



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

Fisheries Policy Mediterranean and Black Sea  
The Director

Brussels,  
MARE.D.3/MS

**Subject: Advice Market Advisory Council concerning the Annual Report on the implementation in 2022 of the landing obligation**

Dear Ms Bermúdez,

Thank you for your letter (our reference ARES(2023)2347646) with advice on the annual report on the implementation in 2022 of the landing obligation, in particular the impact of the implementation on the market. I appreciate your initiative and encourage you to continue to provide input, where necessary.

As mentioned in your letter, the landing obligation's main aim is to reduce discarding by encouraging fishers to fish more selectively and avoid unwanted catches by ensuring all catches are landed. The Scientific, Technological and Economic Committee for Fisheries <sup>(1)</sup> (STECF) states that increasing selectivity can result in some immediate reduction in revenue, but these short-term losses should be offset by the broader medium-term gains in stocks, the reduced risk of choke events, and better utilisation of quota to land a higher proportion of more valuable catch.

There has been increasing cooperation between stakeholders and scientists to improve knowledge about the landing obligation as a policy tool in the Common Fisheries Policy <sup>(2)</sup>. All stakeholders have made significant efforts to facilitate implementation of the landing obligation, in particular on strategies to avoid unwanted catches and to eliminate discarding. The Horizon 2020 research projects DiscardLess <sup>(3)</sup> and MINOUW <sup>(4)</sup> are two such examples.

I want to highlight to you that the socioeconomic impact of the landing obligation on the fishing sector received a lot of attention at the European Parliament <sup>(5)</sup>. This aspect was studied in detail by STECF EWG 22-05, for which experts provided a comprehensive overview of current scientific information and assessments of the socioeconomic impacts of the landing obligation. Most of the ex-ante modelling exercises to assess socioeconomic impacts assume full implementation of and compliance with the landing obligation, showing that choke effects are the main problems of the landing obligation in these analyses and the accompanying literature. Current studies based on practical

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<sup>(1)</sup> STECF 22-05 Evaluation of joint recommendations on the landing obligation and on technical measures Regulation.

<sup>(2)</sup> Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy

<sup>(3)</sup> <http://www.discardless.eu/www.discardless.eu/deliverables.html>

<sup>(4)</sup> <https://minouw-project.eu/>

<sup>(5)</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2021-0227\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0227_EN.html)

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implementation instead of modelling seem to indicate that the socioeconomic impacts of the landing obligation are rather limited.

Commission's audits and initiatives run by the EFCA <sup>(6)</sup> indicate compliance is weak and no effective control to ensure detailed and accurate documentation of all fishing trips and associated data is in place by Member States. Furthermore, two DG MARE commissioned studies <sup>(7)</sup> <sup>(8)</sup> concluded there was no evidence of changes to the discarding practice in fisheries and that discarding was still taking place.

The Communication on the functioning of the Common Fisheries Policy <sup>(9)</sup> calls on the stakeholders to provide the key data that would be required for an evaluation of the landing obligation – building upon the knowledge already established on its state of play. Accurate catch information (landings, unwanted catches, and discards) is of the essence. Aside from the need for an improved accuracy of the data, the Commission is working on a guideline document to distribute after Summer 2023. This should further facilitate the discussion around data availability and accuracy within Member States Regional Groups, Advisory Councils, and scientific advisory bodies, which is something that it is important to continue.

You rightfully raise the importance of the data on landings of catch below minimum conservation reference size (MCRS) being part of this dialogue. The European Market Observatory for Fisheries and Aquaculture products <sup>(10)</sup> produced a study on the market outlet for unwanted catches concluding the available data on landings of catch below MCRS is incomplete and incomparable between Member States. The most comprehensive and comparable dataset is the Aggregated Catch Data Reports <sup>(11)</sup> of data sent by Member States to the Commission. The Commission relies on the accuracy of the data sent by the Member States.

We appreciate the input that you have provided us and hope for a constructive continuation of our cooperation. Should you have any further questions about this response, please write to the functional mailbox [MARE-AC@ec.europa.eu](mailto:MARE-AC@ec.europa.eu).

Yours faithfully,

Lena ANDERSSON PENCH

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<sup>(6)</sup> <https://www.efca.europa.eu/en/content/compliance-evaluation>

<sup>(7)</sup> European Commission, European Climate, Infrastructure and Environment Executive Agency, Heinrich, J., *Synthesis of the landing obligation measures and discard rates*, Publications Office of the European Union, 2021

<sup>(8)</sup> European Commission, European Climate, Infrastructure and Environment Executive Agency, Spedicato, M., Sánchez-Lizaso, J., Sabatella, E., et al., *Synthesis of the landing obligation measures and discard rates for the Mediterranean and the Black Sea: final report*, Publications Office of the European Union, 2022

<sup>(9)</sup> COM(2023) 103 final

<sup>(10)</sup> <https://op.europa.eu/de/publication-detail/-/publication/aec12d1c-5d00-11ea-8b81-01aa75ed71a1>

<sup>(11)</sup> Aggregated Catch Data Reporting" as required in Article 33 of Council Regulation (EC) No 1224/2009.