

Joint Recommendation regarding Fisheries Conservation Measures under Article 11 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy (the Basic Regulation) for the Marine Protected Area Bratten, located in the Skagerrak.

A copy of the proposal for fisheries conservation measures in waters under the sovereignty or jurisdiction of Sweden in the marine protected area Bratten in the Skagerrak is given in Annex I.

Sweden, as the initiating Member State, jointly recommend together with Denmark and Germany the proposed fisheries conservation measures, as described in detail in Annex I, to the Commission for adoption as a delegated regulation.

The Swedish proposal for fisheries conservation measures for the marine protected area Bratten has been coordinated with representatives from environmental and fisheries departments in Denmark and Germany and the North Sea Advisory Council. Sweden, Denmark and Germany have respectively consulted their fishermen associations/organizations. Sweden and Denmark have consulted NGOs as well.

Denmark and Germany have a direct management interest in the fishery to be affected by these measures. In accordance with Article 11(3) of Regulation (EU) No 1380/2013, Sweden provided Denmark and Germany with relevant information regarding the proposed fisheries conservation measures, including their rationale, scientific evidence in support and details on their practical implementation and enforcement.

After several consultations there is a common understanding and agreement among Sweden, Denmark and Germany to the proposed fisheries conservation measures, which are described in section 2 "Recommendations to be implemented in relation to fisheries conservation measures". The international and national consultations held and outcome thereof is given in Annex 1, appendix 9.

The overall aim of the proposed fisheries conservation measures is to ensure adequate protection of bottom habitats with high conservation values in order to contribute to coherent and representative networks of marine protected areas in waters under the sovereignty or jurisdiction of Sweden in the marine protected area Bratten in the Skagerrak. Thereby the proposed measures contribute to the obligation of achieving favourable conservation status under the Habitats Directive Article 6 as well as the obligation to achieve or maintain a good environmental status in marine waters by 2020 according to the Marine Strategy Framework Directive. The proposed fisheries conservation measures are proportional with respect to the Habitats Directive and the Marine Strategy Framework Directive and are applied in a non-discriminative manner due to close coordination with Member States having a direct management interest in the concerned sites (DK and DE) as described in Article 11 and 18 of the Basic Regulation.

1. The Marine Protected Area Bratten

The present joint recommendation entails fisheries conservation measures in the marine protected area Bratten located in the Skagerrak, in the Swedish EEZ, which has been designated as a Natura 2000 site as well as an OSPAR MPA. Sweden has therefore decided to incorporate, where necessary, the recommendations to protect the designated OSPAR habitats and species accepted under the OSPAR convention in the proposed measures in order to establish an ecologically representative network of marine protected areas in accordance with the Marine Strategy Framework Directive.

- (1) Sweden considers that, for the purpose of complying with Article 6 of Directive 92/43/EEC and Article 13.4 of Directive 2008/56/EC, fisheries conservation measures need to be adopted in certain areas under its sovereignty in the Skagerrak. If necessary conservation measures affect the fishery of other Member States, the Member States may submit these measures in joint recommendations to the Commission.
- (2) The recommended fisheries conservation measures concern parts of the marine protected area Bratten in the Skagerrak. They comprise the prohibition of fishing activities of commercial fishing vessels in areas hosting bottom habitats with high conservation values. These areas are laid out as no-take zones.
- (3) Fishing activity with mobile bottom contacting gear has a negative impact on bottom reef habitats with high conservation values, as such activity affects both the reef structures, soft bottoms and the biodiversity found in such areas. Accordingly, the prohibition of fishing activities in the no-take zones, as set out in the joint recommendation, should be included.

- (4) To ensure adequate protection of the no-take zones and enable more accurate control and enforcement, all fishing vessels inside the marine protected area Bratten should be fitted with and maintain in operation AIS transponders, class A. The AIS should transmit the position of the fishing vessel every 30 seconds.

2. Recommendations to be implemented in relation to fisheries conservation measures

The following recommendations are proposed to be adopted:

1. It shall be prohibited to carry out any fishing activity in the established no-take zones.
2. Fishing vessels may transit across no-take zones, provided that any gear carried on board be lashed and stowed in accordance with the conditions laid down in Article 47 of (EC) No 1224/2009.

'No-take zones ' mean the geographical areas enclosed by sequentially joining with rhumb lines the positions listed in section 6. These zones are areas where no commercial fishing is allowed.

3. Control and enforcement measures to be implemented

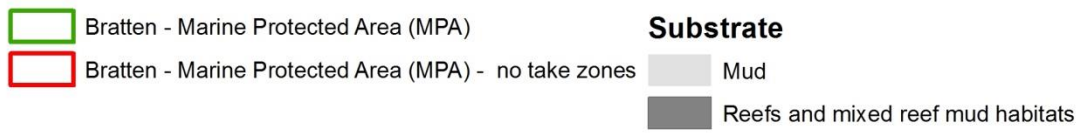
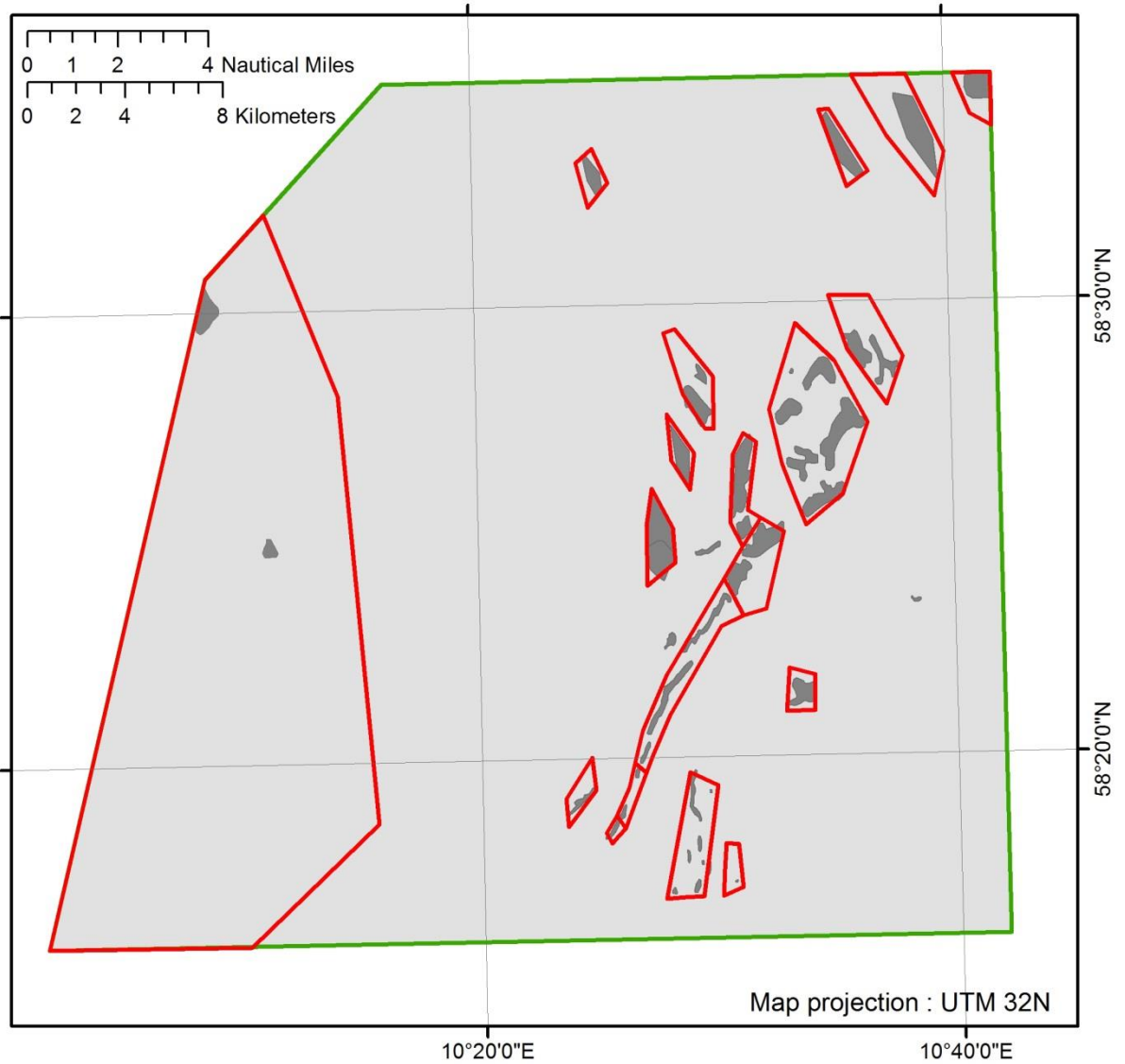
The following control measure is proposed to be adopted:

1. All fishing vessels shall inside the marine protected area Bratten, be fitted with and maintain in operation an automatic identification system, AIS, which meets the performance standards in Article 10.1 of (EC) No 1224/2009. The AIS shall transmit the fishing vessels' position every 30 seconds.

4. Outline and coordinates of the marine protected area Bratten in which fisheries conservation measures are proposed

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
1 NV	58.58333	10.2712	58°35.00000'	10°16.27200'	WGS 84
2 NO	58.58333	10.70000	58°35.00000'	10°42.00000'	WGS 84
3 SO	58.26667	10.70000	58°16.00000'	10°42.00000'	WGS 84
4 SV	58.26667	10.0286	58°16.00000'	10° 1.71600'	WGS 84
5 V	58.5127	10.1449	58°30.76200'	10° 8.69400'	WGS 84

5. **Map of the Marine Protected Area Bratten in which fisheries conservation measures are proposed**



6. Coordinates of the areas (no-take zones) in which fisheries conservation measures are proposed

1.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.54797	10.61234	58°32.87790'	10°36.74060'	WGS 84
	58.54242	10.59708	58°32.54500'	10°35.82450'	WGS 84
	58.57086	10.57829	58°34.25170'	10°34.69750'	WGS 84
	58.57113	10.58584	58°34.26810'	10°35.15060'	WGS 84

2.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.58333	10.70000	58°35.00000'	10°42.00000'	WGS 84
	58.56370	10.70000	58°33.82200'	10°42.00000'	WGS 84
	58.56834	10.68500	58°34.10000'	10°41.10000'	WGS 84
	58.58333	10.67333	58°35.00000'	10°40.40000'	WGS 84

3.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.55448	10.66622	58°33.26910'	10°39.97320'	WGS 84
	58.53817	10.65876	58°32.29020'	10°39.52570'	WGS 84
	58.56064	10.62589	58°33.63840'	10°37.55310'	WGS 84
	58.58333	10.60196	58°35.00000'	10°36.11730'	WGS 84
	58.58333	10.64007	58°35.00000'	10°38.40390'	WGS 84

4.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.41829	10.56322	58°25.09750'	10°33.79350'	WGS 84
	58.44104	10.54711	58°26.46240'	10°32.82670'	WGS 84
	58.46111	10.53893	58°27.66680'	10°32.33610'	WGS 84
	58.49248	10.55864	58°29.54890'	10°33.51860'	WGS 84
	58.47846	10.58575	58°28.70790'	10°35.14500'	WGS 84
	58.45570	10.60806	58°27.34200'	10°36.48350'	WGS 84
	58.42942	10.58963	58°25.76550'	10°35.37770'	WGS 84

5.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.46216	10.62166	58°27.72940'	10°37.29940'	WGS 84
	58.48256	10.59473	58°28.95350'	10°35.68400'	WGS 84
	58.50248	10.58245	58°30.14850'	10°34.94690'	WGS 84
	58.50213	10.61104	58°30.12770'	10°36.66250'	WGS 84
	58.47972	10.63392	58°28.78320'	10°38.03540'	WGS 84

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6.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.45450	10.49373	58°27.26970'	10°29.62370'	WGS 84
	58.46727	10.47881	58°28.03640'	10°28.72850'	WGS 84
	58.48976	10.46582	58°29.38550'	10°27.94900'	WGS 84
	58.49126	10.47395	58°29.47550'	10°28.43730'	WGS 84
	58.47369	10.50004	58°28.42150'	10°30.00260'	WGS 84
	58.45435	10.49995	58°27.26080'	10°29.99710'	WGS 84

7A.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.42132	10.53168	58°25.27900'	10°31.90080'	WGS 84
	58.41075	10.51853	58°24.64520'	10°31.11190'	WGS 84
	58.41982	10.50999	58°25.18910'	10°30.59960'	WGS 84
	58.44487	10.51291	58°26.69240'	10°30.77450'	WGS 84
	58.45257	10.52057	58°27.15410'	10°31.23410'	WGS 84
	58.44918	10.52936	58°26.95050'	10°31.76140'	WGS 84
	58.42423	10.52271	58°25.45370'	10°31.36260'	WGS 84

7B.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.38556	10.51815	58°23.13340'	10°31.08930'	WGS 84
	58.39907	10.50486	58°23.94410'	10°30.29150'	WGS 84
	58.41075	10.51853	58°24.64520'	10°31.11190'	WGS 84
	58.42132	10.53168	58°25.27900'	10°31.90080'	WGS 84
	58.41613	10.54764	58°24.96810'	10°32.85830'	WGS 84
	58.38776	10.53394	58°23.26560'	10°32.03650'	WGS 84

7C.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.32839	10.44780	58°19.70320'	10°26.86790'	WGS 84
	58.33196	10.43976	58°19.91750'	10°26.38560'	WGS 84
	58.34390	10.44579	58°20.63390'	10°26.74760'	WGS 84
	58.36412	10.46309	58°21.84690'	10°27.78530'	WGS 84
	58.39907	10.50486	58°23.94410'	10°30.29150'	WGS 84
	58.38556	10.51815	58°23.13340'	10°31.08930'	WGS 84
	58.38172	10.50243	58°22.90310'	10°30.14580'	WGS 84
	58.34934	10.46503	58°20.96020'	10°27.90180'	WGS 84
	58.33436	10.45233	58°20.06130'	10°27.13950'	WGS 84

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7D.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.32839	10.44780	58°19.70320'	10°26.86790'	WGS 84
	58.30802	10.43235	58°18.48120'	10°25.94100'	WGS 84
	58.31273	10.42636	58°18.76400'	10°25.58170'	WGS 84
	58.32300	10.43560	58°19.38030'	10°26.13580'	WGS 84
	58.33196	10.43976	58°19.91750'	10°26.38560'	WGS 84

7E.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.30802	10.43235	58°18.48120'	10°25.94100'	WGS 84
	58.30260	10.42276	58°18.15610'	10°25.36540'	WGS 84
	58.30642	10.41908	58°18.38510'	10°25.14470'	WGS 84
	58.31273	10.42636	58°18.76400'	10°25.58170'	WGS 84

8.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.35013	10.56697	58°21.00780'	10°34.01820'	WGS 84
	58.35000	10.54678	58°21.00000'	10°32.80660'	WGS 84
	58.36596	10.54941	58°21.95780'	10°32.96480'	WGS 84
	58.36329	10.56736	58°21.79740'	10°34.04160'	WGS 84

9A.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.28254	10.48633	58°16.95260'	10°29.17970'	WGS 84
	58.28185	10.46037	58°16.91100'	10°27.62230'	WGS 84
	58.32814	10.47828	58°19.68840'	10°28.69670'	WGS 84
	58.32314	10.49764	58°19.38860'	10°29.85840'	WGS 84

9B.

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.28254	10.49986	58°16.95260'	10°29.99170'	WGS 84
	58.30184	10.50257	58°18.11030'	10°30.15410'	WGS 84
	58.30128	10.51117	58°18.07690'	10°30.67040'	WGS 84
	58.28560	10.51374	58°17.13590'	10°30.82450'	WGS 84

10: -

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.40548	10.47122	58°24.32870'	10°28.27330'	WGS 84
	58.39710	10.45111	58°23.82620'	10°27.06670'	WGS 84
	58.41923	10.45140	58°25.15390'	10°27.08390'	WGS 84
	58.43279	10.45575	58°25.96770'	10°27.34510'	WGS 84
	58.41816	10.46972	58°25.08960'	10°28.18310'	WGS 84

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11. -

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.44546	10.48585	58°26.72760'	10°29.15080'	WGS 84
	58.43201	10.48224	58°25.92060'	10°28.93410'	WGS 84
	58.44293	10.46981	58°26.57590'	10°28.18890'	WGS 84
	58.46009	10.46709	58°27.60540'	10°28.02550'	WGS 84

12. -

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.31923	10.39146	58°19.15400'	10°23.48740'	WGS 84
	58.33421	10.41007	58°20.05280'	10°24.60400'	WGS 84
	58.32229	10.41228	58°19.33750'	10°24.73680'	WGS 84
	58.30894	10.39258	58°18.53660'	10°23.55460'	WGS 84

13. -

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.53667	10.41500	58°32.20000'	10°24.90020'	WGS 84
	58.55302	10.40684	58°33.18120'	10°24.41050'	WGS 84
	58.55827	10.41840	58°33.49610'	10°25.10420'	WGS 84
	58.54551	10.42903	58°32.73030'	10°25.74190'	WGS 84

14. -

Point	Latitude N	Longitude E	Latitude N	Longitude E	Geodetic Datum
	58.26667	10.02858	58°16.00000'	10°1.71510'	WGS 84
	58.51269	10.14490	58°30.76120'	10°8.69400'	WGS 84
	58.53608	10.18669	58°32.16510'	10°11.20140'	WGS 84
	58.46886	10.23659	58°28.13140'	10°14.19520'	WGS 84
	58.31137	10.26041	58°18.68210'	10°15.62490'	WGS 84
	58.26667	10.16996	58°16.00000'	10°10.19740'	WGS 84

Annex 1: Copy of the proposal for Fisheries Conservation Measures in the Marine Protected Area Bratten located in the Swedish EEZ of Skagerrak