



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



Joint Secretariat provided by the United Nations Environment Programme



**Report of the joint CMS/ASCOBANS Secretariat
to the 37th Meeting of the CMS Standing Committee**

1. This document contains a progress report updating the information provided to CMS Parties at the 36th Meeting of the CMS Standing Committee (CMS/StC36/Inf.6).

Meetings and Working Groups

2. The Baltic Sea Working Group (Jastarnia Group) met for the 6th time in February 2010 upon invitation of Poland (report available at http://www.service-board.de/ascobans_neu/files/Report_JastarniaGroup6_2010_inclAnnexes.pdf). This group of experts from the environment and fisheries sectors of the countries surrounding the Baltic Sea was set up to discuss progress made and priorities for the further implementation of the Recovery Plan for the Baltic Harbour Porpoise. The Jastarnia Group reports and makes recommendations to the Advisory Committee.
3. The 17th Meeting of the ASCOBANS Advisory Committee was held from 4-6 October 2010 at the UN Campus, Bonn, Germany. This first Advisory Committee Meeting after the Meeting of the Parties (16-18 September 2009) had to be rescheduled from April 2010 due to the flight bans across Europe at the time.
4. The Meeting gave the necessary guidance on the implementation of the Triennium Work Plan for 2010-2012 (http://www.service-board.de/ascobans_neu/files/ac17/AC17_4-06_rev1_TWP2010-2012Progress.pdf). For example, in addition to the standing Jastarnia Group, which deals with the Recovery Plan for Baltic Harbour Porpoises, three new intersessional working groups were formed and terms of reference decided:
 - Steering Group for the Conservation Plan for Harbour Porpoises in the North Sea – this standing ‘North Sea Group’ was modelled on the Jastarnia Group to evaluate progress of development and implementation of the Plan, specifically with regards to each of the 12 actions as defined in the Plan; promote and coordinate the implementation of the Conservation Plan for Harbour Porpoises in the North Sea; gather information on its implementation and the results obtained; and inform the public and evaluate the effectiveness of the Plan every three years to make recommendations for updating it.
 - Working Group on Bycatch – this time-limited working group would develop a guidance framework for co-operative projects that bring together fishers, gear technologists and cetacean scientists for bycatch mitigation; and work with the CMS Scientific Councillor for Bycatch to develop briefing notes for anyone representing ASCOBANS at RACs and similar fisheries meetings in order to maintain a consistent and appropriate approach.
 - Working Group on Noise – this working group was established as a standing working group and reports back to each meeting of the Advisory Committee on:

- i. Relevant activities and developments including in other international bodies (e.g. ACCOBAMS, HELCOM and OSPAR) and under the EU Marine Strategy Framework Directive;
- ii. Relevant developments and new literature especially with respect to
 - a) Technologies aimed at mitigating the propagation of marine noise;
 - b) Noise sources that may present a threat to small cetaceans;
- iii. The potential for joint initiatives on noise and disturbance with ACCOBAMS and/or OSPAR;
- iv. Potential terms of reference for a report (or reports) that might
 - a) Examine ways in which ASCOBANS can assist Parties in meeting the requirements of the relevant European Directives (i.e. the Marine Strategy Framework Directive and the Habitats Directive) and other bodies that countries have elected to adhere to which are concerned with marine noise; and
 - b) Provide Parties with information about mitigating technologies and management measures, and their effectiveness and cost.
- Informal Working Group on Large Cetaceans – this working group was formed upon suggestion of the 6th Meeting of the Parties in order to address conservation needs of large cetaceans in the Agreement Area, considering that an amendment to species coverage of the Agreement is not imminent. The following terms of reference were agreed:
 - i. To summarise information on abundance, distribution and status of large cetacean species occurring within the ASCOBANS Agreement Area.
 - ii. To identify major issues likely to be having a negative effect upon large cetacean populations in the Agreement Area, and the extent to which they can be addressed alongside small cetaceans.
 - iii. To make informal recommendations of appropriate mitigation measures.
- 5. The Committee also recommended organizing a joint workshop with ACCOBAMS at the ECS Annual Conference in 2011 on pollutants and new compounds now entering marine ecosystems and their effects on cetaceans.
- 6. The final report of the meeting will become available shortly on the ASCOBANS website www.ascobans.org.

Proposal to Extend the ACCOBAMS Agreement Area

- 7. Portugal and Spain had submitted proposals to the ACCOBAMS MOP (9-12 November 2010) to extend the Agreement Area of ACCOBAMS into waters of the Atlantic already covered by ASCOBANS. This matter was discussed at the 17th ASCOBANS Advisory Committee Meeting to seek the Parties' guidance.
- 8. Key facts to bear in mind were that Spain and Portugal were Range States to both ASCOBANS and ACCOBAMS but were only Party to the latter. France was a Range State and Party to both. While ASCOBANS was confined to small cetaceans, no such restriction applied to ACCOBAMS. The proposal, if adopted, would lead to an overlap of the areas covered by the two Agreements and two different regimes would apply to the common species of the two Agreements. In terms of coherence with other international treaties such as OSPAR and the EU, ASCOBANS was better placed than ACCOBAMS.
- 9. In the light of the CMS Future Shape process, which was examining the Convention and the extended family of agreements concluded under its auspices, the timing of the

Spanish and Portuguese proposals was unfortunate. The Secretariat's opinion was that it would be preferable for ACCOBAMS to defer consideration of the extension of its Agreement Area until the outcome of the Future Shape process was known.

10. The Committee agreed that the Secretariat should contact ACCOBAMS to seek the postponement of the discussion of extending the Agreement Area until the Future Shape process had run its course. The Acting Executive Secretary was also mandated to present the views of the ASCOBANS Parties to the Meeting of the Parties to ACCOBAMS.
11. The Executive Secretary accordingly presented and defended the views of the ASCOBANS Parties at the 4th Meeting of the Contracting Parties to ACCOBAMS (9-12 November 2010). However, at this meeting the ACCOBAMS Parties agreed the extension of their Agreement Area, which will take effect upon deposit of instruments of acceptance by two thirds of the Parties.

Staffing and Evaluation of Secretariat Arrangements

12. Several changes in staffing have taken place since the last meeting: the appointment of Elizabeth Mrema as Executive Secretary of CMS and therefore *ex officio* Acting Executive Secretary of ASCOBANS, Borja Heredia's entry on duty as Scientific and Technical Officer of CMS and *ex officio* Senior Advisor to ASCOBANS, the replacement of Tine Lindberg-Roncari by Bettina Reinartz as Administrative Assistant and the confirmation in the post of Coordinator of Heidrun Frisch.
13. MOP6 had requested that a further evaluation of the Secretariat arrangements be produced by the end of the 18th Meeting of the Advisory Committee to be forwarded to the CMS Conference of Parties (November 2011) as input to the decision on the Future Shape of CMS. The Netherlands, which had funded the first review, agreed at AC17 to lead the working group, which would prepare a preliminary report for consideration by AC18.

Research and Conservation Projects

14. Since 2008, ASCOBANS Parties have had the practice of allocating surpluses of the budget of previous years to project funding. Based on prioritisation done by the Advisory Committee, the Secretariat is able to conclude funding agreements for research projects with a direct significance towards supporting the goals of the Agreement.
15. To date, four of the projects selected for funding have been completed:
 - "Effects of Contaminants on Reproduction in Small Cetaceans", Dr Sinéad Murphy, St. Andrews University, UK (final report available at http://www.service-board.de/ascobans_neu/files/ac17/AC17_6-05_ProjectReport_Contaminants.pdf)
 - "Genetic structure of white-sided dolphin (*Lagenorhynchus acutus*) in the Eastern North Atlantic", Dr Eulalia Banguera, Durham University, UK (final report available at http://www.service-board.de/ascobans_neu/files/ac17/AC17_6-07_ProjectReport_LagenorhynchusGenetics.pdf)
 - "Development of a co-ordinated reporting system and HELCOM/ASCOBANS database on Baltic Sea harbour porpoise sightings, by-catches and strandings", HELCOM Secretariat (final report available at http://www.service-board.de/ascobans_neu/files/ac17/AC17_6-09_ProjectReport_HELCOM_PorpoiseDatabase.pdf); map service online at http://www.helcom.fi/GIS/en_GB/porpoise/)

- “Historic and present harbour porpoise populations in the Baltic region – geometric morphometrics analysis”, Anders Galatius, Aarhus University, Denmark (final report to be published soon)
16. Three projects are currently ongoing:
- “Risk Assessment of Potential Conflicts between Shipping and Cetaceans in the ASCOBANS Region”, Sea Watch Foundation, UK (interim report available at http://www.service-board.de/ascobans_neu/files/ac17/AC17_6-06_ProjectReport_InterimShipStrikes.pdf)
 - “Review of Trend Analyses in the ASCOBANS Area”, Dr Peter Evans, UK (interim report available at http://www.service-board.de/ascobans_neu/files/ac17/AC17_6-08_rev2_ProjectReport_InterimTrendAnalysesReview.pdf)
 - “Coordination of the ASCOBANS North Sea Harbour Porpoise Conservation Plan”, Russell Leaper and Vassili Papastavrou, UK (interim report available at http://www.service-board.de/ascobans_neu/files/ac17/AC17_4-05_rev1_NorthSeaPlan_InterimProgressReport.pdf)
17. Four more projects have been selected for funding by the 17th Advisory Committee Meeting in October 2010 and will commence shortly. The full proposals can be accessed at http://www.service-board.de/ascobans_neu/files/ac17/AC17_6-02_rev2_ProjectProposals.pdf:
- “Inventories of harbour porpoise *Phocoena phocoena phocoena* presence in Russian territorial waters of the Baltic sea”, Biologists for Nature Conservation, Russian Federation
 - “Feasibility study on the creation of a web-accessed strandings database covering Agreement Party and Range States within the ASCOBANS region”, Zoological Society of London, UK
 - “Pollutant exposure in coastal top predators: assessing current levels of exposure and toxic effects”, Zoological Society of London, UK
 - “Understanding harbour porpoise (*Phocoena phocoena*) and fishery interactions in the north-west Iberian Peninsula”, University of Aberdeen, UK
18. In order to support the implementation of the ASCOBANS Conservation Plan for Harbour Porpoises in the North Sea, which was adopted in 2009, Germany offered to fund the position of a consultant serving as Coordinator for the North Sea Plan in 2011. Other Parties were urged to provide voluntary contributions to cover further years in order to provide the necessary continuity for the position to be truly beneficial. In the absence of sufficient contributions, the 18th Advisory Committee Meeting would decide on the use of trust fund reserves.

Outreach and Public Information

19. The 17th Advisory Committee Meeting also adopted a Communication, Education and Public Awareness (CEPA) Plan for the Agreement, the draft of which had been revised upon request of the 6th Meeting of Parties. The Plan identifies how the Secretariat, Parties and partners can contribute, including by working together, to raise awareness of issues related to cetacean conservation in the Agreement Area; how ASCOBANS can help develop joint educational and promotional activities, and create synergies to provide added value while also avoiding any unnecessary duplication of effort; and how the Agreement and its aims can be promoted more effectively within Party States, Range States and with other relevant players. The final version will be published shortly in conjunction with the final AC17 Meeting Report.

20. A detailed report on outreach activities of the Secretariat in the period April 2009 to September 2010, including on the production and use of information and exhibition material, the development of a new website for the Agreement, the International Day of the Baltic Harbour Porpoise and the production and distribution of scientific publications can be accessed at http://www.service-board.de/ascobans_neu/files/ac17/AC17_4-02_rev1_OutreachReport.pdf.

21. Implementation of the Triennium Work Plan 2010-2012 for ASCOBANS is progressing well, thanks also to the facts that the ASCOBANS Secretariat is now fully staffed and renewed evidence of commitment and trust by the Parties.