

Fishing practices: protection of marine ecosystems in the high seas from the adverse impacts of bottom fishing gears

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PURPOSE: to protect vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears.

PROPOSED ACT: Council Regulation.

BACKGROUND: certain marine ecosystems such as seamounts, deep water corals and hydrothermal vents are threatened by fishing practices that can have destructive effects on the physical integrity of the habitat. Particularly pernicious are bottom fishing gears that can destroy deep water corals and sponges and with them the complex ecosystem they host and support. Although not all of these habitats have been fully explored and described yet, there is abundant scientific evidence proving their high value as biodiversity hotspots.

The destruction of vulnerable marine ecosystems has become a sensitive issue and of particular concern in relation to areas of the high seas for which a regional fisheries management organisation has not been established to regulate fishing and its environmental impacts. The Community has already adopted measures to protect deep sea ecosystem in EU waters and has tabled proposals to the same effect in relevant Regional Fisheries Management Organisations – NEAFC and NAFO for the North Atlantic; SEAFO for the Southeast Atlantic; CCAML for the Antarctic ; and GFCM for the Mediterranean. All these measure have been transposed into Community law. A gap exists, however for the Southwest Atlantic for which no regional organisation exists – in spite of the fact that the Community has a sizeable fleet conducting bottom fishing in unregulated areas.

CONTENT: the purpose of this proposal, therefore, is to help protect vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears by regulating the use of bottom fishing gears. The Regulation applies to Community fishing vessels carrying out fishing activities with bottom gears in the high seas and only to those vessels fishing in geographical areas not under the responsibility of a regional fisheries management organisation (RFMO) or for which a process for the establishment of such an organisation is currently underway. “Bottom gears” refers specifically to bottom trawls, dredgers, bottom-set gillnets, bottom-set longlines, pots and traps.

In order to conduct fishing activities in areas not covered by an RFMO, fishing vessels must have a special fishing permit issued in accordance with the Regulation. Applications for a special fishing permit must be accompanied by a detailed fishing plan that sets out: the intended location of activities; the targeted species; the depth at which the gears will be deployed; and the configuration of the bathymetric profile of the seabed in the intended fishing grounds.

The proposed Regulation states specifically that the use of bottom gears at depths beyond 1 000 m will be prohibited. In cases where, in the course of a fishing operation, a vessel encounters a vulnerable marine ecosystem, the fishing activity must cease immediately. The proposed Regulation also sets condition on “area closures”. Thus, Member States must identify those areas that will be closed to fishing with bottom gears. Should a technical failure occur to the satellite tracking device fitted on board a fishing vessel, then the master of the vessel will be required to report its geographical situation to the flag Member State every two hours.

Failure to conform to the fishing plan will result in the loss of the special fishing permit issued to the fishing vessel concerned and any repeat instance of non-compliance will be deemed to be seriously infringing the Common Fisheries Policy. By 2010, the Commission will submit a report to the European Parliament and to the Council on the implementation of the Regulation, accompanied, if necessary by proposals for amendments.