

## NWWAC response to the Deloitte questionnaire: Study supporting the evaluation of the landing obligation – Common Fisheries Policy

Version 28/06/2024

The questionnaire had an online format and this is a working document used to prepare the AC response.

### Introduction

Dear Stakeholder,

You are kindly requested to respond to the questionnaire below. Responses will be anonymous. The survey should take approximately 20 minutes of your time. Please respond before June 30, 2024.

This questionnaire forms part of the “Study supporting the evaluation of the landing obligation – Common Fisheries Policy” under the framework contract CINEA/2021/OP/0011 – [Lot 1]. The study is being undertaken by a consortium of partners contracted by the EU Commission (CINEA), acting on behalf of the Directorate-General for Maritime Affairs and Fisheries (DG MARE).

The purpose of this questionnaire is to **gather evidence to support a future EU Commission evaluation of the landing obligation invention in terms of meeting the objectives of the 2013 reformed Common Fisheries Policy (CFP)**, outlined under Article (2)(5)(a):

*“[the CFP shall] 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.”*

The EU landing obligation, introduced under Article 15 of the 2013 CFP reform, contributes to eliminating discards by providing a strong incentive for 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. Implemented under a phased approach, the landing obligation has been fully operational since 1 January 2019 and applies to all stocks managed through Total Allowable Catch (TACs) in European Union waters, and in the Mediterranean, all stocks subject to a Minimum Conservation Reference Size (MCRS).

Five years on from the full implementation of the landing obligation, the intention of this questionnaire is to aid in the collection and validation of existing data already gathered for an assessment on how the landing obligation has performed and is currently working, and why it is performing as it does.

The contract study results and findings will form the foundation for a Commission evidence-based evaluation of whether the landing obligation continues to be justified, where lessons can be learned for improvement, and whether EU actions should be continued or changed.

*Consortium: Deloitte, MRAG Europe and Wageningen Marine Research (WMR).*

### Section 1: Current state of play

From these questions, we would like to understand more about the current fisheries management and conservation measures in place within your region or Member State regarding the implementation of the landing obligation, and how they have contributed to a) landing all catches in a respective fishery; b) increasing selectivity and reducing unwanted catches; and c) the handling of unwanted catches.

Furthermore, we aim to acquire updated information on the existing monitoring and control tools and the challenges faced within your region or Member State in ensuring compliance to the landing obligation, such as accurate reporting of all catches and documentation of discards at sea (i.e. fully documented fisheries) and conducting pilot projects to assess new fisheries control technologies.

1. How would you characterise the trend in discard rates within the fishing fleet(s) you oversee/are associated with from 2014 to the present?

*Please specify if there have been substantial reductions and provide insights into the areas, such as sea basins, fleets, or fish stocks, where these reductions have been most pronounced.*

- **Decreasing** [text box for comment]
  - Stable [text box for comment]
  - Increasing [text box for comment]
- If “Decreasing”, what progress has been made to reduce discards within your fishing fleet since 2014? Please elaborate on the key factors or initiatives that have played a role in this decrease.

In the lead-up to the full implementation of the LO significant progress was made in advancing our understanding of chokes, and several measures were identified, including technical gear modifications to improve selectivity and potential avoidance measures informed by advanced knowledge on the spatial distributions of choke species and unwanted catches. The NWWAC recommends evaluating the effectiveness of measures currently in place before introducing new ones and increase the complexity of the system.

- If “Stable”, what do you think are the primary reasons why discard rates have not seen reductions despite efforts over the past decade?
- If “Increasing”, in your opinion, why have discard rates not decreased?

2. In line with Article 7 of the CFP Regulation, what conservation measures, including technical measures, have been implemented in your region/Member State to support the implementation of the landing obligation?

*Please tick the relevant conservation measures which have been implemented by your Member State and or within your region. Tick “Other” to add any additional measure not already listed.*

Conservation measure	Member State	North Sea	North Sea	Baltic Sea	Northern Western Waters	Southern Western Waters	Mediterranean and Baltic Sea	Outermost Region	Distant/long distance fleet
Implementation of multiannual plans	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Targets for the conservation and sustainable exploitation of stocks and related measures to minimise the impact of fishing on the marine environment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Measures to adapt the fishing capacity of fishing vessels to available fishing opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incentives, including those of an economic nature to promote more selective fishing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Incentivised pilot projects or programmes on alternative types of fishing management techniques and on



gears that increase selectivity;									
Measures on the fixing and allocation of fishing opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Change of minimum landing/conservation reference size (MLS/MCRS)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Characteristics of fishing gears and rules concerning their use	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Specifications on the construction of fishing gear to improve selectivity, including modifications or additional devices to increase selectivity and or reduce unwanted catches	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Limitations or prohibitions on the use of certain fishing gears, and on fishing activities, in certain areas or periods;	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Requirements for fishing vessels to cease operating in a defined area for a defined minimum period in order to protect temporary aggregations of endangered species, spawning fish, fish below minimum conservation reference size, and other vulnerable marine resources (e.g.moving-on rules/(near) Real-Time closures)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

a. If "other", please describe details of the conservation measures implemented.

**3. Please describe the selected measures (optional)**

4. Following the implementation of conservation measures mentioned above, have these measures had a positive or negative impact on any of the following:

	Positive	Negative	I don't know	Comment on which measure this applies to
Change in unwanted species (reduction in non-target species)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Change in species below minimum reference conservation size (MCRS)/juveniles	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Change in handling of unwanted species/bycatch	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Change in catch composition	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
Change in catch value	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Change in processing cost/time	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Other [text box]	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

- a. If "other", please describe details of the conservation measures implemented.

The NWWAC would like to point out that the format of this questionnaire does not allow to take into account the complexities of NWW fisheries, which are highly dynamic, nor the diversity of the fleets operating in the area. There are significant regional specificities for which it is difficult to account for in this format. Moreover, it is difficult to communicate AC advice and views when questions do not allow for comments/explanations. Additionally, the questionnaire includes questions that are not applicable to the ACs. Overall, the NWWAC has provided extensive advice on the implementation and functioning of the landing obligation over the years, but the structure of this questionnaire does not allow for effective transmission of relevant information.

5. Are you aware of any of the following landing obligation exemptions associated with the following? Please tick all that apply.

- prohibited species;
- high survivability;
- de minimis* exemptions
- fish which show damage caused by predators

6. **If you are responding on behalf of a non-governmental body**, have you been consulted or involved in the development of a submitted a joint recommendation?

Yes/ No

- a. If yes, please specify how you were involved.

As stated by article 18 (2) of the CFP, Advisory Councils need to be consulted by the Member States in the development of joint recommendations. The NWWAC has been contributing to several joint recommendations by the NWW Member States Group, including those amending the Discard Plan. The NWWAC attends regularly the NWW MS Technical and High Level Group meetings, where information is given on MS work plans and also on the development of joint recommendations. Draft joint recommendations are shared with the NWWAC which elaborates advice following consultation of its members.

7. Building on the findings of the Member States' annual reports on the implementation of the

landing obligation in 2021, have there been any recent changes to the quota management system in your Member State?

Yes/No

- a. If yes, please specify the nature of these changes and the rationale behind their implementation.

Not applicable, the NWWAC covers 5 MS.

8. For stocks managed through catch limits, the existence of choke species is often identified as one of the main impacts of the implementation of the landing obligation.

- o Have you observed any choke issues?

Yes/No

- i. If so, please specify the species and relevant fishing grounds.

The NWWAC has regularly developed advice on choke risks in the NWW, including a spreadsheet providing an overview of where choke issues are likely to occur and how to mitigate them:

<https://www.nwwac.org/publications/nwwac-advice-addressing-choke-risks-in-the-north-western-waters-after-exemptions-2022.4060.html>

- ii. Have your fisheries been closed due to choke issues?

Yes/No

- o If so, when and which fisheries?
- o What conservation measures or actions are taken to mitigate such issues?

The NWWAC has regularly developed advice on choke risks in the NWW, including a spreadsheet providing an overview of where choke issues are likely to occur and how to mitigate them:

<https://www.nwwac.org/publications/nwwac-advice-addressing-choke-risks-in-the-north-western-waters-after-exemptions-2022.4060.html>

9. Quota swaps can be a useful management measure to provide flexibility and reduce the risk of choke situations. Have any of the following been initiated in your quota system:

- o Swaps between Member States? Yes/No Please state which Member States.
- o Swaps between vessels within Member State? Yes/No. Please state which fleet segments/fisheries.
- o Swaps with (in) the producer organisation

10. Has the use of quota flexibility mechanisms changed since the introduction of the landing obligation?

Yes/No

- o If yes, please provide details regarding the use of the following mechanisms and specify the species and fleet segments for which they have been applied.
  - i. Inter-species flexibility [comment box]
  - ii. Inter-annual flexibility [comment box]

The NWWAC believes that interspecies flexibilities may provide a route through which some choke risks may be mitigated, accepting the complexity of implementing this measure, as mentioned in the STECF 45th Plenary Meeting Report (PLEN-14-01).

11. What control and enforcement measures have been carried out to ensure compliance with the landing obligation, as well as accurate documentation of all catches?

- o Port inspections
- o At-sea inspections
- o Last-haul inspections
- o Remote electronic monitoring (REM) systems
- o Aerial surveillance
- o Increased observer coverage
- o Monitoring/control at landing markets (e.g. detect illegal sales of fish below MCRS)
- o Administrative controls (e.g. cross checks of data recorded in logbook against landing declarations)

- Other, please specify [text box]

12. What challenges have you experienced in the implementation and in the control and enforcement of the landing obligation?

Select all that apply

*Operational challenges*

- Increased selectivity is hard to attain in specific fisheries (name the fisheries)  
Mixed fisheries in the Celtic and Irish Seas, such as hake and Nephrops fisheries
- Difficult to adapt vessels for handling unwanted catches at sea
- Insufficient hold capacity to accommodate additional unwanted catches
- Insufficient port infrastructure to handle additional landings of unwanted catches
- Difficulties with handling, storage and processing of unwanted catches at port
- Lack of national funding to support fishers to increase selectivity of fishing gear and methods or adapt vessels or port infrastructure
- Inexistence of economic outlet for unwanted catches brought to land
- Lack of incentives for compliance

*Challenges related to quota management*

- Problems re-allocating quota to cover catches previously not landed
- Problems with the timing or availability of quota swaps
- Fisheries being forced to close early due to choke issues

*Challenges related to control and enforcement*

- Difficult to detect discards because of insufficient observers (on board?)
- Difficult to detect discards because of insufficient electronic monitoring tools
- Not possible to detect discards by small (under-12m) vessels
- Difficult to gather evidence for successful prosecution of discarding
- Appropriateness of fines to deter fishers from discarding
- Not enough resources (inspectors, ships or aircraft) to enforce this obligation of landing all catches
- Lack of fisher understanding of the details of implementation and where different rules or exemptions may apply
- Difficulties implementing and monitoring *de minimis* or high survivability exemptions;
- Inaccurate or lack of reporting on discards in logbooks
- Fish below MCRS are still being landed and marketed for purposes of direct human consumption
- Other – please specify in the text box below: Problems with the timing or availability of quota swaps

The NWWAC has identified the following scenarios where the implementation of the landing obligation is impracticable and where we consider alternative approaches are needed:

1) The NWWAC has identified a potential contradiction between the sanitary legislation and the CFP. Indeed, some products could be considered unfit for consumption or could contaminate other products into the hold causing a health issue for consumers. That could happen for fish species that deteriorate quickly, for instance mackerel and horse mackerel. Tests have shown that from two days at sea mackerel and horse mackerel are downgraded and from 6 days the quality no longer allows them to be sold. We realise that currently a *de-minimis* exemption is in place for these species and we have advised to prolong this beyond 2023. However, in this advice we wish to highlight the existence of such situation and recommend to add such species to the general exemptions to the Landing Obligation, such as fish which shows damage caused by predators.

2) A second scenario is where fishers face a catch in one haul being too heavy and impossible to keep on board without jeopardizing the stability of the vessel. This can happen for some inshore vessels with occasional relevant catches of bulk species. Therefore, the NWWAC advises to foresee a general exemption to the Landing Obligation for safety reasons, when catches call into question the stability of the vessel and the overall safety of vessel and crew.

3)The NWWAC reiterates the contradiction between Article 27 of the Technical Measures regulation ((EU) 2019/1241), which deals with catch composition and mesh sizes, and the Landing Obligation. Article 27 provides for maximum percentages of species allowed to qualify for the specific mesh sizes set out in Annexes V to VII and to comply with the definition of specific targeted fisheries. Although on earlier reporting by the NWWAC we received a (verbal) reply that the Landing Obligation prevails, an issue of compliance remains which greatly affects fishers' operational activity and thus represents a key challenge.

4) A fourth scenario is where the landing obligation clashes with restrictions on the use of certain gears to catch a species. For example, article 9 of Regulation (EU) 1241/2019 states that it shall be prohibited to use bottom-set gillnets to catch albacore. Is albacore considered as a prohibited species that fishers should discard? Alternatively, if fishers apply the landing obligation and land the accidental catch of albacore caught with this gear, albacore will become a choke species.

The Landing Obligation has now been in place for several years and whilst efforts to increase selectivity have generally continued, it can be concluded that the Landing Obligation has not contributed to such efforts. On the contrary, investing in increased selectivity has been jeopardized by incurring costs to land non-marketable fish.

Also, within a responsible food policy it is inconsistent to land undersized fish to destroy. In addition, the possibility for landed non-marketable fish to return to its natural environment, to grow, to reproduce and even to be fished later when it is marketable, is removed. Added to the risk of having to use space on board to store non-marketable fish, this creates pressure on the economic sustainability in times where space at sea is under threat, the industry is struggling with crew shortages and the sector has had to deal with several crises (Brexit, Covid, Ukraine).

As a final note the NWWAC wishes to point out the administrative burden inherent to the Landing Obligation coinciding with the complex regulations within the fishing industry, and more specifically for the skippers on board. Vessel owners and skippers are frightened to make mistakes which adds to pressure to work safely and profitably. The current responsibility burden and liability risk scares away candidate fishers and investors who consequently can be lost for maintaining the EU fisheries sector and thus part of the EU food self-supply.

**\* Question to appear after every selected challenge:** Are there any tools, measures, and/or good practices in place to address this challenge?

Yes/No

- If yes, please specify.

13. Building on the findings of the Member States' annual reports on the implementation of the landing obligation in 2021, have any additional control and monitoring tools been used within your region or Member State?

Yes/No

- a. If yes, please provide information on the control tools used in the context of the landing obligation. Examples include Remote Electronic Monitoring, traditional systems (such as aerial surveillance and inspections at sea), reference fleets, etc.

14. Since ???, have any pilot studies or trials been conducted to test additional tools or operational solutions to support the control and enforcement of the landing obligation? (e.g. remote electronic monitoring studies).

Yes/No

- If Yes, please describe these pilot studies

A CCTV pilot project was launched in France a few years ago, but the operational phase could not begin until 2023.



**Section 2: Evaluation of Landing obligation**

1. For your fleet segments/fisheries, within your relevant sea basins, to what extent would you estimate the landing obligation has contributed to the achievement of Article 2(5)(a))?)!

Article 2(5)(a) = The CFP shall, in particular

(a) *gradually eliminate discards, on a case-by-case basis,;*

	<b>Not at all</b>	<b>Poorly</b>	<b>Moderately</b>	<b>Fully</b>	<b>I don't know</b>
North Sea	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Baltic Sea	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Northern Western Waters	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Southern Western Waters	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Western Mediterranean	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Central Mediterranean	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Eastern Mediterranean	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Black Sea	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Outermost Region	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]

(b) *by avoiding and reducing, as far as possible, unwanted catches,*

	<b>Not at all</b>	<b>Poorly</b>	<b>Moderately</b>	<b>Fully</b>	<b>I don't know</b>
North Sea	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Baltic Sea	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Northern Western Waters	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Southern Western Waters	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Western Mediterranean	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Central mediterranean	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Eastern Mediterranean	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]

Black Sea	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Outermost Region	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]

(c) *gradually ensuring that all catches are landed;*

	<b>Not at all</b>	<b>Poorly</b>	<b>Moderately</b>	<b>Fully</b>	<b>I don't know</b>
North Sea	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Baltic Sea	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Northern Western Waters	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Southern Western Waters	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Western Mediterranean	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Central Mediterranean	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Eastern Mediterranean	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Black Sea	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]
Outermost Region	[textbox]	[textbox]	[textbox]	[textbox]	[textbox]

(a) [If you have ticked Poorly or “Not at all”] Please list the fisheries where you believe this to be the case.

(b) [If you have ticked Moderately or “Fully”] Please list the fisheries where you believe this to be the case.

2. Please indicate what you believe are the levels of compliance with the following requirements of the landing obligation.

	<b>Not at all</b>	<b>Poorly</b>	<b>Moderately</b>	<b>Incompletely</b>	<b>Fully</b>	<b>I don't know</b>
That catches are brought and retained on board fishing vessels	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
That catches are recorded	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
That catches are landed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
That catches are counted against quota where applicable	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are catches below the minimum conservation reference size restricted to purposes other than	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

direct human consumption						
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3. Please indicate which multiannual plan applies to your fleet segments/fisheries. Please tick all that apply.

- a. Baltic multiannual plan;
- b. North Sea multiannual plan;
- c. Western Waters multiannual plan;
- d. Western Mediterranean multiannual plan.

4. To what extent do you consider the relevant multiannual plan for your fleet segments/fishery clearly sets out the details of the implementation of the landing obligation referred to in Article 15 (5), in accordance with Articles 9 and 10 of the CFP regulation?

	Not at all	Poorly	Moderately	Incompletely	Fully	I don't know
Specific provisions regarding fisheries or species covered by the landing obligation aimed at increasing gear selectivity or reducing or, as far as possible, eliminating unwanted catches	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The specification of exemptions to the landing obligation of species for which scientific evidence demonstrates high survival rates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Provisions for de minimis exemptions of up to 5 % of total annual catches of all species subject to the landing obligation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provisions on documentation of catches	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Where appropriate, the fixing of minimum conservation reference sizes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

5. Please feel free to add additional comments here (for example, any tools or processes to improve the comprehensiveness of the multiannual plans in order to facilitate the implementation of the landing obligation).

6. To what extent is scientific advice to stakeholders from fishing sector available to

- i. eliminate discards, [good](#)
- ii. increase selectivity and [good](#)
- iii. avoid unwanted catches? [good](#)

(b) Which type of scientific bodies are providing this advice? [National research institutes, ICES, national control agencies, Advisory Councils](#)

(c) Which stakeholders are benefitting from this advice? [Members of the fishing industry, Advisory Councils and decision makers](#)

7. Since 2021, have you initiated, supported, participated in or implemented any measures and/or studies relating to the reduction and avoidance of unwanted catches (i.e. **below Minimum Conservation Reference Size (MCRS)**) through improving selectivity or spatial or temporal changes to fishing behaviour (for example, studies/pilots on gear innovation or on real-time closures)?

Yes/No not applicable to ACs, more relevant to POs and fishers

- a. If Yes, please specify the measures taken or studies carried out and the status of the initiative (i.e. implemented in a Regulation or voluntary uptake).

8. Which management measures or initiatives were successful and/or have been adopted by the fishing fleet?

- i. Closed/Temporary closed areas
- ii. Selective gears
- iii. High survivability exemptions
- iv. Total allowable catch removal
- v. Quota management
- vi. Other, please specify

- (b) Do you have an estimate of number of vessels with the uptake?

- (c) Have you observed any changes? E.g. reduction in unwanted catch or increase in selectivity

The advice on choke risk in the NWW, regularly produced by the NWWAC, and in particular the traffic light spreadsheet, includes information on changes observed in relation to increase in selectivity. We recommend reviewing the latest version of this document:

[https://www.nwwac.org/\\_fileupload/Opinions%20and%20Advice/Year%2018/Choke%20advice/Annex\\_Choke\\_Tool\\_Dec\\_2022.pdf](https://www.nwwac.org/_fileupload/Opinions%20and%20Advice/Year%2018/Choke%20advice/Annex_Choke_Tool_Dec_2022.pdf)

9. Have you implemented any incentives or/been incentivised to enhance the uptake of selective gear technology or selective fishing methods?

*With incentives we mean, including those of an 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.*

Yes/No not applicable

- a. If Yes, please specify the incentives implemented and the associated fleet segment/fishery to which they apply.
- b. What percentage of the fleet has implemented it?

10. What do you perceive to be the barriers and challenges encountered regarding the handling of unwanted MCRS catches onboard vessels?

- (a) Difficulty in adapting vessels to manage the handling of unwanted catches at sea
- (b) Additional time and increased costs associated with the handling and processing of unwanted MCRS catches
- (c) Insufficient hold capacity to accommodate additional unwanted MCRS catches
- (d) Other
  - i. Please provide details.
  - ii.

11. Since the implementation of the landing obligation, has there been an increase in port infrastructure to facilitate landings for the non-human consumption market (i.e., unwanted

catches)?

Yes/No

- a. If Yes, please specify these changes.
- b. If No, what do you perceive to be the main barriers and challenges for updating/reconstructing port infrastructure to accommodate the additional landings of unwanted MCRS catches?
  - i. Lack of funding to build or maintain additional infrastructure
  - ii. Limited space to build specific facilities for handling additional unwanted MCRS catches
  - iii. Lack of a market to sell unwanted MCRS catches for purposes other than direct human consumption
  - iv. Other
    1. Please provide details.

12. Have you been able to generate a market outlet for unwanted catches restricted to purposes other than direct human consumption?

Yes/No

- a. If Yes, please provide details.
- b. If no why not

Not applicable

13. Has your region / Member State implemented any additional initiatives associated with control and enforcement to prevent unwanted catches from reaching the human consumption market? (e.g. pre-notification of landings of under MCRS catches or monitoring of landings at fish markets/auctions etc.).

Yes/No

- a. If Yes, please provide details.

[ can you add a text here on your preliminary analysis of what training programmes are in place since 2014, or give some examples?]

14. Are there training programmes related to discarding reduction and/or sustainable fishing practices that influenced increases in selectivity within your Member State?

Yes/No

- a. If so, what do they cover? [The French government has organised training regarding recording discards in logbooks.](#)
- b. Are they free?
- c. Are you aware of
  - a. Enrolment levels
  - b. Training programs
  - c. Number of students enrolled
  - d. Type of attendee (e.g., demersal fishers, pelagic fishers, non-fishing stakeholders)

15. To what extent have these training programs on discarding reduction been adopted and implemented across various fishing segments within your jurisdiction?

*Please provide information on the participation rates in these programs among different sectors of the fishing industry.*

16. In your assessment, how has the implementation of relevant training programs contributed to the reduction of discarding and unwanted catches in your Member State?

*Please share insights into specific examples, highlighting the impact of these training initiatives on promoting sustainable fishing practices and reducing the discard rate in different fishing segments.*

17. Have new tools/techniques been adopted by operators of fishing vessels since 2014?

Yes/No/I don't know

a. Please specify those new tools/techniques to:

- i. Reduce unwanted catches
- ii. Eliminate discards
- iii. Ensure catches are landed

Regulation (EU) 2019/1241, the Technical Measures Regulation, has provided the framework needed to improve selectivity and contributes to the full implementation of the CFP. However, the AC wishes to point out that fishers have always been keen on their own initiative to collaborate with gear technologists and implement selectivity measures where possible. One of the reasons why the resulting innovations in fishing techniques and gears have actually encountered some difficulty in their implementation is the lack of flexibility in the Technical Measures Regulation. The NWWAC advocates for the legislation to be more flexible and receptive to such innovations.

- CELSELEC (2017): Celtic-Selectivity. Project to improve the selectivity of deep-sea trawlers in the Celtic Sea. Testing of the 100mm T90 mesh throughout the terminal part of the trawl showed convincing results in terms of selectivity on haddock and wild boar (Lamothe et al., 2017).
- PASAMER (2016): Selectivity and economic impact of using automatic longlines.
- REDRESSE project (2017): Reducing discards and improving Selectivity in the Bay of Biscay. Tests of a semi-rigid grid showed interesting results to be confirmed on langoustine selectivity.
- REJEMCELEC (2018): Reducing discards in the Channel and Celtic Sea on deep-sea trawlers targeting gadids and cephalopods. For the Channel, encouraging preliminary results are seen on the 80mm panel in T90 and square mesh for reducing discards of horse mackerel, whiting and haddock. For square mesh, however, commercial losses of whiting are still being observed. In the Celtic Sea, the T90 in 100 mm as an alternative to the regulatory 120 mm panel is showing very satisfactory results on the escape of undersized haddock and hake.
- OPTISEL (2019): Improved selectivity, fewer unwanted catches and reduced pressure on marine ecosystems (Nephrops trawl, Monkfish trawl, Swordfish longline).
- SELUX (2020): Improving the selectivity of artisanal trawlers in the Channel and southern North Sea through the use of light devices (Trawls, Whiting, Horse mackerel).
- SELEDrag (2020): Comparative study of the selectivity of scallop dredges
- DISCARDLESS (2020): Strategies for the gradual elimination of discards in European fisheries (Stocks subject to the LO, all gears)
- SELECMC (2021): Selectivity experiments in the Celtic Sea (Trawls, Gadoids)
- CAPS, CASEP (2022): Support unit for gear selectivity - tests of selective devices à la carte (Trawls, Multi-species)
- Combituig by ILVO: Within project COMBITUIG, ILVO investigates possible applications of LED lights, small electrodes and other new technologies using catch comparisons on board research vessels
- LED there be light by ILVO: The project kicked off in 2022 and aims to develop and optimize innovations in various professions practiced by Belgian fishermen to reduce bycatch and/or optimize commercial catches. In the sea, visual stimuli can be used to influence the fish's response during the capture process. ILVO tested various types of light sources to improve the catch efficiency and selectivity of various fishing methods. In addition to experiments with luminous net materials, LEDs, and other light sources in different net designs in various fishing techniques (active and passive), this project also includes budget and guidance to test and further develop innovative ideas from the beam trawl sector.

18. Were there any additional costs associated with the adoption of such new tools/techniques?

Yes/No/I don't know

- a. Please specify Adaptation to new regulations/measures implicates costs in terms of gear modification
- b. Did the additional costs reduce the adoption of such new tools/techniques? (Yes/no/I don't Know)

19. Was there financial and/or legal support available towards the additional costs associated with the adoption of new tools/techniques?

Yes/No/**I don't know**

a. Please specify the supports?

20. Have any other policies at member state level been put in place to help in providing better cost-effectiveness of the implementation of the landing obligation?

Yes/No/**I don't know**

a. Please specify these policies.

Please insert pre analysis of the AC recommendations or statistics on how many recommendations received over the years (or an estimation from what you found) as introductory text

[Add details on number NWWAC submissions](#)

21. Could you provide examples where Member States jointly worked with the Advisory councils to provide recommendations on improving cost-effectiveness of:

- (a) Landing all catches **none**
- (b) Handling unwanted catches **none**
- (c) Implementation of the landing obligation in general

[NWWAC response to the request for advice of the NWW Member States Group on the implementation of landing obligation for mixed demersal fisheries in ICES VI and VII.](#) 17 November 2014

[NWWAC advice to support the NWW MSG in the preparation of the Joint Recommendation Discard Plan 2021](#) 23 April 2020

[NWWAC advice on the Joint Recommendation Discard Plan 2022](#) 04 June 2021

[NWWAC advice on the 2022 Joint Recommendation Discard Plan](#) 27 April 2022

[NWWAC advice on the 2023 Joint Recommendation Discard Plan](#) 17 April 2023

[NWWAC advice on a joint recommendation for a de minimis exemption for lemon sole in in ICES areas 4 and 7d](#) 11 April 2024

[NWWAC Advice on best practice measures for the management of skates and rays in the North Western Waters and the North Sea](#) 12 May 2022

[Advice on best practice measures for the management of skates and rays in the North Western Waters](#) 26 April 2021

[NWWAC Advice on skates and rays](#) 01 May 2020

[NWWAC Advice on the Programme of Measures for Skates and Rays](#) 07 June 2019

[Response to the NWW Member States Group regarding the skates and rays advice request](#) 19 October 2018

(d) Increasing selectivity

[NWWAC advice on Joint Recommendation Technical Measures in the NWW](#) 4 June 2021

[NWWAC advice on the draft 2022 Joint Recommendation Technical Measures in the North Western Waters](#) 6 May 2022



- (e) Reducing administrative costs [none](#)
- (f) Reducing administrative procedure [none](#)
- (g) Reducing financial costs in general towards fishers [none](#)

22. For the following statements indicate your opinion on one of the following responses (from **strongly disagree, disagree, agree, strongly agree and don't know**)

- a. the landing obligation is relevant to the needs of your respective group as identified in the impact assessment of 2011 accompanying the Commission proposal

[Disagree](#)

- b. The landing obligation has improved the sustainable exploitation of marine resources

[Disagree](#)

- c. The landing obligation has a positive impact on the financial viability of fisheries

[Disagree](#)

- d. The landing obligation provides appropriate and proportionate exemptions in fishing quotas

[Disagree](#)

- e. The landing obligation has reduced overall discard

[Disagree](#)

- f. The landing obligation has increased the selectivity of fishing gear

[Disagree](#)

- g. The landing obligation has incentivised fishers to land all the catches

[Agree](#)

- h. Discards should continue to be eliminated

[Agree](#)

23. For the following statements indicate your opinion on one of the following responses (from **strongly disagree, disagree, agree, strongly agree and don't know**)

- a. the objectives of the landing obligation help in protecting the marine environment (Marine Strategy Framework Directive), [Disagree](#)
- b. The objectives of the landing obligation help in recovery of Biodiversity in the oceans (Biodiversity Strategy), [Disagree](#)
- c. The objectives of the landing obligation help in maintaining and restoring the marine habitats to a favourable conservation status within the EU (Habitats Directive), [Strongly disagree](#)
- d. The objectives of the landing obligation help support fishers and improve productivity (Common Agricultural Policy) [Strongly disagree](#)
- e. The objectives of the landing obligation help tackle climate change and the sustainable management of natural resources (Common Agricultural Policy) [Strongly disagree](#)

24. For the following statements indicate your opinion on one of the following responses (from **strongly disagree, disagree, agree, strongly agree and don't know**) [ an EU intervention can be seen as any activities undertaken by the European Union (EU)],

- (a) the landing obligation resulted in additional value, compared to what could be achieved

- by Member States at national and regional levels? [Disagree](#)
- (b) the landing obligation helped in achieving results [Don't know](#)
- (c) the landing obligation provided additional results compared to the national and regional output and results in Member States [Don't know](#)
- (d) the landing obligation responded to cope with crises:
  - i. Climate emergencies, [Strongly Disagree](#)
  - ii. COVID-19, [Strongly Disagree](#)
  - iii. Russian aggression in Ukraine [Strongly Disagree](#)

25. Could you provide other policies and initiatives similar to the EU landing obligation that are relevant in your respective member state to
- (a) Gradually eliminating discards
  - (b) Reduce unwanted catches
  - (c) Gradually ensuring all the catches are landed

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

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

26. For the following statements indicate your opinion on one of the following responses (from **strongly disagree, disagree, agree, strongly agree and don't know**)
- (a) **The EU** landing obligation to gradually eliminate all discards supported the national policies and initiatives that you listed above [Don't know](#)
  - (b) The EU landing obligation to reduce unwanted catches supported the national policies and initiatives that you listed above [Don't know](#)
  - (c) The EU landing obligation to ensure all catches are landed supported the national policies and initiatives that you listed above [Don't know](#)