LITHUANIA’S RESPONSE TO THE QUESTIONNAIRE TO MS ON THE IMPLEMENTATION OF THE LANDING OBLIGATION IN 2016

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. Please give details of each exemption pursued. Not applicable.

7. What studies or evidence have you collected or produced in order to support such a request. Not applicable.

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.

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. Lithuanian fishing vessels of an overall length of less than 12 metres deploying passive fishing gears (i.e. small scale coastal fishing) have discarded cod catch damaged by seals in the Baltic Sea in 2016.
Please provide the total weight of catch of each species discarded for each fleet segment/fishery concerned. The data on damaged fish species and volume in 2016 were recorded by fishermen on voluntary basis. After the entry into force of new national legislation related to data collection and reporting obligations, the detailed information on the total weight of discarded catch, damaged by predators, for each fleet segment will be available only as from 2017.

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 in 2016, as joint recommendation for Baltic Sea was prepared in 2014.

Please outline the process of consultation with Advisory Councils. Not applicable.

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 2016, the fishermen were consulted about the implementation of landing obligation on 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. Landing obligation in the Baltic Sea has been in force since 2015, so the necessary measures were taken before 2016.

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 2016, 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 2016.
• Other. Information on landing obligation and guide to compliance for the fishing industry will be published in the website of the Ministry of Agriculture.

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 organised for presenting the guidelines to inspectors at national and regional level. Yes.

During trainings the guidelines on the effective and uniform application of the landing obligation were delivered and explained for inspectors.

19. Have new control and monitoring tools been used by Member States? No. Already existing 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. Not applicable.
• 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 2016

<table>
<thead>
<tr>
<th>YEAR</th>
<th>GEAR</th>
<th>Baltic sea, Discards, t</th>
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<tr>
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<td>Baltic sea, Discards, t</td>
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<td></td>
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<td>COD</td>
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<tr>
<td>2013</td>
<td>OTB</td>
<td>29</td>
</tr>
<tr>
<td>2013</td>
<td>GNS</td>
<td>4</td>
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<tr>
<td>2014</td>
<td>OTB</td>
<td>98</td>
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<tr>
<td>2014</td>
<td>GNS</td>
<td>5</td>
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<td>2015</td>
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<tr>
<td>2015</td>
<td>GNS</td>
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<tr>
<td>2016</td>
<td>OTB</td>
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</tr>
</tbody>
</table>

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

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 CFP 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) or in fish auction. 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 4 “last haul” inspections. Samplings were done of different sizes up to 100 percent of haul.

**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

Not available for 2016. It is planned to carry out the analysis of the impact of landing obligation on the catching sector in 2017.

**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. **Lithuania does not see the need to review legislation regarding safety on board due to the landing obligation.**
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. Not applicable. 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 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.

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?

<table>
<thead>
<tr>
<th>Year</th>
<th>Species</th>
<th>Weight, kg</th>
<th>Average price per kg in EUR (for non-human consumption)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>COD – Atlantic cod</td>
<td>62598</td>
<td>0.17</td>
</tr>
</tbody>
</table>

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? Not yet. However, the call for applications for support under this measure of the Operational Programme for Lithuania’s Fisheries Sector for 2014-2020 is foreseen in 2017. Please specify the number, nature and total amount invested in such projects. Not applicable.

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 2016 related to the implementation of the landing obligation.**