



EFCA Seminar:

MONITORING THE IMPLEMENTATION OF THE LANDING OBLIGATION (LO)

24 June 2015, Roskilde (Denmark)

Participants: COM, EFCA, ***Member States:*** BE, DE, DK, EE, EL, ES, FI, FR, HR, IE, IT, LT, MT, NL, PL, PT, SE, UK (SCO); ***Advisory Councils:*** Baltic Sea (BSAC), North Sea (NSAC), Pelagic (PELAC), North Western Waters (NWWAC), South Western Waters (SWWAC), Mediterranean Sea (MEDAC), Long Distance (LDAC).

SUBJECT OF MEETING:

To further discussions on the implementation of the landing obligation; facilitating an open exchange of views between Member States and the Advisory Councils, with the participation of EFCA and the European Commission.

OBSERVATIONS:

- The value of the seminar as a wide-ranging discussion forum was noted;
- The regions continue progress towards a full implementation of the landing obligation;

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Industry experience (ACs)

A welcome address by the Danish administration highlighted the main aim of the seminar; being an open exchange of views to build upon work undertaken to date.

During the introduction to the meeting, EFCA highlighted that this was the first meeting with participation of the advisory councils since the inaugural landing obligation seminar held in Dubrovnik in January 2014. The key objective of the seminar was noted as being the identification of key issues and an open brainstorming towards identifying possible solutions, where appropriate.

During the first day of the meeting, the Advisory Councils (ACs) gave several interesting and highly topical presentations. Ensuing discussions raised a range of issues and concerns pertinent to the topic at hand; namely the implementation of the landing obligation in the regional areas. It is understood that the ACs presentations were addressing the full picture of the landing obligation beyond the control and inspection domain.

EFCA opened the meeting with a presentation of its activities and support services to Member States, through the regional groupings and in specific reference to the landing obligation.

Presentations by the ACs

The following presentations were given by the ACs, they are provided for reference in annex:

AC	TITLE OF PRESENTATION
Mediterranean Sea	<i>Contribution on the state of play of the implementation of the landing obligation.</i>
Pelagic	<i>Reflections on the First Months of the Landing Obligation.</i>
North Western Waters	<i>Regionalisation and Consultation on the Landing Obligation in the CFP.</i>
Baltic Sea	<i>Industry experience from the Baltic Sea.</i>
Long Distance	<i>(Verbal intervention only)</i>
North Sea	<i>Table with obligations per gear category for 2016.</i>
South Western Waters	<i>(Verbal intervention only)</i>

Discussion on main ideas to ensure a level playing field

There were extensive discussions centred on the likely difficulties and constraints in connection with a successful implementation of the landing obligation. The following discussion points raised by the ACs were noted:

- Sorting of catches onboard the vessel (fish <MCRS). Some difficulties with this were expressed, particularly in the cases of bulk pelagic fisheries (identifying fish below MCRS) and the Mediterranean multi-species demersal complexes. A suggestion was tabled to permit the reporting of catches <MCRS after landing (DK, MEDAC, NSAC, PELAC);
- Force majeure and vessel stability. It was highlighted that cases where vessels are at risk from overloading and so need to discard for safety reasons should be taken into consideration. Free surface effect was also reported to be a risk where discard chutes have been welded shut (PELAC);
- The importance of a level playing field. Uniform application of rules and common rules between regions was reported to be a key concern (PELAC, SWWAC);
- Quotas and flexibility provisions. The issues of quota top-up, inter-species and inter-annual flexibility were discussed. NWWAC, NSAC, BSAC, PELAC considered that these elements of the landing obligation provisions should be more deeply explored;

- MS ↔ AC cooperation and dialogue. Perceived weaknesses in the manner in which regional Member State groups interact with ACs were highlighted. ACs felt that cooperation arrangements could be improved (NWWAC, NSAC, BSAC);
- Landing obligation compatibility with existing recovery plans. Effort regimes associated with recovery plans are considered too restrictive in the context of the landing obligation; in the sense that they reduce the possibilities for the active avoidance of unwanted catches (NSAC, BSAC);
- Reporting obligations and technical measures. Reporting was perceived as an additional administrative burden on fishermen and the risk of choke could prove a disincentive to accurate reporting. Effective technical measures could allow the industry to adapt (NWWAC, NSAC, BSAC);
- Marketing of fish <MCRS. Some concern was raised regarding the risk of a parallel market for undersized fish developing. Some participants felt that price may regulate this risk. What seems apparent is that the risk is highest in the Mediterranean (MEDAC, BSAC);
- A Risk based approach. Rather than blanket control measures, a risk based approach to the implementation of the landing obligation is preferred (NSAC).

Concluding remarks for the first day

Noting that the discussions during the first day were largely dedicated to the tabling of the concerns of the stakeholders (ACs), the meeting agreed the following bullet list of key issues from the day's discussions. It is recorded that these are solely AC concerns and do not reflect any discussions, positions or views neither of the participating Member State administrations nor DG Mare and EFCA.

Control elements	TAC & Quotas
<ul style="list-style-type: none"> ➤ Sorting on board, Haul sampling ; ➤ Control of Third Country vessels; ➤ Estimation and recording of discards and catches <MCRS; ➤ Vessel stability (force majeure): Guidelines. 	<ul style="list-style-type: none"> ➤ Zero TAC species; ➤ Interspecies flexibility (9%); ➤ Choke species: how to manage; ➤ Quota uplifts; ➤ Management unit/TAC definition for some species; ➤ <i>De Minimis</i> monitoring.
Cooperation with ACs	Technical measures
<ul style="list-style-type: none"> ➤ Mechanisms of cooperation: how can dialogue between ACs and MS CEG be ensured; ➤ Guidelines for industry; ➤ Clarity of the rules; ➤ Keeping culture of compliance: avoid silo mentality. 	<ul style="list-style-type: none"> ➤ Study selectivity: pilot projects; ➤ Technical conservation measures (TCM); ➤ MCRS; ➤ Options for TCM to be in discard plans; ➤ New result based management TCM.
Other points	
<ul style="list-style-type: none"> ➤ Interregional coherence; ➤ Common MCRS within and between regions; ➤ Repeal of effort regime; ➤ Other survivability exemptions: flatfish; ➤ Best practice: Guidelines for handling survivability species; ➤ Risk-based approach. 	