



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels  
MARE.D.3/KP

Mr Esben Sverdrup-Jensen  
Chair BSAC Executive Committee  
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Dear Mr. Sverdrup-Jensen,

I am contacting you as Chairman of the Baltic Sea Advisory Council regarding the conservation status of the harbor porpoises in the Baltic Sea. As you may recall, in July 2019 the Commission received a complaint and a request to adopt emergency measures based on Article 12 of Regulation 1380/2013 (CFP basic regulation) to enable recovery of the Baltic sub-population of this species strictly protected by EU law, which is facing extinction.

The Commission has requested ICES to review the current conservation status of harbor porpoises, to assess whether the measures proposed in the above request for emergency measures are appropriate and to advise on any alternative measures that could better protect harbor porpoises, in the context of EU law. We received the ICES advice on 26 May 2020.

Given ICES advice, I would invite you to discuss in the Baltic Sea Advisory Council the necessary measures to protect harbor porpoises. As presented in the advice, those measures would entail seasonal and area closures for fishing with relevant gears and the obligatory use of acoustic deterrent devices to deter harbor porpoises from static nets.

At the Baltfish Forum meeting on 7 September and at the Baltfish high-level group meeting on 8 September a first draft of a joint recommendation from Baltfish with measures including seasonal and area closures and the use of acoustic deterrent devices was discussed. The Commission considers that these draft measures still need to be better aligned with the scientific advice and expects that the necessary measures are proposed swiftly in the form of a joint recommendation with the valuable input from the Baltic Sea Advisory Council.

Since the problem of incidental catches of the harbor porpoises concerns all Baltic Member States, a rapid joint action would be important. In the absence of adequate joint recommendations, the Commission could adopt emergency measures under Article 12 of the CFP basic regulation.

The Commission would be very interested to hear the view of the Baltic Sea Advisory Council on this matter.

Yours sincerely,

Charlina VITCHEVA

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