

# **REPORT OF THE 15<sup>TH</sup> MEETING OF THE ASCOBANS ADVISORY COMMITTEE**

**PUBLIC VERSION**

**UN Campus, Bonn, Germany**

**31 March - 3 April 2008**



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

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## EXECUTIVE SUMMARY – POINTS FOR ACTION

1. The Secretariat would send a letter to the Coordinating Authorities seeking the endorsement of the AC's agreement to divert the surplus of 2005 and 2007 to fund projects.
2. The Secretariat would send a formal letter to the Polish Director that fully addressed all budgetary matters raised at AC14, after which the reservation Poland placed on accepting the budget would be lifted.
3. A Working Group set up to assist UNEP with the evaluation of the ASCOBANS Secretariat arrangement would communicate electronically unless a face-to-face meeting was necessary. The Secretariat would liaise with Australia (Chair of the CMS Standing Committee) about nominating a non-ASCOBANS Party as member of the WG.
4. Parties would react to the evaluation by email and a face-to-face meeting should be convened only if this was felt absolutely necessary.
5. Members of the Jastarnia Group would elect a new Chair in the coming months.
6. Parties would liaise within their national authorities regarding the recommendations to the Advisory Committee as set out in Annex III of the Report of the 4<sup>th</sup> Meeting of the Jastarnia Group.
7. A consultant or the new Chair of the Jastarnia Group would revise the Jastarnia Plan to resemble more closely the layout of the draft North Sea Conservation Plan, but without changing the content. The deadline for the completion of the final draft would be October 2008.
8. Peter Reijnders would be asked to continue taking the lead on the revision of the draft North Sea Conservation Plan. Participants would submit their comments by the end of April 2008 and a new draft would be posted on the ASCOBANS website by the end of May. Internal national consultations could then be undertaken, enabling a final version to be in place by the end of the year and ready to be endorsed by AC16.
9. The Secretariat would, before the next AC, collate the existing reporting formats and, in consultation with appropriate experts for guidance, draft a possible improved comprehensive reporting format.
10. An inter-sessional working group on acoustic disturbance would work through email correspondence and present its findings to the next meeting of the AC.
11. Jan Haelters would notify the Secretariat when the OSPAR report on encounters with conventional and chemical weapons became available.
12. The Secretariat would include more ecological and biological information on the ASCOBANS website.
13. The Secretariat would contact the designer of a new banner and postcards for the IDBHP to see if a version without text could be provided for production of similar materials in other languages.
14. Parties that had not done so should ratify the amended Agreement extending the Agreement Area into the Irish Sea and Atlantic as soon as possible.

15. The Secretariat would consult Mark Tasker and Peter Reijnders as soon as the draft section of the report on CMS Resolution 8.22 concerning ASCOBANS became available.
16. Reports of the ICES working groups on marine mammal ecology (WGMME) and bycatch (SGBYC) would be circulated to participants through the Secretariat when available as PDF.
17. The Secretariat would also approach non-Party range states in order to find a host for the ASCOBANS meetings in 2009.
18. The Secretariat, the AC and Parties would also implement actions requested in Annex 6 (Triennium Work Plan) and Annex 10 (List of Projects) to this report.

**REPORT OF THE ADMINISTRATIVE SESSION  
OF THE 15<sup>TH</sup> MEETING OF THE ASCOBANS ADVISORY COMMITTEE  
PUBLIC VERSION<sup>1</sup>**

**1. Opening of the Administrative Session**

Paulus Tak (Belgium) as Chair of the Administrative Session called the meeting to order, introduced himself to the participants and welcomed them to the 15<sup>th</sup> Meeting of the Advisory Committee (AC).

He said that there was a strong feeling among parties that ASCOBANS needed to move on and tackle the conservation issues it was set up to address. To save time he invited Parties and participants to submit written reports rather than make oral ones. No written opening statements were submitted.

Robert Hepworth (Acting Executive Secretary) also welcomed delegates on behalf of the joint Secretariat. He pointed out that in 2007 CMS had been dealing with a great many marine issues with Year of the Dolphin, the conclusion of a Memorandum of Understanding (MoU) on dugongs, the Western African Talks on Cetaceans and their Habitats (WATCH) meeting possibly leading to another cetacean MoU and negotiations on an agreement on sharks. The merger of the CMS and ASCOBANS Secretariats had been in force for fifteen months. In the meantime, the agreement area had been extended to the Irish Sea and to the coast of Iberia opening the possibility of further accessions. ASCOBANS had the opportunity of benefiting from this momentum, while the debate over the future role of the IWC opened further possibilities for CMS and its family to play a greater global role in cetacean conservation.

He also welcomed delegates to the UN Campus and its wonderful facilities provided by the Host Government, Germany.

**2. Adoption of Rules of Procedure**

Paulus Tak introduced Document 5, the draft Rules of Procedure (RoP). These were the same RoP as used at AC14 in San Sebastian. No amendments were proposed so the RoP were adopted as drafted.

**3. Adoption of the Agenda of the Administrative Session**

The Chair introduced Documents 1 Rev.3 and 2, the agenda and the annotated agenda and ran through the proposed schedule for the day. He invited comments from the floor. A proposal to take the item on the 2005 budget first to respect chronological order was accepted. The question of which parts of the agenda could be held in open session and which in closed was also raised. It was decided that all agenda items relating to the budget and the evaluation of the merger should be closed for observers for the remainder of the day. In order to allow for transparency, it was agreed that the decisions of the closed session should be reported to the open session.

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<sup>1</sup> This version of the Report contains an omission to make it suitable for public circulation, as the full version contains references to personnel matters that are considered confidential. The omission is indicated as [...].

Mark Simmonds (WDCS) called for the maximum amount of transparency. He also called for contributions to a working group study on pollution, which would be discussed more fully under agenda item 14.

From the chair, Paulus Tak announced that under "any other business" he would like to point out the issue of the open question of venues and host countries for the next AC and Meeting of the Parties (MOP).

After the observers had left, the meeting turned to item 4.1.3., the 2005 budget.

## **4. Budgetary Issues**

### **4.1. Report of the Secretariat on Finance and Administrative Issues**

#### **4.1.1. Administrative Issues**

The Report on Administrative Issues 2007 (Doc.6) was introduced by Marco Barbieri (Secretariat).

Senior staff time had exceeded the estimates made at MOP5 and AC14. This was in part due to the need for staff to familiarise themselves with the issues and to some unforeseen tasks. The additional senior staff time had no budget implications as it was treated as unpaid overtime. It was felt that the demands on senior officers would reduce.

The former administrative assistant had resigned in June 2007 and it was decided to recruit her replacement on the terms agreed for the post in 2008. The new assistant had been recruited quickly but for the latter half of 2007, the Secretariat had only had a part-time assistant rather than the full-time one foreseen in the budget. The ASCOBANS coordinator bore the brunt of this reduced staffing.

A further complication within the CMS Secretariat had been the departure of the Administrative and Fund Management Officer, who was temporarily replaced by the Deputy Executive Secretary. The post had now been advertised and the recruitment process had started.

Since July 2007, the Secretariat had been in contact with the World Intellectual Property Organisation with a view to protect the ASCOBANS name and acronym, following the unauthorised use of the [www.ascobans.de](http://www.ascobans.de) and [www.ascobans.eu](http://www.ascobans.eu) website names by the NGO, Society for Dolphin Conservation (GRD), to launch their criticisms of the merger.

[...]

Following comments that transitional arrangements often encountered unforeseen difficulties and that unpaid overtime within many organisations was the norm, Paulus Tak invited the Parties to note the document.

#### **4.1.2. Report on Accounts for 2007**

Document 7 on Budgetary Issues for 2007 was introduced by Heidrun Frisch (Secretariat).

The Secretariat stressed that these were not the final, certified figures and that some small changes were to be expected, partly as a result of the need to convert from the € to the US\$ within the UNEP accounting system.

All subscriptions had been received, as shown in Table 1. Table 2 showed the MOP approved expenditures and outturns. The main lines showing overspends were 1102 (the senior advisor) and 1121 (payments to former staff). These were explained by the higher percentage time

allocation and the decision to cover all payments to former staff in 2007 rather than across the triennium. Savings had been achieved mainly on lines 1104 and 1301. The travel budget had also not been spent as ASCOBANS staff had attended meetings on behalf of CMS and part of the German voluntary contribution had been used on staff travel. This was unlikely to re-occur. The table showed each budget either at zero (meaning the budget had been fully spent and any overspends met from surpluses elsewhere) or with the residual surplus. It was estimated that about €41,000 had been saved in 2007.

Table 3 showed that two voluntary contributions had been received, from Germany and Finland. Both countries had signed Letters of Agreement specifying how the money was to be spent. The German government had not yet formally signed off the expenditure, but no difficulties were foreseen. The genetics workshops in Bonn had been funded largely by the Swedish and UK voluntary contributions, but a shortfall had been met from the UNEP voluntary contribution.

In considering how to use the surplus, the state of the Trust Fund and the Secretariat's ability to devote time to manage projects were discussed. For the Secretariat, Marco Barbieri said that there was some scope to undertake this task, but fewer, larger projects would be less demanding than a larger number of smaller ones. Parties agreed that the task of prioritising projects was best left to the scientific session, while taking into account basic principles, such as the immediacy of the need for the project and its direct relevance to ASCOBANS and the Triennial Work Plan.

The AC agreed to divert the surplus of 2007 to fund projects, subject to the Secretariat seeking the endorsement of the Coordinating Authorities.

#### **4.1.3. 2005 Accounts**

The Chair observed that this was a sensitive issue which needed to be resolved finally and invited Marco Barbieri (Secretariat) to introduce Document 8, which dealt with the investigation into why the figures presented at Tampere and San Sebastián for the 2005 budget outturn differed.

The first part of the document included a report of the results of the investigation undertaken by the Secretariat and UNEP. Its contents reflected the Secretariat's reply to the request of AC14, which was sent to Parties at Directors' level in December 2007 and which gave an account of what had happened. Key points included:

In summary, the investigation had concluded that an unintended transfer of \$ 27,872 from the General Trust Fund to the Fund for Voluntary Earmarked Contributions had taken place. No money was unaccounted for. The Secretariat confirmed that there was absolutely no suggestion of dishonesty or malpractice by the former ASCOBANS Secretariat.

The accounts presented at AC14 were those presented by UNEP and officially certified and signed off. The provisional accounts presented at AC13 included pre-emptive corrections. It is not possible to reconcile the AC13 and AC14 figures completely due to factors such as exchange rate fluctuations (the Secretariat undertook to explain this later) and because not all transactions had been identified.

Rectifying the accounting errors and temporary bookings to the Trust Fund were not possible, as the 2005 accounts were now closed. However, adjustments could be made through a "prior year adjustment" in 2008. The German government had accepted the explanations concerning their voluntary contribution and was content that the money had been properly used.

The Advisory Committee was invited to note the report and adopt one of the three proposed means of correcting the budget: restoring the funds to the budget lines from which they originated; establishing a new budget line for conservation projects; or returning the funds to the reserve.

Paulus Tak thanked the Secretariat for researching the paper. He had himself examined the paper and was satisfied that the figures were correct. The budgets indicated that significant surpluses had been achieved and the AC should propose to the coordinating authorities how much of these funds to use and for what purposes. Relief was expressed that the Trust Fund was healthier than had been feared at MOP5, with a balance of \$ 19,134 at the end of 2006.

Paulus Tak explained that he had worked with the Secretariat to address all the questions raised at AC14 by the Danish delegate on behalf of the Parties and followed up in writing, and felt that all had been adequately answered.

Poland thanked the Secretariat for their report but noted that the papers had been received late. Poland was concerned that questions on the budget had been left open for nearly a year. Poland placed a reservation on accepting the budget; this reservation would be lifted on receipt of a letter to their Director that fully addressed all budgetary matters raised at AC14.

Welcoming the opportunity to allocate funding to conservation work, the meeting discussed the merits of the three options for using the 2005 surplus. The question of the AC's competence in diverting funds was raised (authority existed in Resolution 2c Annex 4 paragraph 20 concerning reallocating unspent balances). It was decided to allocate the amount in question to a new budget line earmarked for projects. Coordinating authorities would be requested to endorse this deployment of funding, following a letter to be sent by the Secretariat.

In conclusion, Paulus Tak summarised that the second option together with a letter to the coordinating authorities had been accepted by the meeting.

#### **4.1.4. Any Other Finance Issues**

Marco Barbieri (Secretariat) explained that with a view to meeting the wishes of the Parties, the Secretariat was producing financial reports to the AC in €. It was however to be pointed out that the UNEP accounting system was still operating in US\$. This had several implications, notably the fact that figures in € had always to be considered to be provisional and that changes in the amount of reported expenditures had to be expected over time as a consequence of exchange rate fluctuations.

The question of whether Parties still wished to receive reports in € would be better left to another meeting.

#### **4.2. Outline of Budget for 2008**

Heidrun Frisch (Secretariat) introduced Document 9, the outline budget for 2008 which set out the interim report of the state of the year's budget with projected outturns for the rest of the year.

Table 1 showed that five Parties had paid their 2008 subscriptions so far. Table 2 was based on estimates and experience from previous years. The travel line 1601 was expected to be heavily used this year and guidance would be sought regarding which meetings to attend. The line for experts on mission (1602) had been used to bring experts to the Jastarnia Group and the AC and was likely to be overspent by € 1,000. Savings were being achieved on staff and payments to the former Executive Secretary. Part of the projected surplus of €32,715 could be used to upgrade the Administrative Assistant's post from 50% to 75%. Delegates wanted the Secretariat to be adequately staffed but concerns were expressed that it had been suggested that the surplus be used to increase staffing rather than conservation work, especially as the surplus was a windfall unlikely to be repeated. The merger was supposed to reduce staffing costs.

It was eventually agreed to maintain the 2008 budgetary allocation in accordance with the budget approved by the MOP. The Administrative Assistant's post would therefore remain at 50%.

Another question was how to use the UNEP grant of US\$ 10,000. Christian Marx (UNEP) advised that this grant from UNEP would have to be used for project work and not used to increase the reserve. Marco Barbieri (Secretariat) informed the meeting that the UNEP grant was being earmarked for work on the Jastarnia and North Sea Conservation Plans.

## **5. Evaluation of the New Arrangements for the ASCOBANS Secretariat (2007-2009)**

### **5.1. Terms of Reference**

Martin Lok (Netherlands) presented the draft Terms of Reference (ToR) for the evaluation, the starting point for which was the MOP5 Resolution 2d. This called upon the Executive Director of UNEP to undertake an independent review evaluating the merger. The Netherlands had agreed to provide the funding for the review.

The first draft of the ToR had been circulated to Parties, the Chair of the CMS Standing Committee and UNEP. Comments had been received from Belgium, Denmark, Finland, Germany and Sweden. The names of suitable consultants to invite to tender were needed. The ToR were accepted after revision (Annex 5).

The AC decided to create a Working Group, to assist UNEP to select an appropriate consultant, and to review whether the draft report fulfilled the objectives of the evaluation.

As the Netherlands was funding the review, Martin Lok was nominated to serve. The others were Paulus Tak (Belgium), Maj Munk (Denmark) and Stefan Bräger (AC Chair). The Secretariat was asked to liaise with Australia (Chair of the CMS Standing Committee) about nominating a non-ASCOBANS Party. It was suggested that the Working Group should communicate electronically but if a face-to-face meeting was necessary it could meet in Copenhagen.

### **5.2. Input to CMS COP 9**

The Chair introduced Conference Room Paper 1. This document, submitted by the Netherlands as a basis for discussion, made some suggestions on the procedure for coordinating the decisions of the CMS Conference of the Parties (COP) and the ASCOBANS MOP. He hoped that Parties would be consistent in their national positions at CMS COP and ASCOBANS MOP.

It was pointed out that CMS COP could not make binding decisions for ASCOBANS. It could however rule out certain options and express a preference for others.

After discussion, it was decided that reactions to the evaluation should be made by email and a face-to-face meeting should be convened only if this was felt absolutely necessary. The 24<sup>th</sup> October 2008 was tentatively indicated as the preferred option in case a meeting was needed.

## **6. Any other Administrative Issues**

### Hosting of AC16 and MOP6

The Chair pointed out that no offers had been received so far to host AC16 and MOP6. While the issue of the date and venue of these meetings would be considered later in the scientific session, representatives of Parties were invited to discuss possible options during the meeting. The default option for the next AC and MOP if no Parties offered to host them was to hold them in Bonn.

### Participation of the Society for Dolphin Conservation (GRD)

The participation of GRD in the meeting was raised. Many Parties expressed their willingness to engage in debate and take rational and constructive criticism, but the use of the webpage name to attack the merger and other CMS activities was considered unacceptable. Although GRD now used a different webpage, the two sites with ASCOBANS in their name were still live and web users were redirected to the new address. The Secretariat had not taken legal action but this option had not been ruled out. Parties however agreed to engage GRD in discussion and reassess its participation in the AC in the light of its representative's conduct at the meeting.

## **7. Adoption of the Report of the Administrative Session**

A draft report was presented to the meeting and amendments made in accordance with participants' wishes. The report was adopted subject to a final grammatical check to be undertaken by the Secretariat.

## **8. Close of Administrative Session of the Meeting**

As all the administrative business had been concluded, the Chair closed the session.

## **REPORT OF THE SCIENCE AND CONSERVATION SESSION OF THE 15<sup>TH</sup> MEETING OF THE ASCOBANS ADVISORY COMMITTEE**

### **9. Opening of the Science and Conservation Session**

The Chair, Stefan Bräger (Germany), welcomed participants to the scientific session. He thanked Paulus Tak (Belgium) for chairing the previous day's administrative meeting, the results of which were to be presented later to the open session. He thanked the Secretariat for their assistance in preparing the meeting. In view of the heavy agenda, the Chair reserved the right to restrict participants' speaking time and left open the option of breaking into working groups so that several topics could be dealt with simultaneously.

### **10. Adoption of the Agenda of the Science and Conservation Session**

The Chair presented the draft agenda and schedule of the Science and Conservation Session. The agenda (Annex 2) was adopted with minor changes to the running order.

### **11. Report on the Outcome of the Administrative Session**

Paulus Tak (Belgium), Chair of the Administrative Session gave a verbal account of the previous day's business covering budgetary issues and the evaluation of the new arrangements for the ASCOBANS Secretariat. The session had been closed but it had been agreed to make the report public.

### **12. Report of the Secretariat**

Robert Hepworth, Marco Barbieri and Heidrun Frisch gave presentations on the Secretariat's work since the last AC in San Sebastián.

The key themes addressed by Acting Executive Secretary were: the extension of the Agreement Area, efforts to recruit new Parties; relations with the European Commission; securing legal protection for the ASCOBANS name, acronym and logo; and the 32<sup>nd</sup> Meeting of the CMS Standing Committee.

The Senior Advisor reported on the joint ECS/ASCOBANS workshops in April 2007 on "Offshore Wind Farms" and "Selection Criteria for Marine Protected Areas for Cetaceans", the proceedings of which were available. He also reported on the joint HELCOM/ASCOBANS Workshops of October 2007 on "Small Cetacean Population Structure in the ASCOBANS Area" and "Genetics and Population Structure of the Harbour Porpoise in the Baltic Sea". He outlined the objectives of the planned research project in the Baltic Sea using static acoustic monitoring (SAMBAH). ASCOBANS had provided financial support for preliminary workshops in Sweden and Finland and the Secretariat had promoted it during its bilateral meetings with the European Commission. He concluded by reporting on the recruitment process for the new Administrative Assistant.

The ASCOBANS Coordinator addressed outreach activities and publications, explaining modifications to the ASCOBANS website, the updates of the ASCOBANS leaflets, the translation of the Coalition Clean Baltic brochure and the latest version of the International Day of the Baltic Harbour Porpoise (IDBHP) Handbook. On the Year of the Dolphin, a summary of the top twenty projects undertaken worldwide had been produced ("Choice 20"), the Dolphin Manual had been translated into Portuguese and TUI had made a donation to the Society for the Conservation of Marine Mammals' sightings projects. The Secretariat had been involved in the revision process

of the Jastarnia Plan and had organised the Jastarnia Group's fourth meeting in February 2008 in Kolmården, Sweden. The preparation of this AC meeting had taken up most of the working time in recent months.

### 13. Annual National Reports 2007

Eight of the ten Parties had submitted their reports and these had been circulated as Document 15. The two outstanding reports would be submitted as soon as possible. All Parties gave a presentation highlighting key elements of their reports.

Belgium informed the meeting of an infringement procedure initiated by the EC against Belgium concerning bycatch of porpoises in recreational fisheries. While some remedial measures had been taken, it was clear these had not resolved the bycatch problem. A visit was made with two out of the three Belgian professional gillnetters to SeaMarco in the Netherlands, where two porpoises were kept. In a constructive atmosphere the bycatch problem was discussed. Remarkable was the appearance at the Belgian coast of some bottlenose dolphins, of which one sociable animal had been hit by a small boat, without causing lethal injury. Concerning wind farms, advice was given not to drive piles in spring, during the period with the highest presence of porpoises in Belgian waters. At request of the constructor, this advice had not been followed by the licensing authority. Belgium invited participants to look into the detailed information presented in the national report on a tissue bank project, and on the initiatives taken in the framework of the Year of the Dolphin.

France highlighted the following points from its report:

- Estimation and reduction of by-catch: a national report on the implementation of EU regulations for 2006 and 2007 (Doc.19c Add) had been produced.
- Protected areas for cetaceans: the Parc naturel marin de la Mer d'Iroise, off the Brittany coast covering an area of 3,500 km<sup>2</sup> and with a coastline of 300 km, had been established. Porpoise and Bottlenose dolphin were present in this area.
- Participation of France in the CODA project through Marine Nationale and Centre de Recherches sur les Mammifères Marins de la Rochelle.
- Creation of the national marine protected areas agency in 2006: Agence des aires marines protégées in Brest.
- Adoption in 2007 of the national strategy for the creation of MPAs, in which marine mammals were of great importance.

Germany informed the meeting i.a. about

- the current situation of by-catch and strandings, which was serious particularly in the Baltic Sea: it was reported that some stranded carcasses showed signs of tampering such as attempts to sink them;
- a seismic survey, which took place at the Dogger Bank;
- activities to find a way of dealing with 2<sup>nd</sup> world war explosives which was tolerable for cetaceans;
- public awareness activities in the framework of the Year of the Dolphin (stressing in particular a symposium in Stralsund and its plea for amendments of the EC regulation 812/2004).

Poland informed the meeting that the report for 2007 would be sent to the Secretariat soon. The Polish delegate stressed that no bycatch had been reported since 2004, when Regulation 812/2004 had been adopted.

Sweden also informed the meeting about:

- The Swedish Fishermen's Organisation and the Swedish Board of Fisheries were estimating the presence of harbour porpoises in the south Baltic Sea, the areas covered by the 812 regulation. Porpoise click detectors (PCLs) had been placed on or close by fishing gear over

an extensive time period. The results were being analysed at present, but approximately 20 recordings of harbour porpoise had been identified.

- The Swedish Board of Fisheries was trying out fish traps both to reduce seal damage and to replace the net fishery with alternative fishing gear. So far there had been some positive results from the testing of cod traps.
- Implementation of pingers: Swedish fishermen received free pingers. Fishermen had been informed about the regulations and also practical information about where and how they could acquire the pingers. A practical evaluation of how the pingers worked in the Swedish net fisheries had been made. A study on the sound propagation of pingers in shallow waters had also been carried out and the report was expected soon.

The UK provided an update on bycatch monitoring, adding that they were now applying the Habitats Directive to marine waters out to 200 miles. They mentioned that they had now developed guidelines to help users understand the legal requirements under the Habitat Directive in relation to the disturbance of cetaceans, which were currently subject to a period of public consultation. They also drew attention to a draft UK Cetacean Surveillance Strategy that was currently being developed.

There was a brief discussion about stranding and sighting programmes, in the light of experience in the UK, the Netherlands and Germany, where such programmes provided useful information highlighting the link between strandings and fisheries interactions. It was reported that some stranded carcasses showed signs of tampering such as attempts to sink them. Participants then discussed observer programmes, which were required under EC Regulation 812/2004 but only in certain fisheries and only for vessels above a certain size (hull length of 15m), meaning that much of the fisheries effort, in particular in the Baltic but also in some other parts of the Agreement Area, was not covered. Many Parties felt that the percentage of fishing effort monitored needed to be raised. Techniques for monitoring smaller vessels were discussed such as use of CCTV.

#### **14. Implementation of the ASCOBANS Triennial Work Plan (2007-2009)**

The Secretariat introduced Document 11, an annotated and updated version of the Triennial Work Plan which had been adopted at MOP5 in 2006. The Triennial Work Plan was reviewed and the revised text is attached as Annex 6.

##### **14.1. ASCOBANS Baltic Recovery Plan (Jastarnia Plan)**

###### **14.1.1. EC Law and the Conservation of the Baltic Harbour Porpoise**

Richard Caddell, law lecturer at Swansea University, presented Document 35 which gave an overview of EC legislation relevant to harbour porpoise conservation. The main instruments and programmes of interest were the EC Habitats Directive with its provisions for site designation and species protection; the Common Fisheries Policy, which was being reformed to enhance its environmental elements through regulations such as EC Regulation 812/2004; the 6<sup>th</sup> Environmental Action Plan; the developing Marine Strategy; and measures to achieve biodiversity targets.

###### **14.1.2. Outcome of 4<sup>th</sup> Meeting of the Jastarnia Group**

In the absence of the Jastarnia Group's outgoing chair, Sara Königson (Sweden), the report of the 4<sup>th</sup> Meeting of the Jastarnia Group (Document 12) was presented by Penina Blankett (Finland). Sara Königson was thanked for having chaired the Group so efficiently.

The main features of the meeting had been:

- Richard Caddell's presentation on EC law,
- the review of the Plan's implementation, a discussion over EC Regulation 812/2004 and the impact of part-time and recreational fisheries,
- the use and development of safer fishing gear and more effective acoustic deterrents (e.g. interactive pingers).

The Group's next meeting would be hosted by Finland, 23-25 February 2009. Members of the Group would have to elect a new Chair in the coming months by email.

The Group's recommendations to the Advisory Committee set out in Annex II and III of Document 12 were discussed and Annex II was accepted, while for Annex III it was pointed out that further liaison within national authorities would be required in some cases.

Parties were reminded that ideally the composition of the Group should include national representatives of conservation and fisheries ministries and agencies, and that greater participation by stakeholders and NGOs would be welcome.

#### **14.1.3. Implementation**

Poland presented its project on a local approach to bycatch reduction funded by the National Fund for Environment Protection and Water Management being undertaken in Puck Bay, which included the use of click detectors and pingers (more information at [www.morswin.pl](http://www.morswin.pl)).

Germany explained that the Society for the Conservation of Marine Mammals (GSM) was continuing its sightings programme and a report would be published in 2009.

Coalition Clean Baltic (CCB) reported that its new brochure was now available in English, Finnish, German and Polish and thanked the Secretariat and Kai Mattson for their support in producing the German and Finnish versions respectively. CCB also informed the meeting that this year it would launch a sightings project based on the GSM sightings project and in cooperation with GSM. The brochure would also be distributed as part of an information package designed to raise awareness of this new project.

#### **14.1.4. Revision of the Jastarnia Plan**

The current draft of the Jastarnia Plan had been circulated as Document 13.

A brief, informal Working Group had discussed how best to take forward the final approval of the Plan. Options were to engage a consultant to produce a final version or to assign this task to the new Chair. Parties requested a layout following more closely the draft North Sea Conservation Plan, with an executive summary and the key action points presented more prominently in an annex. Parties agreed not to change the content and set a deadline of October 2008 for the completion of the final draft.

### **14.2. ASCOBANS Conservation Plan for Harbour Porpoises in the North Sea**

#### **14.2.1. Progress Report**

Deputising for Peter Reijnders (the Chair of the Inter-sessional Working Group), Mark Tasker introduced the Conservation Plan for the Harbour Porpoise in the North Sea (Document 14). The draft still needed some work and incomplete sections had been highlighted. It was felt that the plan was unlikely to be implemented unless a dedicated coordinator was appointed to oversee this task.

The Meeting welcomed the clear action-oriented structure of the Plan. WDSC questioned the appropriateness of the concept of maximum sustainable removal. CCB and GRD supported

WDCS. ECS recommended that rather than considering the entire North Sea as a single unit, management units should be on a finer scale, particularly given that conservation pressures and therefore actions varied regionally. Greater emphasis should also be placed on the effects of resource depletion since this probably was the overriding factor determining porpoise distribution.

A Working Group, consisting of Mark Tasker and representatives of France, the Netherlands, WDCS, GRD and ECS revised the text of the 6<sup>th</sup> Action in the draft plan and associated action points.

#### **14.2.2. Adoption of Final Document**

Peter Reijnders would be asked to continue revising the draft as Chair of the Inter-sessional Working Group. Participants were invited to submit comments on the revised plan by the end of April 2008 and a new draft would be posted on the ASCOBANS website by the end of May. Internal national consultations could then be undertaken, enabling a final version to be in place by the end of the year and ready to be endorsed by AC16.

### **14.3. Review of New Information on Bycatch and Other Causes of Mortality**

#### **14.3.1. Format for Reporting of Effort in Fisheries with High Risk of Bycatch**

Germany provided a preliminary analysis of fishing effort data with respect to the abundance of harbour porpoises in the North Sea (Doc. 37). Fisheries, such as industrial fisheries for sand eels and mixed bottom-set gillnet fisheries provided a much larger risk for harbour porpoises than others, such as beam trawling.

This agenda item sparked a wider debate on reporting requirements also covering items 14.4.3 (information on population distribution, sizes and structures) and 14.5.6 (information on pollution, underwater sound and disturbance). Parties needed to consider what information would be useful and feasible to collect and how it would subsequently be used.

The need for a new reporting format was discussed and the conclusion was that the Secretariat would, before the next AC, collate the existing formats and contact appropriate experts for guidance regarding what information should be requested and in what form.

Parties felt that certain data of the draft formats were difficult to obtain and their subsequent analysis would need dedicated staff resources. Many fora were asking for similar information so standardised formats would be more efficient. Parties felt that the annual reporting cycle under ASCOBANS should be retained. ACCOBAMS presented its different forms for its triennial reporting system and reported on its plans to move to continuous on-line reporting.

Germany noted that fishing effort data were currently not detailed enough on a European scale to be analysed in conjunction with harbour porpoise abundance.

#### **14.3.2. Information Originating from the Reporting of EU Member States under Regulation 812/2004**

The Chair referred to Document 19. There were no interventions from the floor.

#### **14.3.3. Post-mortem and Stranding Schemes**

The Chair referred to Document 18, the collated responses from the Parties to the post-mortem research questionnaire. Denmark questioned the need to report the same information on an annual basis. Several contributors expressed that in their view such information was of high importance.

#### **14.4. Review of New Information on Population Distribution, Sizes and Structures**

When discussing any new reporting format, it was felt that this requirement should include an appropriate time interval.

##### **14.4.1. Report of the joint ASCOBANS/HELCOM Workshops, 8-10 October 2007**

Peter Evans (ECS) reported on the workshops (acting on behalf of Jonas Teilmann in respect of the third day which had dealt with the Baltic Sea). Twenty-four experts from 12 countries had been present and the proceedings were in the process of being finalised and would be published shortly.

##### **14.4.2. SCANS II Results, CODA Project and TNASS**

The Chair referred to the relevant Documents, respectively Document 21, 39 and 22. There were no interventions from the floor.

Jan Haelters (Belgium) gave a presentation on a project undertaken in Belgium (MUMM) and the Netherlands (NIOZ), funded by IFAW, using stranding and sighting data. This project appeared to confirm the population shifts identified by SCANS II.

##### **14.4.3. Format for Reporting**

see above at 14.3.1

#### **14.5. Review of New Information on Pollution, Underwater Sound and Disturbance**

##### **14.5.1. High Speed Ferries**

Five Parties had responded to the high speed ferries questionnaire. Document 43 Rev.1 contained Peter Evans' summary of the information received and advice on how to use the data. He recommended using AIS data instead, which could be filtered for particular ends. Peter Evans stressed that the ship strike issue had come to the fore because of high speed ferries but other vessels travelling at speeds of over 14 knots were also a problem. IWC, IMO and ACCOBAMS were also concerned with ship strikes, and ASCOBANS should liaise closely with these organisations.

The HELCOM representative reported that it operated a Geographic Information System which showed shipping routes and other information and was available from the HELCOM website.

Petra Deimer introduced Document 45 concerning personal watercraft, which posed a threat to small cetaceans near to shore through collisions, because the craft were relatively difficult to hear underwater and were highly manoeuvrable.

##### **14.5.2. Acoustic Disturbance**

Shipping was noted as a major contributor to noise pollution of the marine environment, along with seismic tests, sonar and pile-driving.

Klaus Lucke (FTZ Büsum) presented results from his investigation of the impacts of noise on the hearing and well-being of cetaceans, focusing on the study undertaken on a harbour porpoise at Fjord and Bælt in Kerteminde in Denmark. Cumulative effects of exposure to noise were important, as was the time needed for the animal concerned to recover from a temporary hearing threshold shift (TTS).

An inter-sessional working group was established, whose terms of reference appear in Annex 7.

#### **14.5.3. Military, including Munitions**

The Secretariat reported that NATO had been invited to the Meeting and that efforts had been made to obtain their sonar guidelines but these were still restricted. GRD reported on their joint activities with the German NGOs, GSM and NABU, regarding unexploded ordnance in German waters. A workshop involving stakeholders had been held in October 2007 and some progress had been made. The air bubble curtain technique would be used in April 2008 when unexploded ordnance would be detonated off the coast of Schleswig-Holstein. GRD also pointed out that unexploded ordnance might pose a threat in connection with the Russian-German oil pipeline in the Baltic. Disposal of munitions not only raised noise issues but also caused the release of chemicals and for this reason retrieval of munitions from the sea for disposal on land was preferable.

OSPAR was about to issue a report on encounters with conventional and chemical weapons. Publication of the report on the OSPAR website would be notified to the Secretariat by Jan Haelters.

#### **14.5.4. Offshore Energy Production and Extractive Activities**

ECS mentioned the joint ECS/ASCOBANS workshop on wind farms held in April 2007 which had been attended by 60 participants from 16 countries. Copies of the proceedings had been made available to participants.

Sweden undertook to pass to the Secretariat a recent report in English on habitat preferences of harbour porpoises covering the entire Baltic proper as soon as it became available.

Poland expressed its concern about whether the EIA to be carried out in the Baltic Sea in connection with pipeline and other major developments would adequately take harbour porpoise considerations into account. Klaus Lucke then informed the meeting that there would be acoustic disturbance arising both from construction and potentially from the flow of gas when the pipeline was operational.

#### **14.5.5. Report by Pollutants Working Group**

Mark Simmonds (WDCS), Chair of the Working Group, circulated a draft synthesis of recent literature on chemical and acoustic pollution and invited participants to add or delete entries. The revised compilation is attached as Annex 8. He drew particular attention to the recent work of Jepson and others which, using a large sample size, had identified an association between PCB levels above 17 ppm and disease. He noted that many small cetaceans in the agreement area would exceed this level of contamination.

#### **14.5.6. Format for Reporting**

see above at 14.3.1

#### **14.6. National Legislation and Protected Areas**

No Parties reported new legislation, although a new agency for marine protected areas had been established in France. At the same time, a Marine Protected Area had been created in Brittany (west France).

ECS reported on its workshop on Marine Protected Areas organised and co-funded in collaboration with ACCOBAMS and ASCOBANS. The proceedings of the workshop were now available.

Denmark said that it was difficult for ASCOBANS to become involved in site designation issues as this was a national issue. Germany, observing that the site designation process was more advanced in the older EU member states than in those which had recently joined, said that the opportunity to influence the process was passing.

## **15. Publicity and Outreach**

### **15.1. Reports of Parties/Range States**

Parties reported on printed material produced (e.g. Germany's new poster showing marine sites), developments on their ministry, agency or institution webpages and public awareness raising campaigns, such as the one launched in Poland to contact fishermen.

In France, a film had been produced for the passengers of Brittany Ferries.

Poland informed the meeting that in addition to those activities undertaken on a regular basis each year, pilot projects were being conducted on preparing a national protection plan for harbour porpoises and for Puck Bay. This had created an opportunity to inform and consult the stakeholders, especially the fishery sector, on conservation measures. An information campaign for children had also been carried out on one weekend in a large shopping centre. This had involved presentations, competitions, meetings with celebrities etc. All customers had been hugely interested and this campaign could be used as a platform of communication with the public in the future.

Petra Deimer reported on the opportunistic sightings programme which the GSM ran with an interactive sightings map (<http://www.habitatmarenatura2000.de/de/schweinswalsichtungen-2006.php>). A report would be published in 2009. A painting competition for schoolchildren up to the age of twelve had been organised for the International Day of the Baltic Harbour Porpoise (IDBHP) along with an event at the zoological museum of the University of Hamburg.

### **15.2. and 15.3. Report of the Secretariat and Extension of the Year of the Dolphin**

The Secretariat presented Document 26, a comprehensive account of its activities.

Comments from delegates included a request for the website to contain more ecological and biological information. Peter Evans (ECS) offered to provide some species information from the new handbook of British mammals which included sections on species covered by ASCOBANS.

### **15.4. and 15.5. Day of the Baltic Harbour Porpoise, 18 May 2008 and CBD COP 9**

These events were both taking place in May 2008.

Regarding IDBHP, the ASCOBANS Coordinator reported that a banner and postcards were being prepared. She undertook to contact the designer to see if a version without text could be provided for production of similar materials in other languages.

Germany invited the participants to the CBD COP, which was being held in Bonn in May 2008. The Secretariat said that it would be represented at the "Plaza of Biodiversity" where an information stand would be set up for the duration of the conference.

## **15.6. Meetings to be attended in 2008/2009**

A list of meetings and dates of interest to ASCOBANS and those participants who could represent ASCOBANS is attached as Annex 9.

## **16. Accession and Agreement Amendments**

### **16.1. Accession of Range States**

The Secretariat reported that no new range states had acceded, although efforts for recruiting new Parties were being made. As part of a high level visit by Russian officials to Germany, a meeting had been arranged with CMS and the question of accession to ASCOBANS had been raised. Targeted letters had been sent to Estonia and Ireland.

ECS had the impression from informal talks with Spanish contacts that Spain was still interested in acceding but continued to have concerns about species coverage. Spain wanted large cetaceans to be included as they were with ACCOBAMS.

### **16.2. Westward Extension of the Agreement Area**

The requisite five ratifications of the amended Agreement extending the Agreement Area into the Irish Sea and Atlantic had been confirmed. The Parties that had not done so were urged to ratify as soon as possible. The United Kingdom reported that the process was well under way and that the authorities of the Isle of Man were being consulted.

#### **16.2.1. Report from Potential New Parties on their Cetacean Activities**

None had been received.

#### **16.2.2. Implications for the Work of ASCOBANS**

The Acting Executive Secretary thought that one impact on the Secretariat would be the need to persuade one or more of the three new Range States in the extended area to accede. Ireland would probably be the prime candidate as it had suggested the westward extension of the Agreement some time before. Regret was expressed that none of the countries was represented by observers.

Neither the UK nor France as the two countries most affected by the extension reported any additional work. The French representative said that his work covered the entire coastline, not just the part within the original agreement area and the UK had applied the provisions of ASCOBANS to all its waters even before the extension.

### **16.3. Possible Inclusion of all Cetacean Species in the Agreement Area – Implications for the Work of ASCOBANS**

Three documents were presented on this subject: "Implications for ASCOBANS of Enlarging the Agreement Area and Including All Cetaceans" from ECS (Doc.28), "The Implications of Extending the Scope of ASCOBANS to all Cetaceans – Legal Aspects" from ACCOBAMS (Doc.29) and "The Interaction between the ASCOBANS MOP and the IWC, NAMMCO and EC" from WDCCS (Doc.30).

The paper tabled by ACCOBAMS saw no problems arising from extending the species range of ASCOBANS in the context of IWC or from bringing the protection provisions into line with the Bern Convention.

GSM recalled that the first drafts of ASCOBANS did not refer just to small cetaceans and WDCCS suggested that extending the species range might raise wider awareness of cetacean conservation and help raise funds. ECS linked the species extension to the westward extension of the Agreement Area, where baleen whales certainly were more prominent and to the possible accession of Spain and Portugal.

The Acting Executive Secretary welcomed Doc.29 and saw two key points: the relatively mild protection provisions of ASCOBANS compared with the parent Convention or the Habitats Directive and the pros and cons of extending the range of species covered. The question of primacy of conventions should be referred to a legal expert.

Denmark suggested that ASCOBANS had been designed to fill a gap left by IWC which concerned itself mainly with larger cetaceans. As all ASCOBANS Parties were members of the EU, they had to protect all cetaceans under the Habitats Directive. Other Parties said that as they were protecting all cetaceans anyway under national or European law, extending the species range of ASCOBANS would bring it into line with other legislation.

Several delegates commented that they saw no problems arising with the IWC in the event of ASCOBANS deciding to cover all cetaceans. The UK had no objection to the extension of species, adding that should ASCOBANS decide to proceed, then the IWC should be formally notified. Sweden, Denmark and Finland were presently opposed to the inclusion of all cetacean species under ASCOBANS. France was in favour of including large cetaceans as it seemed that there was no legal opposition and as France was also a Party of ACCOBAMS. Poland was also in favour.

## **17. List of Projects for Funding through ASCOBANS**

The meeting considered a draft list of projects (Document 32). The outcome of the deliberations is attached as Annex 10. Projects 1 (Analysis of risk of ship strikes), 5 (Effects of contaminants on reproduction in small cetaceans), 6 (Historical diet preferences of harbour porpoises) and 8 (Survey of harbour porpoise abundance in Baltic) were considered to be particularly relevant to the current ASCOBANS work programme.

## **18. Relations with other Bodies**

### **18.1. ASCOBANS and CMS**

#### **18.1.1. CMS COP8 Resolution 8.22 (“Adverse Human-induced Impacts on Cetaceans”)**

The Secretariat explained that implementation of this CMS resolution required the preparation of a draft Programme of Work on how CMS should address adverse human-induced impacts on cetaceans. Such a Programme of Work was to be developed in consultation with other relevant bodies, including ASCOBANS. In this context, a report was being prepared aimed at (i) reviewing the extent to which CMS, CMS cetacean-related agreements and other relevant organisations were addressing the impacts listed through their threat abatement activities; (ii) undertaking an analysis of the gaps and overlaps between CMS, CMS cetacean-related agreements and other relevant organisations; (iii) identifying priority impacts and regions requiring urgent attention. As AC14 had requested Mark Tasker and Peter Reijnders to follow

the development of this initiative on behalf of the AC, the Secretariat planned to consult them as soon as the draft section of the report concerning ASCOBANS became available.

#### **18.1.2. Cetacean Liaison Group**

It was noted that the Cetacean Liaison Group had been established after the CMS Scientific Council 13 to provide advice to CMS and that WDCS acted as its convener.

#### **18.1.3. Other Initiatives**

Under the Year of the Dolphin, an umbrella organisation, the Dolphin Fund, operating mainly in Belgium and the Netherlands had been established to approach donors. The Dolphin Fund had signed a Letter of Agreement with ECS concerning research projects and was about to do the same with CMS concerning conservation initiatives.

CMS was working with IWC and IMO on ship-strikes.

#### **18.2. IGOs – HELCOM, OSPAR, EC, IWC, IMO, CBD, ACCOBAMS, NAMMCO etc.**

HELCOM reported on areas of common concern between ASCOBANS and HELCOM, including the Baltic Sea Action Plan for which ASCOBANS was considered an important partner. The HELCOM representative presented Document 34 which had been prepared by the HELCOM Secretariat.

ACCOBAMS confirmed that ACCOBAMS and ASCOBANS were dealing with many of the same issues (ship-strikes, disturbance, pollution, bycatch). ACCOBAMS reported that a drift net ban following MOP3 Amendment Resolution 3.1 had come into force in the ACCOBAMS Agreement Area on 22 March 2008.

The Acting Executive Secretary gave an account of a recent visit to the European Commission for meetings with DG Environment and DG Fish. The Commission had not been involved directly in ASCOBANS recently and much of the related work had been sub-let to ICES. DG Fish had shown interest in cooperating over an information leaflet for fishermen and might provide some or all of the funding. Having tried the direct approach without generating any more participation in ASCOBANS on the part of the Commission, he suggested approaches via the EC Presidency (Slovenia and France in 2008). As ASCOBANS, unlike CMS, was not part of the EC *acquis*, there was no legal obligation under EC law to accede to the Agreement.

Belgium reported on activities within OSPAR. The harbour porpoise was on OSPAR's list of threatened species, and bycatch was part of the EcoQO project for the North Sea. An extensive quality status report was due in 2010. A report on anthropogenic underwater noise should be finished by the end of 2008 and offshore wind farms and encounters at sea with munitions were also on OSPAR's agenda.

#### **18.3. Scientific and Advisory Bodies – RACs, ICES, ECS etc.**

Mark Tasker (UK) reported on ICES. ICES had two relevant working groups, one on marine mammal ecology (WGMME), which had been chaired by Meike Scheidat, and another on bycatch (SGBYC) chaired by Simon Northridge. Reports of both groups would be circulated to participants through the Secretariat when available as PDF.

ECS reported on its annual conference in Egmond aan Zee, the Netherlands. A number of workshops had been held (on underwater noise, research techniques, necropsy protocols, protection of sociable solitary cetaceans, and marine mammals in art and history). The next annual meeting would be in Istanbul, Turkey.

#### **18.4. NGOs – WDCCS, CCB etc.**

WDCCS drew the Meeting's attention to the recent opening of its small grants programme; details could be found at [www.wdcs.org/funding](http://www.wdcs.org/funding).

IFAW announced that it had obtained observer status at IMO. A major activity for IFAW related to noise in the oceans, and IFAW was publishing a report on pollution and noise which would complement other reports on the same theme. IFAW had supported a study in Belgium and the Netherlands.

#### **19. Any other Business**

On behalf of the Fjord and Bælt Centre, Kai Mattsson (Finland) showed a video of the birth of a harbour porpoise at the facility in Kerteminde, Denmark.

The newly appointed UNEP Deputy Executive Director (DED), Angela Cropper, addressed the delegates during the final session of the meeting on 3 April 2008. She expressed her delight at having the opportunity to address the meeting on the occasion of her first visit to Bonn since she had taken office as Deputy Executive Director of UNEP. Several issues on the agenda of the meeting were of direct relevance to UNEP and the office of the Executive Director, notably the review of the merger between the CMS and ASCOBANS Secretariats. She welcomed the input of the Advisory Committee to the review process, and looked forward with interest to the outcome of the review. The experimental merger between CMS and ASCOBANS Secretariats was to be seen in the wider context of ongoing efforts to streamline International Environmental Governance and improve synergies and coordination among MEAs. In this regard, she reported on the outcomes of the 3<sup>rd</sup> meeting of the ad hoc Working Group on enhancing coordination and cooperation among the Stockholm, Rotterdam and Basel conventions, which had taken place the previous week in Rome. The Working Group had made a number of recommendations on concrete and potentially far-reaching measures towards a more synergistic approach in the administration of the three conventions, including measures to rationalise and streamline administrative functions.

The UNEP DED also referred to the results of the recent Global Ministerial Environment Forum (Monaco, February 2008), which had endorsed a new Medium Term Strategy for UNEP. The Strategy had 6 thematic areas, of which Ecosystem Management was of particular relevance to ASCOBANS. ASCOBANS was also making a commendable contribution to the achievement of the 2010 Target. She was gratified by the amount of development and progress in the implementation of the Agreement. UNEP was committed to provide support and services to the Parties in their endeavour to implement the provisions of the Agreement. She was aware that the range of services provided in the past had not always been to the entire satisfaction of the Parties, and looked forward to working with them to take the operation and administration of the Agreement to a higher level. She concluded by expressing to the meeting her best wishes for a successful outcome.

#### **20. Date and Venue of Meetings of the AC and MOP in 2009**

The Secretariat reported that no offers had been received to host next year's meetings, and a list of previous venues had been circulated. The default venue would be the UN Campus in Bonn. The Secretariat was asked also to approach non-Party range states. The Secretariat said that it had sufficient funds to deliver the basic meetings and Germany offered to provide support to cover additional items if they were held in Bonn.

Preferred dates would be April for the AC and October for the MOP, making sure to avoid dates too close to holidays or any overlap with other important meetings.

**21. Adoption of the Report of the Science and Conservation Session**

The provisionally adopted report would be circulated to Denmark, Lithuania and the Netherlands, who were absent during this agenda item. This would provide the opportunity for comments to be submitted within two weeks before the report was re-circulated. Parties were requested to provide additional text within the same timeframe.

**22. Close of Meeting**

After the customary expression of thanks to the hosts, organisers and all who had contributed to the success of the meeting, the Chair declared the meeting closed.

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## Agenda

1. Opening of the **Administrative Session**
  2. Adoption of Rules of Procedure
  3. Adoption of the Agenda of the Administrative Session
  4. Budgetary Issues
    - 4.1. Report of the Secretariat on Finance and Administrative Issues
      - 4.1.1. Administrative Issues
      - 4.1.2. Report on Accounts for 2007
      - 4.1.3. 2005 Accounts
      - 4.1.4. Any other Finance Issues
    - 4.2. Outline of Budget for 2008
    - 4.3. Other Issues in Budget for 2007-2009
  5. Evaluation of the New Arrangements for the ASCOBANS Secretariat (2007-2009)
    - 5.1. Terms of Reference
    - 5.2. Input to CMS COP 9
  6. Any other Administrative Issues
  7. Adoption of the Report of the Administrative Session
  8. Close of Administrative Session of the Meeting
- 
9. Opening of the **Science and Conservation Session**
  10. Adoption of the Agenda of the Science and Conservation Session
  11. Report on the Outcome of the Administrative Session
  12. Report of the Secretariat
  13. Annual National Reports 2007
  14. Implementation of the ASCOBANS Triennial Work Plan (2007-2009)
    - 14.1. ASCOBANS Baltic Recovery Plan (Jastarnia Plan)
      - 14.1.1. EC Law and the Conservation of the Baltic Harbour Porpoise
      - 14.1.2. Outcome of 4th Meeting of the Jastarnia Group
      - 14.1.3. Implementation
      - 14.1.4. Revision of the Jastarnia Plan

- 14.2. ASCOBANS Conservation Plan for Harbour Porpoises in the North Sea
  - 14.2.1. Progress Report
  - 14.2.2. Adoption of Final Document
- 14.3. Review of New Information on Bycatch and Other Causes of Mortality
  - 14.3.1. Format for Reporting of Effort in Fisheries with High Risk of Bycatch
  - 14.3.2. Information Originating from the Reporting of EU Member States under Regulation 812/2004
  - 14.3.3. Post-mortem and Stranding Schemes
  - 14.3.4. Other Information
- 14.4. Review of New Information on Population Distribution, Sizes and Structures
  - 14.4.1. Report of the joint ASCOBANS/HELCOM Workshops, 8-10 October 2007
  - 14.4.2. SCANS II Results, CODA Project and TNASS
  - 14.4.3. Format for Reporting
  - 14.4.4. Other Information
- 14.5. Review of New Information on Pollution, Underwater Sound and Disturbance
  - 14.5.1. High Speed Ferries
  - 14.5.2. Acoustic Disturbance
  - 14.5.3. Military, including Munitions
  - 14.5.4. Offshore Energy Production and Extractive Activities
  - 14.5.5. Report by Pollutants Working Group
  - 14.5.6. Format for Reporting
  - 14.5.7. Other Information
- 14.6. National Legislation and Protected Areas
- 15. Publicity and Outreach
  - 15.1. Reports of Parties/Range States
  - 15.2. Report of the Secretariat
  - 15.3. Extension of the Year of the Dolphin
  - 15.4. Day of the Baltic Harbour Porpoise, 18 May 2008
  - 15.5. CBD COP 9
  - 15.6. Meetings to be attended in 2008/2009
- 16. Accession and Agreement Amendments
  - 16.1. Accession of Range States
  - 16.2. Westward Extension of the Agreement Area
    - 16.2.1. Report from Potential New Parties on their Cetacean Activities
    - 16.2.2. Implications for the Work of ASCOBANS
  - 16.3. Possible Inclusion of all Cetacean Species in the Agreement Area – Implications for the Work of ASCOBANS
- 17. List of Projects for Funding through ASCOBANS

18. Relations with other Bodies

18.1. ASCOBANS and CMS

18.1.1. CMS COP8 Resolution 8.22 (“Adverse Human-induced Impacts on Cetaceans”)

18.1.2. Cetacean Liaison Group

18.1.3. Other Initiatives

18.2. IGOs – HELCOM, OSPAR, EC, IWC, IMO, CBD, ACCOBAMS, NAMMCO etc.

18.3. Scientific and Advisory Bodies – RACs, ICES, ECS etc.

18.4. NGOs – WDCCS, CCB etc.

19. Any other Business

20. Date and Venue of Meetings of the AC and MOP in 2009

21. Adoption of the Report of the Science and Conservation Session

22. Close of Meeting

### List of Documents

No.	Agenda Item	Document Title	Submitted by
Doc.01 Rev.3	3/10	Provisional Agenda	Secretariat
Doc.02	3/10	Provisional Annotated Agenda	Secretariat
Doc.03 Rev.3		List of Documents	Secretariat
Doc.04 Rev.3		List of Documents by Agenda Item	Secretariat
Doc.05	2	Rules of Procedure for the ASCOBANS Advisory Committee	Secretariat
Doc.06	4.1.1	Report on Administrative Issues 2007	Secretariat
Doc.07 Rev.1 (restricted)	4.1.2	Report on Budgetary Issues 2007	Secretariat
Doc.07Add (restricted)	4.1.2	Report on Budgetary Issues 2007 – Addendum	Secretariat
Doc.08 (restricted)	4.1.3	2005 Accounts: Investigation and Options for Rectification	UNEP/ Secretariat
Doc.09 (restricted)	4.2.4	Outline of Budget for 2008	Secretariat
Doc.10 (restricted)	5.1	Draft Terms of Reference for the ASCOBANS Evaluation 2008	Netherlands
Doc.11	14	ASCOBANS Triennium Work Plan 2007-2009	Secretariat
Doc.12	14.1.2	Report of the 4 <sup>th</sup> Meeting of the Jastarnia Group	Secretariat
Doc.13	14.1.4	Draft ASCOBANS Recovery Plan for the Baltic Harbour Porpoise	Jastarnia Group
Doc.14	14.2	Draft ASCOBANS Conservation Plan for Harbour Porpoises in the North Sea	North Sea Working Group
Doc.15	13	Annual National Reports 2007 a) Finland b) Sweden c) Denmark d) Lithuania e) Belgium f) France g) Germany h) Netherlands	Parties
Doc.16	14.3	Information Submitted by Parties on Fishing Effort a) Belgium b) Sweden c) France	Parties
Doc.17	14.3.1	Collection and Provision of Fishing Effort Data	Secretariat

No.	Agenda Item	Document Title	Submitted by
Doc.18	14.3.3	Information Submitted by Parties in Response to the Post-Mortem Research Questionnaire a) Sweden b) Denmark c) United Kingdom d) Belgium e) France f) Germany	Parties
Doc.19	14.3.2	Information Submitted by Parties on Reporting under EC Reg. 812/2004 a) Denmark b) United Kingdom c) France (plus Addendum)	Parties
Doc.20	14.4.1	Joint ASCOBANS/HELCOM Workshops, 8-10 October 2007	Secretariat
Doc.21	14.4.2	Final Report: Small Cetaceans in the European Atlantic and North Sea (SCANS-II)	Secretariat
Doc.22	14.4.2	Trans North Atlantic Sightings Survey	NAMMCO
Doc.23	14.4.3	Draft Reporting Format for Information on Population Distribution, Sizes and Structures	AC Chair
Doc.24	14.5.1	Information Submitted by Parties in Response to the High-Speed Ferry Questionnaire a) Finland b) Sweden c) Belgium d) Germany e) United Kingdom	Parties
Doc.25	14	ACCOBAMS National Report Format	Secretariat
Doc.26	15.2/ 15.3	Report of the Secretariat on Publicity and Outreach Activities, including Year of the Dolphin	Secretariat
Doc.27	15.6	Dates of Interest to ASCOBANS in 2008/2009	Secretariat
Doc.28	16.3	Implications for ASCOBANS of Enlarging the Agreement Area and Including All Cetaceans	ECS
Doc.29	16.3	The Implications of Extending the Scope of ASCOBANS to all Cetaceans – Legal Aspects	ACCOBAMS
Doc.30	16.3	The Interaction between the ASCOBANS MOP and the IWC, NAMMCO and EC	WDCCS
Doc.31	14.6	Proceedings of the ECS/ASCOBANS/ACCOBAMS Workshop Selection Criteria for Marine Protected Areas for Cetaceans	Secretariat
Doc.32	17	Draft List of Projects for Funding through ASCOBANS	Secretariat
Doc.33	18.2	NAMMCO Statement	NAMMCO
Doc.34	18.2	HELCOM Statement	HELCOM

No.	Agenda Item	Document Title	Submitted by
Doc.35	14.1.1	EC Law and the Conservation of the Baltic Harbour Porpoise: A Report for the ASCOBANS Jastarnia Group	Secretariat
Doc.36	18	Reports of Representation of ASCOBANS at Meetings	Secretariat
Doc.37	14.3	Spatio-temporal interactions between harbour porpoise ( <i>Phocoena phocoena</i> ) and fisheries in the German Bight 2002-2006: Preliminary results	Germany
Doc.38	14.5.2	Underwater Noise as a Threat to Cetaceans – a discussion paper by the ASCOBANS AC Chair	AC Chair
Doc.39	14.4.2	Progress Report on the CODA Project	Secretariat
Doc.40	14.1.2	The Finnish Proposal for Amending Jastarnia Group's Contribution	Finland
Doc.41	14.1.4	The Finnish Point of View of the Jastarnia Plan Revision	Finland
Doc.42	14.5.2	Auditory Studies on Harbour Porpoises in Relation to Offshore Wind Turbines	AC Chair
Doc.43 Rev.1	14.5.1	Assessing the Impact upon Cetaceans of Shipping, including Ferries, within the ASCOBANS Region	Sea Watch Foundation
Doc.44	14.1.3	ECS Bycatch Resolution	ECS
Doc.45	14.5.2	Possible Impact of Personal Watercraft (PWC) on Harbor Porpoises ( <i>Phocoena phocoena</i> ) and Harbor Seals ( <i>Phoca vitulina</i> )	GSM
Doc.46	14.3.4	Executive Summary: Report of the Study Group for Bycatch of Protected Species (SGBYC)	Secretariat

## **RULES OF PROCEDURE FOR THE ASCOBANS ADVISORY COMMITTEE**

*As amended at the 14th Meeting of the ASCOBANS Advisory Committee, 19-21 April 2007,  
San Sebastián, Spain*

### **PART I**

#### **DELEGATES, OBSERVERS, SECRETARIAT**

##### **Rule 1: Delegates**

- (1) A Party to the Agreement (hereafter referred to as a 'Party')<sup>1</sup> shall be entitled to appoint one member of the Advisory Committee (thereafter referred to as a Committee Member) and such advisers as the Party may deem necessary.
- (2) The voting rights of the Parties shall be exercised by the Committee Member. In the absence of the Committee Member, an adviser may be appointed by the Committee Member to act as a substitute over the full range of the Committee Member's functions.

##### **Rule 2: Observers**

- (3) All non-Party Range States and Regional Economic Integration Organisations bordering on the waters concerned may send observers to the meeting, who shall have the right to participate but not to vote.<sup>2</sup>
- (4) Any body or individual qualified in cetacean conservation and management may request admittance to plenary sessions of the Advisory Committee. Appropriate written applications for attendance should be received by the Secretariat at least 60 days before any Committee meeting, and circulated to Parties by the Secretariat forthwith. Parties shall inform the Secretariat of their acceptance or rejection of all applications no less than 30 days before that meeting. An applicant shall be permitted to attend as non-voting observer, if two-thirds of the Parties accept their application. Decisions on whether such bodies or individuals may attend Committee meetings should take into account possible seating limitations. Information on limitations of the venue shall be provided to the Secretariat by the host in time for circulation with any applications received.
- (5) The Advisory Committee may, as appropriate, invite any other body or individual qualified in cetacean conservation and management to participate in a meeting. Such persons shall not have the right to vote.
- (6) Seating limitations may require that no more than two observers from any non-Party State or body be present at sessions of the Advisory Committee.

##### **Rule 3: Credentials**

- (7) Each Contracting Party shall appoint a Committee Member and alternate, when appropriate, to the Advisory Committee, who shall represent the Party. Contracting Parties shall submit the names of these delegates to the Secretariat through their coordinating authorities by the start of the Meeting.

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<sup>1</sup> 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 Organisation which has deposited with the United Nations Headquarters its consent to be bound by the agreement.

<sup>2</sup> See Agreement, paragraph 6.2.1.

- (8) The appointed Committee Member or alternate shall be available for consultation inter-sessionally.

#### **Rule 4: Secretariat**

Unless otherwise instructed by the Parties, the Secretariat shall service and act as secretariat for the Advisory Committee at its meetings.

## **PART II**

### **OFFICERS**

#### **Rule 5: Chairpersons**

- (1) The Advisory Committee shall, at its first session, elect a Chairperson from among the Committee Members, and a Vice-chairperson from the Committee Members or their advisers.
- (2) The Chairperson and Vice-chairperson of the Advisory Committee shall hold office until the end of the first meeting of the Advisory Committee following each Meeting of Parties. 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 6: 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 AND DEBATE**

#### **Rule 7: 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 Organisation, or from any other body, may speak on any question;
  - (c) the closure of the list of speakers;
  - (d) the adjournment or the closure of the debate on the particular subject or question under discussion;
  - (e) the suspension or adjournment of any session; and
  - (f) the establishment of drafting groups on specific issues.

#### **Rule 8: 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 participant or observer to request elucidation on a particular point in that speech.

#### **Rule 9: Procedural Motions**

- (1) During the discussion of any matter, a Committee Member may rise to 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 rising to 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 10: 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 anyone may speak on any question. 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.

## **PART IV**

### **VOTING**

#### **Rule 11: Methods of Voting**

- (1) Without prejudice to the provisions of Rule 1, Paragraph 2, each Committee Member duly accredited according to Rule 3 shall have one vote.
- (2) The Committee shall normally vote by show of hands at a meeting, 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.
- (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 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) 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 normally be the working language of any Advisory Committee meeting and working groups.

##### **Rule 14: Other Languages**

- (1) An individual may speak in a language other than English at meetings, 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 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**

The Advisory Committee may establish working groups as may be necessary to enable it to carry out its functions. It shall define the terms of reference and composition of each working group, the size of which may be limited according to the number of places available in assembly rooms.

#### **Rule 19: Procedure**

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

## **Terms of Reference for the Evaluation of the New Arrangements for the ASCOBANS Secretariat (2007-2009)**

### **Background information**

- At the 5<sup>th</sup> Meeting of the Parties of ASCOBANS (18-20 September and 12 December 2006) it has been decided that *“from 1 January 2007 the UNEP/CMS Secretariat shall serve as the secretariat pursuant to provision No. 4 of the ASCOBANS Agreement, and the Executive Secretary of UNEP/CMS shall be the acting Executive Secretary for ASCOBANS”* (Resolution No. 2d, see annex).
- Furthermore Parties have decided to implement these new arrangements for a provisional three-year period.
- Finally Parties have requested the Executive Director of UNEP to undertake an independent evaluation of the new Secretariat arrangements in mid 2008. The results of this evaluation should be considered by the Conference of the Parties (COP) of CMS in 2008, followed in due time by the MOP of ASCOBANS in 2009, with the aim of identifying the best organizational solutions for ASCOBANS.
- These Terms of Reference provide guidance for the evaluation to be undertaken mid 2008.
- In the budget of ASCOBANS € 30.000,- has been reserved for the evaluation, to be funded through a voluntary contribution of The Netherlands.

### **Objectives of the evaluation**

The objective of the evaluation is to review the effectiveness, efficiency, synergy and the cost-effectiveness of the new arrangements for the ASCOBANS Secretariat with respect to the following elements, and if necessary formulate options for improvement or change of arrangements:

- Output of the Secretariat (as regards the cycle of the meetings, tasks, programmes and strategies agreed by the MOP, and reports prepared by the Secretariat).
- Provision of support to the Parties (as regards the cycle of the meetings, tasks, programmes and strategies agreed by the MOP, and reports prepared by the Parties).
- Functioning of the Secretariat focal point and website for the ASCOBANS Agreement.
- Communication with Parties, Range States, NGOs and international organizations.
- Awareness-raising, public information activities and the ASCOBANS website.
- Profile of the ASCOBANS Secretariat, including representation at an adequate level at meetings of other relevant agreements and conventions, with the remit established by Parties.
- Continuity, transparency and quality in the administrative and budgetary management and functioning of ASCOBANS.

- Specific benefits (or disadvantages) resulting from functioning as a joint Secretariat with CMS since January 2007.
- Costs incurred under the new arrangements, including a comparison of cost-effectiveness of current and previous arrangements.
- Manpower spend in the CMS Secretariat as regards ASCOBANS tasks; evaluation of the available/spend manpower in relation to the tasks of the Secretariat as regards ASCOBANS.

### **Methods/procedures**

- Desk research and evaluation of the output and communication-activities of the ASCOBANS Secretariat.
- Desk research and evaluation of the administrative and budgetary effectiveness and efficiency of the Secretariat.
- Written inquiries and interviews, if necessary, regarding the cooperation between the Secretariat and Parties, Range States, NGOs, other agreements and conventions.
- Written inquiries and interviews, if necessary, regarding the satisfaction of Parties, Range States, NGOs, other agreements and conventions with respect to the effectiveness and efficiency of the new Secretariat arrangements.
- An independent consultant should conduct the evaluation. Selection of the consultant on the basis of a tender (at least three proposals).
- A working group will be installed to assist UNEP to select an appropriate consultant and to review whether the draft report fulfils the objectives of the evaluation. The working group will consist of representatives of Belgium, Denmark and the Netherlands, as well as the AC Chair, one representative from UNEP-HQ and one from other CMS Parties (to be proposed by the Acting Executive Secretary of ASCOBANS).
- The evaluation should be carried out mid 2008. Starting as soon as possible after the AC 2008. The results need to be available at COP CMS (December 2008; draft to be submitted by 31 August; deadline for documentation 30 September).

### **Planning decision-making regarding DRAFT Terms of reference**

- January – February 2008: consultation
- March/April 2008: AC ASCOBANS and preparation tender
- After AC ASCOBANS: formalising the contract/start evaluation.

ASCOBANS AC 15, prepared by the Netherlands  
31 March 2008

## **ASCOBANS Triennium Work Plan for 2007 - 2009**

### **Progress made, further action required, linkages to the ASCOBANS Conservation and Management Plan and suggestions for effective implementation of the Agreement**

1. This document, prepared by the CMS/ASCOBANS Secretariat, contains an overview of action points for the current triennium of activity of ASCOBANS, covering the work of the Secretariat, the Advisory Committee and Parties, as outlined by the 5<sup>th</sup> Meeting of the Parties. It also indicates progress already achieved in its implementation and further action required for all the actors involved. Linkages with the ASCOBANS "Conservation and Management Plan" annexed to the Agreement text have been identified for each action point. The ASCOBANS Conservation and Management Plan, annexed to this document, covers the following areas:
  - a) Habitat conservation and management
  - b) Surveys and research
  - c) Use of by-catches and stranding
  - d) Legislation
  - e) Information and education.
2. It should be noted that the 30 items in the current work Plan for 2007 include eight action points (26.6%) related to Information and Education, seven related to Surveys and Research (23.3%), and just three (10%) addressing Habitat Conservation and Management, namely items 14, 16 and 17.  
An asterisk (\*) indicates the need for additional funds to undertake the activity.
3. Parties are encouraged to make available, through additional Government contributions, resources to undertake existing or new un(der)funded activities, giving particular attention to conservation and management.

This document has been reviewed and updated by the 15<sup>th</sup> Meeting of the ASCOBANS Advisory Committee.

ACTIVITY TRIENNIUM WORK PLAN	ACTION REQUIRED OF	INTERVAL/TIME LINE	PROGRESS MADE	FURTHER ACTION REQUIRED	LINKAGES TO CMP (ANNEXED)
<b>Entire ASCOBANS Area</b>					
1. Review, on an annual basis, 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 reduce bycatch, and on effort in relevant fisheries	Advisory Committee	Annually	Secretariat sent reminders on reporting to AC15 to Parties and non-Party states repeatedly since November 2007.  Secretariat compiled information received and submitted to AC15.  Drafting Groups at AC14 (AC14Doc.25 + 26).	Secretariat to send timely reminders for yearly submissions, compile report to AC16.  Review of bycatch of migratory species in fisheries to be prepared by the CMS Scientific Council.  Mark Tasker to lead discussion on coordinating bycatch data and effort assessments through ICES.	2c. Surveys and research.  3. Use of bycatches and stranding.
2. Provide a clear format for the information to be provided by Parties and Range States on static gillnet and tangle net effort	Advisory Committee	AC16	Document prepared by AC14 (AC15/Doc.17) as basis for further discussion.	Secretariat to collate all reporting formats and suggest improvement with outside technical advice, where required. AC16 to agree on final format.	2c. Surveys and research.  3. Use of bycatches and stranding
Continue to review, on an annual basis, new information on pollution (including the IWC programme POLLUTION 2000+) and its effects on small cetaceans which occur in the ASCOBANS area and, on the basis of this review, provide recommendations to Parties and other relevant authorities	Advisory Committee	Annually	Working Group presented report to AC15 (Annex 8 to AC15 Report).	AC to review at each meeting.  Mark Simmonds (WDCS) to chair Working Group.	2c. Surveys and research
4. Continue to review the extent of negative effects of sound, vessels	Advisory Committee,	By MOP6 (recommendations)	Proceedings of joint ASCOBANS/ECS Wind	Secretariat to collate all reporting formats and	2c. Surveys and research

ACTIVITY TRIENNIUM WORK PLAN	ACTION REQUIRED OF	INTERVAL/TIME LINE	PROGRESS MADE	FURTHER ACTION REQUIRED	LINKAGES TO CMP (ANNEXED)
and other forms of disturbance on small cetaceans and to review relevant technological developments with a view to providing recommendations to Parties, by the 6 <sup>th</sup> Meeting of the Parties, on possible ways to mitigate those negative effects	Secretariat		Farm Workshop held in April 2007 available. Secretariat invited NATO to AC15.	suggest improvement with outside technical advice, where required. Parties to submit progress report as part of their Annual Reports.	
5. Organise a one day workshop to establish criteria and guidelines for the identification of sites of importance for small cetaceans	Secretariat	Spring 2007	Proceedings of joint ASCOBANS/ECS/ACCOBAMS Workshop held in April 2007 available.	Outcome to be officially submitted to MOP6.	2b. Surveys and research
6. Organise a three-day workshop on population structure of [small cetaceans and] the harbour porpoise in the ASCOBANS area, including one day dedicated to the Baltic Sea harbour porpoises	Secretariat	October 2007	Workshops held in Bonn (8-10 Oct. 2007).	AC16 to consider results and consider submission to MOP6.	2a. Surveys and research
7. Review new information on cetacean population size, distribution, structure, and causes of mortality in the ASCOBANS area and based on implications for conservation to make appropriate recommendations to Parties and other relevant authorities	Advisory Committee	Annually	Draft reporting format prepared for AC15 (AC15/Doc.23).	Secretariat to collate all reporting formats and suggest improvement with outside technical advice, where required. Parties to submit progress report as part of their Annual Reports.	2a. Surveys and research
8. Continue to step up activities to raise awareness of issues related to cetacean conservation in the Agreement Area	Secretariat	Throughout the triennium	ASCOBANS as main partner in Year of the Dolphin (YoD). See outreach report (AC15/Doc.26).	Develop [Secretariat] Communication, Education and Public Awareness (CEPA) plan for ASCOBANS area.	5. Information and education

ACTIVITY TRIENNIUM WORK PLAN	ACTION REQUIRED OF	INTERVAL/TIME LINE	PROGRESS MADE	FURTHER ACTION REQUIRED	LINKAGES TO CMP (ANNEXED)
9. Continue to translate ASCOBANS information material and to undertake promotional activities in both Party and non-party Range States*	Secretariat	Throughout the triennium	<p>ASCOBANS leaflet available as PDF in Russian. Translations of updated versions of leaflets finalised/ contracted for all languages.</p> <p>Dolphin Manual as PDF available in Portuguese.</p> <p>CCB Baltic Harbour Porpoise brochure available in German.</p>	<p>Parties to agree to revised text for leaflet through email consultation with the Secretariat.</p> <p>Parties to provide funding for printing.</p>	5. Information and education
10. Continue to develop the ASCOBANS web site, aiming to meet the needs of a wide range of target audiences and including educational material*	Secretariat	Throughout the triennium	<p>ASCOBANS website linked to new features of YoD. Regular additions to News section made. Updates of other sections as required. Document base increased (notably all AC documents since AC6)</p> <p>Contract for re-design of existing webpage signed.</p>	Information on biology and ecology of small cetaceans in the ASCOBANS Area to be included as additional feature on the website.	5. Information and education
11. Clearly define the role of the Secretariat in working together with the EU, CMS, OSPAR, HELCOM and ACCOBAMS in order to synchronize joint actions in educational and promotional activities, and create synergy to provide added value while avoiding duplication of effort	Secretariat	Throughout the triennium	Initial consultations with HELCOM and EC undertaken.	<p>Propose role in Communication, Education and Public Awareness (CEPA) plan to AC16.</p> <p>Continue and intensify liaison with all organisations.</p>	5. Information and education

ACTIVITY TRIENNIUM WORK PLAN	ACTION REQUIRED OF	INTERVAL/TIME LINE	PROGRESS MADE	FURTHER ACTION REQUIRED	LINKAGES TO CMP (ANNEXED)
12. Take appropriate advice, produce targeted information material on conservation issues facing small cetaceans in the region, and in particular in consultation with appropriate [international] fishermen's organisations, RACs and others, develop material to distribute to fishermen, especially with respect to bycatch issues	Secretariat Parties to contact national organisations	Throughout the triennium	Secretariat wrote to contacts in Parties and Range States to gather available material.  Suggested to EC DG Fisheries to co-fund leaflet.	Continue collection of available material, identify further needs and develop leaflet as appropriate.	5. Information and education
<b>Baltic Sea Sub-Region</b>					
13. Continue to produce information material in the languages of the Baltic Sea region *	Secretariat	Throughout the triennium	ASCOBANS leaflet available as PDF in Russian. Translations of updated Baltic version of leaflet finalised for all languages (Polish pending final check).  CCB Baltic Harbour Porpoise brochure available in German (Finnish, Polish and Swedish without Secretariat involvement).	Continue ongoing activities.	5. Information and education
14. Review the implementation of the ASCOBANS Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan) (Document MoP4/Doc.23) and continue efforts to further its implementation	Advisory Committee, Jastarnia Group	Annually	4th Meeting of Jastarnia Group 25-27 February 2008 in Sweden. Review of Jastarnia Plan undertaken by JG4	Draft revised Jastarnia Plan to be redrafted by new chair of JG in line with recommendations of AC15.  Progress report to be prepared in time for JG5 and AC16.	1. Habitat Conservation and Management

ACTIVITY TRIENNIUM WORK PLAN	ACTION REQUIRED OF	INTERVAL/TIME LINE	PROGRESS MADE	FURTHER ACTION REQUIRED	LINKAGES TO CMP (ANNEXED)
15. Liaise with Parties and others to find funding for the continuation, beyond the year 2007, of the web-based, international database on opportunistic sightings, strandings and bycatch*	Secretariat	2007	General fundraising efforts ongoing. BfN offered assistance for map production.	Secretariat to send reminder on fundraising for point 15 (AC14 Report, Annex 12).	N/A Fundraising
<b>North Sea Sub-Region</b>					
16. Develop a conservation plan for the North Sea Harbour Porpoise*	AC Chair, Vice-chair, Secretariat	By AC16	New draft prepared by Working Group for AC15 (AC15/Doc.14). AC15 decided on process for finalisation of document.	Draft to be finalised by AC16 and to be adopted by MOP6.	1. Habitat Conservation and Management
17. Review, once it is in place, the implementation of the Conservation Plan for Harbour Porpoises in the North Sea and continue efforts to further its implementation	Advisory Committee	Annually	None	Agree on regular mechanism for review of implementation	1. Habitat Conservation and Management
<b>North Atlantic Sub-Region (Extension Area)</b>					
18. 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	Advisory Committee, Secretariat	Throughout the triennium	Extension came into force on 3 February 2008.		N/A
<b>Institutional Issues</b>					
19. Make Resolution 2b of MOP5	Advisory		AC divided in technical and		N/A

ACTIVITY TRIENNIUM WORK PLAN	ACTION REQUIRED OF	INTERVAL/TIME LINE	PROGRESS MADE	FURTHER ACTION REQUIRED	LINKAGES TO CMP (ANNEXED)
(Operating Procedures of the Agreement 2007-2009) operational for ASCOBANS	Committee		scientific part. AC14 established Administration and Finance Working Group chaired by P. Tak.		
20. Continue to invite the intergovernmental bodies such as IWC, ICES, CMS, HELCOM, NAMMCO, OSPAR, ACCOBAMS and the European Commission and relevant international organizations such as ECS, to send representatives to Advisory Committee meetings	Advisory Committee, Secretariat	Throughout the triennium	Secretariat has sent invitations and reminders to all organisations.	Continue efforts to establish or renew working relationship and invite for AC16.  Consider representation of ASCOBANS at their meetings.	N/A
21. Explore the possibilities of further developing positive relationships with other stakeholders, especially the fishing industry and Regional Advisory Councils	Advisory Committee, Secretariat	Throughout the triennium	Secretariat has sent invitations and reminders to all relevant RACs.	Mark Tasker to prepare paper on ASCOBANS/RAC interaction.	N/A
22. Improve co-operation, exchange of information as well as expertise between the Advisory Committee of ASCOBANS and the Standing Committee and the Scientific Council of CMS	Advisory Committee	Throughout the triennium	AC Chair and CMS StC Chair joined in strategy meeting convened by Host Country in November 2007.  CMS ScC and StC Chairs invited to AC meeting.	Secretariat to continue inviting CMS ScC and StC Chairs to AC meetings with a view to extending collaboration.	N/A
23. Continue to review at each meeting a list of international meetings, compiled by the Secretariat, at which the aims of ASCOBANS might most usefully be promoted, and recommend which	Advisory Committee, Secretariat	Annually	Reports of representation as agreed at AC14 available as AC15/Doc.36.  AC15 decided on representation as indicated in AC15 Report Annex 9.	Representatives at meetings to report back to Secretariat in writing in time for AC16.	N/A

ACTIVITY TRIENNIUM WORK PLAN	ACTION REQUIRED OF	INTERVAL/TIME LINE	PROGRESS MADE	FURTHER ACTION REQUIRED	LINKAGES TO CMP (ANNEXED)
meetings should be attended, by whom and with what objective and to review the outcomes of meetings attended					
24. Review, before MOP6, the formal structures and processes of the Agreement to determine whether other mechanisms would be more effective in achieving the conservation objectives of ASCOBANS*	Advisory Committee, Secretariat	By CMS COP9 and ASCOBANS MOP6	Draft Terms of Reference prepared by NL, available as AC15/Doc.10.  AC15 recommended preferred evaluation process to UNEP.	ASCOBANS to go through an independent evaluation in mid-2008, NL to support with € 30,000 donation.	N/A
25. Explore ways in which ASCOBANS can better liaise and work with the EC on issues of mutual interest*	Advisory Committee, Secretariat	Throughout the triennium	Acting Executive Secretary undertook mission to Brussels, discussion points <i>inter alia</i> based on AC14 advice.  SAMBAH project promoted in Brussels.  Possibilities for joint production of Fisherman's Leaflet (see 12.) discussed.	Secretariat to maintain contact with the Commission. Collaborate with DG Fish on Fishermen's Leaflet. Explore options of holding future AC meeting in Brussels and invite EC for specific Agenda Items of interest to their work.  Parties to support ASCOBANS' interests through their representatives. AC16 to discuss further.	N/A
26. Promote the Agreement and its aims in Parties, Range States and with other relevant players	Secretariat	Throughout the triennium	Bilaterals with governments. Presentations in relevant meetings.	Continuation of ongoing activities and drafting CEPA.	5. Information and education
27. Promote accession of non-Party Range States to the Agreement	Secretariat, Parties	Throughout the triennium	Ongoing. Letters sent to Estonia and	Bilaterals where possible. Send recruitment letters to remaining Range States.	5. Information and education

ACTIVITY TRIENNIUM WORK PLAN	ACTION REQUIRED OF	INTERVAL/TIME LINE	PROGRESS MADE	FURTHER ACTION REQUIRED	LINKAGES TO CMP (ANNEXED)
			Ireland.		
28. Consider, in 2009, the possible amendment of the ASCOBANS Agreement to include all cetacean species	Advisory Committee	By AC16	AC15/Doc.28 (ECS) + AC15/Doc.30 (WDCS) Upon request of the Secretariat, ACCOBAMS provided expert opinion (AC15/Doc.29).	Discussion to be continued at AC16 and MOP6.	N/A
29. Support Parties, Range States and Agreement bodies in implementing the above Work Plan, in so far as primary responsibility does not lie with the Secretariat	Secretariat	Throughout the triennium	Ongoing	Secretariat to produce regular updates of plan for review by AC.	N/A
<b>Other actions from AC13</b>					
30. Two workshops to assist in the development of the bottlenose dolphin project [and follow-up] *	UK lead	End of 2006 and 2008	First workshop completed.	Research proposal to be developed.	

Annex to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (New York, 1992)

## **Conservation and Management Plan**

The following conservation, research, and management measures shall be applied, in conjunction with other competent international bodies, to the populations defined in Article 1.1:

### **1. Habitat conservation and management**

Work towards (a) the prevention of the release of substances which are a potential threat to the health of the animals, (b) the development, in the light of available data indicating unacceptable interaction, of modifications of fishing gear and fishing practices in order to reduce by-catches and to prevent fishing gear from getting adrift or being discarded at sea, (c) the effective regulation, to reduce the impact on the animals, of activities which seriously affect their food resources, and (d) the prevention of other significant disturbance, especially of an acoustic nature.

### **2. Surveys and research**

Investigations, to be coordinated and shared in an efficient manner between the Parties and competent international organizations, shall be conducted in order to (a) assess the status and seasonal movements of the populations and stocks concerned, (b) locate areas of special importance to their survival, and (c) identify present and potential threats to the different species.

Studies under (a) should particularly include improvement of existing and development of new methods to establish stock identity and to estimate abundance, trends, population structure and dynamics, and migrations. Studies under (b) should focus on locating areas of special importance to breeding and feeding. Studies under (c) should include research on habitat requirements, feeding ecology, trophic relationships, dispersal, and sensory biology with special regard to effects of pollution, disturbance and interactions with fisheries, including work on methods to reduce such interactions. The studies should exclude the killing of animals and include the release in good health of animals captured for research.

### **3. Use of by-catches and strandings**

Each Party shall endeavour to establish an efficient system for reporting and retrieving by-catches and stranded specimens and to carry out, in the framework of the studies mentioned above, full autopsies in order to collect tissues for further studies and to reveal possible causes of death and to document food composition. The information collected shall be made available in an international database.

4. Legislation

Without prejudice to the provisions of paragraph 2 above, the Parties shall endeavour to establish (a) the prohibition under national law, of the intentional taking and killing of small cetaceans where such regulations are not already in force, and (b) the obligation to release immediately any animals caught alive and in good health. Measures to enforce these regulations shall be worked out at the national level.

5. Information and education

Information shall be provided to the general public in order to ensure support for the aims of the agreement in general and to facilitate the reporting of sightings and strandings in particular; and to fishermen in order to facilitate and promote the reporting of by-catches and the delivery of dead specimens to the extent required for research under the agreement.

## **Intersessional Working Group on the Assessment of Acoustic Disturbance Terms of Reference**

Cetaceans are known to be sensitive to acoustic disturbance. Several human activities are known to be particularly disturbing for cetaceans, and can even cause injury or mortality. In view of the objectives of ASCOBANS (cf Resolution 4 of MOP5) and its conservation plan, a need exists for clear guidelines or recommendations for conducting some of these activities. The ASCOBANS AC established a Working Group to look into these activities and related best practices in noise management in relation to the work of ASCOBANS.

### **Terms of Reference:**

The working group will focus on three main human activities:

- 1) use of sonar
- 2) seismic surveys
- 3) pile-driving

and also give consideration to ship-based noise, as far as is appropriate.

For each of these subjects, the working group will:

- 1) Examine the management (e.g. impact mitigation) of the activities with regard to noise;
- 2) Summarise the assessments that have been made, and indicate the main concerns relevant to the ASCOBANS objectives;
- 3) Identify or prepare guidelines or recommendations for best practice.

The working group will preferably work through email correspondence. Drafts of the assessments and proposals for guidelines or recommendations for best practice will be presented to the members of the ASCOBANS AC before the next meeting of the AC.

The provisional membership of the WG is the following:

Mark Simmonds (convenor)

Stefan Bräger

Karsten Brensing

Richard Caddell

Kim Cornelius Detloff

Sarah Dolman

Peter Evans

Jan Haelters

Ulrich Karlowski

Klaus Lucke

Håkan Westerberg

**ASCOBANS POLLUTION REVIEW 2008:**  
**Results of the ASCOBANS Working Group.**

**1. Recent Literature with regard to Chemical Pollution**

**Key Paper**

***PCB LEVELS ARE ASSOCIATED WITH THYMIC INVOLUTION AND INFECTIOUS DISEASE MORTALITY IN UK-STRANDED HARBOUR PORPOISES (1989-2006)***

Jepson, Paul D. , Deaville, Rob, Law, Robin J. , Allchin, Colin R. , Baker, John R. , Patterson, I.A.P. , Reid, Robert J. , Northridge, Simon , Learmonth, Jennifer A. , Davison, Nick , Penrose, Rod , Perkins, Matthew W. , Bennett, Peter M.

Proceedings of the 22nd Conference of the ECS, Egmond aan Zee, The Netherlands 8-10 March 2008 Editor PGH Evans

Time series data show several organochlorine pesticide levels declined markedly in UK-stranded harbour porpoises (*Phocoena phocoena*) (n=368-483) between 1990 and 2005, but summed blubber concentrations of 25 chlorobiphenyl congeners ( $\Sigma 25\text{CBs}$ ) levels were significantly higher and more temporally stable (n=540).

In a case-control study, levels of  $\Sigma 25\text{CBs}$  in healthy harbour porpoises that died of acute physical trauma (n=276) were compared with  $\Sigma 25\text{CBs}$  in animals that died due to infectious diseases (n=182). The infectious disease group had significantly greater  $\Sigma 25\text{CBs}$  concentrations (mean = 22.3 mg/kg lipid) than the physical trauma group (mean = 11.4 mg/kg lipid) ( $p < 0.001$ ). This association occurred independently of other potentially confounding variables including age, sex, two indices of nutritional status, season, region and year found. Adult females (n=96) had the lowest  $\Sigma 25\text{CBs}$  but many had levels associated with reproductive impairment in other mammalian species. Total blubber PCBs levels (as *Aroclor 1254*) were also calculated enabling comparison with a proposed threshold for adverse health effects (including immunosuppression) in marine mammals of 17 mg/kg lipid. In porpoises with total PCBs levels exceeding 17 mg/kg lipid (n=244), total PCBs levels were significantly higher in the infectious disease group compared to the physical trauma group ( $p < 0.001$ ). This association was no longer significant in porpoises with total PCBs levels below 17 mg/kg lipid (n=214) ( $p > 0.90$ ).

In another subset of porpoises (n=118), quantitative measures of thymic lymphoid tissue were independently and positively correlated with nutritional status and independently and negatively correlated with age and  $\Sigma 25\text{CBs}$ , but only in animals with total PCBs levels exceeding the proposed 17 mg/kg lipid threshold of toxicity (n=73). These findings are highly consistent with a causal relationship between PCB exposure and infectious disease mortality mediated via PCB-induced immunosuppression and show that PCB exposure in harbour porpoises in UK waters has declined only slightly over a 16 year period.

**Other references**

***Persistent organic pollutants and stable isotopes in biopsy samples (2004/2006) from Southern Resident killer whales***

Margaret M. Krahn, M. Bradley Hanson, Robin W. Baird, Richard H. Boyer, Douglas G. Burrows, Candice K. Emmons, John K.B. Ford, Linda L. Jones, Dawn P. Noren, Peter S. Ross, Gregory S. Schorr and Tracy K. Collier

Marine Pollution Bulletin 2007 (*in Press*) Pages 1903-1911

A report on the 'Southern Resident' killer whales that focuses on three pods (J, K and L) that reside primarily in Puget Sound/Georgia Basin during the spring, summer and autumn. This population was listed as "endangered" in the US and Canada following a 20% decline between 1996 and 2001. This report uses blubber/epidermis biopsy samples to gather information on factors that could have adverse effects on the 'Southern Resident' killer whales (for example levels of pollutants or changes in diet). Carbon and nitrogen stable isotopes indicated J- and L-pod consumed prey from similar trophic levels in 2004/2006 and also showed no evidence for a large shift in the trophic level of prey consumed by L-pod between 1996 and 2004/2006. ΣPCBs decreased for Southern Residents biopsied in 2004/2006 compared to 1993–1995. Surprisingly, however, a three-year-old male whale (J39) had the highest concentrations of ΣPBDEs, ΣHCHs and HCB. POP ratio differences between J- and L-pod suggested that they occupy different ranges in winter. The report concludes that all the Southern Resident killer whales that were sampled in the study had PCBs that exceeded the given thresholds for health effects that were established in captive studies of harbour seals, which suggested that the killer whales that were studied were highly contaminated with PCBs and at risk for adverse health effects. However, the authors urged caution when making interspecies comparisons (between harbor seals and the southern resident killer whales).

***Biological and ecological factors related to trace element levels in harbour porpoises (*Phocoena phocoena*) from European waters***

V. Lahaye, P. Bustamante, R.J. Law, J.A. Learmonth, M.B. Santos, J.P. Boon, E. Rogan, W. Dabin, M.J. Addink, A. López, A.F. Zuur, G.J. Pierce, F. Caurant

Marine Environmental Research 64 (2007) : 247–266

This study measured the selected trace elements (Cd, Cu, Hg, Se, Zn) found in the kidneys and liver of 104 harbour porpoises (*Phocoena phocoena*) found stranded along the coasts of France, Galicia (Spain), Ireland, Scotland (UK), and the Netherlands. The results showed relatively low concentrations of toxic elements in the tissues of European porpoises, except for two individuals which both displayed high hepatic Hg concentrations. Scottish porpoises were found to have elevated Cd levels which the report suggests could be related to their feeding preferences, a result which suggests an increase in the proportion of cephalopods in their diet with increasing latitude. In relation to hepatic Zn concentrations, significant geographical differences were seen. The report suggests the elevated Zn concentrations displayed by porpoises from the Netherlands may relate to their poor health status.

It is suggested that the variation in metal concentrations within porpoises from the North Sea is likely to reflect a long-term segregation between animals from the northern and southern areas (Scotland and the Netherlands respectively), which has made trace elements such as Cd, Cu, Hg, Se and Zn powerful ecological tracers.

***Tissue-Related Polychlorinated Biphenyls Accumulation in Mediterranean Cetaceans: Assessment of Toxicological Status***

M. M. Storelli, G. Barone, G. Piscitelli, A. Storelli, G. O. Marcotrigiano

Bull Environ Contam Toxicol (2007) 78:206–210

***Accumulation and transfer of contaminants in Killer whales (*Orcinus orca*) from Norway: indications for contaminant metabolism***

H. Wolkers, Corkeron P J., Van Parijs S M., Simila T., & Van Bavel B.

Environmental Toxicology and Chemistry, Vol. 26, No. 8, pp. 1582–1590, 2007

This study samples the blubber tissue of one subadult and eight male adult killer whales in Northern Norway in order to assess the degree and type of contaminant exposure and transfer of the herring–killer whale link in the marine food web. A comprehensive selection of contaminants was targeted, with special attention paid to toxaphenes and polybrominated diphenyl ethers (PBDEs). In addition to assessing exposure and food chain transfer, selective accumulation and metabolism issues were also addressed. The results showed that average total polychlorinated biphenyl (PCB) and pesticide levels were similar, approximately 25 µg/g lipid; PBDEs were approximately 0.5 µg/g. These results suggest killer whales to be one of the most polluted arctic animals, with levels exceeding those in polar bears. A comparison of the contamination of killer whale's diet with the diet of high-arctic species such as white whales reveals six to more than 20 times higher levels in the killer whale diet. The difference in contaminant pattern between killer whales and their prey and the metabolic index calculated suggested that these cetaceans have a relatively high capacity to metabolize contaminants. Polychlorinated biphenyls, chlordanes, and dichlorodiphenyldichloro-ethylene (DDE) accumulate to some degree in killer whales, although toxaphenes and PBDEs might be partly broken down.

***Trace element concentrations in blood of harbor seals (*Phoca vitulina*) from the Wadden Sea***

Simone Griesel, Antje Kakuschke, Ursula Siebert, Andreas Prange

Science of the Total Environment 392 (2008) 313-323

In this study the concentrations of 23 elements (Be, Al, K, Ca, Ti, V, Cr, Mn, Fe, Co, Ni, Cu, Zn, As, Se, Rb, Sr, Mo, Pd, Cd, Sn, Pt, Pb) were evaluated in whole blood samples of live harbour seals (*Phoca vitulina*) from two different locations in the Wadden Sea, the Lorenzenplate in Germany, and the Danish island Rømø. Elemental blood levels were compared to data from literature of seals, other marine mammals and humans. While homeostatically controlled elements showed no differences, concentrations of As, Cr, Mn, Mo, Se, and V were higher than human levels. Furthermore, animals from both locations showed significant geographical differences in whole blood concentrations of Al, Mn, Cu, and Pt. These findings could be explained by differences in feeding areas. The element pattern was not affected by gender. The study concludes that these findings indicate an impact of the environment on biochemical blood parameters of the harbour seals. The significant differences of elements in blood samples of two groups of seals, which were associated with geographical variations of prey support the use of element pattern in blood as tool for investigation of environmental impact on seals.

***Distribution of trace elements in organs of six species of cetaceans from the Ligurian Sea (Mediterranean), and the relationship with stable carbon and nitrogen ratios***

R. Capelli, K. Das, R. De Pellegrini, G. Drava, G. Lepoint, C. Miglio, V. Minganti, R. Poggi

Science of the Total Environment 390 (2008): 569-578

In this study the concentrations of Mercury (total and organic), cadmium, lead, copper, iron, manganese, selenium and zinc were measured in different organs of 6 different cetacean species stranded along the coast of the Ligurian Sea (North-West Mediterranean). Stable-isotopes ratios of carbon (<sup>13</sup>C/<sup>12</sup>C) and nitrogen (<sup>15</sup>N/<sup>14</sup>N) were also measured in the muscle. A significant relationship was found to exist between <sup>15</sup>N/<sup>14</sup>N, mercury concentration and the trophic level. The distribution of essential and non-essential trace elements was studied on several organs, and a significant relationship between selenium and mercury, with a molar ratio close to 1, was found in the cetaceans' kidney, liver and spleen, regardless of their species. High selenium concentrations are generally associated with a low organic to total mercury ratio. While narrow ranges of concentrations were observed for essential elements in most organs, mercury and selenium concentrations are characterised by a wide range of variation. Bio-

accumulation and bio-amplification processes in cetaceans can be better understood by comparing trace element concentrations with the stable-isotopes data.

***Bioaccumulation and enantiomeric profiling of organochlorine pesticides and persistent organic pollutants in the killer whale (*Orcinus orca*) from British and Irish waters***

Brendan McHugh , Robin J. Law, Colin R. Allchin, Emer Rogan, Sinead Murphy, M. Barry Foley, Denise Glynn, Evin McGovern

Marine Pollution Bulletin 54 (2007) 1724–1731

Concentrations and enantiomeric profiles for a range of organochlorine compounds are reported in blubber samples from a number of individual killer whales (*Orcinus orca*) from British and Irish waters. Elevated contaminant levels and enriched isotopic ratios were determined in one individual whale sampled in the Scottish Western Isles compared to the others suggesting marine mammal based dietary influences. The potential application of isotopic ratios to model contaminant uptake, enantioselective enrichment and accumulation is demonstrated. Data are presented which provide information on enantioselective enrichment factors (EFs) for *o,p'*-DDT,  $\alpha$ -HCH and toxaphene congeners CHB26 and CHB 50. This dataset further improves the current database on reported levels of a number of contaminants and provides additional background information on potential metabolic processes in killer whales from British and Irish waters.

***Trace element levels in foetus–mother pairs of short-beaked common dolphins (*Delphinus delphis*) stranded along the French coasts***

V. Lahaye , P. Bustamante , W. Dabin , C. Churlaud , F. Caurant ,

Environment International 33 (2007) 1021–1028

This study analysed the tissues of foetus–mother pairs of common dolphins (*Delphinus delphis*) stranded along the French coasts (Bay of Biscay and English Channel) for their Cd, Cu, Hg, Se and Zn contents. In the kidneys, foetal Cd levels were found to be extremely low, and strong relationships between Cu and Zn suggested the involvement of metallothioneins since early foetal life. The results of the study also indicated a limited maternal transfer of Hg during pregnancy since levels in the tissues of foetuses were below 1  $\mu\text{g g}^{-1}$  w.wt. However, hepatic Hg levels in foetuses increased with body

length, and were also proportionate to maternal hepatic, renal and muscular Hg levels. Lastly, affinities between Hg and Se in tissues would participate in Hg neutralisation in both mothers (through tiemannite granules) and fetuses (through reduced glutathione) counteracting the toxic effects linked to the particularly high quantities of methyl–Hg to which marine mammals are naturally exposed.

***Organochlorine concentrations declined during 1987–2002 in western Mediterranean bottlenose dolphins, a coastal top predator***

Borrell,A. & Aguilar,A.

Chemosphere 66 (2007):347-352

Over a twenty-five year period (1978-2002) blubber samples were collected from bottlenose dolphins stranded on Spain's Mediterranean coasts. The samples were analyzed to determine time trends in the levels of: HCB (hexachlorobenzene), PCB (polychlorinated biphenyls) and tDDT (dichlorodiphenyltrichloroethane and its metabolites). The study found that overall levels were high relative to other areas. This reflects both the ubiquity of organochlorine pollution in the western Mediterranean and the sampled species' coastal habit. There was a significant

decline over the study period in the concentrations of all the compounds analyzed. However, the DDE/tDDT, which is indicative of DDT ageing, significantly increased. This suggests there has been no significant use of HCB, DDT or PCB in the region for a long time. It also indicates that the pollutant loads in the environment are gradually being reduced; either by degradation or by migration of the compounds to other regions. A comparison with dolphin species that have an oceanic distribution suggests that PCB decline at a comparable pace in coastal and offshore water bodies. The decline of tDDT, however, is faster near the coast.

**Monitoring biological effects of pollution in the Baltic Sea: Neglected-but still wanted?**

Lehtonen, K.K. & Schiedek, D.

Marine Pollution Bulletin 53 (2006) 377-386

In this report the authors suggest that studies regarding biological effects of contaminants are relatively few within the Baltic Sea, partly due to political and economical reasons, specific hydrographic characteristics, and a strong eutrophication-targeted research focus during the past three decades. Consequently, the development of a monitoring strategy concerning biological effects and its implementation into environmental monitoring programmes in the Baltic Sea is lagging behind the progress currently taking place in most of western and southern Europe. The pan-European project BEEP (Biological Effects of Environmental Pollution on Marine Coastal Ecosystems, 2001–2004) included the Baltic Sea as one of the target areas for the evaluation of a suite of biological effects indicators in European coastal waters. In this report the main aims of the BEEP project are described. The discussion then moves on to consider how the expected outcome for the Baltic Sea could provide the needed “baseline” information and expertise necessary for a biological effects method and ultimately contribute to help harmonise environmental monitoring programmes within the EU.

***Water column monitoring near oil installations in the North Sea 2001–2004.***

Hylland, K; Tollefsen, K-E; Ruus, A; Jonsson, G; Sundt, R.C; Sanni, S; Toril Inga Røe Utvik, Ståle Johnsen, Ingunn Nilssen, Laurence Pinturier, Lennart Balk, Janina Baršienė, Ionan Marigómez, Stephen W. Feist and Jan Fredrik Børseth . 2008.

Marine Pollution Bulletin [Volume 56, Issue 3](#), March 2008, Pages 414-429

Fisheries have been vital to coastal communities around the North Sea for centuries, but this semi-enclosed sea also receives large amounts of waste. It is therefore important to monitor and control inputs of contaminants into the North Sea. Inputs of effluents from offshore oil and gas production platforms (produced water) in the Norwegian sector have been monitored through an integrated chemical and biological effects programme since 2001. The programme has used caged Atlantic cod and blue mussels. PAH tissue residues in blue mussels and PAH bile metabolites in cod have confirmed exposure to effluents, but there was variation between years. Results for a range of biological effects methods reflected exposure gradients and indicated that exposure levels were low and caused minor environmental impact at the deployment locations. There is a need to develop methods that are sufficiently sensitive to components in produced water at levels found in marine ecosystems.

***Bioaccumulation of persistent organic pollutants in female common dolphins (*Delphinus delphis*) and harbour porpoises (*Phocoena phocoena*) from western European seas: Geographical trends, causal factors and effects on reproduction and mortality.***

G.J. Pierce, M.B. Santos, S. Murphy, J.A. Learmonth, A.F. Zuur, E. Rogan, P. Bustamante, F. Caurant, V. Lahaye, V. Ridoux, B.N. Zegers, A. Mets, M. Addink, C. Smeenk, T. Jauniaux, R.J. Law, W. Dabin, A. López, J.M. Alonso Farre, A.F. González, A. Guerra, M. García-Hartmann, R.J. Reid, C.F. Moffat, C. Lockyer, J.P. Boon

Environmental Pollution (Published October 2007)

***Biological and ecological factors related to trace element levels in harbour porpoises (*Phocoena phocoena*) from European waters***

Lahaye, V., Bustamante, P., Law, R.J., Learmonth, J.A., Santos, M.B., Boon, J.P., Rogan, E., Dabin, W., Addink, M.J., López, A., Zuur, A.F., Pierce, G.J., Caurant, F. (2007)

Marine Environmental Research 64 (2007) 247–266

**2. Recent Literature with regard to Acoustic Pollution**

**Estimating bottlenose dolphin (*Tursiops truncatus*) hearing thresholds from single and multiple simultaneous auditory evoked potentials**

James J. Finneran; Dorian S. Houser; Dave Blasko; Christie Hicks; Jim Hudson and Mike Osborn (2008)

The Journal of the Acoustical Society of America Volume 123, Issue 1, pp. 542-551

Hearing thresholds were estimated in four bottlenose dolphins by measuring auditory evoked responses to single and multiple sinusoidal amplitude modulated tones. Subjects consisted of two males and two females with ages from 4 to 22 years. Testing was conducted in air using a “jawphone” transducer to couple sound into each subject's lower right jaw. Carrier frequencies ranged from 10 to 160 kHz in one-half octave steps. Amplitude modulated stimuli were presented individually and as the sum of four, five, and nine simultaneous tones with unique carrier and modulation frequencies. Evoked potentials were noninvasively recorded using surface electrodes embedded in silicon suction cups. The presence or absence of an evoked response at each modulation frequency was assessed by calculating the magnitude-squared coherence from the frequency spectra of the recorded sweeps. All subjects exhibited traditional “U-shaped” audiograms with upper cutoff frequencies above 113 kHz. The time required for threshold estimates ranged from 23 to 37 min for single stimuli to 5–9 min for nine simultaneous stimuli. Agreement between thresholds estimated from single stimuli and multiple, simultaneous stimuli was generally good, indicating that multiple stimuli may be used for quick hearing assessment when time is limited.

**Marine mammals still imperilled after sonar ruling.**

Lester, B. (2008):

Science 319(5860): 147.

A federal judge imposed significant restrictions last week on use of the U.S. Navy's submarine-chasing sonar technology in training exercises taking place off the southern California coast through January 2009.

<http://www.sciencemag.org/cgi/content/short/319/5860/147>

**Sound exposure and Southern Resident killer whales (*Orcinus orca*): A review of current knowledge and data gaps.**

Holt, M. M. 2008.

U.S. Dept. Commer., NOAA Tech. Memo. NMFS-NWFSC-89.

This document reviews what is currently known about potential acoustic impacts on endangered Southern Resident killer whales (SRKWs). Killer whales (*Orcinus orca*) use sound for echolocation, social communication, and passive listening. Ambient noise, including that from natural and anthropogenic sources, has the potential to interfere with the reception and use of these important biological sounds. Significant sources of anthropogenic sounds that contribute to ambient background noise in critical habitats of SRKWs include sonar, acoustic harassment devices, vessel traffic, and construction noise.

Most measurements of ambient sounds made in SRKW habitat are greatly influenced by vessel traffic that, at close ranges, raises noise levels significantly above ambient levels. In order to address potential acoustic impacts, particularly from anthropogenic sources, this document reviews parameters of sound that are pertinent to the auditory capabilities of killer whales and various studies on noise effects in killer whales and other dolphins. The latter includes auditory ramifications such as auditory masking or hearing loss and behavioral effects such as disruption of foraging events or avoidance of an area.

With this information, the document then incorporates information on the soundscape of SRKW habitat and defines zones of audibility, responsiveness, masking, and hearing loss and addresses the likelihood of acoustic impacts on the SRKW population.

Lastly, recommendations are made for future work in order to address gaps in information that, if available, would increase confidence in predicting the likelihood of acoustic impacts on SRKWs.

[www.nwfsc.noaa.gov/assets/25/6741\\_03042008\\_154832\\_OrcaSoundExposureTM89Final.pdf](http://www.nwfsc.noaa.gov/assets/25/6741_03042008_154832_OrcaSoundExposureTM89Final.pdf)

#### **Unusual cetacean mortality event in Taiwan, possibly linked to naval activities.**

YANG, W.-C.; L.-S. CHOU; P. D. JEPSON; R. L. BROWNELL, JR.; D. COWAN; P.-H. CHIOU; C.-J. YAO; T. K. YAMADA; J.-T. CHIU; P.-J. WANG and A. FERNANDEZ. (2008)

VETERINARY RECORD 162(6):184-185. 2008.

#### **Abundance, behavior, and movement patterns of western gray whales in relation to a 3-D seismic survey, Northeast Sakhalin Island, Russia. 07**

GAILEY, GLENN; BERND WURSIG and TRENT L. MCDONALD. (2007)

ENVIRONMENTAL MONITORING AND ASSESSMENT 134(1-3):75-91. 2007.

A geophysical seismic survey was conducted in the summer of 2001 off the northeastern coast of Sakhalin Island, Russia. The area of seismic exploration was immediately adjacent to the Piltun feeding grounds of the endangered western gray whale (*Eschrichtius robustus*). This study investigates relative abundance, behavior, and movement patterns of gray whales in relation to occurrence and proximity to the seismic survey by employing scan sampling, focal follow, and theodolite tracking methodologies. These data were analyzed in relation to temporal, environmental, and seismic related variables to evaluate potential disturbance reactions of gray whales to the seismic survey. The relative numbers of whales and pods recorded from five shore-based stations were not significantly different during periods when seismic surveys were occurring compared to periods when no seismic surveys were occurring and to the post-seismic period. Univariate analyses indicated no significant statistical correlation between seismic survey variables and any of the eleven movement and behavior variables. Multiple regression analyses indicated that, after accounting for temporal and environmental variables, 6 of 11 movement and behavior variables (linearity, acceleration, mean direction, blows per surfacing, and surface-dive blow rate) were not significantly associated with seismic survey variables, and 5 of 11 variables (leg speed, reorientation rate, distance-from-shore, blow interval, and dive time) were significantly associated with seismic survey variables. In summary, after accounting for environmental variables, no correlation was found between seismic survey variables and the

linearity of whale movements, changes in whale swimming speed between theodolite fixes, mean direction of whale movement, mean number of whale exhalations per minute at the surface, mean time at the surface, and mean number of exhalations per minute during a whales surface-to-dive cycle. In contrast, at higher received sound energy exposure levels, whales traveled faster, changed directions of movement less, were recorded further from shore, and stayed under water longer between respirations.

<http://www.springerlink.com/content/85kj5g1204m6l72p/fulltext.pdf>

### **The Effects of noise on the Aquatic Environment**

Danny Walmsley

CONFERENCE REPORT Nyborg 2007

The Nyborg Conference considered:

- o How animals use sound;
- o The detection of sound by aquatic organisms;
- o Sources of underwater sound;
- o Anthropogenic sources;
- o Effects of anthropogenic sound on aquatic animals; and
- o Regulatory issues.

<http://www.offshoreenergyresearch.ca/Portals/0/Nyborg%20Conference%20final%20report.pdf>

### **A simple ocean noise exposure metric based on naturally occurring noise levels and biological thresholds (A)**

Michael Stocker, Tom Reuterdaahl, Libbie Horn, and Gail Hurley (2007)

The Journal of the Acoustical Society of America Volume 122, Issue 5, p. 3002

Anthropogenic noise is compromising the habitat for marine mammals, fish, and, potentially, other marine organisms. Determining acceptable thresholds is confounded by the fact that marine animals have adapted to some exceedingly loud naturally occurring sounds, whereas exposure to certain anthropogenic noises at equivalent or lower amplitudes causes harm. It is clear that mitigation levels cannot be established by signal amplitude alone. This proposed metric helps establish exposure levels based on broadband and temporal representation of a subject noise compared to a set of spectral curves based on ambient noise levels and biological thresholds.

### ***Behavior and conservation: a bridge too far?***

Tim Caroa (2007)

Trends in Ecology & Evolution Volume 22, Issue 8, Pages 394-400

Formal efforts to connect animal behavior and behavioral ecology to conservation biology and management began ten years ago, time enough to assess their impact on stopping species decline and extinction. After outlining the rationale for applying behavior to conservation, and the links that were originally proposed between them, I argue that theoretical advances in our understanding of behavior have made little practical contribution to conserving animal populations over the past decade. More optimistically, descriptive behavioral information has sometimes augmented solutions to specific conservation problems. I suggest several ways in which behavioral studies and researchers themselves could be more useful for conservation.

Such changes will be necessary if the contribution of behavior to conservation is to move from intellectual wishful thinking to practical solutions for reversing the decline of small populations.

### **Effects of aquaculture production noise on hearing, growth, and disease resistance of rainbow trout *Oncorhynchus mykiss***

Lidia Eva Wysockia, John W. Davidson, Michael E. Smitha, Adam S. Frankelc, William T. Ellisonsd, Patricia M. Mazike, Arthur N. Poppera and Julie Bebakb (2007)

Aquaculture Volume 272, Issues 1-4, 26 November 2007, Pages 687-697

Intensive aquaculture production often utilizes equipment (e.g., aerators, air and water pumps, harvesters, blowers, filtration systems, and maintenance machinery) that increases noise levels in fish culture tanks. Consequently, chronic exposure to elevated noise levels in tanks could negatively impact cultured species. Possible effects include impairment of the auditory system, increased stress, and reduced growth rates. The objective of this study was to evaluate the long-term effects of sound exposure on the hearing sensitivity, growth, and survival of cultured rainbow trout (*Oncorhynchus mykiss*). Two cohorts of rainbow trout were cultured for 8 months in replicated tanks consisting of three sound treatments: 115, 130, or 150 decibels referenced at 1 micropascal (dB re 1  $\mu$ Pa root mean square [RMS]) levels. Auditory evoked potential (AEP) recordings revealed no significant differences in hearing thresholds resulting from exposure to increased ambient sound levels. Although there was no evident noise-induced hearing loss, there were significant differences in hearing thresholds between the two fish cohorts examined. No statistical effect of sound treatment was found for growth rate and mortality within each fish cohort. There was no significant difference in mortality between sound treatments when fish were exposed to the pathogen *Yersinia ruckeri*, but there was significantly different mortality between cohorts. This study indicated that rainbow trout hearing sensitivity, growth, survival, stress, and disease susceptibility were not negatively impacted by noise levels common to recirculating aquaculture systems. These findings should not be generalized to all cultured fish species, however, because many species, including catfish and cyprinids, have much greater hearing sensitivity than rainbow trout and could be affected differently by noise.

### **Effect of boat noise on the behaviour of bluefin tuna *Thunnus thynnus* in the Mediterranean Sea.**

Sarà, G., Dean, J.M., D'Amato, D., Buscaino, G., Oliveri, A., Genovese, S., Ferro, S., Buffa, G., Lo Martire, M., and Mazzola, S. 2007.

MARINE ECOLOGY PROGRESS SERIES (MEPS) 331: 243-253

The effect of boat noise on the behaviour of bluefin tuna *Thunnus thynnus* was investigated in the Egadi Islands, Sicily, during spring 2005 using a fixed tuna trap set near shipping routes. Tuna behaviour was observed when exposed to both natural ambient sound and sound generated by hydrofoil passenger ferries, small boats and large car ferries. Acoustical and behavioural analyses were conducted with and without extraneous sound to define a list of behavioural categories. Each vessel produced different engine sounds with regard to their composition and bandwidth, and all were distinctly different from ambient sound levels. In the absence of boat noise, tuna assumed a concentrated coordinated school structure with unidirectional swimming and without a precise shape. When a car ferry approached, tuna changed swimming direction and increased their vertical movement toward surface or bottom; the school exhibited an unconcentrated structure and uncoordinated swimming behaviour. Hydrofoils appeared to elicit a similar response, but for shorter periods. Agonistic behaviour was more evident when exposed to sounds from outboard motors of small boats. This study showed that local noise pollution generated by boats produced behavioural deviations in tuna schools. Schooling enhances tuna homing accuracy during their spawning migration, and an alteration in schooling behaviour can affect the accuracy of their migration to spawning and feeding grounds.

<http://www.int-res.com/articles/meps2007/331/m331p243.pdf>

**General Review of Protocols and Guidelines for Minimizing Acoustic Disturbance to Marine Mammals from Seismic Surveys**

Manuel Castellote (2007)

Journal of International Wildlife Law & Policy, Volume 10, Issue 3 & 4 July 2007 , pages 273 – 288

***Perception of Low-Frequency Acoustic Signals by a Harbour Porpoise (*Phocoena phocoena*) in the Presence of Simulated Offshore Wind Turbine Noise***

Klaus Lucke, Paul. A. Lepper, Bert Hoeve, Eligius Everaarts, Niels van Elk, and Ursula Siebert

Aquatic Mammals 2007, 33(1), 55-68, DOI 10.1578/AM.33.1.2007.55

**Hearing in eight species of northern Canadian freshwater fishes**

D. A. Mann, P. A. Cott, B. W. Hanna, A. N. Popper (2007)

Journal of Fish Biology 70 (1) , 109–120 doi:10.1111/j.1095-8649.2006.01279.x

The hearing thresholds of eight fish species from northern Canada were measured using auditory evoked potential techniques. The species with the best hearing was the lake chub *Couesius plumbeus*, followed by the longnose sucker *Catostomus catastomus*, both which had relatively sensitive hearing over the frequency range tested from 100 to 1600 Hz. The remaining species (troutperch *Percopsis omiscomaycus*, nine-spined stickleback *Pungitius pungitius*, pike *Esox lucius*, spoonhead sculpin *Cottus ricei*, burbot *Lota lota* and broad whitefish *Coregonus nasus*) all showed most sensitivity to low frequencies (<400 Hz) and had relatively insensitive high frequency hearing. The two species with the best hearing are otophysan fishes with connections between the swimbladder and inner ear. The spoonhead sculpin lacks a swimbladder, while the other non-otophysan species have swimbladders, but no specialized connection to the inner ear. These results can be used to predict the potential impact of anthropogenic noise, such as seismic air gun blasts, on hearing in these species. The species with the most sensitive hearing (lake chub and longnose sucker) are most likely to be affected by activities such as seismic air gun surveys.

**Killer whale evasive tactics vary with boat number**

Williams, R.; Ashe, E. (2007)

Journal of Zoology, Volume 272, Number 4, pp. 390-397(8)

Controlled exposure experiments that measure animal response to vessels can inform relevant wildlife-viewing guidelines and reveal how they make decisions about changes in their environment. Previous experimental studies documented stereotyped avoidance responses by killer whales to boats. Additional observations collected during these studies showed an apparent shift in avoidance behaviour at high traffic levels. Our study tested experimentally whether whales did respond differently to approach by few (1-3) versus many (>3) vessels. Data were collected in summer 2004 in Johnstone Strait, British Columbia, using a theodolite to track the positions of boats and individually identifiable focal whales during control and treatment (few vs. many boats) phases. The responses of 16 adult male killer whales differed significantly between treatment levels (Wilcoxon's test,  $P=0.0148$ ). Swimming paths became more tortuous when few boats approached whales, but straighter as many boats approached. Pooling treatments would have masked significant responses with high statistical confidence (Wilcoxon's

test,  $P > 0.999$ ), falsely suggesting that boat presence had no effect. The division between few and many boats was supported by 140 opportunistic observations on 26 whales from a population of 216. We used generalized additive models to control for the effects of confounding variables, detected a non-linear relationship between number of boats and whales' swimming path directness and confirmed an inflection point at approximately three boats within 1000m. We urge caution when designing controlled exposure assessments that rely on a simple absence-presence framework, which can mask multivariate or non-linear responses. Experimental design, coupled with analytical techniques incorporating statistical power and appropriateness of treatments and response variables, must be considered when interpreting the biological significance of null findings from impact assessments. Our study provides new information about levels of habitat degradation that this marine apex predator can tolerate.

<http://www.marinemammal.org/MMRU/williams/williams%20ashe%202007%20jzl.pdf>

### **Marine Mammal Noise Exposure Criteria**

Southall, Brandon L.; Bowles, Ann E.; Ellison, William T.; Finneran, James J.; Gentry, Roger L.; Greene, Charles R.; Kastak, David; Ketten, Darlene R.; Miller, James H.; Nachtigall, Paul E.; Richardson, W. John; Thomas, Jeanette A.; Tyack, Peter L. (2007)

Aquatic Mammals, Volume 33 (4) 411-414

### **Ocean Noise, Scientific Uncertainty, and the Paradox of the Precautionary Principle**

Elena McCarthy (2007)

Journal of International Wildlife Law & Policy, Volume 10, Issue 3 & 4, pages 233 - 242

The precautionary approach emerged from the German principle of *Vorsorge*, or foresight, and evolved into a fundamental tenant of German and Swedish environmental law in the 1970s. (2) It was first introduced internationally at the 1984 Conference on Protection of the North Sea, where fears about the damaging effects of wastes into the ocean led to the formalization of a precautionary approach. (3) In 1990 it was affirmed by European Commission governments in the Bergen Ministerial Declaration on Sustainable Development and later was formally defined in Principle 15 of the 1992 Rio Declaration on Environment and Development in the ...

### **Precautionary Management of Noise: Lessons from the U.S. Marine Mammal Protection Act**

Cara Horowitz; Michael Jasny (2007)

Journal of International Wildlife Law & Policy, Volume 10, Issue 3 & 4 July 2007 , pages 225 - 232

Among both scientists and the international regulatory community, there is a growing recognition of the harms caused by anthropogenic ocean noise to marine life, from interference with breeding and feeding to habitat displacement to injuries and deaths of species as disparate as fish, giant squid, and whales. (2) This has led to calls, in recent years, to improve the regulation of noise generation in the oceans. (3) Domestic and international bodies are currently drafting guidelines aimed at controlling marine mammal exposure to harmful levels of undersea noise. (4) Some commentators have also called for consideration of a new international agreement

### **Quantifying lost opportunities to hear natural sounds (A)**

Kurt Fristrup (2007)

The Journal of the Acoustical Society of America Volume 122, Issue 5, p. 3081

Hearing provides an omnidirectional alerting sense for wildlife that seems to be universal: No deaf vertebrate species are known and invertebrates display a remarkable diversity of hearing mechanisms. Anthropogenic noise elevates ambient sound levels, which masks natural sounds that would otherwise be heard. The costs of this masking can be assessed by calculating the loss of listening area or alerting distance that results. Listening area metrics are appropriate when a search function might be affected (e.g., foraging), while alerting distance metrics are appropriate when the distance to the sound source mediates the function (e.g., avoiding predation). Analytical approaches for calculating loss of listening area and alerting distance should incorporate available hearing data to account for the effects of hearing thresholds and critical bandwidths. A range of models for masking can be used. Very simple models may sacrifice accuracy to suggest metrics that are readily calculated using existing noise models. More complex models can capture the idiosyncrasies of each species hearing capabilities to render more detailed results. Examples of applying these metrics to National Park Service contexts are discussed, to illustrate the use of these concepts to render environmental acoustic data for resource managers and NPS leadership.

### **Seismic Airguns at Long Range: The Potential for Behavioral Change in Marine Mammals**

Coates, Rodney (2007)

This paper appears in: OCEANS 2007 - Europe 18-21 June page(s): 1-6

Man-made or anthropogenic noise generated by seismic survey is of concern in marine environmental circles as a possible cause of damage and behavioral disturbance to marine mammals. Equipment devised to allow acoustic noise monitoring during long-line fishing in the southern Atlantic Ocean is described. In particular, unusual acoustic signatures, which may be ascribed to seismic survey activities many hundreds of miles from the fishing area are reported. The reasons for the curious nature of these signatures are discussed and their potential impact on migrating whales is examined.

### **Regulating Ocean Noise: Entering Uncharted Waters**

Introduction to the special issue of the Journal of International Wildlife Law and Policy

Jim Cummings (2007)

Journal of International Wildlife Law & Policy, Volume 10, Issue 2, pages 101 - 107

In the crowded landscape of specific environmental threats and broader ecological systems spinning out of balance, ocean health has, over the past decade, moved inexorably into the foreground of public, scientific, and regulatory focus. Collapses of fisheries, surging cancer rates among ocean creatures,<sup>2</sup> and rising temperatures of the ocean with its associated coral die-offs and largescale shifts in ocean currents have all become well-established as markers of a worldwide problem that demands a response from its human creators. Amidst the clamor over “dead zones” caused by agricultural run-off at the mouths of great rivers such as the Mississippi, and the pressing economic questions raised as fish populations crash and local fleets are left with little to catch, a quieter issue has slowly increased its profile: ocean noise.

[http://www.acousticecology.org/docs/JIWLP\\_cummings\\_intro.pdf](http://www.acousticecology.org/docs/JIWLP_cummings_intro.pdf)

### **Reducing Noise Pollution from Commercial Shipping in the Channel Islands National Marine Sanctuary: A Case Study in Marine Protected Area Management of Underwater Noise**

Angela M. Haren (2007)

Journal of International Wildlife Law & Policy, Volume 10, Issue 2 April 2007 , pages 153 - 173

### **Repetitive Shallow Dives Pose Decompression Risk in Deep-diving Beaked Whales.**

Zimmer, W. M. X., Tyack, P. L. (2007)

Marine Mammal Science. 23(4): 888-925

The impact of naval sonar on beaked whales is of increasing concern. In recent years the presence of gas and fat embolism consistent with decompression sickness (DCS) has been reported through postmortem analyses on beaked whales that stranded in connection with naval sonar exercises. In the present study, we use basic principles of diving physiology to model nitrogen tension and bubble growth in several tissue compartments during normal diving behavior and for several hypothetical dive profiles to assess the risk of DCS. Assuming that normal diving does not cause nitrogen tensions in excess of those shown to be safe for odontocetes, the modeling indicates that repetitive shallow dives, perhaps as a consequence of an extended avoidance reaction to sonar sound, can indeed pose a risk for DCS and that this risk should increase with the duration of the response. If the model is correct, then limiting the duration of sonar exposure to minimize the duration of any avoidance reaction therefore has the potential to reduce the risk of DCS.

### **Response and Responsibility: Regulating Noise Pollution in the Marine Environment \***

Jeremy Firestone; Christina Jarvis (2007)

Journal of International Wildlife Law & Policy, Volume 10, Issue 2, pages 109 - 152

### **Responses of cetaceans to anthropogenic noise**

NOWACEK, DOUGLAS P.; THORNE, LESLEY H.; JOHNSTON, DAVID W.; TYACK, PETER L. (2007)

Mammal Review, Volume 37, Number 2, pp. 81-115(35)

- Since the last thorough review of the effects of anthropogenic noise on cetaceans in 1995, a substantial number of research reports has been published and our ability to document response(s), or the lack thereof, has improved. While rigorous measurement of responses remains important, there is an increased need to interpret observed actions in the context of population-level consequences and acceptable exposure levels. There has been little change in the sources of noise, with the notable addition of noise from wind farms and novel acoustic deterrent and harassment devices (ADDs/AHDs). Overall, the noise sources of primary concern are ships, seismic exploration, sonars of all types and some AHDs.

- Responses to noise fall into three main categories: behavioural, acoustic and physiological. We reviewed reports of the first two exhaustively, reviewing all peer-reviewed literature since 1995 with exceptions only for emerging subjects. Furthermore, we fully review only those studies for which received sound characteristics (amplitude and frequency) are reported, because interpreting what elicits responses or lack of responses is impossible without this exposure information. Behavioural responses include changes in surfacing, diving and heading patterns. Acoustic responses include changes in type or timing of vocalizations relative to the noise source. For physiological responses we address the issues of auditory threshold shifts

and 'stress', albeit in a more limited capacity; a thorough review of physiological consequences is beyond the scope of this paper.

- Overall, we found significant progress in the documentation of responses of cetaceans to various noise sources. However, we are concerned about the lack of investigation into the potential effects of prevalent noise sources such as commercial sonars, depth finders and fisheries acoustics gear. Furthermore, we were surprised at the number of experiments that failed to report any information about the sound exposure experienced by their experimental subjects. Conducting experiments with cetaceans is challenging and opportunities are limited, so use of the latter should be maximized and include rigorous measurements and or modelling of exposure.

### **Review of the Mechanisms by which Anthropogenic Noise may cause Cetacean Strandings**

P R White, T G Leighton and K Saunders P Jepson (2007)

ISVR Technical Report N° 316

The mechanisms by which bubbles can form in vivo in cetaceans remain the subject of considerable controversy. Rectified diffusion remains the most likely candidate mechanism for enhanced bubble growth. Models for process of rectified diffusion are well developed, but there is considerable uncertainty regarding the source of stable bubbles which are necessary for rectified diffusion to take place. There is also uncertainty regarding the level of nitrogen supersaturation in beaked whales after a sequence of deep dives. There is very little experimental verification of bubble growth under circumstances that are representative of realistic interactions between sonar and beaked whales.

<http://eprints.soton.ac.uk/49431/01/Pub9708.pdf>

### **Recreational boating traffic: A chronic source of anthropogenic noise in the Wilmington, North Carolina**

Genevieve Haviland-Howell, Adam S Frankel, Christopher M Powell, Alessandro Bocconcelli, Russell L Herman, Laela S Sayigh (2007)

The Journal of the Acoustical Society of America Volume 122, Issue 1, pp. 151-160

The majority of attention on the impact of anthropogenic noise on marine mammals has focused on low-frequency episodic activities. Persistent sources of mid-frequency noise pollution are less well studied. To address this data gap, the contribution of 25 physical, biological and anthropogenic factors to the ambient noise levels in the Wilmington, North Carolina Intracoastal Waterway were analyzed using a principal components analysis and least squares regression. The total number of recreational vessels passing through the waterway per hour is the factor that had the single greatest influence on environmental noise levels. During times of high boat traffic, anthropogenic noise is continuous rather than episodic, and occurs at frequencies that are biologically relevant to bottlenose dolphins. As a daily part of resident bottlenose dolphins' acoustic environment, recreational boating traffic may represent a chronic source of acoustic harassment.

### **Short- and long-term changes in right whale calling behavior: The potential effects of noise on acoustic communication**

Susan E. Parks and C. W. Clark; P. L. Tyack (2007)

The Journal of the Acoustical Society of America Volume 122, Issue 6, pp. 3725-3731

The impact of anthropogenic noise on marine mammals has been an area of increasing concern over the past two decades. Most low-frequency anthropogenic noise in the ocean comes from commercial shipping which has contributed to an increase in ocean background noise over the past 150 years. The long-term impacts of these changes on marine mammals are not well understood. This paper describes both short- and long-term behavioral changes in calls produced by the endangered North Atlantic right whale (*Eubalaena glacialis*) and South Atlantic right whale (*Eubalaena australis*) in the presence of increased low-frequency noise. Right whales produce calls with a higher average fundamental frequency and they call at a lower rate in high noise conditions, possibly in response to masking from low-frequency noise. The long-term changes have occurred within the known lifespan of individual whales, indicating that a behavioral change, rather than selective pressure, has resulted in the observed differences. This study provides evidence of a behavioral change in sound production of right whales that is correlated with increased noise levels and indicates that right whales may shift call frequency to compensate for increased band-limited background noise.

### **Sound and Cetaceans: A Regional Response to Regulating Acoustic Marine Pollution 07**

Karen N. Scott (2007)

Journal of International Wildlife Law & Policy, Volume 10, Issue 2, pages 175 - 199

View article excerpt: [http://goliath.ecnext.com/coms2/qj\\_0199-6717805/Sound-and-cetaceans-a-regional.html#abstract](http://goliath.ecnext.com/coms2/qj_0199-6717805/Sound-and-cetaceans-a-regional.html#abstract)

### **Spatio-Temporal Restrictions as Best Practice Precautionary Response to Ocean Noise**

Dolman, Sarah J. (2007) '

Journal of International Wildlife Law & Policy, 10:3, 219 - 224

An introduction to some recent developments regarding noise pollution and a brief overview of the limitations of mitigation measures are provided. Some countries have implemented wider management measures and examples of these are presented from Australia, Brazil, and Spain. Precaution in lieu of certainty is highlighted and some suggestions for further investigations are made.

### **The impacts of anthropogenic ocean noise on cetaceans and implications for management.**

Weilgart, L.S. (2007)

Canadian Journal of Zoology 85(11): 1091-1116.

Ocean noise pollution is of special concern for cetaceans, as they are highly dependent on sound as their principal sense. Sound travels very efficiently underwater, so the potential area impacted can be thousands of square kilometres or more. The principal anthropogenic noise sources are underwater explosions (nuclear and otherwise), shipping, seismic exploration by mainly the oil and gas industries, and naval sonar operations. Strandings and mortalities of especially beaked whales (family Ziphiidae) have in many cases been conclusively linked to noise events such as naval maneuvers involving tactical sonars or seismic surveys, though other cetacean species may also be involved. The mechanisms behind this mortality are still unknown, but are most likely related to gas and fat emboli at least partially mediated by a behavioral response, such as a change in diving pattern. Estimated received sound levels in these events are typically not high enough to cause hearing damage, implying that the auditory system may not always be the best indicator for noise impacts. Beaked whales are found in small, possibly genetically isolated, local populations that are resident year-round. Thus, even transient and localized acoustic impacts can have prolonged and serious population

consequences, as may have occurred following at least one stranding. Populations may also be threatened by noise through reactions such as increased stress levels, abandonment of important habitat, and “masking” or the obscuring of natural sounds. Documented changes in vocal behavior may lead to reductions in foraging efficiency or mating opportunities. Responses are highly variable between species, age classes, behavioral states, etc., making extrapolations problematic. Also, short-term responses may not be good proxies of long-term population-level impacts. There are many examples of apparent tolerance of noise by cetaceans, however. Noise can also affect cetaceans indirectly through their prey. Fish show permanent and temporary hearing loss, reduced catch rates, stress, and behavioral reactions to noise. Management implications of noise impacts include difficulties in establishing “safe” exposure levels, shortcomings of some mitigation tools, the need for precaution in the form of reducing noise levels and distancing noise from biologically important areas, and the role of marine protected areas and monitoring in safeguarding cetaceans especially from cumulative and synergistic effects.

<http://article.pubs.nrc-cnrc.gc.ca/RPAS/RPViewDoc?handler=HandleInitialGet&calyLang=eng&journal=cjz&volume=85&articleFile=z07-101.pdf>

### **The Precautionary Principle in the Twenty-First Century: A Case Study of Noise Pollution in the Ocean**

Gillespie, Alexander (2007)

The International Journal of Marine and Coastal Law, Volume 22, Number 1, pp. 61-87(27)

The precautionary principle is one of the most discussed ideas in international environmental law. However, despite over 20 years of dialogue, both its status and its application remains uncertain. This article attempts to rectify part of this difficulty by displaying the current state of play on the principle, and how it may be applied to a specific contemporary problem. The selected problem is noise pollution

### **Underwater Noise from Maritime Sources and Impact on Marine Life.**

ten Hallers-Tjabbes, C.C. (2007):

WMU Journal of Maritime Affairs 6(2): 225-233.

[www.balticmaster.org/media/files/file\\_478.ppt](http://www.balticmaster.org/media/files/file_478.ppt)

### **Visual and Passive Acoustic Marine Mammal Observations and High-Frequency Seismic Source Characteristics Recorded During a Seismic Survey**

Potter, J.R. Thillet, M. Douglas, C. Chitre, M.A. Doborzynski, Z. Seekings, P.J. (2007)

IEEE Journal of Oceanic Engineering, Volume: 32, Issue: 2, page(s): 469-483

In this paper, we present marine mammal observation statistics, high-frequency seismic source characteristics, and example denoising of marine mammal acoustical recordings using data collected during the mitigation and monitoring program for a 3-D seismic survey by EnCana Corporation, Calgary, AB, Canada, in the Northwest Atlantic during 2003. Marine mammals were observed both visually and acoustically. No marine mammal incidents or adverse reactions were observed during the survey. Acoustical observations were made by the Sea map Passive Acoustic Cetacean Monitoring System (SPACMS), consisting of two hydrophones placed 50 m apart, towed ahead of and to one side of the seismic source. Visual and acoustical detections were uncorrelated, indicating the complementary nature of the two observational techniques. Visual detections were more common per hour of effort than acoustical detections. Acoustical

detection rates showed no significant day-night difference. Marine mammals appeared to have avoided very close ranges (100 m) from the seismic array during seismic acquisition, but the overall number of marine mammals in the observable radius (1-2 km) did not change significantly when the seismic source was "on" compared to "off". Marine mammals were observed in larger groups and appeared to have become less vocal when the seismic source was active. It should be noted however, that the results from this data gathering effort may be affected by potential sources of bias (such as the combination of data from toothed and baleen whales). Signal processing of seismic source signatures indicated some high-frequency energy content consistent with expectations from earlier work. This analysis confirmed that most of the seismic energy was concentrated at lower frequencies (500 Hz). No low-frequency comparisons with near-field data could be made due to the geometry of the SPACMS recording hydrophones and seismic source, which resulted in the Lloyd's mirror effect or blurring of low-frequency components in the SPACMS records. A wavelet-based denoising method was applied to improve the visibility of marine mammal vocalizations on a spectrogram display.

**Dates of Interest to ASCOBANS in 2008/2009**

<b>Date</b>	<b>Organiser</b>	<b>Title</b>	<b>Venue</b>	<b>Participation/ Report</b>
31 March-4 April 2008	IMO	57 <sup>th</sup> Session of the IMO's Marine Environment Protection Committee (MEPC 57)	London, UK	
7-11 April 2008	Global Conference on Oceans, Coasts and Islands	4 <sup>th</sup> Global Conference on Oceans, Coasts and Islands : Advancing Ecosystem Management and Integrated Coastal and Ocean Management by 2010 in the Context of Climate Change	Hanoi, Vietnam	
11-14 April 2008	NAMMCO	15 <sup>th</sup> Scientific Committee Meeting	Qeqertarsuaq, Greenland	
17-19 April 2008	ACCOBAMS	5 <sup>th</sup> Meeting of the Scientific Committee	Rome, Italy	CMS/ASCOBANS
28 April - 2 May 2008	UN DOALOS	2 <sup>nd</sup> Meeting of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction	New York, USA	
5-9 May 2008	HELCOM	10 <sup>th</sup> Meeting of the Nature Protection and Biodiversity Group (HELCOM HABITAT 10/2008)	Poland	Penina Blankett
15-17 May 2008	ACCOBAMS/Italian Ministry of the Environment	Workshop on "Surveying the ACCOBAMS Area"	Monaco	
19-23 May 2008	ICES / CIEM, PICES, IOC / UNESCO	International Symposium on the Effects of Climate Change on the World's Oceans	Gijon, Spain	Meike Scheidat
19-30 May 2008	CBD	9 <sup>th</sup> Meeting of the Conference of the Parties (COP 9)	Bonn, Germany	CMS/ASCOBANS
23-25 May 2008	Coalition Clean Baltic	Annual Conference and General Meeting "Climate Change and the Baltic - Challenges for Environmental NGOs"	Karjaa, Finland	

23-27 June 2008	UN	9 <sup>th</sup> Meeting of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS-9)	New York, USA	
16-27 June 2008	IWC	60 <sup>th</sup> Annual and Associated Meetings	Santiago, Chile	
2-4 September 2008	NAMMCO	17 <sup>th</sup> Council Meeting	Sisimiut, Greenland	
17-18 September 2008	ACCOBAMS/Italian Ministry of the Environment	International workshop on Cetacean Bycatch within the ACCOBAMS Area	Rome, Italy	
22-26 September 2008	German Federal Agency for Nature Conservation	Marine Protected Areas in the High Seas	Vilm, Germany	AC Chair
22-26 September 2008	ICES	2008 Annual Science Conference	Halifax, Canada	Mark Tasker, Meike Scheidat
29 Sept -1 Oct 2008	NAFO / ICES / NAMMCO	The Role of Marine Mammals in the Ecosystem in the 21 <sup>st</sup> Century	Dartmouth, Canada	Meike Scheidat
5-14 October 2008	IUCN	IUCN Congress	Barcelona, Spain	
6-10 October 2008	IMO	58 <sup>th</sup> Session of the IMO's Marine Environment Protection Committee (MEPC 58)	London, UK	
14-15 October 2008	Institute of Acoustics, University of Southampton	Underwater Noise Measurement, Impact and Mitigation	Southampton, UK	
November 2008	OSPAR	MASH Meeting		Jan Haelters
3-7 November	HELCOM	11 <sup>th</sup> Meeting of the Monitoring and Assessment Group (HELCOM MONAS 11/2008)	Sweden	

2008				
11-15 November 2008	MarBEF	World Conference on Marine Biodiversity	Valencia, Spain	
27-28 November 2008	CMS	15 <sup>th</sup> Scientific Council Meeting	Rome, Italy	
1 – 5 December 2008	CMS	9 <sup>th</sup> Meeting of the Conference of Parties	Rome, Italy	CMS/ASCOBANS
23-25 February 2009	ASCOBANS	5 <sup>th</sup> Meeting of the Jastarnia Group	Finland	CMS/ASCOBANS
2-4 March 2009	ECS	23 <sup>rd</sup> Annual Conference	Istanbul, Turkey	
March 2009	EAAM	2009 EAAM Symposium	Malta	Kai Mattson
early March 2009	NOAA	1 <sup>st</sup> International Conference on Marine Mammal Protected Areas	Hawaii	
20-24 May 2009	Society for Conservation Biology – Marine Section	International Marine Conservation Congress (IMCC) - Making Marine Science Matter	Washington DC, USA	
tbd	Baltic Sea RAC	tbd	tbd	Chair Jastarnia Group

**List of Projects for Funding through ASCOBANS**

Activity	Objectives	Cost €	Priority	Mandate	Comments	Pledges
<b>Scientific work</b>						
1. Analysis of risk of ship strikes	Identify high-risk areas, depending on cetacean density, species, habitat use, exact shipping lanes, vessel types, number and speed	15,000 (plus cost of AIS data)	*	WP 4	ToR to be produced by Peter Evans and Jan Haelters Cooperation options with IWC to be explored	AC15 (sum to be decided when budget has been developed)
2. Baltic database on opportunistic sightings, strandings and bycatch	Incorporates data from various organisations, as well as from Denmark, Finland, Estonia, Poland and Sweden	30,000 p.a.	*	WP 15	Part- or full-time post, database maintained by Germany until end of 2007 Explore cooperation / integration options with HELCOM	
3. Printing of Proceedings/Report of Genetics/Population Structure Workshops	Improve understanding of biologically meaningful definitions of small cetacean populations in the ASCOBANS area Establish a research network and produce research proposal	0	*	WP 6 Res. 8.9	Workshops took place in October 2007 Proceedings to be produced as PDF only	
4. Cooperation with HELCOM (and possibly ICES)	Examine the genetic origin, population size and structure of the Baltic harbour porpoise, distribution and migration, reproductive capacity, effects of contaminants and health status, and additional mortality owing to interactions with the commercial fisheries			WP 11, 20		
5. Effects of Contaminants on Reproduction in Small Cetaceans	Identify whether contaminants have an adverse effect on individual reproductive capabilities of common dolphins and harbour porpoises	tbd	*	WP 3	Ongoing Project of SMRU, CEFAS and the Institute of Zoology (London)	AC15 (sum to be decided when budget has been developed)

Activity	Objectives	Cost €	Priority	Mandate	Comments	Pledges
6. Historical diet preferences of Harbour porpoises	Explain changes in distribution	30,000	*	WP 7	Details to be provided by Meike Scheidat	Personnel already funded through Belgium / Netherlands
7. Assessment of Acoustic Disturbance	Development of clear guidelines or recommendations for use of sonar, seismic surveys, pile-driving and ship-based noise	-	*	WP 4	Chaired by WDCCS	
<b>Conservation projects (recommended by the Advisory Committee)</b>						
8. Survey of Harbour Porpoise abundance in Baltic (SAMBAH project)	Coordinated effort on static acoustic monitoring lead by Mats Amundin/Sweden		*	Res. 5.6, 5.7	Proposal submitted to EC, need for funding/co-funding under LIFE+ or 7 <sup>th</sup> Framework	Sweden supports study of habitat preference as well as PCL calibration
9. Bottlenose dolphin project	Identify fine-scale population structure and pattern of distribution and abundance throughout the European range Determine key bottlenose dolphin habitat, including the relationship between distribution, key environmental variables, and regional variation in prey choice Quantify and explore reasons for decreases in range and possibility of recovery	8,699 GBP	*	WP 30	Complete research proposal for potential EU funding. Workshop held in 2006 and subsequent meeting in 2008	Payment of GBP 1,500 due upon completion of the LoA between the Secretariat and JNCC
10. Revision of Jastarnia Plan and other activities	Prepare final agreed text for JG5 Small expert working group to evaluate the genetic, morphological and other biological research which has been undertaken so far; then assess what further research is required and possible	tbd	*	WP 14	New chair of JG to lead redrafting in line with recommendations of AC15	USD 5,000 UNEP Contribution for 2008

Activity	Objectives	Cost €	Priority	Mandate	Comments	Pledges
	for the conservation of the Baltic Sea sub-population(s)					
11. Coordinator for North Sea Conservation Plan	Facilitate implementation	tbd	*	WP 16, 17	Peter Reijnders to lead	USD 5,000 UNEP Contribution for 2008
<b>Meetings of ASCOBANS Bodies</b>						
12. Advisory Committee 16 (2009)			*		Existing budget line 3302	
13. Meeting of Parties 6 (2009)					Existing budget line 3301	
14. Jastarnia Group 5 (2009)				WP 14	23-25 February 2009, funds needed for expert travel	Finland offered to host, Germany willing to support expert travel if needed
<b>Outreach and Communications Initiatives/Activities</b>						
15. Translation of information material	Produce information and outreach material in the languages of all ASCOBANS Range States (both Parties and non-Parties)	10,000	*	WP 9, 12, 13 Res. 5.8	Immediate priority: ASCOBANS leaflet; Parties requiring large quantities in their language should consider providing additional funds	German Voluntary Contribution 2008 for printing
16. Year of the Dolphin education and public awareness campaign	Increase education and public awareness on CMS and its species. Build a partnership including UN agencies, CMS and Agreements, partner NGOs, Governments and the private sector.			Res. 5.2d, 5.8		
17. Update of exhibits/new panels	Develop new panels to complement the new CMS Family Exhibition, produce			WP 8, 12 Res. 5.8	Consider producing versions in different languages	German Voluntary Contribution 2008

Activity	Objectives	Cost €	Priority	Mandate	Comments	Pledges
	banner for IDBHP					
18. Development of Website	Add new web pages to the ASCOBANS website; restructure to make more appealing and interesting, keep updated, aiming to meet the needs of a wide range of target audiences and including educational material		*	WP 10 Res. 5.8	Consider providing links to relevant nationals or international databases Add pages on species' biology and ecology Plans for visual update ongoing	
19. Fishermen's Leaflet	Produce targeted information material on conservation issues facing small cetaceans in the region Develop material to distribute to fishermen, especially with respect to bycatch issues			WP 12	Consultant needed	Informal agreement to co-fund with DG Fish
<b>Information Management</b>						
20. CMS Family on-line reporting and harmonisation	Provide the ability to easily access migratory species related information across CMS family and streamline reporting obligations of the Parties in order to assess the implementation of CMS Strategic Plan and achievement of the 2010 target.				Adaptation of IOSEA's on-line reporting model to the whole CMS family. This should also include a project database. Project proposal submitted to UNEP/DEC.	CMS and AEWA parts will be implemented in phase 1, ASCOBANS can follow in phase 2
<b>Other Projects and Proposals</b>						
21. Request Junior Professional Officer for 2009					AC to advise on job description	Germany will check possibility to fund a JPO support jointly for CMS and ASCOBANS