



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
POLICY DEVELOPMENT AND CO-ORDINATION
STRUCTURAL POLICY AND ECONOMIC ANALYSIS

QUESTIONNAIRE TO MS 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)?

We participated in European Commission's study day in Riga. No further studies. Fishing act and fishing rules (Governmental regulation) were modified concerning landing obligation requirements.

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

Mainly Baltic pelagic and coastal fishing where salmon is a bycatch and cod fishery.

2. 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.

All trawlers (36) and coastal vessels (1507) fishing for pelagic species, salmon and cod.

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

No. Quota management and appropriate system for fishing permits have been in place before the landing obligation became in force in EU. Individual transferable quota system is in place in trawl fisheries, in coastal fisheries mostly individual transferable effort system is in place. Management system meets mostly the requirements of the landing obligation.

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

The potential choke specie is the plaice in cod trawl fisheries in the Baltic sea. Discard ban for plaice became in force 01.01.2017, it is covered by the Baltic Multiannual Plan. If the by-catch occurs in cod trawl fishery, solution should be covered by CFP 1380/2013 article 15.8. The potential choke specie could become salmon in the Gulf of Finland as well if the TAC will be reduced further.

5. Have you pursued any exemptions to the landing obligation (either for high survival or de minimis) in the development of regional joint recommendations?

Yes, in the Baltic sea discard plan is in place and it sets derogations to the trapnets and similar gear. No other exemptions have implemented.

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

Estonia didn't present any study, other Baltic sea countries presented the studies which was enough in order to set the derogations.

7. 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?

De minimis rule has not been applied in the Baltic.

8. 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.

9. Have any of your vessels utilised the provision to discard fish which shows damage caused by predators?

Information not available.

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

Not available.

10. For stocks managed by catch limits, did you make use of the provisions for inter-annual or inter-species flexibility?

Yes we are using inter-annual flexibility but not inter-species flexibility.

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

Indicated above, fishing opportunities are divided in accordance to the allocation key.

11. In the development of joint recommendations, has consultation with Advisory Councils and other relevant stakeholders taken place?

Yes. Consultation with stakeholders and relevant information sent to the sector. Meetings were arranged by administrations depending on the Baltfish Presidency.

12. Following the adoption of the delegated act for a discard plan were arranged meetings with fishermen to ensure adequate understanding among stakeholders of their obligations under the provisions of the act.

Yes

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

Meetings took place in baltfish level as well as internal meetings with fishers, mail/e-mail correspondence.

13. 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.

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

Baltic fishery. Coastal and trawlers.

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.

Applies to all vessels, all trawlers (36) and coastal vessels (1507) fishing for pelagic species, salmon and cod. There were no need to conduct extra study in Estonia. Information is collected via EU data collection procedures.

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

15. Has information been provided by Member States administrations and control agencies to fishermen?

Yes.

Format applied:

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

16. Have guidelines been provided by Member States administrations and control agencies for inspectors?

Yes

Format applied:

- *Seminars and trainings organised for presenting the guidelines to inspectors at national and regional level.*

17. Have new control and monitoring tools been used by Member States?

Yes.

- *Control tools used in the context of landing obligation: traditional systems ,i. e. surveillance, inspections at sea, reference fleets, etc. We have implemented prior notification for coastal vessels (passive gear: pound and fyke nets) too.*

18. Have the Member state administrations and control authorities monitored below

Minimum Conservation Reference Size (MCRS) catches at and after landing (traceability)?

MCRS registration has been implemented during long period as minimum size is a registered trait in fishing pattern and applied templates. Governmental regulation is modified and adopted.

- Total number of discards (by fishery, fleet segment) from 2013 to 2016
No data from fishers on discard.
- *Initiatives taken to prevent under MCRS catches from reaching the commercial channels: pre-notification of landings is an obligation and minimum size is registered in logbooks (for species under the discard ban: cod, salmon). It is illegal to sell undersized fish for human consumption according to Estonian national law (Fishing Act).*
- Measures taken to monitor landings at fish markets/auctions adopted:

Monitoring and control of landings and markets are conducted by inspectors on the basis of the regular risk assessments.

19. Has control and monitoring been based on risk assessment?

Yes. Pursuant to Council Regulation (EC) No 1098/2007 Annex II and the Council Regulation (EC) No 1224/2009 Article 46, Commission Implementing Decision (EC) No 305/2013 Environmental Inspectorate of Estonia has defined Estonian national control action program for the Baltic Sea cod, sprat, herring and salmon in 2016.

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.

We wish to emphasize that Estonia does not have any risk group of trawlers because of irregularities detected is low, most of the vessels catch in Estonian waters and make landings in Estonian ports. The inspectors have an overview of the activities and are aware of which vessels have more problems. We have 36 vessels/trawlers over 12 m.

In addition, reviews are prepared for inspectors, which outlines the landings and inspections of vessels in ports. A corresponding overview is continually updated and, if necessary, be given specific recommendations for the inspectors to carry out checks. It is part of the risk analysis, which will be developed further, if possible.

20. **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**

NO/ Last haul inspection is targeted to inspect fishing of cod and salmon. Salmon is caught in coastal mixed fisheries, cod directed fishery is very low. Quota for cod is not at the moment problem. Quota problem may arise in salmon coastal fishery if it will be reduced further. We have made last haul inspection of fishing sprat and herring just to have information if and how much there are by-catch on salmon and cod.

Information on the socioeconomic impact of the landing obligation

21. Using the most appropriate indicators defined below, provide information on the socioeconomic impacts on:

At the moment socio economic impact is low. As Baltic catches mainly for Estonia are sprat and herring where the TACs are relatively high, highgrading of the species didn't take place due to the nature of the pelagic fisheries (high catch rates, no processing on board etc), no Minimum Conservation Reference Size is established which could of caused necessity to discard. General discard rate in the Baltic sea pelagic fishery is considered negligent. As for the cod, fishing conducted by Estonian fleet is very low, therefore the socio economic effect is considered low. As for the salmon the TAC rate were relatively enough. Undersized salmon fish occurs rarely in our waters, mature fish comes to our waters (spawners). The discard problem in relation to the undersized fish is relatively small. A lot has been done in Estonia to improve the abundance, every year we see increase of catches due to the set of conservation measures and increased habitat areas. The TAC will be a problem in the near future as we see improvements in abundance every year. If the TAC will be reduced further and salmon fishery will be closed due to the exhausted TAC it has serious socio economic impact as the salmon is not target specie but part of the coastal mixed fisheries. Therefore the closure of the salmon fishery impacts whole coastal fishery in the autumn. The discard is not allowed it means all fishery needs to be closed down.

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

22. Have there been any reported incidents of overloading of vessels causing stability problems?
No
23. 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.
24. 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.
25. Has any national legislation relating to safety on board fishing vessels arising from the landing obligation been amended or introduced?
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? Yes/No

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 support has been provided under these measures.

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?

Catches below MCRS are forbidden to sell and market for human consumption. Quantities of MCRS catches are very small (some specimens if at all) and they are used for private consumption (animal food).

30. Have you carried out any studies or pilot projects considering the potential uses for such catches?

No. Information on port infrastructures and of vessels' fitting with regard to the landing obligation for each fishery concerned is not assessed because the landing obligation does not arise additional activities. Quantities of MCRS catches are very small (some specimens if at all) and they are used for private consumption (animal food).

31. Have you provided funding under Article 38 of the EMFF for modifications on board vessels for the handling of catches on board?

NO

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

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?

NO

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

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

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

One application has been approved for building a fishmeal and -component factory for the Producer Organizations in total amount of 8 015 617 Euro's (EMFF+EE contribution 6 000 000 Euro's).

Six applications have been approved under EMFF marketing measures for finding new markets in total amount of 711 000 Euro's (EMFF+EE contribution 425 000 Euro's).

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

34. Please provide information on the following:

We have had operational difficulties, such as:

- *Refusal to carry observers*

Difficulties in fully utilising fishing opportunities, such as:

- Problems re-allocating quota to cover catches previously not landed.

Plaice is a potential problem if cod fishery increases as we have no plaice quota.

Possibility is to count the plaice against the cod quota. Not very reasonable choice if cod market price is higher. By-catch quota would be better solution.

- Problems with the timing or availability of quota swaps

Yes the availability could be a problem.

- Fisheries being forced to close early due to choke problems

It is a very likely potential problem in salmon fishery due to limited salmon quota.