

**CYPRUS REPLY
ON QUESTIONNAIRE ON THE IMPLEMENTATION OF
THE LANDING OBLIGATION**

Steps taken by Member States and producer organisations to comply with the landing obligation

1. Have you initiated, supported, participated in or implemented any measures and/or studies relating to the avoidance of unwanted catches through spatial or temporal changes to fishing behaviour (for example, studies/pilots on real time closures)?

No. It should be mentioned though that since the '80s an extensive closed season for the trawlers operating in Cyprus waters is applied, from 1st of June until the 7th of November, for avoiding unwanted catches of juveniles.

2. Which fleet segments/fisheries do these measures and/or studies apply to?

Not applicable.

3. What has the uptake of these measures and/or studies been in the fleet segments/fisheries to which they are applicable? Please provide the number and proportion of vessels in the segment/fishery.

Not applicable.

4. Have you initiated any changes to your quota management system to implement the landing obligation?

No. Not applicable, since in the Mediterranean currently only Bluefin tuna is under quota management system, for which the landing obligation is not applied.

5. For stocks managed through catch limits, have you conducted a quantitative analysis to identify potential national choke issues?

No – not applicable.

6. Have you pursued any exemptions to the landing obligation (either for high survival or *de minimis*) in the development of regional joint recommendations? Yes/No. Please give details of each exemption pursued.

Yes. Details of the exemptions pursued are provided below.

For the purpose of implementing the landing obligation at regional level in the South-Eastern Mediterranean Sea waters, Cyprus together with Greece, Italy and Malta submitted to the European Commission services a regional Joint Recommendation as the basis of a Discard Plan for Demersal Fisheries in the South-Eastern Mediterranean Sea (GFCM Geographical Sub-Areas 15, 16, 19, 20, 22, 23 and 25).

Under the Joint Recommendation the following exemptions are pursued:

- *De minimis* exemptions to the landing obligation for the fisheries targeting hake, red mullet and deep water rose shrimp, on the basis of disproportionate costs of handling unwanted catches;
- An exemption for catches of fish that were damaged by predators;

Following the evaluation of the proposed discard plan, the Commission Delegated Regulation (EU) 2017/86 was adopted establishing a discard plan for certain demersal fisheries in the Mediterranean Sea. Based on this Regulation, by way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, in the south-eastern Mediterranean Sea the following quantities of species which define the fisheries as set out in the Annex of this Regulation may be discarded pursuant to Article 15(4)(c) of Regulation (EU) No 1380/2013:

- (i) for hake and red mullet, up to 7% for 2017 and 2018 and up to 6% for 2019 of the total annual catches of these species by vessels using trawl nets;
- (ii) for hake and red mullet, up to 1% of the total annual catches of these species by vessels using gillnets; and
- (iii) for deep-water rose shrimp, up to 7% for 2017 and 2018 and up to 6% for 2019 of the total annual catches of this species by vessels using trawl nets.

According to the Annex of this Regulation, the landing obligation applies to the fisheries of hake (*Merluccius merluccius*), red mullet (*Mullus barbatus*) and deep water rose shrimp (*Parapeneaus longirostris*) that are caught by all types of bottom trawls and all gillnets and trammel nets. The criteria for determining the vessels subject to the landing obligation for each particular fishery are defined in the Annex as follows: Where the total landings per vessel of all species in 2014 and 2015 consist of more than 25% of either hake, or red mullet or deep water rose shrimp, the landing obligation shall apply to hake, or red mullet, or deep water rose shrimp, or all together.

7. What studies or evidence have you collected or produced in order to support such a request.

In order to support such a request, data on landings and discards were used, which were collected through the Cyprus National Data Collection Programme under the DCF framework. In addition, information was collected on the possibility of processing discards in Cyprus.

8. What steps have you taken to ensure the amount discarded under granted *de minimis* exemptions does not exceed the permitted volume in the delegated act?

The evaluation of discards through the discard sampling programme established under the Cyprus Data Collection Programme will be continued. Based on our estimates, the discard rates are lower than the *de minimis* exemptions granted in the delegated act. As mentioned above, an extensive closed season for the trawlers operating in Cyprus waters is applied, from 1st of June until the 7th of November, for avoiding unwanted catches of juveniles.

9. What has been the utilisation of any granted *de minimis* exemptions in the fleet segment /fishery to which the exemption applies? Please provide the total weight and proportion of catch discarded under this exemption for each fleet segment/fishery to which an exemption applies.

Small pelagic fisheries: No *de minimis* exemptions have been requested or granted.

Demersal fisheries: The landing obligation for the fisheries for which exemption has been granted by Commission Delegated Regulation (EU) 2017/86 applies from 1 January 2017. Total weight and proportion of catch discarded under this exemption will be provided on due time.

10. Have any of your vessels utilised the provision to discard fish which shows damage caused by predators? Please provide the total weight of catch of each species discarded for each fleet segment/fishery concerned.

No.

11. For stocks managed by catch limits, did you make use of the provisions for inter-annual or inter-species flexibility? Yes/No

Please identify which flexibility (or flexibilities) was used, and the corresponding reallocation of fishing opportunities for the stocks concerned.

No – not applicable.

12. In the development of joint recommendations, has consultation with Advisory Councils and other relevant stakeholders taken place? Yes/No

Please outline the process of consultation with Advisory Councils.

Please outline the process of consultation with other stakeholders, if relevant.

Yes, the Joint Recommendation includes the views of the Executive Committee of the Mediterranean Advisory Council (MEDAC) as expressed on 8 June 2016 (ref.190/2016).

The process of consultation with MEDAC was as follows:

- Written request from the Administrations of Greece, Italy Cyprus and Malta for a collaboration of MEDAC in order to develop a fisheries discard management plan in the Southeastern Mediterranean Sea
- Preparation by MEDAC of a draft joint recommendation on discard management plan for certain demersal fisheries, with the contribution by the relevant Member States. The joint recommendation was approved by the MEDAC Executive Committee on 8 June 2016.
- Submission of the joint recommendation by the relevant Member States to the Commission.

13. Following the adoption of the delegated act for a discard plan, have steps been taken to ensure adequate understanding among stakeholders of their obligations under the provisions of the act?

Please outline the process of ensuring stakeholders understand the obligations that will apply to them.

In accordance with the Commission Delegated Regulation (EU) 2017/86 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea, no licensed fishing vessels in Cyprus involved in the relevant fisheries meet the criteria for determining the vessels subject to the landing obligation for each particular fishery as defined in the Annex of the Regulation. This is basically due to the fact that a high number of species is caught, and that for important species landing obligation is not applied (no minimum reference size).

14. Are there any other steps not covered by the questions above that you have carried out to effect compliance with the provisions of the landing obligation? Please specify the measures taken.

No.

15. Which fleet segments/fisheries do these studies/pilots apply to?

Not applicable.

16. What has the uptake been of these measures in the fleet segments/fisheries to which they are applicable? Please provide the number and proportion of vessels in the segment/fishery.

Not applicable.

Steps taken by Member States regarding control of compliance with the landing obligation

17. Has information been provided by Member States administrations and control agencies to fishermen? Yes/no

In what format has this information taken:

- **Initiatives directed to fishermen to improve compliance**
- **Guidelines on the application of the landing obligation, accurate recording of catches, etc.**
- **Other**

Yes, concerning the landing obligation related to the small pelagic fisheries, a relevant letter with the necessary information has been sent to the two vessels that have a fishing license for operating with purse seines. In addition, the relevant provisions concerning landing obligation have been included in the terms of the fishing licenses for operating with purse seines.

It is noted that the small pelagic fishery in Cyprus has been occasionally active during the last years; one vessel operated during 2015 and 2016, while the second licensed vessel operated experimentally during 2016. From these activities no catches of small pelagic species have been observed under the minimum conservation reference size.

18. Have guidelines been provided by Member States administrations and control agencies for inspectors? Yes/no

In what format has this information taken:

- **Delivery of guidelines for inspectors on the effective and uniform application of the landing obligation.**
- **Seminars and trainings organised for presenting the guidelines to inspectors at national and regional level.**

During 2015 the Fisheries Control Inspectors were informed concerning the provisions of the landing obligation during their national training. In addition, a training seminar on the provisions of the landing obligation is planned for all Fisheries Control Inspectors in the framework of their national training.

19. Have new control and monitoring tools been used by Member States? Yes/no

Please supply information on:

- **Control tools used in the context of landing obligation, i.e. REM, traditional systems (aerial surveillance, inspections at sea), reference fleets, etc.**
- **Steps towards implementation of new tools, including electronic monitoring means dedicated to implementation of landing obligation, haul-by-haul recording, etc.**

Apart from the standard control and inspection activities that are carried out by the DFMR, since the summer of 2013 a CCTV system has been installed in one of the two vessels licensed to operate with purse seines, for recording its fishing activities. It is noted that the CCTV was installed for other control reasons, and not for the implementation of the landing obligation.

20. Have the Member state administrations and control authorities monitored below Minimum Conservation Reference Size (MCRS) catches at and after landing (traceability)? Yes/No

Please supply information on:

- Total number of discards (by fishery, fleet segment) from 2013 to 2016
- Initiatives taken to prevent under MCRS catches from reaching the commercial channels (pre-notification of landings of under MCRS catches etc.).
- Measures taken to monitor landings at fish markets/auctions adopted.

There have been no records of discards during monitoring of catches.

21. Has control and monitoring been based on risk assessment? Yes/no

Please supply information on the risk assessment tools used and the results obtained, including those implemented by the regional Control Expert Groups in cooperation with EFCA.

No.

22. Has the “last observed haul” approach elaborated by EFCA as a tool for monitoring the implementation of the landing obligation and to derive potential targets for inspection been used? Yes/No

Please give details of the fisheries covered and the extent of sampling.

No, this approach has not been applied.

Information on the socioeconomic impact of the landing obligation

23. Using the most appropriate indicators defined below, provide information on the socioeconomics impacts on:

- The catching sector
- Upstream businesses
- Processors
- Consumption and markets
- Costs for Member States

Until now, there have been no socioeconomic impacts from the implementation of the landing obligation.

Information on the effect of the landing obligation on safety on board fishing vessels

24. Have there been any reported incidents of overloading of vessels causing stability problems?

Please specify the number and nature of such incidents.

Can you quantify these in terms of:

- Number of deaths or serious injuries

• **No of vessels involved as a % of the specific fleet segment**

No, such incidents have not been reported.

25. Have there been any reported incidents of overloading of vessels forcing them to return to port early? Yes/No

Please specify the number and nature of such incidents.

No, such incidents have not been reported.

26. Have there been any reported incidents or accidents on board vessels that can be attributable to excessive workload? Yes/No

Please specify the number and nature of such incidents or accidents.

No, such incidents have not been reported.

27. Has any national legislation relating to safety on board fishing vessels arising from the landing obligation been amended or introduced? Yes/No

Please provide details of this legislation.

No.

28. Have you provided or received any funding under Article 32 (Health and safety) of EMFF or Article 3 (Eligible operations on safety) and Article 6 (Eligible operations on working conditions) of Commission Delegated Regulation (EU) 2015/531 to mitigate against potential safety issues caused by the landing obligation?

No

If yes, please specify the number of projects involved and the nature of the measures taken. – Not applicable.

If no, have any measures been taken which have not been funded under the EMFF? No, no measures have been taken.

Information on the use and outlets of catches below the minimum conservation reference size of a species subject to the landing obligation

29. What have been the main reported uses and destinations for catches below mcrs? Can you quantify these catches by species in terms of volumes, price per tonne and associated costs for the different outlets such catches have been sent?

Small pelagic species: In Cyprus there is no small pelagic fishery, and there have not been any reported catches below mcrs.

Demersal species: As mentioned above, landing obligation on certain fisheries and certain species is applicable from 1st January 2017, for which a *de minimis* exemption is applied. Based on the Annex of the relevant Commission Delegated Regulation (No. 2017/86), no fishing vessel meets the criteria set for been subject to the landing obligation for each particular fishery. Therefore catches below mcrs should be discarded. The volume of discards will be estimated through the National Work Plan on Data Collection.

30. Have you carried out any studies or pilot projects considering the potential uses for such catches? Yes/No

No studies or pilot projects have been carried out. During the preparation of the joint recommendation, information was collected on the possibility of processing discards. As mentioned in the relevant Joint recommendation, discard processing does not seem feasible in Cyprus due to the fact that, based on the information received, the discard quantities are lower than the minimum quantities required for processing.

Please provide details of such studies or pilot projects.

Not applicable.

Information on port infrastructures and of vessels' fitting with regard to the landing obligation for each fishery concerned

31. Have you provided funding under Article 38 of the EMFF for modifications on board vessels for the handling of catches on board? Yes/No

Please specify the number, nature and total amount invested in such projects.

No such funding has been provided.

32. Have you provide funding under Article 43 of the EMFF for investment in the infrastructure of fishing ports, auction halls and shelters for the handling of unwanted catches? Yes/No

Please specify the number, nature and total amount invested in such projects.

Funding is foreseen, but no projects have been funded yet.

33. Have you provide funding under Articles 68 and 69 of the EMFF for investment in marketing measures and the processing of fishery and aquaculture products? Yes/No

Please specify the number, nature and total amount invested in such projects.

Funding is foreseen, but no projects have been funded yet.

Information on the difficulties encountered in the implementation of the landing obligation and recommendations to address them

34. Please provide information on the following:

Operational difficulties, such as:

- **Avoidance and/or selectivity insufficient to avoid unwanted catches**
- **Handling, storage and processing of unwanted catches**
- **Lack of funding to adapt fishing gears, vessels or port infrastructure**

Due to the high number of species caught by the demersal fisheries, it is generally not possible to avoid unwanted catches (related or not to the landing obligation).

Processing of unwanted catches related with the landing obligation does not seem feasible in Cyprus due to the fact that, the quantities are lower than the minimum quantities required for processing.

Difficulties relating to monitoring, control and enforcement, such as:

- **Lack of understanding or awareness of the rules**
- **Difficulties implementing and monitoring *de minimis* or high survivability exemptions**
- **Implementation problems with regard to control/monitoring processes or infrastructure (e.g. adaptation of ERS systems)**

There have been some difficulties with regard to the use of ERS system, especially during the initial implementation of the system. An upgrade of the ERS system is foreseen, for including the provisions of Regulation (EU) No. 404/2011 on recording discards and catches under mcrs.

Difficulties in fully utilising fishing opportunities, such as:

- **Problems re-allocating quota to cover catches previously not landed**
- **Problems with the timing or availability of quota swaps**
- **Fisheries being forced to close early due to choke problems**

Not applicable – no fishing opportunities for species under landing obligation in the Mediterranean.