

LITHUANIA'S RESPONSE TO THE QUESTIONNAIRE TO MS ON THE IMPLEMENTATION OF THE LANDING OBLIGATION IN 2017

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**.
Please specify the measures taken or studies. **Not applicable**.
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**.
Please specify these changes. **Not applicable**.
5. For stocks managed through catch limits, have you conducted a quantitative analysis to identify potential national choke issues? **No**.
Please give details. **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? **No new exemptions were pursued in 2018**.
Please give details of each exemption pursued. **The current discard plans adopted in 2017 (Commission Delegated Regulation (EU) 2018/211 of 21 November 2017 establishing a discard plan as regards salmon in the Baltic Sea and Commission Delegated Regulation (EU) 2018/306 of 18 December 2017 laying down specifications for the implementation of the landing obligation as regards cod and plaice in Baltic Sea fisheries) foresee survivability exemption for cod, plaice and salmon caught with trap-nets, creels/pots, fyke-nets and pound nets, based on scientific justification provided in 2014.**
7. What studies or evidence have you collected or produced in order to support such a request. **Not applicable, as no new joint recommendations were submitted in 2018**.
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? **Not applicable, as *de minimis* exemptions are not applied in the Baltic Sea**.
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. **Not applicable**.
10. Have any of your vessels utilised the provision to discard fish which shows damage caused by predators? **Yes**

Please provide the total weight of catch of each species discarded for each fleet segment/fishery concerned.

The data is available for one vessel, length is over 24 m., operating in 2018:

| YEAR | GEAR | BALTIC SEA, COD – Atlantic cod DISCARDS, kg |
|------|------|--|
| 2018 | GNS | 1,93 |

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

Please identify which flexibility (or flexibilities) was used, and the corresponding reallocation of fishing opportunities for the stocks concerned. **Not applicable.**

12. In the development of joint recommendations, has consultation with Advisory Councils and other relevant stakeholders taken place? **Not applicable, as no new joint recommendations were submitted in 2018.**

Please outline the process of consultation with Advisory Councils.

Please outline the process of consultation with other stakeholders, if relevant. **Not applicable.**

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? **Yes. As the landing obligation for major species in the Baltic Sea came into force in 2015, the main activities to enhance the knowledge of stakeholders have been carried out in late 2014 and in 2015. During 2018, the fishermen were consulted about the implementation of landing obligation upon demand.**

Please outline the process of ensuring stakeholders understand the obligations that will apply to them. **Consultation of operators and masters of fishing vessels about the legal requirements applied to their activity and their application (including landing obligation) is conducted according to the provisions of the Law on Public Administration of Lithuania and is one of the tasks of the Fisheries Service.**

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? **No.**

Please specify the measures taken. **Not applicable.**

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.**

In what format has this information taken:

- **Initiatives directed to fishermen to improve compliance. Consultations of operators and masters of fishing vessels on legal requirements were carried out continuously in 2018, as part of the infringements' prevention task of the Fisheries Service.**
- **Guidelines on the application of the landing obligation, accurate recording of catches, etc. No new guidelines were prepared in 2018.**
- **Other. Information on landing obligation and guide to compliance for the fishing industry is published on the website of the Ministry of Agriculture (in Lithuanian language) under the heading: <http://zum.lrv.lt/lt/veiklos-sritys/zuvininkyste/bendroji-zuvininkystes-politika>**

18. Have guidelines been provided by Member States administrations and control agencies for inspectors? **Yes.**

In what format has this information taken:

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

19. Have new control and monitoring tools been used by Member States? **Yes. Traditional alongside new control and monitoring tools were used to ensure the compliance with landing obligation.**

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.

Traditional control tools and systems such as inspections in the sea, on landing, aerial surveillance were used. Alongside traditional tools the alternative monitoring tool was also used – monitoring of vessels less than 12 m length through Navy radars monitoring system. Such tool allows to monitor small vessels which are not equipped with VMS transponders. In 2018 Navy radar monitoring system was upgraded.

- Steps towards implementation of new tools, including electronic monitoring means dedicated to implementation of landing obligation, haul-by-haul recording, etc. **Not applicable.**

20. Have the Member state administrations and control authorities monitored below Minimum Conservation Reference Size (MCRS) catches at and after landing (traceability)? **Yes.**

Please supply information on:

- **Total number of discards (by fishery, fleet segment) from 2013 to 2018**

| YEAR | GEAR | Baltic sea, Discards, t | | |
|------|------|-------------------------|--------|-------|
| | | COD | FLE | HER |
| 2013 | OTB | 29 | 45 | 8 |
| 2013 | GNS | 4 | 1 | – |
| 2014 | OTB | 98 | 93 | 16 |
| 2014 | GNS | 5 | 5 | – |
| 2015 | OTB | – | 8,651 | 0,1 |
| 2015 | OTM | | 0,06 | |
| 2015 | GNS | – | 0,353 | – |
| 2016 | GNS | 0,410 | 1,049 | - |
| 2016 | OTB | – | 22,918 | 0,01 |
| 2017 | GNS | 1 | 0,6 | - |
| 2017 | OTB | 0,05 | 16 | - |
| 2018 | GNS | 1,930 ¹ | 0,53 | - |
| 2018 | OTB | - | 2,157 | 0,025 |

- Initiatives taken to prevent under MCRS catches from reaching the commercial channels (pre-notification of landings of under MCRS catches, etc.).

¹ Damaged cod fish catches by seals

Some fishing vessels voluntarily submit pre-notifications of expected landings of under MCRS catches. Inspections at sea, during landing and regular cross-checking, analysis and verification of all related data are carried out in accordance with Control Regulation (EC) No. 1224/2009 to ensure traceability and that catches under MCRS are not used for direct human consumption. State Food and Veterinary Service carries out regular checks at retail outlets to ensure that fish under MCRS are sold in accordance with provisions of Article 15 of Regulation (EU) No. 1380/2013.

- Measures taken to monitor landings at fish markets/auctions adopted.

In Lithuania fishery products can be landed and their first sale can be carried out only in designated places (approved by the Ministry of Agriculture). The inspections of landings are carried out in accordance with Control Regulation (EC) No 1224/2009 (at least 25% of cod landings are inspected).

21. Has control and monitoring been based on risk assessment? **Yes.**

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.

The risk assessment methodology used has been developed by EFCA, in collaboration with the MS, within the framework of the Regional Risk Management Project and as previously communicated to the Baltic JDP Steering Group. The scope of the assessment was focused on different types of fisheries exploiting the stocks of cod, herring, salmon and sprat in the context of the Baltic Sea JDP. The assessment was focused on threats classified in groups encompassing activities that may be in contravention to the legislation in force and similar in their essential attributes. Assessment results presented to the Baltic Sea JDP Steering Group to facilitate the planning for the control activities and to support Member States national risk analysis with regards to their specific vessels belonging to a relevant fleet segment.

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**

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

Baltic Sea Cod fishery was covered by executing 2 "last haul" inspections. Samplings were done.

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:

Bycatch rates are low in Baltic sea fishing sector. Therefore no significant socio-economics impact identified.

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? **No.**

Please specify the number and nature of such incidents. Can you quantify these in terms of:

- Number of deaths or serious injuries. **Not applicable.**
- No of vessels involved as a % of the specific fleet segment. **Not applicable.**

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

Please specify the number and nature of such incidents. **Not applicable.**

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

Please specify the number and nature of such incidents or accidents. **Not applicable.**

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

Please provide details of this legislation.

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. Lithuania has not chosen to implement Article 32 of EMFF in Operational programme for Lithuania's Fisheries Sector for 2014-2020.**

If yes, please specify the number of projects involved and the nature of the measures taken.

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

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?

The most popular ways to use catches below the minimum conservation reference size are the same as in previous years, i.e. fishmeal, pet food and animal feed. The use of these catches depends on the features of local market around the port of landing, in particular the availability of specialized firms and processing facilities. The part of the catches below MCRS are sent to Latvia, the biggest share used in Lithuania.

Can you quantify these catches by species in terms of volumes, price per ton and associated costs for the different outlets such catches have been sent?

| 2018 | Lithuania | Latvia |
|------------------------------------|------------------|---------------|
| BMS (cod) - below MCRS (kg) | 5735 | 105 |
| Average price per 1kg (Eur) | 0,175 | 0,15 |

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

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**

Please specify the number, nature and total amount invested in such projects. **The call for applications for support under Article 38 of the Operational Programme of Lithuania's Fisheries Sector for 2014-2020 was carried out in 2017 and 2018. In total 17 applications for the support have been received. 12 applications were approved as eligible. Total sum of the contracts signed is 213 807 EUR. The majority of investments are tailored to fishing gear to improve selectivity and eliminate discards. 210 243 EUR was paid to beneficiaries.**

32. Have you provided 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? **Not yet.**

Please specify the number, nature and total amount invested in such projects. **Not applicable.**

33. Have you provided funding under Articles 68 and 69 of the EMFF for investment in marketing measures and the processing of fishery and aquaculture products? **Not yet.**

Please specify the number, nature and total amount invested in such projects. **Not applicable.**

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

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)
- Refusal to carry observers.

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

Lithuanian fisheries sector and administration responsible for control have not indicated major difficulties in 2018 related to the implementation of the landing obligation.

Questions concerning control and enforcement, added in the questionnaire sent in 2018

Additionally reply to the following two questions:

35. How is the effective control and enforcement of the landing obligation at sea and the accurate documentation of all catches, including quantities discarded, ensured?

During inspections at sea inspectors checked the accuracy of all catch documentation under the landing obligation (stowage, separation and weights). In case of “last haul” inspection figures found are included in inspection report and by attaching “last haul” report. Also, in 2018 within frame of Baltic Sea JDP specific actions “last haul” data was submitted to the shore teams in landing Member States for inspection on landing and verifying facts and figures found at sea.

36. How many suspected and confirmed infringements, related to the landing obligation, have been detected at sea and at landing/marketing? In cases of confirmed infringements please indicate the circumstances of the offence and the sanctions applied, including penalty points.

In 2018 no infringements, related to the landing obligation, were detected.