

Questionnaire: Study supporting the evaluation of the landing obligation – Common Fisheries Policy

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).

Information about the respondent

Question	Response
First name	
Last name	
Email	
Name of Organisation	
Scope of Organisation	<input type="checkbox"/> International <input type="checkbox"/> Regional (e.g. SWW, NWW, Med&BS) <input type="checkbox"/> National (country/Member State) <input type="checkbox"/> Local

Select the field of your professional activity:

- Public Authority/Ministerial departments
- Producer Organisation (PO)
- Fisher Association/Industry

- Non-governmental organisation
- Scientific institution/research
- Consultancy
- Overarching EU bodies (e.g. Institution/Agency/Regulatory group)
- Other: please specify in the text box

Select the EU Member State where you work:

- | | |
|------------------|-------------------|
| ○ Austria | ○ Italy |
| ○ Belgium | ○ Latvia |
| ○ Bulgaria | ○ Lithuania |
| ○ Croatia | ○ Luxemburg |
| ○ Cyprus | ○ Malta |
| ○ Czech Republic | ○ Poland |
| ○ Denmark | ○ Portugal |
| ○ Estonia | ○ Romania |
| ○ Finland | ○ Slovakia |
| ○ France | ○ Slovenia |
| ○ Germany | ○ Spain |
| ○ Greece | ○ Sweden |
| ○ Hungary | ○ The Netherlands |
| ○ Ireland | |

Select the geographical area(s) where you are active (multiple boxes can be selected).

- North Sea
- Baltic Sea
- Northern Western Waters
- Southern Western Waters
- Western Mediterranean
- Central mediterranean
- Eastern Mediterranean
- Black Sea
- Outermost Region
- Distant/long distance fleet
 - Other? Please specify region: please specify in the text box

In what fishing fleet (segment) do you work?

What is your targeted fishery?

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.

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 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 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 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 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 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 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 type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Change in species below minimum reference conservation size (MCRS)/juveniles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Change in handling of unwanted species/bycatch	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Change in catch composition	<input type="radio"/>	<input 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.

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.

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.

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.

- Have you observed any choke issues?

Yes/No

- i. If so, please specify the species and relevant fishing grounds.
- ii. Have your fisheries been closed due to choke issues?

Yes/No

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

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:

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

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

Yes/No

- 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]

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?

- Port inspections
- At-sea inspections
- Last-haul inspections
- Remote electronic monitoring (REM) systems
- Aerial surveillance
- Increased observer coverage
- Monitoring/control at landing markets (e.g. detect illegal sales of fish below MCRS)
- 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)
- 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

*** 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.

Section 2: Evaluation of Landing obligation

1. For your fleet segments/fisheries, within your relevant sea basins, what 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,;

	Not at all	Poorly	Moderately	Fully	I don't know
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,

	Not at all	Poorly	Moderately	Fully	I don't know
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]

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 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 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 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 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 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,
- ii. increase selectivity and
- iii. avoid unwanted catches?

- (b) Which type of scientific bodies are providing this advice?
- (c) Which stakeholders are benefitting from this advice?

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

- 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 .

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

- 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.

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

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?
- 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

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

Yes/No/I don't know

- a. Please specify
- 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 was 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

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
- (b) Handling unwanted catches
- (c) Implementation of the landing obligation in general
- (d) Increasing selectivity
- (e) Reducing administrative costs
- (f) Reducing administrative procedure
- (g) Reducing financial costs in general towards fishers

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
- b. The landing obligation has improved the sustainable exploitation of marine resources
- c. The landing obligation has a positive impact on the financial viability of fisheries
- d. The landing obligation provides appropriate and proportionate exemptions in fishing quotas
- e. The landing obligation has reduced overall discard
- f. The landing obligation has increased the selectivity of fishing gear
- g. The landing obligation has incentivised fishers to land all the catches
- h. Discards should continue to be eliminated

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),
- b. The objectives of the landing obligation help in recovery of Biodiversity in the oceans (Biodiversity Strategy),
- 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),
- d. The objectives of the landing obligation help support fishers and improve productivity (Common Agricultural Policy)
- e. The objectives of the landing obligation help tackle climate change and the sustainable management of natural resources (Common Agricultural Policy)

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?
- (b) the landing obligation helped in the achieving results
- (c) the landing obligation provided additional results compared to the national and regional output and results in Member States
- (d) the landing obligation responded to cope with crises:
 - i. Climate emergencies,
 - ii. COVID-19,
 - iii. Russian aggression in Ukraine

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

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
- (b) The EU landing obligation to reduce unwanted catches supported the national policies and initiatives that you listed above
- (c) The EU landing obligation to ensure all catches are landed supported the national policies and initiatives that you listed above: