

CONTENT

On 30 May 2018, the Commission proposed the revision of the fisheries control system, aimed at modernising and simplifying the rules for monitoring fisheries and ensuring compliance with the Common Fisheries Policy (CFP). The proposal also intends to bring to date a control system conceived before the 2013 CFP reform. It centres on the amendment of the Control Regulation 1224/2009. The main changes concern:

- Tracking of all fishing vessels.
- All vessels must keep an electronic logbook containing information on all catches.
 - The proposal simplifies verification of the engine power and introduces verification of vessel tonnage. It also includes a new requirement for continuous monitoring of the engine power of certain vessels using active gear.
 - Member States must set up a system to control recreational fishers through registration or licensing, and should collect data on their catches.
 - To improve traceability, a specific lot of fishery products is linked to a particular landing by a fishing vessel. Operators at all stages of the supply chain should ensure that the information on each lot is recorded and transmitted electronically.
 - The proposal introduces a wide-ranging common list of activities defined as serious infringements. It introduces mandatory sanctions for serious infringements and determines the level of the fines to be imposed.
 - Close-circuit television (CCTV) systems should be installed on a minimum percentage of vessels in order to monitor compliance with the obligation to land all catches.

The PECH committee considered the proposal based on the draft report put forward by the rapporteur Isabelle Thomas (S&D, France) on 18 December 2018. However, in March 2019 the Committee decided that it was not possible to adopt its report before the end of the legislature, and the file has been carried over to the ninth legislature.

The new rapporteur, Clara Aguilera (S&D, Spain), published her draft report on 19 February 2020.

The PECH report, approved on 5 February 2021, was tabled for Parliament's plenary, which adopted its amendments on 11 March 2021. Parliament supported the major aspects of the proposal, such as tracking all fishing vessels, electronic reporting of all catches, improving traceability of fishery products and harmonising sanctions across the EU. In addition, Parliament introduced a simplified electronic logbook for small vessels under 12 metres, and required the creation of a 'Union register' of infringements centralising Member States information.

Regarding the use of CCTV, Parliament departed from the position of the PECH committee (which only allowed it on a voluntary basis), and adopted an amendment making it mandatory for a minimum percentage of fishing vessels over 12 metres considered at a high risk of non-compliance with the landing obligation. In contrast, it endorsed the PECH report on increasing the margin of tolerance in logbook estimates (from 10 % to 20 % for species from small pelagic and mixed fisheries, and to 25 % for tuna species).

On 28 June 2021, Council adopted its general approach. Trilogue negotiations started in September 2021.

After long inter-institutional negotiations, the co-legislators reached an agreement at the 12th political trilogue on 30 May 2023. Some of the main points agreed are the following:

- The co-legislators support the full digital traceability of fishery and aquaculture products (fresh or frozen) along the supply chain. However, for 'processed' products, digital traceability would apply once the Commission has concluded a study on the available solutions.

- On the tracking of vessels, the Council had proposed an exemption for certain small-scale coastal fishing vessels under 9 m in length (using only passive gears, operating within the first six nautical miles from the coast and never spending more than 24 hours at sea). The agreement now includes such an exemption, but only temporary, until 31 December 2029.

- Regarding the use of CCTV systems to monitor the landing obligation, the co-legislators agreed to meet halfway by making it compulsory only for vessels over 18 m long posing a high risk of non-compliance (it was 24 m in Council's mandate).

- As for the tolerance margin, the negotiators agreed to keep it, as a general rule, at 10 % per species (as under current rules). However, some exceptions to this rule apply. A margin of tolerance of 20 % would apply for species on board that not exceed 100kg (up from 50kg in the Commission's proposal). For small pelagic species, industrial fisheries and tropical tuna, the co-legislators built in a flexibility (under strict conditions): the margin of tolerance would be 10 %, but calculated on the total quantity registered (and not by species).

- On sanctions, the Parliament and the Council agreed to overcome the large existing differences between Member States. The value of fishery products would define the minimum level of a fine applied to it in case of a serious infringement. If there is repeated infringement, the penalty will be at least twice that value.

- Member States will be tasked with monitoring compliance by recreational fisheries and setting appropriate sanctions, and would need to introduce a data collection system.

- Regarding the monitoring of fishing capacity, the agreement includes a provision to equip certain larger vessels with permanently installed devices that monitor the engine power continuously. In cases where there are indications that the engine power or the tonnage of a vessel differs from what is indicated in the license, the Member State would need to proceed to its verification.

The agreement was approved by the PECH Committee on 27 June (by 20 votes to 8) and by the plenary on 17 October (by 438 votes to 146, with 40 abstentions). The Council adopted the agreement on 13 November. The act was signed on 22 November 2023. It was published in the Official Journal on 20 December 2023 as Regulation 2023/2842, and entered into force 20 days later on 9 January 2024.

References:

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- European Economic and Social Committee, [Opinion on Fisheries control](#), NAT/752-EESC-2018-04143
- Council, [Outcome of the Council meeting Agriculture and Fisheries of 18 June 2018](#)
- European Parliament, [Committee on Fisheries draft report on the proposal for a regulation amending Council Regulation \(EC\) No 1224/2009, and amending Council Regulations \(EC\) No 768/2005, \(EC\) No 1967/2006, \(EC\) No 1005/2008, and Regulation \(EU\) No 2016/1139 as regards fisheries control](#), 2018/0193(COD)
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 - European Parliament, [Legislative resolution of 17 October 2023 on the proposal for a regulation amending Council Regulation \(EC\) No 1224/2009, and amending Council Regulations \(EC\) No 768/2005, \(EC\) No 1967/2006, \(EC\) No 1005/2008, and Regulation \(EU\) No 2016/1139 as regards fisheries control](#)
 - [Regulation \(EU\) 2023/2842 of the European Parliament and of the Council of 22 November 2023 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](#)

Further reading

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- European Parliament, EPRS, [Revising the fisheries control system](#), Briefing, June 2023
- European Parliament, EPRS, [New EU rules on fisheries control](#), At a glance, March 2021
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