

Agenda Item 3.1

Updates from across the Baltic and Belt Seas

Status of delegated act to minimize bycatch of the Baltic Proper Harbour Porpoise, the status of the pinger / defence issue, and current discussions in BaltFish on further measures

Information Document 3.1

**The 2022 EU delegated act to reduce incidental catches of the resident population of the Baltic Proper harbour porpoise in the Baltic Sea**

Action Requested

Take note

Submitted by

Coalition Clean Baltic



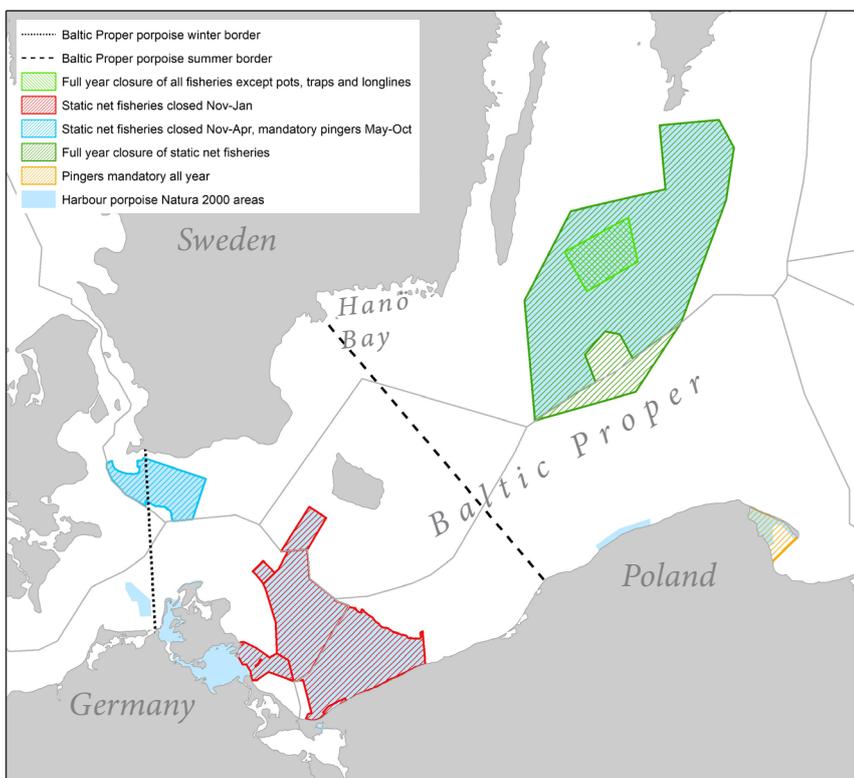
# Coalition Clean Baltic

## The 2022 EU delegated act to reduce incidental catches of the resident population of the Baltic Proper harbour porpoise in the Baltic Sea

*In February 2022, a delegated act was published in the Official Journal of the European Union, with the aim to reduce incidental catches of the resident population of the Baltic Proper harbour porpoise in the Baltic Sea. The delegated act specifies measures to reduce bycatches of harbour porpoises, mainly within Natura 2000 areas in the Baltic Proper. This brief aims to explain in an understandable way what those measures are, and what measures are still missing.*

The delegated act contains measures to reduce harbour porpoise bycatch in marine protected areas designated for the harbour porpoise. Some areas will be closed for fisheries with static nets all year round, some areas only for part of the year, and in a couple of areas pingers will be used on static nets instead of closing the fishery. The act also contains a short sentence stating that Member States need to be able to monitor and control fishing activities in relation to these measures.

In this map, the black dotted line between Sweden and Germany is the approximate winter distribution limit for the critically endangered Baltic harbour porpoise, and the slanted hatched line between Hanö Bay in Sweden and the Polish coast is the approximate summer distribution limit. So in the winter Baltic porpoises may be present anywhere to the east of the winter border, while in summer the main distribution is east of the summer border.



*The measures specified in the delegated act amending EU regulation 2019/1241.*

### Measures specified in the delegated act

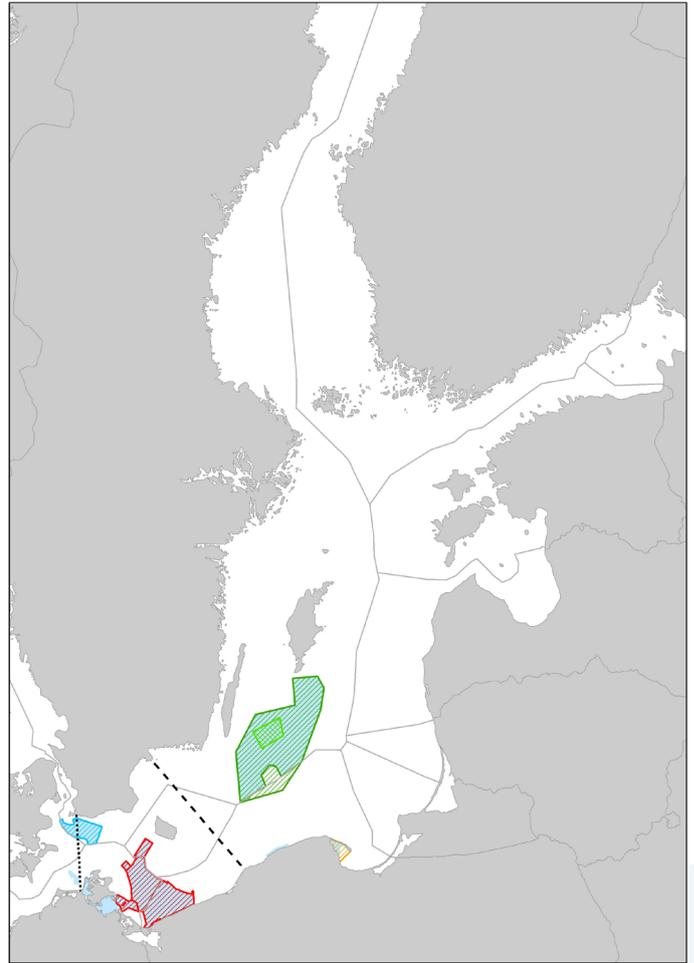
-  The Swedish Natura 2000 area Hoburgsbank och Midsjöbankarna and the Swedish and Polish parts of the Southern midsea bank will be closed all year round for static net fisheries. This is the most important area for the Baltic harbour porpoise during the summer breeding period, so measures in this area can have a big impact on population survival.
-  Part of the Swedish Natura 2000 area Hoburgsbank och Midsjöbankarna, the Northern Midsea Bank, will be closed year round for all fisheries except for that proven to not cause harbour porpoise bycatch such as traps, pots and longlines.
-  The Swedish Natura 2000 area Sydvästskånes utsjövatten will be closed for static net fisheries from November to April, when there may be animals from the Baltic Proper population present in the area. The rest of the year pingers will be mandatory in static net fisheries.
-  This cluster of German and Polish Natura 2000 areas will be closed for static net fisheries from November to January.
-  The Polish Natura 2000 area Zatoka Pucka Półwysep Helski and an area outside it in Puck Bay will have mandatory pinger use for static net fisheries all year.

## What are we still missing?

This delegated act originally stems from scientific advice published by ICES in May 2020 on how to prevent bycatch of the Baltic Proper harbour porpoise, to allow the population to recover or at least to stop any further population decline. The Baltic Regional Fisheries Body BALTFISH has agreed on how to implement measures and this has been transposed into a delegated act under the Technical Measures Framework 2019/1241 as described above.

There are differences between the ICES advice and this delegated act, because the delegated act does not include all the measures suggested by ICES. There are also a couple of measures in the delegated act that are not mentioned in the ICES advice. Here we list the discrepancies between the ICES advice and the delegated act, as well as some other issues.

- The main issue with this delegated act is that it does not contain any bycatch mitigation measures outside marine protected areas. The ICES advice proposes use of pingers in all static net fisheries within the population distribution range (basically the entire Baltic Proper) but this is not included in the delegated act.
- In Puck Bay, Poland, the ICES advice proposes pingers to be used in the inner western part of the Natura 2000 area Zatoka Pucka i Półwysep Helski and full-year closures of static net fisheries in the outer eastern part of the area. The delegated act specifies pingers to be mandatory all year in the entire Natura 2000 area as well as an area outside the MPA.
- The Danish Natura 2000 area Adler grund and Rønne banke was not mentioned in the ICES advice but in the delegated act it is included in the cluster of German and Polish areas that are closed to static net fisheries in November - January.
- The Swedish Natura 2000 area Sydvästkånes utsjövatten was not mentioned in the ICES advice but is included in the delegated act as closed for static net fisheries in November - April and with mandatory pinger use for static net fisheries in May - October.



*The measures specified in the delegated act shown on the scale of the distribution range of the Baltic Proper harbour porpoise. It is clear that the population is still not protected in most of its range.*

## Conclusions

In short, this delegated act is a very important first step towards minimising bycatch for the Baltic Proper harbour porpoise population. However, with this very small, critically endangered population, even one animal bycaught per year poses a threat to population survival, and measures are still lacking in a very large part of the population range. Baltic Sea Region countries need to take further measures to ensure bycatch is minimised, ideally to zero.

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Photo: Olli Loisa