



Working Group (WG1) LO

Main Outputs on Landing  
Obligation and Joint  
Recommendations by STECF

## Contents

### Information by STECF on methodology concerning Landing Obligation exemptions and Joint Recommendations

Additional information about the scientific methods and more details are available on the JRC website

*The scientific output expressed in the Plenary meeting Report does not imply a policy position of the European Commission*

Joint recommendations for discard plans represent the agreement among Member States cooperating regionally on **the elements** for the preparation of Union law (Commission delegated act) in accordance with Article 15.6 of the CFP.

These elements are:

- ✓ definitions of fisheries and species;
- ✓ de minimis and high survivability exemptions;
- ✓ fixation of minimum conservation references sizes;
- ✓ additional technical measures to implement the landing obligation;
- ✓ and the documentation of catches.

(55th Plenary – EWG17-03)

STECF cannot adjudicate on whether exemptions should be accepted or not (EWG 17-03)

Many **challenges** remain in implementing the landing obligation fully:

- ✓ **Survival experiments** do not cover all complex “situations” [...];
- ✓ **The subjective nature** of the conditionalities for exemptions: observations and conclusions are based on many assumptions;
- ✓ Many of the requests for de minimis exemptions remain of a “national nature” rather than **regionally focused** [...];
- ✓ While many regional groups use the **template developed by STECF**, there are still limitations in the information provided (landings, fleets, speculative assumptions) [...];
- ✓ Need to improve the **collection of catch** documentation data [...].

Many **gaps of knowledge** remain regarding differences in survival rates concerning:

different areas, seasons & temperature, handling practices, habitat (discarding bottoms), experimental conditions vs commercial conditions, etc. (55<sup>th</sup> plenary– STECF general observations)

To accept or reject an exemption proposal based on the survival value presented is a **decision for managers**.

(55<sup>th</sup> STECF plenary – EWG 17-03)

**Template** for provision of information relating to the fisheries [...] for **survivability exemptions**. (EWG 16-06 )

| Country | Exemption applied for (species, area, gear type)* | Species as bycatch or target | Number of vessels subject to the LO | Landings (by LO subject Vessels) | Estimated Discards* | Estimated Catch | Discard Rate | Estimated discard survival rate from provided studies |
|---------|---|------------------------------|-------------------------------------|----------------------------------|---------------------|-----------------|--------------|---|
|         |   |                              |                                     |                                  |                     |                 |              |   |
|         |   |                              |                                     |                                  |                     |                 |              |   |
|         |   |                              |                                     |                                  |                     |                 |              |   |

\* The information given here should be disaggregated by exemption applied.

## *ICES template for critical review of survival experiments*

The framework of the critical review used to evaluate literature on discard survival estimates based on ICES WKMEDS guidelines

*(Annex 2 – EWG 17-03)*

|                        |   |
|------------------------|---|
| Key guidance questions | e.g. Are criteria given to define when death occurred?                  |
| Vitality assessments   | e.g. Is there a description for each health state category?             |
| Captive Observation    | e.g. Are the holding/transfer facilities described?                     |
| Tagging                | e.g. Are fish released in the same area as they were caught?            |
| Controls               | e.g. Were treatment and controls randomly selected to account for bias? |
| Analysis               | e.g. Is the analysis that derived the survival estimates described?     |

## Discarded Plaice Survival Model

New form of analysis to estimate survival[...] based only on **health condition at the point of release.**

STECF conclusion of the model review:

- the approach is appropriate, but that it cannot yet be used to provide scientifically robust evidence;
- [...]
- **This framework is expected to be operational with the next year,**
  - objective standard
  - more rapid and cost-efficient survival assessments across a range of species and fisheries.

Source: 56th Plenary meeting



The subjective nature of the conditionalities for exemptions (high survival, **disproportionate costs, de minimis** & economic data): observations and conclusions are based on many assumptions.  
Source: 55th Plenary meeting - General observations

**Justification** for de minimis exemptions is **largely economic** (current revenue to break even revenue ratio economic balance indicator).  
(EWG 16-06)

Validity of the supporting information underpinning the exemptions [...]



**STECF considerations**

Deeper analysis [...]



**Member States and Advisory Councils**

(EWG 17-03)

There are no obvious ways to define when the landing obligation will by design result in the **increased retention of unwanted catches** becomes “disproportionate” in a specific fishery compared to another one (EWG 16-06).

STECF concludes that the **Multi-criteria Performance Matrix** proposed by EWG 16-06 is a useful instrument to improve the analysis of economic effects of de-minimis exemptions in the Landing obligation.

STECF concludes that filling in the Matrix requires a substantial effort.



**Supporting information**, not requirement for justification of a request.  
(Report STECF 16-10)



**Template** for provision of information relating to the fisheries for **de minimis exemptions** [...]. (EWG 16-06 )

EWG 17-03 notes that by and large Member States have used these templates in their JRs.

| Country | Exemption applied for (species, area, gear type)* | Species as bycatch or target | Number of Vessels subject to LO | Landings (by LO subject Vessels) | Estimated Discards* | Estimated Catch | Discard Rate** | Estimated de minimis volumes** |
|---------|---|------------------------------|---------------------------------|----------------------------------|---------------------|-----------------|----------------|--------------------------------|
|         |   |                              |                                 |                                  |                     |                 |                |                                |
|         |   |                              |                                 |                                  |                     |                 |                |                                |
|         |   |                              |                                 |                                  |                     |                 |                |                                |

\* The information given here should be disaggregated by exemption applied

\*\* Note on discard rates and de minimis volumes – For those vessels subject to the LO an estimated discard rate should be applied to their landings of the relevant species in the relevant areas in the most recent year for which there is data available. It may not be possible to calculate a discard rate for the specific vessels which are subject to the LO but a discard rate for the fleet overall should be available and could be used in that case.

Many of the requests for de minimis exemptions remain of a “national nature” rather than regionally focused (55<sup>th</sup> Plenary)

In developing future cases it would be better if exemptions were **regionally focused and covering all relevant fleets**. (EWG 17-03 recalling EWG 16-06)



This would help:

- ✓ the Commission avoid having to request additional information and clarifications from Member States on which fleets the exemptions should apply
- ✓ and also make it much easier for STECF to evaluate them.

(EWG 17-03)

- ✓ Need to improve the collection of catch documentation data (STECF PLEN 17-01 and by EWG 17-03).
- ✓ Joint recommendations would benefit from containing provisions that **strengthen data collection**.
- ✓ Progressive implementation of innovative monitoring measures, e.g. remote electronic monitoring and CCTV is still absent. (STECF PLEN 17-02)

STECF understands that several regional groups of Member States have set up control expert working groups working with the **European Fisheries Control Agency (EFCA)** to consider this element [...] (STECF PLEN 17-02)

✓ Avoidance of unwanted catch through **improved selectivity** or other means should be the primary focus in implementing the landing obligation. (EWG 17-03 and PLEN 17-02)

✓ **Other studies/papers** may exist that could be used by MS to support the requested exemptions.

STECF encourages MS to systematically investigate potential studies and existing scientific articles, and review their main findings before any request is sent out to the EWG (PLEN 17-02).

e.g. MINOUW project or EU website on landing obligation reports the list of the projects, trials or researches on landing obligation.

## REG. (EU) No 1380/2013

Article 15 Landing obligation 1. All catches of species which are subject to catch limits and, in the Mediterranean, also catches of species which are subject to minimum sizes as defined in Annex III to Regulation (EC) No 1967/2006 [...]

(d) From 1<sup>st</sup> January 2017 at the latest for species which define the fisheries and from 1<sup>st</sup> January 2019 at the latest for all other species [...]



## Annex III to Regulation (EC) No 1967/2006

SCIENTIFIC NAME COMMON NAME

### 1. Fishes

Dicentrarchus labrax Sea-bass  
Diplodus annularis Annular sea-bream  
Diplodus puntazzo Sharpsnout sea-bream  
Diplodus sargus White sea-bream  
Diplodus vulgaris Two-banded sea-bream  
Engraulis encrasicolus \* European anchovy  
Epinephelus spp. Groupers  
Lithognathus mormyrus Stripped sea-bream  
Merluccius merluccius \*\*\* Hake  
Mullus spp. Red mullets  
Pagellus acarne Spanish sea-bream  
Pagellus bogaraveo Red sea-bream  
Pagellus erythrinus Common pandora  
Pagrus pagrus Common sea-bream  
Polyprion americanus Wreckfish  
Sardina pilchardus\*\* European sardine

SCIENTIFIC NAME COMMON NAME

### 1. Fishes

Scomber spp. Mackerel  
Solea vulgaris Common sole  
Sparus aurata Gilt-head sea-bream  
Trachurus spp. Horse mackerel, Scad

### 2. Crustaceans

Homarus gammarus Lobster  
Nephrops norvegicus Norway lobster  
Palinuridae Crawfish  
Parapenaeus longirostris Deep water rose shrimp

### 3. Mollusc bivalves

Pecten jacobaeus Scallop  
Venerupis spp. Carpet-clams  
Venus spp. Venus-shells

## ToRs of EWG 17-02 Methodology EWG in the MED

- Stocks that should be considered, either as driving the fisheries or as relevant by-catches, for possible MAPs
- Pros and cons of the geographical scope of each possible plan taking into account:
  - ✓ the content requirements of the multiannual plans,
  - ✓ the distribution of the stocks,
  - ✓ the dynamics and technical interactions between fleets
  - ✓ the scientific knowledge currently available to the scientific community.

Advise on the stocks that should be considered, either as driving the fisheries or as relevant by-catches, for possible multiannual plans (MAPs)

PLEN-17-02

| <b>Western Med</b>            | <b>Adriatic Sea</b> | <b>Ionian Sea</b>  | <b>Eastern Med</b>    |
|-------------------------------|---------------------|--------------------|-----------------------|
| Small pelagic fisheries       | Demersal fisheries  | Demersal fisheries | Demersal fisheries    |
| GSAs<br>5, 6, 7, 8, 9, 10, 11 | GSAs<br>17 and 18   | GSAs<br>19 and 20  | GSAs<br>22, 23 and 25 |

## ADRIATIC AND IONIAN SEAS - GSAs 17, 18, 19 and 20

Fishing gears: Bottom trawl nets, Longlines, Bottom-set nets (including trammel nets and gillnets), Traps, Beam trawl, Hydraulic dredge, Shore and boat seine

| Area         | Species   |
|--------------|---|
| GSA 17       | Sole ( <i>Solea vulgaris</i> )  |
| GSA 17-18    | European hake ( <i>Merluccius merluccius</i> ), Red mullet ( <i>Mullus barbatus</i> ), Norway lobster ( <i>Nephrops norvegicus</i> ), Spot-tail mantis shrimp ( <i>Squilla mantis</i> ) |
| GSA 19       | European hake ( <i>Merluccius merluccius</i> ), Red mullet ( <i>Mullus barbatus</i> )   |
| GSA 20       | European hake ( <i>Merluccius merluccius</i> ), Red mullet ( <i>Mullus barbatus</i> )   |
| GSA 17-18-19 | Deep-water rose shrimp ( <i>Parapenaeus longirostris</i> )  |

**Relevant by-catch species:** Gilt-head sea bream (*Sparus aurata*), Sea bass (*Dicentrarchus labrax*), Common pandora (*Pagellus erythrinus*), Squids (*Loligo* spp.), Common cuttlefish (*Sepia officinalis*)

STECF conclusions: *striped venus* (vongole - clams) should be added to the MAP, *Eledone* spp. and *Octopus* spp. should be monitored

## WESTERN MEDITERRANEAN SEA GSAs 5, 6, 7, 8, 9, 10 and 11

Fishing gears:

Purse seiners and pelagic trawlers

| Area          | Species   |
|---------------|---|
| GSA 5-6-7     | European anchovy ( <i>Engraulis encrasicolus</i> ), Sardine |
| GSA 8-9-10-11 | ( <i>Sardina pilchardus</i> )                               |

**Relevant by-catch species:** Atlantic mackerel (*Scomber scombrus*), Chub mackerel (*Scomber japonicus*), Atlantic horse mackerel (*Trachurus trachurus*), Mediterranean horse mackerel (*Trachurus mediterraneus*)

## EASTERN MEDITERRANEAN SEA - GSAs 22, 23, 25

Fishing gears: Bottom trawl nets, longlines, bottom-set nets (including trammel nets and gillnets) and traps.

| Area   | Species   |
|--------|---|
| GSA 22 | European hake ( <i>Merluccius merluccius</i> ), Red mullet ( <i>Mullus barbatus</i> ), Striped Red Mullet ( <i>Mullus surmuletus</i> ), Norway lobster ( <i>Nephrops norvegicus</i> ), Deep-water rose shrimp ( <i>Parapenaeus longirostris</i> ) |
| GSA 23 | Hake ( <i>Merluccius merluccius</i> ), Red mullet ( <i>Mullus barbatus</i> ), Deep-water rose shrimp ( <i>Parapenaeus longirostris</i> ), Striped Red Mullet ( <i>Mullus surmuletus</i> )   |
| GSA 25 | Striped Red Mullet ( <i>Mullus surmuletus</i> ), Red mullet ( <i>Mullus barbatus</i> ), Bogue ( <i>Boops boops</i> )  |

**Relevant by-catch species:** Gilt-head sea bream (*Sparus aurata*), Sea bass (*Dicentrarchus labrax*), Common pandora (*Pagellus erythrinus*), Squids (*Loligo spp.*), Common cuttlefish (*Sepia officinalis*), Picarels (*Spicara spp.*)

STECF and EWG Conclusions: *Octopus spp.* should be monitored



Thanks for your  
attention!

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