

## ROADMAP

<b>TITLE OF THE INITIATIVE</b>	Proposal for a regulation amending the technical measures and control regulations to implement the landing obligation <sup>1</sup> . AP. 2013/MARE/108		
<b>LEAD DG – RESPONSIBLE UNIT</b>	DG MARE – UNIT A2 (COMMON FISHERIES POLICY AND AQUACULTURE)	<b>DATE OF ROADMAP</b>	27/06/2013
This indicative roadmap is provided for information purposes only and is subject to change. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.			

### A. Context and problem definition

- (1) What is the political context of the initiative?
- (2) How does it relate to past and possible future initiatives, and to other EU policies?
- (3) What ex-post analysis of existing policy has been carried out? What results are relevant for this initiative?

(1) A central objective of the proposed reform of the Common Fisheries Policy (CFP) is the progressive elimination of discards in all EU fisheries through the introduction of an obligation to land all catches. This is designed to make better use of the available resources, and responds to public pressure to end the practice of throwing marketable fish back into the sea. High levels of discards are identified as an important driver of the lack of environmental sustainability of the CFP in the impact assessment<sup>2</sup> carried out for the proposal for the Basic Regulation for the CFP<sup>3</sup>.

In the general approach to the Basic Regulation for the CFP agreed at the 2012 June Council<sup>4</sup>, the gradual introduction of the landing obligation was agreed with a foreseen starting date of 2014 for pelagic fisheries, highly migratory species and salmon in the Baltic and extending to all fisheries in the Union in the following years. This was endorsed at the plenary of the European Parliament in February 2013 who gave clear indications that they also support this approach and proposed a similar timetable for implementation as the Council<sup>5</sup>. Subsequently political agreement has been reached by the European Parliament and Council on the Basic Regulation with a new start date for implementation of the landing obligation of 1 January 2015.

In order to make the landing obligation operational it has been identified by the Commission, Member States and stakeholders that certain provisions within the current technical measures and control regulations run contrary to the landing obligation and oblige fishermen to discard fish. These provisions need to be removed or amended. A declaration signalling this intention was made by the Council at the above mentioned June Council<sup>6</sup>, urging the Commission to act swiftly to make these changes to the existing regulations once the reform is agreed.

(2) It is the intention of the Commission that a new technical measures framework Regulation will be developed<sup>7</sup> as part of the reform which, over time, will facilitate the full implementation of the landing obligation as envisaged. It will also incorporate the new, regionalised approach, which will include the development of multiannual and discard plans. However, this new framework will almost certainly not be in place in time for the first group of fisheries to be covered under the landing obligation. The political agreement reached by the Council and Parliament has a start date of 1 January 2015 with subsequent fisheries in 2016. Therefore legislation is required to remove any legal and practical impediments to implementation on a transitional basis, while this new framework is being developed. Given the tight timelines (introduction of the first wave in 2015) and that the provisions are contained in multiple regulations the Commission proposes these changes should be combined in one "omnibus" regulation.

(3) As part of the impact assessment to support the CFP reform, an assessment of the impact of discard reducing policies was carried out<sup>8</sup>. This assessment had two phases. The first phase comprised a series of desk studies on the extent of discarding practices in the EU Member States as well as other international countries, and described the anti-discard policies in a number of countries (Scotland England, Germany, Denmark, Iceland, Norway, and USA). Moreover, the level of discarding in EU fisheries was classified and finally specific studies of discarding in Mediterranean fisheries were undertaken. The second analytical phase assessed the impacts of a range of anti-discard policy options in EU fisheries including the effects of changes in fishing gear selectivity and the introduction of new technical measures such as real-time closures. This analysis showed that the introduction of an anti-discard policy based on more effective technical measures and the removal of ineffective technical measures that induce discarding would result in short-term economic losses but medium to long-term additional gains, primarily in environmental and economic terms.

## What are the main problems which this initiative will address?

Certain provisions within the current technical measures and control regulations need to be amended under the proposed omnibus regulation.

### **Technical Measures**

The current technical measures regulations contain several provisions that contradict the landing obligation and oblige fishermen to discard. The three main sets of provisions that need to be changed in the omnibus regulation are as follows:

#### Minimum Landing Sizes

Minimum landing sizes (MLS) are currently contained in Regulation (EC) No 850/98<sup>9</sup> for Western waters and the North Sea, Regulation (EC) No 2187/2005 for the Baltic<sup>10</sup> and Regulation (EC) No 1967/2006 for the Mediterranean<sup>11</sup>. A MLS for turbot in the Black Sea is contained in the recent amendment<sup>12</sup> to Regulation (EC) No 850/98 which will be adopted in the coming months.

MLS set the legal sizes of fish which can be retained on board. Fish below these sizes currently must not be retained on board or landed.

#### Catch Composition Rules

Catch composition rules for Western waters and the North Sea are contained in Regulation (EC) 850/98<sup>9</sup> and associated regulations. There are similar catch composition percentages in the Baltic Regulation (Regulation (EC) No 2187/2005<sup>10</sup>). In the Mediterranean Regulation (Regulation (EC) No 1967/2006<sup>11</sup>) there are some provisions that could be construed as catch composition rules and therefore have the potential to conflict with the landing obligation.

Catch composition rules set limits which must be met on a daily basis and at the end of a fishing trip. If fishermen are outside the limits they are obliged to discard components of the catch in order to balance the retained catch with the composition rules. Under the landing obligation fishermen will no longer be allowed to discard so there is a contradiction that needs to be addressed between continuing to regulate catch composition and obliging fishermen to land all catches.

The catch composition rules are interlinked with other provisions (e.g. mesh size ranges, conditions for use of certain combinations of mesh sizes) and detailed rules for sorting of catches on board vessels are also based on the catch composition percentages. Therefore, these will also have to be aligned or deleted to remove the obligation to discard.

#### Bycatch Provisions

Within the technical measures regulations in the Western waters and North Sea (Regulation (EC) 850/98<sup>9</sup>) and associated regulations (Regulation (EC) No 1098/2007<sup>13</sup>, Regulation (EC) No 1434/98<sup>14</sup>, Regulation (EC) No 254/2002<sup>15</sup>, Regulation (EC) 494/2002<sup>16</sup>, Regulation (EC) No 2056/2001<sup>17</sup>) and in the Baltic (Regulation (EC) No 2187/2005<sup>10</sup>) there are multiple bycatch provisions. These are similar to catch composition rules but are area or gear specific. Typically they are derogations to allow bycatch of certain species of 5-10% in restricted areas with certain gear types. Catches in excess of these limits currently have to be discarded. As with catch composition rules they run contrary to the landing obligation as they require fishermen to discard fishing excess of the bycatch provisions. Therefore, they need to be dealt with in a similar way as the catch composition rules to remove the obligation to discard.

### **Control Measures**

The Control Regulation (EC) 1224/2009<sup>18</sup> will also have to be amended or new provisions included. The main changes foreseen are:

- Adaptation of fishing authorisations for fisheries subject to a landing obligation
- Modification of rules on the recording of catch data to cater for catches below a minimum conservation reference size and for all discards (amendment for logbook, transshipment declaration, prior notification, landing declaration sales notes).
- Establishing Rules for the use of Remote electronic monitoring
- Separate stowage for catches below a minimum conservation reference size.
- Extension of duties for control observers deployed on board fishing vessels to monitor compliance with the landing obligation.
- Inclusion of breaches of the landing obligation as a serious infringement in the penalty points system.

## Who will be affected by it?

The principal sectors affected with the introduction of this amendment will be the owners, operators and crews of fishing vessels operating in EU waters. The measures will affect fisheries in the North Atlantic and North Sea, Skagerrak and Kattegat, Baltic Sea, Mediterranean and Black Sea. Fish processors will also be affected as changes in the regulations and in particular the abolition of the minimum landing sizes may lead to differences in the size, quantity and species landed. This proposal will also affect the national administrations, control authorities and research agencies responsible for management measures and monitoring programmes, which

have to ensure enforcement of the new rules and monitor and record changes in selectivity and fishing patterns that may result.
Is EU action justified on grounds of subsidiarity? Why can Member States not achieve the objectives of the proposed action sufficiently by themselves? Can the EU achieve the objectives better?
(i-iii) Provisions in the proposal relating to the conservation of marine biological resources falls under the exclusive competence of the EU according to Article 3(1d) of the Treaty on the Functioning of the European Union (TFEU) <sup>19</sup> . Therefore, the subsidiarity principle does not apply for those provisions. Technical and control measures form part of the CFP legislation and, as such, concern all Member States. Management in Union waters must affect Member States equitably in order to ensure a level-playing field across the European Union. It is not possible for Member States to achieve this by independent or devolved action. It is, therefore necessary that technical conservation and control measures are implemented through Union legislation.

<b>B. Objectives of the initiative</b>
What are the main policy objectives?
The main policy objective is to facilitate the implementation of the landing obligation envisaged under the CFP reform by removing or adapting all existing provisions from EU technical measures and control regulations that run contrary to the landing obligation.
Do the objectives imply developing EU policy in new areas?
No. The proposed measures will be developed further under the new technical measures framework planned post-reform that will fully align technical measures with the provisions of the reform. The control regulation and implementing rules will also have to be aligned with the reform over time.

<b>C. Options</b>
(1) What are the policy options (including exemptions/adapted regimes e.g. for SMEs) being considered? (2) What legislative or 'soft law' instruments could be considered? (3) How do the options respect the proportionality principle?
(1) As the main object of the omnibus regulation is to provide for amendments of existing legislation for the implementation of the landing obligation, catching activities will be influenced insofar as operators will henceforth be obliged to land catches subject to the landing obligation and that in the past were discarded. However, it is to be stressed that this change is the direct consequence of the new Basic Regulation for the Common Fisheries Policy and not of any additional changes of the technical measures or control regulations. A. Technical measures: For technical measures the changes are restricted to technical alignment of certain provisions and will follow the timelines included under the Basic regulation of the CFP for implementation of the landing obligation. Substantive change to the technical measures will be made in developing the new technical measures framework regulation discussed in A3 above. Therefore changes to the technical measures are restricted to: (i). Changing the concept of minimum landing size (MLS) to minimum conservation reference sizes (CRS): <ul style="list-style-type: none"> <li>• Under the landing obligation, for all species under catch limits, MLS will be replaced by minimum conservation reference sizes (CRS). Under this proposal this will simply be a straight substitution of the existing MLS for a CRS (i.e. there will be no changes to the sizes themselves). Fish below the CRS will have to be landed but the sale of catches below CRS will be limited to uses other than human consumption.</li> <li>• For all species not covered by the landing obligations current minimum landing sizes will continue to apply and fish below these sizes will have to be returned to sea as is common practice. The species concerned are mostly shellfish species such as lobster, crab, scallop and species of clam where implementing the landing obligation would make no biological sense as such species have a high survival rate. However, fish species such as bass and sardine for which there are currently no TACs are also included.</li> <li>• Provision for amending, deleting or establishing new CRS is already included in Article 15 of the Basic Regulation of the CFP.</li> </ul> No other option was considered as there was no scientific or practical basis for changing the current sizes. STECF have been asked to establish criteria for the setting of CRS. (ii). Adapting Catch Composition Rules and Bycatch Provisions: <ul style="list-style-type: none"> <li>• The current catch composition rules and bycatch provisions will be retained but the obligation for vessels to discard fish in excess of the permitted percentages embedded in the current legislation will be</li> </ul>

replaced with an obligation to land all such catches. All such catches must be counted against quotas. the onus on Member States to ensure vessels go to sea with adequate quotas to reflect their actual catch composition as all catches of the relevant species would have to be landed and counted against quotas, There would be an incentive for fishermen to fish selectively as if they did not, quotas would be exhausted quickly from increased catches of undersize fish that they would have to land.

- The option of deleting all of the catch composition rules and thereby the associated minimum mesh sizes and other interlinked provisions (e.g. on board sorting and conditions for use of certain combinations of mesh sizes) was considered. However, this was seen as a very substantive change to the technical measures regulations over and above a simple technical alignment. It also has the danger of widespread unselective fishing in the short-term. On these grounds this option was rejected.

#### B. Control measures

For the control elements the option taken is to align existing provisions within the control regulation with the landing obligation. In most cases this means extending the scope of existing provisions or in few cases the inclusion of new provisions required to implement the landing obligation, The main changes are:

- Requiring a fishing authorisation for fisheries subject to a landing obligation.
- Alignment of the logbook, landing declarations, prior notification and transshipment declarations with the landing obligation. This extends the existing reporting requirements under each of these to separate quantities of species below the minimum conservation reference size ;
- Rules on remote electronic monitoring (REM) which includes the permission to use on board video cameras (CCTV) as a means of control. This provision provides for the principle of using REM technology. It does not place any obligation on Member States to use such technology;
- Obligations of Member States to ensure catches below CRS are only used for non-human consumption. This is basically, an extension of the control of marketing which already forms part of the “standard” inspection activities carried out by national control authorities.
- Separate stowage of unwanted catches. The control regulation already requires that all fish landed be put into lots prior to the first sale by species, quality, marketing size, management area and vessel. As a result, the only difference for operators is that catches below the CRS must be clearly distinguished from other catches.
- The Control regulation provides for the possibility of deployment of control observers on board fishing vessels to verify the fishing vessel’s compliance with the rules of the common fisheries policy. When deployed, these observers must verify and record the vessel’s fishing activities and relevant documents. This provision extends the possibility for the deployment of control observers the Member States for the monitoring of the landing obligation.
- Include discarding in the existing point system established under the control regulation as an activity considered as a serious infringement. Serious infringement refers to activities considered to constitute a particular heavy violation of CFP rules.

No other changes to the control regulation were considered at this time.

(2) + (3) Soft law instruments are not appropriate. There is no other option other than to amend the relevant technical measures and control regulation by deleting or amending provisions which oblige fishermen to discard and, therefore, run contrary to the new CFP. The essential legislative instrument is a regulation of the European Parliament and of the Council. As it is essentially an implementation issue, the principle of proportionality is being respected.

### D. Initial assessment of impacts

What are the benefits and costs of each of the policy options?

#### A. Technical measures regulations:

The introduction of the landing obligation represents a fundamental change in EU fisheries policy and will shift the focus of technical measures away from what is landed to what is caught. The impact assessment carried out as part of the CFP reform shows that the proportion of large fish in the catch, rather than in landings, will increase over time under a discard reducing policy because of the changes in selectivity assumed to take place. As well as being legally necessary the technical alignments in this proposal are a first step towards creating this change in focus that will potentially lead to behavioural change. In this regard moving to CRS instead of MLS will act as a driver for the development of selective fishing gear and practices as the requirement to land all small fish, combined with the lower value of these fish (driven by market demand). The less the volume of these unwanted, low-value catches, the less the costs associated with handling such catches. In the longer-term this represents be a major benefit to fishermen in terms of increased revenues from landing bigger more valuable fish. Similar benefits are anticipated from increased selectivity as a result of shifting the focus of the current

catch composition rules and bycatch provisions away from landings to catches. Additionally there is the added benefit of simplifying the current catch composition rules and removing the necessity for prescriptive sorting and reporting rules that are currently in force.

The move to a landing obligation will undoubtedly lead to some costs for the fishing industry and therefore even this simple technical alignment has the potential to generate additional costs for the fishing industry (e.g. moving towards more selective gears). These costs were assessed under the impact assessment supporting the CFP reform. This analysis showed that in the longer term (3-5 years) the catch profile will shift towards the landing of larger size classes as market forces (smaller fish achieving lower prices) drive selectivity improvements & fishing patterns to avoid catching smaller fish. As a result stocks are predicted to increase and therefore in many instances overall quota levels will increase. Catches under a discard ban therefore are predicted to be higher than without because all previously discarded large fish can be sold. This will offset any short-term costs in the first instance.

#### B. Control regulation:

All amendments in the omnibus regulation on control issues concern the obligation to land all catches of certain species subject to a discard ban that will be introduced in the CFP Basic Regulation. In this regard these amendments can be generally regarded as a mere legal alignment to the new Basic Regulation as they only spell out in clear legal text what logically follows from the introduction of the landing obligation in the new Basic Regulation.

Any impacts on Administrative Burden and also SMEs would mainly be concerned by the following changes:

- Need of a fishing authorisations for fisheries subject to a landing obligation (even though most fisheries concerned would be subject to such an authorisation anyway so that its impact is likely to be negligible).
- Modification of rules on the recording of catch data to cater for catches below a minimum conservation reference size and for all discards (amendment for logbook, transshipment declaration, landing declaration sales notes etc.). An extended recording of catches below a minimum conservation reference size and of discards is a direct consequence of the new CFP Basic Regulation. However, as the operator has to fill in the logbook and various declarations anyway and as it is done electronically in most cases, the impact is likely to be negligible.
- Remote electronic monitoring: The change in the Regulation (EC) No 1224/2009 only specifies the technical requirements and therefore establishes the framework. Its actual use is to be decided in a separate regulation in co-decision. For this reason any impact on ABs and SMEs can only be assessed once the scope of its application will have been decided in such a separate regulation.
- Separate stowage for catches below a minimum conservation reference size: The impact on operators is difficult to assess as it depends on the size and type of the fishing vessels concerned and the occurrence of catch below a minimum conservation reference size in different fisheries. However, separate stowage of catches on board is a standard practice.

As far as the storage and landings of catches are concerned there are only two categories of catches: catches above a CRS and those below. The new Basic Regulation will not provide for any differentiation of the catch above CRS with respect to quota overshoots or catches landed in violation of catch composition rules that would make it necessary to store them separately on board or treat them differently from normal catches during or after landing. Any quota overshoots or violations of catch compositions will have to be addressed by the control authorities with the already existing sanctions for such infringements.

As to catches below a CRS, it is to be emphasized that in the future they are most likely to represent only a small part of the catch as new technical measures and quota flexibilities are being designed to reduce the occurrence of unwanted catches and as the operator will endeavour to avoid such catches to the extent possible. Experience in Norway has shown that such catches represent a minor problem.

As to the separate stowage of catches below a MCRS, Article 56(3) of Regulation (EC) No 1224/2009 requires already now that all fish landed are put into lots prior to the first sale by species, quality, marketing size, management area and vessel. The use of boxes, compartments or containers for the separate stowage of different catches by marketing size is therefore a common practice on fishing vessels.

In concrete terms a separate stowage of fish below a CRS only means that these boxes, compartments or containers are also to be used for the stowage of catches falling under the discard ban and being below a CRS. No restructuring of the vessels would be required for this. As results the only requirement for operators is that catches can be clearly distinguished from other catches. In this context it is to be emphasized that by obliging operators not to use catches below a CRS for human consumption, operators would be obliged for practical reasons to store these catches apart from catches above MCRS. In this regard the separate stowage is an important element for national control authorities to ensure compliance with this restricted use. Therefore a new article is required to align the control regulation with the provisions from the new Basic Regulation.

As to the proposed changes to the landing declarations, sales notes etc., it is foreseen that catches below a CRS are to be recorded as a separate entry in these declarations/sales notes. For sales notes it is also proposed that the destination of the catches be indicated to ensure that they are not used for human consumption purposes.

The need to record and report catches below a CRS as a separate entry is the direct consequence of the introduction of a landing obligation for these catches and the need to record all catches retained on board. As the bulk of catches are taken by fishing vessels that are subject to electronic recording and reporting (above 12 metres length overall), the impact of the entry of such data will be limited largely to larger vessels. Later on the relevant data can be deduced electronically from this initial data for any electronic transshipment declaration, prior notification and landing declaration at a later stage. As far as such different entries for catches after landing are concerned, these catches below a CRS that must not be used for human consumption will follow their own marketing channels where the initial data will be used electronically for later stages. The overall administrative impact will therefore be limited.

Catches taken in violation of catch composition rules or without a quota can still be marketed in the normal way. Any infringement of applicable rules has to be sanctioned in accordance with already applicable rules for non-compliance with CFP rules. For catches below a CRS, the political agreement on the Basic Regulation requires that the use of catches of species below a minimum conservation reference size shall be restricted to purposes other than direct human consumption. The amendments to the fisheries control regulation do not add anything to that restriction.

Catches above a CRS do not need to be subject to any particular checks as they can enter the normal market for human consumption. As to catches below a CRS, control authorities will have to make sure by appropriate checks in ports and processing plants on the basis of a risk-based risk management that these catches will not be used for human consumption. In this context it is to be stressed that already under the current fisheries control regulation the national control authorities have to ensure that catches are marketed in accordance with existing rules (i.e. that catches of one species are not sold as catches of another species). As a consequence the new product category 'catches not to be used for human consumption' will not result in additional tasks for these control authorities. Basically, the control of marketing already forms part of the "standard" inspection activities carried out by national control authorities.

As outlined above, the additional work caused by these provisions fits well into established control pattern of both operators and national control authorities. They are therefore minor in their actual scale. Furthermore, these provisions are the direct consequence of the introduction of a landing obligation in Article 15 of Basic Regulation and should therefore be considered as a purely legal alignment.

Could any or all of the options have significant impacts on (i) simplification, (ii) administrative burden and (iii) on relations with other countries, (iv) implementation arrangements? And (v) could any be difficult to transpose for certain Member States?

i) Amending catch composition rules and minimum landing sizes does represent a simplification of the technical measures. The move to fully documented fisheries using monitoring tools such as REM may allow the relaxing of certain control rules in the future if there is sufficient trust in the monitoring system.

ii) The landing obligation changes the scope of the monitoring and control, but as it will be integrated in the usual inspections, no additional burden is expected. It is in the medium term expected that the need for observer programmes to estimate discard rates for scientific purposes will be reduced under the new policy. No additional administrative burden is foreseen for the national administrations over and above what will be required to implement the reform of the CFP.

iii) The fisheries concerned operate in both EU and international waters. In waters of third countries, their rules will apply. Still, for sake of consistency, third countries will have to be informed of the changes to EU regulations.

iv) The implementation will almost certainly mean Member States will have to update their quota management systems to cover unwanted catches of undersize and over-quota fish that will have to now be landed under the landing obligation. Member States authorities also have to align their monitoring and control provisions to the scope of the new landing obligation following this omnibus alignment on EU level. As the new controls of the landing obligation will be fully embedded in the existing approach, no significant burdens are expected. The stowing of unwanted catches which have to be landed requires the reorganisation of the existing stowage structure by the vessel owner, but it is not expected that this has significant impacts.

v) The only difficulties anticipated for MS in transposing these measures into national law will be in making changes to their quota management system to ensure fishermen have adequate quotas to match their actual catch composition. This will be less of a problem in MS who already have an individual quota based system. The rest of the changes are not anticipated to cause any difficulties.

- (1) Will an IA be carried out for this initiative and/or possible follow-up initiatives?
- (2) When will the IA work start?
- (3) When will you set up the IA Steering Group and how often will it meet?
- (4) What DGs will be invited?

The impacts of introducing a landing obligation have already been assessed under the reform of the CFP (see point A (3)).

For this omnibus alignment of the technical measures and control regulations an impact assessment is not planned as no significant impacts are expected. A thorough review of the technical measures regulation

following the entering into force of the CFP reform is under preparation and will be accompanied by an impact assessment. A further substantive reform of the control regulation after the entering into force of the CFP reform is currently not planned.
(1) Is any option likely to have impacts on the EU budget above € 5m? (2) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial Regulation? If not, provide information about the timing of the ex-ante evaluation.
No impact on the EU budget is foreseen

<b>E. Evidence base, planning of further work and consultation</b>
(1) What information and data are already available? Will existing IA and evaluation work be used? (2) What further information needs to be gathered, how will this be done (e.g. internally or by an external contractor), and by when? (3) What is the timing for the procurement process & the contract for any external contracts that you are planning (e.g. for analytical studies, information gathering, etc.)? (4) Is any particular communication or information activity foreseen? If so, what, and by when?
(1) The issue of the landing obligation was thoroughly presented in the impact assessment report that was prepared along with the reform proposal <sup>2</sup> . (2) + (3) No further information need to be gathered for these alignments. (4) No formal consultation with MS and stakeholders is foreseen. However, a general overview of the approach to be taken in this initiative has been communicated to MS and to stakeholders through the RACs. In addition several technical meetings of control inspectors have been held to discuss implementation of the landing obligation and have included discussion on the key elements for control in this proposal.
Which stakeholders & experts have been or will be consulted, how, and at what stage?
As part of the development of the CFP reform proposal, throughout 2009 and 2011 an extensive consultation phase comprising a public consultation and numerous discussion meetings with stakeholders was undertaken. The European Parliament, the European Economic and Social Committee and the Committee of the Regions also submitted opinions on the supporting Green Paper <sup>20</sup> . The proposal to introduce the landing obligation included in the final proposal was discussed at a high level meeting of Ministers <sup>21</sup> in March 2011 and followed by a stakeholder workshop held in May 2011 <sup>22</sup> . Follow-up meetings with stakeholders, Member States and the European Parliament were also held. Since the adoption of the Commission's proposal for the Basic CFP Regulation the Council of Ministers and the European Parliament have discussed at length and subsequently endorsed the landing obligation in the proposal, while there has also been extensive dialogue with the key stakeholders including a number of dedicated workshops and meetings. No further consultation is planned.

1 EXPLANATORY FOOTNOTE: Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms; Council Regulation (EC) No 2187/2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98, Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1624/94; Council Regulation (EC) No 1098/2007 establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) 779/97; Council Regulation (EC) No 1434/98 specifying conditions under which herring may be landed for industrial purposes other than direct human consumption; Council Regulation (EC) No 254/2002 establishing measures to be applicable in 2002 for the recovery of the stocks of cod in the Irish Sea (ICES division VIIa); Commission Regulation (EC) 494/2002 establishing additional technical measures for the recovery of the stock of hake in ICES sub-areas III, IV, V, VI and VII and ICES divisions VIII a,b,d,e; Commission Regulation (EC) No 2056/2001 establishing additional technical measures for the recovery of the stocks of cod in the North Sea and to the west of Scotland; and Council Regulation (EC) No. 12224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006

<sup>2</sup> [SEC\(2011\) 891](#) Commission Staff Working Paper. Impact Assessment. Accompanying Commission proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy [repealing Regulation (EC) N° 2371/2002] and its [annex](#)

<sup>3</sup> [COM\(2011\) 425 final](#). Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy

<sup>4</sup> 3174th Council meeting - Agriculture and Fisheries, Luxembourg, 12 June 2012:

[http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/agricult/130884.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/agricult/130884.pdf)

<sup>5</sup> Council Document 11322/12 Add 1 of 14 June 2012 <http://register.consilium.europa.eu/pdf/en/12/st11/st11322-ad01.en12.pdf>

<sup>6</sup> "The Council noted with approval the Commission's intention to review, and where appropriate propose the removal of associated control measures and technical measures in good time before landing obligations come into effect".

<sup>7</sup> See Roadmap: [http://ec.europa.eu/governance/impact/planned\\_ia/docs/2013\\_mare\\_002\\_tm\\_protection\\_marine\\_organisms\\_en.pdf](http://ec.europa.eu/governance/impact/planned_ia/docs/2013_mare_002_tm_protection_marine_organisms_en.pdf)

<sup>8</sup> [http://ec.europa.eu/fisheries/documentation/studies/discards/index\\_en.htmf](http://ec.europa.eu/fisheries/documentation/studies/discards/index_en.htmf)

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- <sup>9</sup> Council Regulation (EC) [No 850/98](#) of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms
- <sup>10</sup> Council Regulation (EC) [No 2187/2005](#) of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98
- <sup>11</sup> Council Regulation (EC) [No. 1967/2006](#) of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No. 2847/93 and repealing Regulation (EC) No. 1626/94.
- <sup>12</sup> [COM\(2012\)298 final](#) Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 850/98 concerning the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms and repealing Council Regulation (EC) No 1288/2009.
- <sup>13</sup> Council Regulation (EC) [No 1098/2007](#) establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) 779/97
- <sup>14</sup> Council Regulation (EC) [No 1434/98](#) specifying conditions under which herring may be landed for industrial purposes other than direct human consumption
- <sup>15</sup> Council Regulation (EC) [No 254/2002](#) establishing measures to be applicable in 2002 for the recovery of the stocks of cod in the Irish Sea (ICES division VIIa)
- <sup>16</sup> Commission Regulation (EC) No [494/2002](#) establishing additional technical measures for the recovery of the stock of hake in ICES sub-areas III, IV, V, VI and VII and ICES divisions VIII a,b,d,e
- <sup>17</sup> Commission Regulation (EC) [No 2056/2001](#) establishing additional technical measures for the recovery of the stocks of cod in the North Sea and to the west of Scotland
- <sup>18</sup> Council Regulation (EC) [No 1224/2009](#) of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006
- <sup>19</sup> Consolidated version of the [Treaty on the Functioning of the European Union](#)
- <sup>20</sup> [COM \(2009\) 163 final](#). Green Paper - Reform of the Common Fisheries Policy.
- <sup>21</sup> [http://europa.eu/rapid/press-release\\_SPEECH-11-136\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-11-136_en.htm)
- <sup>22</sup> [http://europa.eu/rapid/press-release\\_SPEECH-11-304\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-11-304_en.htm)