December2020

Joint Recommendation of BALTFISH

Mitigation measures to prevent bycatch of Baltic Proper harbour porpoise (*Phocoena phocoena*) in the Baltic Sea fisheries

1. Background

Article 3.1 of Regulation 2019/1241 states that technical measures shall contribute to the objectives of the Common Fisheries Policy set out in the applicable provisions of Article 2 of Regulation (EU) No 1380/2013 of 11 December 2013 on the Common Fisheries Policy (CFP) which define as an objective that it shall implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and shall endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment. Article 3.2 b) of Regulation (EU) 1241/2019 further defines as an objective the need to contribute to ensure that incidental catches of sensitive marine species, including those listed under Directive 92/43/EEC are minimised and where possible eliminated so that they do not represent a threat to the conservation status of these species. For the purpose of achieving this objective, Member States may cooperate with one another to adopt conservation or technical measures.

Article 3 in Annex XIII of the technical measures regulation (EU) 2019/1241 states that as a result of scientific evidence, validated by ICES, STECF, or in the framework of GFCM, of negative impacts of fishing gear on sensitive species, Member States shall submit joint recommendations for additional mitigation measures for the reduction of incidental catches of the concerned areas on the basis of article 15 of this regulation. According to ICES advice of May 2020 (ICES, 2020a) the threat levels for the Baltic Proper harbour porpoise were considered high for bycatch, contaminants, and three impulsive underwater noise sources. The Joint Recommendation focuses solely on reducing the bycatch threat.

The Baltic Proper harbour porpoise (*Phocoena phocoena*) is a marine biological resource. It is listed in Annex II of the Directive 92/43/EEC as animal of Community interest whose conservation requires the designation of special areas of conservation. It is also listed as a sensitive species according to Article 6(8) in the technical regulation (EU) 2019/1241 ("sensitive species' is a species whose conservation status, including its habitat, distribution, population size or population condition is adversely affected by pressures arising from human activities, including fishing activities. Sensitive species, in particular, include species listed in Annexes II and IV to Directive 92/43/EEC, species covered by Directive 2009/147/EC and species whose protection is necessary to achieve good environmental status under Directive 2008/56/EC.). Furthermore, the population of the Baltic Proper harbour porpoise has been assessed as "Critically Endangered" by the International Union for

Conservation of Nature (IUCN) and the Baltic Marine Environment Protection Commission (HELCOM). All Member States' assessments and the EU biogeographical assessment of conservation status of the Baltic proper harbour porpoise in the Baltic Marine biogeographical Region have been assessed as 'unfavourable-bad' for the last three consecutive assessments under Article 17 of Directive 92/43/EEC.

The conservation of the Baltic Proper harbour porpoise is seriously threatened because of the risk of a serious harm to the reproductive capacity of this population caused by the decline of the population to only 497 animals in 2020. Article 21 (b) in EU 2019/1241 specifies that a joint recommendation submitted for the purpose of adopting the measures referred to in Article 15(2), in relation to the protection of sensitive species, may in particular specify the use of additional or alternative measures to those referred to in Annex XIII to minimize the incidental catches of the species referred to in Article 11 (marine mammals, seabirds and marine reptiles).

ICES advises a combination of spatial-temporal closures and application of ADDs/pingers in static nets (trammelnet, gillnet, and semi-driftnet) fisheries for the protection of Baltic Proper harbour porpoise. ICES further advises that protection measures can only be effective when applied for a longer period of time (ICES, 2020a).

On the basis of this advice BALTFISH has prepared a joint recommendation for conservation and technical measures to reduce by-catches of harbour porpoise and alleviate further risk to this population. The Baltfish proposal is in addition to the current measures set in Annex XIII of technical measures regulation (EU) 2019/1241.

1.1 The Legal Basis

Article 3 in Annex XIII of the technical measures regulation (EU) 2019/1241 states that as a result of scientific evidence, validated by ICES, STECF, or in the framework of GFCM, of negative impacts of fishing gear on sensitive species, Member States shall submit joint recommendations for additional mitigation measures for the reduction of incidental catches of the concerned areas on the basis of article 15 of this regulation.

Article 15 (2) in EU 2019/1241 specifies that the Commission is empowered to adopt delegated acts in accordance with article 29 of the technical regulation, and to amend, supplement, repeal or derogate form the technical measures set out in Annex XIII. The Commission shall adopt such delegated acts on the basis of a joint recommendation submitted in accordance with Article 18 of Regulation (EU) No 1380/2013 and in accordance with the relevant Articles of Chapter 3 of the Technical regulation (EU) 2019/1241.

Article 21 (b) in EU 2019/1241 specifies that a joint recommendation submitted for the purpose of adopting the measures referred to in Article 15(2), in relation to the protection of sensitive species, may in particular specify the use of additional or alternative measures to those referred to in Annex XIII to minimize the incidental catches of the species referred to in Article 11 (marine mammals, seabirds and marine reptiles).

2. BALTFISH

Ministers from the eight Member States (Denmark, Germany, Estonia, Latvia, Lithuania, Poland, Finland and Sweden) in the Baltic Sea Region signed in December 2013 the Memorandum of Understanding (MoU) that sets out the principles and working methods of BALTFISH. The MoU states the aims of BALTFISH with a view to complying with the principles for regionalization as stipulated in the Regulation (EU) No 1380/2013 and in particular Article 18. Article 18, amongst others, states that Member States having a direct management interest shall cooperate with one another in formulating Joint Recommendations.

2.1 The implementing authority

Article 15 (2) in EU 2019/1241 specifies that the Commission is empowered to adopt delegated acts in accordance with article 29 of the technical measures regulation, and to amend, supplement, repeal or derogate from the technical measures set out in Annex XIII. The Commission shall adopt such delegated acts on the basis of a joint recommendation submitted in accordance with Article 18 of Regulation (EU) No 1380/2013 and in accordance with the relevant Articles of Chapter 3 of the Technical regulation (EU) 2019/1241. Furthermore, according to the Basic Regulation Articles 18(3) of 1380/2013, the Commission may adopt conservation measures by means of delegated or implementing acts based on a Joint Recommendation submitted by the relevant regional cooperation forum, which for the Baltic Sea is the BALTFISH High Level Group.

2.2 Consultation with relevant stakeholders

A proposal for a Joint Recommendation was submitted to the BALTFISH Forum on the 7th of September 2020, and the draft Joint Recommendation was sent by the Estonian BALTFISH Presidency to the Baltic Sea Advisory Council, BSAC, for consultation on 18th September 2020. In a letter the BSAC was informed that the deadline for responding to the consultation was the 30th September 2020. The BSAC replied to the consultation and informed BALTFISH regarding the draft JR in a letter to the Estonian BALTFISH Presidency dated 5th October 2020 and prior to final agreement of BALTFISH HLG and subsequent submission to the Commission of the Joint Recommendation.

3. Existing regulations

3.1 The use of acoustic deterrent devices in static nets

Regulation (EU) 2019/1241 of the European Parliament and of the Council on the conservation of fisheries resources and the protection of marine ecosystems through technical measures (Technical Measures Regulation) of 20 June laying down in its Annex XIII the mitigation measures to reduce incidental catches of sensitive species, and more specifically, in Part A establishing the mandatory use of acoustic deterrent devices in certain fisheries, areas and vessels, including in the Baltic Sea.

The Commission Implementing Regulation (EU) 2020/967 of 3 July 2020 laying down the detailed rules on the signal and implementation characteristics of acoustic deterrent devices as referred to in Part A of Annex XIII of Technical Measures Regulation.

3.2. Spatial temporal closures

There is currently no spatial temporal closures in the Baltic Sea in place to protect harbour porpoise.

4. Scientific background information on the bycatch of Baltic Proper harbour porpoise (Phocoena phocoena) in the Baltic Sea

ICES in its Special Request Advice of 26 May 2020 has identified seasonal-geographical areas for bycatch mitigation, and referred to the calculated potential biological removal (PBR) bycatch limit as the management objective and identified the high-risk areas for bycatch for the Baltic Proper harbour porpoise. The proposed management area is between line of 13°E as the southwestern border and a line between 60.5°N on the Swedish coast and 61°N on the Finnish coast as the northern border. Based on the PBR bycatch limit estimate, the management objective employed for the harbour porpoise in the ICES advice is to reduce bycatch to a maximum of 0.7 animals per year. Also, the ICES advice focuses on the reduction of harbour porpoise bycatches in static net fisheries (trammelnet, gillnet and semi-driftnet), particularly on Natura 2000 sites (core areas), within the seasonal distribution ranges of the Baltic Proper harbour porpoise population.

According to the new ICES (ICES, 2020a) advice the current measures in Annex XIII Part A of the Technical Measures Regulation are no longer sufficient. This Joint Recommendation aims to take measures in those areas where the harbour porpoise is significantly present and where the risk of bycatch in fisheries is highest. High-risk fisheries are static net fisheries. Static net fisheries will therefore be targeted with either prohibition to use such gear or to use it only with acoustic deterrent devices. Such restrictions, including restrictions for other gear as appropriate, apply for fishing in the areas which, according to studies (SAMBAH 2016), are areas of concentration of harbour porpoise.

ASCOBANS Recovery Plan (Jastarnia Plan) for Baltic Harbour Porpoises of 2016 shows the high-density areas for harbour porpoises in the Baltic Sea based on the SAMBAH 2016 study. It is evident that occurrence of the harbor porpoise is highest in the southwestern and western waters in the Baltic Sea but rare in the eastern and northern waters (east of longitude 20° E and north of latitude 60° N, figure 1).

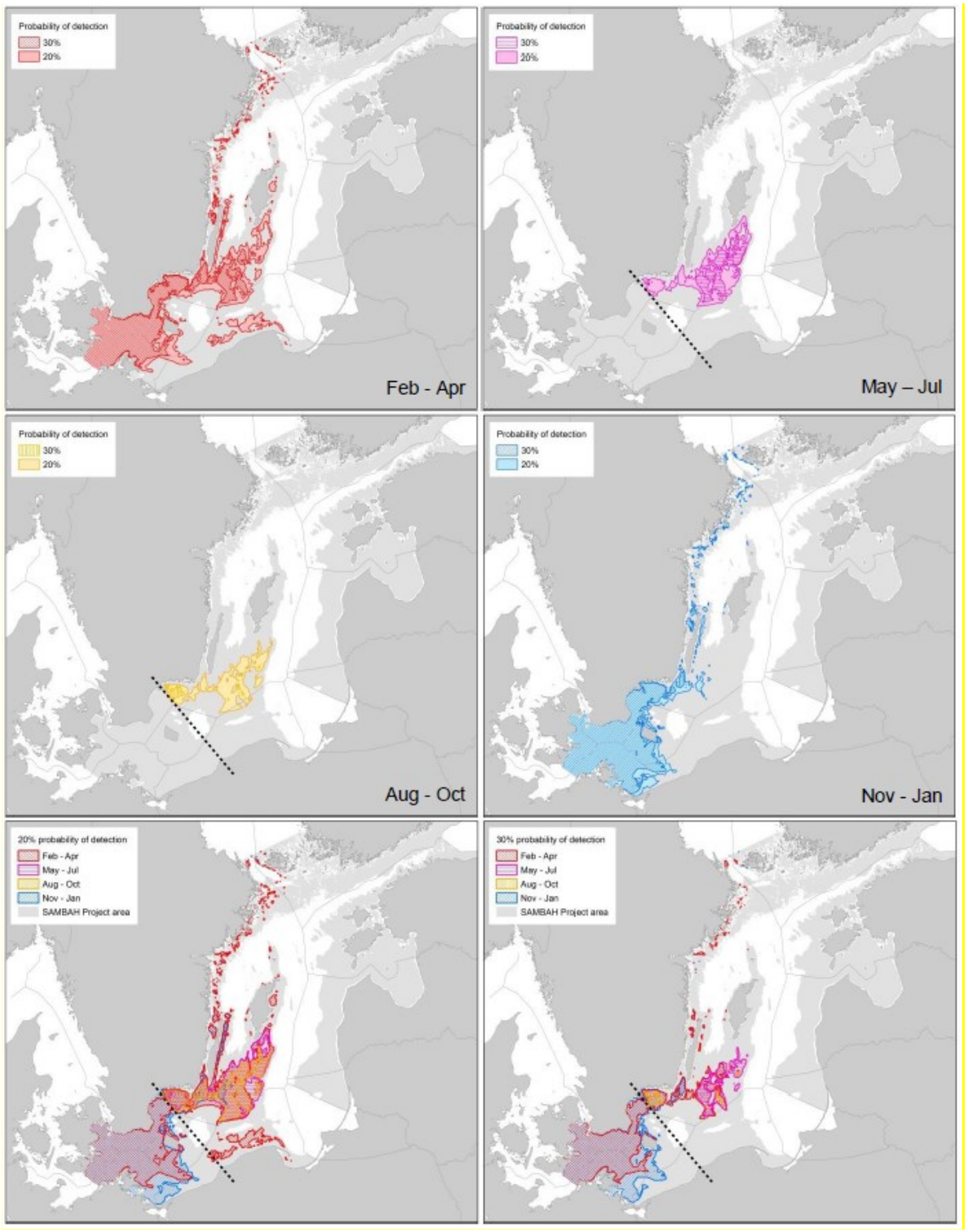

Figure 1. High-density areas for harbour porpoises in the SAMBAH area (shaded) based on predictions of probability of detection. The four upper panels show the high-density areas of two different levels per quarter, and the two lower panels show the full-year pictures for each of the two density levels. During May – October, the isoline of 20% probability of detection encompasses approximately 30% of the Baltic harbour porpoise population, while the isoline of 30% probability of detection encompasses approximately 7.8% of the Baltic harbour porpoise population. During November – April, the same isolines for probability of detection are shown without correlating them to the proportions of the population. Southwest of the SAMBAH population border, the high-density areas are inhabited by animals from both the Baltic and the Belt Sea populations during November – April.

ASCOBANS report also points out that water depth was found to be a strong predictor of harbour porpoises presence: they are primarily in waters shallower than 40 m and with a tendency to higher densities at 20 – 40 m depth (ASCOBANS, 2016).

The ASCOBANS resolution from September 2020 on Baltic proper harbour porpoise urges the Parties to implement swiftly the recommendations on measures for bycatch mitigation made by ICES in areas of more than occasional harbour porpoise occurrence and to put in place long-term bycatch mitigation measures in line with the ICES advice both within and outside marine protected areas in areas of more than occasional harbour porpoise occurrence.

In accordance to Habitats Directive 43/92 article 17 there is a reporting requirement for Member States on annex II, IV, V list of species. In the relevant checklist the presence of harbour porpoise is stated regular in 4 Member States waters (DE, DK, PL, SE). The presence in Finland is occasional and in Latvia marginal. No presence has been recorded in Estonia and Lithuania, and there is no monitoring obligation in these countries. Only 4 Member States needs to monitor regularly. Habitats Directive no 43/92 list of Annexes: https://cdr.eionet.europa.eu//help/habitats_art17

Checklists for Annex I habitat types and Annex II, IV and V species *(last updated: 19.04.2019)*

The ICES advice from May 2020 (ICES, 2020a) mentions that there are also concerns about habituation to pingers over time, and a reduced foraging efficiency of deterred porpoises (Beest et al., 2017; Dawson et al., 2013; Kindt-Larsen et al., 2019; Kyhn et al., 2015). These potential negative consequences of pinger use do not speak in favour of a broad-scale pinger use obligation.

ICES report (ICES, 2020b) on workshop on Fisheries emergency measures to minimise bycatch of short-beaked common dolphins in the bay of Biscay and harbour porpoise in the Baltic Sea (WKEMBYC) warns that the largescale use of pingers in static net fisheries, regardless of vessel size, addresses the fishing métiers with the highest bycatch rates and affects a large fraction of static nets. The expected bycatch reduction by this measure will likely have a positive effect on the population, but in areas where porpoises are not abundant and only occasionally observed, the disadvantages of using pingers might exceed the advantages. Also, large scale use of pingers may reduce the foraging efficiency of harbour porpoises which in turn could result in negative population impacts. As the Jastarnia Plan (ASCOBANS, 2016) points out, pingers are only suited as an interim measure until alternative gears are available.

The ICES in its advice from May 2020 did not analyse the filament or twine thicknesses used in static nets in the Baltic sea, thereof it is necessary to take into consideration FAO relevant reports.

FAO Report (FAO, 2019) states that thinner twines in gillnets might facilitate marine mammals breaking free from them, however, net damage and other concerns mean this technique requires further evaluation.

FAO Report (FAO, 2018) shows that gillnets constructed from weaker twines might facilitate the release of entangled cetaceans. In North Sea and West of Scotland gillnet fishery thinner twine monofilament nets (0,4 mm, 90 mm mesh size) reduced bycatch of harbour porpoise when compared to thick (0.6 mm twine diameter, 267 mm mesh size) monofilament nets. Marine mammals should be better able to break free from thinner twined gillnets, but uncertainty remains regarding their health and survival following the encounter (i.e., unaccounted for mortality).

In the eastern and northern part of the Baltic Sea mostly thin twines (0,1-0,45 mm) are used in coastal gillnets fisheries due to the smaller fish targeted (perch, herring, smelt, whitefish, garfish, flatfish, pikeperch, vimba, roach, ide etc) and mostly shallower (less than 20 m depth) water where no strong currents occur. After the closure of eastern cod target fishery in 2019 the use of 2-4 mm twine gillnets has decreased remarkably in the Baltic Sea.

Considering the arguments and concerns mentioned above and the need of proportionality the use of acoustic deterrent devices in static nets should be concentrated in the core areas of Baltic Proper harbour porpoise to take into account the expert concerns that large scale use of acoustic deterrents might lead to negative consequences to marine mammals and the environment (including habitat exclusion, noise pollution and habituation to pingers over time and a reduced foraging efficiency of deterred porpoises) together with adverse socio-economic impacts. Since more time is needed for assessment in order to define the area, where to apply obligatory use of acoustic deterrents, the recommendation will be split into two parts, whereas ADD related measures will be included into the second part of the joint recommendation.

5. The BALTFISH HLG recommendation on bycatch mitigation measures for Baltic Proper harbour porpoises

5.1 Definitions

- Static nets means any type of gillnet, entangling net or trammel net that is anchored to the seabed for fish to swim into and become entangled or enmeshed in the netting.
- ADD means acoustic deterrent device implemented in accordance with the technical specifications provided in the Commission Implementing Regulation (EU) No. 2020/967.

5.2 The BALTFISH HLG recommends the following conservation measures:

1. Closure of the Northern Midsea Bank (Figure 2) to all fisheries, with the exception of pots, traps, and longlines.
   The Northern Midsea Bank is defined as the area delimited within the following coordinates:
   NW: 56.241°N, 17.042°E
   SW: 56.022°N, 17.202°E
   NE: 56.380°N, 17.675°E
   SE: 56.145°N, 17.710°E

2. Closure of the Natura 2000 site “Hoburgs bank and Midsea Bank” (SE0330308, Figure 2) for fishing with static nets (area defined in 5.3).

3. Closure of the Southern Midsea Bank for fishing with static nets.
   The Southern Midsea Bank (Figure 2) is defined as the Swedish part of the Southern Midsea Bank, covering all waters between the Natura 2000 site “Hoburgs bank and Midsea Bank”

(SE0330308) and the Swedish–Polish border. Polish waters are delimited as the area within the following coordinates (Figure 2):

SW: 55.377°N, 16.589°E
SE: 55.466°N, 17.538°E
NE: 55.797°N, 18.037°E

4. Closure for fishing with static nets in the Natura 2000 sites Adler Grund and Rønne Bank (DK00VA261) (Figure 3), Adlergrund (DE1251301), Westliche Rönnebank (DE1249301), Pommersche Bucht mit Oderbank (DE1652301), Greifswalder Boddenrandschwelle und Teile der Pommerschen Bucht (DE1749302), Ostoja na Zatoce Pomorskiej (PLH990002), Wolin i Uznam (PLH320019), and the SPA site Pommersche Bucht (DE1552401) (Figure 4) during November–January (areas defined in 5.3)

5. Obligatory use of ADDs on static nets in the area west and east of the sandbank Ryf Mew (Inner Puck Bay and Outer Puck Bay) within and outside the Zatoka Pucka i Półwysep Helski Natura 2000 site (Figure 5) (areas defined in 5.3).

6. For the purposes of implementing paragraps 1-5, Member States shall ensure that their fishing vessel`s activity can be monitored at any time by the control authorities.

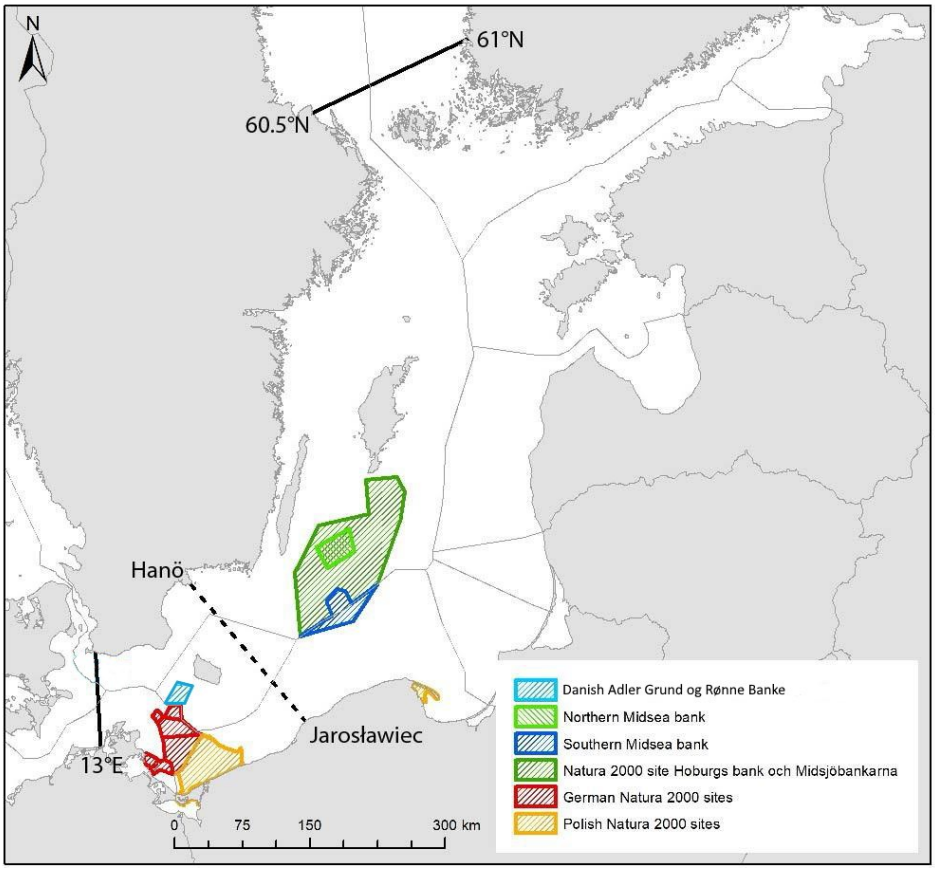

Figure 2 Map showing the Baltic Sea region with sites and areas referred to in the text.

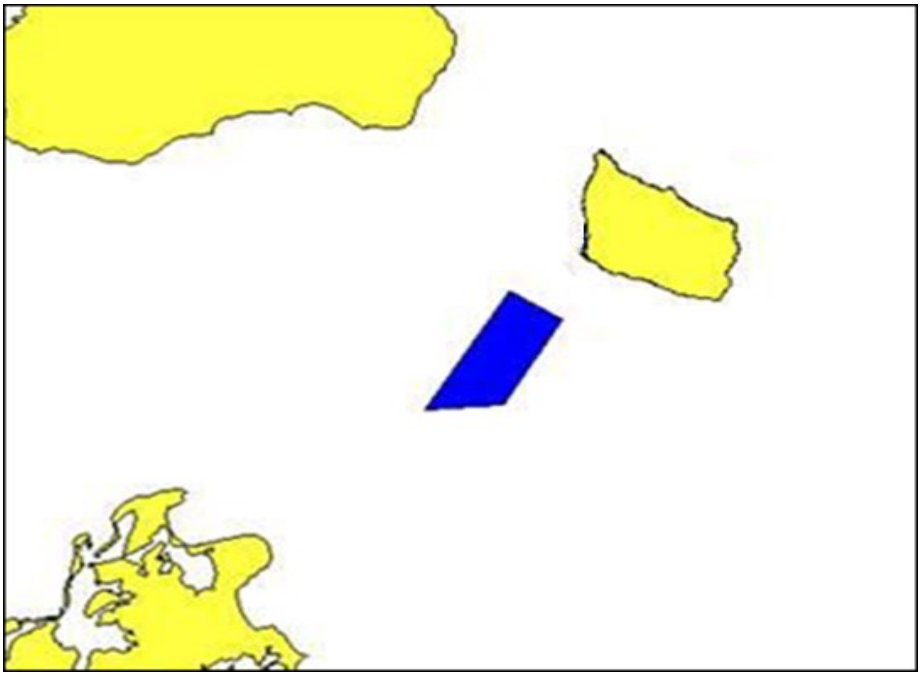

Figure 3. Map showing (blue area) the Danish NATURA site **(**DK00VA261) south-west of Bornholm

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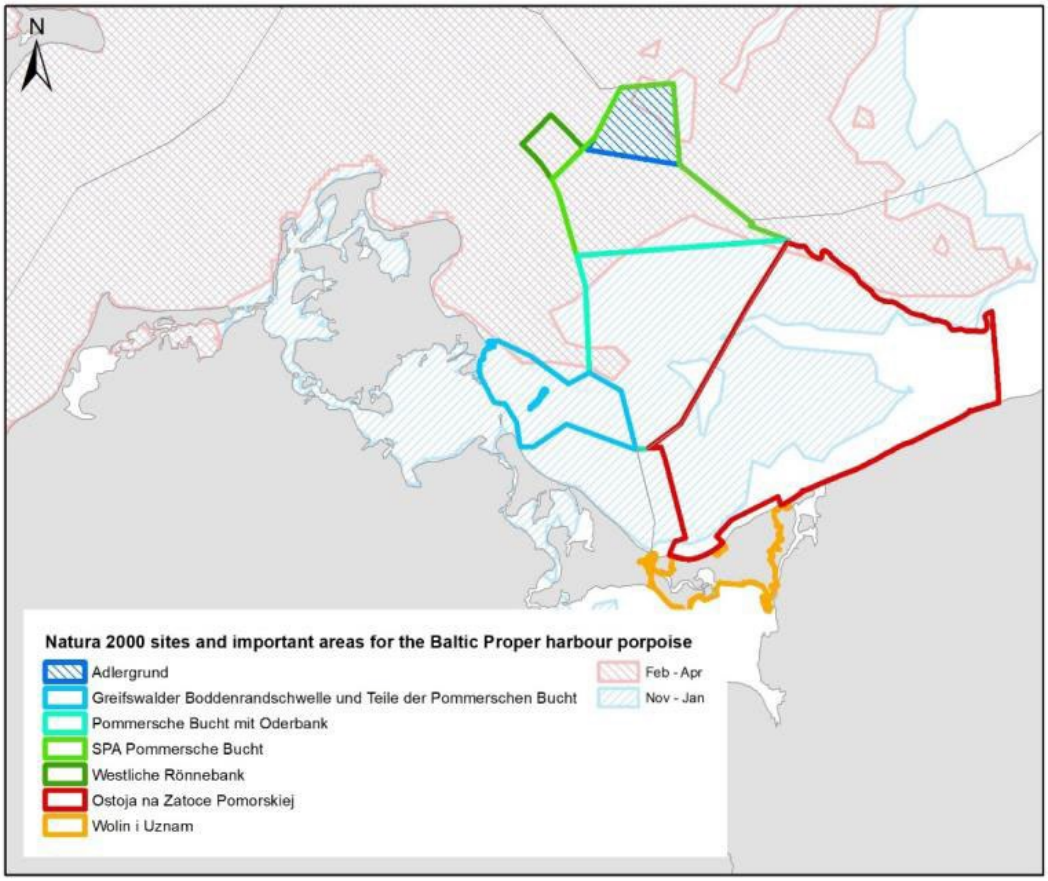

Figure 4 Map showing the cluster of German and Polish Natura 2000 sites. The background layers show important areas for harbour porpoise in the period February–April and November–January. Source: ASCOBANS (2016).

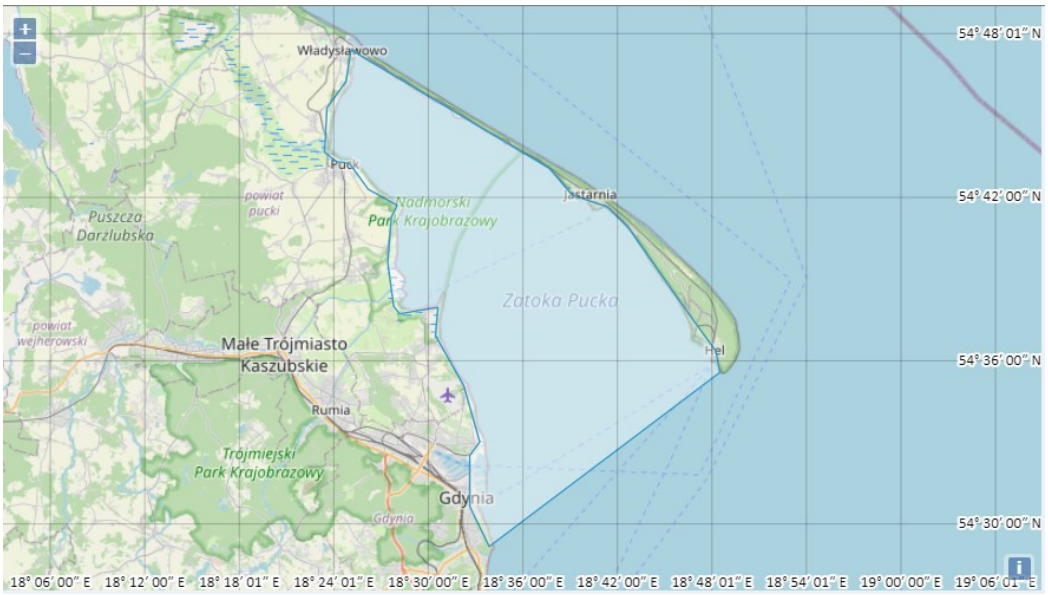

Figure 5 Inner and Outer Puck Bay **(**including The Natura 2000 site Zatoka Pucka and Półwysep Helski Natura 2000 site (PLH220032)). The light blue is the area where ADDs are required in static net fishery.

5.3 Definition of Areas referred in the Joint Recommendation

The areas are enclosed by sequentially joining the following pairs of coordinates. Positions are given in degrees and decimals of degrees according to the WGS84 standard.

Natura 2000 site "Hoburgs bank och Midsjöbankarna" (SE 0330308)

55.64194°N	17.55060°E
55.77718°N	17.45729°E
55.80195°N	17.32586°E
55.69214°N	17.11479°E
55.54258°N	17.18434°E
55.50003°N	17.00016°E
55.37749°N	16.58925°E
56.01093°N	16.61700°E
56.45158°N	17.14420°E
56.50419°N	18.05446°E
56.84110°N	18.08191°E
56.82638°N	18.64635°E
56.67028°N	18.75222°E
56.40337°N	18.60704°E
55.79712°N	18.03668°E
55.78242°N	17.99611°E
55.64194°N	17.55060°E

Natura 2000 site "Adler Grund and Rønne Banke" (DK00VA261)

55,035336°N	14,459815°E
54,971063°N	14,607236°E
54,812483°N	14,413654°E
54,812496°N	14,171885°E

Natura 2000 site "Adlergrund" (DE 1251301)

55.64194°N	17.55060°E
55.77718°N	17.45729°E
55.80195°N	17.32586°E
55.69214°N	17.11479°E
55.54258°N	17.18434°E
55.50003°N	17.00016°E
55.37749°N	16.58925°E
56.01093°N	16.61700°E
56.45158°N	17.14420°E

56.50419°N 18.05446°E
56.84110°N 18.08191°E
56.82638°N 18.64635°E
56.67028°N 18.75222°E
56.40337°N 18.60704°E
55.79712°N 18.03668°E
55.78242°N 17.99611°E
55.64194°N 17.55060°E

Natura 2000 site "Westliche Rönnebank" (DE 1249301)

54.70283°N 14.10320°E
54.64811°N 13.99096°E
54.66159°N 13.97909°E
54.67779°N 13.96169°E
54.69590°N 13.93852°E
54.70927°N 13.91839°E
54.71866°N 13.90198°E
54.74805°N 13.96202°E
54.77042°N 14.00388°E
54.76700°N 14.00920°E
54.72013°N 14.07838°E
54.70283°N 14.10320°E

Natura 2000 site "Pommersche Bucht mit Oderbank" (DE 1652301)

54.12615°N 14.20141°E
54.23882°N 14.16802°E
54.27765°N 14.06962°E
54.44113°N 14.07828°E
54.50001°N 14.05618°E
54.50001°N 14.05786°E
54.50000°N 14.74218°E
54.49839°N 14.74796°E
54.38175°N 14.59768°E
54.16732°N 14.35027°E
54.12576°N 14.23746°E
54.12608°N 14.20783°E
54.12615°N 14.20141°E

Natura 2000 site "Greifswalder Boddenrandschwelle und Teile der Pommerschen Bucht" (DE 1749302)

The area is defined as that area of sea with a charted depth greater than mean low water springs enclosed by sequentially joining:

a) Rhumb lines sequentially joining the following coordinates:

54.34995°N 13.75007°E
54.35002°N 13.78340°E
54.31672°N 13.88336°E
54.25958°N 14.00053°E
54.27765°N 14.06962°E
54.23882°N 14.16802°E
54.12615°N 14.20141°E
54.18295°N 13.98338°E
54.14431°N 13.86995°E
54.14633°N 13.83198°E
54.14714°N 13.83127°E
54.15004°N 13.82926°E
54.15088°N 13.82880°E
54.15144°N 13.82881°E
54.18832°N 13.82347°E
54.18832°N 13.82346°E
54.19374°N 13.82268°E
54.21375°N 13.80557°E
54.23009°N 13.79156°E
54.23160°N 13.77499°E
54.23358°N 13.75603°E
54.27407°N 13.72601°E

b) The coastline from 54.35002° N 13.72601°E to 54.27765°N 13.75007°E

Natura 2000 site "Ostoja na Zatoce Pomorskiej" (PLH 990002)

The area is defined as that area of sea enclosed by joining:

a) Rhumb lines sequentially joining the following coordinates:

54.32395°N 15.38526°E
54.25835°N 15.38440°E
54.24455°N 15.38422°E
54.19953°N 15.38237°E
54.16881°N 15.38111°E
54.15807°N 15.38067°E
54.15804°N 15.38067°E

b) The coast from 54.15804°N 15.38067E to 54.00013°N 14.65346°E

c) Rhumb lines sequentially joining the following coordinates:

54.00013°N 14.65346°E
53.99989°N 14.65269°E

53.99982°N 14.65200°E
53.99987°N 14.65201°E
54.01629°N 14.64664°E
53.97913°N 14.49071°E
53.95057°N 14.43891°E
53.93854°N 14.45827°E

d) The coast from 53.93854°N 14.45827°E to 53.92176°N 14.28495°E

e) Rhumb lines sequentially joining the following coordinates:

53.92176°N	14.28495°E	54.48498°N	14.79511°E	54.47014°N	14.85220°E
53.92905°N	14.28883°E	54.48476°N	14.79733°E	54.47135°N	14.85316°E
53.93619°N	14.29442°E	54.48434°N	14.79876°E	54.47238°N	14.85454°E
53.94698°N	14.30494°E	54.48346°N	14.80031°E	54.47294°N	14.85603°E
53.94830°N	14.31365°E	54.48261°N	14.80164°E	54.47313°N	14.85830°E
53.95213°N	14.33902°E	54.48179°N	14.80253°E	54.47319°N	14.86005°E
53.97892°N	14.33091°E	54.48092°N	14.80321°E	54.47303°N	14.86222°E
53.97914°N	14.33084°E	54.47987°N	14.80368°E	54.47261°N	14.86469°E
54.10243°N	14.29333°E	54.47887°N	14.80444°E	54.47191°N	14.86718°E
54.12747°N	14.28383°E	54.47743°N	14.80590°E	54.47115°N	14.86915°E
54.12688°N	14.25228°E	54.47594°N	14.80723°E	54.47031°N	14.87098°E
54.12728°N	14.24162°E	54.47431°N	14.80922°E	54.46938°N	14.87249°E
54.16731°N	14.35028°E	54.47285°N	14.81127°E	54.46819°N	14.87436°E
54.16880°N	14.35199°E	54.47083°N	14.81463°E	54.46476°N	14.87841°E
54.16889°N	14.35222°E	54.46903°N	14.81781°E	54.46234°N	14.88129°E
54.38286°N	14.59913°E	54.46704°N	14.82181°E	54.46009°N	14.88427°E
54.49418°N	14.74253°E	54.46523°N	14.82507°E	54.45760°N	14.88823°E
54.49380°N	14.74525°E	54.46369°N	14.82837°E	54.45514°N	14.89218°E
54.49272°N	14.75092°E	54.46218°N	14.83167°E	54.45298°N	14.89570°E
54.49188°N	14.75496°E	54.46121°N	14.83447°E	54.44969°N	14.90148°E
54.49095°N	14.75871°E	54.46044°N	14.83791°E	54.44706°N	14.90626°E
54.48966°N	14.76338°E	54.46010°N	14.84096°E	54.44515°N	14.90988°E
54.48813°N	14.76830°E	54.46010°N	14.84096°E	54.44264°N	14.91458°E
54.48735°N	14.77153°E	54.46018°N	14.84560°E	54.44081°N	14.91853°E
54.48661°N	14.77585°E	54.46076°N	14.84763°E	54.43878°N	14.92371°E
54.48597°N	14.77957°E	54.46185°N	14.84974°E	54.43679°N	14.92842°E
54.48525°N	14.78345°E	54.46303°N	14.85090°E	54.43529°N	14.93180°E
54.48506°N	14.78639°E	54.46454°N	14.85156°E	54.43364°N	14.93526°E
54.48516°N	14.79048°E	54.46628°N	14.85192°E	54.43167°N	14.93970°E
54.48510°N	14.79239°E	54.46903°N	14.85211°E	54.43013°N	14.94295°E

54.30457°N	15.24969°E	54.31048°N	15.36540°E
54.30337°N	15.25282°E	54.31376°N	15.36389°E

54.30277°N	15.25502°E	54.31833°N	15.36227°E
54.30249°N	15.25746°E	54.32214°N	15.36082°E
54.30267°N	15.26188°E	54.32356°N	15.36059°E
54.30319°N	15.26968°E	54.32452°N	15.36102°E
54.30321°N	15.27431°E	54.32527°N	15.36217°E
54.30327°N	15.27860°E	54.32726°N	15.36727°E
54.30238°N	15.28297°E	54.32853°N	15.37192°E
54.30115°N	15.28744°E	54.32944°N	15.37681°E
54.30039°N	15.29080°E	54.33059°N	15.38341°E
54.29976°N	15.29354°E	54.33088°N	15.38527°E
54.29886°N	15.29724°E	54.33089°N	15.38535°E
54.29858°N	15.29968°E		
54.29829°N	15.30447°E		
54.29812°N	15.31408°E		
54.29777°N	15.32068°E		
54.29695°N	15.32706°E		
54.29610°N	15.33412°E		
54.29570°N	15.33741°E		
54.29523°N	15.34150°E		
54.29497°N	15.34467°E		
54.29501°N	15.34994°E		
54.29578°N	15.35382°E		
54.29752°N	15.35843°E		
54.29935°N	15.36192°E		
54.30108°N	15.36420°E		
54.30289°N	15.36536°E		
54.30516°N	15.36587°E		
54.30711°N	15.36580°E		

The marine part of the Natura 2000 site "Wolin and Uznam" (PLH 320019)

The area is defined as that area of sea enclosed by joining:

a) Rhumb lines sequentially joining the following coordinates:

53.93854°N	14.45827°E
53.95057°N	14.43891°E
53.97913°N	14.49071°E
54.01629°N	14.64664°E
53.99987°N	14.65201°E

b) The coastline between 53.93854°N and 14.45827°E

Natura 2000 site "Pommersche Buch" (DE 1552401)

The area is defined as that area of sea enclosed by rhumb lines sequentially joining the following coordinates:

54.12576°N	14.23746°E

54.12615°N	14.20141°E
54.23882°N	14.16801°E
54.27765°N	14.06962°E
54.44109°N	14.07828°E
54.44113°N	14.07828°E
54.61491°N	14.01307°E
54.62898°N	14.00541°E
54.64622°N	13.99307°E
54.64642°N	13.99285°E
54.64811°N	13.99096°E
54.72155°N	14.14161°E
54.81190°N	14.23910°E
54.81190°N	14.41303°E
54.65773°N	14.41303°E
54.53561°N	14.63560°E
54.53208°N	14.62721°E
54.50000°N	14.74218°E
54.49839°N	14.74796°E
54.38175°N	14.59768°E
54.16732°N	14.35027°E
54.12576°N	14.23746°E

Inner and Outer Puck Bay (including The Natura 2000 site Zatoka Pucka and Półwysep Helski Natura 2000 site (PLH220032))

The area is defined as that area of sea enclosed by rhumb lines sequentially joining the following coordinates:

54.606030 °N	18.803830 °E
54.631210 °N	18.772230 °E
54.681520 °N	18.711720 °E
54.694090 °N	18.690050 °E
54.701420 °N	18.652120 °E
54.717640 °N	18.628640 °E
54.789790 °N	18.418240 °E
54.770450 °N	18.412820 °E
54.754770 °N	18.392950 °E
54.727580 °N	18.390240 °E
54.721830 °N	18.402890 °E
54.720780 °N	18.416430 °E
54.705080 °N	18.436300 °E
54.695130 °N	18.467000 °E

54.687800 °N 18.460680 °E
54.660040°N 18.457070 °E
54.633310 °N 18.463390 °E
54.628590 °N 18.469710 °E
54.632780°N 18.510350 °E
54.615480 °N 18.507640 °E
54.584510°N 18.537440 °E
54.550380°N 18.554600 °E
54.541970°N 18.543760 °E
54.510950°N 18.543760 °E
54.486220°N 18.564530 °E
54.592910°N 18.808350 °E

5.4. Supplementing joint recommendation

The Joint Recommendation will be supplemented by a second Joint Recommendation regarding additional mitigation measures (including where appropriate the use of ADDs) outside the areas covered by this first Joint Recommendation on harbor porpoise. Baltfish HLG will submit second Joint Recommendation as soon as possible but not later than 1 June 2021 and at the same time the Baltfish HLG will endeavor to agree on more detailed control measures linked to the control of the mitigation measures.

6. Scientific Evidence

ASCOBANS. 2016. ASCOBANS Recovery Plan for Baltic Harbour Porpoises: Jastarnia Plan (2016 Revision). Agreement on the Conservation of Small Cetaceans in the Baltic, North East Atlantic, Irish and North Seas. https://www.ascobans.org/sites/default/files/document/ASCOBANS_JastarniaPlan_MOP8.pdf

FAO, 2019. Report of the expert meeting to develop technical guidelines to reduce by-catch of marine mammals in capture fisheries, Rome, Italy, 17 – 19 September 2019. http://www.fao.org/3/ca7620en/CA7620EN.pdf

FAO, 2018 Report of the expert workshop on means and methods for reducing marine mammal mortality in fishing and aquaculture operations, Rome, 20-23 March 2018 http://www.fao.org/3/I9993EN/i9993en.pdf

ICES, 2020a. Special Request Advice of 26 May 2020 on EU request on emergency measures to prevent bycatch of common dolphin (Delphinus delphis) and Baltic Proper harbour porpoise (Phocoena phocoena) in the Northeast Atlantic http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2020/Special_Requests/eu.2020.04.pdf

ICES, 2020b. Report on workshop on Fisheries emergency measures to minimise bycatch of short-beaked common dolphins in the bay of Biskay and harbour porpoise in the Baltic Sea

(WKEMBYC). In prep. Draft available at the WGBYC website (https://www.ices.dk/community/groups/Pages/WGBYC.aspx).

Habitats Directive no 43/92 list of Annexes: https://cdr.eionet.europa.eu//help/habitats_art17 ; Checklists for Annex I habitat types and Annex II, IV and V species *(last updated: 19.04.2019)*

SAMBAH. 2016. Final report for LIFE+ project SAMBAH LIFE08 NAT/S/000261 covering the project activities from 01/01/2010 to 30/09/2015. Reporting date 29/02/2016 http://www.sambah.org/SAMBAH-Final-Report-FINAL-for-website-April-2017.pdf

ASCOBANS 2020. RESOLUTION: THE BALTIC PROPER HARBOUR PORPOISE (draft at the moment) https://www.ascobans.org/sites/default/files/document/ascobans_mop9_crp6.1.1_draft-res-baltic-harbour-porpoise.pdf

WWF Poland final report from the project "Conservation of sea mammals and marine birds and their habitats" 2016-2020 https://www.wwf.pl/sites/default/files/2020-07/raport_czerwiec_WWF_final.pdf