



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND
FISHERIES

The Director-General

Brussels,
MARE/C1/CA/ms/Ares(2022)

Subject: Annual Review of the list of areas where VMEs are known to occur or are likely to occur – Deep-sea Access Regulation (EU) 2016/2336

Dear Madam, dear Sir

On 15 September 2022, the Commission adopted Regulation (EU) 2022/1614 determining the existing deep-sea fishing areas and establishing a list of areas where vulnerable marine ecosystems are known to occur or are likely to occur ⁽¹⁾. An annual review of the list is foreseen in article 9(6) of the framework Regulation, the Deep-sea Access Regulation (EU) 2016/2336.

The purpose of this letter is to inform you about this upcoming process and to share with you the relevant information currently at our disposal.

First on the process, Article 9(6) provides that *“the Commission shall review the list annually on the basis of advice received from the Scientific, Technical and Economic Committee for Fisheries and, where appropriate, amend the list by means of implementing acts. The Commission may remove an area from the list provided that it determines, on the basis of an impact assessment and after consulting the competent scientific advisory body, that there is sufficient evidence to indicate that VMEs are not present, or that appropriate conservation and management measures have been adopted which ensure that significant adverse impacts on VMEs in that area are prevented.”*

Accordingly, the Commission has requested STECF to deliver an opinion on socio-economic aspects and ICES to deliver an updated scientific advice on the list of areas, respectively.

⁽¹⁾ [Commission Implementing Regulation \(EU\) 2022/1614](#) of 15 September 2022 determining the existing deep-sea fishing areas and establishing a list of areas where vulnerable marine ecosystems are known to occur or are likely to occur.

to
Member States
Advisory Councils
EUROPECHE
EAPO
ETF
DSCC / NGOs

On 9 November, ICES has informed the Commission that its advice will be delivered in January 2023, and not on 16 December as previously announced, because ICES will be performing a review by Regional Experts on the VMEs assessments in addition to the normal peer-review process.

The STECF bureau has agreed to put the item on the agenda of its March 2023 Plenary.

Following the release of those opinion and advice, the Commission will review the list of areas where VMEs are known to occur or are likely to occur and, where appropriate, may propose to remove an area from the list or to add an area to the list by submitting a proposal for an implementing act to be adopted in accordance with the examination procedure referred to in Article 18 of Regulation (EU) 2016/2336 – meaning a vote at the Committee for Fisheries and Aquaculture.

I would like to confirm that the Commission will pursue this review with due diligence.

In this process, Member States and stakeholder consultations will take place at every step. Provisionally, I can indicate the following:

- (Jan-Feb): Stakeholder meeting on the ICES advice
- (Feb): Bilateral discussions with most concerned Member States
- (March-April): Stakeholder meeting on STECF opinion
- (April): Bilateral discussions with most concerned Member States

Please note that this is a tentative planning and that dates will be confirmed later.

All meetings will be held online to allow the widest possible participation. My services will come back to you with further details on the logistics of those meetings.

I thank you for the good cooperation on this file and I remain,

Yours sincerely,

Charlina VITCHEVA