

# Procedure file

Basic information	
CNS - Consultation procedure Regulation	2003/0201(CNS) Procedure completed
Protection of deepwater coral reefs from the effects of trawling in an area north west of Scotland Amending Regulation (EC) No 850/98 <a href="#">1996/0160(CNS)</a>	
Subject 3.15.01 Fish stocks, conservation of fishery resources 3.15.04 Management of fisheries, fisheries, fishing grounds 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity	
Geographical area United Kingdom	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries	ELDR <a href="#">ATTWOOLL Elspeth</a>	02/10/2003
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ENVI</b> Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
European Commission	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2573</a>	22/03/2004
	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>		

Key events			
27/08/2003	Legislative proposal published	<a href="#">COM(2003)0519</a>	Summary
22/09/2003	Committee referral announced in Parliament		
20/01/2004	Vote in committee		Summary
20/01/2004	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0019/2004</a>	
10/02/2004	Decision by Parliament	<a href="#">T5-0070/2004</a>	Summary
22/03/2004	Act adopted by Council after consultation of Parliament		
22/03/2004	End of procedure in Parliament		

Technical information	
Procedure reference	2003/0201(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 850/98 <a href="#">1996/0160(CNS)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/5/20059

Documentation gateway					
Legislative proposal		<a href="#">COM(2003)0519</a>	27/08/2003	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0019/2004</a>	20/01/2004	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0070/2004</a> OJ C 097 22.04.2004, p. 0031-0079 E	10/02/2004	EP	Summary

Additional information	
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Regulation 2004/602</a> <a href="#">OJ L 097 01.04.2004, p. 0030-0031</a> Summary

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

**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.?

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

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The committee adopted the report by Elspeth ATTWOOLL (ELDR, UK) broadly approving the proposal, subject to a few amendments (consultation procedure). In particular, the committee wanted it to be made clear that the Commission measures should only cover fishing gear that damages the coral reefs. It also stipulated that the regional advisory councils shall be consulted on the management of fisheries on the Darwin Mounds. ?

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

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The European Parliament adopted a resolution drafted by Elspeth ATTWOOLL (ELDR, UK) making just a few amendments to the proposal. (Please see the summary of 20/01/04.)?

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

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PURPOSE : to protect the deepwater coral reefs from the effects of trawling in an area north west of Scotland ("Darwin Mounds").  
LEGISLATIVE ACT : Council Regulation 602/2004/EC amending Regulation 850/98/EC as regards the protection of deepwater coral reefs from the effects of trawling in an area north west of Scotland. CONTENT : the Council unanimously adopted this Regulation amending Regulation 850/98/EC as regards the protection of deep-water coral reefs from the effects of trawling in an area north west of Scotland. The proposal aimed at banning the use of bottom trawlers or similar towed nets in the defined area of the Darwin Mounds, to protect deep-water coral reefs from the effects of trawling. Council Regulation 850/98/EC establishes restrictions on the use of demersal towed gears. This Regulation is being amended as regards the area where vessels using bottom trawl or similar towed nets are prohibited. The initial area, located in the North-west of Scotland, and defined in the proposal has however been amended by the Council: it has been slightly reduced in the light of new scientific assessment on the north-west and north-east of the zone. ENTRY INTO FORCE : 23/08/2004.?