

European Parliament event briefing

Fisheries Emergency Measures for the Northeast Atlantic short-beaked common dolphin in the Bay of Biscay



The Northeast Atlantic common dolphin is considered to have an ‘Unfavourable-Inadequate’ conservation status for the European Atlantic, with bycatch in fishing gear being the primary concern. Regional experts, the ICES Bycatch Working Group and ASCOBANS (Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas), have raised repeated concerns about the high and unsustainable level of bycatch.

Common dolphins have been entangled in fishing gear in high numbers for at least 30 years. Scientists have calculated that since 1997 between 3,600 and 4,700 dolphins were bycaught per year on average. Most recently, there was a dramatic increase in strandings along the French coastline from December 2018 to March 2019. Only a small percentage of dolphins that become bycaught in fishing gear will wash ashore.

There appears to be a seasonal upward trend in stranding numbers of common dolphins, with

a primary peak from December to March and a secondary peak in August and September, supporting the assumption that there has been an increase in the number of dolphins bycaught in recent years in the Southern Celtic Seas and Bay of Biscay area.

The fisheries in this area, however, remain poorly monitored and so, are poorly understood, so the impact of fishing cannot be fully quantified due to a lack of data on incidental capture rates in some fisheries, and limited sampling in other fisheries. As a result, bycatch is not assessed and it is not well mitigated. Given the Unfavourable status of common dolphins, and the uncertainty about number of populations in this region, this issue requires urgent and decisive action. Simultaneous monitoring and mitigation are required.

Emergency measures have been proposed based on article 12 of the Common Fisheries Policy, and with reference to Article 12 of the Habitats Directive.

Proposed measures

To minimise the impact of bycatch on the North East Atlantic common dolphin, two levels of measures are proposed: 1) Spatial and temporal closures; and, 2) Year-round on board observations and mitigation, as per the recommendations of the IWC Scientific Committee advice. If these measures are not taken immediately as a matter of precaution, we risk a situation where the population becomes depleted and fisheries have to be closed throughout the region for a much longer period of time.

1) Spatial and temporal closures

On the basis of the precautionary principle and Article 12 of Regulation 1380/2013 (the CFP), we ask that the European Commission takes the necessary measures to close the fisheries that are responsible for the common dolphin bycatch in the North East Atlantic between the beginning of December 2019 and the end of March 2020. This must include, ad minima, the pair-trawl and the gillnet fisheries.

Reduction, rather than displacement of fishing effort is required, due to the wide range of common dolphins and the risk of moving the bycatch problem rather than solving it.

Closures should remain in place each winter until effective bycatch prevention and conservation measures are implemented on a permanent basis by the Member States.

Dynamic, real-time closures should be considered once a predetermined level of bycatch has occurred in any fishery. These levels must be determined independently by regional cetacean bycatch scientists.



2) Year-round on board observations and mitigation – in the wider region

The following measures should therefore be implemented as a matter of urgency:

- Outside of the peak season from December to March, over the next 12 months, dedicated observations (observers and/or electronic monitoring) and a pre-agreed set of rules on a specific course of action as a response to observed dolphins at sea and to bycatch should be implemented. Fishing vessels should only fish in the region if they allow independent observations to be undertaken on board.
- Dedicated observers and/or electronic monitoring should be undertaken on all fleets that may be involved in common dolphin bycatch in the region year-round. This includes the sea bass, hake and tuna pair trawl fishery, set net fisheries (including bottom set gill-net in particular the combined sole-hake gillnets), pelagic freezer trawlers and high vertical opening trawl fisheries. Nets should only be set during daylight hours. If dolphins are observed by independent observations in the vicinity of the gear, nets should not be set and the vessel should move area.
- Fishing activities should halt and the vessel should move area if any bycatch is observed.
- Member States should report monitoring measures to ICES in a specified format on a monthly basis and results should lead directly to concurrent mitigation actions.
- At the same time, a scientific panel should be set up to meet regularly and to look at the data as it comes in and to develop a robust, coherent regional mitigation plan to be implemented within and no later than 12 months. After 12 months a longer-term monitoring and mitigation plan is in place, and funding is secured for implementation, as required based on the first 12 months of data.