



Briefing on Commission's proposal (COM 2012 [371]) establishing specific conditions to fishing for deep-sea stocks in the North-East Atlantic and provisions for fishing in international waters of the North-East Atlantic.

The European Union has one of the world's largest deep-sea fishing fleets. There is widespread scientific evidence that deep-sea bottom trawl fishing is the greatest direct threat to deep-sea biodiversity and ecosystems, including coldwater coral reefs, sponge gardens and seamount ecosystems, and causes serious declines in deep-sea fish populations.

The UN General Assembly (UNGA) adopted a series of resolutions – in particular UNGA resolutions 61/105 (paragraph 83) and 64/72 (paragraphs 119-120) – committing deep-sea fishing nations to urgently implement a set of specific actions to manage deep-sea fisheries on the high seas to prevent damage to vulnerable marine ecosystems and ensure sustainable fisheries – or else to prohibit such fishing from taking place. In addition, a set of International Guidelines for the Management of Deep-Sea Fisheries in the High Seas were negotiated and adopted under the auspices of the UN FAO and subsequently incorporated into UNGA resolutions. The actions called for in the UNGA resolutions and FAO International Guidelines are based on key conservation provisions of the 1995 UN Fish Stocks Agreement, including those requiring assessing the impact of fisheries on the ecosystem, managing fisheries to protect biodiversity and habitats of special concern, minimizing the impact of fishing on non-target species, ensuring the sustainability of target stocks and the rebuilding of depleted stocks, exercising caution when information is poor, and to not use the absence of adequate scientific information as a reason for postponing or failing to establish conservation and management measures.

Responding to UNGA resolution 61/105, the Union adopted a specific Regulation that, *inter alia*, prohibits the use of bottom gears in areas of the high seas not regulated by Regional Fisheries Management Organisation (RFMOs) without prior impact assessments and requires areas to be closed to bottom fishing where vulnerable marine ecosystems are known or likely to occur unless fishing can be managed to prevent significant adverse impacts on such ecosystems (Regulation (EC) No 734/2008). In 2005, the Union also prohibited the use of bottom trawling and bottom gillnetting below 200 metres in the waters surrounding Madeira, the Azores, and the Canaries Islands to protect deep-sea ecosystems from the harmful impacts of these fishing gears (Regulation (EC) No 1568/2005).

The European Commission's proposal to overhaul the regulation of deep-sea fisheries in EU and international waters of the Northeast Atlantic Ocean is a promising step toward protecting the marine environment and transforming deep-sea fisheries into sustainable fisheries. **The proposal contains a number of positive elements including:**

- A phase out of the use of bottom trawls and bottom gillnets to target deep-sea species (Article 9);
- A requirement that impact assessments based on scientific advice are conducted prior to fishing for deep-sea species in 'new' fishing areas (Article 7(2)); and
- Strengthened requirements for data collection in deep-sea fisheries (Article 8).



Catch being landed on board a Spanish flagged bottom-trawler in the Hatton Bank area of the North Atlantic, 410 miles north-west of Ireland. © Kate Davison / Greenpeace



BRIEFING

Nonetheless, to ensure the long-term sustainability of deep-sea fisheries and the protection of many unexplored deep-sea habitats, the **Deep Sea Conservation Coalition (DSCC)** is calling for the effective implementation of the EU's international commitments both within EU and international waters of the Northeast Atlantic. **The DSCC therefore urges Members of European Parliament to support the above elements of the Commission proposal as well as improve the proposal with following additions and amendments:**

1. Require, as a key objective of the legislation and in line with UNGA resolutions 64/72 and 61/105, that **all deep-sea fisheries must be managed to prevent significant adverse impacts on vulnerable marine ecosystems** such as deep-sea coral, sponge and seamount ecosystems and ensure the long-term sustainability of deep-sea fish stocks (Article 1);
2. **Extend and improve prior impact assessments to:**
 - Require prior impact assessments for **all deep-sea fisheries**, including in existing fishing areas as well as new fishing areas, as a condition for authorization to fish;
 - Ensure that the **impact assessments comply with the globally agreed standard established by the UNGA and the UN FAO International Guidelines** for the Management of Deep-Sea Fisheries in the High Seas, and are subject to independent scientific and regulatory review (Article 7);
3. Strengthen the definition of “deep-sea fishery” **to ensure that all bottom fisheries below 200 metres are effectively regulated for their impacts both on the seabed as well as on deep-sea species** (Article 4.2);
4. **Improve the protection of vulnerable marine ecosystems (VME)** by requiring that areas where VME are known or likely to occur are closed to deep-sea bottom fishing unless conservation and management measures are in place to prevent significant adverse impacts on such ecosystems (complementary provision);
5. **Strengthen the definition of “significant adverse impacts”** consistent with the UN FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas (Article 3);
6. **Ensure that fishing for deep-sea species is only permitted if:**

- the catch, including any bycatch or catch of non-target species, can be limited to sustainable levels based on a clear scientific understanding of the status of the species and the impact of fishing (Article 4 and Article 10),
 - depleted stocks are rebuilt (Article 10);
 - and that no fishing opportunities shall be allocated if scientific advice on sustainable exploitation levels of deep-sea stocks is inconclusive or incomplete (Article 10(2) b);
7. **Strengthen the definition of “most vulnerable species”** and require deep-sea fisheries to be managed to prevent the catch of the most vulnerable species including species that would qualify as vulnerable, threatened or endangered species under IUCN criteria (Article 2(e), 10 and 12.1(b)); and
 8. **Require that catches of all deep-sea species are reported**, not only those for target species (Article 19 and Annex II).

The Union is committed to implementing the Resolutions adopted by the UNGA to ensure the protection of vulnerable deep-sea ecosystems from the destructive impact of bottom fishing gears, as well as the sustainable exploitation of deep-sea fish stocks. Incorporating the amendments outlined above would ensure that the Union regulation for the management of deep-sea fisheries in the Northeast Atlantic would implement the important political commitments made at the UN General Assembly as well as key obligations under international law.

Further information

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About the DSCC

The Deep Sea Conservation Coalition (DSCC) was founded in 2004 to address the need to prevent damage to deep-sea ecosystems and the depletion of deep-sea species on the high seas from bottom trawling and other forms of deep-sea fishing. The DSCC is made up of over 70 non-governmental organisations (NGOs), fishers organisations and law and policy institutes, all committed to protecting the deep sea.

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