

Dogger Bank Illegal Fishing Dossier:

Introduction

In June 2020, the Greenpeace ship Arctic Sunrise visited the Dogger Bank MPA on a fact-finding mission, to bear witness to the destructive fishing practices that are still permitted within an area which is supposed to be legally protected.

Greenpeace investigators on board the Arctic Sunrise witnessed extensive bottom trawling, which directly damages the Dogger Bank's sandbanks, the protected feature of the MPA. According to the JNCC the Dogger Bank's protected feature is in "Unfavourable" condition.¹

Greenpeace investigators also discovered widespread illegal fishing activity in the protected area. 11 out of 19 fishing vessels observed, all bottom trawlers, had purposefully turned off their Automatic Identification System (AIS), something which is illegal under both UK and international maritime law.

1) Dogger Bank MPA:

What is the Dogger Bank?

The Dogger Bank is the largest shallow sandbank in UK waters, and provides a habitat for a wide range of species which live both on and within the seabed. This includes various species of worm, shrimp-like amphipods, small clams, hermit crabs, flatfish and starfish. Sandeels also occupy the habitat. They provide an important food source for whales, porpoises, dolphins and commercially important species of fish like cod. Kittiwakes and other seabirds also rely on sandeels as a food source. (paraphrased from JNCC)

Located in the southern North Sea, approximately 150km north-east of the Humber Estuary, the Dogger Bank was formed through glacial processes before being submerged through sea level rise. The sandbanks range in depth from 13m to 58m below sea level, and extend beyond the UK's Exclusive Economic Zone into German and Dutch waters.

The Dogger Bank overlaps with the Southern North Sea MPA, which specifically protects harbour porpoises.

What does the MPA protect?

The Dogger Bank is a Special Area of Conservation, a type of Marine Protected Area which forms part of the Natura 2000 network. The [Dutch](#) and [German](#) sides of the Dogger Bank are

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<http://data.jncc.gov.uk/data/26659f8d-271e-403d-8a6b-300defcabcb1/DoggerBank-4-Statements-v1.0.pdf>

also protected as part of this network. The legislation behind the Dogger Bank's designation is the EU Habitats Directive 1992. The Dogger Bank was formally designated as a Special Area of Conservation by the UK Government in September 2017.

The protected features of the Dogger Bank MPA are the sandbanks themselves. These sandbanks provide an important habitat for a wide range of species, listed above. The species which call this habitat home form a fundamental part of the North Sea's ecosystem, and are a vital food source for various other species like porpoises and seabirds, including puffins.

In 2019, ClientEarth and WWF, along with various other NGOs,² lodged an [official legal complaint](#) against the UK, German and Dutch Governments over their unacceptable proposed management plan for the Dogger Bank. Under this plan, destructive bottom trawling - a practice which involves dragging weighted nets along the seabed - would be permitted to continue across 2/3 of the MPA, and demersal seine fishing across 95% of its area. This is in spite of the MPA being established specifically to protect the seabed.

What types of fishing activity take place here?

Various forms of fishing activity take place in the Dogger Bank MPA. This includes extensive mobile demersal (bottom) fishing effort within the MPA by both UK and non-UK registered vessels, according to the JNCC. Below are a few examples of the types of industrial fishing activity observed in the Dogger Bank.

Scallop dredging³

The UK scallop dredging fleet operates in the Dogger Bank MPA regularly. Dredges are used to harvest bivalve molluscs like oysters, clams and scallops from the seabed. Dredges essentially plough scallops out of the seabed, using heavy gear which forces scallops, and any other bottom-dwelling marine life, out of the seabed and into the dredge. The lower edge of the frame has a raking bar, and the catch is lifted off the seabed by the raking bar and passes it back into the basket or bag of the dredge. Allowing dredging in a Marine Protected Area is equivalent to allowing a bulldozer to plough through a protected forest on land.

Sandeel fisheries

[Danish boats hold 94% of UK quota for sandeels](#), with most of their catch crushed into fishmeal for salmon, mink and livestock farms. The captain of a sandeel trawler observed on the Dogger Bank by Greenpeace investigators confirmed over VHF radio that the catch is crushed into fishmeal for salmon, mink and livestock farms.

² WWF, ClientEarth, Seas At Risk, Birdlife Europe and Asia, Oceana Europe, Royal Society for the Protection of Birds, Marine Conservation Society, Vogelbescherming Nederland, and the Dutch Elasmobranch Society

³ https://www.mcsuk.org/media/seafood/Fishing_Methods.pdf

The [RSBP suggest](#) that higher sandeel fishing intensity leads to lower numbers of at-risk kittiwake chicks being produced, as foraging for food becomes more difficult. [Analysis](#) following the closure of a sandeel fishery off eastern Scotland in 2000, suggests that closure both increased sandeel abundance and breeding success of kittiwakes. Despite the risk to seabirds, [2020 quotas for the Danish sandeel fleet were doubled](#), allowing them to fish for more sandeels, including within the Dogger Bank MPA.

Electric pulse fishing

[Electric pulse trawling also takes place within the Dogger Bank MPA](#). The technique involves pulling an electrode loaded net through the water to produce an electric current, which shocks fish off the seafloor and into the net. Flat fish like sole and plaice can be caught this way.

Studies have shown that this fishing method is highly destructive, disrupting and displacing anything living on or in the seabed. It [causes fractured spines in non-target fish, weakens the immune systems of worms and shrimp](#) and [reduces the hatching rates in cod eggs](#). Little is known about the long-term impacts on ecosystems, but British fishers have [compared the North Sea to a “graveyard”](#) after a period of electric pulse trawling.

Technically this method has been prohibited in Europe for many years, but growing numbers of vessels have been granted pulse trawling licenses for ‘scientific research’ purposes, [with over 84 thought to be operating in Europe by 2018, 8 of which have been observed fishing in the Dogger Bank MPA](#). Last year the [European Parliament agreed to ban on the practice by mid-2021](#), allowing member states to immediately restrict pulse trawling within coastal waters. [The UK Government has committed to prohibit pulse trawling in UK waters post Brexit](#).

Beam trawling⁴

In this type of trawl, the opening of the net is kept open by a heavy beam, mounted on each end of a guide or skid, which travels along the seabed. This gear is very heavy, and when it is dragged along the seabed it crushes anything living in its path. Any marine life that is slow or immobile has no chance of escape when faced by a beam trawl. These trawls can be adapted by attaching tickler chains or heavy chain matting to drag along the seabed ahead of the net to disturb marine life in the path of the trawl, causing them to rise from the seabed into the net.

2) Illegal Fishing Activity documented by Greenpeace in June and July 2020 in the Doggerbank:

⁴ https://www.mcsuk.org/media/seafood/Fishing_Methods.pdf

It is illegal for fishing boats over 15m to not maintain and operate a functioning AIS (Automatic Identification System) while at sea. This is to ensure navigational safety for other mariners. This system also allows maritime authorities to track and monitor vessel movements.

Turning off AIS while at sea is only permissible in extreme situations where the crew's safety is at risk. For example, when there is an imminent threat of piracy. According to IMO Resolution A.1106(29), the AIS should always be in operation. Under certain circumstances, exceptions can be made. The AIS can be switched off if "the master believes that the continual operation of AIS might compromise the safety or security of his/her ship or where security incidents are imminent." The master should "restart the AIS as soon as the source of danger has disappeared." Turning off AIS without a safety reason is a violation of the International Convention on Safety of Life at Sea (SOLAS) and IMO guidelines.

During a 2 week expedition to the Dogger Bank MPA in June 2020, Greenpeace investigators documented 11 fishing vessels over 15m operating in the Dogger Bank Marine Protected Area while not transmitting their AIS. This is illegal unless each vessel had a legitimate safety reason to do so. All of the vessels were operating gear types which directly impacted the seabed, the feature the MPA was established to protect. Use of these gear types is not restricted inside the Dogger Bank MPA, despite the disturbance and damage they cause to the protected feature of the MPA.

Greenpeace investigators contacted the skippers of these vessels, and were informed by one that their AIS was turned off deliberately, so that other fishing vessels could not see where they were fishing. An [example](#) of a similar offence which was prosecuted by the MMO follows:

In 2017, the owner and skipper of a 20m trawler, the Golden Sceptre, pleaded guilty to two counts of breaching the Fisheries Act 1981. The court heard that in January 2017 the vessel was boarded by officers from the Royal Navy fisheries protection vessel HMS Severn which was carrying out fisheries enforcement duties in the area. During the inspection it was identified that the vessel was not transmitting on its Automatic Identification System (AIS), contrary to Section 30(1) of the Fisheries Act 1981 as read with article 10 of Council regulation (EC) No. 1224/2009. When questioned about this by the officers Mr West, who is also a director of JJR Fishing Limited, replied that he had turned the system off in order that other vessels would not be able to see where he was fishing.

The court also heard that the skipper had failed to comply with the obligation to submit a fishing vessel logbook, in that he had not submitted any fishing activity reports for two days' worth of fishing activity. He was fined £26,677. An MMO spokesperson said:

"The court in this case considered these offences to be serious in nature and imposed significant penalties, which recognises the scale of offending that took place in failing to submit

logbook information and failing to transmit AIS. Failing to comply with regulations which apply to commercial sea fishing carries with it the risk of fines of this magnitude.”

“In these cases the MMO will always take the appropriate action including prosecution to ensure offenders do not profit from such illegal activity and to protect fish stocks for the wider fishing industry and future generations.”

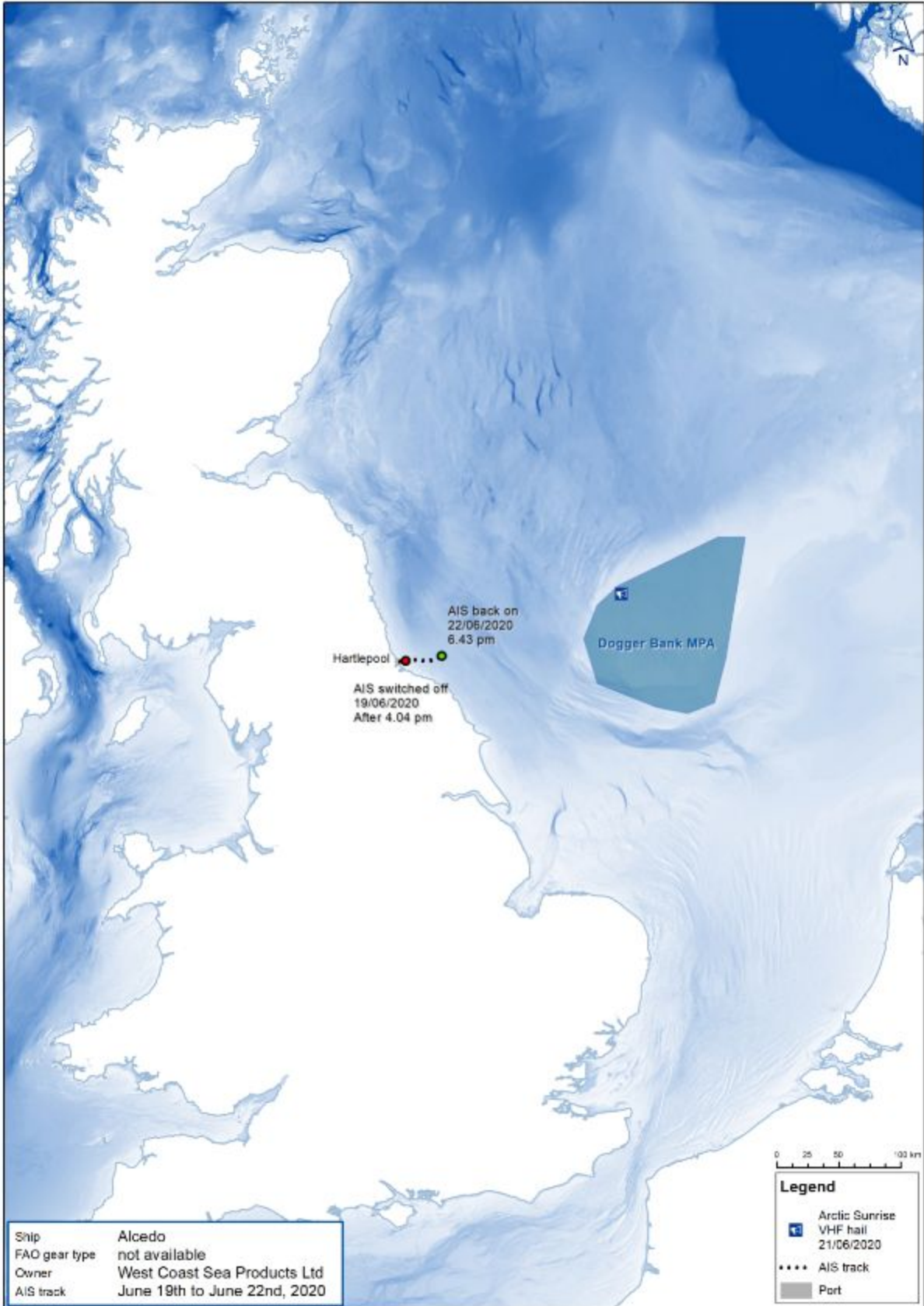
Boats we observed AIS dark in Dogger Bank

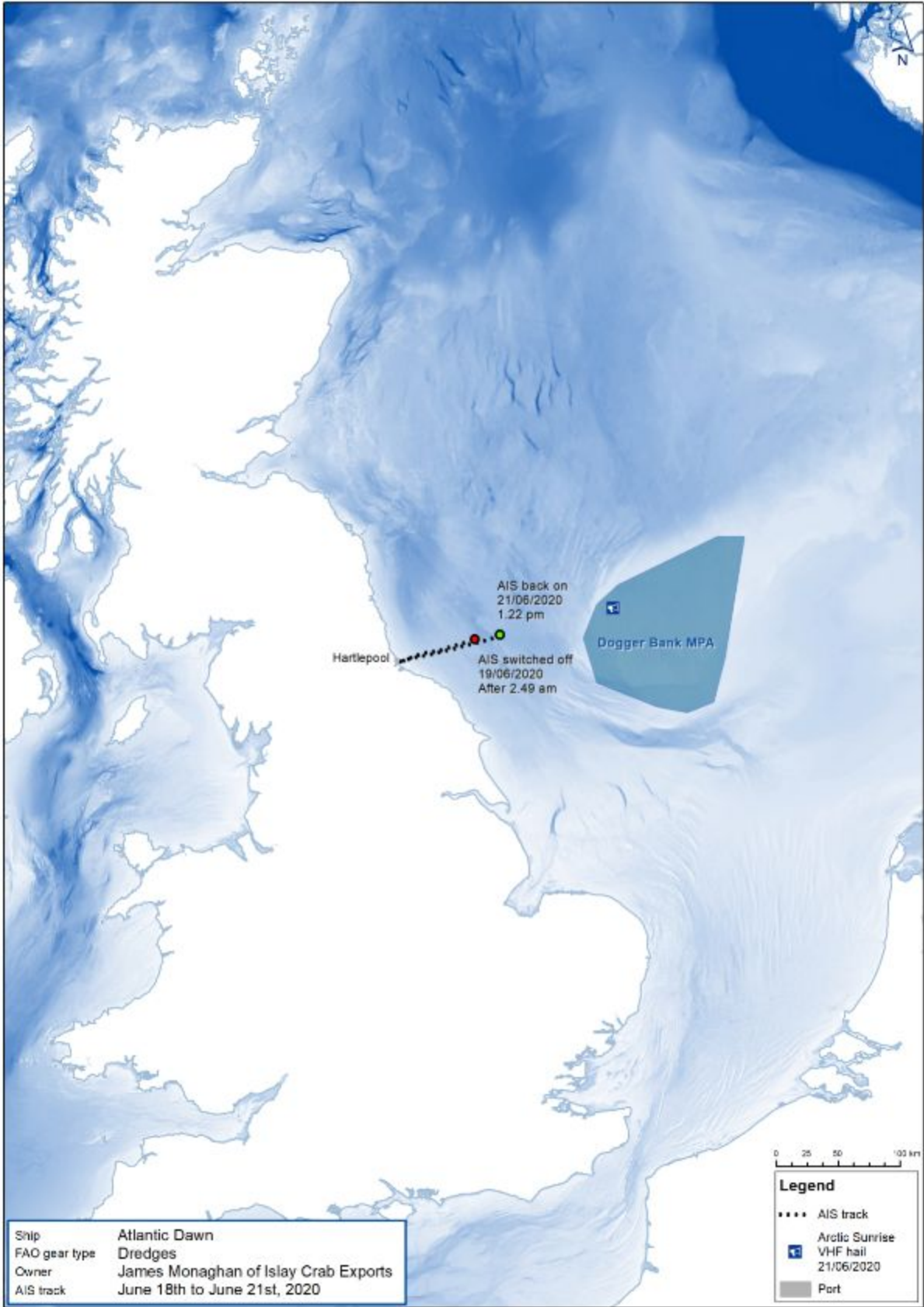
VESSEL NAME	REG NO	Flag	DATE OBSERVED	TIME OF VHF HAIL	LATITUDE	LONGITUDE	AIS STATUS
TORLAND	GG207	Sweden	20/06/2020	8:00:00 AM	54*32.0 N	001*40.1 E	ON
GEERTRUIDA	OB99	UK	21/06/2020	5:55:00 AM	55*04.8 N	001*32.0 E	OFF
GEORGIA DAWN	INS40	UK	21/06/2020	6:10:00 AM	55*05.5 N	001*32.0 E	OFF
ATLANTIC DAWN	CN25	UK	21/06/2020	6:11:00 AM	55*01.5 N	001*32.0 E	OFF
ETERNAL PROMISE	BM112	UK	21/06/2020	6:15:00 AM	55*01.6 N	001*32.0 E	OFF
OSPREY	BA4	UK	21/06/2020	6:30:00 AM	55*07.6 N	001*36.1 E	OFF
ALCEDO	BA77	UK	21/06/2020	6:45:00 AM	55*07.8 N	001*38.5 E	OFF
CAMM DEFIANCE / GEORGELOU N	FR333	UK	21/06/2020	7:00:00 AM	55*10.2 N	001*34.3 E	OFF
KING EXPLORER	BA829	UK	21/06/2020	7:12:00 AM	55*11.0 N	001*33.4 E	ON
SEA LADY	TN20	UK	21/06/2020	7:25:00 AM	55*10.2 N	001*35.2 E	OFF
CAMM COURAGEOUS / PHILOMENA	FR332	UK	21/06/2020	7:30:00 AM	55*09.1 N	001*37.0 E	ON
BIRTHE	S149	Danish	21/06/2020	7:50:00 PM	55*03.15 N	001*50.93 E	OFF
Q VARL	BM29	UK	22/06/2020	10:45:00 AM	55*09.7 N	001*35.7 E	OFF
SYLVIA	DS8	UK	22/06/2020	10:10:00	55*09.6 N	001*35.8 E	ON

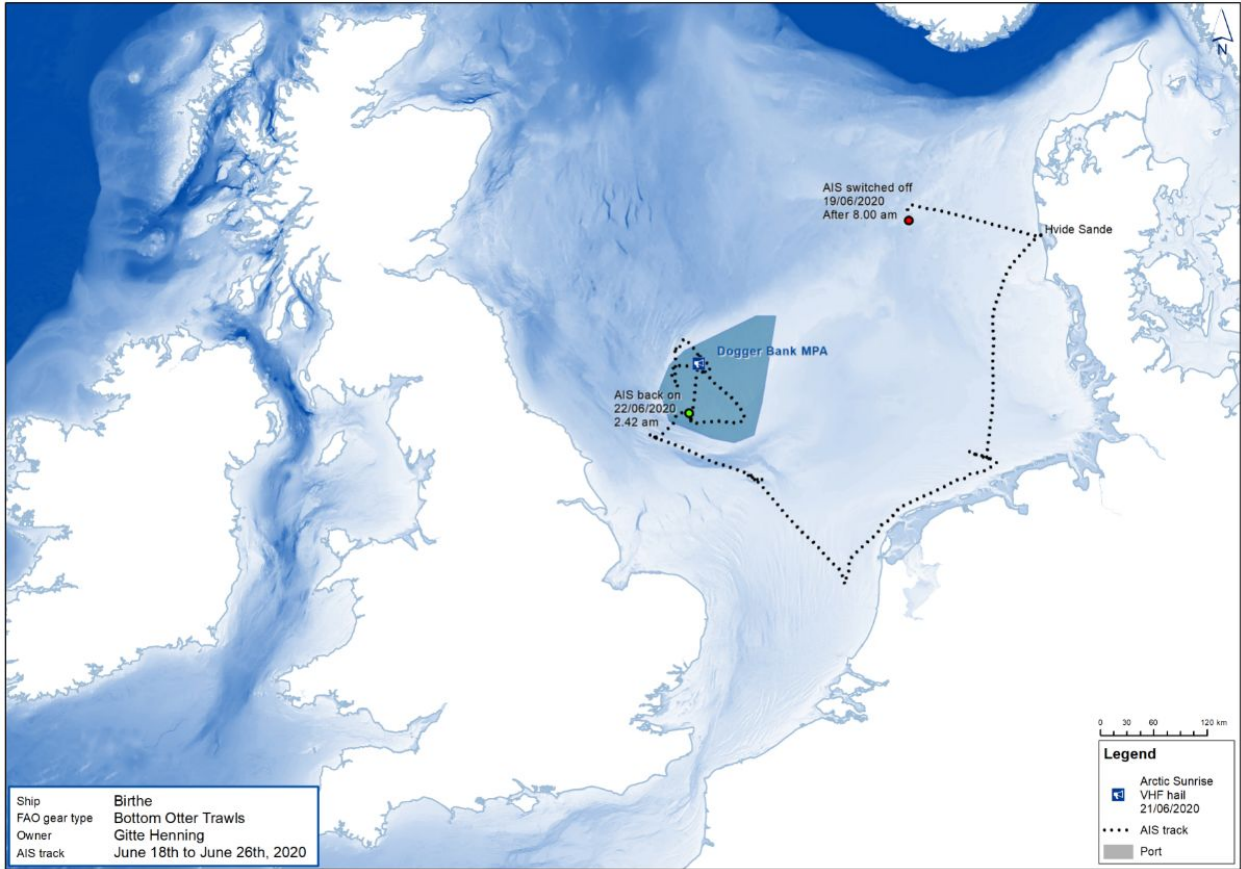
BOWERS				AM			
KAREN NIELSEN	HM127	Denmark	24/06/2020	10:00:00 AM	55*22.3 N	001*50.8 E	ON
HENDRIKA JACOBA	GY127	UK	24/06/2020	3:30:00 PM	55*00.3 N	002*48.3 E	ON
CORDELIA K	INS151	UK	25/06/2020	9:50:00 AM	54*37.4 N	001*15.9 E	OFF
MAUREEN JUNE	PD363	UK	25/06/2020	10:50:00 AM	54*44.3 N	001*18.5 E	ON
BEINUR	HG62	Denmark	26/06/2020	12:10:00 PM	54*58.9 N	001*20.8 E	ON

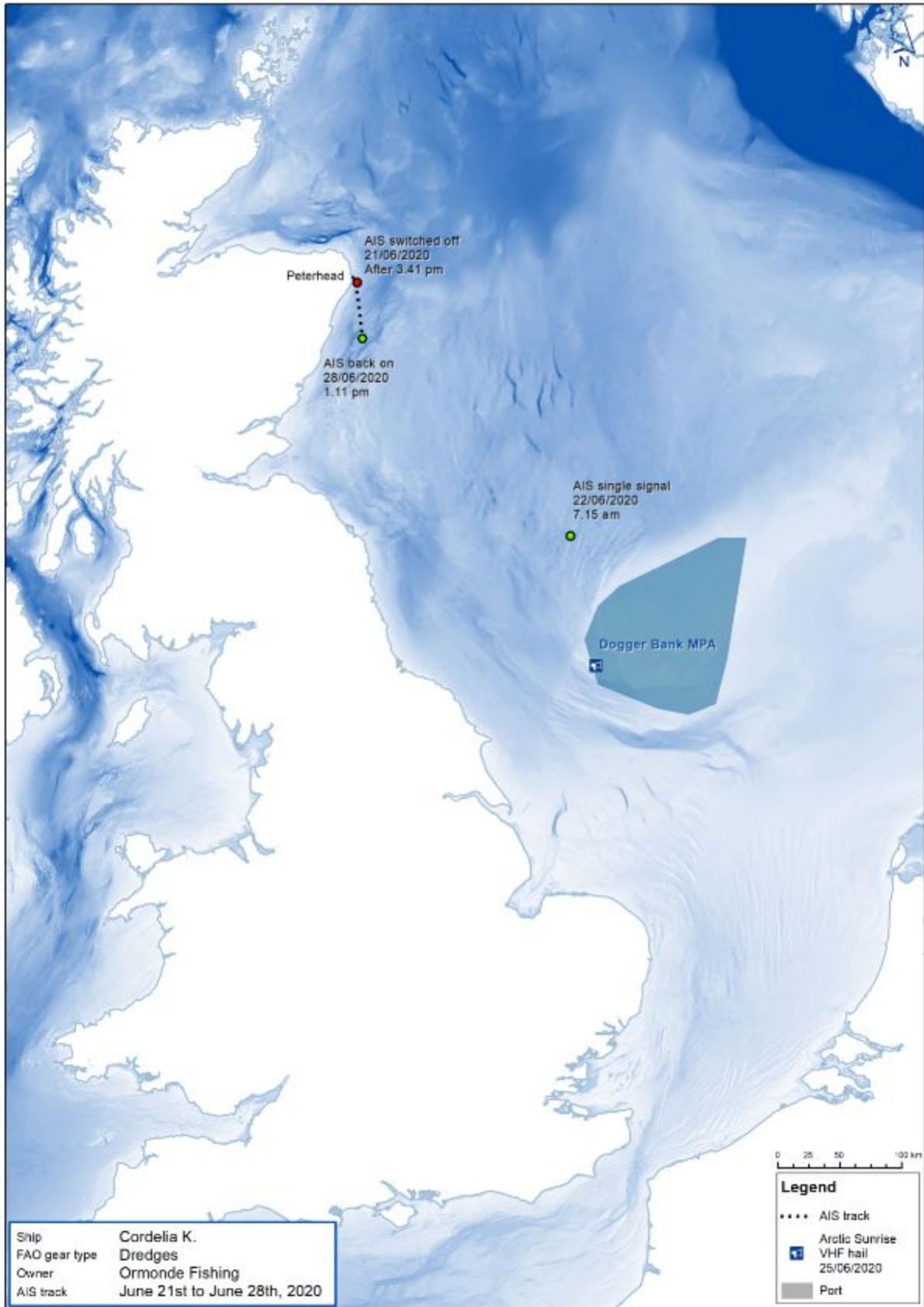
AIS Dark Tracks

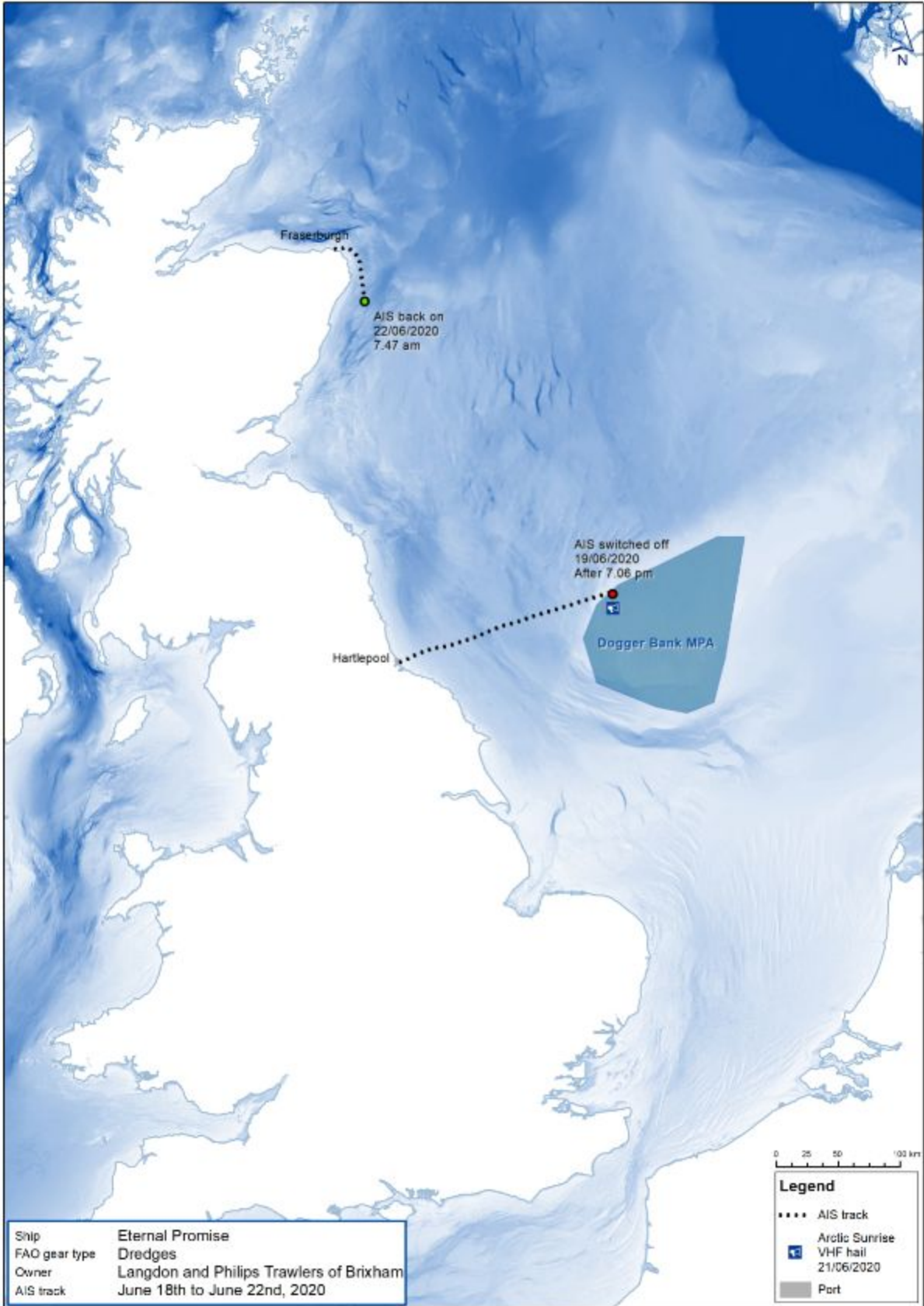
Note: No tracks are available for Osprey. AIS tracking data was not available to download.

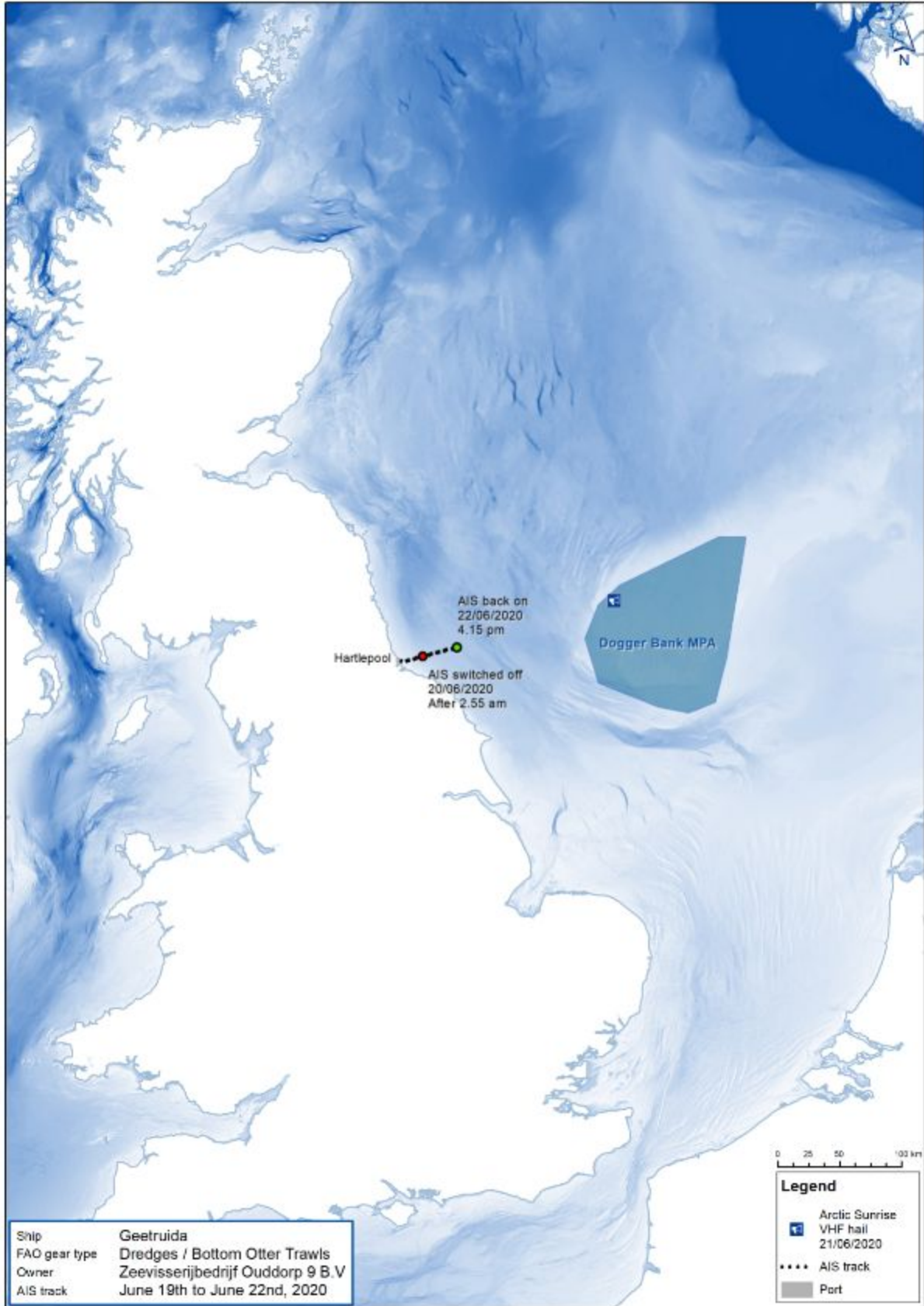










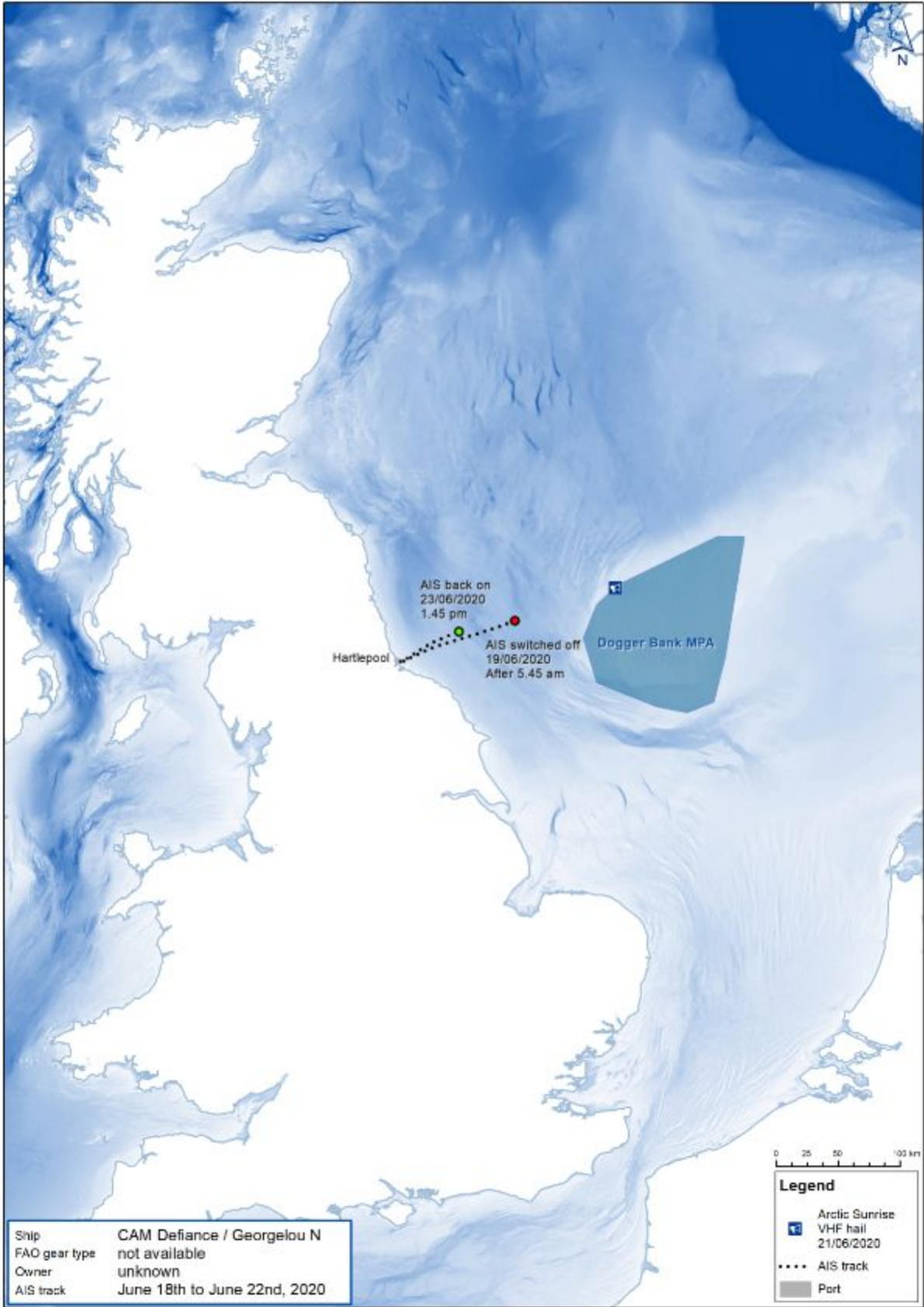


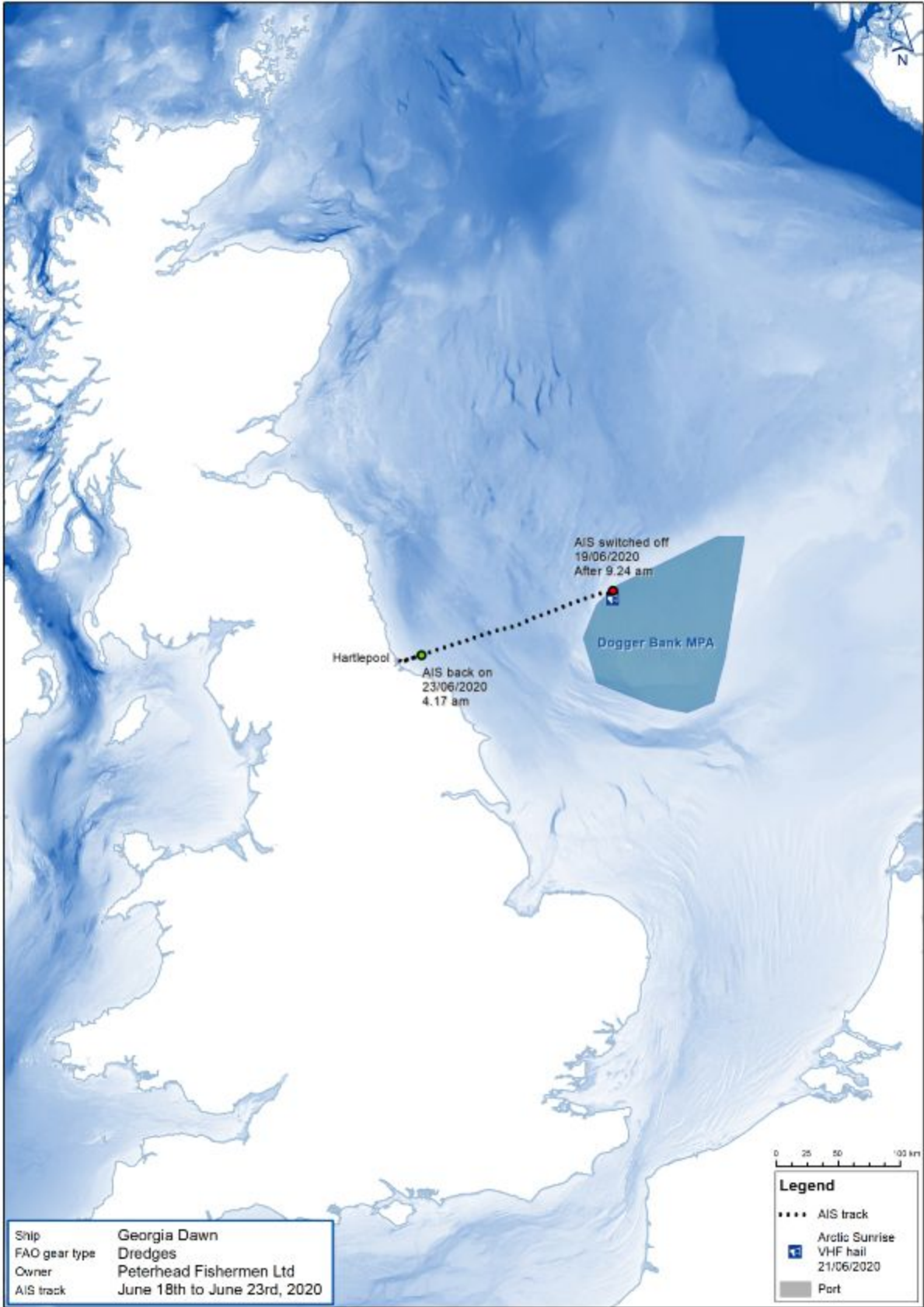
Ship	Geetruida
FAO gear type	Dredges / Bottom Otter Trawls
Owner	Zeevisserijbedrijf Ouddorp 9 B.V
AIS track	June 19th to June 22nd, 2020

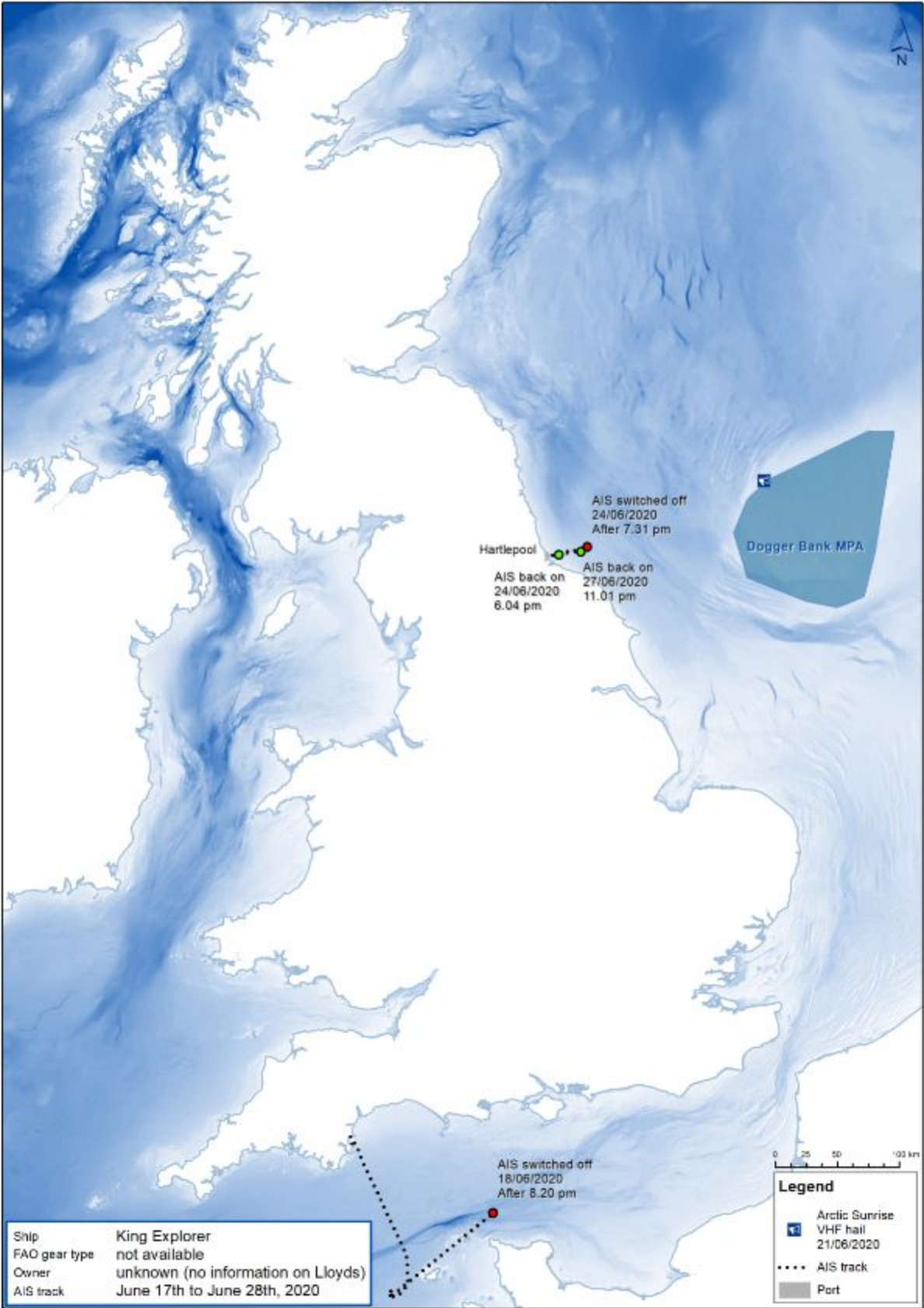
0 25 50 100 km

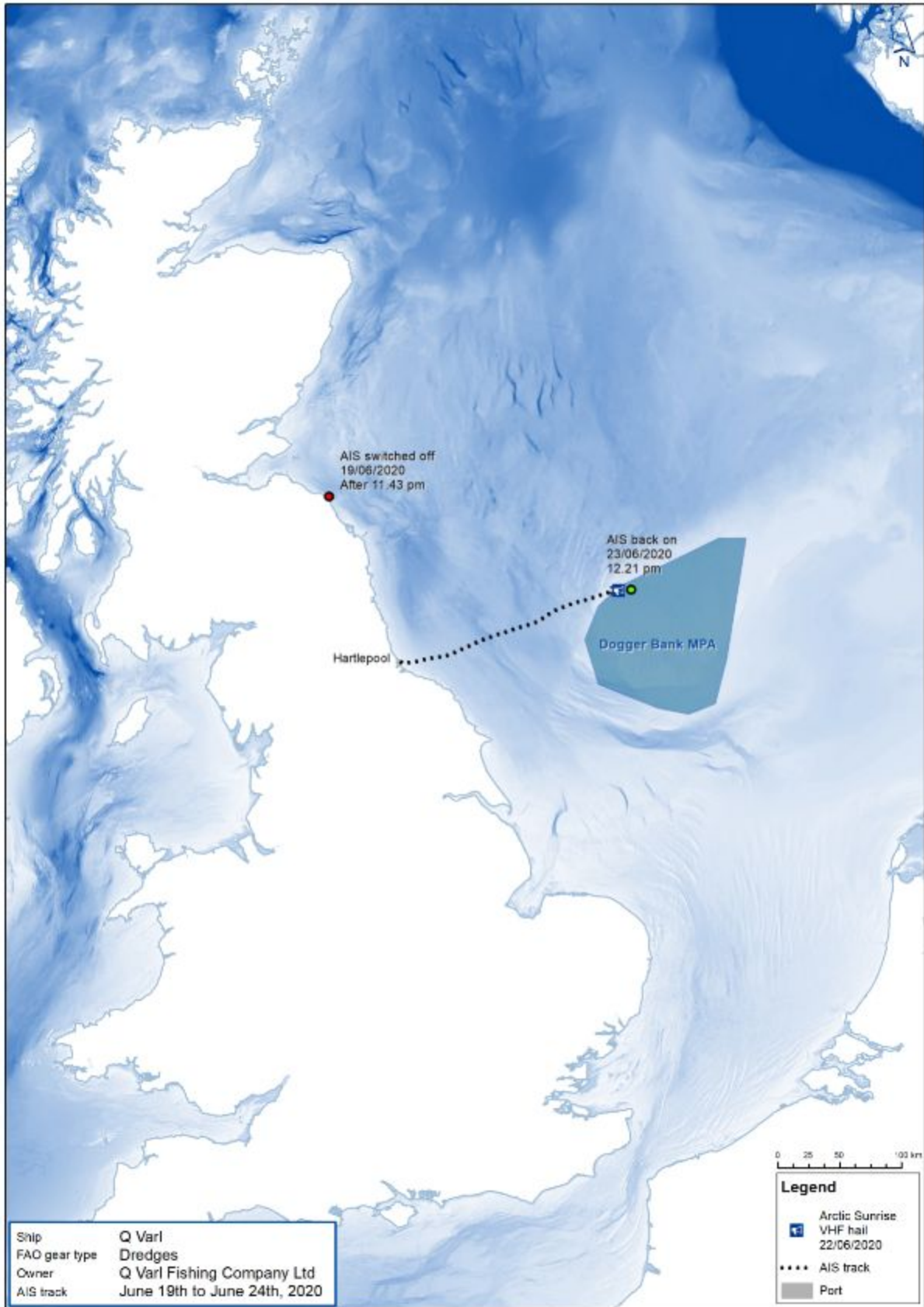
Legend

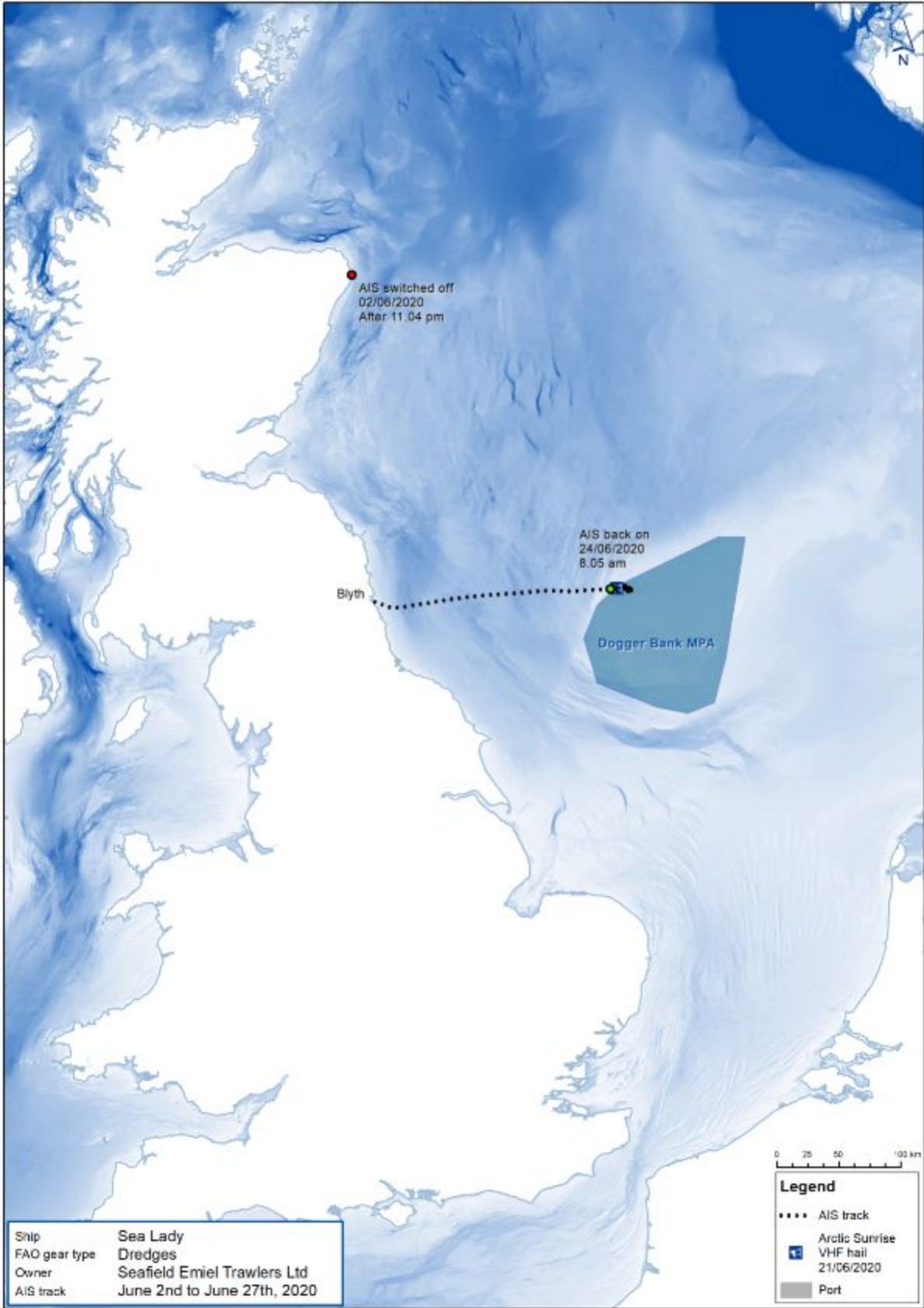
- Arctic Sunrise VHF hail 21/06/2020
- AIS track
- Port











3) Conclusion:

The Dogger Bank MPA is just one example of how this Government's network of Marine Protected Areas is not fit for purpose. This is particularly true for offshore MPAs, those 12 nautical miles or more from the coast. Just 5 out of the 73 offshore MPAs 'may be' progressing towards their conservation targets, according to the Government's own data, and the Government isn't even sure if these 5 are actually making progress because just 2 out of the 73 offshore MPAs have site condition monitoring in place.

Our Government continuing to allow bottom trawling in the Dogger Bank, an MPA which specifically protects the seabed, makes a mockery of the word protected. It's the equivalent of driving a bulldozer through a protected forest. We wouldn't stand for this on land, so we won't stand for it at sea either. Government cannot continue to present itself as a global ocean champion, while allowing such egregious examples of destructive industrial fishing to take place in legally protected marine areas.

The Government must ban destructive bottom trawling, and all other forms of industrial fishing, from UK MPAs. This will be the first step towards properly protecting the Dogger Bank and establishing a network of fully or highly protected MPAs across 30% of UK waters by 2030.