



Declaration by the Atlantic Arc Commission on the landing obligation in the CFP

Approved by the plenary meeting of the Atlantic Arc Commission
on 19 October 2017 in Helsinki

Context:

During the last reform of the Common Fisheries Policy (CFP) in 2013, the European Council and Parliament introduced a new ruling into [Regulation 1380/2013](#), applicable from 1 January 2015, making it compulsory for all catches to be retained on board fishing vessels, recorded, landed and counted against quotas where applicable. Article 15 of the Regulation stipulates that this obligation to land all catches will be applied progressively between 1 January 2015 and 1 January 2019, which is the deadline for all species of fish subject to TACs and quotas.

Since then, the landing obligation and its corollary, the definitive ban on discards at sea, have become one of the most hotly-debated issues in Europe, notably because of the technical constraints and socio-economic impacts associated with their implementation.

The member Regions of the CPMR Atlantic Arc Commission (AAC) and representatives of the Atlantic fisheries sector acknowledge the legitimacy of one of the main aims of the CFP: to achieve maximum sustainable yield (MSY), which implies a good knowledge of the state of fish stocks.

However, the implementation of the discard ban causes too many problems in the Atlantic areas, where the CFP already demands great efforts on the part of fishermen. Furthermore, this constraint comes in a context of considerable uncertainty linked to Brexit, in particular over the future fisheries areas.

I. OBJECTIVES:

With this declaration, the Atlantic Regions and stakeholders in the Atlantic fisheries sector wish to propose **new legislative options** concerning the landing obligation, in order to make the objectives of the CFP compatible with the needs and practices of the fisheries sector in the Atlantic Regions.

II. OBSERVATIONS

The member Regions of the CPMR Atlantic Arc Commission and the Atlantic Regional Committees of Sea Fishing and Fish Farming:

- **Share** the objective to progressively reduce unwanted catches, **but draw attention** to the fact that this should not jeopardise an entire economic sector which is strategic for the Atlantic Regions.
- **Regret** that the introduction of the landing obligation into the CFP was not preceded by a comprehensive examination by the European authorities of the technical and logistic constraints which accompany the implementation of this ruling.
- **Draw** the attention of the European authorities to the socio-economic impacts of the landing obligation. The discard ban threatens not only the economic viability of businesses but also the future of all the stakeholders of the Atlantic seaboard, and this to achieve environmental objectives which remain unclear.
- **Recall** that the reduction in available space on board for marketable species generates a net loss in turnover for fisheries undertakings; making it necessary for vessel owners to seek solutions to maintain the profitability of their undertakings (increase in the fishing effort).
- **Underline** that the storing of discards on board could impose vessel resizing requirements which are incompatible with tonnage measurement regulations.
- **Underline** that the exemptions to the landing obligation provided for in the basic Regulation of the CFP are neither sufficient nor satisfactory for the fishermen of the Atlantic Arc:
 - i) the “de minimis” exemptions to the landing obligation (possibility of discarding between 7 and 5% of total annual catches of all species subject to the landing obligation) are ill-adapted to the Atlantic mixed fisheries;
 - ii) the possibilities for quota transfer between Member States (or quota uplift) represent too great an uncertainty for fishermen;
 - iii) the year-to-year flexibility, under which a Member State may allow landings of additional quantities of the stock that is subject to the landing obligation, provided that such quantities do not exceed 10% of the quota allocated to that Member State, is not a long-term solution as far as the fishermen are concerned.
- **Emphasise** that these three types of exemptions do not avoid the phenomenon of **choke species**: species subject to the landing obligation which risk preventing fishermen from going

to sea because of the risk of catching other species whose quota has been used up. This means significant economic losses for the fishermen concerned, as well as social problems for all the stakeholders in the Atlantic fisheries sector.

- **Recall** furthermore that this phenomenon may occur at any level, from that of a single fishing vessel to the whole sea basin concerned. This is particularly the case for mixed demersal fisheries, which play a strategic role in the Atlantic fisheries sector.
- **Underline** that, according to impact assessments produced by the [REDRESSE](#) project, the landing obligation would entail a 41% increase in the work time of the fishermen on board responsible for sorting catches. This is detrimental to the quality of working conditions on board, because of the significant increase in the tasks to be performed.
- **Draw attention** to the results of the study entitled [Cascading ecological effects of eliminating fishery discards](#), according to which the landing obligation would not play a key role in managing the Maximum Sustainable Yield (MSY) of stocks. The study shows that the landing obligation would, paradoxically, have negative impacts on the marine ecosystem because it would modify the food chain which depends on discards at sea from fishing vessels.
- **Regret** that, faced with this situation, no truly effective solution has been proposed for fishermen, for the regional and local authorities, or for the Atlantic fisheries sector as a whole, to identify means of action which are adapted to the realities of the Atlantic fisheries.

III. PROPOSALS

Faced with this situation, the Regions and fishing industry professionals in the Atlantic Arc call on the European legislators to [modify the current legislative framework of the CFP](#) so that the obligation to land all catches is no longer an absolute requisite for implementing the Common Fisheries Policy between now and 1 January 2019.

In this regard, we propose that:

- 1. Efforts are concentrated** on achieving the objective of exploiting fish stocks at MSY levels, without focusing solely on the landing obligation, by:
 - i. encouraging and financing efforts by fishermen and scientists to improve the selectivity of fishing gear;
 - ii. pursuing the scientific research needed to identify all species benefiting from high survival rates, given the characteristics of gear, fishing practices, and the ecosystem.
- 2. A structured dialogue be promoted** with all stakeholders in the Atlantic fisheries sector (European Union, Member States, Regions and local authorities, fishermen, representatives of producer organisations, representatives of processing and marketing businesses) in order to:
 - i) measure the full extent of the socio-economic cost of the implementation of the landing obligation;
 - ii) identify, by way of consultation, alternative measures which can be used by fishermen to reduce unwanted catches and thus contribute to the environmental objectives of the CFP (reach Maximum Sustainable Yield and have a good knowledge of the state of stocks).

3. **Increase** the percentage in the “de minimis” rule for all species subject to the landing obligation (currently 7% for the first two years of application of the landing obligation; 6% during the two following years and then 5% at the end of the fourth year).
4. **Introduce** new conditions under which fisheries exposed to the phenomenon of choke species may be exempted.
5. **Improve knowledge of the state of fish stocks** by ensuring that all catches are recorded in order to establish a constructive debate between scientists and sector representatives, leading to proposals for management measures which are adapted to the situation in the Atlantic.
6. **Take into account** the socio-economic dimension of fisheries at the same level as the environmental objectives in the European legislative frameworks so as to support the viability of the fisheries sector.

In order to put in place these different measures, which meet the needs of the territories and the professionals concerned by the Atlantic fisheries sector, we call on the European Commission to implement as a matter of urgency a moratorium on the implementation of the landing obligation.

IV. NEXT STEPS

This Declaration will be submitted to the vote of the plenary meeting of the CPMR Atlantic Arc Commission on 19 October 2017. It will then be forwarded to the European Commission and to the co-legislators – the Parliament and the Council of the European Union – in order to make changes to the legislative framework between now and 1 January 2019, the date on which the landing obligation is due to come into force.

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APPENDICES

This Declaration is based on evidence gathered from the following sources

- Data and best practice identified during the [Seminar in Vigo on 26 and 27 June 2017](#), organised by the Region of Galicia (Spain), in collaboration with the “Fisheries” working group of the CPMR Atlantic Arc Commission.
- The policy position entitled [The Seas and Oceans, a key issue for the future of the European Union](#), approved by the CPMR Political Bureau in Gozo (Malta) on 10 March 2017.
- The [Final Declaration](#) approved by the General Assembly of the CPMR Atlantic Arc Commission at Les Sables d’Olonne on 3 March 2017.
- Evidence provided to the representatives of the European Commission (DG MARE) during an informal brainstorming meeting in Brussels on 8 February 2017.
- The messages addressed on 7 December 2016 by Bruno Retailleau, President of the CPMR Atlantic Arc Commission and President of Pays de la Loire Region, to Karmenu Vella, European Commissioner in charge of the environment, maritime affairs and fisheries.
- The [opinions on the landing obligation](#) of the North Western Waters and South Western Waters Advisory Councils on the landing obligation.
- Studies on:
 - o [The socio-economic impacts](#) of achieving MSY and implementing the landing obligation, by Brittany Region.
 - o The impact of zero discards on the marine food chain, [Cascading ecological effects of eliminating fishery discards](#).
 - o *[L'évaluation du taux de survie des captures non désirées de langoustines Nephrops Norvegicus capturées au chalut de fond dans le golfe de Gascogne](#)*.
 - o The selectivity of fishing gear, in particular the studies carried out under the REJEMCELEC, CELSELEC, MINOW, DiscardLess and EODE projects, listed in the [bibliography of studies](#) on the selectivity of fishing gear drawn up by the Institut Français de Recherche pour l’Exploitation de la Mer (IFREMER) in 2016.
- The results of the following projects:
 - o [REDRESSE](#), led by the Association du Grand Littoral de l’Atlantique (AGLIA), to assess the technical constraints of the landing obligation in terms of storing the discards on board.
 - o [VALDESCAR](#), led by the vessel owners of the city of Marín (Galicia) on the commercial exploitation of discards.
 - o CHISTMAR and DESCARTES ZERO, led by [Conxemar](#), the Spanish Association of Wholesalers, Importers, Manufacturers and Exporters of fish and aquaculture products.



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Contact person:

Pauline Caumont, Executive Secretary of the Atlantic Arc Commission

Giuseppe Sciacca, in charge of fisheries and aquaculture - CRPM

Elise Wattrelot, Policy analyst, Atlantic Arc Commission

Tel.: + 32 2 612 17 00

Email: pauline.caumont@crpm.org

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CONTACT:

6, rue Saint-Martin - 35700 Rennes (FR)

Tél: + 33 (0)2 99 35 40 50

Rond-point Schuman, 14 - 1040 Bruxelles (BE)

Tél: +32 (0)2 612 17 00

Email: pauline.caumont@crpm.org – Website: www.crpm.org