

**BSAC Demersal Working Group
Tuesday 8th February 2022
10.00 – 15.00 (CET)
Final Report**

1. Welcome by the Demersal WG Chair Teija Aho

Teija Aho, the Demersal WG Chair welcomed all the BSAC members, the European Commission, Member States and all other observers. She stated that the main item on the agenda is the management of seals in the Baltic fishery. The impact of seals on fish and fisheries is a real challenge to the Baltic fisheries, especially given the very limited fishing opportunities. Updated scientific information from scientists, as well as the updates on seal management measures from Member States should help to clarify what are the best management options to mitigate the impact of seals on fisheries.

**2. Formalities for the start of the meeting
Apologies and adoption of the agenda**

The agenda was adopted without changes.

The participants list, including the apologies is on the website¹.

3. Update on where we are in the BSAC with the issue of seals

The Chair referred to the preparatory note from the BSAC Secretariat², which gives a short summary of what the BSAC has done in relation to seals. In the past, the BSAC members had presented their different views on seal management. The BSAC had come up with some solutions, contributed to various meetings, also to the update of the HELCOM Baltic Sea Action Plan (BSAP). According to the BSAP, the Member States are expected to implement national management plans for seals by 2025. She underlined that although seals had been discussed mainly by the BSAC EBM Working Group, it is a cross-cutting issue which should also be dealt with in the Demersal WG, in order to find the best methods to mitigate seal impact on fisheries.

A fisheries representative underlined that the issue of seals had been dealt with in the BSAC for a long time and during that time, the scale of the problem had increased. The population of grey seal continues to grow.

¹ [http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/ParticipantslistDemersalWG080322-\(2\).pdf.aspx?lang=en-GB](http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/ParticipantslistDemersalWG080322-(2).pdf.aspx?lang=en-GB)

² [bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/SecretariatnoteDemersalWG080322_backgroundnoteupdated280222.pdf.aspx?lang=en-GB](http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/SecretariatnoteDemersalWG080322_backgroundnoteupdated280222.pdf.aspx?lang=en-GB)

Another fisheries representative stated that the main problem is the expansion of the seal population in the Baltic, mainly to the south.

A Swedish scientist stated that the seal population has been growing up to a rate of 20% per year. Seals migrate to the south. However, the current ecosystem carrying capacity levels are not known.

4. The problem with parasites severely affecting the health and condition of cod – Jane Behrens, DTU Aqua³.

Jane Behrens, DTU Aqua gave the latest updates on the DTU (and collaborators') research on cod liver worm, *Contracaecum osculatum*. This parasite has grey seal as its final host where the adult parasites live in the stomach of the seal. Parasite eggs are released into the environment through faeces and reach the liver of cod. She presented the results from field investigations and laboratory experiments with cod infected with liver worm, with focus on physiological performance and nutritional status of eastern Baltic cod in relation to parasite infection load. Fish with a high infection load of liver worm were found to have tissue damage and bleeding in the liver, reduced metabolism, reduced mass of digestive organs and reduced protein in meat⁴. Together these results point to the fact that a high infection load has a negative impact on the function of the liver, which then negatively affects the health status of the fish. Furthermore, very low blood albumin and globulin ration indicated signs of chronic liver disease. As the liver is important for producing proteins, this can potentially contribute to stunted growth and lower reproductive capacity. Various studies had shown that eastern Baltic cod with high infection load have lower nutritional condition. Well-fed Åland cod do get liver worm and their nutritional status decreases significantly when they have a high infection load.⁵

She stated that the infection load of liver worm in cod should be investigated at pan-Baltic scale, not least considering that grey seal is re-colonising the western Baltic waters. But detailed investigations are expensive, time-consuming and require expert knowledge. An alternative solution was now being used since 2021: the liver category method on BITS surveys. This is an easy and inexpensive way to follow infection load of liver worm in cod at pan-Baltic scale. The anticipation is that future timeseries of infection load in cod using the liver category method can be used by ICES in its stock assessment. In 2019, liver category data was collected on a voluntary basis from countries participating in the surveys. She concluded by saying that they strongly believe that liver worms have direct negative effects on the physiological performance and health status of highly infected cod, which may account for part of the observed high natural mortality for eastern Baltic cod. The observed high infection load in eastern Baltic cod may be partly due to the fact that food-deprived fish

³ [http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/BSAC-March-8th-Jane-Behrens-DTU-Aqua_final-\(1\).pdf.aspx?lang=en-GB](http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/BSAC-March-8th-Jane-Behrens-DTU-Aqua_final-(1).pdf.aspx?lang=en-GB)

⁴ A fisheries representative points to reduced growth rate (mass and length).

⁵ A fisheries representative points to reports from fishers from the Åland area that in 2019 their fishing community was catching every size of cod, and since 2011 after 8 years of such practice they have a population with rather big individuals.

are more susceptible to infection. However, well-fed Åland cod also get liver worm. In the 1940s and 1950s, where grey seal abundance was comparable with today, eastern Baltic cod was also highly infected with liver worm. Other factors than grey seal abundance may drive liver worm infection load in cod, and these need to be further studied.

A fisheries representative stated that according to Polish scientists from the National Marine Fisheries Institute⁶, the infection levels of cod with the liver worm had increased in recent years and at present approximately 80% of Baltic cod are infected by liver-worm. This increase has occurred concomitantly with the increase in the number of grey seals in the Baltic in recent years. According to scientists, large cod seem to be dealing better with the infections. He referred to the fact that the use of excessive selectivity in cod fishery had contributed to the protection of the weakest year classes, which are most vulnerable to infections.⁷ In his view, selectivity used in the fishery should aim at protecting the bigger fish in order to improve the state of Baltic cod population.

Jane Behrens said that fish in better condition can better deal with parasites. However, it is important to note that the condition of the cod also depends on other factors than the number of *Contracaecum* worms.

A representative of the OIG referred to a Finnish study⁸ on cod in the Åland Sea where there are large sized cod, in good condition. Grey seals are abundant in these waters. The occurrence of worms in the livers of cod in the Åland Sea and the food of the cod were examined. According to the report, it looks probable that when there is enough food for the cod, the effects of the liver worm infection on the condition and growth of cod are small or even insignificant.

A small scale fisheries representative asked about the impact of worms on the reproductive capacity of cod, and encouraged scientists to intensify research into this.

Jane Behrens stated that the impact of parasite infections on the reproductive capacity of cod had been discussed, but not investigated. She underlined that this impact could be examined e.g. in a comparative study on cod in the Åland Sea and eastern Baltic cod. She also pointed out that at present cod matures at a very small size.

⁶ Professor M. Podolska, Professor Jan Horbowy from the National Marine Fisheries Institute, Gdynia, Poland. Two papers made available to BSAC Secretariat: Anisakid larvae in the liver of cod (*Gadus morhua*) L. from the southern Baltic Sea K. Nadolna et al 2013; Increasing occurrence of anisakid nematodes in the liver of cod (*Gadus morhua*) from the Baltic Sea: Does infection affect the condition and mortality of fish? Horbowy et al 2016.

⁷ *Contracaecum osculatum* – In Polish samples from the Baltic Sea, the prevalence of infection in Baltic cod was high in ICES Subdivisions 24, 25, 26 and 28. Infection extended through the entire area of the southern Baltic, reaching 90% prevalence in Subdivision 26 for length classes of cod 35 cm and greater, and showing an increasing trend for the period of 1987– 2019. Data from Latvia data revealed a prevalence of 80% in cod sampled from Subdivision 26 (length classes 26 cm and greater) and 53% in Subdivision 28 (length classes 18 cm and greater). From ICES WORKING GROUP ON PATHOLOGY AND DISEASES OF MARINE ORGANISMS (WGPDMO) [Working Group on Pathology and Diseases of Marine Organisms \(ices.dk\)](#) 2020

⁸ <https://jukuri.luke.fi/handle/10024/547848>

A small scale fisheries representative referred to the answer given by Ms. Behrens and asked the BSAC to promote further investigation of the influence of parasites on the reproductive capacity of cod, by submitting a proposal to the EU Administration.

An observer from Low Impact Fishers of Europe and a representative of the OIG appreciated the continued research efforts of scientists. They stated that if cod in better condition can better overcome parasite infections, food availability for cod should be the focus for the managers.

Jane Behrens stated that according to some preliminary studies, cod in good condition has a higher chance of surviving infections. However, both the quantity and the quality of food matter.

A fisheries representative underlined that the problem does not lie in the fact that cod are starving, but in the fact that cod infected by liver worms are not able to spawn. This fact is detrimental for cod. He stated that it can be said with certainty that seals have a negative impact on cod stocks.

A representative of the OIG asked what is an acceptable level of seals in the Baltic, in order to mitigate their impact by reducing the parasite infections in cod. He referred to the report of the HELCOM Expert Group on Marine Mammals (HELCOM MAMA), which summarises the results of the grey seal censuses carried out in the Baltic Sea in 2020.⁹

Jane Behrens answered that the exact size of the seal population at which the impact of parasite infections of cod could be reduced is not known.

The Chair thanked Jane Behrens for her presentation.

The Working Group took note of the information presented by Jane Behrens.

5. Consumption of cod by grey the seals in the Baltic by Lotte Kindt-Larsen, Researcher, DTU Aqua (Section for Ecosystem Based Marine Management).

Lotte Kindt-Larsen, Researcher, DTU Aqua presented the spatial distribution and intensity of seal predation on Baltic cod.¹⁰ Observations were carried out in 4 haul out sites in the southern part of the Baltic. The registration data from 2016-2019 implies an annual number of 2.100 grey seals in four localities. These 2.100 seals would consume around 1.400 tonnes of cod annually. With 10.000 grey seals, their consumption would amount to 6.600 tonnes. There are a lot of limitations in the data from this prototype demonstration

⁹ <https://portal.helcom.fi/meetings/EG-MAMA%2015-2021-925/MeetingDocuments/3-9%20Baltic%20grey%20seal%20censuses%20in%202020.pdf>

From page 2: The total number of grey seals counted in 2020 was 40.075 individuals. This figure comprises the following values by sea area: the Bothnian Bay and the North Quark 2079, the Sea of Bothnia 1.999, Finnish southwestern archipelago including Åland 14.757, Swedish Baltic proper between Gulf of Bothnia and 58° N (along the mainland coast, but without Gotska Sandön) 10.534, Gulf of Finland 2390 (1953 in Russian sea area), W Estonia 5.284, (2.594 of them in Baltic Proper and 2556 in Gulf of Riga), Swedish Baltic Proper south of 58° N (along the mainland coast, including Gotska Sandön) 1.804, Danish Baltic waters 1.088, Poland 190 and Germany 84.

¹⁰ http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/Lotte-Kindt-Greyseal-balticsea_BSAC_1.pdf.aspx?lang=en-GB

model. Only one fish species (cod) was explicitly included. The data was not calibrated with the data from GPS. She underlined that more research work is needed to get a better insight into the intensity of seal predation.

A fisheries representative referred to the fact that the numbers presented indicate that seal predation has a bigger impact on cod stocks than fisheries.

A representative of small scale fisheries stated that seals are opportunists and eat what is available. Many different fish species can be found in their diet¹¹, even lamprey.

The Chair thanked Lotte Kindt-Larsen for her presentation.

The Working Group took note of the information presented by Lotte Kindt-Larsen.

6. The consideration of small scale fisheries Sven-Gunnar Lunneryd Swedish University of Agricultural Sciences (SLU)

Sven-Gunnar Lunneryd (SLU) presented the future of small scale fisheries in Swedish waters.¹² He referred to the Seals and Fisheries Programme, which started in 1994, and includes a council of authorities and fishermen as stakeholders. The main goal of the programme is to develop mitigation methods to minimise the increasing seal and fisheries conflict. The grey seal population has grown substantially in the Baltic and its density is often underestimated. Seal deterrent devices tested in the programme did not work very well. A pontoon trap was developed, so the fishery for salmon could be continued in the northern part of the Baltic. Studies on seal behaviour were conducted. Trials with other safe gears were carried out. A commercial fishery with cod pots started in 2017 in the southern Baltic with 3 fishermen. A coastal bottom seine net was also tested in the Bothnian Sea as an alternative to the gill net fishery. It can be used on small boats, but at the same time requires a smooth sea bottom and could have a negative impact of bottom vegetation or fauna.

There is still a lot of seal damage, despite the wide-spread use of pontoon traps in the Gulf of Bothnia. The cod fishery has been almost totally banned, and what is left is heavily affected by seals. The majority of small scale fishermen in Sweden want to leave their profession because of the damage caused by seals. The Swedish government recognised that grey seals are a problem for fishermen. There is an annual culling quota of 2.000 seals. The quota is not fully used, because there are many protected areas, where hunting is prohibited. Proper seal management is also made difficult by the EU ban on trade in seal products, which makes it illegal to make commercial use of seals derived from hunting.

He referred to the HELCOM Seal Recommendation of 2006 (27-28/2)¹³. According to this recommendation the grey seal population should reach the carrying capacity regardless of economic and ecological consequences¹⁴. He concluded by saying that he was pessimistic

¹¹ <https://www.sciencedirect.com/science/article/pii/S0078323420300361?via%3Dihub>

¹² <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/BSAC-Svend-Gunnar-Lunneryd.pdf.aspx?lang=en-GB>

¹³ [HELINKI COMMISSION \(helcom.fi\)](https://www.helcom.fi/)

¹⁴ He referred to the Habitats Directive in the chat: one of the main aims of the Habitat Directive stated in the Preamble is "... to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional

about the future of Swedish small scale fisheries in the light of the growing seal populations and existing legislation. Even if seals are culled, fishing nets still act as a dinner bell for seals. There is very little effort made to deal with gear development and even less has happened to support coastal fisheries.¹⁵

A representative of the OIG asked about the scaring effect of shooting at seals as a possible solution to avoid killing. He stated (in the chat) that the Habitats Directive¹⁶ has specific rules for the area and species protection (core habitats as special areas of conservation), where seals are also considered.

Sven-Gunnar Lunneryd stated that shooting does not have a sufficient scaring effect on seals. Proper management of the seal population implies removing seals from the system.

A fisheries representative agreed and stated that also in Finland the hunting quota cannot be fully used because of the protected areas and the EU ban on trade in seal products. Pontoon-traps are used as a seal-safe gear.

A representative of small scale fisheries underlined that the main problem with seal management is the lack of will among the decision-makers to take any action. More pressure should be put on politicians to take the right decisions with regard to seal management.

A representative of anglers expressed concern about the fact that seals recolonise in the regions which are important for the anglers. Seal hunting should be allowed within the quota allocated by the government, also in the Natura 2000 areas. He stated that hunting in Natura 2000 areas should be allowed to make it a viable method to keep the seal population under control, with paid destruction of corpses. What arguments can the anglers take to the politicians?

Sven-Gunnar Lunneryd stated that hunting should be allowed in places where the seals are. The ban on trade in seal products should be lifted to permit local hunters to make use of the seal carcasses. Adaptive management is a suitable approach to lower the population to a desired level.

A representative of the Estonian administration stated that the population of grey seals has also increased in Estonian waters. There is a small hunting quota (less than 1% of the population). Hunting is allowed under restricted rules which will be revisited in 2022. Hunting is banned in the protected areas. There is a proposal to introduce the rules, which

requirements" and Article 2(3) Measures taken pursuant to this Directive shall take account of economic, social and cultural requirements and regional and local characteristics.

¹⁵ Sven-Gunnar refers to the information from the seal census with data from 2021 <https://www.luke.fi/sv/om-naturreсурser/villebrad-och-jakt/sal/>. He points to 406 seals counted in Poland and 137 in Germany.

¹⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31992L0043&from=EN> Seals are listed under Annex II of the EU Habitats Directive (92/43/EEC). Core habitats of the species listed in Annex II are designated as sites of Community importance (SCIs) https://ec.europa.eu/environment/nature/natura2000/sites_hab/index_en.htm

would make it possible to hunt “nuisance seals”. Seal-safe alternative gears are still not in use. Estonian fishermen do not believe that under the present conditions, small scale fisheries will survive.

A fisheries representative fully supported previous speakers on the need to regulate the seal population more effectively by hunting. He also agreed that an appeal should be made to the decision-makers to take immediate actions, because fish and fishermen are also part of the ecosystem. Hunting should be allowed where there is a need to reduce the seal population and the ban on seal products should be lifted.

A representative of the Polish fisheries administration stated the Fisheries Department in the Polish Ministry of Agriculture and Rural Development, cooperates closely with the General Directorate for Environmental Protection on this issue. In their opinion, the population of grey seals in Polish waters is still undersized and as such requires strict protection.

An observer from Low Impact Fishers of Europe underlined that the small scale fisheries sector in the Baltic is heavily affected by small quotas and by seals. In his view the BSAC should recommend urgent steps in seal management at regional level to save the small scale fishery.

Sven-Gunnar Lunneryd expressed the hope that Finland, Sweden and Estonia, which are most affected by seals, will take immediate action and implement management measures for seals. In the long term, these management measures could also help the Member States in the Southern Baltic.

The Chair thanked Sven-Gunnar Lunneryd for his presentation.

7. The issue of trade in seal products

The Chair referred to the background information on agenda point 7¹⁷ (e-mail provided by DG ENV and sent from DG Mare to the BSAC Secretariat 3.3.22).

The Working Group took note and decided to discuss the issue of trade in seal products at a coming meeting of the Demersal Working Group

8. The HELCOM seal policy¹⁸ in relation to the Habitats Directive and in relation to the management of seals.

All Member States had been invited before the meeting to give information/update on seal management.¹⁹ [Note: Information received in advance and during this meeting is at the end of this report.]

¹⁷ <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/Demersal-WG-8322-Agendapoint7-note.pdf.aspx?lang=en-GB>

¹⁸ *seal populations are allowed to grow as long as the ecosystem carrying capacity is achieved* [HELINKI COMMISSION \(helcom.fi\)](http://helcom.fi)

¹⁹ Please see in the background note sent in advance with responses received so far from MS and extracts from the HELCOM EG MAMA 15-2021.

http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/SecretariatnoteDemersalWG080322_backgroundnoteupdated280222.pdf.aspx?lang=en-GB

A representative of the Danish administration informed that in Denmark seal management is under the competence of the Ministry of Environment and environmental agencies. With respect to seal management, the Danish authorities follow the provisions of the Habitats Directive. Fishermen are consulted on decisions concerning seal management. The BSAC Secretariat would send out the note provided to the BSAC, explaining seal management measures in Denmark. The Danish administration is working with DTU Aqua on a survey relating to seal damage in the area around Bornholm. The results of this survey will also be communicated to the BSAC.

A fisheries representative underlined that the Danish fishermen have made an enormous effort to put pressure on the Danish decision-makers to revise the current seal management. In his view, public opinion needs to be changed in relation to the management of seals. Danish fishermen will inform the European Parliament by letter about the need to take urgent action to manage the seal population in the Baltic.

A representative of the Polish fisheries administration presented in a power point the management of seals in Poland and the compensation system²⁰.

A fisheries representative proposed to invite representatives of the Polish Ministry of Environment to a BSAC meeting to explain and discuss their position with respect to the full protection of seals in Polish waters.

A representative of the Commission commented that discussions on seals had been going on for a long time in BSAC meetings. If it did not succeed in turning round public opinion, nothing will happen with respect to seal management. DG ENV was ready to come to a BSAC meeting.²¹

A representative of the OIG explained that seal hunting is not an acceptable option for Polish society. Seals are strictly protected in Poland and this fact justifies the position of the Polish administration. He appealed to fishermen to stop blaming the seals for what the fishing sector is responsible for. In his view, fishermen can no longer be considered an element of the ecosystem, because their activity has negative impacts on nature.

A fisheries representative underlined that fishermen without any doubt are part of ecosystem. There is also no doubt that seals have a negative impact of fish stocks. Society has to make a choice whether to protect seals or fishermen.

A representative of the Estonian administration referred to the fact that the Estonian administration had allocated 30.000 EUR for compensation, even though there are more seals in Estonian waters. She asked whether the seal-safe gears (trap nets) are also financed from EMFAF in Poland.

²⁰ <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/Polish-ministry-Kasia-PL8-03-seal-for-BSAC.pdf.aspx?lang=en-GB>

²¹ A fisheries representative did not have the opportunity to comment at the meeting. He has written to regret the fact that the Commission with responsibility for the Baltic is calling on the BSAC to change public opinion, instead of actually looking at biological aspects.

A representative of the Polish fisheries administration explained that the allocated amount of 4 million EUR will not be fully used. She stated that seal-safe gears will probably be financed under the EMFAF.

A representative of the Estonian administration presented the management of seals in Estonia. Hunting for grey seal has been allowed since 2015. Hunting conditions are revised in 2022. Small scale trade should be allowed. Treating seal carcass as garbage is a waste of resource. The seal trade ban is a real artificial barrier to proper management of seals.

An observer from Low Impact Fishers of Europe stated that seals should be managed at pan-Baltic level. A discussion in the framework of BALTFISH is needed. Seals do not respect boundaries and national management in different Member States will not be sufficient.

A representative of anglers stated that the same discussion on regional management should take place with respect to cormorants.

A representative of the German administration informed that there were no seal management plans for the region of Schleswig-Holstein and the region of Mecklenburg-Pomerania yet. He informed on the actions taken so far by the region of Mecklenburg-Pomerania.

9. The TNC project on the impacts of seals and cormorants experienced by Baltic Sea commercial fisheries presented by Riku Mesiniemi and Satu Pakarinen.

Riku Mesiniemi from Finland Flag Group made a presentation²² of the transnational cooperation (TNC) project on the impacts of seals and cormorants on commercial fisheries. He also referred to the project report²³. Because of growing seal and cormorant populations, damage and wide frustration among local and regional fishery stakeholders along the Baltic Sea coast, a TNC project for addressing the conflict was initiated in 2017. 14 flags from 6 countries took part. This was the first project to address the impact of seals and cormorants on commercial fisheries in the Baltic and a first attempt to estimate the economic impact. Interviews with 220 fishermen were carried out. Overall, fishermen regard seal impact as more severe than cormorants, except for Germany. Fishermen are faced with damage to the caught fish and to the fishing gears. There is also indirect impact, such as reduction of catches and changes in fish stocks and fish behaviour, mostly caused by cormorants. Seals generally had a bigger impact. Seals losses were higher, because they were detected. Cormorants may have a local effect, but also affect fishermen. Doing something about the number of seals and cormorants was considered the most popular alternative for mitigating their negative effects. There is a need for wide-range collaboration in combating the problem and creating governance tools. Fishermen have the knowledge and work at the sea, so they are the source of information.

²² <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/Riku-Baltic-Seals-and-Cormorant.pdf.aspx?lang=en-GB>

²³ [JULKAISUSARJAN NIMI \(luke.fi\)](#)

A representative of the OIG referred (in the chat) to the methods used in the TNC report and the economic consequences.²⁴

The Chair thanked Riku Mesiniemi for his presentation.

10. Technical measures - update and status on Commission's Implementing Regulation for Technical Measures Regulation

The representative of DG Mare informed that the draft Implementing Regulation to the Regulation 2019/1241²⁵ is still under consultation. The draft had been sent by the Commission to the Member States in December 2021. By the end of February, 2/3 of the Member States concerned had not replied.

A fisheries representative referred to the importance of discussing the technical measures in the context of the Regulation 2019/1241 on technical measures, as well as the draft Implementing Regulation. Some draft provisions may lead to several misinterpretations of the existing technical rules and therefore should be discussed by the BSAC. He also referred to the problem of misinterpretation of the existing technical rules, as pointed out by the BSAC already in 2020. Another issue concerns the agreement adopted in October 2021 on the Delegated Act to implement the new gears in the Baltic. Fishermen need to understand which gear they are allowed to use.

He underlined the need to go through this together with those responsible for the documents. He proposed to deal with the matter in a Working Group meeting at the earliest possible occasion.

The representative of the Commission explained the procedure in place for Implementing Acts in terms of consultation.²⁶ He was not sure to what extent the Commission can discuss detailed rules with the Advisory Council.

The Working Group decided to discuss the implementation of the Technical Measures Regulation at the next meeting of the Pelagic WG on 14th March 2022.

²⁴ The economic consequences were approached by asking the informants: 'What is your estimate of the losses (EUR) that seals and cormorants caused to your fishing livelihood in 2017?'. Informants were instructed to include costs due to damages in gear and caught fish, increases in workload, loss of fishing income due to reduced catches and other possible causes."

²⁵ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005

²⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011R0182&from=en>

11.AOB

The Working Group decided that Krzysztof Stanuch will present the research on an amended construction of trawl to minimise the bycatch of cod in the flatfish fishery at a coming meeting of the BSAC.

The WG Chair referred to the information from ICES ACOM Chair stating that all ICES Committee and Expert Group meetings between 7.3.22 and 1.4.22 were postponed or cancelled. This is in response to the crisis in Europe which is compromising the participation of experts and making collaboration across the network difficult or impossible. It will have implications for the timing and delivery of advice.

She also referred to the information received from HELCOM, that all HELCOM meetings planned until 1st April 2022 are postponed until later due to the political situation.

The Working Group took note and expressed their concerns about possible impact on the Baltic work and the Commission proposal for fishing opportunities for 2023.

The Chair expressed the hope that a solution will be found.

The Chair concluded the meeting. She commented that the BSAC needs to keep working on seals; it has to work to achieve a good result. She encouraged all not to be passive, but to be active on this front.

She thanked all participants for good discussions.

Seal management – information provided by Member States before or during the Working Group

Denmark

Seal management comes under the Ministry of the Environment. Since 1.1.22 it has not been allowed to hunt seals around Bornholm. Permission to hunt seals was originally introduced in order to protect the salmon and cod fisheries. This has been put on standby in 2022 because salmon and cod fishery in the Baltic have been severely cut back.

Application of seal management measures has always required deviation from the Habitats Directive which includes protection of seals. Deviation is possible where seal damage to the fishery has considerable economic significance.

The Ministry of the Environment does not think that there is enough documentation to show that grey seals cause damage to the flatfish fishery (based on reports of seal damage). However, fishermen state that seal also damage flatfish – even though this is not reflected in seal damage reports sent in recent years to the Fisheries Directorate.

The Ministry of Environment would like to have a closer look at this and has asked DTU Aqua to carry out an investigation into the extent of seal damage in the flatfish fishery off Bornholm.²⁷ The aim is to get enough information to assess whether the damage is significant enough to re-open seal management in the autumn. A report is expected in the autumn.

In general: fishermen can apply to hunt seals (grey and harbour seals) in Danish waters if the seals prevent them from carrying out their activities.

The requirement is to have a current hunting permit to use rifle and to make sure that the seals are humanely and painlessly killed.

A licence can also be given to regulate harbour seals in Natura 2000 areas, since harbour seals have reached GES in Denmark

Grey seals have not yet reached GES, so can't be regulated in Natura 2000 areas

Estonia

- Management plan for grey seal was adopted in 2014 and is still valid.
- Management plan for ringed seal was adopted in 2015 and is also valid. Ringed seal population is well protected, population size is very small.
- Hunting for grey seal is allowed since 2015. Hunting conditions are revised this year.
- Hunting quota for grey seal - 1% population:

²⁷ In Danish only <https://www.aqua.dtu.dk/nyheder/nyhed?id={79A874B9-B936-4170-BFFE-0AD20100AE4B}>

	quota	Hunted seals no. of sp
2015	53	10
2016	42	10
2017	45	8
2018	37	19
2019	58	20
2020	50	19
2021	55	

- Hunting period 15 April- 31 December;
- Hunting from watercrafts with engine is not allowed;
- Special requirement for weapons and bullets;
- Licenced hunters with training.

The low number of hunted animals could be due to poor hunting conditions. Also, a large area of western part of Estonian waters (Väinameri) is closed for hunting; this is also reviewed this year.

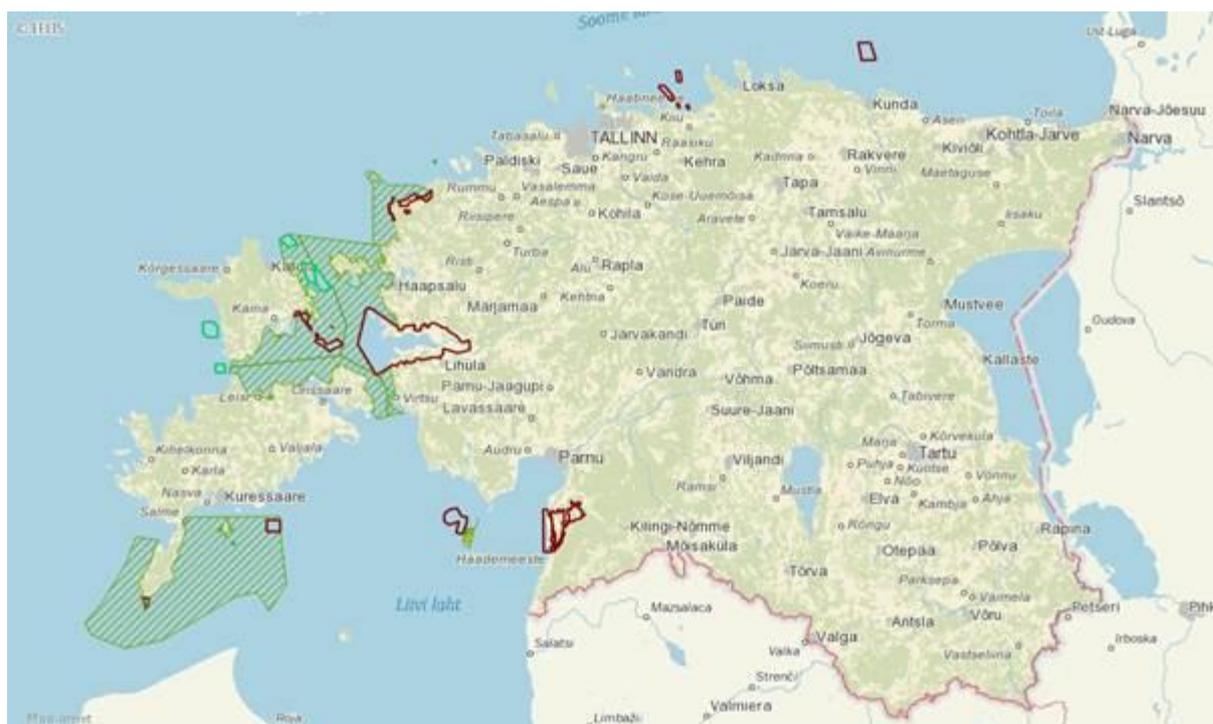


Figure 1. In shaded/striped and otherwise marked areas seal hunting is not allowed.

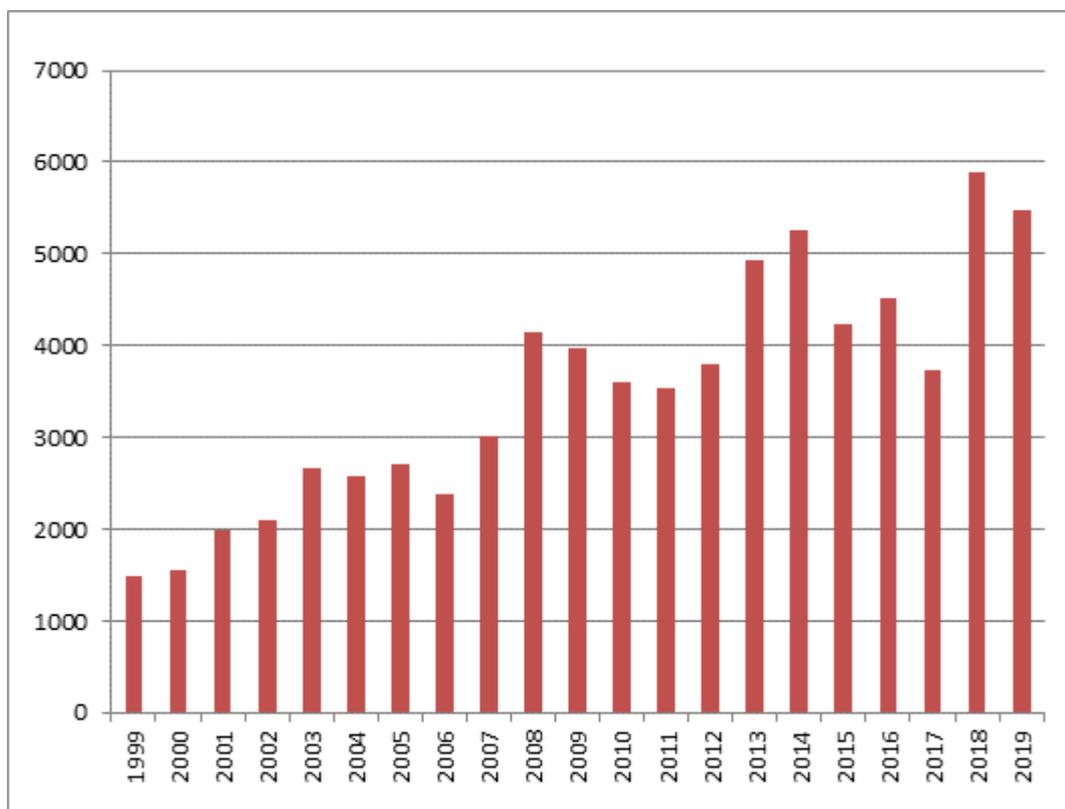


Figure 2. Counted grey seals in Estonia 1999 – 2019. In 2020 5159 sp.

- Population growth over 3 times from 1500 sp in 1999 to 5159 sp in 2020;
- Population is in a good and sustainable level.
- Ecosystem approach is needed, seal impact to other species should be considered as well (e.g cod, salmonids);
- Hunting have had no negative impact to population growth. It could potentially balance negative impact to fish resources and fishing;
- Seal hunting is part of cultural heritage, needs to be respected and revived. It has not only been the part of lifestyle of indigenous people. It has also been part of our ancestors;
- Small scale trade should be allowed:
 - **Avoid treating seal carcass as garbage - waste of resources;**
 - **Compensation of hunting expenses;**
 - **Economical value – local communities handicraft, hunting tourism;**
- The seal trade ban is a real artificial barrier and nuisance, avoiding normal and natural coastal lifestyle!

Finland

No update information sent to BSAC, so we refer to the HELCOM Status of national management plans for marine mammals, 14-16 September 2021, MAMA. ²⁸

A fisheries sector representative has pointed out (by e mail to the Secretariat) that despite the quotas allocated, only a tiny part is used because it is not possible to make use of the seal products.

Germany

There are no seal management plans regulating the seal stocks yet.

In the region of Schleswig-Holstein no action has been taken so far in this regard. The region of Mecklenburg-Pomerania has taken some first steps towards a management plan. As grey seal stocks are increasing, fishermen are struggling more and more to cope with the damages caused on passive gear and fykes. In the months with most catches (October-April), in some coastal areas in Mecklenburg-Pomerania this leads to a general reduction of fishing effort in the gillnet fishery. For this reason, the region has established a reporting system for fisheries damages caused by grey seals. Since 2020 the region grants EMFF compensation for the loss of catches.

The region has also established an Advisory Council “Conflict Management Grey Seals and Fisheries”. Members of this AC are the Ministry of Agriculture of Mecklenburg-Pomerania, the relevant nature conservation and fisheries authorities, stakeholders and scientists. The Advisory Council outlined the key points of a possible future seal management plan. It has been decided that the preparation and the implementation of the management plan, which is going to be financed through the EMFAF, should preferably be assigned to an impartial institution. The call for tender is planned for the second half of 2022.

Part of the future discussion on the planned grey seal management plan is also going to be the question whether and the conditions under which a reduction of the stocks would be necessary and legally permitted (we have been informed that in Sweden the reduction of the stocks through hunting is already permitted – we would be interested to know about the details).

LATVIA

There has been an existing seal management plan since 18.02.2021 (“Management plan concerning Ringed seal *Phoca hispida*, Grey seal *Halichoerus grypus* and Harbor seal *Pusa vitulina*”). Available online at <https://www.daba.gov.lv/lv/sugu-un-biotopu-aizsardzibas-plani> (in Latvian only). Since none of the seal species bred in the territory of Latvia, the plan only deals with the animals that come into territorial waters to feed. According to the plan, all occurrences of by catch of marine mammals must be reported

²⁸ <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/3-1-Status-of-management-plans-for-marine-mammals14-9-21.pdf.aspx?lang=en-GB>

and special permits must be procured from the authorities for the disposal of the body of the animal (if it was found dead or too injured to survive).

Lithuania

Not submitted

So we refer to the HELCOM Status of national management plans for marine mammals, 14-16 September 2021, MAMA. ²⁹

Poland

Recolonisation of grey seals in the Baltic has been taking place since the beginning of the 21st century. They have steadily increased since 2003. All seal species are under full protection in Poland. A conservation plan has not been implemented. It is not allowed to hunt seals or scare them away from their resting/molting sites. The number of grey seals counted during regular, national monitoring (aerial survey) in 2019 – 420, in 2020 – 190. These numbers are probably biased and underestimated. A compensation system was implemented in 2016. 4 million EUR had been allocated for compensation from the EMFF. The compensations are calculated in the following way: medium price of the fish from the previous year before the form has been submitted (basis ERS) x medium weight of the fish by species x number of fish destroyed x the rate of return of lost profits (0.8 for coastal fleet), 0.5 for others. Compensation can be granted for cod, salmon and sea trout. Fishermen are obliged to fill reporting forms to obtain compensation. Damages are recorded during winter and early spring months (December- April). Reporting accuracy has improved after the first year of official reporting (less salmonids more sea trout and salmon). There was no cod reporting since 2019 (due to cod fishing ban) and salmon losses are increasing from year to year.

Sent a presentation on their compensation system and losses in fisheries (mainly sea trout and salmon) caused by seals in Poland and other issues connected to seal management/conservation:

<http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/Polish-ministry-Kasia-PL8-03-seal-for-BSAC.pdf.aspx?lang=en-GB>

Sweden

Not submitted.

So we refer to the HELCOM Status of national management plans for marine mammals, 14-16 September 2021, MAMA. ³⁰

The meeting was informed that there is an annual culling quota of 2.000 seals year. The quota is not fully used, because there are many protected areas, where hunting is prohibited.

²⁹ <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/3-1-Status-of-management-plans-for-marine-mammals14-9-21.pdf.aspx?lang=en-GB>

³⁰ <http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Demersal-Working-Group/3-1-Status-of-management-plans-for-marine-mammals14-9-21.pdf.aspx?lang=en-GB>