

REPORT OF THE 28TH MEETING OF THE ASCOBANS ADVISORY COMMITTEE

Bonn, Germany

26-28 September 2023



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

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**REPORT OF THE
28TH MEETING OF THE ASCOBANS ADVISORY COMMITTEE**

1. Opening of the Meeting

1.1. Welcoming Remarks

1. Melanie Virtue (Secretariat) welcomed participants to the 28th meeting of the ASCOBANS Advisory Committee (AC28). She conveyed apologies from Amy Fraenkel, Executive Secretary, who could not attend due to travel commitments. She thanked the German Government for providing the venue.
2. Ms Virtue explained that the meeting was a hybrid format, with participants in person and online. She noted the substantive agenda which reflected the range of activities going on in ASCOBANS.
3. Bettina Reinartz (Secretariat) ran through some housekeeping issues, including those outlined in the [Online Meeting Protocol](#).

1.2. Adoption of the Agenda

4. Katarzyna Kaminska (Poland), Chair of the Advisory Committee, welcomed everyone to the meeting and referred to the Provisional Annotated Agenda and Schedule ([ASCOBANS/AC28/Doc.1.2b](#)). She asked whether anyone had any other items to add.
5. Mark Simmonds (OceanCare) drew attention to the draft letter to the Faroe Islands circulated by the Secretariat for discussion under Agenda Item 11. Mr Simmonds also noted that in previous AC meetings, new literature references related to pollution was collated informally in the margins of the meeting, and subsequently annexed to the meeting report. He proposed undertaking this exercise at AC28.
6. Jenny Renell (Secretariat) proposed a short update from the Secretariat under agenda item 2.11 on several intersessional working groups, and that under agenda item 11 she would need to request advice on initiatives that the Secretariat has been asked to join. Ms Renell also highlighted that the Secretariat would need advice from the AC about reporting of voluntary contributions under agenda item 20.
7. Katie Hunter (Whale and Dolphin Conservation, WDC) requested that they briefly introduce [ASCOBANS/AC28/Inf.2.4b](#) *Toxic Tides, Troubled Whales: How Chemical Pollution Harms Cetaceans* under Agenda Item 2.4.
8. With these amendments, the agenda was adopted.

1.3. Rules of Procedure

9. The Chair explained that the AC Rules of Procedure ([ASCOBANS/AC28/Doc.1.3](#)) adopted at the 8th Meeting of the Parties to ASCOBANS (MOP8) in 2016, with an Annex adopted by AC26, remained in force unless an amendment was called for. No amendments were proposed.

1.4. Opening of the Scientific Session

10. Ms Virtue provided [guidance](#) on formulation of action points and recommendations, highlighting the need for clarity on who recommendations are directed to and action needed.

11. Ms Virtue highlighted the need for managing the workload and expectations around Working Groups, which would be discussed in detail under agenda item 19. She emphasised the need to prioritize actions proposed by AC28 given the high workload of the Secretariat.

2. Review of New Information on Threats and Other Issues Relevant to Small Cetaceans

12. Ms Renell referred to [ASCOBANS/AC28/Inf.2](#), and [presented](#) an overview of the 'High-level Summary of Key Messages' submitted in the 2022 ASCOBANS National Reports, available on the AC28 webpage. She explained that eight Parties submitted national reports for 2022. Key successes reported included the SCANS-IV project¹, the development of an EU Life proposal (CIBBRiNA²) and ongoing dialogue with the fishing industry. She drew attention to challenges outlined by Parties including high reporting obligations in general, lack of human and financial resources, and challenges around some of the key pressures on cetaceans. Many of these challenges were also faced by other intergovernmental organizations (IGOs).
13. Mr Simmonds (OceanCare) noted the challenge of adapting the work of ASCOBANS to respond to climate change. Organisations including the Commission for the Conservation of Antarctic Marine Living Resource (CCAMLR) and the International Whaling Commission (IWC) were also considering this issue, and there was opportunity for collaboration and learning.
14. Fabian Ritter (WDC) asked why the issue of missing data for fishing effort and bycatch estimates had not been highlighted given the importance of this challenge. The Chair clarified that bycatch was not reported on in the 2022 cycle.
15. In discussion, Ms Renell clarified that at AC27 and AC26 all countries, except one, had submitted national reports, compared to all but two at AC28. France's national report for 2022 was under preparation.

2.1. Cetacean Watching Industry

16. Ciara Duggan (Secretariat) [presented](#) a summary of the national reporting data on cetacean watching. Half of the countries reported having commercial small cetacean watching operations. The UK had the most commercial cetacean watching operators (21+). Most countries have a definition of the term 'harassment' in general and/or as it relates to the cetacean watching industry. No countries offer swimming with cetaceans. Ms Duggan summarised incidents of harassment towards small cetaceans in the context of commercial cetacean watching activities and drew attention to mitigation measures (codes of conduct / guidelines) in place that were reported by Denmark, Germany, Netherlands, and the UK. The UK reported an increase in pressure from commercial small cetacean watching.
17. Peter Evans (Sea Watch Foundation, SWF) suggested that national reporting data did not appear to accurately represent what is happening on the ground. In the UK, there had been active work in Cornwall by the Cornwall Wildlife Trust which accounts for the high levels of reported harassment noted in the national report. However, there have also been more serious incidents elsewhere in the UK including in Wales, east Scotland, the Hebrides and north-east England. He reflected on the challenge of collating information from multiple sources, and from different countries. Mr Evans suggested that inclusion of data from additional range countries, including France and Ireland would be helpful. Mr Ritter concurred on the challenge with reporting and suggested that lessons could be learned from ACCOBAMS work on cetacean watching.
18. Mr Evans drew attention to Operation Seabird in the UK which involves NGOs and other stakeholders working with police to improve awareness of codes of conduct for birds and

¹ Small Cetaceans in European Atlantic waters and the North Sea 2022

² Coordinated Development and Implementation of Best Practice in Bycatch Reduction in the North Atlantic Region

marine mammals. Other countries could consider a similar approach. He also drew attention to the UK's national training scheme for minimising disturbance to marine wildlife (the 'WISE' scheme). Sea Watch Foundation also ran a boat operator scheme in conjunction with WISE.

19. The Chair noted that the needs and priorities for future reporting would be discussed under agenda item 16. One option would be to change the national reporting format. Participants agreed that a paper, drafted by Mr Evans, would be brought to AC29 to raise the issues discussed under this agenda item including work done by ACCOBAMS.

2.2. Recreational Sea Use

20. Xin Kin Lim (Secretariat) [presented](#) a summary of the national reporting data on recreational sea use. Most countries have some data on recreational sea use. Only the UK reported incidents of disturbance or harassment to small cetaceans in relation to recreational sea use with increasing numbers of incidences in coastal waters in Cornwall. Five counties have mitigation measures (codes of conduct/guidelines/laws/rules) in place for disturbance or harassment of small cetaceans through recreational sea use.
21. Mr Evans, supported by Mr Ritter and Ms Anne-Marie Svoboda (Netherlands), noted that the reporting challenges highlighted under agenda item 2.1 also applied to data on recreational sea use. Consistent and accurate reporting of incidents is challenging, and reports from members of the public may involve different interpretations on the seriousness of incidents. ASCOBANS could play a role in facilitating a more standardised approach. Mr Evans believed that recreational activities are increasing, especially with the rise in personal watercraft such as jet skis. Better public education and awareness would help avoid incidences of harassment.
22. Ms Svoboda drew attention to [a pilot study on noise in the Wadden Sea](#) which includes recreational vessels. This could offer a useful starting point to link up with other efforts to review criteria for disturbance.
23. Mr Ritter highlighted a voluntary Code of Conduct for cetacean watching in Germany that has been developed by the government and NGOs. He drew attention to extensive discussions on whale watching at the IWC which could help inform discussions in ASCOBANS. Patricia Brtnik (Germany) highlighted the many speed boats in the Baltic Sea, noting that the Ministry of Schleswig-Holstein has been in contact with operators to share the Code of Conduct and raise concerns. She noted the challenge of controlling the level and behaviours of recreational sea use and drew attention to a report on noise from speed boats that has been undertaken in Germany and that will soon be available in English.
24. Ida Carlén (Chair of the ASCOBANS Jastarnia Group) drew attention to a HELCOM informal consultation workshop co-organised by BSH, Klaipeda university, Swedish Agency for Marine and Water Management and Coalition Clean Baltic in Palanga, Lithuania on 27-28 September 2023, related to the impact of recreational vessels. She undertook to check the outcomes of this workshop and report back.
25. Ms Hunter (WDC) drew attention to the [UK Marine and Coastline Wildlife Guide](#) which provides advice on how to minimise disturbance including from recreational sea use. She explained that WDC welcomes the guidance and the additional steps taken by Scotland, however, it would like to see these measures go further and for disturbance of marine mammals to become a notifiable offence in England and Wales. This would ensure that police keep a record of these offences, facilitating both understanding of and response to such incidents.
26. Mr Simmonds drew attention to *Guidance Materials to Mitigate Impacts of Recreational Speed Crafts* ([ASCOBANS/AC28/Doc.2.2](#)). He explained that the 27th meeting of the ASCOBANS Advisory Committee requested the Secretariat to establish a Working Group to "provide guidance materials to interested Parties on the best ways to mitigate impacts in light of rapid increases in recreational speed craft." Document 2.2 provided a list of materials of relevance,

and he also highlighted a recent review by Koroza and Evans (2022)³. Mr Simmonds proposed the continuation of this Working Group, which could prepare a document for MOP10. The paper could highlight fast moving recreational vessels as an issue of particular concern and raise the question of whether there should be ASCOBANS guidance on fast moving craft. He asked the AC whether the guidelines and Codes of Conduct identified should be placed on the ASCOBANS website with some introductory text to note that these aren't endorsed by Parties.

27. The Netherlands and Germany agreed with these proposals. Ms Svoboda suggested the focus could be on recreational vessels more broadly. Ms Brtnik highlighted the need to build on other work that has already been undertaken on this issue. Mr Evans proposed that the Working Group could review and collate incidents to understand trends in the pressures that recreational vessels cause. He suggested looking at ways to standardise the reporting of incidents and how that information can be collated through national or other relevant authorities.
28. It was agreed that the Working Group should continue its work and bring a paper to the MOP highlighting the issue of recreational vessel use as a particular concern. The paper would also include consideration of the reporting issues discussed and consideration of ASCOBANS guidance on the issue.

2.3. Other Sources of Disturbance

29. Mikayla Schwarz (Secretariat) [presented](#) a summary of the national reporting data on other sources of disturbance. The only incident reported was from the Netherlands where a person tried to ride on the back of a dolphin. They were dismissed by the Public Prosecution Service with a probation period of one year. No other examples were given from the floor.

2.4. Pollution and Hazardous substances (including microplastics)

30. Ms Lim (Secretariat) [presented](#) a summary of the national reporting data on pollution and hazardous substances (incl. microplastics). Four countries reported monitoring pollutants in small cetaceans, with samples derived from stranded and/or bycaught animals. Contaminant/pathogen analyses included Persistent Organic Pollutants (POPs, such as PCBs), toxic elements, morbillivirus, Brucella, microplastics and various other viruses, fungi and metals.
31. Participants discussed the apparent decrease in PCBs in the UK. Sinéad Murphy (Invited Expert) explained that Williams *et al.* (2023a⁴) found a decline in PCB levels in harbour porpoise in all Assessment Units in UK waters, though declines were not significant for the Celtic Seas AU. Nonetheless, a high proportion of animals were still exposed to concentrations deemed to be a toxicological threat. Ms Murphy also noted that PCB levels in common dolphins appear to be declining at a slower rate than in other cetaceans (Williams *et al.* 2023b⁵). PCB levels in harbour porpoises in the English Channel and the Celtic Sea were of concern.
32. Ms Murphy highlighted a new EU Horizon project on bycatch, called Marine Beacon, that was recently funded and starting in January 2024. The consortium includes the Marine Institute of Ireland (coordinator) and the Atlantic Technological University (ATU).

Toxic Tides, Troubled Whales: How Chemical Pollution Harms Cetaceans

33. Ms Hunter presented the report *Toxic Tides, Troubled Whales: How Chemical Pollution Harms Cetaceans* ([ASCOBANS/AC28/Inf.2.4b](#)). Key findings included that legacy POPs, like PCBs and DDT, still persist in the environment despite their ban years ago; that new, emerging

³ Koroza, A.; Evans, P.G.H. Bottlenose Dolphin Responses to Boat Traffic Affected by Boat Characteristics and Degree of Compliance to Code of Conduct. *Sustainability* 2022, 14, 5185. <https://doi.org/10.3390/su14095185>

⁴ <https://www.sciencedirect.com/science/article/pii/S0048969722084054?via%3Dihub>

⁵ <https://pubs.acs.org/doi/10.1021/acs.est.3c01881>

chemicals are rising in concentrations and could be equally or more harmful than some of the legacy chemicals; that cetaceans, due to their physiology and long lifespans, accumulate these chemicals, especially in their fatty tissues; and that chemical pollution leads to detrimental impacts on cetaceans, including reproductive failure, immune system suppression, cancers and organ damage. A list of recommendations from WDC were included in Inf.2.4b.

34. Mr Ritter (WDC) highlighted the issue of anti-fouling and other chemicals being used underwater to prevent wind turbines and associated structures being colonised. This issue was discussed at a recent Conference on Progress in Marine Conservation⁶ in Stralsund, Germany as a potentially key pollution issue. Laetitia Nunny (OceanCare) asked whether there are plans to standardise the protocols for microplastics sampling. No further information on this was available.
35. Mr Simmonds had proposed compiling a list of recent papers, preferably peer reviewed, on chemical pollution. These were collated and are available in Annex 4. He drew attention to work on marine pollution to be discussed at the 14th Conference of the Parties to CMS in 2024.

2.5. Ship strikes

36. Ms Duggan (Secretariat) [presented](#) a summary of the national reporting data on ship strikes. Three countries had reported vessel strikes determined from necropsies of stranded animals for the reporting period and five countries had a postmortem protocol to determine if the cause of death is due to a vessel strike. Ms Duggan highlighted management/policy actions/relevant regulations/guidelines related to mitigating ship strike for small cetaceans (re-routing, tracking animals, ship speed limits).
37. Florian Expert (France) highlighted measures in place in France to address ship strikes, which are not included in their ASCOBANS report because they are focussed upon the Mediterranean. A joint proposal with Spain, Italy and Monaco for a Particularly Sensitive Sea Area (PSSA) for the north-west Mediterranean area was adopted by the International Maritime Organization (IMO), with several pilot projects planned.
38. Mr Ritter noted that ship strikes are notoriously underreported which also seems to be the case in the ASCOBANS national reports. Reflecting on the small number of countries that have a protocol to detect ship strikes related injuries in strandings responses, he suggested that countries draw on the experience of others on protocols for necropsies to increase reporting of ship strikes. He noted that the speed limit in place in national parks in Germany of 26 knots/nautical miles would not prevent collisions with cetaceans including the harbour porpoise. To his knowledge it was put in place to reduce underwater noise and other disturbance to wildlife.

2.6. Climate change

39. Ms Schwarz (Secretariat) [presented](#) a summary of the national reporting data on Climate Change. Seven countries indicated that monitoring is undertaken that has potential to contribute to knowledge and ideas on climate change. This included changes in prey abundance and distribution and changes in small cetacean abundance and distribution. Six countries did not report on any trends identified as a result of climate change, but Poland reported that monitoring results have indicated stable western Baltic harbour porpoise population, and some increase in the Baltic Proper population abundance. The perceived level of pressure from climate change was not known in most countries.
40. Ms Carlén asked whether the population updates reported by Poland were climate related and if so, how is this information, and information on population trends, determined. Ms Kamińska (Poland) offered to ask her colleague for further information.

⁶ <https://www.bfn.de/veranstaltungen/progress-marine-conservation-2023>

41. Ms Murphy emphasised the importance of using an appropriate time period when assessing climate impacts, noting the need for time periods that are as long as possible. While long term numbers of abundance are not generally available for cetaceans, longer term information on distribution is available through strandings records e.g. there is some evidence of a changing distribution of common dolphins in UK waters (between the 1930s and 1970s⁷). Ms Murphy noted that cetacean distribution and occurrence is influenced by prey movements through changes to ecosystem dynamics, both naturally and anthropogenically-induced. The Chair concurred on the importance of prey availability as a consideration when looking into the impacts of climate change.
42. Mr Simmonds recalled evidence, using trend data, of shifting populations of cetaceans around the British Isles as a result of climate change. Mr Evans recalled an analysis that used 50 years of survey data, with range changes observed that can be related to climate change variables. The analyses align with changes that are well documented for fish and cephalopods such as a general northwards shift in distribution.
43. Nikki Taylor (United Kingdom) explained that Williamson *et al.* (2021)⁸ found that strandings data (1990-2018) showed a strong correlation for both common and striped dolphin having northwards shift in distribution relating to sea surface temperature. She highlighted the challenge of identifying whether changes are due to climate change or for other reasons, and she suggested that guidance would be useful on how to distinguish between them. Ms Murphy agreed and drew attention to the case of the harbour porpoise which shifted from the northern North Sea to the southern North Sea. This change was attributed to prey movements and not because of climate change. If the population shifts northwards again, enough is now known to question whether this would be climate change related, but many populations are much less well known so caution is needed. Mr Evans added that the harbour porpoise range shift could potentially be attributed to low sand eel recruitment, an important prey species, which could be climate related although it is not known if this is the case. Mr Simmonds drew attention to a paper by Snell *et al.* (2023)⁹ which discussed a possible northerly distribution shift for baleen whales. He observed that while caution is needed and appropriate, changes due to climate change appear to be happening, which should be considered when making recommendations and to ensure action is taken quickly enough.
44. Mr Simmonds summarised the issues under discussion as firstly, ensuring clarity on the role of climate change in population changes versus other factors and, secondly whether there is a specific role for ASCOBANS. He noted that other organisations including the IWC also face these questions and asked whether a Working Group would be useful to explore the issue. Participants discussed the relationship of a potential Working Group on Climate Change with the Resource Depletion Working Group noting that the latter had completed its work.
45. The Chair concluded that an Intersessional Discussion Group on climate change would be established, to distinguish between impacts from climate change as distinct from other anthropogenic or environmental factors. The group will report to the 29th Meeting of the Advisory Committee (AC29). Members: Mark Simmonds (Chair), Peter Evans, Sinéad Murphy, Ida Carlén, Graham Pierce, WDC; others are welcome to join.

2.7. Physical habitat change

46. Ms Duggan (Secretariat) [presented](#) a summary of the national reporting data on physical habitat change. Seven countries provided spatial information on locations with physical habitat

⁷ See page 233 in [ASCOBANS/AC22/Inf.3.1](#).

⁸ Williamson, M.J., ten Doeschate, M.T.I., Deaville, R., Brownlow, A.C. and Taylor, N.L. 2021. Cetaceans as sentinels for informing climate change policy in UK waters. *Mar. Policy*, 131 (2021), p. 104634.

⁹ Snell, M., Baillie, A., Berrow, S., Deaville, R., Penrose, R., Perkins, M., Williams, R. and Simmonds, M.P. 2023. An investigation into the effects of climate change on baleen whale distribution in the British Isles, *Marine Pollution Bulletin*, Volume 187 (2023), <https://doi.org/10.1016/j.marpolbul.2022.114565>.

change. Six countries had mitigation measures (regulations/guidelines) to prevent impacts on small cetaceans during physical habitat change activities and four countries reported an increase in the perceived level of pressure from physical habitat, and one other reported regional variation in those trends.

47. Signe Sveegaard (Denmark) highlighted two older studies from Denmark that followed the pre-construction, construction and operational phases of offshore wind farm developments, noting similar studies in Germany and the Netherlands. She emphasized the importance of monitoring through all phases of wind farm construction and asked for feedback on the extent of this in other countries. The Chair agreed on the importance of monitoring the long-term effects of habitat change.
48. Steve Geelhoed (Netherlands) reported that for a recently built offshore wind farms in the Netherlands, the pre-construction and construction phases are monitored along with four years of the operational phase. A combination of acoustic monitoring and sound measurements to relate the impact of underwater noise on porpoises was undertaken. This had been done in an operational wind farm in the southern part of the Netherlands and would probably also be undertaken for two more wind farms that were planned to be built in the next four years.
49. Mr Evans noted that, in Wales, other forms of offshore renewables, such as tidal energy, are being explored that may have potential impacts. There was a demonstration site in North Wales where companies are invited to test their devices, with the aim of making this the world's largest such site. Conservation implications included collision risk and habitat displacement in important foraging places for cetaceans and seabirds. A programme of monitoring was in place prior to development and through to the operational phase. This may also be a concern in other countries with high energy locations.
50. Mr Ritter reported that disturbance from offshore renewables was one of the main subjects of discussion at a recent Conference on Progress in Marine Conservation in Stralsund, Germany. There was clear evidence of large-scale impacts of offshore wind farms including on currents, with secondary effects of mixing of waters and tertiary effects on primary productivity. The scale of planned developments would have basin-wide impacts on marine ecosystems such as the North Sea. He highlighted a lack of coherence between countries on how this issue is managed, with the conference highlighting an urgent need for increased collaboration between countries including regionally.
51. The Chair noted that ASCOBANS could recommend collaboration between countries on the impacts of offshore renewable developments.

2.8. Other issues related to habitat change and degradation (incl. potential physical impacts)

52. No information was reported under this agenda item.

2.9. Marine Protected Areas (MPAs) and other protected areas, e.g. Natura2000 sites

53. Ms Duggan (Secretariat) [presented](#) a summary of the national reporting data on protected areas. Two countries reported having MPAs (existing or proposed) where small cetaceans are the primary reason for the designation, although six countries have MPAs where small cetaceans are part of the selection criteria. Management measures included fisheries closures and equipment regulations, speed limits, licencing, etc. Monitoring was undertaken by five countries.

54. In response to a question, Mr Evans summarised the modelling distribution work in Evans and Waggitt (2023)¹⁰ in which data for the last 30 years were collated and density distributions were modelled in the Irish Sea and the western end of the English Channel around Cornwall. He also highlighted various monitoring efforts for the harbour porpoise in the UK.
55. Mr Simmonds asked about the management of MPAs for harbour porpoise and bottlenose dolphin following the UK departure from the European Union. Roma Banga (United Kingdom) highlighted several points that had been omitted from the UK's national report. She explained that work is ongoing regards fisheries management for harbour porpoise SACs in England. The Marine Management Organization was currently undertaking stage 4 assessments (i.e. site level assessments) of the Southern North Sea SAC and the Bristol Channel SAC to determine if fishing activities in these sites is causing adverse impact on the integrity of the sites. Ms Banga offered to circulate more detailed information in due course. She also noted more detailed monitoring in SACs in Scotland e.g. in the Moray Firth, and that Scotland was also undertaking acoustic monitoring. There had been assessments carried out in Wales of fishing activities, and further work was ongoing by the Welsh Government.
56. Mr Ritter highlighted two developments of concern regarding Natura 2000 sites in Germany, one relating to LNG terminals being built into existing National Parks and the other being the increased expansion of windfarm construction in the German North Sea with concerns that windfarms might be placed into the MPAs in the future. Ms Kamińska explained that the concern in Poland was that windfarms could be built in a vicinity of marine Natura2000 sites and have an impact – not really inside MPAs. Ms Brtnik noted that activities outside the MPAs also impact animals that are in the MPAs, and it would be useful to consider this in a broader marine spatial planning context.
57. Mr Evans remarked that effective monitoring of MPAs is needed to determine whether anthropogenic activities are having an impact on the animals that MPAs are intended to protect. Monitoring was challenging, resource-heavy, and was rarely undertaken or undertaken adequately. The European Commission were developing a questionnaire to try to assess the effectiveness of management in EU MPAs, which would hopefully be distributed in 2024 through the European Environment Agency (EEA).
58. The Chair concluded that the issue of offshore development could be revisited during agenda item 8.3 on marine spatial planning. In addition, participants recommended adequate monitoring of MPAs.

2.10. Education and outreach

59. Ms Duggan (Secretariat) [presented](#) a summary of the national reporting data on education and outreach. A variety of education and outreach projects and materials had been produced by ASCOBANS Parties and other organisations. Suggestions for materials that the ASCOBANS Secretariat could produce included a pamphlet on harbour porpoises specifically for each country and a summary of pressures that harbour porpoises face, their impacts and mitigation strategies.
60. Mr Evans, supported by Mr Simmonds, drew attention to outreach and education work in the UK that did not appear to be included in the UK's national report, including by organisations such as WDC, ORCA, Sea Watch Foundation, the Hebridean Whale and Dolphin Trust, and many others. Emily Martin (United Kingdom) clarified that the UK national report does include a list of organisations that do education and outreach on cetaceans.

¹⁰ Evans, P.G.H. and Waggitt, J.J. 2023. Modelled Distribution and Abundance of Cetaceans and Seabirds in Wales and Surrounding Waters. NRW Evidence Report, Report No: 646, 354 pp. Natural Resources Wales, Bangor.
cdn.cyfoethnaturiol.cymru/media/696779/modelled-distributions-and-abundance-of-cetaceans-and-seabirds-of-wales-and-surrounding-waters.pdf

61. Mr Simmonds recalled innovative ways of highlighting the plight of the harbour porpoise in the Baltic Sea developed and presented at previous meetings by the HEL Marine Station in Poland. Participants agreed to encourage the Hel Marine Station to contribute to the ASCOBANS National Report section on education and outreach along with any other organisations as appropriate.

2.11. Other

62. Ms Renell (Secretariat) [presented](#) a summary of 'Other' national reporting data which included other comments important for the Agreement or difficulties in implementing the Agreement. Burning issues highlighted were construction of offshore energy structures and new pipelines, and funding for SAMBAH II, including finding a permanent solution for future funding.
63. Ms Banga clarified that the strandings scoping study mentioned in the UK report referred to the proposed strandings database to be discussed under agenda item 8.1.
64. Mr Evans suggested that it would be helpful if data collected through stranding programmes were presented by region (e.g. ICES ecoregion). Countries such as Denmark, Sweden and the UK had more than one very different coastline and it could be difficult to disentangle national data for each of the coasts.
65. Ms Carlén highlighted a challenge in the implementation of ASCOBANS of not being able to use pingers in the Baltic Sea for bycatch mitigation. This was discussed again in agenda item 3.1.

Update on the SCANS IV results

66. Ms Anita Gilles (Invited Expert) [presented](#) the fourth *Small Cetaceans in European Atlantic waters and the North Sea* survey (SCANS-IV), the report of which would be online later in the week. She thanked the many authors and partners involved as well as the eight countries that provided funding.
67. SCANS-IV was the fourth SCANS survey, the main objectives of which were to: obtain robust abundance estimates and trend assessment of the regularly occurring cetacean species through population-wide surveys; provide outputs for Member States reporting under the EU Marine Strategy Framework Directive, the Habitats Directive and OSPAR/HELCOM assessments; provide outputs for impact assessments of offshore industries and fisheries; and to develop a governance framework for future SCANS-surveys conducted in six year cycles to ensure long-term sustainable implementation.
68. The SCANS survey area covers the shelf and offshore waters of the European Atlantic, with an increase in overall coverage over time. The SCANS-IV survey area covered 1.7 million km² and Ms Gilles highlighted some differences between the areas covered in SCANS-III and IV. The offshore area west of Scotland was in SCANS-III but is missing in SCANS-IV; conversely SCANS-IV did cover the offshore part of Portuguese waters which weren't included in SCANS-III.
69. SCANS-IV included a combination of aerial surveys and ship surveys. The realised effort was very high, covering a total of 76,000 km, mostly in July 2022, with some additional survey work in September and October 2022 in Spanish coastal waters. Data from the Irish ObSERVE2 2022 summer survey, a sister project conducted independently of SCANS-IV, would also be used although these were not yet available.
70. Population estimates for the SCANS-IV area included 409,244 harbour porpoises, which was similar to the estimate from the previous survey; 126,489 bottlenose dolphins which was higher than previous estimates; 67,138 white-beaked dolphins which was a little higher than previous estimates; 3,504 white-sided dolphin, which was an offshore species so data from the west of

Scotland were missed. For the common dolphin population the estimate was 439,212 with distributions concentrated in the south; the striped dolphin estimate was 186,825 and unidentified/either common or striped dolphin accounting for a further 145,567 animals. The French team was able to do some further analysis of these unidentified species, by means of collecting digital photos, and found that the more coastal sightings tended to be common dolphins, and the offshore were generally striped dolphins.

71. In terms of deep-divers, estimates were determined for pilot whales (3,314), Risso's dolphin (13,854), beaked whales (4,809) and sperm whales (148), although some of the numbers should be viewed with caution because the offshore component from the west of Scotland was missing. For baleen whales, the estimate for minke whales was 12,417 and for fin whales 12,764.
72. Ms Gilles provided a more in-depth insight into the harbour porpoise population, reminding participants that the abundance estimates from ObSERVE2 around Ireland were not yet available. There was no evidence for a change in harbour porpoise abundance in the North Sea. In the Belt Sea, the estimated rate of annual change was -1.52% (95% confidence interval: -26.5; 31.9%; $p=0.84$) but this was not a significant result and the power to detect any trend was low. These results come from a first rather simple linear regression. She explained that additional analyses (Bayesian trend analysis) would be undertaken and although there was no direct evidence of a decline, the results did not mean the population has not declined.
73. Ms Gilles highlighted some logistical challenges including in relation to how the project is funded. She noted the need for coordination with the OBSERVE project, which had gone well. She added that further data collection outside of summer SCANS surveys would improve understanding of the changing distribution of species and how management may need to be adapted. Future funding for such a winter survey had been secured from the UK, the Netherlands, Germany and possibly Denmark to undertake surveys in the southern North Sea in January/February 2024.
74. Participants congratulated the SCANS-IV team for their work. Ms Svoboda reported that the Netherlands was keen to help with project governance and funding as needed.
75. Mr Simmonds asked about the interpretation of the data for the Belt Sea and whether a shift in the Belt Sea population was indicated. Ms Gilles explained that they had undertaken another run of the data, using another method, which showed the same result but with higher confidence that it's a real decline. She therefore believed that the results sent a warning signal about this population. Ms Gilles noted that an increase in the numbers in the Skagerrak was seen in comparison to SCANS-III, which might mean a distribution shift. She reminded participants that very high sea surface temperatures were reported in 2022 (and 2020) and that fish stocks in the Baltic Sea and Belt Sea had been decimated and collapsed. In addition, higher strandings had been reported in Germany in the last few years. Ms Carlén stated that a potential decline in the Belt Sea should be seen in the context of studies of unsustainable bycatch in that area. Kylie Owen (Sweden) concurred, explaining that in HELCOM's HOLAS-3 assessment where the Management Unit is assessed, the threshold for mortality was set at 73 animals whereas the most recent bycatch estimates were around 900 per year i.e. over tenfold higher than the threshold. Ms Sveegaard noted that approximately 150 animals had been tagged in the Belt Sea from 1997 until the present time. While immature individuals may divert to the North Sea, they always returned, and mature animals stayed in the area. She added that the pattern may change if there is not sufficient food in the Belt Sea. Mr Ritter also expressed concern about this population.
76. In response to a question from Geneviève Desportes (NAMMCO), Ms Taylor reported that the aim was to do the offshore survey in western Scotland concurrently with the North Atlantic Sightings Survey (NASS) plans for next summer. Work was ongoing to secure the funding.

77. Ms Murphy asked what might have led to the sightings of harbour porpoise and common dolphin in the English Channel in the summer compared to previous SCANS surveys, given these species usually inhabited this area in winter. Ms Gilles agreed that there appeared to be an increase in summer sightings but cautioned that a spatial density analysis and the ObSERVE2 results were needed to fully understand the situation; at least regarding the porpoise AU 'Irish and Celtic Sea'. Ms Murphy added that the potential movement of harbour porpoises into the Channel, from either the Celtic Sea or the North Sea was important, as it may involve animals currently considered to be in separate assessment units mixing in the summer and potentially mating. Mr Evans added that harbour porpoises in the Channel had long been concentrated in the west or the east but not in the middle, and there was not much evidence that they were mixing.
78. In response to a question from Mr Pierce, Ms Gilles explained that the population estimate for the Iberian harbour porpoise was around 4,000 animals, which was higher than previous estimates, but it also was derived from a larger survey area. Because of this, the population density also needed to be considered, and this was slightly lower than previously. No sightings were reported in the fully offshore areas. She noted that information from different survey blocks needed to be further disentangled along with differences in the timing of the coastal and offshore surveys. Both Spain and Portugal had started an intensive aerial monitoring programme, which should provide useful information. Mr Evans noted that the Iberian haplotype had been extending northwards to the Celtic Sea, which may not be picked up when looking at the various blocks.
79. Mr Evans noted that in the North Sea, bycatch estimates (which were often considered underestimates) had repeatedly been above thresholds that had been set, and yet the population had not declined and may have increased. Ms Gilles thought that various factors could account for this, noting the importance of using different methods to undertake trend assessments and also obtaining robust population estimates for use in spatial modelling. It may be that populations in the past were higher than they are now, but it was difficult to fully understand the reasons for this.
80. Mr Evans asked whether the SCANS-IV data indicated a decline in the harbour porpoise population in the Celtic Sea. Ms Gilles explained that the data collected for the Celtic Sea were in the report, but the ObSERVE2 data were needed before any conclusions on the full level of the assessment unit could be drawn.
81. Participants agreed that the Belt Sea harbour porpoise was of concern due to a new indication of a declining population, probably restricted movements and unsustainable bycatch levels.

Update on the SAMBAH II project

82. Ms Owen provided an [update](#) on the SAMBAH II project which aims to evaluate the conservation status of the critically endangered Baltic Proper harbour porpoise population. The project would provide an abundance estimate for the population, seasonal density maps will be produced and in addition, a second, harmonised set of acoustic monitoring data would be collected throughout the project area. SAMBAH II involved a consortium of members from Baltic Sea countries, and a Memorandum of Understanding was currently being drafted with the aim of having at least one Ministry and one scientific organization from each country. Project coordination was recently transferred from the Federal Agency for Nature Conservation (BfN) Germany to the Swedish Museum of Natural History (NRM).
83. Ms Owen noted that the funding currently available covered only the data collection with acoustic monitoring devices (CPODs) for 12 months, but funding had not been secured for data analysis. In Sweden and Denmark, the funding covered some costs associated with the detection function array. Germany (BfN) had applied for funding to cover the costs of analysis, the outcome of which should be known by the end of the year.

84. Countries committed to the project included Denmark, Estonia (pending equipment loaning), Finland, Germany, Poland, and Sweden (pending permission from military), with positive signs from Lithuania (pending funding decision) - no response from Latvia yet. Sweden was still awaiting confirmation from the military that it will be possible to deploy the CPODs in its waters and if this permission is not granted, the project would need to be called off. If possible, the aim was to start the project in October 2023 with a view to starting the analysis in October 2025, pending funding. In addition, a side project on prey availability and eDNA sampling will be undertaken, funded by WWF Sweden.
85. Ms Owen concluded by noting the time (4.5 years), money and effort spent getting SAMBAH II to this point. She proposed that a regionally agreed plan was needed to ensure this lengthy and time- and money-consuming process was not repeated for future SAMBAH projects. She asked if Contracting Parties would be willing to modify/begin national monitoring programs in the future to facilitate more coordinated data analyses/assessments. She had also asked for this issue to be put on the agenda for the HELCOM Expert Group on Marine Mammals next year (EG MAMA 2024).
86. Ms Carlén underlined the importance of this project which focussed on a critically endangered population. She encouraged countries to secure funding for the project and for Sweden to reach agreement with the military to put devices in the water. In discussion, Ms Owen clarified that Sweden was a critical part of the range of the Baltic Proper harbour porpoise, and the project would not offer value for money if Sweden didn't take part. Susanne Viker (Sweden) confirmed that discussions with the military were ongoing.
87. The AC emphasised the importance of the SAMBAH II project going ahead and that all countries should take part to ensure that new information on the distribution and abundance of the Baltic Proper harbour porpoise can be made available.

Update on the CIBBRiNA project

88. Ms Svoboda provided an update on the EU LIFE CIBBRiNA¹¹ project, which would run for six years from 1 September 2023. The project was coordinated by Ms Svoboda from the Dutch Ministry of Agriculture, Nature and Food Quality and Graham Pierce from the Marine Research Institute - CSIC in Spain. A Consortium Agreement would be finalised within the first 6 months. Over 80 participants from 13 countries attended a successful kick-off meeting in early September.
89. The main objective of the project was to minimise, and where possible eliminate, the incidental bycatch of endangered, threatened and protected species of marine mammals, birds, turtles and elasmobranchs in the Northeast Atlantic, Baltic and Mediterranean regions. Collaboration between the fishers, governments, scientists and NGOs, and between all participating countries, was another fundamental objective of the project.
90. Participants welcomed this project. In discussion, Ms Svoboda explained that ASCOBANS could interact with the CIBBRiNA project through several tasks, including strandings data, conservation objectives, and communication and outreach which would establish links with other ongoing work. Mr Pierce echoed the comments from Ms Svoboda about a successful first meeting and welcomed discussions on linkages with ASCOBANS. Ms Renell noted that ASCOBANS is part of the CIBBRiNA Stakeholder Advisory Board.

The Offshore Renewable Energy Working Group (OREWG)

91. Ms Renell reminded the Advisory Committee that the Offshore Renewable Energy Working Group (OREWG) was tasked to "review the interactions between all forms of marine renewables and small cetaceans"; "consider the full range of possible impacts and appropriate

¹¹ Coordinated Development and Implementation of Best Practice in Bycatch Reduction in the North Atlantic Region

mitigations”; “seek to establish criteria for identifying areas of high sensitivity for cetaceans... with respect to offshore renewable energy development” (ASCOBANS/AC27/AP9). In the Report of the Offshore Renewable Energy Working Group ([ASCOBANS/AC28/Doc.2.11](#)), the WG had asked for guidance on how / which direction to build the draft text in Annex 1. Ms Renell asked for instruction on next steps, noting also that the WG did not have a Chair.

92. Mr Evans, supported by Mr Simmonds, observed that there are many ongoing developments in the offshore renewables sector. He suggested maintaining a ‘watching brief’ on the issue and revisiting at a future AC in one or two years. He noted that the ICES Working Group on Marine Mammal Ecology (WGMME) is also proposing to look at marine renewables. Mr Simmonds suggested summary papers on the issue be provided to a future AC meeting. Ms Carlén, Ms Blankett and Mr Ritter underlined the scale of the issue and concurred that it should be retained on the AC agenda. Ms Brtnik asked whether a paper should be brought to the MOP in 2024.
93. Participants concluded that OREWG would assess whether ASCOBANS Resolution 8.6 and Resolution 6.2 need updating to reflect current concerns and that potential revisions be presented to MOP10 in 2024. In addition, the OREWG should continue its work to address the implications for small cetaceans within the Agreement Area in terms of underwater noise from wind turbines, habitat alteration, and associated activities during the construction, operation, and decommissioning phases. In addition to wind farm construction, the potential impacts from other forms of offshore renewable energy including tidal and wave energy would be considered. The Working Group would consider initiatives being undertaken within other fora such as ICES WGMME. The OREWG will report to MOP10. Finally, it was agreed that the Working Group should appoint a Chair.

Intersessional Working Group on Data Deficient Taxa

94. Ms Renell reminded the Advisory Committee that the Intersessional Working Group on Data Deficient Taxa was tasked to “identify the barriers to understanding and improving the conservation status of data deficient species”, and this “will include identifying which species and populations are of particular concern and how their status might be best remedied” (ASCOBANS/AC26/AP47, ASCOBANS Work Plan Activity 51). She explained that the Advisory Committee is requested to provide feedback and further instructions for the Intersessional Working Group, as outlined in the Overview of Current Conservation Status of Relevant Species ([ASCOBANS/AC28/Doc.2.11b](#)).
95. Introducing the issue on behalf of the Working Group, Nicola Hodgins (WDC) drew attention to Information Document from AC24 - *Readdressing the CMS listing of species in the ASCOBANS region* ([ASCOBANS/AC24/Inf.9.3.b](#)) which was an initial step to make the CMS Appendix listings of the main cetacean species in the ASCOBANS range accurate. She explained that the CMS Appendix listings for several species have not been updated since they were added to the Appendices in 1988 and 1991. Furthermore, the range of ASCOBANS was expanded in 2008, whereas the range of the species in the CMS Appendices was not updated to reflect that. As a result, the ranges of most species listed did not represent the area covered by the ASCOBANS Agreement nor the range of the species. Table 12 in the document included a list of changes proposed as an initial step towards ensuring the CMS Appendix listings of cetacean species in the ASCOBANS range is accurate.
96. The Secretariat noted that changes to CMS Appendices can only be made through a proposal from CMS Parties, and this had not gone forward to date. The WG therefore resubmitted this information to AC28 for discussion.
97. Ms Hodgins noted that many species in the ASCOBANS region had either an unknown, inadequate or unfavourable conservation status within the EU and most were listed as data-deficient by IUCN. Even for some of the more commonly encountered small cetaceans, little was known, and even less for deep-diving species like beaked whales.

98. Ms Virtue clarified that if any CMS Party wants to amend the Appendices, a proposal needs to be submitted at least 150 days before the COP. A proposal for the Baltic Proper population of the harbour porpoise to be included in Appendix I had been submitted to CMS COP14 in 2024. Countries needed to submit a proposal for any further populations or species to be amended and there was no process whereby ASCOBANS itself could make these changes. Participants encouraged Parties to take forward proposals as outlined in Table 12.
99. Ms Banga, supported by Mr Simmonds, recalled that when this Working Group was originally established, there had been discussions about a workshop on the data deficient species including to review the evidence gaps, identify priorities, develop project proposals, etc. As many of the species were wide ranging, a multi-country approach was proposed. Mr Simmonds supported continued work on this aspect.
100. Ms Svoboda asked whether efforts in ASCOBANS could be aligned with similar work in the IWC and the IUCN Cetacean Specialist Group. Ms Murphy, supported by Mr Simmonds, responded that the IUCN Cetacean Specialist Group had broad knowledge at the global scale, but not necessarily at the regional scale. ASCOBANS had the expertise within the region. Mr Evans noted that the European Commission was also interested in data deficient species and drew attention to recent work undertaken by the ICES WGMME and the ICES Working Group on Bycatch of Protected Species (WGBYC). He agreed that it would be useful to bring this all together and identify the gaps to avoid duplication of what others are doing.
101. Participants agreed that the Intersessional WG on Data Deficient Taxa should continue and upon request, it would provide advice for any ASCOBANS Party that wished to take forward a proposal to amend the CMS Appendices.
102. Participants agreed that the Intersessional WG should organize a virtual meeting to discuss the following issues, and report to AC29:
- Which species and populations in the agreement area require further attention,
 - Where the data gaps lie, and
 - How to take work on these populations and species forward in the ASCOBANS context.
103. Mark Simmonds volunteered to be the Chair of the Intersessional WG.

Intersessional Working Group on Nord Stream gas leak

104. Ms Renell reported that an Intersessional Working Group on the Nord Stream gas leak had been established to “gather additional information on the likely impacts and what should be monitored” (ASCOBANS/AC27/AP16). She explained that one paper had been identified (Sanderson *et al.*, 2023) which had been made available as [ASCOBANS/AC28/Inf.2.11 Environmental impact of sabotage of the Nord Stream pipelines](#).
105. As co-author on the Sanderson *et al.* (2023) paper, Ms Sveegaard explained that the authors reviewed the impacts of the explosions on the grey seal, harbour seal, and harbour porpoise as well as wider ecosystem impacts. She outlined the potential injuries that could be suffered by harbour porpoise leading to a permanent or temporary threshold shift in hearing, as well as mortality from the shock wave. The Baltic Proper population of harbour porpoise was critically endangered, and therefore the loss or serious injury of even a single individual would be considered a significant impact. She noted no increase in strandings had been reported, though cautioned that strandings might not be detected.
106. Ms Carlén noted that the animals that strand in Poland were usually quite decomposed when found. Ms Sveegaard clarified that stranded animals would need to be fresh to be able to observe blast impacts. Mr Simmonds emphasised the conservation implications if just one animal from the critically endangered population was impacted.

107. The Advisory Committee noted with concern that the calculations indicated that it was very likely that the population of the critically endangered harbour porpoise of the Baltic Proper would have been impacted by the Nord Stream explosion of September 2022, given that the loss of even one reproductive female would be significant.

Other continued

108. Mr Pierce recalled discussions at the World Marine Mammal Conference in 2019 and the European Cetacean Society Conference in 2023 about whether better use of sightings data from land-based sources could be used. There was interest in trying to develop a standard for land watch data and/or perhaps a database. He asked whether this would be of interest to ASCOBANS. Mr Evans believed land watches can be a useful and cost-effective way to monitor coastal populations, though they have limitations.
109. Participants agreed that if there are any further developments on this issue, they could be reported to the AC at its meeting in 2025.

3. Species Action Plans (SAP)

3.1. Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan)

110. As Chair of the Jastarnia Group, Ms Carlén [presented](#) a progress update on the work of the Group. She stated that the Action Points from the 19th Meeting of the Jastarnia Group ([ASCOBANS/AC28/Doc.3.1](#)) were proposed for Advisory Committee's adoption.
111. As background Ms Carlén explained that harbour porpoises in the Baltic Sea region include three populations. The focus of her presentation would be on two of these populations i.e. the Western Baltic, Belt Sea and Kattegat population (WBBK) and the critically endangered Baltic Proper Population. She explained that a forthcoming revision of the action plans would potentially lead to a revision of the borders of these areas to better reflect the biological situation.
112. Ms Carlén drew attention to Commission Delegated Regulation (EU) 2022/303 as regards measures to reduce incidental catches of the resident population of the Baltic Proper harbour porpoise in the Baltic Sea. This included measures such as spatial and gear type closures and obligatory use of pingers in some places. She noted that closures only applied in some of what were deemed 'important areas'. For the rest of the range, other measures were needed but had not yet happened and discussions were ongoing in the Baltic Sea Fisheries Forum (Baltfish). She noted military concerns on the use of pingers in static net fisheries from the military forces of Sweden, Finland and Germany.
113. Through the EC Marine Action Plan, there was a 31 December 2023 deadline for joint recommendations on mitigation of harbour porpoise bycatch in the Baltic Proper although it was unlikely countries would meet this deadline. She highlighted a proposal from the EU to list the Baltic Proper harbour porpoise in CMS Appendix I.
114. Ms Carlén again highlighted the urgency of ensuring that the SAMBAH II project goes ahead, as the previous SAMBAH results were now 10 years old. She urged all Baltic Range States to join the effort, and to ensure that funding was available for both the survey and the analysis.
115. For the WBBK area, there were indications of population decline and unsustainable bycatch estimates, which made the previous request to the AC to review and update the WBBK plan even more urgent. She requested that AC28 make funding available for a consultant to update the WBBK plan so that it could be updated in time for MOP10 in 2024.

116. Ms Carlén emphasized that an internal HELCOM report had been compiled on the HELCOM BSAP action B8 on knowledge gaps on harbour porpoise threats and needed conservation action. , This report made it clear that although more knowledge was needed, enough is known about the population to take immediate conservation action. It was agreed that this report should be made public as soon as possible.
117. Mr Ritter, supported by Ms Nunny, emphasized the need for further measures to be taken urgently. He drew attention to the NGO report *Bycatch Mitigation for the Baltic Proper Harbour Porpoise – What to do if Pingers are not an Option?* ([ASCOBANS/AC28/Inf.3.1c](#)) which concludes that if pingers are not an option, then there is an urgent need for further time area closures, with a country breakdown of where this is needed. Such candidate areas were also included in the report. He urged relevant countries to contact their navies to increase collaboration and exchange with scientists and NGOs.
118. The Actions Points outlined in ASCOBANS/AC28/Doc.3.1 were adopted as is.

HELCOM Working Group on Biodiversity, Protection and Restoration (WG BioDiv)

119. Ms Kamińska (Poland) [presented](#) the report of the HELCOM Working Group on Biodiversity, Protection and Restoration (WG BioDiv) regarding Action B8 of the HELCOM Baltic Sea Action Plan (BSAP). The Action Plan was adopted in 2021 and action B8 stated that “By 2022 at the latest, specify knowledge gaps on all threats to the Baltic Proper harbour porpoise population, and by 2023 for the western Baltic population, including by-catch and areas of high by-catch risk, underwater noise, contaminants and prey depletion.”
120. An extensive literature review had been undertaken by Ms Kamińska, Ms Owen and Sven Koschinski and was available as *Current Knowledge and Gaps on Threats to the Critically Endangered Baltic Proper Harbour Porpoise Population* ([ASCOBANS/AC28/Inf.3.1b](#)). The report included a detailed chapter on threats and gaps, and Ms Kamińska summarised the key findings. Major conclusions included that although there are many knowledge gaps, enough is known to act and to implement protection measures for all anthropogenic pressures. There was an urgent need for an updated abundance estimate and new information on distribution. She emphasized the importance of introducing ecosystem-based sustainable management of fisheries, aquaculture and agriculture. Cumulative pressures should be taken into account, with a need to better eliminate pollution and regulate the use of emerging noise sources. A common database including cause of death, health status, contaminant load etc. would help in quantifying the population level impacts. Ms Carlén emphasised the need for the report to be made public as soon as possible.
121. Ms Brtnik congratulated the authors of the report and concurred on the need to act now. She suggested that Member States have this report to hand, and the report referred to by Mr Ritter ([ASCOBANS/AC28/Inf.3.1c](#)), in discussions with Baltfish.
122. Ms Carlén noted the need for further bycatch mitigation measures for the Baltic Proper harbour porpoise population, and called on BALTFISH countries to urgently agree on joint recommendations for effective bycatch mitigation measures, such as additional temporal and/or permanent closures and/or use of pingers, in the entire population range. Ms Carlén underlined that there is sufficient knowledge on the population as well as on effective measures to take immediate action, as stated in the HELCOM BSAP action B8 report.

3.2. Conservation Plan for the Harbour Porpoises Population in the Western Baltic, the Belt Sea and the Kattegat (WBBK Plan)

123. This agenda item was included in the presentation of Agenda Item 3.1.

124. Participants agreed that the Secretariat to send a letter from the Advisory Committee to Belt Sea countries about concerns over the Belt Sea population, to be based upon the following:
- The latest SCANS survey from 2022 provides a new population estimate of 14,403 (CV = 0.21) and indicates a 1.52% decline in the population since 2012, although the data have low power to detect a significant trend below 4.4% (Gilles et al. 2023);
 - The Belt Sea population is distinct from the neighbouring populations based on genetics, morphology and movement data (Sveegaard et al. 2015). However, some movement from the region cannot be ruled out, especially since the general habitat quality within the Belt Sea population area seems to have declined. For instance, several fish stocks e.g. cod and herring within the area are severely depleted (ICES 2022, ICES 2023) likely due to overfishing, eutrophication and increasing water temperatures.
 - HELCOM, in its recent HOLAS-3, has assessed that the sustainable removal level for the Belt Sea population is being greatly exceeded (i.e. a calculated removal level of 73 versus reported bycatch of 805 annually).

3.3. Conservation Plan for Harbour Porpoises in the North Sea (North Sea Plan)

125. Mr Evans, Chair of the North Sea Group, [presented](#) the Progress Report on the Conservation Plan for the Harbour Porpoises in the North Sea (North Sea Plan) 2023 ([ASCOBANS/AC28/Inf.3.3b](#)). The Group had met 14-15 February 2023, with 33 participants from nine countries and representation from other bodies such as the European Commission. Progress by each Party in implementing the priority actions in the Conservation Plan was reviewed and a traffic light system (green, amber, red) representing good, moderate, and little progress was used. Mr Evans outlined Actions from the North Sea Plan with an update on each.
126. Mr Evans noted that three main countries (Denmark, Norway, UK) contribute the majority of landings in the North Sea fisheries, with a general decrease in landings particularly in pelagic fish. He summarised estimated rates of bycatch, noting the majority of bycaught animals were caught in static gillnets. A bycatch risk mapping exercise in the Greater North Sea showed hotspots for bycatch risk. Survey work from SCANS-IV had mainly been done between June-August 2022, with collectively, eight planes covering 1.75 million km². Other findings reported at the North Sea Group meeting included that major progress has been made in the use of Artificial Intelligence to identify marine mammal bycatch from REM video footage. Research on the use of pingers was also discussed and the first fatal case of highly pathogenic avian influenza virus (H5N1) was found in a stranded porpoise in Sweden, coinciding with the large influenza outbreak in seabirds (also found in grey seals). Three porpoises also died from *Erysipelthrix rhusiopathiae* bacterial pneumonia.
127. Mr Evans outlined the Priority Recommendations from the 11th Meeting of the ASCOBANS North Sea Group that the AC had adopted intersessionally. ([ASCOBANS/AC28/Inf.3.3](#)). He concluded by noting the substantial progress made, and that countries around the North Sea have improved in terms of taking forward actions.
128. The AC Chair congratulated the Group for its work. She asked for further information on the use of AIS and VMS in assessing fishing effort and fishing gear used as part of the bycatch risk mapping. Mr Evans clarified that the VMS does not cover vessels less than 15 m but, overall, it is probably better than AIS because it is mandatory and therefore can't be switched off. He noted that the AIS picked up a lot of small vessels which was particularly important in places like the Iberian Peninsula where there are major small vessel fisheries. He noted that both had limitations when it came to static gear, and it was challenging to get a good measure of fishing effort.
129. Ms de Groes explained that in 2020 the Dutch Ministry of Agriculture, Nature and Food Quality published the Updated Conservation Plan for the harbour porpoise in the Netherlands (HPCP). The main objective of this plan was to maintain a favourable conservation status, as assessed

in the Habitats Directive. In the Dutch North Sea Agreement, it had been agreed that all species conservation plans, such as the HPCP, should be evaluated every two years, in part to answer policy questions. For this, it was important to know to what extent the recommendations have been followed up and where amendments or new additional recommendations are needed. The evaluation will be shared with the AC when finalised.

130. Participants discussed having a North Sea Group meeting in the Netherlands in March 2023 with a joint session with the Jastarnia Group.

Revised Conservation Plan for the Harbour Porpoises (*Phocoena phocoena* L.) in the North Sea

131. Ms Murphy [presented](#) an overview of the draft of the revised Conservation Plan for the Harbour Porpoises in the North Sea ([ASCOBANS/AC28/Doc.3.3](#)) produced by Sinéad Murphy and Eunice Pinn, and which has been reviewed twice in 2023 by the North Sea Group. She explained that the structure of the updated Harbour Porpoise Conservation Plan was based on the ASCOBANS Common Dolphin Species Action Plan. Species Action Plan.
132. The revised Conservation Plan identified the key pressures and threats facing the species in this area, outlined gaps in evidence and information, and proposed actions necessary to achieve the goal of maintaining the population at a favourable conservation status. She emphasized the need for measurable objectives and the importance of monitoring to inform the evaluation of the Plan. She explained that the Plan used the boundaries for the Greater North Sea Harbour Porpoise Assessment Area defined by the Joint IMR/NAMMCO workshop (2018)¹², which were also used by OSPAR in its 2023 Quality Status Report.
133. The revised Conservation Plan listed 11 high level actions, each of which had a series of tasks beneath them. Ms Murphy gave an overview of each of the actions and tasks, explaining that all 12 actions in the previous Plan have been incorporated into the new Plan. All actions had been given a high, medium or low priority to help Parties to prioritise. Throughout the Plan, work undertaken by other organisations was highlighted. Finally, Ms Murphy highlighted some of the constraints for the Plan including political support, funding, and engaging with stakeholders.
134. Participants thanked Ms Murphy for an excellent presentation.
135. Mr Ritter asked about Table 9 of the revised Conservation Plan, which summarised the conservation status conclusions for harbour porpoise in the European Marine Atlantic biogeographic region. This table indicated that the harbour porpoise had moved from an unfavourable overall status to a favourable status, which seemed misleading given the conservation concerns for the population and he questioned whether the table was appropriate for inclusion. Ms Pinn explained that the table was based on the Favourable Conservation Assessment summaries collated by the European Environment Agency up until 2018. Ms Murphy suggested developing additional explanatory text for the table. She also suggested that a recommendation could be made for a transboundary assessment for the North Sea harbour porpoise to bring all the data together, rather than doing the assessment on country-by-country basis as is the case in the table.
136. Ms Carlén welcomed the Plan but expressed concern that it appeared very complex, which could inhibit implementation. She asked whether less detail might enable a more flexible Plan. Ms Murphy explained that the Plan would evolve and improve over time, but that the detail was needed initially to ensure Parties are clear on their commitments and for reporting and monitoring purposes.

¹² North Atlantic Marine Mammal Commission and the Norwegian Institute of Marine Research. (2019). Report of Joint IMR/NAMMCO International Workshop on the Status of Harbour Porpoises in the North Atlantic. Tromsø, Norway. https://nammco.no/wp-content/uploads/2020/03/final-report_hpws_2018_rev2020.pdf

137. Mr Evans noted that the three Harbour Porpoise Conservation Plans had developed in parallel, and implementation tables had been developed and reviewed over time. He asked whether the new implementation tables would change markedly from what had been used previously. He also expressed concern that the level of detail imposes too much of a burden on countries and the relevant groups. Ms Murphy noted that factors such as legislation change over time, and updates were needed to respond to those changes. She explained that the relevant groups were informed early in the process that structure of the Common Dolphin Conservation Plan would be followed. Ms Murphy reminded participants that actions from the previous Plan were in the new Plan, along with references to ASCOBANS Resolutions or other recommendations. Ms Pinn added that although the Plan looked complicated, and it was different to the other plans, there wasn't anything new in it, but rather it was just the structure and layout that was different and intended to help focus efforts. Mr Simmonds suggested that further discussion between the relevant action plan coordinators might help find a resolution to these concerns.
138. On the issue of end-of-life fishing gear and ghost gear, Ms Murphy noted that in Ireland, there had been a successful campaign to work with fishers to remove ghost gear, and similar work was going on elsewhere; e.g. Seafish work on end of life [gear](#) and the [Fishing for Litter](#) project. Ms Murphy and Ms Pinn observed that disposal of nets was a key challenge in dealing with ghost gear. Ms Pinn added that, in the UK, there was a cost to fishers to dispose of nets appropriately in landfill whereas there was no financial cost if nets were thrown overboard at sea. Many fishing ports have now introduced free disposal for net recycling to make it easier for fishers to do the right thing. Mr Simmonds, supported by Ms Murphy and Ms Pinn, observed that the first step might be to ask Parties what was being done to address the issue of end-of-life fishing gear and ghost gear, and then build on that.
139. The Chair concluded that the draft of the reviewed North Sea Plan could be submitted to ASCOBANS MOP10.

3.4. Species Action Plan for the North-East Atlantic Common Dolphin

140. Ms Murphy [presented](#) on the progress in implementing the Species Action Plan (SAP) for the North-East Atlantic Common Dolphin, as Co-chair of the Steering Group of the Species Action Plan (alongside Florence Caurant) and as the SAP Coordinator. She noted that the Common Dolphin SAP was adopted intersessionally in 2019 and Resolution 8.4 *Conservation of Common Dolphins* was amended at MOP9 in 2020. The SAP contained ten actions and 46 tasks which had been prioritised according to whether they were essential, high, medium or low.
141. Three meetings of the Steering Group overseeing implementation of the SAP had been held to date. At the 2022 meeting, 31 participants attended, from all Range States of the North-East Atlantic population including government representatives, experts, IGOs, the EC and the ASCOBANS Secretariat. Ms Murphy summarised the wide range of topics that were covered, including surveys, strandings, reports from other meetings, hazardous substances, etc. The next meeting would be held online in January 2024.
142. Ms Murphy highlighted a few points from the Report of the 3rd Meeting of the ASCOBANS Common Dolphin Group. Strandings had been increasing in France and Ireland in recent years. In the UK, in last 10-year period, a higher proportion of animals appear to be dying from infection than in previous time periods. She drew attention to the Recommendations from the meeting, intersessionally adopted by the AC, which were available in [ASCOBANS/AC28/Inf.3.4](#). She highlighted a successful EU Horizon project, which included a four-year PhD study on the life history parameters for harbour porpoise and common dolphin. The Achievements Table would be amended to ensure that it links to the work of other ASCOBANS Working Groups. Other ongoing work included developing a Bycatch Prevention and Mitigation Plan.

143. This was the first year that funding had been in place for a coordinator, therefore a progress report has not been submitted to date. Ms Murphy was currently working on the first progress report and proposed including progress since 2019 in the first report, and annually thereafter. A similar approach could be taken for the Achievements Table. Ms Murphy proposed approaching non-Party Range states to officially participate in the implementation of the SAP. Experts from Ireland, Portugal and Spain already participated in CDG meetings. Ms Murphy suggested that, if agreed, the Common Dolphin Group could undertake a transboundary assessment for the common dolphin reporting under Article 17 of the Habitats Directive. In previous assessments under Article 17, the status of the common dolphin in the Marine Atlantic was deemed 'Unknown'. She highlighted the need to assess status across the range of the population rather than country by country. The next report under Article 17 is due in 2025 (covering the period 2019-2024).
144. Participants thanked Ms Murphy for a comprehensive presentation.
145. Mr Ritter believed that the most prevalent issue for the common dolphin relates to bycatch in the Bay of Biscay and asked about measures being taken to mitigate that. Ms Murphy noted that ICES 2023 advice¹³ and the report of the ICES WKEMBYC2¹⁴ would be discussed by the ASCOBANS Common Dolphin Group at its meeting in January 2024. Mr Expert explained that bycatch remained an important issue in France, and an updated national action plan for bycatch was due for release in the near future. He noted that France was involved in the ASCOBANS Common Dolphin Group, and had been involved in the CetAMBICion project¹⁵, and participated in the recommendations drafted. He noted that dialogue was ongoing with colleagues from Spain and Portugal on next steps after CetAMBICion. Mr Pierce added that the CetAMBICion report was due the following month and would include a section on national plans for bycatch and the legacy of the project.
146. Mr Expert asked whether the evaluation of common dolphin through Article 17 of the Habitats Directive would be duplicative of the evaluation under the Marine Strategy Framework Directive (MSFD). Ms Murphy clarified that the work undertaken through the MSFD would be considered within the transboundary approach proposed in the Plan.
147. Mr Simmonds noted that the IWC Scientific Committee had discussed at length the situation of the common dolphin in the Bay of Biscay and that this was summarised on page 66 of its [annual report](#) this year and concluded with the following recommendations|:

"The Committee notes that bycatch levels of common dolphins in the Bay of Biscay remain a concern with no evidence of any decrease in bycatch. Therefore, the Committee reiterates and reinforces its previous concerns.

The Committee recommends urgent action by the European Commission and relevant member states to implement advice for combinations of temporal closures of all fishing métiers of concern and application of pingers on pair trawlers that ICES (2022) evaluated as necessary in order to achieve the quantitative objectives agreed by OSPAR and to be fully consistent with conservation objectives under EU legislation.

The Committee requests the IWC Executive Secretary to maintain ongoing dialogue with range states and the EU Commission by writing to inform them of the Committee's ongoing concerns and recommendations."

¹³ <https://www.ices.dk/news-and-events/news-archive/news/Pages/DolphinBycatch.aspx>

¹⁴ <https://doi.org/10.17895/ices.pub.21940337>

¹⁵ Coordinated Cetacean Assessment, Monitoring and Management strategy in the Bay of Biscay and Iberian Coast sub-region, <https://www.cetambicion-project.eu/>

4. Special Species Session

4.1. Risso's dolphin

148. Mr Evans [presented](#) on the population status and structure, distribution, abundance, life history, threats and pressures, conservation status, and recommendations for research and conservation actions regarding the Risso's dolphin.
149. Risso's dolphin occur in tropical to cool temperate seas across the world. Mr Evans' presentation focussed on the North Atlantic, where the species favours the upper continental slope at depths of 50-1500 m. Population estimates for the western North Atlantic included 35,215 animals in the eastern United States and 1,974 animals in the northern Gulf of Mexico. In the eastern North Atlantic, an estimated 13,584 animals occur in the ASCOBANS Agreement area and 2,630 in the Irish EEZ. Mr Evans noted that there were relatively few sightings in a number of large-scale surveys, and animals were distributed on the Atlantic continental shelf slope and across to the shelf itself. The density distributions showed the potential importance of the shelf slope to the west of Britain and Ireland, with animals coming onto the shelf, and in higher numbers in July-September. No substantial longer-term trends in abundance in north-west Europe were evident.
150. Genetic analyses had shown significant differences between the population in the UK and the Mediterranean, suggesting quite separate populations. Risso's dolphins were very musical, and vocalisations include clicks, squeaks, squeals, moans and whistles. There was geographic variation in vocalisations with significant differences between the Hebrides and Western Mediterranean, reinforcing the genetic data.
151. Group sizes varied from one animal to 4,000, typically being between 10 and 40 individuals. Determining what constituted a group could be challenging because animals were dispersed over a wide area and may be in acoustic contact, even if that was not visually apparent. Behaviour was varied and included breaches, lob-tailing, spy-hops, tail and flipper slaps. Habitat preferences in the western UK include areas with depths of 20-40 m and areas with tidal eddies. Photo identification studies had shown that animals range widely, including moving between Cornwall and the north Hebrides in the UK. Site fidelity had also been observed.
152. Much of the work on social structure came from the western Mediterranean and the Azores, where the population tended to have a relatively stable structure. However, Mr Evans noted that the more open, wider shelf around the British Isles may lead to a more casual social structure. Animals can form strong associations as pairs, trios and other groupings. Their main sources of food included squid, octopus, cuttlefish and Mr Evans suggested that further dietary analysis, using strandings data, would be useful. In general, Risso's dolphins were relatively shallow divers but may dive up to 500 m, going deeper at dawn and dusk. Mr Evans outlined various studies on dive patterns, foraging behaviour and niche differentiation.
153. Reproductive and life history were poorly understood, with few data available from the European shelf areas. Calves may be born in most months but mainly in February to July. Gestation was 13-14 months and calving interval thought to be 2-3 years. Age at sexual maturity was 8-10 years for females and 7-12 years for males, with a life span of 45-50 years. Strandings data indicated mortality from a wide range of sources including gas embolism, disease, by-catch, starvation etc. Mr Evans noted key threats included fisheries conflicts, pollution, sound disturbance and other disturbance.
154. Mr Evans summarised his main recommendations as:
 - Systematic surveys & habitat modelling to identify hotspots, particularly offshore
 - Population estimates from photo-ID and line-transects

- Wide-scale surveys of genetic variation throughout N. Atlantic & Mediterranean Sea, and better understand population structure using complementary techniques such as acoustics & stable isotopes
- Long-term collaborative studies using photo-ID to investigate home ranges, movements, social structure, and life history parameters
- Examine further geographical & seasonal variations in diet using stomach contents, fatty acid & stable isotope analysis, eDNA, etc
- Better assess relative importance of different conservation threats on a geographical basis

155. Participants thanked Mr Evans for a comprehensive overview.

156. Ms Hodgins supported recommendations for more work to be done to understand feeding ecology and asked whether stranding schemes could support collection of this information. She noted that work by WDC suggested long term stable associations in Scotland, with similarities to populations in the Azores. Mr Evans agreed that there may be a mix of social structure, and more work is needed to better understand this.

157. Mr Evans was not aware of evidence that indicated signature whistles in Risso's dolphin. Ms Hodgins added that, in 2022, WDC undertook evidence-based surveys over sound traps that are continuously recording and in which they were able to identify the individuals that were over the sound trap. Analysis was ongoing and the results should be available soon. WDC were also looking to produce a Risso's dolphin classifier.

158. Mr Simmonds noted that public awareness of the Risso's dolphin was low and highlighted the challenge of raising its profile. He emphasised the threat posed by fast moving crafts, giving the example of fast-moving craft at Bardsey Island. Mr Evans concurred, that fast-moving watercrafts, such as jet skis, were becoming a serious problem for the species in some areas.

159. Mr Simmonds asked whether PCB levels seen in Risso's dolphins exceeded the threshold above which it was thought to cause health impacts. Mr Evans advised that there were too few samples to determine this, but some high values had been recorded and therefore PCBs were a potential threat.

160. Mr Simmonds and Mr Evans discussed the process to establish Important Marine Mammal Areas (IMMAs) noting that some of those proposed for the north Atlantic included areas for Risso's dolphins. The process drew attention to important marine mammal areas even if they didn't have a formal protective designation of an MPA. Mr Simmonds proposed that the forthcoming report on IMMAs could be presented to ASCOBANS MOP10. Participants agreed that the Secretariat would invite the IUCN Marine Mammal Protected Areas Task Force to present at MOP10.

4.2. Striped dolphin

161. As the Secretariat did not receive confirmation for an expert to give this presentation, this session was moved to the 29th Meeting of the Advisory Committee (2025).

5. Relevant EU Policy matters

162. The Chair explained that the original plan was for Kenneth Patterson from the European Commission to present *the EU Action Plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries*. However, as he was not present at the meeting, this agenda item would be shortened. Mr Evans noted that he could present relevant information on the EU Action Plan under agenda item 8.4. Ms Carlén added that the EU Action Plan had a specific action on the Baltic harbour porpoise bycatch with a 2023 deadline. It also referred to other species including common dolphins in the Bay of Biscay.

163. Ms Murphy proposed establishing a joint ASCOBANS and ACCOBAMS Species Action Plan for the Iberian porpoise. The Chair requested more detail in order to be able to consider this proposal. Celia Le Ravallec (ACCOBAMS Secretariat) noted that the extension of the ACCOBAMS Agreement area was not yet in force so at present, the Atlantic area of ACCOBAMS was only in southern Portugal and Morocco. ACCOBAMS had not been working on this population to date as it was not in its mandated area. Mr Pierce added that this population fell in the gap between the ASCOBANS and ACCOBAMS areas. It had a small population, was threatened by bycatch, and was recognised as being threatened. If it was deemed to be a subspecies, then there was an even greater need for action. It was agreed to revisit this topic under agenda item 11 *Any Other Scientific Issues*.

6. Cooperation with other Bodies

6.1. Reports by the Secretariat, Parties and Partners

164. Ms Renell [highlighted](#) key areas of collaboration with partners during the previous year. She noted activities 62-65, 67-68 of the ASCOBANS Work Plan 2021-2024.

165. Ms Renell drew attention to Work Plan Activity 68 which was to “consider the relationship of ASCOBANS to other organizations (e.g. OSPAR, HELCOM, IWC, EU Commission, European Topic Centre for Nature Conservation), in order to identify potential duplication or gaps in efforts. Any observations to be communicated to MOP10 in the form of a draft resolution”. A drafting group was formed to develop text for submission to MOP10 in 2024: Mark Simmonds, Sinead Murphy, Graham Pierce, Maria Morell, Peter Evans, Ida Carlen, Patricia Brtnik, WDC.

166. Ms Renell drew attention to the Reports from Relevant Meetings back to ASCOBANS 2022-2023 ([ASCOBANS/AC28/Inf.6.1](#)) which summarized relevant discussions in other fora. Reports had been received from Finland and OceanCare and the Secretariat, and Ms Renell encouraged others to contribute in the future. Participants agreed that it was useful to continue to prepare this compilation document.

167. Ms Le Ravallec made a statement on behalf of Ms Susana Salvador (Executive Secretary of ACCOBAMS). She welcomed being able to participate in the ASCOBANS Advisory Committee and to pursue the excellent co-operation that existed between the two Agreements. She noted that there were many areas of common scientific interest and complementarity between the ASCOBANS Advisory Committee and ACCOBAMS. The statement can be found in Annex 6.

168. As for the future, ACCOBAMS was planning to jointly organize with ASCOBANS a workshop with national navies and NATO in October 2024 in Toulon. In conclusion, Ms Le Ravallec noted that a lot was yet to come and depended on this shared spirit of close collaboration between the two shared CMS Agreements. The ACCOBAMS Secretariat looked forward to continuing working with ASCOBANS in the years to come.

169. Ms Blankett gave an update on an organizational change in HELCOM meaning biodiversity would be discussed in one Working Group only, the Bio-Div Working Group. The Bio-Div Group has met once and will have a second meeting shortly after the ASCOBANS AC. She noted that a kick-off meeting had been held in early September for a large EU Horizon project on Baltic Marine Protected Area issues, called PROTECT BALTIC. It was an €8 million multi-partner project which will run for five years and aims to implement the HELCOM Baltic Sea Action Plan actions regarding MPAs and other nature conservation issues. A presentation could be made at the next AC meeting.

170. Ms Kamińska reported that a HELCOM Expert Group on Marine Mammals (EG MAMA) meeting had been held earlier in the month with discussion on harbour porpoise and new recommendations made. A key issue related to SAMBAH II. Ms Carlén added that at that

meeting, agreement was reached that reporting to ASCOBANS and HELCOM EG MAMA will be the same. Ms Kamińska noted that collaboration on the strandings database had also been discussed.

6.2. Dates of Interest 2023-2024

171. Ms Renell introduced the Draft List of Dates of Interest to ASCOBANS in 2023-2024 ([ASCOBANS/AC28/Doc.6.2](#)). She invited comments and asked for updates on meetings that AC members would be attending.
172. A revised list of dates of interest is available in Annex 3, and it is annotated with people identified that will be in attendance and who will report back to AC29.

7. Publicity and Outreach

7.1. Reports by the Secretariat, Parties and Partners

173. [Presenting](#) the Report of the Secretariat on Outreach Activities ([ASCOBANS/AC28/Doc.7.1](#)), Ms Renell highlighted activities under Activities 44, 45, 47, 48 and 49 of the ASCOBANS Work Plan 2021-2024, giving examples of a discussion with the North Sea Advisory Council earlier in the month and posters at the European Cetacean Society Conference and the ICES Science Conference.
174. Ms Renell invited expressions of interest from Parties and NGOs to coordinate the 2023 ASCOBANS season's greetings card competition. Expressions of interest could be sent by email by 1 November 2023.
175. Mr Ritter noted that WDC is developing a range of outreach and education materials which are available on its website in different languages.

7.2. ASCOBANS Outreach and Education Award 2024

176. Ms Renell presented the relevant document [ASCOBANS/AC28/Doc.7.2](#). Nominations for the ASCOBANS Outreach and Education Award can be made up until 31 January 2024. Ms Renell explained that a jury examines nominations and decides the winner, and called for members to serve on the jury. Ms Blankett, Ms Brtnik, Mr Evans, and WDC volunteered to be part of the jury.

8. Projects and Activities Supported by ASCOBANS

8.1. Scoping the Development of a European Marine Strandings Database

177. Andrew Brownlow (Invited Expert) [presented](#) work on Scoping the Development of a European Marine Strandings Database ([ASCOBANS/AC28/Doc.8.1](#)). He explained that various stranding schemes collect data on stranded marine animals in Europe, but collation of data is challenging, and the need for a centralized stranding database has been recognized.
178. An ASCOBANS small-scale project grant was awarded to scope the development of a shared stranding and necropsy database. This work included an online survey, a review of existing or planned databases containing marine strandings data, a workshop, and scoping discussions with a developer from ICES. The workshop was held in April 2023, with 32 attendees. There was unanimous will among participants to establish a Europe-wide database, which would support international collaboration, facilitate a geographic overview, and provide an opportunity to standardize data collection procedures. Concerns included practical issues around hosting and maintenance costs, rules of access, ease of data standardization, and user experience.

179. Mr Brownlow noted that the ICES Data Centre was identified as a potential collaborator and a proposal for a Phase One database (minimum viable product) had been developed (available in Annex 1 of AC28/Doc.8.1). The Phase One database would be in alignment with FAIR data principles (Findable, Accessible, Interoperable, Reusable) and include capacity to upload and validate data records, an online summary of uploaded data and an online map that pots presence/absence of stranding events, data download functionality, an agreed data format and vocabularies and basic data validation rules. The Phase One database would cost €23,421 plus €5,768 annual fee and would take about nine months to build.
180. Additional elements could be added if desired, including a governance model for the ongoing maintenance, funding and development, building capacity to hold metadata or restricted data (e.g. cause of death, bycatch, marine litter ingestion, ship strike), harmonization of data and data validation, development of a data portal to link to other databases and additional data products (e.g. state indicators, data dashboarding).
181. Mr Brownlow drew attention to ongoing work by the IWC including Commission endorsed recommendations related to database development and data management of strandings data. The IWC supported the proposal of ASCOBANS to develop a database and there are opportunities to join forces in the future.
182. In conclusion, Mr Brownlow asked the Advisory Committee to endorse the development of the Phase 1 database. He called for additional members to join the Steering Group and resources for a subsequent workshop to progress the work. He also asked for assistance/advice on sourcing funding of c. €30,000 for the initial phase.
183. Participants thanked Mr Brownlow for his excellent presentation. Germany, the Netherlands, Poland, and Sea Watch Foundation welcomed the initiative and noted the importance of funding.
184. Mr Evans asked whether a funding model similar to that of the Joint Cetacean Data Programme (JCDP)¹⁶ could work. Neil Holdsworth (ICES) explained that the governance arrangements would be key to any such set up. In the case of the JCDP, Defra provided funding for the initial set up, whereas the ongoing running of the database is paid for by ICES. If the ASCOBANS strandings database would remain independent of ICES, then ICES would effectively be playing the role of a contractor and the JCDP arrangements would not be appropriate. Similarly with OSPAR, in some cases joint OSPAR-ICES work was undertaken and in other cases ICES acted as a contractor to OSPAR. Ms Taylor added that through the JCDP, ICES was maintaining the database in its current form, but additional funding would be needed for any further development. Mr Pierce noted that ICES WGBYC used strandings data in its assessments of bycatch, and perhaps the database could be directly useful to ICES as well as to ASCOBANS.
185. Mr Pierce suggested some funding could potentially be made available through the strandings work in the CIBBRiNA project. Ms Svoboda noted that the Netherlands had previously partially funded strandings work and would like to continue partial funding. She also expressed interest in funding opportunities through CIBBRiNA.
186. Mr Pierce and Ms Svoboda volunteered to join the Steering Group on developing the strandings database.
187. The AC endorsed the proposal for a Phase 1 marine strandings database and agreed that funding should also be discussed under agenda item 18 on prioritisation of activities requiring funding.

¹⁶ <https://jncc.gov.uk/our-work/joint-cetacean-data-programme/>

8.2. Small Cetacean Conservation Objectives in Relation to Anthropogenic Removals

188. Mr Evans [presented](#) the outcomes of two workshops (24-25 April and 16-17 May 2023) that were held to make recommendations on ASCOBANS conservation objectives in relation to anthropogenic removals of small cetaceans.
189. As background, Mr Evans reminded participants that ASCOBANS aims “to achieve and maintain a favourable conservation status for small cetaceans in the Agreement area”. To interpret that aim, ASCOBANS first set its conservation objective as: “to restore and/or maintain biological or management stocks of small cetaceans at the level they would reach when there is the lowest possible anthropogenic influence” – a suitable short-term practical sub-objective is to restore and/or maintain stocks/populations to 80% or more of the carrying capacity (ASCOBANS Resolution 2.3).
190. Mr Evans then highlighted Resolution 8.5 (Rev. MOP9) which stated that:
- (a) *the general aim should be to minimise (i.e. ultimately to reduce to zero) anthropogenic removals (i.e. mortality), and in the short term, to restore and/or maintain biological or management units to/at 80 per cent or more of the carrying capacity;*
 - (b) *in order to reach this objective, the intermediate precautionary aim is to reduce bycatch to less than 1 per cent of the best available population estimate;*
 - (c) *a total anthropogenic removal (e.g. mortality from bycatch and vessel strikes) above 1.7 per cent of the best available estimate of abundance is to be considered unacceptable in the case of the harbour porpoise;*
 - (d) *if available evidence suggests that a population is severely reduced, or in the case of species other than the harbour porpoise, or where there is significant uncertainty in parameters such as population size or bycatch levels, then “unacceptable interaction” may involve an anthropogenic removal of much less than 1.7 per cent.*
191. The workshops held earlier in the year aimed to review the appropriateness of current ASCOBANS conservation objectives, evaluate the ASCOBANS intermediate precautionary aim to reduce bycatch to less than one per cent of the best available population estimate and the unacceptable removals threshold, and to evaluate a Management Framework Procedure. The first workshop brought together population modelers and other scientists involved in the detail of this work. The second workshop had broader participation, including scientists, policy makers, IGOs and NGOs, to enable a broader discussion. The workshops involved extensive discussions on issues including carrying capacity, time frames, probability, the interplay with other anthropogenic threats, and the role of environmental stochasticity.
192. The workshops concluded that the following general aim remains appropriate: to minimise (i.e. ultimately to reduce to zero) anthropogenic removals (i.e. mortality) over an unspecified timeframe, with a sub-objective to restore and/or maintain biological or management units to/at 80% or more of their carrying capacity. However, the fixed percentages of 1% and 1.7% of the best available population estimate, for the ‘intermediate precautionary level’ and ‘unacceptable interactions’ respectively were agreed to be inappropriate. The PBR approach was recommended for general use, but modified from what is used in the US to align with the European ambition of restoring/maintaining to/at 80% or more of carrying capacity. RLA, PVA or other approaches are recommended where more data allow. There had been disagreement among the workshop participants over whether the time horizon considered should be 20 years or 100 years, and the probability of achievement aimed at 95% or 80%, and further model simulations were recommended to explore these options.

Achievability of the ASCOBANS Conservation Objectives: Simulation Results

193. Justin Cooke (Invited Expert) reiterated that participants at the conservation objectives workshops recognized that previous guidelines on removals were too high, but agreement was

not reached on a way forward. It had been agreed that additional simulations would be useful to explore some of the outstanding issues.

194. Mr Cooke began his [presentation](#) by defining carrying capacity (K) as the level that a population would reach in the absence of anthropogenic removals (such as bycatch, hunting, vessel strikes, fatal entanglements and other direct kills) and in the absence of anthropogenic effects that negatively impact reproduction such as disturbance, toxic pollutants, habitat destruction and competition for prey. The value of K is constantly affected by natural environmental variation and is difficult to determine directly. The range and carrying capacity of most populations are expected to change over time and for this reason, approaches to achieving the 0.8K target do not involve specifying a fixed value for K, but instead aim to ensure that anthropogenic removals are low enough that the population can be expected, under reasonable assumptions, to recover towards, or remain above, the 0.8K level.
195. Mr Cooke presented scenarios for populations that are stable, decreasing, recovering, and fluctuating, both with and without bycatch. The aim would be that the population does not decrease by 20% or more than it would have without bycatch. He explained that the unfinished business from the two workshops related to the time horizon for achieving the objectives (20-100 years), the "probability" of achieving the objective (80-95%) and the recovery factor to be used for PBR (F_R). He outlined the factors used in test scenarios, noting that one thousand replicates were undertaken for each scenario.
196. Mr Cooke explained that using the OSPAR recommended maximum recovery factor of 0.35 satisfies the goal of achieving a conservation objective of 80% of carrying capacity in all scenarios considered. The choice of "probability" level (in the range 50-95%) made virtually no difference to the results. The achievement of conservation objectives in a time window of 20-100 years was feasible (and is a stronger criterion than one based on a single time point). However, more work was needed to make specific recommendations to the AC.
197. Participants thanked Mr Evans and Mr Cooke for their presentations on a challenging topic. The Chair reflected that agreement had been reached at the workshop on some of the key principles, in particular that 80% of carrying capacity remains an appropriate goal, that a PBR-type approach was recommended (or in the case of more data, then RLA or PVA can be used) and that a threshold of 1.7% of best estimate of abundance is not appropriate.
198. Mr Ritter, supported by Mr Simmonds, emphasized the remit of ASCOBANS on the conservation of small cetaceans and expressed concern that this work appeared to focus on the theoretical detail of management rather than addressing the practical issues facing cetaceans. He reminded participants that cetaceans were protected under the EU Habitats Directive and other EU and national legislation and there was no level of 'acceptable bycatch'. He called for practical action for conservation and expressed concern about the very technical nature of the presentations which could lead to only a few specialist scientists being able to fully understand them and the implications they have.
199. The Chair explained that because animals were bycaught in fisheries, agreement was needed on a conservation objective for bycatch. Matthieu Authier (France), Ms Murphy and Mr Pierce concurred, highlighting the importance of the ASCOBANS conservation objective and noting that it had also been adopted by other fora. Mr Authier noted that the European Commission was expecting that, by the end of 2023, such thresholds for many species (protected, endangered) would be in place. The work undertaken by ASCOBANS was one of the methods that could be used for this process. Mr Evans added that the timeline of doing this by the end of the year was likely to slip due to a lack of data and progress. Mr Expert explained that in France, the ASCOBANS threshold of 1% was used, and that France would look to any further revisions arising from the workshop.
200. Ms Murphy reflected that agreement was not reached at the workshops on several issues. In her view, the time horizon to be used depends on the status of the population. A depleted

population was unlikely to recover in a shorter time period (e.g. 20 years) and so a longer-term time frame is needed. The probability of achieving the objective was not agreed during the workshops (e.g. 80 or 95% probability). She suggested one potential solution could be to vary the probability depending on the status of the species, with a higher probability for a species with a very unfavourable status. Further work on terminology was also needed. She suggested that other workshops may be needed to address outstanding issues.

201. The Netherlands, France, and Ms Carlén noted the complexity of the issue, reflecting on the challenges of understanding the technical detail. The importance of finding a way to effectively communicate the issue to policy makers was highlighted. Verna de Groes (Netherlands) noted that in Denmark a special training session for policy makers had been organized to help them digest the very technical information. Mr Evans suggested that the simulations should be made available with text understandable to policymakers.
202. Mr Simmonds cautioned that care was needed on the language used in the conservation objective discussions, to avoid use of phrases such as 'acceptable levels' of bycatch. Mr Evans clarified that the term 'unacceptable' is used, noting that in 2015 a workshop was held on 'unacceptable interactions' where discussions on triggers and limits were held.
203. Participants discussed preparation for the MOP in 2024. Mr Cooke expressed concern that advice to be brought to the MOP is currently incomplete and it would be helpful to reach agreement on outstanding issues.
204. Mr Evans noted that some participants of the workshops hadn't commented fully on the draft technical guideline document ([ASCOBANS/AC28/Inf.8.2/Rev.1](#)). Once that has been done, a proposal to take this work forward could be developed, whether that was a workshop or through some other means. He observed that the workshops this year were held very close together, with insufficient time for the set of principles proposed by the modelers to be brought to policy makers at the second workshop.
205. Ms Murphy proposed having an online meeting to discuss the next steps and to devise a plan of action. She proposed that work undertaken to date could be brought to MOP, including any proposed revisions to Resolutions, i.e the removal of the intermediate precautionary objective (1% of the best available population estimate) and 'unacceptable interactions' threshold (1.7% of the best available population estimate). Mr Evans agreed with this suggestion. Ms Renell reminded participants that any Resolution for the MOP would need to be ready 150 days before the start of the meeting, that is by early June 2024. Mr Expert noted that anything brought to the MOP should consider how it will be communicated.
206. The AC concluded that comments on the technical document would be sought, a meeting or workshop would be organized to devise the next steps, and an update to MOP would be produced.

8.3. Developing Guidelines for Cetacean-friendly Marine Spatial Planning (MSP)

207. Aline Kühl-Stenzel (Naturschutzbund Deutschland, NABU), Chair of the Intersessional Working Group on developing MSP guidelines, [introduced](#) the topic. She emphasized the effectiveness of area-based and temporal management as a conservation tool, including to safeguard existing Marine Protected Areas and other sensitive zones/times, to reduce disturbance, to improve prey availability, to help avoid collisions with vessels and improved noise mitigation. In terms of cetacean conservation, MSP could address multiple anthropogenic pressures, and improve the environmental status of entire marine ecosystems, including connectivity. MSP involved large-scale management, which may be international and transboundary, which is particularly relevant for highly mobile/transboundary cetaceans. International regulation (e.g. OSPAR, ASCOBANS) was critically important. All ASCOBANS Parties had an MSP Plan, however, they were not always effective.

208. ASCOBANS had a range of mandates relevant to marine spatial planning. At AC26, the Secretariat was requested to establish an Intersessional Working Group on how best to develop guidelines for cetacean-friendly MSP. With thanks to a voluntary contribution from Germany, work to produce draft guidelines was undertaken by Cormac Walsh. A technical workshop was held on 27 and 28 June 2023 to peer-review the draft guidelines. Ms Aline Kühl-Stenzel noted that during the workshop the phrase “cetacean-friendly” was changed to “cetacean-sensitive”. Other issues arising included discussion on whether key users of the marine environment should (and if so, how) contribute to monitoring and management via MSP, inclusion of restoration areas in MSP, discussions on a “base map” similar to HELCOM for the ASCOBANS area, and discussions as to whether to extend the Intersessional Working Group.

Draft Guidelines for Cetacean-sensitive Maritime Spatial Planning for the ASCOBANS Area

209. Cormac Walsh (Invited Expert) thanked everyone that had contributed to developing the Draft Guidelines for Cetacean-sensitive Maritime Spatial Planning for the ASCOBANS Area ([ASCOBANS/AC28/Doc.8.3](#)). [Presenting](#) the document, he introduced some key terms including that Maritime Spatial Planning (MSP) is an integrative policy instrument concerned with the coordination and management of human activities at sea, with the aim of facilitating the sustainable development of ocean resources and the protection of the marine environment.
210. Noting the many threats facing cetaceans, he explained that cetacean-sensitive MSP was aligned with the conservation and restoration of small cetaceans in accordance with ASCOBANS and aligned with the achievement of a favourable conservation status. Ecosystem-based MSP was area-based and involved managing discrete areas and connections across space. It recognized the dynamic interaction of marine ecosystem components was forward looking, science-driven, transparent, participatory, adaptive and precautionary.
211. Mr Walsh introduced the draft MSP guidelines, which included an introductory section, 23 high-level recommendations, an assessment of impacts on cetaceans from selected sectoral activities, threats to cetaceans and appropriate measures, and future outlook. A Technical Note: Guidance on Cumulative Effects Assessment for Cetacean-Sensitive Maritime Spatial Planning ([ASCOBANS/AC28/Inf.8.3](#)) had also been produced.
212. Going forward, Mr Walsh noted that increased economic activity across the ASCOBANS area would have a corresponding increased risk to cetacean populations. Existing pressures were compounded by climate change impacts. There was also an increased risk of high-magnitude, low-frequency events due to an increased intensity and volume of economic activity at sea. The potential for progress through ecosystem-based MSP, and alignment between MSP and MPA designation and management, needed coordinated international efforts and a science-informed approach.
213. Participants thanked Ms Kühl-Stenzel and Mr Walsh for their very interesting presentations and welcomed the draft MSP guidelines.
214. Ms Blankett pointed out that the HELCOM definitions relating to the principles for ecosystem-based MSP were being revised and these updates could potentially be incorporated into the draft ASCOBANS guidelines. As Ms Kühl-Stenzel would be attending the upcoming HELCOM meeting, she suggested discussion of the issue there. She also proposed working with the colleagues that were part of the HELCOM-VASAB (Vision and Strategies around the Baltic Sea) Maritime Spatial Planning Working Group.
215. Ms Blankett noted that in the draft guidelines, pile driving in the Baltic Sea was categorized as a medium threat. However, in the future, it was likely this will be a high threat, and the issue could be brought to HELCOM-VASAB. Mr Evans encouraged ASCOBANS to continue dialogue with the European Commission MSP Platform and Assistance Mechanism. Ms Kühl-

Stenzel and Mr Walsh welcomed the opportunity to engage with HELCOM-VASAB and the European Commission on the draft guidelines. Mr Walsh suggested that HELCOM-VASAB and the European MSP Platform be referred to in the final recommendation on the role of the ASCOBANS Working Group on MSP.

216. Ms Kühl-Stenzel highlighted the information in ASCOBANS/AC28/Inf.8.3 which contained critical guidance for cumulative impact assessments. It may be useful for countries that are having challenges with sensitivity analyses and vulnerability analyses in their marine spatial plans. She suggested that Parties share the document with their planners.
217. Participants agreed that the draft MSP guidelines should be submitted to MOP10, incorporating any amendments resulting from the discussions at AC28.

European Maritime Spatial Planning (MSP) Assistance Mechanism - European MSP Platform & European Blue Forum

218. Patrycja Enet (European MSP Assistance Mechanism North Sea focal point) provided an overview of Integrated Maritime Policy in the EU since 2012. She drew attention to Directive 2014/89/EU establishing a framework for Maritime Spatial Planning in Europe. She explained that the objective was to “support the sustainable development of seas and oceans and to develop coordinated, coherent and transparent decision-making in relation to the EU’s sectoral policies affecting the oceans, seas, islands, coastal and outermost regions and maritime sector”. All MSPs have been adopted in the North Sea and the Baltic Sea by the Member States, with some countries, e.g. Belgium, entering the next phase of MSP.
219. The European Commission (EC) - European Climate, Infrastructure and Environment Executive Agency (CINEA) on behalf of Directorate General for Maritime Affairs and Fisheries (DG MARE), established the European MSP Assistance Mechanism (AM) to provide support to Member States and DG MARE in the implementation of the EU MSP Directive and in establishing and running the European Blue Forum. It is implemented and funded by the EC and contains a dedicated team of MSP experts and the provision of a sub-regional focal point service.
220. An interactive information gateway, [the European MSP Platform](#), had been established, to assure knowledge sharing on MSP. The close dialogue with the Member States concerns their requests, based on which the MSP AM has been undertaking the background technical studies to support Member States. The current new studies by AM include those of relevance to ASCOBANS, such as Support to HELCOM-VASAB in implementation of a survey on the strategic environmental assessment in MSP in the Baltic Sea region; Study on spatial restrictions to fisheries in the greater North Sea and Atlantic regions; and Compendium for multi-use and co-existence practices.
221. A Technical Expert Group (TEG) on data for MSP was established by the EC in 2021 and since then has developed various documents on the topic of data and MSPs in Europe which are available on the European MSP Platform.
222. In 2023, the European Blue Forum stakeholder dialogue between users of the sea was established. Noting that stakeholder engagement is a key challenge in the implementation of MSP, Ms Enet explained that the [European Blue Forum](#) is a stakeholder forum, formed from sea users for sea users, to initiate and coordinate dialogue between sustainable blue economy stakeholders at all levels. It would develop synergies between activities and reconcile competing uses of the sea. The European Blue Forum was launched in May 2023, and in September the first Deep-Dive Workshop took place addressing the question ‘What do we need from European Seas by 2030 and are we asking too much?’.
223. Ms Enet highlighted a new EC project (2023-2024) of relevance to ASCOBANS on ocean data and knowledge for EU policy making. This involved evaluating the potential of the European Marine Observation and Data Network (EMODnet) to support policy making and contribute to

it through two case studies: (i) related to the implementation of the MSFD; and (ii) related to the implementation of the MSP Directive – to assess the completeness of the information in EMODnet regarding Marine Protected Areas (MPAs) and other spatial conservation measures (including fisheries restricted areas) also referred to as ‘nature and species conservation sites and protected areas’ (MSP Directive Article 8.2).

224. She noted the relevance of MSP Assistance Mechanism to ASCOBANS including on marine planning and management in the North Sea, Baltic Sea, Atlantic (Mediterranean Sea and Black Sea), an ecosystem-based approach, a knowledge-based system, an MSP expert knowledge for MSP implementation, MSP data harmonization and framework, and greater synergies and collaboration with a large network of engaged stakeholders. She encouraged ASCOBANS to stay in touch on these issues with the European MSP Assistance Mechanism.
225. Participants thanked Ms Enet for her useful presentation.
226. Mr Evans noted that underwater noise from activities such as pile driving and seismic activity can have an impact many kilometres away from the source. He asked how underwater noise is dealt with in MSP. Ms Enet noted that in Europe underwater noise is addressed by the Marine Strategy Framework Directive (MSFD) as an ocean pollutant (Descriptor 11 for Good Environmental Status). In some countries, MSFD and MSP processes are handled separately, in other countries such as France, they are developed closely together. From the technical point of view, she noted work to advance technologies for activities at sea impact monitoring, such as using Artificial Intelligence in MSP.

8.4. Workshop: Current Cetacean Bycatch Issues in European Waters

227. Mr Evans, Co-chair of the Joint Bycatch Working Group of ACCOBAMS and ASCOBANS (JBWG), gave an [update](#) on the work of the Group. He outlined the Programme of Work 2021-2023 which has a range of actions that have been identified as high, medium or low priority. A total of 24 recommendations were adopted at the [first JBWG meeting](#), including five general recommendations, ten recommendations to improve monitoring and nine recommendations to prevent and mitigate bycatch.
228. A joint workshop on Current Cetacean Bycatch Issues in European Waters was held on 17 April 2023 at the European Cetacean Society Conference. Talks at the workshop covered both the ASCOBANS and ACCOBAMS areas and addressed issues such as bycatch rates and opportunities for mitigation. He highlighted a talk by Ms Carlén on the Baltic Proper harbour porpoise, noting that a Resolution was proposed at the ECS Conference for countries in which the Navies have expressed concern about acoustic pingers. He drew attention to a presentation on the roadmap for ICES bycatch advice on protected, endangered, and threatened (PET) species by Henn Ojaveer (ICES) and a talk by Sarah Dolman (Environmental Investigation Agency) on the implications for cetacean bycatch from European policy developments.
229. Mr Evans summarized a talk from Kenneth Patterson (European Commission DG MARE) on the EU Action Plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries. Mr Patterson explained why the plan was needed, outlined the contents of the Plan, and gave an update on a number of measures planned to protect the seabed. He noted that there is EU funding to support a smooth transition to sustainable management of fisheries including to support the gradual phasing out of mobile bottom fishing in MPAs.
230. Participants thanked Mr Evans for an interesting and useful presentation.

8.5. ASCOBANS-ACCOBAMS Marine Debris Workshop: New and Emerging Aspects

231. Mark Simmonds, Chair of the ASCOBANS-ACCOBAMS Marine Debris Workshop: New and Emerging Aspects (15 April 2023), presented the outcomes of the workshop. The workshop report was not yet available. However, the Recommendations ([ASCOBANS/AC28/Inf.8.5](#)) were available.

232. The workshop was a useful meeting, with many of the issues on strandings raised under agenda 8.1 of AC28 also covered at the workshop. Mr Simmonds highlighted three recommendations of particular note:

- *Establish an ACCOBAMS-ASCOBANS Working Group to look at interaction with fishers with regards to marine debris; a correspondence group was established to further discuss how to best progress this. Eisfeld-Pierantonio was requested to convene the correspondence group.*
- *Given the high levels of ingestion of marine debris by some species, it would be helpful to better understand the behavioural aspects of this (i.e. why do some species ingest plastics and under what circumstances).*
- *Enhance awareness raising by communicating to other scientists, young people and other citizens, stakeholders and policy makers.*

233. Participants thanked Mr Simmonds for an interesting and useful presentation.

8.6. Prediction of the Cochlear Frequency Maps of Harbour Porpoise

234. Maria Morell (Invited Expert) [presented](#) the results of the project Prediction of the Cochlear Frequency Maps of Harbour Porpoise ([ASCOBANS/AC28/Inf.8.6](#)). As background she explained that in the ear, the morphology of the organ of Corti cells (the hearing organ) changes from the apex to the base of the cochlea. High frequency sounds were encoded in the base and the low frequencies at the apex or tip of the spiral. This could be mapped in cochlear frequency maps.

235. If damage to the inner ear of an animal was found, a cochlear frequency map could indicate the frequency range of the impairment. As a result, the frequency characteristics of the source could be extrapolated giving an insight into what may have caused the issue. However, cochlear frequency in harbour porpoise was not well understood. Work was underway to analyse the inner ears of cetaceans in many countries, which was looking at normal and damaged structures, and old and recent lesions.

236. The relationship between the shape of the cells of the organ of Corti and the frequency was comparable among species if they had similar hearing range. However, there were no species with a similar hearing range to the harbour porpoise and therefore machine learning techniques had been used to build a predictive model. The model related morphometrics (changes in shape) with frequency, and used learning derived from the frequency maps of various other species. An initial cochlear frequency map for the harbour porpoise had been developed, although more work was needed, especially in the lower frequency range. Work was also needed to validate the model.

237. Ms Morell highlighted the importance of collecting the ears during post-mortem examinations of stranded animals. The implications of this work for conservation included that frequency maps could help identify the possible sound sources of lesions in the inner ear that are due to noise exposure, help with monitoring mitigation measures and monitoring the acoustic health of populations. In addition, the work could help predict the hearing ranges of marine mammals whose audiograms were not yet known, and it facilitated making recommendations to Parties and other relevant authorities on action needed for specific sound sources.

238. Participants thanked Ms Morell for a very interesting presentation on work with practical use in conservation.
239. Mr Evans asked whether the model could help predict the sound frequency at which the animals were most sensitive. Ms Morell clarified that for odontocetes a large portion of the cochlea codifies for the same frequency; it was an area of enlarged sensitivity and corresponds to the frequencies that they are most sensitive to. However, this information was not known for mysticetes. In response to an additional question, she clarified that her samples to date did not include beaked whales. However, she would soon be receiving samples from Scotland and the Netherlands.
240. Mr Ritter asked about the size of the cochlear structure of baleen whales as compared to other mammals. Ms Morell noted that other scientists had studied this issue and that while baleen whale ears were larger than human ears, they were not as large as might be imagined relative to size of animal. She planned to undertake work to calculate the cochlea of minke and fin whales using different techniques in the near future.
241. Mr Ritter asked about the time urgency to recover the inner ear in a stranded cetacean and asked for any guidance on this. Ms Morell agreed that the sample should be obtained as soon as possible after the animal has been stranded to detect recent lesions or to identify a specific sound source. If it was a fresh animal, the extraction and fixation of the inner ear should be prioritized. She noted the neurons were more resistant to decomposition and had value a day or two after death. Other causes of hearing loss could also be detected e.g. infections, fractures in the bones or haemorrhages. The ASCOBANS and ACCOBAMS joint protocol on best practice on cetacean post-mortem investigation and tissue sampling ([ASCOBANS Res.8.10 \(Rev.MOP9\)](#)) had further guidance. Mr Brownlow asked whether any updates to the protocol were needed in terms of fixation fluid and time window for sample collection. Ms Morell stated that, wherever possible, it was best to use paraformaldehyde to fix the ears if they were fresh.
242. Ms Svoboda asked whether the results of this study could inform discussions on frequency weighting and whether noise energy at higher frequencies may lead to more disturbance. Ms Morell noted that, for mammals it would be expected that higher frequencies are usually more damaging, but it depended on the intensity they were exposed to. In her work, so far, the lesions in the inner ear that implied noise exposure, were found in the region where the low frequencies were encoded. More data and analysis would help elucidate this issue further.

8.7. Other updates

243. Ms Renell presented a short update on the other projects and activities supported through ASCOBANS:
- There were plans to extend the project on using fishers' knowledge to understand the use of alternative gears to static gillnets in the ASCOBANS Region (or 'alternative gear project') which was planned to be finalized by another implementing partner.
 - The Iberian harbour porpoise contract had been extended until June 2024 (at no additional cost).
 - A joint ACCOBAMS-ASCOBANS Workshop with NATO and navies (AC26/AP3) was planned for October 2024.
 - The meeting report for the 2nd workshop on management of MPAs for small cetaceans (2022) was not yet ready but would be presented at the next AC meeting.

9. ASCOBANS Work Plan: Overview of Implementation

244. Ms Renell presented activities in the ASCOBANS Work Plan 2021-2024: Overview of Implementation Overview ([ASCOBANS/AC28/Doc.9](#)) that had not yet been discussed or needed guidance from the AC. She sought advice on how to proceed with Work Plan Activity

(WPA) 21 on the development or update of risk maps for cetaceans. Mr Evans explained that this was intended to be a mapping exercise of human activities that impact small cetaceans. ASCOBANS could encourage the collation of existing maps (e.g. fishing, noise, vessel density) to cover the whole Agreement area. Ms Blankett drew attention to HELCOM HOLAS 3 pressure maps produced for the Baltic Sea. These were not specifically for small cetaceans but were of relevance. Mr Evans indicated that the Baltic Sea and the North Sea were relatively well covered compared to the Celtic Sea and Bay of Biscay. Ms Svoboda drew attention to the distribution maps of pressures that OSPAR had undertaken in its area of the North Sea. She proposed this work plan activity could be done for the MOP in 2024.

245. Work Plan Activity 23 involved contributing to the development or updating of maps of MPAs where cetaceans form part of the selection criteria. Ms Renell asked for suggestions of existing maps that could contribute to this activity. Ms Carlén suggested that some of this information could be taken from the progress reports for the ASCOBANS species conservation plans. Mr Evans noted that the maps of MPAs prepared by the European Environment Agency no longer included UK waters, following the UK's departure from the EU. Conversely, the UK MPAs were in the OSPAR maps, but these didn't include all EU sites. Ms Murphy suggested that ASCOBANS could actively work with OSPAR to ensure coverage of all MPAs designated for cetaceans in their database¹⁷. Ms Svoboda emphasized the need to avoid duplication, again drawing attention to OSPAR's database of MPAs. Participants agreed that Important Marine Mammal Areas (IMMAs) would not be included in the first instance to maintain focus on the mandate of the Work Plan Activity 23. Ms Renell noted the species action plan coordinators as a first step to collect the MPA map and proceed from there.
246. Work Plan Activity 28 was to review progress and actions in the "Extension Area". Participants agreed that Mr Evans report to MOP10 on this activity.
247. Work Plan Activity 34 was on the development or updating of survey effort maps. Mr Evans noted that maps were available, it was a matter of collating them. He suggested that updated maps could cover a fixed time period e.g. the most recent ten years. Participants agreed that the Secretariat would contact a number of AC28 participants to take this activity forward.
248. Work Plan Activity 39 involved facilitating the development of guidelines for response to live small cetaceans at risk in dangerous circumstances, specifically referring to strandings. It was noted that the UK has a marine mammal rescue coalition, with potentially available resources. Participants agreed that OceanCare (Mr Simmonds) provide a compilation of available resources for the next AC meeting.
249. Participants agreed that Work Plan Activity 43 on mapping strandings would be undertaken after the strandings database has been developed.
250. Work Plan Activity 50 involved undertaking a work prioritization exercise for AC activities. Ms Renell explained that this was originally planned for the AC meeting in 2021 but it had not been taken forward. She proposed that it be undertaken for the next Work Plan 2025-2028, in advance of MOP10. A small Working Group was established for this task, which included Ms Kamińska (Poland), Ms Brtnik (Germany), Ms Svoboda (Netherlands) and Ms Murphy.
251. Work Plan Activity 74 was to consider the output of the informal working group on large cetaceans in the Agreement area. Mr Evans reported that the intention of Activity 74 was to keep a watching brief on large cetaceans in the Agreement area. Previously, a report on the pressures faced by large cetaceans in the ASCOBANS area was produced at intervals, and he suggested this could be done again. Mr Simmonds reflected that many of the threats facing small cetaceans covered by ASCOBANS were similar or related to those faced by large cetaceans in the area. Participants agreed that a summary report for MOP10 would be prepared, led by Mr Evans and working with other contributors as appropriate.

¹⁷ <https://www.ospar.org/work-areas/bdc/marine-protected-areas/mpa-webtool>

10. Draft Resolutions for 10th Meeting of the Parties

252. Ms Renell (Secretariat) presented a preliminary list of Resolutions to be submitted to the 10th Meeting of the Parties (MOP10), scheduled in 2024. She noted that the deadline to post draft Resolutions was 90 days before MOP. The required Resolutions were:
- Work Plan 2025-2028;
 - Management of Expenditures 2020-2023;
 - Financial and Administrative Matters 2025-2028; and
 - National Reporting.
253. Potentially, the existing Resolution 8.10 (Rev.MOP9) *Small Cetacean Strandings Response* would need to be revised, if there is something to decide about a new strandings database. Similarly, Res.8.5 (Rev.MOP9) *Monitoring and Mitigation of Small Cetacean Bycatch* may require revision, if there is consensus about changing the first operative paragraph, according to the deliberations and further work of the conservation objectives workshops.
254. Ms Renell then drew attention to the new Resolutions to be potentially proposed for MOP10:
- First Revision of the ASCOBANS Conservation Plan for Harbour Porpoises in the North Sea – to adopt the Revised North Sea Plan;
 - Cetacean-sensitive Maritime Spatial Planning for the ASCOBANS Area – to adopt the guidelines;
 - Beaked whales – as instructed by AC26/AP35; and
 - Identifying potential duplication/gaps in efforts in ASCOBANS and other organizations / Cooperation with other organisations – as instructed in WPA68.
255. In addition, the meeting agreed that the existing Resolution 8.6. *Ocean Energy* and Resolution 6.2 *Adverse Effects of Underwater Noise on Marine Mammals during Offshore Construction Activities for Renewable Energy Production* would need to be revised and potentially updated. Ms Blankett (Finland), Ms Carlén, and Mr Simmonds volunteered to take on this task. It was noted that, if there was funding for a consultant to review the WBBK Plan, then the aim would be for a revised plan to be submitted for consideration by MOP10. This would require a new Resolution. It was acknowledged that time was now tight for this process. There was also a call for a new Resolution on recreational speed crafts. The Secretariat would seek drafting group membership.
256. Participants discussed the question whether a Resolution on cooperation with other organizations was needed (WPA68). The importance of collaboration and cooperation with organizations was emphasized by several participants noting the need to avoid duplication of effort. It was agreed that a Resolution or Memoranda of Understanding between ASCOBANS and other organizations were not necessary at this stage, given the time involved in setting them up and the already ongoing collaboration with many organizations.

11. Any Other Scientific Issues

Mindful conservation

257. Mr Ritter gave a [presentation](#) on *Marine mammal conservation in the 21st century: A plea for a paradigm shift towards mindful conservation*¹⁸, on behalf of the NGO M.E.E.R. eV. He emphasized the importance of behaviour change as well as new narratives to achieve success in conservation and he drew attention to the concept of mindful conservation, which recognizes that humans are an integral part of nature. Mindful conservation as a holistic approach incorporating traditional ecological knowledge, indigenous wisdom, rights for nature, etc. does not replace traditional conservation approaches but rather complements them. He cautioned

¹⁸ <https://doi.org/10.1016/bs.amb.2022.09.001>

against valuing nature in monetary terms, and instead we should recognize its intrinsic value. Mr Ritter concluded by noting that this would be his last ASCOBANS meeting.

258. Many participants took the floor to thank Mr Ritter for his interesting presentation and for his many years of valuable service and important contributions to ASCOBANS. The AC wished Mr Ritter well in future endeavours.

THERMAPEX

259. Ms Renell [drew attention](#) to an invitation to the ASCOBANS Secretariat to join a new COST (European cooperation in science and technology) Action initiative: "THERMAPEX: Enhancing conservation of marine apex predators (MAP) through synergy with man-made structures". Participants agreed that the invitation should be accepted.

Marine Mammal Twinning

260. Ms Renell asked for advice on an invitation to ASCOBANS to become a Marine Mammal Twinning partner as part of the EU-funded Ocean Governance Project. The marine mammal management toolkit produced by the project had been presented to AC27. Participants agreed that the invitation should be accepted.

Letter to Faroe Islands

261. Ms Renell reported that, following the letter sent by the AC in 2021, and referring to Action Point 17 from AC27, a small correspondence group developed a follow-up letter to the Faroe Islands regarding the mass hunt of Atlantic white-sided dolphins in 2021. The text was edited on screen in particular to include information from a press release, as suggested by Jack Collier (United Kingdom). The meeting agreed that the letter be signed by the AC Chair and sent to the Faroe Islands with the agreed amendments.

Other issues

262. Ms Blankett reported that, through an update to legislation in the autonomous Åland islands in Finland, the harbour porpoise has now been recognized as a protected species in this region on the basis of their unfavourable status. The change would come into force on 1 November 2023.
263. Mr Simmonds, on behalf of WWF, WDC, ORCA, OceanCare and Nabu, stressed that ASCOBANS must remain committed to ending bycatch and that the discussion around 'removal limits' needs to be seen in this context. The current situation for some populations was clearly urgent and warrants practical and effective mitigation measures as the priority in the immediate term. Care should be taken with language not to give a false impression that any deaths caused by anthropogenic activities are 'acceptable'.
264. Ms Murphy raised the idea of a joint ACCOBAMS and ASCOBANS Conservation Plan for the Iberian Porpoise that she had proposed under agenda item 5. Since then, the Secretariat had received advice that the ACCOBAMS Secretariat could not commit to a joint Working Group without a request from its Parties. Ms Renell explained that under ASCOBANS, no conservation plan could be proposed for MOP if the Range States were not Parties to the Agreement.
265. Ms Murphy explained that through its Marine Action Plan, the EU will be seeking to establish thresholds or limits for incidental capture of common dolphins in the Bay of Biscay and the harbour porpoise in the Baltic Sea by end of 2023. She proposed that activities for the ASCOBANS conservation objectives should be brought forward to ensure the ASCOBANS work can feed into the work through the EU Marine Action Plan. Mr Evans believed that the

EU timelines would not be met. Ms Renell clarified that the conservation objectives work would need to be agreed by ASCOBANS Parties.

12. Adoption of the List of Action Points of the Scientific Session

266. The Secretariat presented the draft list of action points and recommendations generated during the meeting. Each point was reviewed and edited on screen. The final list of adopted Action Points and Recommendations from the Scientific Session can be found in Annex 1 to this meeting report.

13. Close of the Scientific Session

267. After the customary expression of thanks to all involved in the successful conduct of the Meeting so far, the Chair (Ms Katarzyna Kamińska) closed the Scientific Session on Friday 28 September 2023 at 13:50 CEST.

14. Opening of the Institutional Session

268. The session was opened by the Chair, Anne-Marie Svoboda from the Netherlands.

15. Status of Accession and Acceptance of the Agreement's Amendment

269. Ms Renell gave an update on the Status of Accession and Acceptance of the Agreement's Amendment ([ASCOBANS/AC28/Inf.15](#)). Two Parties had not yet formally accepted the amendments to the extension area. No update from Belgium or Lithuania was received.

16. National Reporting Form

270. Ms Renell presented the 2022 ASCOBANS National Report Form ([ASCOBANS/AC28/Inf.16](#)). She explained that all sections of the national reports should be completed for presentation to MOP10. In previous years, only some sections of the national reports had been required, so there are gaps in the data. For this reason, the forms in the online reporting system for 2020, 2021 and 2022 will be re-opened so that all sections can be completed by Parties. The 2023 form will be available by early January. The deadline for submission of national reports is 31 March 2024 but there can be flexibility. Participants agreed that a deadline of 31 May 2024 should apply.

271. Ms Renell recalled that AC27/AP22 asked the Secretariat to establish an Intersessional Working Group to review the questions in the national reports and assess whether they needed clarification or additional guidance. This work has not yet been completed. Ms Renell proposed that the Working Group reports to MOP10 and any proposals for amended questions would be used for the next reporting cycle i.e. after MOP10. Participants agreed with this proposal.

272. A number of proposed amendments to the national report on marine spatial planning were outlined in the document ASCOBANS/AC28/Inf.16. Ms Renell asked the AC if it agreed with these proposals, and if so, she sought guidance on when they should be implemented. Ms Brtnik agreed to the inclusion of the new questions and suggested that, if feasible, they could be included in the reports now, to support the work on the marine spatial planning guidelines. Ms Renell explained that this would be possible, but it was complicated because countries that had already filled in the marine spatial planning sections in previous relevant reporting cycle would need to redo those questions. Participants agreed to include the additional questions in the National Report form after MOP10.

273. Mr Evans reflected that some gaps in the information provided in national reports had been highlighted under agenda item 2. Participants agreed that the Secretariat should follow up with Parties to see if any additional information needs including in their national reports or if anything needs clarification.

17. Financial and Administrative Issues

17.1. Administrative Issues

274. Ms Renell presented the Report on Administrative Issues 2022-2023 ([ASCOBANS/AC28/Doc.17.1](#)) and noted that there were no updates on staff or secretariat arrangements. The number of projects/initiatives administered was nine. She outlined the UN administration costs or 'Umoja costs' for the CMS Family Secretariats from 2024 onwards, with a proposal to take the cost for 2024 (estimated \$5,000) from the core budget 'Operating costs'. The meeting agreed that Umoja costs in 2024 could be taken from the 'Operating costs' in the core budget.

17.2. End of Term Report on Budgetary Issues 2022

275. Ms Renell presented the End of Term Report on Budgetary Issues 2022 ([ASCOBANS/AC28/Doc.17.2](#)) and expressed thanks to Germany and Finland for their voluntary contributions. A total expenditure of €243,011 had been reported for the period January to December 2022. Factoring in the carry-over from 2021 of € 115,341, a total amount of € 100,703 was subsequently available at the end of 2022 and was rephased into the year 2023. There were no questions about the report.

17.3. Mid-term Report on Budgetary Issues 2023

276. Ms Renell presented the Mid-term Report on Budgetary Issues 2023 ([ASCOBANS/AC28/Doc.17.3](#)) and expressed thanks to the Netherlands and Germany for their voluntary contributions up until the end of June 2023, with a further contribution received from France since then. Table 2 of the document showed the approved budget for 2023 and the status of expenditure, and it factors in the carry-over from 2022 of € 100,703. She explained that €10,000 has not yet been moved from operating costs to conservation projects, as was discussed at the previous AC, while they wanted to show the balance where the Umoja costs would need to be taken next year. Ms Renell cautioned against allocating the entire 'Conservation projects' budget for projects and instead allowing a buffer to supplement contracts where voluntary contributions fall short, or a general emergency buffer, usage of which would be run by the AC Chair and Vice-Chair. The meeting had no questions about the report.

18. Prioritisation of Activities Requiring Funding

277. Ms Renell presented the Activities Requiring Funding ([ASCOBANS/AC28/Doc.18](#)) which amounted to approximately €100,000 in total for the five initiatives listed in the document.
278. Ms Renell explained that the Secretariat sought guidance on how existing funding should be spent, adding that prioritization would also help direct fund-raising efforts. She invited pledges for further contributions.
279. The Netherlands reported that it was pleased to provide €10,000 voluntary contribution. The announcement was met with applause.

280. Mr Evans raised the possibility of having a further workshop on the conservation objectives which may require funding. It had been previously agreed that a small online meeting should be sufficient and therefore the Chair invited further clarification. Mr Evans explained that the scale of funding needs was not clear at this stage, and there is the possibility that a contractor might be needed to support the work. Participants agreed that work on the conservation objectives would be included in the list of activities requiring funding, but it would not be prioritized above the other projects.
281. Following discussion, the list of projects for funding priority was agreed:
- Long-term Coordination of the Harbour Porpoise Action Plans
 - Development of a Strandings Database
 - Review of the Conservation Plan for the HP Population in the Western Baltic, the Belt Sea and the Kattegat
 - Workshop with NATO and navies
 - Coordination of the SAP for NE Atlantic Common Dolphin.

19. Managing workload and expectations around Working Groups

282. Ms Virtue gave a [presentation](#) on Managing workload and expectations around Working Groups ([ASCOBANS/AC28/Doc.19](#)). She explained that part of the Secretariat's role is in organizing and servicing meetings which includes planning, developing the agendas, providing report writing, establishing web pages, arranging travel and catering etc. The Secretariat was very pleased to undertake these tasks, however, there had been a steady increase in the workload. Since AC27, the Secretariat had organized three Working Group meetings and six workshops in addition to preparing for AC28. In total, there were currently twenty ASCOBANS working groups, each of which required a different level of facilitation from the Secretariat, some working nearly independently, but most requiring the Secretariat to start and/or facilitate discussions. The Secretariat recommended that Parties consider the number of new requests for workshops and working groups arising at this and future meetings. In some cases, it might be useful to indicate which activities should be given priority. In others, more consideration might be given to arrangements that allow intersessional working groups to operate more independently.
283. Participants recognized the heavy workload of the Secretariat and discussed ways to reduce the burden. It was proposed that working groups should have a fixed term e.g. all the intersessional WGs would work until MOP and then cease, unless the AC instructs them to continue at its next meeting. It was also proposed that a country or an NGO could provide support to a WG e.g. draft initial emails, run meetings, and write reports.
284. Ms Kaminska highlighted the need to consider Working Groups that did not have a Chair. Ms Svoboda, supported by Ms Blankett, remarked that if a working group did not have a chair, and work was not progressing, then its work could be evaluated to see whether or not it should continue. Ms Blankett noted that in HELCOM, lead countries are identified for all recommendations. Ms Kaminska suggested that if a Party wants to establish a WG, then perhaps it could be a lead country. Mr Evans remarked that some of the new working groups only needed to meet once to produce a report to the MOP.
285. Participants agreed that the Secretariat would circulate a list of Working Groups that need to produce work in the next 12 months, but if there were no volunteers for a Chair, the work does not go forward.
286. Specific amendments agreed on the list of Working Groups were made. Two Intersessional Working Groups (IWGs), Marine Debris workshop and Nord Stream gas leak, had completed their work and could be removed from the list of WGs (see [ASCOBANS/AC28/Doc.19](#)).

287. Mr Pierce suggested discontinuing the Resource Depletion Working Group and initiating a discussion group on the Iberian harbour porpoise. There were no objections.

20. Any Other Institutional Issues

288. Ms Renell expressed appreciation for all voluntary contributions to ASCOBANS. She drew attention to a challenge in managing these contributions: contracts could not be started until the funding was received and contracts needed to be delivered before the money expired, which lead to tight timeframes that were challenging to manage. She asked whether donors would allow voluntary contributions to be held together in one budget line instead of having a budget line for each individual grant. This would allow flexibility for the Secretariat to carry out the necessary processes. One single certified report would be provided to donors (instead of individual ones) and, in addition, an informal report of the specific expenditure could also be provided if needed.
289. Germany did not support the proposal and expressed concern that a single budget line may limit their involvement in what the contribution is used for. Ms Virtue clarified that the process for receiving and agreeing the expenditure of the voluntary contribution would stay the same.
290. The Netherlands agreed with the proposal of the Secretariat.
291. United Kingdom explained that the UK recognized the balance needed between flexibility and ensuring due diligence on the allocation of funding. If it was still possible to earmark the allocation for the UK's contribution, and individual expenditure reports can be provided, then the UK could support the proposal.
292. The Chair suggested that bilateral discussions should continue after the meeting to find a way both to address the concerns raised by Germany and the need for the Secretariat to have flexibility.

21. Date and Venue of 10th Meeting of the Parties and the 29th Meeting of the Advisory Committee

293. The Chair invited expressions of interest for hosting MOP10 in 2024. Denmark offered to host, and participants thanked Denmark for their offer. MOP10 would be held in September 2024, with the exact dates to be confirmed. Finland urged to avoid the first week of September, as the PROTECT BAL TIC stakeholder conference would be held then.
294. The Chair noted that AC29 would be online in 2025 and invited suggestions for dates. Ms Renell confirmed that an alternate cycle of online and in-person meetings had been agreed at MOP9, but Parties may decide differently at MOP10. Mr Evans reported that the University of Bangor would be willing to host the next AC or the AC after that, if the UK agreed.

22. Adoption of the List of Action Points of the Institutional Session

295. Ms Renell presented a draft list of Action Points and Recommendations for approval. The agreed Action Points and Recommendations from the Institutional Session are included in Annex 1 to this meeting report.
296. Participants discussed the Working Group on *Lagenorhynchus* species and agreed that Mr Evans would consult with the Group on next steps which would either be a report to MOP10, and then cessation of the group or if further work is needed, it could be transferred to the Working Group on Data Deficient Taxa.

297. Three workshop ideas, with no cost implications for ASCOBANS, were proposed for consideration to be held back-to-back with the European Cetacean Society Conference. The suggestions were workshops on:

- Recreational vessels and their impact on small cetaceans.
- Species and populations in the ASCOBANS agreement areas that require further attention (Data Deficient taxa and *Lagenorhynchus*).
- Management of MPAs for small cetaceans – to present the results from the 2021 and 2022 ASCOBANS workshops.
- Further work on the planned strandings database.

23. Close of the Meeting

298. After the customary expressions of thanks to all involved, the Chair declared the Institutional Session of the meeting closed on Thursday 28 September 2023 at 15:43 CEST.

Annex 1:**ACTION POINTS AND RECOMMENDATIONS FROM
THE 28TH MEETING OF THE ASCOBANS ADVISORY COMMITTEE****SCIENTIFIC SESSION***(AP = Action Point, R = Recommendation)***Recreational sea use**

1. AP) The Intersessional Working Group to continue (see [AC27/AP18](#)) and prepare a draft resolution for the 10th Meeting of the Parties (MOP10).

Climate change

2. AP) Secretariat to establish an Intersessional Discussion Group on climate change to distinguish between impacts from climate change as distinct from other anthropogenic or environmental factors. The group will report to the 29th Meeting of the Advisory Committee (AC29). Members: Mark Simmonds (Chair), Peter Evans, Sinéad Murphy, Ida Carlén, Graham Pierce, WDC; others are welcome to join.

Conservation Plan for the Harbour Porpoises Population in the Western Baltic, the Belt Sea and the Kattegat

3. AP) Secretariat to send a letter from the Advisory Committee to Belt Sea countries about concerns over the Belt Sea population, to be based upon the following:
 - The latest SCANS survey from 2022 provides a new population estimate of 14,403 (CV = 0.21) and indicates a 1.52% decline in the population since 2012, although the data have low power to detect a significant trend below 4.4% (Gilles et al. 2023);
 - The Belt Sea population is distinct from the neighbouring populations based on genetics, morphology and movement data (Sveegaard et al. 2015). However, some movement from the region cannot be ruled out, especially since the general habitat quality within the Belt Sea population area seems to have declined. For instance, several fish stocks e.g. cod and herring within the area are severely depleted (ICES 2022, ICES 2023) likely due to overfishing, eutrophication and increasing water temperatures.
 - HELCOM, in its recent HOLAS-3, has assessed that the sustainable removal level for the Belt Sea population is being greatly exceeded (i.e. a calculated removal level of 73 versus reported bycatch of 805 annually)

Risso's dolphin

4. R) Parties are encouraged to:
 - Conduct systematic surveys and habitat modelling to identify hotspots, particularly offshore.
 - Conduct population estimates from photo-ID and line-transects.
 - Conduct wide-scale surveys of genetic variation throughout North Atlantic and Mediterranean Sea, and better understand population structure using complementary techniques such as acoustics and stable isotopes.
 - Conduct long-term collaborative studies using photo-ID to investigate home ranges, movements, social structure, and life history parameters.
 - Facilitate the use of strandings data to provide more information on life history and causes of mortality.

- Examine further geographical & seasonal variations in diet using stomach contents, fatty acid and stable isotope analysis, eDNA, etc.
- Better assess relative importance of different conservation threats on a geographical basis.

Any other scientific issues

Offshore Renewable Energy Working Group

5. AP) The Offshore Renewable Energy Working Group (OREWG) to assess whether ASCOBANS [Resolution 8.6](#) and [Resolution 6.2](#) need updating, to reflect current concerns. Potential revisions to be presented to MOP10 in 2024.
6. AP) The OREWG to continue its work, to address the implications for small cetaceans within the Agreement Area both in terms of underwater noise from wind turbines, habitat alteration, and associated activities during the construction, operation, and decommissioning phase. Besides wind farm construction there are also plans for other forms of offshore renewable energy including tidal and wave energy, and their potential impacts will also be considered. The working group will take into account initiatives being undertaken within other fora such as ICES WGMME. The OREWG to report to MOP10.
7. AP) The OREWG to appoint a Chair.

Intersessional Working Group on Data Deficient Taxa

8. AP) Upon request, the Intersessional Working Group on Data Deficient Taxa to provide advice for any Party that wishes to take forward a proposal to amend the CMS Appendices.
9. AP) The Intersessional WG to organize a virtual meeting to discuss the following issues, and report to AC29:
 - Which species and populations in the agreement area require further attention,
 - Where the data gaps lie, and
 - How to take work on these populations and species forward in the ASCOBANS context.

The Chair of the Intersessional WG is Mark Simmonds.

Iberian harbour porpoise

10. AP) The Secretariat to establish an Intersessional Discussion Group on the Iberian harbour porpoise. The group will consider the development of a conservation plan for this population. The Secretariat will seek membership via email correspondence. The group will report to MOP10.

Joint Bycatch Working Group

11. AP) The Joint Bycatch Working Group of ACCOBAMS and ASCOBANS, as a part of its Work Plan, to look at fisheries-generated marine debris. Pine Eisfeld-Pierantonio has offered to lead this work stream.

Important Marine Mammal Areas

12. AP) The Secretariat to invite the IUCN Marine Mammal Protected Areas Task Force to present at MOP10.

INSTITUTIONAL SESSION

Prioritisation of Activities Requiring Funding

13. The Advisory Committee agreed to prioritise the following activities from [ASCOBANS/AC28/Doc.18](#), in order of priority:
- Long-term Coordination of the Harbour Porpoise Action Plans
 - Development of a Strandings Database
 - Review of the Conservation Plan for the HP Population in the Western Baltic, the Belt Sea and the Kattegat
 - Workshop with NATO and navies
 - Coordination of the SAP for NE Atlantic Common Dolphin.

In addition, the conservation objectives work was highlighted for consideration with regards to fundraising.

Managing workload and expectations around Working Groups

14. Two Intersessional Working Groups (IWGs), Marine Debris workshop and Nord Stream gas leak, have completed their work and can be removed from the list of WGs (see [ASCOBANS/AC28/Doc.19](#)).
15. The following IWGs are anticipated to have completed their work by MOP10 and can then be dissolved: Beaked whales, Recreational speed craft, *Lagenorhynchus* species, Prioritization of activities (WPA50), Identifying potential duplication/gaps in efforts in ASCOBANS and other organizations (WPA68).
16. The following Intersessional Working Groups will continue beyond MOP10: Offshore Renewable Energy, Data Deficient Taxa, Maritime Spatial Planning (previously 'WG to guide development of the MSP Guidelines').

Date and Venue of MOP10 and AC29

17. The Advisory Committee welcomed the offer of Denmark to host MOP10. It would be held in early September 2024. AC29 would be tentatively held in September in 2025, online, unless decided otherwise.

Annex 2:

ACTION POINTS FROM THE 19TH MEETING OF THE JASTARNIA GROUP

(Adopted by the 28th Meeting of the Advisory Committee)

Reference	Action Point (and old reference)	Jastarnia Plan		WBBK Plan		Long-/short-term + Deadline if possible	Priority (High / Medium / Low)
		Ap-plies	Mandate	Ap-plies	Mandate		
JG19/AP1	Parties shall establish or further improve local and national monitoring programmes for Harbour Porpoise abundance and occurrence and to further ensure these are aligned in terms of timing and methodology between countries, in order to complement large-scale international monitoring activities. (JG17/AP1)	X	MON-01: Implement and harmonize long-term continual acoustic Harbour Porpoise monitoring	X	Objective d: Monitoring the status of the population	Long-term	High
JG19/AP2	All Parties, and other countries bordering the Baltic Sea, are strongly encouraged to support SAMBAH-II, specifically in terms of fundraising nationally in order to carry out the monitoring for SAMBAH-II. Countries are also encouraged to support attempts to find funds for analyses of abundance and distribution. (Updated JG18/AP2)	X					Short-term
JG19/AP3	Parties are strongly encouraged to continue to undertake and cooperate on the SCANS surveys. (Updated JG18/AP3)			X	Rec.7: Estimate trends in abundance of Harbour Porpoises in the Western Baltic, the Belt Sea and the Kattegat	Long-term	High
JG19/AP4	Parties are strongly encouraged to use the data provided by the most recent abundance and distribution surveys, national monitoring programmes, acoustic research projects and any other available data, in connection with the establishment and evaluation of MPAs for Harbour Porpoises, as well as with regard to	X	MIT-06: Expand the network of protected areas for Harbour Porpoises, improve its connectivity, and develop and implement appropriate management plans including monitoring schemes for these areas			Long-term	Medium

Reference	Action Point (and old reference)	Jastarnia Plan		WBBK Plan		Long-/short-term + Deadline if possible	Priority (High / Medium / Low)
		Applie s	Mandate	Applie s	Mandate		
	management plans and mitigation measures. (Updated JG18/AP4)						
JG19/AP5	Parties should investigate possible detrimental effects of various types of sound and disturbance on Harbour Porpoises (including pinger signals, noise from vessels, seismic surveys, underwater explosions, wind parks or construction) both on the individual and on a population level. (Updated JG18/AP5)	X	RES-07: Improve knowledge on impact of impulsive and continuous anthropogenic underwater noise on Harbour Porpoises, and development of threshold limits of significant disturbance and GES indicators	X	Objective e: Ensuring habitat quality favourable to the conservation of the Harbour Porpoise	Long-term	Medium
JG19/AP6	Parties should investigate how underwater noise affects the detection of harbour porpoises by PAM equipment.					Short-term	High
JG19/AP7	Parties are encouraged to agree on how to implement the EU MSFD indicators and thresholds for underwater noise in the Baltic Sea Region, taking into account the critically endangered status of the Baltic Proper harbour porpoise as well as relevant regional sound propagation properties and needs for precaution for example concerning levels of noise from leisure crafts. Parties are also encouraged to develop HELCOM-wide coordinated guidelines for noise mitigation, taking into account the CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities. (Updated JG18/AP6).	X	MIT-05: Implement regionally harmonized national threshold limits and guidelines for regulation of underwater noise	X	Rec.11: Restore or maintain habitat quality	Medium-term	High
JG19/AP8	Parties are required to establish systems to effectively monitor bycatch covering all sizes of fishing vessels, in line with the HELCOM Roadmap on fisheries data in order to assess incidental bycatch and fisheries impact on benthic biotopes in the Baltic Sea and the ICES Special Request Advice on emergency	X	MON-03: Monitor and estimate Harbour Porpoise bycatch rates and estimate total annual bycatch	X	Rec.6: Estimate total annual bycatch	Medium-term	High

Reference	Action Point (and old reference)	Jastarnia Plan		WBBK Plan		Long-/short-term + Deadline if possible	Priority (High / Medium / Low)
		Applie s	Mandate	Applie s	Mandate		
	measures to prevent bycatch of common dolphin and Baltic Proper harbour porpoise in the Northeast Atlantic. (JG17/AP7)						
JG19/AP9	Parties are strongly encouraged to carry out spatio-temporal risk-assessments of Harbour Porpoise bycatch using Harbour Porpoise distribution and fishing effort data. (JG17/AP8)	X	RES-04: Carry out a spatio-temporal risk assessment of Harbour Porpoise bycatch	X		Medium-term	High
JG19/AP10	Parties should implement and where needed further develop, in cooperation with stakeholders, any available fishing gear that does not cause, or is shown to significantly reduce, harbour porpoise bycatch, and strive to replace static nets with such alternative gear, especially in MPAs, as soon as possible. (JG17/AP9)	X	RES-05: Further develop and improve fishing gear that is commercially viable with no Harbour Porpoise bycatch MIT-01: Implement the use of fishing gear that is commercially viable with no Harbour Porpoise bycatch	X	Objective b: Mitigation of bycatch	Long-term	High
JG19/AP11	When alternative gear is not sufficient to eliminate harbour porpoise bycatch, Parties should promote the use and further development of pingers not audible to seals and alerting devices other than pingers. (Updated JG17/AP10)	X	RES-05: Further develop and improve fishing gear that is commercially viable with no Harbour Porpoise bycatch	X	Objective b: Mitigation of bycatch	Long-term	High
JG19/AP12	Parties should monitor the use and functioning of dedicated harbour porpoise deterrent and alerting devices, including studies to assess their effect on bycatch reduction and on harbour porpoise behaviour and distribution. (Updated JG18/AP11)	X	MIT-03: Continue or implement the use of acoustic deterrent devices (pingers) and acoustic alerting devices proven to be successful when and where deemed appropriate RES-06: Improve the knowledge on potential population-level effects of the use of pingers, and develop acoustic devices for bycatch mitigation further	X	Rec. 9: Ensure a non-detrimental use of pingers by examining habitat exclusion and long-term effects of pingers	Long-term	High

Reference	Action Point (and old reference)	Jastarnia Plan		WBBK Plan		Long-/short-term + Deadline if possible	Priority (High / Medium / Low)
		Ap- plie s	Mandate	Ap- plie s	Mandate		
JG19/ AP13	Parties should liaise with and provide information to the national military forces in relation to the possible interference of pingers with military underwater acoustic activities.					Short-term	High
JG19/ AP14	Parties should liaise with and provide information to the national military forces in relation to the possible security concerns of using passive acoustic devices.					Short-term	High
JG19/ AP15	With respect to recreational fisheries, Parties should work towards banning or limiting the use of those types of gear known to pose a threat to harbour porpoises, or introduce effective mitigation measures shown to significantly reduce or eliminate bycatch. (JG17/AP12)	X	MIT-02: Reduce or eliminate fishing effort with gillnets or other gear known to cause porpoise bycatch in areas with higher Harbour Porpoise density or occurrence, and/or in areas with higher risk of Harbour Porpoise bycatch, according to spatio-temporal risk assessments	X	Rec.3: Protect Harbour Porpoises in their key habitats in minimizing bycatch as far as possible Rec.5: Where possible replace gillnet fisheries known to be associated with high porpoise bycatch with alternative fishing gear known to be less harmful	Long-term	High
JG19/ AP16	Parties are encouraged to coordinate and standardize monitoring of stranded and bycaught animals, determining the appropriate number of animals to be necropsied in each country, ensuring that health, contaminant load, life-history parameters and cause of death is examined in a coherent manner, and that tissue samples are collected from all carcasses from the Baltic Proper harbour porpoise distribution range. All necropsies and sampling should be carried out in accordance with the ASCOBANS-ACCOBAMS <i>Best practice on cetacean post-mortem investigation and tissue sampling</i> . (Updated JG17/AP13)	X	MON-04: Collect dead specimens and assess health status, contaminant levels, cause of mortality and life-history parameters of Harbour Porpoises	X	Rec.8: Monitor population health status, contaminant load and causes of mortality	Long-term	Medium

Reference	Action Point (and old reference)	Jastarnia Plan		WBBK Plan		Long-/short-term + Deadline if possible	Priority (High / Medium / Low)
		Applie s	Mandate	Applie s	Mandate		
JG19/AP17	All Parties and Range States should establish programmes for recording bycatch, strandings and opportunistic sightings for inclusion in a national database, and report annually to the ASCOBANS/HELCOM harbour porpoise database. (Updated JG18/CP14)	X	PACB-01: Improve communication and education for increased public awareness and collection of live observations and dead specimens of the Baltic Harbour Porpoise	X	Objective d: Monitoring the status of the population	Long-term	Medium
JG19/AP18	ASCOBANS should join efforts with HELCOM to liaise with the European Commission and other relevant bodies to improve the implementation by Member States of the EU Technical Measures Regulation and the Data Collection Framework to better incorporate and tackle bycatch concerns. (JG17/AP16)	X	COOP-02: Strive for close cooperation between ASCOBANS and other international bodies	X	Rec.2: Cooperate with and inform other relevant bodies about the Conservation Plan	Long-term	Medium
JG19/AP19	Parties should ensure that Belt Sea and Baltic Proper populations of harbour porpoises are assessed and managed as separate populations, e.g. in management plans and national redlists. (Updated JG18/AP16)	X	Other	X	Other	Long-term	Medium
JG19/AP20	Countries are urged to, without delay, prepare a BALTFISH Joint Recommendation that includes effective bycatch mitigation measures outside MPAs, in areas of high and medium importance for harbour porpoises according to the map prepared by experts for HELCOM HOLAS 3 , noting that coastal habitats are also of high importance for harbour porpoises. (Updated JG18/AP19)	X	Objective: Monitor, estimate and reduce bycatch			Short-term	High
JG19/AP20	Countries are also urged to prepare a BALTFISH Joint Recommendation that includes effective bycatch mitigation measures outside MPAs, in areas of low harbour porpoise occurrence. It is noted that the real-time closures/moving-on procedures as discussed by BALTFISH has strong limitations to prevent		Objective: Monitor, estimate and reduce bycatch			Short-term	High

Reference	Action Point (and old reference)	Jastarnia Plan		WBBK Plan		Long-/short-term + Deadline if possible	Priority (High / Medium / Low)
		Ap- plie s	Mandate	Ap- plie s	Mandate		
	or mitigate harbour porpoise bycatch. Despite this, if real-time closures/moving-on procedures are implemented, this should not prevent or delay the application of effective mitigation measures. (Updated JG18/AP19)						
JG19/ AP21	Parties are urged to ensure a proposal to list the Baltic Proper harbour porpoise in CMS Appendix I is brought to CMS COP14 in 2023. (JG17/AP21)	X	Other			Short-term	Medium
JG19/ AP22	It was agreed that the delimitation between the North Sea and WBBK harbour porpoise plans should be the management unit border identified by Sveegaard et al 2015 in Kattegat at 56.95°N. The area for the WBBK should have its eastern delimitation at the management unit border identified by Sveegaard et al 2015 at 13.5°E, while the Jastarnia plan area should be east of 13.0°E, according to the ICES scientific advice of May 2020. The overlap of the WBBK and Jastarnia plans areas will be considered in the Jastarnia Group's discussions of the plans. (JG17/AP22)	X	Other	X	Other	Short-term	Medium
JG19/ AP23	Parties are strongly encouraged to carry out spatio-temporal risk-assessments of Harbour Porpoise bycatch using recent Harbour Porpoise distribution and fishing effort data for the entire Baltic Sea Region to determine additional areas for bycatch mitigation for the Baltic Proper population. In the absence of pinger use, the only immediate mitigation measure possible to protect harbour porpoises is further closures of static net fisheries in areas of importance to harbour porpoises. In these areas, gear types known to not cause bycatch	X	RES-04: Carry out a spatio-temporal risk assessment of Harbour Porpoise bycatch Objective: Monitor, estimate and reduce bycatch			Long-term	High

Reference	Action Point (and old reference)	Jastarnia Plan		WBBK Plan		Long-/short-term + Deadline if possible	Priority (High / Medium / Low)
		Applie s	Mandate	Applie s	Mandate		
	of harbour porpoises (such as pots, traps, and long lines) can be used. (Updated JG18/AP22)						
JG19/AP24	It is recommended that a representative from the Jastarnia Group as well as relevant experts be invited to the workshop(s) agreed by ASCOBANS AC26 to consider navies' mitigation practice in the use of military sonar and management of other activities that can contribute to potentially harmful underwater noise, including the removal and/or detonation of UXO. (Updated JG18/AP24)	X	Action MIT-05: Implement regionally harmonized national threshold limits and guidelines for regulation of underwater noise		Rec.11: Restore or maintain habitat quality	Short-term	Medium
JG19/AP25	Jastarnia Group to send a letter (signed by the Chair) to all Baltic Proper Range States and their national navies, raising concern of the effect of underwater explosions to harbour porpoises, and to inform them about effective mitigation measures. (JG18/AP25)	X	Action MIT-05: Implement regionally harmonized national threshold limits and guidelines for regulation of underwater noise			Short-term	Medium
JG19/AP26	AC28 is requested to make funding available for a consultant to do the revision of the <i>Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat</i> , so that the document is ready by MOP10 in 2024. (Updated JG18/AP28)			X	Other	Short-term	Medium

Annex 3:

List of Dates of Interest to ASCOBANS 2023-2024

Date	Organiser	Title	Venue	Participation / Report
2023				
4-5 Oct 2023	OSPAR & HELCOM	1 st Informal Consultation Session of the HELCOM Expert Group on Underwater Noise and the OSPAR Intersessional Correspondence Group on Underwater Noise	Copenhagen, Denmark	
4-9 Oct 2023	HELCOM	2 nd Informal Consultation Session of the Biodiversity, Protection and Restoration Working Group (HELCOM BioDiv)	Online	Penina Blankett
6 Oct 2023	European Commission	1 st meeting of the Joint special group in support of the implementation of the Action Plan to conserve fisheries resources and to protect marine ecosystems	Brussels, Belgium	Ida Carlén
11-13 Oct 2023	European Commission	3 rd marine biogeographical seminar for the Atlantic and the Macaronesian regions	Dublin, Ireland	
24-25 Oct 2023	HELCOM & VASAB	Third informal consultation session of the HELCOM-VASAB Maritime Spatial Planning Working Group (IC HELCOM-VASAB MSP WG 3-2023),	Riga, Latvia	
26-27 Oct 2023	CMS	Pre-COP14: Africa, Asia, Europe	Online	Anne-Marie Svoboda, Secretariat
30 Oct - 2 Nov 2023	NAMMCO	Meeting of the Scientific Committee Dolphin Working Group	Copenhagen, Denmark	
8-10 Nov 2023	European Commission	3 rd marine biogeographical seminar for the Baltic region	Riga, Latvia	Ida Carlén, Penina Blankett
14-16 Nov 2023	CMS & IWC	Joint CMS-IWC Workshop II on the Role of Cetaceans in the Ecosystem	Bonn, Germany	Secretariat
30 Nov-12 Dec 2023	UNFCCC	28 th Conference of the Parties (COP28)	Dubai, UAE	
2024				
9-10 Jan 2024	ASCOBANS	4 th Meeting of the Common Dolphin Group	Online	Secretariat
22-26 Jan 2024	NAMMCO	30 th Scientific Committee Meeting	Reykjavík, Iceland	
23 Jan 2024	OSPAR	Intersessional Correspondence Group on Offshore Renewable Energy Development	Online	
12-17 Feb 2024	CMS	14 th Meeting of the Conference of the Parties (COP14)	Samarkand, Uzbekistan	Secretariat
26 Feb – 1 Mar 2024	UNEP	Sixth Session of the UN Environment Assembly (UNEA-6): “Effective, inclusive and sustainable multilateral actions to tackle climate change, biodiversity loss and pollution”	Nairobi, Kenya	

Date	Organiser	Title	Venue	Participation / Report
5-8 Mar 2024	ICES	Advisory Committee Meeting	Copenhagen, Denmark	
12-13 Mar 2024	ASCOBANS	12 th Meeting of the North Sea Group (NSG12)	Zandvoort, the Netherlands	Peter Evans
13-15 Mar 2024	ASCOBANS	20 th Meeting of the Jastarnia Group (JG20)	Zandvoort, the Netherlands	Ida Carlén
8-12 April 2024	ECS	ECS Conference, including associated workshops	Sicily, Italy	Secretariat
April-May 2024 (tbc)	IWC	Scientific Committee Meeting 69B	tbc	
6-8 May 2024	HELCOM	3 rd Informal Consultation Session of the Biodiversity, Protection and Restoration Working Group (HELCOM BioDiv)	tbc	Penina Blankett
13-18 May 2024	CBD	26 th Meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA 26)	Nairobi, Kenya	Penina Blankett
10-12 Sept 2024	ASCOBANS	10 th Meeting of the Parties (MOP10)	Denmark	Secretariat
Late Sept (tbc)	IWC	69 th Meeting of the International Whaling Commission	Peru	Mark Simmonds
21 Oct - 1 Nov 2024	CBD	16 th United Nations Biodiversity Conference of the Parties to the UN Convention on Biological Diversity (COP16)	Türkiye	Penina Blankett
October 2024 (tbc)	ACCOBAMS & ASCOBANS	Workshop with NATO and Navies	Toulon, France (tbc)	Secretariat
3-6 Dec 2024	ACCOBAMS	16 th Meeting of the Scientific Committee	Tunis, Tunisia	

Annex 4:

Recent Pollution Papers of Interest to ASCOBANS

1. Lopez-Martinez, S; Gimenez-Luque, E; (...); Rivas, ML 2023 Plastic ingestion by two cetacean groups: Ziphiidae and Delphinidae ENVIRONMENTAL POLLUTION 333

This overview provides useful information concerning conservation issues on how cetacean hotspots are highly affected by marine plastic ingestion.

2. Williams, RS; Brownlow, A; (...); Murphy, S 2023 Evaluation of a marine mammal status and trends contaminants indicator for European waters SCIENCE OF THE TOTAL ENVIRONMENT 866

Recommendations were made for improving the quality of the assessment going forward, including detailing monitoring requirements for the successful implementation of such an indicator.

3. Kelly, NE; Feyrer, L; (...); Whitehead, H 2023 Long term trends in floating plastic pollution within a marine protected area identifies threats for Endangered northern bottlenose whales ENVIRONMENTAL RESEARCH 227

Whale stomach contents contained fragments of fishing nets, ropes, bottle caps, cups, food wrappers, smaller plastic fragments, fibers, and paint flakes, consistent with the composition and character of items collected from their critical habitat. The increase in micro-sized and small plastics over time suggests associated health and welfare impacts of ingested plastics should be accounted for in future recovery plans for this Endangered species.

4. Pinzone, M., Parmentier, K., Siebert, U., Gilles, A., Authier, M., Brownlow, A., Caurant, F., Das, K., Deaville, R., Galatius, A., Geelhoed, S., Hernández Sánchez, M.T., Mendez-Fernandez, P., Murphy, S., Persson, S., Roos, A., van den Heuvel-Greve, M., Vinas, L. and Williams, R. 2022. Pilot Assessment of Status and Trends of Persistent Chemicals in Marine Mammals. In: OSPAR, 2023: The 2023 Quality Status Report for the North-East Atlantic. OSPAR Commission, London. Available at: <https://oap.ospar.org/en/ospar-assessments/quality-status-reports/qsr-2023/indicator-assessments/pcb-marine-mammals-pilot>
<https://doi.org/10.3389/fmars.2022.1017136>

Other recent papers of potential interest:

5. Bavo De Witte, Bert Coleman, Karen Bekaert, Stepan Boitsov, Maria João Botelho, Javier Castro-Jiménez, Conor Duffy, Friederike Habedank, Evin McGovern, Koen Parmentier, Victoria Tornero, Lucia Viñas, Andrew D. Turner, 2022. Threshold values on environmental chemical contaminants in seafood in the European Economic Area. Food Control, 138, 108978, <https://doi.org/10.1016/j.foodcont.2022.108978>

6. Van Landuyt Josefien, Kundu Kankana, Van Haelst Sven, Neyts Marijke, Parmentier Koen, De Rijcke Maarten, Boon Nico 2022. 80 years later: Marine sediments still influenced by an old war ship. Frontiers in Marine Science 9 <https://www.frontiersin.org/articles/10.3389/fmars.2022.1017136>
<https://doi.org/10.3389/fmars.2022.1017136>

Annex 5: List of Participants

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Annex 6:**Statement from ACCOBAMS**

(Agenda Item 6.1)

On behalf of Mrs Susana SALVADOR, I would like to say a few words and mostly to reaffirm that the ACCOBAMS Secretariat is delighted to participate in the ASCOBANS Advisory Committee and to pursue the excellent co-operation that exists between our Agreements.

There are many areas of common scientific interest between ASCOBANS Advisory Committee and ACCOBAMS and thus our work is complementary in many ways.

The Eighth Meeting of the Parties to ACCOBAMS was held in November 2022 in Malta. Several resolutions were adopted and may be of interest to the ASCOBANS Advisory Committee, including the one on a Long-Term Monitoring Program aiming at ensuring regular basin-wide synoptic monitoring efforts. Resolutions on interactions with human activities – like fisheries, anthropogenic noise, ship strikes, whale watching, marine litter and chemical pollution - were adopted, and may pave the way for potential joint activities with ASCOBANS.

The Fifteenth Meeting of the ACCOBAMS Scientific Committee was held earlier this year, in May. Amongst the decisions relevant to the ASCOBANS Advisory Committee, it is worth noting the interest of the ACCOBAMS Scientific Committee in reactivating the joint Working Group on MSFD. On the ACCOBAMS side, this working group will be supported by experts participating in the working group set up under the EU-funded ABIOMMED project. In 2022. The ACCOBAMS Scientific Committee has completed their assessment - or re-assessment – of the IUCN Red List Status of cetacean species in the ACCOBAMS Area, in particular thanks to the huge data set collected through the ACCOBAMS Survey Initiative, which now constitutes a baseline for future assessments.

Our 2 Joint Working Groups, on anthropogenic noise and bycatch, are very active and, as we saw at O’Grove, back in April, at the JBWG meeting, they are a useful *forum* to exchange experiences and progress between both regions. Furthermore, the Workshop on New and Emerging aspects related to marine debris organized during the ECS conference was an excellent opportunity to take stock of knowledge improvements related to the assessment of impacts of marine litter, including plastics ecotoxic effect on cetacean biology. As it will be presented later during the meeting, this workshop was fruitful in cross-referencing intrinsically linked issues, like the relation between fishing activity and debris production, including entanglement in fishing nets, whether active or passive. The ACCOBAMS Secretariat is grateful to ASCOBANS experts who contribute and support this work.

As for the next future, we are planning to jointly organise with ASCOBANS a workshop with national navies and NATO in October 2024, in Toulon. The aim will be to address the need for mitigation protocols on the use of military sonar and on other activities generating potentially harmful underwater noise, like the removal and/or detonation of Unexploded Ordnance (UXO); and to investigate on possible solutions for acoustic monitoring and bycatch mitigation (deterrent devices) in synergy with national security activities.

In conclusion, a lot is yet to come and depends on this shared spirit of close collaboration between our CMS Agreements. We look forward to continuing working together with ASCOBANS in the years to come.

Thank you.