

## **ECS RESOLUTION: THE NEED TO BETTER MONITOR & MITIGATE EUROPEAN MARINE MAMMAL BYCATCH**

**March 2016**

Efforts to effectively address and reduce cetacean and seal bycatch have failed under the existing Common Fisheries Policy (CFP) Regulation. The European Commission has recently published a proposal for a new Regulation of the European Parliament and of the Council on the conservation of fishery resources and the protection of marine ecosystems through technical measures<sup>1</sup>.

To achieve the requirements of the CFP to ensure that the negative impacts of fishing activities on the marine ecosystem are minimised and ensure that it is coherent with Union environmental legislation there is a clear need to reduce cetacean and seal bycatch. In doing so, EU Member States should demonstrate that their fisheries are not exceeding an agreed environmental limit for cetacean and seal bycatch and demonstrate progressive reductions in bycatch, towards zero. This is in line with the strict protection measures required under the Habitats Directive and elsewhere as well as the pursuit of Good Environmental Status under the Marine Strategy Framework Directive.

Thus, the European Cetacean Society urges Member States to urgently adopt and enforce regulations to include strong measures (see Annex below) to enable effective and ongoing reduction of cetacean and seal bycatch and subsequent delivery of wider environmental protection measures within the revised Common Fisheries Policy.

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<sup>1</sup> [http://eur-lex.europa.eu/resource.html?uri=cellar:41312a57-e771-11e5-8a50-01aa75ed71a1.0024.02/DOC\\_1&format=PDF](http://eur-lex.europa.eu/resource.html?uri=cellar:41312a57-e771-11e5-8a50-01aa75ed71a1.0024.02/DOC_1&format=PDF)

## Annex

Multiannual Programmes will detail how data are to be collected under the Data Collection Framework (DCF). Regional management should be effective, flexible and focused on fisheries of concern. To this end, and in line with recent ASCOBANS advice to the European Commission<sup>2</sup>, we strongly encourage the following measures be incorporated under the new technical measures framework:

- i) Mitigation measures should be applied in all set-net fisheries, including trammel nets, and pelagic trawl fisheries targeting tuna, bass and hake and fisheries using very high vertical opening (VHVO) trawls, irrespective of vessel size or geographic area;
- ii) Effort reporting should clearly identify gears used (as, for example, VHVO is not a characteristic that is usually reported, but clearly increases bycatch risk);
- iii) Exemptions should be made for those fisheries with demonstrated negligible rate and/or cumulative bycatch, bearing in mind regional differences;
- iv) Dedicated observer monitoring and compliance programmes, including use of remote electronic monitoring including cameras and sensors for purposes, should be in place in all medium-to-high risk fisheries regardless of vessel size, with particular consideration to inclusion of small (<15m) vessels;
- v) A standardised and coordinated recording system should be developed for all national monitoring programmes so that the data and effort can be compared between countries;
- vi) Monitoring should be adequate to ensure measures are being effective, within a specified timeframe;
- vii) All European member states should be encouraged to provide a comprehensive annual report on the implementation of both the DCF and technical measures requirements, similar to the current Regulation (EC) 812/2004 annual reports for better risk assessment;
- viii) More broadly, assessments should consider other anthropogenic removals in addition to bycatch.

Inclusion of these measures would help to ensure effective delivery of wider environmental protection measures within the revised Common Fisheries Policy.

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<sup>2</sup>[http://www.ascobans.org/sites/default/files/basic\\_page\\_documents/ASCOBANS\\_Recommendations\\_EUBycatchLegislation\\_Final.pdf](http://www.ascobans.org/sites/default/files/basic_page_documents/ASCOBANS_Recommendations_EUBycatchLegislation_Final.pdf)