Inter-institutional multiple framework contract for supporting better regulation-related activities (CINEA/2021/OP/0011)
Lot 1: sustainable fisheries and aquaculture, excluding sustainable fisheries partnership agreements (SFPAs)

"Study supporting the evaluation of the landing obligation – Common Fisheries Policy"

Specific Contract No. 04

Stakeholder gathering

Tuesday 8th July 2025 14:00 – 16:30 (CEST)
via Teams & web streaming

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MRAG Europe · Deloitte. · WAGENINGEN UNIVERSITY & RESEARCH · RAMBØLL

Meet the team

Regional case study support from:

The study

Support an evidence-based evaluation of the Landing Obligation towards reaching objectives of CFP 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."

- **Evaluation of the landing obligation:**
  - Gather evidence for an assessment on…
    - How the landing obligation intervention has performed
    - Is working, and
    - Why it is performing as it does
  - Assess under the five evaluation criteria of the Better Regulation Guidelines
    - Effectiveness; efficiency; relevance; coherence; EU "added value"
  - Plus, two further aspects
    - Complementarity and sustainability

Scope

- **Regulation (EU) No 1380/2013**:
  - Recitals 26, 27, 28, 29, 31, 32, 67;
  - Articles (2)(5)(a); 7; 10(2)(a); 14; 15; 16(2);
  - Discard plans, and
  - European Commission Delegated Regulations

  - Also included in effectiveness criterion: Regulation (EU) No 1380/2013 Article 2(5)(e), Article 2(5)(f), Article 2(5)(g), Article 2(5)(h), and Article 2(5)(j)

- **Regions covered:**
  - North Sea and Baltic Sea
  - North Western Waters
  - South Western Waters
  - Mediterranean & Black Sea
  - EU Outermost Regions & distant water fleet

Methods:

- **Development of an intervention logic**
  - Highlighting needs; objectives; inputs; activities/measures; outputs; results; impacts

- **Evaluated in line with the Better Regulation guidelines**
  - Using 5 standard core criteria & 2 additional criteria
  - Defined overarching questions
  - Expanded into an Evaluation Question Matrix (EQM) with indicative judgment criteria

- **Answers gained from comprehensive research**
  - Desk research
  - Targeted data analysis
  - Stakeholder engagement

Methods: Evaluation criteria

Criteria	The extent to which (the landing obligation)…
Effectiveness	Was implemented effectively? Contributed to the objectives of the CFP?
Efficiency	Was implemented efficiently?
Relevance	Was relevant to the needs of the target groups? Is still relevant? Is relevant to European strategic objectives?
Coherence	Is internally (within the EU) and externally coherent?
EU added value	The identified outputs and results have been achieved without the landing obligation / EU intervention?
Complementarity	Proved complementary to other (Member States') interventions and initiatives in the field of fisheries management and conservation
Sustainability	If the landing obligation were to be removed, what might be the likely effects?

Methods: Key research questions

- Whether or not discarding of species has been gradually, or is being, eliminated
- Have unwanted catches been reduced as far as possible
- If and why, in certain cases, the intervention has not worked – what challenges Member States and industry experienced with its implementation
- If the landing obligation lacks full compliance and implementation because it is difficult to control. Could the new provisions on control under the new EU Control Regulation facilitate this difficulty?
- Whether or not the intervention creates the right positive incentives for fishers to discontinue discarding
- Is the design of the landing obligation applicable the same way in all the sea basins, accounting for regional specificities

Methods: Information sources

Quantitative data

- ACDR, STECF FDI database, and outputs of EASME/EMFF/2018/011 Specific Contract Lot 1 No.14 & Lot 2 No.13, public quota swap reports, AER, and EUMOFA data

Qualitative data

- Literature searches - 667 unique references
- Collation of publicly available EU Regulations and specialised reports from ICES, EFCA , ACs, RCGs and STECF evaluations
- CINEA general publications and stakeholder responses (raw and aggregated) for various reports, such as FAMENET CFP Survey Report (2022) and STECF 22-01

E-survey

- Distributed to over 200 stakeholders/stakeholder groups, 71 responses (48 completed the survey)

Interviews

- Follow-up stakeholder outreach (27 stakeholders contacted) to address specific gaps and/or clarify

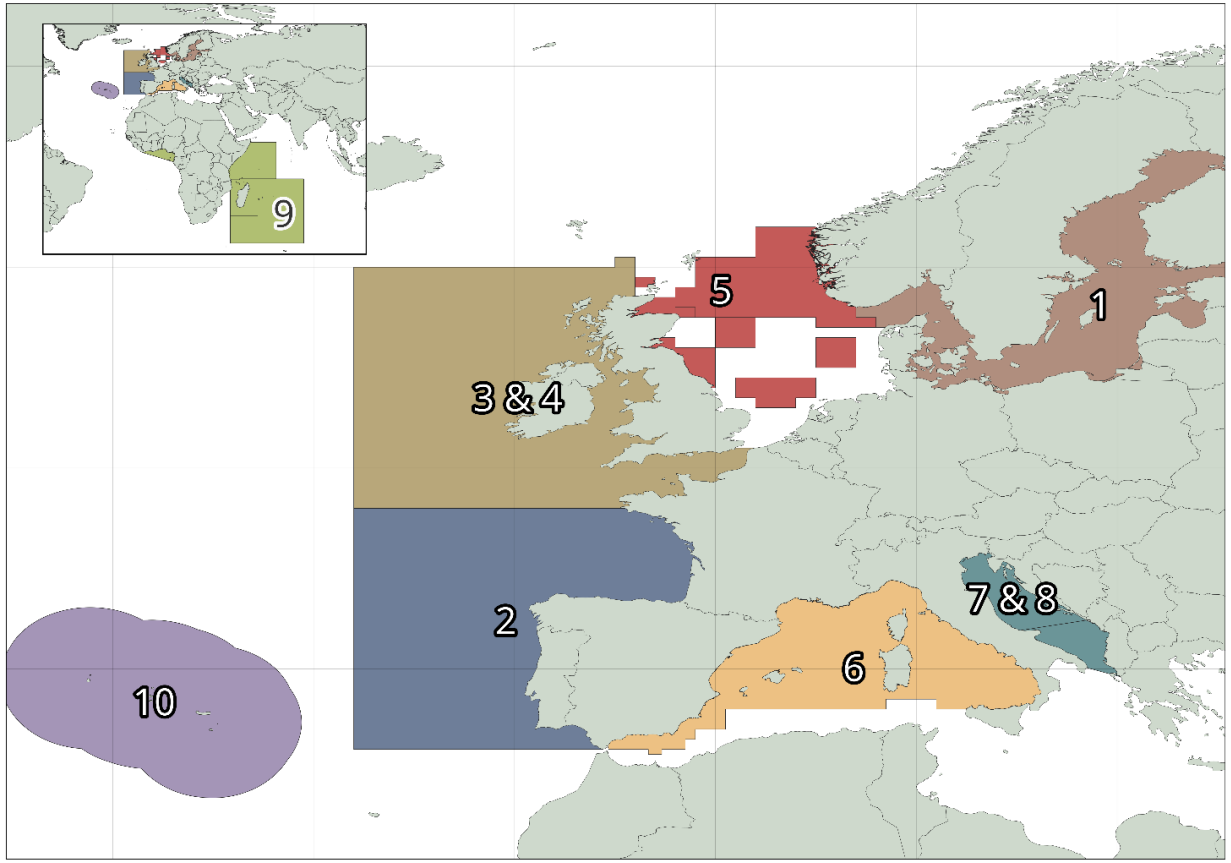
Methods: Case studies

10 regional deep dives

Selection:

1. Literature review

2. Structured methodology for case study selection
   - Criteria (sea basin; fleet; fishery; species; implementation; outcomes)
   - Reviewed by the European Commission



Limitations

- Large number of exemptions available to fishers
- Lack of EU wide data sources available which include exemptions applied directly linked to the logbook reporting
- Member State scientific data collection strategies not at the scale of the landing obligation implementation
- Natural annual variability
- Level of control and enforcement at local and regional levels
- Quantitative or published Qualitative information for some (sub)indicators lacking
- Subjectivity of insights from stakeholder consultation

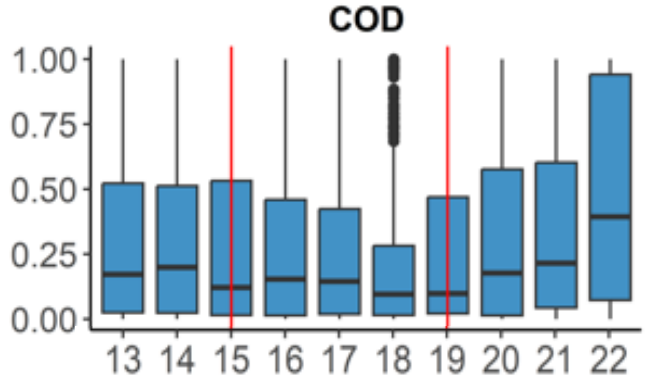
Findings

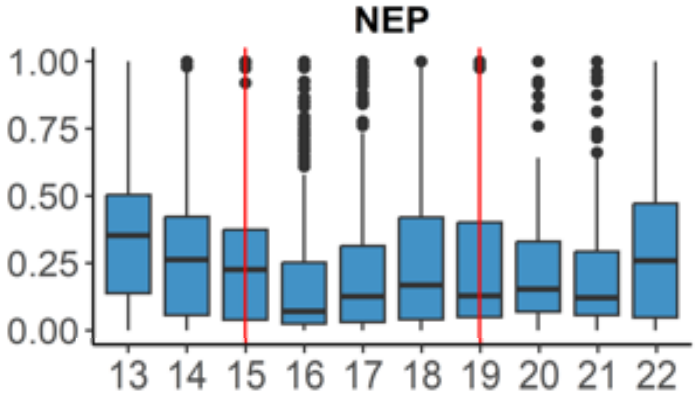
1. Effectiveness
2. Efficiency
3. Relevance
4. Coherence
5. EU Added Value
6. Complementarity and Sustainability

Effectiveness

The landing obligation has as **not been effectively implemented.** Despite some progress in promoting selective fishing and operational flexibility, **widespread use of exemptions**, limited market development for unwanted catch, and significant regional and economic disparities have hindered its overall impact.

- Varied effectiveness across across time, regions, and fisheries, with no clear overall pattern
- Discard rates have remained relatively unchanged, ~2% on average
- More undersize fish landed yet no consistent trend in quantities
- Interventions such as extra quotas through TAC uplifts, quota swaps, high survivability and *de minimis* exemptions, have mixed outcomes



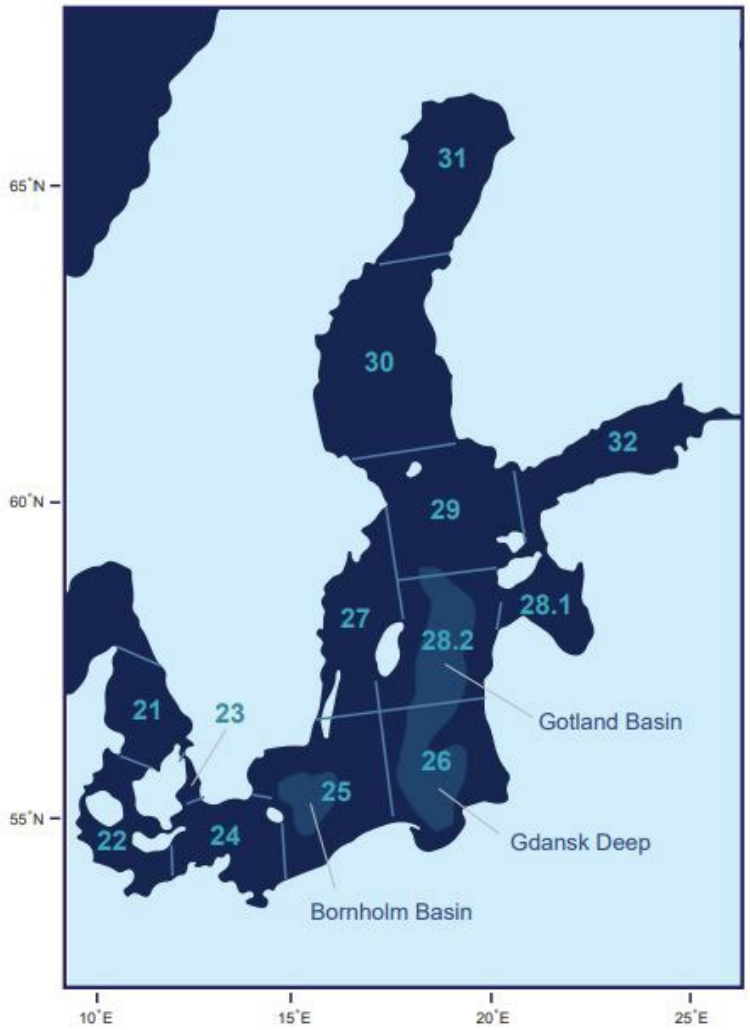


Example of North Sea and Baltic Sea discard rates

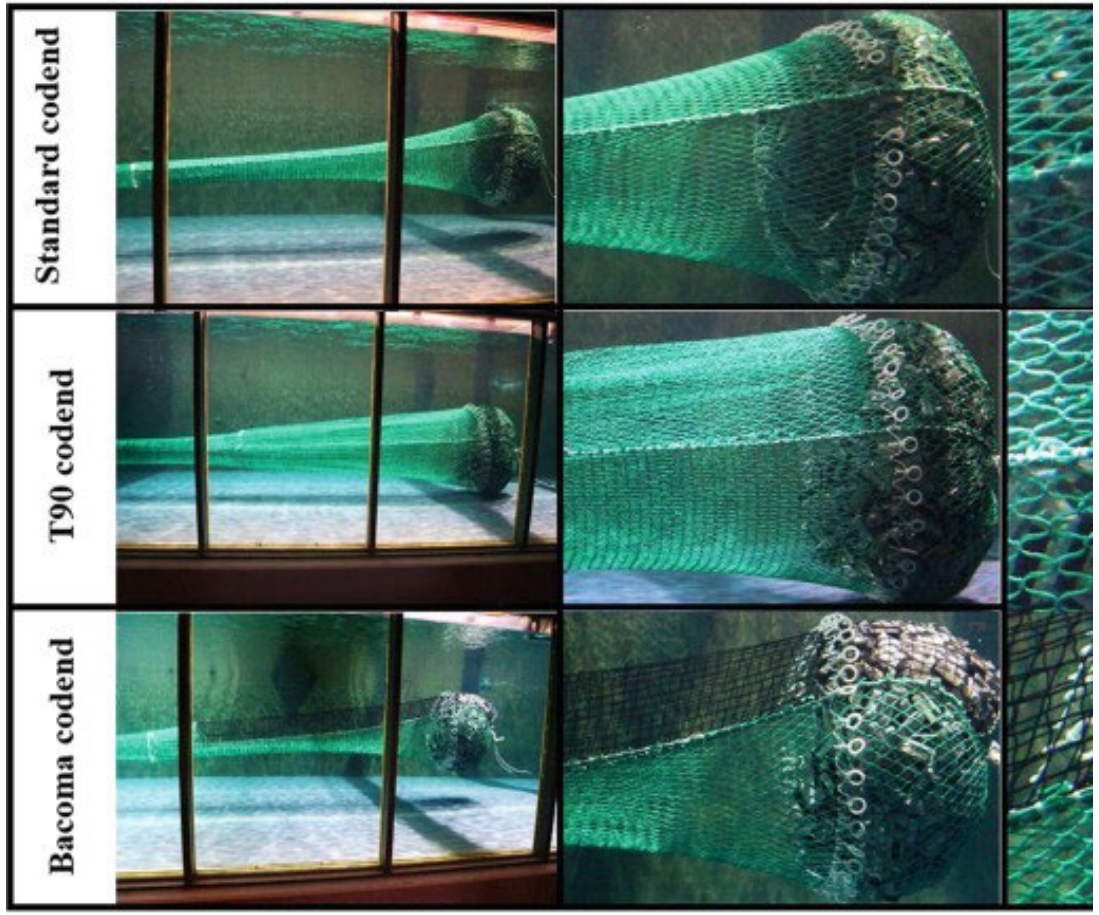
Case study: Baltic Sea cod trawl fisheries

- Baltic cod first demersal species subject to full LO implementation in 2015, fisheries were phased-in altogether, plaice followed 2017
- Target fish stock is the Atlantic cod *(Gadus morhua)* > two distinct populations
- Unwanted catch: undersized cod, plaice and flounder
- Outcome success rate: Challenging (no noteworthy change or increase in discard rates)
- Catch Selectivity unchanged over 25 years, despite multiple codend modifications (L_{50})

Figure 1. ICES Subdivisions in the Baltic Sea ecoregion



Case study: Baltic Sea cod trawl fisheries



- Industry-led gear innovations designed to cut discards, often rejected > frustration among fishers

- **Outcome & Compliance Challenges**

- No reduction in discards post-LO
- Below MCRS fish not landed / recorded adequately
- Cod stocks declined → mesh size decreased → selectivity worsened
- Cod became a bycatch species, plaice emerged as main target

Case study: Baltic Sea cod trawl fisheries

- **Major implementation hurdles:**
  - Weak control mechanisms
  - Lack of practice-oriented interventions, fishery by fishery gear designs
  - Limited impact due to structural and operational barriers, no adequate port and ship infrastructure
  - No economic motivation: extra workload, no market for small fish

Photo source: Madina, 2019

- **Current status:**
  - Cod trawl fishery has essentially ceased in the Baltic
  - Most fishers have exited the industry

Effectiveness

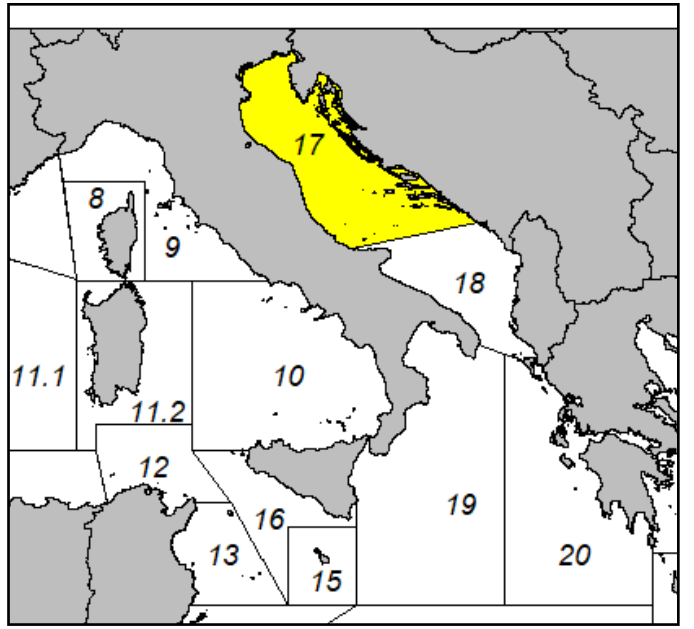
- **Low value of unwanted catches, increased costs, and limited at-sea monitoring** likely disincentivise retention or change in fishing practices
- Potential market for these resources, yet increased costs and logistical challenges
  - Lack of processing capacity to efficiently handle these catches
  - Limited market outlets
- **Increased operational costs**
  - Increased workload for crews
  - Need for infrastructure modifications - fish must be separated into undersized and marketable categories
  - Limiting investment in workforce expansion or training programs
- **Inconsistent enforcement**, previous control system left room for non-compliance
- Some **incentive to improve selectivity**
  - Adopting more selective fishing gear and refined fishing techniques
  - Some successes with Flemish panel and T90 codend

Case study: North-west Adriatic Sea small-scale fisheries

- Three set gears used: gillnets, trammel nets and traps
- Exploiting: roundfish, common sole, cuttlefish year round
- Discards: target species – very low / unwanted catches reported
- Vessels are medium-small sized (up to 18 m LOA)
- Operate daily trips of 4-5 hours

Time for sorting unwanted catches is very limited & limited on board facilities for managing and storing unwanted catch separately

A pilot study (Petetta et al., 2020) tested collapsible pots to target common cuttlefish, and compare its catch efficiency with that of the local traditional trammel nets.



Scope of the case study is the north-western Adriatic Sea (FAO-GFCM GSA 17), Italian coastal waters.

Collapsible pots tested by Petetta et al. (2020).

Case study: North-west Adriatic Sea small-scale fisheries

- The innovative pots tested in the pilot study seem to provide a sound alternative to the traditional trammel nets used in the NW Adriatic Sea
- No change in vessel rigging nor on-board practices required; can be used without bait; and foldable design allows for easy storing on board SSF vessels
- Fishers involved in SSFs in the NW Adriatic are skeptical towards any technical change in gears or change in fishing strategies, since these are costly processes, that could not happen without funding/support






Effectiveness

- Effectiveness varies significantly across different regions
- Slow pace of change
- Hindered by economic and operational challenges
- Incentives not worked as intended
- Financial and logistical challenges impede practical implementation, necessitating more flexible, region-specific strategies

Efficiency

The landing obligation has led to **additional costs** and **administrative burdens** for both public authorities and operators, with **efficiency gains limited** by the extensive use of **flexibilities** and **uneven implementation** across Member States.

- **Costs** vary widely between **Member States** depending on fishery type and existing discard practices:
  - Finland, where discards were already minimal, administrative costs have been limited
  - complex mixed fisheries (e.g. the Netherlands) have experienced substantial cost increases related to gear adaptation, sorting, storage, and reporting requirements
- At the operator level, **fishers** have faced **increased workloads** and **costs** associated with changes in onboard practices and infrastructure
- To alleviate implementation challenges, Member States have made **extensive use** of **flexibility mechanisms** such as *de minimis* exemptions, high survivability exemptions, and quota swaps: In 2023, 81 of 103 exemption applications to STECF were *de minimis*, reflecting the scale of reliance on this approach

Efficiency

- While these **flexibilities** helped **ease short-term implementation**, they may also **weaken** incentives for **behavioural change** and more selective fishing practices
- Some efficiency improvements have emerged through enhanced regional cooperation, and adaptation to regional and fishery-specific contexts, particularly via **Joint Recommendations**
  - Joint Recommendations are a **key implementation tool** under the Common Fisheries Policy
  - Formal proposals developed at the **regional level**, primarily by Member States sharing a sea basin, and submitted to the EC for adoption via delegated acts
- However, **implementation** remains **fragmented**, and potential efficiency gains are still underexploited

Relevance

While the landing obligation is **relevant to EU policy goals**, its **perceived** and **practical relevance** among stakeholders, particularly fishers, remains **limited**, reflecting a **gap** between **strategic objectives** and **operational realities**.

- The landing obligation aligns with the **Common Fisheries Policy** (CFP), the **Biodiversity Strategy 2030**, and aspects of the **Farm to Fork Strategy** in supporting **sustainable resource use** and aims to reduce unwanted catches
- However, many stakeholders, especially in small-scale and mixed fisheries, do not see the landing obligation as aligned with their **economic needs** or **daily realities** at sea
- The landing obligation is often viewed as **burdensome, unclear, and not adapted** to the complexity of actual fishing operations
- The **high number of exemptions** in place indicates that full implementation is not currently feasible in many fisheries
- While public authorities and Advisory Councils consider the landing obligation relevant to policy objectives, they often face **capacity limitations** in enforcement and support

Relevance

- Relevance is limited in some sectors:
  - In **academia**, lack of access to **fine-scale data** limits impact assessment
  - In **aquaculture**, relevance is **indirect** and focused on feed supply inputs, lacking mechanisms to foster collaboration between the fisheries and aquaculture sectors

- **Minimal connection to broader social goals** such as employment, reskilling, or food affordability
  - Increased workload for the existing crew does not necessarily equate to sustainable employment; in some cases, it simply leads to longer working hours or reduced fishing time over new **employment opportunities**
  - **Reskilling** is a central element of the Just Transition framework, but the evaluation found no targeted measures to help fishers / industry workers shift to new roles (e.g. compliance auditing, data management,…)
  - Discards are often undersized, low-quality, or regulated in use and have not meaningfully contributed to **affordable food** supply chains

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Coherence

While the **overall objective** of the landing obligation is **coherent** with other EU interventions and international obligations the **manner in which it has been implemented is less so**

Coherence with fisheries legislation

- Objective is internally coherent with other with other fisheries measures (e.g. CFP Basic Regulation, Technical Measures Regulation, Control Regulation, TAC & quota regulations)
- However, implementation is not coherent with other CFP objectives (e.g. socio-economic objectives, data collection, the TAC and quota system) and derogations are not coherent with behaviour change

Generation of trade-offs/synergies with other interventions

- In theory should have improved selectivity but in practice focused on exemptions
- Lack of measures to mitigate economic costs

Synergies with EU environmental legislation

- Objective is theoretically coherent with MSFD in terms of achieving GES but to the extent by-catch is not reduced there is no net ecological benefit
- Stakeholder doubts on coherence

Coherence

Coherence with cross cutting objectives

- EU 2020 strategy – objective is aligned
  - Socio economic costs are not aligned with inclusive economic growth
  - Uncertainty over demand for unwanted catch
- Waste framework directive/Farm to Fork Strategy
  - Objective is coherent (waste prevention, reduction of food loss/waste)
  - But disposal of unwanted catch to landfill is not coherence with waste hierarchy objectives or food loss/waste reduction objectives

Coherence with international obligations

- Objective of the landing obligation is coherent with:
  - measures taken at the international level to reduce discards (e.g. Code of Conduct, UNFSA, RFMOs) + landing obligations applies beyond EU waters
  - SDG 14 effectively regulate harvesting and ending overfishing, and rapidly restoring fish
  - SDG 12.3 by 2030 reduce food losses along production and supply chains, including post-harvest losses

EU Added Value

The EU-level intervention has been **essential in facilitating coordinated implementation** of the landing obligation, but its added value is **constrained** by **uneven uptake**, **compliance challenges**, and **limited region-specific adaptation**.

- The landing obligation enabled a **harmonised framework for addressing discards** across all EU waters, which would have been difficult to achieve solely through national measures
- **Key EU contributions** include:
  - Multiannual Plans (MAPs)
  - Joint Recommendations
  - Shared frameworks for exemptions
- **EU funding** (via EMFF / EMFAF) supported:
  - Gear innovation
  - Data collection systems
  - Monitoring and control infrastructure

EU Added Value

- **Benefits have not been equally distributed**
  - Fishers operating in **well-resourced fleets** or **regions** (e.g. North Sea demersal fisheries and French tuna fleet) have been better positioned to adapt to the landing obligation through e.g. co-financed gear upgrades, quota flexibilities, support for trials that allow temporary exemptions while testing selective measures
  - **Small-scale** and **coastal fisheries**, especially in the Mediterranean region, encounter greater difficulties in accessing support as they often lack infrastructure or capacity, facing significant economic and administrative barriers
  - **Structural inequalities, administrative complexity**, and **geographical variability** in fisheries have **hindered** effective **uptake**, even if funding exists
- Extensive use of **flexibility mechanisms may reduce** the **visibility** and **impact** of the EU framework
  - Designed to ease implementation and provide **short-term adaptability** in diverse contexts
  - **Growing reliance** on and **systematic use** of especially de minimis exemptions and quota swaps raises concerns about **policy dilution** and **lack of behavioral change** among fishers

Complementarity and Sustainability

While the landing obligation is **conceptually complementary** to other EU and Member State policies, its **practical integration** has been **inconsistent**, and its **sustainability** depends on **enhanced enforcement**, **infrastructure**, and **stakeholder engagement**.

- **The landing obligation supports the goals of:**
  - The Marine Strategy Framework Directive (MSFD)
  - The Common Fisheries Policy (CFP)
  - The Sustainable Development Goals (SDGs), particularly Targets 12.3 and 14.4
- **Conceptual complementarity exists, but practical implementation tensions**
  - Requiring landings of unwanted catches without ensuring market development has led to waste disposal
  - Economic challenges
  - Structure of the policy does not always align with the diverse ecological and operational realities

Complementarity and Sustainability

- **Integration with national interventions has been mixed**
  - Portugal and France adapted their quota systems to **increase flexibility** via national quota pooling and dynamic quota management, which enables fishers to respond to catch realities without breaching rules, reducing incentives for non-compliance, limiting the need for regulatory exemptions, and contributing to economic and operational sustainability
  - Other Member States, especially with small-scale or highly mixed fisheries, faced **challenges** in **fully integrating** the landing obligation due to limited funding, operational complexity, or constraints in ensuring even monitoring and control capacity. This negatively affects **enforcement credibility** and **effectiveness**, risking compliance fatigue or moral hazard
- Continued reliance on **exemptions and flexibilities,** limiting the **incentive** to adopt selective practices or improve catch composition
- **Market development lagged** for previously discarded species, limiting potential returns and discouraging compliance
- The level of **ownership among fishers remains low** due to the high uptake costs associated with the landing obligation and limited involvement in the design of implementation measures
- The revised **Control Regulation** introduces **mandatory electronic monitoring**, which may **improve enforcement,** but effective rollout will require **investment, training, and buy-in**

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Conclusions

Overall

Successes

- Majority of success reported through **pilot studies**

Challenges

- Monitoring and enforcement
- Maintaining economic feasibility
- Difficulties implementing species and gear selectivity pilot studies

Compliance

- Level of monitoring and **enforcement ineffective**
- **Lack of stakeholder 'buy-in'** and low risk of detection

Funding

- Used to **support *de minimis* exemptions** not always increase gear selectivity

Monitoring & reporting

- Data for analyses at **differing scale to implementation** of LO

Regional Variation

Baltic Sea

- Bycatch reduction devices (BRDs) **successful in pilot studies**
- **Misreporting of catches** in the mixed pelagic fisheries

North Sea and North Western Waters

- Successful gear **modifications piloted in trawl fisheries**, including square mesh panels, square mesh cylinders and T90 codends
- **Reduced fishing opportunities** due to UK Exit, and ability to swap quotas

South Western Waters

- **Chute discarding system** mandatory in Nephrops trawlers in Bay of Biscay
- **Discarding continues** with few opportunities to use quota flexibilities

Regional Variation

Mediterranean Sea

- Numerous **successful pilot studies**, including T90 codends in crustacean and finfish demersal trawl fisheries
- **Difficult to monitor and enforce** large small-scale coastal fleet, including species subject to MCRS

Outermost Regions and Distant Water Fleet

- Reduce bycatch/unwanted fish in French purse-seine fishery - **innovate FAD gear design**

- Challenges to reduce bycatch in small-scale, multi-species fisheries in Outermost regions
- Challenges to monitor and enforce management measures within the distant water fleet

Recommendations

- Strengthen monitoring and enforcement
- Enhance gear selectivity
- Improve data collection and analysis
- Provide economic and operational support
- Foster collaboration and targeted interventions

Have your say:

On slido….

Do you feel the results of the study are aligned with your views? (poll)

Do you have any additional comments to share?

Thank you