



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
Fisheries Policy Mediterranean and Black Sea

ANNEX: QUESTIONNAIRE TO MS ON THE IMPLEMENTATION OF THE LANDING OBLIGATION

Steps taken by Member States and producer organisations to comply with the landing obligation

1. Have you initiated, supported, participated in or implemented any measures and/or studies relating to the avoidance of unwanted catches through spatial or temporal changes to fishing behaviour (for example, studies/pilots on real time closures)? Yes/No

Please specify the measures taken or studies carried out.

2. Which fleet segments/fisheries do these measures and/or studies apply to?
3. What has the uptake of these measures and/or studies been in the fleet segments/fisheries to which they are applicable?

Please provide the number and proportion of vessels in the segment/fishery.

4. Have you initiated any changes to your quota management system to implement the landing obligation? Yes/No

Please specify these changes.

5. For stocks managed through catch limits, have you conducted a quantitative analysis to identify potential national choke issues? Yes/No

Please give details.

6. Have you pursued any exemptions to the landing obligation (either for high survival or de minimis) in the development of regional joint recommendations? Yes/No

Please give details of each exemption pursued.

7. What studies or evidence have you collected or produced in order to support such a request.

8. What steps have you taken to ensure the amount discarded under granted de minimis exemptions does not exceed the permitted volume in the delegated act?

9. What has been the utilisation of any granted de minimis exemptions in the fleet segment/fishery to which the exemption applies?

Please provide the total weight and proportion of catch discarded under this exemption for each fleet segment/fishery to which an exemption applies.

10. Have any of your vessels utilised the provision to discard fish, which shows damage caused by predators? Yes/No

Please provide the total weight of catch of each species discarded for each fleet segment/fishery concerned.

11. For stocks managed by catch limits, did you make use of the provisions for inter-annual or inter-species flexibility? Yes/No

Please identify which flexibility (or flexibilities) was used, and the corresponding reallocation of fishing opportunities for the stocks concerned.

12. In the development of joint recommendations, has consultation with Advisory Councils and other relevant stakeholders taken place? Yes/No

Please outline the process of consultation with Advisory Councils.

Please outline the process of consultation with other stakeholders, if relevant.

13. Following the adoption of the delegated act for a discard plan, have steps been taken to ensure adequate understanding among stakeholders of their obligations under the provisions of the act? Yes/No

Please outline the process of ensuring stakeholders understand the obligations that will apply to them.

14. Are there any other steps not covered by the questions above that you have carried out to effect compliance with the provisions of the landing obligation? Yes/No

Please specify the measures taken.

15. Which fleet segments/fisheries do these studies/pilots apply to?

16. What has the uptake been of these measures in the fleet segments/fisheries to which they are applicable?

Please provide the number and proportion of vessels in the segment/fishery.

Steps taken by Member States regarding control of compliance with the landing obligation

17. How is the effective control and enforcement of the landing obligation at sea and the accurate documentation of all catches, including quantities discarded, ensured?

18. Has information been provided by Member States administrations and control agencies to fishermen? Yes/no

In what format has this information taken:

- Initiatives directed to fishermen to improve compliance;
- Guidelines on the application of the landing obligation, accurate recording of catches, etc.;
- Other.

19. Have guidelines been provided by Member States administrations and control agencies for inspectors? Yes/no

In what format has this information taken:

- Delivery of guidelines for inspectors on the effective and uniform application of the landing obligation;
- Seminars and trainings organised for presenting the guidelines to inspectors at national and regional level.

20. Have new control and monitoring tools been used by Member States? Yes/no

Please supply information on:

- Control tools used in the context of landing obligation, i.e. Remote Electronic Monitoring, traditional systems (aerial surveillance, inspections at sea), reference fleets, etc.;
- Steps towards implementation of new tools, including electronic monitoring means dedicated to implementation of landing obligation, haul-by-haul recording, etc.

21. Have the Member State administrations and control authorities monitored below Minimum Conservation Reference Size (MCRS) catches at and after landing (traceability)? Yes/No

Please supply information on:

- Total number of discards (by fishery, fleet segment) from 2013 to 2019;
- Initiatives taken to prevent under MCRS catches from reaching the commercial channels (pre-notification of landings of under MCRS catches, etc.);
- Measures taken to monitor landings at fish markets/auctions adopted.

22. How is it ensured that control, inspection and enforcement of the landing obligation are carried out on the basis of risk management?

Please supply information on:

- What specific risks have been systematically identified?

- What sectors, vessels or persons have been identified as at risk of non-compliance?
- What measures have been implemented to limit the occurrence of these risks?

23. Has the “last observed haul” approach elaborated by EFCA as a tool for monitoring the implementation of the landing obligation and to derive potential targets for inspection been used? Yes/No

Please give details of the fisheries covered and the extent of sampling.

24. How many suspected and confirmed infringements, related to the landing obligation, have been detected at sea and at landing/marketing?

In cases of confirmed infringements please indicate the circumstances of the offence and the sanctions applied, including penalty points.

Information on the socioeconomic impact of the landing obligation

25. Using the most appropriate indicators defined below, provide information on the socioeconomic impacts on:

- The catching sector;
- Upstream businesses;
- Processors;
- Consumption and markets;
- Costs for Member States.

26. Have there been any reported incidents of overloading of vessels causing stability problems? Yes/No

Please specify the number and nature of such incidents.

Can you quantify these in terms of:

- Number of deaths or serious injuries;
- No of vessels involved as a % of the specific fleet segment.

27. Have there been any reported incidents of overloading of vessels forcing them to return to port early? Yes/No

Please specify the number and nature of such incidents.

28. Have there been any reported incidents or accidents on board vessels that can be attributable to excessive workload? Yes/No

Please specify the number and nature of such incidents or accidents.

29. Has any national legislation relating to safety on board fishing vessels arising from the landing obligation been amended or introduced? Yes/No

Please provide details of this legislation.

30. Have you provided or received any funding under Article 32 (Health and safety) of the European Maritime and Fisheries Fund¹ (EMFF) or Article 3 (Eligible operations on safety) and Article 6 (Eligible operations on working conditions) of Commission Delegated Regulation (EU) 2015/531 to mitigate against potential safety issues caused by the landing obligation? Yes/No

If yes, please specify the number of projects involved and the nature of the measures taken.

If no, have any measures been taken which have not been funded under the EMFF?

¹ Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council

Information on the use and outlets of catches below the minimum conservation reference size of a species subject to the landing obligation

31. What have been the main reported uses and destinations for catches below MCRS?

Can you quantify these catches by species in terms of volumes, price per tonne and associated costs for the different outlets such catches have been sent?

32. Have you carried out any studies or pilot projects considering the potential uses for such catches? Yes/No

Please provide details of such studies or pilot projects.

Information on port infrastructures and of vessels' fitting with regard to the landing obligation for each fishery concerned

33. Have you provided funding under Article 38 of the EMFF for modifications on board vessels for the handling of catches on board? Yes/No

Please specify the number, nature and total amount invested in such projects.

34. Have you provide funding under Article 43 of the EMFF for investment in the infrastructure of fishing ports, auction halls and shelters for the handling of unwanted catches? Yes/No

Please specify the number, nature and total amount invested in such projects.

35. Have you provide funding under Articles 68 and 69 of the EMFF for investment in marketing measures and the processing of fishery and aquaculture products? Yes/No

Please specify the number, nature and total amount invested in such projects.

Information on the difficulties encountered in the implementation of the landing obligation and recommendations to address them

36. Please provide information on the following:

Operational difficulties, such as:

- Avoidance and/or selectivity insufficient to avoid unwanted catches;
- Handling, storage and processing of unwanted catches;
- Lack of funding to adapt fishing gears, vessels or port infrastructure.

Difficulties relating to monitoring, control and enforcement, such as:

- Lack of understanding or awareness of the rules;
- Difficulties implementing and monitoring de minimis or high survivability exemptions;
- Implementation problems with regard to control/monitoring processes or infrastructure (e.g. adaptation of ERS systems);
- Refusal to carry observers.

Difficulties in fully utilising fishing opportunities, such as:

- Problems re-allocating quota to cover catches previously not landed;
- Problems with the timing or availability of quota swaps;
- Fisheries being forced to close early due to choke problems.