

Letter from DG MARE (15/4/2016)

The analysis done by the STECF-EWG 15-19 on the "Landing Obligation in the Mediterranean" is meant to provide the scientific basis to guide the MEDAC and Member States.

The STECF identified the main fisheries by GSA/Member State/target species/fishing gear according to the data availability (i.e. data is collected by GSA).

STECF in the report define fisheries in a very specific way, ie as an aggregation based on combination of **area** (GSA and Country); **fisheries or metier** (species complex, gear and vessel characteristics); and **gear**.

The list of fisheries presented by the STECF was based on experts' review of potential fisheries definitions and on current knowledge of technical fishing gear options.

The fishery definitions presented **may not match those currently being considered by other regional groups** and does not necessarily reflect Commission views on what a fishery is ("fishery" is not defined in the CFP Basic Regulation).

This does not prevent MEDAC from working on a sub-regional approach. In that case, it is more likely that several GSAs and Member States would be involved, **which would make possible the drafting of joint recommendations (JR)** according to Article 18 of the CFP.

The STECF concluded that "it would be simpler and more realistic to implement the phased approach to bringing species under the landing obligation according to marine geographical area or species rather than according to the species that define the fisheries".

According to the Basic Regulation, the next phase of the landing obligations will cover **"species which define the fisheries in the Mediterranean and Black Sea"** (Article 15(l)d).

To avoid disproportionate costs of handling unwanted catches and in accordance with Article 15(5)(c)(ii) of Regulation (EU) No 1380/2013, **it is appropriate to establish a de minimis exemption** from the landing obligation in terms of percentage of the total annual catches of species subject to the landing obligation in small pelagic fisheries.

Therefore, we believe **there is no legal obstacle to using a species approach** and believe that this approach could help streamline the identification of the species subject to the landing obligation.

For example, for highly selective fishing activities, a JR could be considered by species. The Common sea bream (*Pagrus pagrus*, average landing ratio for 2013 and 2014 =100%) in the Balearic Islands and the Sea bream species (mostly *Pagellus bogaraveo*, average landing ratio = 91%) in the Alboran Sea caught by longlines. These species are under Annex III of the MEDREG and therefore subject to the landing obligation as from 2017.

For mixed fisheries, a JR could be considered **by area** corresponding to the main fishing grounds or the stocks' distribution. A similar approach was used in the discard plan for small pelagic fisheries.

The different geographical scopes identified were:

(a) Western Mediterranean Sea meaning GSAs 1, 2, 5, 6, 7, 8, 9, 10, 11.1, 11.2, 12; (b) Northern Adriatic Sea meaning GSA 17; (c) Southern Adriatic and Ionian Sea meaning GSAs 18, 19, 20; (d) Malta Island and South of Sicily meaning GSAs 15 and 16 and (e) Aegean Sea and Crete Island meaning GSAs 22 and 23.

On an indicative basis only, you will find in Annex 1 a descriptive fiche that can be useful in the identification of the species and the fisheries subject to the landing obligations as from 2017.

Having in mind the good experience gained with the discard plan for the small pelagic fisheries, **we would encourage MEDAC to support Member States in drafting the joint recommendations for the demersal fisheries.** In the absence of joint recommendations, **the Commission will have to propose appropriate measures according to Article 15(7) of the CFP**

The Commission will discuss with Member States affected by this issue. In the meantime, I would also like to underline that the STECF needs to receive the contribution of MEDAC in order to examine, during the summer, the list of the species concerned and determine possible cases of exemption to the landing obligation.

Given the short time frame for the submission of the joint recommendations (**expected by mid-May at the latest**), we remain fully available during the upcoming weeks for any further information or clarifications you might need.

In the meantime, you will also have the occasion to discuss this matter with Mrs Roller, who will participate to the next meeting of MEDAC (Split, 20 April 2016).

Hubert GAMBS (Director)

Annex 1: Descriptive fiche to help with the identification of the species and the fisheries subject to the landing obligation as from 2017

1. **Definition of the geographical scope.** A sub-regional approach could be more appropriate than the single GSAs. This would help to have several MS involved (and thus the possibility to draft JRs). An example of a subdivision could be: the Western Med., the Central Med., the Adriatic Sea and the Eastern Med (similar approach as for the discard plans for small pelagic species).
2. **Identification of the main fisheries (other than small pelagic species).** For example, demersal fisheries of the shelf and upper slope (i.e. fisheries for hake, red mullet and Norway lobster), demersal fisheries of the deep slope (fisheries for red shrimp, fisheries for giant red shrimp).

3. Identification of the main gears for each fishery. For example, Fisheries for hake: the main gears affected would be trawls and artisanal gears (such as trammel nets, gillnets, longlines); Fisheries for red shrimp: trawls.

4. Quantification of the discard ratio.

Information available in the DISCATCH project
(Deliverable 1.1)

See EXAMPLES 1 and 2