

**EUROPEAN UNION COMMITTEE
Energy and Environment Sub-Committee**

**IMPLEMENTATION AND ENFORCEMENT OF THE EU LANDING
OBLIGATION**

Call for Evidence

The House of Lords EU Energy and Environment Sub-Committee has launched an inquiry into the implementation and enforcement of the EU landing obligation. The Sub-Committee seeks evidence from anyone with an interest.

Written evidence is sought by 13 December 2018. Oral evidence sessions will be held in November and December 2018, and the Committee aims to publish a report of its findings and recommendations early in the New Year.

The Committee recognises the value of diversity, and of hearing from as wide a range of individuals and organisations as possible. We encourage anyone with experience of, or expertise in, this topic to share their views with the Committee. Instructions on how to submit evidence are set out later in this document, but if there is anything we can do to make the process more accessible for you then please contact the Committee staff.

Background

The inquiry will consider what impact the implementation of the landing obligation has had to date, and how effectively it has been enforced. It will also cover the anticipated impact of the landing obligation coming fully into force in 2019, and explore what potential solutions exist to the challenges posed by implementation.

One of the aims of the 2013 reform of the EU's Common Fisheries Policy (CFP) was to gradually reduce the practice of discarding (throwing unwanted fish back into the sea) through the introduction of the landing obligation. This requires all catches of regulated commercial species on-board to be landed and counted against the fishing vessel's allocated quota of fish. The landing obligation has come into force using a phased approach from January 2015, with full implementation by 1 January 2019.

An average 1.7 million tonnes of fish and other marine life used to be discarded in the EU each year, because it was unmarketable, unprofitable, exceeded the amount of fish allowed to be caught or was otherwise unwanted. Not only is this a waste of finite resource, as many fish do not survive discarding, it also makes it difficult to accurately measure how many fish are actually caught (which is necessary to monitor the health of fish stocks and prevent over-fishing).

By requiring vessels to land all catches, it is hoped that fishermen will use more selective fishing practices to ensure they more effectively target the stocks they want to catch. The landing obligation should also provide a better understanding of the total amounts of fish being caught.

It is, however, a radical change in fisheries management and poses significant challenges for the fishing industry, policy makers and enforcement agencies. A significant proportion of the UK fleet operate in highly mixed fisheries, where it is inevitable that some unwanted fish will be caught. Because fishermen will now be obliged to land these unwanted catches, rather than discarding them, they may quickly reach their quota for certain stocks. This would require them to stop fishing in that area, even if they still had available quota for other species.

As most discarding takes place at sea, ensuring compliance with the landing obligation will require effective at-sea monitoring and enforcement capability. An EU audit in 2017 found that “the majority of UK registered vessels are not subject to controls that effectively enforce the [landing obligation] at sea.”¹ It found that CCTV was not being used, despite trials proving this to be an effective control and enforcement measure, and that conventional controls and inspections at sea were not adequate to ensure compliance.

Questions

The Committee is seeking evidence on the following questions:

1. What has been the impact in the UK to date of the EU landing obligation? What challenges have there been to implementation?
2. What do you expect the impact to be when the landing obligation is fully implemented in January 2019? What challenges may there be to implementation?
3. What steps could or should be taken between now and January to improve implementation?
4. How effectively is the landing obligation currently enforced in the UK? What challenges have there been to enforcement?
5. What challenges may there be with enforcing the landing obligation when it is fully implemented in January 2019?
6. What steps could or should be taken to improve enforcement?
7. To what extent do you believe the UK is prepared to fully implement the landing obligation from January 2019?
8. To what extent could the use of more selective technology by the fishing industry help fleets fish successfully under the terms of the landing obligation?
9. Are other EU countries facing similar challenges in implementing the landing obligation? How are they responding?

You need not address all these questions in your response.

¹ European Commission, Audit on the implementation of the landing obligation in the United Kingdom, November 2017, p 16:
http://europeanmemoranda.cabinetoffice.gov.uk/files/2018/02/Commission_report_on_UK_implementation_of_LO.pdf

GUIDANCE FOR SUBMISSIONS

Written evidence should be submitted online using the written submission form available at www.parliament.uk/hlinquiry-implementation-enforcement-landing-obligation-submission-form. This page also provides guidance on submitting evidence. The deadline for submissions is Thursday 13 December 2018.

Short submissions are preferred. A submission longer than six pages should include a one-page summary. Paragraphs should be numbered. All submissions made through the written submission form will be acknowledged automatically by email.

Evidence which is accepted by the Committee may be published online at any stage; when it is so published it becomes subject to parliamentary copyright and is protected by parliamentary privilege. Submissions which have been previously published will not be accepted as evidence. Once you have received acknowledgement that the evidence has been accepted you will receive a further email, and at this point you may publicise or publish your evidence yourself. In doing so you must indicate that it was prepared for the Committee, and you should be aware that your publication or re-publication of your evidence may not be protected by parliamentary privilege.

Personal contact details will be removed from evidence before publication, but will be retained by the Committee Office and used for specific purposes relating to the Committee's work, to seek additional information for example.

Persons who submit written evidence, and others, may be invited to give oral evidence. Oral evidence is usually given in public at Westminster and broadcast online; transcripts are also taken and published online. Persons invited to give oral evidence will be notified separately of the procedure to be followed and the topics likely to be discussed.

Substantive communications to the Committee about the inquiry should be addressed through the Clerk of the Committee, Alexandra McMillan, whether or not they are intended to constitute formal evidence to the Committee.

This is a public call for evidence. Please bring it to the attention of other groups and individuals who may not have received a direct copy.

You may follow the progress of the inquiry at www.parliament.uk/hlinquiry-implementation-enforcement-landing-obligation