

Fisheries control

2018/0193(COD) - 20/12/2023 - Final act

PURPOSE : to adopt revised rules for the EU's fisheries control system.

LEGISLATIVE ACT: Regulation (EU) 2023/2842 of the European Parliament and of the Council amending Council Regulation (EC) No 1224/2009 and amending Council Regulations (EC) No 1967/2006 and (EC) No 1005/2008 and Regulations (EU) 2016/1139, (EU) 2017/2403 and (EU) 2019/473 of the European Parliament and of the Council as regards fisheries control.

CONTENT: this Regulation **updates the existing rules on the control of fishing vessels**, which will help to ensure that EU vessels and other vessels fishing in EU waters comply with the rules of the Common Fisheries Policy (CFP).

The main changes introduced concern the following:

Vessel monitoring systems

Member States will use satellite-based electronic vessel monitoring systems (VMS) to **effectively monitor the position and movement of fishing vessels flying their flag**, wherever these vessels may be, and of fishing vessels in their waters. Each flag Member State will collect, analyse and continuously and systematically monitor vessel position data.

Union fishing vessel will be equipped with a fully operational vessel monitoring system enabling it to be automatically located and identified by a tracking device through the automatic transmission of vessel position data at regular intervals.

Union fishing vessels of **less than 12 metres** in length overall may carry on board a device which does not have to be installed on board and which allows the vessel to be automatically located and identified while at sea through recording and transmitting the vessel position data at regular intervals through a satellite connection or any other network.

In the case of certain small-scale coastal fishing vessels of **less than 9 metres** in length, derogations from the VMS monitoring requirement may be granted until 31 December 2029.

Remote electronic monitoring

Remote electronic monitoring tools will be used in the case of **larger vessels** (at least 18 metres) to ensure that unwanted catches are not discarded at sea in breach of the landing obligation.

Recreative fishing

Member States will ensure that recreational fisheries on their territory and in Union waters are conducted in a manner compatible with the objectives and rules of the common fisheries policy.

For that purpose, coastal Member States should put in place an **electronic system for the recording and reporting of catches** from recreational fisheries. They should collect data on catches by natural persons engaged in recreational fisheries for species, stocks or groups of stocks for which fishing opportunities are set by the Union, which are covered by a multiannual plan, or which are subject to the landing obligation.

Penalties

The Regulation establishes an exhaustive list of infringements that must be considered serious in all circumstances. It also establishes a list of criteria to be used by the competent national authorities to qualify an activity as a serious infringement.

Serious infringements of CFP rules will be subject to **effective, proportionate and dissuasive administrative or criminal penalties**.

To increase levels of compliance and reduce the likelihood of serious infringements being committed, Member States will apply a **point system** and assign points to holders of fishing licences and masters of catching vessels concerned in the case of confirmed serious infringements.

Improved traceability of fish

Fishing and aquaculture products must be divided into lots by operators and their traceability must be ensured at all stages of production, processing and distribution, from capture or harvest to retail.

Lots of fishery and aquaculture products made available on the market or likely to be made available on the market must be adequately marked to ensure the traceability of each lot. These lots will be accompanied by a minimum set of information.

Operators at all stages of production, processing and distribution, from catching or harvesting to retail stage, will ensure that in respect of each lot of fishery or aquaculture products, **the information should be kept on record and made available in a digital way** to the operator to whom the fishery or aquaculture product is supplied, and, upon request, to the competent authorities.

In the case of **processed products**, the Commission will carry out a study which will include an analysis of available digital solutions or methods which meet the traceability requirements of this Regulation, while taking into account the impact on small operators. On the basis of this study, the traceability requirements will apply from 10 January 2029.

ENTRY INTO FORCE: 9.1.2024.