

Joint Recommendation

Of the South Western Waters Group establishing Discards Plans for

Demersal Fisheries in the South Western Waters for 2021-2023

Legal basis: Regulations (EU) 1380/2013 and 2019/472

SWW and Pel AC having been consulted on the 24th April 2020

Article 1

Implementation of the landing obligation

In ICES subareas 8, 9, 10 and CECAF zones 34.1.1, 34.1.2, 34.2.0, the landing obligation provided for in Article 15(1) of Regulation (EU) No 1380/2013 shall apply to demersal species in accordance with this JR for the period 2021-2023.

Article 2

Definitions

‘*Voracera*’ means a locally designed and built mechanised hook line, used by the artisanal fleet targeting red seabream in the South of Spain in ICES division 9a.

Article 3

Survivability exemption

The exemption from the landing obligation for species for which scientific evidence demonstrates high survival rates, as provided for in Article 15(b) of Regulation (EU) No 1380/2013, shall apply to:

1. (a) Norway lobster (*Nephrops norvegicus*) caught in ICES subareas 8 and 9 with bottom trawls (gear codes : OTB, OTT, PTB, TBN, TBS, TB, TBB, OT, PT and TX).

(b) When discarding Norway lobster caught with bottom trawls (gear codes: OTB, OTT, PTB, TBN, TBS, TB, TBB, OT, PT and TX), the Norway lobster shall be released immediately and in the area where it has been caught.

2. (a) Skates and rays (Rajiformes) caught with all gears in ICES subareas 8 and 9 (Cf. annex I).

(b) When discarding skates and rays caught with bottom trawls (gear codes : OTB, OTT, PTB, TBN, TBS, TB, TBB, OT, PT and TX), the skates and rays shall be released immediately.

(c) Member States having a direct management interest shall submit as soon as possible, but not later than by 1 May every two years additional scientific information supporting the exemption laid down in paragraph 1. The Scientific, Technical and Economic Committee for Fisheries shall assess that scientific information by 31 July every two years.

(d) The exemption referred to in paragraph 1 shall apply to Cuckoo ray (cf. Annex I):

- caught by trammel nets in ICES subareas 8 and 9 until 31 December 2022. Member States having a direct management interest shall submit as soon as possible, but not later than by 1 May 2022, additional scientific information supporting this exemption for Cuckoo ray caught with trammel nets. The Scientific, Technical and Economic Committee for Fisheries shall assess that scientific information by 31 July 2022;
- caught by trawls in ICES subarea 8 only until 31 December 2021. Member States having a direct management interest shall submit as soon as possible, but not later than by 1 May 2021, additional scientific information supporting this exemption for Cuckoo ray caught with bottom trawls. The Scientific, Technical and Economic Committee for Fisheries shall assess that scientific information by 31 July 2021.

3. (a) Red seabream (*Pagellus bogaraveo*) caught with the artisanal gear *voracera* in ICES division 9a and to red seabream (*Pagellus bogaraveo*) caught with hooks and lines (gear codes: LHP, LHM, LLS, LLD) in ICES subareas 8 and in ICES division 9a (Cf. Annex II).

(b) Member States having a direct management interest shall submit as soon as possible, but not later than by 1 May every two years additional scientific information supporting the exemption laid down in paragraph 1 for red seabream caught with hooks and lines in ICES subareas 8 and in ICES division 9a. The Scientific, Technical and Economic Committee for Fisheries shall assess the provided scientific information by 31 July every two years.

(c) When discarding red sea bream caught with bottom trawls (gear codes: OTB, OTT, PTB, TBN, TBS, TB, TBB, OT, PT and TX), the red seabream shall be released immediately.

Article 4

De minimis exemptions

1. By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities may be discarded pursuant to Article 15(5)(c) of that Regulation:

(a) for **hake** (*Merluccius merluccius*), up to a maximum of 5 % of the total annual catches of that species by vessels using trawls and seines (gear codes: OTM, PTM, OTT, OTB, PTB, OT, PT, TBN, TBS, TX, SSC, SPR, TB, SDN, SX, SV) in ICES subareas 8 and 9 (Cf. Annexes III.2 and III.4);

- (b) for **common sole** (*Solea solea*), up to a maximum of 5 % of the total annual catches of that species by vessels using pelagic trawls, beam trawls and bottom trawls (gear codes: OTM, PTM, OTB, OTT, PTB, TBN, TBS, TBB, OT, PT and TX) in ICES divisions 8a and 8b (Cf. Annexes III.1 and XVI);
- (c) for **common sole** (*Solea solea*), up to a maximum of 3 % of the total annual catches of that species by vessels using trammel nets and gillnets (gear codes: GNS, GN, GND, GNC, GTN, GTR and GEN) in ICES divisions 8a and 8b (Cf. Annex III.1)
- (d) for **alfonsinos** (*Beryx spp.*), up to a maximum of 5 % of the total annual catches of those species by vessels using hooks and lines (gear codes: LHP, LHM, LLS, LLD) in ICES subarea 10;
- (e) for **horse mackerel** (*Trachurus spp.*), up to a maximum of 5 % of the total annual catches of horse mackerel by vessels using beam trawls, bottom trawls and seines (gear codes: OTB, OTT, PTB, TBN, TBS, TBB, OT, PT, TX, SSC, SPR, SDN, SX, SV) in ICES subareas 8 and 9 (Cf. Annexes III.4 and XV);
- (f) for **horse mackerel** (*Trachurus spp.*), up to a maximum of 3 % of the total annual catches of horse mackerel by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subareas 8, 9 and 10 and and CECAF zones 34.1.1, 34.1.2, 34.2.0 (Cf. Annexes III.3, VI and XI);
- (g) for **mackerel** (*Scomber scombrus*), up to a maximum of 5 % of the total annual catches of that species by vessels using beam trawls, bottom trawls and seines (gear codes: OTB, OTT, PTB, TBN, TBS, TBB, OT, PT, TX, SSC, SPR, SDN, SX, SV) in ICES subareas 8 and 9 (Cf. Annexes III.4 and XIII);
- (h) for **mackerel** (*Scomber scombrus*), up to a maximum of 3 % of the total annual catches of that species by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subareas 8 and 9 and and CECAF zones 34.1.1, 34.1.2, 34.2.0 (Cf. Annexes III.3, VII and IX);
- (i) for **megrin** (*Lepidorhombus spp.*), up to a maximum of 5 % of the total annual catches of megrim by vessels using beam trawls, bottom trawls and seines (gear codes: OTB, OTT, PTB, TBN, TBS, TBB, OT, PT, TX, SSC, SPR, SDN, SX, SV) in ICES subareas 8 and 9 (Cf. Annexes III.1, III.4 and XIV);
- (j) for **megrin** (*Lepidorhombus spp.*), up to a maximum of 4 % of the total annual catches of megrim by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subareas 8 and 9 (Cf. Annexes III.1, III.5 and X);
- (k) for **anglerfish** (*Lophiidae*), up to a maximum of 5 % of the total annual catches of anglerfish by vessels using pelagic trawls, beam trawls, bottom trawls and seines (gear codes: OTM, PTM, OTB, OTT, PTB, TBN, TBS, TBB, OT, PT, TX, SSC, SPR, SDN, SX, SV) in ICES subareas 8 and 9 (Cf. Annexes III.1, III.4 and XVIII);

- (l) for **anglerfish** (*Lophiidae*), up to a maximum of 4 % of the total annual catches of anglerfish by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subareas 8 and 9 (Cf. Annexes III.1, III.5 and XII);
 - (m) for **whiting** (*Merlangius merlangus*), up to a maximum of 5 % of the total annual catches of that species by vessels using pelagic trawls, beam trawls, bottom trawls and seines (gear codes: OTB, OTT, PTB, TBN, TBS, TBB, OT, PT, TX, SSC, SPR, SDN, SX, SV) in ICES subarea 8 (Cf. Annexes IV and XVII);
 - (n) for **whiting** (*Merlangius merlangus*), up to a maximum of 4 % of the total annual catches of that species by vessels using gillnets (gear codes: GNS, GND, GNC, GTR, GTN) in ICES subareas 8 (Cf. Annex VIII);
 - (o) for **anchovy** (*Engraulis encrasicolus*), up to a maximum of 5 % of the total annual catches of that species by vessels using beam trawls, bottom trawls and seines (gear codes: OTT, OTB, PTB, OT, PT, TBN, TBS, TX, SSC, SPR, TB, TBB, SDN, SX, SV) in the Gulf of Cadiz part of ICES subarea 9a;
 - (p) for **red seabream** (*Pagellus bogaraveo*), up to a maximum of 5 % of the total annual catches of that species by vessels using beam trawls, bottom trawls and seines (gear codes: OTT, OTB, PTB, OT, PT, TBN, TBS, TX, SSC, SPR, TB, TBB, SDN, SX, SV) in the Gulf of Cadiz part of ICES subarea 9a;
 - (q) for **sole** (*Solea spp.*), up to a maximum of 1 % of the total annual catches of sole by vessels using beam trawls, bottom trawls and seines (gear codes: OTT, OTB, PTB, OT, PT, TBN, TBS, TX, SSC, SPR, TB, TBB, SDN, SX, SV) in the Gulf of Cadiz part of ICES subarea 9a.
2. The *de minimis* exemptions set out in paragraph 1 (e) to (r) shall be annually updated by Member States with technical and scientific evidence supporting these exemptions.