

European Parliament report on the state of play in the implementation of the CFP and perspectives after 2020 - Rapporteur: Gabriel Mato

NWWAC response to the questionnaire 04 April 2022

1. Objectives of the EU fisheries policy

1.1. Two ambitious objectives of the CFP introduced in 2013: the maximum sustainable yield (MSY) and the landing obligation.

1.1.1. Maximum Sustainable Yield

Questions

- Is achieving MSY for all stocks an achievable / science-based / realistic / proportional objective or is it a utopia?
- Should the terms of the MSY objective be clarified?
- How to apply the MSY objective in multi-species fisheries?
- Should the MSY objective be adapted to the new requirements of the multiannual plans? If yes, how?

First of all, the NWWAC notes that, as a consequence of Brexit, the dynamics in terms of achieving sustainable fishing have inevitably changed. EU-UK bilateral consultations have become a key step towards setting Fishing Opportunities for the 75 shared fish stocks, whose majority are in the NWW. Therefore, while the NWWAC recognises and welcomes the long-term progress made overall towards more sustainable EU fisheries specifically in the North East Atlantic, it also considers that the post-Brexit landscape is bringing new perspectives and great challenges to sustainable EU fisheries, which cannot be ignored. The NWWAC recommends considering the F_{MSY} ranges from the Western Waters Multiannual Plan (WW MAP) to accurately reflect the balance with the F established through scientific models. The NWWAC recommends that this is considered in the EU-UK consultations on future fishing opportunities.

North Western Waters demersal fisheries are highly dynamic, variable and of a mixed nature. The fisheries are subject to ecosystem change that can result in distributional shifts in fish species. The NWWAC recognises that TACs are the most direct way of limiting fishing mortality in commercial fisheries, but a single species TAC management principle in mixed fisheries can be problematic, especially where TACs for bycatch species restrict fishing opportunities for target species. It is important to consider the implications of using F_{MSY} ranges provided for by the WW MAP in a mixed fisheries context. The additional flexibility provided by these ranges for a stock may be constrained by other, more limiting stocks (for example in the Celtic Sea mixed fishery where the advice for haddock has increased compared to last year, while cod remains at a zero-catch advice).

The NWWAC wishes to highlight the importance of an ecosystem-based approach to fisheries management. Ensuring sustainable fisheries, including the setting of TACs in line with the best available scientific advice and considering ecosystem dynamics, is essential to maintain and restore healthy and productive ecosystems which are resilient to other stressors such as climate change. To improve fisheries management, the focus should not be solely on maximizing the catch of a single target species, but also take into account habitat,

predators and prey of the target species and other ecosystem components and interactions. The ecosystem approach can address the critical need for a more effective and holistic management approach.

The NWWAC would like to mention specifically the work of ICES WKIrish. WKIrish proposes to use relevant ecosystem indicators to calculate the F_{MSY} and has identified a route by which ecosystem information can be incorporated into the current single species assessment process in the Irish Sea. In its [advice on Fishing Opportunities 2022](#), the NWWAC highlighted the significant advances made throughout the WKIrish process as described above and recommended that ecosystem-based fishing mortality reference points (F_{ECO}) are incorporated as an option in the catch scenario table for each stock. The WKIrish project established that with F_{eco} reference points can change based on information from the ecosystem, which can better reflect changes in stock productivity.

Apart from considerations around TAC and quota-setting, it remains clear that the implementation of the Common Fisheries Policy (CFP) and of the MSY objective in a mixed fisheries context requires creative and innovative solutions involving spatial management, technical measures, and in some cases balancing short- and long-term socio-economic trade-offs.

1.1.2. Landing obligation

Questions

- Is the landing obligation a relevant / realistic / useful / achievable / science-based / proportional objective / tool?
- Should the terms of the landing obligation be clarified?
- Should the focus be in better documenting catches?
- Should the list of species and stocks to which the landing obligation applies be restrained so that the choke species problems are limited?
- Should some species, where science indicates that have high survivability, or certain gears with very few by-catches be exempted?
- Should the maximum level of the flexibilities foreseen in Article 15 of the basic CFP regulation be adapted to each fishery?
- How can the landing obligation become more attractive and useful for operators?

In 2018, the NWWAC identified the issue of choke species as the main obstacle to the implementation of the Landing Obligation in its remit area. The NWWAC recognises that the existing measures in the current Discard Plan are needed and have been helpful in avoiding choke situations in the NWW.

Our advice on the Joined Recommendations of the NWW Member State Group dated in June 2021 ([Discard Plan](#) and [Technical Measures](#)), in which we stipulated that priority should be given to avoidance measures that aim at unwanted marine organisms not entering the gear in the first place, remains valid when commenting on the implementation of the Landing Obligation. At the same time the NWWAC recommends the continuation of the quota-exchange pool as mentioned in the Fishing Opportunities Regulations since 2019 to cover unavoidable by-catches by Member States that have no quota for such stocks. This also covers stocks with zero catch advice for which bycatch provisions are foreseen to avoid premature closures of mixed fisheries. In this respect, the NWWAC fully accepts that directed fishery on such stocks remains prohibited. Ultimately, the NWWAC recognises that if the choke issues are to be resolved in the long-term, all stocks need to achieve a healthy state, as stated in our [2021 advice on "Addressing choke risk in the NWW after exemptions"](#).

An important part of this would be to address data gaps and ensure proper monitoring. This is crucial to demonstrate the extent to which progress has been made or highlight where progress is still lacking (e.g., in

the context of the new Technical Conservation Measures Framework), and to provide a sound basis for informed adjustments to address potential shortcomings in the future. In this respect, the NWWAC has previously recommended to address the objective to reach “Fully documented fisheries”.

It is important to recognize the role of Article 14 of the CFP, stating that, in order to facilitate the introduction of the obligation to land all catches, Member States may conduct pilot projects. These should be based on best available scientific advice and take into account the opinions of the relevant ACs, with the aim of fully exploring all practicable methods for the avoidance, minimisation and elimination of unwanted catches in a fishery. This has incentivised research on more selective fishing methods and promoted the prioritisation of measures which minimise the amount of unwanted catches, ensuring survivability of fish escaping the net.

Finally, the NWWAC would like to mention the control issue relating to article 27 of the Technical Measures regulation ((EU) 2019/1241), which deals with catch composition and mesh sizes, as against the obligation to land catches stipulated in article 15 of the CFP. In particular, article 27 has to be examined in conjunction with Annex VI of the same regulation (for the North Western Waters) as it provides catch composition rules. According to these rules, if a fisher has a certain percentage of a particular species in his/her catches, he/she can use a smaller mesh size than what is allowed as the general mesh size. Article 27 makes it clear that these mesh size and catch composition rules are without prejudice to the landing obligation. Hence, a number of operational and enforcement issues arise since for fishers it is virtually impossible to comply with both these regulations. Given the relevance this issue has for our members and following the discussions held during the dedicated meeting in September 2021, the NWWAC encourages dedicated work towards a pragmatic and workable solution.

1.2. The forgotten ones: social and economic considerations and food security

1.2.1. Social aspects:

Questions

- Are socio-economic considerations sufficiently taken into account by the CFP? Is the information on the socio-economic impact of EU policies thorough and available? If not, how to improve the situation and policy-making?
- Do capacity limits in the CFP allow for the improvement of working and living conditions on board fishing vessels?
- How can the EU ensure that the imports from third countries are subject to similar social standards than those applied in the EU? Which tools should the EU use to block seafood products produced by forced labour?

In order to effectively implement the CFP, the NWWAC believes that the socio-economic dimension of the policy for the fishing sector should be strengthened and wishes to point out the importance of CFP article 2.1, which at all times should be taken into account when vetting any management measure (for example setting TACs and quotas): “*The CFP shall ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies*”. Looking at the CFP social objectives, it is important to consider public perception of the fishing sector, which is often still described through negative stereotypes, despite the sector’s efforts, successes and continued willingness to improve fisheries sustainability. This eventually influences seafood consumption and the sector’s job attractiveness, producing important impacts on coastal communities. Thus, the NWWAC recommends adopting an interdisciplinary approach to fisheries management, based on relevant information relating to the three sustainability pillars (ecology, economy and society), undertaking and incorporating social and economic

research.

1.2.2. Economic considerations

Questions

- Should economic analysis be done systematically before policy decisions are taken?

The NWWAC has not discussed this topic yet.

1.2.3. Food security

Questions

- How to make the food security consideration more explicit in policy-making?
- Should gear and space restrictions be considered also against food production in Europe?
- How can the EU achieve a reduction of the EU market's dependence on food imports?

The NWWAC has not discussed this topic yet.

1.3. Other general issues to consider about the CFP objectives

General questions on the CFP objectives

- Is the present implementation of the CFP objectives in line with the Treaty?
- Without opposing one another, should we seek a better balance among the various objectives of the CFP, starting by focusing on the “forgotten” ones?
- Are the current CFP objectives realistic / achievable / over-ambitious?
- Should the objectives related to MSY and to the landing obligation be seen as binding law or as orientations / ultimate objectives?
- How to simplify the CFP?

The NWWAC agrees that a better balance among the various objectives of the CFP is needed. In particular, the NWWAC recommends the adoption of an inter-disciplinary approach to fisheries management, based on relevant information relating to the three sustainability pillars (ecology, economy and society), undertaking and incorporating social and economic research.

2. Management measures (other than the landing obligation)

2.1. TACs and quotas

Questions

- Is the number of concerned stocks that need to be managed through TACs relevant / efficient / operational?
- Is topping-up a relevant useful tool? Are there other alternatives?

2.2. Multiannual plans

Questions

- Should multiannual plans be maintained as main frameworks for fisheries management?
- Should other sea basins and fish species be covered?

The NWWAC acknowledges that the WW MAP has been an important step in the implementation of the Landing Obligation, particularly with the flexibility in TAC setting afforded by the introduction of F_{MSY} ranges. However, many of the outstanding issues with the implementation of the Landing Obligation still remain unsolved, such as the risk of choke stocks. The WW MAP implementation has demonstrated to be partly too rigid, as for instance, there has not been any modification in the list of targeted stocks (Art.1.1), while for some stocks, it would have been necessary to remove some due to the warming of the seas, and their bycatch category (Cod VII). It has to be noted that the WW MAP is not fully implemented, as ICES has not been requested to assess under which situations/conditions Art. 4.5 a and b could apply.

The scope of the WW MAP is very wide covering a large area encompassing North Western Waters, South Western Waters and CECAF zones around Madeira and the Canary Islands. These areas include a wide range of diverse fisheries and cover most of the demersal stocks and deep-sea stocks. By combining the areas and stocks into one plan, it moves away from the regional definitions included in Article 4 paragraph 2 of the Basic Regulation (i.e., there is no differentiation between the NWW and SWW). It also does not acknowledge the differences in the stocks and fisheries considered by the NWWAC and SWWAC. Furthermore, the NWWAC notes there are overlaps for several stocks included in this plan with the North Sea MAP. For instance, megrim in divisions 4a and 6 and hake in subareas 4, 6, and 7 are included in the WWMAP, whilst other stocks such as haddock and saithe in divisions 4 and 6a, as well as Anglerfish in subareas 4 and 6 are included in the NSMAP. It is not clear what the rationale is for spreading such stocks across different plans. It is essential for these straddling stocks that implemented measures are complementary in order to ensure coherent management across adjacent areas.

MAPs offer a legislative basis to manage certain fisheries targeted by the plan (mainly the most commercially important) in a dedicated sea basin in the long run. Management measures include mainly MSY ranges, implementation of the landing obligation and technical measures. The added value of the MAPs is that they allow for regional management of those fisheries and cooperation between the stakeholders concerned. Whereas that is a very virtuous principle, MAPs are only used as legislative vehicles for TACs and quotas regulation (MSY ranges) and delegated acts for technical measures and implementation of the CFP. In that sense, one can query if a MAP offers solid advantages or only serves as legal basis. In our point of view, MAPs could, in certain specific cases and areas, be good instruments to allow for an ecosystem-based implementation of the CFP and should not only take into consideration fishing pressure on fish stocks, but also other anthropogenic elements such as climate change and pollution. As observed with the Baltic MAP, it is not sufficient to focus on fisheries as the only pressure on the resource. Indeed, even though the Baltic MAP has been implemented since 2016, the depletion of stocks has carried on leading to permanent cessation measures being applied to some fisheries. It could be valuable to use MAPs as an opportunity to allow for ecosystem-based measures to be taken into account at the scale of a regional basin.

3. Governance

3.1. Organisation within the Commission

Questions

- How can fisheries gain the place it deserves within the Commission, especially given its strategic importance in the recent negotiations following Brexit and during the Covid pandemic?
- How to bridge the distance between the sectors and the Commission?

The NWWAC wishes to point out that the ACs are unique entities composed of the broadest spectrum of interests in the EU fishing sector (ranging from industry to other groups of interest) and are thus the optimal vehicle for the Commission to interact with fisheries stakeholders and collect balanced consensus views. In

light of this, the NWWAC would like to stress the importance of close communication and cooperation between ACs and the Commission as a solution to ensure that sustainable fisheries are afforded the consideration and value they deserve. Indeed, this would optimise the efficiency of the consultation process, the exchange of ideas and the production of advice from stakeholders. It is crucial that transparency is provided on the decision-making process and that work is planned in a timely manner, taking into account the procedures and timelines needed in an AC to ensure proper consultation of its members.

Taking into account the strategic importance of fisheries in the recent post-Brexit negotiations, the NWWAC believes it absolutely essential that ACs remain consulted in ongoing work in the Specialised Committee on Fisheries (SCF), enabling stakeholders' views to continue to play a role in future management measures and policies developed between the EU and the UK.

Moreover, the NWWAC believes there are two essential elements to ensure good cooperation between the ACs and the Commission. The first is the importance of Commission's participation at AC meetings to provide updates on ongoing dossiers as well as to explore and provide feedback on members' queries. The second concerns the implementation of an effective advice feedback procedure involving the European Commission which would help ensure constructive collaboration and bridge the distance between fisheries stakeholders and the Commission.

As stated in Article 44 (4) of the CFP, the Commission and the Member State concerned shall reply to ACs' recommendations and, where the final measures that are adopted diverge from the ACs opinions, provide detailed reasons for the divergence. While recognising the Commission's improved responsiveness to NWWAC correspondence, the NWWAC wishes to emphasise the importance of constructive feedback to advisory documents produced by ACs. It is fundamental that members are provided with information on the impact of their work on the development of legislative proposals. The NWWAC has experienced a decrease in participation in the consultation processes as members are not sure how the consensus positions they spent effort and time on have been taken into account and to what extent. Fruitful collaboration and effective, two-way communication with the European Commission and the NWW Member States are vital to ensure NWWAC members maintain a high level of interest and participation under the regionalisation principle.

3.2. Regionalisation

Questions

- Is the procedure, including the required unanimity by Member States, cumbersome?
- What could be done to improve the functioning of this tool?

Close cooperation between the NWWAC and the Regional Member States' Group is crucial to ensure the implementation of the regionalization tool and to fulfil the NWWAC objective to optimise the efficiency of the consultation process, the exchange of ideas and the production of advice.

In the [Commission's letter from 16 April 2020 on the Involvement of Advisory Councils in the preparation of Joint Recommendations under the CFP](#), the then acting Director-General outlined the basis for the development of Joint Recommendations (JRs) referring to guidance on good practices ([Staff Working Document SWD\(2018\)2881](#)) "including the early and meaningful consultations with all relevant stakeholders, and the transparency of the procedures." While the staff working document relates specifically to the development of JRs on the establishment of conservation measures under the CFP for Natura 2000 sites and for MSFD purposes, the acting Director-General referred to these as an example on overall collaboration and cooperation between ACs, Regional Groups and the Commission. The document states that during the preparation of JRs, in accordance with Article 18(2) of the CFP, Member States have to consult the ACs established under the CFP. In order for this consultation to be meaningful, the following best practices have been identified:

- timely disclosure of and easy access to relevant information, including an indicative timeline;
- sufficient time for partners to analyse and comment on key preparatory documents;
- available channels through which partners may ask questions, may provide contributions and are informed of the way in which their proposals have been taken into consideration;
- dissemination of the outcome of the consultation.

While the timelines are not specified regarding the consultation between Regional Groups and ACs, it stands to reason that the timelines provided for development of JRs, i.e., six months, could be indicative regarding the involvement of the ACs. The NWWAC believes that a higher level of integration of stakeholder advice in the development of JRs could be achieved if additional protocols were put in place, for example those used in Strategic Environmental Assessments (SEAs) where transparency and public participation are key principles. One way of achieving a more integrated approach would be for the ACs to attend technical meetings of the Member States Group in their entirety. This would also aid in information from the Commission reaching the ACs directly.

The NWWAC considers that it should have a role broader than simply as an advisory body in the context of regionalisation. The AC should rather be seen as the partner bringing stakeholders' knowledge and experience to the table, highlighting needs and issues in scientific research and fisheries management. Accordingly, AC's proposals and initiatives should be duly taken into consideration by the Member States Group to eventually find the best option for collaboration and implementation, integrating both the MS Group's and the AC's work programme.

3.3. Stakeholders' involvement and Advisory Councils

Questions

- Are the composition rules fair / useful?

The NWWAC believes that the 60/40 balance of sector organisations and other interest groups in the Executive Committee guarantees a balanced representation of all stakeholders. The NWWAC aims at maintaining the same balance as the Executive Committee in the General Assembly, however this has been challenging following the departure of 5 environmental NGOs from the NWWAC membership in October 2020. The main issues raised by these NGOs motivating their departure are listed in [this letter to DG MARE Director General Charlina Vitcheva](#). On that occasion, the NWWAC worked on several proposals to the Commission to address this issue (see the [Joint NSAC/NWWAC Advice to Commission on the draft Delegated Regulation on the Functioning of the Advisory Councils](#)) and has updated its Rules of Procedure to clarify consensus seeking procedures and to ensure fairness. In particular, the NWWAC is seeking the support of the Commission in attracting more members and promoting the role of the ACs, which should be recognised as more beneficial to members' work programmes than their direct representation to the Commission. Having an effective advice feedback procedure involving the European Commission and the Member States Regional Groups would also help maintaining members' interest and participation under the regionalisation principle.

- How to make sure that everyone's voice is heard / reflected in the advice?

The NWWAC advice drafting procedure, as established by the [NWWAC Rules of Procedure](#), ensures all voices are heard and reflected in any advice produced by the AC.

In addition to requests for advice from the European Commission and/or the North Western Waters Member States group, members of the NWWAC can propose a topic for consideration through the most appropriate

Working Group. To draft advice on a specific topic an Ad Hoc Group may be set up in accordance with Article 63 of the Rules of Procedure.

After a meeting a draft advice is distributed to the participants for finalisation via electronic procedure. All drafts are distributed in the three working languages of the NWWAC (English, French and Spanish). If new topics are added that were not discussed at the meeting, these must be agreed by all members of the respective group and an additional meeting may be held if needed.

Participants are invited to send their comments by a given deadline as agreed with the members of the relevant group. In cases where significant change is proposed, time permitting, a follow-up web or tele-meeting may be organised with the main contributors, following which a further draft may be issued. Once a draft is agreed within the relevant Ad Hoc Group, it is next sent to the relevant Working Group for written comment within 7 natural days. Once a draft has been approved by the relevant Working Group, it will be submitted to the Executive Committee for approval within 7 natural days.

The Secretariat drafts an NWWAC opinion trying to accommodate all points of view. In case no consensus can be found, minority opinions must be recorded. If a minority opinion is supported by one organisation, it will be recorded as a foot note. If it is supported by more than one organisation, it will be added on the text of the advice. If the minority opinion requests further explanation, it can be added as an annex no longer than one page.

- How to better inform the European Parliament about the ACs' work?

The NWWAC agrees that the communication flow between the European Parliament and the ACs could be improved, in terms of providing neutral information on agreed AC advice and on updates on the state of play of both sides' work.

Currently, representatives of the European Parliament are able to attend any meeting of the NWWAC as active observers. The NWWAC observers mailing list already contains a number of email contacts for EP representatives, which are regularly invited to Working Group and ExCom meetings. This mailing list includes the PECH Secretariat, which is informed regularly of any meeting or workshop organised by the NWWAC. All EP representatives are welcome to get in touch with the NWWAC Secretariat (info@nwwac.ie) to communicate their desire to be added to the mailing list. Meeting dates are included in the "AC meetings" section in the PECH Committee newsletter, The Trawler. The Trawler could be a useful means to distribute information to the EP on published AC advice, which can be found on ACs' webpages. Moreover, an email notification could be sent to the PECH Secretariat when new advice is available.

At the same time, AC members could attend events organised by the PECH Committee, such as public hearings, when related to topics of interest, and report back to their AC.

- How can the ACs' advice be valued and sufficiently taken into account by the Commission and Member States, given that sometimes it is largely ignored?

The NWWAC would like to stress that meaningful advice and sound legislation can only emerge as a result of synergies from continuous engagement and contact with the stakeholders. ACs are best placed for such synergies to occur and for giving a balanced advice based on compromise, given their diverse composition comprising the whole fisheries and aquaculture value chains (from catching/harvesting, to processing, trading, retail and exporting) as well as other interest groups including environmental and other NGOs. This collaborative work brings an added value to the contributions submitted by individual organisations.

Overall, we would like to point out that, for what concerns stakeholders' participation in the ACs, having an effective advice feedback procedure involving the European Commission and the Member States Regional Groups would help ensure constructive collaboration and maintain members' interest and participation under the regionalisation principle.

- Should ACs have their own scientists, so that recommendations are based on science?

According to article 112 of the [NWWAC Rules of Procedure](#), “NWWAC advice will be based, where available, on reliable technical and scientific information”. Over the years, the NWWAC has built important networks and partnerships with scientists from research institutes especially from the MS having an interest in the NWW area, producing a mutually useful and fruitful collaboration which has benefitted research projects, data collection and advice drafting. The NWWAC does not see the need for ACs to have their own scientists, but the possibility to directly consult ICES and STECF would be highly appreciated, as explained in the answer to question 3.4 below.

- Should / could the ACs be delegated co-management powers, allowing thus for a bottom-up approach that would make stakeholders feel more responsible and legislation more flexible and adapted to specific realities?
- In the same vein, can ACs develop a results-based management or co-management, given that a true change of culture can be achieved through incentives and effective participation in the decision-making at early stage and throughout its implementation?

The NWWAC believes that rather than expanding ACs role with co-management powers, it is important that effort is concentrated in ensuring that ACs’ advice is properly considered in decision-making, which in turn would motivate stakeholders to participate in the consultation process.

3.4. Decisions based on science and impact assessments

Questions

- How to ensure an independent/reliable scientific advice and systematic impact assessments?
- Should co-legislators / ACs be given the possibility to directly consult ICES and STECF?

The NWWAC appreciates the effort ICES has made in addressing quality assurance in stock assessments. Nevertheless, members continue witnessing a lack of consistency in the advice for some stocks (as outlined in the [NWWAC advice on Fishing Opportunities 2022](#)) and highlight the critical need for quality assurance across all assessments in accordance with the ICES advisory plan. Moreover, the NWWAC suggests that information on the level of quality assurance which a stock has gone through, more specifically on whether an assessment has gone into the ICES Transparency Assessment Framework (TAF) or not, is included in the ICES advice sheet. This should be located at the top of the advice page in a very simple and direct format, for example with a coding system.

The NWWAC would support the opportunity for ACs to directly consult ICES and STECF. ICES’ and STECF’s inputs are fundamental to the NWWAC advice drafting process. Moreover, NWWAC members, having on the ground experience on fisheries management, can often identify relevant research needs. According to the current rules, every request for advice and input to ICES and STECF must be submitted as a recommendation to DG MARE. Removing this step would streamline the process and improve ICES’ and STECF’s relations with the ACs and their members, ultimately fostering closer collaboration between scientists and stakeholders.

3.5. The integration of fisheries into a wider policy context: the fishing sector squeezed between “Scylla” and “Charybdis”: Brexit, offshore windmills, Green Deal and biodiversity strategy, climate change, etc.

Questions:

- How to ensure that fisheries and aquaculture are in a fair place with regard to other sectors in policy design or in spatial planning?

The landscape of fisheries management in the NWW has completely changed with Brexit, bringing the need for new rules of procedure reflecting the changed level of engagement with the UK. The NWWAC wishes to emphasise the vital importance of stakeholder participation in future management and governance structures to be established for partnership working with the UK. Stakeholder participation has played a crucial role in the shaping and delivery of the CFP since the formation of the ACs in 2002. A system that is informed by the balanced views of industry and other interest group stakeholders is one that is more reflective of the needs of its users, and this will continue to be the case in the post-Brexit landscape. A return to the fisheries management policy that was arrived at prior to regionalisation and the establishment of the ACs must be avoided at all cost. In particular, the NWWAC acknowledges that, in line with the EU-UK Trade and Cooperation Agreement, the Specialised Committee on Fisheries (SCF) addresses issues including quota swaps, non-quota species and technical measures. The NWWAC urges the Commission to ensure that stakeholder engagement and advice is central to all future management and governance structures being developed as the new relationship between the EU and UK takes concrete form. The NWWAC stands ready to contribute to the work of the Specialised Committee on Fisheries on the topics in the AC’s remit, either through direct involvement in the SCF or via bilateral meetings between the ACs and the Commission prior to SCF meetings.

Marine space is overall under increasing pressure from human activities. Traditionally, the activities taking place in oceans and seas were related to fishery, tourism, and transport of goods and people. Today, offshore energy production, aquaculture, sea-based tourism and other emerging and innovative sectors are contributing to the Blue Economy in the EU. This increases pressure on marine ecosystems and creates competition and conflicts between various uses.

In particular, the ambitious targets for offshore renewable energy development will mean increasing competition for space and could potentially hamper the objectives of achieving good environmental status. Ocean energy is needed for climate neutrality, but it is vital to ensure that its implementation does not harm marine resources and therefore the sectors that depend on those. According to research studies, there are major environmental concerns related to offshore energy, which need to be further investigated.

Efforts are still needed to improve synergies and addressing tensions between the main policy drivers of maritime spatial planning (MSP) in the EU. The NWWAC recommends strengthening the link between fisheries regulations and environmental legislation, moving beyond a silo approach to policy and research and acknowledging the socio-ecological systems involved in fisheries management. In order to take full account of the socio-economic, ecological, and political context, MSP needs to be based on the effective engagement of a wide variety of stakeholders.

The EU and its Member States should promote the integration and ensure the coherence of the Blue Economy framework with other relevant governance frameworks such as for international ocean governance, climate and biodiversity. Both the European Commission and the Member States must put mechanisms in place ensuring that direct and indirect cumulative environmental effects of activities of the Blue Economy do not add to the pressure from climate change on the ocean or adversely impact one specific sector, for example fisheries, their value chains, and related on-shore activities. A coordinated approach and standards to include the relative weight of each human induced economic activity in the marine environment in environmental impact assessments is desirable. It is vital to ensure a level playing field between all actors of the Blue Economy and implement both the same approaches – notably in respect of upholding sustainability principles – and levels of requirements, obligations, accountability and transparency across all sectors.

There is also a necessity for a widened coherence of the MSFD with policies regulating pressures on the marine environment originating on land (e.g., plastic, agriculture), allowing for a trans-sectoral and ecosystem-based approach.

4. External aspects

IUU - level playing field - competitiveness of EU sectors

Questions

- Should high sustainability standards be imposed to imported products, aiming at restricting access to the EU market of unsustainable products?
- Should sufficient consideration be given to the impact of any EU measure globally / in third countries?

Not relevant to the NWWAC's remit.

5. Current challenges

Climate change

Questions

- Considering that the MSY and Good Environmental Status objectives are already integrated in the CFP, does the policy need any further target / tool?
- Which tools / funding opportunities should the EU provide to the sectors affected by climate change?
- How can science help fishermen to adapt to fish distribution shifts and provide fish-forecasts? How will the CFP regulate emerging and declining species? Should a separate funding system be allocated for these purposes?
- How can the EU use science to mitigate uncertainty and potential conflicts?
- How to ensure flexible, adaptive and quick management decisions?
- Do you see the need to adapt EU policies such as the landing obligation to avoid “chokes” of fish movers?
- In order to decarbonize the fishing industry and introduce new propulsion systems such as hydrogen or gas engines, do you see a need to revise legislative limitations such as the capacity ceilings?

First of all, the NWWAC wishes to highlight the lack of consistency between the Marine Strategy Framework Directive and the objectives of the CFP. This is especially the case in the application of the GES and of the evaluation criteria of descriptor MSFD 3 on achieving MSY of exploited stocks, which are not aligned with the prescriptions of the CFP. This lack of consistency in the definition also results from the lack of harmonization between Member States.

The [NWWAC advice on the impact of climate change on fisheries in the North Western Waters](#) identifies potential strategies and solutions for fisheries to adapt to climate change consequences. Recommendations include:

- Ensure flexible and adaptive fisheries management

- Develop a communication campaign to better involve realities on the ground in the policy innovation process and incentivise stakeholders' support and engagement in adaptation initiatives
- Examine emerging species markets and catch potential
- Improve monitoring and infrastructure to reduce the risk of adverse working conditions

Regarding the Landing Obligation in particular, the NWWAC highlights that the NWW demersal fisheries are highly dynamic, variable and have a mixed nature. More and more signs are indicating that ecosystem changes are in process in the area. Fisheries can be impacted by such a change which can result in distributional shifts in fish species. Changes in stock biology and natural phenomena, such as recruitment pulses prevalent in gadoid species, may create choke situations not originally forecast. This has implications on the degree to which chokes can be predicted and for the availability of mitigation tools. Vulnerability assessments of stock decline through fishing, taking into account the overall context of natural stock decline in response to global warming, i.e., migration to higher latitudes, on a species-by-species basis, could be useful to identify those species that should be prioritised in adaptation planning.

NWWAC members would like to recall that a sustainable European fishing industry produces a low carbon, high-value protein for consumers, compared to other animal protein producing sectors, and highlight the importance of promoting seafood as part of sustainable, climate-neutral food consumption. The contribution of the total maritime sector to total CO2 emissions is less than 3%, with the fisheries sector's footprint being very small. However, the sector needs to be part of the solution and not the problem, embracing the cost of decarbonisation from day one.

Technology that would support the decarbonisation of the sector is developing and improving. Options include improvements in engine functioning and the use of different energy sources (solar, wind and hydrogen). LNG and hydrogen fuel-cell technologies seem to be the most promising alternatives. Quite a lot of activity is taking place worldwide in this regard. Such projects are good examples for the European sector to consider for future perspectives. Hydrogen technology could be a steppingstone towards a carbon free seafood industry. Electric power might be feasible for certain fleet segments, for example coastal, small-scale fleets.

It is important that the fisheries sector receives adequate attention in the 2021-2027 funding programme to ensure that its needs are examined in the developments of these new technologies, while bearing in mind the risk of a withdrawal of banks from supporting investment in the context of the implementation of the Taxonomy regulation.

The European Commission has been investing in research in hydrogen technology and has funded 108 projects related to this under the Horizon 2020 programme. However, only a few are related to the maritime sector and even fewer to the fishing sector.

In the case of a shift towards alternative fuels, several logistical issues need to be considered in relation to marketing, ports equipment (charging stations, LNG storage, etc.), maintenance and crew training. EU fishing companies are continually devising and implementing creative solutions to save energy. However, the current technologies are still not a direct alternative to fossil fuels, and while the industry is trying to reduce its environmental impact by improving engine and gear efficiency, more knowledge is needed regarding technological possibilities.

The 1992 reform of the Common Fisheries Policy imposes limitations on the tonnage and propulsive power of EU vessels. While this has not changed in the past 25 years, it is a shared opinion among fishing professionals that vessel tonnage is poorly suited to the economic and technical challenges that arise for the construction of today's vessels (including purposes of seeking better profitability, better crew comfort and installation of technologies that minimise the sector's environmental footprint). The origin of the need for additional tonnage faced by fishing companies is probably due to the fact that the current framework does not anticipate the implementation of new technologies (LNG, hydrogen, etc.) and does not consider the search for better energy efficiency beyond the current mandatory standard.

Overall, there are both regulatory and technological constraints to the energy transition of EU fishing vessels. The future evaluation of the CFP can play a very important role in the development and evolution of this framework and thus in the energy transition of the EU fishing sector.

6. Outermost regions

Questions

- How to reinforce Article 349 of the Treaty?
- Is the renewal of the artisanal fleets relevant / desirable?
- How to better take into account in a holistic manner issues related to fisheries in the outermost regions? Is a fisheries-POSEI pertinent / desirable?

Not relevant to the NWWAC's remit.

7. General questions

- What was achieved since the 2013 CFP reform and where are further efforts needed?
- Is it relevant to have a Commission Green Book, like in 2009, envisioning the CFP in the future?
- Is the current CFP a relevant framework for fisheries management?
- Do we need a CFP reform (meaning a legislative amendment of the CFP basic regulation) / review / clarification / interpretation?
- Any other recommendation on the above questions or themes or on any other question or theme is most welcome!

Brexit represents one of the main challenges in achieving CFP aims, since jointly managed stocks require more complex decision-making. Overcoming obstacles to sustainable management when working with non-EU countries is critical, particularly post-Brexit, with the EU and UK negotiating new joint management arrangements. Stable collaboration is needed and should be based on shared principles of sustainability and science-based decision-making to secure good management and to allow the EU to meet its CFP commitments. The NWWAC recommends pursuing a level playing field between the EU and UK industries, as well as other third countries, when aiming for high standards to ensure sustainable exploitation of resources.

The NWWAC also wishes to stress that, following the impacts of Brexit and the COVID-19 pandemic, the fishing industry, as well as other primary food producers, is facing yet another crisis due to the unexpected consequences from the war in Ukraine.

The NWWAC would like to take this opportunity to highlight the need for appropriate and speedy emergency measures to increase the short-term social and economic resilience of fishing activities, as well as urgent work and support to ensure this resilience in the medium- and long-term. This includes ensuring a level playing field for seafood products produced in the European Union.

Furthermore, the NWWAC has previously pointed at recreational fisheries to be taken into consideration in respect of the implementation of the CFP.