

REPORT OF THE 8TH MEETING OF THE ASCOBANS NORTH SEA GROUP

**Stralsund, Germany
15 September 2019**



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

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1. Opening of the Meeting

1.1. Welcome and announcements

The Chair, Peter Evans (Sea Watch Foundation), called the eighth meeting of the North Sea Group¹ (NSG) to order, pointing out that there was a heavy agenda.

1.2. Adoption of the Agenda

The agenda was adopted as presented in [ASCOBANS/NSG8/Doc.1.2a](#) (provisional agenda) and [ASCOBANS/NSG8/Doc.1.2b](#) (provisional annotated agenda and schedule).

2. Approval of the Report of the NSG7

The draft report of the seventh meeting of the North Sea Group (NSG7, Vilnius, 2018) had been circulated and the changes requested had been made. The [NSG7 report](#) was adopted as presented.

3. Implementation Review: Bycatch estimations (Actions 3 and 4)

3.1. New information on bycatch estimates (as reported to ICES WGBYC)

The Chair presented a summary of the ICES Bycatch Working Group (ICES WGBYC) which was held in Faro, Portugal on 5-8 March 2019. The meeting had been co-chaired by Sara Königson (Sweden) and Kelly Macleod (UK).

The Chair showed a map of the ICES Areas and a summary table of the reports from Member States in relation to Regulation 812/2004. The quality and the scope of the data provided were variable. Neither the total of 22 days dedicated monitoring of fisheries in the North Sea nor the provisions of the DCF were adequate.

Statistics for the use of set nets (GNS, GTR, GND) in the North Sea resulted in high and low estimates for bycatch of 2,126 and 1,175 (0.3-0.6 per cent of the population). A question from the floor concerned which end of the 95% C.I. of the population size estimate for the North Sea porpoise the bycatch estimate was based on. The bycatch estimates have a large uncertainty, likely due to the limitations of the data used, such as limited sample size.

A new project was examining fishing effort in detail. ICES data are generally presented at a temporal resolution of 12 months and a spatial resolution by ICES subarea. It was also rarely the case that fishing effort was compiled by each nation's fishing fleet. The metric used to describe fishing effort for set nets was days at sea. More useful would be the use of soak time, particularly if linked to data for the full European fishing fleet, taking into account the size and number of vessels, the type of gear used (including net length, height and mesh size), and figures for commercial landings. The Chair presented maps showing figures for 2016 per country with all gear types (gillnets, demersal trawls and seines) and further temporal maps showing effort by gear type in each month. Risk mapping allowed attention to be focused on areas of high risk, such as waters to the west of Norway and Denmark, the south-west North Sea, the east of the English Channel, and the Celtic Sea. The final results have yet to be published.

¹¹ Steering Group of the ASCOBANS Conservation Plan for Harbour Porpoises (*Phocoena phocoena* L.) in the North Sea (i.e. [North Sea Plan](#)).

Meike Scheidat (Netherlands) said that Dutch fishing effort was also done from smaller vessels and that those might not be represented. She also questioned the figures for German coastal fishing vessels and wondered whether the effort shown was due to vessels operating under non-German flags. There were certain areas where to her knowledge fishing vessels should not be operating.

The Chair agreed that the figures included a number of anomalies and he suspected that even some ferries had been included in error. Some smaller vessels (<12m) had been included but possibly in too low numbers to constitute a sufficient sample. Both fishing effort and bycatches needed better monitoring. Some smaller vessels were using AIS systems even though they were not obliged to do so, and with regard to bycatch monitoring, the Chair said that he would like to see video monitoring systems on all vessels regardless of size. Vedran Nikolic (European Commission) said that the Commission proposed a revised Control regulation that should make VMS or similar systems obligatory for all vessels regardless of size. The Chair recommended that target fish species be mapped against the presence of harbour porpoises, as a means to better understand the nature of porpoise-fishery interactions.

Fabian Ritter (Whale and Dolphin Conservation, WDC) asked whether the estimated annual bycatch rate of 1,300 Harbour Porpoises meant that pinger use only reduced the numbers taken by 10 per cent. Although this question was not answered specifically, the success of mitigation by use of pingers depends a great deal on their deployment, whether they are spaced appropriately, and all units functioning.

Oliver Schall (Germany) asked what evidence there was that pingers were being used and how effective they were in reducing bycatch. The Chair said that the implementation of pinger use had generally been inconsistent; they can be very effective when deployed appropriately but that was not always the case.

Ms Scheidat asked whether specimens found in trawl nets had been caught already dead. Recently trawling vessels in Dutch waters has reported a possible increase in dead porpoises caught in their nets in the proximity of wind farms. The Chair said that he was aware of anecdotal evidence of this but could not put precise figures on how often it happened.

The Chair conducted a tour-de-table to ascertain what was happening in each country. Sami Hassani (France) said that some low-level observer monitoring had been done in Areas 4 and 7, representing 0.6 per cent of fisheries effort and one incident of bycatch had been reported. Cat Bell (UK), Julia Carlström (Sweden), Signe Sveegaard (Denmark), Patricia Brtnik (Germany) and Meike Scheidat (Netherlands) all reported no new developments.

3.2. Monitoring projects

Ms Sveegaard reported on the remote electronic monitoring (REM) programme, saying that consideration was being given to extending it to more vessels. The results of the 2016-2018 project were being evaluated. The Chair said that more countries should be doing similar projects. He noted that the number of participating vessels had been reduced and Ms Sveegaard explained that this was because of funding constraints and retiring fishermen leaving the programme not being replaced.

The Chair said that mobile equipment was being developed that could more easily be fitted to different parts of the vessel. Of all the temporal measures, soak time was likely to be most useful, preferable to either days at sea or hours spent fishing.

Ms Scheidat said that there were currently no plans to continue the REM project. The results showed a lower rate of bycatch than expected from earlier pilot projects. One likely reason was that Dutch gillnet fishery effort has continuously gone down over the last years. However, bycatch occurred in both types of gillnets (trammel and gillnets). One of the aims of the project was to investigate the underlying mechanisms of when and where bycatch occurs in relation to environmental factors. Considering the low number of events as well as the unpredictable changes in both porpoise and

fishing vessel distribution this was not possible within the four-year study period. The project evaluation showed that while there were major problems during the start of the project fishermen were content with the cooperation during the last years. One advice from this project is to develop smaller and mobile equipment which would reduce the cost of REM monitoring significantly. Ideally there would be 100 per cent coverage which would solve the problem of a non-representative coverage when using a non-random selection of vessels. The Dutch fleet comprises around 100 vessels, but in some cases gillnet gear types were used for only a few days each year making the installation of a REM system not cost-efficient.

Ms Sveegaard said that analysis of the data and not just the cost of the equipment could be prohibitive, unless processing the data could be done automatically or by students.

Ms Scheidat said that funds had been granted because it was thought that fisheries could be responsible for dead porpoises found stranded with signs of cuts of unknown origin. It was later found that these “mutilations” and deaths were caused by grey seal attacks. Continuous monitoring of bycatch of the Dutch as well as other gillnet fleets operating under non-Dutch flags in Dutch waters would be advisable to ensure bycatch could be monitored effectively.

Mr Schall said that he was aware that some measures needed to be implemented and consideration was being given to the use of pingers as a way to mitigate bycatch. He announced that Dr Andreas Ruser, who was working on porpoise alert devices (PALs), would be attending the Advisory Committee following the present meeting. The question of whether porpoises habituated to pingers and PALs would be discussed.

Ms Scheidat said that it was important to know accurate bycatch rates for all fleets to be able to implement reliable mitigation measures. The limitations of the ICES data on fishing effort is an underlying problem.

The Chair said that not enough vessels were being monitored and Ms Scheidat said that some countries were not monitoring any vessels at all, citing the most recent figures from Germany, which were ten years old. Mr Ritter (WDC) agreed that monitoring in general had long been a problem and now REM was being phased out. The new Technical Measures Regulation for EU fisheries were also imperfect, and rather than making progress, the situation was becoming worse. This message should be clearly stated to ASCOBANS Parties, which should take action to rectify matters.

Ms Brtnik said that the German fleet using gillnets in the North Sea was small, comprising of just very few vessels over the threshold size, so did not qualify for mandatory monitoring and none of the operators volunteered.

Mr Nikolic said that although a Member State is responsible for monitoring of harbour porpoises and their bycatch in their waters, vessels from other Member States are also fishing there. Member States therefore have to work together to ensure that there is a coherent implementation of the monitoring programme. There is little coordination at present and bycatch monitoring is largely insufficient, and ASCOBANS could play a role in filling this gap.

Ms Bell referred to a pilot scheme in the south-west of the UK where six Cornish vessels would operate with REM on board. There had been a slow process of building trust with the fishers involved. If the pilot project was successful, it could be rolled out to other areas such as the North Sea. The focus of the project was not particularly harbour porpoises but bycatch in general.

Ms Scheidat commented that centralizing REM data on bycatch monitoring in one database would facilitate cooperation and data analysis.

3.3. Voluntary reporting

Ms Murphy (Galway-Mayo Institute of Technology) gave a report on the [IMR/NAMMCO workshop](#) on the status of harbour porpoise in the North Atlantic, held in Tromsø, Norway on 3-7 December 2018. The subjects covered included: assessment units, distribution, human removals (noting that

the ICES data did not include Germany's figures), impacts, life history parameters, diet and knowledge gaps (including genetic and stock structure), pollutants, noise and monitoring requirements.

Mr Ritter (WDC) suggested that the term 'stock' not be used. He proposed that 'population' was more appropriate for a conservation forum such as ASCOBANS.

Ms Murphy made a second presentation on the spatio-temporal variability of harbour porpoise life parameters in English and Welsh waters. It was noted that the Iberian subspecies was larger in body size and was being treated as a separate population unit.

The data were taken from stranded specimens and the study had looked at changes over the past 24 years. The average age of specimens was approximately 12 years with a maximum of 22 years. The mean age and length increased between the two periods 1990-99 and 2000-13. In the Celtic Sea, females were 10 per cent larger than males, a more marked difference than in the North Sea. The figures also compared both average age and average length at maturity and pregnancy rates for different populations. Females took longer to reach their mature length than males and could possibly need to reach a certain length before being able to reproduce. The Chair said that it would be interesting to compare different areas exposed to different threats.

Ms Sveegaard asked whether the differences between the two sample periods indicated a real change or variation in the quality of the sample size or the health of the specimens. She wondered whether the availability of prey might also have been a factor.

Anita Gilles (Germany) asked why the chosen time periods had been selected. This was due to the availability of data. More funding would have been required to work on other data.

3.4. Assessment of bycatch in the North Sea – knowledge gaps

Eunice Pinn (Seafish) gave a [presentation](#) on how best to engage with the fishing industry.

She said that many preconceptions were unhelpful, citing articles in the Sun, Guardian and Independent newspapers following the stranding of 50 dead sharks, which incorrectly portrayed the fishing industry as being responsible. The industry press provided a more balanced picture, reporting on the fishers of Filey in Yorkshire, who had devised their own restrictions for soak time and were reporting bycatch incidents.

Everyone wanted clean, healthy and productive seas. The industry did not want to take protected species, as from a commercial point of view, this causes damage to nets and wastes effort.

A [workshop](#) had been held in March 2019 'Hauling up solutions' hosted by Cefas, ZSL and Defra. The workshop explored existing and new methods for monitoring and mitigation, bringing together voices from across fishing, academia, science and technology.

An EMFF funded project, the Scottish Entanglement Alliance, has interviewed over 150 creel fishermen regarding their experiences with protected species entanglement. The results indicated that each entanglement cost approximately £2,500 and 80 per cent of fishermen expressed an interest in attending a training workshop. There was general support for making guidance legally binding, for schemes allowing for the disposal of gear and oil to be instigated, and for use weighted lines or ropeless creels. Marine Protected Areas such as Lyme Bay on the south coast of England could be used as pilot areas.

The spurdog bycatch avoidance scheme, funded by Defra, was developed to provide a real time alert system to identify spurdog bycatch hotspots. Although the TAC of this species is zero, the project secured a bycatch allowance that enabled the elimination of high levels of dead discarding, enabled continuing stock recovery and avoided fisheries potentially being 'choked' under the landing obligation.

Ms Pinn emphasized that the 'fisheries industry' was heterogeneous and should not be considered to be a single entity, as there were great differences and rivalries between the various sectors, which included small-scale one-person operations to multinational companies.

Mr Nikolic said that the take-up of EMFF funding for biodiversity was very low, and there was at least €20-30 million still available, which could also be used to fund further bycatch mitigation measures. Ms Murphy asked how to access these funds which were controlled by Fisheries Ministries.

The Chair suggested that ASCOBANS Parties should foster closer relationships with the fishing industry to access these funds. Mr Ritter (WDC) agreed that good relations with the fisheries sector were essential but lingering hostility and distrust had to be overcome. He referred to an agreement in Schleswig-Holstein between government and fishermen, but because of the lack of monitoring, it was difficult to assess how effective it was.

Ms Pinn said that whilst small projects could work well and could be tailored to local circumstances, what is required now was a move toward implementation or, at the very least, large fisheries scale projects.

The Chair said that the challenge was to engage with the fisheries sector more and bring them on board. He was well aware from personal experience of the distrust shown by fishermen towards conservationists.

3.5. Common Fisheries Policy – status in relation to cetacean bycatch

See Mr Nikolic's report under agenda item 6.1 (EU Habitats Directive).

4. Implementation Review: Development of alternative mitigation methods (Action 5)

4.1. Update on country projects

Ms Scheidat made a presentation on the progress regarding the development of a Dutch national Harbour Porpoise Conservation Plan (2019-2020). This new plan will be a follow-up of the "Conservation plan for the Harbour Porpoise (*Phocoena phocoena*) in The Netherlands" written by Kees Camphuysen and Marije Siemensma in 2011. A series of meetings had taken place in 2019 following a commission convened in 2016. Expert meetings had examined population status, noise, bycatch, strandings and contaminants.

Ms Scheidat said that there was no firm recommendation for the use of pingers in the Dutch gillnet fishery. Monitoring the effectiveness of mitigation measures such as pingers is challenging with the (current) low bycatch levels. Information on bycatch in recreational fisheries could be improved.

Ms Sveegaard said that the project trialling alternative gear to replace gillnets in cod fisheries was not yet complete.

Mr Hassani said that since the strandings in the Bay of Biscay in 2017, a workshop had been held with the participation of fishers and NGOs. Biannual meetings were also held with a focus on common dolphins in the Bay of Biscay and observers were being posted on vessels.

Ms Brtnik said that there were no projects in the German North Sea, but some work was being done in the Baltic Sea on modified gillnets; this project, which had encountered some technical problems, would be completed in December 2019. A project is planned to further examine the effectiveness of PALs.

Ms Bell said that there were several activities underway in the UK as the minister responsible was taking an interest. Acoustic studies were being carried out and ways of increasing efficiency of

fishing to reduce effort were being examined. Cameras for 3D mapping of the behaviour of common dolphins and harbour porpoises around nets were being used.

Ida Carlén (CCB) raised the problem of pingers being audible to seals and attracting them to nets. A higher frequency was needed so that harbour porpoises could hear the signals, but the seals could not. The banana pinger might be a solution as it appears to be inaudible to seals.

5. Noise Budgets for the North Sea

Nathan Merchant from the UK Centre for Environment, Fisheries and Aquaculture Science (CEFAS) [reported](#) on progress in developing noise indicators in the North Sea for OSPAR, covering both impulsive and continuous noise. The noise sources examined most closely were pile driving, explosions, seismic surveys and shipping. He explained the DPSIR loop – made up of the following five elements: drivers, pressures, ecosystem state, impact on marine life and management response.

The Marine Noise Registry Service was maintained by the Joint Nature Conservation Committee (JNCC) to which industry reported. The national registry reported to OSPAR, which maintained an online registry which was publicly available on its website.

With regard to continuous noise, shipping was likely to be the main source with hotspots in the English Channel and Norwegian Trench. Two projects were under way, JOMOPANS under INTERREG in the North Sea and JONAS in the Atlantic. An impact indicator assessment for impulsive noise was expected to be announced in April 2020.

Military naval activity was difficult to assess, and details of some exercises could not be disclosed because they were too sensitive.

The noise frequencies generated by small recreational craft was different to that produced by larger vessels, and different species were sensitive to different frequency ranges.

6. Other activities contributing to the Conservation of the Harbour Porpoise in the North Sea

6.1. EU Habitats Directive

Mr Nikolic from DG Environment's Nature Protection Unit gave an [update](#) on the implementation of the Habitats Directive and actions of the European Commission relevant for the North Sea Plan. The new Commission will soon present many political initiatives and activities concerning the implementation of the European Green Deal, including the new Biodiversity strategy to 2030.

The Habitats Directive requires strict protection of species and designation and management of Natura 2000 sites. So far, 3,200 of the 27,000 Special Areas of Conservation (SACs) were in the marine environment, but there are still large insufficiencies in designation, especially offshore.

A total of 89 sites covering 195,101 km² had been specifically designated for harbour porpoises, but there were still very few management plans and measures in place. Several countries are facing infringement proceedings for failure to designate sites or implement appropriate conservation measures.

A marine expert group had been operating to support the management of Natura 2000 sites. There is also the so called "biogeographical process" as a framework to discuss management issues with all stakeholders. The second in a series of seminars had been held in Palma de Mallorca, Spain in November 2018.

New draft results of the regular monitoring of the conservation status according to Article 17 of the Habitats Directive are now available. It was strange, considering that the harbour porpoise was well

researched, that both Belgium and the United Kingdom have submitted that the status of this species is 'unknown'. Four countries (Denmark, Ireland, The Netherlands and Sweden) stated that the species' status was favourable and four that it was unfavourable (Denmark, Spain, France and Germany) in the Atlantic marine region.

The Habitats Directive's species protection provisions require that effective systems be put in place to monitor bycatch and that necessary measures need to be implemented. The European Commission was looking at compliance, and no country appeared to be doing very well. The European Commission will assist Member States, including through EU funds, but would also initiate infringement proceedings where warranted.

Linkage to the Common Fisheries Policy

Mr Nikolic highlighted the links between the Habitats Directive and the Common Fisheries Policy and stressed the need for better international cooperation for monitoring and bycatch data collection.

The revised EU Data Collection Framework had existed for three years and included new requirements regarding monitoring of bycatch of species protected under EU legislation. Data collection could be based on observer schemes or self-reporting by fishers, but additional methodologies need to be implemented if necessary. The methods should be agreed by Member States in line with best practice and expert advice from ICES and other bodies.

New technical measures regulation

The new [Regulation 2019/1241](#) contained targets linked to the Habitats Directive and its provisions regarding favourable conservation status. The devolved approach allowing for greater regionalization gave Member States more discretion to take measures affecting their own fleets. Ms Murphy asked whether there was a specific definition of 'favourable conservation status'.

Mr Ritter said that WDC had looked at the technical measures regulation and reached the conclusion that it represented a retrograde step, with Member States compromising by agreeing 'lowest common denominator' measures and prevaricating. The NGOs remained sceptical about the new Regulation.

Mr Nikolic said that he was concerned that Member States were not acting together in the way that they should, and at the lack of momentum. The Commission is trying to find ways to facilitate progress. His colleague from DG Mare would be attending the Advisory Committee (AC) to be held on 17-19 September and will be ready to provide more details.

The Chair said that the designation of Natura 2000 sites was only the start of the process; management plans for the sites were also needed to make them effective.

Mr Nikolic said that the precautionary principle would be applied if population levels were uncertain and bycatch rates unknown. More details were contained in the [AC25 information document 6c](#).

Development of SACs

Denmark aimed to achieve a favourable conservation status for harbour porpoises, and the fisheries agency had been given the task of developing a strategy by 2021. Areas were being monitored to ascertain their usage by the species. Management and protection measures consistent with the provisions of the Habitats Directive would be taken but no further regulation of fisheries was envisioned.

Mr Hassani reported that a SAC had been designated for common dolphins in the Bay of Biscay.

Ms Brtnik said that management plans were being discussed with German authorities and the fisheries measures were being introduced to the EU, which included restricting the use of bottom-set and static nets gillnets in SACs.

Mr Ritter (WDC) said that the management plans for North Sea SACs were nearly ready but those in the Baltic Sea were less well advanced.

Ms Sveegaard said that in Denmark there was a proposal to eliminate gillnets in those areas where harbour porpoises had an unfavourable conservation status. She added that Parties were not following the science and that incorrect information was confusing the issue.

Ms Carlström said that three coastal towns on the west coast of Sweden had adopted a common strategy for all waters along the Swedish west coast (including some SACs). The strategy includes monitoring and conservation actions for harbour porpoises, including bycatch mitigation and reduction of underwater noise exposure. It is not legally binding but presents the common view and priorities of the municipalities to reach Good Environmental Status of their marine environment.

Ms Bell said that stakeholder workshops were being held in the UK to put management procedures in place.

6.2. New Surveys

Ms Sveegaard presented data from some aerial surveys on the Danish west coast from the far north to the border with Sylt. The results were a downward trajectory for estimated harbour porpoise numbers. Some beaked whales and two minke whales had also been observed. The southern Kattegat would be targeted in a mini-SCANS survey in 2020.

Mr Hassani said that no new surveys had been carried out, but attention would focus on the site of a windfarm project in St Malo/Mont St Michel Bay in 2020.

Ms Gilles said that along the German North Sea coast there was a highly dynamic porpoise population. A trend analysis had been carried out in SACs and a wider survey area over a time period of 17 years.

In the Sylt Outer Reef, a calving area, the Bayesian trend analysis indicated with 90 per cent certainty that the trend in abundance was negative. The Dogger Bank was a smaller area but seemed to have a positive trend. The surveys covering the complete area of the German EEZ showed a negative trend in the recent years.

There is a stranding network in Schleswig-Holstein covering both coasts in North and Baltic Sea, and there are extensive stranding data from all North Sea countries (Belgium, Denmark, Germany, the Netherlands and the UK). There was, however, no stranding network in Lower Saxony, and rectifying this was a recommendation of the meeting. However, Ms Brtnik said that some data from Lower Saxony were available.

The life expectancy of female harbour porpoises in German waters had been examined and it had been found that many were not reaching maturity; their shortened lifespan in the Baltic Sea could be attributed to human influences.

Determining the percentage of stranded animals that were victims of bycatch was difficult and each country had a different approach (in Belgium the judgment was made on the beach, while in the Netherlands it was made in the laboratory). The number of animals examined was also often too small a sample. In June 2019, a joint ASCOBANS/ACCOBAMS workshop on necropsies and standardization of procedures had taken place, for which report is available on the [ASCOBANS website](#).

Ms Scheidat said that an aerial survey had been conducted covering the Dutch Continental Shelf in July 2018 resulting in 309 sightings of 362 harbour porpoises and an estimate of 63,514 animals. The first survey in 2010 led to an estimate of 25,988 in the summer; estimates were highest in 2014 at 76,000, followed by 41,000 in 2015, and 46,000 in 2017. Land-based observations from land

indicate that the occurrence of porpoises in the summer has increased over the last years. Some minke whales *Balaenoptera acutorostrata* and white-beaked dolphins *Lagenorhynchus albirostris* had also been observed during the aerial survey. The same species (and possibly the same animals) had also been seen by a Danish team. The report was available at <https://edepot.wur.nl/466280>. Another summer aerial survey was conducted in 2019, and the analysis was currently being carried out.

6.3. Update on MSFD and marine mammal indicators

Ms Gilles gave a [presentation](#). She is the chair of the Marine Mammal Expert Group (OMMEG) under OSPAR (BDC, COBAM) since July 2018. The group has tasks assigned to it, such as developing operational biodiversity indicators and recommending the baseline thresholds against which to assess them. The group considered seal abundance and production, as well as harbour porpoise bycatch and cetacean abundance and distribution.

The Chair proposed a recommendation that ASCOBANS should initiate dedicated surveys in its area along the same lines as the surveys undertaken by ACCOBAMS in the Mediterranean, and that such surveys should be conducted regularly.

Ms Scheidat said that regular (e.g. 6-yearly) dedicated aerial surveys for the North Sea should be undertaken as a matter of course. The Chair added that these should be complemented with smaller surveys at more frequent intervals spanning different seasons. No single, national entity was likely to be able to take the lead, so it would fall to an international body such as ASCOBANS or OSPAR to assume the coordination role. Member States or Parties would have to provide the funding though, raising the question of how confident could ASCOBANS forums be of persuading governments to pay. The experience from previous rounds of SCANS showed that fund-raising from governments could be a struggle. Governments would have to be persuaded of the overwhelming need for the surveys.

The Chair said that one of the roles of ASCOBANS had been to serve as a forum to raise funds. Part of the funding should also be used to pay for coordination of the harbour porpoise action plan.

Mr Hassani said that the French national surveying effort could be part of a SCANS survey.

Ms Sveegaard said that Parties should be consistent in all forums where they were members and a choice had to be made between ASCOBANS and OSPAR. She wondered whether OSPAR might be the better option as she thought its influence was greater. Ms Gilles said that having an umbrella organization was desirable and she was aware that OSPAR was encouraging the idea of having a survey but had not committed to taking the lead.

OSPAR-HELCOM Workshop on bycatch of birds and marine mammals

The Chair reported on the workshop which had been held on 3-5 September 2019 in Copenhagen, to examine possibilities for developing bycatch indicators. Indicator assessment needs were reviewed along with conservation objectives and associated management objectives/targets.

The workshop split into three subgroups (dealing with (a) data requirements, sources and monitoring, (b) identifying areas of both high and low bycatch risk, and (c) methodologies for indicator assessment including threshold setting). Later, two further groups were formed to examine common bycatch issues and differences for birds and mammals.

In considering appropriate threshold values, it was noted that some species were data-rich but most were data-poor and therefore posed a challenge for deriving threshold levels of bycatch beyond which would be unsustainable for the population. In the absence of adequate solid data on bycatch, there was a likelihood that bycatch rates were being underestimated.

The following conservation objective was proposed: “Minimise and where possible eliminate incidental catches of all marine mammal and bird species such that they do not represent a threat to the conservation status of these species”.

An interim management objective could be “The mortality rate from incidental catches should be below levels which threaten any protected species, such that their long-term viability is ensured.” It was felt that the latter would need refining to apply to particular species groups/taxa, and level of knowledge about them.

The report would be published by the end of the year, and the draft was currently undergoing revision and finalization.

6.4. Marine Stewardship Council: certification schemes

It was recalled that Matt Gummery of the Marine Stewardship Council (MSC) had attended NSG7. There had also been a follow-up discussion via Skype. The aim was that the MSC should take expert advice from ASCOBANS on bycatch. The MSC appeared to be receptive and contact should be continued. The take-homes from Mr. Gummery’s [presentation at AC24](#) were still valid, noting that individuals can search the Fisheries updates by particular gear types or fisheries assessments they are interested in.

A workshop on transparency in bycatch reporting was being organized at the World Marine Mammal Conference in Barcelona in December 2019.

Ms Carlén said that a fisheries standards review was in progress and a public consultation would take place next year. Those interested in participating could register on the [MSC website](#).

7. Overall progress in the implementation of the conservation plan

Ms Carlén, the current North Sea Conservation Plan coordinator, gave a [presentation](#). Ms Murphy made a summary of harbour porpoise life history parameters, mentioning the seasonal peak in reproduction in the summer months (June-July), the age at which sexual maturity typically was reached, the life expectancy (5.7 years), pregnancy rates (0.4 to 0.98), and annual adult mortality rates (0.09 to 0.2). Most populations took 2-4 main prey species.

The scorecard in the spreadsheet was based on an initial idea from a previous coordinator, Geneviève Desportes. There was some discussion of the use of colour-coding and the ‘traffic light’ system, and some of the definitions (e.g. what was meant by ‘dedicated’ observer programmes).

The Chair suggested that the table and the definitions be circulated so that Parties could digest them and propose potential improvements.

Ms Pinn said that since the actions were taken directly from the Plan, any changes to the wording would imply that the Plan itself should be revised. The plan was originally adopted in 2009, so a review would be timely.

Mr Hassani said that France had conducted a review of its national strategy and had set an upper threshold for bycatch of 1 per cent.

8. Review of Actions 2019-2020

The Chair projected the list of the actions on the screen and the meeting was asked to review the priorities assigned to each.

Action Point 3 was amended to read ‘Robust Bycatch monitoring across all medium- and high-risk fisheries (including small vessels and recreational fisheries) and was accorded high priority.

Action Point 5 was amended to read 'Review effectiveness of mitigation measures and encourage development of new mitigation measures' and was accorded high priority.

Action Point 9 was elevated to high priority and redrafted more broadly to include reference to undertaking a full analysis; creating networks; streamlining protocols and early warning systems; coordination and standardization; establishing baseline data sources: using strandings for bycatch assessment; and ensuring more countries did work on strandings.

Action Point 10 was amended to refer to obtaining a representative sample of harbour porpoises to investigate health, nutritional status, diet, cause of death and life history throughout the region from necropsies, and standardizing data collection methodologies.

Regarding Action Point 11 (the investigation of the effects of anthropogenic sounds), there was some discussion of where the major gaps lay, whether the effects were permanent, and which sound frequencies were most harmful.

There was some debate over Action Point 12 concerning the collection and archiving of data on human activities and the development of a North Sea-wide GIS-based database. The aims of this action were discussed and these included mapping human activities that might be a threat, risks from pollutants in the North Sea, and risks of human pressures around the North Sea. Mr Nikolic stated that Parties faced many calls for data and these calls should be aligned and harmonized. The questions in the National Reports should be examined to ensure that no important topics were missed. Gaps in the temporal and spatial mapping of marine use should be identified and filled. In the same way as HELCOM filled a role for the Baltic, OSPAR could be asked to perform similar services for the North Sea. The following was added to the Action: 'Develop an inventory and identify gaps of human activities around the North Sea'.

9. Communication

The Chair conducted a review of areas where the North Sea Group liaised with other bodies, such as ICES, HELCOM and OSPAR.

A clear weakness was the lack of contact with fisheries bodies such as the North Sea RAC. Certain NGOs had addressed this problem, and BirdLife International, for example, was participating in the meetings of such bodies. There was a possibility that someone was already attending such meetings and could "double up" and raise issues of concern to the Group or to the wider members of the ASCOBANS Agreement.

Mr Nikolic emphasized the roles of the Regional Coordination Groups (RCGs) in determining bycatch monitoring programmes which should be coordinated between the Member States. The tasks of the RCGs included harmonizing methodologies. They met annually which was not conducive to detailed discussion, so they relied on intersessional working groups to secure progress. It was important that national authorities liaised properly in advance of meetings, so ASCOBANS National Coordinators should contact their national representatives. The rules of procedure of the RCGs were quite complex, and applications to join the RCGs had to be received one year in advance.

10. Review of Recommendations

The Secretariat presented a list of the Recommendations and requested the meeting to decide whether to retain, amend or repeal them. The revised list of Recommendations can be found on the [ASCOBANS website](#).

The Recommendation concerning investigating options for more robust bycatch monitoring by commissioning a cost benefit analysis, was deleted as some of the work had been done. The scope needed to be changed, and France was offering to host a bycatch workshop.

The Recommendation concerning working under the EU-MAP was deleted and elements were included in other Recommendations.

The Recommendations concerning improving information relevant to the Conservation Plan and ensuring greater coordination were deleted. The Recommendation concerning ways of better engaging with the fishing industry was replaced.

New Recommendations concerned identifying and filling gaps in the strandings network, encouraging further analysis towards fine-scale risk-mapping, engaging relevant sectors of the fishing industry, promoting or finding a cross-border workshop on harbour porpoise conservation, encouraging adoption of 'Best Practice on Cetacean Post Mortem Investigation and Tissue Sampling', filling gaps in monitoring and survey data within Parties' North Sea Exclusive Economic Zones, supporting coordination of SCANS-type surveys, seeking a seat on the North Sea Regional Advisory Council, and writing to the North Sea Regional Coordination Group to present the work of ASCOBANS.

11. Next Meeting of the North Sea Group

The Meeting of the Parties (MOP) would take place in 2020 so the timing of NSG9 could not be linked to the AC. However, it could be scheduled to be held back-to-back with the Jastarnia Group in March, possibly in a country that was part of both groups or alternatively at a neutral venue such as the UN Premises in Bonn. This would mean there would only be six months between NSG meetings. Other alternatives would be to meet in November after the MOP, to hold the meeting back-to-back with the MOP, to combine the NSG meeting with the proposed cross-border workshop, for which no dates had yet been fixed, or to hold a virtual meeting.

As no clear preference was expressed with regard to the options, the question was left open.

12. Close of Meeting

After the customary expression of thanks to all those that had contributed to the success of the meeting, the Chair declared proceedings of the eighth meeting of the North Sea Group closed at 19:20.

Annex 1: Priority Recommendations

1. Work nationally (e.g. through work plans) and regionally (through Regional Coordination Groups) to improve quality and availability of fishing effort data (e.g. by region, gear type, net length, vessel size category, season, and country).
2. ASCOBANS to write to the North Sea Regional Coordination Group (RCG) to introduce our work and its relevance to data collection, and where ASCOBANS may contribute. In addition, Parties should contact their own fisheries administrations to facilitate representation of ASCOBANS interests at RCG meetings.
3. ASCOBANS to request a seat in the North Sea Regional Advisory Council.
4. Make better use of funding from the EU (e.g. EMFF) to jointly implement better bycatch monitoring and mitigation.
5. Encourage further analysis towards fine-scale risk-mapping to better understand factors determining high bycatch and to direct resources to high-risk areas and times.
6. Investigate gear specific solutions to mitigate bycatch, including alternative fishing methods to static gillnetting.
7. Encourage Parties to pass on bycatch monitoring and mitigation recommendations under ASCOBANS, at a national level, to the appropriate persons to facilitate engagement internationally.
8. Recommend to Parties that at future meetings of the Advisory Committee and the North Sea Group a fisheries representative from the respective Party is present.
9. Parties to identify further ways to directly engage relevant sectors of the fishing industry.
10. Recommend that North Sea-wide information on life history parameters be collected and analysed from strandings and bycaught animals in order to assess for evidence of temporal changes in those parameters that may have resulted from anthropogenic activities.
11. Identify and / or fill gaps (for example in Lower Saxony) in stranding networks within the North Sea Region.
12. Encourage adopting the 'Best Practice on Cetacean Post Mortem Investigation and Tissue Sampling', when available, which includes instruction on how one can define "bycatch" in strandings.
13. Consider promotion (and funding) of a cross-border workshop on Harbour Porpoise conservation and management of the North East Atlantic, as proposed by the Netherlands.
14. Parties to fill in gaps in monitoring and survey data / data analysis to determine trends in distribution and abundance within their North Sea EEZ, and identify causes for observed changes.
15. Parties to support coordination of SCANS-type surveys through a central body and undertake these ideally at a six-year frequency.

Annex 2: List of Participants

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