

Briefing on Draft Report on proposal (COM(2012)0371) for a regulation establishing specific conditions to fishing for deep-sea stocks in EU and international waters of the North-East Atlantic

The Deep Sea Conservation Coalition welcomes MEP Kriton Arsenis' Draft Report to the Commission's proposal to enhance protection for deep-sea species and habitat in the Northeast Atlantic; in particular the key elements in the Draft Report that:

- Bring the proposal more fully into line with international agreements established by the United Nations General Assembly, Conferences of Parties of the Convention on Biological Diversity, and UN-FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas (AM 1, 2, 5, 6, 12-14, 16, 20, 32-36, 42-46, 55, 56 and 92);
- Ensure consistency with existing EU legislative frameworks such as Council Regulation (EC) No 734/2008 on the protection of vulnerable marine ecosystems in the high seas from bottom fishing gears, Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, and the achievement and maintenance of good environmental status by 2020, at the latest, as set out in Directive 2008/56/EC establishing a framework for community action in the field of marine environmental policy (AM 7, 20, 30, 33-36, 40, 46, 75 and 76);
- Amend the proposal to define targeted deep-sea fisheries as all bottom fisheries below 400 meters. This would ensure that the regulation covers both fisheries targeting deep-sea fish stocks and all bottom contact fisheries that may adversely impact deep-sea vulnerable marine ecosystems (VMEs) (AM 23);
- Require closing areas to deep-sea bottom fishing where VMEs are known or likely to occur unless conservation and management measures are in place to prevent damage to these ecosystems (AM 1 and 20);
- Strengthen key provisions of the proposal for conducting impact assessments including by requiring that deep-sea bottom fisheries within existing fishing areas (the footprint), as well as in new fishing areas (areas outside the footprint), be subject to an impact assessment (AM 2 and 32-36);
- Maintain the phase-out of the use of bottom trawls and bottom gillnets in deep-sea fisheries; and
- Improve the requirements for a scientifically robust approach to establishing fishing opportunities for deep-sea species by including the objective of managing deep-sea fish stocks to maintain or restore fish stocks above levels that can produce maximum sustainable yield, in line with the measures recently adopted by the European Parliament for the CFP Basic Regulation (AM 15 and 40-45).

Several elements of the Draft Report should, however, be improved:

While the proposed amendments require minimizing bycatch of the most vulnerable species (AM 45), the regulation should require measures to *prevent* the bycatch of most vulnerable species (e.g. heavily depleted species such as orange roughy and highly vulnerable species such as deep-sea sharks) in order to meet the objectives of the regulation.

In addition, the International Council for the Exploration of the Sea has indicated that at least one type of deep-sea VME – cold-water coral reefs – are concentrated between 200 and 1000 metres; the amendments proposed in the Draft Report would leave cold-water corals and other VMEs between 200 and 400 metres unprotected (AM 23).

The deep sea, the largest habitat on the planet, is threatened by destructive and unsustainable fishing practices. Supporting MEP Arsenis' Draft Report, and improvements as mentioned above, would provide the EU with a real opportunity to show leadership by embracing and implementing international commitments for the conservation of deep-sea biodiversity and ecosystems and the selective and sustainable exploitation of deep-sea fish stocks.

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, fishers organisations and law and policy institutes, all committed to protecting the deep sea.