

**RECOMMENDATIONS FROM THE 1ST MEETING OF THE JOINT BYCATCH WORKING GROUP OF
ACCOBAMS AND ASCOBANS**

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General

1. In pursuance of regional conservation initiatives (e.g. national plans of action under the EU Biodiversity Strategy, Barcelona Convention, Bucharest Convention, Bern Convention, HELCOM, OSPAR) and their bycatch reduction / elimination targets, Parties and Range States should have in place national plans of action to tackle cetacean bycatch.
2. Regional and sub-regional cooperation projects/programs are encouraged to be undertaken by Parties, research-, fisheries- and other relevant organisations, supported by national funding or other funding organisations. Countries are encouraged to support SAMBAH II (Spatio-temporal Assessment of the Baltic Proper Harbour Porpoise and its Habitat Quality), SCANS IV (Small Cetaceans in European Atlantic waters and the North Sea), and the International Bycatch Project proposal.
3. The current sampling level needs to be increased and directed towards fishing métiers known to cause cetacean bycatch in order to improve bycatch estimates. Monitoring on small vessels in particular needs to be increased. The European Commission Scientific, Technical and Economic Committee for Fisheries (STECF, 2002, 2019) recommends an initial sampling level of 5-10% of the total annual national fleet effort is necessary in most fisheries to determine the approximate level of bycatch or detect bycatch events of rare species. Where some bycatch information already exists, this can be refined to target specific fisheries.
4. Recent studies on the interactions between Black Sea cetaceans and fisheries indicate a high bycatch level for the Black Sea harbour porpoise population which threatens the viability of the subspecies. Measures to refine estimates of porpoise abundance and bycatch are required, along with measures to reduce bycatch levels, as a matter of urgency.
5. Given the critically endangered status of the Baltic Proper harbour porpoise population, bycatches in the population range need to be eliminated as a matter of urgency. Countries are urged to implement the ICES special request advice published on 26 May 2020, relating to the Baltic Proper porpoise population.

Data Collection towards better Bycatch Monitoring

6. In most cases, legal instruments and standardised data reporting/monitoring mechanisms are already in place, but their implementation should be strengthened and harmonised to ensure scientifically robust cetacean bycatch assessments, including extending those mechanisms across all Range States. Information on the amount of effort directed at sensitive/vulnerable species bycatch monitoring (in units that allow raising to total fleet effort) should be included in bycatch data reporting.
7. Accurate and standardised spatio-temporal recording of fishing effort should be carried out in appropriate metrics (including gear characteristics, mesh sizes, soak times, net lengths and height/dimensions, target species catches) on all métiers irrespective of vessel size.
8. Monitoring plans/efforts should be carefully designed taking into consideration monitoring objectives and characteristics of cetacean species at risk (in particular, their distribution, abundance and population demography).
9. The retrieval of bycaught animals from vessels should be encouraged by the appropriate authorities in order to obtain biological data, including tissue samples, for a wide range of

analyses (e.g. genetics, life history parameters, diet), and to collect information on other parameters that may contribute to bycatch (e.g. hearing damage).

10. Missing bycatch data from IUU (illegal, unreported and unregulated) fishing, and recreational fisheries, should be taken into consideration when assessing bycatch numbers, and a precautionary approach (e.g. Regulation (EU) 1380/2013, Article 4) when evaluating bycatch estimates is advised.
11. Consider ways to better address bycatch monitoring in cetacean populations where bycatch problems may largely go undetected within existing monitoring programmes, for example by nature of their ecology or low population size.
12. The application of cost-effective monitoring approaches allowing higher coverage, such as Remote Electronic Monitoring (REM) when technical conditions allow, should be considered on a wider scale and across the two Agreement Areas, in collaboration with authorities, fishers and other relevant fisheries stakeholders. Voluntary schemes, including monitoring effort, should be considered as they may be more acceptable and cost effective.
13. REM should be implemented as a wider tool than just helping to increase cetaceans bycatch sampling coverage. It is potentially useful in improving other datasets, such as fishing effort, particularly if combined with Vessel Monitoring System (VMS) information, for example. This may also be beneficial to the industry and so may help improve acceptance and uptake.
14. A better understanding is needed of factors relating to bycatch risk. Studies to increase understanding should include the spatio-temporal overlap of particular cetacean populations and gear types, local environmental characteristics, ecology and behaviour of the bycaught species (before and during the entanglement), and their prey, across both Agreement Areas.
15. Strandings schemes should be supported and their data integrated and utilised across the two Agreement Areas. Use of standardised protocols (e.g. the Joint ASCOBANS-ACCOBAMS strandings protocol) can inform estimates of bycatch and help establish proximal cause of death and underlying metrics of health and human impact. There is considerable value in stranding networks undertaking comprehensive, expert pathological examinations, including histopathology, neurohistopathology, estimation of disease burden (parasitology, virology, microbiology), contaminant assessments, and evaluation of auditory pathology, even in cases where bycatch is the assumed cause of death. Integrating strandings data with wider oceanographic and ecological sources of data should be considered, for example developing carcass drift models to aid bycatch estimates from strandings where there is spatio-temporal overlap of mortality areas with fishing effort.

Measures to Prevent and Mitigate Bycatch

16. Encourage Parties, Research Institutes, and Private Sector bodies supported by funding bodies, in collaboration with fishers throughout the process, to develop or improve mitigation measures with new technology and/or materials, alternative gears, the shifting of fishing effort etc.
17. The success of particular mitigation measures depends upon a variety of elements including the particular cetacean population, specifics of the gear and its deployment, as well as local conditions. The Working Group should keep a watching brief of case studies relevant to the Agreement Areas that describe which measures have or have not worked. This should be undertaken in liaison with other bodies (e.g. ICES, WGBYC, FAO, IWC, HELCOM, OSPAR) so that actions complement one another rather than duplicate effort.
18. There is a need to improve the involvement of fishers from the start, including transfer of knowledge, in adopting good practices and to contribute prevention and monitoring of bycatches and careful release of entangled animals. Better outreach would help to inform and reduce bycatch and entanglement. Parties should consider the provision of incentives where appropriate.

19. The Working Group should develop guidelines to policymakers, authorities, and the scientific community on how to best incentivise and engage fishers in prevention, mitigation and monitoring programmes.
20. Where the current mitigation measures (e.g. pingers) don't solve the problem, spatio-temporal closures may be the only immediately available solution, although care is needed that this does not simply move the problem elsewhere. Consideration should be given to moving away from métiers of concern, in which case national authorities should consider some means of compensation to help cover fishers' income loss, where appropriate. The precautionary principle should be adopted. Insufficient technology development should not be considered as a reason to postpone decision-making.
21. The need to move towards an internationally standardised approach for dealing with potential interventions (or lack thereof) of free-swimming, chronically entangled cetaceans should be considered. Expansion of the IWC Global Whale Entanglement Response Network across the regions should be encouraged, including dedicated training of entanglement responders.
22. The humane release of live bycaught and entangled animals according to best practices should be encouraged to help ensure their survival (e.g. *Guidelines for the Safe and Humane Handling and Release of Bycaught Small Cetaceans from Fishing Gear* - CMS Technical Series No.43, *FAO/ACCOBAMS Good Practice Guide for the Handling of Cetaceans caught incidentally in Mediterranean Fisheries*, *IWC Guidelines for entanglement responders*) and fishers should be encouraged to report releases of bycaught individuals.
23. Countries should be encouraged to establish Marine Protected Areas (MPAs) and Other Effective area-based Conservation Measures (OECMs) where appropriate, and to develop and implement management plans to reduce cetacean bycatch.
24. Methods to monitor the performance of mitigation measures (such as pingers) as well as compliance in their usage by fisheries in real world conditions should be improved and become standard.