

Written evidence submitted by the RSPB (MM0010)

The RSPB is Europe's largest nature conservation charity, with over 1.2 million members. We work on a wide range of environmental policy domestically throughout the UK and internationally including through BirdLife. Tackling the nature and climate emergency is the foundation of our strategy to 2030. The RSPB's policy work covers a range of issues including nature, climate change, sustainable marine and land management, agriculture and planning. Our strategy is to tackle the nature and climate emergencies together, helping to create a net-zero and nature-positive world.

The RSPB welcomes the Efra committee's call for evidence on marine mammals and is submitting a response to highlight the co-benefits of effective action to conserve marine mammals for other marine wildlife including seabirds. We draw particular attention to the UK's international responsibility to protect and recover our globally important marine bird populations which are in severe decline. Bycatch in fishing gear is a key threat to both marine mammals and seabirds in UK waters and across the global ocean, for which the UK could take a leading role to address through effective monitoring and mitigation of fisheries both domestically and through relevant Regional Fisheries Management Organisations (RFMOs) where the UK have representation, this is therefore the focus of our response.

1. What is the status of marine mammal populations?

Seabirds globally are in trouble, declining faster than any other bird group in the world. In the UK, marine birds failed to meet Good Environmental Status (GES) by the 2020 deadline and are worryingly moving away from target under the UK Marine Strategy rather than towards it. Home to around 8 million seabirds from 25 species ([Mitchell et al. \(2004\)](#)), the British Isles are internationally important for seabirds yet, many of their populations have suffered catastrophic declines. Between 1986 and 2019 the number of breeding seabirds fell by almost a quarter across the UK ([JNCC \(2021\)](#)), and by nearly half in Scotland ([NatureScot \(2021\)](#)), the UK's stronghold for seabirds.

Bycatch in fishing gear has been identified as one of the top three threats to seabirds globally ([Dias et al. \(2019\)](#)). It is estimated that up to 400,000 ([Zydelis et al. \(2013\)](#)) and 320,000 ([Anderson et al. \(2011\)](#)) seabirds are killed in gillnet and longline fisheries each year. However, low observer and electronic monitoring coverage at sea, combined with low sampling effort limits the understanding of this pressure at the international and UK scale ([Good et al. \(2020\)](#)).

Reports commissioned by Defra to inform the UK Seabird Bycatch Plan of Action (now the Bycatch Mitigation Initiative (BMI) - yet to be published) have provided an indication of the initial scale and impact of the UK's seabird bycatch problem, showing that at least ten species of seabird, are incidentally caught as bycatch by UK-registered vessels alone ([Northridge et al. \(2020\)](#)). Nine of these species are red or amber listed as [Birds of Conservation Concern](#). Fulmar and guillemot are most frequently caught with somewhere between 2,200-9,100 and 1,800-3,300 individuals respectively caught and killed each year.

The UK's only protected species bycatch monitoring scheme, the UK Bycatch Monitoring Programme (BMP) relies solely on on-board observations, but current monitoring coverage achieved by the BMP has been shown to be insufficient for providing the level of data required to obtain accurate mortality estimates ([Northridge et al. \(2020\)](#)) and population impacts ([Miles et al. \(2020\)](#)) of seabird bycatch from UK-vessels. Observer coverage from the BMP presently sits at <1% of annual static net effort, 1-2% of annual longline effort and roughly 5% of annual midwater trawl effort ([Northridge et al. \(2020\)](#)). The BMP has only collected data from UK-registered vessels and is therefore likely to underestimate the true scale of the problem.

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

3. *Beyond whaling, what human behaviours are affecting whale populations and how?*
4. *How effective are the global protections of marine mammals?*
5. ***How can the UK better protect marine mammals? What role can the UK Government play to protect and promote the conservation of marine mammals internationally?***

The UK can better protect marine mammals, seabirds and other marine wildlife such as seals, sharks, skates and rays by taking a solutions-based approach to pressures impacting populations, like bycatch. Better protection of marine wildlife through bycatch prevention must be underpinned by effective monitoring of fishing activity at sea and implementation of mitigation measures to minimise wildlife deaths in fishing gear.

The RSPB and other Non-Governmental Organisations have been [calling on governments](#) to:

1. Publish an action plan which includes ambitious, **timebound targets** to minimise and where possible eliminate sensitive species bycatch, and the **resources** to make this happen
2. Change fishing practices to **ensure high-risk fleets use best practice mitigation measures** and **support for industry to trial new measures and gears** to prevent bycatch
3. Ensure there is **effective monitoring of fishing activity at sea through Remote Electronic Monitoring (REM) with cameras** and human observers

Although our understanding of the true impact of bycatch is limited by woefully inadequate at-sea monitoring, the riskiest fisheries and areas for bycatch in UK waters in need of urgent action have been identified. These include gillnets (particularly in English waters) and longlines (operating in Scottish waters) for marine birds. There is an opportunity for the UK to show real world leadership by bringing forward fisheries legislation to introduce REM across UK waters and for UK vessels wherever they fish, and by implementing a strong, evidence-based plan of action to tackle sensitive species bycatch in UK waters and fisheries which ensures effective mitigation measures are adopted.

New objectives and powers from the UK Fisheries Act provide clear impetus for the UK administrations to follow leadership shown elsewhere to tackle bycatch and monitor fishing activity. The utilisation of REM will be fundamental, as a core component underpinning a modern, transparent and effective fisheries management system. The presence of cameras has been shown to improve bycatch monitoring and mitigation in a range of fisheries across the globe. Increased independent monitoring of fishing effort, seabird bycatch rates and mitigation measure deployment is needed to help understand and address seabird bycatch, and to measure progress towards species recovery targets and bycatch mortality indicators, such as those in the UK Marine Strategy and expected in the BMI. REM offers an opportunity for this information to be gathered at once.

The UK Fisheries Act Ecosystem Objective requires that ‘incidental catches of sensitive species are minimised and, where possible, eliminated’ however, little concrete action has been taken by the UK Government and Devolved Administrations to tackle bycatch, with the publication of a UK BMI and new BMP yet to materialise. The draft Joint Fisheries Statement (JFS), and other policy documents have pointed to the BMI for the detail, yet the specific actions that will be taken to address bycatch in UK waters are still to be outlined by governments. The lack of detail on bycatch action in the draft JFS and delayed publication of the BMI has been identified as a major omission by Non-Governmental Organisations ([Future Fisheries Alliance JFS Response](#)) and the Office of Environmental Protection ([OEP JFS Response](#)).

The general policy and legislative commitments outlined in the draft BMI demonstrated that effective action should have already been taken to address sensitive species bycatch, but they have not. Therefore, it is essential that any new initiatives are significantly more ambitious than existing programmes. The BMI

must follow best practice and be a true action plan – setting out clear, ambitious annual targets to minimise accidental deaths in fisheries, and put the UK on a track to zero bycatch. It must ensure that resource is prioritised to invest in solutions for bycatch in UK waters at a fleet level and beyond where UK fisheries interests exist. Solutions include trials and fleet-wide rollout of alternative gears, gear switching, effective technical, temporal and spatial solutions and adequate independent monitoring at sea.

Clear bycatch monitoring and mitigation action should equally address a similar raft of problems facing UK and global cetacean populations. The UK has the opportunity to show leadership both domestically and globally, by calling for similar measures in RFMOs where they have an interest.