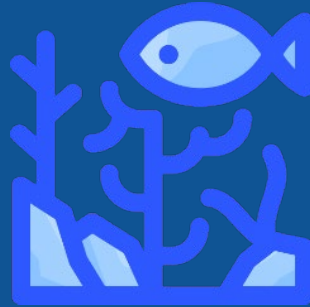




# Implementing the Deep-sea Access Regulation (EU)2016/2336



Presentation by Raluca Ivanescu and Caroline Alibert-Deprez, European Commission,  
at the Inter-AC meeting (19/01/2022)

# Deep-sea fishing in the Atlantic

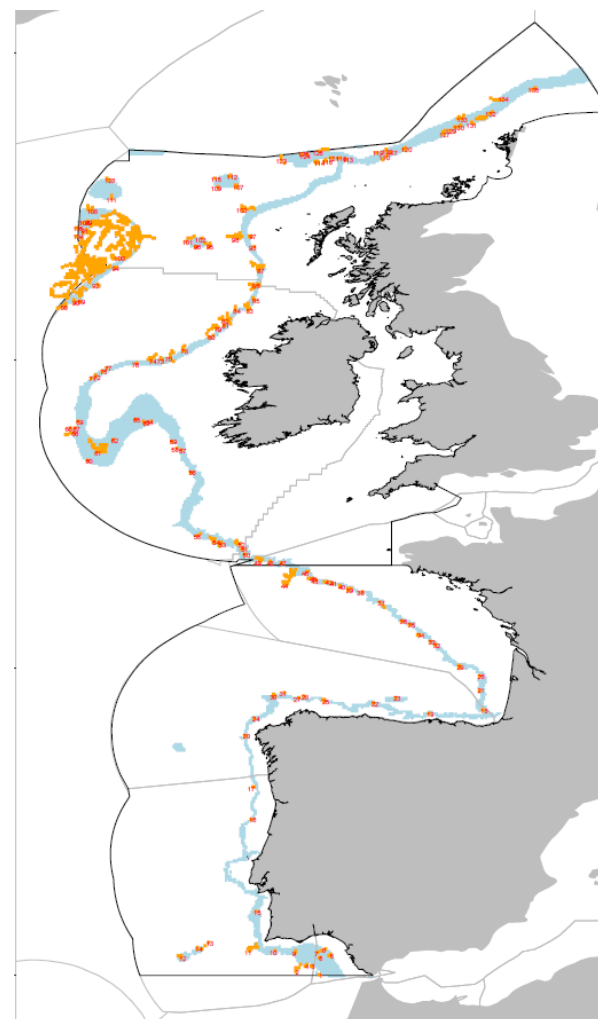
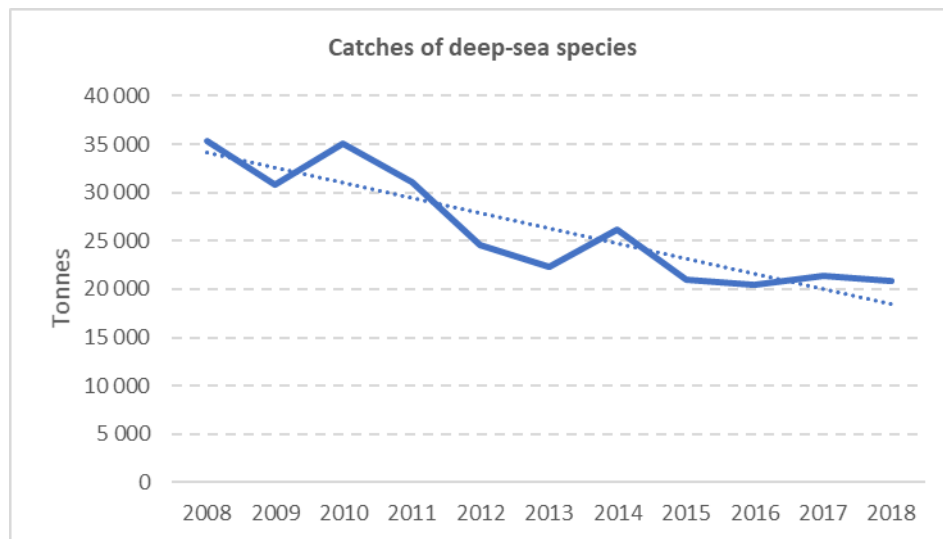
## Main Member States

Portugal (4% of landings)  
France (less than 1%)  
Spain  
The Netherlands  
Germany

## Top Species

Black scabbardfish (32% of landings)  
Greater Silver Smelt  
Blue Ling  
Greenland Halibut  
Bluemouth redfish  
Roundnose grenadier (7% of landings)

**Decreasing trend: -43% landings in 2018 compared to 2009**

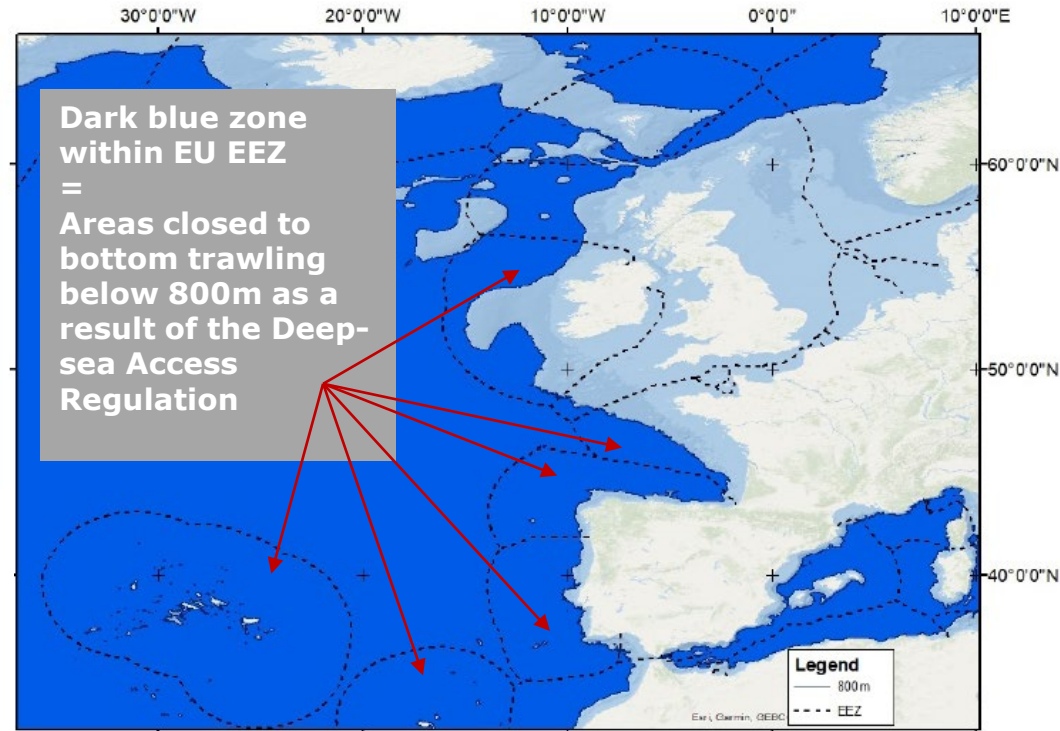


# Ban on bottom trawling below 800 m. works

To protect fish stocks:

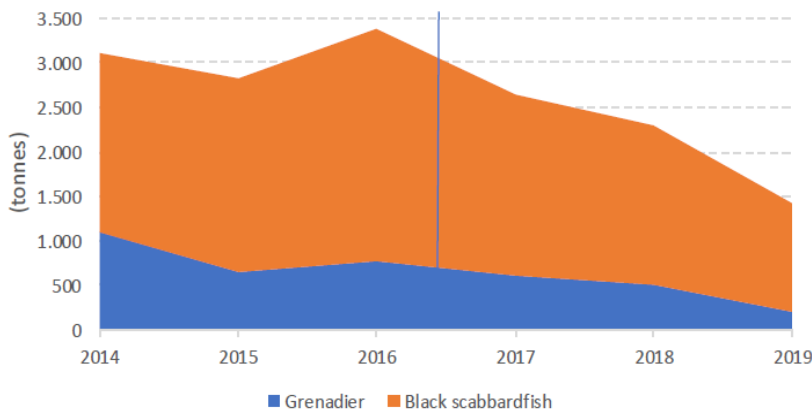
- ✓ **Grenadier**
- ✓ **Orange roughy**
- ✓ **Black scabbardfish**
- ✓ **Deep-sea sharks**

Less accessible to trawlers  
 Lower fishing pressure  
 Reduction of discards



**800m bottom trawl prohibition** is complied with by MS vessels as confirmed by the absence of infringements since 2017

Catches of grenadier and black scabbardfish in ICES subarea 6



*Conclusions of the Evaluation of the Deep-sea Access Regulation (May 2021)*

# But full implementation is still pending

- List of VMEs known to occur or likely to occur (*closures*)
- Deep-sea fishing footprint



Adoption of the  
**Implementing Act**  
based on ICES advice

**92%** of respondents to the Public Consultation say that « **deep-sea vulnerable marine ecosystems should be protected from damages caused by fishing gear** »  
(144 out of 156 respondents)



# ICES advice – 5 January 2021

ICES Special Request Advice  
EU ecoregions  
Published 5 January 2021



EU Request to advise on the list of areas where VMEs are known to occur or are likely to occur and on the existing deep-sea fishing areas (ref. (EU)2016/2336)

**Advice summary**

There are two parts to ICES advice:

- ICES advises that the “Existing Deep-Sea Fishing Areas” for the reference years 2009–2011 are based on the VMS and logbook data submitted to ICES in 2019 and shown in the accompanying Interactive Maps and PDF maps. The coordinates are provided in CSV files. “Existing Deep-Sea Fishing Areas” for the reference years are limited to the 400–800 metre depth range and are separated into three fishing footprints based on the gear type used. These are the combined static and mobile bottom-contacting gear (MBCG) footprint, the static gear only footprint, and the MBCG only footprint.
- ICES advises that the list of areas where VMEs are known to occur or likely to occur is based on the VME data submitted to ICES in 2020. These areas are shown in the accompanying interactive maps. The coordinates are provided in CSV files. The list of habitat types, indicators, and physical elements used to define these VME areas is provided, along with the criteria used to translate the quantity and quality of data into the likelihood of VME occurrence, known as a VME index.

This data-driven advice was developed through an iterative three-year process and is modeled on the approach taken by “NEAFC Recommendation 19-2014: Protection of VMEs in NEAFC Regulatory Areas”. It involves combining two data streams, VMS/logbook data to quantify the fishing footprint and data on where VMEs are known to or are likely to occur. To demonstrate how these two data layers can be used in practice to protect VMEs from fishing impacts, ICES developed and describes two scenarios, each with two options; ICES considers these to be consistent with the relevant United Nations General Assembly (UNGA) Sustainable Fisheries Resolutions and the Food and Agriculture Organization of the United Nations (FAO) International Guidelines for the Management of Deep-sea Fisheries in the High Seas with regard to the protection of VMEs. The two scenarios place different emphasis on the dual aspects of the UNGA policy and EU Regulation 2016/2336, that is, protection of VMEs with and without consideration of bottom-contacting fishing activity.

**Request**

The European Commission requests ICES to advise on the list of areas where VMEs are known to occur or are likely to occur and on the existing deep-sea fishing areas (ref. (EU)2016/2336). This advice should deliver the following in view of completing the implementation of Regulation (EU) 2016/2336:

- Provide a description of the existing deep-sea fishing areas based on the reference years 2009–2011 in EU waters of the North-East Atlantic. This description should be translated into static coloured maps and their specific coordinates entitled “Existing Deep-Sea Fishing Areas” and listed in map and tables on the model of Annex 1 of the “NEAFC Recommendation 19-2014: Protection of VMEs in NEAFC Regulatory Areas”.
- Provide a list of areas where VMEs are known to occur or likely to occur. This list should be translated into static coloured maps and their specific coordinates entitled “List of areas where VMEs are known to occur or are likely to occur” and listed in map and tables on the model of Annex 2 of the “NEAFC Recommendation 19-2014: Protection of VMEs in NEAFC Regulatory Areas”.
- Make the updated interactive map available until February 2021

ICES Advice 2021 – sr.2021.01 – <https://doi.org/10.17895/ices.advice.7507>

1. Existing Deep-Sea Fishing Areas for the reference years 2009–2011 (Reference year footprint)

2. The list of areas where VMEs are known to occur or likely to occur.

**Result of many ICES data calls (2019, 2020) on VMEs and logbooks and of two stakeholders workshops (May- Sept. 2020)**

**Advice: <https://doi.org/10.17895/ices.advice.7507>**

**Data Product: <https://doi.org/10.17895/ices.data.7506>**



# Deep-sea fishing footprint

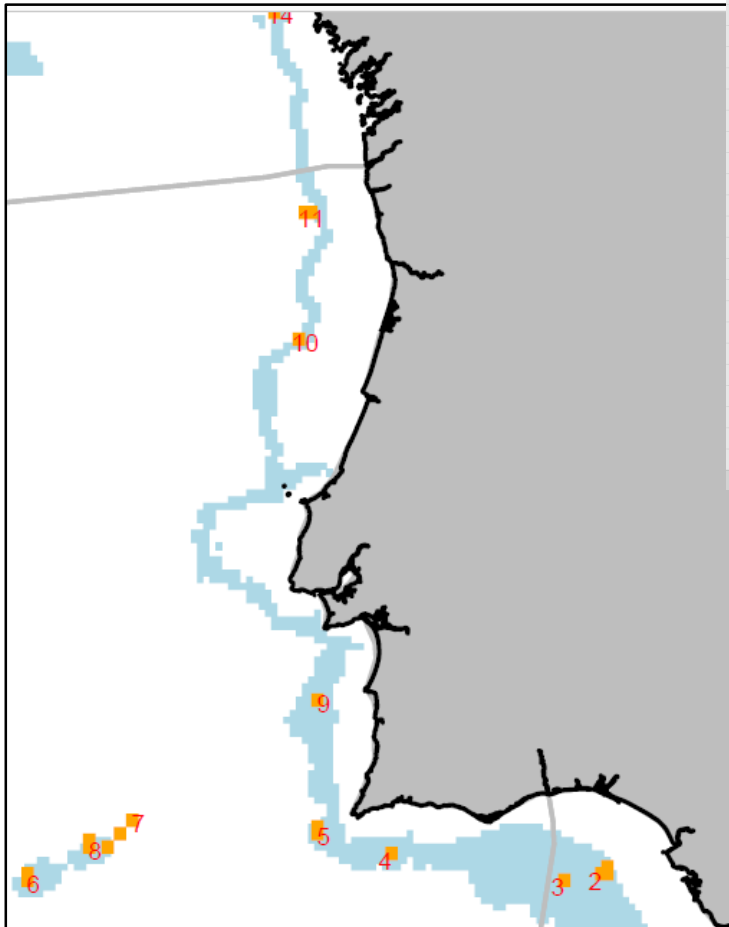


1. All VMS/logbook data between 400 and 800m
2. Footprint for static and mobile bottom-contacting gear (MBCG) (each and combined)

## **ICES recommendations:**

- ➔ MBCG have a far greater impact on VMEs compared to static gears
- ➔ Don't use the combined 2009-11 footprint, otherwise MBCG may be able to fish in areas previously only fished by static gears during the 2009-11 reference period

# VMEs types and coordinates



	A	B	C	D	E	F	G	H	I	J	K
	Poly_No	Coord_order	Longitude	Latitude	Hole	Group	VME_Csquare	VME_Habitat	VME_Indicator	VME_Elements	
1	1 1_1	-7.225	36	FALSE	1.1 VME	Cold seeps	NA	NA			
2	1 1_2	-7.225	35.975	FALSE	1.1 VME	Cold seeps	NA	NA			
3	1 1_3	-7.25	35.975	FALSE	1.1 VME	Cold seeps	NA	NA			
4	1 1_4	-7.275	35.975	FALSE	1.1 VME	Cold seeps	NA	NA			
5	1 1_5	-7.3	35.975	FALSE	1.1 VME	Cold seeps	NA	NA			
6	1 1_6	-7.325	35.975	FALSE	1.1 VME	Cold seeps	NA	NA			
7	1 1_7	-7.325	36	FALSE	1.1 VME	Cold seeps	NA	NA			
8	1 1_8	-7.325	36.025	FALSE	1.1 VME	Cold seeps	NA	NA			
9	1 1_9	-7.325	36.05	FALSE	1.1 VME	Cold seeps	NA	NA			
10	1 1_10	-7.325	36.075	FALSE	1.1 VME	Cold seeps	NA	NA			
11	1 1_11	-7.3	36.075	FALSE	1.1 VME	Cold seeps	NA	NA			
12	1 1_12	-7.275	36.075	FALSE	1.1 VME	Cold seeps	NA	NA			
13	1 1_13	-7.25	36.075	FALSE	1.1 VME	Cold seeps	NA	NA			
14	1 1_14	-7.225	36.075	FALSE	1.1 VME	Cold seeps	NA	NA			
15	1 1_15	-7.225	36.05	FALSE	1.1 VME	Cold seeps	NA	NA			
16	1 1_16	-7.225	36.025	FALSE	1.1 VME	Cold seeps	NA	NA			
17	1 1_17	-7.225	36	FALSE	1.1 VME	Cold seeps	NA	NA			
18	2 2_1	-7.025	36.525	FALSE	2.1 VME_Low	Coral Garden_Mud and sand emergen	Sea-pen	Mudvolcano			
19	2 2_2	-7.025	36.55	FALSE	2.1 VME_Low	Coral Garden_Mud and sand emergen	Sea-pen	Mudvolcano			
20	2 2_3	-7.025	36.575	FALSE	2.1 VME_Low	Coral Garden_Mud and sand emergen	Sea-pen	Mudvolcano			
21	2 2_4	-7.025	36.6	FALSE	2.1 VME_Low	Coral Garden_Mud and sand emergen	Sea-pen	Mudvolcano			
22	2 2_5	-7.025	36.625	FALSE	2.1 VME_Low	Coral Garden_Mud and sand emergen	Sea-pen	Mudvolcano			
23	2 2_6	-7	36.625	FALSE	2.1 VME_Low	Coral Garden_Mud and sand emergen	Sea-pen	Mudvolcano			

- **Habitat types, indicators, and physical elements** in line with FAO Guidelines (Uniqueness/Functional significance/Fragility/Life history traits/Structural complexity)
- **Likelihood of VME occurrence = VME Index:**
  - Known to occur: VME habitat by video
  - Likely to occur: sampled VME indicator species / or presence of "topographical, hydrophysical or geological features that could potentially support".

# ICES scenarios and options

The two scenarios place different emphasis on protection of VMEs with and without consideration of bottom-contacting fishing activity

Scenario	Option	Description of C-square closures	Management implication
1	1	C-squares between 400–800m depth with VME habitats as well as C-squares with high and medium VME indices, regardless of fishing activity. C-squares with a low VME index only included if adjacent to C-squares with medium to high VME indices.	Prioritizes protection of VMEs where they “are known to occur”, and where they “are likely to occur”, regardless of fishing activity.
1	2	Scenario 1–Option 1 + C-squares that contain selected VME physical elements (banks, seamounts, coral mounds, mud volcanoes) associated with any VME indicator species records.	Prioritizes protection of VMEs where they “are known to occur” and “are likely to occur”, as well as elements that are known to frequently contain VMEs, regardless of fishing activity.
2	1	As Scenario 1–Option 1 but includes low VME index C-squares if MBCG fishing pressure is also low (SAR < 0.43).	Prioritizes protection of VMEs where they “are known to occur” or “are likely to occur”, and includes C squares with low VME index where fishing activity is also low and significant adverse impacts (SAIs) by past fishing are less likely, this therefore offers VME protection at low cost to the fisher and highest protection of VMEs in the fishing footprint.
2	2	C-squares between 400–800m depth including all VME habitats, high, medium and low VME Index C-squares but excluding C-squares with high MBCG fishing pressure (SAR > 0.43).	Prioritizes protection of VMEs where they are <i>known</i> or <i>likely to occur</i> , but excludes areas that have been intensely fished and where VMEs are therefore potentially damaged by past trawl fishing. By leaving heavily fished areas open, there is reduced impact on fishing activities.



# Consequences for VMEs protection

**Table 4** Number of VME habitat and index C-squares in the Celtic Seas and the Bay of Biscay and the Iberian Coast ecoregions, and within each closure scenario (Sce) and option (Opt).

	400–800 m depth	Sce 1– Opt 1	Sce 1– Opt 2	Sce 2– Opt 1	Sce 2– Opt 2	Sce 1– Opt 2+ Sce 2– Opt 1
<b>Celtic Seas ecoregion</b>						
VME habitat	78	78	78	78	65	78
VME index – high	41	41	41	41	36	41
VME index – medium	30	30	30	30	20	30
VME index – low	246	27	27	88	61	88
<b>Bay of Biscay and the Iberian Coast ecoregion</b>						
VME habitat	25	25	25	25	25	25
VME index – high	0	0	0	0	0	0
VME index – medium	18	18	18	18	15	18
VME index – low	21	6	6	13	13	13



## What's next?

- **31 Jan.:** ICES Technical service with coordinates in EU waters only (EEZs of FR, IE, ES, PT) and in ready-to-use files (shape, excel)
- **February:** EC proposal for an Implementing Act based on one of the ICES scenarios/options
- **March:** Proposal submitted to the Committee on Fisheries and Aquaculture (MS) for adoption

Publication/Entry into force by **April 2022**

## Q&A



[raluca.ivanescu@ec.europa.eu](mailto:raluca.ivanescu@ec.europa.eu)  
[caroline.alibert-deprez@ec.europa.eu](mailto:caroline.alibert-deprez@ec.europa.eu)

### Useful Links

- Annual [DS Activity Reports by MS](#) (2017, 2018, 2019)
- [Staff Working Document](#) of the Commission (Evaluation)
- [ICES advice](#) on a list of areas where VMEs are known to occur or are likely to occur and on the existing deep-sea fishing areas (ref. (EU)2016/2336)

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