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

Fields marked with * are mandatory.

Introduction

This online questionnaire is part of a consultation to prepare a report on the functioning of the common fisheries policy (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02013R1380-20190814>) (CFP), under Regulation (EU) No 1380/2013 (the CFP Regulation). The objective of this report is to address the functioning of the CFP and look at how we can strengthen its implementation.

This questionnaire will provide the basis for more in-depth discussions at regional level starting in April 2022. The consultation process will end with an event before Summer 2022. The report will also build on the studies carried out in its support, and which are referred to in the corresponding chapters of the questionnaire.

The questions refer to each chapter of the CFP Regulation, ending with the topics raised in the Mission letter (https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwiMp6_rqM_0AhVbvgv0HHYW-AgsQFnoECAoQAQ&url=https%3A%2F%2Fec.europa.eu%2Fcommission%2Fcommissioners%2Fsites%2Fdefault%2Ffiles%2Fcommissioner_mission_letters%2Fmission-letter-sinkevicius-2019-2024_en.pdf&usq=AOvVaw1ap7scvJx-L_RQJn0K8MLa) to Commissioner Sinkevičius as not sufficiently covered in the current policy framework and should be paid specific attention to (social dimension, climate adaptation and clean oceans). They are designed to identify what works well (or not), identify any evidence of shortcomings in how the CFP is implemented and highlight good practice or innovative tools or processes implemented by stakeholders or Member States.

Please comment on any or all topics (you can skip questions if you have nothing to say) and provide any other information you think relevant.

This questionnaire does not cover the technical measures regulation (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R1241>) nor the protection of sensitive species and habitats. They are covered in a parallel consultation on the action plan to conserve fisheries resources and protect marine ecosystems (<https://ec.europa.eu/eusurvey/runner/TargetedConsultationActionPlan2021>) (launched 25 October with deadline 10 January 2022).

All information collected through this survey will be stored and handled in a confidential manner and in compliance with the General Data Protection Regulation (<https://eur-lex.europa.eu/eli/reg/2016/679/oj>) (GDPR).

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

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

About you

*Language of my contribution

English

*I am giving my contribution as

Environmental organisation

*First name

Rebecca

*Surname

Hubbard

*Email (this won't be published)

rebecca@our.fish

*Organisation name

255 character(s) maximum

Our Fish

*Organisation size

Micro (1 to 9 employees)

Transparency register number

255 character(s) maximum

Check if your organisation is on the transparency register

(<http://ec.europa.eu/transparencyregister/public/homePage.do?redir=false&locale=en>). It's a voluntary database for organisations seeking to influence EU decision-making.

180850142485-82

*Country of origin

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

Netherlands

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published.

For the purpose of transparency, the type of respondent (for example, 'business association, 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.

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

 Anonymous

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

 Public

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

I agree with the personal data protection provisions (<https://ec.europa.eu/info/law/better-regulation/specific-privacy-statement>)

General aspects - overall functioning of the CFP (objectives)

Article 2 CFP Regulation – objectives

1. The CFP shall ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies.
2. The CFP shall apply the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield.

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

3. The CFP shall implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and shall endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment.
4. The CFP shall contribute to the collection of scientific data.
5. The CFP shall, in particular:
 - (a) gradually eliminate discards, on a case-by-case basis, taking into account the best available scientific advice, by avoiding and reducing, as far as possible, unwanted catches, and by gradually ensuring that catches are landed;
 - (b) where necessary, make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size;
 - (c) provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity;

- (d) provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities consistent with paragraph 2, with a view to having economically viable fleets without overexploiting marine biological resources;
- (e) promote the development of sustainable Union aquaculture activities to contribute to food supplies and security and employment;
- (f) contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects;
- (g) contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring a level-playing field for fisheries and aquaculture products marketed in the Union;
- (h) take into account the interests of both consumers and producers;
- (i) promote coastal fishing activities, taking into account socio-economic aspects;
- (j) be coherent with the Union environmental legislation, in particular with the objective of achieving a good environmental status by 2020 as set out in Article 1(1) of Directive 2008/56/EC, as well as with other Union policies.

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

3,000 character(s) maximum

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

	F u l l y	P a r t l y	N o t a t a l l
1. The CFP shall ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
2. The CFP shall apply the precautionary approach to fisheries management, and shall aim to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield. In order to reach the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield, the maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
3. The CFP shall implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and shall endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment.	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
4. The CFP shall contribute to the collection of scientific data.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

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

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

3,000 character(s) maximum

The EU aquaculture sector has seen good progress in areas such as ensuring availability of quality products to the consumer. However, the strategy did not achieve its objectives, particularly in regards increasing production, employment and environmental sustainability. So from an economic and social dimension the CFP has managed to keep or make aquaculture sustainable. From an environmentally sustainable perspective the CFP Regulation has failed to keep or make the EU aquaculture sector more sustainable. Aquaculture feed still relies on fish meal and oil, thus aquaculture is not a net producer of fish protein. Escapees from aquaculture operations still occur and have impacts on wild habitats and animal species. Impacts from medicinal and chemical use in aquaculture operations still impact wild habitats and animal species.

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

3,000 character(s) maximum

Overall, the key challenges for CFP implementation are lack of political will, most substantively at Member State (MS) level, but to some degree in the Commission and Parliament as well.

Stop overfishing: The objective to restore populations to a level that can maintain fishing at Maximum Sustainable Yield has not been achieved, and annual fishing limits are frequently set above the best available scientific advice or precautionary advice. The delay to end overfishing by 2020 is a result of: poor transparency around the process of proposing and agreeing fishing opportunities; delay by the Commission to propose fishing limits in line with scientific advice and acknowledging the lack of implementation of the landing obligation; and failure of the AGRIFISH Council to follow scientific advice and often worsen the level of overfishing, as proposed by the Commission.

Reduce discards: The objective to reduce discards has not been achieved as most fishing fleets outrightly ignore the law and are neither monitored or punished. This has further exacerbated the level of overfishing of key fish populations, and undermined the data, science and management approach underpinning the CFP.

Ecosystem based management: The objective to implement the ecosystem-based approach to fisheries management has not been achieved, primarily because while ICES now provides "ecosystem assessments" of various sea basins or areas, they do not provide (or are asked for) ecosystem impact assessments by the various fishing fleets. Hence we know how badly the ecosystem is faring, but there is no advice on how to lessen or stop that impact. Additionally, unacceptable levels of bycatch of sensitive species has gone on without significant repercussions. Moreover, the impact of fishing on the ocean's capacity to mitigate and adapt to climate change are not being monitored or managed either, so an entire suite of impacts are wholesale ignored.

Transition to a sustainable, low impact fleet: The objectives to promote coastal fishing and match the capacity of the EU fishing fleet to the fishing resources available have both been essentially ignored. Small scale fishers still struggle to access fishing opportunities, they are the worst impacted from other damages (eg. declining fish stocks), and receive fewer subsidies than the large scale fleet. The inflated trawl fleet of the EU on the other hand, makes the most damage on the fish populations/food web/ seabed/ climate, make the most profits, have considerable access to decision makers and governments, and receive the most subsidies.

Article 3 CFP Regulation - Principles of good governance

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

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

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

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

	Y e s	P a r t l y	N o
(a) the clear definition of responsibilities at the Union, regional, national and local levels;	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
(b) the taking into account of regional specificities, through a regionalised approach;	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(c) the establishment of measures in accordance with the best available scientific advice;	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
(d) a long-term perspective;	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(e) administrative cost efficiency;	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
(f) appropriate involvement of stakeholders, in particular Advisory Councils, at all stages - from conception to implementation of the measures;	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
(g) the primary responsibility of the flag State;	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
(h) consistency with other Union policies;	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(i) the use of impact assessments as appropriate;	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(j) coherence between the internal and external dimension of the CFP;	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(k) transparency of data handling in accordance with existing legal requirements, with due respect for private life, the protection of personal data and confidentiality rules; availability of data to the appropriate scientific bodies, other bodies with a scientific or management interest, and other defined end-users.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Fisheries management measures for conserving and sustainably exploiting marine biological resources

Multiannual plans

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

Stocks and fisheries are managed by means of such plans, which contain goals for managing fish stocks in line with the CFP objectives (maximum sustainable yield) and measures such as fishing effort restrictions, rules for setting total allowable catches, specific control rules and technical measures (such as specific

rules for implementing the landing obligation) and review clauses and safeguards to trigger remedial action.

Articles 9 and 10 of the CFP Regulation establish the principles, objectives and content of such plans.

Currently four multiannual plans have been adopted under the CFP:

- Baltic plan (<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32016R1139>) (see also the first implementation report (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0494>));
- North Sea plan (<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32018R0973>);
- Western Waters plan (<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32019R0472>);
- Western Mediterranean Sea plan (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019R1022>).

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?

3,000 character(s) maximum

We have worked mostly with the Baltic and North Sea plans. We have found the MAPs to be used as tools to weaken the ambition and loosen the rules with regards to reducing discards and restoring fish populations by setting fishing limits below MSY. While the plans could have been used to develop nuanced medium-term plans for the different regions that increased biological and industry productivity, they seem to have been used carte blanche to stop efforts to reduce the environmental impact of fishing. Instead of ending overfishing of certain fish populations, they perpetuated it. Instead of developing systems to incentivise more selective fishing, they have been used to excuse unacceptably damaging behaviour. They have lowered the bar consistently, and the poor environmental status of all of the sea basins exemplifies this. It is not a matter of being too flexible or too rigid. They do not serve the purpose for which they were intended.

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

- Yes
 No

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

3,000 character(s) maximum

Q7b. Are the plans used to their full potential?

- Yes
 No

Please explain or insert any further suggestions

3,000 character(s) maximum

Landing obligation

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

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

There has been increasing collaboration between stakeholders and scientists to improve knowledge about this issue, e.g. the Horizon 2020 projects DiscardLess (<http://www.discardless.eu/deliverables>), MINOUW (<http://minouw-project.eu/policy-recommendations/>) and choke mitigation tool.

(<https://www.nwwac.org/publications/north-western-waters-choke-species-analysis.2365.html>)

Significant efforts by all stakeholders have been made to facilitate implementation of the landing obligation, notably to avoid choke species (*a species for which the available quota is exhausted before the quotas of (some of) the other species that are caught together in a (mixed) fishery are exhausted*), and to improve control and enforcement, for example by providing technical guidelines and specifications ([https://www.efca.europa.eu/sites/default/files/Technical%20guidelines and specifications for the implementation of Remote Electronic Monitoring %28REM%29 in EU fisheries.pdf](https://www.efca.europa.eu/sites/default/files/Technical%20guidelines%20and%20specifications%20for%20the%20implementation%20of%20Remote%20Electronic%20Monitoring%20REM%20in%20EU%20fisheries.pdf)) for implementing remote electronic monitoring (REM) in fisheries.

However, control and enforcement of the landing obligation remain challenging and, overall, Member States have not adopted the necessary measures in this respect. Moreover, significant undocumented discarding of catches by operators still occurs. REM tools seem to be the most effective and cost-efficient way to monitor the landing obligation. The Commission has supported the use of such modern control tools in its proposal for a revised fisheries control system (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52018PC0368>) and will continue working with the the European Parliament and the Council to reach an agreement. As indicated by the Commission’s audits and the initiatives by the EFCA (<https://www.efca.europa.eu/en/content/compliance-evaluation>), compliance remains weak.

The necessary increase in selectivity is also addressed in the recently published report on the technical measures regulation (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:583:FIN>), as well as in the ongoing consultation on the action plan to conserve fisheries resources and protect marine ecosystems (<https://ec.europa.eu/eusurvey/runner/TargetedConsultationActionPlan2021>).

The implementation of the landing obligation, and its challenges, was also recently addressed in a European Parliament Initiative report (https://www.europarl.europa.eu/doceo/document/TA-9-2021-0227_EN.html) and a recently published study (<https://op.europa.eu/en/publication-detail/-/publication/89868cc6-015f-11ec-8f47-01aa75ed71a1>) contracted by DG MARE and the European Climate, Infrastructure and Environment Executive Agency (CINEA).

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

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

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

- None
- Difficult to detect discards because of insufficient observers or electronic monitoring tools
- Not possible to detect discards by small (under-12m) vessels
- Difficult to gather legally adequate evidence of discarding needed to make a successful prosecution
- Level of fines too low to deter fishers from discarding
- Not enough resources (inspectors, ships or aircraft) to enforce this obligation
- Obstruction by fishers, preventing observation of discards
- Implementation rules are unclear

- Not possible to detect where exemptions apply
- Not possible to detect where permissible discard limits are exceeded (for de minimis exemptions)
- Logbook records of discards are inaccurate or cannot be checked for verification
- Undersized fish are still being landed and marketed for purposes for direct human consumption
- Increased selectivity is hard to attain in specific fisheries (name the fisheries)
- Other - please specify in the text box below

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

3,000 character(s) maximum

TACs need to be set in a way that ensures that the actual catches (including official landings, legal exemption discards and unreported illegal discards) do not exceed the ICES catch advice. Importantly, ICES catch advice is not advice for the level at which the TAC should be set, but advice for the maximum catch level not to be exceeded. Given the Commission's repeated recognition that non-compliance remains widespread and 'significant undocumented discarding' continues, it is clear that setting TACs at the total catch advice level would result in higher than advised catches and in the end lead to increased overfishing. Therefore ICES should advise, the Commission should propose, and the Council should set, the TAC at the 'wanted' catch level.

Considering the broadscale illegal discarding that is occurring, the EU and Member States should take a "guilty until proven innocent" approach, and make Remote electronic monitoring (REM) a mandatory requirement to access quotas in the annual distribution process (i.e. REM for all vessels above 12m long and all those under 12m at risk of breaking CFP rules (as assessed by EFCA)).

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

3,000 character(s) maximum

We don't need more pilot projects. We need political action. The EU's approach that it is "optional" for fishers to follow the rules on minimising discards, means that we are failing to protect ecosystems from shifting and in some cases collapsing, fish populations are continuing to decline, and eventually fishers profits will also fall.

Methods for avoiding, minimising or eliminating unwanted catches have been identified and tested by scientists and fishers in EU-funded projects (e.g., Minouw, DiscardLess).

Failure by Member States to require proper monitoring and to enforce the rules does not incentivise or require fishers to apply avoidance techniques or invest in selective gears.

Requiring Remote Electronic Monitoring (REM) for all EU vessels would create full documentation of catches, provide independent evidence that can confirm (or deny) fishers' knowledge and views on quantities and types of unwanted catches, and assist in assessing the effectiveness of mitigation measures, and improving scientific data.

All potential mitigation measures must be applied to minimise unwanted catches.

Exemptions (such as de minimis) should be used only as a means of last resort.

Prioritising the allocation of fishing opportunities at national level based on environmental criteria, such as selectivity, in line with CFP Article 17, would significantly improve the selectivity of the fleet. The Commission should prioritise supporting this by developing a process and guidelines for implementing Article 17 at a Member State level.

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

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

3,000 character(s) maximum

Where there is known illegal behaviour, access to fishing opportunities should be removed, until compliance can be proven, through such means as REM.

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

3,000 character(s) maximum

We see it as the responsibility of fishers to implement the landing obligation, and the responsibility of the European Commission and Member State governments to ensure monitoring and compliance.

In our view, NGOs and scientists have already spent an enormous amount of time trying to monitor, encourage and support fishers and governments to implement the LO, with many of these efforts falling on deaf ears.

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

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

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

When proposing new fisheries rules and regulations or reviewing those existing ones, the European Commission seeks the best available scientific advice from several scientific bodies. Data collected by EU countries under the data collection framework (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R1004>) form the basis for the work of these **scientific advisory bodies**. This framework outlines the EU countries' obligations to collect, manage and make available a wide range of fisheries and aquaculture data needed for scientific advice.

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

- the Scientific, Technical and Economic Committee for Fisheries (STECF (<https://stecf.jrc.ec.europa.eu/documents/43805/2672864/STECF+20-14+-+Social+dimension+CFP.pdf/a68c6c42-6b64-41fc-b5a0-b724c71aa78e?version=1.1&download=true>))
- the International Council for the Exploration of the Sea (ICES (<https://www.ices.dk/Pages/default.aspx>))
- the Regional fisheries management organisations (RFMOs (https://ec.europa.eu/oceans-and-fisheries/fisheries/international-agreements/regional-fisheries-management-organisations-rfmos_en))
- regional fisheries bodies, e.g. the General Fisheries Commission for the Mediterranean (GFCM (<https://www.fao.org/gfcm/en/>)).

The advisory councils may help, in close cooperation with scientists, to collect, supply and analyse the data necessary for developing conservation measures. Better cooperation between stakeholders and scientists is important to foster. Moreover, the Commission processes and manages data to support knowledge-based decision making (EMODNET (<https://emodnet.ec.europa.eu/en>) and Atlas of the Seas (https://ec.europa.eu/maritimeaffairs/atlas/maritime_atlas/)).

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

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

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

3,000 character(s) maximum

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

- Yes
 No

Please explain

3,000 character(s) maximum

MS should improve data collection and comply with reporting obligations. MS should require use of Remote Electronic Monitoring (REM) systems on all vessels to collect data on catches of commercial species, bycatch of protected species, and discards of unwanted species or undersized fish. Additionally, this will provide managers and governments with evidence in case of safety incidents or concerns.

The Commission should initiate the collection of data about, and support research into, the climate impacts of fishing, which have been minimal before now. This includes, but is not limited to: comprehensive seabed mapping of carbon richness in EU waters; supporting research into the role of fish in carbon sequestration/ ocean carbon pump; emissions from different fleet segments; and the impact of re-suspension of seabed sediment after trawling on carbon sequestration.

The MS should use EMFAF resources to monitor and control fishing activities, to collect data on the impact on fish populations and the marine environment, to find solutions to tackle environmental problems and to enhance scientific knowledge of the marine environment. The Commission should also ensure that EMFAF is financing projects that are beneficial to the EU marine environment and linked to the restoration and conservation of the marine environment, as well as cooperation between fishers and scientists to create a culture of co-ownership of environmentally innovative projects.

Fishing opportunities

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

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

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

Yes

No

Please explain

3,000 character(s) maximum

Little progress has been made in implementing Article 17. According to the STECF:

- only 16 out of 23 MS bothered to answer requests for information by the Commission on the method used for allocating fishing opportunities, despite it being a legal requirement of the CFP (Article 16(6))
- MS have not drawn a line between Article 17 and quota allocation systems
- historical catch records are the most common means of allocating fishing opportunities in all member states, despite them not necessarily delivering social benefits
- 12 out of 23 MS had no environmental criteria, with the remainder allocating fishing opportunities based on direct or indirect environmental benefits.

An ecosystem-based approach is even more necessary in the context of the climate crisis, where it is crucial to make ecosystems and communities more resilient and achieve gains in climate mitigation. Article 17 is a clear pathway to a fleet-based approach, which can operationalise the tools needed to achieve ecosystem-based management.

The Commission should:

1. Seek input from scientists and stakeholders on environmental and socio-economic criteria for allocating fishing opportunities.
2. Drive a transparent, accountable process to design a set of allocation criteria for fishing opportunities and a rating system for implementation, including:
 - a. Active engagement of stakeholders in development of locally adapted criteria;
 - b. Public listing of the criteria and process for reallocation;
 - c. Co-management with quota management committees which include representation from the fishing and NGO sectors;
 - d. Public listing of the beneficiaries of allocation.
3. Develop clear guidance for MS to utilise quota allocation to deliver on EU's Climate Law and the European Green Deal.
4. Use the 'Action Plan to conserve fisheries resources and protect marine ecosystems' and the CFP implementation report to propose an instrument which requires MS to implement Article 17, including:
 - a. Full biodiversity, ecosystem and climate impact assessments of fishing, including the definition of indicators able to quantify each of these impacts;
 - b. A minimum number of priority criteria to be addressed by the quota reallocation, with specific targets, that require prioritising criteria that maximise multiple social, environmental, and economic benefits;
 - c. A process which describes the reallocation of an increasing share of the TAC over a period of eight years, which should include prescribed minimum allocations of fishing opportunities to the small-scale low-impact fishing fleet;
 - d. Create a mechanism to review the criteria and their application by member states to ensure that allocation based on social, environmental and economic criteria do not have unacceptable unintended impacts and maximise co-benefits.

This aspect is included in the list of conservation measures (Article 7 of the CFP Regulation). Under Article 22 of the Regulation, Member States must adjust their fleet's fishing capacity to their fishing opportunities over time to achieve a stable and long-term balance between them. For this, Member States assess the capacity of the national fleet and all its segments. This assessment is made in line with Commission guidelines (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2014%3A0545%3AFIN>) and is presented in an annual report sent to the Commission by 31 May each year.

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

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

Capacity ceilings

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

The Commission evaluated (https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjE9uXxrZ30AhXlh0HHUA_ACQQFnoECAIQAQ&url=https%3A%2F%2Fec.europa.eu%2Foceans-and-fisheries%2Fdocument%2Fdownload%2F36650fb8-010e-4832-82fb-8b520061f2a2_en&usg=AOvVaw2PVUHek3_piosHI94CuW8X) the scheme in 2019. Moreover, fishing capacity corresponding to the fishing vessels withdrawn with public aid must not be replaced (Article 22(6)). For more information on the EU fishing fleet, see the EU fishing fleet register (https://webgate.ec.europa.eu/fleet-europa/index_en).

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

- Yes
 No

What could be improved within the current legal framework?

3,000 character(s) maximum

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	4	5
North Sea, Skagerrak and Channel	4	5
Celtic Seas	4	4
Bay of Biscay	4	4
Macaronesia (Canaries)	i don't know	i don't know

Macaronesia (Azores)	i don't know	i don't know
Western Mediterranean	4	5
Central Mediterranean	4	5
Eastern Mediterranean	4	5
Black Sea	i don't know	i don't know

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

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

Please explain

3,000 character(s) maximum

Fishing fleet capacity management, which is the responsibility of MS, has not reached the objective of achieving a balance between available fishing opportunities and fishing fleet capacity. There is a need to implement further instruments to prevent (real) fishing capacity from exceeding available fishing opportunities.

Aquaculture

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

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

In 2021, the Commission adopted new strategic guidelines (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:236:FIN>) and EU countries reviewed their national strategies in light of the new guidelines. The European Maritime, Fisheries and Aquaculture Fund (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2021.247.01.0001.01.ENG) (2021-2027) will continue to make funding available for EU aquaculture.

Q16. Has the system of strategic coordination established in Article 34 of the CFP Regulation, and in particular the strategic guidelines for a more sustainable and competitive EU aquaculture (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:236:FIN>) and the multi-annual strategic plans, contributed to the sustainable growth of EU aquaculture as set out in Article 34 of the CFP Regulation?

- Yes
- No

Q17. How can the strategic guidelines for a more sustainable and competitive EU aquaculture (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:236:FIN>) adopted in 2021 be effective in further pursuing the sustainable growth of EU aquaculture in line with the objectives of the European Green Deal?

3,000 character(s) maximum

Regional cooperation on conservation measures – Regionalisation

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

- consultations with stakeholders via the advisory councils;
- enabling stakeholders to become involved in and take ownership of the CFP implementation process via the Member States (regional and expert groups), and the regional coordination groups under the data collection framework. (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R1004>)

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

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

In 2018, the Commission published guidance on Article 11 (<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj1ebr9v7zAhUHs6QKHQURBx4QFnoECAoQAQ&url=https%3A%2F%2Fec.europa.eu%2Ftransparency%2Fregdoc%2Frep%2F10102%2F2018%2FEN%2FSDW-2018-288-F1-EN-MAIN-PART-1.PDF&usg=AOvVaw25BmUrdo8i5iZCyf96IOH4>) of the Regulation on adopting conservation measures for Natura 2000 sites and for the purposes of the Marine Strategy Framework Directive, providing for good practices already to be considered in this process.

Technical Measures Regulation

This topic has already been extensively discussed with you as a stakeholder in the context of the recently published Commission report on the implementation of the Technical Measures Regulation (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:583:FIN>). This report specifies that the Technical Measures Regulation introduced results-based approaches supported by 'regionalisation', setting out the general rules that apply to all EU waters, and provided for the adoption of technical measures that respond to the regional characteristics of fisheries.

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

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

Overview of regionalisation

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

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

- the appropriate involvement of stakeholders, in particular advisory councils, at all stages – from conceiving to implementing the measures;
- the importance of taking into account the regional characteristics, through a regionalised approach.

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

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

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

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

- Yes
- No

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

3,000 character(s) maximum

Despite the CFP's intent to establish a long-term, multiannual framework for fisheries management that would deliver environmental sustainability as a basis for socio-economic benefits, the implementation of the policy retains a short-term approach, rooted in annual decisions on fishing limits and exposed to sustained attempts by Member States, the fishing industry and even the European Parliament to erode the ambition of the CFP Regulation. Simultaneously, the policy lacks climate considerations, and has failed to ensure coherence and compliance with EU environmental law. To address these shortcomings:

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.

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

3,000 character(s) maximum

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

3,000 character(s) maximum

Regionalisation has not led to achieving the CFP's objectives in EU waters, and it would thus be a mistake to replicate the same model for shared stocks. The EC has the exclusive power to represent the EU in international negotiations, based on a mandate from the Council. As the Guardian of the Treaties, the Commission should ensure that the mandate, and the EU position it defends, is consistent with the requirements of the CFP. ACs can feed into the process via preparatory stakeholder consultations but should not interfere with the negotiation process.

Instead, transparency of negotiations with third countries should be substantially improved in line with the Aarhus Convention on access to information and public participation, so that all stakeholders and citizens can scrutinise the process and observe that the EU position is fully in line with the CFP. The EU should publish the underpinning scientific advice, management proposals, negotiations, positions of the parties and decisions for public scrutiny, with access guaranteed for all stakeholders.

In consultations with third countries, the EU should avoid unilateral processes. The United Nations Convention on the Law of the Sea (UNCLOS) determines that collaboration on management must be multilateral when more than two coastal states have a stake in a given fish population, or fishery, in order to ensure transparency across all relevant states.

External dimension

International ocean governance agenda

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

In 2020, the EU launched the International Ocean Governance (IOG) Forum and a targeted consultation, to assess development needs and options for action in light of today's challenges and opportunities in international ocean governance. The Commission recently published a summary of this consultation (<https://op.europa.eu/en/publication-detail/-/publication/2b5d5085-6b55-11eb-aeb5-01aa75ed71a1>). There are no questions in this questionnaire regarding international ocean governance. However, the EU has continued to implement its agenda on international ocean governance for the conservation and sustainable use of oceans and seas. Some of its central components are the promotion of sustainable fisheries beyond EU jurisdiction in international fora and bodies and through bilateral relations, and the fight against illegal, unreported and unregulated (IUU) fishing. It is based on international rules and obligations, and CFP principles and objectives, together with some specific objectives, such as policy coherence and promoting a level playing field.

Preventing harmful fishing practices

The international dimension of the CFP focuses on three areas:

- to **prevent, deter and eliminate illegal, unreported and unregulated fishing** (IUU Regulation (<https://eur-lex.europa.eu/eli/reg/2008/1005/oj>)). By doing this, it actively supports the reforms of fisheries controls by partner countries to effectively fight against IUU fishing in line with their international obligations to ensure compliance with conservation and management measures.
- Through **sustainable fisheries partnership agreements** (SFPAs), the EU gives support to fisheries management and control in partner countries in exchange for fishing rights. As a member of the World Trade Organization, the EU remains strongly committed to reaching an agreement to prohibit harmful fisheries subsidies.
- The EU, represented by the Commission, plays an active role in the **regional fisheries management organisations** (RFMOs). These organisations regulate regional fishing activities in the high seas.

In 2021, a public and targeted stakeholder consultation (https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12728-Fisheries-evaluation-of-the-EU-s-sustainable-fisheries-partnership-agreements-SFPAs-/public-consultation_en) was conducted for the SFPAs and therefore they are not covered by this questionnaire.

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

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

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

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

3,000 character(s) maximum

The internal and external dimensions of the CFP are not sufficiently aligned. Recommendations for improvement include:

The EU should lead by example and show a consistent approach to its own standards when acting in RFMOs and under international conventions (e.g. HELCOM, OSPAR, UNEP-MAP, BSC, ICCAT, GFCM, NAFO, NEAFC and others).

The EU should improve 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.

In accordance with articles 29 and 30 of the CFP, the EU must ensure better compliance with scientific advice, promote an ecosystem-based approach to fisheries management, minimise bycatch and avoid endless quota allocation discussions through the adoption of harvest strategies for most of RFMO managed stocks.

The EU should continue to push for the adoption of and compliance with anti-IUU measures and regulations. This includes (1) continue leading on promoting transparent fisheries governance at a global level; (2) build alliances with RFMO CPCs in intensifying efforts to effectively implement measures for tackling IUU fishing practices; and (3) establish (when not in place) and enforce RFMO measures that would trigger action against CPCs in cases of non-compliance. Essential measures to increase transparency and tackle IUU fishing in RFMOs can be found in this position paper: https://www.fishforward.eu/wp-content/uploads/2021/03/WWF_2019_achieving-transparency-and-combating-iuu-fishing-in-rfmos.pdf .

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

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

Please explain

3,000 character(s) maximum

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

- Yes
- No
- Partly

Please explain

3,000 character(s) maximum

SFPAs present an opportunity to better align the CFP's internal and external dimension, but they need improvement as well as harmonisation of conservation measures:

The EU should translate critical CFP objectives (including plans for reduction of discards, data collection of bycatch, precautionary and ecosystem-based approach, and other sustainability principles) in all future Sustainable Fisheries Partnership Agreement (SFPAs).

The EU should embed in SFPAs a requirement for coastal States to improve transparency (i.e. number of vessels, catches, bycatch) beyond the sole EU fleets by publishing other access agreements (private and public), as well as information on joint ventures and chartering arrangements in line with Article 238 of the 2019 United Nations General Assembly Resolution 74.18.

In SFPAs, the EC and the MS must ensure the non-discriminatory treatment of EU fleet vis-à-vis other foreign fleets; all technical measures that are applied to the EU fleet must be applied equally to all foreign industrial fleets in the waters of the given coastal State.

The EC and the MS should better align the external dimension of the CFP with EU trade policy, for example by using the option to suspend preferential tariffs if an IUU yellow card is issued.

The EU should improve the traceability of all seafood products (including imports and processed and prepared products) in the revised Control Regulation and in the upcoming Sustainable Corporate Governance, to ensure that seafood imports meet EU standards on sustainability, human rights and labour conditions, and are accompanied by information on the fishing area, the vessel's IMO number and the fishing gear used.

The EC should propose additional legislation to tackle the use of flags of convenience by EU nationals and abusive reflagging.

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

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

Please explain

3,000 character(s) maximum

International agreements for Northeast Atlantic shared stocks have largely underperformed. The frequent lack of agreement on stock shares led to the setting of unilateral quotas which exceed the agreed TAC and/or the scientific advice, resulting in overfishing. The EU position when negotiating fishing limits for shared stocks is not always aligned with the requirements of the CFP. This situation must improve significantly to comply with the CFP.

ICES highlights the ongoing critically depleted status of several key fish stocks, many of which are now jointly managed with the UK. The EC must ensure that the legal obligations of the CFP are upheld in the negotiations, i.e., that total fishing limits for all exploited fish populations do not exceed the scientifically advised levels in line with the CFP's sustainability objectives. The EU and coastal states should use the best available, peer-reviewed scientific advice from independent institutions recognised at the international level, ICES. Long-term management should be the underlying approach, and multi-annual harvest strategies should therefore be agreed as a matter of priority.

The EU should resolve the sharing issues of pelagic stocks (mackerel, herring, and blue whiting) with coastal states, and ensure that the overall catches for each stock do not exceed scientific advice and in no case lead to unilateral quota increases.

Transparency principles should be applied to the negotiations with the UK, Norway and other coastal states, in line with the Aarhus Convention.

Market and trade (common market organisation)

The common organisation of the EU's fisheries market strengthens the role of the actors on the ground: consumers receive information on the products sold on the EU market, and operators apply the same rules, regardless of the product's origin. The Common Market Organisation Regulation (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1424680663995&uri=CELEX:32013R1379>) covers five main areas:

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

As regards market intelligence, the Commission set up the European Market Observatory for Fishery and Aquaculture (<https://www.eumofa.eu/>) products to contribute to market transparency and provide market intelligence to all actors across the sector including policy makers.

The Commission must provide a report on the results of the application of the Common Market Organisation Regulation by 31 December 2022, and will be covered separately from the 2022 CFP report. There is also a separate consultation (<https://ec.europa.eu/eusurvey/runner/TargetedConsultation2022ReportCMO>) on this subject.

Structural policy and support: EU funding

By 2024, the Commission will have evaluated the 2014-2020 European Maritime and Fisheries Fund (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.149.01.0001.01.ENG). Therefore, no specific questions on this fund are included in this questionnaire.

The 2021-2027 European Maritime, Fisheries and Aquaculture Fund (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2021.247.01.0001.01.ENG) (EMFAF) is a key instrument for implementing the CFP and achieving its objectives. The EMFAF has 4 priorities:

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

The EMFAF is currently in its programming phase, with Member States finalising their national programmes. This phase has been accompanied by the regional sea basin analysis ([https://ec.europa.eu/transparency/documents-register/detail?ref=SWD\(2020\)206&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=SWD(2020)206&lang=en)). This document aims to provide Member States with a sea basin perspective of the key CFP challenges that need addressing through EMFAF funding.

Q25. Can you share examples of good practices or projects supported by the EMFF or that could be supported by the EMFAF to help achieve the objectives of the European Green Deal – ‘fit for 55 delivering EU’s 2030 climate targets’ (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021DC0550>)?

3,000 character(s) maximum

The European Maritime and Fisheries Fund (EMFF) 2014-2020 contained important conditions for access to public funding, in a deliberate attempt by the EU to ensure that public funds would not contribute to increased overcapacity, overfishing and destructive fishing activities. Partly for this reason, Member States have failed to make full use of the EMFF, with a substantial proportion of the fund remaining unspent, and available resources to fund solutions for more selective fishing and the protection of marine habitats insufficiently utilised. Rather than incentivise a higher uptake of nature-positive funds by the Member States, the new European Maritime, Fisheries and Aquaculture Fund (EMFAF) 2021-2027 has removed many of these conditionalities, and will reintroduce harmful subsidies and exacerbate overfishing.

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

3,000 character(s) maximum

The EC and the MS must ensure that EMFAF spending is in line with the environmental and sustainability objectives of the EU Green Deal and other EU legislation and that at least 25% of the Fund is spent for nature.

For instance:

The MS should use EMFAF resources to control fishing activities, to collect data on the impact on fish populations and the marine environment, to find solutions to tackle environmental problems and to enhance our scientific knowledge of the marine environment.

The MS should provide technical assistance to low impact fishers to access EU funds.

The EC should also ensure that EMFAF is financing projects that are beneficial to the EU marine environment and linked to the restoration and conservation of the marine environment, as well as cooperation between fishers and scientists to create a culture of co-ownership of environmentally innovative projects.

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

3,000 character(s) maximum

The EMFAF can support more sustainable fishing by funding projects that, for example:

Fund a transition to sustainable, low impact fishing practices

Promote diversification in the fisheries sector

Fund tools and monitoring devices for collecting and processing more reliable and complete fisheries data

Ensure compliance with the rules and enhance safety at sea by extending vessel tracking to all vessels

Develop skills through training and demonstration

More information and examples about specific investments that would benefit the ocean and the economy can be found here:

<https://our.fish/publications/turning-the-tide-on-eu-seas-with-a-green-recovery/>

Blue Economy

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

The blue economy, like every other sector, adheres to the European Green Deal, and is also indispensable in order to meet the EU's environmental and climate objectives. After all, the ocean is the main climate regulator we have. It offers clean energy and sustains us with oxygen, food, and many critical resources. To fully embed the blue economy into the Green Deal and the recovery strategy, the Commission has adopted a new approach for a sustainable blue economy in the EU (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:240:FIN>).

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

example:

- the EU strategy on offshore renewable energy (https://ec.europa.eu/energy/topics/renewable-energy/eu-strategy-offshore-renewable-energy_en)
- the strategic guidelines for a more sustainable and competitive EU aquaculture (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:236:FIN>)
- the extension and effective management of marine protected areas (<https://www.eea.europa.eu/themes/water/europes-seas-and-coasts/assessments/marine-protected-areas>).

That is why the EU has a Directive on Maritime Spatial Planning (<https://eur-lex.europa.eu/eli/dir/2014/89>) which provides transparency and stability, and encourages investment and cross-border cooperation, including in relation to offshore wind energy developments. It lays down minimum requirements for the planning process and the maritime spatial plans, including stakeholder and transboundary consultation requirements.

The European Maritime Spatial Planning Platform (<https://www.msp-platform.eu/>), financed by the EMFAF, provides information on existing practices, processes and projects, carries out technical studies, and has a question and answer service.

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

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

3,000 character(s) maximum

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

- Yes
 No

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 restauration)?

3,000 character(s) maximum

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

- Positive
 Negative
 I do not know

Clean (& healthy) oceans

This matter is linked to the targeted consultation on the action plan to conserve fisheries resources and protect marine ecosystems (<https://ec.europa.eu/eusurvey/runner/TargetedConsultationActionPlan2021>) requesting the involvement in shaping the plan. The above-mentioned consultation will gather information and evidence on the current state of the conservation of sensitive species and habitats, and the availability and potential of innovative, more selective fishing gears and techniques. In addition, respondents are

asked for input and suggestions on actions that could improve the way the relevant fisheries and environmental legislation are managed, implemented and governed.

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

- eutrophication (excess of nutrients pollution/ agricultural runoffs)
- contaminants (pesticides, heavy metals, toxins) underwater noise (oil drilling, shipping)
- ocean acidification (atmosphere CO₂ dissolving in ocean)
- marine litter (plastic, wood, metal etc.).

To restore ocean health, the EU aims to regenerate and recover European marine ecosystems through actions to achieve cleaner marine waters, restore their rich biodiversity and make our blue economy climate friendly. The 2030 biodiversity strategy under the European Green Deal and the upcoming EU nature restoration instrument play a key role in triggering these actions on the ground.

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

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

1. regulating fisheries to ensure fishing takes place at a sustainable level and to minimise negative impacts of fishing and aquaculture activities on marine ecosystems
2. banning certain single-use plastic items and reducing the use of plastic in fishing gears (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019L0904>)
3. encouraging ship operators to deliver all waste to ports (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019L0883>)
4. improving the rules on reporting of lost fishing gear (https://ec.europa.eu/oceans-and-fisheries/publications/decision-laying-down-format-reporting-data-and-information-fishing-gear-placed-market_en)
5. ensuring that the development of aquaculture in the EU does not significantly harm ecosystems and biodiversity.

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

Clean oceans at international level

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

The Commission drives research to create innovative and impactful solutions for clean and healthy oceans. The European Maritime, Fisheries and Aquaculture Fund (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2021.247.01.0001.01.ENG) (EMFAF) also includes as a priority, helping to strengthen international ocean governance and enabling seas and oceans to be safe, secure, clean and sustainably managed. The EMFAF provides support to develop solutions for restoring and maintaining ocean health and tackling marine litter. The fund compensates fishermen for bringing ashore waste caught in their nets rather than dumping it back into the sea.

Questions related to how the CFP contributes to environmental legislation, and to implementing the Technical Measures Regulation (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R1241>) and protecting sensitive species and habitats are not covered in this

questionnaire. They are covered in the consultation on the action plan to conserve fisheries resources and protect marine ecosystems (<https://ec.europa.eu/eusurvey/runner/TargetedConsultationActionPlan2021>) running in parallel.

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

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

- Fishing community
 Aquaculture community

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

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

- Fishing community
 Aquaculture producers

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?

3,000 character(s) maximum

Social dimension

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

The collection of specific social data began in 2019. This resulted in a first report (https://stecf.jrc.ec.europa.eu/reports/economic/-/asset_publisher/d71e/document/id/2599029?inheritRedirect=false&redirect=https%3A%2F%2Fstecf.jrc.ec.europa.eu%2Freports%2Feconomic%3Fp_p_id%3D101_INSTANCE_d71e%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_p_col_id%3Dcolumn-2%26p_p_col_pos%3D1%26p_p_col_count%3D2) by the Scientific, Technical and Economic Committee for Fisheries on social data in the EU fisheries sector. The report covered, in particular, the profiles of the EU fleet's workforce in terms of age, nationality, education and gender. The next report will be published in 2022 and should pave the way for a more refined analysis of the social dimension of EU fisheries. It should also provide the tools to better take into account social aspects when proposing measures on fisheries management.

The social dimension in fisheries also comes to the forefront in initiatives taken by the EU social partners (https://eur-lex.europa.eu/summary/glossary/social_partners.html) such as the agreement which led to the International Labour Organization's 'Work in Fishing Convention' being introduced into EU law (Directive 2017/159). Other aspects concern:

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

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

3,000 character(s) maximum

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

3,000 character(s) maximum

Climate change

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

Strongly reduced greenhouse gas emissions need to be coupled with sustained and robust adaptation actions. The Commission proposed the EU's first ever Climate Law which enshrines our commitment to reaching climate neutrality by 2050. The EU also agreed to reduce greenhouse gas emissions by at least 55% by 2030. With regards to adaptation, the ocean is an integral part of our new adaptation strategy (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:82:FIN>), including fisheries and aquaculture.

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

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

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

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

The purpose of the second study is to:

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

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

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

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

- EU fisheries
 EU aquaculture

Please answer Q36 for EU fisheries

3,000 character(s) maximum

Climate change is and will continue to have a direct and indirect impact on EU fisheries, and the EU should do much more to increase the health and resilience of fish populations and marine ecosystems, in order to be in the best position possible to deal with these impacts. This applies to fishers and coastal communities directly dependent on fisheries as well.

According to the 2021 UN world ocean assessment: changes in ocean temperature and salinity induced by climate change are affecting marine ecosystems by changing the distribution of marine species, decreasing the ecological value of coastal ecosystems and changing marine primary production. Marine heatwaves are increasing in severity, and extreme El Niño events have been observed. All three of these phenomena are projected to increase in the future, with the severity of impacts also increasing. Increases in CO2 in the atmosphere is creating an increase in the acidification and deoxygenation of the ocean. Under such conditions, both in nature and in the laboratory, marine organisms that support ecosystems and human livelihoods and nutrition typically respond poorly. Marine habitats experience a loss of diversity, many long-lived organisms die and a few resilient species proliferate.

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

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

- Fisheries
 Aquaculture

Please answer Q37 for fisheries

3,000 character(s) maximum

Recent evidence suggests fishing activities remove significant amounts of blue carbon from the ocean, releasing it into the atmosphere. Climate change is further accelerated through fuel consumption by EU fishing fleets, which account for nearly 7.3 million tons of CO2 emissions per year.

The fishing sector's carbon footprint is further magnified when bottom trawling disturbs carbon retained in seafloor sediment. Dragging heavy nets along the seafloor re-releases CO2 - equivalent to annual emissions from the aviation industry. It also disturbs ecosystems by affecting seabed integrity and killing marine species. European seas are the most heavily trawled in the world.

Marine sediments form the largest pool of organic carbon on Earth, which is estimated to store about 38 trillion metric tons of carbon. Every day, the ocean absorbs excess heat generated by humans and captures emitted carbon, which would otherwise have entered the atmosphere. Without the ocean, the Earth would be 35 degrees hotter since the industrial revolution.

Marine species are key to the ocean's carbon pump; specifically, it has been estimated that fish contribute to 16% of total ocean carbon flux. Small pelagic fish, such as mackerel, herring and anchovy, which dominate European waters, are especially important carbon sinkers.

The EU must prioritise designating and managing highly protected areas (MPAs) in which extractive and destructive activities are prohibited in order to protect blue carbon stores, and improve resilience and adaptation to climate change. Countries with both large Exclusive Economic Zones and large industrial bottom trawl fisheries have the highest potential to significantly contribute to the mitigation of climate change through protection of carbon rich seabeds from trawlers.

Each year, the EU subsidises its fleets with up to €1.5 billion, fueling overcapacity, overfishing and pollution. Revoking fuel tax exemptions through the revision of the Energy Taxation Directive, would be consistent with the 'user pays' and 'polluter pays' principles enshrined in EU law and in the Biodiversity Strategy.

In adopting its new Action Plan to conserve fisheries resources and protect marine ecosystems the European Commission must ensure that it describes clear and ambitious actions to reduce all bottom-trawling by 2025 and implement a Climate and Ecosystem Impact Assessment process for all EU fisheries by 2023 in order to end the devastation wrought by overfishing and destructive fishing. Developing and promoting the application of transparent environmental, social and economic criteria for the allocation of fishing quotas among Member States would incentivise true sustainability and initiate a just transition to low-carbon, low-impact fishing in the EU fleet (i.e. Article 17 of the (CFP)). The EU should demonstrate its commitment to "lead the way on international ocean governance" by naming and delivering sustainable fisheries as climate action at UN fora.

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

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

- Fisheries sector
- Aquaculture sector

Please answer Q38 for fisheries

3,000 character(s) maximum

The EU needs to stop ignoring both the significant climate impacts from the fishing industry and the significant opportunities that the ocean offers to climate mitigation and adaptation by sustainably managing it. The EU can and must decarbonise fishing related activities towards net zero, from the extraction of fish to the distribution and commercialization of fish products.

Opportunities for addressing the climate impact of the EU fishing fleet include:

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 Member States 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;

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

3,000 character(s) maximum

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 EU should demonstrate its commitment to "lead the way on international ocean governance" by taking decisive action to end overfishing in Europe and naming sustainable fisheries management as a significant climate solution in fora such as the UNFCCC and the UN CBD.

Any further comment?

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

- Yes
 No

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

3,000 character(s) maximum

The European Commission's comprehensive report on the functioning of the CFP (due by December 2022) 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 Commission must address key implementation gaps (eg. catch limits exceeding scientific advice, inadequate implementation of the landing obligation, and impacts of fishing on marine species and habitats) and start requesting scientific advice on fishing opportunities that reflects a climate and ecosystem-based approach.

The Commission should use the opportunity that Article 17 provides, to prepare guidelines for MS to develop and apply environmental, social and economic criteria when allocating fishing opportunities, in order to accelerate a just transition to low-impact, low-carbon fishing in the EU.

There are many outstanding problems with the CFP, but the most critical are that it lacks implementation by MSs and enthusiasm from the Commission to drive an agenda that fully embraces ecosystem based management and punishes environmental crimes. It would be a mistake, a lost opportunity, and an enormous waste of resources and time for all stakeholders and governments, to seek a new reform before implementation has been accelerated.

Please upload your file(s)

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CFP_Mission_Not_Yet_Accomplished_joint_NGO_2021.pdf

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FUEL SUBSIDIES - FULL REPORT.pdf

Low_Impact_Fishing_Transition_Full_Report_EN.pdf

NEF-Who-Gets-to-Fish-2021.pdf

PEW-LessonsLearned-CFP-implemntation_2021.pdf

Science_Briefing_EU_fish_management_likely_to_implode_unintended_impact_of_not_enforcing_fish_discards_ban_Nov2020.docx

VertigoLab_Study_on_Article_17_for_EP_March2022.pdf

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