged to implement the use of logbooks within the EU DCF (Data Collection Framework) as recommended by ICES. It is essential that there is an obligation for the fishers independent of the vessel size to record necessary data as advised by ICES in relation to bycatches, in addition to onboard monitoring and other surveillance methods. (JBWG1/Rec6*)

8. Consider ways to better address bycatch monitoring in cetacean populations where bycatch problems may largely go undetected within existing monitoring programmes, for example by nature of their ecology or low population size. In the case of data poor species, the ongoing development by ICES of the semi-quantitative risk assessment process is strongly supported. (JBWG1/Rec11*)

9. Accurate and standardised spatio-temporal recording of fishing effort should be carried out in appropriate metrics (including gear characteristics, mesh sizes, soak times, net lengths and height/dimensions, target species catches) on all métiers irrespective of vessel size. Any changes in spatial or temporal fishing effort should be monitored in terms of implications for potential bycatch. (JBWG1/Rec7*)

10. Monitoring plans/efforts should be carefully designed taking into consideration monitoring objectives and characteristics of cetacean species at risk (in particular, their distribution, abundance and population demography), following PETSAMP 3 recommendations. (JBWG1/Rec8*)

11. The retrieval of bycaught animals from vessels should be encouraged by the appropriate authorities in order to obtain biological data, including tissue samples, for a wide range of analyses (e.g. genetics, life history parameters, diet), and to collect information on other parameters that may contribute to bycatch (e.g. hearing damage). (JBWG1/Rec9)

12. Missing bycatch data from IUU (illegal, unreported and unregulated) fishing, recreational fisheries, and drop-outs in gillnet fisheries, should be taken into consideration when assessing bycatch numbers, and a precautionary approach (e.g. Regulation (EU) 1380/2013, Article 4) when evaluating bycatch estimates is advised. (JBWG1/Rec10*)

13. The application of cost-effective monitoring approaches allowing higher coverage, including those of drop-outs, such as Remote Electronic Monitoring (REM), should be considered on a wider scale and across the two Agreement Areas, in collaboration with authorities, fishers and other relevant fisheries stakeholders. Voluntary schemes, including monitoring effort, should be considered as they may be more acceptable and cost effective. (JBWG1/Rec12*)

14. REM should be implemented as a wider tool than just helping to increase cetacean bycatch sampling coverage. It is potentially useful in improving other datasets, such as fishing effort, particularly if combined with Vessel Monitoring System (VMS) information, for example. (JBWG1/Rec13)

15. A better understanding is needed of factors relating to bycatch risk. Studies to increase understanding should include the spatio-temporal overlap of particular cetacean populations and gear types, local environmental characteristics, ecology and behaviour of the bycaught species (before and during the entanglement), and their prey, across both Agreement Areas. (JBWG1/Rec14)

16. Strandings schemes should be supported and their data integrated and utilised across the two Agreement Areas. Use of standardised protocols (e.g. the Joint ASCOBANS-ACCOBAMS strandings protocol) can inform estimates of bycatch and help establish

proximal cause of death and underlying metrics of health and human impact. There is considerable value in stranding networks undertaking comprehensive, expert pathological examinations, including histopathology, neurohistopathology, estimation of disease burden (parasitology, virology, microbiology), contaminant assessments, and evaluation of auditory pathology, even in cases where bycatch is the assumed cause of death. The results of these scientific studies should be made widely available to the interested public and the relevant data should be published on official sites at regular intervals. Integrating strandings data with wider oceanographic and ecological sources of data should be considered, for example developing carcass drift models to aid bycatch estimates from strandings where there is spatio-temporal overlap of mortality areas with fishing effort. Existing drift models developed for search and rescue (SAR) missions or pollution spread surveillance and control must also be considered. There is a need to harmonise the diagnosis of bycatch across national stranding networks, and for training and capacity-building of those making veterinary assessments. (JBWG1/Rec15*)

Measures to Prevent and Mitigate Bycatch

17. Encourage EC to request special advice from ICES regarding the Iberian harbour porpoise and the Black Sea harbour porpoise where there are serious concerns over the impacts of bycatch on their conservation status. In the case of the Iberian harbour porpoise, there is an urgent need to collect more biological information on the population and to obtain more accurate estimates of bycatch, and to act quickly with the appropriate conservation measures.

18. Encourage Parties, Research Institutes, and Private Sector bodies supported by funding bodies, in collaboration with fishers throughout the process, to develop or improve mitigation measures with new technology and/or materials, alternative (more selective) gears, the shifting of fishing effort etc. (JBWG1/Rec16)

19. The success of particular mitigation measures depends upon a variety of elements including the particular cetacean population, specifics of the gear and its deployment, as well as local conditions. The Working Group should keep a watching brief of case studies relevant to the Agreement Areas that describe which measures have or have not worked. This should be undertaken in liaison with other bodies (e.g. ICES, WGBYC, FAO, IWC, HELCOM, OSPAR) so that actions complement one another rather than duplicate effort. (JBWG1/Rec17)

20. There is a need to improve the involvement of fishers from the start, including transfer of knowledge, in adopting good practices and to contribute prevention and monitoring of bycatches and careful release of entangled animals. Better outreach would help to inform and reduce bycatch and entanglement. Parties should consider the provision of incentives where appropriate. (JBWG1/Rec18)

21. Support the development or review of guidelines, as appropriate, to policymakers, authorities, and the scientific community on how to best incentivise and engage fishers in prevention, mitigation and monitoring programmes. (JBWG1/Rec19*)

22. Where the current mitigation measures (e.g. pingers or more selective fishing gears) don't solve the problem, spatio-temporal closures may be the only immediately available solution, although care is needed that this does not simply move the problem elsewhere. Consideration should be given to moving away from métiers of concern, in which case national authorities should consider some means of compensation to help cover fishers' income loss, where appropriate. The precautionary principle should be adopted. Insufficient technology development should not be considered as a reason to postpone decision-making. In the case of the common dolphin in the Bay of Biscay, spatio-temporal closures should be in place for longer to be able to better assess their effectiveness. In order to achieve this, it is important that the regional abundance of the species is monitored over the same period. (JBWG1/Rec20*)

23. The need to move towards an internationally standardised approach for dealing with potential interventions (or lack thereof) of free-swimming, chronically entangled cetaceans should be considered. Expansion of the IWC Global Whale Entanglement Response Network across the regions should be encouraged, including dedicated training of entanglement responders. (JBWG1/Rec21)

24. The humane release of live bycaught and entangled animals according to best practices should be encouraged to help ensure their survival (e.g. *Guidelines for the Safe and Humane Handling and Release of Bycaught Small Cetaceans from Fishing Gear* - CMS Technical Series No.43[3], *FAO/ACCOBAMS Good Practice Guide for the Handling of Cetaceans caught incidentally in Mediterranean Fisheries[4], IWC Guidelines for entanglement responders[5], IWC Best Practices for the disentanglement of free-swimming small cetaceans[6]*) and fishers should be encouraged to report releases of bycaught individuals. (JBWG1/Rec22*)

25. Countries should be encouraged to establish and effectively manage Marine Protected Areas (MPAs) and apply Other Effective area-based Conservation Measures (OECMs) where appropriate, and to develop and implement management plans to reduce cetacean bycatch, noting the value of MPAs that have been created and already have management plans (e.g. in the Baltic), with the purpose of cetacean conservation and bycatch reduction. (JBWG1/Rec23*)

26. Methods (such as pingers, time-area closures, selective gears) to monitor the performance of mitigation measures as well as compliance in their usage by fisheries in real world conditions should be improved and become standard. (JBWG1/Rec24*)

* Updated/edited.

[3] https://www.cms.int/en/publication/guidelines-safe-and-humane-handling-and-release-bycaught-small-cetaceans-fishing-gear
[4] https://openknowledge.fao.org/server/api/core/bitstreams/27a3201b-9fe4-41c8-a5de-596c08ece2b9/content
[5] https://iwc.int/management-and-conservation/entanglement/best-practice-guidelines-for-entanglement-responde
[6] https://iwc.int/document_3761.download