

## **Written Evidence submitted by the National Federation of Fishermen's Organisations (NFFO) (MM0004)**

### **1. What is the status of the marine mammal population**

The precise status of marine mammals' population is not known. Mammals spend most of their time under water, often make long migratory journeys, and have both solitary and group characteristics for different species: as a result there is a reliance on modelling, based on observations and whatever data is available, to produce estimates with varying degrees of confidence.

Determining what are acceptable limits on the level of removals that allow for replacement of the lost population is a similar exercise. The system that appears to be most commonly used is the Potential Biological Removal, PBR, method used by ICES<sup>1</sup>.

According to the IUCN, out of 90 species globally, 4 are Critically Endangered, 12 Endangered, 7 Vulnerable, 9 Near Threatened, 49 of Least Concern, and 10 are Data Deficient. Among the Critically Endangered are the Baltic Harbour Porpoise and the Killer Whale in the Straits of Gibraltar.

ICES, WGBYC, was asked to look at emergency measures for Common Dolphin in the Bay of Biscay and Harbour Porpoise in the Baltic<sup>2</sup>. It determined that the major causes of deaths for the Baltic was pollution and entanglement in gillnets.

### **2. How, and for what purpose, are marine mammals being killed**

In the UK, marine mammals are a Protected, Endangered Threatened species and there is no commercial interest in killing marine mammals – the process of entanglement leads to damaged gear and additional costs in time and money. In the North East Atlantic in general there is little, if any, commercial interest in the meat of marine mammals, apart from possibly Norway, Minke Whales.

Marine mammals tend to be killed either through stranding or through contact with fishing gear although there are other factors

### **3. Beyond whaling, what human behaviours are affecting whale populations and how**

Small marine mammals, such as dolphins and porpoises, have poor visual resolution at low light levels and tend to be caught in gillnets, c.84%, and trawls (driftnets were a significant factor but this is no longer allowed). Larger marine mammals have more power and often escape from nets but may not survive and are often recorded as stranded when they end up on beaches. In addition, however, some species are susceptible to becoming caught in lines from pots

<sup>1</sup> [https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2020/Special\\_Requests/eu.2020.04.pdf](https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2020/Special_Requests/eu.2020.04.pdf)

<sup>2</sup>

[https://www.ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/HAPISG/2020/WGBYC\\_2020.pdf](https://www.ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/HAPISG/2020/WGBYC_2020.pdf)

and creels on the seabed. There is also the problem of “lost” fishing gear which may cause entanglement.

There also a number of other factors resulting from human behaviour which may lead to marine mammal mortality, such as:

- Pollution
  - the increasing amount of chemical micro particulates in the sea is thought to possibly account for reproductive difficulties and toxic impacts on health;
  - lack of visual resolution among marine mammals<sup>3</sup> in low light situations leading to entanglement;
- Climate change – the seas are becoming more acidic and losing their salinity which will affect mammals migratory behaviour;
- Noise – underwater noise has been increasing over the past two decades, particularly with the increase in renewables offshore, which is particularly harmful to mammals that rely on echo-location to find their prey;
- Temperature changes – warmer seas will alter the migratory behaviour of mammals and lead them to less productive nursery areas;
- Prey depletion may occur as prey move to colder, or hotter, waters, leaving the mammals short of suitable food<sup>4</sup>

#### **4. How effective are the global protection of marine mammals**

There seems to be very little enforcement, even where there is legislative protection requiring mandatory reporting of contact with cetaceans<sup>5</sup>. As a result, increasing attention has been given to the development of electronic and technological aids for reporting and data collection.<sup>6</sup>

#### **5. How can the UK better protect mammals , what role can the UK Government play to protect and promote the conservation of marine mammals internationally.**

The UK fishing industry is actively participating in Clean Catch UK<sup>7</sup> initiative towards enhancing monitoring and developing mitigation solutions for fisheries bycatch of sensitive species of cetaceans, seals, seabirds and elasmobranchs. This brings together policy makers, scientists, technologists and NGOs working together with fishers to develop and deliver solutions through partnership

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<sup>3</sup> <https://www.sciencedirect.com/science/article/pii/S2351989414000663>

<sup>4</sup> <https://www.frontiersin.org/articles/10.3389/fevo.2014.00083/full>

<sup>5</sup> <https://www.frontiersin.org/articles/10.3389/fmars.2021.779066/full>

<sup>6</sup> <https://www.cms.int/en/publication/review-methods-used-reduce-risks-cetacean-bycatch-and-entanglements-cms-technical-series>

<sup>7</sup> <https://www.cleancatchuk.com/>

working. The approach builds on what was pioneering work in the 2000s to trial and deploy “pinger” deterrents for harbour porpoise<sup>8</sup>.

It is also tendering for participation in a Catch Monitoring project.

Practical actions to address bycatch will need to be location and gear specific. Finding out what may work and where is dependent on regional/local level trials and pilots. Facilitating an exchange of experiences of bycatch and applied strategies and technical solutions is likely to promote the adoption of changes in practice.

Where technical measures are found that are proven to work, their adoption will be improved either through implementing collective measures for adoption and/or facilitating access to grant funding to support adoption.

Improved knowledge on concentrations of marine mammals (spatially and temporally) may be used to both inform risk assessments but also when it is close to real time can be used to help inform local mitigation strategies such as avoidance actions which may be supported through the development of codes of conduct, e.g. as in Cornwall<sup>9</sup>

It is important that policy is implemented to provide a clear and reliable pathway (e.g. not subject to disruptive changes in policy) to workable solutions (technical and procedural) that will not ultimately undermine the livelihoods or lead to significant unmitigated costs borne by participating fishers involved in developing solutions. This will enable a community of trust to be fostered which will in turn facilitate both participation in reporting bycatch incidents and practical action at the local level, including, for example, the reporting of bycatch incidents.

Where industry collectives or institutions with a strong positive fishing community connection are integral in the institutional arrangements for delivering mitigation measures, group buy-in and affinity may have a positive effect on knowledge exchange and good practice. Similarly, where compliance outcomes are related to collective responsibility, internal monitoring and peer pressure will likely reinforce good practice. The institution building (and sustaining) involved with delivering solutions will likely help to sustain trust in following the measures in the long term.

Direct incentives such as conservation burdens/goodwill payments or improved fishing opportunities may be relevant in order to take part in trials or may form part of an adopted management scenario that involves a level of economic sacrifice on the part of fishermen in order to deliver the conservation measure. Additional quota or effort or access to fishing grounds may form an alternative incentive mechanism to direct recompense. Such opportunities may be conferred to individual fishing businesses or collectively to groups of fishing businesses. In the case of quota or effort arrangements, collectives may be

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<sup>8</sup> Seafish (2003) [Trial of acoustic deterrents \(porpoise pingers\) for prevention of porpoise \(Phocoena phocoena\) bycatch](#)

<sup>9</sup> [https://secure.toolkitfiles.co.uk/clients/17099/sitedata/Misc/CoP\\_for\\_cetacean\\_bycatch\\_i.pdf](https://secure.toolkitfiles.co.uk/clients/17099/sitedata/Misc/CoP_for_cetacean_bycatch_i.pdf)

incentivised as part of a programme where they administer delivery of a mitigation solution.

It is important, both domestically and internationally, that the UK Government and the fishing industry should collaborate in developing new measures that both improve conservation of PET species and allow fishermen to make a living whilst contributing to food security.

June 2022