

## Implementing the fish-landing obligation

A central objective of the reformed Common Fisheries Policy adopted in December 2013 is the obligation for fishermen to land all their catches, and thus end the practice of 'discarding' fish. The Commission has proposed a package of amendments to existing legislation, in order to review the specific measures which conflict with this new obligation.

### Background

The landing obligation is a key component of the reformed Common Fisheries Policy, provided for in Article 15 of its Basic Regulation [1380/2013](#). It is a concept designed to end the practice of [discarding](#), i.e. of throwing fish back into the sea, most often dead, because they are too small, not of the targeted species or the fisherman has no quota for them.

The landing obligation is already in force since 1 January 2015 for some specific fisheries and will progressively apply to all catches by 2019. However, the new requirements of the landing obligation conflict with certain provisions within eight existing regulations, which lead fishermen to discard fish which they are not allowed to keep on board. The Commission put forward a proposed 'omnibus regulation' as a solution aimed at removing the immediate legal and practical impediments to the landing obligation, while a new framework for technical measures is being developed with a view to its full implementation.

### The Commission proposal

The changes proposed in the omnibus regulation ([COM\(2013\) 889](#)) are structured around two main issues: fisheries technical measures and control rules. On the technical measures, the proposal removes the existing provisions which forbid landing of fish below a certain size (termed 'Minimum Landing Size') and introduces a 'Minimum Conservation Reference Size', below which fish must be landed and counted against quotas, but not sold for human consumption. In a similar way, the proposal requires that all unintended catches of species subject to the landing obligation, over some established limits of catch composition or bycatch, must be landed and counted against quotas.

As regards the control rules, the proposal contains a series of modifications to the current control system to ensure compliance with the landing obligation, mainly on recording of data on catches, stowage of catches and rules on monitoring. Additionally, violation of the landing obligation is defined as a serious infringement.

### The political agreement

The Committee on Fisheries voted on the proposal on 3 December 2014 and a compromise agreement between the Parliament and the Council was reached on 29 January 2015. The [compromise text](#) introduces several changes to the initial proposal, in particular with regard to the control rules, e.g. the obligation to record the catches in the fishing logbook was limited to catches above 50 kg, the requirement to stow undersized fish separately by species was removed, and a delay of two years was introduced before sanctions for failing to comply with the landing obligation take effect.

Moreover, the compromise text amends two major pieces of legislation of the Common Fisheries Policy. In the Common Market Regulation [1379/2013](#), a mechanism is introduced to prevent the development of a parallel market for undersized fish. The Basic Regulation [1380/2013](#) will also be amended, mainly to ensure that the Commission drafts an annual report on the implementation of the landing obligation, based on information supplied by the Member States.

The compromise text, approved by Coreper on 20 February 2015 and by the Committee on Fisheries on 9 March 2015, is expected to go to first reading vote in plenary on 27 April 2015 (procedure file [2013/0436\(COD\)](#)).