Regional report on the implementation of the landing obligation in the North Sea and North Western Waters in 2016

During the interregional meeting “Control of Demersal Fisheries in relation to the Landing Obligation (LO)” organised by EFCA on 6-7 December 2016 in London, the Control Expert Groups (CEG) of the North Sea and North Western Waters agreed that some parts of the questionnaire designed by the Commission to support the annual report on the implementation of the LO to be submitted by Member States, according to Regulation (EU) 2015/812 amending Regulation (EU) 1380/2013, Article 15(14), would be covered in the form of a regional report. In particular, questions 18, 21 and 22 of the questionnaire were identified as to be responded to on a regional level. The CEGS requested EFCA to prepare this part as a regional report, in order to summarise the information that has arisen through the North Sea and Western Waters Joint Deployment Plans (JDP) and through the CEGs requests for assistance (i.e. Risk analysis for NWW demersal fisheries and some NS fisheries outside the scope of the NS JDP).

This report intends to cover questions 18, 21 and 22 in the questionnaire and to provide a regional overview of relevant actions in the NS and NWW areas. For this purpose, the issues are structured by question topic and following the cooperation areas as summarised in table 1. The report includes 3 annexes.

Table 1: Summary of steps taken by Member States regarding control of compliance with the landing obligation at regional level in the North Sea and Western Waters JDP (North Western Waters) areas for issues highlighted in Q18, 21 and 22 of DG MARE's questionnaire.

DG MARE Questionnaire	NWW	NS
Steps taken by MS regarding control of compliance with the LO		
Q18: 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.	**Yes.** Regional workshops for inspectors were organised on 5-6 April and 21-22 September 2016 for standardising the implementation of the LO in the framework of the WW JDP. The following topics have been dealt with during the training workshops: - Omnibus regulation - Discard plans - Guidelines for gramme size data collection - MS Exchange of experience on the landing obligation - Data collection procedures	**Yes.** A regional workshop for inspectors were organised 8-9 March 2016 for standardising the implementation of the LO in the framework of the NS JDP. The following topics have been dealt with during the training workshop: - Omnibus regulation - Discard plans - Guidelines for last haul inspections - MS Exchange of experience on the landing obligation - Data collection procedures

Q21: 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.	**Yes.** In cooperation with the JDP Steering Group and regional Control Expert Group (CEG), EFCA has developed a methodology for risk assessment. The methodology follows the structure of weighing the likelihood of occurrence of non-compliance against the potential impact on the stock. In order to be able to perform this risk assessment for the fisheries concerned, EFCA has produced factsheets by fleet segments to compile and update all relevant information available for each fishery. These factsheets contain descriptions and tables on: gear, target species, discarding, fishing season, fishing vessels flag states, fishing areas, stock status, allocation of the TAC, applicable regulations, catches in previous year and risk characterisation. The fisheries segments have been defined together with the regional group and the steering group. During joint expert sessions between CEG nominees and members of the	**Yes.** In cooperation with the JDP Steering Group and the regional Control Expert Group (CEG), EFCA has developed a methodology for risk assessment. The methodology follows the structure of weighing the likelihood of occurrence of non-compliance against the potential impact on the stock. In order to be able to perform this risk assessment for the fisheries concerned, EFCA has produced factsheets by fleet segments to compile and update all relevant information available for each fishery. These fact sheets contain descriptions and tables on: gear, target species, discarding, fishing season, fishing vessels flag states, fishing areas, stock status, allocation of the TAC, applicable regulations, catches in previous year and risk characterisation. The fisheries segments have been defined together with the regional group and the steering group. During joint expert sessions between CEG nominees and members of the Steering Group, the risk assessment has been performed. The

	Steering Group, the risk assessment has been performed. The outcomes of the risk assessment have been an input for the recommendations developed by the regional CEG and for the planning of the pelagic JDP in WW. Also for the species not covered by a JDP (demersal species in the WW), risk assessment was performed by fleet segment for non-compliance with the LO. These concerned fisheries identified in the request from the NWW CEG (main demersal species subject to the landing obligation). Member States have been able to use this risk assessment to develop recommendations for control of the LO by the CEG and as a basis for inspections (as EFCA does not have a coordinating role for control of the demersal fisheries in this area).	outcomes of the risk assessment have been an input for the recommendations developed by the regional CEG and for the planning of the North Sea JDP. Risk assessment was performed by fleet segment for non-compliance with the LO for the JDP demersal (cod, sole, and plaice) and for fisheries identified in the request from the Scheveningen CEG (other demersal species in the NS).

Q22: 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**. The last observed haul methodology has been developed to: • Estimate the likelihood of non-compliance with the provisions of the LO for risk assessment • Share information between MS on catch composition rates across the different fisheries segments and • Facilitate the evaluation of compliance with the LO provisions. The last observed haul method is not considered adequate for assessing the catch composition of large fishing vessels catching pelagic species. As an alternative to the last observed haul methodology, for pelagic fisheries subject to the landing obligation, a ‘’gramme size analysis’’ project has been implemented, as a	**Yes.** The last observed haul methodology has been developed to: • Estimate the likelihood of non-compliance with the provisions of the LO for risk assessment, • Share information between MS on catch composition rates across the different fisheries segments and • Facilitate the evaluation of compliance with the LO provisions. This is implemented through the JDP in cooperation with the Member States inspection services The data derived from the last observed haul inspections is combined with other available data on catches and discards and is being used as input for risk assessment exercises. In the North Sea area, also gramme size and grade size

	tool for collecting catch composition data. The project was englobed in the framework of the WW JDP and the SG decided to initiate it in the Mackerel campaign in 2016. The gramme size analysis uses the data from the electronic logbook, production logbooks from the vessels and the sales notes, which contain information on the average gramme sizes of the fish. The goal is to develop a tool for risk assessment by comparing the size distribution in fleet segments targeting pelagic species. This tool may not be applicable to all pelagic species, but to those where specifically the size of the fish determines its value for the fishermen.	analysis projects were tested for collecting catch composition data. The grade size project has been focused in this initial phase on North Sea Cod landed during the first semester of 2016. This project has been able to use the tool of having a reference fleet, as a number of vessels have CCTV on board. The sales note figures of these vessels have been compared to those of non-CCTV vessels, showing differences in catch composition that need to be further analysed. In the medium to long term, the data collected through these schemes would serve as a baseline for preparing the development of a compliance evaluation tool in the context of the landing obligation. For pelagic fisheries subject to the landing obligation, a ‘’gramme size analysis’’ project has been implemented, as a tool for collecting catch composition data. The project was englobed in the framework of the WW JDP and the SG decided to initiate it in the Mackerel campaign in IVa in 2016. This will be continued into 2017. The gramme size analysis uses the data from the

		electronic logbook, production logbooks from the vessels and the sales notes, which contain information on the average gramme sizes of the fish. The goal is to develop a tool for risk assessment by comparing the size distribution in fleet segments targeting pelagic species.

List of Annexes:

Annex 1 – Risk Analysis results NWW demersal 2016

Annex 2 – Risk Analysis results WW pelagic 2016

Annex 3 – Risk Analysis results NS 2016

Annex 1 – Risk Analysis results NWW demersal 2016

Code	Segment	Gear types	Area	Risk Level
NWW01	GN, GNS, GND, GNC	Generic Gill Net	VIa	Low
			VIIa	Low
			VIId	Medium
			Rest of VII	Medium
NWW02	GTR	Trammel nets	VIa	Low
			VIIa	Low
			VIId	Medium
			Rest of VII	Low
NWW03	LL, LLS, LLD, LTL, LX, LHP, LMH	Generic longline	VIa	Low
			VIIa	Low
			VIId	Low
			Rest of VII	Low
NWW04	OT, OTB, OTT, PTB, PT, TBN, TBS, TX, SDN, SSC, SPR, TB, SX, SV	Generic bottom trawl <100 mm	VIa	Very High
			VIIa	Very High
			VIId	High
			Rest of VII	Very High
NWW05	OT, OTB, OTT, PTB, PT, TBN, TBS, TX, SDN, SSC, SPR, TB, SX, SV	Generic bottom trawl ≥100 mm	VIa	
			VIIa	High
			VIId	High
			Rest of VII	High
NWW06	TBB	Beam trawl 80-99 mm	VIa	
			VIIa	Very High
			VIId	Very High
			Rest of VII	High
NWW07	TBB	Beam trawl ≥100 mm	VIa	
			VIIa	
			VIId	
			Rest of VII	
NWW08	FPO,FIX	Pots, traps & creels	VIa	Low
			VIIa	Low
			VIId	Low
			Rest of VII	Low

Annex 2 – Risk Analysis results WW pelagic 2016

Fishery	Segment	Area	Risk level
ANE	Polyvalent PS (WW08)	VIII and IX	Medium
	All other segments	IVa, VI, VIId, Rest of VII,VIII	Low
HER	Freezer OTM (WW01)	IVa, VI, VIId, VIII	Low
	Freezer PTM (WW02)	IVa, VI, VIId, VIII	Low
	RSW OTM (WW03)	VI	Medium
	RSW PTM (WW04)	IVa, VI, VIId, Rest of VII	Low
	RSW PS (WW05)	IVa, VI, VIId, Rest of VII	Low
	Polyvalent OTM (WW06)	IVa, VI, VIId	Low
		Rest of VII	High
	Polyvalent PTM (WW07)	IVa, VI, VIId	Low
		Rest of VII	Medium
	Polyvalent PTB (WW10)	Rest of VII	Low
JAX & WHB (Applicable to the south as the fisheries are intrinsically mixed)	Polyvalent OTB (WW09)	IX	Medium
	Polyvalent PTB (WW10)	VIII	Medium
	All other segments	IVa, VI, VIId, Rest of VII, VIII, IX	Low
MAC	Freezer OTM (WW01)	IVa, VI, Rest of VII and VIII	Medium
	Freezer PTM (WW02)	IVa, VI, VIId, Rest of VII, VIII	Low
	RSW OTM (WW03)	IVa	High
		VI & Rest of VII	Medium
	RSW PTM (WW04)	IVa & Rest of VII	Medium
	RSW PS (WW05)	IVa	Medium

Annex 3 – Risk Analysis results NS 2016

Code	Gear	Gear definition	Segment	Area	Risk level
NS01	TR1	Otter trawls/ Seines (OTB, OTT, PTB, SDN, SSC, SPR)	≥ 100 mm	IIa	Low
				IVa	Very high
				IVb	High
				IVc	Medium
NS02	TR2	Otter trawls/ Seines (OTB, OTT, PTB, SDN, SSC, SPR)	≥ 70 and < 100 mm	IVa	High
				IVb	High
				IVc	Medium
NS03	TRP	Otter trawls/ Seine (OTB, OTT, PTB, SDN, SSC, SPR)	≥ 32 and < 70 mm	IIIa	High
NS04	TRSK1	Otter trawls/ Seines (OTB, OTT, PTB, SDN, SSC, SPR)	≥ 90 mm	IIIa	Very high
NS05	TRSK2	Otter trawls/ Seines (OTB, OTT, PTB, SDN, SSC, SPR)	< 90 mm	IIIa	Low
NS06	BT1	Beam trawls (TBB)	≥ 120 mm	IIIa	Medium
				IVa	
				IVb	Medium
NS07	BT2	Beam trawls (TBB)	≥ 80 and < 120 mm	IVb	High
				IVc	Very high
NS08	GN1	Fixed gears (GN)	≥ 120 mm	IIIa	Low
				IVa	Low
				IVb	Low
				IVc	Low
NS09	GN2	Fixed gears (GN)	≥ 90 and <120 mm	IIIa	Low
				IVa	Low
				IVb	Low
				IVc	Low
NS10	GN3	Fixed gears (GN)	<90 mm	IIIa	Low
				IVa	Low
				IVb	Low
				IVc	Low
NS11	GT1	Fixed gears (GT)	GT	IIIa	Low
				IVa	Low
				IVb	Low
				IVc	Low
NS12	LL	Fixed gears (LL)	LL	IIIa	Low
				IVa	Medium
				IVb	Low
				IVc	Low
NS13	OTH	Others not included in segments 1-12	Other	IIa	
				IIIa	
				IVa	
				IVb	
				IVc	