



**The EU Landing Obligation:
Impacts and Solutions
Monday 1 February
13:45 - 15:00**

**Portomaso Suite 2 & 3
Seafood Summit, Malta**

Obligation to land all Catches of Regulated species

Council Regulation No 1380/2013



site to keep up to date with the issues affecting the catching, processing and aquaculture sectors as and when they happen.
www.fishnewseu.com

We offer a Private Healthcare Scheme managed by BUPA offering expert health advice & support to fishermen & their families.

Information sites

- <http://www.seafish.org/industry-support/the-landing-obligation-the-discards-ban->
- http://ec.europa.eu/fisheries/cfp/fishing_rules/landing-obligation/index_en.htm
- <http://www.gov.scot/Topics/marine/Sea-Fisheries/discards>
- <https://www.gov.uk/government/collections/fisheries-management-landing-obligation>

What is the Landing obligation?

- A **NEW** piece of **EU law** that make fishermen fully accountable for what they catch rather than what they land to market.

The complete reverse of previous law, which:

- Made it illegal to land fish for which a vessel had no quota

The Magnitude of change

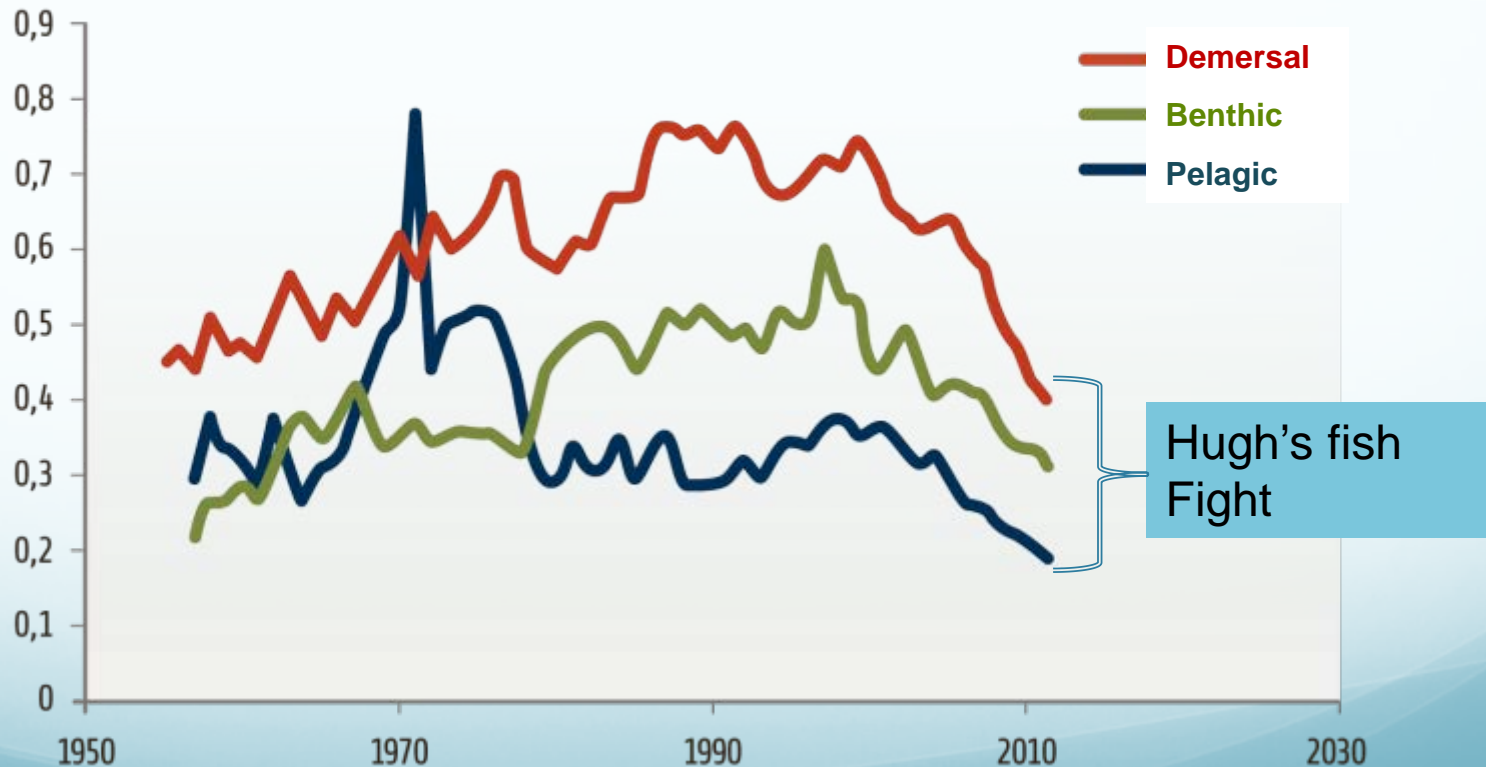


Why are we here?

- CFP Reform
- Mixed message - Confused discussion
- Political solution to a practical problem (co-decision with the Parliament and Council)
- Pretty much ignored the direction of travel

Trends in Mortality

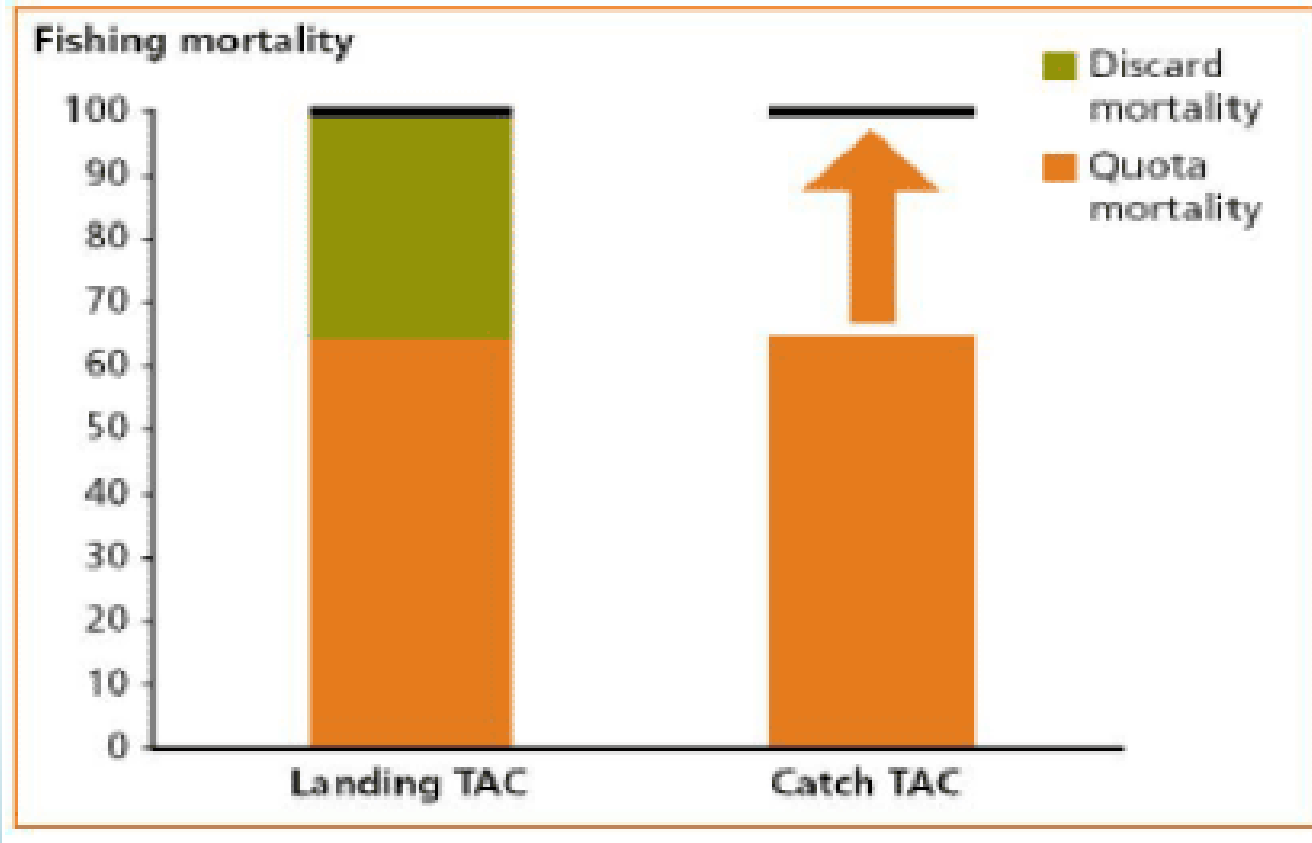
Fishing Mortality



Why is it such a challenge?

- Marries new world approach with historic legacies such as:
 - Relative stability – Set shares of Total Allowable Catches (TACs) – Takes no account of regime shift
 - Single species management – relative abundances change from year to year
 - Economic models built on securing an economic return from **all the available quota** (at the vessel level)

Change In Approach



Threats

- The chocking of fisheries – Early closures – reduced income/economic failure
- Return to an anarchic past – culture of non-compliance – lack of on-sea monitoring
- Increased mortality – vessels continue to discard while landing more to the market
- Breakdown in relationships – fishermen/science/managers

Choke Examples

	2015 starting allocation	2015 final allocation (a)	Discard rate	2015 estimated catch (b)	Estimated shortfall	Choke point (% of year)
Hake	574t	2,800t	80%	13,500t	10,700t	26%
Saithe	5,249t	9,000t	40%	15,000t	6,000t	60%

Court Appearances

- 11 Offences over a four year period

Offence	Date of Detection	Date in Court
Mis recording Black Scabbard	05/02/12	23/07/14
Failure to submit e-logs	20/04/12	Not recorded
Under declaration of Cod on e-log	03/10/12	04/11/14
Obstruction of BSFO	16/03/13	10/10/14
Retention after closure	17/10/13	21/04/15
Retention after closure	09/10/13	21/04/15
Retention after closure	09/12/13	15/08/14
Failure to submit sales notes	30/09/13	Not recorded
Retention after closure	29/10/14	20/07/15
Failure to comply with e-logs	27/06/14	not recorded
Retention after closure	10/12/14	10/07/15
Breach of licence conditions - electrofishing	22/04/15	17/12/15

2012
2013
2014
2015

2
5
3
1

Opportunities

- Stimulus for change – Provides an economic opportunity – requires improved avoidance and selectivity
- **Should** provide a more complete picture on the stocks due to total catches being recorded
- Greater awareness of international dimensions – improved quota exchange

Where we are!

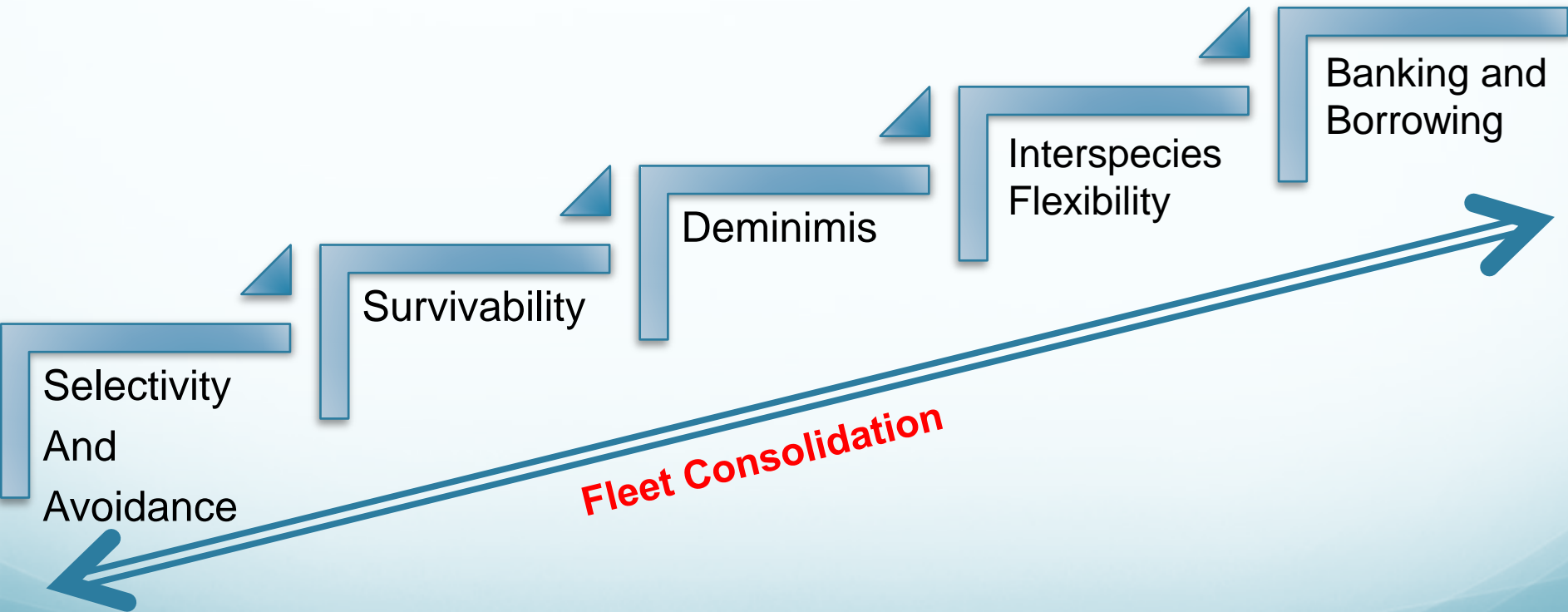
- Agreement to phase the introduction
- Picking the low-hanging, least problematic stocks
- Gathering information through 2016
- Removing unhelpful regulations and law such as the cod plan and various elements of existing technical measures
- Discussing how best to use assisting mechanisms

WELL, HE NEVER FIT IN, SO
THIS IS HOW HE WANTED
TO BE REMEMBERED.



Making it fit!

Initiatives and Exemptions



Thank you?

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Landing the potential: Benefits (and risks) of the obligation to land all catches

Presentation by: Liane Veitch
Seaweb Seafood Summit
Hilton Malta
01 February, 2016



Introduction to ClientEarth

- ClientEarth is a non-profit environmental law organisation
- We use law, science and policy to tackle key environmental challenges
- We work on climate change, energy, environmental justice, biodiversity, forests and human health

Landing the potential

- What are the benefits of a functioning landing obligation?
- What does the law say?
- What are the risks if the landing obligation is not implemented correctly?
- How do we avoid these risks?

Benefits

- Why was the LO introduced in the CFP reform?
 - Call for change from the catching sector and supply chain to system that required discarding of marketable fish
 - Public outcry about wastefulness of discards
 - Reduce impact of fishing on bycatch species

Benefits

- Why was the LO introduced in the CFP reform?
 - Consistent with the new legal requirement to limit **catch** levels to sustainable levels (MSY)
 - Better scientific data on catches
 - Better profitability of industry (hopefully!)

The law

- Common Fisheries Policy (CFP) objectives (Article 2)
 - Environmentally sustainable fishing in the long-term, w/ economic, social & employment benefits
 - Apply the precautionary approach and restore and maintain stocks above levels that can produce MSY
 - Implement EBFM and minimise negative environmental impacts of fishing
 - Gradually eliminate discards by avoiding and reducing unwanted catches

The law

- CFP Article 16.4: Fishing opportunities – TACs and quotas – must be set in line with Article 2.2 (MSY exploitation rate achieved by 2015 where possible, 2020 at the latest)
- Stocks coming under the LO will have their TAC ‘adjusted’, to account for catch previously discarded that now must be landed. Any TAC that includes an ‘uplift’ in fishing opportunities must also achieve MSY as soon as possible, 2020 at the latest.

“Ban” on discarding

- Exemptions
 - *de minimis*
 - high survival
- Flexibilities
 - Inter-species
 - Inter-annual
- May be useful – may also increase risk of overfishing
- Implications for subsequent quotas?

Risks?

- Industry:
 - Adapting to the LO, particularly avoidance of unwanted catches, to mitigate choke problems
 - Need the freedom to change fishing patterns (while still maintaining adequate controls)
 - Non-compliance by some fishers risk reducing benefits to all (e.g. if mortality increases, quotas will have to go down)
 - Meeting the requirements of the LO in the context of MSY-based fishing levels

Risks?

- Supply chain?
 - Transition to a full LO – all quota species in all fisheries – may affect EU production (choke)
 - Meeting the requirements of the LO in the context of MSY-based fishing levels
 - If these obligations aren't met – what does that mean for sourcing from those fisheries?
 - What if supplier/retailer committed to source only from sustainably managed stocks?
 - Loss of fishery certifications?

Solutions

- Find balance between increasing fishers' freedom to change fishing patterns, while maintaining adequate environmental protection/controls
- Use EMFF funding (EUR 35 million) to support
- Engage all stakeholders in developing solutions; build on progress made so far
- Use exemptions and flexibilities sparingly – focus on avoiding unwanted catches in first place

Solutions

- Monitoring, control and enforcement will be critical (this needs resources!)
- A focus on data collection – more uncertainty in stock assessments means lower, more precautionary TACs
- Continued progress to phase in the LO in demersal fisheries to avoid a ‘big bang’ in 2019 when all quota species must be landed

Landing the potential

Not what we want..!



(c) John Haslam

Landing the potential



(c) Alice Bartlett

LO + MSY

= healthy
fish stocks

= healthy
fishing industry

= healthy
supply chain

= healthy and
happy public

Thank you

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Bio-economic Scenario Analysis of Landing Obligation

Hazel Curtis

Chief Economist, Seafish

Landing obligation

Intended outcomes

Fishing adapted

No discarded quota stocks

Sustainable fishing

Profitable fishing

Relative stability maintained

Quota stocks at SSB_{MSY}

Unintended outcomes

Fishing adapted, but still get:

Choke situation

Business failure

Fish left uncaught in the sea

Unemployment and less food

Widespread non-compliance

Continued discarding

Quota stocks below SSB_{MSY}

To prevent unintended outcomes arising, despite adaptations to fishing – flexibilities and exemptions agreed in reformed CFP

Will the flexibilities and exemptions...

- achieve the intended outcomes; and

- avoid the unintended outcomes?

How much difference will have to be made by fishing adaptations to avoid unintended outcomes?

This is what we set out to determine:


1. Estimate the operational effects of the flexibilities and exemptions

2. From outcomes, estimate impacts ££

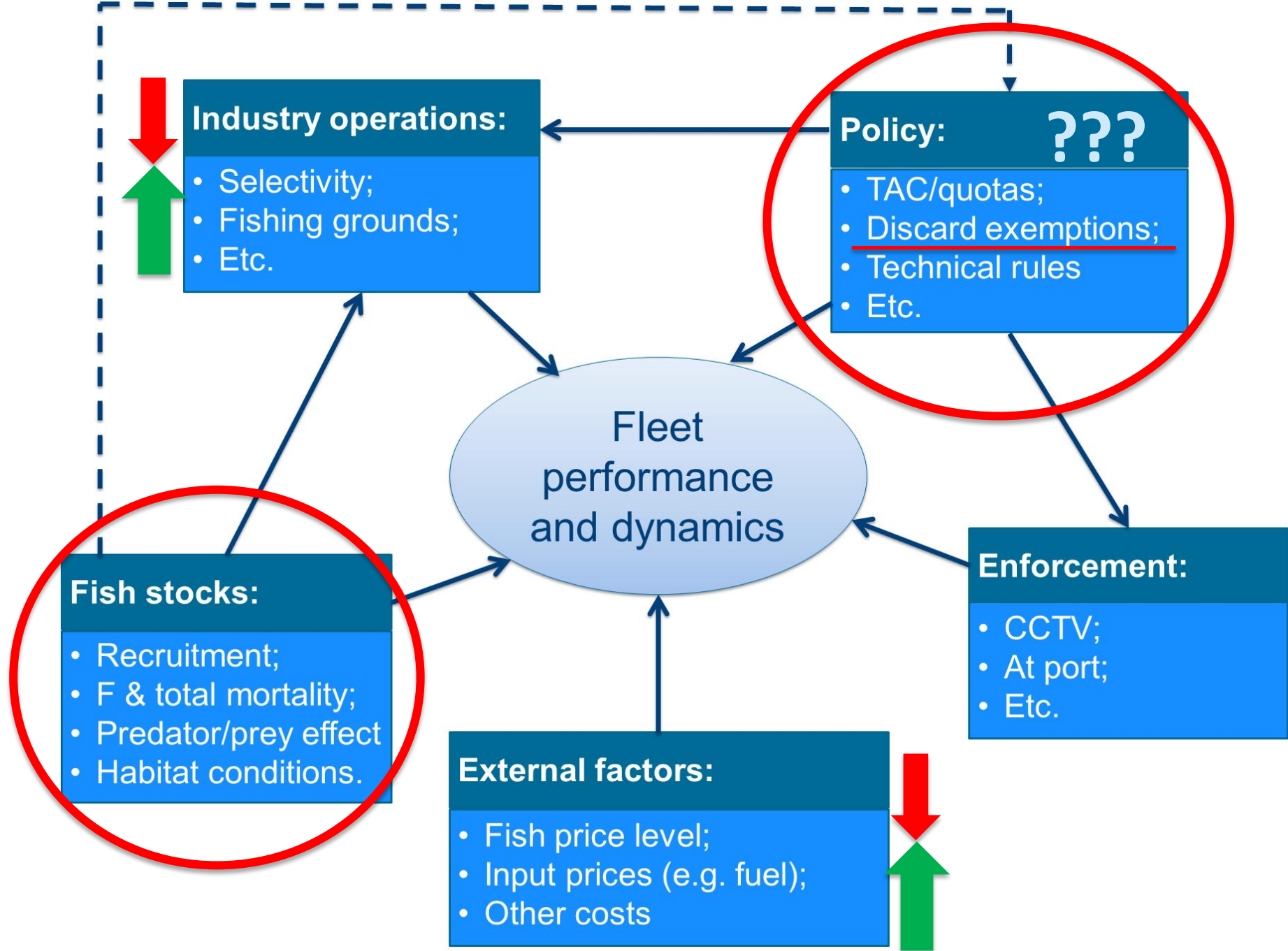
Just to be clear....

...this is not our
prediction of
the future!





Phases of work:
Choke analysis
Scenario analysis
Onshore analysis





Just to be clear – we did not change:

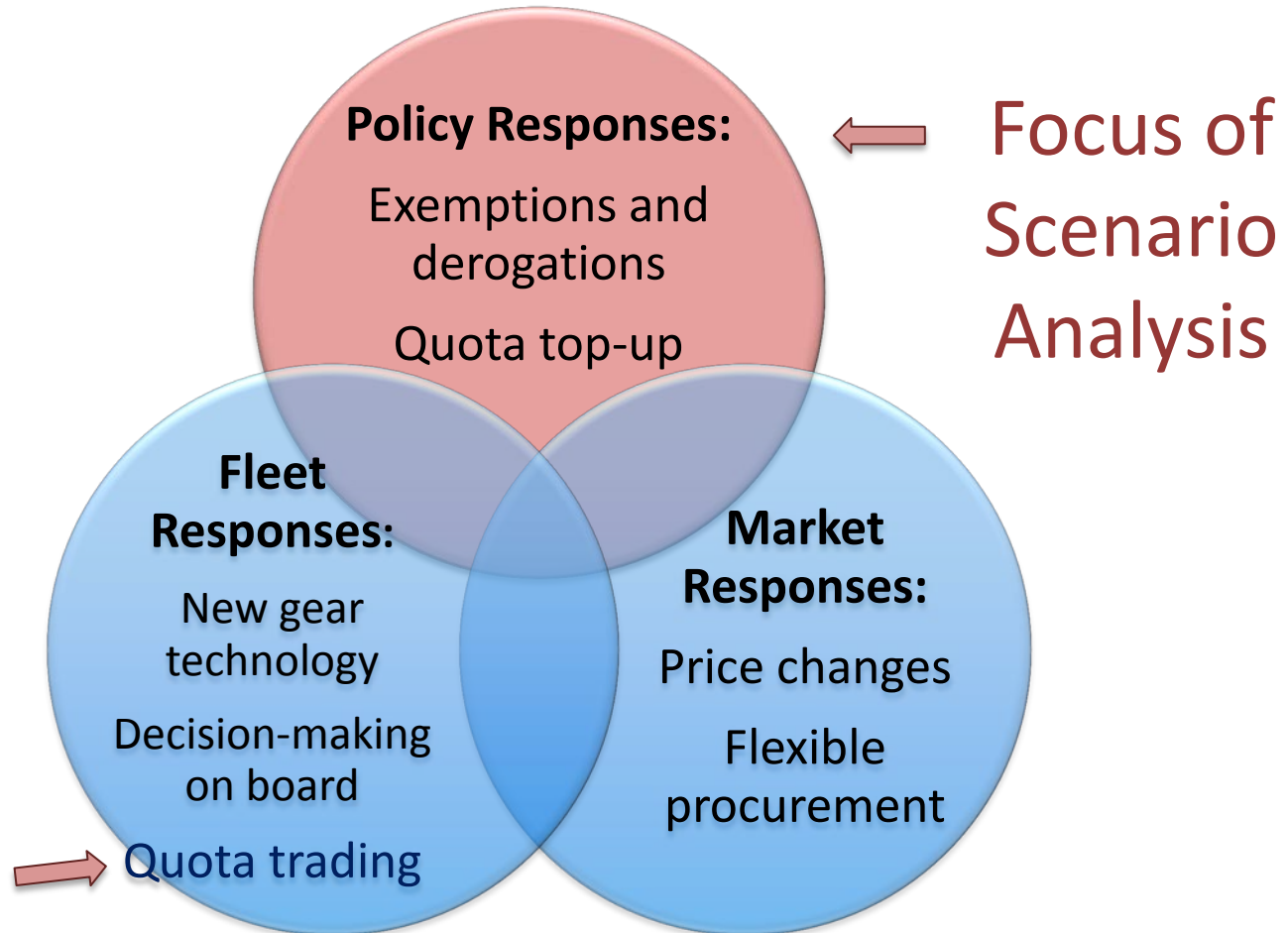
Catch rate per day at sea

Prices of sales and inputs

Efficiency – fuel use per tonne landed

– in reality, could be higher or lower than in 2013

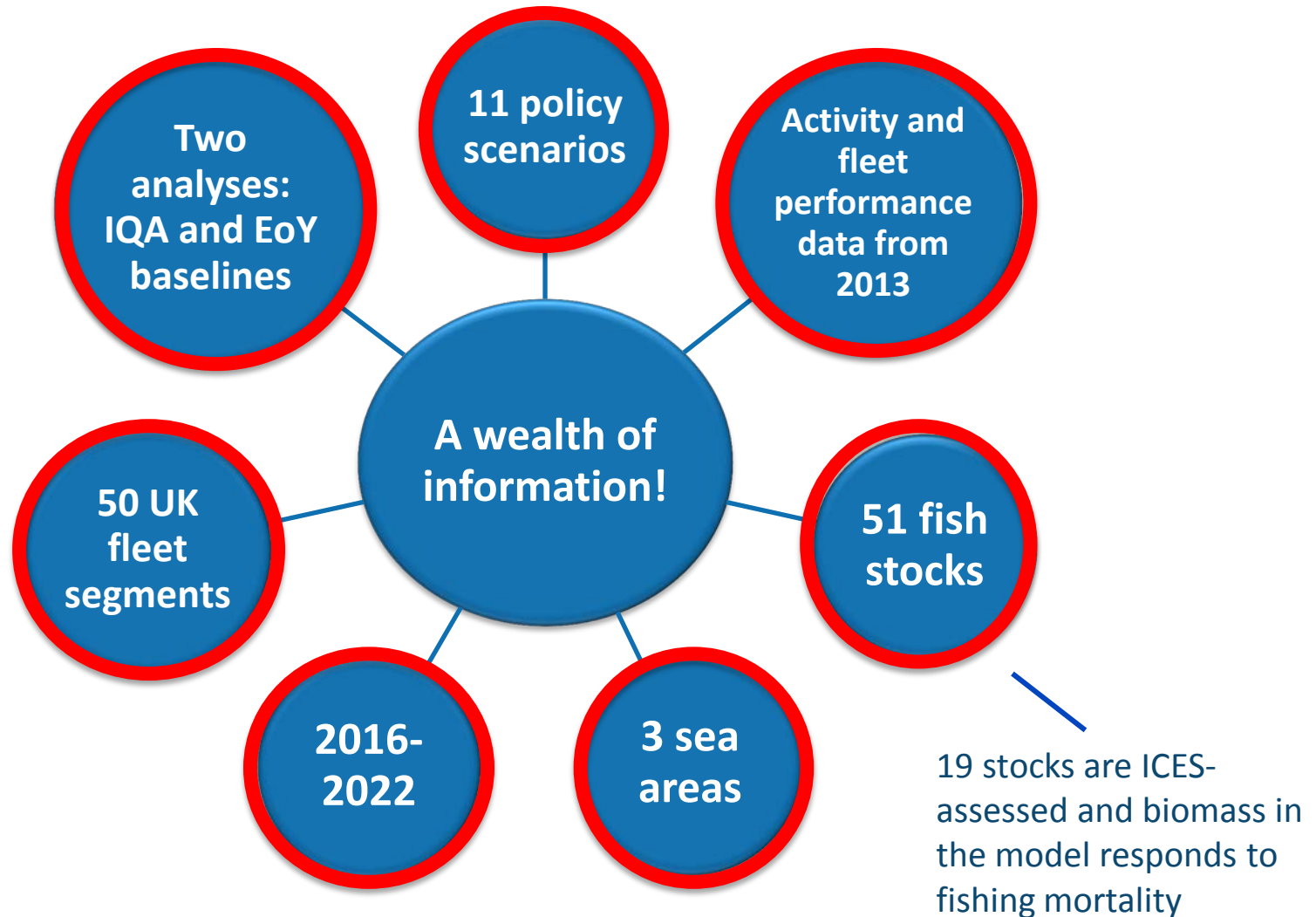
Potential responses to mitigate the negative impacts of the landing obligation



Four Primary Goals

- Analyse potential consequences of landing obligation on UK fleet – if fishing not adapted
- Explore potential value of different policy levers to the UK fleet
- Identify potential choke stocks and choke points in different sea areas, for different fleet segments
- Communicate greatest challenges to mitigate UK impacts of the landing obligation

Bio-economic Scenario Analysis





Summary of Findings

From 2013 end-of-year landings
analysis

Scenarios presented

Baseline scenario B3

Introduction of landing obligation plus catch allowances for zero-TAC stocks and quota top-up

Single policy lever scenario 1C

B3 plus de minimis (5% of UK TAC)

Single policy lever scenario 2

B3 plus interspecies flexibility

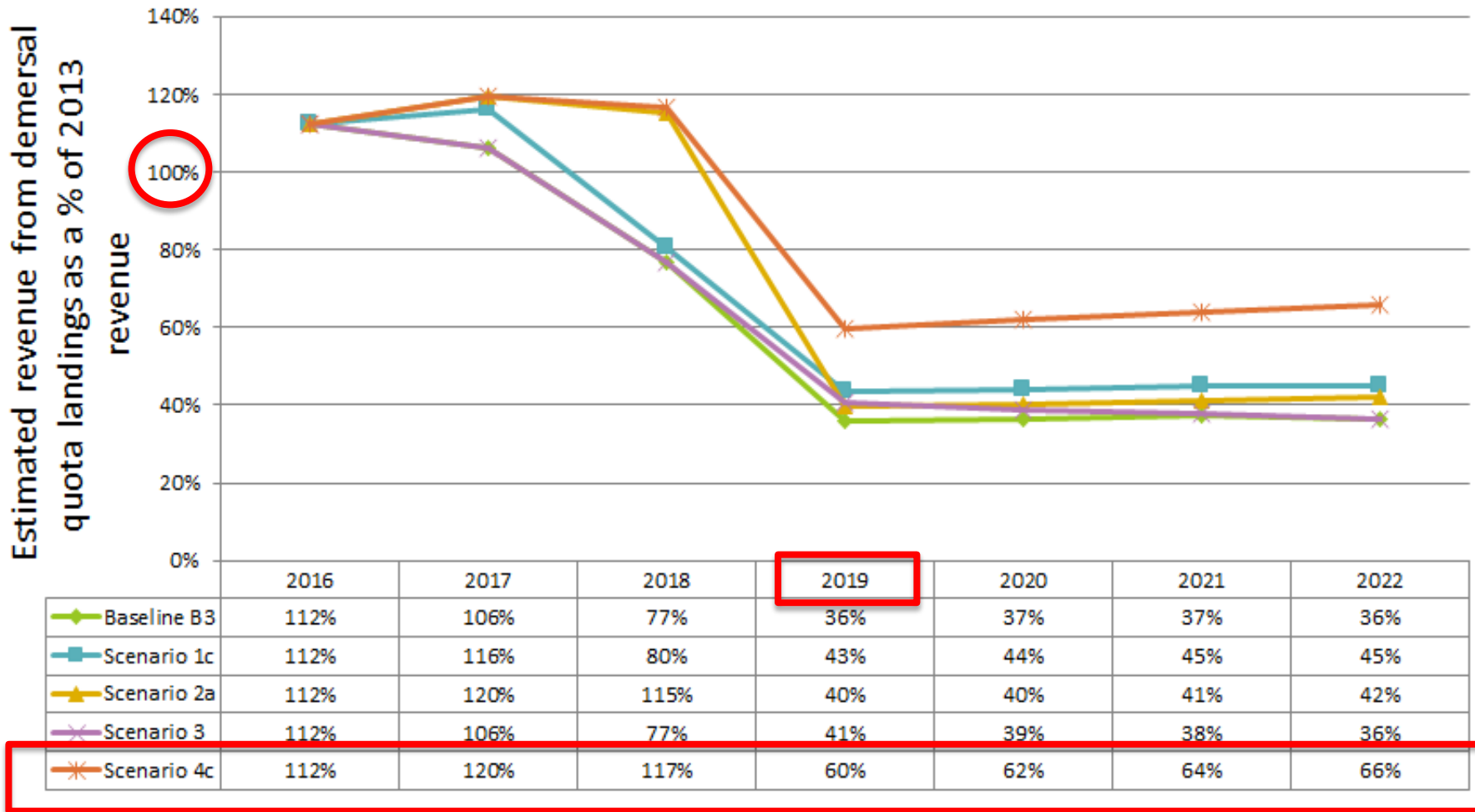
Single policy lever scenario 3

B3 plus survivability (skates and rays)

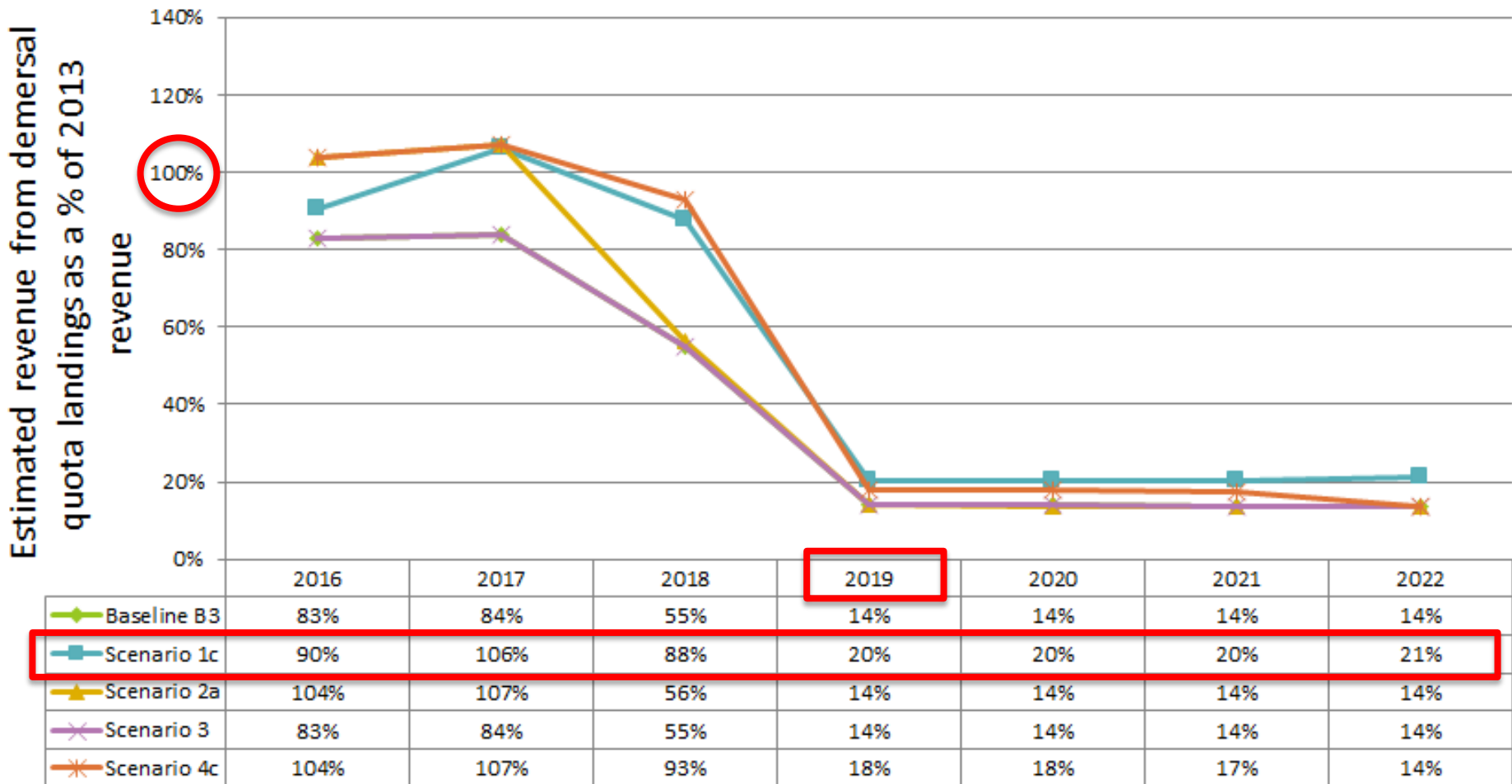
Combined policy lever scenario 4C

B3 plus de minimis, interspecies flexibility and survivability

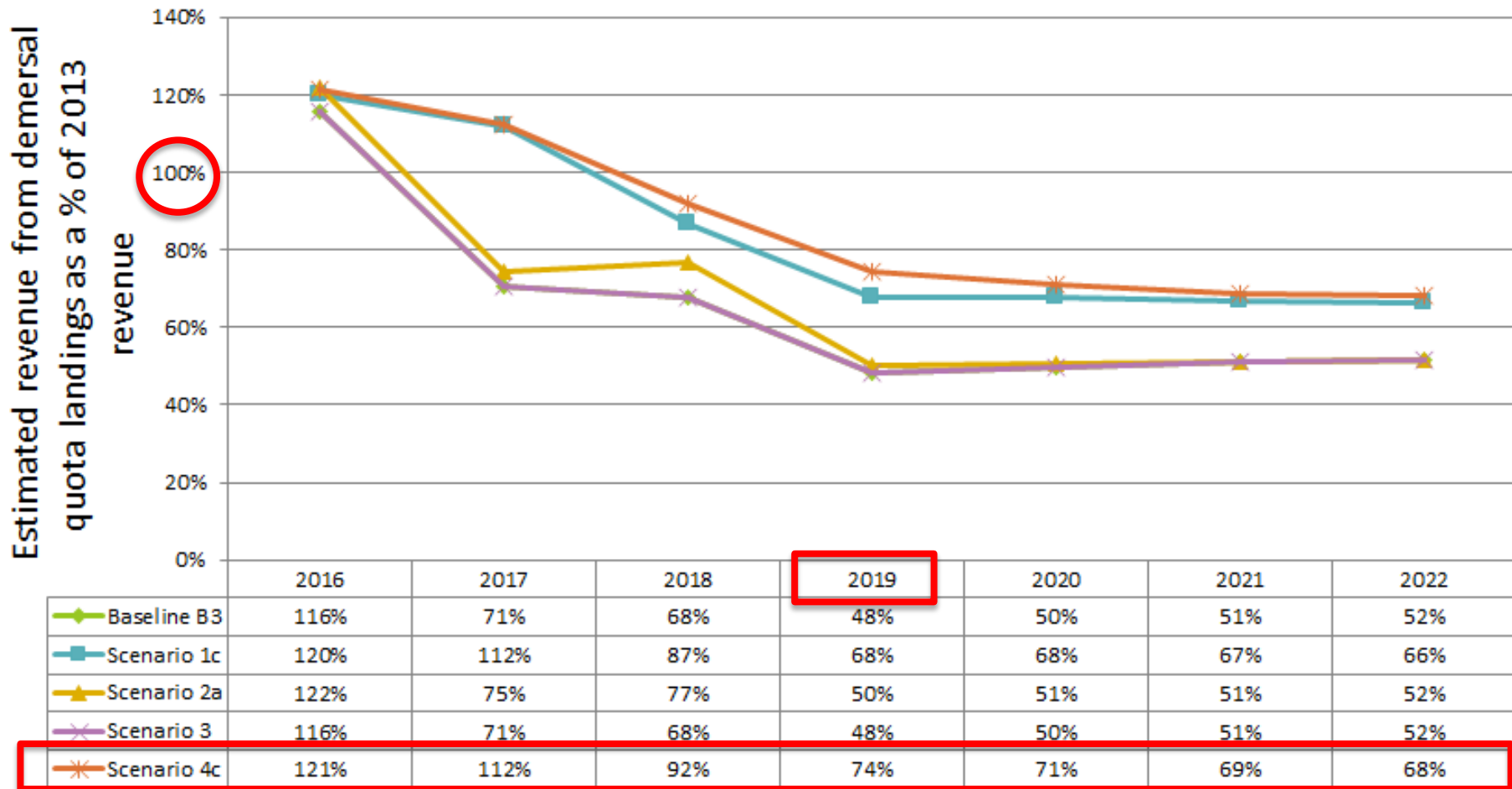
UK Whitefish Trawl Revenue: Relative Value of Policy Levers, 2016-22



UK Nephrops Trawl Revenue: Relative Value of Policy Levers, 2016-22



UK Beam Trawl Revenue: Relative Value of Policy Levers, 2016-22



Primary Choke Stocks in 2019 under Scenario 4C (best case scenario)

Fleet Segment by Home Nation	Primary Choke Stock and Choke Point as % of 2013 days*		
	Area IV	Area VI	Area VII
England whitefish trawl	Dabs – 24%	-	Plaice VIIIDE, VIIFG – 68%
England nephrops trawl	Dabs – 22%	Plaice, ling, hake – 49%	-
England beam trawl	Whiting, plaice – 55%	No choke	Plaice VIIHK, VIIFG – 82%
Northern Ireland nephrops trawl	-	Plaice, ling, sole, pollack – 5%	Whiting VIIIA – 5%
Scotland whitefish trawl	Dabs – 60%	Plaice – 69%	-
Scotland nephrops trawl	Dabs – 18%	Plaice, ling – 5%	-

*Findings for sea areas where fleet spent more than 10% of total days in 2013

Conclusions

- With effective policy levers (scenario 4C) negative consequences of the LO may be relatively limited in 2016, 2017 and 2018
- Once LO fully implemented policy levers can only do so much – fishing adaptations required
- Nephrops trawl segment most badly affected, although if IQA is retained outlook is less bad
- Fleet-based responses have to achieve a lot by 2019 to avoid business failures!



Gear Selectivity

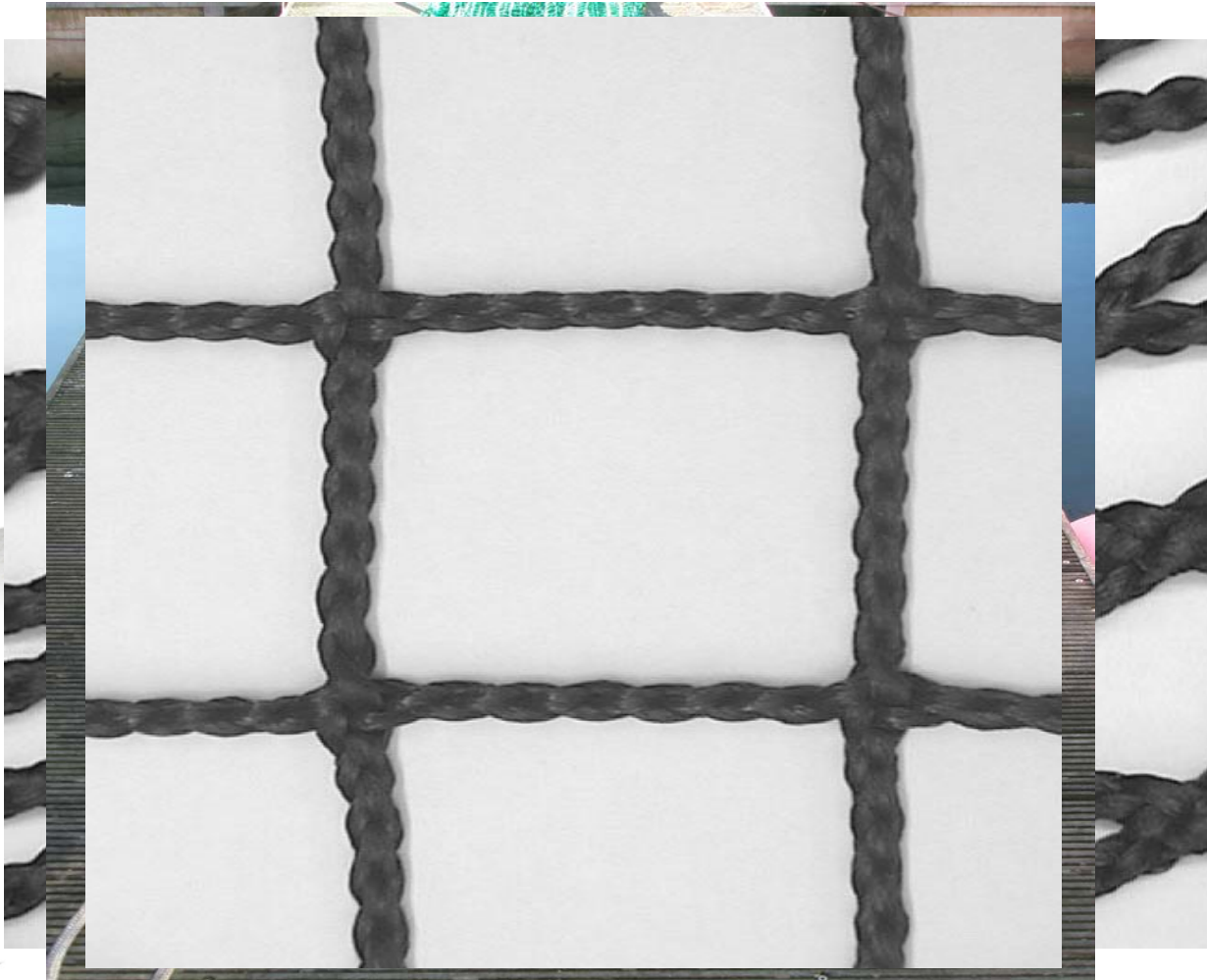
Helen Duggan

Head of Responsible Sourcing, Seafish

Industry Access to Solutions

- Gear Selectivity – addressing the challenges of the LO
- Wealth of information already available –
 - Limited awareness
 - Limited access
- Seafish “Gear Database” developed

Selectivity Solutions



Selectivity Solutions

- 2013 – square mesh codends tested in SE England haddock fishery
- 100% of small haddock below Minimum Landing Size released – all larger haddock retained
- Currently being trialled in the Scottish North Sea pair seine fishery

Seafish Gear Database

SEAFISH
The authority on seafood

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Homepage

Welcome to the Seafish Gear Database. The Seafish Gear Database contains information on a wide range of fishing gears used in commercial fisheries in the UK and EU including the selectivity and discard reduction options that can be used with them.

It also gives access to a vast range of the scientific and technical reports on trials that have been undertaken involving fishing gears, selective devices and discard reduction practices.

The SEAFISH Gear Database: A Tutorial

Enter your search term here...

All Records Gear Selective Devices

All Species

Search now

[PLAY VIDEO](#)

<http://www.seafish.org/geardb/>

Seafish Gear Database

- Continuous expansion of Gear Database content
- Gather feedback from a wide range of fishermen, associations, federations and policy makers
- Further develop functionality to ensure fit for purpose
- Raise awareness to facilitate informed decision making



Thank You.
Any Questions?

✉ helen.duggan@seafish.co.uk

<http://www.seafish.org/geardb/>