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SCIENTIFIC, TECHNICAL AND ECONOMIC COMMITTEE FOR FISHERIES

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Response to a request from the European Commission on the use of trammel nets in waters less than 600 m depth by way of derogation from Regulation (EC) No 43/2009

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Background

Point 9 of Annex III to Regulation (EC) No 43/2009 regulates the use of gillnets in ICES zones IIIa, IVa, Vb, Via, VIb, VIIbcjk, VIII, IX, X, XII. According the rule in force, Community vessels shall not deploy gillnets, entangling nets and trammel nets at any position where the charted depth is greater than 200 m in the above mentioned areas, and as from 1 October 2009 in ICES zones VIII, IX and X.

However, point 9.4 clearly stipulates the derogations for the use of gillnets and trammel nets down to 600 meters, targeting hake and anglerfish respectively which extends the area of activity to the area where they normally fish.

Moreover, point 9.12 of the same annex stipulates that the Commission may decide, after consulting the STECF, to exclude certain fisheries, in ICES Zones VIII, IX, X, from application of points 9.1 to 9.11, 'where information provided by Member States shows that those fisheries result in a very low level of shark by-catches and of discards'

The Portuguese Government has forwarded the attached information (Annex I) in relation to point 9.12 that needs technical assessment from STECF in order to justify its exclusion to the general rule.

Request to STECF

STECF is requested to:

1. Evaluate the information provided by Portugal showing that their trammel net fleet activity targeting anglerfish in area IX, results in a very low level of shark by-catches and of discards, in order to advise the Commission on the possible exclusion of this gear in area IX.

2. Taking into account point 9.4 b of annex III of Regulation (EC) No 43/2009, STECF is requested to advise whether the derogation in force for entangling nets (which includes trammel nets) is sufficient to include the Portuguese trammel net fleet in question, as this clause extends their use to waters of less than 600 meters. In case STECF does not find sufficient grounds to include it, propose a modification to the current text in force.

STECF Observations

Information presented

The submission by the Portuguese Authorities includes a detailed overview of the regulation banning the use of gillnets deeper than 200m and details the two fisheries with existing derogations that can operate at depths down to 600m. The Portuguese authorities' detail why they believe that the Portuguese trammel net fishery for anglerfish should be derogated under the provisions under annex III, Article 9.12 of EC regulation 43/2009, which stipulates:

"The Commission may decide after consultation with STECF, to exclude certain fisheries, in ICES Zones VIII, IX,X, from application of points 9.1 to 9.11 where information provided by member states shows that those fisheries result in a very low level of shark by-catches and discards"

In support of their submission, landings data for deep water shark, aggregated across species from 1999 to 2008 for two gear types, single walled nets and trammel nets and the number of vessels engaged in the fishery was provided. In addition, detailed technical specifications of the gears used in the two fisheries are also provided.

Further information taken into consideration

STECF notes that the prohibition of fishing with fixed nets in waters deeper than 200m is primarily intended to limit fishing mortality on deepwater species, particularly deep-water sharks. The existing derogations allow for the continuation of fisheries targeting anglerfish and hake at depths down to 600m, provided a number of technical and operational conditions are met. These relate specifically to the construction of the nets, the maximum amount of netting that can be deployed, the maximum soak time and a shark by-catch limit of 5% by weight.

STECF (2006) concluded, "*the hake and monkfish fisheries should be limited by a maximum of 600 m. This was seen as best compromise to be practical and to avoid the main part of the sharks' depth range. This depth limit means that the monkfish fishery cannot proceed in depths down to 800 m. It is recognised that some smaller shark species are mainly distributed in this range (600-800 m). It is also recognised that the two species to which the ICES advice mainly applies, Portuguese dogfish and leafscale gulper shark have very low abundance in depths shallower than 600 m. It should be noted that pregnant Portuguese dogfish do tend to occur in the shallower part of its bathymetric distribution, from 500 –1 000 m. The overall distribution of the species is from 500 – 2 900 m (Clarke, 2000; Clarke et al. 2001).*"

STECF notes that the original prohibition of gill nets, entangling nets, and trammel nets >200m was confined to ICES Zones III, VII and XII. At that time, the regulation did not extend to IX and therefore had no impact on the operational characteristics of the Portuguese gill and trammel net fleets. Given that one of the primary objectives of the ban is to protect deep water species including shark, STECF considers that it is important to assess what the potential impact on deep water species, other than the target, may be if further derogations to other fisheries are granted.

STECF notes that there are two main species of commercially exploited deepwater shark found in Portuguese waters, *Centrophorus squamosus* and *Centrophorus coelolepis*. Evidence on depth distributions is sparse, but catch data from commercial fisheries would indicate that these are generally found in waters deeper than 600 m. However, gulper shark (*Centrophorus granulosus*) is also distributed in shallower waters along the Portuguese coast. ICES (2008) noted that this species inhabits a depth range of between 50 and 1440m but also noted that little information exists on the catches of gulper shark other than annual landings data, which are probably incomplete.

Deep-water surveys held on the Portuguese coast from 1990-1994 (Alagador and Costa, 2003), indicate that the species is more abundant at depths greater than 700m (Figure 1), although IBTS data shows that for survey tows in which gulper shark were present, approximately one third of the specimens were caught at depths shallower than 600m. Munoz-Chapuli (1984) analysed catch data from several commercial fisheries conducted in the North East Atlantic, including the western and south western coast of Portugal (Figure 2) and found that *C. granulosus* was distributed from 100 m to 550 m, with peaks at 100 m-200 m and 400 m -550 m, although from the information presented it is not possible to describe the bathymetric distribution of *C. granulosus* by survey region. In a subsequent study (Munoz-Chapuli (1985)), on the distribution of demersal elasmobranchs, the incidence of *C. granulosus* in the catches increased with increasing depth although the area corresponding to the Portuguese coast was not surveyed.

Casas, Piñeiro and Bañón (2001) based on experimental surveys with bottom trawl and longline carried out on commercial vessels in the period 1996–1998, along the

continental slope of Galician waters (ICES Divisions VIIIc and IXa) and the Galician Bank (ICES Division IXb) concluded that *Centrophorus granulosus* was more abundant in the Galician Bank (Division IXb) at depths greater than 800m (Figure 3).Golani and Pisanty (2000) note that the in the Mediterranean males were dominant in the 550-800m zone, while females have a shallower distribution of 200-400m. STECF notes that the available data suggest that while gulper shark appear to occur over a wide range of depths, their predominant bathymetric distribution is not well understood.

STECF further notes that this species is vulnerable to overexploitation since fecundity is very low, around three embryos per female on average (Banon et al., 2008). The species also has IUCN Red List Status (Guallart et al., 2009) and is classified as critically endangered. It is also classified by OSPAR as threatened and/or declining.

Species-specific data, from deepwater fishing, shows a decline in shark landings. Annual reported gulper shark landings have fallen from 1056 to 100 tonnes since 1990 (ICES, 2009) and it is estimated that the population has declined by between 80 and 95% of its initial size (Guallart et al., 2009), assuming constant fishing effort which may not be valid. ICES (2009) note that *Centrophorus granulosus* was the main target of a directed longline fishery for deep-water sharks, which started in 1983 in northern Portugal (STECF, 2003), but has now finished. The species is occasionally captured by the Portuguese black scabbardfish longline fishery in Subarea IX, although this fishery takes place at depths in excess of 1000 m.

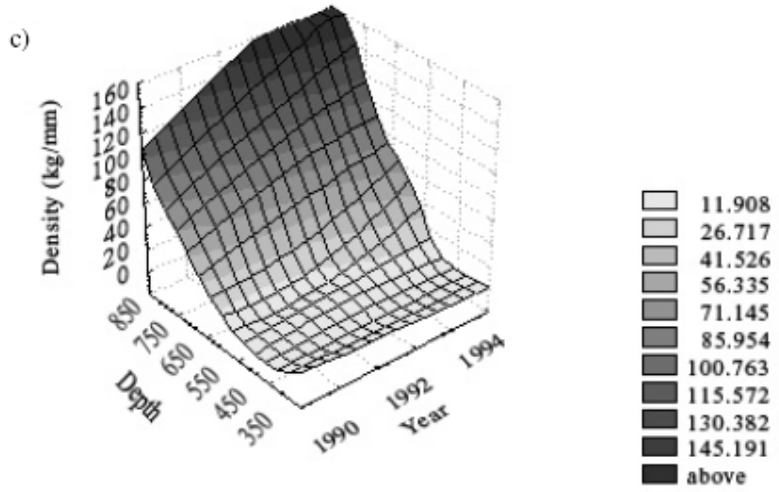

Fig 1 Three-dimensional biomass distribution graphs for (c): *Centrophorus granulosus* (Alagador and Costa, 2001)

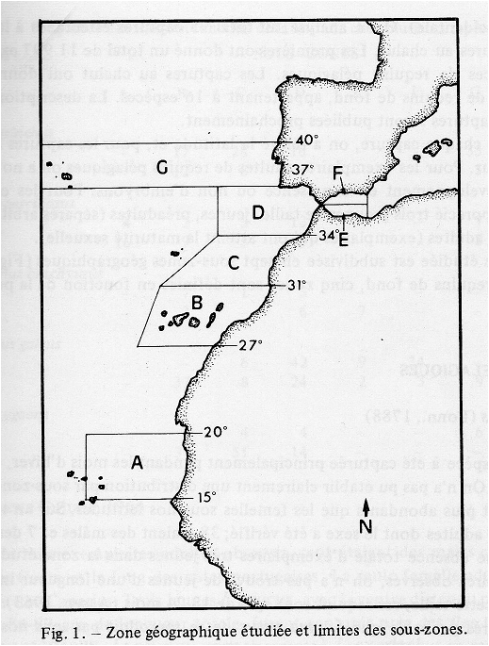

Fig. 1. – Zone géographique étudiée et limites des sous-zones.

Figure 2. Surveyed area by Munoz-Chapuli, R. (1984). "Ethologie de la reproduction Chez Quelques Requins de l'Atlantique Nord-Est." Cybium 8(3): 1-14.)

Centrophorus granulosus

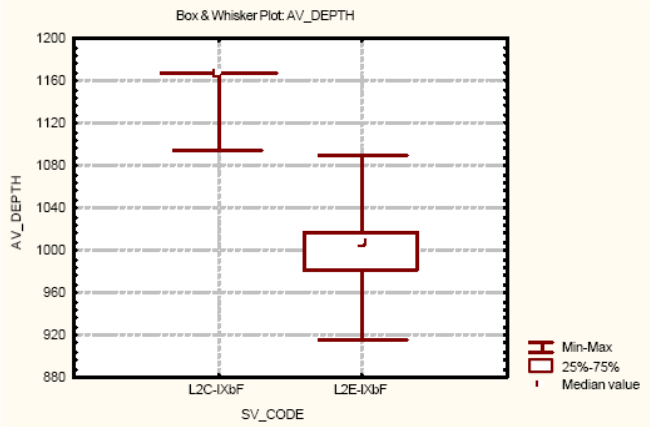

Figure 3. Depth distribution by sex, area, gear type and activity (TE: Botton Trawl Exploratory; L2C: Longline directed to deep-water sharks from Commercial Fisheries; L2E: Longline directed to deep-water sharks from Exploratory Surveys) (Casas, Piñeiro and Bañón (2001).

STECF Conclusions and recommendations

The STECF conclusions and recommendations are listed according to each of the specific elements of the request below:

1. Evaluate the information provided by Portugal showing that their trammel net fleet activity targeting anglerfish in area IX, results in a very low level of shark by-catches and of discards, in order to advice the Commission on the possible exclusion of this gear in area IX.

The data provided by the Portuguese authorities show low levels of shark landings (typically less than 2 tonnes per annum) associated with the gill net and trammel net fisheries relative to the total Portuguese landings of all deepwater shark, which are in excess of 500t (ICES, 2009). However, the submission fails to provide data of overall catch (landings plus discards). While the submission notes that due to the high value, discarding of deepwater shark is unlikely, no data is presented to substantiate this. Article 9.12 specifically notes that member states must provide information on both landings and discards. In addition, STECF notes that it is not possible to ascertain whether the landings of shark exceed 5% of the total landings (Article 9.11) due to the absence of data for other species landed from the fishery.

STECF concludes that there is insufficient catch information presented to consider the inclusion of trammel net fishery in IX as part of the derogations identified in Article 9.12.

2. Taking into account point 9.4 b of annex III of Regulation (EC) No 43/2009, STECF is requested to advise whether the derogation in force for entangling nets (which includes trammel nets) is sufficient to include the Portuguese trammel net fleet in question, as this clause extends their use to waters of less than 600 meters. In case STECF does not find sufficient grounds to include it, propose a modification to the current text in force.

STECF notes that trammel nets are defined separately from gillnets and entangling nets in the regulation: Gillnets and entangling nets are defined under Article 9.1 and trammel nets under Article 9.2.

> *9.1. For the purposes of this point, gillnet and entangling net means a gear made up of a single piece of net and held vertically in the water. It catches living aquatic resources by gilling, entangling or enmeshing.*
>
> *9.2. For the purposes of this point, trammel net means a gear made up of two or more pieces of net hung jointly in parallel on a single headline and held vertically in the water.*

STECF concludes that by definition, trammel nets are not included under the derogations provided for gill nets (9.4a) or for entangling nets (9.4b).

"9.4. By way of derogation from point 9.3 it shall be permitted to use the following gear:

> *(a)* ***Gillnets*** *in ICES Zones IIIa, IVa, Vb, VIa, VIb, VII b, c, j, k and XII east of 27o W with a mesh size equal to or greater than 120 mm and less than 150 mm,* ***gillnets*** *in ICES Zones VIIIa, b, d and X with a mesh size equal to or greater than 100 mm and less than 130 mm and* ***gillnets*** *in ICES Zones VIIIc and IX with a mesh size equal to or greater than 80 mm and less than 110 mm provided that they are deployed in waters of less than 600 metres charted depth, are no more than 100 meshes deep, have a hanging ratio of not less than 0,5, and are rigged with floats or equivalent floatation. The nets shall each be of a maximum of five nautical miles in length, and the total length of all nets deployed at any one time shall not exceed 25 km per vessel. The maximum soak time shall be 24 hours; or*
>
> *(b)* ***Entanglin****g nets with a mesh size equal to or greater than 250 mm, provided that they are deployed in waters of less than 600 metres charted depth, are no more than 15 meshes deep, have*

a hanging ratio of not less than 0,33, and are not rigged with floats or other means of floatation. The nets shall each be of a maximum of 10 km in length. The total length of all nets deployed at any one time shall not exceed 100 km per vessel. The maximum soak time shall be 72 hours;

(c) ***Gillnets*** *in ICES Zones IIIa, IVa, Vb, VIa, VIb, VIIb, c, j, k and XII East of 27o W with a mesh size equal to or greater than 100 mm and less than 130 mm….":*

With regard to the Commission's request to modify the wording of the existing regulation to extend the current derogation to include trammel nets, STECF makes the following observations:

STECF notes that gulper shark (*Centrophorus granulosus)* is classified as critically endangered on the IUCN red species list.
While reported catches of deepwater shark associated with the gill net and trammel net fisheries are low, it is not possible to identify the catch of gulper shark or to estimate the current exploitation rate on this species by these fisheries. STECF considers that it is probable that the low catch rates observed may be due to the severely depleted nature of the population rather than due to any spatial separation between the distribution of gulper shark and the depth range of the fishery.

STECF considers that derogating the trammel fishery to operate in depths greater than 200m but less than 600m has the potential to negatively impact the population of gulper shark (*Centrophorus granulosus*) although the extent of the impact is not quantifiable with the available data and information. Furthermore, STECF notes that the existing derogations which permit the use of gill and entangling nets at depths down to 600m are also likely to impact the population of gulper shark in Subarea IX. Similarly the impact of these gears on the gulper shark population is also not quantifiable.

STECF therefore recommends that managers consider whether a derogation to fish using trammel nets at depths down to 600 m is desirable given the status of gulper shark and reconsider whether the existing derogation to fish at depths down to 600m using gill and entangling nets is appropriate. ,.

STECF further recommends that if managers decide to maintain the existing derogations to fish in Subarea IX with gill and entangling nets and extend a similar derogation to trammel nets, landings and discards from fisheries benefiting from the derogations should be closely monitored through an on-board observer scheme. Such a scheme, should collect and report all catches (landings and discards separately) by species, together with the amount of effort deployed to obtain such catches. Because sharks of the genus *Centrophorus* are difficult to identify to the species level, STECF recommends that on-board observers undertake the required level of taxonomic training

Literature:
Alagador and Costa, 2003. Distribution patterns of deep-sea benthopelagic fish off the Algarve coast (Portugal). Bol. Inst. Esp. Oceanogr. 19 (1-4). 407-417

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Banon, R. Pineiro, C and Casas, M., 2008. Biological observations on the gulper shark Centrophorus granulosus (Chondrichthyes: Centrophoridae) off the coast of Galicia (north-western Spain, eastern Atlantic). Journal of the Marine Biological Association of the United Kingdom, 2008, 88(2), 411–414.

Guallart, J., Serena, F., Mancusi, C., Casper, B.M., Burgess, G.H., Ebert, D.A., Clarke, M. & Stenberg, C. 2006. Centrophorus granulosus. In: IUCN 2009. IUCN Red List of Threatened Species. Version 2009.1.

ICES, 2009. Report of the Joint Meeting between ICES Working Group on Elasmobranch Fishes (WGEF) and ICCAT Shark Subgroup. ICES CM 2009/ACOM:16

Munoz-Chapuli, R. (1984). "Ethologie de la reproduction Chez Quelques Requins de l'Atlantique Nord-Est." Cybium 8(3): 1-14.).
Munoz-Chapuli (1985) Inv.Pesq. 49(1):121-135

STECF (2006). Commission Staff Working Paper. Report of the Scientific, Technical and Economic Committee for Fisheries. Report of the STECF Working Group on Deep-sea Gillnet Fisheries 11-14 July, 2006

Annex 1 –request from the Portuguese authorities

Letter from: Eurico Monteiro, Director-General, DGPA (Directorate-General for Fisheries and Aquaculture), Ministry of Agriculture, Rural Development and Fisheries, Lisbon
To: Director-General, DG MARE
Subject: Follow-up to decisions taken at the December Council of Ministers
Ref: DRI/3000/2009

One of the subjects discussed at the recent meeting in Lisbon with Mr Priebe was the ban on the use of single-wall gillnets and trammel nets at depths greater than 200 m for a series of zones of Community waters, including, as from 1 October, ICES Zones VIII, IX and X, as referred to in Annex III to Council Regulation (EC) No 43/2009.

We indicated that Portuguese fishing activities carried out using trammel nets at depths greater than 200 metres did not result in significant by-catches of deep-sea sharks, and as such there is no scientific basis for the ban on such nets and/or justification for establishing a rule for exceptions similar to those provided for in the abovementioned Community Regulation.

Taking into account the provisions of point 9.12 of Annex III to Regulation (EC) No 43/2009, we therefore ask the Commission to place this subject on the agenda of the next meeting of the Scientific, Technical and Economic Committee for Fisheries; in this connection please find attached a copy of a note setting out the information available on this subject.

(Complimentary close)

Note on the ban on gillnets and trammel nets at depths greater than 200 metres in ICES zone IX

Point 9.3 of Annex III to Regulation (EC) No 43/2009 prohibits the use of single-wall gillnets and trammel nets at depths greater than 200 metres in a group of areas of Community waters, to include, from 1 October, ICES zones VIII, IX and X.

Point 9.4. sets out a series of derogations allowing, in certain cases, the use of gillnets and entangling nets (both single-wall) when fishing for hake and monkfish but, with regard to Portugal, fishing using trammel nets between 200 and 600 metres in Zone IX is not to be covered by this.

Point 9.12 of the same Regulation stipulates that the Commission may decide, after consulting the STECF [Scientific, Technical and Economic Committee for Fisheries], to exclude certain fisheries, in ICES Zones VIII, IX, X, from application of points 9.1 to 9.11, 'where information provided by Member States shows that those fisheries result in a very low level of shark by-catches and of discards'.

This document sets out the information available on this subject; it is designed firstly to inform the Commission of this problem (which is primarily the result of a lack of awareness of the characteristics of Portuguese fisheries) and be submitted at the forthcoming STECF meeting.

The objective is to make it possible for the Commission to decide upon a possible derogation prior to 1 October 2009 and also to ensure that the next regulation on technical measures contains a specific provision allowing the use of gillnets and trammel nets to continue, under the current conditions, given that such gear has only a residual impact on deep-sea shark populations in these waters.

Background:

At the December 2006 Council of Ministers, the Commission, supported by the STECF's 2006 opinion recommending a ban on the use of trammel nets at depths greater than 200 metres in ICES Zones III and VII and XII, and also recommending that this measure also cover other ICES Zones in order to ensure the monitoring and protection of deep-sea resources, submitted a proposal prohibiting the use of such nets at depths greater than 200 metres in all ICES Zones.

With regard to ICES Zones VIII and IX, the Council did not approve the Commission's proposal, having adopted a Declaration to the effect that the Commission should, during 2007, promote scientific studies or the provision of further justification to support this proposal.

Despite not presenting any additional opinions or studies, in late 2007, the Commission resubmitted a proposal to extend this measure to cover Zones VIII, IX and X, a proposal which was not adopted by the Council, on the basis that no additional justifications had been submitted.

In the proposal for a Regulation on TACs and Quotas for 2009, the Commission once again proposed that these measures be extended, still on the basis of the STECF's 2006 opinion. As a compromise, at the December Council of Ministers, the Commission amended the proposal to have this measure apply only to Zones VIII, IX and X from 1 October, and making it possible, through the provision of information by Member States proving a reduced impact on deep-sea shark populations, for the continued exclusion of these zones until the end of the year.

It should also be noted that the Commission submitted a proposal for a derogation relating to gillnets, in respect of meshes of 80-110 mm in Zones VIIIc and IX, as well as a derogation on the use of entangling nets with a mesh size equal to or greater than 250 mm, in both cases at depths of up to 600 metres.

During the discussions which followed, it was understood and repeatedly stated by the Portuguese delegation, at both the Working Party on Internal Fisheries Policy and at the

Council, that the derogation provided for in point 9.4. b) in Part A, Annex II of the proposal referred to trammel nets, since this derogation related to fishing for monkfish, which is carried out by Portuguese fleets using trammel nets rather than entangling nets, and the Commission did not show any willingness to promote a full ban on fishing for monkfish in Zone IX at depths greater than 200 metres. This interpretation does not, however, correspond to the wording of the Community rules, which allow an exception only for single-wall gillnets assembled in two different ways, subparagraph (b) referring to single-wall entangling nets, and not to trammel nets.

The December 2008 Council of Ministers ultimately prohibited, as of 1 October, fishing using trammel nets at depths greater than 200 metres, it having been stated in Regulation (EC) No 43/2009 that 'the Commission may decide, after consultation of the STECF, to exclude certain fisheries, in ICES Zones VIII, IX, X, from application of points 9.1 to 9.11, where information provided by Member States shows that those fisheries result in a very low level of shark by-catches and of discards'.

We would also point out that the Commission proposal for a regulation on technical measures reflects this wording, i.e. unconditionally prohibits fishing using trammel nets at depths greater than 200 metres.

Deep-sea shark fishing in mainland Portugal (IX)

In mainland Portugal, catches of deep-sea sharks, specifically Portuguese dogfish (*Centroscymnus coelolepis*), leafscale gulper shark (*Centrophorus squamosus*) and gulper shark (*Centrophorus granulosus)* have essentially been by-catches of the traditional fishing of black scabbardfish by the Sesimbra long-line fleet, at depths of 1 000 metres.

It should be noted that the fishermen correctly identify the species caught; statistics (broken down by species) have been provided for a long time and catches made have been fully exploited, given the existence of an internal market that can, without difficulty, absorb the specimens caught.

Following the publication of Regulation (EC) No 2347/2002, the fishing of deep-sea species has been regulated at national level, and the catching of species referred to in Annex I to that Regulation by means of gear other than longline has since been prohibited by Order No 1063/2004 of 25 August 2004, save for a by-catch of up to 100 kg per fishing trip.

In addition to ensuring compliance with Community legislation, the objective behind the national legislation was to avoid the possible expansion of other gear along shore and to regulate efficiently small-scale fishing by a fishing community already being greatly affected by restrictions to its activities (the Morocco agreement).

Although nets are not currently used for deep-sea shark fishing, steps were taken to exclude, by means of national legislation, the development of new practices by national fishermen similar to fishing activities then being carried out, in other Community areas and activities which, as stated in numerous scientific opinions, had a highly negative impact on deep-sea shark populations.

Catches of deep-sea sharks in net fishing

Fishing activities using single- or triple-wall gillnets off mainland Portugal (Zone IX) at depths greater than 200 metres are designed to catch hake (in the case of gillnets) and Atlantic John Dory, imperador or monkfish (in the case of trammel nets).

The table in Annex I sets out the technical characteristics of various types of nets used to catch these species, as prepared by IPIMAR.

The nets in question were provided by fisheries cooperatives whose vessels had recorded monkfish catches in the North and Centre parts of Portugal and who see difficulties in adapting the nets they normally use, at depths greater than 200 m, for catching monkfish, Atlantic John Dory and wreckfish, to the exceptions provided for in the Community

rules, the point also being made that ‘they do not catch deep-sea sharks’, a claim which is backed up by an analysis of their fishing and landing logbooks.

They also stated that, to their knowledge, the gear used for catching deep-sea sharks consists of entangling nets using thread that is somewhat thicker than that used by the [Portuguese] fleet, and therefore these species, given their characteristics, tend to tear nets made from the thinner thread instead of being caught in them.

Analysis of this information shows that, as regards gillnets used for hake, the nets used fall under the exceptions provided for in Point 9.4(a) of Regulation (EC) No 43/2009, but that there is no reference to the possible use of trammel nets, whether for Atlantic John Dory or for monkfish.

This analysis covers catches of deep-sea sharks (species referred to in Annex I to Regulation (EC) No 2347/2002) carried out by commercial fishing vessels registered in the fishing logbooks from 1999 until 2008 for the fleet registered on mainland Portugal.

The analysis therefore relates to vessels of more than 10 m licensed to operate using gillnets and trammel nets. In 2008, 325 vessels of more than 10 m were licensed for gillnets and 343 for trammel nets, most of them being licensed for both types of gear.

The table below shows, for each year, the catch quantities recorded in fishing logbooks as having been caught using gillnets and trammel nets in Zone IX (including Zones IXa and IXb), irrespective of the depth at which the fishing operation took place.

CATCHES OF DEEP-WATER SHARK, USING NETS (1999-2008), ICES ZONE IX

YEAR	Single-walled nets		Trammel nets	
	Quantity (kg)	Vessels (No)	Quantity (kg)	Vessels (no)
1999			12	1
2000			1 204	5
2001			220	5
2002			176	2
2003	60	2	359	2
2004			133	3
2005	27	2	983	8
2006	785	6	1 236	9
2007	345	5	2 048	18
2008	548	7	756	19
Total	**1 765**		**7 115**	

The table indicates that the numbers of vessels and catch quantities of deep-sea shark are very low.

Although the possibility of discards cannot be ruled out, the fact that they relate to species with a considerable commercial market value would make the possibility of deep-sea shark discards being nil highly likely.

Conclusion:

The data collated by the Portuguese authorities regarding fishing logbooks recorded in the period from 1999 to 2008 indicate very low catches of deep-sea sharks caught using gillnets and trammel nets.

The recent opinion issued by IPIMAR [Portuguese National Institute for Biological Resources] on the proposal for a regulation on technical measures states the following:

- It is felt that the proposed ban on fishing using gillnets and trammel nets at depths greater than 200 m is aimed at protecting deep-sea species and deep-sea sharks in particular. As well as taking the view that the specific circumstances of countries should be taken into account in the derogations set out in Article 9, we feel that the proposal to abolish fishing using gillnets and trammel nets at depths greater than 200 metres will not significantly affect catches of deep-sea shark, especially those which are most important commercially (Portuguese dogfish [*Centroscymnus coeloleips*], leafscale gulper shark [*Centrophorus squamosus*], gulper shark [*Centrophorus granulosus*] and Deania [*Sapata*], given that:

i) These species are best caught at depths greater than 1 000 metres where gillnets and trammel nets are not used and ii) almost all landings of these species take place using

longliner vessels with a licence to conduct deep-sea fishing (Order No 1063/2004 of 25 August 2004).

It should also be noted that the ban on the use of trammel nets at depths greater than 200 metres significantly affects the usual practices of coastal trammel fleets, with clear socio-economic repercussions.

As regards deep-sea sharks, this ban also has no scientific or biological justification, given that only residual numbers of deep-sea shark still continue to be caught by the Portuguese fleet in Zone IX.

By virtue of Point 9.12 of Annex III to Regulation (EC) No 43/2009, the Commission is asked to invite the Scientific, Technical and Economic Committee for Fisheries to examine, at its next meeting, the possibility of exempting gillnet and trammel net fishing in Zone IX from Points 9.1 to 9.11.

DGPA, 31 March 2009

Annex I – Characteristics of gillnets and trammel nets

Characteristics of gear		Trammel nets			Gillnets	
		Monkfish*	Monkfish**	Atlantic John Dory**	Hake*	Hake**
	Most important species	Monkfish, rays, turbot	---	---	Hake, axillary seabream, red mullet	---
	Depth interval (m)	80-700	>200	>200	50-400	>200
Inner net	Mesh height	25-30	24	35	80-100	95
	Mesh length	800-1 000	540	648	1 000	1 440
	Mesh (mm)	200-220	220	182	80-90	80
	Material	Nylon, monofilament	Nylon, monofilament	Nylon, monofilament	Nylon, monofilament	Nylon, monofilament
	Hanging ratio (upper/lower)		0.44/0.45	0.45/0.47	---	0.44/0.45
Armouring	Mesh height	4-6	5	7		
	Material	Nylon, monofilament	Nylon, monofilament	Nylon, monofilament		
	Length (m)	60-70	52.7	53.4	60	50.3

Float ropes	Number of floats	---	No floats	[*illegible*] semi-cylindrical and 35 toroidal	---	27 semi-cylindrical
Lead ropes	Length (m)	62-72	53.7	55.7	62	52.3
	No	---	See notes	64 leads	---	See notes
Side ropes	Length (m)	3-4	3.3	4.35	4-5	5.3
Ropes***	No of meshes/inner wall and armouring	4-5	4/1	4/1	5-6	8
Fleets	No of nets per fleet	25-50	----	---	25-50	----
	No of fleets per vessel	6-8	---	---	4-6	---
NOTES		12 kg weight at lead ropes	Main lead included at ends *Mãozinhas* c/60 cm	*Mãozinhas* c/64 cm (upper) and 71 cm (lower)		Main lead included at ends *Mãozinhas* c/60 cm Meshes cross-assembled

* Information from the sector
** IPIMAR data
*** Meshes are not directly connected to the ends, but to intermediary ropes - of [*text missing*]

European Commission

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Title: SCIENTIFIC, TECHNICAL AND ECONOMIC COMMITTEE FOR FISHERIES (STECF) OPINION BY WRITTEN PROCEDURE – Response to a request from the European Commission on the use of trammel nets in waters less than 600 m depth by way of derogation from Regulation (EC) No 43/2009.
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Abstract
The Scientific, Technical and Economic Committee for Fisheries gave its opinion by written procedure in September 2009 Response ono a request from the European Commission on the use of trammel nets in waters less than 600 m depth by way of derogation from Regulation (EC) No 43/2009.

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