



**Zemkopības
ministrija**
*Ministry of Agriculture of
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LJz Nr.

Eiropas Komisijas
Jūrlietu un zivsaimniecības ģenerāldirektorātam
1049 Brisele
Beļģija

Gada ziņojums par izkraušanas pienākuma ieviešanu

Atsaucoties uz Eiropas Komisijas lūgumu, kas izteikts 24.11.2016. vēstulē Nr.: Ares(2016)6601248, Zemkopības ministrija informē par progresu, kas sasniegts, īstenojot izkraušanas pienākumu Latvijā.

Pielikumā: Dalībvalstu aptauja par izkraušanas pienākuma ieviešanu (angļu valoda) uz 10 lapām.

Valsts sekretāre

Translation

Directorate- General for Maritime Affairs and Fisheries European Commission 1049 Brussels
Belgium

RE: Annual Report on the Implementation of Landing Obligation

Referring to the request expressed by the European Commission in its 24/11/2016 letter No Ares(2016)6601248 Ministry of Agriculture hereby informs on progress achieved in implementation of landing obligation in Latvia in 2016.

Please find attached Questionnaire to Member States on the implementation of the landing obligation.

Questionnaire to Member States 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)?
Please specify the measures taken or studies.

No.

Notes: In accordance with Article 15(1)(a) of Regulation (EU) No 1380/2013 the landing obligation should apply to catches of species subject to catch limits in the Baltic Sea it means small pelagic fisheries- herring and sprat, as well as salmon and cod. Taking into account the minor amount of cod catches below MCRS and that the LO do not create any problems in pelagic and salmon (due to very low catch level) fishery, there were no studies and/or pilots initiated or supported related to the avoidance of unwanted catches in 2016.

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

N/A

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

4. Have you initiated any changes to your quota management system to implement the landing obligation? Please specify these changes.

No.

Notes: There is ITQ system in place in Latvia for fishing companies. Fishing companies are allowed to make the mutual swaps of fishing opportunities to ensure their interests and abilities of the catches and quotas. Taking into account that the fishing companies are successfully using this ITQ system, there is no need to change Latvian quota management system in order to implement landing obligation.

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

Please give details.

No.

Notes: In 2014 during the selected fishing trips in the Baltic Sea scientific observers collected data and information on plaice bycatches in cod fishery. Plaice was identified as a choke species for Latvian cod fishing vessels.

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

Please give details of each exemption pursued.

The joint recommendation includes an exemption from the landing obligation for salmon and cod caught with trap-nets, creels/pots, fyke-nets and pound nets. That exemption is based on scientific evidence of high survivability, provided by the regional Fisheries Forum (BALTFISH) and reviewed by the Scientific, Technical and Economic Committee for Fisheries (STECF).

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

N/A

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?

De minimis exemptions are not applicable for Latvia as it not included in the delegated act.

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.

N/A

10. Have any of your vessels utilised the provision to discard fish which shows damage caused by predators? Yes/No

Yes

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

Discards in salmon fisheries predator (seal) damaged salmon can be returned to sea and are not covered by the LO (Article 15.4. of CFP Regulation No 1380/2013). In Latvia's case it applies only for the small scale coastal fisheries.

The Institute of Food Safety, Animal Health and Environment "BIOR" conducted fishermen's questionnaire (the first quarter of 2016 data). There are indicated 23 cases of fishing gears damage. The most significant losses estimated in salmon, cod, smelt, trout and vimba fishery. According to the fishermen information provided in the questionnaire, the total weight of damaged catch was 950 kg without selection of the species. Completion and submission of the questionnaire was voluntary, however it was highly recommended.

11. For stocks managed by catch limits, did you make use of the provisions for inter-annual or inter-species flexibility? Yes/No

No

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

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

Yes

Please outline the process of consultation with Advisory Councils.

Latvian representatives took part in Baltic Sea Advisory Council (BSAC) working groups in 2016.

The development of Joint recommendations were discussed during the Baltic Sea Fisheries Forum (BALTFISH).

Please outline the process of consultation with other stakeholders, if relevant.

The development of Joint recommendations was discussed during the Baltic Sea Fisheries Forum (BALTFISH).

As well as Baltfish Control expert group workshops were attended by Latvian representatives in 2016. There discussions on the implementation of landing obligation also took place.

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/No

Yes

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

- Before landing obligation entered into force, special instruction was prepared explaining in details how to deal with species under landing obligation (including reporting, post- landing activities, etc.) broken down by offshore and

costal fisheries segments. Special seminar for fishermen on the landing obligation issue was held in 2014 by the Ministry of Agriculture. Also inspectors attended this seminar in order to ensure common understanding how to comply with new rules. As well as instruction on minimum size and freshness of fish as regards landing obligation was prepared in 2015.

- If necessary, meetings, workshops, consultations between non- governmental organizations representatives and institutions are organized to discuss and resolve certain problems with stakeholder representation as deems necessary.
- As well as topical questions, including questions on the implementation of landing obligation, discussed at the Fisheries Advisory Council of the Ministry of Agriculture, as an advisory and coordinating body, promotes an effective co-operation between the state administration and non-governmental organizations in the fisheries sector. Council chaired by the Minister of Agriculture.

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? Yes/No Please specify the measures taken.

No.

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

N/A

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.

N/A

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/no

In what format has this information taken:

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

Yes

Guidelines on the application of the landing obligation were prepared in 2015. The guidelines can be applied to both fishermen and inspectors.

18. 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

Department of Fishery Control of State Environmental Service (SES) have organized a seminar for sea inspectors and informed about new rules regarding landing obligation. There are no separate guidelines for inspectors. Guidelines on the application of the landing obligation can be applied to both fishermen and inspectors.

19. Have new control and monitoring tools been used by Member States? Yes/no 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.
- Steps towards implementation of new tools, including electronic monitoring means dedicated to implementation of landing obligation, haul-by-haul recording, etc.

Yes

In a framework of Joint deployment plan (JDP) inspectors had made last haul inspections.

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

Please supply information on:

- Total number of discards (by fishery, fleet segment) from 2013 to 2016
- Initiatives taken to prevent under MCRS catches from reaching the commercial channels (pre-notification of landings of under MCRS catches, etc.).
- Measures taken to monitor landings at fish markets/auctions adopted.

Yes.

Inspectors of SES at landings are monitoring MCRS catches. Also at market inspections inspectors are checking if these MCRS catches are not sold for human consumption.

The information system “Latvian Fisheries Integrated Control and Information System” is electronic system, where all fisheries management information is collected (including limits, catches, landings, first buyers, sale notes, transportation documents). Also a logbook data is entered into the system, including MCRS catches data. To each logbook information also information on fish movements is added, accompanied by a document - sales note, transportation document etc. Thus ensuring traceability of MCRS catches. In addition the inspection takes place both at landing and sales points.

21. 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 accordance with Articles 5(4) and 46(2) Control Regulation No 1224/2009, the SES carries out fisheries control, inspection and enforcement on the basis of risk management. Main criteria's for risk analysis are history of infringements, type of gear, is the fisherman also a first buyer and producer. Benchmarks for sea inspections are to inspect at least 2,5% of high risk vessels and 5% of very high risk vessels. Benchmarks for port inspection are to inspect at least 10% of high risk vessels and 15% of very high risk vessels.

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?

Please give details of the fisheries covered and the extent of sampling.

Yes.

"Last haul" inspections has been done in a framework of Joint deployment plan (JDP). Almost all "last haul" inspections were made on cod targeting vessels.

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

Information collected from fishermen shows that there are certain consequences from LO influencing socioeconomic matters. Due to the restrictions for use of fish below MCRS for human consumption expenses of fishing operations for handling of such fish (cod) has raised. Due to the fact that fish below MCRS are not harvested in significant amounts, handling of such fish is complicated.

Logistics of delivery relatively small amounts of cod below MCRS is expensive. Price received for the fish is not sufficient to cover the handling and transportation costs. Producer organisations, as well fishermen try to cooperate in handling the undersized fish, however, due to the small amounts, it is not very efficient. Also the fact that this amount is deducted from the individual catch limit of fisherman for what incomes are significantly lower does not ensure motivation for producers and individual companies to implement landing obligation properly and increase potential risk for non-compliance.

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?

Please specify the number and nature of such incidents.

Can you quantify these in terms of:

- Number of deaths or serious injuries
- No of vessels involved as a % of the specific fleet segment

No

There is no specific action performed in Latvia, as well as no information collected from fishermen on this issue. Also there has been no communication on safety matters from individual fishermen or fishermen NGOs side.

25. Have there been any reported incidents of overloading of vessels forcing them to return to port early?

Please specify the number and nature of such incidents.

No.

26. Have there been any reported incidents or accidents on board vessels that can be attributable to excessive workload?

Please specify the number and nature of such incidents or accidents.

No.

27. Has any national legislation relating to safety on board fishing vessels arising from the landing obligation been amended or introduced?

Please provide details of this legislation.

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

The EMFF funding is being provided for investments on board of fishing vessels to improve hygiene, health, safety and working conditions for fishermen.

If yes, please specify the number of projects involved and the nature of the measures taken.

By the end of 2016, there was 1 project application submitted which is being currently evaluated (the project is not yet approved). The nature of investments foreseen in the project is aimed at improving safety for fishermen on board.

Notes: project doesn't state that it is directly in connection with LO

If no, have any measures been taken which have not 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?

Main part of catches below MCRS - namely cod - is used for fishmeal in Latvia. In 2016 around 35 998 kg of MCRS cod were sold for fishmeal and total value 7953,16 EUR.

Average price of cod below MCRS used for fishmeal 221 EUR/t.

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

Please provide details of such studies or pilot projects.

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?

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

Yes

The funding is being provided for investments on board of fishing vessels for primary processing, chilling and freezing of unwanted catches. By the end of 2016, there was no project application submitted.

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?

Yes

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

The number of projects and total amount invested in such projects:

By the end of 2016, 1 project has been completed and the amount of 1,4 million euro of public financing has been paid out to the beneficiary.

Nature of project:

Investments have been made in a construction of a warehouse in the fishing port.

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.

Article 68

The number of projects and total amount invested in such projects:

By the end of 2016, 6 projects have been completed and the amount of 0,35 million euro of public financing has been paid out to the beneficiaries.

Nature of projects:

The projects cover participation in international fairs (trade shows), conducting market surveys with a view to find new markets.

Article 69

The number of projects and total amount invested in such projects:

By the end of 2016, 10 projects have been completed and the amount of 0,5 million euro of public financing has been paid out to the beneficiaries.

Nature of projects:

Extension or modernisation of the existing fish processing facilities; modernisation of a cold storage in order to reduce the impact on the environment; purchase of refrigerating cameras; purchase of equipment for transportation of raw materials and final products; purchase of technological lines for fish processing etc.

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

Due to the fact that fish below MCRS are not harvested in significant amounts, handling of such fish is complicated. The logistics of delivery relatively small amounts of cod below MCRS is expensive. Price received for the fish is not sufficient to cover the handling and transportation costs.

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

As Latvia already noted during the adoption of the Omnibus Regulation - some provisions as regards control, more specific rules on reporting, are impossible to implement properly. E.g. prior notification of undersized fish in large volume of catch in pelagic fisheries (cod by-catch in sprat catches). In this context the European Commission suggested to use sampling for calculation of estimated amount, however, this method is not efficient to provide sometimes even close figures. It is nearly impossible to do it also when fishing pumps are used.

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.

N/A