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Draft Joint Recommendation on fisheries management measures in Natura 2000 sites in the German EEZ in the Baltic Sea

Dear Esben,

Thank you for your letter of 12 November 2021 in which you transmitted to us the comments of the Union of German Cutter Fishery/German Cutter and Coastal Fishermen's Association as well as the German Angling Association (DAFV) and the European Anglers Alliance (EAA) on the draft joint recommendation mentioned above. Please find below our reply to the comments made.

As regards the comments of the Union of German Cutter Fishery/German Cutter and Coastal Fishermen's Association, who argue that the measures proposed are not "necessary" in accordance with Art. 11 of Regulation (EU) No 1380/2013 due to the low fishing effort in the areas concerned, we would like to refer to section 4 of the draft joint recommendation ("Assessment of main conflicts between protected habitats and fishing activities"). This section sets out the underlying reasons for the ban of fisheries with mobile bottom-contacting fishing gears. Member States have a legal obligation to determine the conservation objectives for their Natura 2000 sites, to adopt measures that help to achieve these objectives and to ensure the maintenance or restoration of the favourable conservation status of species and habitats. This also includes fisheries management measures to reduce impacts of fisheries on specific ecosystem components.

One of the most important conservation objectives in the Special Areas of Conservation (SACs) in the German EEZ is to maintain and restore the near-natural character of benthic communities characterised, in particular, by long-living species. Even though the fishing effort

in the SACs concerned is comparatively low, the fisheries with mobile bottom-contacting fishing gears that do take place in these areas may have considerable negative impacts on the reef and sandbank habitats, in particular on sensitive reef structures and long-living benthic species with low growth rates. In general, a recurring regular use of bottom-contacting fishing gear in the same area can result in continuous habitat alteration. As outlined in section 4, first and second fishing events cause the largest relative loss among benthic organisms, while other fishing events further increase the absolute loss, but have only little effect on the relative loss. Therefore, even a few fishing events can have a high impact on the zoobenthos. Considering all factors, we concluded that a ban of fisheries with mobile bottom-contacting fishing gears would be necessary in accordance with Art. 11 of Regulation (EU) No 1380/2013 to achieve the conservation objectives of the SACs concerned and that such a ban would not be disproportionate, also taking into account socio-economic aspects.

With regard to the comments of the German Angling Association (DAFV) and the European Anglers Alliance (EAA), we would like to underline that the draft joint recommendation provides for a ban of fisheries with mobile bottom-contacting fishing gears in the SACs of the German EEZ in the Baltic Sea. The draft does not specifically apply to recreational fishing, and it does not impose any bans on recreational angling in the SACs.

With this we hope that we have sufficiently replied to the comments and concerns raised. Should you or any of the BSAC members have any further comments or questions on the draft or the procedure, please do not hesitate to contact us again.

Kind regards

Hermann Pott