

EN
E-001812/2024
Answer given by Mr Kadis
on behalf of the European Commission
(5.1.2025)

The Commission asked the Scientific, Technical and Economic Committee for Fisheries (STECF) to assess¹ a Joint Recommendation to reduce bycatches of dolphin in the Bay of Biscay by implementing another closure on the same dates in 2025². STECF concluded that while the measures proposed remain less stringent than the measures advised by the International Council on the Exploration of the Seas as likely to reduce bycatches of dolphin below the potential biological removal level, they are a step forward. Regarding the socio-economic analysis, STECF observed that the ‘lack of method description’ and the use of unaudited, self-declared data made it impossible to assess the representativeness of the data and added that the analysis had ‘the potential to overestimate the possible economic loss for the value chain’.

Pelagis, the French observatory for marine conservation, recently drew up a total estimate of 1 450 dolphins dead by incidental bycatch between 1/12/2023 and 31/03/2024, for the Atlantic coast and the Western Channel^{3,4}. By comparison, for the same area and period, the annual average of dolphins incidentally bycaught amounted to 6 100 individuals between 2017 and 2023. It concluded that while the closure is very likely to have made a major contribution to the sharp decrease in dolphin bycatches at winter scale in 2024, it is possible that other factors⁵ may also have contributed. The economic loss of the closure is estimated at EUR 22,4 million, of which 71% come from netters. Around 85% of the vessels concerned benefited from financial aid.

The recently adopted Delegated Regulation will prolong the closure for dolphins in the Bay of Biscay for 2025⁶. Member States could use EU funding and State aid⁷ to mitigate the economic impact of the closure⁸.

¹ <https://stecf.jrc.ec.europa.eu/documents/d/stecf/stecf-plen-24-02> - 76th Plenary report (STECF PLEN-24-02), Publications Office of the European Union, Luxembourg, 2024.

² The context includes both the Commission's ongoing infringement case against France (case number INFR(2020)4036) and the Conseil d'Etat order of 22 December 2023 (case number 489926).

³ Press release <https://www.mer.gouv.fr/protection-des-petits-cetaces> made by the French Ministry of the Sea and Fisheries ‘Protection des petits cétacés’, 25/11/2024.

⁴ Bilan des mortalités par capture : hiver 2024 https://www.mer.gouv.fr/sites/default/files/2024-11/20241115_bilan-des-mortalites_hiver2024.pdf

⁵ Related to the distribution of dolphins, their prey and, more broadly, fluctuations in the bycatch risk.

⁶ Commission Delegated Regulation (EU) 2024/3089 of 30 September 2024 amending Regulation (EU) 2019/1241 as regards measures to reduce incidental catches of common dolphin (*Delphinus delphis*) and other small cetaceans in the Bay of Biscay https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL_202403089

⁷ In line with the Guidelines for State aid in the fishery and aquaculture sector : [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52023XC0323\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52023XC0323(01)) . OJ C 107, 23.3.2023, p. 1–48.

⁸ Provided the conditions set out in Article 21 of Regulation (EU) 2021/1139 establishing the European Maritime, Fisheries and Aquaculture Fund are met.