



FAMENET

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CFP survey report

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1 Introduction

1.1 Background

In accordance with article 49 of the Common Fisheries Policy (EU Reg. No. 1380/2013), the Commission is required to provide a report to the European Parliament and to the Council on the functioning of the CFP by 31 December, 2022. The objective of the report is to address the functioning of the CFP and look at possible ways to strengthen its implementation.

In December of 2021, the European Commission (EC) launched a targeted consultation to ask CFP stakeholders to contribute to this report. The consultation, conducted via an online questionnaire, aimed to identify:

- successes and/or shortcomings of the CFP;
- any scientific evidence or supporting documents used to demonstrate these successes/shortcomings; and
- good practices, innovative tools, or processes implemented by stakeholders or the MS (MS).

The results of this questionnaire will provide the basis for more in-depth discussions at the regional level starting in April of 2022. This consultation process will conclude with an event held Friday 10 June 2022.

In January of 2022, DG MARE requested that FAMENET conduct an analysis and evaluation of the results of the online survey, and synthesise their findings into a report, delivered as an Ancillary Task (AT). The document in hand fulfils this request, summarising the findings of the online survey on the implementation of the CFP.

1.2 Purpose and target groups

The main objective of this report is to analyse and evaluate the results of the CFP report, to address the functioning of the CFP and to identify ways to strengthen its implementation, notably via the European Maritime, Fisheries Fund and the European Maritime, Fisheries and Aquaculture Fund ¹. To that end, the aims of this AT, as requested by DG MARE, are to:

- analyse the stakeholders' answers to the online questionnaire;
- present the overall findings of the survey in a meaningful way;
- gather important quantitative and qualitative data from stakeholders to measure the contribution of the EMFAF to the CFP; and
- strengthen the functioning of the CFP by identifying obstacles as well as progress.

The target group for this Ancillary Task is DG MARE representatives involved in the implementation of the EMFAF and the broader CFP.

¹ Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund; **and** Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund

1.3 Report structure

After this introductory chapter, Chapter 2 provides an executive summary. Chapter 3 describes the data retrieved from the survey, and Chapter 4 briefly describes the methodology used to evaluate the surveys. Chapter 5 presents the main findings of the survey, structured according to the structure of the questionnaire itself.

2 Executive summary

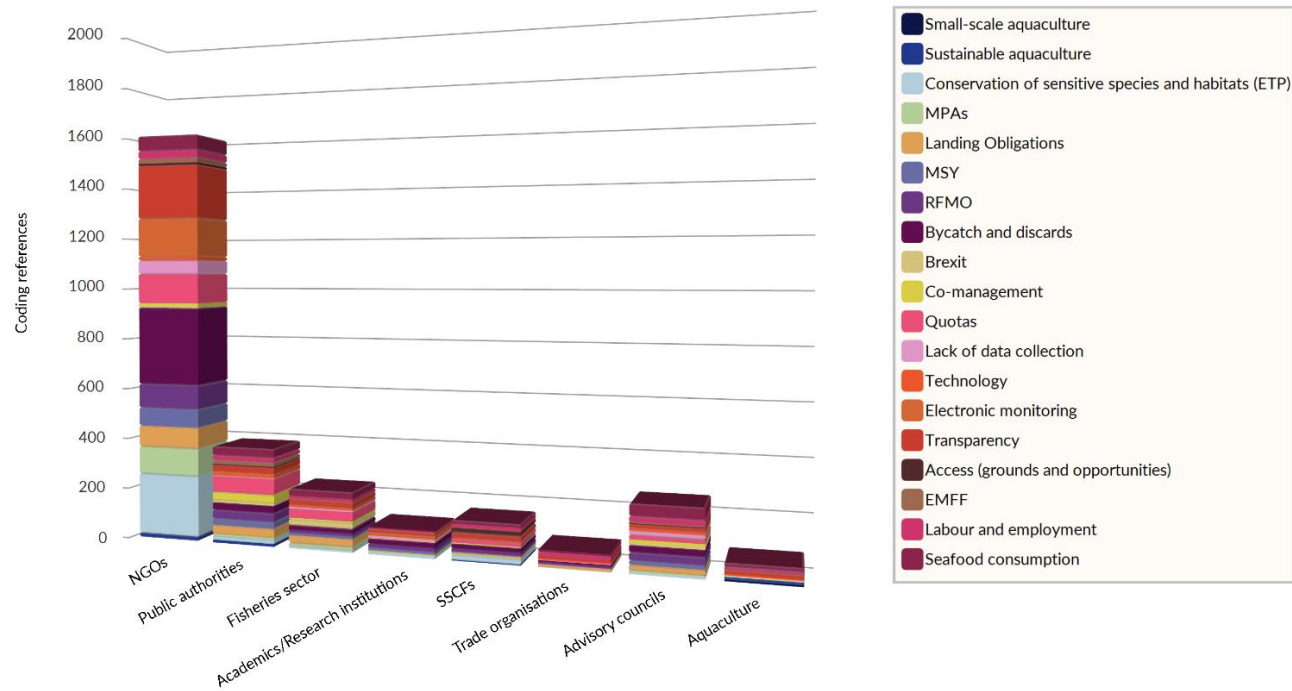
There were a very wide range of opinions expressed throughout the survey, and they varied considerably by type of organisation. Gathering relevant and valuable statistical information from long, open-ended qualitative responses posed a challenge, and to summarise the overall results and draw meaningful conclusions from the whole survey it was necessary to identify key recurring themes among the different types of groups surveyed.

Table 1: commonly discussed themes among the different types of organisations surveyed:

Respondent type	Themes (most prevalent)	Number of references	Cases coded
NGOs	<i>Bycatch and discards</i>	308	19
	<i>Conservation of sensitive species and habitats</i>	240	18
	<i>Transparency</i>	212	20
	<i>Electronic monitoring</i>	152	14
	<i>MPAs</i>	110	16
Public authorities	<i>Quotas</i>	63	11
	<i>Landing obligation</i>	36	13
	<i>Seafood consumption</i>	34	9
	<i>Co-management</i>	34	3
	<i>EMFF</i>	16	5
Fisheries sector	<i>Co-management</i>	34	3
	<i>Quotas</i>	38	7
	<i>Landing obligation</i>	31	7
	<i>Seafood consumption</i>	28	5
	<i>Brexit</i>	23	6
Academics/ Research	<i>Transparency</i>	22	7
	<i>Bycatches and discards</i>	24	4
	<i>MSY</i>	10	5
	<i>Leadership</i>	10	4
	<i>RFMO</i>	10	3
SSCFs	<i>Conservation of sensitive species and habitats</i>	9	5
	<i>Transparency</i>	21	5
	<i>Conservation of sensitive species and habitats</i>	20	4
	<i>Access to fishing grounds and opportunities</i>	19	2
	<i>Quotas</i>	17	3
Trade associations	<i>Seafood consumption</i>	14	3
	<i>Transparency</i>	7	2
	<i>RFMO</i>	7	2
	<i>Bycatch and discards</i>	5	2
	<i>Conservation of sensitive species and habitats</i>	2	1
Advisory councils	<i>MSY</i>	2	1
	<i>Seafood consumption</i>	44	5
	<i>RFMO</i>	29	4
	<i>Bycatch and discards</i>	28	3
	<i>Labour and employment</i>	22	4
Aquaculture	<i>Lack of data collection</i>	16	2
	<i>Seafood consumption</i>	13	2
	<i>Labour and employment</i>	12	2
	<i>Sustainable aquaculture</i>	11	3
	<i>Small-scale aquaculture</i>	5	2
	<i>Technology</i>	5	1

Figure A1 further illustrate the most commonly discussed topics by each different type of organisations:

Figure A1: Number of references to key CFP themes by different types of respondents



2.1 Frequently mentioned topics and themes

NGOs contributed by far the highest volume of input into the qualitative portions of the survey. The most commonly mentioned themes among NGOs were bycatch and discards, conservation of sensitive species and habitats, the need for increased transparency, the importance of electronic monitoring, and issues related to MPAs.

The most commonly discussed topics among the fisheries sector and public authorities were quotas, the landing obligation, and the need to promote seafood consumption in the EU. Transparency was the most frequently mentioned theme among SSCFs and trade associations, the promotion of seafood consumption was the most-discussed topic among aquaculture producers and advisory councils, and academic/research institutions most commonly mentioned bycatches and discards, MSY, and the need for improved leadership.

2.1 General conclusions

In terms of the CFP's contribution to sustainable EU fisheries, many respondents (notably from the NGO sector) underlined that the CFP Regulation remains a good framework for fisheries management, although it is still said to be lacking adequate implementation, control and enforcement as well as a proper inclusion of an ecosystem-based, precautionary approach to fisheries management and decision-making. It was acknowledged that the reformed CFP has led to improvements in EU fisheries management, and the MSY principle introduced in 2013 has led the MS to set the TACs and quotas closer to the scientific advice, even though the EU and MS have not been able to eliminate the overfishing completely through the CFP and meet the 2020 MSY deadline. In addition, data collection (including recreational fisheries), the quality of scientific advice, better inclusion of the aquaculture into the CFP framework, compliance with the landing obligation, management of shared fish stocks, climate change and SSF's fishing opportunities were some the key challenges mentioned by respondents.

Many respondents also highlighted that the EU fishing sector contributes many important EU policy objectives (e.g Green Deal and Farm to Fork) and United Nations' Sustainable Development Goals (SDGs) such as food security and livelihoods of the coastal communities and besides environmental sustainability, but that there is an urgent need for better integration of social and economic dimensions to the CFP and the decision-making processes.

Furthermore, many respondents highlighted the need to improve seafood traceability rules and the control of imports, promote "fully document fisheries", include the SSF sector in the decision-making process, and improve the integration and coherence of the CFP with other EU policies. In addition, many respondents emphasized that the EU the decision-making processes should be fully transparent, continuously involving all stakeholders and ensuring the continuous involvement of Advisory Councils.

In terms of the EMFAF 2021-2027, the respondents from the fishing sector highlighted the importance of correctly implementing the new measures to promote the modernization of the EU fleet, as well as the need to boost the transformation towards carbon neutrality. Under the new regulation, operations to modernise and improve energy efficiency, health, safety and working conditions are applicable for all fleet segments regardless of the size of the vessel. Specific operations such as the replacement of engines to increase energy efficiency, supporting the first acquisition of vessels by young fishers and renovating accommodation and other facilities of the fishing vessels to improve the well-being of the crew granted to vessels below 24 metres are seen as positive for the sector. In addition, the EU fishing sector sees that

more public investments should be directed to support and improve the attractiveness of the sector to mitigate challenges related to generational renewal.

Environmental NGOs, however, believe that these measures mentioned above will lead to more overcapacity in the EU fleet and an increase in the fishing pressure in EU waters and beyond. The NGOs emphasized that the bigger portion of the EMFAF funding should be directed towards marine protection and ecosystem restoration as well as enhancing collaboration between scientific institutions and small-scale fishers to increase the selectivity of fishing.

2.2 Limitations

The survey covered a very broad range of topics, and respondents submitted a very high volume of written responses to nearly every question provided. This information is very valuable from a policy perspective, however there are a number of limitations with the survey that should be noted.

The survey design, wherein respondents were allowed to submit long-form written responses to every question included in the questionnaire (for both quantitative and qualitative questions), makes it difficult to succinctly summarise all the responses and gather meaningful statistics from text replies, since respondents' answers to most questions frequently included information falling outside of the scope of the question at hand. This, coupled with the large volume (roughly 980 pages) of supporting documents received and integrated into the survey, makes the survey more of a collection of long-form position papers and opinion pieces, each of which warrants its own in-depth review and analysis, and which would be nearly impossible to succinctly summarise as one body of information in a short report. It would have been beneficial if the questions were more specific and less broad in general, and if more questions had been phrased in closed, multiple choice format rather than open-ended text responses, so that more reliable statistics could have been gathered from the survey.

There were also issues arising from survey "bombing", i.e. coordinated responses from multiple actors submitting a large number of responses to push the interests of their group. For instance, a large group of Spanish fishers seemed to have coordinated together to submit the same response (or in some cases very similar responses) to every question in the survey. For ethical reasons, and in the interest of data integrity, the data was not manipulated to adjust for these responses. However, it should be noted that this coordinated response has skewed the data so that small scale fishers in Spain, identifying as "other", are overrepresented in the quantitative figures compared to other groups, and this should be considered when interpreting the results.

There was also a very low response rate to several questions, as noted in the results section, and this is very likely due to flaws in the question design. For instance, in question 14, which is an important question assessing fishing capacities vs. fishing opportunities for each sea basin, the response rate ranged from just 6% to 16%, indicating that most of the possible question responses were either not relevant to the targeted audience or the respondent saw no value in answering the question. The figures for this question could only be gathered from the small group of remaining respondents who provided an answer, rendering this important statistic far less informative than it would have been with a larger number of responses. Other issues with question design may have led to issues with the accuracy of the information captured from respondents; for instance, in the likert- scaled possible responses to questions 8, 18, 22, and 24 (1 = "not at all", 2 = "poorly", 3 = "moderately", 4 = "incompletely", 5 = "not at all") the

response “incompletely” would seem to be a lesser evaluation than “moderately”, and this could have affected the reliability and accuracy of the responses received.

Aside from these flaws, the survey and the additional supporting documents submitted by participants offered a very comprehensive picture into the state of implementation of the CFP by the various stakeholders surveyed.

3 Data

3.1 Survey structure

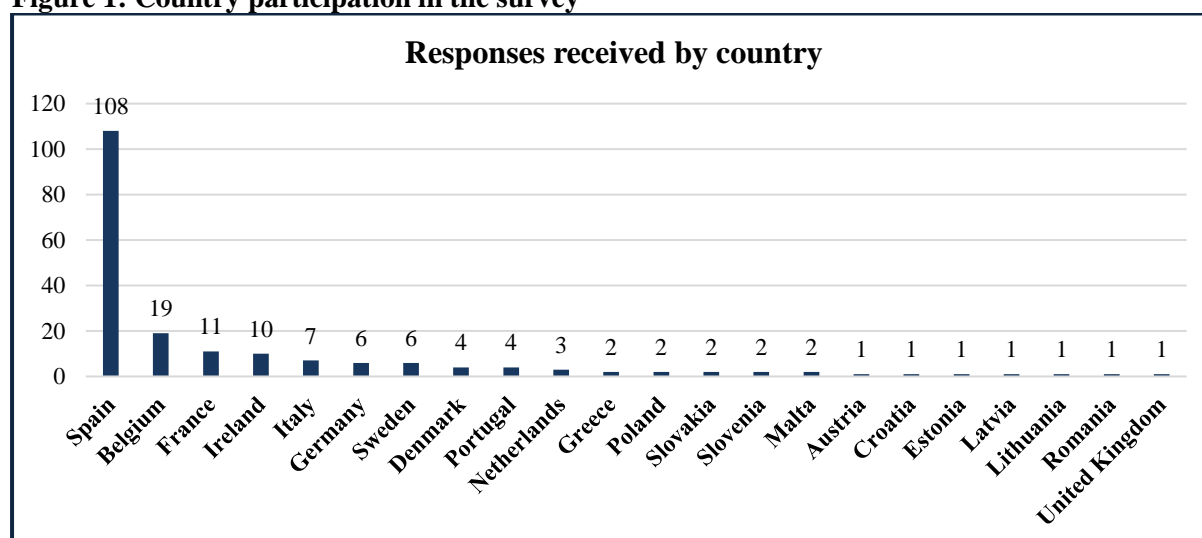
The survey was open to the public and administered through the “EU survey” online survey tool. It contains a total of 39 questions, each of which is broken into multiple parts. Among these sub-questions, there are 39 qualitative (open-ended) text responses possible and 32 quantitative (closed/multiple choice) responses. Responses are optional, and non-responses are coded as “no response”. In general, there was a high volume of “no response” received for many of the questions in the survey, indicating some possible issues with the survey design, including how questions were phrased, the relevance of the question to the intended target and the level of knowledge of the targeted participants.

The structure of the survey is thematically similar to the structure of the CFP and questions are geared towards specific elements of the CFP. Questions mainly evaluate the perceived effectiveness of specific objectives and measures of the policy and ask participants to describe challenges with meeting these goals, as well as potential solutions for these challenges.

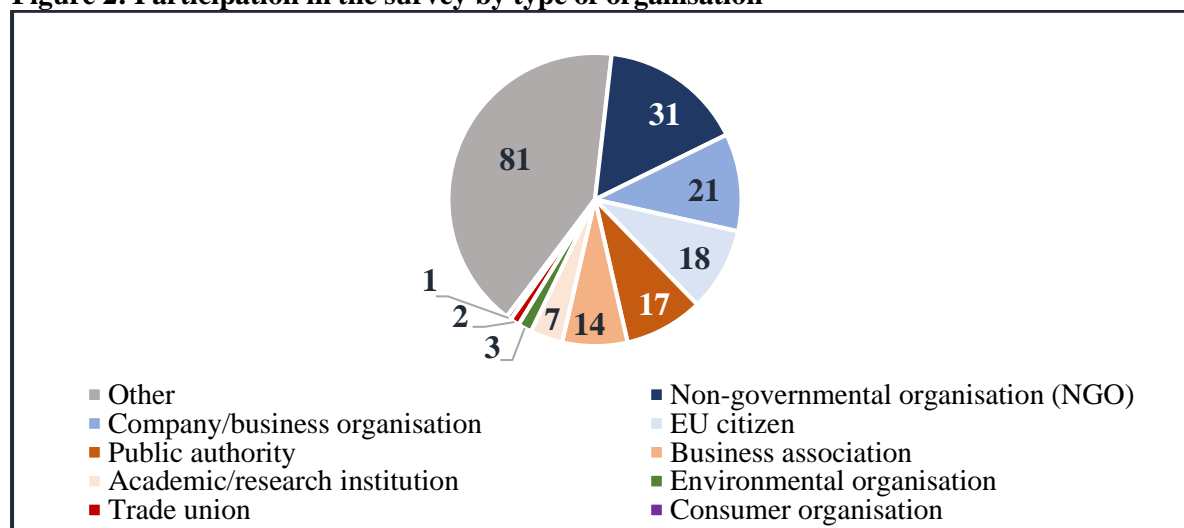
3.2 Characteristics of participants

195 responses were received from 22 MS (MS). **Figure 1** summarises the number of responses received per country:

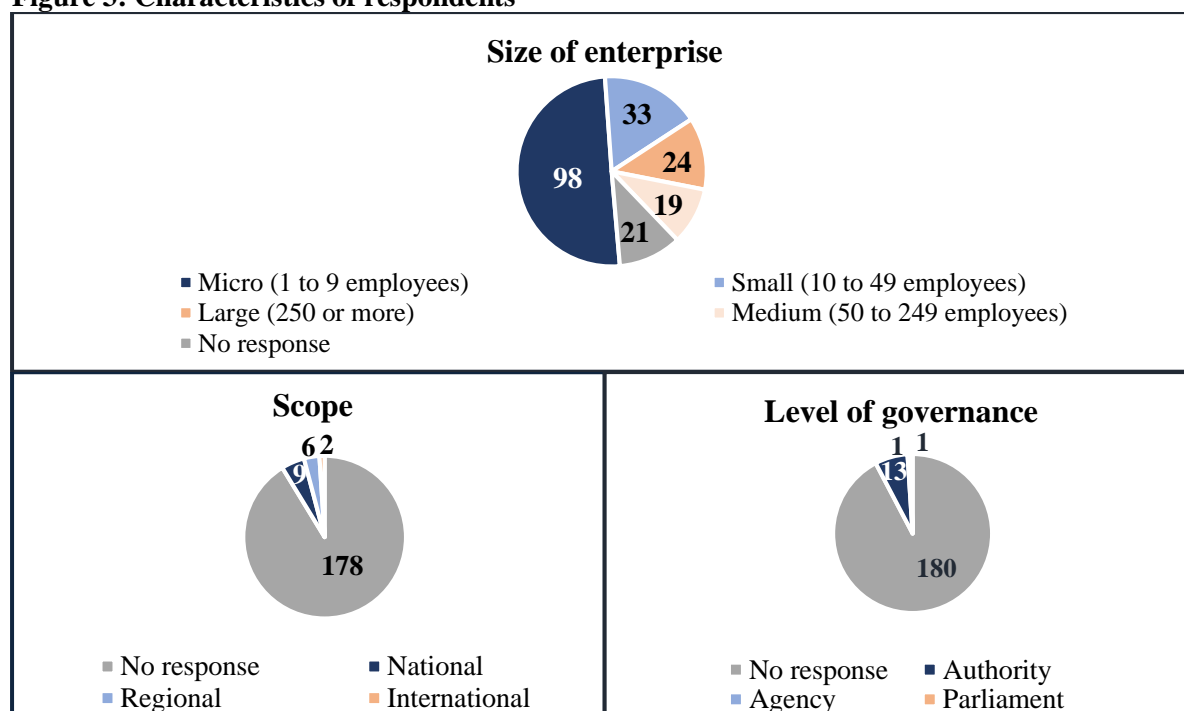
Figure 1: Country participation in the survey



Respondents were also asked to list the type of organisation/entity they identified as; possible responses were “non-governmental organisation (NGO)”, “company/business organisation”, “EU citizen”, “public authority”, “business association”, “academic/research institution”, “environmental organisation”, “trade union”, “consumer organisation”, or “other”. The largest volume of responses were received from “other” (41.54%), “non-governmental organisation (NGO)” (15.9%), “company/business organisation” (10.77%), and “EU citizen” (9.23%). A summary of the types of organisations/entities who responded is shown in **Figure 2**:

Figure 2: Participation in the survey by type of organisation

Additionally, participants were asked to identify the size of their organisation. The majority of responses (50.62%) were received from micro organisations; additionally, 16.92% were received from small organisations (10 to 49 employees), 9.74% were from medium organizations (50 to 249 employees), and 12.31% were from large organisations (250 or more employees). Participants were also asked to identify their “scope”: 9 respondents were “national” in scope (4.62%), 6 were “regional” (3.08%), and 2 were “international” (1.03%). 178 respondents (91.28%) did not respond to this question. Respondents were also asked to identify their “level of governance”. 180 respondents (92.31%) did not answer this question; of those who did, 13 identified as “authority” (6.67%), 1 identified as “agency” (0.51%), and 1 identified as “parliament” (0.51%). Additionally, participants were asked to identify whether they were a “local authority” or “local agency”; none of the participants answered this question.

Figure 3: Characteristics of respondents

4 Methodology

4.1 Gathering data

189 responses to the questionnaire were received via submissions to the “EU survey” online survey tool, and data were exported from the survey tool for analysis. An additional 6 direct responses to the survey were received via supporting documents submitted directly to DG MARE and distributed to FAMENET. These additional submissions contained structured responses to all survey questions, which were then manually added to the existing survey data.

Additionally, respondents were asked to submit supporting documents in order to provide scientific supporting evidence to their responses. In total, 54 of these supporting documents were received. As stated above, 6 of these submissions contained direct responses to the questionnaire; the remaining 48 provided scientific support for the survey responses provided, as well as other advice and recommendations. The supporting documents received are summarised in **Annex 1**.

When analysing the data, it was determined that there was a coordinated response to the survey, wherein multiple participants from the Spanish fishing sector submitted similar, and in some cases the same, responses to the questionnaire. However these submissions were submitted as individual responses from unique respondents and therefore cannot be considered as “duplicate” responses.

In total, there were 82 such coordinated responses from these representatives of Spanish fishers and fishers’ organisations. These included 32 submissions wherein several participants submitted their response via the same PDF document (containing exact responses to the questionnaire) attached as an additional document, which were signed off on by the participants, who requested that the responses from this document be included as their submission (these responses were manually incorporated into the data). Additionally, there were 31 identical survey responses from Spanish fishers’ organisations, submitted by different participants separately via the EU survey online tool, and 19 other responses from fishers’ organisations that were nearly identical.

In the interest of data integrity, and for ethical reasons, any response received by individual, unique participants were incorporated into the survey data. However, it should be considered when interpreting results that these Spanish fishers and fishers’ organisations constituted a large percentage of survey respondents.

4.2 Analysis

For simple multiple-choice/closed questions, graphs and figures were generated from data analysis software.

For open-ended textual responses, a qualitative analysis software was incorporated to identify trends and recurring themes among all of the long-form written responses; this analysis was incorporated into the conclusion section of the report. Main themes and key findings were also identified through manual analysis of responses.

4.3 Additional supporting documents

As part of the CFP survey, respondents were requested to submit additional documents providing scientific support for their responses; a table summarising these submissions is included in **Annex 1**.

5 Findings

5.1 General aspects: overall functioning of the CFP (objectives)

5.1.1 Article 2 of the CFP Regulation: objectives

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?

Many respondents highlighted the positive impacts of the requirement in article 2.2 of the CFP Regulation, introduced in 2013, to set all catch limits at or below Maximum Sustainable Yield (MSY), which have led the MS to set the TACs and quotas closer to the scientific advice, and many mentioned that in areas where the MSY principle has been followed, the stocks have usually recovered quickly. Respondents also reported that the stock biomass in the Mediterranean and Black Sea have shown some positive trends since 2015, although many of the stocks are still exploited beyond sustainable levels. In general, participants mentioned that the CFP contains many helpful measures that provide the possibility for meaningful conservation actions and management measures; some specific measures mentioned were multiannual plans (MAPs), capacity reduction, landing obligation (LO), and integration with Marine Strategic Framework Directive (MSFD), among others. Economic viability and competitiveness of the catching sector (especially large scale) was also seen as having been improved to some extent.

Several respondents emphasised the importance of the establishment of Advisory Councils in 2002 as a one of the key measures contributing to the sustainable management of EU fisheries. The Advisory Councils were seen as playing a vital role in the dialogue between the fishing industry, other interest groups and the EC. Also, it was widely reported that data collection under the CFP has improved and the knowledge base has increased, which helps with decision-making and fisheries management. Respondents also mentioned that the CFP has helped to ensure that the internal seafood market is fair, competitive and transparent.

Fisheries sector

Respondents from the fisheries sector referred to reports by the Scientific, Technical and Economic Committee for Fisheries (STECF), indicating that the proportion of overexploited stocks have decreased in response to decreases in fishing fleet sizes and reductions in fishing pressure (the EU has reduced overall fishing pressure since the policy was reformed in 2013). Respondents also mentioned that substantial progress has been made in this regard due to a concerted effort by the fishing industry, as well as close collaboration between experts, scientists, public authorities and stakeholders.

Respondents from long-distance fleets reported that major progress has been made regarding the external dimension of the CFP due to increased transparency in EU fishing fleet operations; specifically, they mentioned the importance of the publication of documents relating to Sustainable Fisheries Partnership Agreements (SFPAs) and the publication of lists of vessels with active authorisations under SMEFF Regulation². Moreover, it was said that the progress

² Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets

in the implementation of the Illegal, Unreported and Unregulated (IUU) Regulation³ has led to improvements in fisheries transparency, and that global monitoring and the influence of the EU has improved in all Regional Fisheries Management Organisations (RFMOs).

Small-scale fisheries (SSF)

Respondents among the SSF sector emphasised the importance of the “access to waters” regime, which allows MS to restrict fishing in their territorial waters to take into account the vulnerability of their coastal zones and grant preferential access to the small-scale fleet for up to 12 nautical miles from their coastlines.

Several coordinated responses were received from small scale fishers in Spain. These respondents emphasised the need to introduce measures with long-term objectives to restore stocks (such as temporary closures), develop production and marketing plans for producer organisations (POs) with economical support for the ecological transition of the fishing fleet, give more weight to scientific data when imposing restrictive measures on fishing activity, promote awareness to utilize local knowledge of fishermen, focus on support measures aimed at young people and women, and improve energy-efficiency of vessels and gears.

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)

Environmental organisations, NGOs and Trade Unions were the groups most critical of the achievement of the CFP objectives, and many of these groups responded that several of the objectives have not been achieved at all. Among these groups, the **most poorly-achieved objectives** were reported to be **Art 2.2** (the precautionary approach, ensuring that exploitation of living marine biological resources restores and maintains populations above levels which can produce MSY), **Art. 2.3** (Ecosystem-based approach to fisheries management; minimise negative impacts of fishing activities on marine ecosystem; ensure that aquaculture and fisheries activities avoid degradation of marine environment), **Art. 2.5(a)** (Gradually eliminate discard, taking into account best scientific advice, by avoiding/reducing unwanted catch and ensuring catches are landed), and **Art. 2.5(g)** (Contribute to efficient/ transparent internal fisheries and aquaculture product market; ensure level playing field for EU marketed fisheries and aquaculture products).

Public authorities were the group most likely to report that objectives were “fully” met. Among Public authorities, the **objectives seen as being most achieved** were **Art. 2.5(d)** (Provide for measures to adjust fishing capacity of fleets to levels consistent with paragraph 2; have economically viable fleets without overexploiting marine resources) and **Art 2.5(i)** (Promote coastal fishing activities, taking into account socio-economic aspects).

Academic/research institutions were also less likely to report that objectives were not achieved at all, and the majority (57%), reported that **Art. 2.4.** (Contribute to the collection of scientific data) was fully achieved. **Figure 4** shows the responses to question 2 by type of organisation:

³ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing

Figure 4: Percentage of respondents who believe that the following objectives of the CFP, outlined in Article 2 of the CFP Regulation, have been achieved for the areas fished by vessels from their country, region or sea basin:

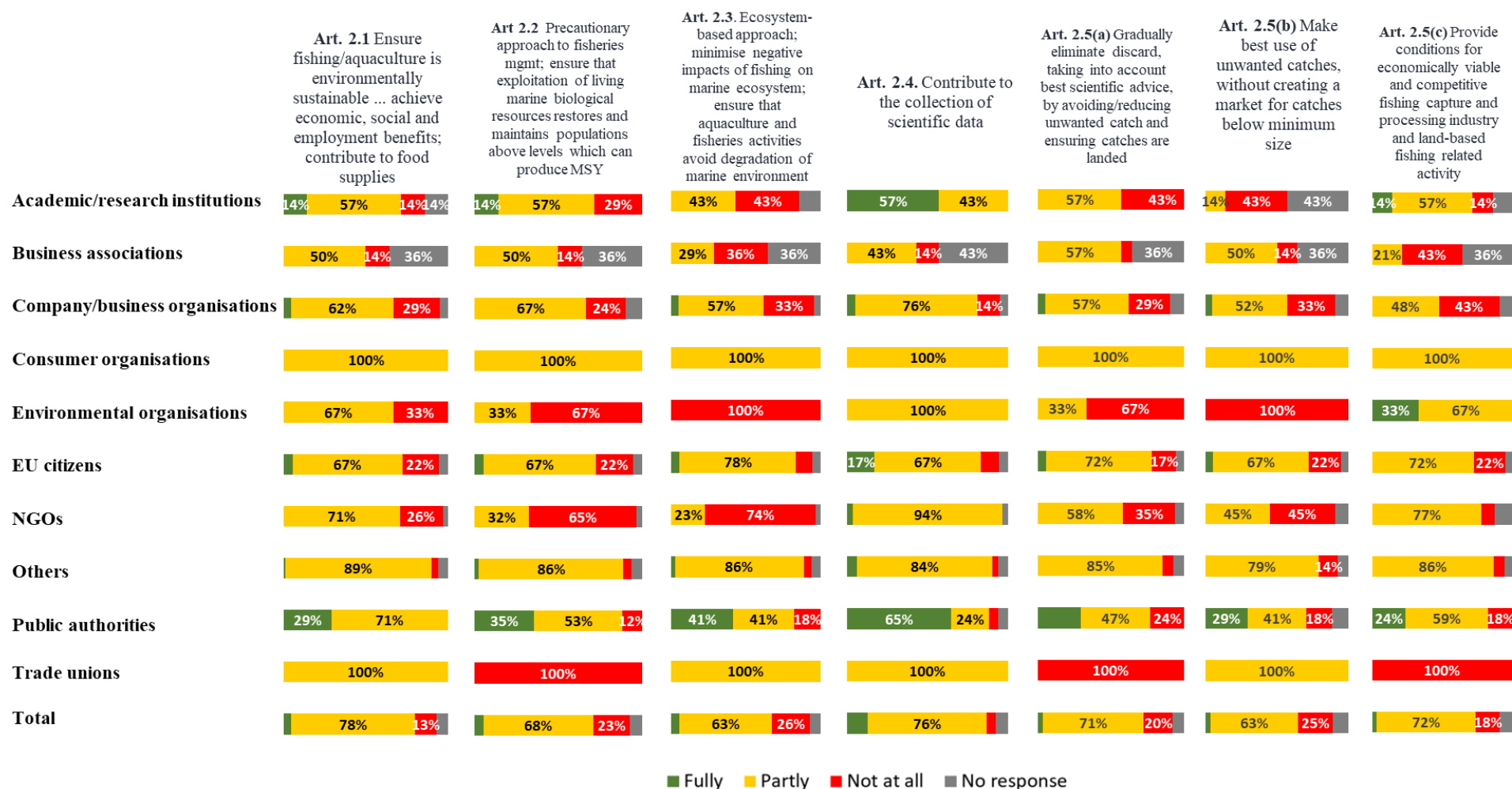
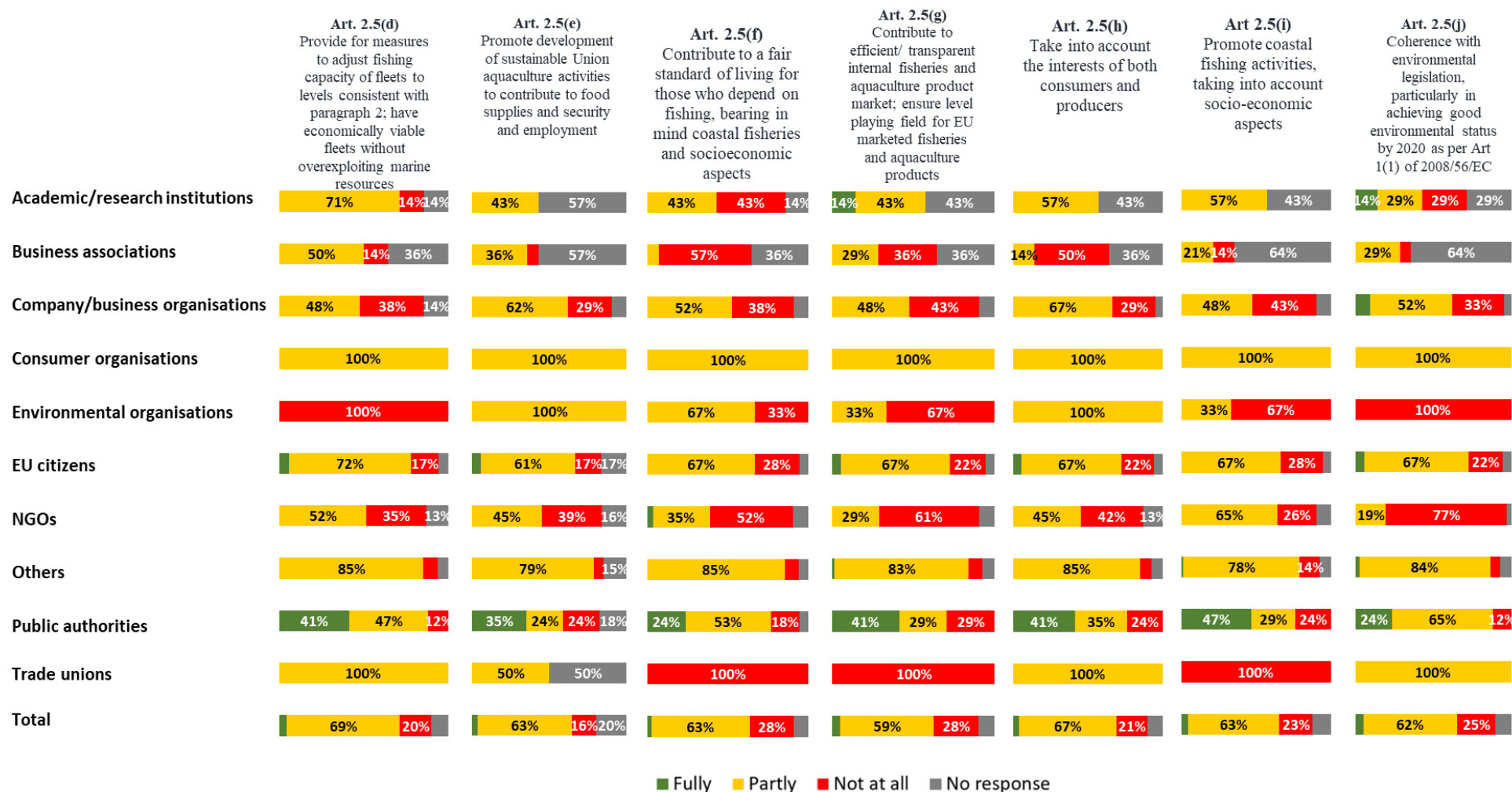


Figure 4 (Cont'd): Percentage of respondents who believe that the following objectives of the CFP, outlined in Article 2 of the CFP Regulation, have been achieved for the areas fished by vessels from their country, region or sea basin



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

NGOs

Respondents from the NGO community emphasised the CFP's contribution to the socio-economic progress of the EU aquaculture sector and mentioned the impact of improvements to the availability of high quality aquaculture products in EU markets. However, they were more critical in their judgement of the effectiveness of the regulation on environmental sustainability. Although the question asked what measures worked well to make aquaculture sustainable, many NGOs provided negative assessments in their responses, which should be considered.

Aquaculture

According to the respondents identifying as EU aquaculture producers, through the EMFF the CFP has contributed to the improvement of work safety conditions, helped economic and employment data collection, enhanced research and innovation in aquaculture sector, and improved the cooperation between the industry and scientists. In addition, the CFP requirement for MS to develop multiannual national strategic plans in 2014-2015 for the promotion of sustainable aquaculture was seen a crucial element to achieving the sustainability goals of the sector. However, a few industry stakeholders mentioned that "sustainable aquaculture" is not clearly defined in the legislation.

Public authorities

Public authorities mentioned that the publication of National Strategic Plans for the development of aquaculture has raised the profile of the sector and helped to focus national governments in aligning aquaculture development with other sectors (i.e., the agriculture sector) as well as aligning it with national policies like maritime spatial planning. It was also mentioned that the availability of funding through the EMFF has allowed certain sectors access to much needed investment opportunities in aquaculture.

Other surveyed public authorities specifically mentioned common market provisions, traceability requirements and consumer communication as CFP measures which have helped to promote sustainable aquaculture. It was reported also that the EMFF has enabled many small businesses to improve their means of production, in particular by establishing a more sustainable production chain.

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

This question is quite broad in nature and resulted in a variety of responses from different sectors. Also, many of the topics mentioned by respondents for this question are addressed in other sections of the report, or were asked in other sections of the questionnaire.

Various respondents referred to Brexit and shared stocks management with non-EU countries as major challenges in implementing CFP. Brexit represents one of the main challenges in achieving CFP aims, since jointly managed stocks require more complex decision-making. Also, it was mentioned that besides Brexit, the Norway/Faroe Island agreements are the main challenge in achieving CFP aims for many fishers in the region. Participants mentioned that there is an over-reliance on scientific modelling rather than real-time, current scientific data. Respondents reported that having real-time, current scientific data on all species is a necessary requirement to achieve the aims of the CFP, since scientific modelling does not always reflect

the situation on the ground, leading to frustration amongst fishers. This was seen as a major contributing factor to the high number of fishers in the UK who voted for Brexit.

NGOs

Environmental NGOs reported that the CFP is still lacking adequate implementation, control and enforcement. Notably, they emphasised that certain catch limits for stocks with limited data, or for which MSY advice is not available, are still exceeding the catch limits recommended by the available scientific advice. Also, NGOs reported poor compliance with the landing obligation and environmental impacts of fisheries on marine species and habitats to be key challenges in implementing the CFP.

In addition, the NGOs underlined the importance of adequately including an ecosystem-based, precautionary approach to fisheries management and decision making. Moreover, challenges associated with overfishing and fisheries management in the Mediterranean Sea were highlighted by various respondents. NGOs emphasised that the CFP should be better implemented to improve control, inspections and data collection, and that there should be a better alignment between the internal and external dimensions of the CFP, as well as in promoting a culture of compliance by ensuring a level playing field between EU and non-EU vessels.

NGOs also reported that the CFP should ensure that EU fishing activities outside EU waters are based on the same principles and standards as those applicable under EU law. Also, it was reported that seafood traceability rules and the control of imports need to be improved.

NGOs also highlighted that the EU continues to grant “harmful fisheries subsidies”⁴ through the EMFAF

Fisheries sector

When discussing key challenges in implementing the CFP, the EU fisheries sector mentioned the difficulty in coordinating the shared goals of environmental, economic and social sustainability. The sector believes that with an increasing world population and stressors on the environment, the CFP should have a stronger focus on the production of food, as well as the wellbeing of fishers and other workers on board fishing vessels. They highlighted the fact that the number of vessels and fishers have decreased over the years, and that it is important for the CFP to ensure thriving social and economic conditions for fishers to make the sector more attractive, instead of only focusing on the environmental components of the CFP.

Respondents from the French fisheries sector reported that conservation and management measures of the CFP are often based on the rapid reduction of fishing effort without taking into account the socioeconomic impacts this has on the fisheries sector. Moreover, the compliance requirements of the landing obligation are perceived as being too complicated by both fishermen and MS control authorities.

Also, respondents from the fisheries sector emphasised the importance of the EU fishing fleet maintaining its competitiveness, and the importance of maintaining a level playing field between EU products and imported seafood products entering the EU market. Respondents

⁴ UN’s Sustainable Development Goal 14.6 describes these as ‘fisheries subsidies which contribute to overcapacity and overfishing, and (...) that contribute to illegal, unreported and unregulated fishing’. Under the new EMFAF rules, the first acquisition or partial ownership of up to 33% of a fishing vessel can be funded if the fisherman is no more than 40 years of age and has worked for at least five years as a fisherman or has acquired the equivalent qualification. This was seen as a harmful subsidy by the surveyed NGOs.

mentioned that the revised Control Regulation and the upcoming Sustainable Corporate Governance must ensure that seafood imports meet EU standards on sustainability, human rights and labour conditions. Participants also mentioned that through the revised Control Regulation, MS should use the EU electronic database for catch certificates to prevent illegal fisheries products from entering the EU market.

Small-scale fisheries

SSF emphasised that it is important to “establish and maintain a level playing for small-scale and large-scale fishery activities, and to address the historical grievances of the small-scale sector as regards access to fishing opportunities”. They specifically mentioned the poor implementation of article 17 of the CFP Regulation as a key challenge. They also mentioned as key challenges the lack of access of SSFs to quota species, as well as SSFs being overlooked during the decision-making process. “Lack of coherence of the CFP with other regulations such as the MSFD and the Marine Spatial Planning (MSP)”, as well as the “lack of adaptability and responsiveness mechanisms within the CFP”, were seen as key challenges to small scale fishers. However, it was noted that a “full review of the CFP is required to examine success and failures with a view to adapting of the regulation where necessary”. “Deficits in basic small scale infrastructure” were also seen to be negatively affecting the delivery of CFP objectives in small harbours across Europe.

Recreational fisheries

Respondents who identified as stakeholders in the recreational fishing sector emphasised that recreational fishing must be integrated into the CFP. They noted also that data collection should be improved, and that scientific advice should be provided quicker than it currently is today. Also, it was mentioned that it is important to avoid scientific advice being “watered down” during the negotiation process.

Aquaculture

Aquaculture producers noted that “...a definition of 'sustainable aquaculture' continues to be missing from regulation.” Also, the “administrative simplification of the licensing process” was seen as a necessary step to address challenges. Ensuring that political decisions are fair, transparent and consistent with the objectives of the CFP was seen as a key challenge by aquaculture stakeholders as well.

It was noted by aquaculture producers that “in the CFP regulation it is unclear when the term ‘fisheries’ refers to both ‘fishing’ and ‘aquaculture’ together, or when it refers exclusively to ‘fishing’ (capture fisheries)”. It was stated that although the meaning of the terms “fisheries” and “fishing” throughout the CFP regulation might be apparent for lawmakers, it is not clear for implementers and operators, leaving the aquaculture sector in a “limbo”.

It was also reported that “several of the objectives set for aquaculture in the CFP require the definition of environmental/social sustainability criteria for benchmarking”. Respondents mentioned that, considering that 65% of aquatic products placed on the European single market are imported from third countries, fair competition between EU-produced products and those imported to the EU should be a priority. They mentioned that this levelling effort should also be accomplished by improving aquatic food labelling and the revision of international trade agreements.

5.1.2 Article 3 of the CFP Regulation: Principles of good governance

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

Among all respondents, the majority reported that the principles of good governance described in Article 3 were “partly” sufficiently implemented in fisheries management under the CFP. The principle of good governance most often reported to be “fully” sufficiently implemented was **Art. 3(a)** (The clear definition of responsibilities at the Union, regional, national and local levels). The principles most frequently reported to be “not at all” implemented among all participants were **Art. 3(c)** (The establishment of measures in accordance with the best available scientific advice) and **Art. 3(d)** (a long-term perspective).

Environmental organisations were the most likely to report that the good governance principles of Article 3 were “not at all” sufficiently implemented. 100% of surveyed environmental organisations reported that **Art. 3(b)**, **Art. 3(d)**, **Art. 3(h)**, and **Art. 3(i)** were not at all sufficiently implemented.

Public authorities were the most likely to view the good governance principles of Article 3 as being fully sufficiently implemented. Among Public authorities, the principles seen as most fully sufficiently implemented were **Art. 3(a)** (65%), **Art. 3(g)** (59%), and **Art. 3(k)** (59%).

The results of question 5 for all groups are shown in **Figure 5**:

Figure 5: Percent of respondents who believe that the following principles of good governance of the CFP set out in Article 3 of the CFP Regulation are sufficiently implemented in fisheries management under the CFP:



Figure 5 (Cont'd): Percent of respondents who believe that the following principles of good governance of the CFP set out in Article 3 of the CFP Regulation are sufficiently implemented in fisheries management under the CFP:



If you answered “partly” or “not” to question 5, what are the key challenges for implementing good governance as described in Article 3 of the CFP Regulation? What are the possible solutions to improve governance within the existing framework?

Only 3 responses were received to this follow-up question. Responses were relatively unspecific and covered a broad range of topics, going into detail on some political issues and in certain instances providing a rationale for the respondent’s answers to question 5.

However, some notable key challenges and solutions were identified among the participants who provided a response:

Challenges:

- There is a lack of confidence among the fisheries industry towards EU’s decision-making processes
- The views of the industry are not taken into account
- There is room for improvement in communication between the Commission and the industry
- Conflicts and unclear alignment of the CFP regulation with other Union policies; there is a need to ensure greater consistency with the MSFD, in particular the EEB assessments
- Advisory Councils struggle to have a real influence in the context of the CFP
- It can be difficult to find a consensus within Advisory Councils
- Challenges related to the regionalization process and interactions and coordination between Member State groups
- The role of the scientific community, the quality of the scientific work and the Commission’s priorities as an ICES client need to be further strengthened
- Quality of certain stock assessment should be improved. There exists a need for an equitable level of sanctioning for infringements applicable to third countries, like Norway and the Faroe Islands, operating in EU waters.

Solutions:

- The decision-making processes should be fully transparent and involve all stakeholders, with the continuous involvement of Advisory Councils and the representatives of the sector
- Commission should increase its presence at the Advisory Council’s sessions
- ICES should adopt a robust quality assurance program throughout the entire advice system to gain more stability in the assessments as well as integrating the ecosystem based fisheries management as required by Art. 2 of the CFP
- Relevant control and enforcement provisions should be extended (including control of the landing obligation provisions) to third country vessels that operate in Union waters, to ensure a level playing field (In Article 9: With regard to making available vessel position (VMS) data, it was reported that the wording in paragraphs 4 and 6 are inconsistent and ambiguous in terms of the applicability of the same requirements to third country vessels or EU vessel operating in third country waters.) Third country vessels should operate in the same way as Union vessels when operating in Union waters, and that data should be reported to third countries in the same way.

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

5.2.1 Multiannual plans

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?

NGOs⁵

In terms of the question on MAPs and their effectiveness in ensuring sustainable exploitation of fish stocks, many respondents from the NGO community stated that, despite good intentions, regionalisation and MAPs have been weakening the sustainability objectives of the CFP. NGOs believe that MAPs have enabled too much flexibility in TAC setting procedures, and believe that by-catch mitigation measures are not properly enforced in MAPs. NGO's also responded that the discard plans, developed by MS through joint recommendations, consist of too many derogations and flexibilities, which hamper proper policy implementation. In general, the NGOs see that the MAPs have not been improving the implementation of ecosystem-based conservation measures based on the precautionary approach and have failed to fulfil the objective of the CFP to deliver TACs in line with MSY and scientific advice and achieve the MSFD's Good Environmental Status target. Additionally, NGOs mentioned that the plans lack clarity about whether stocks which are not specifically included in the plan are covered or not by the measures.

Fisheries sector

The fisheries sector responded that MAPs have 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. However, the respondents of the sector also highlighted that MAPs often lead to annual variations in TACs and require reductions in fishing effort without taking into account socio-economic impacts, and MAPs are not always responding to the needs of multi-species fisheries.

Moreover, the respondents highlighted the inconsistencies between MAPs, MSFD and the MSY objective of the CFP, since certain fish stocks considered healthy under the CFP, like those fished at MSY levels, could be considered unhealthy under MSFD. Also it was highlighted that Brexit has changed the dynamics of the management of shared stocks and MAPs so profoundly that, for example, North Western Waters MAP should be revisited as very few stocks are now within the exclusive control of EU authorities.

Small-scale fisheries

Respondents from the SSF sector mentioned the need for aligning decision-making with sufficient evidence of impacts on small scale operations, improving modelling of MSY and including more precise inputs into the MSY formulae, and improving the mechanism based on the precautionary principle. It was also emphasized that the influence of industrial scale operators on the MAPs must be moderated and kept under control.

⁵ For a full NGO analysis on MAPs in 2019, see "Fit for purpose? An assessment of the effectiveness of the Baltic Sea multi annual plan (BSMAP)" (Pew Charitable Trust, 2019) (<https://bit.ly/37hPJLR>).

Respondents mentioned that, due to Brexit, very few stocks are within exclusive control of EU authorities and TCA mechanisms are cumbersome and will more than likely fail. Small scale coastal fishers, who make up the vast majority of persons engage in fishing, were said to not be served well by the current status quo.

They also responded that the Baltic multiannual plan has been ineffective in ensuring the sustainable exploitation of Baltic fish stocks, and that it is too flexible in terms of setting TACs. The Baltic was said to be unsuited to MSY point value management for all trophic levels, especially when setting TACs for prey species. This has resulted in a lack of availability of fishing opportunities for the SSF and have been negatively affected by the plan.

Regulation (EU) 2019/1022 and Regulation 2019/472⁶ specifically regarding the provisions on southern hake in areas 8 and 9 were both cited as two examples of maladministration. Respondents stated that both should comply with the requirements of the CFP Regulation and provide the best scientific advice, consider the effects of other activities and contain forecasts of socio-economic sustainability for the fisheries sector concerned.

Advisory Councils

The NGO members of the Advisory Councils mentioned that the regionalisation process was an important element of the CFP, however they mentioned that it must be ensured that MAPs serve their original purpose as ecosystem-based conservation measures based on the precautionary approach, covering all fisheries comprehensively and including clear environmental and socio-economic objectives. MAPs should also include selectivity and bycatch mitigation measures, and help reduce the harmful impacts of fisheries on marine species and habitats.

The respondents of the fisheries sector noted that the Multiannual Plan for Demersal fish stocks in the Western Mediterranean Sea⁷ (WestMed MAP) is driven by individual political desires rather than by solid scientific data adapted to specific areas and taking into account the socioeconomic aspect of fishing. They also reported that the MAP is not flexible. They responded that for a long time scientists and fishermen have been asking for more realistic and flexible deadlines to reach the MSY, and that the deadline for reaching MSY should be postponed to 2030. It was suggested that the possibility to adopt operating rules via regionalisation, thus opening up the possibility of implementing multi annual management, should be better explored. The sector considers that in certain situations, quotas are best able to produce a good result without the need to add capacity management, and vice versa. The inflexible implementation of the measures were said to be unnecessarily harsh, putting the social and economic viability of certain undertakings at risk.

The instruments provided for in the WestMed MAP were said to be excessively rigid, not allowing for sufficient gradual application of the rules, and are based on data from previous years that do not take into account the improvements made by the measures themselves. It was also said that there is excessive use of delegated acts.

⁶ Regulation (EU) 2019/472 of the European Parliament and of the Council of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters

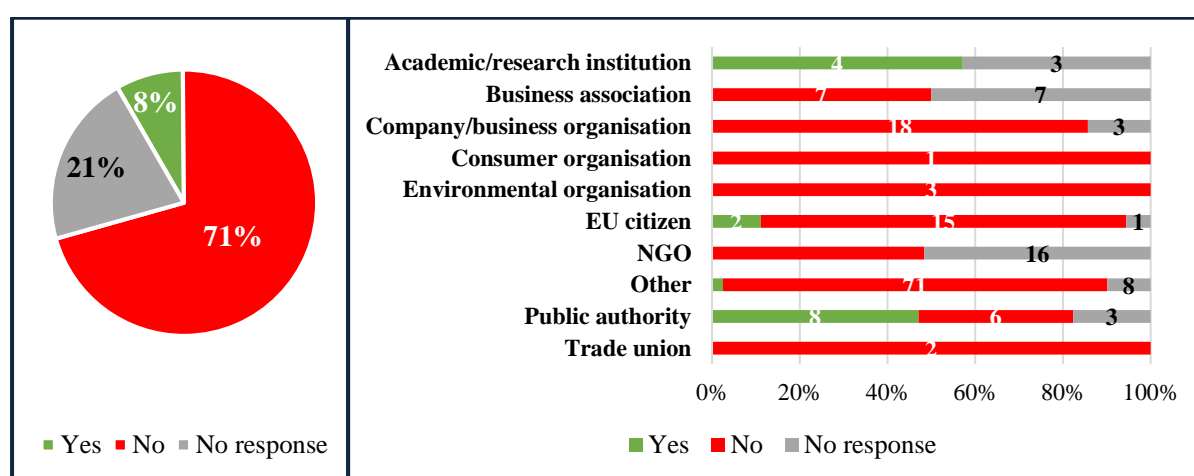
⁷ Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea

Q7a. Do the multiannual plans cater sufficiently for the regional characteristics of fisheries? (yes/no)

Only 8% of respondents reported that the MAPs cater sufficiently for the regional characteristics of fisheries, while the majority (71%) reported that they do not. The remaining 21% did not submit a response to the question.

The groups that most frequently answered “yes” were academic/research institutions and Public authorities; the groups that most frequently reported “no” were company/business organisations, consumer organisations, environmental organisations, NGOs, “other”, and Trade Unions.

Figure 6: Percentage of respondents who feel that the MAPs cater sufficiently for the regional characteristics of fisheries:



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

Respondents who reported that the MAPs do not cater specifically to the regional characteristics of fisheries were asked to identify good practices, innovative tools or processes to utilize to address these challenges. The following key points were made by the different types of organisations surveyed:

NGOs

- EC should review all existing MAPs to determine whether they deliver against their original objectives
- Non-compliance by MSMS to the CFP's rules and intent should be subject to infringement procedures
- EC should evaluate, revise, and amend MAPs and discard plans to make them fit for purpose through a REFIT (Regulatory Fitness and Performance) check
- EC should open infringement proceedings against MS who fail to apply the CFP rules in joint recommendations, particularly regarding environmental objectives
- EC should propose fisheries management measures when there is sufficient scientific evidence of a problem and when MS fail to come to a timely agreement
- EC should not shy away from emergency conservation measures

- MS should include impact assessments in their joint recommendations to understand their consequences for protected habitats and species
- EC should make sure to fulfil their role in providing tailored, ecosystem-based conservation measures based on the precautionary approach
- MAPs must cover all fisheries comprehensively and include clear environmental and socio-economic objectives. They must also include selectivity and bycatch mitigation measures.
- In the ICES advice for fishing opportunities the Baltic MAP should be used as a rationale to set a lower quota
- ICES should be clearly instructed to produce proper multi-species advice, i.e. to clearly indicate the dynamics between the species.
- ICES should be given the mandate to produce advice that clearly states how the three species (cod, herring and sprat) and the outtake of biomass affect each other

Fisheries sector

Respondents identifying as representatives from the fisheries sector suggested the following good practices, innovative tools or processes:

- MAPs should be improved by building them on a more inclusive co-management model, ensuring cooperation and equal participation in the decision-making process between fishers, scientists, environmental associations etc.
- More flexibility is needed reach the MSY targets set by the Marine Protected Areas (MPAs) especially in the Mediterranean. (e.g. 2030 instead of current 2025 for the WestMed demersal fisheries plan).
- EC should review the current technical measures of the MAPs (e.g. catch and effort limits) to add complementary or alternative measures such as the closure of areas to fishing activities and/or the introduction of new selective gears/techniques avoiding mortality of immature-sized catches
- Introduce specific measures for economic compensation when fishing effort needs to be reduced.
- Efforts should be made to improve plan to consider specific needs of multi-species fisheries operating in the area and ensure a more decentralised governance by increasing consultations with fishers and providing more flexibility
- Some fish stocks overlap between the MAPs and AC; respondents highlighted that it is essential for these straddling stocks, implemented measures are complementary in order to ensure coherent management across adjacent areas

Small-scale fisheries

Respondents identifying as representatives of small-scale fishers suggested the following good practices, innovative tools or processes:

- Provide a better budget for interpretations of documents into all national languages in regions
- Provide travel support and compensation for fishing days missed to attend Advisory Council meetings
- MAPs should include specific measures for a better management of the fishing activities of small scale and recreational fisheries
- Implementation of simple electronic monitoring tools and fishing daily or monthly reports

Public authorities

Respondents identifying as public authorities suggested the following good practices, innovative tools or processes:

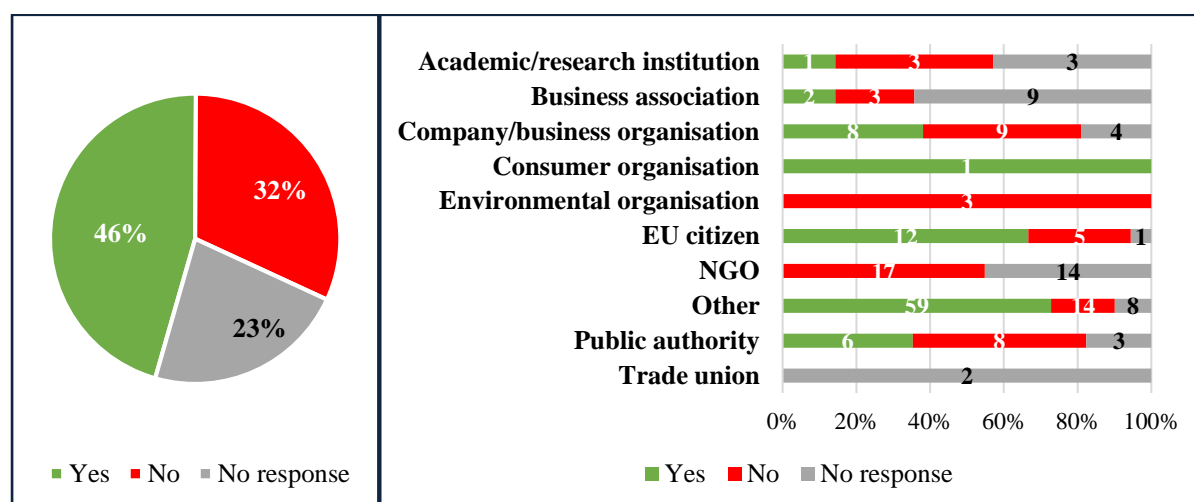
- A co-management model involving fishers, scientists, associations (environmentalists, etc.) and the competent fisheries administrations to assess the biological, economic, social and cultural aspects of fisheries and be able to react, within the framework of the results of scientific studies associated with the plans (biological, economic, socio-cultural) and adapt technical measures to the management performance indicators
- Reform of the CFP should allow the participation of fishers in decision-making within the framework of a fisheries co- management model, enabling decision-making based on scientific knowledge and adaptive management based on new knowledge that is being acquired
- Regarding the Western Mediterranean MAP, deadlines to achieve the objectives of the MAP should be revised to 2030, and be flexible
- All decisions, agreements and objectives should be reviewed within the framework of alternative management
- Complement the technical measures of the Western Mediterranean MAP (TACs or fishing days) with complementary or substitute technical measures such as: 1) the closure of areas to fishing on a continuous basis to achieve restocking by reserve effect and 2) improvements on gear selectivity with techniques to avoid the mortality of immature- sized species
- Complement the plans with mechanisms facilitating consumer interest and the marketing of non-targeted or rejected species
- Provide mechanisms for economic compensation to prevent the disappearance of the fleet and the social and communal structures that configures the Mediterranean fishing sector

Q7b. Are the plans used to their full potential? (yes/no)

Consensus on whether or not the plans were used to their full potential were slightly mixed, with the highest number of respondents reporting that they were used to their full potential (46%). 32% reported that they were not used to their full potential and the remaining 23% did not respond.

Consumer organisations, EU citizens and “other” groups were the most likely to report that the plans were used to their full potential, while environmental organisations and NGOs most frequently reported that the plans were not used to their full potential. Academic/research organisations, company/business associations, and Public authorities reported mixed responses.

Figure 7: Percentage of respondents who feel the multi-annual plans were used to their full potential:



Please explain or insert any further suggestions:

Many respondents referred to their previous comments as their response to this question, but some additional suggestions were also received by the different types of organisations surveyed:

NGOs

The following explanations and suggestions, regarding MAPs, were provided by NGOs:

- Full catch accountability is necessary for the MAPs
- MAPs must be based on evidence; the present scientific advice does not deliver the correct information on time

Small-scale fisheries

The following explanations and suggestions, regarding MAPs, were provided by the SSF sector:

- Low impact fisheries are not used as a tool to drive changes, and more selective trawl gears are chosen over a shift to low impact fisheries, and other environmental drivers are not sufficiently taken into account
- Pelagic fisheries still needs to be investigated if they have any bycatch of cod (in the context of the Baltic Sea)

Public authorities

The following explanations and suggestions, regarding MAPs, were provided by public authorities:

- Better integration of advisory committees, local/regional authorities and fishermen in adapting plans to local specificities are necessary

- Increase regionalisation of quota management and consideration of the spatial anchoring of quotas to territorial cohesion
- Taking account of measures proposed by the sector to deal with specific or adaptation problems, for example: temporary closure proposed by fishermen or certain technical measures in consultation with fishermen from other MS operating in the same basin.
- The objective of regionalising sustainable management measures, taking account in particular of mixed fisheries, will have to be sustained in the light of the new balances with the United Kingdom and Norway
- The MSY ranges should be used for bycatch stocks and for pelagic species within the MAPs
- With many stocks now falling under BREXIT and bi- and tri-lateral agreements with jurisdictions outside the EU many of the potential benefits of the MAPs are no longer available.
- The WestMed MAP contains some extremely rigid regulations that the EC, in the two years of operation of the MAP, has forced to fulfil its full potential.
- The goal of the WestMed MAP and the EC is to achieve the MSY in 2025 is unsustainable. Even if fisheries management is not addressed exclusively from a biological point of view, achieving the MSY in 2025 is considered impossible.
- The imposition of an exclusively biological management system would mean the disappearance of half of the active fleet with the consequent drop of the communal system of social and commercial management (brotherhoods, associations and fish auctions). The socio-economic and cultural fabric of Mediterranean fishing would vanish with the disappearance of coastal fleets.
- The plans do not take into account overall sustainability; fishing resources are important, but so are the fishing industry and coastal communities, and the necessary balance is rarely followed to allow maintenance of fishing structures in parallel with recovery of resources.
- The lack of representation of small scale fishers, which make up the majority of the EU fleet, has resulted in plans which are relevant to the industrial catching sector.
- Adapt the plan to local specificities by ensuring a better integration of advisory committees, local/regional authorities and fishermen in the design/implementation phase
- Take into account technical measures proposed by fisher (e.g. temporary cessation of fishing activities; joint technical measures in consultation with fishermen from other MS operating in the same basin)

Advisory Councils

The following explanations and suggestions, regarding MAPs, were provided by Advisory Councils:

- “The added value of the MAPs is that they allow for regional management of those fisheries and cooperation between the stakeholders concerned.
- 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.

- 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.

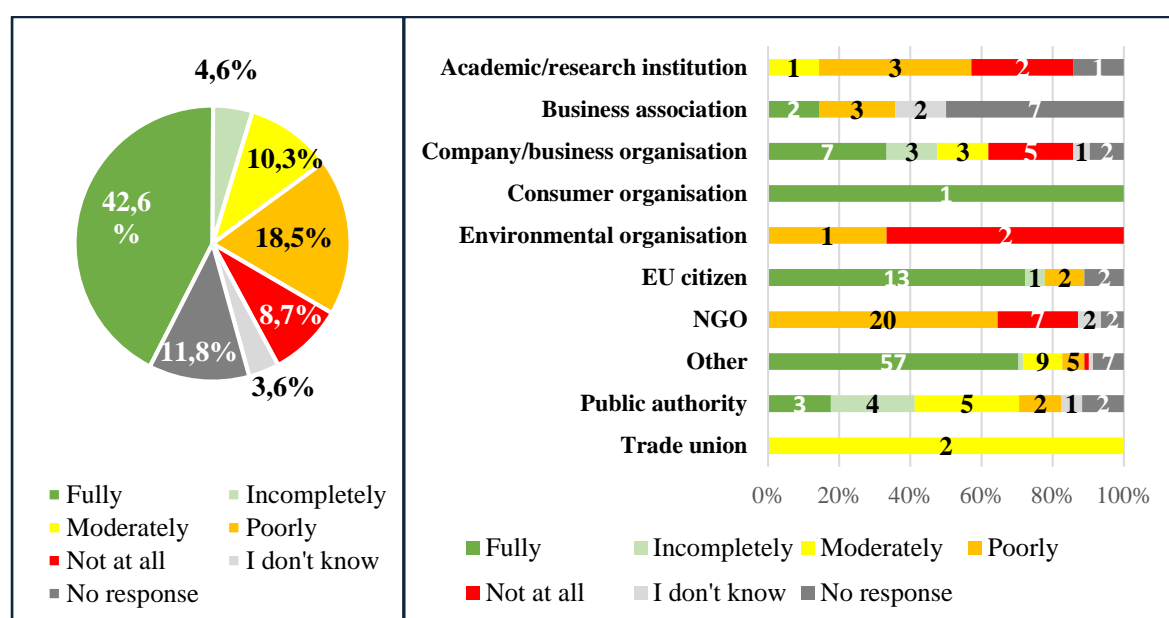
5.2.2 Landing obligation

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

The most frequently reported responses to this question among all participants was that the objective of eliminating discards was fully met (42.6%).

The groups that most frequently reported the objective of eliminating discards to be fully met were EU citizens, consumer organisations, and “other”. Academic/research institutions, environmental organisations, and NGOs most frequently reported the objectives to be either “poorly” met or “not at all”.

Figure 8: Percentage of respondents who feel that the objective of eliminating discards was met:



It is important to note that for question 8, a large percentage of the 89 Spanish fishers and fishers' organisations who coordinated similar responses to the survey⁸ selected that the objective of eliminating discards was “fully” met. It is very likely that this has skewed the overall results shown in Figure 8 towards these small scale Spanish fishers and fishers organisations (who identified in nearly all cases as “EU citizens” or “other”). This should be considered when interpreting results.

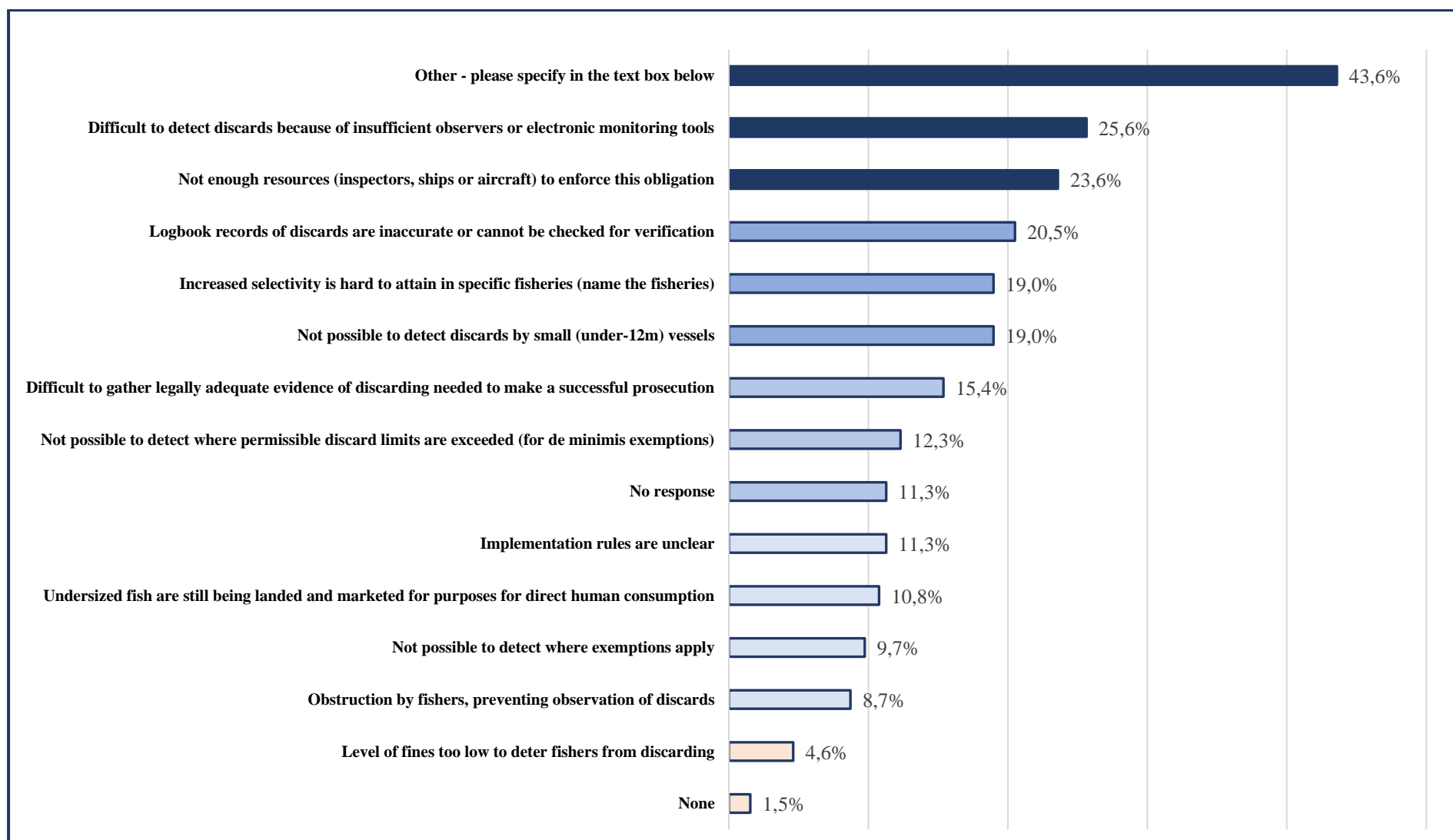
⁸ Please see the explanation of this coordinated response on page 13.

Q9. What challenges do you experience in implementation and control of the landing obligation? (multiple choice)

Respondents were asked to select, from a list, which challenges were experienced in the implementation and control of the landing obligation.

The most frequently selected response was “other”, and participants provided additional explanations via text responses. Aside from “other”, the most frequently cited challenges were difficulty detecting discards because of insufficient observers or electronic monitoring tools (25.6%), not enough resources (inspectors, ships, or aircraft) to enforce the obligation (23.6%), and logbook records of discards being inaccurate or unable to be checked for verification (20.5%). The most infrequently reported responses were “not possible to detect where exemptions apply”, “obstruction by fishers, preventing observation of discards”, and “level of fines too low to deter fishers from discarding”. The results of question 9 are shown in **Figure 9**.

Figure 9: Percentage of respondents who experience the following challenges in the implementation and control of the landing obligation:



Please specify if ‘other’:

Respondents were asked to expand upon their answer to question 9 if they answered “other”. The following key points were mentioned by the different types of organisations surveyed

NGOs

- Poor compliance with the landing obligation among MS is widely recognised
- Illegal discarding continues and the adjusted TACs cater for unsustainably beyond scientific values.
- Implementation of the landing obligation should be improved to tackle the underlying problems with lack of selectivity and enforcement under existing legislative frameworks, such as the Technical Measures Regulation and the revised Control Regulation.
- Specific actions need to focus on improvement of fishing gear selectivity, development of avoidance techniques (e.g. closures), formulation of science-based joint recommendations and robust controls (with initiation of infringement procedures)
- Compliance with the LO should be demonstrated by mandatory use of remote electronic monitoring (REM), e-logbooks on all vessels and close monitoring for implementation of LO exemptions
- Setting TACs based on catch rather than landings advice, while illegal discarding continues, allows for unsustainable catches potentially far beyond scientific advice
- Applicability of the exemption to threatened species with a high probability of survival should be clearly foreseen and described in the regulation
- "Regular" exemptions to discard bans for catches increased complexity and hindered implementation of the intent, making effective controls almost impossible
- Compliance with the TAC can be monitored by landing volumes; prior to 2015 the scientific advice has referred to landings instead
- While the intent to base scientific advice for TAC on total catch is correct it heavily depends on compliance with the landing obligation and the elimination / non existence of illegal, unreported discards, which unfortunately continue to occur.
- The failure to make access to quotas top-ups conditional on demonstrated compliance makes it easy to abuse the system - by getting the top-up but still discarding without consequences - this has led to an increase in catches of species
- It is difficult to assess whether exemption amounts have been properly quantified and factored into the way that fishing limits are set (i.e. whether enough has been deducted from the TAC to cover the likely exemption discards), making it more difficult to establish whether TACs are sustainable.
- Control of the landing obligation is low (see documentation on this by EFCA) which means illegal discarding is leading to a decrease in information available for stock assessment
- The focus in MS has not been on reducing discard but on getting exemptions for stocks, even going as far as removing TACs (North Sea dab and flounder) to ensure species would not be subject to the landing obligation. Excessive dab discards continue to this day
- Exemptions were granted and extended based on poor or non-existing scientific data

- The landing obligation gave a perverse incentive to declare a range of species prohibited – as prohibited species have to be promptly released it provides a license to keep discarding.
- Bycatch reduction plans do not work. Mandatory bycatch reduction plans for cod in the Celtic Sea were assessed to be ineffective and do not yield the required reduction in mortality needed to rebuild this severely depleted stock.

Fisheries sector

- Policy needs alteration to avoid choke situations as the moving fish stocks are momentarily subjected to a yet unpredictable cause
- Lack of impact assessment on the socio-economic and safety consequences of the landing obligation
- Significant difficulties and significant economic losses for fishers stemming from the inconsistencies between different legal instruments. For instance, Art. 15 of the CFP is clashing with both Directive 2017/159 implementing ILO C188 and Art. 39 of the TFEU. Art. 39 of the Treaty stipulates the objective “to ensure the optimum utilization of the factors of production, and thus to ensure a fair standard of living for the fisheries community by assuring the availabilities of supplies”.
- The landing obligation has led to increased labour on-board, reduced resting time and underutilisation of rightful fishing opportunities
- Area closures as a consequence of a choke species quota being fully used, hereby refraining fisheries of a MS from fully using catch opportunities to which they are entitled to. This clashes with Art. 39 TFEU and Art. 16(1) of the CFP Regulation whereby fishing opportunities are allocated to MS ensuring “relative stability of fishing activities of each Member State for each fish stock or fishery”
- Data shows that a significant volume and value of quota could remain uncaught, reducing the food supply. EU processors and retailers will inevitably look to other markets, even international ones, to meet the market demand which will have a severe knock-on effect on pricing.
- Undersized fish cannot be marketed for direct human consumption purposes and as Southern countries in the EU do not have fishmeal factories, the fish would be wasted
- “The LO has a serious negative impact on the ecosystem and activity of the fisheries sector is not considered to be good. It has been openly rejected by the Chairman of the European Parliament’s Committee on Fisheries (PECH) and several members of PECH, as it removes an important source of food from seabirds, and does not provide an opportunity for immature fish to continue to grow, among other reasons.”

Trade unions

- An adaptation of Article 15 of the CFP Regulation is absolutely essential in view of the difficulties of implementation and the non-acceptability of the measure by professionals.
- The list of species and stocks to which the landing obligation applies in the light of several criteria (survival, by-catches of no commercial value, etc.) should be reviewed in order to focus on essential species and limit the choke species effect inherent in the CFP and independent of the fishermen’s control
- Agreements should be made on the data to be used and the data should be regularly updated
- Cooperation between MS should be improved

- Rationalise the time spent in regionalisation on the subject of the LO by simplifying exemptions and procedures

Public authorities

- The treatment of discards on board reduces the surface of clear deck space and threatens safety standards for fishers
- Storing discards on board imposes hard vessel resizing requirements
- LO increases of the net loss in turnover for fisheries (choke species)
- Exemptions to the landing obligation provided for in the CFP Regulation are neither sufficient nor satisfactory: the “de minimis” exemptions are ill-adapted to some mixed fisheries (e.g. in the Atlantic area), the possibilities for quota transfer between MS (or quota uplift) represent too great an uncertainty for fishers, and the year-to-year flexibility is not a long-term solution
- Monitoring is necessary, particularly regarding identified high-risk vessels but it should be used with a targeted and non-combative approach.
- The use of CCTV, when employed, and the distribution of footage must comply with EU and national privacy laws
- Appropriate control tools must be agreed upon and adopted within an EU-wide legal framework and support a level playing field across the EU, supporting the control roles of both the flag Member State and the Coastal MS

Academic/research institutions

- The landing obligation was implemented with insufficient capacity to monitor and control discards at sea.
- The scientific evidence is that discards have continued at high levels for a large number of stocks and that below minimum size (BMS) landings and reported discards is inaccurate
- The lack of buy-in from fishers is a challenge; it has created (or has the potential to create) extreme difficulties for them (e.g. sorting, onboard storage, onshore storage/disposal), with no benefits

Producer organisations

- It is practically impossible to apply the measure in the Mediterranean basin because of its specificities and the MCRS parameter
- The many landing points do not allow the use of waste that becomes waste contrary to EU policies on food waste reduction. Given the small amount of waste, it would be better to reintroduce them into the food web, even after the de minimis ceiling has been exceeded.

Advisory Councils

- The risk of fisheries closing prematurely due to bycatches of demersal fish in pelagic fisheries is a challenge
- Discard reporting requirements are impossible to apply during the fishing trip by one specific sub-segment of the pelagic industry, Refrigerated Seawater System (RSW) vessels. For these vessels discards and bycatch can only be detected at factory level. This information can only be provided once the catch has been sorted in a factory. This process also challenges the application of the provision of discarding of species below MCRS for this vessel

- In pelagic fisheries, fish are pumped from the net directly into the tank at an average speed of 15 tons/minute. Large bycatch (such as some of the Endangered, Threatened and Protected (ETP) species cannot enter the pump. With random sampling, an estimate of small bycatches cannot be given with accuracy until the fish is sorted at the factory. Quantifying accurately individual species of bycatch on a haul by haul basis is therefore not possible in the case of pelagic fisheries. The information can be provided at factory level (depending on the vessel type either on land or on the vessel itself), but not from the fish tank.
- The achievement of a level playing field is an important challenge in implementing and controlling the landing obligation, both within and outside the EU.
- Understanding the correct application of the catch composition rules (correct mesh sizes) of the Technical Measures Regulation and how this comes into play when all catches need to be landed under the landing obligation

Q9a. Which good practice or innovative tools could address these challenges in implementation and control? (open text)

Answers to question 9a were in-depth and technical, covering a very wide range of topics. The most in-depth responses were received from NGOs and the fisheries sector, and so these points are summarised here.

Generally speaking, the consensus was that NGOs, environmental organisations and Public authorities viewed the landing obligation favourably, while fishers and producer organisations were more critical of it.

NGOs

Some good practices and innovative tools recommended to address challenges in implementation and control, according to **NGOs**, were the following:

- Better implementation of the Technical Measures Regulation to improve the selectivity of fishing gears, develop avoidance techniques and deliver science-based joint recommendations
- Implementation of more robust control systems with enforcing serious infringements where needed
- Increased monitoring of the probability of early fisheries closures to ensure that LO implementation data improve and to inform annual fishing opportunities.
- The Council should adopt fishing opportunities below Fmsy point value for some stocks, to reduce fishing pressure on less abundant stocks in mixed fisheries
- Mandatory use of remote electronic monitoring (REM) with cameras (including Closed Circuit Television - CCTV), electronic logbooks and vessel tracking devices

Fisheries sector

Some good practices and innovative tools recommended to address challenges in implementation and control, according to **the fisheries sector**, were the following:

- Commission should ensure that secondary legislation on fisheries policies does not jeopardise the principles enshrined in Art. 39 TFEU

- Raise the procurement of socio-economic data on how fisheries policies impact the working conditions and safety standards of fishermen, as recommended by the Food and Agriculture Organization of the United Nations
- Revise Art. 15 of the CFP Regulation in order to make the landing obligation policy consistent with other legal instruments adopted by the EU, in particular Directive 2017/159 and the Treaty on the Functioning of the EU
- Encourage all MS to pursue the ratification of Directive 2017/159 implementing ILO C188
- Emphasise the role that dialogue between governments, Trade Unions, and employers as well and improve coordination
- Eliminate inconsistencies in the regulations
- Remove impractical control mechanisms; they are a non-workable European measure as it is simply impracticable both practically and financially. The sector does not consider it necessary to use CCTV as a means of control, as fisheries are already subject to a wide range of regulations and controls. The introduction of CCTV raises questions regarding privacy legislation, the publicity of business operations, the methodology of data collection, the secure retention of data, etc.
- The administrative burden on shipping companies is already very high and it is not logical to add the costs of installation, maintenance, data storage and use of images.
- While recognising that monitoring and control are key components for the successful implementation of the CFP, the sector does not believe that CCTV will eliminate the problems with the landing obligation.
- Cameras cannot avoid unwanted catches in the nets. It is impossible for cameras to visualise the entire catch processing process on deck and, as a result, they will often be misrepresented. Belgian fishers work with scientific institutes on gear selectivity and other ways to avoid unwanted catches.
- For REM, systems other than CCTV should also be considered. Finally, there is also a lack of harmonisation between the sanctioning systems of the different MS. It is essential that there is no inequality in the treatment of fishing infringements in the EU, thus creating a deterrent effect in each Member State.

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

Several pilot projects were referred to by respondents. These projects had a broad reach thematically, and a few notable projects include:

- Fisheries Conservation solutions to reduce unwanted catches, BIM Ireland, 2022 (<https://bit.ly/3t7cpa8>).
- Several projects in the Netherlands (<https://bit.ly/3Id5XmI>)
- Several projects in the Baltic Sea (<https://bit.ly/3CJu0rL>)
- Several projects in the North Sea (<https://bit.ly/361kW5E>).
- ICES/IUCN-CEM FEG workshop on testing Other effective area-based conservation measure practices and strategies (<https://bit.ly/36ckqlb>)
- Overview of the various REM programmes implemented in EU fisheries (<http://www.transparentfisheries.org/wp-content/uploads/2021/02/EU-Fisheries-Control-Coalition-REM-paper.pdf>)
- “Game of trawls” (<https://gameoftrawls.ifremer.fr/>)

Further, participants suggested pilot projects in several areas. Notable suggestions included pilot projects on the following topics:

- Counter-herding devices to reduce fish catches in multi-rigged Nephrops
- 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.
- Continued work on improving selectivity through mesh alterations, escape panels etc.
- Studies on new innovative technologies such as underwater lights and methods for evaluating gear modifications
- Effects of gear changes on fish population level.
- Combining remote monitoring (VMS, AIS) with self-recording, including risk or reliability assessment.
- Innovative solutions to avoid unwanted catches through mapping/data sharing approaches
- Challenge trials, regular discard audits and transitional supports (e.g. some form of compensation for short term losses forecasted due to increasing mesh size)
- Exploring the potential of a bycatch reduction device, termed “excluder”, as an alternative to a traditional rigid sorting trawl fishery in the North Sea) as a positive example of innovation in avoiding discards.
- Genetic research as a prime example of innovation in the context of selectivity.

Q9c. Which incentives in the CFP Regulation are the most relevant and successful? (open text)

NGOs and representatives from the SSF sector mainly mentioned Art. 17 of the CFP Regulation, the criteria for the allocation of fishing opportunities by MS, as being one of the most relevant and successful incentives in the CFP Regulation, though some mentioned that it was poorly implemented.

Respondents in the fisheries sector and from Advisory Councils frequently mentioned Article 14 (Article 14 of the CFP Regulation allows MS, in consultation with the industry and scientific institutions, to launch pilot projects in order to improve gear selectivity and to develop other methods to avoid unwanted catches.) Some incentives which were explicitly mentioned include the following:

- Temporary closures incentives
- Support for expenses due to larger mesh sizes and more selective fishing gears
- Incentives of 100% for public contribution to fishers improving gears selectivity
- Incentives aimed to research activities on selective gears and data collection on stocks.
- Self-management or co-management organised by representative organisations/POs/consortia
- Fleet renewal to improve safety on board and reduce the ecological impact

- Access to fishing opportunities
- Access to public funds
- Access to quota “top-ups” conditional on demonstrated compliance with the LO, notably through REM
- Incentives for national fishing fleets to deploy selective fishing gear and reduce environmental impact by allocating a larger share of fishing opportunities to low-impact vessels
- MS should reserve a percentage of quotas and fishing effort for best practitioners within a fishery to incentivise greater compliance
- Modernisation measures
- Measures for young people

Q9d. How do you see your role and the role of other stakeholders in implementing and monitoring the landing obligation? (open text)

NGOs mentioned the following key points when discussing their role and the role of other stakeholders in implementing and monitoring the landing obligation:

- NGOs can play a substantial role at European, national and local level to ensure better implementation and monitoring of the landing obligation
- NGOs should support engagement and awareness raising of the fisheries sector, to assist with piloting and promotion of technical measures (e.g. REM) and contribute to data collection
- Civil society has an important role to play in initiating pilot projects, studies, trials, etc., and by ensuring the widespread distribution of their results to help identify the best ways forward.
- Key stakeholders - fishers, NGOs, civil society, scientists, management authorities - must work hand-in-hand to develop, in an inclusive and informed manner, practical solutions to the persisting lack of implementation of Article 15 of the CFP Regulation, and the challenges faced by fishers
- Other stakeholders play a key role in implementing the landing obligation, monitoring its implementation on the ground and can report information about what is really happening at sea.
- Other stakeholders also raise public awareness about this issue and are key to contribute to the establishment of a culture of compliance across the sector.

Representatives from the **fisheries sector** mentioned the following key points when discussing their role and the role of other stakeholders in implementing and monitoring the landing obligation:

- Consultation and dialogue with relevant stakeholder and regulatory groups and continued risk-assessment to implement avoidance and reduction of unwanted catches as far as possible.
- Support and engagement with various research projects and gear trials aiming at developing and implementing more selective fishing techniques.
- Engaging 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.

Public authorities mentioned the following key points when discussing their role and the role of other stakeholders in implementing and monitoring the landing obligation:

- Role is to set the legal framework on MS level on the implementation of the landing obligation and find necessary tools for the implementing/control body
- Coordinate discussions and coordination between stakeholders to make sure that the solutions are workable
- Raising awareness among fishing communities

Public authorities also mentioned the importance of organising meetings, workshops, and consultations between NGOs representatives and institutions to discuss and resolve certain problems with stakeholder representation. It was also mentioned that the European Fisheries and Control Agency has an important role in ensuring compliance with the landing obligation.

Advisory Councils mentioned the following key points when discussing their role and the role of other stakeholders in implementing and monitoring the landing obligation:

- Stakeholder consultation, especially the consultation of the Advisory Councils, should be a priority for MS Regional Groups when implementing the landing obligation
- As well as the evaluation of the different fleets, risk assessment would benefit from stakeholder input. The Advisory Councils are suited to advise the regional MS on these effects
- 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.
- Should advise the EC, Member State groups and MS on issues that may arise in relation to the specificities of pelagic fisheries that the regulation as a whole may not have taken into account.

Offer recommendations and advice on appropriate revisions of regional discard plans, as well as on monitoring and control tools **Academic/Research institutions** mentioned the following key points when discussing their role and the role of other stakeholders in implementing and monitoring the landing obligation:

- Work closely with the fishing industry to develop technical solutions that reduce unwanted catches and provide options for fishers and fisheries managers to address challenges posed by the landing obligation
- Estimate current discard levels as accurately as possible and include this in the assessments and scientific advice
- Forecast and predict the consequence of changing selection patterns in the short, medium and long term

Academic/research institutions also stated that the fishing industry has a role in facilitating scientific programmes, reporting discards accurately, improving discarding practices, and complying with regulations. They stated that management authorities have a role in reviewing the efficacy of and improving current policies and regulations. The control authorities were said to have a role in terms of encouraging compliance and ultimately enforcement (acknowledging that it is very difficult to enforce at-sea activities without high coverage of REM or enforcement observers). NGO's have a role to hold all to account.

It was noted also that civil society has an important role to play in improving selectivity in EU fisheries, both by initiating pilot projects, studies, trials, etc., and by ensuring the widespread distribution of their results to help identify the best ways forward

Respondents mentioned that key stakeholders - fishers, NGOs, civil society, scientists, and management authorities – should work together to develop practical solutions to the persisting lack of implementation of article 15, and the challenges faced by fishers.

5.2.3 Scientific advice

Q10. Do you see a need to further strengthen the scientific basis for fisheries management? (multiple choice)

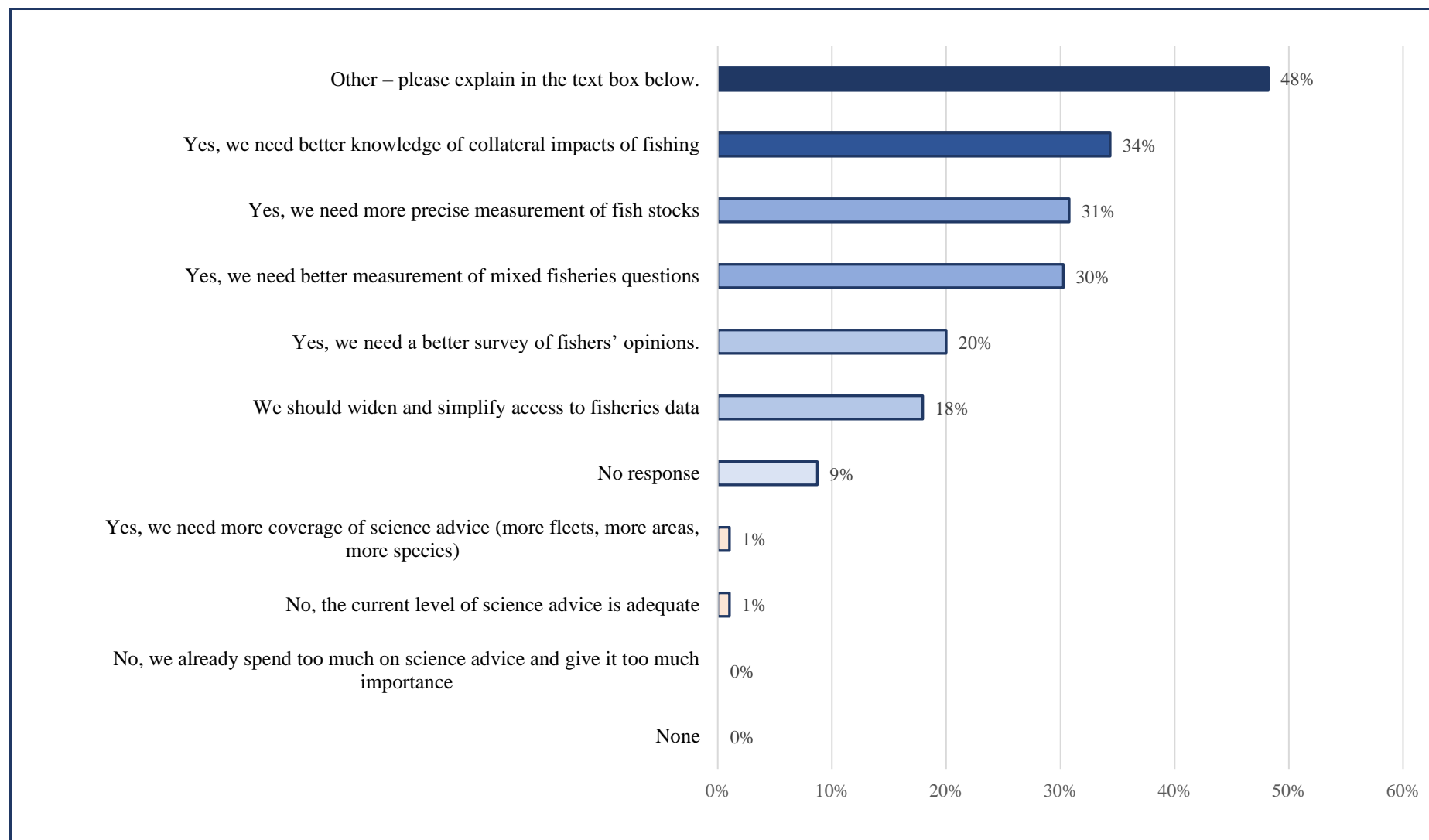
Participants were asked to select, from a pre-existing list, whether or not, and in which ways, they see a need to further strengthen the scientific basis for fisheries management.

The most frequently reported response was “other”, and respondents then listed their answer via text response. Aside from “other”, the most frequently reported responses were “*yes, we need better knowledge of collateral impacts of fishing*” (34%), “*yes, we need more precise measurement of fishing stocks*” (31%), and “*yes, we need better measurement of mixed fisheries questions*” (30%).

The most infrequently reported responses were “*yes, we need more coverage of science advice*”, “*no, the current level of science advice is adequate*”, and “*no, we already spend too much on science advice and give it too much importance*”.

Figure 10 shows the results of question 10:

Figure 10: Percentage of respondents who see a need to further strengthen the scientific basis for fisheries management in the following areas:



Please specify if “other”:

Respondents were requested to expand upon their answer to question 10 in open-text format. The following key points were noted by the different groups of respondents surveyed:

NGOs

- Data collection and sound scientific advice is a prerequisite for a proper implementation of the CFP. Furthermore, where gaps in scientific knowledge exist, the precautionary principle needs to be followed. The current advice on fisheries is far too limited to take wider ecosystem considerations into account.
- Climate change considerations need to be requested to be taken into account for the advice.
- More efforts are needed to harmonise data collection.
- Independent observations should be a requirement on vessels where monitoring data are necessary.
- Mandatory reporting of all bycatch by fishers would be beneficial.
- Monitoring and mitigation enforcement in all EU waters, and where the EU fleet operates elsewhere, are urgently required.
- Scientists and policymakers should assess stocks and make management decisions for individual fish species in isolation from one another, considering important predator/prey relationships and the impact of fisheries on species across the ecosystem.
- There are still many data-limited stocks without full stock assessments. It is important to prioritise identifying data gaps and developing concrete pathways towards addressing them in order to develop proper stock assessments for as many stocks as possible, regardless of the level of commercial interest, as a more robust basis for decision-making that is less easy to ignore.

Fisheries sector

- The fishing industry should play a larger and stronger role when asking ICES for advice. A larger involvement from the industry would increase the ownership of the industry to the whole process in terms of advice and setting TACs.
- Fisheries management must incorporate into its model social and economic parameters and the challenges of autonomy and food sovereignty.
- Taking into account the observations of fishermen on a daily basis is a widely underused tool in the scientific analysis of fisheries.

Public authorities

- The scientific basis for fisheries management must integrate social and economic parameters and the issues of EU autonomy and food sovereignty.
- It is crucial that the CFP recognises the key role played by fishers in enhancing environmental protection. Fishers' observations/knowledge are unfortunately still largely under-exploited, especially when it comes to the impacts of climate and/or environmental changes on fish stocks.
- Closer collaboration between the fishing industry and scientists on surveys and sampling programmes should improve efficiency and foster mutual understanding
- Improvements in research are required to increase knowledge of the socio-economic impact that the application of MAPs will have on the sector.

- The influence of other aspects that are negatively affecting fishery resources should be investigated, such as climate change, pollution, the effect of micro-plastics on species and ecosystems, alterations in the quantity and quality of plankton, etc.

Advisory Councils

- Ecosystem data (including socio-economic data) and genetics data are important. Genetic research offers a diverse collection of useful tools for informing fisheries managers in relation to stock structure and mixed-stock fisheries.
- More precise measurements of fish stocks is needed. For some stocks the quality of the science is unreliable and subject to year-to-year changes, also in terms of Fmsy values and ecosystem-based fisheries management.
- A robust quality assurance process is needed throughout the entire advice process, to gain more stability in the assessments.
- More coverage of collateral impacts of fishing is needed to better understand the impacts of fishing on sensitive species populations, and to further strengthening of data collection to better understand the impacts from fisheries on different species at population.

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

If they selected “yes” to question 10a, respondents were requested to mention specific data needs or governance questions to be covered for the further strengthening of scientific bases for fisheries management. The following key points were made by the different types of organisations surveyed:

NGOs

- It should be required to include all stakeholders into these governance structure and not to exclude NGOs from the decision making at RFMO level.
- Social impact analyses are much needed, but the amount of social and economic data made available to policy-makers and stakeholders needs to be improved.
- Research and development on the implementation of new technologies required for an energy transition should be intensified for the fishing sector.
- More knowledge is needed on the emerging versus declining species and what this means for the sector and its fishers, the encompassing industry and infrastructure on land, as well as the marine environment and its ecosystems.
- Better knowledge of collateral impacts of fishing is needed.
- More area-specific knowledge of the impact of bottom-trawling is needed.
- There is a need for adequate monitoring data to understand the numbers of sensitive species that are affected by bycatch, the level of risk associated with each fishery, the efficacy of any mitigation measures that are implemented and compliance with any bycatch related regulations.
- Science should move beyond MSY as the only measure of sustainability. MSY is a tool for maximum exploitation rather than maximum protection of fish populations and has little to say about the health of the wider ecosystem.

- A much greater application of the precautionary principle is needed. In other words, rather than assuming that access should only be curtailed when damage is proven, access should only be permitted when it can be proven that damage will not occur.
- The MSY concept often misses the fact that we are fishing on mixed stock and more importantly mixed populations or sub-populations. Advice on TACs must be requested to contain more information on impacts of a chosen fishery, food web implications and the type of gears used.
- Climate change considerations need to be requested to be taken into account for the advice.
- More expert working groups should be organised on ecological and environmental matters.
- Having earlier scientific assessment of proposals for Joint Recommendations on MPAs could help identify when measures are too unambitious or inadequate, and allow for earlier corrective action and improvement.
- EC should formulate requests for scientific advice on Joint Recommendations, more clearly in order for limit room for interpretation.
- EC should request ICES to conduct climate and ecosystem assessments of EU fisheries, including on the carbon sequestration potential of fish populations and of the seabed/habitats, and CO₂ emissions from fuel consumption and MS should use this in allotting fishing opportunities to low impact fisheries under Article 17 of the CFP Regulation.

Recreational fisheries

- More data is needed on recreational fisheries, both its catches and economics, and this must be applied in fisheries regulation and management.
- Measurement of effects of fisheries on subpopulations can be missed in stock assessments and this issue needs to be met with more specific data.

Fisheries sector

- Attention should also be paid to all variables affecting a fish stock (climate change, pollution, etc.)
- It is essential that all the information required for the stocks is available for drawing up catch advice and the resulting fishing opportunities
- Fishermen are aware of change in the marine environment at first hand and at very early stages. Their potential input to scientific data is extremely important and needs to be formalised to ensure it is added to the wider body of data collected by other agencies.
- Ecosystem data provides valuable indicators which are of significant value in developing and monitoring management plans for complex, vulnerable fisheries.
- Socio-economic data is vital for management of fisheries as it provides the basis of calculating the pressure which will be exerted on the fishery and the contribution the fishery will make to the community
- Recently it has become apparent that many fish species are made up of discrete genetically distinct sub-groups. The sub-groups may require substantially different management approaches so it is of great importance to have an accurate genetic profile regarding distribution, spawning times, migration patterns etc., to ensure sustainability and best yield for industry and stock

- Need to integrate all aspects that influence ecosystems and fisheries into scientific assessments, including knowledge of fisheries in the fisheries sector through workshops or meetings between scientists and fishermen.

Academic/research institutions

- MSY does not give a full handle on ecosystem based fisheries management, and single species MSY can never address mixed fisheries questions
- Full ecosystem based fisheries management can only happen if all species actually caught (and discarded or not) are accounted for in the assessments. We therefore need the data to address that.

Public authorities

- Quality of fisheries data is quite good and it will be even better after the renewal of the Technical Measures implementing act
- Formalise the regulatory exchange or collection of data from fishermen, for example by providing resources to advisory committees or regional professional organisations; STECF should systematically integrate this dimension into its scientific advice with European specialists working on these issues in relation to other institutions (e.g. EUMOFA) or universities in the regions concerned.
- In addition, better account must be taken of the impact of global warming on species in order to determine more precisely the causes of phenomena on stocks.
- More regular frequency of data collection for certain areas and species.
- In certain situations where changes are observed in a few weeks or months, it is essential to be able to deploy 'emergency observation plans' in order to properly document the changes observed on stocks of fishing practices.
- The impact of recreational fisheries on stocks should be taken into account. The use of new technologies, including smartphones, would facilitate this collection of data.
- Acquire more information on the pressures exerted by other anthropogenic activities such as aggregate extraction, recreational fishing or offshore wind energy
- Take better account of the effects of climate change in the establishment of resource management measures
- Greater account should be taken of observations made at sea and support to scientific/fishing partnerships should be maintained and strengthened
- Involve fishermen at the earliest stage of scientific work.
- Mixed fisheries approach should be developed and integrated into the process of setting TACs and management plans (limiting choke effects)
- Simulation of stock recovery from different catch scenarios can be included in scientific advice for long-term management
- Quality and trust in advice should be improved by supporting innovative data collections or data analytics strategies for placing more stocks in category 1 and 2
- Coverage of assessed stocks should be improved in the Mediterranean Sea given the currently very limited spectrum of assessed stocks. Synergies need to be initiated between GFCM and STECF to this end; — particular attention should be paid to the assessment of stocks in the Outermost Regions (ORs), bearing in mind that assessment methods may differ from the mainland

- Demersal MAP for the Western Mediterranean and other local management plans subject to the Mediterranean Regulation should be managed within the framework of co-management.
- Fishers, scientists and civil society should be involved in the management of marine resources.
- Common Fisheries Policy must provide Co-Management Committees with the tools needed to gain local scientific knowledge. This knowledge must not only be biological, but must cover all matters that may affect fisheries as well as the possible side effects of the management measures being adopted.
- Propose a territorialisation of scientific monitoring directly linked to adaptive management undertaken by the co-management bodies that govern the MAPs
- It is necessary to establish mechanisms for the transparency and transfer of scientific data collected between the different management bodies at regional, national and international level in order to create synergies and avoid duplicate information.
- In terms of mixed fisheries in the Baltic sea, multispecies advice could be provided instead of single species advice in order to keep the balance between species in the ecosystem
- Data for presenting economic viability of operators should be based on more complex and detailed parameters (e. g. fisheries segment, fisheries management system, firm performance and more) to reflect the situation of fisheries sectors with higher integration

Trade unions

- More data on social indicators is needed: working time and rest time, working conditions, wages, type of contract, status of fishers (employed - self-employed), age, gender distribution, health & safety, occupational diseases, health risks, etc.
- Better scientific assessment of the success or failure of measures concerning the fishing possibilities and of the impact of other factors other than fisheries on the stocks is needed
- **Small-scale fisheries** ICES advice should include other impacts than fishing, than effects the marine ecosystems, and the size of commercial fish stocks.
- More real time monitoring and assessment methods should be developed
- Small scale operations are often absent from official data sets which results in them being excluded from decision making processes. This needs to be urgently addressed.
- The importance of fisheries for other areas such as intangible cultural heritage needs to be recognised and supported.

Advisory Councils

- “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.”
- Results of the DAMARA project, which aimed at developing a mixed-fisheries management plan for the Celtic Sea, should be taken into account. It is also

recommended to follow the work of the SEAwis project, which started in October 2021

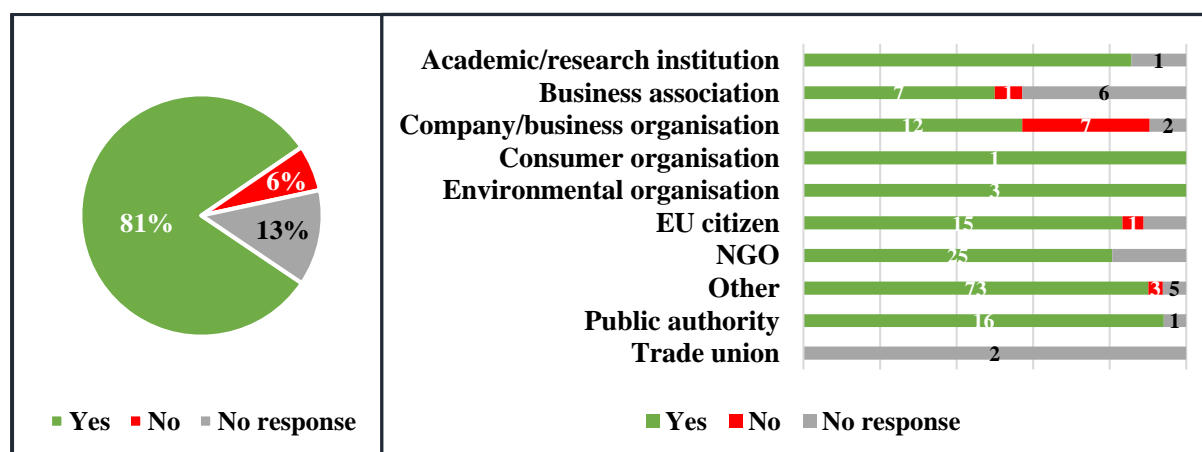
- The identification of the spatial boundaries of exploited stocks is a fundamental requirement before any assessment or modelling can be contemplated, and this problem may best be tackled using genetic identification of samples taken from zones where mixing is known to occur.
- Predator/prey relationships and the impact of fisheries on species across the ecosystem.
- More evaluations should be made to know the results of the measures that are implemented before proposing and/or implementing new measures with the same objective. If they overlap, the effectiveness of each is not known.
- Need data on pressures exerted by other anthropogenic activities such as aggregate extraction, recreational fishing or offshore wind energy.
- Must fill the gaps that currently exist in stock assessment and monitoring.
- Fishing opportunities should be assessed in the light of social and economic objectives, through the conduct of real impact studies, which should be the role of STECF.
- External perspective through a counter-expertise, in addition to the opinions of the ICES, on the management measures proposed by the Commission, coupled with the conduct of socioeconomic impact studies.
- Urgent need for knowledge on the socioeconomic impact of the management measures of the West Med MAP

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)

The majority of respondents (81%) answered “yes”; only 6% answered “no” and the remaining 13% did not respond.

Company/business organisations were the least likely to respond “yes”, while all other groups overwhelmingly answered “yes”. **Figure 11** shows the results of question 11:

Figure 11: Percentage of respondents who see an opportunity to use new technologies or know any good practices or innovations that could help improve data collection and help deliver best available scientific advice:



Please explain:

Respondents were asked to explain their response to question 11 in an open-text format. Regarding possible opportunities to use new technologies, and knowledge of good practices or innovations to help improve data collection and deliver the best available scientific advice, the following recommendations were made:

NGOs

- Electronic Monitoring System (EMS), in combination with Global Fishing Watch data, to provide better information about all activities on board and provide transparency where fishing operations occur
- Making VMS data publicly available
- Remote Electronic Monitoring (e.g. CCTV)
- A predefined system for transmitting REM data in a tamper proof way, and having independent review of footage and data performed at statistically significant levels
- E-logbooks
- Co-management models to ensure fishers, scientists, civil society and authorities work together to replace a widespread and persisting culture of non-compliance and unsustainability
- Use of Earth Observation data (e.g. satellite data) to better understand active boats, fishing areas and fishing effort, combined with other types of data (e.g. loggers tracking data) to highlight high risk areas for bycatch and identify areas to avoid

Advisory Councils

- Critical need for quality assurance across all assessments in accordance with the ICES advisory plan
- 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, should be located at the top of the advice page in the ICES advice sheet in a very simple and direct format, for example with a coding system

Public authorities

- VMS data on vessel movements can improve management and compliance with fisheries policies by collecting near real-time observations of fishing vessel positions
- Open source software should be used to create and maintain free software for the management and preservation of fisheries resources such as VMS data collection, or biological and fishing activity data for ERS systems
- Collecting data from VMS in addition to e-logbooks gives a more complete view of fishing activities that can help assess the impact of fishing activity on the ecosystem and identify areas that may need management
- Investigate the use of block chain to increase traceability for fish products, directly targeting IUU fishing products mixed within the value chain of legal products

Academic/research institutions

- REM is likely to be very important to monitor by-catches but can also be used to provide data on target species
- Length data could come from industry self-sampling, on-board electronic monitoring systems or processing plants
- Spatio-temporally explicit management approaches, such as RTI theoretically have many benefits and can allow for adaptive management approaches. Underpinning these is really time automated data pipelines and processing
- A hybrid approach to sampling, using both self-sampling and at-sea scientific observers, to verify/ calibrate self-samples may provide a means to gathering more data points
- Continue to work with the fishing industry to explain the importance of good data/ record keeping
- Emerging genetic techniques could be used to rapidly and accurately differentiate mixed stocks of certain fish species, improving the accuracy of the respective stock assessments

5.3 Fishing opportunities

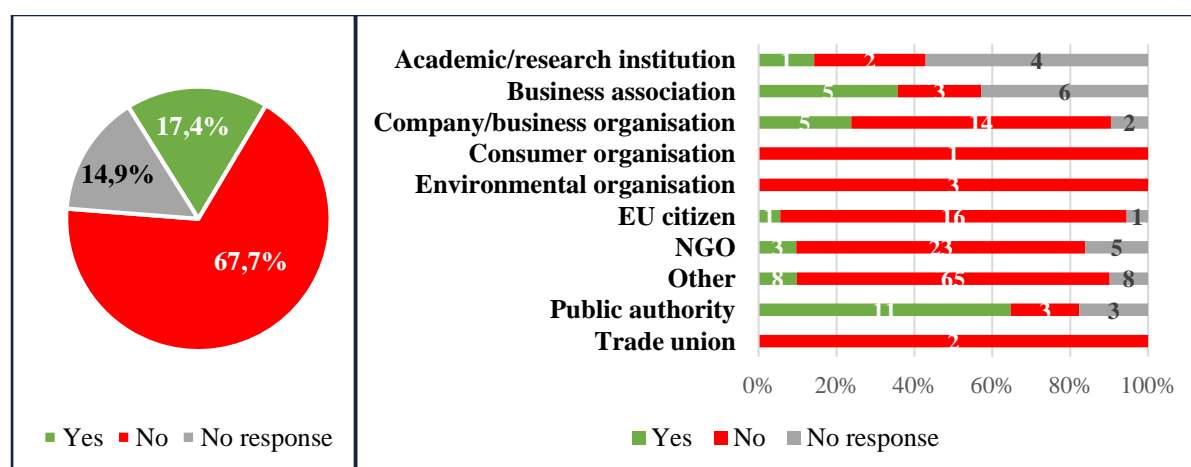
Q12. Do you consider that MS implement the requirements set out in Articles 16 and 17 in a satisfactory manner? (yes/no)

The majority of respondents (67.7%), reported that they did not think that MS implemented the requirements set out in Art. 16 and 17 in a satisfactory manner. 17.4% said that they did, and 14.9% did not respond.

Public authorities were the most likely to respond “yes”, while the majority of company/business organisations, consumer organisations, environmental organisations, EU citizens, NGOs, “other”, and Trade Unions all overwhelmingly responded “no”. Responses were mixed among academic/research institutions and business associations.

The results of question 12 are shown in **Figure 12**:

Figure 12: Percentage of respondents who feel that their MS implemented the requirements set out in Articles 16 and 17 in a satisfactory manner:



“Please explain”

Respondents were asked to explain their response for question 12 in open-text format. The following key points were made by the different types of organisations surveyed:

NGOs

- MS in general have not drawn a direct line between Article 17 and their national quota allocation systems. According to STECF “there are no recorded instances of MS changing their allocations in 2014 when the reformed CFP and Article 17 came into force, suggesting a minor or non-existent impact.”
- The provisions of Articles 16 and 17 are poorly implemented. The allocation of fishing opportunities and incentives do not sufficiently take into account environmentally sustainable and socially just criteria.
- MS and the Council should make decisions based on the best available scientific advice, and need to adopt fishing opportunities below the Fmsy point value for stocks to reduce fishing pressure on less abundant stocks in mixed fisheries.
- Access to quota “top-ups” should be made conditional on demonstrated compliance with the regulation, such as the landing obligation, use of remote electronic monitoring (REM) and implementation of mitigation measures.
- A larger share of fishing opportunities should go to small-scale, low-impact vessels, in line with art. 17 of the CFP Regulation
- Art. 17 of the CFP Regulation states that when MS allocate fishing opportunities they shall use transparent and objective criteria, including those of an environmental, social and economic nature; more attention should be paid to social and economic criteria, given their importance to protect jobs and coastal economies.
- Many MS may use transparent and objective criteria to allocate fishing opportunities, but fail to use criteria of an environmental, social or economic nature. This reinforces the status quo of rewarding those who catch the most, whilst penalising those who fish in a lower impact manner. Thus the potential of Article 17 to deliver incentives that encourage fishers to take up selective and low impact fishing techniques is being squandered.
- “Regarding transparency in the allocation of fishing opportunities to fishers and producer organisations, there is generally low compliance since many MS do not provide data on the domestic quota share, despite this being a requirement.”
- There is a demand for the allocation to be objective, while it has been shown that historical catches are the most common method of quota allocation, thus promoting large commercial fisheries rather than local and low impact fishing.
- All MS are obliged to report to the Commission on the basis of allocations and the implementation of Article 17. However, not all MS adhere to this obligation.
- Article 17 provides for optional use of economic, social and environmental criteria when allocating fishing opportunities. Currently few MS have used these criteria. Consequently, insufficient implementation of Article 17 hampers the goals of both the CFP and the MSFD/GES.
- Article 17 leads the way in encouraging MS to support fishing practices less harmful to the environment, economically efficient and societal and culturally valuable to local societies.
- Article 16 (2) *is not* followed since quota top ups have been introduced even though unwanted catches continue being discarded.

- Neither 16 (4) *is not* followed since fishing opportunities are often being decided at levels that deplete both fish stocks and the ecosystems. One contributing factor to this is that the precautionary principle is ignored and instead a watered down/irrelevant interpretation of the "precautionary approach" is used when single species catch advice is being developed (species interactions and ecosystem impacts are still ignored).
- The precautionary principle is enshrined in many international treaties and so on, but the interpretation of the principle varies and numerous interpretations can be found, and the legal community remains divided on the application of the principle. EU fisheries managers use this academic debate as an excuse to ignore precaution all together.

Small-scale fisheries

- “Many MS may implement the requirements set out in Article 17 in the letter of the law, but not in the spirit of the law. That is to say, they may use transparent and objective criteria to allocate fishing opportunities, but fail to use criteria of an environmental, social or economic nature.”
- Despite the clear wording of article 17, there is a lack of both the political will in MS and from the Commission - and a lack clear mechanism for implementation. Therefore this article has - so far - failed to realize the potential environmental and social benefits.
- We strongly urge to activate Article 17, reallocate fishing quotas to the “forgotten” small-scale, low-impact fleet. This would results in great benefits both in the social dimension and the environmental dimension.
- When allocating fishing opportunities, account should be taken of the fact that small-scale, artisanal and coastal fishing vessels, including the coastal trawl, which is the commercial engine of small communities dependent on fishing, have a reduced environmental impact. For the Member State to be able to implement Art. 16/ Art. 17 effectively, the EC must also be convinced that this is the case.

Trade Unions

- The "transparent and objective criteria including those of an environmental, social and economic nature", required to be used by MS when allocating fishing opportunities, are often not transparent as stated by art.17.
- Social criteria are often disregarded

Advisory Councils

- Certain Advisory Council members find that the implementation of Article 17 may contradict Article 15. Further analysis is required on how such a contradiction can be avoided during the CFP implementation.
- No; the criteria of for allocating locations for fishing opportunities are not transparent. There is little flexibility, particularly with regard to the fishing days available
- MS scrupulously apply these requirements, within their possibilities and competences, which are severely limited by the current regulations.
- The scientific implementation reports are decided, evaluated and monitored by Commission bodies, which in each case determine their implementation. The satisfaction (or not) of the application of these requirements is always conditional. Reduction of fishing days in the Mediterranean for the trawl fleet is not fair and

should be relaxed at least until the effect of previous years is known, after a good scientific study.

- Allocation of fishing opportunities should take into account SSF vessels, including coastal trawling with a reduced environmental impact: MS can effectively apply this process, only if EU agrees on this.
- No; despite Art. 16, many of the annual TACs have been agreed by the ministers of the EU Fisheries Council above the scientifically advised level of fishing mortality at MSY (i.e. the fishing mortality was agreed at higher levels than requirements set out in article 2.2), despite the fact that MSY should be a limit, not a goal, in order to comply with the precautionary and ecosystem-based approach to fisheries management.
- No; the legal obligation to include criteria of both an environmental, social and economic nature has been overlooked, and most allocation systems are still neither transparent nor objective.
- The adoption of article 17 led to very little change in MS, where most allocation systems remain based on historical catches. In doing so, MS fail to harness the full potential of article 17 in incentivizing more sustainable practices and in rewarding best practitioners, while maintaining a status quo which disproportionately favours certain fleet segments to the detriment of others, and risks reinforcing overfishing patterns and unfair tenure systems rather than encouraging more sustainable practices.
- EC has failed to hold MS accountable for their insufficient implementation of article 17, or to provide more guidance to support them.

5.3.1 Management of fishing capacity

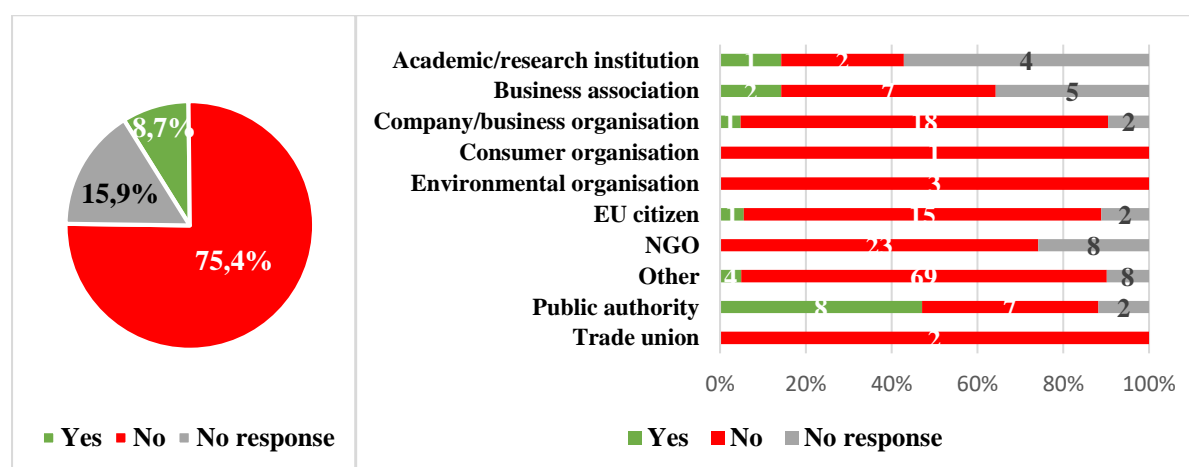
5.3.2 Capacity ceilings

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)

The large majority of respondents (75.4%) responded “no” to this question. Only 8.7% answered “yes”, and the remaining 15.9% did not respond.

The only group that answered “yes” in any significant amount were Public authorities. Responses among academic/research institutions were more mixed, while all other groups overwhelmingly selected “no”.

Figure 13: Percentage of respondents who feel the current annual assessment and reporting provided for by Article 22 of the CFP Regulation is effective in achieving a stable and long-term balance between the capacity of national fleet segments and the fishing opportunities available to them:



What could be improved within the current legal framework?

The different types of organisations surveyed recommended the following key points, when asked what could be improved within the current legal framework:

NGOs

- The Commission itself fails to comply with key provisions of Article 22 in a number of ways. For example, its Guidelines do not indicate relevant enough parameters and indicators for national capacity balance reporting. STECF has repeatedly criticised the Commission's Guidelines and proposed improvements. However, STECF's criticisms and recommendations have not been reflected in the Commission's reports to the European Parliament and Council, and the Commission appears to have taken no follow-up actions in response to STECF's findings.
- There is a serious weakness in the CFP's indicators for measuring fishing capacity. They do not take account of 'technological creep', as a result of which a Member State's ability to catch fish may increase despite indicators showing a decrease.
- MS should reduce fleet overcapacity where it exists, primary in large, more damaging fleet segments. The Mediterranean Sea remains the most overfished sea in the world. Most of the fishing activity there is conducted by artisanal fleet, which remain widely unmonitored and under-regulated. Recreational fisheries is a problem as well
- Mediterranean MS need to fully implement the Western Mediterranean MAP, particularly through strictly following scientific advice on annual reduction of fishing days to tackle excessive capacity.
- MS need to tackle the overcapacity in the fleet
- MS need to improve control of engine power to prevent fraud, which seriously undermines the fishing effort regime.
- MS have fudged their figures, obscuring which fleet segments and vessels fish on which stocks, and the EC's guidelines need to be revised in order to ensure clarity, as recommended by the STECF.

- There is clear evidence that overcapacity has been used to influence quota negotiations at the EU Council, despite EU subsidy funding being based on there being no overcapacity the Commission has not taken action to follow through.
- Overcapacity should be identified and addressed, in order to achieve a better balance with the harvested stocks, avoid overfishing, reduce incentives for discarding and other illegal practices, and avoid the socioeconomic problems caused by too many vessels competing over limited quotas. However, the system put in place to address overcapacity in 2013 fails at just about every step.
- The Parliament and the Council are not playing the watchdog role that they should. As a result, there is still overcapacity and MS continue to use “socio-economic” arguments to keep short-term catches too high, and fish stocks and long-term catches too low.
- MS should more actively seek to identify and address imbalances in their fleets; while the EC must revise its Guidelines to ensure that national reports reflect the total pressure on a fish stock. MS and the EC must act to ensure that a regional report is prepared showing the total capacity from all countries targeting key fish stocks in the Baltic.

Small-scale fisheries

- No account is taken of the power provided by auxiliary engines, and engine power is widely misreported. MS should accurately measure and register engine power, and the efficacy of the gear and fish finding equipment should be taken into account
- The Commission needs to indicate relevant parameters and indicators for national capacity balance reporting in its Guidelines for Member State fleet reporting in line with recommendations from STECF
- “Technological creep” must be accounted for in the CFP’s indicators for measuring fishing capacity. The gradual increase in fishing capacity resulting from technical innovation occurs at a faster rate in other segments of the fleet than the SSF. This fact being unaccounted for leads to an incorrect understanding of fishing capacity and a disproportionate weighting of the balance between the available resources and catching capacity against the SSF in MS’ capacity reports.

Fisheries sector

- The definition in the CFP for capacity is flawed. By restricting the definition to a vessel’s tonnage in Gross Tonnage and its power in Kilowatt, improvements on board such as larger crew accommodations, leisure rooms, separate sanitary facilities for women and men, space to install hydrogen or other green engines et cetera, and adapting the vessels to the discards ban are seen as raising the fishing capacity which obviously has nothing to do with the latter.
- The only possibility to stay within the allowed volume ceiling is building a vessel with a smaller storage capacity. Whilst the catch remains the same, this will result in stability problems as the fish is stored in unsafe places, vessels making more journeys between the fishing ground and ports, and the use of more fuel and hereby an increase in the carbon footprint. Not to mention the increased time crew has to spend on board, all the more need for better working and living conditions.
- Without a necessary change of the definition for capacity in the CFP, the fishing sector is doomed to its current outdated situation as very limited efforts can be made within these capacity ceiling limits.

- Fuel costs are often half of operational costs, if not more. This challenges operators in balancing their expenses, often to the loss of the income of crew on board, or to the increase of product prices. An energy transition to an alternative and cheaper fuel source would be the answer but this is difficult to implement, as novel technologies require space on board while capacity ceilings are preventing this change.
- It is not possible to replace a fishing vessel with a larger one with the same storage capacity, which prevents any attempt to move towards other fuel or propulsion engines and therefore the ability to invest in new technologies. Hence, to decarbonise the fishing industry by hydrogen and gas engines requires space for which legislative limitations are to be removed (capacity ceilings) and adequate funding for which the EMFAF should be the helping hand in replacing engines and thus modernising all fishing vessels.
- EU vessels have been limited in ship tonnage and propulsion power. The construction of new vessels relies heavily on innovative technologies to reduce the environmental footprint and improve crew comfort and safety. However, setting capacity ceilings as an indicator to avoid increasing fishing capacity is no longer in line with the current economic, technical and environmental challenges facing the European fisheries sector.
- Temporary cessation of fishing vessels should be strongly strengthened in order to help achieve balance of the fishing fleet and, where strictly necessary, permanent cessation. The budget for these measures should be increased and easily accessible.

Trade unions

- In order to maximise profits, vessels owners' prioritise maximising fishing capacity within the limitations of allowed gross tonnage, while neglecting improvements that would benefit workers. Consequently, gross tonnage limitation has a negative impact on safety and comfort as it penalises initiatives aimed at adding extra safety, comfort and quality improvements to ships.
- Changes that would modernise vessels and improve living and working conditions compete with fish hold volume and the volume of the engine room and fuel tanks. Alternative ways to calculate the gross tonnage capacity need to be developed to encourage the modernisation of vessels while keeping under control the fishing capacity. This would also allow attracting more young workers and women in the sector that is facing a major demographic problem. It would also encourage the replacement of the vessels, which average age is very high in the EU fleet.
- The way in which fleet capacity is measured, the question of its temporal assessment, and the consequences for fleet development arising from the drafting of the reports should all be reviewed.
- Due to the United Kingdom's exit from the EU, there is an increasing risk that over-capacity will affect EU vessels in the future in competition with non-EU fleets, in particular UK fleets, sharing the same resources but not the same operating constraints. For this reason, the abovementioned reporting needs to evolve.
- Because of disagreements between the EU and the UK on the question of inter-zonal flexibilities, where the UK would like to see an increase between the North Sea and West Scotland in particular, the imbalanced classification of national fleets within the EU could lead to a mismatch benefiting the British fleets

Advisory Councils

- Vessel tonnage limits are 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 Commission's Communication COM(2021)279 assessed that the majority of the assessed fleet segments is not in balance with the Sustainable Harvest Indicators (SHI). MS are therefore reminded to establish an action plan around this. It would be useful to engage stakeholders in the establishment of the relevant NWW stocks SHIs, and all relevant information to enable Advisory Councils to prepare advice on the action plans requested from the Members States should be made available.
- The transfer of fishing opportunities to the UK due to Brexit should be taken into account when assessing the balance between fishing capacity and fishing opportunities.
- Further analysis should be carried out on the impacts of the COVID-19 crisis, as it is not clear yet what the repercussions for the recovery will be on the fleet balance.
- Proper enforcement of the current rules regarding fishing capacity are necessary. To maintain the balance between fleet capacity and fishing opportunities, adjustments and management of the capacity as set out in article 22 of the CFP Regulation is the way forward.
- There still seems to be no way to simplify the entry/exit mechanism at EU level as there is no "true" measure of fishing capacity other than vessel size and engine power; this should be rectified.
- Technical improvements to vessels, including requirements set out in social legislation, come with the need of more space on board, and the CFP definition for capacity can make this difficult. By restricting the definition to a vessel's tonnage in Gross Registered Tonnage and measuring its power in Kilowatts, improvements on board which do not increase fishing capacity but are designed to improve safety and habitability are hampered.
- Adaptations required for vessels to comply with the discards ban and environmental legislations (storage of debris and burning, compacting) are seen as increasing the fishing capacity when this not the case. This creates problems for vessel builders and naval engineers. The only possibility to stay within the allowed volume ceiling while ensuring decent social standards is building a vessel with a smaller storage capacity. Whilst the catch remains the same, this will result in vessels making more journeys between the fishing ground and ports, increasing fuel consumption leading to an increase on fixed costs and in the carbon footprint, and needs to be remedied.

Q14. How do you consider current fishing capacity compared to the available fishing opportunities in each of these areas? (1= far too low, 2 = too low, 3 = about right, 4 = too high, 5 =far too high; or 'I do not know')

In question 14, respondents were asked how high or low they feel that fishing capacity was in comparison to available fishing opportunities, for both pelagic fisheries and demersal fisheries, in every EU sea basin.

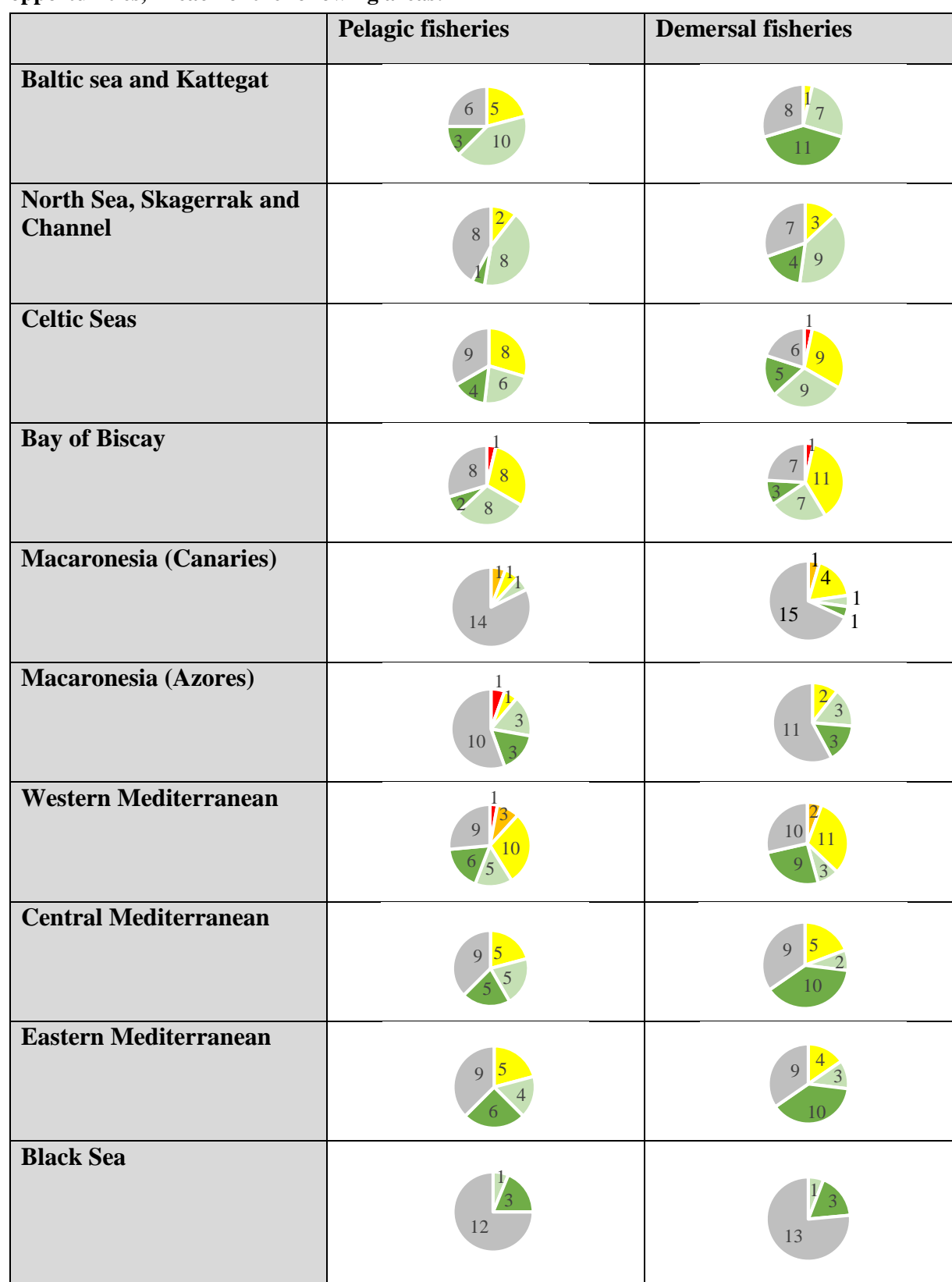
The response rate to question 14 was extremely low; between 84% and 94% of respondents did not provide an answer for any combination of pelagic/demersal and sea basin. **Figure 14** shows the percentage of respondents who did not respond to each possible answer of question 14:

Figure 14: Percentage of participants who did not provide responses for question 14:

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	89%	88%
North Sea, Skagerrak and Channel	92%	90%
Celtic Seas	88%	86%
Bay of Biscay	88%	86%
Macaronesia (Canaries)	94%	92%
Macaronesia (Azores)	93%	93%
Western Mediterranean	84%	84%
Central Mediterranean	90%	88%
Eastern Mediterranean	89%	88%
Black Sea	94%	94%

Among those few participants who did respond, the most common answer was “I don’t know”. However, current fishing capacity was seen as “too high” or “far too high” by a substantial number of respondents in the Baltic Sea and Kattegat; the North Sea, Skagerrak and Channel; the Celtic Seas; the Bay of Biscay; Macaronesia (Azores); and the Central Mediterranean and Eastern Mediterranean. Very few respondents reported “too low” or “far too low”. **Figure 15** summarizes the results of question 14, among those who responded:

Figure 15: How respondents view the current fishing capacity, compared to the available fishing opportunities, in each of the following areas:



■ Far too low ■ Too low ■ About right ■ Too high ■ Far too high ■ I do not know

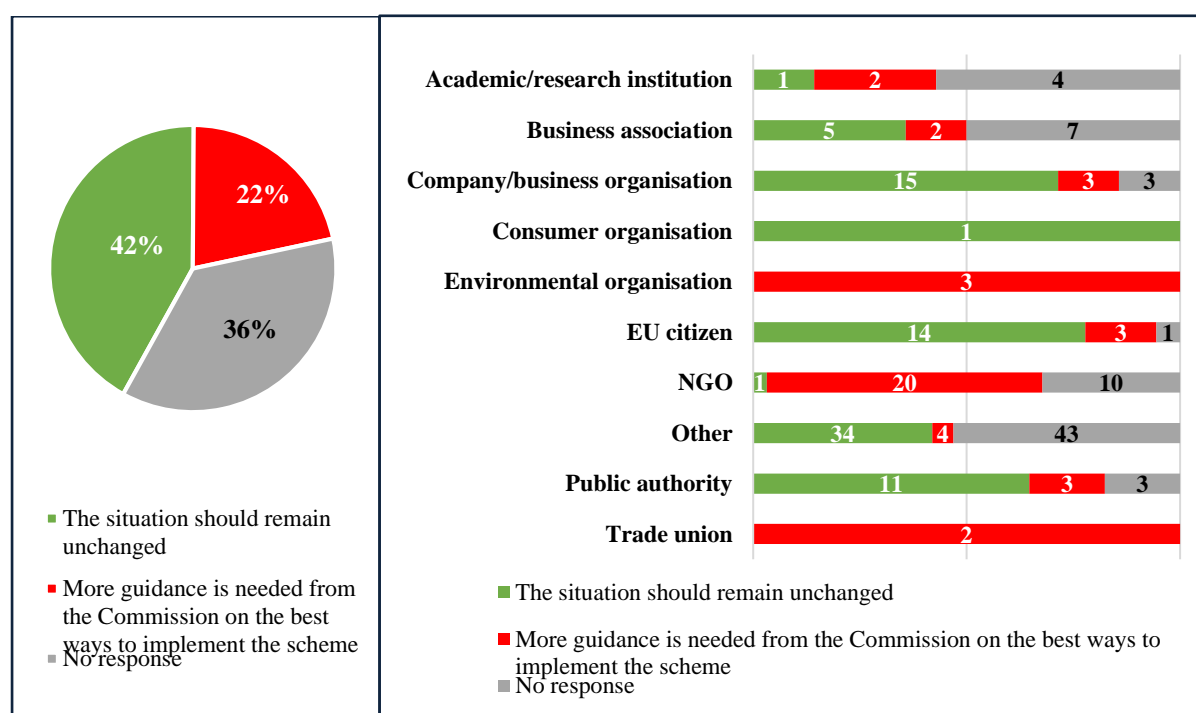
Q15. MS can decide themselves on how to design the entry/exit scheme at national level. Please indicate whether the situation should remain unchanged, or if more guidance is needed from the Commission on the best ways to implement the scheme.

Regarding the MS being able to decide themselves on how to design the entry/exit scheme at the national level, participants were prompted to select either “the situation should remain unchanged”, or “more guidance is needed from the Commission on the best ways to implement the scheme”.

The most common response was “the situation should remain unchanged” (42%). 22% responded that more guidance is needed from the Commission, and 36% did not respond.

All surveyed Trade Unions and environmental organisations, and the majority of NGOs, reported that more guidance is needed from the Commission. The majority of Public authorities, EU citizens, consumer organisations, and company/business organisations responded that the situation should remain unchanged. Business associations and academic/research institutions had mixed responses.

Figure 16: Summary of responses to question 15 by type of organisation:



Please explain:

Respondents were asked to further explain their responses to question 15. The following key points were made by the types of organisations surveyed:

NGOs

- MS should eliminate overcapacity using environmental and social criteria especially also in regard to their far distant fishing fleet.
- Technical upgrade of vessels to improve selectivity and reduce ecosystem impact should be the only measures for which subsidies should be applied and no increase of fishing capacity must be allowed.

- Small scale fisheries should be supported at greater level - especially in coastal states and the outmost regions while large industrial fisheries should no longer be eligible to support other than clearly demonstrating this is used to improve selectivity, reduce bycatch and improve post release survival.
- The Commission should also provide clear guidance based on science which fishing technologies should continue and provide a phase out target for the most unsustainable gears, contaminated with highest bycatch rates and non-compliance with e.g. the landing obligations such as bottom trawling, with a time frame for the phase out starting with the most destructive ones.
- MS did not yet properly manage their fishing fleet capacity, which results in not reaching the objective of achieving a balance between available fishing opportunities and fishing fleet capacity. There is a clear need to implement further instruments to prevent (real) fishing capacity from exceeding available fishing opportunities. This is particularly relevant for the Mediterranean region.
- It is better to use a common approach in an area like the Baltic when designing entry/exit schemes for fleet segments targeting the same stocks with same type of gears. The focus on "national" fleets is more or less obsolete since ownerships are international and quotas are managed e.g. under ITQ systems.

Fisheries sector

- It is appropriate for individual MS to retain their autonomous right of decision on entry or exit.

Small-scale fisheries

- The capacity ceiling limits in the CFP are not feasible and should be replaced with a stronger Article 22 to manage the balance between fleet capacity and available resources. It is better for the administration closest to the sector to be regulated to resolve this issue with discretion.

Trade unions

- In the design of the entry/exit scheme, the Commission should give guidance to MS to take into account the need to allocate tonnage to improve working and living conditions on board vessels (see above).
- An exchange of good practices between MS, coordinated by the Commission, would also be useful.

Advisory Councils

- The Commission could provide further guidelines to MS on fishing capacity and into possible alternatives or solutions to increase vessels habitability without increasing capacity, which would not require a complete revamping of the approach taken in the CFP and other legislation. STECF could be commissioned to support the aforementioned.

Public authorities

- The current system at Member State level offers enough flexibility to best manage fleet capacity and fishing opportunities.

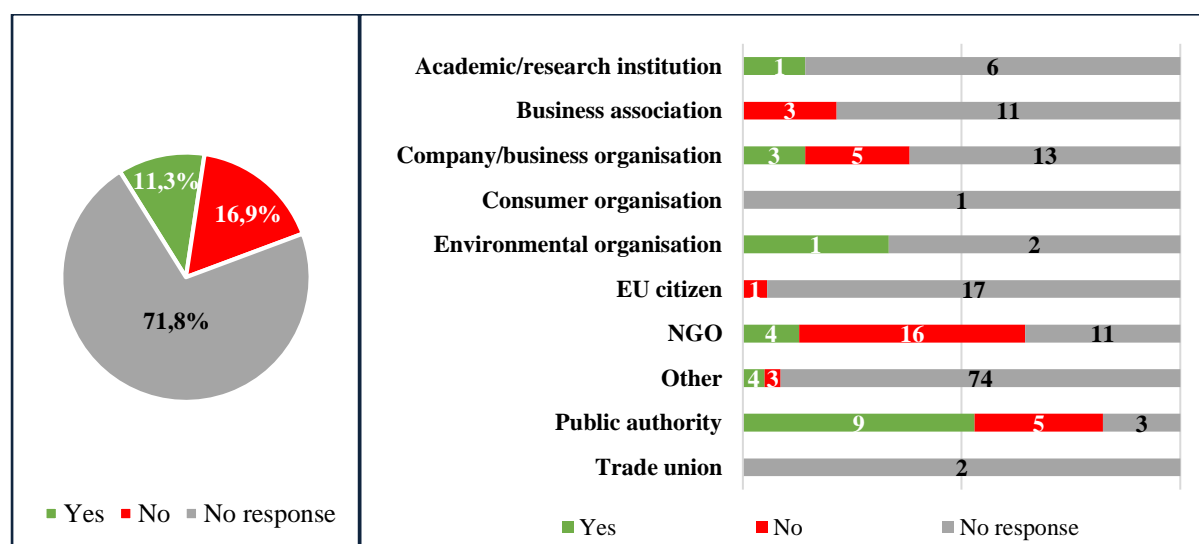
5.4 Aquaculture

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)

Question 16 had a very low response rate; only 29.2% of respondents provided an answer. Of those who responded, consensus was mixed, with slightly more selecting “no” (16.9%) than “yes” (11.3%).

None of the participating business associations who provided an answer felt that the system of strategic coordination established in Article 34 of the CFP Regulation contributed to the sustainable growth of EU aquaculture, nor did the majority of NGOs who answered the question. The academic/research institutions and environmental organisations who responded all felt that the system of strategic coordination in Article 24 contributed to sustainable growth of EU aquaculture. Responses were mixed among surveyed company/business organisations and Public authorities.

Figure 17: Summary of responses to question 16 by type of organisation:



Please explain:

Respondents were asked to further clarify their responses to question 16. The following key points were made by the types of organisations surveyed:

NGOs

- The strategic guidelines have ensured sustainable development in two of the three pillars of sustainability. However, the strategic guidelines have failed to ensure that EU aquaculture has developed in an environmentally sustainable way. Thus, to truly contribute to the sustainable growth of EU aquaculture the EC and its strategic guidelines need to focus on environmental issues around aquaculture and resolving those.
- Article 34 has a much stronger focus on promotion and expansion of aquaculture activities than on long-term sustainability, but there are some provisions related to

environmental aspects. So far, however, implementation of Article 34 has not led to reduced pressure on fish stocks used for feed production (Art. 34.4 (g)), and much of the EU aquaculture is still focused on the farming of predatory fish dependent on feed stocks with high oil contents, rather than more sustainable options such as herbivore fish and mussels – which could even have positive effects on water quality. This is recognised in the EU framework, but current implementation is still riddled with spread of pathogens, excessive use of medication and eutrophication and pollution from farms in coastal waters.

- Aquaculture is poorly managed including on-going licencing issues and problems associated with aquaculture in Natura 2000 sites.

Aquaculture Producers

- The strategic coordination system provided for in Article 34 of the CFP Regulation and the multiannual strategic plans for aquaculture adopted by Italy in application of the strategic guidelines have enabled the sector to be more aware of the potential of aquaculture, to improve competitiveness, to support the development and innovation of the sector, and to maintain or slightly improve market shares. However, they have still not been able to reduce the administrative burden, not least because of sometimes contradictory policies of the European Union itself.
- The CFP has highlighted the potential of aquaculture to provide food security and food safety to the EU, but unfortunately, the aquaculture sector of the EU has been pushed back and has hardly progressed during 2014-2020.
- The 'Strategic guidelines for sustainable EU Aquaculture' and multi-annual National strategic plans prepared by MS are non-binding and there is no incentive for Member State authorities to implement these plans. Aquaculture production within the EU has not increased (and may have decreased following Brexit) and the plans for reducing the administrative burden have not been realised.
- As long as the aquaculture support schemes does not follow most of the CAP support architecture it will be very difficult to raise the level of production in order to meet the internal demand. Without incentives to the farmers will not change their production habits. Freshwater aquaculture which is seldom addressed in the public speech.

Public Authorities

- The guidelines have not promoted the development of the aquaculture sector in our MS. Our sector is fragmented, divergence of interest is hindering cooperation. The production is not competitive to the imported products. Marine aquaculture is weakly developed. It is hampered by the Baltic Sea poor ecological status (high level of nutrients hampers new developments etc).
- Substantial obstacles to sustainable growth and the competitiveness of its aquaculture have been encountered. Administrative simplification should therefore be an imperative to facilitate the implementation of priorities. Furthermore, while the measures are relevant to the existing activity, the problem of spatial planning and the overlapping of human activities at sea significantly limit the expansion or development of aquaculture activity as well as the creation of new ones.
- A significant and difficult to predict effect on the date of adoption of the Regulation affects some of the beekeeping activity, namely Brexit. Old economic ties existed before the United Kingdom left the EU, in particular nurseries on British territory, which were still being reared in Brittany.

- Finally, as regards the competitiveness aspect, the problem of the health classification of certain waters, in particular Regulation (EC) No 2018/848, leads to the loss of an organic label on shellfish and algae on criteria linked to the quality of waters different from those relating to aquaculture. This results in a loss of competitiveness on this market to the benefit of other areas (thereby increasing the pressure on these stocks for algae) or benefits organic imports.
- There are still challenges and barriers hindering or delaying the development of sustainable aquaculture in maritime regions, such as:
 - **enhancing the access to space and water.** In this respect, national, regional and local authorities should better cooperate to ensure evidence-based governance models for Marine Spatial Planning and guarantee access to appropriate sites;
 - **boost simplification of administrative procedures** to get licenses;
 - **supporting cooperation between the industry and the academia** and increase training to ensure the continued relevance of educational programmes and provide the sector with workforce with cutting-edge professional skills in technological and biological fields;
 - **encourage the use of emerging and enabling technologies in the aquaculture projects/applications;** improve the perception and the information of the consumer/citizen.
- The new strategic lines to implement the CFP were transmitted late (May 2021). The “coordination strategy”, which brings together the various experts from the MS, remains relatively abstract, but allows exchanges between MS on subjects which they discover in common. The opening of certain meetings to the members of the CCA and the participation of other DGs (in particular DG ENV) were positive points. The difficulty is to maintain intersessional dynamics and to exchange views between MS outside scheduled meetings. A network of experts between MS and the Commission is considered to be very useful. The establishment of a dedicated internal platform for the exchange of documents and best practices would also be very useful and there is an apparent increase in research activity through EU programmes.

Academic/research institutions

- Aquaculture production within the EU has not increased (and may have decreased following Brexit) and the plans for reducing the administrative burden have not been realised. The Open Method of Co-ordination has greatly increased communication and there is an apparent increase in research activity through EU programmes.

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?

The following key points were made by the different types of organisations surveyed, in response to question 17:

NGOs

- The strategic guidelines adopted in 2021 should ensure that EU aquaculture develops in a responsible manner to strive for sustainability.

- The strategic guidelines should highlight the path EU aquaculture should take to transition towards an environmentally-friendly, carbon neutral, sustainable and low impact industry, which is in line with EU environmental law, strategies and targets.
- Public funds should support services for the public good, like data collection, research, balanced stakeholder engagement in a dedicated Advisory Council, monitoring, control and enforcement, and the establishment of a robust, comprehensive spatial planning framework as well as certification by independent certification schemes.
- Public funding should support the integration of environmental standards in aquaculture.
- Public funding should be returned in cases of infringement.
- It is unclear how the mapping of good practices is going to ensure improved implementation and changes on a national and local level, particularly as this emphasis is not clearly carried through to the funding aspects under EMFAF. There is little incentive to shift to more sustainable forms of aquaculture, other target species, and nothing to prevent continued aquaculture using vulnerable species. It also fails to reflect on animal welfare aspects such as varied intelligence and sentience.

Small-scale fisheries

- Aquaculture has a negative effect on marine ecosystems. EU should seek to support and enhance the development of marine aquaculture that is not jeopardizing neither wild fish stocks or coastal areas.

Aquaculture

- The Commission's Strategic guidelines should continue with a long-term focus on the sustainability of the aquaculture and highlight its contribution to the European Green Deal. The Open Method of Coordination should be further implemented to effectively reach out to national (and regional) public administrations directly addressing aquaculture. It is necessary to streamline national legislation and providing guidance on the regulatory framework applicable to the sector.
- Cooperation in aquaculture governance between countries a necessity.
- To be more effective, the Strategic Guidelines should:
 - Focus more on small scale aquaculture;
 - EU level communication on aquaculture;
 - Making full use of knowledge.

Public authorities

- The three main pillars for improving the effectiveness of the scheme in our region are:
 - An economic component focused on improving profitability, competitiveness and resilience with business diversification
 - A social aspect focusing mainly on the attractiveness of occupations
 - An environmental component related to water quality, energy transition (electric or hydrogen motorisation, photovoltaic panels on farm buildings) and reduction of environmental impact (reduced use of plastics and orientation towards biodegradable materials). Adaptation to climate change must also be part of this strand.

- The strategic guidelines should pursue and promote conditions to allow regional authorities to play a greater role in the management of the global process of the development of the aquaculture sector.
- It is important to move forward simplification of administrative procedures and ensuring water and space access to aquaculture farmers on an equal basis compared to other economic sectors.
- It is important to adapt aquaculture practices to climate change, health and environmental risks, and increase the added value of aquaculture products and the environmental performance of businesses.
- In the sustainable development of aquaculture, it is important to see an increasing partnership between the public and private sector to achieve the four overarching objectives as established by the new EU strategic plan for aquaculture. The public sector has two roles.
 - to provide both a framework and a means to the sustainable development of the industry. This means progressing the development of an accessible, transparent, and well supported licensing and management system.
 - to safeguard the wider environmental services that are so critical to both aquaculture and other water space users. Ancillary to this is the possibility of different agencies around Ireland to collect and process information that will permit proactive and evidenced-based decision-making.
- The sector is dependent on the industry's ability to innovate and adapt to changing circumstances, with investing in research and development, embracing new approaches and technologies and exploring new products and markets. This partnership needs to be supported by the continued engagement by the Government in facilitating change and supporting capacity-building.
- It would be necessary to promote the establishment of co-management processes for the strategies' development. This will imply all parties' participation, through the creation of aquaculture co-management programmes comprising aquaculture farmers' representatives, administration members with competence in this field, as well as representatives of the scientific sector.
- The promotion of innovation and technology transfer are key issues going forward

5.5 Regional cooperation on conservation measures: Regionalisation

5.5.1 Overview of regionalization

Q18. To what extent (1 = “not at all” to 5 = “fully”) have the changes to a more regionalised approach to EU decision and policy making improved the CFP's implementation?

Participants were asked to rate to what extent the changes to a more regionalised approach to EU decision and policy making have improved the CFP's implementation in 7 predefined areas. Responses were mixed among most groups, and response rates were low for several groups as well.

The majority of environmental groups and NGOs who responded to the question largely reported that the changes have improved the CFP's implementation either “poorly” or “not at all” across all areas mentioned, although results were more mixed for environmental organisations in regards to “collecting data on commercial fish stocks” and “implementing the

technical measures”. The consumer organisations and Trade Unions who responded to the answer all felt that the changes to a more regionalised approach to EU decision making and policy making have improved the CFP’s implementation in regards to implementation of the landing obligation.

Among the remaining types of organisations, response rates were low, and those who responded had mixed opinions. **Figure 18** shows the full results of question 18, separated by type of organisation:

Figure 18: To what extent have the changes to a more regionalised approach to EU decision and policy making improved the CFP's implementation in the following areas?



Please specify if “other”

Participants were asked to expand upon their responses to question 18 if they answered “other”. The following key points were made by the different types of organisations surveyed:

NGOs

- In general, the regionalisation process is deeply flawed and ineffective in delivering sustainable fisheries. It leads to time-consuming processes, in which too much exemptions and flexibilities are hampering the CFP’s implementation. It counteracts the objectives of the 2030 Biodiversity Strategy, including the upcoming Restoration Law.
- Scientific advice and the precautionary approach are often ignored. Lack of clear guidance, leadership and ambition result in delays, veto blockages, lowest common denominators and undermining of legal obligations.
- The EC should take a more outspoken role in scrutinizing the regionalisation process (including the role of Advisory Councils).
- The EC needs to hold MS legally accountable for not adhering timely to the environmental objectives in the process. In this context, the impact of joint recommendations should also be assessed properly, together with their scientific base.
- The whole regional process to come to a joint recommendation needs to be reviewed, especially for the implementation of MPAs in a regional context (under Article 11 of the CFP). There is too little guidance on content, lack of leadership from the commission, utter disregard for deadlines and as any MS has the right to veto progress the final outcome tends to slide down to the lowest common denominator. This is especially problematic in areas where different countries have fishing interests

Small-scale fisheries

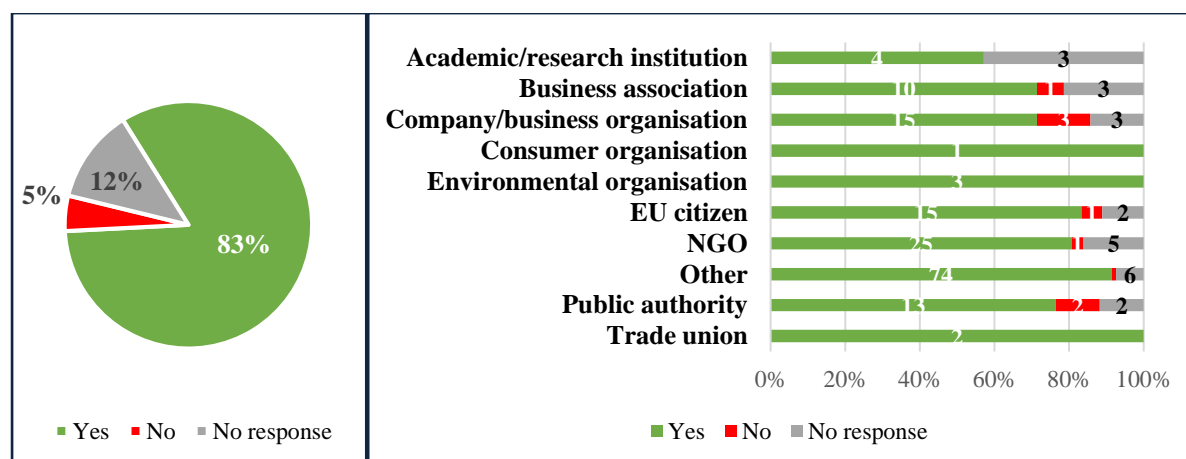
- Making effective progress on any of the aspects listed in this question requires better scientific advice, assessment of the impacts of other activities and consideration of sustainable socio-economic measures, and thus greater confidence in proposals in the fisheries sector.

Q19. Would you see the need for further improving the decision-making process? (yes/no)

The large majority of respondents (83%) see the need for further improving the decision-making process. Only 5% responded that they do not see the need for further improving the decision-making process, and the remaining 12% did not respond.

All surveyed academic/research institutions, consumer organisations, environmental organisations and Trade Unions see the need for further improvement. Among all other groups, the large majority reported seeing the need for improvement in the decision making process as well.

Figure 19: Summary of responses to question 19 by type of organisation:



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

The following specify examples of good practice and possible governance improvements within the existing legislative framework were made by the types of organisations surveyed:

NGOs

- Despite the CFP's intention to establish long-term, environmental sustainable fisheries, the implementation of the policy retains a short-term approach, rooted in annual decisions on fishing limits and exposed to sustained attempts by MS, the fishing industry and even the European Parliament erode the ambition of the CFP Regulation. Also, the policy lacks climate considerations, and has failed to ensure coherence and compliance with EU environmental law.
- A serious shortcoming is the fact that regional MS groups are not presented in the EU decision making process. There is:
 - A lack of decision making tools, such as basic voting rules, is a problem
 - A lack of a permanent, well defined structure, a secretariat or at least a permanent focal point, which results in massive gaps of even minimum requirements, such as publicly available records and meeting notes, is a problem
 - The problem of national administration agencies being overloaded and not having capacity/resources to handle this process.
- A legal framework for regional MS groups should be established and guidance developed to take decisions, prescribing minimum transparency requirements.

- Regional MS groups need support by permanent staff to perform such structural tasks
Impact assessments should be mandatory for joint regional recommendations to understand consequences and establish how the proposed measures would contribute to achieve the CFP objectives. The solution to this could come in several ways:
 - MS should include impact assessments in their joint regional recommendations to understand their consequences and establish how the proposed measures would contribute to achieve the CFP objectives. The EC should request scientific advice regarding the climate and ecosystem impacts of fisheries management decisions, including the setting of fishing opportunities, in the different sea basins;
 - The EC should propose fisheries management measures when there is sufficient scientific evidence of a problem and when MS fail to come to a timely agreement;
 - The EC should not hesitate to use more delegated and implementing acts when the regionalisation process fails, and not shy away from emergency conservation measures;
 - The EC and MS should reject Advisory Councils' (ACs) advice that undermines the CFP objectives, for example when ACs support TACs above scientific advice. MS and ACs should ensure that the regionalisation process leads to strong and effective measures by applying the precautionary principle and high scientific standards when drafting and evaluating joint recommendations;
 - The EC should be more proactive, monitor AC functionality and intervene when necessary. It should also provide clear protocols for the development and presentation of advice;
 - The EC should share and encourage good practices and governance to promote respect and a balanced representation of stakeholders in ACs. AC members should support impartial secretariats and rotating chairpersons to increase transparency;
 - The EC should organise annual performance reviews for ACs: an independent, uniform audit to assess ACs' functioning and their contributions to the CFP implementation.
- Commission proposals on annual catch limits and longer-term legislation such as MAPs have tended to pre-empt the Council's diminished ambitions by proposing measures that fail to live up to the CFP's requirements. The Council, consisting of representatives of the 27 member state governments, agrees legislation with the European Parliament – or, in the case of fishing limits, has the power to set these alone. Too often, it seemed the Commission, which starts the legislation process, would make proposals with the expectation that the Council would water them down. This allowed for levels of fishing in excess of scientific advice as well as exemptions that slowed changes in patterns of fishing behaviour. Such reduced ambition can be seen in the Commission's reporting on progress, which has consistently introduced lower benchmarks to judge implementation success than those in the CFP.
- Delivery of CFP aims also has often been undermined by the Council's prerogative to set catch limits. The stock recovery objectives are unlikely to be achieved if excessive exploitation rates continue, or even if fishing pressure is kept at the maximum level advised by scientists. Such an approach leaves little room for uncertainty or error.

- Throughout the seven years of CFP implementation, the Council has generally chosen the maximum level of catches advised by scientists, or levels in excess of this, with only a few examples of more precautionary catch limits. The Council has continued to choose excessive exploitation rates, with member state fisheries ministers adjusting their decision-making on annual catch limits only incrementally as deadlines came and went.
- Members of the European Parliament, which decides on legislation in tandem with the Council, often attempted to hold the other EU institutions accountable for CFP implementation, for example in votes on the Baltic MAP in 2015, but in the end would not or could not prevent overfishing from continuing.
- Parliament does not have a direct say in annual decisions on catch limits, despite the involvement of members of the European Parliament (MEPs) in most other decision-making processes. As the co-legislator for most EU fisheries policies, including the CFP regulation, the Parliament could have played a more hands-on role, ensuring that the CFP's requirements were met.
- The regionalisation process has clearly not been a success. In most cases, the fact that MS had to drive the process towards the adoption of measures has led to the adoption of rather weak measures or, in some cases, to the adoption of no measures at all. This is particularly true when it comes to the implementation of Article 11 of the CFP Regulation. The Commission has adopted guidance on the implementation of Article 11, but it is not effective enough. As a result, joint measures aimed at addressing, for example, cetacean bycatch in the Bay of Biscay or the management of the Dogger Bank MPA have been extremely weak and not fit for purpose. If the EU does not address this issue soon, it is difficult to see how many of the pledges in the EU Biodiversity Strategy will be achieved, especially in relation to the 30 by 30 target and marine restoration.
- Discard plans adopted through the regionalisation process have also been weak. Generally speaking, they have watered down the objectives of the CFP. In this context, it is not advisable to reinforce regionalisation, if this only leads to a weakening of the rules adopted at the EU level, under the guise of “adaptation to regional particularities”. To improve the situation, the EC needs to step in and to take more initiative, urging MS to take credible action when this is needed. It should also open infringement proceedings when MS are failing to take appropriate action.
- EU decision-makers, notably in the European Parliament, should play their role and hold MS accountable for preparing joint recommendations of very poor quality or for not taking action. Finally, the decision-making process for preparing these joint recommendations should be more transparent and open to input from civil society organisations.

Recreational Fisheries

- Recreational fisheries should be given a clearer priority within the decision-making process and mandate within the DG.
- Formal dialog between recreational fisheries representatives and the Commission on issues affecting recreational fisheries should be given higher priority. Dialog can be aided by designating case officers within the Commission with a clear remit for recreational fisheries and formalising systems for dialog on issues specifically facing recreational fisheries.

- Dialog is especially important when STECF is creating advice on regulation of fish species of value to the recreational sector. Scientists with an understanding of the recreational sector should be more thoroughly included in STECF evaluations and the decision-making process.

Aquaculture

- Alignment and coherence of the CFP objectives on aquaculture with other regulations and directives is a key challenge, mainly when considering environmental conservation matters.
- Implementation at national/regional level is important. The main challenges for implementing good governance lie in the complications that national and regional public administrations face to apply different, but overlapping, EU regulations. Public administrations that are not themselves responsible for governing aquaculture, but that have a saying on the administrative procedures that aquaculture must undergo, have been proven to cause the main bottlenecks for the development of aquaculture.
- Cherry picking of legislative targets by national/regional public administrations is problematic. When implementing the CFP and related regulations, national and regional public administrations tend to dedicate full efforts to reach European environmental targets while leaving aside other CFP objectives like those related to attaining primary producers' fair standards of living or employment.

Small-scale fisheries

- Advisory Councils are mostly dominated by the large fishing sector, and SSFs are poorly represented. This has to some extent improved in the period, but as the small scale sector is still very poorly represented both in the ACs and in policy making in general (both at EU level and in MS), the "democratic nature" is somewhat diluted.
- Promotion of SSF in establishing POs should include:
 - Informing MS that they should support and help Low impact SSFs to establish POs, to produce marketing plans and seek funding. This could be by informing smallscale fishermen that it is an option, and support them in the making. It is a very difficult process, that fishers don't have the time - or maybe even skills - to conduct.
 - Today a PO can receive up to 3% of their members revenue to implement the production and marketing plans. For SFF low impact POs this should be enhanced, to give them a better possibility to work with the CFP and marketing of their members products.

Trade unions

- The regionalisation process has not achieved all the desired objectives, and remains very much constrained by the Commission's power of initiative, which requires, in particular, the timetable for their adoption, but also constrains the process by the STECF's opinion on the joint recommendations, an opinion which the Commission has used to reorient the MS' proposals.
- MS have missed an opportunity to assert themselves by considering the tool to be a technical rather than a political tool. But dedicated resources should be allocated and involve the Advisory Councils in advance of the drafting of the joint recommendations.

Advisory Councils

- The importance of constructive feedback to advisory documents produced by ACs should be emphasised. It is fundamental that members are provided with information on the impact of their work on the development of legislative proposals.
- Constructive feedback and evidence of recommendations being incorporated into legislation are vital to making the dialogue between all levels of industry and regulators more relevant.
- It is recommended that further cooperation be 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.
- 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.
- The Pelagic AC developed an extensive position paper in light of the CFP reform, where it envisaged a number of possible structures and scenarios for the future role and function of the PelAC, ranging from the PelAC becoming a decision-making body that delivers binding advice, to a scenario of full decentralisation of the management system.
- A separate entity should be created, to specifically deal with pelagic issues, to which the Pelac would be providing its advice. If regionalisation is pursued at this level, all fisheries should be involved in a particular stock, i.e. at a 'higher' level; which means including Third countries as 'co-owners' of the TAC. The PelAC is convinced that it can play a unique role in advising upon the implementation of LTMPs which will continue to be a core activity for the Pelagic AC.
- There is no doubt that ACs should have a say in the identification of research priorities. If policy is to be effective, then there needs to be more emphasis on bottom up instead of top-down policy making. There needs to be a greater cooperation and closer relationship between stakeholders and scientists. **Academic/research institutions**
- The Regional Coordination Groups (RCGs) are an effective method of coordinating fisheries scientific Data Collection. They are the main hub for regional coordination and cooperation within the different regions contributing to the fisheries Data Collection Framework. They also make efforts to coordinate their actions with third countries having sovereignty or jurisdiction over waters in the same marine region. In accordance to the Regulation (EC) 2017/1004, RCGs aim at developing and implementing procedures, methods, quality assurance and quality control for collecting and processing data with a view to enabling reliability of scientific advice to be further improved. RCGs have established intersessional sub-groups (ISSGs), which work year around in common topics, such as data quality, dialogue between data providers and end-users, diadromous fish, regional overviews of fisheries, etc, but also on region specific priorities as agreed at RCG level.

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

NGOs

- Yes; NGOs definitely should be more involved in the MS and regional groups. There should be a requirement to involve and consult with stakeholders and decisions taken as well as the process as such need to be made publicly transparent

Recreational fisheries

- Yes, but lack of manpower and financial resources will be a barrier for many organisations willing to do more.

Fisheries sector

- Close cooperation between the different Advisory Councils and the regional groups of the MS will contribute to the efficiency of the consultation process and to the production of opinions.
- The “weight” of AC advice. Although an AC opinion reflects the views of multiple stakeholders, it is treated equally as the input of an individual EU citizen. There is therefore a need for a separate consultation method whereby Advisory Councils are no longer bound by fixed questions.
- The current system of Advisory Councils is sufficient

Small-scale fisheries

- Yes; SFF needs to be present. But there is a lack of resources to do so.
- All fishermen in the European Union should be represented by their regional and national federations

Public authorities

- We are a part of the Baltfish High Level Group. In general Baltfish works well, it is beneficial for smaller MS whose power to influence decision making process on EU Council level is limited (due to low number of votes). Regionalisation gives opportunity for smaller MS to impact fisheries policy on regional level. It is also burdensome on administrative level, but it is worth of it. Also in Baltic Sea region various stakeholders are involved quite well via Baltfish Forum group and Baltic sea Advisory Council (BSAC).
- France participates simultaneously in four regional groups and holds the presidency in turn with the other MS. Its presence in four sea basins leads it to animate at least one regional group, almost every year. The participation of the advisory committees in the groups is the subject of regular discussions between the MS and, at this stage, none of them have wished to change the arrangements for their participation.
- Close cooperation between the NWWAC and the Regional MS’ 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 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.
- 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.
- 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 MS Group to eventually find the best option to collaborate and implement them, integrating both the MS Group's and the AC's work programme.
- The role of the Advisory Council in the NWW Member State regional groups has been limited to date. This is partially since the advice provided from the AC has been quite generic and high level. Exploring ways to better use the expertise available in the ACs should be priority for the ACs and the Commission.

5.6 External dimension

5.6.1 Preventing harmful fishing practices

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

The different types of organisations surveyed mentioned the following key points in reference to question 21:

NGOs

- The EU should be leading by example and propose improved conservation measures and an ecosystem based management and support those of other delegations in RFMOs or under international conventions (e.g. HELCOM, OSPAR, UNEP-MAP, BSC, ICCAT, IOTC, WCPFC, GFCM, NAFO, NEAFC and others), promoting science based sustainable fishing activities, in line with its EU biodiversity objectives and harmonisation of management measures;
- The EU fleet should be required by the Commission to urgently resolve the deficiency in reporting on discards at ICCAT but also at IOTC or other RFMOs;
- Observer coverage and data availability should be increased to 100% through a combination of human and Electronic Monitoring (EM), using cameras, sensors onboard vessels and other real time traceability tools to improve transparency and reducing bycatch rates. Required observer coverage in the RFMOs is typically between 5-10% of fishing effort, but many CPCs do not achieve these minimum levels, resulting in negative consequences such as: i) no incentive for fishers to comply with CMMs, and ii) no enough data for RFMOs and governments to be able

to accurately understand the impact of fishing activity on the ecosystem (e.g. a minimum coverage of 20% is required to understand seabird bycatch rates and ~70% to understand bycatch of rare species);

- RFMO enforcement systems needs to be strengthened, also reviewing its current consensus making model, to incentivize compliance to tackle Illegal, Unregulated and Unreported (IUU) fishing, which is still a big threat for marine ecosystems, (see e.g. report of EU IUU Coalition) and to ensure greater accountability in line with article 29 and 30 of the CFP Regulation. More generally, the EU must ensure the non-discriminatory treatment of the EU fleet vis-à-vis other foreign fleets, and equally apply all technical measures to EU operators both within EU waters and outside. This requires to promote alignment between the internal and external dimensions of the CFP, promoting the policy's objectives, such as an ecosystem-based approach and the minimization of bycatch, in RFMOs. Better alignment with EU trade policy is also needed;
- The ratification of all relevant fisheries-related international conventions and participation in the relevant organisations should be actively promoted, improving coherence between RFMO measures and other international frameworks (CITES, Regional Seas Conventions) to provide a strong legal framework for the protection and conservation of sensitive species and habitats;
- The establishment of regional fisheries management organisations (RFMOs) in regions not covered by one or the extension of the mandate of adjacent RFMOs should be a goal.
- In RFMOs, partnerships should be developed with non-EU countries to support ambitious conservation and management measures proposals aiming at securing sustainable, legal and ethical fisheries and at increasing transparency over beneficial ownership;
- It is important to expand the coverage of catch documentation scheme (CDS) to additional species and geographical areas while ensuring alignment and following best practices for the coverage and design of new CDS⁹;
- It is important to fight against IUU fishing, strive to improve inter-RFMO coordination (particularly through IUU 'cross-listings') to ensure there are no safe havens for IUU operators and strive towards the adoption of policies on the restriction and prohibition of at sea trans-shipments, since these operations have been shown to be disproportionately often linked to IUU fishing activities and hinder the control and monitoring of vessels by their flag State and coastal countries;
- RFMOs should be supported in the allocation of access systems that rewards/does not penalise those who fish most sustainably and contribute most to local economies; in this context, collect, compile and assess information regarding socio-economic indicators for all fleet segments. Additional recommendations on specific RFMOs can be found here (e.g. on nationals, records of vessels, etc.)¹⁰;
- EU behaviour on catch/quota management in this external dimension should follow the requirements of the CFP, advocating for catch limits that immediately end overfishing (given the missed CFP deadlines) and recover overfished stocks as quickly as possible. These objectives should be codified in formal harvest strategies

⁹ see more information: http://www.iuuwatch.eu/wp-content/uploads/2021/12/EU-IUU-Fishing-Coalition_Seafood-Traceability-Report_Dec-2021-1.pdf

¹⁰ <http://www.iuuwatch.eu/eu-external-fleet-regulation/regional-fisheries-management-organisations/>;
https://ldac.eu/images/EN_LDAC_Advice_LPF_25May2021.pdf.

or management procedures, on which the EU should be a primary champion using its leverage and work with 3rd countries for consistent adoption by RFMOs of a series of core measures;

- In tuna RFMOs, when discussing allocation of access the EU should also promote the preferential access for small-scale fishers, and priority access to those who fish most sustainably¹¹. The EU should promote the view that allocation of access should be based on a set of transparent environmental and social criteria, that respects the rights of developing coastal States and small-scale fishing communities to participate in and benefit from tuna fisheries. Such criteria should apply equally to all RFMOs contracting Parties and Cooperating non-Contracting Parties (CPCs) and their operators and should cover: - impacts on the ecosystem: level of by-catch; damage to the marine environment, species composition, marine trophic relationships- history of compliance/flag State performance;- amount and quality of data provided;- socio-economic benefits provided (investments, landings, etc), especially to coastal fishing communities, in developing States members.- public access to data concerning vessels authorised to fish in waters covered by the RFMO and coastal CPCs waters, including flag, name, beneficial owner/operator, technical characteristics and gear, and licensing conditions.
- Data collection efforts and analysis should actively involve various stakeholders, including fisheries officers, sociologists, economists, Trade Unions, fishery managers, industrial and artisanal fishing sector representatives, administrators and other interested stakeholders. Data collected should include data on labour and employment conditions, economic dependence on tuna stocks, contribution to national food security, interactions between fleet segments. Allocation should be reviewed periodically taking into account: the performance of CPCs (as flag/coastal/port States and State of beneficial ownership), the socio-economic gains achieved in developing coastal States (particularly benefits accruing to fisheries dependent communities) and the extent to which these gains may be captured by foreign fishing interests.

Trade unions

- RFMOs for unregulated species and areas in the high seas should be promoted, reinforcing their role and binding nature, also through capacity building and data collection, in order to provide an integrated responses to ocean challenges and strive for 100% stock management in all seascapes;

Advisory Councils

- Foster dialogue and work within RFMOs towards harmonization of access agreement conditions between coastal and flag states in the management and resource allocation of straddling stocks.
- In order to fight IUU fishing and enhance transparency, RFMOs should be asked to follow the best practices of ICCAT and GFCM in creating a public annual reporting system for all access agreements. To require that coastal states report on foreign-flagged vessels fishing in waters under their jurisdiction for species managed by that RFMO, and from flag states whose vessels fish in waters under the jurisdiction of another member for species managed by that RFMO.

¹¹ see joint CAOPA-CFFA position at IOTC <https://www.iotc.org/documents/caopa-cffa-paper-challenge-setting-access-allocation-system-iotc>.

- Contribute to establishing inter RFMO regional coordination mechanisms, based on dynamic exchange of information, to ensure consistency of applicability of measures related to cross-cutting issues within the caveat of their regulatory frameworks.
- Showcase RFMOs as “testing laboratory” to promote a regional approach to MCS, through the coordination and setup of regional observer programmes at sea (such as the one for bluefin tuna in ICCAT or transshipments in IOTC) and port control and inspections schemes (for example, NAFO resolution supporting implementation of FAO PSMA).
- In terms of transparency, a benchmark exercise should be carried out between performance reviews within RFMOs to verify alignment with the UNCLOS provisions and related instruments such as UNGA Resolutions of Sustainable Fishing.
- It is important to defend the role of RFMOs in reinforcing mechanisms to fight against IUU fishing, such as collaborative work on information exchange regarding IUU vessels lists, submission of information to the FAO Global Record of Fishing Vessels or the compulsory allocation of IMO numbers for distant water fishing vessels.
- It is vital to continue efforts to expand the requirement in RFMOs for states to verify and take appropriate action when nationals are found to be otherwise benefiting from or supporting the activities of IUU vessels through for example, the provision of services. These measures are also in line with Article 39 of the EU IUU Regulation.
- It is important to support proposals in RFMOs aiming at improved transparency standards, particularly regarding the beneficial ownership of vessels, potentially taking as a starting point the example of the IOTC which adopted, in 2019, a conservation and management measure mandating states to submit information on beneficial owners of authorised vessels.
- It is important to continue actively promoting the constitution of new RFMOs or other regional arrangements where they do not exist, in particular for managing sustainably shared stocks like the small pelagic and demersal stocks in West Africa; the Arctic; or the Southwest Atlantic; amongst others.
- promote research (through studies, establishment of working group) on the socio-economic impacts of resources exploitation, on coastal communities, local job creation, and food security.

Public authorities

- Within the ICCAT framework there are still needs of data collection at regional Mediterranean level to improve the accuracy of the stock assessments. Those needs relate to, for instance, the quantification of recreational and IUU fishing catches;
- The EC should be able to ensure compliance of Article 17 of the CFP Regulation;
- There are several stakeholders willing to certify their fishery as sustainable. The previously mentioned improvement will be also essential to comply with ambitious certifications standards. Moreover, strengthening the management of frequently accompanying catches of the bluefin tuna fishery would also help to the certification processes;
- To actively promote the creation of new RFMOs, such as in the South West Atlantic and get more involved in the Arctic fishing new scenarios;
- Strong progress in line with international commitments on climate change, oceans clean and biodiversity strategies;

- Security of human life at sea as well as improving working and living conditions on board fishing vessels, based on common standards, similar to those applied in the EU;
- Full incorporation of RFMOs rules into the EU legal framework.

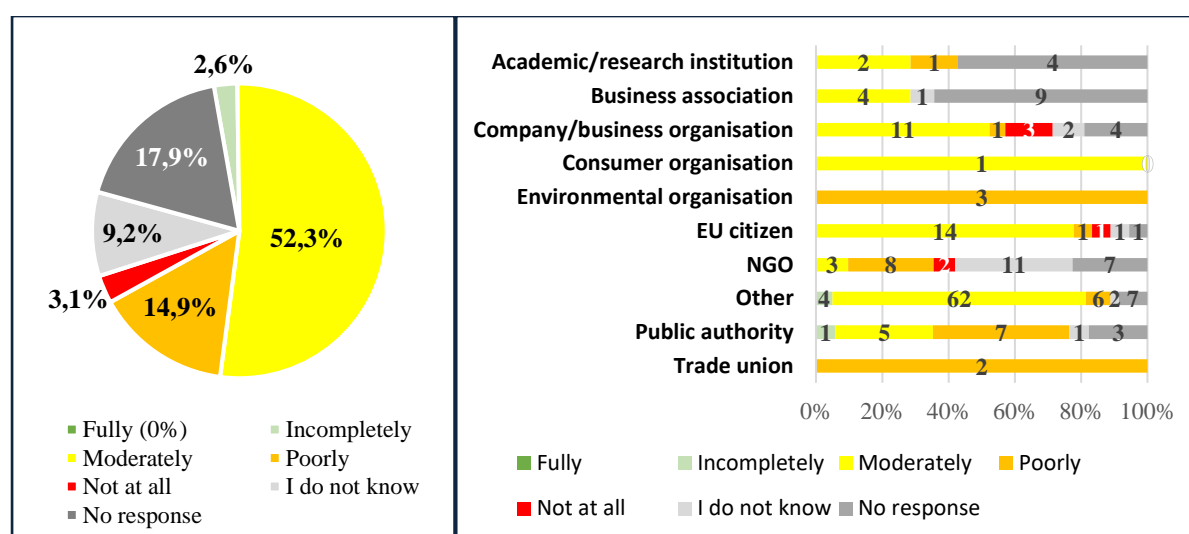
Q22. To what extent (1 = “not at all” to 5 = “fully”) are RFMOs well-equipped to face the challenges of climate change and protection of ecosystems, pollution, alien species, etc.?

The majority of all respondents (52.3%) feel that RFMOs are only moderately well-equipped to face the challenges of climate change, and an additional 14.9% feel that they are poorly equipped to face these challenges. Response rates were low among academic/research institutions and business associations.

All of the surveyed environmental organisations and Trade Unions, and a substantial percentage of Public authorities, replied that the RFMOs are poorly equipped to face the challenges of climate change.

All surveyed consumer organisations, and the majority of EU citizens and “other” respondents, see RFMOs as being only moderately well-equipped to deal with these challenges. Only 1 public authority, and 4 “other” respondents, see RFMOs as being “incompletely” prepared for the challenges of climate change, and no respondents see RFMOs as being fully prepared for the challenges of climate change. **Figure 20** summarises responses received for question 22.

Figure 20: How well- equipped respondents think RFMOs are to face the challenges of climate change and protection of ecosystems, pollution, alien species, etc.:



Please explain:

Respondents were asked to provide an explanation of their answer for question 22. The following key points were made by the different types of respondents surveyed:

NGOs

Regarding the question on RFMO's ability to face the environmental challenges, the respondents from the NGO sector highlighted the difficulties to integrate an ecosystem-based approach in RFMO's decision making processes. Furthermore, they mentioned the challenges related to the geographic redistribution of certain transboundary species managed by RFMOs due to climate change have so far not been sufficiently taken into consideration. Also, it was

mentioned that recommendation made by scientific bodies are often ignored RFMOs'. Finally, the NGOs suggested that RFMOs should adopt measures to fight pollution from land and sea, enhance more transparent decision-making and scientific capacity, as well as work towards 30% global target of marine protected areas.

Public authorities

Respondents from the public sector mentioned that climate change is major challenge for fisheries management, but it can speed up the development of new scientific advice by including environmental variables and considerations which closely affect marine species (e.g., impacts on distribution, recruitment and abundance of fish stocks, rising water temperatures; presence of alien species; etc.). The RFMOs should incorporate the available scientific evidence into their current work methodologies, and promote new specific research. In that sense, more interdisciplinary work and flexible management plans aiming at a rigorous implementation of the precautionary approach and the monitoring of environmental and ecosystem variables will be also needed.

Fisheries sector

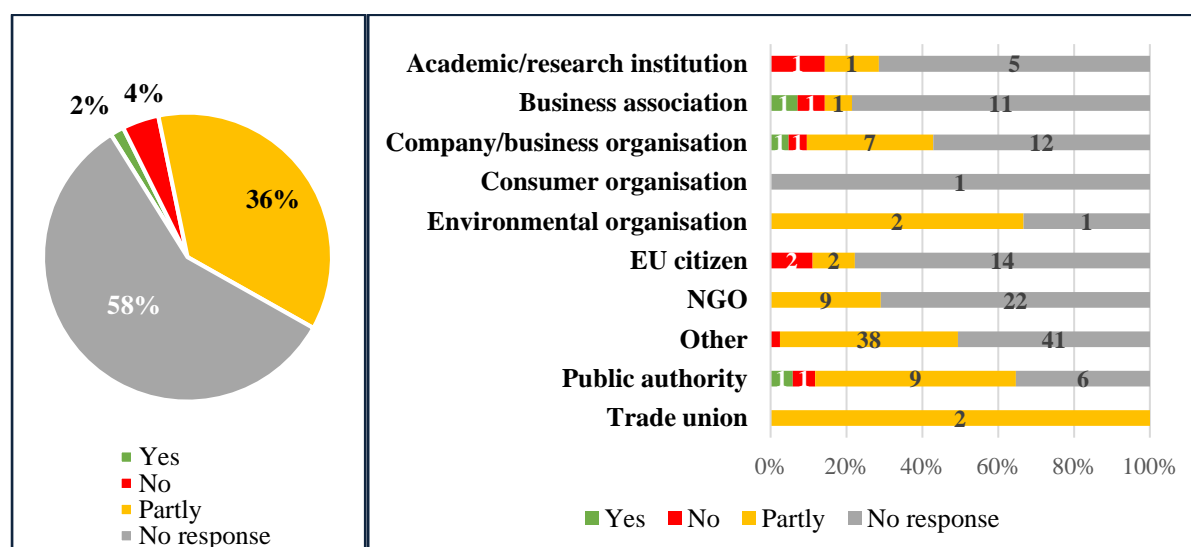
The respondents from the EU fisheries sector mentioned that certain RFMOs have been trying to address the issues related to the changes in migration patterns for some species, but no real integration of these in management decisions within RFMOs has occurred in practice (e.g., roadmaps that take RFMOs forward in a stepwise way toward implementing an ecosystem approach should be developed (e.g., experience of NAFO). It was emphasized that RFMOs should be better prepared for the identification of dynamic area-based closures, improve the scientific knowledge and understanding the changing dynamics of the migratory stocks, enabling a transition to management using harvest strategies developed through management strategy evaluations (MSE).

Q23. Do the SFPA's ensure that the CFP objectives are achieved? (yes/no/partly)

The majority of respondents (58%) did not reply to this question. 36% felt that the SFPs only partly ensure that the CFP objectives are achieved, 4% responded "no", and 2% responded "yes".

The majority of groups had very low response rates, and among those that did respond, the most common answers were "partly" and "not at all".

Only 1 business association, 1 company/business organisation, and 1 public authority responded that the SFPAs ensure that the CFP objectives are achieved.

Figure 21: Percentage of respondents who feel that SFPA's ensure that the CFP objectives are achieved:**Please explain:****NGOs**

Respondent from the NGO community noted that the SFPA's are important tools in promoting sustainable fisheries management in partner countries, and they are helping to support coastal communities and management authorities by contributing to the scientific research, capacity building and fisheries control activities. However, the NGOs also emphasised that the decision-making process of the SFPAs are not always conducted in a transparent manner and often important stakeholders such as local fishers, fish processors, scientists, civil society representatives are excluded. The NGOs emphasise the importance of more strengthened, holistic and political approach by the EU to coordinate SFPAs and fisheries management in partner countries, highlighting the particular importance of the 'transparency' and 'non-discrimination' clauses and ensure that SFPAs contribute to the SDGs. In addition, the NGOs emphasised the need to ensure that SFPAs and any other fisheries agreements are based on environmental and socio-economic sustainability and that the artisanal rights, gender equality in decision making, food security and livelihoods of the local communities are respected. Moreover, the respondents suggest that all critical objectives and sustainability principles of the CFP should be incorporated in all future SFPAs.

Fisheries sector

The respondents of the EU fisheries sector emphasized that the EC should follow the principles of the CFP more strictly when negotiating SFPAs with third countries and ensure that the agreements are not harmful to the interest of the sector (e.g., the social clause on working conditions in SFPAs should be given more consideration and be better evaluated, partner countries should respect the flag state duties in terms of safety and language training and medical checks of the local fishers,). Moreover the respondent emphasize the need for transparency in the hiring of fishers in third countries to ensure that that EU external fleet can follow the Regulation on the Sustainable Management of External Fishing Fleets (SMEFF). Also, the EU fisheries sector calls for improved transparency of the SFPAs, notably on reporting of all (public and private) fishing agreements with other non-EU countries operating in the EEZs, policy coherence and coordination with other EU policies as well as data collection

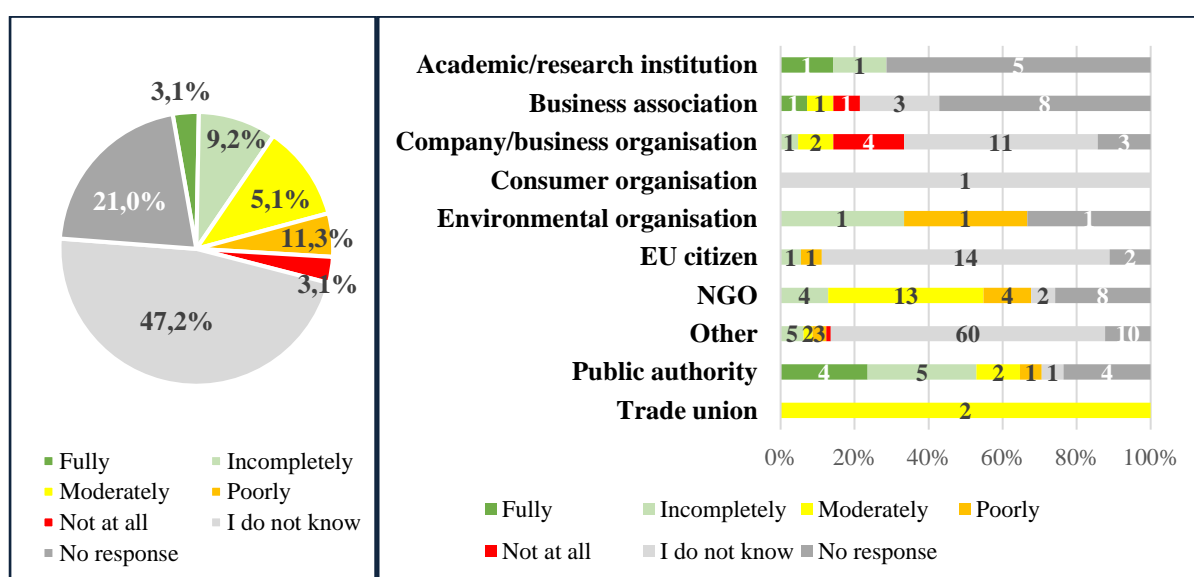
and reporting at RFMOs. In conclusion, the EU fisheries sector respondents highlight the importance of SFPAs as an instrument to encourage third countries to actively tackle Illegal, Unreported and Unregulated (IUU) fishing, but also to strengthen regional management policies, and to enhance the sustainable fisheries management in the partner countries.

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?

The majority (68.2%) of respondents either answered “I don’t know” or provided no reply. Results were quite mixed among the different groups of respondents; however, the majority of academic/research institutions and Public authorities who responded to the question felt that the EU position in its negotiation with third countries aligned with EU principles.

Figure 22 summarises responses received for question 24 by group:

Figure 22: To what extent respondents feel that the EU’s position in its negotiations with third countries like Norway or the UK is aligned with the CFP principles:



Please explain:

Respondents were asked to explain their answer to question 24. The following key points were made by the different types of organisations surveyed:

NGOs

- Post-Brexit negotiations with the UK are critical to ensure that new joint management arrangements are not weakening the CFPs intent on a sustainable management of all fisheries and the EU must therefore show consistent leadership in all international negotiations
- Data from the Commission and observers such as the New Economics Foundation, show that stocks shared with those countries are more likely to be overfished. That reality indicates that the process of agreeing on sustainable limits can be more difficult when third countries are involved in decision-making. The EC must ensure that the legal obligations of the CFP are upheld in the negotiations. This means that total fishing limits for all exploited fish populations do not exceed the scientifically advised levels in line with the CFP’s sustainability objectives

- Governance of widely distributed stocks in the North-East Atlantic is complex and requires stable collaboration based on shared principles of sustainability and science-based transparent decision-making to secure good management and to allow the EU to meet its CFP commitments

Fisheries sector

Representatives from the fisheries and Producers organisations clarified that, using its market power, the EU should seek a level playing field between the EU fishing industry and the fishing industry of the other Coastal States in the management of NE Atlantic fisheries (i.e. of non-discriminatory treatment in fisheries management and in terms of investment/foreign ownership opportunities), which they also see as complex area for the governance and management of stocks.

Moreover, the EU must work on reciprocal free access to waters, ports, business ownership, investments and services based on the principle of reciprocity enshrined in international relations and treaties (at this moment EU nationals can only own a minority share in a fishing company in Norway, Faroe Islands and Iceland, whereas a Norwegian, Faroe or Icelandic national can fully own EU fishing companies). Furthermore, the EU must prevent any asymmetric situation leading to discriminatory cases such as economic link requirements for foreign owned vessels.

In addition, fishing vessels operating in the same area should be subject to similar rules and conditions, irrespective of the flag they fly, such as the different technical measures applicable in UK and EU waters. As a different example, EU control rules will not apply to UK vessels operating in EU waters, including penalty points.

Advisory Councils

Finally, as regards the AC they highlighted that it is very unclear how the new negotiations with third countries will impact the EU's commitment to align negotiations with the CFP objectives, although the Specialised Committee on Fisheries is set up. Current practice demonstrates that core CFP principles are not always respected (e.g., the case of mackerel in the Northeast Atlantic and unilateral quota setting by other Coastal States jeopardising the sustainability of the stock).

5.7 Structural policy and support: EU 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’?

The following examples of good practices or projects were mentioned by the different types of organisations surveyed:

NGOs

- Actively restoring marine ecosystems, such as rebuilding oyster reefs and fish passages in coastal dams to stimulate economic activities in sectors such as marine construction while also increasing fish production and improving water quality.

- Working closely with coastal communities to support the enforcement of protected areas. For example, the Torre Guaceto MPA on the Italian Adriatic coast uses co-management approaches effectively create jobs and deter illegal activities.
- Supporting the diversification of fisheries into other activities such as MPA monitoring and/ data collection or roles in the renewable energy sector.
- Shifts towards sustainable fishing practices. Examples include changing from trawl to creel fishing gears in the Norwegian lobster fishery can have a significant impact on reducing fuel consumption and unwanted bycatches, while also improving the quality of the catch and thus increasing market values.
- The use of remote electronic monitoring (REM) systems for more selective, transparent, and accountable fishing practices.
- Several examples of projects supported under the EMFF including the mitigating measures for seabird bycatches (MedAvesPesca), the valorisation of sustainable fisheries (Anzol+), and the feasibility of close-cycle bluefin tuna aquaculture in Malta.
- The improved development, testing, implementation, promotion and enforcement of measures reducing the impact of fisheries under the EMFAF.
- Benchmark operational programmes against the European Green Deal – specifically the EU Biodiversity Strategy and the Farm to Fork Strategy – and against the targets to protect and restore marine biodiversity under the Birds and Habitats Directives, the Marine Strategy Framework Directive, and the CFP.
- Redirecting funding towards marine protection and enhancing collaboration between scientists/researchers and small-scale fishers to increase the selectivity of fishing.
- A need to end the distribution of harmful fisheries subsidies which increase capacity, lower operating costs and make fishers economically dependent.

Recreational fisheries

- Projects funded under the EMFF related to freshwater will positively contribute to the Green Deal and Biodiversity Strategy.
- Projects related to the restoration of waterways and their positive impact of the restoration of natural wetlands, as well as making fish populations such as eel, salmon and sea trout more resilient to future droughts and flooding. Continued support under the EMFAF is encouraged.
- The benefits of focusing on wetlands is manifold. While the restoration of coastal wetlands mitigates the negative effects of climate change, it also restores the spawning grounds of many important species.

Fisheries sector

- “Catching the Potential”¹²: Setting the Standard for Sustainable Fishing Training — CTP. The project is funded by EMFF with the aim of enhancing sustainability fishing training on marine ecology and the role of fishing in the marine ecosystem.

Aquaculture

- The introduction of environmental services for aquaculture production in what will be a significant growth sector during the EMFAF. For example, services for the scientific

¹² Please see <https://catchingthepotential.eu/>.

assessment and monitoring of aquaculture practices, specifically for fish farming in ponds, lagoons and estuaries.

- Specific tools for measuring the carbon footprint of aquaculture production would increase the uptake of best practices.
- EMFAF could promote and support the multitrophic regenerative aquaculture (seaweeds and mussels).

Small-scale fisheries

- Stress the importance of converting small-scale fleets to running on renewable energies.
- Stress the importance of the Fisheries Areas Network (FARNET) and the CLLD approach in channelling funding to the small-scale sector with regards to the European Green Deal.
- EMFAF could encourage the creation of Producer Organisations to support the small-scale sector.

Public authorities

- Upgrading refrigeration and heating units using EMFF funding to reduce energy consumption in port and the wider sector. Subsidies are planned under the EMFAF programme to build on this in line with the energy transition.
- The suggested lifting of Art. 13 of the Regulation (EU) 2021/1139 on the financing and purchase of new vessels to promote the modernisation of the EU fleet, boosting shifts towards carbon natural vessels.
- Similarly, investments in fuel efficient and low impact fishing gears and techniques.
- Investments in the expansion of aquaculture, particularly projects on supporting positive biodiversity outputs (native species) and low tropic species (shellfish and algae).
- Several projects under the EMFF represent good practices in support of achieving European Green Deal targets (i.e., sustainable aquaculture, innovation, partnership between science and the sector, energy efficiency and mitigation of climate change).
- Investments related to energy efficiency have improved competitiveness and resilience in the sector while also achieving the Green Deal objectives of decarbonisation. Conversely, the limitations under the EMFAF with regards investments in upgrading fleets to run on renewables will prevent any significant decarbonisation of the sector.

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

NGOs

- Public investments should give preference to the small-scale fleets, and funding to the large-scale sector should be focused on moves towards low-impact fishing.
- A greater emphasis should be placed on investments which support the small-scale sector in direct marketing strategies in order to increase added value.
- Greater support going towards local development projects that focus on transition either towards low impact fishing or towards transition outside the sector but based in local coastal areas using knowledge and expertise of fishers.

- Investments in promoting cooperation between fishers and scientists to create a culture of co-ownership of environmentally innovative projects.
- New regulations which prohibit funding to actors who have previous infringed environmental legislations or fisheries activities.
- Similarly, ensuring that public money is recuperated if infringements do take place.
- Thorough and comprehensive investigations into the environmental impact of the proliferation of aquaculture development and associated policies and practices.
- Further support to participatory approaches to decision-making (e.g. co-management committees and Fisheries Local Action Groups (FLAG)).
- The purchase, installation and control of tracking devices and electronic reporting systems for small-scale coastal fishing vessels.
- The installation and control of remote electronic monitoring technology using cameras and sensors.
- Support the testing of solutions to eliminate the impact of fishing activities and support the restoration of species populations and habitats (e.g. testing night setting in the Baltic to minimise bycatch of seabirds) and monitoring the impact of fisheries on species populations, as well as restoration activities (e.g. restoring gravel beds for wild European oysters)

Fisheries sector

- The decarbonisation of the sector is vital. The legislative limitations on vessel upgrades should be removed so that the entire fleet can be modernised.
- Appropriate measures in support of fishers and their families in the event of job losses due to the decline of the sector.
- To support and improve the attractiveness of the sector to mitigate challenges related to generational renewal and a lack of new entrants into the industry. For example, offering modern working environments with adequate technology and tools (e.g., the internet), modern vessels, improved working conditions like better accommodation on board, training of a new generation of fishers, improved safety and health on board, and stable employment.

Aquaculture

- To encourage private investment in aquaculture processes, the omission of aquaculture from the EU classification system for environmentally sustainable economic activities (the taxonomy and its technical screening criteria) should be reconsidered.
- Considering that the vast majority of aquaculture production is undertaken by small to medium size enterprises with limited resources, support should be offered to promoted innovative practices. Producer organisations bringing the sector together could be a good starting point to achieving innovation and development.

Trade associations

- In some MS the processing industry is excluded from benefitting from funds supporting green transition, because it is excluded from the state aid group exemption for the EMFAF. This needs to be reconsidered.

Public authorities

- The majority of Small-scale fisheries and aquaculture enterprises are small with limited investment capacity – thus public funding is essential to their survival and resilience in the sector.
- To significantly increase resilience in the fisheries and aquaculture sector, the ESIFs are vital and should be expanded.
- The current legislative framework (sectoral regulations, State Aid etc.) considerably limits this public investment and should be reconsidered.
- FLAG and local strategies play a key role in promoting innovation and enhance cooperation at local level. A large campaign of identifying key good practises and their scaling up should be encourage across the EU. It is also necessary to recognise and strengthen the role of the FLAG as driving forces of the blue economy on the coastal areas.

Advisory Councils

- Currently the EMFAF only provides funding to Advisory Councils for administrative purposes and not for carry out market related, technical, scientific or economic projects which are directly related to and thus inhibit their advisory role as envisaged under the CFP.

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

The following projects were suggested by the different types of organisations surveyed:

NGOs

- Promotion of generational renewal should happen through means such as business start-up support and trainings, rather than the acquisition of a first fishing vessel. The latter measure ends up increasing fishing capacity
- To promote fishing as an attractive profession for new generations, first and foremost, they need to have access to fishing rights. In some MS the rights to favourable historical catches are unobtainable.
- In some MSs there are also no fishing opportunities reserved for new vessels (making it impossible for generational renewal) or vessels without having previously registered catches. It is essential that criteria are developed for the fair allocation of fishing opportunities (with public funds devoted to research to develop fishing opportunities), giving new fishers access to fishing opportunities.

Fisheries sector

- Public investment should aid the attractiveness of working in this sector otherwise issues of generational renewal will only get worse. Financial support is needed to make fisheries resilient, modern and attractive for now and the future.
- Improving the attractiveness of the job needs to be a priority. For example, through offering a modern work environment with current technology and tools (internet), modern vessels, improved working conditions like better accommodation on board, training of a new generation of fishers, improved safety and health on board, and stable jobs.

Aquaculture

- Profitable sectors attract younger generations are needed. As such, the most important way to facilitate generation renewal is to make aquaculture an attractive opportunity regarding income, quality and personal development.
- Opportunities to develop skills and capacities are important. To develop smart and efficient roles in new adaptive technologies for aquaculture production, training and upskilling will be required, as well as capitalising on the existing skills in the sector.
- There is a need to incentivise entry level trainee positions to attract new entrants in the sector.
- Career mapping is required to provide new entrants with both the confidence and essential knowledge and skills to develop a career in aquaculture. Mapping will show key development stages in the industry, knowledge that is difficult to find for youth showing any initial interest.

Small-scale fisheries

- Schools programmes, to promote understanding of the fisheries sector, the importance of fishing as a way of life and as a healthy food, and how small-scale fishing may be combined with other rural activities
- Grant aid to governments to buy back quotas and ring fence these for new entrants to the fishing sector.
- Supporting fisheries training colleges to provide induction courses for school leavers.
- Support small-scale supply chains to bring fishing closer to other sectors such as tourism to promote visibility and cross-over roles.
- Support women and minority groups in sectors related to fisheries.
- Aligning with shifts in youth trends: fishing needs to develop into a green, sustainable industry, where food producers of the future (the youth of today) see a possibility of if they want to be part of the green solution.
- New entrants using more sustainable practices should be provided with easier access to quotas and fishing opportunities.

Public authorities

- The relative age of existing vessels is a major barrier to youth entering the sector. Modernisation in line with other industries will make fisheries and aquaculture a more attractive prospect. As such, public funding should support this modernisation.
- Likewise, connected sectors are also in need of modernisation such as ports and harbours, processing facilities, etc. Sectors like tourism see good generational renewal which a modernised fisheries sector can take advantage of through diversification of activities.
- The youth of today are increasingly aware of sustainable fishing practices and the challenges associated with climate change. For fisheries professions to be attractive, they must be seen as making inroads towards cleaner and more innovative vessels and practices.
- As with nearly every other sector, fisheries and aquaculture must be seen as gender equal. Gender equality is an important factor to the youth of today so efforts should be made to enhance the roles women play across the entire industry.
- Several Public authorities stress the need for the EMFAF being able to support fleet renewal as an important factor for generational renewal. Discussions revolved around

finding a balance and trade-off between environmental and social advances and what is considered by some as a harmful subsidy (the position of many NGOs).

Advisory Councils

- Arguments that issues such as generational renewal more generally can be facilitated by social enterprises. Such social enterprises could put together integrated packages for promoting generational renewal in the aquaculture sector under the EMFAF. This could range from business start-up plans through to developing investment opportunities. Youth and the issue of generational renewal can then be targeted in specific areas instead of the broad sector as a whole.
- New entrants to the sector could be supported by subsidies and premiums as in agriculture if commitments are made to the agreed aquatic farming for an agreed timeframe.

5.8 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?

The different types of organisations surveyed mentioned the following key points in response to question 28a:

NGOs

- It is important to better align the MSFD and other EU policies, including Article 2.3 of the CFP Regulation in implementing an ecosystem approach to sea-related activities including a well-managed network of MPAs.
- Stronger science-based decision-making and adequate impact assessments are necessary to ensure coherent planning that effectively supports the protection and restoration of marine ecosystems.
- Further clarity on special planning as the CFP only refers to fisheries activities in the context of integrating aquaculture activities into maritime, coastal and inland spatial planning.
- Further efforts are needed to support its operationalisation, including a development of an adequate – and well managed - network of MPAs.
- There is a need for a coherent and representative network of MPAs as a failsafe option for safeguarding biodiversity and the services that marine ecosystems provide, such as seafood and oxygen (the mitigation of climate change).
- Both the CFP and the MSPD have the potential to organise all these human activities in an efficient, safe and sustainable way with prevention of conflicts in the already over-used marine space. However, at present, there is little synergy between the different human activities at sea in CFP and MSFD.
- Large-scale development of offshore energy increases the cumulative anthropogenic pressures on the marine environment, which is already severely impacted by lack of sustainable fisheries management.
- There is a need for transparent criteria (both qualitative or quantitative) for assigning the amounts and percentages of sea areas to certain uses and functions. For example, the introduction of environmental status.

Fisheries sector

- Must emphasise the importance for Public authorities promote coordination and synergies between the various human activities taking place in the marine environment and to make sure that the CFP objectives and other regulations and directives are coherent and clearly aligned (e.g. on environmental conservation) in order to achieve the objectives of the European Green Deal.
- Maintaining a level playing field must always be central to any future initiatives is crucial.
- Stress the important role Public authorities play in promoting and coordinating coherence and synergy between different human activities taking place in the marine environment.

Small-scale fisheries

- Must be an emphasis on the challenges related to competition of different blue economy activities for coastal space, which requires better maritime spatial planning to ensure a level playing field between powerful and weaker economic interests.
- It is important to establish MPAs (both fully and partly protected) to protect marine biodiversity and fish stocks. However, it was emphasised that SSF should not be not necessarily excluded from MPAs to ensure the fishing opportunities of SSFs.
- Offshore energy production should be placed and constructed in a way that enhances biodiversity and makes it possible to fish with low impact gears (for example, anchored seine, set nets and pots).
- Spatial planning is key to providing a level playing field between powerful and weaker economic interests when blue economy activities compete for coastal space. Zoning offers a solution, through marine spatial planning, so long as fisheries and access to fishing grounds are given sufficient recognition.

Aquaculture

- Emphasised the importance of creating forward-looking synergies between different sectors and activities related to Green Deal objectives in maritime areas.
- There exists a need for combining offshore electricity production activities and aquaculture to reach the carbon neutrality emissions goals. Reaching carbon neutrality emissions goals will require the establishment of sea-based renewal energy plants. Combining these infrastructures with aquaculture farms will provide benefits to both sectors.

Public authorities

- Synergies are the result of a continuous structured dialogue among representatives of different sectors pursuing complementary economic objectives within a shared strategy. This shared strategy must involve all stakeholders in the supply chain (including those ashore).
- The CFP and MSPD should better capitalise on maritime integrated strategies lead by Regional governments. Setting a multilevel and multi-actors governance at the basis of the maritime economic planning is a key step towards the establishment of functional synergies and ecosystem services.

- Strengthening the dialogue between DG MARE and DG ENV could benefit the ecosystem approach and in developing synergies between the CFP and maritime spatial planning.

Advisory Councils

- Further work is required on the impact of human activity on the different life stages of fish. Further scientific work on the impacts of seismic and windfarm activities are needed to be better understand synergies between different human activities at sea.

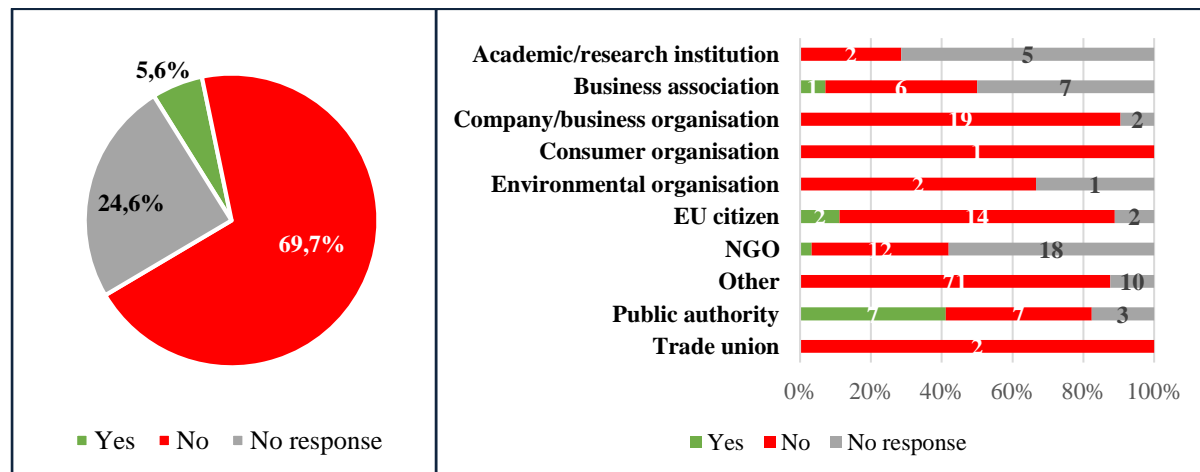
28b. Does the current EU legislation framework encourages such synergies to take place? (yes/no)

The majority of respondents (69.7%) reported that the current EU legislation framework does not allow such synergies to take place. Only 5.6% answered “yes”, and the remaining 24.6% did not respond.

This did not vary substantially by type of organisation; the most common response among all groups (among those who answered the question) was “no”, however responses were mixed among Public authorities. The majority of NGOs and academic/research institutions surveyed did not provide a response.

Figure 23 summarises responses received for question 28b:

Figure 23: Percentage of respondents who feel that the synergies between the different human activities at sea, falling under the CFP Regulation and the Maritime Spatial Planning Directive, take place:



Is there anything missing?

Respondents were asked if there was any additional missing information they wanted to add regarding question 28b. The following key points were made among the different types of organisations surveyed:

NGOs

- While there is a clear connection between MSP, the MSFD and ecosystem based approaches, fisheries and MPAs, there should be further support on the delivery of

good environmental status measures. This support could include maintaining an ecological coherent network of MPAs.

- There is a need for a holistic approach and the importance of meaningful public participation, stakeholder engagement and transparency through all steps in the MSP process.
- There is a need for stronger alignment and cooperation between regional bodies implementing the different policies to ensure coherent and complementary action.
- Setting-up common platforms for information sharing and the identification of synergies and transparent discussion can facilitate alignment and cooperation.
- Synergies could be improved by putting in place more explicit commitments to adopting an ecosystem-based approach to the management and conservation of marine resources.
- The improved implementation of the Technical Measures Regulation could contribute to better synergies and compliance with marine policies. For example, requiring MSs to monitor fisheries activities and take mitigation measures to tackle its impact on biodiversity

Small-scale fisheries

- Concerns of the SSF are focused on the progress of offshore renewable energies and the lack of planning for the end of use dismantling of offshore energy installations.
- Effective consultation with fishers is a necessity, involving them at an early stage of the dialogue and not as an afterthought. Here support could be obtained by ensuring fishers socio-economic benefits will be maintained.
- Offshore installations should only be put in place following an assessment their socio-economic, cultural, and environmental impact, and in line with the objectives of the Blue Economy and the European Green Deal.

Aquaculture

- Historic appraisals of aquaculture and renewable energies prevents the full potential of synergies between activities that adopt more modernised practices.

Public authorities

- Emphasis on there always being room for improvement between different policies. For example, maritime spatial planning connects different interests and policies, but omits some policies which are not linked to the management of the aquatic resources (e.g., eutrophication and nutrients flow from agriculture).
- Further support to projects which improve and build upon scientific gaps are useful to enhancing synergies.

Advisory Councils

- Stresses that further efforts are still needed to improve synergies and tensions between the main policies of MSP in the EU.
- The further strengthening of links between fisheries and environmental legislation, to avoid operating in silos.
- To fully take into account the socio-economic, ecological, and political contexts, 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)?

NGOs

- There is a lack of proper implementation and integration of an ecosystem-based approach across the different policies which hinder environmental objectives.
- There remains a lack of alignment between policies, while important decisions such as how to deploy offshore renewable energy (and where) are taken by MS without the involvement of the EC. Hence, the EU does not provide guidance on how to deploy renewable energy at sea in an environmentally-friendly way, nor does EU policy ensures coherence at sea basin/regional level.
- NGOs have specific concerns related to the Blue Economy which does not adhere to the EU Green Deal and its three pillars of sustainability. Such reports should move away from being focused on economic factors and include a value on marine ecosystem services.

Fisheries sector

- There are specific concerns that the legislative framework does not consider difference at sea basin level where some are impacted more than others. A more regional approach is required.
- The fisheries sector has similar concerns as NGOs regarding the legislation not adhering to the objectives of the European Green Deal.
- There are concerns that the development of offshore energy initiatives are inconsistent with the objectives of the Biodiversity Strategy 2030.
- The tendency to fish less fish is not always a sign of an improvement in the environmental quality of the products consumed if this leads to an increase in imports, particularly if they come from third countries with production methods which are sometimes less environmentally friendly and less respectful of social standards.

Public authorities

- Regarding the use of maritime space, not all solutions have yet been implemented to reconcile the objectives of the European Green Deal.
- The search for consensus between actors in the sectors at regional and local level must be the priority and must ultimately make a real contribution to the regions concerned in terms of preserving ecosystems, creating jobs and reconciling with existing activities.

Q30. What kind of impact have you experienced as a result of spatial planning initiatives or other human activities? (positive/negative/I don't know)

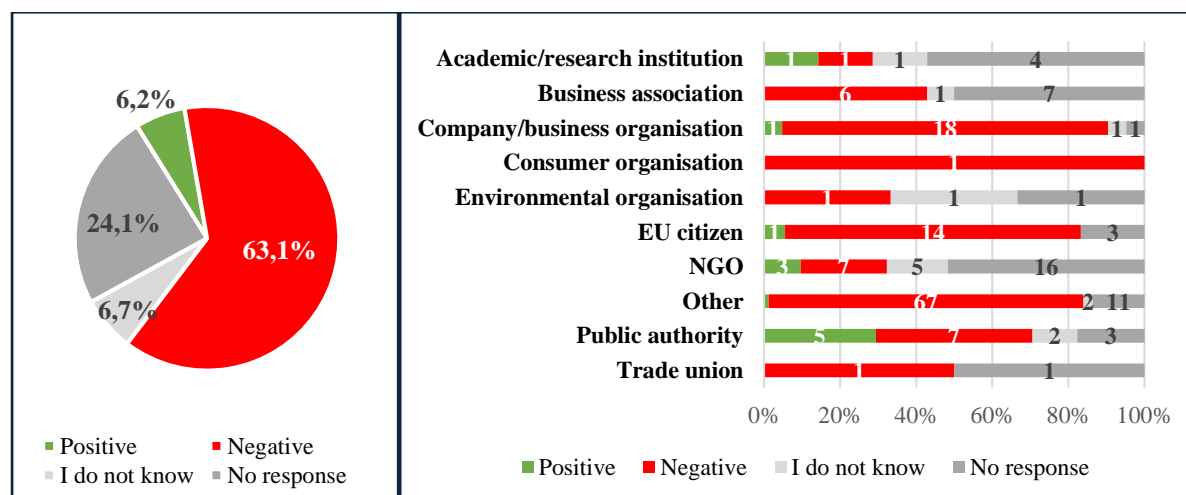
Most respondents (63.1%) said that they experienced a negative impact as a result of spatial planning initiatives or other human activities. Only 6.2% said they experienced a positive impact as a result of these initiatives/human activities; 6.7% said they don't know and 24.1% did not provide a response.

Among those who provided a response, impacts were largely said to have been negative among business associations, company/business organisations, consumer organisations, EU citizens

NGOs, “other” respondents, and Trade Unions. Responses were a bit more mixed among academic/research institutions and Public authorities, with Public authorities being the most likely to report experiencing positive impacts as a result of spatial planning initiatives or other human activities.

Figure 24 summarises responses received for question 30:

Figure 24: Percentage of respondents who have experienced positive vs. negative impacts as a result of spatial planning initiatives or other human activities:



Please explain

Respondents were asked to explain their response to question 30. The different types of organisations surveyed mentioned the following key points:

NGOs

- NGOs appreciated the efforts with **harmonizing planning** approaches across the Baltic MS and spatial planning authorities and the **mutual exchange among different stakeholders**.
- Nevertheless, concerns have been expressed regarding the **large-scale development of offshore energy**, which increases the cumulative anthropogenic pressures on marine ecosystems, which are already severely impacted by unsustainable fisheries management.

Fisheries sector

- The fisheries sector had similar concerns as NGOs, stating that the **increasing activities related to blue economy**, including the wind energy sector, reduces the fishing areas, on top of restrictive regulations based on environmental and climate objectives to be filled.
- There is a concern that the increasing activities and the lack of coordination has a negative impact on fishing and food security for the European Union.

Aquaculture

- Aquaculture producers stated the **need for better planning and coordination of spatial planning** for waters and land/secure adequate allocation of space for aquaculture providing ecosystem services.

- The **simplification of bureaucratic procedures** both in access to space and licensing to ensure long term existence of this kind of aquaculture should be enforced.

Advisory Councils

- Advisory Councils have similar concerns as the fisheries sector.
- Requests were expressed to **protect the stock's spawning habitats from other human activities** should be followed-up on.
- The Commission should consider concerns about the impact of offshore wind installations on the mobility and access of fishers to fishing areas.

5.9 Clean (& healthy) oceans

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

Respondents were asked to describe the impact of pollution on both the *fishing* and *aquaculture* communities, separately. The following key points were made by the different types of organisations surveyed:

Impacts on the *fishing community*:

NGOs

- Marine litter and pollution is a threat not only to marine species and to **ecosystems**, but also carries risks to **human health** and as such has implications on economic sectors including tourism, fisheries, aquaculture and energy supply. Broad-scale programs should be implemented to reduce the amount of marine litter with dedicated waste management and the transition towards a circular economy. MS also have the responsibility to remove waste in an environmentally friendly way from the sea.

Fisheries sector

- Marine litter and plastic waste have been identified as one of the main threats to the oceans and the **marine ecosystems**. Fishers are deeply concerned since **fish stocks** heavily depend on a healthy marine environment. Most nets are not deliberately discarded.

Public authorities

- Pollution impacts the degradation of the habitat areas, **negatively affecting productivity** and creating **loss of fish resources**. There is a strong correlation between healthy fish stocks and pollution. Pollution may also have **direct impact on different species' reproductive success**.
- One of the major impacts of concern for the profession is the **evolution of ecosystems** due to **climate change** itself linked to air pollution. For example, **migratory movements** of species outside normal fishing areas or the **arrival of invasive species**.

Advisory Councils

- Advisory Councils raised concern regarding the damaging effects the **breakdown of plastics into micro and nano-particles** having severe impact on the marine ecosystem.
- **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.
- The impacts of oil/gas exploration, wind farm construction and cabling on fish behaviour, spawning grounds and larval development **remain poorly understood by the scientific community** and potential impact should be better investigated.

Trade unions

- Pollution (eutrophication, contaminants, underwater noise, acidification, plastic or macrowaste) directly or indirectly and thus **decline of water quality** affects species of commercial interest. Macrowaste is also a real **safety issue for professional fishermen**, particularly as regards **passive fishing** or the **risk of collisions** with containers.
- The achievement of good environmental status at sea will only be possible if it is achieved for **continental waters through the Water Framework Directive**. **Contaminants** such as PCBs, pesticides, heavy metals, brominated derivatives and dioxins will have physiological impacts at different levels.

Impacts on the *aquaculture community*:

Aquaculture

- Aquaculture producers stated the **need for better planning and coordination of spatial planning** for waters and land/secure adequate allocation of space for aquaculture providing ecosystem services.
- The **simplification of bureaucratic procedures** both in access to space and licensing to ensure long term existence of this kind of aquaculture should be enforced.

Public authorities

- Water quality is important factor on the aquaculture production. Aquaculture professionals are subject to different sources of pollution. Most aquaculture products are natural bio accumulators of water-borne particles and pollutants, which can have an impact on human consumption of edible aquaculture products.

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

Respondents were asked, separately in two different responses, to describe how the *fishing* community and *aquaculture* community work to protect oceans from pollution. The following key points were made by the types of organisations surveyed:

Work done by the *fishing community*:

NGOs

- The fishing and aquaculture sector have a responsibility to play an active role in litter prevention and management programs to significantly reduce the amount of marine litter entering our seas.
- Abandoned, lost or otherwise Discarded Fishing Gear is both a serious environmental and fish welfare concern. Therefore, tackling abandoned, lost or otherwise discarded fishing gear (ALDFG) and ensuring fishing gear is disposed of properly on land, and not dumped at sea, should be an explicit objective of fishery regulations. Additionally, the sector needs to contribute to efforts removing waste in an environmentally friendly way from the sea (e.g. `fishing for litter` initiatives).
- Suggestions:
 - Collective Producer Responsibility requirements for the transparent management of fishing gear to avoid ALDFG should be extended.
 - Marking and registration of nets should be mandatory.

Fisheries sector

- Fishers understand themselves as part of the marine environment, the sea is their workplace, and as such they depend directly on the good health of marine ecosystems. Since 2009 it is mandatory for fishers to **mark and identify their gears**, have adequate equipment on board to retrieve lost gears and immediately inform coastal authorities in case of loss. The EU fishing fleet has to comply with the provisions of the Port Reception Facilities Directive.

Public authorities

- With the help of public support the fisheries and aquaculture sector can improve the resource efficiency and by **using modern technologies** mitigate possible negative effects on environment.
- **Recycling of materials and equipment** used as well as the **collection of lost and abandoned fishing gear** helps to avoid pollution.
- The majority of fishers are affected by the reduction of their impact on the environment and are aware that good environmental conditions promote the quality of their activity. **Support for these initiatives should therefore be continued or initiated with the new EMFAF Fund.**

Trade unions

- Fishers play a **‘warning’ role in the event of pollution** by contacting the marine environment every day and thanks to their involvement they protect the environments.
- The existence of structures such as the Fisheries Committees and the many existing working committees within them where the main issues of protecting healthy ecosystems are addressed are testimony to the overall commitment of the profession. The involvement of professional representatives in national environmental policy bodies also shows the sector’s strong involvement in these areas.
- Lastly, the sector wishes to repeat its **involvement in the implementation of the Birds and Habitats Directives and the Strategic Framework Directive for San Marino** through active participation in the drafting of objective documents or the carrying out of fisheries risk analyses at national level.

Advisory Councils

- The fishing industry is taking a **proactive role in contributing to the cleaning up of our seas**. Indeed. 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.

Examples of **initiatives provided by various stakeholders** included the following:

- Biodegradable dolly rope but slow process and dolly rope is still the most commonly found type of litter on Dutch beaches; developments in clean and electric propulsion of fishing vessels is too slow, which perpetuates the issue of high air pollution.
- Polish fishers have been engaged in different projects related to “fishing for litter” initiative, including retrieval of derelict fishing gear. Among others Polish fishers were engaged in the MARELITT Baltic project as well as a project on minimizing derelict fishing gear problems which was financed by EMFF funds.
- Fishers are voluntarily participating in several programmes across the EU not only to better take care and recycle the garbage produced on board but also to bring ashore derelict fishing gear and passively fished waste.
- Fisher organisations are collaborating with universities in order to improve the tagging of fishing gears and enhancing on board best-practices to promote waste free fisheries as well as developing biodegradable materials and using non-entangling fishing aggregated devices (FADs).
- French Européche members are part of the consortium of a EMFF Blue economy project called ‘Catching the Potential: Setting the Standard for Sustainable Fishing Training — CTP’. It is about enhancing sustainability fishing training on marine ecology and the role of fishing in the marine ecosystem, see <https://catchingthepotential.eu/>.
- Also, large Dutch pelagic fishing companies via the Pelagic Freezer-trawler Association (PFA) have signed a Green Deal for a Clean Sea. By signing they committed to achieve in 2020 the shared objective to recycle or to usefully recover 95% of the waste from business operations and gear. No distinction is made whether the ships sail under the Dutch flag or under German or French flag, nor whether these ships operate in the North Sea or beyond.
- The "Clean Oceans Initiative" was launched in January 2019 and is the first collaborative effort at sea and on land to reduce marine waste to protect Ireland's marine environment. Net manufacturers and suppliers and fishermen are working on ways to implement the new measures introduced by the Single Use Plastics directive in terms of the monitoring of Goods coming onto the market and the removal of retired/redundant fishing gear,
- Ireland's seafood development agency, BIM, leads the initiative and supports the Irish seafood sector and local coastal communities to work together to ensure waste impacts are minimised and mitigation efforts are developed and recognised.
- Fishers in Britany have already been developing recycling fishing gear solutions (recycled or biodegradable plastic nets) in recent years to reduce plastic pollution resulting from accidental gear loss <https://www.seabird.fr/filet-en-engins-de-peche.php>. Plans for the geolocation of nets are also being tested

- In Brittany Region fishers developed fishing equipment solutions from recycling (nets made from recycled or biodegradable plastic). <https://www.seabird.fr/filet-en-engins-de-peche.php>.
- The project “Marviva”. promoted the structured collection of marine litter on board fishing vessels during fishing operations. Furthermore, the complementary project “Upcycling the Oceans”, operated with a focus on circularity, by turning part of the recovered plastics into high quality textile products.
- The French Thomsea project uses the know-how of professional fishers to collect floating macro-waste using a special trawl.
- They are thus involved in many scientific projects such as the Raiebeca project on undulate ray in the Bay of Biscay (<https://www.aglia.fr/raiebeca/>).
- The 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. 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;

Work done by the *aquaculture community*:

Public authorities

- Aquaculture producers focus the **quality of protein inputs** and reduce discharges into the sea and any pollution or nuisance associated with the activity.
- Aquaculture producers can act upstream by **eliminating chemicals and antibiotics**, reducing stocking densities to meet the requirements of organic aquaculture, **improving waste treatment**, and **recirculation** to encourage the **respect of reserved water flows in rivers**.
- The implementation of the Urban and Nitrates Water Framework Directives also makes a significant contribution to this.

Aquaculture

Aquaculture producers protect oceans by **fulfilling the environmental requirements** set in the licenses and by applying voluntary environmental certification schemes and adhering to national regulations and protocols.

Shellfish culture directly contributes to pollution removal by filtering water in inshore waters and thus dampening the effects of eutrophication as a result of run off from terrestrial sources. Such valuable ecosystem services should be recognised.

Examples of initiatives provided by aquaculture producers:

- The MOCAA project is modelling ecological carrying capacity in marine aquaculture and feeds it in a research project in order to make the impact of marine farming more objective and to draw up recommendations for farming operations according to the environment and species;
- Introduction of Extended Producer Responsibility Producer Width Responsibility (EPR),
- Instruction and deposit systems, eco-design of plastic materials used in oyster farming,
- Introduction of new alternatives for reusable or biodegradable collectors.

- The EMFF has financed several projects to monitor, characterize, collect, manage and prevent waste at sea. Some examples to highlight from Spain: BEWATS (<https://bit.ly/3MQi8cc>), RE-MAR I (<https://bit.ly/3q48KrM>), Ghost Fishing (<https://bit.ly/3q5KPbA>), VIGIAMAR (<https://bit.ly/3w61foa>), Marine Litter Observatory (<https://bit.ly/3q6QJJl>) and ACUIPLAS (<https://bit.ly/3Ic0VGy>).

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?

NGOs

- **Improved tracking systems and publicly available data on fishing operations** would help increasing information on activities at sea and act as a deterrent on deliberate dumping / abandonment of gear;
- Any **financial support** from public funds should be connected to conditions linked to such improvements and transition to biodegradable materials ahead of envisioned general timeframes;
- A **ban on the use of conventional plastic dolly rope**, coupled with the encouragement of innovation towards dolly rope made from biodegradable materials will help reduce plastic litter;
- Investments should be made into clean and silent propulsion methods;
- Industrial and artisanal **fleet contribute to ocean cleaning** and reduction of waste;
- **Public administrations should also contribute** to cleaning-up objectives, as well as citizens. For this, campaigns need to be organised at small and larger scales, complemented by environmental education and awareness raising;
- Promotion and implementation of the recommendations from “**The Baltic Sea Blueprint. A step-by-step roadmap on how to approach Derelict Fishing Gear**” on minimizing the “ghost nets” problem;
- **Removing abandoned gears** from the seabed is not always a feasible nor even advisable. The solutions must go through eliminating or minimizing the source of the problem;
- Through the current **revision of the EU Fisheries Control System**, it should become mandatory to retrieve and declare lost fishing gears;
- **Principle of “polluter pays”** must be better implemented, “loosing” of unwanted gear (and fish aggregating devices, FADs) needs to be urgently ended. It must become obligatory to report lost gear and a fine must be paid;
- **Gear marking** must not be just a necessity on paper, but enforcement is urgently needed: National authorities must be obliged to legally follow infractions. Furthermore, gear marking must be expanded to FADs, in accordance with the FAO Guidelines on the Marking of Fishing Gear;
- **Implement the MSFD**, specifically the new HELCOM Baltic Sea Action Plan.
- The EC should **monitor implementation** of the Marine Strategy Framework Directive (MSFD) descriptors and progress towards Good Environmental Status (GES) closely and treat failure to implement measures as a serious infringement against a MS' legal obligation.

Fisheries sector

- **Collection, recycling and upcycling** in the fisheries and aquaculture sector;
- **Incentives for fishers** to bring waste to recycling facilities, including through financial incentives and reward schemes to encourage good practices; fishers should be compensated for the collection of lost fishing gear and other marine waste or at a minimum have access to free waste disposal at harbour facilities;
- **Provision of suitable onshore infrastructure** for the proper disposal of waste and recovered marine litter will enable fishing communities to participate fully in any initiatives to reduce pollution;
- The **reduction of waste generation** at all points in the fishery value chain should be a priority. This will include measures to facilitate gear collection and recycling, use of low-impact materials, waste oil and battery collection, elimination of single use plastics and the reduction in unnecessary packaging.

Advisory Councils

- **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;
- Improve **consistency between the Marine Strategy Framework Directive and the objectives of the CFP**, for example the application of the GES and for evaluation criteria of MSFD 3 on achieving MSY of exploited stocks, which are not aligned with the prescriptions of the CFP. This current lack of consistency in the definition also results from the lack of harmonization between MS.

5.10 Social dimension

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

NGOs

- The **European Green Deal** paves the way towards a new approach for combining economic, social and ecological aspects for the sustainable development of fisheries;
- MS should prioritise the **just transition to a fishing fleet** that is commensurate with available fishing opportunities and operates with minimum environmental impact;
- The **EC should guide this transition** with the support of dedicated employment and social policy tools, e.g. through specific EMFAF funding and proper assessment of fishing opportunities;
- **Dedicated training** should be supported to increase the environmental awareness of the fisheries sector linked to the local socio-economic context;
- The **development and implementation of co-management** schemes could also be more explored to improve balanced participation and cooperation;
- Put in place **legislation to allow for a minimum protection** of workers on fishing vessels. international labour standards C188 is a useful tool in this regard which should be swiftly adopted and ratified by all EU MS. To ensure a level-playing field, the EU should strive to encourage all non-EU countries to ratify this convention;

- With regard to the external dimension and the import of seafood, the EU should also more **closely follow working and human rights aspects** and conditions that fall under DG EMPL and DG JUST. Particularly with a view to the latter, this should aim to ensure policy coherence with the Sustainable Corporate Governance Directive and a potential ban on products linked to forced labour;

Fisheries sector

- Members States should improve the implementation of Article 17;
- The social aspect in the current CFP is thus missing and should be focused on in the policy;
- Art.15 of the CFP on Landing Obligation has led to increased labour on board, reduced resting time; The availabilities of supplies cannot be assured and as such the CFP is therefore also in conflict with Directive 2017/159 implementing the international labour standards, Work in Fishing Convention, 2007 (C188). Pushed implementation and control will not solve the problem of a faulty policy;
- Another challenge is the attractiveness of working in the fisheries sector. The generation change will be a problem. Improving the attractiveness of the job needs to be a priority. Like offering a modern work environment with current technology and tools, improved working conditions, training of a new generation of fishers, improved safety and health on board. For that we need a better vision of the future where the restraints are not too cumbersome.

Small-scale fisheries

- **Working conditions** in fisheries generally, but in SSF in particular, has not kept pace with other sectors. This means that the sector is less attractive to the next generation, and this is reflected in the unbalanced age structure. Viability of SSF is critically dependant on secure access to fishing grounds, access to fishery resources and access to markets. Unfortunately, neither the CFP nor the national policies provide conditions favourable to the viability of SFF;
- **Both mental and physical health** are major causes of concern in the fishing sector, which is one of the most dangerous professions in the world;
- **Support to families** whose livelihoods depend on fishing, especially to women is very important. Understanding and strengthening the role played by women, particularly in a voluntary and unpaid capacity is also important.

Trade unions

- CFP objectives must, for example, consider the **economic and social wellbeing** of seafood workers, their families, and communities so as to maximise their benefit alongside ensuring good management measures.
- **Social targets and indicators** need to be included within all aspects of the CFP;
- Inclusion of **social objectives** as a pillar of the **European Maritime and Fisheries Aquaculture Fund (EMFAF)**;
- **impact assessment** of all management measures should be standard to effectively manage the social impacts of fishery instruments (quotas and multi-annual plans).
- Involve **fisheries co-management systems** and workers' voices must be made more influential (through Trade Unions) within the CFP architecture: the Advisory Councils and the STECF must include scientists addressing human rights and social issues relevant for the fishery industry;

- **ETF-EFFAT project** called "A Socially Sustainable EU Common Fisheries Policy" presents findings that are relevant in this matter. <https://www.etf-europe.org/wp-content/uploads/2019/09/ETF-EFFAT-Demands-for-a-Socially-Sustainable-CFP-15>.

Public authorities

- The obligation to carry nationals of the coastal State who have given access to its waters to enable **local populations to benefit from economic benefits**;
- Compliance with a **minimum age for navigators**: except in the case of embarkment as part of maritime vocational training and fishing activities in European waters, prohibition on embarking under the age of 18;
- The obligation to pay a regular and **minimum wage** - the wage conditions for local seamen may not be lower than international labour standards, i.e. the minimum monthly wage for a qualified rating;
- **Compliance with the rules on private recruitment and placement services** (national register), which provide seafarers: the shipowner must ensure that the national registration does not make use of means, mechanisms or lists designed to prevent or deter seafarers from obtaining a job for which they are suitably qualified;
- The shipowner shall also ensure that **no fees or other charges are charged to seafarers, directly or indirectly**, in whole or in part, for the recruitment, placement or acquisition of employment.

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

Responses covered a wide range of topics and varied by type of organisation. Some of the key initiatives mentioned by respondents included the following:

NGOs

- **The re-allocation of fishing opportunities to ensure environmentally sustainable and socially just fisheries.** The EU already has legislation in place for this purpose, but MS lack political will and a clear mechanism for implementation.
- **A multidisciplinary research approach** to inform the implementation of the CFP and advance new policies, **closely coordinated with stakeholders in the fishing sector** to understand the leading dynamics that explain current **socio-economic performance, as well as the barriers to and opportunities for improvement**. Socio-economic considerations are too often overlooked, and data on the socio-economic impact of the CFP remain deficient, and these initiative should remedy this.
- **Understanding how socio-economic performance interacts with environmental sustainability** is essential to ensure stock recovery and thus meet the objectives of the CFP. The aforementioned report contributes to a framework for evaluating socio-economic performance, and provides a preliminary analysis in the key areas of profit, fairness, employment, remuneration and compliance, which includes a series of recommendations.
- Sufficiently high standards must be developed within the EU legal framework to **promote safety and good working conditions for fishers, training, and responsible fishing operations**.

- The “*working conditions for fishery and aquaculture products production*”, “*working conditions in the processing of fish*” and “*fair production – impact on local communities*” criteria suggested by STECF should be used; initiatives related to these criteria should include the following:
 - **Expand the “fair production” criteria, which was suggested by the STECF report**, to cover both production and processing;
 - **Promote the ratification and implementation of the relevant International Labour Organisation Conventions**, especially the Work in Fishing Convention (C188), as well as of other international agreements, such as the International Maritime Organisation Cape Town Agreement of 2012 and the Port State Measures Agreement;
 - **Assess the relevance and data requirements for the inclusion, under the social criteria, of additional criteria**, such as number of working days per year, number of work accidents, average wages per fishery, and continuous training
 - In general, **supply chain businesses should start following the principles set out by the Monterey framework** thriving towards three principles:
 - Protect Human Rights, dignity and access to resources
 - Ensure equality and equitable opportunity to benefit
 - Improve food and livelihood security

Fisheries sector

- **Strengthen the social dimension**
- **Social impact analyses are needed**, and to be policy-relevant this requires an **increase in the amount of social and economic data made available to policy-makers and stakeholders**
- **Fisheries policies need to be more explicitly linked to social and safety goals**
- **The definition in the CFP for capacity is flawed and needs to be re-thought** to encompass improvements to vessels aimed at fulfilling requirements set out in social legislation. Improvements to vessels for social/safety reasons directly clash with limitations on vessel capacity, resulting in a number of issues.
- **To facilitate the boarding of women, privacy must be guaranteed, and it is essential to improve the reconciliation of family and work.** Services like nurseries in port, courses with adapted schedules, and advances in the recognition of professional experience must be financed.

Small-scale fisheries

- **The Commission should implement the provisions of the CFP Regulation**, which requires MAPs to provide for socio-economic measures, in order to strengthen the implementation of the social dimension. The Commission, either directly or as guardian of the Treaties and of the EU rules implementing it, **must ensure that that regulation is applied, which has the force of being as binding as the other provisions.**
- **Economic competitiveness should be promoted, maintaining the tax treatment of fuel and maintaining social benefits in fisheries, rejecting the**

maximum economic performance model that threatens employment especially in small-scale, artisanal and coastal fishing vessels

Aquaculture

- **The CFP should expand the scope of its social dimension to also cover aquaculture workers.** The socio-economic contribution of aquaculture is seldom taken into account, and this impact is especially relevant in rural areas.

Trade unions

- It is not acceptable that the EU has in place legislation to counter illegal fishing and does not have instruments to ban import of fish products produced by forced labour. **Therefore an update the IUU Regulation (1005/2008) is needed so that ‘human and labour rights violations’ are included in the definition of IUU fishing within the EU’s IUU Regulation.** Countries that are found to ignore or permit human and labour rights violations of fisheries workers should be yellow or red carded and their fishery products not permitted access to the EU market until the matter has been satisfactorily addressed.
- Another instrument should be found to **ban the import of seafood products from third countries with evidence of forced labour.**
- **ILO C188 labour standard should be used as a benchmark for importing countries. Countries supplying the EU with seafood must ratify the Fundamental ILO Conventions 87 and 98 and encouraged to ratify the ILO C188** in the same way that EU MS have been required to do so by Council Directive (EU) 2017/159.
- **Develop a European mechanism/institution and procedures which enable compliance of the companies with IUU fishing regulation as well as human rights and international labour standards,** with an authority to consider and investigate complaints and restrict EU market access for products of the companies in breach of these laws and standards.
- After the narrowing down of the CFP’s social dimension in fishing to just levels of employment, **it is important to consider fishing vessel safety, training of fishers, working and living conditions of fishers, the viability of the value chain and the effect of technical measures on fishers’ safety, health, and income.**
- **There is a clear contradiction between the CFP and the requirements set out in social legislation such as the ILO C188 Work in Fishing Convention, transposed in European legislation by Directive (EU) 2017/159.** According to these legal texts, there is a mandatory requirement for more space on board all fishing vessels, however the fishing industry is not allowed to increase space on board because of gross tonnage and propulsion power limitations. This issue has been raised by many stakeholders and **needs to be addressed to improve the conditions of the crews and attract more young workers and women in the sector.**

- **Compulsory minimum levels of basic training for all seafood workers before working in the industry should be made mandatory under the CFP to increase health and safety.** IMO STCW-F Convention should be used as a standard.

(Refer to a recent paper on social priorities in fisheries developed by ETF and Europeche: <https://tinyurl.com/2p9buvf7>)

Public authorities

- Social impact assessments should be carried out on decisions taken on fish criteria.
- **Demanding social criteria must complement external partnership agreements to combat IUU fishing and avoid unfair competition in the import of fishery products into the Union.**
- **Introducing international standards, such as ILO Convention 188, into SFPAs is an essential minimum in order to raise the social conditions of third countries and, consequently, the Union's social standards.**

Advisory Councils

- The EU legal framework is severely lacking in fisher safety areas. **MS should ratify the 2012 International Maritime Organization (IMO)'s Cape Town**
- **The ILO Work in Fishing Convention (ILO C188) should be ratified by more MS.** Furthermore, the EC should include in its work programme a proposal for a European Directive to incorporate the IMO Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F 95) into the *acquis communautaire*. **“We call on the EC to adopt a Directive on compliance and enforcement of C188.”**
- **Ratification of international instruments** is fundamental to guarantee a safe environment for all workers in the fisheries sector internationally and a level playing field.
- Environmental objectives are not necessarily separated from social objectives: **an improvement of the social dimension can lead to better environmental protection.**
- **Art 17 of the CFP is poorly implemented, and should be used to incentivize and support better social practices by using more criteria of a social nature in the distribution of fishing opportunities.**

5.1 Climate change

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

Please answer Q36 for EU fisheries:

The following challenges for *fisheries*, in relation to climate change, were identified by the different types of organisations surveyed:

NGOs

- The warming of the planet has three clear impacts on global fisheries: productivity changes, distributional changes and seasonality changes.
- EU fisheries are vulnerable to the impacts of climate change, such as shifts in the range and distribution of certain fish species and the resulting challenges to achieving sustainable management of fish stocks.
- EU fisheries contribute to anthropogenic climate change through greenhouse gas emissions from the use of fossil fuel in fishing vessels, disturbance to blue carbon habitats, and the unsustainable extraction of fish and resulting disruption of marine ecosystems.
- Shifts in ranges and distributions of certain fish species, particularly in the case of forage fish, can also have important impacts on marine predators that feed on these species, with resulting disruption to wider marine ecosystems. Seabirds are particularly vulnerable to such changes in their food sources, e.g. during the breeding season.

Fisheries sector

- More knowledge is needed on the emerging versus declining species and what this means for the sector and its fishers, the encompassing industry and infrastructure on land, as well as the marine environment and its ecosystems.
- To adapt to climate change, the landing obligation policy needs alteration to avoid choke situations as the moving fish stocks are momentarily subjected to a yet unpredictable cause.

Public authorities

- The migration of fish species, which creates the disappearance of “indigenous” species or the “installation” of invasive species which in fishing and coastal areas, is a challenge
- The significant increase in the population of marine species which impact the reproductive capacity of other commercialized species is an issue.
- Mutations in the marine food chain which have direct impacts on some fish stocks are a challenge.

Advisory Councils

- 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.
- The ramifications of potential changes in migration patterns on the international management of jointly managed pelagic stocks is the main challenge. Given the

current tensions between the EU and Coastal States and ongoing disputes over unilateral quota-setting, the likely worsening of these tensions may jeopardise the sustainable management of the stocks under its remit.

- The impacts of climate change on the food chain of key fish species, and what this will mean for future abundances, is a key concern. For pelagic species in particular, changes in life cycles (spawning and maturation) and smaller sizes of individuals will occur as the water warms. Fish tend to mature earlier and be smaller in warmer waters leading to issues for stock management.

Please answer Q36 for EU aquaculture:

The following challenges for *aquaculture*, in relation to climate change, were identified by the different types of organisations surveyed:

NGOs

- Mussel and Oyster producers will face difficulties in shells forming on mussels, oysters and other crustaceans due to the increase in water temperature, as well as more disease outbreaks due to water temperature increasing
- Freshwater fish farmers will experience lower levels of oxygen in ponds and flow-through systems due to higher water temperatures, increasing the risk of high fish mortality rates and disease, and causing higher levels of medicines being required to treat diseases
- Marine fish farmers will not be able to farm cold water fish species in certain regions, due to higher water temperatures; disease for fish will also be an issue, which will result in higher use of medicines/antibiotics.
- Rising water temperature will bring heavier weather events, putting pressure on the aquaculture infrastructure which can lead to escapes from farms or material loss (litter).

Aquaculture

- Most of the fish species farmed in Europe are suitable for a certain temperature range. The increase in temperatures has the effect of making the production of certain species difficult in some countries where the rise in water temperature generates increasingly marked seasonal mortalities
- The reproduction of certain species can only take place under certain conditions, such as lower temperatures in winters. Climate change is disrupting these phenomena and we can see fertility problems in these areas.

Public authorities

- Warmer summers and longer rainy periods bring various problems in the form of extreme weather conditions. There is a shortage of water during the drought, the temperature rises in natural water bodies and nutrients are transferred from fields and forests to water bodies and from there to aquaculture farms with a lot of rainwater
- Aquaculture units that depend on natural water bodies have difficulty to cope with excessive water temperatures, that affects all aquatic life. Depending on the species growth, the development of environmentally friendly marine and terrestrial aquaculture in such a way that the environmental condition does not deteriorate and

the sustainability of the sector is ensured is also a major challenge for the aquaculture sector.

- The emergence/proliferation of new pathogens and predators in aquaculture production areas
- Changes in the temperature of the water rendering certain species currently reared, unsuitable for the environment (e.g.: thermal optimum)
- Reduction in the quantity of water available for farming in continental areas and exacerbating conflicts over the use of this resource (e.g.: compliance with environmental objectives vs agriculture/aquaculture, etc.)
- Acidification of waters disturbing the biological cycles of farmed species.
- Increase in natural hazards with negative impacts on aquaculture production structures (e.g.: flooding, storms, etc.)

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 answer Q37 for *fisheries*:

The following possible solutions, good practices and innovations for *fisheries* to adapt to the changing environment were identified by the different types of organisations surveyed:

NGOs

- The ocean floor is the world's largest carbon storehouse, and it should be left undisturbed
- The EC should include in the upcoming EU restoration law ambitious, legally binding targets for marine habitat protection, prioritising strictly protected MPAs, carbon rich ecosystems and essential fish habitats (e.g., nurseries and spawning grounds). It should protect "blue carbon" ecosystems and their carbon sequestration capacity in habitats such as tidal marshes, seagrass and kelp forests to increase coastal protection, and overall resilience of marine ecosystems against climate change.
- The EC should ensure a scrutiny of national restoration plans to come, to ensure highest level of synergies between habitats restoration and increasing climate resilience, such as through restoration of carbon rich habitats.
- The EU should prohibit destructive fishing gear in sensitive and vulnerable marine areas, to not only safeguard fisheries and biodiversity (including carbon-rich habitats), but also to strengthen ocean resilience to climate, particularly:
 - by prohibiting destructive bottom-contacting gears in all European MPAs and in coastal areas (article 11 of the CFP Regulation, emergency measures and the introduction of new legislative proposals)
 - by prohibiting destructive bottom-contacting gears on known Vulnerable Marine Ecosystems (through transposition of scientific data from ICES in an EC Implementing Regulation related to Regulation (EU) 2016/2336)
- The EC should also develop clear guidance for MS to utilise quota allocation to deliver on EU's Climate Law and the European Green Deal, as well as use the 'Action Plan to conserve fisheries resources and protect marine ecosystems' to propose a clear legal instrument which requires MS to implement Article 17 of the CFP Regulation.

- There should be an Ecosystem and Climate Impact Assessment process for all EU fisheries and fleets, to ensure that the setting of annual fishing opportunities incorporates climate and ecosystem considerations (including precautionary climate buffers, minimisation of bycatch of protected species, food web functioning, adaptation capacity of fish populations, and seabed integrity).
- It is essential that scientific advice fully accounts for the impacts of climate change to enable EU fisheries to adapt and mitigate their activities, and that this scientific advice is respected when setting TACs and quotas.
- There should be more flexibility and responsiveness in fisheries governance to account for changing conditions, including geographical shifts in stock distribution and potential conflicts with neighbouring countries.
- Harmful subsidies must be eliminated, because they contribute to maintaining overcapacity in the EU fleet and they disproportionately support fleet segments with the highest carbon footprints.
- EMFAF and other funding programmes should be used to support protection, management and restoration of the marine environment. The funding must also be used to support diversification within the fisheries sector. The just transition of the most fuel-intensive and destructive segments of the fleet towards climate-friendly, low-impact fisheries should be facilitated. (For concrete examples, the respondents referred to the joint NGO report demonstrating how climate-smart fisheries can be achieved: https://www.rspb.org.uk/globalassets/downloads/policy-briefings/climate_smart_fisheries_report_2021.pdf.)
- WTO agreement should establish a binding framework that phases out all harmful subsidies contributing to fleet overcapacity and overfishing.
- Retailers and seafood processors should evaluate – based on their own assessments and risk calculations – whether or not fisheries are being supported by the provision of harmful subsidies and work with fishing nations to phase out their use.
- Increase the coverage of well-managed, well-resourced EU MPAs in line with 30x30 objectives: With effective planning, monitoring and enforcement, MPAs can have significant positive effects on local ecosystems and marine life, boosting fish populations with both ecological and economic benefits.
- MPAs must have clear objectives with well-managed actions based on best available science.
- MPAs must be strictly ‘no-take’ (as opposed to partially protected), allowing no extractive industries to operate within their perimeters. Such ‘no-take’ zones in EU waters must be designed and managed appropriately to ensure they do not harm European communities who depend on fisheries for their livelihoods.
- MPAs must be well monitored and robustly enforced. Lack of enforcement and monitoring has led to many MPAs being dubbed ‘paper parks’, protected only in name.
- Fish less: It is critical that the EU increase the responsiveness of and strengthen its embedding of the precautionary principle within fisheries management and marine spatial policies, with an emphasis on rebuilding overexploited fisheries.
- Better stock assessments are needed to assess maximum sustainable yield of EU fisheries and set quotas and determine access rights in ways which protect and restore overexploited fisheries.

Fisheries sector

- CFP should have a stronger focus on the production of food.
- Opportunities should be given to the sector to continue the path towards carbon neutrality.
- Contribution to climate change can be reduced by inducing a shift amongst consumers to products with a lower carbon footprint, hence wild fish caught by the EU fishing fleet.
- Consumers should be reminded and informed of safe, healthy, and smart-choice seafood offers and be encouraged to buy and prepare sustainable seafood; i.e., consumer responsibility should become an aspect in the CFP in its climate dimension.
- More knowledge is needed on the emerging versus declining species and what this means for the sector and its fishers, the encompassing industry and infrastructure on land, as well as the marine environment and its ecosystems.
- EU policies and management decisions need to adapt to allow for quick and flexible decisions on climate change.
- The landing obligation should be adapted to avoid choke situations as the moving fish stocks are momentarily subjected to a yet unpredictable cause.
- There should be efforts to address the potential geographic shift due to change in migration patterns for species managed by certain RFMOs, and they should have an adaptive design to address such changes. Identification of dynamic area-based closures and discussions about improving science and understanding on estimations of shifting trans boundary stocks would better prepare RFMOs for this reality.
- **Public authorities** It is necessary that the CFP is integrated with the various EU strategies in the area of climate change (i.e., the integration of climate change into the MSFD spectrum) to anticipate the effects of global warming and adjust the levels of protection/vigilance/catches of certain sensitive species or habitats
- European fishing vessels should reduce pollutant emissions and reduce economic dependence on energy costs. However, new technologies for propulsion or less CO₂ and nitrogen oxide emissions require significant improvements on board ships, which are severely impeded or even prevented by the capacity limitation by the tonnage.
- The EU should research and promote the use of sustainable and cost effective fuels in the fishing industry. Incentives at the EU level could encourage stakeholder involvement and buy in. Many industries are currently exploring use of 'green' fuel options and it should be ensured that fisheries are not left behind.
- The opening of experimental quotas on species not traditionally targeted by the fleet would make it possible to assess the resilience of the profession.
- The use of locally produced renewable energy should be encouraged to supply cold chain maintenance, logistics and delivery and vessel propulsion, reducing costs and assisting in the decarbonisation of island fisheries and reduce reliance on imported fossil fuels. A strategy for the supply chain should be developed, including a detailed analysis of the equipment, infrastructure, logistics, training and operational requirements.
- Move away from reliance on large scale centralised industrial supply chains.
- Policy needs to move away from diversification to one of encouraging new entrants and properly supporting current practitioners, including women.
- An adaptive management framework will be needed to respond quickly to the challenges of climate change for the fisheries sector.

- Funding for research into low impact fisheries will be required to allow for adaptation to the challenges of climate change and allow the industry to continue to operate and adapt fishing strategies to the new realities under climate change.
- **Advisory Councils** 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
- 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

Please answer Q37 for aquaculture

The following possible solutions, good practices and innovations for *aquaculture* to adapt to the changing environment were identified by the different types of organisations surveyed:

NGOs

- Promoting seaweed aquaculture can be a beneficial solution in terms of carbon sequestration, sustainable sourcing and types of feed with reduced carbon footprint.

Aquaculture

- Research on the biology of the farmed species, like hybridisation, genetic selection, and diversification of the farmed species.
- Adaptation of production systems, like RAS, aquaponics or offshore farms.
- Aquaculture can contribute to meeting Climate action targets through carbon sequestration value, carbon efficient food production, use of renewable energy sources and creating smart jobs with investment in adaptive technology for a more efficient Irish Aquaculture industry.

Public authorities

- Public authorities noted the importance of developing, through research, innovation, the sharing of best practices and the establishment of multi-stakeholder aquaculture partnerships, the following:
 - raise new species more adapted to the new climatic conditions (through Council Regulation 708/2007 of 11 June 2007);
 - select strains allowing the species currently produced to be more resistant to changes in the environment (e.g.: T°C, O2 available, etc.);
 - introduce new farming techniques to protect against variations in the environment (e.g.: closed-loop fish farms, submergible cages);
 - encourage the rearing of endemic organisms naturally adapted to the currently unrecovered environment;
 - develop integrated multi-trophic aquaculture systems
- Initiatives should begin to encourage the use of green energy for processors and for aquaculture.

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 answer Q38 for *fisheries*:

The following good practices/innovations were mentioned regarding how the *fisheries* sector could reduce emissions and overcome the challenges of climate change:

NGOs

- Transitioning to low impact, generally passive forms of fishing (and away from high impact, bottom contacting mobile gears, which have a high GHG footprint)
- Removing harmful fisheries subsidies that incentivise energy intensive, high impact fishing methods
- Removing fuel subsidies specifically, and in particular the tax exemption for fuel used by fishing vessels in the context of the revision of the Energy Taxation Directive.
- Allocating fishing opportunities based on sustainability criteria, including environmental criteria such as carbon footprint per unit of catch, and impact on blue carbon habitats and other marine carbon stores (including marine sediments)
- The EC should develop a robust scientific assessment process that evaluates the impact of fishing activity on the carbon sequestration potential of fish populations and of the seabed/habitat, and reviews fuel consumption and CO2 emissions from EU fishing fleets
- The EC provide guidance to MS on criteria and a rating process that can assist in transitioning European fleets to low impact fishing by allocating quota to fleet segments that are low carbon emitters, have no impact on the seabed and avoid bycatch of sensitive species
- Limit the spatial extent of bottom towed fishing gears, including eliminating their use within MPAs and in areas of high blue carbon storage, to protect and support their recovery
- Increase investment in research to identify and delineate areas of high blue carbon storage and establishing monitoring programmes to increase the knowledge base on blue carbon habitats/stores in EU waters
- Establish measures to protect, and minimise impacts on, areas of high blue carbon storage, including requesting advice from ICES on fisheries management measures to minimise the impact of fishing activities on the capacity of marine habitats to store carbon
- Invest in research on the use of alternative fuels for fishing vessels
- Increase the transparency and traceability of EU fisheries, including through the use of Remote Electronic Monitoring (REM), to improve stock health and increase biomass
- Ensure that annual fishing opportunities incorporates climate and ecosystem considerations (including precautionary climate buffers, minimisation of bycatch of protected species, food web functioning, adaptation capacity of fish populations, and seabed integrity)

Fisheries sector

- Energy transition to an alternative and cheaper fuel source would be the answer but this is difficult to implement, as novel technologies require space on board while capacity ceilings are preventing this change.
- To decarbonise the fishing industry by hydrogen and gas engines requires space for which legislative limitations are to be removed (capacity ceilings) and adequate funding for which the EMFAF should be the helping hand in replacing engines and thus modernising all fishing vessels.
- A shift amongst consumers to products with a lower carbon footprint, hence wild fish caught by the EU fishing fleet, should be prioritised. Consumers should be reminded and informed of the safe, healthy, and smart choice seafood offers and be encouraged to buy and prepare sustainable seafood. Hence, the consumer responsibility should become an aspect in the CFP its climate dimension.

Public authorities

- Emissions could be reduced by shifting to alternative fuels
- New propulsion technologies (hybrid engines, liquefied natural gas, hydrogen, fuel cells, etc.) or less emitting CO₂ and nitrogen oxide are the key to combat climate challenges, but require substantial improvements on board ships, which are heavily or even impeded by capacity limitation by the tonnage. These arrangements under the EMFAF are a step in the right direction, but their practical variations may prove to be complex to implement.
- Given the scale of the challenge for the sector, it seems essential to be able to revisit these arrangements in parallel with the discussions on the regulation of fleets by tonnage and engine power.

Advisory Councils

- 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.
- 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.
- Current energy-saving technologies are 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.

Please answer Q38 for *aquaculture*:

The following good practices/innovations were mentioned regarding how the *aquaculture* sector could reduce emissions and overcome the challenges of climate change:

NGOs

- Ensuring the traceability of feed components
- Promoting the use of a responsible feed source is key.

- The aquaculture industry should set clear targets and commitments relating to the sourcing of responsible and ultimately sustainable fishmeal and fish oil.
- Should use low trophic index assessment criteria and FAO code of conduct principles. Move to farming and responsible consumption of low-trophic species
- Adoption of best available technology to reduce escapes is a prerequisite, as is better recording, monitoring and use of traceability tools.
- Zero escapes should be the aspirational target.
- Adoption and enshrining in legislation of EU technical standards for all aquaculture equipment, such as for example the Scottish technical standards. This should include the development of standards to avoid escapes
- The recording and reporting of escapes from fish farm facilities and the setting of targets for year-on-year reduction.
- The use of tags/genetic markers on all fish to ensure traceability of escapees to source
- Chemicals and antibiotics (those used in human medicines) in aquaculture poses risks to the ecosystems
- Gradual replacement by non-chemical alternatives.
- Improvements in management and operations on aquaculture facilities to reduce the need for chemical intervention, such as fallowing, site rotation and area management agreements.
- Encouragement and support for the use of eco-friendly antifouling coatings, nets and mechanical products that reduce/eliminate the need for copper based treatments.
- Innovative aquaculture production processes with minimal or zero impacts on surrounding ecosystems need to be promoted and supported.
- The support and encouragement, through funding and licensing, of the development of integrated multi-trophic aquaculture and aquaponics systems, with the aim of reducing the nutrient load arising from farming primary species.
- The implementation of compensatory measures, related to nutrients, such as the creation of wetlands, algae and mussel farming.
- Halt the disruption of carbon sequestration caused by habitat destruction
- Improve the management of aquaculture towards better sustainability
- Support and develop integrated multi-trophic aquaculture (where molluscs and seaweed are grown as by-products with waste from more intensive aquaculture) and systems where the sediments are managed in cages or ponds to enhance sequestration (see e.g. <https://bit.ly/3CNYdpW>)

Aquaculture

- Aquaculture can contribute to EU carbon neutrality and climate action targets through carbon sequestration value, carbon efficient food production, use of renewable energy sources and creating smart jobs with investment in adaptive technology for a more efficient aquaculture industry.

Public authorities

- Multitrophic aquaculture
- Aquaculture in interaction with wind farms
- Aquaculture with closed nutrient circulation
- The cultivation of algae and shellfish would make it possible to remove nutrients from the sea on the one hand and to provide higher added value to aquaculture production

on the other. At the same time, there is no functioning economic model in our MS that would manage shellfish and algae cultivation independently.

- Use of local raw materials in feed.
- Mitigation measures an investment in technologies that are economically viable and do not require additional operating support are important to ensure the sustainability of the sector.
- Developing measures that support a standardising of carbon accounting as it is applied to seafood produced within the union and imported seafood is key to supporting European production and market differentiation.
- All effort to support the fisheries and aquaculture sector to reduce their on-shore emissions would serve to further reduce impacts.
- Use of renewable energy to run refrigeration for bait or RAS.
- Introduction of electric engines for aquaculture enterprises where range and power requirements permit.
- Use of Solar lights for piers and harbours

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

NGOs

“The CFP is mute on the biggest challenge of our generation. The word “climate” does not feature once in the text of the CFP Basic Regulation. These initiatives should be taken to include climate considerations in the current legal framework”:

- The EC should request ICES to conduct climate and ecosystem assessments of EU fisheries, including on the carbon sequestration potential of fish populations and of the seabed/habitats, and CO2 emissions from fuel consumption, and identify a roadmap of action for a just transition to climate-friendly, low-impact fisheries.
- Where relevant, the EC should propose fishing limits below the MSY point value to provide a “climate buffer” for stocks under multiple environmental stressors.
- The EU should eliminate harmful fisheries subsidies that overwhelmingly contribute to maintaining the fleet segments with the highest carbon footprint afloat. Removing the fuel tax exemption under the Energy Taxation Directive (ETD) would make fuel-intensive, destructive fishing practices such as mobile bottom-contacting gears much less prevalent.
- MS should provide state aid and design operational plans for the EMFAF that assist the just transition of the most fuel-intensive and destructive segments of the fleet to climate-friendly, low-impact fisheries.
- The EU should publish guidance on how to spend the EU Recovery Funds to ensure that EU money does not end up fuelling overcapacity, overfishing or illegal fishing, but instead truly leads to a green recovery. To do this, a principle-based approach should be followed. (See more here: <https://europe.oceana.org/en/publications/reports/setting-right-safety-net-framework-fisheries-support-policies-response-covid-0>)
- The revision of the State Aid Guidelines is an opportunity to establish stricter conditions ensuring that state aid granted to fisheries is not harmful to the environment and follows the objectives of the EU Green Deal.

Fisheries sector

- Fuel costs are often half of the operational costs, if not more. This challenges operators in balancing their expenses, often to the loss of the income of crew on board, or to the increase of product prices.
- An energy transition to an alternative and cheaper fuel source would be the answer but this is difficult to implement, as novel technologies require space on board while capacity ceilings are preventing this change.
- To decarbonise the fishing industry by hydrogen and gas engines requires space for which legislative limitations are to be removed (capacity ceilings) and adequate funding for which the EMFAF should be the helping hand in replacing engines and thus modernising all fishing vessels.
- Research and development on the implementation of new technologies required for an energy transition should be intensified for the fishing sector and the infrastructure needed at port level.
- Consumers should be reminded and informed of the safe, healthy, and smart choice seafood offers and be encouraged to buy and prepare sustainable seafood. Hence, the consumer responsibility should become an aspect in the CFP its climate dimension.

Trade unions

- Since the extent of the effects of climate change on marine ecosystems and on fish populations is still unknown, the CFP should be able to adapt ‘in real time’ to these variations, which may sometimes occur abruptly and for which fishing cannot be held responsible.
- Further research should be carried out to document the direct and indirect impacts of climate change on ecosystems and fish stocks in order to better understand and anticipate certain changes.
- The acquisition and analysis of scientific data must continue. The impacts of climate change on ecosystems and fish stocks are already visible and concrete examples can illustrate this.
- In the Mediterranean Sea, a change in growth and key size/age linked to changes in the quality and quantity of plankton food itself affected by physico-chemical changes in the ocean was clearly observed. Similar observations are observed in the Bay of Biscay.
- This has an impact not only on the quantities landed and thus on fishermen in terms of turnover and employment, but also on the fat content of sardines that actually affect the processing industry.

Advisory Councils

- 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.

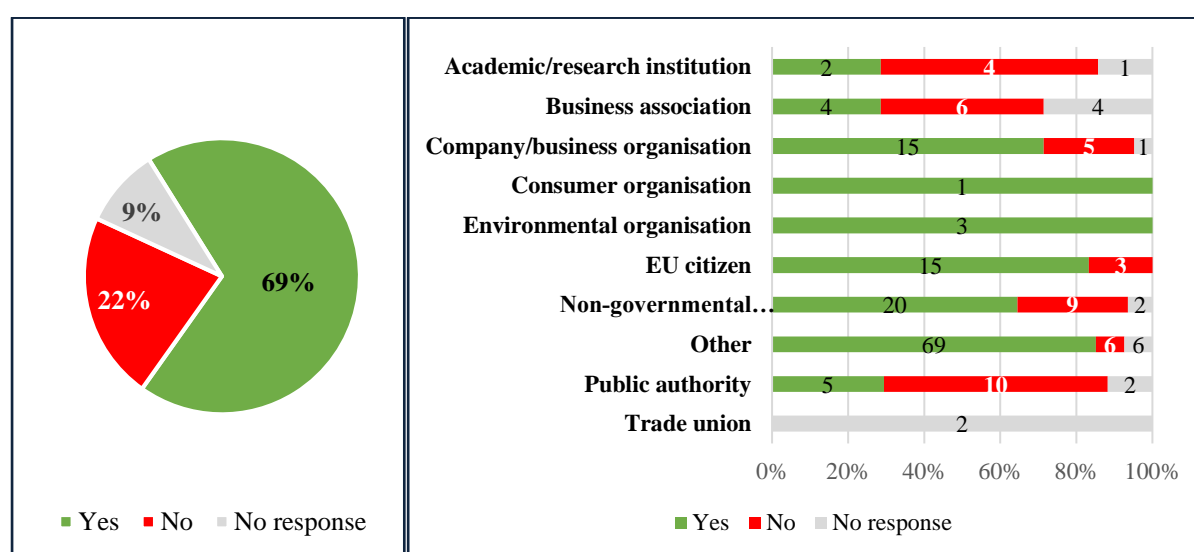
5.2 Further comments

Is there any further comment / information that you would like to share with us? (yes/no)

For a final question, respondents were asked if there were any other comments they would like to make.

69% selected “yes” and left additional comments, 22% selected “no”, and 9% did not respond:

Figure 25: Percentage of respondents who wanted to leave any additional comments or information:



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

The following key points were made by the different types of respondents surveyed, when asked to elaborate on further comments/information they would like to add:

NGOs

- The CFP basic regulation remains a good framework for fisheries management, and in that sense, it is fit for purpose.
- CFP lacks adequate implementation, control and enforcement, and some of the decisions and regulations adopted under its framework (such as the MAPs and the discard plans) have effectively weakened its provisions. Addressing these shortcomings is critical now and before any future revision of the policy is considered.
- EC’s comprehensive report on the functioning of the CFP must advocate for better implementation of the policy and include a clear reference to climate action.
- The CFP implementation should be fully aligned with the EU flagship agenda, the European Green Deal.

- The necessary tools to address gaps in the implementation of the CFP already exist within the policy itself, or by means of other available legal instruments. The EC has a comprehensive toolbox at its disposal
- As a matter of priority, the EC should initiate a REFIT and a fundamental revision of the MAPs, which have failed to deliver an effective, ecosystem-based, long-term approach to fisheries management according to the specificities of each regional basin and fully delivering on the objectives of the CFP.
- The Commission must address key implementation gaps (catch limits exceeding scientific advice, insufficient implementation of the landing obligation, and persistent impacts of fishing on marine species and habitats) and start requesting scientific advice on fishing opportunities that reflects a climate and ecosystem-based approach, with special attention to mixed fisheries.
- There is a long way to go to implement the CFP fully. The current policy needs more time to fully show its real transformative power. It is premature to write off the policy and seek a new reform, starting from scratch. Such a misguided approach would place additional burdens on MS and the fishing sector, who depend on stability and legal certainty, and would also imply additional years for drafting and implementing new regulations and other legal acts.
- Aquatic animal welfare should be incorporated in the CFP in line with Article 13 of the Lisbon Treaty which states that "In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the MS shall, since animals are sentient beings, pay full regard to the welfare requirements of animals".
- Animal welfare has been absent from fisheries policy throughout the period of this CFP. This lack of attention and absence from the policy is responsible for the lack of progress in fisheries. Conversely, recognition of animal welfare in aquaculture in the previous EMFF regulation and the outgoing CMO regulation have contributed to its progress in the aquaculture sector.
- Measures need to be introduced to improve animal welfare during capture, landing and slaughter in wild capture fisheries by foreseeing a high level objective on animal welfare in fisheries consistent with Article 13 of the TFEU.
- Support the objectives of the sustainable aquaculture strategy to improve fish welfare in aquaculture in rearing, transport and slaughter. Legislation is again required in relation to article 13 of the TFEU.
- Extension of aquaculture to new species of fish and invertebrates should be limited to those whose behavioural and physiological needs can be met in the conditions of farming and to those which can be fed on a plant-based diet. Cephalopod farming should be banned for animal welfare and environmental issues. For instance, octopuses are carnivores and need a high-quality diet that includes live prey and high number of fish. Farmed octopus therefore cannot be part of a sustainable food system.
- Data should be collected and published on welfare indicators in aquaculture and fisheries including mortality rates, use of medications, and production methods.
- Assessing the climate impact of bottom trawling should be a priority topic for STECF.
- Tackling abandoned, lost or otherwise discarded fishing gear (ALDFG) and ensuring fishing gear is disposed of properly on land, and not dumped at sea, should be an explicit objective of fishery regulations.
- Requiring IMO numbers for all vessels according to the latest IMO Assembly eligibility criteria.

- Introducing port state measures in line with FAO's Port State Measures Agreement.
- Ensuring observer coverage is sufficient to provide necessary scientific and compliance data for fisheries and gears they manage.
- Implementing or expanding current VMS measures to be partially or fully centralised, ensuring that data is shared with the RFMO Secretariats for verification of reported activity and national FMCs as needed
- Implement or expand current transshipment CMMs to align with forthcoming FAO Voluntary Guidelines on Transshipment.
- Ensuring transparency in the RFMO compliance process, effective review of compliance data, and penalties for non-compliance.
- Transitioning to management using harvest strategies developed using management strategy evaluation (MSE)
- Applying an ecosystem-based approach to fisheries management.

Fisheries sector

- Any document produced by the Commission with internal or external effects containing references to fisheries and in particular to the EU fleet should contribute to sustainability. To do this, it must at least refer to the progress of its fisheries management and the standards achieved.

Small-scale fisheries

- Work must be carried out on the pillars of social and economic sustainability to secure the future of small-scale fishing and fishing activity as a whole because of its cultural heritage, its supply of fresh fish by contributing to a balanced diet within the framework of food sovereignty, and to this end, work must be carried out on the pillars of social and economic sustainability. Some of these pillars have been completely abandoned by the institutions and by the implementing rules of the European Union.
- Fishing activity must be promoted, not weakened or eliminated
- Local production must be protected against unfair competition from third countries that do not respect EU standards in terms of ecosystem protection and human rights.
- Greater support should be given to fishermen's associations that make an essential and sustainable contribution to implementing control measures
- There is a need for increased policy coherence for development to benefit Small-scale fisheries
- The EU should ensure that the impacts of its various policies towards African fisheries lead to sustainable development of these fisheries. Ensuring coherence is also key for guaranteeing the effectiveness of the EU funding towards ocean governance and sustainable fisheries
- The EU's sectoral support -embedded in SFPAs with third countries- relies on a specific tool that is not aligned to cooperation mechanisms. Sectoral support should be used to support local fishing sectors and fishing governance in the partner country, including the small-scale sector, taking into account the needs of local communities.
- To achieve better coherence between the EU actions in partner countries benefiting fisheries, budgetary tools should be reconciled to strengthen budgetary efficiency and cohesion of policies.

Recreational fisheries

- “Fully documented fisheries” is a necessity to improve on all important parameters like discards, landing obligation, choke species, socio-economics, spatial planning, ecosystem-based management etc.
- ‘Recreational Fisheries’ need be included fully and fairly the CFP, on an equal footing with commercial fisheries and aquaculture - in order to be able to reach the objectives listed in Article 2 as well as to be able to make informed decisions about best use of the fish resource for society

Traders associations

- Fishing quotas are not fully exploited – this is a lost sustainable resource and loss of market opportunity. This leads to (avoidable) tensions between the EU catching sector and processors who need to import to meet (and maintain) consumer demand, and gives rise to (unjustified) perceptions in relation to the lack of a level playing field on the EU market, even though both imports and EU caught fish are subject to the same consumer information and other regulatory rules
- In the case of reform, the CFP should take into consideration the processing and trading industry, as it is a necessary part of the supply and value chain, supplying EU citizens with sustainable and healthy food
- With respect to the COVID19 pandemic, processors and traders are part of the critical infrastructure which ensures that healthy and safe seafood can be provided to EU consumers- and any measures that limit the possibility of supply should be discussed with the sector directly
- It should be required for the collection of data to be included further in the value chain
- Official controls, like the ones that are already imposed on imported seafood products, should be strengthened in the domestic market to achieve the high sustainability standards
- The commission should strengthen the work done on global implementation of ILO conventions, and more pressure should be applied so that more countries subscribe to it

Advisory Councils

- There must be a consistent approach of the SFPAs with the principles embedded in the Green Deal when applying technical measures such as spatial management (coastal management, exclusive access for coastal communities of certain fishing grounds closer to shore "zoning") related to achievement of environmental and socio-economic performance indicators that can be subsequently evaluated.
- Emphasis should be placed on positive incentives, promoting preferential access for sustainable fishing practices rather than blunt or overall prohibition or exclusion of single fishing gears
- SFPAs include an article promoting cooperation between fishing operators of both the EU and third countries as contracting parties, including under joint ventures. However, it does not stipulate the conditions under which such EU fishing investments are to be sustainable. In many partner countries, the legislative framework and implementing measures for the establishment and for controlling the operations of such enterprises set up with foreign companies is weak and opaque in many cases.

- The EU should showcase examples of good practices of EU investments in third countries in terms of beneficial impact in training, education, employment, value addition, generation of wealth, and fixing of population.
- The EU should seek coherence and synergies with other EU actions; policies relevant to the role of women in fisheries (incl. development for cooperation) are equally fundamental. There should be an emphasis on supporting local sustainable fishing communities, and visibility and promotion of the role of women on them.
- It is paramount to adopt strategies for women to work aboard fishing vessels, especially as bridge and engine room officers. This approach requires that privacy of women and men can be guaranteed on board of the vessel. This means separate cabins and sanitary facilities and that means increase of volume (gross tonnage) which the CFP in its present form hampers.

6 Annex 1: supporting documents received from respondents

Name of document	Submitted by	Type of organisation	Topic 1	Topic 2	Topic 3	Does the document provide scientific support?
10 priorities for the future of sustainable fisheries partnership agreements	Birdlife	Non-governmental organisation (NGO)	External dimension	Horizontal considerations	Provision of scientific advice	Yes, references to scientific publications
A sustainable Common Fisheries Policy to meet the EU's objectives	Eurogroup for Animals	Non-governmental organisation (NGO)	Horizontal considerations	Ecosystem protection	Governance	No
Achieving transparency and combating IUU fishing in RFMOs - reinforcing the EU's multilateral actions to promote best practices	OCEANA	Non-governmental organisation (NGO)	External dimension	Governance	Market supply	Yes, references to scientific publications
Additional considerations as to the EU's interaction in external negotiations at RFMO level being in conflict with the CFP's intent	Shark Project Austria	Environmental organisation	External dimension	Governance	Ecosystem protection	No
Back to the source: saving Europe's biodiversity starts in the ocean	Our Fish	Other	Ecosystem protection	Horizontal considerations		No
Barriers and solutions to full catch accountability In the Common Fisheries Policy	Djurskyddet Sverige	Non-governmental organisation (NGO)	Landing obligation	Conservation of stocks	Governance	Yes, references to scientific publications

Name of document	Submitted by	Type of organisation	Topic 1	Topic 2	Topic 3	Does the document provide scientific support?
CFP mission not yet accomplished	Our Fish, Oceana, Birdlife, Seas at risk	Non-governmental organisation (NGO)	Horizontal considerations	Ecosystem protection	Conservation of stocks	Yes, references to scientific publications
Contribution to EU consultation on review of Fisheries Control Systems	Long Distance Advisory Council	Other	External dimension	Horizontal considerations		No
CPMR contribution to the EC targeted Consultation on the 2022 report on the functioning of the Common Fisheries Policy	CPMR Conference of Peripheral Maritime Regions (CPMR)	Other	Governance	Financial support	Landing obligation	No
Eléments de réponse CNPMM sur la mise en œuvre de la Politique Commune de la Pêche (PCP) et ses perspectives d'avenir	COMITÉ NATIONAL DES PÊCHES MARITIMES ET DES ELEVAGES MARINS (FR)	Company/business organisation	Conservation of stocks	Governance	Landing obligation	No
EU fisheries management system likely to implode: the unintended impact of not enforcing the ban on fish discards	Our Fish	Environmental organisation	Conservation of stocks	Landing obligation		Yes, references to scientific publications
Europêche on the current functioning of the Common Fisheries Policy	Europêche	Company/business organisation	Social dimension	Ecosystem protection	Landing obligation	No

Name of document	Submitted by	Type of organisation	Topic 1	Topic 2	Topic 3	Does the document provide scientific support?
Feedback to the EC on the CFP's state of play	Djurskyddet Sverige	Non-governmental organisation (NGO)	Horizontal considerations	Conservation of stocks	Provision of scientific advice	Yes, references to scientific publications
Fisheries management responds to Climate & nature emergency	Our Fish	Environmental organisation	Mitigation of climate change	Ecosystem protection	Conservation of stocks	Yes, references to scientific publications
Fit for purpose? An assessment of the effectiveness of the Baltic Sea MAP	OCEANA	Non-governmental organisation (NGO)	Horizontal considerations	Conservation of stocks	Provision of scientific advice	Yes, references to scientific publications
How the EU fishing fleet can become low environmental impact, low carbon and cosically just	LIFE, Our fish	Other	Horizontal considerations	Social dimension	Ecosystem protection	Yes, references to scientific publications
Implementation and revision of the CFP with a Baltic perspective	Baltic Sea Advisory Council	Other	Horizontal considerations	Provision of scientific advice	Landing obligation	No
LDAC Recommendations for a Level Playing Field for EU and non-EU fish products	Long Distance Advisory Council	Other	External dimension	Market supply		No
LDAC Recommendations on Strengthening the European Union Role In the field of International Fisheries Governance	Long Distance Advisory Council	Other	External dimension	Governance		No

Name of document	Submitted by	Type of organisation	Topic 1	Topic 2	Topic 3	Does the document provide scientific support?
Lessons from implementation of the EU's CFP	Our Fish	Environmental organisation	Governance	Conservation of stocks	Landing obligation	Yes, references to scientific publications
LIFE Draft Statement on the Implementation of the Common Fisheries Policy	Low Impact Fishers Europe	Other	Governance	Social dimension	Horizontal considerations	No
Making space for plural ontologies in fisheries governance: Ireland's disobedient offshore islands	Irish Islands Marine Resource Organisation – IIMRO	Other	Horizontal considerations	Governance	Social dimension	Yes, references to scientific publications
Managing for diversity: keeping everyone afloat in Irish fisheries	Irish Islands Marine Resource Organisation – IIMRO	Other	Governance	Social dimension	Horizontal considerations	Yes, references to scientific publications
MEDAC contribution Targeted consultation on the 2022 Report on the Functioning of the Common Fisheries Policy	MEDAC	Other	Horizontal considerations			
Mismatch-between-TACs-and-ICES-advice-CE-en.pdf	OCEANA	Non-governmental organisation (NGO)	Conservation of stocks			Yes, references to scientific publications
Note de position du Conseil régional de Bretagne sur le fonctionnement de la politique commune de la pêche	Conseil Régional de Bretagne - Regional Council of Brittany	Public authority	Conservation of stocks	Ecosystem protection	Landing obligation	Yes, references to scientific publications

Name of document	Submitted by	Type of organisation	Topic 1	Topic 2	Topic 3	Does the document provide scientific support?
Position paper	MINISTRY OF AGRICULTURE, NATURE AND FOOD QUALITY Netherlands	Public authority	Horizontal considerations	Provision of scientific advice	Ecosystem protection	Yes, references to scientific publications
Position paper from the Government of Catalonia on the Functioning of the Common Fisheries Policy	Directorate-General for Maritime Policy and Sustainable Fisheries (DGPMPS), Catalan Government (Generalitat de Catalunya)	Public authority	Governance	Ecosystem protection	Mitigation of climate change	No
Position paper on required improvements in industrial fisheries and fishing gear	Shark Project Austria	Environmental organisation	Ecosystem protection	Landing obligation		No
Recommendations on implementing the EU landing obligation in pelagic fisheries	Pelagic RAC	Other	Landing obligation	Horizontal considerations	Conservation of stocks	Yes, references to scientific publications
Recommendations on the CFP	Aquaculture Advisory Council	Other	Aquaculture	Horizontal considerations	Ecosystem protection	Yes, new analysis
Recommendations on the Commission consultation on the review of the CFP	Pelagic Advisory Council (a separate document sent to MARE)	Other	Conservation of stocks	Governance	Landing obligation	No

Name of document	Submitted by	Type of organisation	Topic 1	Topic 2	Topic 3	Does the document provide scientific support?
Recommendations to the EU on setting of fishing opportunities 2022	OCEANA	Non-governmental organisation (NGO)	Conservation of stocks	Allocation of fishing opportunities	Landing obligation	Yes, references to scientific publications
Recovering_fish_stock_and_fully_implementing_the_landing_obligation	OCEANA	Non-governmental organisation (NGO)	Landing obligation	Conservation of stocks		Yes, references to scientific publications
Revision of the CFP - proposal	Xunta de GALICIA	Public authority	Social dimension	Governance	Mitigation of climate change	No
Science in support of the European fisheries and aquaculture policy 2013	Djurskyddet Sverige	Non-governmental organisation (NGO)	Horizontal considerations	Provision of scientific advice	Ecosystem protection	Yes, references to scientific publications
Setting the right safety net: a framework for fisheries support policies in response to Covid 19	OCEANA	Non-governmental organisation (NGO)	Horizontal considerations	Financial support	Ecosystem protection	Yes, references to scientific publications
Setting-total-allowable-catches-tacs-in-the-context-of-the-landing-obligation	OCEANA	Non-governmental organisation (NGO)	Landing obligation	Conservation of stocks		No
Statement regarding review of the Common Fisheries Policy	Djurskyddet Sverige	Non-governmental organisation (NGO)	Market supply			No
Study on article 17 of the CFP	Our Fish	Environmental organisation	Allocation of fishing opportunities	Social dimension		Yes, references to scientific publications
Tackling marine litter for ocean protection	Birdlife	Non-governmental organisation (NGO)	Ecosystem protection			Yes, references to scientific publications

Name of document	Submitted by	Type of organisation	Topic 1	Topic 2	Topic 3	Does the document provide scientific support?
The situation of the Baltic fishery and how it came about	Fischereischutzverband Schleswig-Holstein	Business association	Horizontal considerations	Conservation of stocks		Yes, references to scientific publications
The unintended impacts if the European discard ban	OCEANA	Non-governmental organisation (NGO)	Landing obligation	Conservation of stocks		Yes, new analysis
Turning the tide on EU seas with a green recovery	OCEANA	Non-governmental organisation (NGO)	Ecosystem protection	Allocation of fishing opportunities	Aquaculture	Yes, references to scientific publications
Unmanaged and unprotected Europe's marine parks	OCEANA	Non-governmental organisation (NGO)	Ecosystem protection			Yes, references to scientific publications
Who gets to fish in the European Union?	Our Fish	Environmental organisation	Allocation of fishing opportunities	Allocation of fishing opportunities		No
Comments on the Defining the course for a sustainable blue planet Updating the international ocean governance agenda	Pro Wildlife	Non-governmental organisation (NGO)	Horizontal considerations	Ecosystem protection	Conservation of stocks	Yes, references to scientific publications
Consultation fishing opportunities 2021 under the CFP	Citizen	Other	Conservation of stocks	Landing obligation		Yes, references to scientific publications