

Procedure file

Basic information	
CNS - Consultation procedure Regulation	2004/0020(CNS) Procedure completed
Protection of deep-water coral reefs from the effects of fishing in certain areas of the Atlantic Ocean Amending Regulation (EC) No 850/98 1996/0160(CNS)	
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 Atlantic Ocean area	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		
	Former committee responsible		
	PECH Fisheries		17/03/2004
		GUE/NGL FIGUEIREDO Ilda	
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety		20/09/2004
		Verts/ALE HASSI Satu	
European Commission	Former committee for opinion		
	ENVI Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2677	19/09/2005
	General Affairs	2608	11/10/2004
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries		

Key events			
03/02/2004	Legislative proposal published	COM(2004)0058	Summary
25/02/2004	Committee referral announced in Parliament		
16/09/2004	Committee referral announced in Parliament		

11/10/2004	Act adopted by Council after consultation of Parliament		
24/11/2004	Vote in committee		
25/11/2004	Committee report tabled for plenary, 1st reading/single reading	A6-0037/2004	
16/12/2004	Results of vote in Parliament		
16/12/2004	Debate in Parliament		
16/12/2004	Decision by Parliament	T6-0108/2004	Summary
19/09/2005	Act adopted by Council after consultation of Parliament		
19/09/2005	End of procedure in Parliament		
28/09/2005	Final act published in Official Journal		

Technical information

Procedure reference	2004/0020(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 850/98 1996/0160(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/5/20796; PECH/6/21149

Documentation gateway

Legislative proposal	COM(2004)0058	03/02/2004	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	A6-0037/2004	25/11/2004	EP	
Text adopted by Parliament, 1st reading/single reading	T6-0108/2004 OJ C 226 15.09.2005, p. 0243-0344 E	16/12/2004	EP	Summary
Commission response to text adopted in plenary	SP(2005)239	19/01/2005	EC	

Additional information

European Commission	EUR-Lex
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Final act

Regulation 2005/1568 OJ L 252 28.09.2005, p. 0002-0003 Summary

PURPOSE: To protect deep-water coral reefs from the effects of trawling in certain areas of the Atlantic Ocean **PROPOSED ACT:** Council Regulation **CONTENT:** This proposal seeks to amend Regulation 850/98 on the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms. In recent years the "International Council for the Exploration of the Sea" (ICES) has found and mapped highly sensitive deep-water corals (*Lopelia pertusa*), thermal vents and carbonate mounds off the Canary Islands and in several sites at depths mostly greater than 1000m around the Atlantic islands of Madeira and the Azores. Since being mapped they have been defined as habitats of Community interest in the EU Directive on the conservation of natural habitats and of wild fauna and flora. And yet, in spite of their highly diverse biological nature they are under threat from fishing using mechanical deep-sea trawlers. Currently, certain fishing zones around the Azores, Madeira and the Canary Islands containing known or potential deep water habitats have been preserved from trawling due to special access regimes defined in EU Regulation establishing a system for the management of fishing effort relating to certain Community fishing areas and resources. This regime, however, is due to end in 2004 and makes the case for protective Community legislation all the more urgent. In view of the above, the Commission is now seeking a prohibition of the use of trawlers in the areas of recently mapped deep-water corals. The most appropriate means to protect these sensitive sites is by amending Regulation 850/98. The amendment lists those areas, which are to be protected. A map, attached to the Commission memorandum on the proposed amendment, outlines those maritime areas affected by the amendment. The Commission does not expect the fishing industry in the area to suffer major consequences since the prohibition to trawl already exists. In addition, fleets can continue to fish within the protected areas using towed gear not in contact with the bottom of the ocean, such as pelagic trawls and long lines, purse seines and other fixed gear.?

Protection of deep-water coral reefs from the effects of fishing in certain areas of the Atlantic Ocean

The European Parliament adopted a resolution drafted by Sérgio RIBEIRO (GUE/NGL, PT) making some amendments to the proposal:

- the prohibition on "vessels using any bottom trawl or similar towed nets operating in contact with the bottom of the sea" is replaced by a ban on "the use of fishing gear likely to cause actual damage to coral reefs and their habitats, in particular bottom trawl, bottom set gillnets or similar towed nets operating in contact with the bottom of the sea";
- Regional Advisory Councils must be consulted in the implementation of the Regulation;
- The details of the prohibition and the definition of coordinates contained in the Regulation must be reviewed, in the light of new scientific information available, two years after its entry into force;
- By 31 December 2005 the Commission is to present a report assessing the conservation status of other areas of similarly sensitive deep water habitats in EU waters.

Protection of deep-water coral reefs from the effects of fishing in certain areas of the Atlantic Ocean

PURPOSE : to protect deep-water coral reefs from the effects of trawling in certain areas of the Atlantic Ocean, amending Regulation 850/98/EC.

LEGISLATIVE ACT : Council Regulation 1568/2005/EC amending Regulation 850/98/EC as regards the protection of deep-water coral reefs from the effects of fishing in certain areas of the Atlantic Ocean.

CONTENT : According to recent scientific reports, and in particular the reports of the International Council for the Exploration of the Sea (ICES), highly sensitive deep-water habitats have been found and mapped in the Atlantic. Those habitats host important and highly diverse biological communities and are considered to require priority protection.

This Regulation prohibits vessels from using any gillnet, entangling net or trammel net at depths greater than 200 metres and any bottom trawl or similar towed nets operating in contact with the bottom of the sea in the areas around the Azores, Madeira and Canary Islands.

ENTRY INTO FORCE : 05/10/2005