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EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE.D/3 ADV ARES(2018)

Mr. Giampaolo Buonfiglio
Chairman
Mediterranean Advisory Council
Via XX Settembre 20
c/o MIPAAF
00187 Roma
ITALY

Subject: **Implementation of the landing obligation**

Your Ref.: *your letter 262/2018 of 25 October 2018*

Dear Mr. Buonfiglio,

Thank you for the above-mentioned letter expressing the MEDAC's concerns on the application of the landing obligation.

We have taken note of valuable analyses and proposals that MEDAC has submitted on this subject and we have taken on board your advice to the extent possible, within the lines of the CFP Regulation and taking into account the scientific assessment by the STECF.

In line with the regionalisation approach defined by the CFP, the draft Commission Delegated Regulation, amending Delegated Regulation (EU) 2017/86 establishing a discard plan for certain demersal fisheries in the Mediterranean Sea, was prepared on the basis of the Member States' Joint Recommendations, received in June and August 2018. Although the regional groups did not entirely take on board the MEDAC position, the draft delegated act does take on board MEDAC advice to base the *de minimis* exemption on the disproportionate costs of handling unwanted catches.

We fully agree with MEDAC that discards should be reduced through improved technologies that increase selective fishing practice. As you mention in your letter, there are technical solutions identified by a number of research programmes, such as Minouw and Galion, which could help to reduce discards using innovative selective gears. The Commission strongly supports them and urges Member States and stakeholders to apply valid research results to practice.

The Commission is fully aware of the difficulties related to the full implementation of the landing obligation. We therefore continue working closely with the Member States and with the relevant stakeholders to help overcome these difficulties. For instance, we have

amended Article 15(6) of the CFP in order to enable the renewal of discard plans for an additional 3-year period.

Furthermore, funding from the European Maritime and Fisheries Fund (EMFF) explicitly supports innovation and investments that contribute to the implementation of the landing obligation, including a higher intensity rate. Unfortunately, the use of the EMFF for measures linked to the landing obligation remains very low. Of an envelope of € 5,749 billion available, only 10 Member States set aside a global amount of around EUR 50 million on these measures until 2020, which is less than 1% of the envelope. Estimated EMFF spending directly on the landing obligation to the end of 2017 is estimated at around EUR 24 million. The MEDAC could encourage Member States to better use these possibilities.

The above-mentioned draft Commission Delegated Regulation is currently under the 2-month scrutiny period by the European Parliament and the Council, which will end on 18 December 2018. Provided there are no objections, the Regulation will be published and will enter into force before 1 January 2019. It is important that the Regulation enters into force before this date and that there is no legal gap in the implementation of the landing obligation. Let me also remind you that certain parts of the discard plan expire by 31 December 2019 and Member States Regional groups are to submit additional data by 1 May 2019. It is therefore important that these proposals for amendment arrive in time for the assessment of the STECF.

Finally, I would like to stress that the landing obligation is an essential part of the reformed CFP, to which we have all signed up to and we should all be committed to making it work. It is an important component of the overall plan to ensure long-term sustainable fisheries in the EU waters, which will benefit fishers, coastal communities and the environment.

I very much look forward to our continued cooperation and invite you to take contact with Ms Pascale Colson, as coordinator of the Advisory Councils (pascale.colson@ec.europa.eu; +32 2 29 56273) should you have any questions on this reply.

Yours sincerely,

João AGUIAR MACHADO

C.c.: Ms. Veits, Roller, Lainé, Vaigauskaite, Colson, Genzbigelyte-Venturi, de Diego de la Vega

Commission européenne / Europese Commissie, B-1049 Bruxelles/Brussel – Belgique/België - Telephone: +32 229-91111
Office: J-99 5/014 - Telephone: direct line +32 229-96310

E-mail: Joao.AGUIAR-MACHADO@ec.europa.eu