BELGIUM

Annual report on the implementation of the landing obligation pursuant to Regulation (EU) 2015/812 amending Regulation (EU) No 1380/2013, Article 15(14)

2018

Article 15(14) of Regulation (EU) No 1380/2013 requires the Commission to submit to the European Parliament and to the Council an annual report on the implementation of the landing obligation in the previous year. This annual report is based on information transmitted by the Member States, the Advisory Councils and other relevant sources.

The purpose of the present report is to provide the Commission with the information for Belgium. It is largely based on the report drawn up on the implementation in 2017.

The report follows the indicative questionnaire, which the Commission transferred to the Commission’s working document WK 15760/2018 INIT of 20 December 2018, with the number of the relevant question given in brackets.

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

(1-3) No studies have been launched or conducted and no measures implemented to prevent unwanted catches by making spatial or temporal changes to fishing patterns.

(4) The national quota management system shall be based on a collective allocation and be administered by the public authorities, with the commitment of national de minimis quotas and de minimis percentages for vessels and trips, including control measures, more specifically moving-on provisions.

(5) The problem of ‘choke species’ has the full attention of the Belgian authorities, especially as three targeted fisheries for sole in different areas should also be shut down entirely in 2018 after depletion of the quota for the target species (sole 7hjk, sole 8, common sole 7a).

At regional level, both in the North Sea and in the Western waters, Belgium helped to develop a choke mitigation tool to map the extent of the problem in the different sea basins and for the Member States concerned.
The exemptions to the landing obligation, which were included in the joint recommendations and then translated by the Commission in a delegated act, are the result of negotiations at regional level. In this context, Belgium has presented scientific arguments for the introduction of a de minimis aid for sole caught with towed gear with increased selectivity, equipped with the so-called Flemish panel. For the time being, an exemption from the landing obligation for plaice based on high survival was also granted for 1 year. Additional scientific information should then be sent to the EC in 2019 in order to be eligible for a possible extension in 2020.

The selectivity measure relating to the use of Flemish panels was supported by a study carried out by the national fisheries institute ILVO and assessed by STECF at its April 2015 plenary session.

The de minimis quotas were set at national level. Masters of vessels subject to the landing obligation were instructed to report their de minimis catches. Monthly statistics were kept and notified to the sector. Moving-on provisions have been drawn up in the event that maximum percentages are exceeded during a fishing trip.

The de minimis uptake of sole declared by masters in the ERS ranges from 7% to 21% of the national ‘de minimis quota’. (total weight and ratio of discards for each fleet segment?)

No, not reported.

Yes for interannual flexibility, no for interspecies flexibility.

Yes, through the regional consultation process reported elsewhere.

Yes, through meetings of the quota committee and other bodies, circulars to the sector, and specific notices to owners/masters whose vessels are subject to the LO for specific target species. During inspections at sea and at fish auctions, masters are reminded of their (reporting) obligations.

n.a.

2. Steps taken by Member States to enforce the landing obligation

see also under (13-14); instructions/circulars were drawn up, sent out and posted on the website. Attention was repeatedly drawn to the relevant reporting obligation. Oral warnings were issued during checks.

The national inspectors participated in a seminar organised by EFCA in April 2018. The landing obligation was one of the topics discussed.

No new inspection resources were developed at national level. The project ‘Last recorded haul sampling’ was implemented to a limited extent.

No

Yes, to a limited extent in the sole fishing with beam trawl in the southern North Sea

3. Information on the socio-economic impact of the landing obligation

A qualitative and quantitative evaluation was launched. Interim results are not available.

No information available

no
Six projects were approved in 2017 under Article 32 of the EMFF Regulation (general), albeit with no direct link to the landing obligation.

4. Information on opportunities for processing catches smaller than the MCRS

It should be said that the amounts affected were very small. In Belgian ports, catches of fish smaller than the MCRS were denatured and removed for use as animal feed/fish meal.

5. Information on port infrastructures and vessel modifications

Projects approved under Article 38 EMFF were approved in 2018. These were investment projects RUS fish-collecting vessels, with regard to sumwing and switching to nephrops fishing and shrimp fishing with signs.

However, 5 projects were approved under Article 43 (new fish auction Oostende) with no direct link to survival.

2 projects were approved under Article 68 of the EMFF (promotion) but were not directly linked to the landing obligation.

6. Information on the difficulties encountered and recommendations

The measures accompanying the landing obligation are not, it should be pointed out, either broadly supported or complied with by the sector. The sector has raised practical and other objections in order to avoid having to comply with the requirements. Even the general requirement to record discards, which was introduced in 2011, is rarely observed. The de minimis quantities and BMS catches reported are no doubt lower than the actual quantities/catches.

The practical constraints have already been dealt with in various arenas, and do not need to be repeated here. However, on the subject of inspections, we should mention the lack of logbook codes for reporting and, after landing, the problems with regard to processing and allocating for non-direct human consumption.

The landing obligation should function above all as an incentive for increased selectivity. In this regard, it must be said that the development of technical adaptations is time-consuming in any case. The exemptions to the landing obligation, whether they are high survival or high costs or other practical obstacles aimed at achieving increased selectivity, are difficult to enforce. Although the legislator was right to include them in the package of measures, they have caused a number of associated problems.

The problem of ‘choke species’ was also experienced in practice in 2018. It is clear that the range of possibilities provided for in the legislation will not be sufficient. Ideally, a global solution should be put in place for all the unplanned chokes that could intervene.

We feel that the first few years of implementing the landing obligation should chiefly be used to monitor this phenomenon. We therefore took part in EFCA’s ‘last recorded haul sampling’ project.