

Explanatory meetings of the EU acquis – Chapter 13

# Discard plans

## Implementation of the Landing Obligation under the CFP

*These slides accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by the Court of Justice of the European Union*

# What are discard plans?

- *Article 15 of the CFP provides for the obligation of landing all catches*
- *The landing obligation (LO) took full effect on 1 January 2019*
- *In the Mediterranean, it applies to the species listed in Annex III of the Mediterranean Regulation*
- *Discard plans allow for exemptions to the LO in specific cases*

# What exemptions may apply?

- *There are 2 possible exemptions to the LO:*
  - *'The landing obligation shall not apply to species for which scientific evidence demonstrates **high survival rates** (...)' (CFP Article 15(4)(b)); or*
  - *'The **de minimis** exemption (max. 5%) shall apply in the following cases:*
    - i. *where scientific evidence indicates that increases in selectivity are very difficult to achieve; or*
    - ii. *to avoid disproportionate costs of handling unwanted catches (...)' (CFP Article 15(5)(c))*

# What is the process?

- *Ad hoc Member States Groups (3 in the Med) submit to the European Commission Joint Recommendations (JRs) and scientific evidence to underpin their requests*
- *The Commission may only accept or reject the JRs as a whole*
- *The Commission requests the Scientific, technical and Economic Committee for Fisheries (STECF) to assess the scientific evidence*
- *The Commission grants the exemptions only where the STECF considers the evidence solid*
- *The JRs are transposed into EU law via Delegated Acts*