

NGOs across the UK (and EU) support the UK and Scottish governments' decision to close sandeel fishing in all Scottish waters and the English North Sea in an urgent move to build resilience for globally important seabird populations and wider marine biodiversity.

30th April 2024

In accordance with the agreed objectives and principles under Article 494 of the EU-UK Trade and Cooperation Agreement, the closures will:

- Preserve marine biological diversity by establishing the urgent action required to support globally significant populations of breeding seabirds which are in severe decline across the UK,
- Appropriately apply the precautionary approach to fisheries management in response to the serious risk posed to sandeel-dependent seabirds foraging in the North Sea,
- Effectively contribute towards achieving national and international biodiversity targets.

The decision to close industrial sandeel fishing comes at a critical time for internationally important populations of breeding seabirds in the UK. Sandeel are a low trophic level species which play a key role in ensuring an abundance of biodiversity in the marine environment by providing a vital food source to vulnerable seabirds, commercially and recreationally important fish species such as haddock and whiting, and sea mammals including seals, porpoises, and whales.

The latest results from the Joint Nature Conservation Committee's seabird census indicates declines across 62% of seabird species in the UK, with that figure rising to 70% of species in Scotland. The outbreak of highly pathogenic avian influenza (HPAI) has further compounded this issue. The RSPB's HPAI Seabird Survey Report shows severe declines in some UK species and confirms HPAI as an additional and major threat. The unprecedented and devastating effects of HPAI on seabirds illustrate that the resilience of these species is extremely low. Pressure from fishing activity is recognised as one of the leading drivers of declining seabird populations.

OSPAR's authoritative Quality Status Report 2023, further emphasised the poor state of seabird populations across the North East Atlantic, highlighting that reduced prey availability as a result of fishing pressure is a key driver for these declines. OSPAR Contracting Parties, including the UK and the EU, have committed to take urgent action to halt the decline of seabirds across the North East Atlantic in the current OSPAR Strategy. Contracting Parties have committed to take action to protect Kittiwake in the OSPAR area, a sandeel-dependent species whose foraging grounds overlap with industrial sandeel fishing in the North Sea. However, across the UK, Kittiwake populations have declined by 43%.

The decision is underpinned by evidence provided by Natural England, the Joint Nature Conservation Committee and Centre for Environment, Fisheries and Aquaculture Science, which indicates that seabird abundance could increase within 10-years following the full closure of industrial sandeel fishing in UK waters. Moreover, the decisions are backed by overwhelming public support through public consultation for proposals to end industrial fishing for sandeels in English waters within the North Sea and Scottish waters (95.5% and 97% of respondents respectively).

The UK has failed to meet 11 out of 15 indicators to achieve Good Environmental Status (GES), under the Marine Strategy Framework Directive and retained through the UK Marine Strategy. Indeed, Birds is the only descriptor moving away from achieving GES, providing further imperative for the need to act. The decision to close sandeel fishing in the UK will support progress towards achieving GES for Birds and we would encourage the EU to follow suit in respect of its own GES commitments.

Recent scientific advice from ICES recognised that the annually set quota advice does not ensure that sufficient biomass is left for predator species that depend on it, and that solely relying on quota advice is insufficient to ensure ecosystem-based management and wider ecosystem resilience in line with GES. It highlighted the need for national management measures, underscoring the needs of breeding seabirds which depend on food availability within proximity to their breeding colonies. In the 2023 written record of the UK & EU sandeel consultation both parties reaffirmed their commitment to implementing ecosystem-based fisheries management and noted the ecological significance of sandeel and other forage fish. We see the sandeel closure as a decisive test of this share commitment.

Given the extent of the pressure which marine ecosystems are under in the North Sea, and more generally in European waters, we believe that the measures taken appropriate respond to the precarious state of the globally significant populations of breeding seabirds foraging in the North Sea. Indeed, the decision to close sandeel fishing in Scottish waters and the English part of the North Sea throws a lifeline to UK seabirds (many of which are of European and global importance) and backtracking on it will pose a risk to their breeding success and population resilience as well as threatening wider marine ecosystems.

The UK's notable action to secure seabirds' food source is an important contribution to this end and it is incumbent on the EU to support this, especially considering its legal obligations to reach Good Environmental Status and to implement an ecosystem-based approach to fisheries management. We therefore urge the EU to reconsider its present position, and we encourage the EU Commission to facilitate the implementation of complementary measures at Member State level which protect and restore marine ecosystems and to fully account for the needs of seabirds and other marine predators.



UK: RSPB, Pew Charitable Trusts UK, ClientEarth, Blue Marine Foundation, Scottish Environment LINK, Wildlife and Countryside LINK, Marine Conservation Society UK, Whale and Dolphin Conservation UK, The Shark Trust, BirdLife International, Oceana UK, Scottish Wildlife Trust, Scottish Seabird Centre, Environmental Justice Foundation UK, Northern Ireland Marine Task Force, Open Seas, Doggerland Foundation, National Trust for Scotland, and Seas at Risk.

EU: Whale and Dolphin Conservation Germany, BirdLife Sweden, Association BIOM, Bloom Association, Hellenic Ornithological Society (HOS), Vogelbescherming Nederland (VBN), Green Cross France and Territories, Fuglavernd – BirdLife Iceland, BirdLife Europe and Central Asia, Longitude 181, Défense des Milieux Aquatiques, BirdWatch Ireland, Ligue pour la Protection des Oiseaux (LPO), Sociedade Portuguesa para o Estudo das Aves Portuguese Society for the Study of Birds (SPEA), Nature and Biodiversity Conservation Union (NABU) and SEO BirdLife.