



To:

The Presidency of the Council of the European Union
Mr. Simon Coveney T.D., Minister for Agriculture, Food & the Marine, Republic of Ireland

Mr Martin Crowley
Chair of the Working Party on Internal and External Fisheries Policy

Mr Frank Wall, Director Fisheries
Secretariat of the Council of the European Union

Cc :

Ms Maria Damanaki
European Commissioner of Maritime Affairs and Fisheries

Ms Lowri Evans
Director General for Maritime Affairs and Fisheries
European Commission

Mr Darius Campbell
Executive Secretary, OSPAR Commission

Mr Stefán Ásmundsson
Executive Secretary, North-East Atlantic Fisheries Commission

Brussels, 8 February 2013

Dear Sir,

Lack of protection for Europe's cold-water coral reefs through technical conservation measures

We are writing to you to raise our concern about the fact that certain closures, to bottom trawling, for cold-water coral reefs and other Vulnerable Marine Ecosystems have been suspended since 1 January 2013 as negotiations between EU institutions with regard to a new amendment to the technical measures framework (Regulation 850/98) under the CFP have reached an impasse and pertinent interim regulations (1288/2009; 579/2011) have expired.

In light of the existing agreements to protect vulnerable marine ecosystems and the ecosystem approach, it is not acceptable that large areas hosting such vulnerable ecosystems in the North-East Atlantic are currently re-opened to the potential impact from destructive fishing practices.

The closures in question concern parts of NW Rockall Bank, four reefs in Irish waters as well as El Cachucho Bank in Spanish waters. At the same time, the transposition of NEAFC measures into Community law is also on hold and hence, closures in the NEAFC Regulatory Area on and along the Mid-Atlantic Ridge as well as Rockall and Hatton Banks are currently not in force as far as fishing vessels from EU Member States are concerned.

We call on all EU institutions to make every effort possible to swiftly re-instate the conservation measures for Europe's cold-water coral reefs and seamount ecosystems in Atlantic waters.

It is further emphasized in this context that the CFP Basic Regulation makes “provision for Member States or the Commission to adopt emergency measures in the event of a serious threat to the conservation of resources, or to the marine eco-system resulting from fishing activities, and requiring immediate action.” To this end, Art 7.1 (Commission emergency measures) of Regulation 2371/2002 sets out the following: “If there is evidence of a serious threat to the conservation of living aquatic resources, or to the marine eco-system resulting from fishing activities and requiring immediate action, the Commission, at the substantiated request of a Member State or on its own initiative, may decide on emergency measures which shall last not more than six months. The Commission may take a new decision to extend the emergency measures for no more than six months.”

Thank you for paying due attention to this problem raised by the signatory organisations.

Yours sincerely



Tony Long, Director, **WWF** European Policy Office



Saskia Richartz, EU Oceans Policy Director, **Greenpeace**



Angelo Caserta, Regional Director, **BirdLife** Europe



Xavier Pastor, Executive Director of **Oceana** in Europe



Matthew Gianni, **Deep Sea Conservation Coalition**



Monica Verbeek, Executive Director, **Seas At Risk**