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Report
STECF EWG 13 17 meeting
Landing Obligation in UE Fisheries

Dublin 26-28 November 2013

About 20 STECF/JRC experts were present at the meeting as well as seven observers in representation of the different RACs (BS RAC, NS RAC, MED RAC, NWW RAC, LD RAC, PEL RAC, SWW RAC). This report was prepared by the RAC Mediterranean representative.

This was the second meeting on the issue of the landing obligation, following the one held in Varese in September.

The terms of reference for the meeting aimed to achieve the formulation of guide lines for the preparation of national plans as described in Art. 15 of the reform to the CFP.

1. Develop guidelines to assist Member States in formulating joint recommendations that will form the basis of regional discard plans. These should articulate the information and minimum acceptable standards for the elements of the discard plans
 - a. Definition of fisheries; management units and timelines for implementation.
 - b. Exemptions on the basis of high survivability;
 - c. Provisions for *de minimis* exemptions
 - d. Provisions on documentation of catches;
 - e. Fixing of minimum conservation reference sizes
 - f. Identification of potential indicators for future impact assessments
2. Through worked examples test and refine the revenue to break even revenue ratio economic balance indicators, developed by EWG 13-16 to assess the *de minimis* conditionality of technical difficulties to improving selectivity.
3. Develop guidelines for setting appropriate minimum conservation reference sizes and explore cases where they could be justification for changing them compared to the current minimum landing sizes.
4. Through worked examples, identify circumstances leading to restrictions in fishing activity associated with restrictive quotas and identify potential responses and options to minimise such situations.

During the previous meeting, the issues and problems surrounding the introduction of the landing obligation and the conditions described in Art. 15 were discussed in detail. The main issues taken into consideration were the release of those species that have a high survival rate, the application of exemption



quotas in *de minimis* and the monitoring and control to be carried out by the relevant authorities. The report on the results of the first workshop are attached to this report. This meeting aimed to finalise the guidelines to support the Member States in the preparation of the various national plans relative to fisheries discards, in the different maritime districts that are affected.

As for the first meeting, five working groups were set up, which independently discussed the different aspects relative to the ToR 1, in association with the other three ToR which followed.

The RAC MED representative took part in the working group on the directives in relation to the documentation that is to be produced together with the landings.

Where point 1° is concerned, “Definition of fisheries; management units and timelines for implementation”, an accurate definition of the various fishing sectors has not yet been achieved, these sectors should be analyzed separately in the national plans for the landing of discards. The working group did not succeed in finding a reference description for the Member States that could accurately describe the different fishing sectors.

On point 1b “Exemptions on the basis of high survivability” the group recalled that the scientifically relevant studies that have been carried out on this matter are insufficient, as already illustrated during the meeting in Varese. Moreover the data provided are conflicting. This point is important because, once the high survival rate of a species has been scientifically demonstrated, in relation to the capture method and the season, the specimens could be released without the landing obligation being applied.

It is therefore particularly difficult for the STECF to provide indications to define the concept of “high survival rate”, in terms of the recognition of both the phenomenon and the percentage.

Where the highly relevant point 1c is concerned: “Provisions for *de minimis* exemptions”, the working group concentrated on the possibility to activate this measure in cases where it can be demonstrated (and acknowledged by the scientific community) that specific difficulties would be faced in the attempt to increase the selectivity of the fishing gear in question.

In the guide lines, the working group decided to propose two analysis methods that were developed and calibrated mainly for fisheries in the seas of northern Europe, and therefore do not take into consideration the multi-specific nature of Mediterranean trawl fisheries. These studies, that were presented during the second day of the workshop, will be included in the final meeting report and should make it possible to evaluate when the adoption of technical measures (increasing mesh size etc.) have the effect of making fisheries activities no longer profitable.

In relation to the other condition that allows *de minimis* to be employed – the disproportionate costs involved in the landing of unwanted catch and in the scarcity of bycatch – the general indications can be attributed to a detailed analysis of the phenomenon (percentage bycatch registered in the area for a certain kind of fishery, costs relative to managing the product, storing and/or disposing of the discards...). The lack of indications from STECF on the minimum values that allow the measure to be applied will leave the assessment of the “disproportionality of costs” to the Commission.

Where point 1d is concerned: “Provisions on documentation of catches” the discussion that had begun in Varese continued, in particular in relation to the need to introduce a rigid monitoring and control programme into the national plans.



The introduction of CCTV cameras and remote control was highlighted and it was mentioned that during the experimentation of this method in Denmark there was a significant increase in the quantity of product landed, it was also remarked that there is a limit to the application of this technology in view of the personal data protection laws.

The meeting participants for the most part resolved not to include the minimum measures to be adopted in the preparation of the national plans in the guidelines, the adoption of diversified control measures was proposed: REM systems (Remote Electronic Monitoring systems, CCTV cameras), the presence of observers on board, inspections at sea, controls to be carried out at the landing point, leaving the possibility open for national authorities to add to these measures.

There was also extensive discussion on the registration of discards in the fishers' logbooks, the possibility to register the quantities for each single haul or at the end of the fishing trip was debated: in this case, such restrictive rules will not be indicated, the existing indications will be upheld, partly in consideration of Art. 14 of Reg. (CE) 1224/09. According to this Article, as well as fishing vessels whose length is < 10 m, catches less than 50 kg for each single species are exempt from registration. The requirement to register discards will, however, remain.

In the final report, the experts will stress the importance of registering all the amounts fished, including therefore the quantities that are inferior to 50 kg, this is in order to monitor fishery discards indirectly and to carry out direct controls (observers on board, controls to be carried out at the landing point, etc.).

The other Terms of Reference were briefly analysed and commented on, but no agreement was reached and therefore the issues in question will be analysed further by the experts.

By the end of December the report of the meeting should be ready on the STECF website.

During the discussion it emerged that, where the Baltic Sea is concerned, in recent months the consultations have begun between sector representatives (both demersal and pelagic fisheries) in preparation for the formulation of the national plans. **The application of the new regulation in the Mediterranean, from 1st January 2015 in relation to pelagic resources, and above all the necessity to prepare management plans by next June, make it appropriate to begin the consultations and the discussion of the various issues in the context of RAC MED, even without the support of the guidelines. This is particularly necessary in order to identify the ways in which the discards will be managed as well as the channels for marketing/disposing of the discards that are landed.**

Roberto D'Ambrà

