



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,  
MARE/D.3/PC/mbe/Ares (2020)

Mr Aurelio Bilbao Barandica  
Président du CC- Sud  
rue Alphonse Rio, 6  
F-56100 Lorient

**Subject: Advice 137 on cetacean bycatches in the Bay of Biscay**

Dear Mr Bilbao,

Thank you for your Advice 137 referred to above and the attention that you have given to cetacean bycatches in the Bay of Biscay. I share your opinion on the necessity to improve data collection on the populations of dauphins and the bycatches, and the implementation of concrete and ambitious action to eliminate this problem. As the cetaceans are strictly protected species in accordance with Appendix IV a) of the Habitat Directive, no form of fishing or intentional killing is allowed, and it is necessary to implement all the corresponding means to avoid them.

I share your desire to implement efficient measures as of next winter to avoid the recurrence of the mortality observed during the winters of 2018/2019 and 2019/2020. These measures should be prepared jointly by the fishing and environmental protection sectors and the Member States involved, and framed by a joint recommendation. Failing this, the Commission could be obliged to apply emergency measures in accordance with Article 12 of Regulation (EU) 1380/2013.

I would draw your attention to the fact that the International Council for the Exploration of the Sea published its advice on the protection of common dolphins in the Bay of Biscay on 26 May. I invite your members to consider this advice and the concrete actions that it contains carefully, so as to be able to make the appropriate proposals to the Commission.

I would also like to remind you that the Scientific, Technical and Economic Committee for Fisheries has also published a report on the protection of cetaceans and the monitoring of bycatches (report STECF-19-07).

So as to be able to put in place efficient, realistic and measured actions before next winter, urgent decisions would have to be made very rapidly. I would therefore ask SWWAC to formulate its recommendations as soon as the ICES advice concerned is published.

I would like to thank you for your commitment and the work that you have carried out, and invite you to contact Mrs Pascale Colson, coordinator of the Consultative Councils ([pascale.colson@ec.europa.eu](mailto:pascale.colson@ec.europa.eu), +32.2.295.62.73) should you require any further information regarding this reply.

Yours faithfully,

Bernhard FRIESS  
Director-General