



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,  
MARE/C1/MK/dsb/Ares(2022)

**Subject: Reply to NWWAC letter on the deep-sea access regulation and ICES advice on VME scenarios and existing deep-sea fishing areas for EU waters in the North East Atlantic**

Dear Mr Brouckaert,

I would like to thank you for your letter dated 15 June 2022 enquiring about the timeline and state of play leading to the adoption of the upcoming deep-sea implementing act, which will determine the existing deep-sea fishing areas and establish a list of areas where vulnerable marine ecosystems (VMEs) are known to occur or are likely to occur, pursuant to Regulation (EU) 2016/2336.

I am pleased that you recall that my services presented the state of play on this implementing act and the ICES advice of 2021 as well as the updated advice of 2022. Indeed, at the time of the meetings with the various stakeholders in the Advisory Councils of the North Western and the South Western Waters as well as the Member States, my services informed about the technicalities related to the ICES advice. It was also explained that one of the four scenarios advised by ICES would be chosen to fix the footprint and the VME areas.

As already confirmed by my services the Commission chose scenario 2 option 1 of the ICES advice, precisely to cater for the request of stakeholders and Member States to take into account the socio-economics of fishing. This scenario takes into account the fishing activity in order to limit the disruption to fishing. Indeed, scenario 2, option 1 is the scenario which *“offers VME protection at low cost for the fishers and the highest protection of VMEs in the fishing footprint”*.

The draft Commission proposal has been submitted to the agreement of the Committee for Fisheries and Aquaculture on 28 June, composed of representatives of each EU Member State. Following the committee vote (no opinion meaning that the Committee is split with no majority in favour or against), the Commission is allowed to adopt the measure.

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Prior to the adoption however, the Commission has to notify the draft measures to the UK in line with the TCA. This notification has taken place and the UK was given two months until beginning September 2022 to provide comments.

Let me furthermore stress, that we are at the beginning of a process as the scientific advice by ICES will be reviewed every year. Where justified, this revision by ICES could lead to a revision of the areas closed to bottom contacting gears.

Therefore, my services have invited the advisory councils and other representatives of the fishing sector for a new meeting on 26 July to prepare the next ICES advice that will come in October/November 2022. In this regard I would like to invite all stakeholders of the NWW AC to attend this meeting. I am pleased to read about your offer to give useful input regarding the scientific work and the geographical scale of analyses. The meeting would also offer an opportunity to hear about the way to organize the fishing activities around the closures and to discuss the buffer zones with ICES. I would also invite your members to work together with the administrations of the concerned Member States and deliver all data on where fishing activities take place. This is the best way forward for the scientific advice to be able to take such fishing activities into account in the new advice.

We are also encouraging national administrations to provide the necessary data to ICES. It is the only way to have a fully informed advice.

Let me in the end thank you once again for having written to us and wish you a good summer break. Should you have any further questions on this reply, please contact Ms Pascale COLSON, coordinator of the Advisory Councils (Pascale.COLSON@ec.europa.eu; +32.2.295.62.73).

Yours sincerely,

Charlina VITCHEVA