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Annual report on the implementation of the landing obligation in Sweden

Referring to the request of DG Mare (ref: Ares(2016)6601248-24/11/2016) Sweden hereby reports on the progress achieved in the implementation of the Landing Obligation (LO).

General comments

Achieving a level playing field is complicated by diverging interpretations by member states of different relevant regulations.

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.
2. Which fleet segments/fisheries do these measures and/or studies apply to?
 - N/a. See question 1.
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.
 - N/a. See question 1.
4. Have you initiated any changes to your quota management system to implement the landing obligation?
 - Yes. A new system to allocate fishing opportunities was introduced from January 1 2017 in order to create conditions for the Swedish fleet to comply with the landing obligation. The new system replaces the previous system in which the possibility to transfer fishing possibilities was lacking. The new system is based on yearly allocation of individual fishing opportunities. The fishing opportunities may, with some limitations, be transferred between individual fishermen during the year.

5. For stocks managed through catch limits, have you conducted a quantitative analysis to identify potential national choke issues?
 - Yes. A quantitative analysis has been performed based on scientific data on estimated discards/catches.
6. Have you pursued any exemptions to the landing obligation (either for high survival or de minimis) in the development of regional joint recommendations?
 - Yes, for details please refer to the joint recommendations submitted, namely the joint recommendations by the Scheveningen group for a demersal discard plan for the North Sea (2016) and for pelagic and industrial fisheries (2014), as well as the JR for a discard plan for the Baltic Sea submitted by Baltfish 2014.
7. What studies or evidence have you collected or produced in order to support such a request.
 - See question 6.
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?
 - Sweden has regularly throughout the year (2016) monitored the reported amounts discard that fit under the de minimis in order to monitor the established limits are not exceeded.
9. What has been the utilisation of any granted de minimis exemptions in the fleet segment/fishery to which the exemption applies?
 - During 2016 Sweden have only had a small amount reported as de minimis. In trawl fishery with grid for Norway lobster of total 2 645 kg common sole 10 kg (0.4%) was reported as de minimis.
10. Have any of your vessels utilised the provision to discard fish which shows damage caused by predators?
 - Sweden has data on estimated quantities of predator damaged fish, though this has not been mandatory reporting until 2016. From 2017, it is mandatory for Swedish fishermen to report this under a specific national code (ROV).

The following list outlines the information reported in passive gear, by species for 2016, on predator damaged fish (seal bitten). A total of 137 vessels have reported predator damaged fish.

Species (Alpha 3-code)	Quantity (kg)
BBB	2 021
COD	181 125
CRE	3
ELE	120
FLE	3 542
FPE	1 298
FPI	9 718
FPP	13
GGG	133
HER	3 898
MAC	460
MQS	10
MZZ	22 586
PLE	5
SAL	379
TRS	815
TUR	6 545
WHF	1 409
WHG	2
TOTAL	234 082

11. For stocks managed by catch limits, did you make use of the provisions for inter-annular inter-species flexibility?
 - Yes, Sweden has used the inter-annular flexibility.
12. In the development of joint recommendations, has consultation with Advisory Councils and other relevant stakeholders taken place?
 - For details concerning regional consultation by the Scheveningen group and Baltfish in relation to the Advisory Councils please refer to the relevant joint recommendations. Concerning national consultation ongoing consultations at organised meetings have been held with the national stakeholder organisations for commercial fishery.
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?
 - The national agency responsible for implementation of the CFP (Swedish Agency for Marine and Water Management) has sent information to all commercial fishermen holding a fishing license. The agency has also organised information meetings with stakeholders in collaboration with related national authorities (the national agency for Agriculture and the University for Agricultural Sciences (SLU), and published detailed information and guides on the webpage.

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?
- Sweden has administered approximately 1 million euro per year (2014-2017) to gear development projects initiated by the stakeholders in order to facilitate the implementation of the landing obligation. Please see annual report (in Swedish): http://www.slu.se/globalassets/ew/org/inst/aqua/externwebb/sidan-publikationer/aqua-reports-2016/aqua-report-2016_8-selektivt-fiske_small.pdf
15. Which fleet segments/fisheries do these studies/pilots apply to?
- See question 14.
16. What has the uptake been of these measures in the fleet segments/fisheries to which they are applicable?
- Some of the gears developed (see question 14) are now used in commercial fishery, for instance trawls separating roundfish and flatfish and pelagic trawls with selective grids for saithe.

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?
- SWaM has sent information (letters and electronic messages) to all commercial fishermen holding a fishing license. The agency has also organised information meetings with stakeholders in collaboration with related national authorities and published detailed information and guides on the webpage.

To facilitate the recording in paper logbook, Sweden has an updated layout with preprinted codes (such as LSC, BMS). Instructions and manuals are sent to all fishermen concerned and they were also invited to visit the agency to get personal help with their logbook-questions.

The software for electronic reporting (vCatch) has been updated to allow for catch accounting due to the landing obligation.

18. Have guidelines been provided by Member States administrations and control agencies for inspectors?
- In autumn 2016 there was a two-day-seminar for all Swedish inspectors. The seminar was organised by/in cooperation with EFCA and contained topics such as the landing obligation. More details can be read in the draft report from EFCA, Annex I

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

- Sweden has taken part in the regional control work to develop a control tool scoring matrix with the outcome that CCTV systems or observer programmes are the most efficient tools in achieving compliance with the LO. These control tools are currently not used in Swedish fisheries control. Until a more efficient control system is in place Sweden continues to apply a risk-based approach in its landing and administrative control, respectively. The shift at the beginning of 2016 from set control benchmarks to a control based on qualified risk assessments will enable a more effective control of compliance. In addition, the Swedish Coastguard has carried out last haul observations as a mean to compare reported catch of undersized cod with observed catch. SWaM and the Coastguard has also continued to work with joint inspections during specific times of the year. These joint inspections have focused on certain species and risks, respectively, in an attempt to cover fishing activities in an entire fishing trip. Inspections at sea are followed by an inspection in port, to verify that the catch in the “last haul” also is landed. Sweden has a more detailed instruction to their last haul than the one used in the JDP. The last haul method and analysis of data will be further developed during 2017.

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

- There is a very low volume of catches below MCRS landed (for example 1.9 % in the trawl fisheries for cod in the Baltic Sea) when compared to that of approximately 20% observed in the last haul inspections.

Total reported discard in Sweden				
Year	Gear type	Catch (kg)	Discard	Discard (%)
2013 Total 0,09%	FPO	554 555	34 001	6,1%
	FIX	624 484	36 521	5,8%
	GN	3 506 765	25 093	0,7%
	LL	658 285	2 927	0,4%
	SDN	181 105		0,0%
	OT	157 681 992	3 243	0,0%
	PS	13 539 521		0,0%
	OTH	153 893	70	0,0%
2014 Total 0,10%	FPO	569 236	36 204	6,4%
	FIX	549 060	17 231	3,1%
	GN	3 673 337	30 495	0,8%
	LL	474 787	2 310	0,5%
	SDN	243 435		0,0%
	OT	152 509 319	5 072	0,0%
	PS	13 851 882		0,0%
	OTH	60 257	500	0,8%

2015 Total 0,12%	FPO	602 415	17 482	2,9%
	FIX	508 401	24 886	4,9%
	GN	3 396 594	11 361	0,3%
	LL	414 853	1 404	0,3%
	SDN	221 513		0,0%
	OT	180 849 688	5 663	0,0%
	PS	15 899 447		0,0%
	OTH	58 996		0,0%
2016 Total 0,14%	FPO	562 925	7 541	1,3%
	FIX	538 854	30 242	5,6%
	GN	3 429 737	17 863	0,5%
	LL	389 460	1 905	0,5%
	SDN	271 008		0,0%
	OT	175 108 871	13 551	0,0%
	PS	14 204 800		0,0%
	OTH	7 198		0,0%

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

- Control and monitoring in Sweden is since 2016 based on compliance levels. The risk categories are based on the same categories used in the regional risk assessment for JDP and the regional Control Expert Groups in cooperation with EFCA. During 2016 an automated system for risk assessment has been developed. More details can be read in the draft report from EFCA, Annex I

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?

- The Swedish Coastguard has conducted “last haul inspections” within the JDP framework since 2014. See question 19 for details about last haul. Since there still is a widespread lack of understanding of the LO, all vessels are equally interesting at the moment, in order to gather data as well as to inform about the LO. The more data and information we receive about the LO, the greater the possibility of using the last haul to point out potential targets for inspection is. There is also a need for regional cooperation to decide when a vessel is considered to be a potential target with regards to the LO. More details can be read in the draft report from EFCA, Annex I

Number of last haul inspections	2014	2015	2016
Baltic Sea - demersal	16	16	25
North Sea - demersal		-	18

Information on the socioeconomic impact of the landing obligation

23. Using the most appropriate indicators defined below, provide information on the socioeconomics

- Considering the very low quantities of catch reported under MCRS and the fact that the fisheries under LO in 2016 have small problems with choke species, we see no socioeconomic impact of the LO for Swedish fisheries so far.

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.
25. Have there been any reported incidents of overloading of vessels forcing them to return to port early?
 - No.
26. Have there been any reported incidents or accidents on board vessels that can be attributable to excessive workload?
 - No.
27. 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?
 - No.

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

- To the knowledge of the Swedish Board of Agriculture no measures has been taken that not have been funded under the EMFF.

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? 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?
 - As stated above, reported catch below MCRS were small in 2016 as well as in 2015. The catches of demersal species under MCRS have mainly been used for fodder
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

31. Have you provided funding under Article 38 of the EMFF for modifications on board vessels for the handling of catches on board?
- Yes. Sweden has granted 551 807 SEK to 8 different projects concerning investments in for example selective gear, purchase of gillnet and transition from bottom trawling to semi-pelagic fisheries.
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.
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. Sweden has granted 7 278 250 SEK to 20 different projects concerning investments for example MSC-certification, formation of producer organizations and investments in existing production.

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:

- Based on DCF-data and logbook data SE has looked into the possibility to increase selectivity for a number of stocks. It is also a challenge to manage the quota for a number of stocks and a number of tools need to be implemented. To address the issues SE has conducted (and conducts) a number of selectivity projects to allow a tool box of gears for fishermen, also a new system for quota management is implemented as of January 2017 (please see above).
- The Swedish fishermen experience that the technical regulations are inhibitory in some parts when concerning selectivity. The fishermen also state that they have not experienced any problems with storage on board so far. However they have expressed some concerns that the situation may change when the LO is fully in place.

Difficulties relating to monitoring, control and enforcement:

- Sweden agrees with the answers and recommendations from EFCA, produced in cooperation with the Scheveningen and NWW Control Expert Groups, see Annex II.

Difficulties in fully utilising fishing opportunities:

- The extent of these difficulties will become more apparent as the landing obligation is gradually covering more fisheries. The new system to allocate fishing opportunities is expected to mitigate early closures of fisheries, but the challenge of choke species will likely remain on an individual level.