

## Priorities for Protection of our Deep-sea

### Overarching vision for our marine environment

The Marine Conservation Society, ClientEarth, Greenpeace and Whale and Dolphin Conservation share the UK Administrations' vision for "clean, healthy, safe, productive and biologically diverse oceans and seas". In practice this means seeing marine and coastal areas thriving once more, with diverse and plentiful marine life, free from pollution, being used with respect, where any harvesting of resources is done in a way that is sustainable and minimises the impacts on both target and non-target species and habitats.

### Rationale

Regulation (EU) 2016/2336 of the European Parliament and Council was formally adopted at the end of 2016 establishing the specific conditions for fishing for deep-sea stocks in the north-east Atlantic (NEA) and provisions for fishing in international waters of the NEA. This was a significant step towards the protection of our fragile, and still relatively little understood, deep-sea ecosystems home to a staggering amount of biodiversity including habitats such as thousand year old deep-water corals and sponges. With the UK expected to leave the EU, it is essential that the deep-sea continue to be afforded these same protections, as a minimum post Brexit, especially as a significant proportion of this fragile habitat exists within the UK's exclusive economic zone and will be the sole responsibility of the UK. These protections were hard fought by the UK government and their continuation post Brexit is crucial to deliver upon UK's commitment to rebuild depleted deep-sea fish stocks and a more sustainable fishing industry, and to preserve UK's extensive deep-sea biodiversity and marine heritage.

**In this context, we believe that priorities for protecting the deep-sea must include as a minimum:**

- **Deep-sea fishing activities must be sustainable.** In line with other sustainable fishing practices there must be a legal requirement to fish below the fishing mortality associated with producing MSY by 2020 in order to restore and maintain stock biomass above the MSY level, and an ongoing commitment to apply the precautionary approach and ecosystem-based management.
- **Depth based restrictions on deep-sea trawling.** No trawling activities shall be allowed below 800m with an aim to decrease this limit to 600m.
- **Potentially damaging activities in the deep-sea are minimised.** The existing fishing footprint shall remain frozen based on a reference period of between 2009 and 2011. This rule applies to vessels targeting deep-sea species i.e. those whose deep-sea species catch makes up more than 8% of the total on at least one fishing trip during the year. Additionally other potential damaging activities should be subject to environmental impact assessments and, unless no significant adverse impact can be proven, should be prohibited or restricted e.g. deep sea mining which has the potential to cause irreversible harm to deep-sea habitats.
- **Improvements in data collection of deep sea species to inform management and ensure effective control and enforcement.** Data deficiency is of particular concern for deep-sea species. Fully documented catches and minimal observer coverage of 20% applicable to vessels fishing with bottom trawls and bottom set gillnets in UK and NEAFC waters is needed to ensuring a more accurate picture of deep-sea stocks and bycatch species.

- **Vulnerable Marine Ecosystems (VMEs) are protected from the risk of negative impacts.** As a minimum, an obligation to close areas to bottom trawling below 400 metres where VMEs are present or likely to occur.
- **Protection of deep-sea areas in overseas territories.** Responsible practices to protect deep-sea ecosystems should not halt at our national boundary but should apply in all UK overseas territories and to UK vessels operating outside of UK waters.
- **Impact assessments.** For fishing in new areas, impact assessments must be properly conducted and reviewed in accordance with Food and Agriculture Organisation (FAO) guidelines, and deep-sea bottom fishing must not be permitted in new fishing areas unless the assessment clearly demonstrates that damage to deep-sea ecosystems will not occur.

We believe that appropriate mechanisms should be put in place for monitoring, control and surveillance to ensure compliance with the priority measures outlined above, in particular the deep-sea trawl ban and the area closures to protect VMEs. We are very willing to support DEFRA and the devolved administrations going forward to ensure that these protections are properly considered and implemented in any new legislation or management post Brexit.

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