

# Targeted consultation on the 2022 Report on the Functioning of the Common Fisheries Policy

Fields marked with \* are mandatory.

## Introduction

---

This online questionnaire is part of a consultation to prepare a report on the functioning of the [common fisheries policy](#) (CFP), under Regulation (EU) No 1380/2013 (the CFP Regulation). The objective of this report is to address the functioning of the CFP and look at how we can strengthen its implementation. This questionnaire will provide the basis for more in-depth discussions at regional level starting in April 2022. The consultation process will end with an event before Summer 2022. The report will also build on the studies carried out in its support, and which are referred to in the corresponding chapters of the questionnaire.

The questions refer to each chapter of the CFP Regulation, ending with the topics raised in the [Mission letter](#) to Commissioner Sinkevičius as not sufficiently covered in the current policy framework and should be paid specific attention to (social dimension, climate adaptation and clean oceans). They are designed to identify what works well (or not), identify any evidence of shortcomings in how the CFP is implemented and highlight good practice or innovative tools or processes implemented by stakeholders or Member States. Please comment on any or all topics (you can skip questions if you have nothing to say) and provide any other information you think relevant.

This questionnaire does not cover the [technical measures regulation](#) nor the protection of sensitive species and habitats. They are covered in a parallel [consultation on the action plan to conserve fisheries resources and protect marine ecosystems](#) (launched 25 October with deadline 10 January 2022).

All information collected through this survey will be stored and handled in a confidential manner and in compliance with the [General Data Protection Regulation](#) (GDPR).

At the end of the survey, you can upload a document or position paper as your contribution (maximum size 3 MB) or provide a link to these documents if in html format, and provide additional comments or information.

To facilitate our assessment of the information, we encourage you to send any complementary information in English.

## About you

---

### \* Language of my contribution

- Bulgarian
- Croatian
- Czech

- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

\* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

\* First name

matilde

\* Surname

vallerani

\* Email (this won't be published)

matilde.vallerani@bim.ie

\* Organisation name

*255 character(s) maximum*

North Western Waters Advisory Council

\* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

*255 character(s) maximum*

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

\* Country of origin

Please add your country of origin, or that of your organisation.

- |                                      |  |                                     |  |
|--------------------------------------|--|-------------------------------------|--|
| <input type="radio"/> Afghanistan    | <input type="radio"/> Djibouti           | <input type="radio"/> Libya         | <input type="radio"/> Saint Martin                     |
| <input type="radio"/> Åland Islands  | <input type="radio"/> Dominica           | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Pierre and Miquelon        |
| <input type="radio"/> Albania        | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania     | <input type="radio"/> Saint Vincent and the Grenadines |
| <input type="radio"/> Algeria        | <input type="radio"/> Ecuador            | <input type="radio"/> Luxembourg    | <input type="radio"/> Samoa                            |
| <input type="radio"/> American Samoa | <input type="radio"/> Egypt              | <input type="radio"/> Macau         | <input type="radio"/> San Marino                       |

- Andorra
- Angola
- Anguilla
- Antarctica
- Antigua and Barbuda
- Argentina
- Armenia
- Aruba
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
- Bolivia
- Bonaire Saint Eustatius and Saba
- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- El Salvador
- Equatorial Guinea
- Eritrea
- Estonia
- Eswatini
- Ethiopia
- Falkland Islands
- Faroe Islands
- Fiji
- Finland
- France
- French Guiana
- French Polynesia
- French Southern and Antarctic Lands
- Gabon
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece
- Greenland
- Grenada
- Guadeloupe
- Guam
- Guatemala
- Guernsey
- Madagascar
- Malawi
- Malaysia
- Maldives
- Mali
- Malta
- Marshall Islands
- Martinique
- Mauritania
- Mauritius
- Mayotte
- Mexico
- Micronesia
- Moldova
- Monaco
- Mongolia
- Montenegro
- Montserrat
- Morocco
- Mozambique
- Myanmar/Burma
- Namibia
- Nauru
- Nepal
- Netherlands
- New Caledonia
- São Tomé and Príncipe
- Saudi Arabia
- Senegal
- Serbia
- Seychelles
- Sierra Leone
- Singapore
- Sint Maarten
- Slovakia
- Slovenia
- Solomon Islands
- Somalia
- South Africa
- South Georgia and the South Sandwich Islands
- South Korea
- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland
- Syria
- Taiwan
- Tajikistan

- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue
- Norfolk Island
- Northern Mariana Islands
- North Korea
- North Macedonia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Réunion
- Tanzania
- Thailand
- The Gambia
- Timor-Leste
- Togo
- Tokelau
- Tonga
- Trinidad and Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States Minor Outlying Islands
- Uruguay
- US Virgin Islands
- Uzbekistan
- Vanuatu
- Vatican City
- Venezuela

- Croatia
- Cuba
- Curaçao
- Cyprus
- Czechia
- Democratic Republic of the Congo
- Denmark
- Kuwait
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- Lesotho
- Liberia
- Romania
- Russia
- Rwanda
- Saint Barthélemy
- Saint Helena  
Ascension and  
Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- Vietnam
- Wallis and Futuna
- Western Sahara
- Yemen
- Zambia
- Zimbabwe

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, 'business association, 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.** Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

### \* Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

**Anonymous**

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

**Public**

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

I agree with the [personal data protection provisions](#)

# General aspects - overall functioning of the CFP (objectives)

---

## Article 2 CFP Regulation – objectives

1. 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.
2. The CFP shall apply the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield.

In order to reach the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield, the maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks.

3. The CFP shall implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and shall endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment.
4. The CFP shall contribute to the collection of scientific data.
5. The CFP shall, in particular:
  - (a) gradually eliminate discards, on a case-by-case basis, taking into account the best available scientific advice, by avoiding and reducing, as far as possible, unwanted catches, and by gradually ensuring that catches are landed;
  - (b) where necessary, make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size;
  - (c) provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity;
  - (d) provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities consistent with paragraph 2, with a view to having economically viable fleets without overexploiting marine biological resources;
  - (e) promote the development of sustainable Union aquaculture activities to contribute to food supplies and security and employment;
  - (f) contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects;
  - (g) contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring a level-playing field for fisheries and aquaculture products marketed in the Union;
  - (h) take into account the interests of both consumers and producers;
  - (i) promote coastal fishing activities, taking into account socio-economic aspects;

(j) be coherent with the Union environmental legislation, in particular with the objective of achieving a good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC, as well as with other Union policies.

**Q1. What are the specific fisheries conservation and management measures introduced by the CFP Regulation that work well and contributed to real change and/or progress in terms of sustainable EU fisheries?**

*3000 character(s) maximum*

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.

Overall, the NWWAC notes that for all the NWW stocks the FMSY has been the reference for setting TACs & quotas. It is noted that this is part of the legislative requirement for the Commission to report on this progress as it is on the balance between fishing capacity and fishing opportunities. The NWWAC appreciates that the reporting requirement is CFP based and points at the socio-economic and food production sustainability objectives, for which the progress reporting is equally important.

The NWWAC, also having assessed the ICES scientific advice for 2022, notes the achievement of the precautionary approach objective and the Commission’s contentment about this. In this respect, the NWWAC wishes to point out the importance of CFP article 2.1 which at all times should be taken into account when 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”.

**Q2. For the areas fished by vessels from your country, region or sea basin, do you believe that the objective has been achieved**

|   | Fully                 | Partly                           | Not at all            |
|---|-----------------------|----------------------------------|-----------------------|
| 1. 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.   | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| 2. The CFP shall apply the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield. In order to reach the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield, the maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks. | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |



|   |                       |                                  |                                  |
|---|-----------------------|----------------------------------|----------------------------------|
| 3. The CFP shall implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and shall endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment. | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| 4. The CFP shall contribute to the collection of scientific data.   | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| 5. The CFP shall, in particular: (a) gradually eliminate discards, on a case-by-case basis, taking into account the best available scientific advice, by avoiding and reducing, as far as possible, unwanted catches, and by gradually ensuring that catches are landed                                     | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| (b) where necessary, make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size  | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| (c) provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity  | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| (d) provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities consistent with paragraph 2, with a view to having economically viable fleets without overexploiting marine biological resources   | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| (e) promote the development of sustainable Union aquaculture activities to contribute to food supplies and security and employment  | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            |
| (f) contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects  | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| (g) contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring a level-playing field for fisheries and aquaculture products marketed in the Union   | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| (h) take into account the interests of both consumers and producers   | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| (i) promote coastal fishing activities, taking into account socio-economic aspects  | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| (j) be coherent with the Union environmental legislation, in particular with the objective of achieving a good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC, as well as with other Union policies  | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |

**Q3. What are the specific measures introduced by the CFP Regulation that have worked well to keep or make aquaculture sustainable?**

*3000 character(s) maximum*

Not relevant to the NWWAC

**Q4. What are the key challenges in implementing the CFP?**

*3000 character(s) maximum*

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 when aiming for high standards to ensure sustainable exploitation of resources.

The NWWAC highlights the challenge posed by the implementation of the landing obligation. Besides the issue of compliance with the LO, avoiding choke issues remains one of the biggest challenges in the mixed and dynamic NWW fisheries. This is explained in detail in the NWWAC advice "Addressing choke risk in the NWW after exemptions" submitted in December 2021. It remains clear that the implementation of the CFP in a mixed fisheries context requires innovative solutions involving spatial management, technical measures, and balancing short- and long-term socio-economic trade-offs.

The AC identifies a clash between art 27 of the Technical Measures regulation ((EU) 2019/1241), which deals with catch composition and mesh sizes as against the obligation to land catches from art 15 of the CFP. Art 27 provides for maximum % of species allowed so as to qualify for specific mesh sizes. However, the regulation makes it clear such % shall be without prejudice to the LO. This creates an issue of compliance which greatly affects fishers' operational activity and thus represents a key challenge in implementing the CFP.

In order to effectively implement the CFP, the AC believes that the socio-economic dimension of the policy should be strengthened and wishes to point out the importance of CFP art 2.1, which at all times should be taken into account when vetting any management measure. 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 AC recommends adopting 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.

The NWWAC considers that achieving "Fully documented fisheries" is also a key challenge, as per art 15(3) of the CFP.

Another key challenge is the consideration of recreational fisheries, to be able to reach the objectives in CFP art 2.

### **Article 3 CFP Regulation - Principles of good governance**

The CFP shall be guided by the following principles of good governance:

- (a) the clear definition of responsibilities at the Union, regional, national and local levels;
- (b) the taking into account of regional specificities, through a regionalised approach;
- (c) the establishment of measures in accordance with the best available scientific advice;
- (d) a long-term perspective;
- (e) administrative cost efficiency;
- (f) appropriate involvement of stakeholders, in particular Advisory Councils, at all stages - from conception to implementation of the measures;
- (g) the primary responsibility of the flag State;
- (h) consistency with other Union policies;
- (i) the use of impact assessments as appropriate;
- (j) coherence between the internal and external dimension of the CFP;

(k) transparency of data handling in accordance with existing legal requirements, with due respect for private life, the protection of personal data and confidentiality rules; availability of data to the appropriate scientific bodies, other bodies with a scientific or management interest, and other defined end-users.

**Q5. Are the principles of good governance, described in Article 3 of the CFP Regulation, sufficiently implemented in fisheries management under the CFP?**

|  | Yes                              | Partly                           | No                    |
|--|----------------------------------|----------------------------------|-----------------------|
| (a) the clear definition of responsibilities at the Union, regional, national and local levels;  | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> |
| (b) the taking into account of regional specificities, through a regionalised approach;  | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| (c) the establishment of measures in accordance with the best available scientific advice;   | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| (d) a long-term perspective;   | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| (e) administrative cost efficiency;  | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| (f) appropriate involvement of stakeholders, in particular Advisory Councils, at all stages - from conception to implementation of the measures;   | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> |
| (g) the primary responsibility of the flag State;  | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| (h) consistency with other Union policies;   | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| (i) the use of impact assessments as appropriate;  | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| (j) coherence between the internal and external dimension of the CFP;  | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> |
| (k) transparency of data handling in accordance with existing legal requirements, with due respect for private life, the protection of personal data and confidentiality rules; availability of data to the appropriate scientific bodies, other bodies with a scientific or management interest, and other defined end-users. | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> |

**Fisheries management measures for conserving and sustainably exploiting marine biological resources**

---

*Multiannual plans*

The CFP Regulation highlights the importance of establishing multiannual plans reflecting the specific features of the different regions and fisheries, recognising that the objective of sustainable exploitation of marine biological resources is more effectively achieved through a multiannual approach to fisheries management.

Stocks and fisheries are managed by means of such plans, which contain goals for managing fish stocks in line with the CFP objectives (maximum sustainable yield) and measures such as fishing effort restrictions, rules for setting total allowable catches, specific control rules and technical measures (such as specific rules for implementing the landing obligation) and review clauses and safeguards to trigger remedial action.

Articles 9 and 10 of the CFP Regulation establish the principles, objectives and content of such plans. Currently four multiannual plans have been adopted under the CFP:

- [Baltic plan](#) (see also the [first implementation report](#));
- [North Sea plan](#);
- [Western Waters plan](#);
- [Western Mediterranean Sea plan](#).

**Q6. Specifying which plan you work with, are the multiannual plans effective tools for ensuring the sustainable exploitation of fish stocks? Are the plans sufficiently flexible, too flexible, or too rigid in operation?**

*3000 character(s) maximum*

The NWWAC acknowledges that the Western Waters Multiannual Plan (WWMAP) has been an important step in the implementation of the Landing Obligation, particularly with the flexibility in TAC setting afforded by the introduction of FMSY ranges. 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 removal from the targeted list should be considered due to the warming of seas and they should change from 'targeted' to 'bycatch' (e.g. cod stocks in ICES areas 6 and 7). It also has to be noted that this 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.

**Q7a. Do the multiannual plans cater sufficiently for the regional characteristics of fisheries?**

- Yes  
 No

Please explain, if selected 'no': are you aware of any good practice, innovative tools or processes to address these challenges?

*3000 character(s) maximum*

Since it was decided to organise an equal approach for the different sea-basins through similar MAPs and through restrictive selectivity baselines in the Technical Measures Regulation, NWWAC members are inclined to answer negatively to this question.

Generally, the scope of the Western Waters Multiannual Plan (WWMAP) 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.

## Q7b. Are the plans used to their full potential?

- Yes
- No

Please explain or insert any further suggestions

*3000 character(s) maximum*

MAPs offer a legislative basis to manage certain fisheries targeted by the plan (mainly the most important ones commercially) 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 enough 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 at the scale of a regional basin.

### *Landing obligation*

This new element in the CFP Regulation contributes to the CFP objective of eliminating discards by encouraging fishers to fish in a more selective manner and avoid and reduce, as far as possible, unwanted catches in the first place, by obliging them to land everything they catch.

Discarding is a term specifically used for catches of species that are not kept, but returned to the sea. It constitutes a substantial waste of resources and negatively affects the sustainable exploitation of marine biological resources and marine ecosystems, as well as the financial viability of fisheries.

There has been increasing collaboration between stakeholders and scientists to improve knowledge about this issue, e.g. the Horizon 2020 projects [DiscardLess](#), [MINOUW](#) and [choke mitigation tool](#).

Significant efforts by all stakeholders have been made to facilitate implementation of the landing obligation, notably to avoid choke species (*a species for which the available quota is exhausted before the quotas of (some of) the other species that are caught together in a (mixed) fishery are exhausted*), and to improve control and enforcement, for example by providing [technical guidelines and specifications](#) for implementing remote electronic monitoring (REM) in fisheries.

However, control and enforcement of the landing obligation remain challenging and, overall, Member States have not adopted the necessary measures in this respect. Moreover, significant undocumented discarding of catches by operators still occurs. REM tools seem to be the most effective and cost-efficient way to monitor the landing obligation. The Commission has supported the use of such modern control tools in its [proposal for a revised fisheries control system](#) and will continue working with the the European Parliament and the Council to reach an agreement. As indicated by the Commission's audits and the [initiatives by the EFCA](#), compliance remains weak.

The necessary increase in selectivity is also addressed in the recently published [report on the technical measures regulation](#), as well as in the ongoing [consultation on the action plan to conserve fisheries](#).

[resources and protect marine ecosystems.](#)

The implementation of the landing obligation, and its challenges, was also recently addressed in a [European Parliament Initiative report](#) and a recently published [study](#) contracted by DG MARE and the European Climate, Infrastructure and Environment Executive Agency (CINEA).

**Q8. To what extent (scale 1 to 5) is the objective of eliminating discards met?**

|    | 1. Not at all         | 2. Poorly             | 3. Moderately                    | 4. Incompletely       | 5. Fully              | I don't know          |
|----|-----------------------|-----------------------|----------------------------------|-----------------------|-----------------------|-----------------------|
| 1. | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

**Q9. What challenges do you experience in implementation and control of the landing obligation? You may select more than one**

- None
- Difficult to detect discards because of insufficient observers or electronic monitoring tools
- Not possible to detect discards by small (under-12m) vessels
- Difficult to gather legally adequate evidence of discarding needed to make a successful prosecution
- Level of fines too low to deter fishers from discarding
- Not enough resources (inspectors, ships or aircraft) to enforce this obligation
- Obstruction by fishers, preventing observation of discards
- Implementation rules are unclear
- Not possible to detect where exemptions apply
- Not possible to detect where permissible discard limits are exceeded (for de minimis exemptions)
- Logbook records of discards are inaccurate or cannot be checked for verification
- Undersized fish are still being landed and marketed for purposes for direct human consumption
- Increased selectivity is hard to attain in specific fisheries (name the fisheries)
- Other - please specify in the text box below

**Q9a. Which good practice or innovative tools could address these challenges in implementation and control?**

*3000 character(s) maximum*

The NWWAC would like to highlight that achieving a culture of compliance depends, to a large extent, on the buy-in of those affected by the CFP and related regulations. The existence of anomalies and contradictions between different regulations will also negatively affect the culture of compliance and contribute to uncertainty with regard to which rules apply and how they apply (for example, the clash between the landing

obligation and article 27 of the Technical Measures Regulation on catch composition rules). Developing and maintaining a culture of compliance requires a regulation that is enforceable, doable and understandable. It also requires transparent information from the competent authorities and strong communication with interested stakeholders.

The NWWAC agrees that there is a need for fully documented fisheries and for full control of high-risk vessels. The risk categories, however, should be defined (the revision of the fisheries control system should clarify how this should be achieved). Assuming that high-risk vessels can be identified, the NWWAC suggests that in order to ensure the detailed and accurate documentation of catches of all fishing trips, tools should be selected which are cost effective and appropriate to those vessels. Such tools could include observers, closed circuit television (CCTV), VMS, sea, air and onshore controls, amongst others.

The NWWAC recommends that dedicated programmes to measure compliance should be implemented to assess

compliance with the landing obligation and that appropriate methodologies for data gathering and analyses are developed allowing for a compliance evaluation process.

As an element of remote electronic monitoring, CCTV may be seen as a controversial tool by some fishers. As such, the NWWAC suggests that good communication is needed to ensure buy-in on the use of this technology by the industry. Additionally, the use of CCTV and the distribution of footage must comply with EU and national privacy laws.

The NWWAC emphasises that there is a lack of harmonisation between sanctioning systems within and between Member States. The NWWAC is of the opinion that transparency on fisheries control and sanctions is required if competent authorities want to align the level of sanctions that they are imposing, and that this could help overcome inequalities in the treatment of fisheries infringements at EU level. Harmonising the level of sanctions between Member States by ensuring that they are all effective, dissuasive and proportionate will take away a sentiment of inequality and thus reduce the risk of non-compliance.

The NWWAC would also like to stress the need for equitable (i.e. a level-playing-field) sanctioning of third countries operating in EU waters.

## **Q9b. What further pilot projects (if any) should be conducted to explore methods for avoiding, minimising or eliminating unwanted catches?**

*3000 character(s) maximum*

The NWWAC recommends that the following innovations in fishing techniques/gears are taken into account:

- Escape corridor – counter-herding device to reduce fish catches in multi-rigged Nephrops trawls. Further testing required in Irish Sea with a view to reducing whiting catches.
- Illuminated raised fishing line – Green LED lights placed on the raised fishing line in the Celtic Sea substantially reduced catches of haddock. This gear is still under development.
- Dual codend – adopted by elements of the Irish Nephrops fleet to effectively separate Nephrops from fish catches allowing appropriate codend mesh sizes and orientations to be used for each.
- In the Celtic Sea and in the Bay of Biscay, tests are being carried out through the CELSELECT project on different fishing devices that limit unwanted catches while preserving the economic efficiency of the activity.
- The REDRESSE project has made it possible to test a large number of devices on different gears in the Bay of Biscay (bottom trawlers, pelagic trawlers, Danish seine). The OPTISEL project, funded by the EMFF and FFP, identified three areas of work in order to improve selectivity, reduce unwanted catches and reduce pressure on marine ecosystems.
- The CAPS project helps fishers to test or modify gears that are nearly adopted by the sector or that are already used on other maritime areas.

### **Q9c. Which incentives in the CFP Regulation are the most relevant and successful?**

*With incentives we mean, including those of economic nature such as fishing opportunities) that promote fishing methods which contribute to more selective fishing, the avoidance and reduction (as far as possible) of unwanted catches and fishing with low impact on the marine ecosystem and fishery resources.*

*3000 character(s) maximum*

Article 14 of the CFP states that, in order to facilitate the introduction of the obligation to land all catches, Member States may conduct pilot projects, based on the best available scientific advice and taking 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 incentivized research on more selective fishing methods and promoted the prioritization of measures which minimise the amount of unwanted catches, ensuring survivability of fish escaping the net.

### **Q9d. How do you see your role and the role of other stakeholders in implementing and monitoring the landing obligation?**

*3000 character(s) maximum*

Stakeholder consultation, especially the consultation of the Advisory Councils, should be a priority for Member States Regional Groups when implementing the landing obligation. Many aspects of day-to-day fishing operations are complex and require a thorough knowledge and understanding of the practical implications that any regulation would have on the operational process. As well as the evaluation of the different fleets, the risk assessment would benefit from stakeholder input as, in practice, the smallest changes to the gear (e.g. mesh) could have a large effect on the catch composition. The Advisory Councils are excellently suited to advise the regional Member States on these effects, given the expertise represented, in accordance with article 14 of the CFP, including local professional organizations and all other actors in the fisheries sector.

The NWWAC recognises the importance of monitoring and control and is committed to supporting the NWW Member States Group and the Commission in the successful implementation of the landing obligation. Accordingly, the NWWAC regularly provides advice on joint recommendations produced by the MSG on technical measures and discard plans and on choke risks in the NWW. The NWWAC emphasises the continued need for good communication and recommends strengthening collaboration between the Member States and the AC.

Moreover, the AC has also recently engaged with EFCA and the NWW MS Control Expert group in a workshop on the control, monitoring and enforcement on the landing obligation. Such collaborations should be maintained and promoted.

Finally, NWWAC members have also been involved in several research projects and gear trials aiming at developing and implementing more selective fishing techniques. Moreover, the fisheries sector engages in collaborative partnerships with scientists and MS authorities on fisheries data collection supporting the provision of scientific proof justifying the need for exemptions to the landing obligation for certain fisheries.

*Scientific Advice*



As highlighted in the CFP Regulation, fisheries management and conservation measures must be adopted that take into account the best available scientific, technical and economic advice. Sound advice requires harmonised, reliable and accurate data sets.

As outlined in recital 49 of the Regulation, policy-oriented fisheries science should be strengthened by means of:

- nationally-adopted, regionally-coordinated scientific data collection
- research and innovation programmes implemented in coordination with other Member States and within EU research and innovation frameworks.

When proposing new fisheries rules and regulations or reviewing those existing ones, the European Commission seeks the best available scientific advice from several scientific bodies. Data collected by EU countries under the [data collection framework](#) form the basis for the work of these **scientific advisory bodies**. This framework outlines the EU countries' obligations to collect, manage and make available a wide range of fisheries and aquaculture data needed for scientific advice.

Short-term needs for additional knowledge can be addressed through Commission-funded scientific advice studies (through calls for tenders and calls for proposals). Long-term research projects related to fisheries management receive support under EU research framework programmes. The new funding programme [Horizon Europe](#) includes a new approach – a mission on healthy oceans, seas, coastal and inland waters. The scientific advisory bodies consist of:

- the Scientific, Technical and Economic Committee for Fisheries ([STECF](#))
- the International Council for the Exploration of the Sea ([ICES](#))
- the Regional fisheries management organisations ([RFMOs](#))
- regional fisheries bodies, e.g. the General Fisheries Commission for the Mediterranean ([GFCM](#)).

The advisory councils may help, in close cooperation with scientists, to collect, supply and analyse the data necessary for developing conservation measures. Better cooperation between stakeholders and scientists is important to foster. Moreover, the Commission processes and manages data to support knowledge-based decision making ([EMODNET](#) and [Atlas of the Seas](#)).

#### **Q10. Do you see a need to further strengthen the scientific basis for fisheries management? (you may tick more than one)**

- No, the current level of science advice is adequate
- No, we already spend too much on science advice and give it too much importance
- We should widen and simplify access to fisheries data
- Yes, we need more precise measurement of fish stocks
- Yes, we need better knowledge of collateral impacts of fishing
- Yes, we need better measurement of mixed fisheries questions
- Yes, we need more coverage of science advice (more fleets, more areas, more species)
- Yes, we need a better survey of fishers' opinions.
-

Other – please explain in the text box below.

Please specify "other"

*3000 character(s) maximum*

Ecosystem data (including socio-economic data) and genetics data.

Genetic research offers a diverse collection of useful tools for informing fisheries managers in relation to stock structure and mixed-stock fisheries. The involvement of geneticists in stock assessment groups could also support the incorporation of already available genetic information into management. The Data Collection Framework could provide a platform to integrate genetic data into EU fisheries management.

Overall, the lack of data for certain stocks is negatively impacting stock assessments and management, with potential impacts on catch advice and resulting fishing opportunities. The ICES advisory plan also recognises this as a quality assurance issue. The NWWAC recommends that managers ensure a full implementation of the Data Collection Framework to improve data collection and provide a robust basis for sustainable fisheries management in line with the CFP.

**Q10a. If ticked yes, please specify the specific data needs or governance questions that would need to be covered for this further strengthening**

*3000 character(s) maximum*

The NWWAC recognises that there are many pressures on the marine environment, for example climate change, pollution and other consequences of human activities, which pose a synergistic threat to marine ecosystems and their ability to deliver services such as food production and climate impact mitigation. 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.

When developing fisheries advice, focusing exclusively on fishing pressure will not lead to the expected effects of sustainable management in the long term. Instead, by taking into account all the variables that have an effect on a stock (climate change, pollution and other anthropogenic impacts), it will be possible to better estimate its mortality rate and achieve long-term visibility for the sector and the marine environment. Therefore, scientific advice should include data from the entire ecosystem, including socio-economic and climate change data.

NWWAC members have been directly involved in ICES WKIrish workshops since their inception. WKIrish proposes to use relevant ecosystem indicators to calculate the FMSY and has identified a route by which ecosystem information can be incorporated into the current single species assessment process. Highlighting the significant advances made throughout the WKIrish process, the AC recommends that ecosystem-based fishing mortality reference points (FECO) are incorporated as an option in the catch scenario table for each stock. Similarly, the AC advises taking into account the results of the DAMARA project, which aimed at developing a mixed-fisheries management plan for the Celtic Sea. The AC also recommends following the work of the SEAwise project, which started in October 2021 and will address the key challenge preventing implementation of a fully operational European Ecosystem Based Fisheries Management.

Moreover, in its advice on 2022 Fishing Opportunities, the NWWAC has raised issues of stock identification explaining how uncertainty around the degree to which two or more stocks of the same species are mixed may frustrate the stock assessment process. Mixing can also lead to problems with the setting of limit reference points and issues around management decisions due to mismatch between stock and TAC management areas. Currently, members are especially concerned about cod 6a, cod 7a, haddock 7a, sole 7h–k and plaice 7h-k. According to ICES, the identification of the spatial boundaries of exploited stocks is a fundamental requirement before any assessment or modelling can be contemplated, and therefore lies at the

very basis of resource management. NWWAC members agree that this problem may best be tackled using genetic identification of samples taken from zones where mixing is known to occur.

**Q11. Do you see any opportunity to use new technologies or know any good practices (e.g. in governance) or innovations that could help improve data collection and help deliver best available scientific advice?**

- Yes
- No

Please explain

*3000 character(s) maximum*

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 that 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.

## Fishing opportunities

Articles 16 and 17 of the Regulation describe **how fishing opportunities are allocated**. In particular, Article 16(6) sets out that each Member State must decide how the fishing opportunities that are available to it, that are not subject to a system of transferable fishing concessions, may in turn be allocated to vessels flying its flag.

Furthermore, Article 17 stipulates that when allocating the fishing opportunities available to them, Member States must use transparent and objective criteria including those of an environmental, social and economic nature.

**Q12. Do you consider that Member States implement the requirements set out in Articles 16 and 17 in a satisfactory manner? Please explain.**

- Yes
- No

Please explain

*3000 character(s) maximum*

The NWWAC wishes to mention the STECF report on the Social dimension of the CFP (STECF-20-14) which collected a lot of useful information about the criteria used for allocation of quota. One thing that was found was that, since Article 17 was introduced, there has not been any major change in the allocations across Member States. In addition, there are no clear trends, and no two Member States use the same system or even mix of criteria, creating a very complex situation. The report from the Expert Working Group also identified that there was a lack of quantitative and qualitative data to carry out an assessment of the

social impact (probably because the collection of social data is still in its infancy). NWWAC members find that the implementation of Article 17 in may come in contradiction with Article 15. Further analysis is required on how such a contradiction can be avoided during the CFP implementation.

### *Management of fishing capacity*

This aspect is included in the list of conservation measures (Article 7 of the CFP Regulation). Under Article 22 of the Regulation, Member States must adjust their fleet's fishing capacity to their fishing opportunities over time to achieve a stable and long-term balance between them. For this, Member States assess the capacity of the national fleet and all its segments. This assessment is made in line with [Commission guidelines](#) and is presented in an annual report sent to the Commission by 31 May each year.

Where the assessment clearly demonstrates an imbalance, the Member State prepares an action plan for the fleet segments with identified structural overcapacity. This plan sets out the adjustment targets and tools to achieve a balance and a clear time frame for its implementation.

Annually, as part of the Communication launching the consultation on fishing opportunities, the Commission presents a report on the balance between the fishing capacity of the Member States' fleets and their fishing opportunities

### *Capacity ceilings*

Furthermore, Article 22(7) of the CFP Regulation stipulates that the capacity ceilings (in overall gross tonnage and kilowatt) set out in Annex II of the Regulation must not be exceeded. An important instrument to prevent fishing capacity from increasing is the entry/exit scheme (Article 23) which sets out that the entry into the fleet of new capacity without public aid is compensated for by the prior withdrawal of capacity without public aid of at least the same amount.

The Commission [evaluated](#) the scheme in 2019. Moreover, fishing capacity corresponding to the fishing vessels withdrawn with public aid must not be replaced (Article 22(6)). For more information on the EU fishing fleet, see the [EU fishing fleet register](#).

**Q13. Is the current annual assessment and reporting provided for by Article 22 of the CFP Regulation effective in achieving a stable and long-term balance between the capacity of national fleet segments and the fishing opportunities available to them?**

- Yes
- No

**What could be improved within the current legal framework?**

*3000 character(s) maximum*

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, technical and environmental 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 NWWAC recognises and welcomes the long-term progress made overall towards more sustainable EU

fisheries reflected in the Commission's Communication COM(2021)279, specifically in the North East Atlantic. The NWWAC notes the reported further decrease in the number of vessels and thus a further reduction of Member States' capacity ceilings in GT and kW as per the CFP. Still the conclusion reported in the Communication is that the majority of the assessed fleet segments is not in balance with the Sustainable Harvest Indicators (SHI). Member States are therefore reminded to establish an action plan around this. The NWWAC considers that it would be useful to engage stakeholders in the establishment of the relevant NWW stocks SHIs. We look forward to receiving all relevant information to enable us to prepare advice on the action plans requested from the Member States.

NWWAC members would like to point out that, with the UK's departure from the EU, the consequent transfer of fishing opportunities to the UK should be taken into account when assessing the balance between fishing capacity and fishing opportunities. Moreover, while the Communication COM(2021)279 mentions the impacts of the COVID-19 crisis, it is not clear yet what the repercussions for the recovery will be on the fleet balance. The NWWAC recommends that further analysis is carried out on the topic and the abovementioned issues are addressed. The NWWAC also considers that adequate management of fishing opportunities by Member States could play a relevant role in achieving a good balance between capacity and opportunities for the fleets.

**Q14. How do you consider current fishing capacity compared to the available fishing opportunities in each of these areas?**

Enter 1= far too low, 2 = too low, 3 = about right, 4 = too high, 5 =far too high; or 'I do not know'

|                                  | Pelagic fisheries | Demersal fisheries |
|----------------------------------|-------------------|--------------------|
| Baltic Sea and Kattegat          |                   |                    |
| North Sea, Skagerrak and Channel |                   |                    |
| Celtic Seas                      |                   |                    |
| Bay of Biscay                    |                   |                    |
| Macaronesia (Canaries)           |                   |                    |
| Macaronesia (Azores)             |                   |                    |
| Western Mediterranean            |                   |                    |
| Central Mediterranean            |                   |                    |
| Eastern Mediterranean            |                   |                    |
| Black Sea                        |                   |                    |

**Q15. Member States can decide themselves on how to design the entry/exit scheme at national level. Please indicate whether:**

- The situation should remain unchanged
- More guidance is needed from the Commission on the best ways to implement the scheme

## Aquaculture

---

Aquaculture, unlike fisheries, is not an exclusive EU competence. However, the EU is still involved, applying rules to aquaculture activities such as those ensuring environmental protection or human and animal health.

In addition, in 2013, the Commission adopted non-binding strategic guidelines for the sustainable development of EU aquaculture. These served as the basis for EU countries to develop specific national strategic plans for aquaculture. The Commission works with EU countries through the 'open method of coordination' to promote the exchange of good practice among EU countries, including through technical seminars.

In 2021, the Commission adopted new [strategic guidelines](#) and EU countries reviewed their national strategies in light of the new guidelines. The [European Maritime, Fisheries and Aquaculture Fund](#) (2021-2027) will continue to make funding available for EU aquaculture.

**Q16. Has the system of strategic coordination established in Article 34 of the CFP Regulation, and in particular the [strategic guidelines for a more sustainable and competitive EU aquaculture](#) and the multi-annual strategic plans, contributed to the sustainable growth of EU aquaculture as set out in Article 34 of the CFP Regulation?**

- Yes
- No

**Q17. How can the [strategic guidelines for a more sustainable and competitive EU aquaculture](#) adopted in 2021 be effective in further pursuing the sustainable growth of EU aquaculture in line with the objectives of the European Green Deal?**

*3000 character(s) maximum*

---

Regional cooperation on conservation measures – Regionalisation

---

The CFP recognises that dialogue with stakeholders has proven to be essential for achieving the CFP objectives. The 2013 CFP reform introduced a regionalised approach for the CFP. This entails a bottom-up approach to governance enabling:

- consultations with stakeholders via the advisory councils;
- enabling stakeholders to become involved in and take ownership of the CFP implementation process via the Member States (regional and expert groups), and the regional coordination groups under the [data collection framework](#).

In addition, the CFP Regulation aims to ensure more control at regional and national level.

Regionalisation allows EU countries with a management interest to propose detailed measures, which the Commission can then adopt as delegated or implementing act and transpose them into EU law (Article 18 of the CFP Regulation).

In 2018, the Commission published [guidance on Article 11](#) of the Regulation on adopting conservation measures for Natura 2000 sites and for the purposes of the Marine Strategy Framework Directive, providing for good practices already to be considered in this process.

### *Technical Measures Regulation*

This topic has already been extensively discussed with you as a stakeholder in the context of the recently published Commission [report on the implementation of the Technical Measures Regulation](#). This report specifies that the Technical Measures Regulation introduced results-based approaches supported by 'regionalisation', setting out the general rules that apply to all EU waters, and provided for the adoption of technical measures that respond to the regional characteristics of fisheries.

This results-based regionalisation approach was conceived under the CFP in order to bring decision-making closer to the fishers. It also encourages Member States and the fishing sector to play an active role in making and implementing decisions. The variety of joint recommendations already put forward demonstrates that regionalisation can be effective and suitable for providing targeted and tailor-made technical measures.

Member States have demonstrated that regional cooperation can be swift and efficient. However, improvements are needed in terms of speed and ambition when it comes to developing and agreeing joint recommendations on measures aimed at improving selectivity or restricting fisheries in order to contribute to EU environmental legislation.

### *Overview of regionalisation*

Another initiative in which the advisory councils and the Member States regional groups have been consulted is a study currently being carried out by DG MARE and CINEA to provide a comprehensive overview of how the regionalisation process works under the CFP. This initiative also covers the joint recommendations put forward by Member States specifying the details of how the landing obligation is being implemented, as well as the conservation measures necessary for compliance with obligations under EU environmental legislation.

Specifically raised in Article 3 of the CFP Regulation on principles of good governance was:

- the appropriate involvement of stakeholders, in particular advisory councils, at all stages – from conceiving to implementing the measures;



- the importance of taking into account the regional characteristics, through a regionalised approach.

While the regionalisation approach under the CFP has been applied to shaping and refining regional measures within the EU, it does not include third countries (e.g. Norway, United Kingdom, southern Mediterranean countries such as Morocco and Algeria) in this decision-making process. This can pose particular challenges for the Commission who represents the EU in international consultations and negotiations for fisheries both in terms of timing and content.

**Q18. To what extent (1 to 5) have the changes to a more regionalised approach to EU decision and policy making improved the CFP's implementation?**

|   | 1.<br>Not at all      | 2.<br>Poorly                     | 3.<br>Moderately                 | 4.<br>Incompletely               | 5.<br>Fully           | I don't know          |
|---|-----------------------|----------------------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|
| On collecting data on commercial fish stocks                                      | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| On monitoring incidental catches of sensitive species and impacts on habitats     | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| On implementing the landing obligation  | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| On implementing the technical measures  | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| On implementing Natura 2000 areas and other measures under the Habitats Directive | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| On implementing measures under the Marine Strategy Framework Directive            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| Other - please explain  | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |

**Q19. Would you see the need for further improving the decision-making process?**

- Yes
- No

Please specify examples of good practice, and possible governance improvements within the existing legislative framework.

*3000 character(s) maximum*

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. The NWWAC also recommends that further cooperation is fostered between technical fisheries representatives of the Regional MS Groups with the technical environmental counterparts. This collaboration should be extended to include the ACs, who, in addition, need to be enabled to exchange views directly with representatives from DG ENV in conjunction with the relevant technical representatives from DG MARE.

How would you see your role in the frame of the Member States regional groups?  
Would you see a need for stepping up the involvement of the various stakeholders in the frame of the Member States regional groups?

*3000 character(s) maximum*

Close cooperation between the NWWAC and the Regional Member States' Group is crucial 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.

Finally, the NWWAC considers that it should have a role broader than just advisory in 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 considerations by the Member States Group to eventually find the best option to collaborate and implement them, integrating both the MS Group's and the AC's work programme.

**Q20. How can regionalisation feed into consultations with neighbouring third countries where necessary to take effective measures for stocks of common interest? Please give examples of good practice that you have encountered.**

*3000 character(s) maximum*

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.

## External dimension

---

### International ocean governance agenda

In 2016, the European Commission and the EU's High Representative for Foreign Affairs and Security Policy presented a joint communication on international ocean governance. This is an agenda for the future of our oceans, specifying 50 actions for safe, secure, clean and sustainably managed oceans in Europe and around the world under 3 policy pillars. The communication is an integral part of the EU's response to the United Nations' 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 14: 'to conserve and sustainably use the oceans, seas and marine resources' (SDG14). It also contributes to the European Green Deal. We will revamp the 2016 International Ocean Governance Agenda by tabling a Joint Communication setting out an action plan on international ocean governance, addressing key threats such as pollution, climate change impacts and biodiversity loss. It will send a strong message that the EU is leading on the implementation of global commitments, as set out in the 2030 Agenda on Sustainable Development Goals.

In 2020, the EU launched the International Ocean Governance (IOG) Forum and a targeted consultation, to assess development needs and options for action in light of today's challenges and opportunities in international ocean governance. The Commission recently published a [summary of this consultation](#). There are no questions in this questionnaire regarding international ocean governance. However, the EU has continued to implement its agenda on international ocean governance for the conservation and sustainable use of oceans and seas. Some of its central components are the promotion of sustainable

fisheries beyond EU jurisdiction in international fora and bodies and through bilateral relations, and the fight against illegal, unreported and unregulated (IUU) fishing. It is based on international rules and obligations, and CFP principles and objectives, together with some specific objectives, such as policy coherence and promoting a level playing field.

## Preventing harmful fishing practices

The international dimension of the CFP focuses on three areas:

- to **prevent, deter and eliminate illegal, unreported and unregulated fishing** ([IUU Regulation](#)). By doing this, it actively supports the reforms of fisheries controls by partner countries to effectively fight against IUU fishing in line with their international obligations to ensure compliance with conservation and management measures.
- Through **sustainable fisheries partnership agreements** (SFPAs), the EU gives support to fisheries management and control in partner countries in exchange for fishing rights. As a member of the World Trade Organization, the EU remains strongly committed to reaching an agreement to prohibit harmful fisheries subsidies.
- The EU, represented by the Commission, plays an active role in the **regional fisheries management organisations** (RFMOs). These organisations regulate regional fishing activities in the high seas.

In 2021, a public and targeted stakeholder [consultation](#) was conducted for the SFPAs and therefore they are not covered by this questionnaire.

Beyond its involvement in RFMOs and SFPAs, the EU is also bound by Article 33 of the CFP Regulation to engage with third countries on stocks of common interest in order to ensure that those stocks are managed in a sustainable manner. In particular, the EU will endeavor to establish bilateral or multilateral agreements with third countries on joint management of stocks, including:

- the establishment, where appropriate, of access to waters and resources and conditions for such access
- the harmonisation of conservation measures
- the exchange of fishing opportunities.

Each year, the Commission, on behalf of the EU, engages in such bilateral or multilateral negotiations, e.g. with Norway, the United Kingdom, the Faroe Islands and other coastal countries.

## Q21. How could the EU further improve the performance of the RFMOs in sustainably managing fisheries resources?

*3000 character(s) maximum*

The NWWAC believes that promoting cooperation between RFMOs could be beneficial to sustainable fisheries management especially in terms of exchanging scientific data on climate, fisheries and ecosystems. Moreover, fostering collaboration between RFMOs and Regional Seas Conventions (RSCs) through already-established cross-sectorial initiatives, including the Sustainable Ocean Initiative Global Dialogue within the framework of the UN Convention on Biological Diversity, could also play an important role in identifying priority actions and in implementing effective management and conservation frameworks.

**Q22. To what extent (1 to 5) are RFMOs well equipped to face the challenges of climate change and protection of ecosystems, pollution, alien species, etc.? All these new factors are influencing the management of fisheries.**

|      | 1. Not at all         | 2. Poorly             | 3. Moderately                    | 4. Incompletely       | 5. Fully              | I do not know         |
|------|-----------------------|-----------------------|----------------------------------|-----------------------|-----------------------|-----------------------|
| Q22. | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Please explain

*3000 character(s) maximum*

Fishing agreements with neighboring third countries should be binding. With many of the targeted stocks in the North Sea and the North-East Atlantic shared across boundaries, it is important that these continue to be jointly managed through bilateral and trilateral agreements based on science and mutual cooperation.

As a consequence of Brexit, the bilateral consultations with the UK have become a key step towards setting Fishing Opportunities for the 75 shared fish stocks, whose majority are in the NWW. 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. 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. We urge the Commission to plan 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.

Enhanced cooperation is needed with the UK regarding technical measures in the framework of the TCA to ensure that technical measures taken by the UK are proportionate, non-discriminatory, based on best scientific advice and in line with EU sustainability objectives.

**Q23. Do the SFPA's ensure that the CFP objectives are achieved?**

- Yes
- No
- Partly

**Q24. To what extent (1 to 5) is the EU position in its negotiations with third countries like Norway or the UK aligned with the CFP principles?**

|      | 1. Not at all         | 2. Poorly             | 3. Moderately         | 4. Incompletely       | 5. Fully              | I do not know         |
|------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Q24. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

## Market and trade (common market organisation)

---

The common organisation of the EU's fisheries market strengthens the role of the actors on the ground: consumers receive information on the products sold on the EU market, and operators apply the same rules, regardless of the product's origin. The [Common Market Organisation Regulation](#) covers five main areas:

- 1) organisation of the sector
- 2) marketing standards
- 3) consumer information
- 4) competition rules
- 5) market intelligence.

As regards market intelligence, the Commission set up the [European Market Observatory for Fishery and Aquaculture](#) products to contribute to market transparency and provide market intelligence to all actors across the sector including policy makers.

The Commission must provide a report on the results of the application of the Common Market Organisation Regulation by 31 December 2022, and will be covered separately from the 2022 CFP report. There is also a [separate consultation](#) on this subject.

## Structural policy and support: EU funding

---

By 2024, the Commission will have evaluated the 2014-2020 [European Maritime and Fisheries Fund](#). Therefore, no specific questions on this fund are included in this questionnaire.

The 2021-2027 [European Maritime, Fisheries and Aquaculture Fund](#) (EMFAF) is a key instrument for implementing the CFP and achieving its objectives. The EMFAF has 4 priorities:

- 1) fostering sustainable fisheries and restoring and conserving aquatic biological resources
- 2) fostering sustainable aquaculture activities, as well as processing and marketing fishery and aquaculture products, therefore contributing to food security in the EU
- 3) enabling a sustainable blue economy in coastal, island and inland areas, and fostering the development of fishing and aquaculture communities
- 4) strengthening international ocean governance and ensuring seas and oceans are safe, secure, clean and sustainably managed.

The EMFAF is currently in its programming phase, with Member States finalising their national programmes. This phase has been accompanied by the [regional sea basin analysis](#). This document aims to provide Member States with a sea basin perspective of the key CFP challenges that need addressing through EMFAF funding.

**Q25. Can you share examples of good practices or projects supported by the EMFF or that could be supported by the EMFAF to help achieve the objectives of the [European Green Deal – ‘fit for 55 delivering EU’s 2030 climate targets’](#)?**

*3000 character(s) maximum*

**Q26. How do you see the role of public investment encouraging innovation and strengthening resilience in fisheries and aquaculture, in particular at local level?**

*3000 character(s) maximum*

Public investments through EMFAF for fishers is very important due to the lack of visibility fishers have on the future of their activity. Lack of visibility does not encourage the sector to invest the necessary innovation to improve its sustainability. The difficulties of negotiations with the UK and Norway are good examples of this reality. Fishers cannot estimate their activity in the long term and therefore cannot estimate if their investment will come back to them in the future. Purely economically, if there is instability, there is no incentive to invest in a sector. Therefore, public investment is important to encourage fishers to invest in more sustainable fishing practices.

## Q27. Can you suggest projects that the EMFAF could support to facilitate generational renewal in the fishing and aquaculture sector?

*3000 character(s) maximum*

## Blue Economy

---

The European Green Deal and the Recovery Plan for Europe will define the EU economy for many years, or even decades to come; and the EU's blue economy is fundamental to the efforts of both.

The blue economy, like every other sector, adheres to the European Green Deal, and is also indispensable in order to meet the EU's environmental and climate objectives. After all, the ocean is the main climate regulator we have. It offers clean energy and sustains us with oxygen, food, and many critical resources. To fully embed the blue economy into the Green Deal and the recovery strategy, the Commission has adopted [a new approach for a sustainable blue economy in the EU](#).

Many activities take place in Europe's seas. At any given time, fishing, aquaculture, shipping, renewable energy, nature conservation, touristic activities and other uses compete for maritime space. Various initiatives under the European Green Deal and the biodiversity strategy affect the (future) use of the sea, for example:

- the [EU strategy on offshore renewable energy](#)
- the [strategic guidelines for a more sustainable and competitive EU aquaculture](#)
- the extension and effective management of [marine protected areas](#).

That is why the EU has a [Directive on Maritime Spatial Planning](#) which provides transparency and stability, and encourages investment and cross-border cooperation, including in relation to offshore wind energy developments. It lays down minimum requirements for the planning process and the maritime spatial plans, including stakeholder and transboundary consultation requirements.

The [European Maritime Spatial Planning Platform](#), financed by the EMFAF, provides information on existing practices, processes and projects, carries out technical studies, and has a question and answer service.

Synergies between different human activities at sea come together in initiatives such as a European Blue Forum, as announced in the new approach for a sustainable blue economy.

## Q28a. In what way do you see the synergies between the different human activities at sea, specifically between those activities falling under the CFP Regulation and the Maritime Spatial Planning Directive?

*3000 character(s) maximum*

Marine space is overall under increasing pressure from human activities. Traditionally, the activities taking place in oceans and seas were related to fishery 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. Therefore, effective coordination is required under marine spatial planning (MSP). The Blue Economy should contribute to the European Green Deal (with particular regard to greenhouse gas emissions, circular economy, sustainable food systems and biodiversity) and become truly sustainable from an environmental, economic and social perspective.

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 the on-shore activities. A coordinated approach and standards to include in the environmental impact assessments the relative weight of each human induced economic activity in the marine environment 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.

## 28b. Does the current EU legislation framework encourages such synergies to take place?

- Yes
- No

## Is there anything missing?

*3000 character(s) maximum*

Efforts are still needed to improve synergies and addressing tensions between the main policy drivers of 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.

## Q29. Is the current legislative framework sufficient to ensure that maritime space is used in such a way that helps achieve the objectives of the European Green Deal (e.g. sustainable seafood, sustainable energy, nature conservation and restoration)?

*3000 character(s) maximum*

The ambitious targets for development of offshore renewable energy development will mean increasing competition for space particularly in nearshore waters and could potentially hamper the objectives of achieving good environmental status. We need ocean energy for climate neutrality, but we need to make sure that its implementation does not harm marine resources and as a consequence the sectors that depend on those. According to research studies, there are major environmental concerns related to offshore energy, such as noise levels, changes to benthic and pelagic habitats, alterations to food webs, release of



contaminants from seabed etc. In addition, there are possible social impacts that derive from closure of fisheries areas and loss of fishing opportunities. These are further exacerbated by the potential loss of high effort fishing areas due to Brexit. These impacts need to be further investigated and solutions through inclusive maritime spatial planning, which balance all three pillars of sustainability (environmental, social and economic) need to be adopted. The Marine Spatial Planning Directive should take into adequate consideration the future infrastructural pressure at sea and actively support the application of the ecosystem-based approach to every human activity, in particular the deployment of offshore wind farms. MS with adjacent marine sea basins should step up collaboration on the impact of renewables on mobile marine species as seabirds.

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.

NWWAC members also wish to point at Other Environmental Conservation Measures (OECMs) and at their potential contribution to ecologically representative and effectively managed MPA systems integrated into broader governance systems such as marine spatial planning (Diz et al., 2018).

OECMs allow for a variety of sustainable use sectors to contribute to meeting conservation targets through their own area-based management initiatives. This is a very valuable opportunity whose implementation should be kept as flexible as possible, depending on the respective area specificities. Creating networks of MPAs and OECMs can result in more effective conservation overall. Recognizing OECMs as part of the MPAs network also makes conservation a multi-sectoral effort and explicitly acknowledges the needs of people (e.g., food security, income generation, livelihoods, cultural values).

### **Q30. What kind of impact have you experienced as a result of spatial planning initiatives or other human activities?**

- Positive
- Negative
- I do not know

## **Clean (& healthy) oceans**

---

This matter is linked to the [targeted consultation on the action plan to conserve fisheries resources and protect marine ecosystems](#) requesting the involvement in shaping the plan. The above-mentioned consultation will gather information and evidence on the current state of the conservation of sensitive species and habitats, and the availability and potential of innovative, more selective fishing gears and techniques. In addition, respondents are asked for input and suggestions on actions that could improve the way the relevant fisheries and environmental legislation are managed, implemented and governed.

Clean oceans are oceans free from any type of pollution. Main types of pollution are:

- eutrophication (excess of nutrients pollution/ agricultural runoffs)
- contaminants (pesticides, heavy metals, toxins) underwater noise (oil drilling, shipping)
- ocean acidification (atmosphere CO<sub>2</sub> dissolving in ocean)
- marine litter (plastic, wood, metal etc.).

To restore ocean health, the EU aims to regenerate and recover European marine ecosystems through actions to achieve cleaner marine waters, restore their rich biodiversity and make our blue economy climate

friendly. The 2030 biodiversity strategy under the European Green Deal and the upcoming EU nature restoration instrument play a key role in triggering these actions on the ground.

To help our oceans become clean and healthy, the CFP helps protect the marine environment, sustainably manage all commercially exploited species, and in particular achieve good environmental status for EU waters in line with the Marine Strategy Framework Directive's requirements. Clean oceans also mean more healthy and nutritious fish for people's plates.

More specifically on management measures under the CFP, the EU's efforts focus on, e.g.:

1. regulating fisheries to ensure fishing takes place at a sustainable level and to minimise negative impacts of fishing and aquaculture activities on marine ecosystems
2. [banning certain single-use plastic items and reducing the use of plastic in fishing gears](#)
3. encouraging ship operators to [deliver all waste to ports](#)
4. [improving the rules on reporting of lost fishing gear](#)
5. ensuring that the development of aquaculture in the EU does not significantly harm ecosystems and biodiversity.

Synergies between different human activities at sea come together in initiatives such as a European Blue Forum, as announced in the new approach for a sustainable blue economy.

## Clean oceans at international level

The Commission is also stepping up its commitment to the fight against marine litter at international level, including in the UN, G7, G20 and other international fora. It promotes regional cooperation with Regional Sea Conventions.

The Commission drives research to create innovative and impactful solutions for clean and healthy oceans. The [European Maritime, Fisheries and Aquaculture Fund](#) (EMFAF) also includes as a priority, helping to strengthen international ocean governance and enabling seas and oceans to be safe, secure, clean and sustainably managed. The EMFAF provides support to develop solutions for restoring and maintaining ocean health and tackling marine litter. The fund compensates fishermen for bringing ashore waste caught in their nets rather than dumping it back into the sea.

Questions related to how the CFP contributes to environmental legislation, and to implementing the [Technical Measures Regulation](#) and protecting sensitive species and habitats are not covered in this questionnaire. They are covered in the [consultation on the action plan to conserve fisheries resources and protect marine ecosystems](#) running in parallel.

### **Q31. What is the impact of pollution on the fishing- and aquaculture community?**

*Please select first which sector you want to answer for (both possible)*

- Fishing community
- Aquaculture community

Please answer Q31 for fishing community

*3000 character(s) maximum*

The serious, complex and ever worsening contamination of the marine environment has been an issue identified by the NWWAC, acknowledging that this requires immediate attention. Members of the NWWAC

have raised issues regarding the damaging effects the breakdown of plastics into micro and nano-particles are having on the sensitive marine ecosystem. The seafood sector depends on these ecosystems for providing great tasting, sustainable, healthy seafood and, importantly, as a secure food source for the citizens of Europe.

Land-based pollution of industrial, domestic or agricultural origin, including marine litter, nutrient and wastewater pollution, is introduced into the sea via waterways, either in a diffuse manner or in the form of large spills. While their impacts on coastal ecosystems are yet to be fully understood (except for nutrients pollution, causing eutrophication), achieving good ecological status of inland waters is a requirement for limiting these pressures. The European Environment Agency shows that 60% of these waters are still not in a good state and that the Water Directive has so far only allowed a relative improvement on this subject. Over the past years, the NWWAC has also paid careful attention to ongoing developments regarding the effects of seismic activities on fish stocks in the NWW. It is becoming increasingly clear that oil/gas exploration, wind farm construction and cabling are an important development in European offshore areas and the continuous growth of these sectors is to be expected. However, the impacts of these activities on fish behaviour, spawning grounds and larval development remain poorly understood by the scientific community. The NWWAC is concerned over these potential impacts given the importance of e.g. spawning grounds/burrows for the health of the stocks under its remit, especially in light of preliminary results from research on catch rates currently being carried out in Australia (<https://www.frdc.com.au/project/2019-072>). Other studies suggest a possible connection between seismic activities (“blasting”) and observed declines in zooplankton (<https://pubmed.ncbi.nlm.nih.gov/28812592/>). The NWWAC joined forces with the Pelagic Advisory Council in a joint Focus Group on impacts from seismic activities and offshore wind farms. As a result of this work, the advice on advice for non-recurrent request to ICES on seismic impacts was delivered to DG MARE in August 2020.

### **Q32. How do the fishing community and/or the aquaculture producers work on to protect oceans (from pollution)?**

*Please select first which sector you want to answer for (both possible)*

- Fishing community
- Aquaculture producers

Please answer Q32 for fishing community

*3000 character(s) maximum*

Plastic is the most widely used material on the planet. Nearly 80% of plastics entering the oceans comes from land-based sources. It has been acknowledged and must be emphasized that, despite being only a minor contributor to the problem on a global scale, the fishing industry is taking a proactive role in contributing to the cleaning up of our seas. Indeed, industry members of the NWWAC were called upon to recruit their vessels to put in place a “fishing for marine litter” (FFL) scheme to help remove these harmful contaminants. Moreover, it must be stated that the vast majority of fishing gear is not used just once but may have a life span of more than a decade with continual repair, reuse and repurposing. It would be beneficial for fishers to be involved in identifying new materials and designing new gear. While this is a long-term approach, short-term goals can be achieved through awareness-raising, which can be started immediately. Fishers’ knowledge should feed into establishing what type of research is needed to move things forward. One simple goal might be a move to fewer polymer combinations being used for gears, which may make them more easily recycled at end-of-life. In 2020 the NWWAC coordinated a multi-AC advice on the implementation of the Single Use Plastics Directive and operational aspects of the Fishing for Litter Scheme.

**Q33. What further initiatives and actions could be taken, within the CFP's current legal framework, to support the objectives of ensuring clean oceans within fisheries and aquaculture management? Do you have any examples of good practice that you would like to share?**

*3000 character(s) maximum*

The NWWAC would like to mention the Multi-AC advice on the implementation of the Single Use Plastics Directive and operational aspects of the Fishing for Litter Scheme (July 2020), which contains recommendations on initiatives and actions that could be taken to tackle the issue of marine plastic.

The NWWAC also 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.

## Social dimension

---

Under its objectives, the CFP Regulation sets out that *'... fishing and aquaculture activities....are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits (...)', and that the "...CFP shall, in particular, ... contribute to a fair standard of living for those who depend on fishing activities, ... taking into account socio-economic aspects'*.

The collection of specific social data began in 2019. This resulted in a [first report](#) by the Scientific, Technical and Economic Committee for Fisheries on social data in the EU fisheries sector. The report covered, in particular, the profiles of the EU fleet's workforce in terms of age, nationality, education and gender. The next report will be published in 2022 and should pave the way for a more refined analysis of the social dimension of EU fisheries. It should also provide the tools to better take into account social aspects when proposing measures on fisheries management.

The social dimension in fisheries also comes to the forefront in initiatives taken by the [EU social partners](#) such as the agreement which led to the International Labour Organization's 'Work in Fishing Convention' being introduced into EU law (Directive 2017/159). Other aspects concern:

- the training of fishers
- safety of vessels
- the attractiveness of the sector for young fishers
- the international dimension.

**Q34. What key social aspects should be taken into consideration when proposing/adopting fisheries management measures?**

*3000 character(s) maximum*

In November 2021 the NWWAC established a joint Focus Group with the North Sea AC on Social Aspects. The Focus Group aims at providing advice to the European Commission and Members States on opportunities to increase the attractiveness of the sector to all new entrants and on socio-economic consequences of management decisions, identifying potential improvements. The Group will also develop

advice on gender equality in the wider seafood sector and on the socio-economic viability of communities. Therefore, NWWAC recommendations in response to Q34 and Q35 can be expected in the future as a result of the Focus Group Social Aspect's work.

## **Q35. What initiatives should be taken to further strengthen the CFP's social dimension within its current legal framework?**

*3000 character(s) maximum*

### **Climate change**

---

The ocean-climate nexus is essential for the EU and forms an integral part of our policies, particularly the European Green Deal and the EU Agenda on International Ocean Governance. Both aspects i.e. mitigation and adaptation are crucial.

Strongly reduced greenhouse gas emissions need to be coupled with sustained and robust adaptation actions. The Commission proposed the EU's first ever Climate Law which enshrines our commitment to reaching climate neutrality by 2050. The EU also agreed to reduce greenhouse gas emissions by at least 55% by 2030. With regards to adaptation, the ocean is an integral part of our new [adaptation strategy](#), including fisheries and aquaculture.

From a fisheries and aquaculture perspective, climate change should then be looked at having in mind the two following objectives:

1. adapting the fisheries and aquaculture sector, as well as the overarching regulatory framework, to changes in climatic and environmental conditions
2. reducing greenhouse gas (GHG) emissions from the fisheries and aquaculture sector, to mitigate the scope of climate change.

DG MARE and CINEA contracted two studies on this topic to be delivered in 2022. The purpose of the first study is to:

- assess the resilience of the fisheries system to climate driven stress and investigate whether the current management regime under the CFP is robust
- evaluate to what extent fishing strategies for rebuilding stocks can help improve energy use and efficiency
- assess the potential for reducing fisheries GHG emissions by technical means.

The purpose of the second study is to:

- explore, via a case study approach, whether the value chain (post-harvest) can be made more resilient to impacts of climate change
- identify how operators in the value chain can improve their resource efficiency and reduce their emissions of GHG.

Another study DG MARE is launching will assess the potential of shellfish and algae to recycle nutrients and to estimate the greenhouse gas emissions generated by their production. With increasing changes in climate, there is still little understanding of the short and long term impacts on (commercial) fish stocks. However, any guidance must take into account potential changes in geographical distribution, change in biomass reference points, change in species relationships, changes in the abundance and diversity of non-indigenous species, as well as changes in productivity of a fish stock.

**Q36. What challenge(s) do you face or are you aware of in relation to climate change in EU fisheries and EU aquaculture?**

*Please select first which sector you want to answer for (both possible)*

- EU fisheries
- EU aquaculture

Please answer Q36 for EU fisheries

*3000 character(s) maximum*

The NWWAC advice on the impact of climate change on fisheries in the North Western Waters (May 2021) provides an overview on challenges and opportunities for fisheries in the NWW in relation to climate change, with specific references to NWW fish stocks.

Overall, climate change has several effects on fish, fish stocks and fisheries:

- Shifts in abundance and distribution of fish stocks as the ocean warms: both northern and southern fish stocks are projected to have higher rate by species' expansion from lower latitude as species find it easier to grow at higher latitude.
- Changes in phenology (timing of spawning and maturing) and body size occur as the water gets warmer: fish tend to mature earlier and at smaller sizes in warm water, which will also alter their distributions.
- Fish use more energy to live in warm water, with less energy allocated to growth and reproduction; acidification may also increase energy use.
- Storminess and extreme weather events, which have fundamental roles in shaping fishers' behaviour, increasing levels of physical risk, discomfort and trip profitability, besides increasing risks for coastal ecosystems.

**Q37. What are the possible solutions for fisheries and aquaculture to adapt to the changing environment, including in terms diversifying activities? Are there any good practices/ innovations that could help you overcome the challenges you mentioned above?**

*Please select first which sector you want to answer for (both possible)*

- Fisheries
- Aquaculture

Please answer Q37 for fisheries

*3000 character(s) maximum*

The NWWAC advice on the impact of climate change on fisheries in the North Western Waters (May 2021) 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

**Q38. How can the fisheries sector and the aquaculture sector further reduce their emissions? Are there any good practices/innovations that could help you overcome the challenges you mentioned above?**

*Please select first which sector you want to answer for (both possible)*

- Fisheries sector
- Aquaculture sector

Please answer Q38 for fisheries

*3000 character(s) maximum*

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 CO<sub>2</sub> 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 were related to the maritime sector and even fewer to the fishing sector.

In the case of a shift towards alternative fuels, several logistic 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.

More recommendations on alternative fuels and energy efficient engines can be found in the NWWAC letter to the Commission providing feedback on the initiative "CO<sub>2</sub> emissions of engines – methodology for their reduction", sent on 6 August 2021.

## Q39. What initiatives should be taken to further strengthen the CFP's climate dimension within its current legal framework?

*3000 character(s) maximum*

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.

### Any further comment?

---

Is there any further comment / information that you would like to share with us?

- Yes
- No

Please elaborate in the text box below, or upload a document

*3000 character(s) maximum*

In light of the assurances made at the Inter-AC meeting on 19 January 2022 regarding the format and timeline for Advisory Councils to respond to public consultations, the NWWAC suggests that this arrangement be formalised so that the engagement of the ACs in these consultations is fully transparent specifically regarding any deadlines.

Please upload your file(s)

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

### Contact

MARE-D3-CFP@ec.europa.eu



