

# HOW WILL THE FUTURE EU REGULATION *improve* THE MANAGEMENT OF DEEP-SEA FISHERIES?

The EU has just agreed on a new regulation for the management of deep-sea fisheries. This table shows how the new regulation compares to the current one, which has been in place since 2002. The last column indicates how the new regulation compares to the UN call for action to regulate deep-sea fisheries in international waters.

by  and 

	THE CURRENT EU DEEP-SEA FISHERIES REGULATION (EC 2347/2002)	THE NEW EU DEEP-SEA FISHERIES REGULATION	WHAT THE UNITED NATIONS SAY STATES SHOULD DO (UNGA RESOLUTION 64/72)
			
<b>PROTECTION OF VULNERABLE ECOSYSTEMS</b> 	 <b>NOTHING</b>	  Areas where vulnerable marine ecosystems are known or likely to occur will have to be closed to bottom fishing unless fishing in these areas can be managed to prevent “significant adverse impacts”	  States to take action «urgently» to protect vulnerable deep-sea ecosystems such as sponges and corals through closing these areas to bottom fishing unless ‘significant adverse impacts’ can be prevented
<b>PROHIBITION OF FISHING GEARS IN THE DEEP SEA</b> 	Gillnets are prohibited below 600 metres	 <b>THE EU WILL BAN BOTTOM TRAWLING BELOW 800 METRES!</b>	  The UN calls on States to protect deep-sea ecosystems from destructive deep-sea fishing practices
<b>ENVIRONMENTAL IMPACT ASSESSMENTS</b> 	 <b>NOTHING</b>	  Environmental impact assessments will be required for fishing outside of the historic footprint (i.e. areas previously fished) but only for vessels classified as “targeting” deep-sea species. Others can fish outside the footprint without having to do an impact assessment but none will be authorized to trawl below 800 meters.	  To conduct an environmental impact assessment is a central element of the UN resolutions which call on States to ensure that boats DO NOT deep-sea bottom fish unless environmental impact assessments have been done.  <b>THE EU REGULATION ONLY PARTIALLY IMPLEMENTS UN RESOLUTIONS</b>
<b>UNFORESEEN ENCOUNTERS WITH VULNERABLE MARINE ECOSYSTEMS</b>  (e.g. a trawler brings up deep-sea sponges or corals in its nets)	 <b>NOTHING</b>	  The EU will adopt a “move on” rule obliging vessels to immediately cease bottom fishing in the event an encounter occurs and only resume fishing at least 5 nautical miles away.	  Calls for the implementation of move-on rules
<b>MANAGEMENT OF FISH STOCKS</b> (targeted and bycatch) 	 <b>NOTHING</b>  The 2002 regime does not oblige States to manage fish populations sustainably.  All management measures therefore depend on the Council of the EU through the quota system which is ill-fitted for the management of mixed species deep-sea fisheries.  As a result, deep-sea stocks have crashed and many species, whether targeted or bycatch, are now classified as endangered such as deep-sea sharks, roundnose grenadier and blue ling.	 <b>NOTHING</b>  Council refused to accept the Parliament’s amendments that would require setting precautionary limits on the catch of deep-sea species and establishing management measures to prevent, avoid or eliminate the bycatch of deep-sea species, in particular the most vulnerable species such as deep-sea sharks. This is a massive loss.  Deep-sea species live long, grow slowly and mature late, which makes them much more vulnerable to fishing than shallow water species and hence in need of more stringent management measures.	  “Ensure the long-term sustainability of deep-sea fish stocks and non-target species, and the rebuilding of depleted stocks”
<b>ONBOARD OBSERVERS</b> 	The regulation says Member States “shall” assign scientific observers to deep-sea fishing vessels but does not make it mandatory. As a result, few States have implemented this measure and when they did, the percentage of fishing trips with observers onboard was low.	  Observers will be mandatory with an observer coverage of 20% onboard vessels operating in European waters and international waters of the northeast Atlantic.	  The UN General Assembly «encourages States to enhance or develop observer programmes» in order to improve data collection. Regional fisheries management organisations covering the South Pacific and the North Pacific require 100% observer coverage on deep-sea bottom trawlers. In the Southern Ocean around Antarctica, all bottom fishing vessels are required to carry scientific observers
<b>GEOGRAPHICAL SCOPE OF THE REGULATION</b> 	Waters of the European Union and international waters of the Northeast Atlantic	Waters of the European Union only. Spain put the European Commission, Council and Members of European Parliament under heavy pressure in order to prevent a prohibition on bottom trawling below 800m in the international waters of the Northeast Atlantic.	  The UN General Assembly resolutions on deep-sea fisheries apply to international waters while the EU is responsible for the management of deep-sea fisheries within European Union waters. On balance, if the new EU legislation is effectively implemented it will go a long way toward protecting deep-sea ecosystems from the harmful impacts of bottom fishing.