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 <u>common</u> <u>fisheries policy</u> (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 <u>Mission</u> <u>letter</u> 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 <u>technical measures regulation</u> nor the protection of sensitive species and habitats. They are covered in a parallel <u>consultation on the action plan to conserve fisheries resources</u> and protect marine ecosystems (launched 25 October with deadline 20 December 2021).

All information collected through this survey will be stored and handled in a confidential manner and in compliance with the <u>General Data Protection Regulation</u> (GDPR).

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

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

About you

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch

- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish
- * I am giving my contribution as
 - Academic/research institution
 - Business association
 - Company/business organisation
 - Consumer organisation
 - EU citizen
 - Environmental organisation
 - Non-EU citizen
 - Non-governmental organisation (NGO)
 - Public authority
 - Trade union
 - Other

* First name

*Surname

* Email (this won't be published)

*Scope

- International
- Local
- National
- Regional

* Level of governance

- Local Authority
- Local Agency

*Level of governance

- Parliament
- Authority
- Agency

*Organisation name

255 character(s) maximum

*Organisation size

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

Transparency register number

255 character(s) maximum

Check if your organisation is on the <u>transparency register</u>. It's a voluntary database for organisations seeking to influence EU decision-making.

*Country of origin

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

Please add your country of orig	gin, d	or that of your organisatic	n.			
Afghanistan	0	Djibouti	0	Libya	0	Saint Martin
Åland Islands	۲	Dominica	\bigcirc	Liechtenstein	۲	Saint Pierre and
						Miquelon
Albania	0	Dominican	\bigcirc	Lithuania	0	Saint Vincent
		Republic				and the
	_		_		_	Grenadines
Algeria	0	Ecuador	0	Luxembourg	0	Samoa
American Samoa	0	Egypt	0	Macau	0	San Marino
Andorra	0	El Salvador	0	Madagascar	0	São Tomé and
	_		_		_	Príncipe
Angola	0	Equatorial Guinea		Malawi	0	Saudi Arabia
Anguilla	0	Eritrea	0	Malaysia	0	Senegal
Antarctica	0	Estonia	\bigcirc	Maldives	0	Serbia
Antigua and	0	Eswatini	0	Mali	0	Seychelles
Barbuda						
Argentina	0	Ethiopia	\bigcirc	Malta	0	Sierra Leone
Armenia	0	Falkland Islands	0	Marshall Islands	0	Singapore
Aruba	0	Faroe Islands	0	Martinique	0	Sint Maarten
Australia	\bigcirc	Fiji	\bigcirc	Mauritania	\bigcirc	Slovakia
Austria	۲	Finland	0	Mauritius	۲	Slovenia
Azerbaijan	۲	France	\bigcirc	Mayotte	۲	Solomon Islands
Bahamas	\bigcirc	French Guiana	\bigcirc	Mexico	\bigcirc	Somalia
Bahrain	\bigcirc	French Polynesia	\bigcirc	Micronesia	\bigcirc	South Africa
Bangladesh	\bigcirc	French Southern	\bigcirc	Moldova	\bigcirc	South Georgia
		and Antarctic				and the South
		Lands				Sandwich
						Islands
Barbados	0	Gabon	\bigcirc	Monaco	0	South Korea
Belarus	۲	Georgia	\bigcirc	Mongolia	۲	South Sudan
Belgium	\bigcirc	Germany	0	Montenegro	\bigcirc	Spain
Belize	0	Ghana	0	Montserrat	0	Sri Lanka

<u>_</u>	_	<u> </u>	_
Benin	Gibraltar	Morocco	Sudan
Bermuda	Greece	Mozambique	Suriname
Bhutan	Greenland	Myanmar/Burma	a 🔍 Svalbard and
			Jan Mayen
Bolivia	Grenada	Namibia	Sweden
Bonaire Saint	Guadeloupe	Nauru	Switzerland
Eustatius and			
Saba			
Bosnia and	Guam	Nepal	Syria
Herzegovina			
Botswana	Guatemala	Netherlands	Taiwan
Bouvet Island	Guernsey	New Caledonia	Tajikistan
Brazil	Guinea	New Zealand	Tanzania
British Indian	Guinea-Bissau	Nicaragua	Thailand
Ocean Territory		-	
British Virgin	Guyana	Niger	The Gambia
Islands		-	
Brunei	Haiti	Nigeria	Timor-Leste
Bulgaria	Heard Island and	d [©] Niue	Togo
	McDonald Island	ds	
Burkina Faso	Honduras	Norfolk Island	Tokelau
Burundi	Hong Kong	Northern	Tonga
		Mariana Islands	
Cambodia	Hungary	North Korea	Trinidad and
			Tobago
Cameroon	Iceland	North Macedoni	a [©] Tunisia
Canada	India	Norway	Turkey
Cape Verde	🔍 Indonesia	Oman	Turkmenistan
 Cape verde Cayman Islands 	 Indonesia Iran 	 Oman Pakistan 	Turkmenistan Turks and
			Turks and
Cayman Islands	Iran	Pakistan	Turks and Caicos Islands
 Cayman Islands Central African 	Iran	Pakistan	Turks and Caicos Islands
 Cayman Islands Central African Republic 	IranIraq	 Pakistan Palau 	 Turks and Caicos Islands Tuvalu

China	Israel	Papua New United Arab
		Guinea Emirates
Christmas Island	Italy	Paraguay United Kingdom
Clipperton	Jamaica	Peru Vnited States
Cocos (Keeling)	Japan	Philippines United States
Islands		Minor Outlying
		Islands
Colombia	Jersey	Pitcairn Islands Uruguay
Comoros	Jordan	Poland US Virgin Islands
Congo	Kazakhstan	Portugal Uzbekistan
Cook Islands	Kenya	Puerto Rico Vanuatu
Costa Rica	Kiribati	Qatar Vatican City
Côte d'Ivoire	Kosovo	Réunion Venezuela
Croatia	Kuwait	Romania Vietnam
Cuba	Kyrgyzstan	Russia Wallis and
		Futuna
Curaçao	Laos	Rwanda Western Sahara
Cyprus	Latvia	Saint Barthélemy Semen
Czechia	Lebanon	Saint Helena Zambia
		Ascension and
		Tristan da Cunha
Democratic	Lesotho	Saint Kitts and Zimbabwe
Republic of the		Nevis
Congo		
Denmark	Liberia	Saint Lucia

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* Contribution publication privacy settings

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Anonymous

The type of respondent that you responded to this consultation as, your 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.

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Your name, the type of respondent that you responded to this consultation as, your country of origin and your contribution will be published.

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Anonymous

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

Public

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

I agree with the personal data protection provisions

General aspects - overall functioning of the CFP (objectives)

Article 2 CFP Regulation – objectives

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

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

- 3. The CFP shall implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and shall endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment.
- 4. The CFP shall contribute to the collection of scientific data.
- 5. The CFP shall, in particular:

(a) gradually eliminate discards, on a case-by-case basis, taking into account the best available scientific advice, by avoiding and reducing, as far as possible, unwanted catches, and by gradually ensuring that catches are landed;

(b) where necessary, make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size;

(c) provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity;

(d) provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities consistent with paragraph 2, with a view to having economically viable fleets without overexploiting marine biological resources;

(e) promote the development of sustainable Union aquaculture activities to contribute to food supplies and security and employment;

(f) contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects;

(g) contribute to an efficient and transparent internal market for fisheries and aquaculture products and contribute to ensuring a level–playing field for fisheries and aquaculture products marketed in the Union;

(h) take into account the interests of both consumers and producers;

(i) promote coastal fishing activities, taking into account socio-economic aspects;

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

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

3000 character(s) maximum

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

	Fully	Partly	Not at all
1. The CFP shall ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies.	0	0	0
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.	©	0	0
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.	0	0	0
4. The CFP shall contribute to the collection of scientific data.	0	\odot	0
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	0	0	0
(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	0	0	0
(c) provide conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity	0	0	0
(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	0	0	0
(e) promote the development of sustainable Union aquaculture activities to contribute to food supplies and security and employment	0	0	۲
(f) contribute to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects	0		۲
(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	0	0	0
(h) take into account the interests of both consumers and producers	0	0	0

(i) promote coastal fishing activities, taking into account socio-economic aspects	0	0	0
 (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 		0	0

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

3000 character(s) maximum

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

3000 character(s) maximum

Article 3 CFP Regulation - Principles of good governance

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

- (a) the clear definition of responsibilities at the Union, regional, national and local levels;
- (b) the taking into account of regional specificities, through a regionalised approach;
- (c) the establishment of measures in accordance with the best available scientific advice;
- (d) a long-term perspective;
- (e) administrative cost efficiency;

(f) appropriate involvement of stakeholders, in particular Advisory Councils, at all stages - from conception to implementation of the measures;

- (g) the primary responsibility of the flag State;
- (h) consistency with other Union policies;
- (i) the use of impact assessments as appropriate;
- (j) coherence between the internal and external dimension of the CFP;

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

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

Yes	Partly	No
۲	0	0
	0	0
+		

(c) the establishment of measures in accordance with the best available scientific advice;		0	
(d) a long-term perspective;	۲	0	0
(e) administrative cost efficiency;	0	0	0
(f) appropriate involvement of stakeholders, in particular Advisory Councils, at all stages - from conception to implementation of the measures;	O	0	O
(g) the primary responsibility of the flag State;	0	0	۲
(h) consistency with other Union policies;	0	0	0
(i) the use of impact assessments as appropriate;	0	0	0
(j) coherence between the internal and external dimension of the CFP;	0	0	0
(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.	0	0	0

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

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:

- <u>Baltic plan</u> (see also the <u>first implementation report</u>);
- North Sea plan;
- Western Waters plan;
- Western Mediterranean Sea plan.

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

3000 character(s) maximum

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

Yes

No

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

3000 character(s) maximum

Q7b. Are the plans used to their full potential?

- Yes
- No

Please explain or insert any further suggestions

3000 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 <u>DiscardLess</u>, <u>MINOUW</u> and <u>choke mitigation tool</u>.

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 <u>technical guidelines and specifications</u> for implementing remote electronic monitoring (REM) in fisheries.

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

The necessary increase in selectivity is also addressed in the recently published <u>report on the technical</u> <u>measures regulation</u>, as well as in the ongoing <u>consultation on the action plan to conserve fisheries</u> <u>resources and protect marine ecosystems</u>.

The implementation of the landing obligation, and its challenges, was also recently addressed in a <u>Europea</u> <u>n Parliament Initiative report</u> and a recently published <u>study</u> 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.	0	0	O	O	0	0

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

3000 character(s) maximum

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

3000 character(s) maximum

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

3000 character(s) maximum

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

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

3000 character(s) maximum

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

3000 character(s) maximum

Scientific Advice

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

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

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

When proposing new fisheries rules and regulations or reviewing those existing ones, the European Commission seeks the best available scientific advice from several scientific bodies. Data collected by EU countries under the <u>data collection framework</u> 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 <u>Hor</u> <u>izon Europe</u> 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 (<u>STECF</u>)
- the International Council for the Exploration of the Sea (ICES)
- the Regional fisheries management organisations (<u>RFMOs</u>)
- regional fisheries bodies, e.g. the General Fisheries Commission for the Mediterranean (GFCM).

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

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

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

Please specify "other"

3000 character(s) maximum

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

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

Yes

No

Please explain

3000 character(s) maximum

Fishing opportunities

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

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

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

Yes

No

Please explain

3000 character(s) maximum

Management of fishing capacity

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

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

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

Capacity ceilings

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

The Commission <u>evaluated</u> 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 <u>EU fishing fleet register</u>.

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

- Yes
- No

What could be improved within the current legal framework?

3000 character(s) maximum

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

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

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

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

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

Please explain

3000 character(s) maximum

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 <u>strategic guidelines</u> and EU countries reviewed their national strategies in light of the new guidelines. The <u>European Maritime</u>, <u>Fisheries and Aquaculture Fund</u> (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 <u>strategic guidelines for a more</u> <u>sustainable and competitive EU aquaculture</u> 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

Please explain

3000 character(s) maximum

Q17. How can the <u>strategic guidelines for a more sustainable and</u> <u>competitive EU aquaculture</u> adopted in 2021 be effective in further pursuing the sustainable growth of EU aquaculture in line with the objectives of the European Green Deal?

3000 character(s) maximum

Regional cooperation on conservation measures - Regionalisation

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

- consultations with stakeholders via the advisory councils;
- enabling stakeholders to become involved in and take ownership of the CFP implementation process via the Member States (regional and expert groups), and the regional coordination groups under the <u>d</u> <u>ata collection framework.</u>

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 <u>guidance on Article 11</u> 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 <u>report on the implementation of the Technical Measures Regulation</u>. 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 decisionmaking 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. Poorly	3. Moderately	4. Incompletely	5. Fully	l don't know
On collecting data on commercial fish stocks	0	0	0	0	0	0
On monitoring incidental catches of sensitive species and impacts on habitats	0	0	0	O	0	0
On implementing the landing obligation	0	O	0	0	0	0
On implementing the technical measures	0	0	0	0	0	0
On implementing Natura 2000 areas and other measures under the Habitats Directive	0	0	0	0	0	0
On implementing measures under the Marine Strategy Framework Directive	0	0	0	0	0	0
Other - please explain	0	O	0	0	0	0

3000 character(s) maximum

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

Yes

No

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

3000 character(s) maximum

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

3000 character(s) maximum

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

3000 character(s) maximum

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 <u>summary of this consultation</u>. 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** (<u>IUU Regulation</u>). 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 <u>consultation</u> was conducted for the SFPAs and therefore they are not covered by this questionnaire.

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

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

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

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

3000 character(s) maximum

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	l do not know
Q22.	0	0	0	O	0	0

Please explain

3000 character(s) maximum

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

- Yes
- No
- Partly

Please explain

3000 character(s) maximum

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	l do not know
Q24.	0	0	0	O	0	0

Please explain

3000 character(s) maximum

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 <u>Common Market Organisation Regulation</u> 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 <u>European Market Observatory for Fishery and</u> <u>Aquaculture</u> 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 <u>separate consultation</u> on this subject.

Structural policy and support: EU funding

By 2024, the Commission will have evaluated the 2014-2020 <u>European Maritime and Fisheries Fund</u>. Therefore, no specific questions on this fund are included in this questionnaire.

The 2021-2027 <u>European Maritime, Fisheries and Aquaculture Fund</u> (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 <u>regional sea basin analysis</u>. This document aims to provide Member States with a sea basin perspective of the key CFP challenges that need addressing through EMFAF funding.

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

3000 character(s) maximum

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

3000 character(s) maximum

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

3000 character(s) maximum

Blue Economy

The European Green Deal and the Recovery Plan for Europe will define the EU economy for many years, or even decades to come; and the EU's blue economy is fundamental to the efforts of both. The blue economy, like every other sector, adheres to the European Green Deal, and is also indispensable in order to meet the EU's environmental and climate objectives. After all, the ocean is the main climate regulator we have. It offers clean energy and sustains us with oxygen, food, and many critical resources. To fully embed the blue economy into the Green Deal and the recovery strategy, the Commission has adopted <u>a new approach for a sustainable blue economy in the EU</u>.

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

- the EU strategy on offshore renewable energy
- the strategic guidelines for a more sustainable and competitive EU aquaculture
- the extension and effective management of <u>marine protected areas</u>.

That is why the EU has a <u>Directive on Maritime Spatial Planning</u> 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 <u>European Maritime Spatial Planning Platform</u>, financed by the EMFAF, provides information on existing practices, processes and projects, carries out technical studies, and has a question and answer service.

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

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

3000 character(s) maximum

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

- Yes
- No

Is there anything missing?

3000 character(s) maximum

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)?

3000 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

Please explain

3000 character(s) maximum

Clean (& healthy) oceans

This matter is linked to the <u>targeted consultation on the action plan to conserve fisheries resources and</u> <u>protect marine ecosystems</u> 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
- 3. encouraging ship operators to deliver all waste to ports
- 4. improving the rules on reporting of lost fishing gear
- 5. ensuring that the development of aquaculture in the EU does not significantly harm ecosystems and biodiversity.

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

Clean oceans at international level

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

The Commission drives research to create innovative and impactful solutions for clean and healthy oceans. The <u>European Maritime, Fisheries and Aquaculture Fund</u> (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 <u>Technic</u> <u>al Measures Regulation</u> and protecting sensitive species and habitats are not covered in this questionnaire. They are covered in the <u>consultation on the action plan to conserve fisheries resources and protect marine</u> <u>ecosystems</u> running in parallel.

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

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

- Fishing community
- Aquaculture community

Please answer Q31 for fishing community

3000 character(s) maximum

Please answer Q31 for aquaculture community

3000 character(s) maximum

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

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

- Fishing community
- Aquaculture producers

Please answer Q32 for fishing community

3000 character(s) maximum

Please answer Q32 for aquaculture community

3000 character(s) maximum

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

3000 character(s) maximum

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 <u>first report</u> 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 <u>EU social partners</u> such as the agreement which led to the International Labour Organization's 'Work in Fishing Convention' being introduced into EU law (Directive 2017/159). Other aspects concern:

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

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

3000 character(s) maximum

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

3000 character(s) maximum

Climate change

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

Strongly reduced greenhouse gas emissions need to be coupled with sustained and robust adaptation actions. The Commission proposed the EU's first ever Climate Law which enshrines our commitment to reaching climate neutrality by 2050. The EU also agreed to reduce greenhouse gas emissions by at least 55% by 2030. With regards to adaptation, the ocean is an integral part of our new <u>adaptation strategy</u>, 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 nonindigenous species, as well as changes in productivity of a fish stock.

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

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

- EU fisheries
- EU aquaculture

Please answer Q36 for EU fisheries

3000 character(s) maximum

Please answer Q36 for EU aquaculture

3000 character(s) maximum

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

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

Fisheries

Aquaculture

Please answer Q37 for fisheries

3000 character(s) maximum

Please answer Q37 for aquaculture

3000 character(s) maximum

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

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

Fisheries sector

Aquaculture sector

Please answer Q38 for fisheries

3000 character(s) maximum

Please answer Q38 for aquaculture

3000 character(s) maximum

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

3000 character(s) maximum

Any further comment?

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

Yes

No

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

3000 character(s) maximum

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