

## ACTION POINTS AND RECOMMENDATIONS FROM THE 26<sup>TH</sup> MEETING OF THE ASCOBANS ADVISORY COMMITTEE

### SCIENTIFIC SESSION

*Action Point = AP, Recommendation = R*

#### Underwater noise

1. R) The Advisory Committee and its working groups are encouraged to reach out, via the Secretariat, to the Joint Noise Working Group of CMS, ASCOBANS and ACCOBAMS, for matters of underwater noise requiring advice.
2. AP) The Secretariat to seek advice from the Joint Noise Working Group of CMS, ASCOBANS and ACCOBAMS on:
  - How to improve monitoring and mitigation of underwater noise and to reduce the cumulative impact on small cetaceans; and
  - Provide guidance on monitoring and mitigating the impact of continuous and impulsive noise, noting recommendations included in [ASCOBANS/AC23/Inf.5.1.1a](#).
3. AP) The Secretariat to convene a workshop(s) with representatives of national navies and NATO, to consider the following issues:
  - navies' mitigation protocols for use of military sonar and management of other activities that can contribute to potentially harmful underwater noise, including the removal and/or detonation of Unexploded Ordnance (UXO); and
  - solutions for acoustic monitoring and bycatch mitigation (deterrent devices) in synergy with national security activities.

This requires that Parties identify these representatives.

4. R) Parties concerned are encouraged to start or continue dialogue regarding the need for solutions in the Baltic sea for acoustic monitoring and on bycatch mitigation (pingers), as needed, in synergy with national security activities, and to report back when updates are available. The Secretariat to seek an update on the situation in three and six months.
5. R) Parties are encouraged to include speed boats and other recreational vessels (also high-frequency ones such as Rigid hulled Inflatable Boats) in the monitoring and mitigation of continuous noise.
6. R) Parties are encouraged to revisit a document submitted to the 23<sup>rd</sup> Meeting of the Advisory Committee, *Comments on ASCOBANS monitoring and reporting process with regards to underwater noise affecting cetaceans* ([ASCOBANS/AC23/Inf.5.1.1a](#)).

#### Unexploded ordnance

7. R) Parties are encouraged to strive for a detailed registration of munition encounters within OSPAR and/or HELCOM and are encouraged to promote optimal mitigation methods with regards to cetacean wellbeing. Parties are encouraged to take a proactive approach in the removal of underwater munitions with the aim to avoid detonations wherever possible.
8. AP) Parties are requested to bring to the attention of the relevant fora within HELCOM and OSPAR the need for mapping, evaluating, prioritizing, and finally retrieving unexploded ordnance with the aim to avoid negative impacts on small cetaceans.

9. AP) The Secretariat to promote these efforts and to monitor such activities with a focus on cetaceans in cooperation with the OSPAR and HELCOM Secretariats.
10. AP) The Secretariat to request the Joint Noise Working Group to develop guidelines for mitigation of explosions and environmentally sound removal of UXO from the sea.
11. R) Parties are encouraged to exchange ideas, study results and other information on Best Available Techniques and Best Environmental Practice between NATO, Navies, statutory nature conservation authorities, taking into account technology developed under US programmes. Environmental Security Technology Certification Programme (ESTCP) and Strategic Environmental Research and Development Programme (SERDP).
12. R) Parties are encouraged to prioritise UXO removal mechanisms over detonation. If detonations cannot be avoided, Parties are encouraged to use noise mitigation in combination with noise exposure mitigation methods which reduce impacts on cetaceans. Parties should ensure that information is recorded on the ICES Impulsive Noise Registry.
13. R) Parties are encouraged to investigate stranded small cetaceans for blast trauma-related injuries.

### **Ocean energy**

14. R) Parties are encouraged to:
  - Monitor population trends of small cetaceans affected by renewable energy sites (construction, operation) across countries.
  - Minimize negative impacts on small cetaceans throughout the entire life cycle of offshore wind park operation, including after the operation phase.
  - Consider adopting common noise thresholds and consider lower noise thresholds for particular species and circumstances for the ASCOBANS region, recognizing that avoidance of temporary threshold shifts should be avoided at all costs.
  - Regulate offshore wind parks so that the disturbance to cetaceans and the threat of ship strikes caused by service operation and other vessels operating in relation to offshore wind parks is minimized, including speed restrictions and initiating a process to select routes including outside of marine protected areas.
  - Plan the coherent development of offshore wind parks across the ASCOBANS Area in space and time to ensure that populations of cetaceans are not disturbed, their conservation status and movement patterns not affected, taking into account cumulative impacts.

### **Marine Spatial Planning (MSP)**

15. AP) The Secretariat to include in the agenda of AC28, the subject of ecosystem-based approach to examine the effects of pressures on small cetaceans, with a view to having a draft resolution to be presented to MOP10.
16. AP) The Secretariat to establish an intersessional working group (IWG) to elaborate on how to best develop guidelines for cetacean-friendly MSP and a draft resolution for MOP10. Members include: Penina Blankett, Oliver Schall and/or Patricia Brtnik, Ida Carlén, Julia Carlström, Peter Evans, Aline Kühn-Stenzel, Stina Nyström, Fiona Read, Mark Simmonds, Susanne Viker. Others are welcome to join. Secretariat to seek voluntary contributions (to recruit a consultant to develop the guidelines).
17. R) The Parties are encouraged to consistently include the distributions of all relevant cetaceans listed under ASCOBANS in their national marine spatial plans, for example through reservation areas. Attention should be paid to avoid barriers to cetacean movement throughout their range, including international borders.

18. AP) The Secretariat, with the input of Parties, to amend the relevant questions in the MSP section on the National Report with regards to species-specific provisions, and threats to cetaceans being managed through MSP; and on performance against HELCOM-VASAB<sup>1</sup> key elements for applying the ecosystem-based approach in MSP.

### **Marine Protected Areas**

19. AP) The Advisory Committee to support organising a second ASCOBANS Workshop on management of MPAs for Small Cetaceans, to build on the outcomes of the first workshop held in May and June 2021. The organising committee from 2020-2021 is invited to continue (i.e. Penina Blankett, Ida Carlén, Stina Nyström, Sophie Ouzet, Mark Simmonds, Heike Zidowitz).

### **Jastarnia and WBBK Plans**

20. AP) Parties to fulfil Article 12 of the EU Habitats Directive by implementing strict protection against bycatch in the entire range of the harbour porpoise populations in the Baltic and WBBK areas, including implementing alternative fishing methods not causing bycatch of small cetaceans, the use of acoustic deterrent devices and/or other mitigation measures.
21. AP) All Parties and Non-Parties bordering the Baltic Sea are strongly encouraged to support SAMBAH-II, both in terms of providing funds and by ensuring that there are no other obstacles, to allow the project to start as soon as possible.
22. AP) Parties to contribute to and fund SAMBAH II for estimation of current harbour porpoise abundance in the Baltic Sea.

### **Common Dolphin SAP**

23. AP) The Secretariat to write the European Commission to strongly suggest that Member States implement the ICES advice for the common dolphin in the Bay of Biscay (a combination of temporal closures of all métiers of concern and application of pingers on pair trawlers to mitigate bycatch outside of the period of closure) in the winter of 2021-2022. Despite the measures being in place the previous winter, the number of bycaught animals is still high. STECF<sup>2</sup> advice acknowledges that current measures from the Joint Recommendations are not ambitious enough to address the situation.
24. R) Parties are encouraged to develop a strategic long-term, population-level bycatch prevention and reduction plan to ensure the favourable conservation status of the common dolphin. The strategic bycatch prevention and reduction plan, detailing monitoring and mitigation requirements, could be co-developed by the ASCOBANS Common Dolphin Group in association with other stakeholders, including Advisory Councils and the fishing industry.
25. AP) The Advisory Committee to strive to nominate an expert to the South Western Waters Advisory Council<sup>3</sup> to work on the development of the Joint Recommendations for measures to reduce cetacean bycatch in the Bay of Biscay.
26. R) Parties are encouraged to trial pingers on commercial static nets to establish their effectiveness for mitigating common dolphin bycatch.
27. R) Parties are encouraged to undertake a transboundary assessment for the common dolphin, including for reporting under Article 17 of the Habitats Directive, with the support of the

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<sup>1</sup> Vision and Strategies around the Baltic Sea

<sup>2</sup> Scientific, Technical and Economic Committee for Fisheries (European Commission)

<sup>3</sup> <https://cc-sud.eu/index.php/en/swwac/who-are-we-swwac>

ASCOBANS Common Dolphin Group. Where possible, Parties to include the range of the North-East Atlantic population.

### **Bottlenose Dolphin**

28. R) Research & Monitoring:  
Parties are encouraged to:
- Support long-term photo-ID studies of coastal bottlenose dolphins at key sites in the ASCOBANS Agreement Area to determine abundance trends, survival rates, home ranges, and habitat preferences.
  - Further investigate the population structure of both coastal and offshore ecotypes.
  - Coordinate material from strandings for analysis to better assess growth rates and life history parameters, diet, and health status including further investigations of contaminant levels and their impact.
  - Provide links to the holders of photo-identification catalogues to facilitate the comparison of photographs from bottlenose dolphins that were registered outside their usual range.
  - Better monitor coastal fishing effort and bycatch rates in high-risk areas such as around the Iberian Peninsula, particularly for small vessels that are currently poorly monitored.
29. R) Conservation Action:  
Parties are encouraged to:
- Identify contexts in which bottlenose dolphin bycatch occurs and introduce appropriate mitigation measures.
  - Ensure management is fully effective in relation to the conservation objectives within Marine Protected Areas, by identifying population trends and linking pressures with impacts so that appropriate measures can be taken.
  - Identify key features of natural supporting habitats for bottlenose dolphins in coastal areas, and direct effort to restoration where appropriate - a good example would be the planting of seagrass beds.
30. AP) The Advisory Committee to draft TOR for a workshop, potentially in collaboration with other bodies such as OSPAR and ICES, to review conservation units and their delineation for bottlenose dolphins and some other small cetacean species within the ASCOBANS region, updating the ASCOBANS-HELCOM Population Structure workshop held in 2008. Drafting group: Sarah Dolman, Peter Evans, Sinead Murphy, Graham Pierce, Mark Simmonds. Secretariat to organise this workshop.

### **Lagenorhynchus species**

31. AP) The Advisory Committee to establish an Intersessional Working Group (IWG) on Lagenorhynchus sp. to
- Review the available information about the population structures and trends, distributions, abundances, mortalities, reproductive outputs, health, diet, behaviour, and data gaps related to both species in the NE Atlantic; and
  - Review issues that pose a conservation threat to the species and their populations.
  - Take note of the relevant recommendations from AC24.

Members: Mark Simmonds, Peter Evans, Andrew Brownlow, Meike Scheidat/Lonneke Ijsseldijk, Fiona Read, Nicola Hodgins. Others are welcome to join.

32. AP) The Secretariat to send a letter to the Faroe Islands, copied to Denmark, based on the conclusions of [ASCOBANS/AC26/Doc.4.2](#).

## Beaked Whales in the Northeast Atlantic

33. R) Parties are encouraged to:
- Raise the profile of the issue of military activities, both through engagement with and conveying recommendations to national navies and to NATO, and distribute findings of the report ([ASCOBANS/AC26/Doc.4.3](#)) widely.
  - Improve noise registry data (the range of noise sources included) and availability (both accessibility and closer to real-time).
  - Establish a programme of long-term acoustic monitoring and analysis to provide information on anthropogenic noise events.
  - Contribute to the collection of Beaked Whale monitoring data as detailed in the report [ASCOBANS/AC26/Doc.4.3](#).
34. AP) The Secretariat and Parties to collaborate with national navies and with NATO with regards to mitigating pressures from military exercises, as detailed in the report [ASCOBANS/AC26/Doc.4.3](#).
35. AP) The Secretariat to establish a drafting group to develop a resolution on Beaked Whales for AC28, ahead of MOP10. Members: Intersessional Working Group (IWG) on Beaked Whales, Nikki Taylor; others are welcome to join.
36. AP) The Secretariat to provide a list of beaked whale experts on the ASCOBANS website as contact points.
37. AP) ASCOBANS IWG Beaked Whales to collaborate with the corresponding working group in IWC, to assist in the implementation of the above actions.

## Harbour Porpoise Baltic Proper & Iberian Populations

38. AP) The Secretariat to establish an Intersessional Working Group to work on CMS Baltic harbour porpoise listing proposal for submission to EU<sup>4</sup>, approximately by December 2022<sup>5</sup>. Members: Penina Blankett, Patricia Brtnik, Julia Carlström, Susanne Viker, Ida Carlén, Peter Evans, Fiona Read, Mark Simmonds, Katarzyna Kaminska, Aline Kühl-Stenzel, Stina Nyström, Dagmar Struss.
39. AP) The Secretariat to establish an Intersessional Working Group to work on CMS Iberian harbour porpoise listing proposal for submission to EU, with the same timing as above. Members: Sarah Dolman, Peter Evans, Sinéad Murphy, Graham Pierce, Fiona Read. Members are welcome from Portugal and Spain.
40. R) Parties to consider additional CMS proposals to extend the range of other ASCOBANS species to include the Atlantic Region.

## Relevant EU Policy Matters

41. AP) The Joint Bycatch Working Group of ASCOBANS and ACCOBAMS to participate in the [targeted consultation](#) of the EU Action Plan to conserve fisheries resources and protect marine ecosystems.
42. R) The Secretariat to consider appointing a third co-chair from the Baltic region to the Joint ACCOBAMS/ASCOBANS Working Group on Marine Strategy Framework Directive (MSFD).

<sup>4</sup> The EC needs to have a 218(9) Council Decision, based on a Commission proposal. From Commission side, to have the time necessary to get through this process, the EC would need to receive a draft at the very latest about 4 months (an extra month would be most welcomed) before the date that submissions need to be made to the CMS which is 150 days before the COP. All in all, that would mean the EC would need to receive the proposal at the latest 9 months (10 months would be appreciated) before the COP.

<sup>5</sup> Assuming that CMS COP14 takes place around October 2023. Currently, the dates are not set.

43. AP) The Secretariat to organise a meeting in cooperation with OSPAR, HELCOM and ACCOBAMS on presenting results of marine mammal indicator assessments used for reporting by Member States under the MSFD.

### **Cooperation with other bodies**

44. R) Parties to consider participation in the CIBBRiNA<sup>6</sup> project, specifically taking a lead role in Work Package 10 ("Sustainability, replication and exploitation"), case studies, as well as contributions to travel of smaller organisations and subcontracts.

### **ASCOBANS 30<sup>th</sup> Anniversary**

45. AP) The Secretariat to establish an Intersessional Working Group to further develop ideas for ASCOBANS 30<sup>th</sup> anniversary. Members: Penina Blankett, Sami Hassani, Monika Lesz, Susanne Viker, Stina Nyström, Sandra Striegel, Dagmar Struss.

### **Web-accessed Database for Marine Mammal Stranding and Necropsy Data**

46. AP) The Secretariat to organise a virtual brainstorming meeting on the strandings and necropsy database. Invitees to include data users, database experts, strandings and necropsy experts, and other relevant stakeholders, such as IWC, HELCOM, ACCOBAMS. The workshop would aim to:
- Discuss and scope the scientific, social, and administrative<sup>7</sup> drivers for the creation of an online database of marine strandings.
  - Review existing or planned databases containing marine strandings data.
  - Identify i) common and ii) diverging requirements/specifications of present stakeholders (ASCOBANS, ACCOBAMS, IWC, HELCOM).
  - Identify anticipated constraints, limitations or concerns of taking either a unilateral or shared approach.
  - Outline a design brief divided into 'essential' 'useful' and 'nice to have' attributes.
  - Discuss the technical aspects of the implementation and maintenance of a relational database.
  - Produce estimated costs and time for delivery.
  - Identify potential database architect candidates and a steering group to take this work forward.

### **ASCOBANS Work Plan: Overview of Implementation**

47. AP) The Secretariat to convene a meeting of the Intersessional Working Group on Data Deficient Taxa, which aims to identify the barriers to understanding and improving the conservation status of data deficient species, and will report back to AC27. Members: Roma Banga, Andrew Brownlow, Peter Evans, Sinead Murphy, Fiona Read, Mark Simmonds, Nikki Taylor. Others are welcome to join.
48. AP) The Secretariat to organise a virtual brainstorming session to respond to Work Plan Activity 68 ("Consider the relationship of ASCOBANS to other organisations..., to identify potential duplication or gaps in efforts."). Belgium offered to lead.

<sup>6</sup> Coordinated Development and Implementation of Best Practice in Bycatch Reduction in the North Atlantic Region

<sup>7</sup> Referring to needs of member states, avoiding duplication of efforts in reporting.

## INSTITUTIONAL SESSION

49. The Advisory Committee agreed to use the ASCOBANS 'operating costs' budget line to cover the increased Umoja costs, referred to in ASCOBANS/AC26/Doc.16.1.
50. The Advisory Committee agreed to allocate funding for the following activities, in order of priority:
  - Long-term Coordination of the Harbour Porpoise Action Plans
  - Using fishers' knowledge to understand the use of alternative gears to static gillnets in the ASCOBANS Region
  - Continuation of the ASCOBANS Workshop on Management of MPAs for Small Cetaceans
  - Expert workshop to recommend small cetacean conservation objectives in relation to anthropogenic removals
  - Prediction of the cochlear frequency maps of harbour porpoise
  - Coordination of the Species Action Plan for the North-East Atlantic Common Dolphin
  - Status of the Iberian harbour porpoise
51. The Advisory Committee appointed Jens Warrie (Belgium) as Chair and Katarzyna Kaminska (Poland) as the Vice-Chair of the AC, for the period from 2022 to 2025.
52. The Secretariat to follow up, in January 2022, with Parties to determine suitable dates and a potential host for the 27<sup>th</sup> Meeting of the Advisory Committee.