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| Document title | Extracts from recent HELCOM meetings of relevance for Seal |
| Code | 2-4 |
| Category | INF |
| Agenda Item | 2 – Information by the Chair, HELCOM Secretariat and Contracting Parties |
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Background

This document contains extracts from recent HELCOM meetings of relevance for Seal Expert Group, including:

- [CG FISHDATA 1-2018](#) (Copenhagen, Denmark, 27-28 February 2018)
- [CG FISDATA 2-2018](#) (Warsaw, Poland, 22 May 2018)
- [EBSA 2018](#) (Helsinki, Finland, 19-24 February 2018)
- [FISH-7](#) (Copenhagen, Denmark, 14-15 November 2017)
- [FISH 8-2018](#) (Warsaw, Poland, 23-24 May 2018)
- [HOD 53-2017](#) (Helsinki, Finland 12-13 December 2017)
- [HOD 54-2018](#) (Helsinki, Finland, 14-15 June 2018)
- [STATE & CONSERVATION 7-2017](#) (Sopot, Poland, 23-27 October 2017)
- [STATE & CONSERVATION 8-2018](#) (Klaipeda, Lithuania, 14-18 May 2018)

Outcome of the HELCOM Ministerial Meeting 2018 (Brussels, 6 March 2018) is presented in document [2-3 Outcome of the HELCOM Ministerial Meeting 2018](#)

Action required

The Meeting is invited to take note and make use of the information.

Extracts from recent HELCOM Meetings of relevance for Seal

Head of Delegations 53-2017

Core indicators

Agenda item 3 - Matters arising from the HELCOM Groups

3.6 The Meeting took note of the view brought forward by Denmark that it would be preferable if all the core indicators reports were submitted to HODs for approval. The Meeting agreed that, as these reports are technical and scientific in nature, and to avoid replicating work across several levels, the approval of the reports should be given at the Working Group level. The Meeting tasked the Secretariat to ensure a quality control process of the indicator reports before publication.

3.12 The Meeting recalled the initiative to develop an inventory of data needs, and steps to fill the identified data gaps, of HELCOM indicators 'Number of drowned mammals and water birds in fishing gear' and 'Cumulative impact on benthic biotopes' (cf. document 5-3 of the HELCOM FISH 7-2017) and took note of the current status of work based on information presented by the lead country Poland.

3.13 The Meeting recalled that the issue has engaged both State and Conservation group as the main responsible for core indicators, as well as Fish group, tasked with the operationalization of fisheries related indicators.

Monitoring

3.7 The Meeting noted with concern the recent plans to reduce national grey seal monitoring in Finland and the information by Finland that they are still in the process of considering these changes, including their consequences to indicators and assessments (c.f. document 3-18).

Harbor porpoise

Agenda item 5 - Any other business

5.2 The Meeting took note of the comments and concerns expressed by CCB about the need:

- to re-assess the option of laying the gas pipeline westwards (closer to Narva River) from the currently proposed route to minimise impacts on Kurgalskiy Nature Reserve, unless microtunnelling option is not technically feasible
- to limit period for trenching and pipe-laying across the proposed N2K area south of Gotland to January-April to minimise the impacts of underwater noise on highly vulnerable Baltic harbour porpoise population
- to provide further information about expected discharge of contaminated water resulting from hydro-testing of the pipeline, after the construction is accomplished.
- to follow in full the requirements related to EIA and environmental expertise procedure in Russia, namely by providing the correct minutes of the public hearings on the EIA to the state environmental expertise.

5.3 The Meeting took note the reply from Nord stream AG that in order to avoid harm to the harbour porpoise in the Gotland area Nord Stream 2 project will avoid construction activities in June and July, and also August whenever possible, and that the pipe will not be tested by water but rather via air in order to minimise the risk of environmental harm.

Annex 2 – Draft ministerial declaration

2. WELCOMING the first version of the "State of the Baltic Sea" report (2017) that presents an assessment of environmental status, and pressures and impacts on the Baltic Sea marine environment as well as social and economic analyses of the use of marine waters and cost of degradation and AGREEING to update and finalize this first version by June 2018, to provide the common basis to assess whether the goals and objectives of the Baltic Sea Action Plan have been achieved. PLANNING to prepare the next holistic assessment of the state of the Baltic Sea in 2023 / 2024 based on the updated assessment of indicators.

3. NOTING with great concern that (a) almost the whole Baltic Sea area is still affected by eutrophication, NOTING that this is partly due to the time lag between measures and effects, (b) unfavourable conservation status of Baltic marine biodiversity is widespread as a result of multiple pressures from human activities and in particular that several species, biotopes and habitats are still in danger of becoming extinct in the region; that most assessed habitats are not in good status, that there are signs of deterioration of food web; and (c) levels of hazardous substances continue to be elevated and a cause for concern, d) invasive alien species are still being introduced to the Baltic Sea, marine litter is a pressure of special concern, and other pressures such as underwater noise disturb the marine life, and e) around half of the seabed is potentially disturbed by human activity.
6. NOTING that the status of Baltic Sea marine environment continues to be unsatisfactory as a result of pressures from human activities and that recovery is not yet sufficient to achieve the goals and ecological objectives of the Baltic Sea Action Plan. NOTING ALSO that the most widely-distributed pressures causing impacts are excess nutrients, contamination underwater noise, invasive alien species, extraction of fish and physical disturbance, and that an analysis of cumulative pressures and impacts indicates that those tend to be higher in coastal areas than the open sea.
8. ACKNOWLEDGING the progress in implementing the 2007 Baltic Sea Action Plan with [68]% of the regional actions and measures implemented, and between [23%] and [60%] of the national actions completed by all or some Contracting Parties, and positive impacts it has had on preventing further deterioration, such as drastically reducing the number and volume of illegal oil spills, substantially decreasing the input and deposition of cadmium, mercury and lead, and increasing the abundance of most seal populations
15. We AGREE to complete and fully operationalise the set of indicators used for regularly assessing the status of the marine environment, and to advance mapping and assessment of the extent and intensity of human activities in the Baltic Sea region, and improve the understanding of their impacts including the cumulative effects on the ecosystem, and to use this information for strengthening the implementation of ecosystem-based management.
38. We WELCOME the progress made in the implementation of the Regional Baltic Underwater Noise Roadmap 2015-2017, including the establishment of a joint HELCOM/OSPAR registry of licenced impulsive sound events and the development of a regional monitoring programme and guidelines for continuous noise as well as new evidence regarding potential impact of underwater noise on species in the Baltic Sea.
39. We EMPHASIZE the need to further improve our understanding of the adverse impacts of underwater noise on the identified noise sensitive marine species and in particular the cumulative impacts of impulsive noise from multiple activities.
40. We AGREE to develop an action plan and implement regionally coordinated measures on underwater noise, aiming, in the long-term, at addressing adverse effects of underwater noise on marine species, whilst safeguarding the potential of the Baltic Sea for sustainable human activities.
41. We COMMIT to continue fruitful cooperation between European Regional Sea Conventions and in particular OSPAR in order to exchange good practice and to fill knowledge gaps, and to continue regional work in developing threshold values for underwater noise that are consistent with GES for noise-sensitive species in the Baltic Sea, in close coordination with work undertaken by contracting parties in other relevant fora.

Head of Delegations 54-2018

Core indicators

Agenda item 3 - Outcome of the 2018 HELCOM Brussels Ministerial Meeting – follow-up

3.24 The Meeting took note of the proposal by Germany that the methodologies applied in the proposed project to be such that they could be applied in cases of countries where less data is available, to include indicators especially for eutrophication and by-catch in the project and to clarify how the intended project links to the process of the BSAP update.

3.37 The Meeting highlighted that HELCOM work on indicators is unique in the global scale and invited the Secretariat to draft a document on lessons learnt from HELCOM indicators, for instance for the three indicators for which UN Environment is custodian agency, for HOD 55-2018 to be shared on international level and for national purposes. As a next phase more coordinated reporting on agreed issues could be explored.

Agenda item 4 - Matters arising from the HELCOM Groups

4.25 The Meeting endorsed the proposed work plan for indicators (document 4-5), welcomed the forward looking planning on indicator work and decided on allocating resources from the HELCOM budget for the indicator manager in the Secretariat to continue the work from July 2019 until autumn 2021, and tentatively extending into 2022.

4.26 The Meeting supported the arranging of a workshop under step 4 of the work plan for indicators in the second half of March 2019 and requested the Secretariat to elaborate the aim and intended deliverables of the workshop to enable the Contracting Parties to plan the work and possible nominations for the workshop. The Meeting further supported the finalization of the second work phase in autumn 2021.

4.27 The Meeting was of the view that the need for, and possible tasks of, policy leads should be further explored as the work progresses based on grouping of indicators.

4.32 The Meeting considered document 4-20 on proposed HELCOM work on climate change and emphasized the importance of the practical nature of the work and linking the work on climate change to that on indicators and measures and especially updating of the BSAP. The Meeting took note that STATE & CONSERVATION 8-2018 discussed and supported a number of topics to be explored in the report card, including ocean acidification. The Meeting also requested to rename the report cards to fact sheets in line with HELCOM nomenclature, supported the proposed direction of the work and agreed that the dedicated work on climate change will begin in 2018.

Agenda item 5 - HELCOM institutional and organisational matters

5.3 The Meeting found it especially relevant to establish closer communication and cooperation between the groups, e.g. in the form of shared meetings of the representatives of the working groups or relevant Expert Networks under the both groups, joint thematic workshops (e.g. eutrophication, hazardous substances, climate change), coordinated planning of future activities including on indicators (work plans that could cover the years until 2021).

5.8 The Meeting concluded that the planning of the work is important to avoid overlapping processes, for example, the indicator work is separated in time from integrated assessments.

Bycatches

Agenda item 3 - Outcome of the 2018 HELCOM Brussels Ministerial Meeting – follow-up

3.22 The Meeting took note that the HELCOM project under preparation has a general objective to contribute to the update of the BSAP and implementation of Programmes of Measures for Contracting Parties being EU members, and a specific objective to analyse the effectiveness and sufficiency of existing

measures with particular focus on by-catch, impacts on the seabed, marine protected areas, and eutrophication.

Agenda item 4 - Matters arising from the HELCOM Groups

4.28 The Meeting took note of the presentation by Ms. Katarzyna Kaminska, Vice-Chair of the HELCOM Fish Group on progress concerning HELCOM data needs, including the development by CG FISHDATA of a roadmap for the collection of fisheries data in order to assess incidental by-catches and fisheries impact on benthic biotopes in the Baltic Sea (Presentation 2).

4.53 The Meeting took note of the outcome of FISH 8-2018, as presented by the Chair Ms. Marianne Goffeng-Raakil, in general (document 4-23) and in particular:

- invited Contracting Parties who have not yet done so to nominate experts to the CG FISHDATA group;
- noted the initiative for a possible joint HELCOM/OSPAR workshop on by-catch indicators;
- approved the organization of a regional workshop on seal-fisheries interactions;
- invited the Contracting Parties, in particular those that have not yet done so, to consider hosting the next meeting of the Fish Group in January 2019.

Agenda item 5 - HELCOM institutional and organisational matters

5.14 The Meeting took note of a statement by CCB on the importance of the work carried out by the Fish and Agri Groups and that both groups deserve to be established as permanent groups also taking into account the relevance of cross-sectoral work for the BSAP update. Specifically for the Fish Group, CCB reiterated the important role of HELCOM in addressing fisheries-related measures that fall in between the scope of work of other relevant fora, e.g. Baltic AC, BALTFISH and ICES, e.g. fisheries/biodiversity interactions such as bycatch of seals, marine mammals and seabirds, BAT/BEP for sustainable aquaculture and ecosystem-based approach in fisheries. CCB stated that the latter is particularly important in the current seriously critical situation with the state of main commercial fish stocks in the Baltic Sea as indicated in the latest ICES Advice.

Underwater noise

4.11 The Meeting took note of the outcome of STATE & CONSERVATION 8-2018 in general (document 4-19) and specifically:

- approved the new regional monitoring sub-program of continuous noise (Appendix 1 to document 4-19);
- took note of the progress in establishing HELCOM guidelines for the determination of PFAS in seawater, for monitoring continuous sound, and for monitoring beach litter;
- approved organizing the workshop to support the implementation of HELCOM Recommendation 34E/1 on migratory birds, at the HELCOM Secretariat, and in cooperation with JWG BIRD, in autumn 2018;
- approved organizing STATE & CONSERVATION 9-2018 in Copenhagen, Denmark, 22-26 October 2018;
- took note of the planned workshop for MPA managers, arranged and funded by Sweden, at Husby säteri (close to Norrköping) on 10-12/13 September 2018.

Next HOD meeting

7.1 The Meeting decided that the next meeting (HOD 55-2018) will be held on 4-5 December 2018 in Helsinki. The Meeting decided that HOD 56-2019 will be held tentatively on 18-19 June 2019.

STATE & CONSERVATION 7-2017

Guidelines for reporting on the implementation of HELCOM Recommendation 17/2

2N.17 The Meeting considered and supported the proposed revision of HELCOM Recommendation 17/2 on Protection of harbor porpoise in the Baltic Sea area for countries being also ASCOBANS parties (document 2N-2) and welcomed the offer of Poland to amend the Recommendation according to the proposal, for consideration of the meetings of the ASCOBANS Jastarnia Group in March 2018 and HELCOM SEAL 12-2018 before submitting it for endorsement to STATE & CONSERVATION 9-2018 and subsequently for adoption by HODs and the annual Commission meeting in Spring 2019.

3J.73 The Meeting took note of information about recent activities of HELCOM SEAL expert group (document 3J-12).

3J.74 The Meeting took note of the discussion at the SEAL 12-2018 meeting regarding the plan by Finland to reduce monitoring of grey seals and that the chair of SEAL EG has been sent in correspondence concerning this issue to the co-chairs of State & Conservation. The Meeting took note of the concerns of Estonia, Poland, Sweden and CCB regarding the Finnish plans and noted that Finland is still working to clarify this issue nationally.

3J.75 The Meeting considered and agreed on the proposed east-west boundary for the high and low-density areas of harbour porpoises for collection of incidental sightings for the harbour porpoise database (contained in Attachment 1 of document 3J-12).

3J.76 The Meeting considered and endorsed the updated evaluation of effectiveness of a HELCOM Recommendation 27/28-2 'Conservation of seals in the Baltic Sea area' contained in Attachment 2 of document 3J-12.

3J.77 The Meeting took note that Finland retains its study reservation with regard to the core indicators on nutritional and reproductive status of seals since they are still waiting for the results of a national public hearing, which are due in mid-November. The Meeting noted that there are possibilities for compromise, especially concerning the reproductive status indicator, but that discussions are still needed at the expert level. The Meeting noted the proposal of Finland to continue the work on updating and development of the indicator, with the objective of including one or both indicators in HOLAS II if the results allow.

3J.78 The Meeting took note of Germany's concern regarding the indicators on 'Reproductive status of seals' and 'Nutritional status of seals' and noted that Poland supports their view that there is need for further discussion among experts regarding the current indicators, which are not seen as representative of the health status. The Meeting noted that Germany and Sweden are planning a bilateral meeting to discuss the issue during 2018 and welcomed the offer of Germany to invite also Finland to participate in the discussions.

3J.79 The Meeting discussed how to proceed with the updating of the core indicators on seals and agreed that work should conditionally continue as planned, keeping in mind the Finnish study reservation, and the possibility that another version of the indicator could be developed concomitantly. The Meeting proposed that two options of the integrated assessment could be presented to the experts Workshop with the possibility for them to decide which to include in the final HOLAS II assessment. The intention is to include the results of either version of the core indicator on nutritional and reproductive status in the integrated assessments if the experts can agree to it.

3J.80 The Meeting considered, updated and endorsed the Terms of Reference for SEAL 12-2018 as contained in **Annex 3** of this Outcome.

3J.81 The Meeting welcomed the preliminary offer of Estonia to host the meeting of SEAL 12-2018, pending confirmation in January 2018.

3J.82 The Meeting welcomed the information that Denmark can lift their study reservation on the core indicator on abundance and trends of seals, although they will still provide some final editorial corrections to the lead author (tero.harkonen@nrm.se) and the Secretariat (owen.rowe@helcom.fi).

4J.1 The Meeting took note of the publication on the HELCOM website of monitoring guidelines for reproductive status of seals, extended Rapid Assessment Survey for non-indigenous species, phytoplankton species composition, abundance and biomass as well as mesozooplankton

4J.6 The Meeting noted that information on the status of developing and updating seal monitoring guidelines as contained in document 3J-12.

STATE & CONSERVATION 8-2018

Core indicators

3J.13 The Meeting took note of the updated HELCOM biodiversity indicator reports (documents 3J-15, 3J-15-Add.1, 3J-15-Add.2).

3J.14 The Meeting considered the proposed amendments to the core indicator 'Reproductive status of seals' (document 3J-4), as presented by Finland and Sweden.

3J.15 The Meeting noted that Germany is ready to accept the 'Reproductive status of seals' indicator for use in HOLAS II, acknowledging that the indicator lacks data and requires further development.

3J.16 The Meeting noted that Finland is ready to lift their study reservation on the 'Reproductive status of seals' and 'Nutritional status of seals' indicators noting the following Finnish statements:

Some Contracting Parties have included the nutritional status indicator under the assessment of food webs, which causes differences between national and HELCOM assessments.

The indicators for nutritional status and reproductive status require further development to improve inter-annual robustness in their results and sharpen their responsiveness to changes in environmental conditions. Therefore, the indicator results may cause considerable uncertainty into the grey seal assessment.

3J.17 The Meeting took note that a revised version of the 'Reproductive status of seals' report will be uploaded to the workspace shortly after the meeting and that any editorial comments to the report will be provided to the Secretariat (owen.rowe@helcom.fi) by **31 May** at the latest.

3J.18 The Meeting considered the renaming of the Finnish contribution to the 'Reproductive status of seals' indicator and agreed that this will be solved bilaterally by Finland and Sweden.

3J.19 The Meeting agreed that the 'Reproductive status of seals' indicator needs further development, including discussion on if some populations have reached carrying capacity and this might affect the overall assessment of seals in the HELCOM area as well as data issues, and invited the Seal expert group to take the work forward.

3J.20 The Meeting in principle approved the proposed changes on 'Reproductive status of seals' for use in the HOLAS II work of the State of the Baltic Sea report.

3J.26 The Meeting in principle approved the two seal indicator reports 'Nutritional status of seals' and 'Reproductive status of seals', noting the following statements by Finland (c.f. also paragraph 3J-16).

Work plan for indicators

3J.30 The Meeting discussed the draft HELCOM work plan for indicators (document 3J-6, **Presentation 6**), as presented by the Secretariat. The Meeting welcomed the plan and that there is a need in the following step to clearly present the roles and responsibilities of the different expert groups and levels of HELCOM in the indicator process. The Meeting also pointed out the importance to continue to view the work on indicators from the perspective of the Baltic Sea, where specific characteristics and needs of the regional sea are to be taken into account, stressing the important role of the expert groups and the networks in this part of the work also in the future, as well as to consider how the indicator work will feed into HOLAS III. The Meeting took note of the comments by the Contracting Parties i.a. to cater for coordination with work under WFD and Habitat Directive and to mention coordination with JRC under EU. Germany proposed to postpone the joint GEAR – State and Conservation workshop on indicators until June 2019. The Meeting agreed that additional comments on the content of the document can be provided to the Secretariat (owen.rowe@helcom.fi) by **17 May**, to be followed by the finalization of the document by GEAR.

3J.31 The Meeting took note of the status of data flows and data hosting arrangements for each HELCOM indicator (document 3J-20, **Presentation 7**), as presented by the Secretariat. The Meeting took note of the general comment that in the future simplified reporting would potentially increase the amount of data available for the assessments, and that the data flows and hosting arrangements will be reviewed as part of the indicator work proposed in document 3J-6.

Approval of supplementary reports to the updated 2018 version of 'State of the Baltic Sea' report (HOLAS II)

3J.49 The Meeting considered the draft thematic assessment (previously called supplementary report) on biodiversity (documents 3J-9, 3J-9-Add.1), as presented by the Secretariat, and amended the text based on input received in the Meeting.

3J.54 The Meeting approved the thematic assessments on biodiversity, hazardous substances and eutrophication and agreed on their publication in the BSEP series, recognizing that editorial corrections, clarification, and cross-checks with the State of the Baltic Sea summary report will still be made to the thematic assessments and noting that editorial comments can still be submitted to the Secretariat as soon as possible, but at latest **by 31 May**.

Monitoring guidelines

4J.4 The Meeting considered the monitoring guidelines for seal abundance and distribution in the HELCOM area (document 4J-1) and comments to the document provided by Estonia (4J-1-Add.1), as presented by the Secretariat. The Meeting in principle endorsed the guidelines, noting that Denmark and Sweden will provide editorial comments to the guidelines to the Secretariat (petra.kaaria@helcom.fi) **by 31 May**.

4J.5 The Meeting raised concern about the decreasing interval of grey seal censuses in Finland, noted the comment by Estonia that this will jeopardize the trend assessments and core indicator calculations of Baltic Sea grey seals, and the confidence and results will not be comparable with earlier results, and further noted that this issue should be discussed by SEAL 12-2018.

4J.6 The Meeting agreed to delete the following information from the guidelines: "since 2016 all the localities in the Finnish part of the Bothnian Bay have been decided to be surveyed every third year. The few most important localities have still been photographed once every year. From 2018, Finland will probably not carry out annual grey seal censuses in any area".

Next S&C meeting

9J.4 The Meeting confirmed that the next meeting of the Working Group (STATE & CONSERVATION 9-2018) will be organized in Copenhagen, Denmark on 22-26 October.

9J.5 The Meeting invited the Contracting Parties to consider the possibility to host future meeting of the Working Group and welcomed that Finland will explore the possibility to host STATE & CONSERVATION 10-2019 on 6-10 of May 2019.

Development and implementation of Recommendations

RECOMMENDATION 17/2 PROTECTION OF HARBOUR PORPOISE IN THE BALTIC SEA AREA

3N.4 The Meeting welcomed the draft proposals for amendments of the HELCOM Recommendation 17/2 on protection of harbor porpoise (document 3N-5), as presented by Poland, and thanked Poland for initiating the process. The Meeting revised and agreed on the recommendation, as presented in document 3N-5-Rev.1.

3N.5 The Meeting noted that the intention is that the Recommendation will be considered by SEAL 12-2018, STATE & CONSERVATION 9-2018, HOD 55-2018 for approval, and then submitted for adoption at HELCOM 40-2019.

a. Follow-up of action 'avoiding by-catches of harbour porpoises, particularly following the recommendations of ASCOBANS and the ASCOBANS Jastarnia Plan'

3N.6 The Meeting took note of the ongoing work on bycatch indicator and the Fish working group and noted that the correspondence group for fisheries data (CG FISHDATA 2-2018) will have its next meeting on 22 May 2018.

3N.7 The Meeting acknowledged the importance of the ongoing work on data inventory and further development of monitoring of bycatch and thanked Poland for initiating the process.

b. Follow-up of action 'take action in close co-operation with ASCOBANS and ICES'

3N.8 The Meeting welcomed the information by Sweden that they will look into the possibility of appointing the co-Chair of WGBYC, Sara Königsson, to annually provide information summarizing the groups work, in the form of an information document submitted to State and Conservation meetings.

3N.9 The Meeting took note of the correspondence with the ASCOBANS Jastarnia Group (document 3N-3), as presented by the Secretariat, and welcomed the information on the willingness of the Jastarnia Group to review relevant new indicators on harbour porpoise as they become available, acknowledged that work on the harbour porpoise indicators is currently ongoing, and noted that the 67th International Whaling Commission (IWC) meeting will be held in Brazil in September 2018.

3N.10 The Meeting took note of the action points from the 14th meeting of the ASCOBANS Jastarnia group (3N-13), as presented by Ida Carlen, Chair of Jastarnia Group. The Meeting noted that planning for a SAMBAH II project has started and that the intention is for the application to be submitted to LIFE+ in 2019 and the project would hopefully start in 2020-2021.

3N.11 The Meeting noted that regarding management plans to protect harbour porpoises, there are plans in Poland to initiate special fisheries measures within one of the national park where pingers will become mandatory. WWF Poland will distribute banana pingers to interested fishermen with boats less than 12 meters long.

3N.12 The Meeting took note of the status of data reporting as well as national contacts for updating the HELCOM-ASCOBANS harbour porpoise database (document 3N-1), as presented by the Secretariat, and welcomed the information that there are now national contact points from all Baltic Sea countries, as presented in **Annex 5**. The Meeting noted that acoustic detection data has not yet been submitted to the joint database.

3N.13 The Meeting took note of the information on registered mortality of marine mammals (document 3N-4), as presented by the Secretariat and noted that Germany and Lithuania will report corrected and new data on the tables to the Secretariat (petra.kaaria@helcom.fi) by **1 September 2018**.

c. Follow-up of action 'establishment of marine protected areas for harbour porpoises within the framework of the Baltic Sea Protected Areas (BSPAs)

3N.14 Meeting took note of information by Sweden on a newly appointed MPA related to harbour porpoise and took note that the description of the area is almost complete, and that future measures in the MPA will be based on the national species action plan for harbour porpoise, which should be available shortly. CCB urged Sweden to ensure that the new national species action plan for harbour porpoises is made available as soon as possible, since this is an important document for the protection of the species in Swedish waters. The Meeting invited Sweden and the CCB to present the results of the work to State and Conservation when it is finalized.

3N.15 The Meeting welcomed the information that Denmark will initiate additional monitoring of harbour porpoise with ten C-PODs that will be deployed around Bornholm.

3N.55 The Meeting took note of the information on national conservation plans for species and biotopes (document 3N-6), as presented by the co-Chair.

3N.56 The Meeting took note of the outcome of drafting group on regional cooperation for conservation measures (document 3N-2), of the as presented by the Secretariat, and noted the comment by Russia and Finland that dunlin and ringed seal could be possible candidates. The Meeting agreed to come back to these issues at STATE&CONSERVATION 9-2018 and asked Contracting Parties to prepare a possible suggestion.

FISH 7-2017

Alternative fishing gear

Agenda Item 3 - Closer regional cooperation on Fisheries & Environment

3.8 The Meeting recalled that FISH 6-2017 agreed to establish cooperation with the BSAC sub group on ecosystem based management, regarding the development and trials of alternative fishing gears or fishing techniques in the Baltic Sea and as a first step submit a draft list of trialed alternative fishing gears or fishing techniques to the next Meeting of the BSAC sub group on ecosystem based management as a HELCOM submission.

3.9 The Meeting took note of the outcome of the meeting of the BSAC sub group on ecosystem based management on 3 October 2017 in Copenhagen, Denmark, as presented by Marcin Rucinski (LIFE) including the following topics:

- Seal-fishery interactions
- Salmon multi annual management plan
- abandoned, lost or otherwise discarded fishing gear (ALDFG)
- Draft list of alternative fishing gear trials submitted by Poland on behalf of HELCOM.

3.10 The Meeting welcomed the information that the draft list of trialed alternative fishing gears or fishing techniques was submitted to, and presented by Poland at the meeting of the BSAC sub group on ecosystem based management in October, BSAC WS on selectivity of fishing gears (7 November 2017) and that Poland is waiting for BSAC comments in writing.

3.11 The Meeting recalled that the draft list of trialed alternative fishing gears or fishing techniques by HELCOM Fish, a living document - meaning that the document should be updated continuously, and it should be further developed by adding the contacts of the people involved in the gear trials and information on the results of the trials.

3.12 The Meeting welcomed the information from Germany that the Federal Agency for Nature Conservation and the Thünen- Institute for Baltic Sea Fisheries, have initiated a major project (STELLA) i.a. on alternative gears to avoid bycatch of waterbirds and marine mammals.

3.14 The Meeting took note of the comment by LIFE that there are limits to what can be achieved using alternative gears when it concerns seals and it is also necessary to discuss other measures. Small scale fisheries has been suffering from competition with seals, with alarming decreases in the use of gillnets in certain areas of the Baltic Sea.

3.18 The Meeting took note that in Germany grey seal was decimated to local extinction during the last century and has recovered only slowly during last years but has still not reached favorable conservation status. Alternative gears could be an important measure to reduce conflicts between fisheries and nature conservation but that further dialogue with the fishermen is also needed.

3.19 The Meeting considered next steps in addressing seal and fishery interactions and noted further:

-Denmark's concerns that this is an area of conflict which is perceived to grow in the future as the seal population increases. There is already a shift from gillnets to trawls taking place which in turn has an increasing negative effect on benthic habitats. Denmark also expressed concern that the increase in seal population affected the frequency of parasitic worms infestations in cod.

-Sweden informed that significant resources have been invested in finding non-lethal measures to solve the issue of seal fisheries interaction but that Sweden also allows limited protective hunting.

-Concerning effects of seals on fish populations, Sweden highlighted a new study by Stockholm University and SLU Aqua that may be of interest to members of HELCOM Fish, which shows that fish-eating birds and

seals likely have limited impact on the populations of the commercially most important species (herring, sprat and cod) but may consume 2-3 times as much coastal fish as is caught in the fishery (Hansson et al. 2017, ICES JMS fsx 207).

-Germany noted that hunting is not an acceptable tool to solve this conflict. Grey seals are protected and alternative gear have the potential to prevent predation of seals on fish and prevent bycatch of harbour porpoises and seabirds at the same time.

-Poland informed that a large conference on seals and fisheries has been recently organized in Warsaw and in addition a number of smaller meetings between concerned parties are planned for the next year.

-LIFE highlighted that seals adapt very quickly and learn how to exploit alternative gear, and that finding a solution to the problem of seal-fisheries interactions is of great importance to small scale fishers. However, LIFE also highlighted that they prioritize finding non-lethal solutions.

Bycatch

Agenda Item 2 - Matters arising from HELCOM work of relevance of the group

2.5 The Meeting took note of the comment from Denmark that, contrary to what is noted in the outcome of SEAL 11-2017, there is according to the control regulation (Council Regulation 1224/2009) no obligation to report any incidental bycatches of marine mammals or birds. For all fish and shellfish species retained on board, catches of more than 50 kg per species per day shall be reported in the official EU logbook for vessels obliged to carry a logbook. The obligation to report incidental bycatches to EU is thus fully on the Member State, not individual fishermen.

Agenda Item 5 - HELCOM data interests

5.1 The Meeting took note of the outcome of the intersessional meeting for drafting a document of HELCOM data interest to assess incidental bycatches and fisheries impacts on benthic biotopes (document 5-1).

5.10 The Meeting thanked Poland and Germany for the work on the inventory of data needs (document 5-3) and its follow up (document 5-4) and provided the following comments:

- Sweden was of the opinion that there is good progress with identifying HELCOM data needs for the purposes of the two indicators in document 5-3 but there is still open questions regarding the availability of data and to identify potential methods and associated cost implications of filling data gaps. ICES, e.g. through the ICES data center or the Working group on Incidental Bycatch (WGBYC), as well as the information on the different regulations provided in Presentation 1 by Denmark, could possibly help to comprehensively map available data and possible next steps in this process and fill in the missing information in document 5-2. As a specific comment, Table 2 of document 5-3 (page 12) with list of species should more comprehensively reflect updates to the species lists for assessing D1 C1 in accordance with Commission Decision (EU) 2017/848 of 17 May 2017 laying down criteria and methodological standards on good environmental status, as this is determined. An eventual submission of an inventory should be considered in a roadmap, which should be developed by best possible expertise, including the RCG contacts, BSAC and the lead authors of the HELCOM indicators.
- Finland was of the opinion that the documents 5-3 and 5-4 need improvement and that ICES should be engaged in this work.
- Germany welcomed both documents 5-3 and 5-4, noted that the work process should focus first on identifying the data needs and only in a second step prioritizing data collection to fill the gaps based on the availability of funds. Germany also highlighted the importance of finding a joint language between institutions and persons working with fishery data and those working with marine conservation (including MSFD). The DCF has been identified as one of the tools to provide the needed data also for MSFD purposes. Information from ICES WGBYC is limited because it is mainly based on EU regulation 812 /2004. Monitoring

according to regulation 812/2004 is insufficient, because it is limited to larger vessels which are mostly not using gillnets. Therefore bycatch data of relevant fisheries vessels (below 15 meters) and metiers (gillnets) available to the extent needed. Additionally monitoring under 812/2004 is limited to bycatch of cetaceans and bycatch data on e.g. waterbirds is completely lacking. The fact remains that we do not have much of the needed data, for example the bycatch rates of the different fisheries metiers, and that a solution for filling these gaps are needed. EMFF could be a source of funding to help fill these gaps. In Sweden AIS data are also used for control issues in a marine protected area (Bratten). AIS data might be also used to analyse the impact of mobile bottom contacting gears.

- Denmark was of the opinion that documents 5-3 and 5-4 are not complete and should be further developed. However, regarding the indicators the cumulative impact indicator is well developed, does not require data collection outside what is already being collected and could as such be considered as almost ready to be implemented. On the other side, the indicator currently referred to as Number of drowned birds and mammals in fishing gear still requires more work and clarification of obligations. It should be renamed to Rate of drowned birds and mammals in fishing gear to account for that reaching GES will mean increases in population size, which will likely result in larger numbers of bycatch, but should also result in lower rates of bycatch. The obligation for monitoring of bycatch lies entirely on the Member States and not on the fishermen, and should follow statistical sampling schemes covering the entire fleet. No new data gathering is possible at all under the DCF as the resources are fully utilised and new types of data gathering cannot be accommodated without increasing the budget -or reducing parts of existing data gathering. ICES working groups are collecting all available data on Cetaceans and should be engaged in comprehensively mapping the availability of data. The first step should be to draft a roadmap on data needs, primarily for MSFD purposes. Here focus should be on identification of data requirements for the candidate indicator on for cumulative impacts on benthic habitats and the pre indicator on incidental bycatches. An important step in this respect is to draw up 'state of play' of data collection within the DCF and control regulation among other EU legislation. The second step is to look at the inventory list and identify data gaps.

- BirdLife International commented that information on incidental bycatches of birds was clearly needed.

- LIFE informed that LIFE and BirdLife have signed a MoU on incidental bycatches of birds.

5.12 The Meeting recalled that EMFF funding is available for data gathering pilots on incidental bycatches.

5.17 The Meeting stressed the importance of inviting a wide range of experts to the proposed CG FISHDATA workshop, including but not limited to representatives of HELCOM Contracting Parties and Observers, relevant HELCOM and ICES working groups, Baltic RCG under DCF and HELCOM Indicator Leads.

5.18 The Meeting recommended that the CG FISHDATA workshop is organized as early as possible (preferably January/February) to be able to use it as a basis for further intersessional correspondence in advance of FISH 8-2018 and invited Denmark to suggest a date in consultation with the Chair and the Secretariat.

FISH 8-2018

Alternative fishing gear

3.1 The Meeting welcomed a questionnaire on alternative fishing gears and fishing techniques (document 3-1), as prepared by Poland. The Meeting invited Contracting Parties to provide updated information to Poland (K.Kaminska@mgm.gov.pl) and agreed that the document will be considered as a living document in the future meetings of the group. The Meeting noted information on an existing website GearingUP devoted on selective gears.

3.2 The Meeting noted that a workshop on fishing gear development, co-organized by ICES and BSAC, is currently taking place. The workshop concentrates on the problems in developing selective gears and on how to move from testing to practical implementation. The Meeting invited the BSAC to inform on the outcome of the ICES/BSAC workshop during FISH 9.

3.3 The Meeting emphasized that the purpose of the information needs to be clarified and noted the comment by CCB highlighting that the document improves the knowledge on ongoing projects and activities and provides means for further information exchange regarding gear development between the Contracting Parties and facilitates the exchange of national contact information.

3.4 The Meeting thanked Contracting Parties for their contribution to the work and welcomed the offer by Poland to revise the questionnaire, taking also into account further updates that may be provided by Contracting Parties, to be published on the HELCOM website and other relevant websites. The Meeting further invited the Secretariat, in cooperation with Poland, to investigate options for maintaining the content of the questionnaire up-to-date in a longer term and having it published with the use of online tools.

HELCOM data interests

5.1 The Meeting took note of the Outcome of the first workshop organized as part of the activities of the HELCOM Fish Correspondence Group on fisheries data for operationalizing indicators used for the purposes of MSFD implementation, for the CPs which are also EU members (CG FISHDATA 1, document 5-1), as presented by the Chair of the correspondence group.

5.2 The Meeting further noted the Outcome of the second workshop, CG FISHDATA 2 organized back to back with FISH 8 on 22 May 2018 (document 5-2), as presented by the Chair of the correspondence group.

5.3 The Meeting noted the offer by Denmark and Poland to update the draft Roadmap provided in Document 8 of CG FISHDATA 2-2018, as well as templates for providing data based on the discussions at the Workshop. The Workshop invited the Secretariat to circulate the revised draft Roadmap with the templates as annexes to the CG FISHDATA contacts, copied also to the contact points of the Fish group, with a request to fill in the templates and to comment on the draft Roadmap by 29 June 2018. A revised draft of the Roadmap will subsequently be circulated with a view for agreement on a draft version to be submitted to STATE & CONSERVATION 9-2018 (22-26 October 2018) for comments that could be taken into account by the next meeting of FISHDATA before finalization and submission to the Fish group for approval.

5.4 The Meeting noted the comment by BirdLife International on the urgency of the issue and the importance of incorporating the data needs in the EU control regulation.

5.5 The Meeting noted the comment by Germany on the need to have a more specific documentation on seabird bycatch on the species level, in order to operationalize the indicator 'Number of drowned mammals and waterbirds in fishing gear'.

5.6 The Meeting encouraged all Contracting Parties to participate in the work of the correspondence group and, noting that four Contracting Parties have not participated in the work, invited all Contracting Parties to formally nominate experts to the group.

5.7 Recognizing that a more appropriate format for continuation of the work would be an Expert Group rather than a Correspondence Group, the Meeting invited the Secretariat to provide a proposal for the next meeting regarding potential revision of the group's Terms of Reference to reflect all components needed for Expert Groups

5.8 The Meeting agreed that the Heads of Delegations are to be informed on the progress within the CG FISHDATA.

5.9 The Meeting noted information on the ongoing process under OSPAR Meeting of the Biodiversity Committee (BDC), which in February 2018 had agreed that proposals should be developed for a workshop to examine needs and possibilities for developing indicators for incidental by-catch of birds, seals, cetaceans, turtles and non-commercial fish, linked to related work by HELCOM and ICES as relevant.

5.10 The Meeting further noted that GEAR 18-2018 had supported organizing a joint HELCOM/OSPAR workshop on bycatch indicators, including fisheries data issues, supported the initiative and requested the Secretariat to be in contact with the OSPAR Secretariat accordingly. The Meeting noted that other relevant organizations, such as ICES and ASCOBANS, could contribute to such a workshop. The Meeting further noted an initiative by EFARO on exploring synergies in data collection between MSFD and CFP, which could also be relevant to the workshop. Based on this, the Meeting requested the Secretariat to inform both State and Conservation WG and Fish group on the initiative with the aim of having these groups contributing to the process.

Seals-fisheries interactions

7.9 The Meeting recalled that FISH 7-2017 had agreed that there is merit in further discussing seal-fisheries interactions and requested that the Chairs of HELCOM Fish, Seal and the Secretariat are in contact intersessionally to consider how to address the issue in the best possible way.

7.10 The Meeting noted that a letter has been sent by the HELCOM Executive Secretary to the Chairs of HELCOM Fish and Seal, suggesting that a workshop on seal-fisheries interactions will be organized during 2019-2020. The Meeting further noted that the two Chairs have responded quite positively to the proposal.

7.11 The Meeting welcomed the organization of the workshop and emphasized that the workshop could provide an opportunity to discuss solutions, recognizing the different point of views on the topic and welcomed the willingness by several Contracting Parties and observers to contribute to the preparation and take active part in the workshop. The Meeting emphasized the need to organize the workshop already during

CG FISHDATA 1- 2018

With reference to the outcomes of HELCOM FISH 6-2017 (§5.14-5.16, Annex 3) and HOD 52-2017, a HELCOM Workshop on fisheries data (CG FISHDATA 1-2018) was organized 27-28 February 2018. The aim of the Workshop was to kick off drafting of a comprehensive roadmap on fisheries data for operationalizing two specific HELCOM indicators related to fisheries, used for the purposes of MSFD implementation for the CPs which are also EU members, covering – e.g. procedures, steps to be taken, roles of different institutions/bodies, data needs specifying related legal obligations, identifying existing data sources and recommending potential methods and steps to fill the identified data gaps taking into account the legislative framework.

By-catch

The Workshop participants took note of the presentation by Jørgen Dalskov on DCF data collection available for bycatch and cumulative impact of fisheries (**Presentation 2**).

The Workshop took note of the information from ICES that a new ICES database on incidental bycatches has been created but is not yet available beyond the ICES WGBYC group membership. Some of the data can be made available after the group has agreed on a data policy.

The Workshop participants took note of the presentation by Lotte Kindt-Larsen on ICES WGBYC as well as national Danish work on bycatch including available data (**Presentation 3**).

The Workshop took note that DTU Aqua has quantified incidental bycatch risk of porpoises in the sea area north of Skagen, and a similar project is ongoing in the Kattegat/Öresund area in cooperation with Swedish researchers.

The Workshop took note that WGBYC has produced estimates of incidental bycatches in the Kattegat/ Belt Seas as well as in the North Sea and Celtic/Irish seas and could also provide similar results for the Baltic Sea with the right data.

Discussion data for Incidental bycatch

The Workshop pointed out that data on incidental bycatches is less readily available compared to data needed to assess cumulative impacts and needs further consideration.

The Workshop was of the opinion that data on incidental bycatches in the Baltic Sea is needed on three main fields to enable a reliable indicator results: regional temporal and spatial overviews of fishing effort within specific métiers -especially but not limited to gillnets and fleet segments < 12 meter length, data on actual observed incidental bycatches as well as data on the distribution and population size of the relevant species taking into account e.g. regional, seasonal and other relevant differences when collecting necessary bycatch data.

The workshop took note of the statement by ASCOBANS supporting further work on bycatches of marine mammals and waterbirds in the Baltic Sea received via Poland (**Annex 3**).

The Workshop recalled that gillnets are one of the gears which are associated with the highest incidental bycatches, where seasons, gillnet type, and other factors overlap with the distribution of species susceptible to by-catch (e.g. marine mammals, seabirds).

The Workshop was of the opinion that the national information should preferably cover commercial gillnet fishery information and national projects on incidental bycatches in gillnets, but also national rules on use of gillnets in recreational fisheries as well as other relevant information on recreational gillnet effort in the coastal countries which would enable to estimate the recreational net fishing effort.

Records and estimates of incidental bycatches

The workshop concluded that an important field of future work would be to find best available estimates of actual numbers of incidental bycatches of different priority species.

The Workshop pointed out that existing data collection frameworks could include data, which is underutilized in the field of incidental bycatches. One example is the fisheries control “haul” data (reported to European Fisheries Control Agency and in the Baltic Sea recorded by at least Sweden, possibly Germany, CG FISHDATA 1-2018, Outcome Page 5 of 10 Poland and Denmark) which could be a useful new data source for incidental bycatches if collected in a representative way.

The Workshop agreed that a regional overview of national approaches to collecting data on porpoise bycatches according to EU Regulation 812/2004 is an important component in a regional overview of already collected incidental bycatch data, taking into account that the EU-regulation 812/2004 has been identified as insufficient to adequately monitor marine mammal bycatch by focusing mainly on fleet segments (larger vessels, mainly pelagic and demersal trawlers) and on areas not covered by the obligation to use pingers.

The Workshop took note that Denmark focuses on gillnet fisheries instead of e.g. pelagic trawl fishery in implementing EU Regulation 812/2004.

The Workshop pointed out that targeted data collection on incidental bycatches of birds comparable to EU Regulation 812/2004 on porpoises does not exist.

The Workshop was of the opinion that better data on incidental bycatches could be achieved by combining all existing data sources in a reasonable way -such as the mentioned fisheries control “haul” data, targeted observer or CCTV data collection of incidental bycatches onboard representative vessels (achieved via stratified sampling within fleet segment) and self-reporting campaigns involving voluntary fishermen.

The Workshop took note that a new data call on incidental bycatches has been recently opened by ICES (**Annex 4**), requesting for details down to EU DCF Metier level 5, which will likely enable further ICES work on bycatches in the Baltic Sea in the near future. The aim of a standardised data call for ICES WGBYC is to achieve better comparability of 812/2004 (and other) bycatch data which has always been a problem for the ICES working group.

The Workshop took note that other regional organizations beyond HELCOM, particularly OSPAR, are working with incidental bycatches and that joint work including workshops and joint advice requests to ICES on high risk areas could be considered to enable synergies.

Data collection frame work

The Workshop took note that in order to improve incidental bycatch data in the short term (2018-20), pilot projects (funded via national or EU funds) will be a practical way forward. A number of EU Member States have revised their National Programmes for the DC-MAP but these revisions have not yet been published by the EU Commission. More stable data collection frameworks could be included in the long run via the EMFF revision (2020-) but naturally depending on a number of factors including the size of the new EMFF financing envelopes.

Statement from ASCOBANS:

ASCOBANS welcomes the interest of the HELCOM FISHDATA-1 workshop to address the issue of gaps in marine mammal and water bird bycatch data. Seeking synergies between monitoring programs related to the CFP and the MSFD is most welcome.

ASCOBANS has repeatedly highlighted the lack of adequate monitoring data on bycatch of small cetaceans under EU Regulation 812/2004. This regulation does not fulfill the necessary bycatch monitoring needs and does not target all high-risk fishing fleet segments.

The different Working Groups (e.g. Jastarnia Group covering the Baltic) and the Advisory Committee under ASCOBANS have regularly provided guidance on how to improve this situation. In 2015 ASCOBANS also

organized a workshop entitled “Expert Workshop on the Requirements of Legislation to Address Monitoring and Mitigation of Small Cetacean Bycatch”. The 10 ASCOBANS Parties, namely Belgium, Denmark, Finland, France, Germany, Lithuania, Netherlands, Poland, Sweden and UK, have passed a number of Bycatch Resolutions and other decisions to provide a binding legal framework for implementation of the above-mentioned guidance.

Given the overlap with today’s meeting and the overlap of our respective mandates we would like you to note that:

- net fisheries have the highest level of cetacean bycatch compared to other fisheries in the Baltic Sea
- today’s fishing effort data are incomplete because vessels below 10 metres length (8 metres for vessels having quota for cod) do not have to report effort even though they represent a significant part of the Baltic Sea fishing fleet.
- reliable estimates of bycatch rates are unavailable for most fisheries (coverage of the fishing fleet by bycatch monitoring activities is low)
- no compliance monitoring with respect to pinger/PAL use is in place.

Taking into account the above, ASCOBANS has recommended that:

- reporting of cetacean by-catch should become mandatory in all fisheries, including recreational fisheries;
- national programs under the DCF for data collection from recreational fisheries should also include data on harbour porpoise by-catch;
- scientifically recognized effective monitoring methods should be chosen taking into account specific situation (fleet size, fishing effort, by-catch rate etc.) and should be carried out on a basis of regional cooperation;
- monitoring efforts should focus on set-net fisheries, especially those known to have bycatch and those suspected to be a problem,
- monitoring schemes should be adapted in the light of the results obtained and new developments in the fisheries, and the effectiveness of mitigation measures should also be monitored.

ASCOBANS has also developed a strategy for collecting data on fishing effort (in order to ensure relevant high quality data on cetacean bycatch):

- fishing effort should be collected for all vessel sizes.
 - the parameters to be collected are: net length, soak time (alternatively as backup for these two: days at sea), thickness of twine, mesh size, target species and position of a net;
 - the objective of the monitoring should be to estimate the total bycatch from a specific population, the focus should be on set-net fisheries, not on pelagic trawling;
- CG FISHDATA 1-2018, Outcome Page 10 of 10
- all vessels sizes should be monitored and the highest priority should be given to high risk gear and high risk areas (high risk areas are those combining high fishing effort, high-risk gear and presence of harbour porpoises);
 - the monitoring level should be sufficient to ensure proper assessments;
 - methods to be chosen should dependent on the situation, and must be proven to be effective and reliable;
 - fishing effort data should be used for targeting monitoring, by overlaying them with the SAMBAH and other available harbor porpoise distribution data, thus facilitating the identification of the areas with the highest by-catch risk.

CG FISHDATA 2- 2018

The Workshop discussed possible next steps for the work on the basis of data availability, information and data quality issues in relation to cumulative impact of fisheries on benthic biotopes as well as by-catch of marine mammals and water birds.

Contracting Parties were invited to inform the Workshop on the present situation *inter alia* regarding quality validation analysis of national commercial data, national analysis on combining logbook information with available AIS data (for vessels 10 – 12m and for cod fishing vessels 8 – 12m), considerations on to what level the data called for by ICES is available at a national level, present recreational gill net fisheries and descriptions of national monitoring schemes (including those within the framework of DCF) for by-catches of marine mammals and water birds in order to get a comprehensive overview of available additional data sources.

In this context, the Workshop took note of and discussed the information contained in the following documents:

- Document 2 (and Presentation 1) containing the Danish contribution on data availability, information and data quality issues in relation to i) Cumulative impact of fisheries on benthic biotopes and ii) by-catch of marine mammals and sea birds. The Workshop discussed means of increasing coverage for VMS and AIS data;
- Document 3 containing information on other sources of data (fisheries control data and logbook data) in Germany. The Workshop in particular noted that while logbook data is collected to some extent, it does not cover e.g. soaking time or length of the net;
- Document 4 containing a description of marine recreational gillnet fisheries in Denmark. The Workshop noted that the end of page 2 contains an inaccuracy, as incidental by-catches of marine mammals and birds are in fact monitored to some extent in Danish recreational fisheries; and
- Document 5 containing a description of marine recreational gillnet fisheries in Sweden.

In addition, the Workshop took note of *inter alia*:

- a presentation by Poland (Presentation 2) on data on impact of fisheries on the seabed, AIS use by the Polish fishing fleet, incidental by-catch data, “last haul” controls as well as recreational fisheries;
- a presentation by Sweden (Presentation 3) on fisheries data. Sweden informed *inter alia* that approximately 19% of the national fishing fleet has operational AIS systems, that a long-term national plan to identify monitoring needs to increase the knowledge on recreational fisheries is under development, and provided information on by-catch monitoring schemes; and
- information provided by Finland regarding *inter alia* the limited cod fisheries, challenges related to estimating magnitude of recreational gillnet fisheries (land owners control fishing areas and rights) and other recreational fisheries (persons under 18 and above 65 years of age are excluded from fishing permit requirements), and by-catches of birds.

The Workshop discussed the reliability of data on incidental by-catches gathered from logbooks. It was noted that fishermen may not always have sufficient motivation for logging by-catches, and also that data regarding very rare occurrences, such as caught harbor porpoises, does not provide reliable statistics. With regard to practical difficulties on reporting incidental by-catches of birds, the Workshop considered that reporting of numbers of birds could be a pragmatic option instead of requiring reporting on the species level.

On a general note, the Workshop agreed that in considering by-catches, other human induced pressures (such as hunting) to birds, should also be taken into account and addressed at the appropriate fora.

The Workshop considered Document 8 containing a draft Roadmap on collection of fisheries data in order to assess incidental by-catches and fisheries impact on benthic biotopes in the Baltic Sea.

The Workshop agreed to invite comments to the draft Roadmap set out in Document 8, with a view to discuss and finalize it at the next Workshop as a living document, focusing on data availability and data gaps. The Workshop further agreed that the scope of the Roadmap could be broadened in the future to include options for filling data gaps and addressing the associated implications, such as costs. In addition, the Workshop recognized the importance of keeping the Heads of Delegation informed about the progress with the work on how to increase data availability for the two indicators on by-catches and benthic habitats. The Workshop agreed that FISH 8 could consider appropriate ways forward in that regard.

The Workshop agreed that the upcoming proposal for a revised EU control regulation and the revised technical regulations could also be taken into account in the work.

The Workshop took note of the information by Denmark on the ongoing process to prepare a project proposal under the recent MSFD call. There are tentative plans to include by-catch as a topic in the proposal, which would support the ongoing work on by-catch under CG FISHDATA and the Fish group. The proposal will also cover a theme on seafloor integrity, aiming at complementing and contributing to the work on the topic at the European level.

EBSA 2018

Subsequently, at its eleventh, twelfth and thirteenth meetings, the Conference of the Parties reviewed the outcomes, respectively, of the first, second and third set of regional workshops conducted, and requested the Executive Secretary to further collaborate with Parties, other Governments, competent organizations and global and regional initiatives, such as the United Nations General Assembly Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects, the International Maritime Organization, the Food and Agriculture Organization of the United Nations, regional seas conventions and action plans, and, where appropriate, regional fisheries management organizations, with regard to fisheries management, and also including the participation of indigenous and local communities, to facilitate the description of areas that meet the criteria for EBSAs through the organization of additional regional or subregional workshops for the remaining regions or subregions where Parties wish workshops to be held, and for the further description of the areas already described where new information becomes available (decisions XI/17, XII/22 and XIII/12).

Pursuant to the above requests, and with financial support from the Government of Finland, through the Ministry of the Environment and the Ministry of Foreign Affairs, and the Government of Sweden, the Secretariat of the Convention on Biological Diversity convened the Regional Workshop to Facilitate the Description of Ecologically or Biologically Significant Marine Areas (EBSAs) in the Baltic Sea. This workshop was organized in collaboration with the Baltic Marine Environment Protection Commission (HELCOM).

DESCRIPTION OF AREAS MEETING THE EBSA CRITERIA IN THE BALTIC SEA AS AGREED BY THE WORKSHOP PLENARY

Area No. 1: Northern Bothnian Bay

The Bothnian Bay forms the northernmost part of the Baltic Sea. It is the most brackish part of the Baltic, greatly affected by the combined river discharge from four big rivers and a catchment area covering most of the Finnish and Swedish Lapland. The sea area is shallow, and the seabed consists mostly of sand. The area displays Arctic conditions; in winter the whole area is covered with sea ice (for 5-7 months), which functions as the reproductive habitat for the grey seal (*Haliochoerus grypus*) and is a prerequisite nesting habitat for the ringed seal (*Pusa hispida botnica*). In summer the area is productive, and due to the turbidity from the river discharge primary production is typically limited to a narrow photic zone (between a depth of 1 and 5 metres). Due to the extreme brackish water the number of marine species is low, yet the number of endemic and threatened species is high, as the area is the final refuge for species retreating northwards after the last glaciation (10,000 BP). It is an important reproductive area for coastal fish and an important gathering area for several anadromous fish species. The Torne, Kalix and Råneå rivers, which all discharge into the northern part of the area, are spawning rivers of regional importance for the Baltic population of the Atlantic salmon (*Salmo salar*).

Area No. 2: The Kvarken Archipelago

Area No. 3: Åland Sea, Åland Islands and the Archipelago Sea of Finland

The area contains some of the most geomorphologically, biologically and ecologically variable marine environments in the Baltic Sea, and perhaps in the world. The area stretches from Åland Sea, across the Åland Islands and the Archipelago Sea to Hanko Peninsula in southwestern Finland. It is characterized by an extremely mosaic and extensive archipelago that ranges from shallow and sheltered inner archipelago areas, through middle archipelago, with larger islands, to wave-exposed outer archipelago consisting of thousands of small islands and skerries. The Åland Sea, in contrast, is an open sea area with almost oceanic conditions and has a trench of 300 m—the second-deepest trench in the Baltic Sea. The trench is also the deepest oxygenated area in the Baltic Sea. Due to its low salinity (0 to 7 psu), the species composition in the area is a mixture of fresh water, brackish water and marine organisms, with a high diversity of aquatic vascular plants and charophytes, in particular. The area contains hundreds of lagoons, narrow inlets, shallow bays, estuaries

and wetlands, which are important areas for fish and birdlife. The benthic biomass in the shallow areas is the highest in the northern Baltic Sea. The area also supports important populations of the ringed seal (*Pusa hispida botnica*) and grey seal (*Halichoerus grypus*). Harbor porpoise (*Phocoena phocoena*) visit the area regularly.

The area is also the northern distribution limit for Harbor porpoise (*Phocoena phocoena*) in the Baltic Sea (Figure 5) (ASCOBANS 2016, Sambah 2017). The harbour porpoise visits the southern part of the outer archipelago regularly. The harbour porpoise population of the Baltic Sea is critically endangered (HELCOM, 2013).

Area No. 4: Eastern Gulf of Finland

The area is a relatively shallow (maximum depth 80 m) archipelago and area of open sea in the eastern Gulf of Finland, northeastern Baltic Sea. It is characterized by hundreds of small islands and skerries, coastal lagoons and boreal narrow inlets, as well as a large area of open sea. The area's geomorphology shows clear signs from the last glaciation, such as end moraines, sandy beaches, rocky islands and clusters of erratic blocks. Due to the low salinity (0 to 5 permilles in the sea surface layer), the species composition is a mixture of freshwater and marine organisms, and the diversity of aquatic plants in particular is high. Many marine species, including habitat-forming key species, such as bladderwrack (*Fucus vesiculosus*) and blue mussel (*Mytilus trossulus*), occur here at the limits of their geographical distribution. As a result, they are particularly vulnerable to human disturbance and the effects of climate change. The area has a rich birdlife and supports one of the most endangered populations of the ringed seal (*Pusa hispida botnica*) in the Baltic Sea.

Area No. 5: Inner Sea of the West Estonian Archipelago

Area No. 6: Southeastern Baltic Sea Shallows

Area No. 7: Southern Gotland Harbour Porpoise Area

The area covers the core distribution area of the critically endangered harbour porpoise (*Phocoena phocoena*) subpopulation in the Baltic Sea around the islands of Öland and Gotland, which serves as a key breeding area for the population. Midsjöbankarna and Hoburg's Bank is the most important area for the Baltic harbour porpoise. The population was estimated at 497 individuals, which represents a drastic decline since the mid-20th century. The area is also home to the vulnerable Kalmarsund subpopulation of the harbour seal (*Phoca vitulina vitulina*) and is the main wintering area for the endangered long-tailed duck (*Clangula hyemalis*). The area comprises a variety of geologic and morphologic features, and contains three of the four large offshore banks in the Baltic Sea, which form a unique high-energy environment. These shallow areas create conditions for high productivity of filter-feeding animals that form the food base for flatfish and many wintering birds.

Area No. 8: Fehmarn Belt

The Fehmarn Belt is situated between Kiel Bay and the Bay of Mecklenburg and is the main pathway of water exchange between the Baltic Sea and the Atlantic Ocean, carrying 70-75 per cent of the water masses. The area is also important for migratory aquatic species, such as the western population of the harbour porpoise. It is also of high regional importance for wintering and migratory waterfowl. The combination of permanent exposure to saline waters and the complexity of bottom structures leads to a complex mosaic of benthic biotopes inhabited by a variety of species-rich communities. Besides the presence of several endangered and protected habitats and benthic species, it is regionally important for one critically endangered biotope dominated by the ocean quahog, one of the longest-lived species in the world.

The water exchange between the Baltic Sea and the Atlantic Ocean via Skagerrak and Kattegat is hindered by the narrow belts and sounds as well as by shallow sills such as Darss sill and Drodgen sill. One of the main pathways of water exchange, carrying 70-75 per cent of the water masses (Leppäranta & Myrberg, 2009) leading from the Great and Small Belt into the Arkona basin and into the Baltic proper, passes the 18 km-wide strait called the "Fehmarn Belt". The area is also important for migratory aquatic species such as the western population of the harbour porpoise (BfN 2008).

Area No. 9: Fladen and Stora and Lilla Middelgrund

The Fladen and Stora and Lilla Middelgrund are three large offshore banks in the Kattegat. The banks are characterized by large topographic variation formed by boulders and rocks. The area also includes sandbanks and shell gravel, which increase its habitat diversity. The shallowest parts of the area are approximately 6 m deep and are densely covered by kelp forest, which is associated with a high diversity of fish and invertebrate species. Unique habitats like bubbling reefs and maerl beds occur in the area, as well as extensive horse mussel (*Modiolus modiolus*) beds. The area hosts a high diversity of fish, invertebrates and algae as well as a large quantity of rare and endangered species. The banks are of international importance for seabirds, and moreover, high densities of harbour porpoises have been recorded here. In addition, the area is important as spawning ground for a number of fish species.

Area for future consideration: Bornholm Basin

INDIGENOUS AND LOCAL KNOWLEDGE RELEVANT TO THE DESCRIPTION OF AREAS MEETING THE EBSA CRITERIA IN THE BALTIC SEA AND POTENTIAL AREAS FOR FUTURE COLLABORATION TO FURTHER DOCUMENT THE RELEVANT KNOWLEDGE

1. Indigenous and local knowledge (ILK) is considered unique knowledge of nature, environment, culture, traditional harvests, ecosystems and biodiversity (Boström in IPBES 2018). In the marine context, ILK often includes information on populations and availability of fish, changes in biodiversity, abnormalities, diseases, variation in sea and weather, as well as oral histories, cosmologies and cultural heritage of the seas and adjacent coasts. The knowledge could contain new discoveries or novel data that have been overlooked in remote sensing and field sampling. Experiences have shown the capacity of ILK to act as an “early warning” system of ecosystem degradation, including, for example, classical historical examples of the impact of PCBs and DDT on grey seals detected by the northern sealers and new diseases and malformations on Baltic herring off the coast of Pori in the 1960s (Saiha and Virkkunen, 1986).

6. The legacy of the Suursaari seal hunters has been continued by the present-day seal hunters based in Kotka (Mustonen and Mäkinen 2004). Their harvests and knowledge focus on the grey seal. They wish to protect the ringed seal as a non-harvest species due to its current low population numbers. The Kotka seal hunters maintain the endemic self-organization of a hunting unit, *artteli*, and observe a range of taboos associated with a successful hunt (Mustonen and Mäkinen 2004). This group is not very visible and is aware of the uniqueness of their traditional knowledge. Similar accounts of endemic fisheries have also existed on the island of Koivisto.

The seal hunters of Kvarken, who have precise knowledge of sea ice and seals and their historic use of these marine areas, are a good case of an indigenous and community conserved area (ICCA) (Mustonen and Mäkinen 2004). In the 1960s the seal hunters were amongst the first to detect the impact of DDT, dioxins and heavy metals on grey seal reproduction (Helle in Mustonen and Mäkinen 2004). This led to a positive partnership between researchers and hunters, demonstrating the hunters’ deep knowledge of their environment.