

Protection of deepwater coral reefs from the effects of trawling in an area north west of Scotland

2003/0201(CNS) - 27/08/2003 - Legislative proposal

PURPOSE : to protect deep-water coral reefs from the effects of trawling in an area north west of Scotland ("the Darwin mounds"). **CONTENT** : The process of integrating environmental protection requirements into the Common Fisheries Policy calls for the adoption of measures to minimise the impact of fishing activities on marine ecosystems (see Regulation 2371/2002/EC.) Recent scientific reports have shown that certain deep-water habitats are in need of protection against mechanical erosion by fishing gear. These include the habitats formed by deep-water coral (*Lophelia pertusa*) aggregations such as the ones recently discovered in the north west of Scotland, known as the "Darwin Mounds". These deep-water habitats are increasingly the subject of attention in international fora. For example, the Convention for the Protection of the Marine Environment of the North-East Atlantic ("OSPAR Convention") has recently included deep-water coral reefs in a list of endangered habitats. Deep-water habitats are also being dealt with within the United Nations informal consultative process on oceans and the law of the sea as vulnerable habitats requiring special protection. While several coastal States around the world have already taken the required protection measures, the European Community has not yet done so, despite intense pressure from certain sectors of public opinion and non-governmental organisations. Deep-water coral reefs such as the ones found in the Darwin Mounds are included in Annex I of Council Directive 92/43/EEC as natural habitats of Community interest whose conservation requires the designation of special areas of conservation, with a view to their integration in the Nature 2000 network. The United Kingdom has formally expressed its intention to designate the Darwin Mounds as a special area of conservation, in fulfilment of its obligations under the Directive. It should be noted, however, that the adoption of this proposal is without prejudice to the need for the UK to continue the process leading to the inclusion of the Darwin Mounds in the list of Natura 2000 sites. Given the importance that damage from erosion by bottom trawls may have for the survival of these habitats, the Commission proposes prohibiting the use of bottom trawls and similar gears in the Darwin Mounds by way of an amendment to the existing technical measures regulation (Regulation 850/98/EC). Given that this damage may be non-reversible or very difficult to repair, the Commission is in the process of adopting a regulation issuing a similar prohibition by way of an emergency measure provided for in Article 7 of Regulation 2371/2002/EC. The fishing industry will not suffer major consequences, since it can continue to fish with bottom trawls outside the relatively small part of the fishing grounds affected by the Darwin Mounds, or within the protected area using towed gear not in contact with the bottom, such as pelagic trawls and longlines, purse seines and other fixed gear.