Fishing in the North-East Atlantic: specific conditions for fishing for deep-sea stocks, provisions for fishing in international waters

2012/0179(COD) - 14/12/2016 - Final act

PURPOSE: to ensure the sustainable exploitation of deep sea stocks while reducing the environmental impact of these fisheries.

LEGISLATIVE ACT: Regulation (EU) 2016/2336 of the European Parliament and of the Council establishing specific conditions for fishing for deep-sea stocks in the north-east Atlantic and provisions for fishing in international waters of the north-east Atlantic and repealing Council Regulation (EC) No 2347 /2002.

CONTENT: the common fisheries policy (CFP) should apply both the precautionary and the **ecosystem-based approach to fisheries management** so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised and to endeavour to ensure that fisheries activities avoid the degradation of the marine environment.

This Regulation shall contribute to the achievement of the objectives listed in Regulation (EU) No 1380 /2013 on the common fisheries policy as far as **deep-sea species and habitats** are concerned. In addition, it shall aim at:

- improving scientific knowledge on deep-sea species and their habitats;
- preventing significant adverse impacts on VMEs within the framework of deep-sea fishing and ensuring the long-term conservation of deep-sea fish stocks;
- ensuring that Union measures for the purpose of sustainable management of deep-sea fish stocks are consistent with the Resolutions adopted by the General Assembly of the United Nations.

The main elements of the new Regulation are the following:

- fishing activities targeting deep-sea species shall be subject to a fishing authorisation. The targeting fishing authorisation shall indicate the deep-sea species that the vessel is authorised to target. A fishing vessel carrying out a fishing activity shall be deemed to target deep-sea species if its communications about catches (in the logbook, landing declarations, sales notes or similar document) in a calendar year concerned contain at least **8 %** of deep-sea species in any fishing trip;
- a **800 meter depth limit** below which it will not be possible to fish with bottom trawls;
- the setting of a **geographical footprint** based on historical criteria by which vessels will only be able to fish in those areas where they have done so during the reference period. Targeted fishing activities shall only be allowed in those areas where deep-sea fishing activity has occurred during the reference period 2009-2011;
- a Member State may submit a request to conduct exploratory fisheries in locations outside the existing deep-sea fishing areas. Such a request shall be accompanied by an **impact assessment** carried out in accordance with Food and Agriculture Organisation (FAO) guidelines, the extension of the fishing area does not pose a significant risk of a negative impact on vulnerable marine ecosystems (VMEs);
- **special protection measures** for vulnerable marine eco-systems which apply to operations with bottom gears below a depth of 400 m. The fishing vessel shall: (i) immediately cease fishing in the area concerned. It shall resume operations only when reaching an alternative area at least five

nautical miles from the area in which the encounter occurred; (ii) immediately report each encounter with VMEs to the competent national authorities who shall notify the Commission without delay;

- boosted **control measures** based on the system applied by the management plans;
- additional targeted data collection obligations aimed at ensuring a better picture of deep-sea stocks. Among these, of particular importance is an **observer coverage of 20%** applicable to EU vessels fishing with bottom trawls and bottom set gillnets in both EU and North-East Atlantic Fisheries Commission (NEAFC) waters.

ENTRY INTO FORCE: 12.1.2017.

DELEGATED ACTS: the power to adopt delegated acts shall be delegated to the Commission in respect of amending the list of VME indicators for the purpose of adapting that list to the latest scientific advice. The power to adopt delegated acts shall be conferred on the Commission for a period of five years from 12 January 2017. The European Parliament or the Council shall have the right to object to a delegated act within a period of two months (extendable for two months) from the date of notification.