Joint Open Letter on Recommendations to Reduce Bycatch of Marine Mammals and Seabirds in the Baltic Sea

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To:

- European Commission, Directorate-General for Maritime Affairs and Fisheries, Fisheries Management Atlantic, North Sea and Baltic Sea (DG MARE)
- European Commission, Directorate-General for Environment (DG-ENV)
- International Council for the Exploration of the Sea (ICES)
- European Fisheries Control Agency (EFCA)
- German Federal Ministry for the Environment, Climate Action, Nature Conservation and Nuclear Safety (BMUKN)
- German Federal Agency for Nature Conservation (BfN)
- Thünen-Institute of Baltic Sea Fisheries, Germany
- Ministry for Climate Protection, Agriculture, Rural Areas and the Environment, Mecklenburg-Vorpommern, Germany
- State Agency for Environment, Nature Conservation and Geology, Mecklenburg-Vorpommern, Germany
- State Office for Agriculture, Food Safety and Fisheries, Mecklenburg-Vorpommern, Germany
- State Research Institute for Agriculture and Fisheries, Mecklenburg-Vorpommern, Germany
- Ministry of Agriculture, Rural Areas, European Affairs and Consumer Protection, Schleswig-Holstein, Germany
- Ministry for Energy Transition, Climate Protection, Environment and Nature, Schleswig-Holstein, Germany
- State Office for the Environment, Schleswig-Holstein, Germany

10 March 2026

Subject:
Recommendations to Reduce Bycatch of Marine Mammals and Seabirds in the Baltic Sea

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Dear Madams and Sirs,

We would like to draw your attention to the following urgent matter:

The international expert workshop **"Marine Mammal and Bird Bycatch in the Baltic Sea – Turning Knowledge into Action"**, held on 13-14 November 2025 at the Hel Marine Station (University of Gdańsk), Poland, developed a number of recommendations which we would like to bring to your attention. Building on discussions about the current state of scientific knowledge, pressing threats and the scale of impacts on vulnerable species [1] [2], participants from academia, conservation management, intergovernmental organisations, federal and local governments, and invited environmental organisations **urge you through this letter** to consider the following aspects in your policies and take effective measures to reduce and, as far as possible, to eliminate bycatch of marine mammals and seabirds.

Bycatch remains one of the most prevalent causes of mortality for many marine mammal and diving bird species. The state of the harbour porpoise and many seabird populations, including diving ducks, grebes, divers and auks, in the Baltic Sea is dramatic and requires immediate further action.

The events of bycatch involving endangered, threatened and protected species (ETPs) remain under-reported and require better fisheries monitoring. The holistic assessment of the current state of the Baltic Sea and the HELCOM Red List assessment 2025 however indicate that bycatch in static net fisheries (alongside prey depletion from overfishing, pollution, underwater noise, marine debris and their cumulative effects) continues as one of the gravest threats to ETPs in the Baltic Sea.[3] [4] The **Baltic Proper harbour porpoise population is critically endangered** and cannot sustain any further anthropogenic induced mortality. Numerous seabird species are caught as bycatch in static nets and other gear, with incidental mortality contributing to **continued declines despite legal obligations to protection**. Among the threatened seabirds are the critically endangered common eider and Steller's eider, the endangered greater scaup, common pochard as well as the vulnerable velvet scoter, long-tailed duck and tufted duck, which are regularly bycaught in static nets. There are legal obligations and agreed target and conservation objectives for bycatch mitigation, zero-bycatch targets, enhanced monitoring, and other mitigation measures under

- The EU Marine Strategy Framework Directive, the Birds and Habitat Directives
- HELCOM
- The resolution within the Agreement on the Conservation of Small Cetaceans of the Baltic, Northeast Atlantic, Irish and North Seas (ASCOBANS), especially the Jastarnia Plan

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[1] See workshop programme here: https://www.baltic-coast-dialog.org/wp-content/uploads/2025/11/Program-Workshop-Marine-Mammal-and-Bird-Bycatch-in-the-Baltic-Sea_13-14-November-2025-2.pdf

[2] See workshop results here: https://www.baltic-coast-dialog.org/wp-content/uploads/2026/02/BCD-Workshop-Bycatch-Baltic-Sea_Nov-2025_Results.pdf

[3] HELCOM (2023): State of the Baltic Sea. HELCOM holistic assessment 2016-2021. Baltic Sea Environment Proceedings 194.

[4] HELCOM (2025): Red List II of the Baltic Sea underwater biotopes, habitats and biotope complexes at risk of collapse. Baltic Sea Environment Proceedings No.206.

- Resolutions within the Agreement on the Conservation of African–Eurasian Migratory Waterbirds (AEWA).

Article 7 of the Common Fisheries Policy (CFP) requires minimising the negative impact of fishing on marine biodiversity and ecosystems, including measures to avoid and **reduce, as far as possible**, unwanted catches.[5]

As numerous ICES scientific advices state, the implementation of measures remains incomplete and insufficient across the region. In other words, there is a significant **implementation gap**. Many scientists and environmental NGOs are calling for immediate action. [6] [7] [8]

We welcome the fisheries management measures for the Baltic Proper harbour porpoises implemented through the Commission Delegated Regulation (EU) 2022/303, resulting in, inter alia, seasonal or year-round limits in static net fisheries or a requirement to use pingers in specific marine protected areas (MPAs). However, protection is also required for all species of concern outside these MPAs, and not all of the recommendations set out in the ICES advice of 26 May 2020 have been implemented.[9]

Given the current dire state of fish populations in the Baltic Sea, **a profound transformation of fisheries is urgently needed**. This should include the establishment of extensive no-take zones[10], the development and use of alternative fishing gear, spatial and temporal fisheries measures, improvements in fisheries control and monitoring, and educational initiatives to enable a paradigm shift towards the sustainable coexistence of fisheries and nature.

Further immediate efforts are required to increase the protection of marine mammals and seabird species. Thus, **we urge you to adopt the following recommendations and act on them without further delay:**

General recommendations for mitigation of ETPs bycatch:

- **Establish and enforce** no-take zones in sensitive areas, including MPAs, to mitigate bycatch, and strengthen the recovery of fish stocks in important fish habitats.
- **Implement an Ecosystem-Based Approach to Fisheries Management (EAFM),** as required by the CFP. This means an adaptive approach, which among others explicitly accounts for the cumulative impact of various threats and different species groups (e.g. bycatch mechanisms and measures are different for birds than for mammals).
- **Implement existing and newly developed mitigation measures** (e.g. building on the HELCOM bycatch mitigation toolbox[11]).
- **Provide institutional support for the development and implementation of bycatch mitigation measures** as a practical mechanism for coordinated fisheries management.

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[5] European Union. (2013). Council Regulation (EU) No 1380/2013 of 11 December 2013 on the Common Fisheries Policy. Official Journal of the European Union, L354, 22.12.2013, pp. 22–61. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1380

[6] Dolman et al. (2021): Implications of new technical measures regulation for cetacean bycatch in European waters. Marine Policy (124). https://doi.org/10.1016/j.marpol.2020.104320

[7] Joint letter of environmental NGOs (2019): Fisheries emergency measures for the Baltic Sea harbour porpoise (2019): 2019_07_10_request_for_emergency_measures_against_cetacean_bycatch_over_letter.pdf

[8] Call to European Commissioners to Accelerate Fish Population Rebuilding in Connection with the Our Baltic III Conference (2025): https://www.fishsec.org/app/uploads/2025/09/Open-letter-Our-Baltic-III-conference.pdf

[9] ICES (2025): Bycatch of endangered, threatened and protected (ETP) species of marine mammals, seabirds, marine turtles and selected fish species of bycatch relevance. In Report of the ICES Advisory Committee, 2025. ICES Advice 2025, byc.eu. https://doi.org/10.17895/ices.advice.30734714

[10] No-take zones as well as all other fisheries management measures should be consulted with the fishers and local communities.

[11] See HELCOM (2021): Baltic Sea Action Plan Update 2021. Actions on sea-based activities S47. https://helcom.fi/wp-content/uploads/2021/10/Baltic-Sea-Action-Plan-2021-update.pdf The HELCOM bycatch mitigation toolbox will be published soon.

- **Immediately expand Electronic Monitoring (EM)** systems to include small-scale vessels in order to effectively assess bycatch numbers and the efficacy of bycatch mitigation measures.
- **Initiate bycatch-reduction processes** also for seabirds and the Belt Sea harbour porpoise population.
- **Differentiate mitigation strategies for birds and seabirds**, acknowledging that the underlying causes of bycatch differ between these groups and therefore require distinct management responses.

Specific recommendations for the mitigation of bycatch of harbour porpoises:

- **Reduce the overall static net fishing effort** in the high-risk areas identified by the ICES WKSUP (ICES 2024) in order to align with the conservation objectives for species affected by bycatch and for MPAs.[12]
- **Implement mitigation measures** that have been proven to prevent bycatch, including pingers outside MPAs (as an intermediate measure), alternative low impact fishing gears as well as additional and extended time-area closures (for examples see BUND, DUH and WDC 2023[13] and ICES 2020[14]).
- **Mandate the use of pingers** in static net fisheries, or any other mitigation measures where this is not possible, in areas outside MPAs.
- **Integrate the recommendations from ASCOBANS** in fisheries management such as the Jastarnia Plan or the ASCOBANS Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat.[15] [16]
- **Use the ICES advice** from 2020 and 2024 to identify areas of high bycatch risk and take measures to decrease static net fishing effort in these.

Specific bycatch mitigation recommendations for seabirds:

- **Adopt seasonal closures in identified high-risk areas** such as wintering and moulting areas as the most effective primary measure to reduce seabird bycatch. High-risk areas for diving ducks include shallow banks with mussel beds, such as Midsea Banks, Odra Bank and Flüggesand, as well as coastal lagoons such as the Szczecin Lagoon. Many of these areas have protected status as MPAs.
- **Where seasonal closures are not feasible, targeted adaptations to fishing operations or gear are required:**
    - the use of night-time setting in combination with predator-shaped kites, which has proven effective for day-feeding species such as velvet scoter, long-tailed duck, and red-throated diver;
    - the development and application of species-specific mitigation measures for other critically endangered and endangered species, including common eider and greater scaup;

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[12] ICES (2024). Workshop on supporting the EU Action Plan to restore marine ecosystems (WKSUP). ICES Scientific Reports. 6:102. 57 pp. https://doi.org/10.17895/ices.pub.27918315

[13] BUND, DUH and WDC (2023): Bycatch mitigation for the Baltic Proper Harbour Porpoise. What to do if pingers are not an option? A special report produced by Bund für Umwelt und Naturschutz (BUND), Deutsche Umwelthilfe (DUH) and Whale and Dolphin Conservation (WDC), May 2023. 18pp. https://seas-at-risk.org/publications/bycatch-mitigation-for-the-baltic-proper-harbour-porpoise-what-to-do-if-pingers-are-not-an-option/

[14] ICES (2020). Workshop on fisheries emergency measures to minimize bycatch of short-beaked common dolphins in the Bay of Biscay and harbour porpoise in the Baltic Sea (WKEMBYC). ICES Scientific Reports. Report. https://doi.org/10.17895/ices.pub.7472

[15] ASCOBANS (2024): The Jastarnia Plan. https://www.ascobans.org/document/jastarnia-plan

[16] ASCOBANS (2012): ASCOBANS Conservation Plan for the Harbour Porpoise Population in the Western Baltic, the Belt Sea and the Kattegat. https://www.ascobans.org/documents/action%20plans/Western-Baltic-Conservation-Plan

    - real-time closures can be an option in well-monitored areas, but may be only effective for species forming larger aggregations.
- **Ensure the systematic collection and use of high-resolution data** on seabird distribution and fishing effort as a prerequisite for developing robust risk maps (vulnerability maps where effort data is incomplete) and designing proportionate, evidence-based mitigation measures.
- **Prioritize the protection of wintering and moulting areas** in cooperation with environmental authorities, which face the highest risk of bycatch, particularly during periods of high fishing effort.
- **Design and apply mitigation measures tailored to the season, region and species-specific behaviour**, rather than relying on a uniform one-size-fits-all approach**.**
- **Formally recognize and prioritize areas of high seabird bycatch risk** that have been identified across different parts of the Baltic Sea for targeted management action.
- **Implement Electronic Monitoring (EM) systems for bycatch monitoring** as an effective, innovative, and cost-efficient tool to assess and reduce anthropogenic impacts on seabirds.
- **Explicitly account for cumulative effects in management decisions**, recognizing that additional disturbances, such as kite surfing and recreational boating, can increase bycatch risk by displacing birds and raising their energy demands (and thus feeding time which would in turn limit the efficacy of night-setting).

Long-term solutions will depend on a paradigm shift which must be based on societal transformation processes and adopt more holistic, conservation approaches bringing all stakeholders to the table. Concepts like rights for nature, respecting the intrinsic value of nature, pursuing a hands-off approach (no-take zones), shifting consumer behaviour by targeted and science-based education, as well as the mindful use of language ("population" instead of "stock") will increase the appreciation of all ecological elements of the Baltic Sea and the processes they sustain. With such transformative action, the protection of harbour porpoises, seabirds, seals, and wider Baltic Sea biodiversity will be supported on a broader societal ground, and the Baltic Sea can recover into a thriving, healthy ecosystem for current and future generations.

We remain at your disposal to support you in this process and provide further information where needed.

Yours sincerely,

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