



**Convention on the Conservation of Migratory Species**  
**Agreement on the Conservation of Small Cetaceans**  
**of the Baltic, North East Atlantic, Irish and North Seas**  
*Joint Secretariat provided by the United Nations Environment Programme*



Register ID number 05140132733-55

## **Bycatch of Marine Mammals – Fishers as Part of the Solution**

Bycatch of marine mammals is a global problem with severe effects on the conservation status of many protected and endangered species and populations. It is estimated that more than 300,000 whales, dolphins and porpoises (collectively referred to as cetaceans) die annually through incidental capture in fishing gear. Seals, sharks, sea birds and marine turtles are similarly under pressure through bycatch.

Even though many resolutions have been passed on the by-catch problem in fora such as the Convention on the Conservation of Migratory Species of Wild Animals (CMS) (e.g. Res. 9.18), its cetacean-related daughter Agreements ACCOBAMS (e.g. Res. 3.12) and ASCOBANS (Res. 5.5 and Res. 6.3) or the Food and Agriculture Organization of the United Nations (FAO), the problem is still largely unsolved. Also, the concerns raised because of the high bycatch rates in some types of fisheries are often perceived as unwelcome attempts of conservationists to interfere with the fishers' way of earning their livelihoods. Thus, often both sides fail to work constructively together to find the best possible solutions to the bycatch problem, tailored to the local fisheries.

The European Commission has already in the past sought ways to address the problem of by-catch of marine mammals and other non-target species through Regulations such as EC Reg. 812/2004. As recognised both in the Green Paper on the Reform of the Common Fisheries Policy and the Commission's Communication COM (2008) 187, integrated management of marine activities necessitates an ecosystem approach. The Reform of the Common Fisheries Policy now provides a unique opportunity to integrate the interests of stakeholders from both the fisheries and the conservation sides and thus ensure full cooperation and recognition of responsibility to find solutions, rather than just lament problems.

The UNEP/CMS/ASCOBANS Secretariat was therefore disappointed when it discovered that the Green Paper on the Reform of the Common Fisheries Policy makes no direct reference to bycatch of marine mammals, sharks, sea birds and marine turtles. This very concrete problem with a need for immediate, workable solutions should not simply be subsumed under the broad keyword "ecosystem approach".

By means of the above-mentioned resolutions, the Parties to the CMS and ASCOBANS have clearly expressed their wish to see the issue of bycatch of marine mammals, sharks, sea birds and marine turtles addressed effectively by all stakeholders. This problem, which has significant population level impacts, can only be dealt with successfully if the fisheries sector is more directly and actively engaged.

Addressing the issue in the Common Fisheries Policy would be an excellent way of ensuring that biodiversity conservation will be seen as the responsibility of all stakeholders, rather than merely the environment authorities. It would also open the way for fishers in the Community's waters to work constructively with their conservation counterparts and thus become part of the solution.

The UNEP/CMS/ASCOBANS Secretariat therefore urges the European Commission to incorporate the bycatch issue fully in the revised Common Fisheries Policy. The Secretariat and the bodies of both treaties offer their support to deal with associated technical and scientific matters. CMS and ASCOBANS are keen to work together with the European Commission in order to tackle the problem of bycatch of marine mammals, sharks, sea birds and marine turtles.