

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.

LEGISLATIVE ACT: Council Regulation (EC) No 734/2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears.

CONTENT: the Council adopted a Regulation on the protection of vulnerable marine ecosystems in the high seas from the adverse effects of bottom fishing gears.

The adoption of the Regulation follows the unanimous political agreement reached by the Council on 24 June 2008. This agreement enabled two outstanding issues to be resolved:

-the prohibition of bottom fishing gear in those areas where no proper scientific assessment has been carried out and made available;

-100 % observer coverage.

The Regulation introduces measures to protect vulnerable marine ecosystems from the destructive effects of bottom fishing activities, in particular by introducing a special fishing permit, relevant monitoring measures and a precautionary protected boundary within the water column. Applications for a special fishing permit will be accompanied by a detailed fishing plan.

The competent authorities shall issue a **special fishing permit** after having carried out an assessment on the potential impacts of the vessel's intended fishing activities and concluded that such activities are not likely to have **significant adverse impacts** on vulnerable marine ecosystems. They must rely on the best scientific and technical information available concerning the location of vulnerable marine ecosystems in the areas in which the fishing vessels concerned intend to operate. That information shall include, where available, scientific data on the basis of which the likelihood of occurrence of such ecosystems can be estimated. The assessment process shall include appropriate elements of independent scientific peer review. The competent authorities shall apply **precautionary criteria** in the conduct of the assessment. In case of doubt as to whether the adverse impacts are significant or not, they shall consider that the likely adverse impacts resulting from the scientific advice provided are significant

The Regulation is in line with the recommendations issued by the United Nations on the pressing need to adopt measures to protect vulnerable marine ecosystems from the destructive effects of bottom fishing activities.

Observers shall be on-board all vessels to which a special fishing permit is issued. The observers shall observe the fishing activities of the vessel throughout the execution of its fishing plan. The number of observers covering fishing activities in a fishing area shall be reviewed on 30 July 2009.

The Commission shall submit a report on the implementation of the Regulation before 30 June 2010. That report shall be accompanied where necessary by proposals for amendments to this Regulation.

ENTRY INTO FORCE: 29/08/2008.