



**August 2019**

**Discard Action Group e-alert – latest developments re the Landing Obligation and gear selectivity**

<https://www.seafish.org/article/the-discard-action-group>

**Seafish vacancy**

Seafish is in the process of looking for a Fishing Gear Innovation Manager for when Mike Montgomerie retires. The job description can be accessed [here](#). The deadline for applications is Friday 6 September 2019.

**Regulatory news**

**Technical Conservation 2019 - Rules and regulations. 13 August 2019.**

The new 'tech con' regulation 2019/1241 repeals Council Regulation 850/98 and some other current Commission Regulations. The regulation is intended to simplify the current system, to increase its flexibility through a regionalised approach adapted to the specificities of each EU sea basin, and to optimise the contribution of the technical measures to the objectives of the common fisheries policy. For the fishing industry the key objectives are to: align technical measures to the landing obligation rules; minimise unwanted catches of juveniles and vulnerable species; introduce and extend the use of highly selective gears and minimise impacts on the wider ecosystem; and play a role in developing and fine-tuning regional technical measures. The main difference with the new regulation relates to catch composition. With the exception of exemptions (legislated through the discard plans), all quota species must be landed and counted against quota regardless of the gear in use. Some measures will be new to the fishing industry such as the introduction of square mesh panels in the East Channel. There are 11 area specific guidance documents on the MMO website to explain the new rules.

**New discard plans for certain demersal fisheries. 4 June 2019.**

**Commission Delegated Regulation (EU) 2019/905 of 13 March 2019 amending Delegated Regulation (EU) 2018/2034 establishing a discard plan for certain demersal fisheries in North-Western waters for the period 2019-2021.**

The Commission adopted a regulation to amend the demersal fishery discard plan in North western waters, following proposals from Belgium, Spain, France, Ireland, the Netherlands and the United Kingdom. The changes concern a modified definition of 'Seltra panel', deletion of erroneous requirement to use highly selective gears in the fisheries for Norway lobster caught with otter trawls and the exclusion of the demersal Queen scallop fishery from the scope of certain technical measures for selectivity.

**Commission Delegated Regulation (EU) 2019/906 of 13 March 2019 amending Delegated Regulation (EU) 2018/2035 specifying details of implementation of the landing obligation for certain demersal fisheries in the North Sea for the period 2019-2021.**

The Commission also adopted a regulation to amend the landing obligation for certain demersal fisheries in the North Sea, following a submission from Belgium, Denmark, France, Germany, the Netherlands, Sweden and the United Kingdom. The changes concern the inclusion of the trawl fishing gear "OTT" within the gear code lists for trawls, and clarification that certain exemptions for vessels using trawls also apply to bottom twin trawls. A number of errors in the quantitative calculation of de minimis exemptions are also corrected.

## **Official reports**

### **[Scientific, Technical and Economic Committee for Fisheries \(STECF\). The 2019 Annual Economic Report on the EU Fishing Fleet \(STECF 19-06\). 8 August 2019.](#)**

#### **Landing Obligation in the North Sea and Eastern Arctic**

In general, no obvious economic impact was observed in the first years of implementation (2015-2017). More specifically, the pelagic fishery is not expected to be affected too much, as in many cases fish is not sorted at sea and is usually landed directly to processing plants where sorting takes place. More challenges are to be expected for demersal (mixed) fisheries. Fishers fear that the landing obligation will have a large impact on their profitability, mainly due to increased costs. Another concern is related to potential choke species. Particularly in a mixed fishery this could be an issue as many species are caught at the same time and multiple choke species may occur. Ray, plaice, dab, turbot and brill are potential choke species candidates in mixed demersal fisheries (Batsleer, 2016). Therefore, to continue fishing throughout the year, it will be vital to have either enough quota available or adapt fishing strategies (optimal solution has not been discovered thus far). No major issues with choke species have been recorded as of yet mainly due to exceptions accepted by the European Commission for certain species (e.g. plaice, turbot etc.). For demersal fisheries and shrimps the landing obligation has been implemented in several phases (2015-2019) and entirely by January 2019. As dab no longer has a TAC (2018) it does not fall under the landing obligation.

#### **Baltic - Landing obligation**

According to ICES advice discarding of cod, which ICES understands not to be in accordance with the current regulations, still takes place despite the fact that the landing obligation has been in place since 2015. Landings of fish below the minimum conservation reference size (MCRS; 35 cm) are very low (108 tonnes reported in 2018), compared to the discards (3,103 tonnes in 2018) in the management area of SD 25–32. The estimated discard amount in 2018 (approximately 16% of the total catch) was based on observer data, but this is considered to be an underestimate. The available information from the fisheries and observers suggests that modifications to the selectivity properties of the gear takes place, leading to a higher proportion of smaller fish being caught. According to ICES advice discarding of cod still takes place despite the fact that the landing obligation has been in place since 2015. The estimated amount of discards is 157 tonnes in 2018 (approximately 4.2%), based on observer data. ICES understand that this is not in accordance with the current regulations. For herring and sprat the discarding is considered negligible.

#### **Netherlands - The Landing Obligation**

The landing obligation prohibits discarding all species with a TAC by 2019, with a gradual implementation. The aim is to incentivise fishers to avoid non-target species, juvenile fish and catches that exceed quota through better selectivity. Measures were put into place to allow for some flexibility, such as quota uplifts. Furthermore, in the Netherlands a de minimis exemption was set for multiple quota species between 2016 and 2019 in the North Sea. Different projects, partly funded by the EMFF, have started in the Netherlands for finding solutions for a workable landing obligation. The projects mainly focus on increasing survivability of quoted unwanted fish species and improving selectivity of nets. By increasing survivability species like sole and turbot could be excluded from the landing obligation. Improving selectivity will reduce the amount of unwanted bycatch. Especially in Nephrops fisheries net adjustments improved selectivity. The new SEPNEP, a net with two cod ends that separate the Nephrops from the other fish, reduces unwanted bycatch up to 65% (unwanted plaice and dab by -69% and -78% respectively) without losing (too much) marketable fish.

**[UK failing to implement sustainable fishing law. 16 July 2019.](#)**

The EU Energy and Environment Sub-Committee has published its follow-up report on wasteful fish discarding, six months on from the EU landing obligation coming into force. The Committee is concerned that the Government does not know the extent of compliance with the EU landing obligation. The report urges the Government to put into place more robust mechanisms to monitor and enforce compliance, including the use of CCTV and other remote electronic monitoring on fishing boats in the UK after Brexit, and making highly selective fishing nets a condition of receiving extra fishing opportunities. Last year, the fishing industry was concerned that the landing obligation combined with restrictions on the number of fish that can be caught (the 'quota') would negatively affect their businesses. However, six months on, there is little evidence of quota limits being reached. This was unexpected, and the Committee is concerned that there are no reports of so-called 'choke' because fishers may be discarding fish to avoid declaring that they have 'maxed-out' their quota. The Committee argues that ultimately, long-term damage to fish stocks from unsustainable fishing will pose more of a threat to the fishing industry. The EU fisheries landing obligation: six months on report. [See here](#)

**Tenders and surveys**

**[The Seafood Innovation Fund. 19 July 2019. Closing date is 12 September 2019.](#)**

A new £10 million fund designed to stimulate innovation in the seafood sector to help meet the challenges ahead has been launched. The Seafood Innovation Fund (SIF) 3-year programme focuses on: delivering longer term, cutting-edge innovation across the seafood sector; helping to take innovative ideas from early stage research to commercial viability. CEFAS is administering the SIF programme on behalf of the UK government. The programme includes: primary producers, the onshore supply chains, marine and diadromous fisheries and marine and land-based aquaculture (but excludes freshwater and recreational fishing). All applications must be submitted via the Delta procurement portal. You will need to register as either yourself or your organisation. After [registering](#) you can download all relevant documents and guidance to support your application.

**[Skippers and owners of fishing vessels urged to take part in UK fleet survey. 11 July 2019.](#)**

The annual fleet survey will see researchers from Seafish visit over 400 ports across the length and breadth of the UK to collect data on the financial and operational performance of vessels. The results of the survey – which will begin on Monday 15 July and run until September – play a vital role in painting a picture of the UK fishing fleet, its economic performance and the challenges it faces as it prepares for life outside of the EU. The full report from the 2018 UK fleet survey is expected to be published in the next few weeks, but provisional figures released earlier in the year suggested a solid year for the fleet. Annual fishing revenues stood at £978 million, a slight increase on the previous year, as a 4.8% decrease in the volume of fish landed was mitigated by a 5.3% increase on the average price per tonne landed. The rising price of fuel was considered to be a particular challenge, with total spend on fuel estimated to be 20% higher than in 2017. Vessel owners who take part can request a free financial performance benchmark report, which provides an indication of how well their vessel is performing compared to similar vessels and can help to inform business and financial decisions.

**[Bursaries available to support fishermen's attendance at inshore fisheries conference. 19 July 2019.](#)**

Fishermen from across the UK are being offered funding to support their attendance at the Future of Our Inshore Fisheries conference in London on 8-9 October 2019. The move is part of efforts to ensure strong representation from active fishermen at the event, which will discuss issues around the management of inshore fisheries and aims to establish a blueprint for their future management.

### **News and views**

#### **[The DiscardLess project is finished and closed! 22 August 2019.](#)**

The EU research Project DiscardLess, started in 2015, has come to its end. The project finished officially in February 2019, and all the final documents, reports and deliverables were delivered by May 2019. The DiscardLess website will be kept active for five years, until 2024.

#### **[Fish Focus. The landing obligation six months in. July 2019.](#)**

Given the scale of the changes involved, and taking into account flaws in the legislation, after six months, it is possible to say that the central purpose of the landing obligation – to incentivise reduction of unwanted catch of quota species is having an effect. Fishing vessels across the fleets are continuing to adapt their gears and fishing behaviours. The mitigation measures were still being shaped at the 11th hour, but they have been absolutely critical in dealing with some of the undesirable side effects of the landing obligation – most notably chokes in mixed fisheries. The second half of 2019 will inform us if enough has been done.... It is important that the landing obligation is aligned with the other elements of fisheries policy in a coherent and integrated whole. TAC setting rules, technical measures, financial support mechanisms, and control rules should all fit together (or at least not conflict).

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***This is an amalgamation of the news alerts issued in August 2019.***