EU external fisheries policy explained

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EU policy for ensuring external fishing fleets adopt sustainable management practices

Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008

Update

The EU's Regulation on the sustainable management of external fishing fleets, one of the implementing pillars for control and enforcement of the EU's common fisheries policy, is applicable to EU vessels fishing in third country waters or on the high seas, and to third country vessels fishing in EU waters.

Background

External fisheries policy

Regulation 2017/2403 sets out rules for issuing and managing fishing authorisations for:

- EU vessels fishing in waters under the sovereignty or jurisdiction of a third country, under the auspices of a regional fisheries management organisation (RFMO) to which the EU is a contracting party, in or outside EU waters, or on the high seas
- third country vessels fishing in EU waters.

EU fishing vessels

The core principle of this Regulation is that any EU vessel fishing outside EU waters should be authorised by its flag Member State (the Member State where the vessel is registered) and monitored by that Member State, irrespective of where it operates and the framework under which it does so.

- An EU fishing vessel may only carry out fishing operations in third country waters on stocks managed by an RFMO if that country is a contracting party to that RFMO.
- In third country waters, EU vessels may operate either under the provisions of a Sustainable Fisheries Partnership Agreement (SFPA), or by obtaining direct fishing authorisations from third countries if no SFPA is in force. A flag Member State may only issue a fishing

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authorisation for operations outside EU waters if the fishing vessel is not included in an EU IUU vessel list.

Third country fishing vessels

A fishing vessel flying the flag of a third country when fishing in EU waters must comply with the same rules applicable to EU fishing vessels. They may only:

- fish in EU waters if authorised to do so by the European Commission; without authorisation, when navigating in EU waters, they must ensure that their fishing gear is lashed and stowed so that it is not readily usable for fishing operations
- access EU ports if able to provide accurate information on the legality of their catches, validated by their flag state.

Fishing vessels from third countries are authorised to fish in EU waters only if:

- there is a surplus of allowable catch
- they comply with the conditions set out in the relevant fisheries agreement between the EU and the third country; and, where relevant, the vessel is on the list of permitted vessels under that agreement
- the fishing vessel is not included in the EU IUU vessel list or that of an RFMO
- the partner country is not listed as non-cooperating according to the IUU Regulation; or as allowing non-sustainable fishing according to Regulation 1026/2012.

Fish stocks that are managed by RFMOs may be fished only by vessels from countries that are contracting parties to the relevant RFMO. RFMOs are open both to coastal states in a given geographical region, and to distant water fishing nations (countries not in that region but that have fishing interests in that geographical area).

What is changing?

The EU strives to ensure that fishing activities are environmentally, economically and socially sustainable.

- Regulation 1380/2013 (the “Basic Regulation”) promotes these objectives internationally.
- Regulation 2017/2403 on the sustainable management of external fishing fleets sets out rules for EU vessels fishing in third country waters or on the high seas, and third country vessels’ fishing operations in EU waters.

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The Regulation on illegal, unreported and unregulated fishing (IUU Regulation) and the Control Regulation, together with Regulation 2017/2403, are the implementing pillars for control and enforcement of the EU's common fisheries policy.

Why?

The EU wishes to ensure that EU vessels maintain the same good sustainable fishing practices outside EU waters, and that foreign vessels fishing EU waters meet the EU standards. This promotes a level playing field for EU operators and third country operators.

Resources

Online resources from the European Commission:

- Sustainable fisheries partnership agreements (SFPAs)
- Regional fisheries management organisations (RFMOs)

Sources

IUU Regulation 1005/2008 and its Implementing Regulation 1010/2009

Control Regulation 1224/2009 and its Implementing Regulation 404/2011

Basic Regulation 1380/2013 on the Common Fisheries Policy

Regulation 1026/2012 on countries allowing non-sustainable fishing

Regulation 2017/2403 on sustainable management of external fishing fleets

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