

Dear Dr. Assunção Cristas,
Minister of Agriculture and the Sea

Cc: Secretary of State of the Sea

Lisbon, 3rd of June 2015

Re: Don't miss the opportunity to be a shining light for the deep sea

Dear Minister Assunção Cristas,

As you host Blue Week, a platform for all those who care about the oceans, Portugal, together with other EU member states, is negotiating a critical new EU Regulation for the management of deep-sea fisheries in the northeast Atlantic designed to ensure sustainable fisheries and protect deep-sea ecosystems from damage caused by harmful fishing practices. The deep sea represents a large and important portion of the ocean, with incredible yet vulnerable biodiversity, new species still being discovered, and benefits for humanity, from climate regulation to potential pharmaceuticals. Yet it is under threat, including from poorly regulated fisheries.

The current EU deep-sea fisheries Regulation, which was adopted in 2002, has failed to maintain most deep-sea fish stocks within safe biological limits as well as failing to restore some of the most vulnerable and depleted fish populations in the Northeast Atlantic. Furthermore, it has failed to protect vulnerable deep-sea marine ecosystems such as corals, sponges and seamounts from the adverse impacts of highly destructive bottom-fishing practices.

The new EU Regulation, currently under negotiation in the European Council of Fisheries Ministers, is a critical opportunity for Portugal to ensure the protection of deep-sea ecosystems under its jurisdiction, which are unique in the EU in scale and diversity, as well as ensuring sustainable catches of the deep-sea fish stocks important to Portuguese fishers. However, the written position of the Portuguese government submitted to the European Council of Fisheries Ministers in March of this year, which was made public only after an official request from PONG-Pesca, is a major disappointment. Far from taking a lead in promoting ecosystem conservation and sustainable fisheries, the government is opposed to key provisions of the new regulation under negotiation. These would protect vulnerable deep-sea ecosystems and require the use of low-impact, environmentally sustainable fishing gears (which are already widely in use by the Portuguese fleet) as the principal way of conducting deep-sea fisheries in EU waters for all EU deep-sea fishing fleets including vessels from other EU countries fishing in deep-sea areas claimed by Portugal.

In July last year, we wrote to you applauding your decision to adopt a national ordinance (no. 114/2014) to prohibit deep-sea bottom trawling and gillnet fishing to protect deep-sea ecosystems on seamounts while allowing sustainable and traditional small-scale longline and handline fishing to continue. The ordinance covers a large expanse of the 200-mile limit and the high seas within Portugal's extended continental shelf area, complementing and expanding on an EU Regulation adopted in 2005 to prohibit bottom trawling and bottom gillnetting below 200 metres within the waters of the Azores and Madeira.

However, the ordinance only applies to the Portuguese fleet and so leaves these ecosystems vulnerable to bottom-trawl fishing by vessels from other countries in large areas of the seabed claimed by Portugal. We had hoped that Portugal was ready to build on its domestic initiative and champion deep-sea conservation and sustainable deep-sea fisheries in the EU negotiations; however, the released document indicates that this is not the case.

The European Commission proposes phasing out the use of bottom trawls and bottom gillnets to target deep-sea species. Doing so would serve to promote an EU-wide transition to the use of low-impact environmentally sustainable fishing gears of the kind already widely used by Portuguese fishers and would

be in line with the measures Portugal has adopted for its own fleets. Moreover, numerous scientific reports have consistently highlighted bottom trawling as the greatest direct threat to deep-sea ecosystems such as cold-water corals, sponge and seamount ecosystems found in Portugal's waters and elsewhere in the Northeast Atlantic. Phasing out the use of bottom trawling in the deep-sea would serve to protect these ecosystems, many of which provide important habitat for species of fish of commercial value.

The Regional Parliaments of the Azores and Madeira archipelagos, where deep-sea fisheries are of the utmost importance, support a phase-out of deep-sea bottom trawling as reflected in resolutions adopted in March 2013 and July 2014, respectively. And yet the national government, in its submission to the Council, is opposed to this, a position that runs counter to the legislation Portugal has adopted for its own fleets and disregards numerous scientific reports, including research by Portuguese scientists showing the irreparable damage that bottom trawling causes to deep-sea ecosystems.

Does Portugal believe it can protect the deep-sea species and ecosystems of the Northeast Atlantic on its own when some of the most important deep-sea stocks for Portuguese fishers, such as the black scabbard fish, are being fished with deep-sea bottom trawl gear by fleets from other EU countries?

In the position submitted to the Council, Portugal also opposes draft provisions that would require impact assessments to be conducted for deep-sea bottom fisheries and a process for identifying areas where vulnerable marine ecosystems are known, or are likely, to occur then protecting them from harmful fishing practices. These provisions of the draft regulation reflect key provisions of UN General Assembly resolutions to protect deep-sea ecosystems on the high seas – resolutions that Portugal in particular, along with other EU Member States, championed at the UN in the previous decade. Why is Portugal now not working to ensure these are incorporated into the new EU Regulation?

There is still time, however, for you to review and improve Portugal's position in the negotiations for the new Regulation so that it better reflects both the positive steps taken nationally and the sustainable practices of its own fishers, and recognises the need for EU-wide protection of some of the most biologically diverse and vulnerable ecosystems in Portugal's waters, seabed and beyond.

We respectfully urge you to help safeguard the deep sea for the benefit of Portugal's citizens, fishers, consumers and future generations, while making Portugal, with the EU, a worldwide leader in innovative stewardship of one of the largest and most diverse ecosystems on Earth.

Sincerely

Gonçalo Carvalho

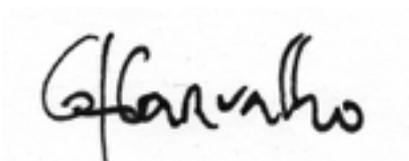
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This letter is signed by the following organizations:

