Recommendation n.º 85

Electronic Fishing Logbooks in Small-Scale Coastal Fishing in the Outermost Regions

In the European Outermost Regions (ORs), namely the Azores, Madeira and the Canary Islands, fish caught by commercial fishing is landed, weighed and sold at the fish auction, which from the outset ensures a high level of control, traceability and reliability in the quantification of catches and the reporting of data. This model is well established and is supported by official systems duly validated by the competent authorities.

Having regard to Regulation (EC) n.º 1224/2009 (Community fisheries control system), as amended by Regulation (EU) 2023/2842 (Fisheries control), which introduces new rules for electronic fishing logbooks, strengthening the rules on the control and monitoring of fishing activity and the obligation to record all species caught.

Having regard also to European Commission Implementing Regulation (EU) n.º 2026/1932 of 10 August 2026 laying down detailed rules for the application of Regulation (EC) n.º 1224/2009 as regards the weighing of fishery products, their control and inspection, as well as sampling plans, control plans and common control programmes.

Whereas Implementing Regulation (EU) n.º 2026/1932 lays down specific procedures for the weighing of fishery products, including weighing on board, as well as mechanisms for sampling and verifying the recorded weights, and will apply from 11 January 2027.

Whereas the new Implementing Regulation (EU) n.º 2026/1932 expressly provides for the possibility of laying down alternative conditions for special situations, in particular as regards catching vessels of less than 12 metres in length overall and small quantities landed, provided that an equal or higher level of accuracy is guaranteed in the results of the weighing and recording of catches.

Whereas these electronic fishing logbooks may prove particularly difficult to comply with in certain artisanal fisheries of the ORs, since, under Regulation (EC) n.º 1224/2009, they impose a stricter and more detailed record of the catches made by each vessel, including an indication of the weight of the species caught, for which a margin of tolerance of 10% has been set between the weight estimated on board and the weight verified at the fish auction, rising to 20% for species kept on board whose quantity does not exceed 100 kg in live-weight equivalent, with the aim of ensuring greater accuracy and transparency in the management of fishery resources.

Whereas this requirement poses challenges for all OR fleets, including the

artisanal fleets of the ORs, made up of small vessels, on which the records made during fishing operations are inevitably based on estimates influenced by factors such as the diversity of the species caught and the variability of their weight, adverse weather conditions possibly also interfering, and which have no space available to carry scales on board to weigh the fish. For example, in *Mayotte*, artisanal fishing is currently facing significant constraints caused by the passage of Storm Chido. Since the passage of this storm, the only category 3 vessel authorised, with restrictions, to sail in category 2 has been damaged. In addition, most category 4 vessels are no longer operational. This situation is leading to a significant decrease in activity, a weakening of controls and insufficient monitoring of the mandatory recording of the species caught.

Whereas the obligation to submit prior notification at least four hours in advance may result in vessels remaining at sea unnecessarily, with impacts on operating costs and on the safety of the vessels and of the persons on board, especially in adverse weather conditions or when a deterioration of the sea state is forecast. Whereas, furthermore, this obligation may have a significant impact on the personal and family life of fishing professionals, by unnecessarily prolonging the time spent at sea and, consequently, the time spent away from their household.

It is therefore important to ensure that the implementation of electronic fishing logbooks and of the new weighing rules takes into account the specificities of our regions, avoiding the creation of disproportionate administrative, technical or economic burdens and reducing the risk of unjustified penalties for skippers and vessel owners.

We should also stress that vessel owners wish to cooperate in the implementation of the Control Regulation, but are concerned about its applicability, since a poor estimate may give rise to significant infringements for vessel owners and skippers, such as, for example, the loss of points on their skipper's licence or even the loss of their fishing licence, putting their professional activity at risk, with consequent harm to their household finances. It may also result in penalties under their compensation schemes or prevent them from applying for EU support, which is essential for the economic viability of the fisheries sector in the ORs.

The CCRUP further considers that, although the current margin of tolerance of 10%, generally laid down by Article 14 of Regulation (EC) n.º 1224/2009, constitutes a common reference for the control of catches, its application to certain artisanal fisheries in the ORs proves ill-suited to our reality. For example, pole-and-line tuna fishing is normally carried out by a crew of approximately 15 fishers operating simultaneously,

where the catch is stowed in bulk in the vessel's hold and the weight is calculated by estimate - without the use of scales -, which increases the margin of error. The fact that these are species whose weight is highly variable, which are often caught in the same fishery, as is the case of bigeye tuna (*Thunnus obesus*), skipjack tuna (*Katsuwonus pelamis*), yellowfin tuna *(Thunnus albacares*), Atlantic bluefin tuna (*Thunnus thynnus*) and albacore (*Thunnus alalunga*), also means that the calculation of the live weight on board the vessel will very rarely comply with a margin of error of around 10%. In this regard, the volume of catches should be analysed on the basis of real landing data and independent scientific studies, so that any adaptation of the control procedures can be justified by objective criteria and guarantees an adequate level of accuracy in the recording of catches.

The CCRUP considers that the existence of official weighing systems on land, in particular at the fish auctions and at the fishers' guilds, allows the volume caught to be weighed accurately and provides an opportunity to strengthen the traceability of fish, by establishing mechanisms for the validation and cross-checking of the estimates made on board.

Accordingly, the CCRUP makes the following recommendations to the European Commission:

- T**he repeal of the obligation to submit prior notification at least four hours in advance**, given that there are seamounts and fishing grounds located less than that sailing time away;
- **The revision of the margin of tolerance applicable to electronic fishing logbooks to 20% for all vessels of the ORs, for quantities above 100 kg**, ensuring a better fit with our reality and avoiding potential infringements;
- **The use of the landing data obtained at the fish auctions/fishers' guilds as the main reference for the purposes of catch control and validation, instead of the estimate data from the electronic logbooks**, making use of the weighing and traceability systems already in place;
- **The effective application, for the artisanal fleets of the ORs, of the possibility of laying down alternative conditions provided for in Implementing Regulation (EU) n.º 2026/1932**, especially for vessels of less than 12 metres in length and for small quantities landed, provided that a level of accuracy equal to or higher than that laid down by this legislation is guaranteed in the results of the weighing and recording

of catches;

- **The carrying out of independent scientific studies to establish a specific statistical plan for the ORs**, covering the ports authorised for landings, and to determine, by type of fishing, species, fishing gear and vessel characteristics, the real level of variability between the estimates made on board and the weights verified on land, on the basis of objective criteria and so as to guarantee an adequate level of accuracy in the recording of catches.

We recommend that the European Commission and the Member States concerned ensure technical and financial support for the fish auctions and fishers' guilds of the ORs, as well as the establishment of training programmes for the staff responsible for the weighing and recording systems, so as to guarantee the availability of interoperable digital systems, weighing equipment and suitable data transmission platforms that ensure the efficient and secure communication of landing data to the competent authorities, as well as the consistent application of the procedures.

The CCRUP considers that the entry into force of the new Implementing Regulation (EU) n.º 2026/1932 offers an opportunity to develop, in the ORs, control and weighing procedures adapted to the characteristics of artisanal fishing, based on verifiable data, scientifically sound sampling methods and official weighing systems on land. In this context, we advocate that the application of the new rules be proportionate to the particularities of the ORs, in particular to the characteristics of smaller vessels, to the small quantities landed and to fisheries in which catches consist, on a larger scale, of species of highly variable weight.

We believe that these proposals seek to ensure a better balance between rigour in fisheries control and the viability of the sector, taking into account the principles of territorial cohesion and of the adaptation of the rules to the realities of the ORs.

Opinion of *Asociación Tinerfeña de Amigos de la Naturaleza*, *Federación Provincial de Cofradías de Pescadores de Santa Cruz de Tenerife* and Sciaena

Although they broadly agree with the analysis set out in the recommendation, the organisations do not agree with the increase in the margin of tolerance from 10% to 20% (even though that estimate may make the calculation formulas used more representative and effective), since that margin may also be easily exceeded, given the various factors liable to affect compliance with the limits by artisanal fleets.

Opinion of the *Asociación Tinerfeña de Amigos de la Naturaleza* and the *Federación Provincial de Cofradías de Pescadores de Santa Cruz de Tenerife*

The *Asociación Tinerfeña de Amigos de la Naturaleza* and *Federación Provincial de Cofradías de Pescadores de Santa Cruz de Tenerife* consider that the estimates made on board small-scale vessels in the ORs should be eliminated and replaced by a rigorous statistical plan covering all ports authorised for landings. Catch data should be sent directly from the fish auctions or fishers' associations to DG-MARE through dedicated platforms.

Opinion of *Europêche*, *Organisation des Producteurs de Thon Congelé et Surgelé* (ORTHONGEL), *Organización de Productores Asociados de Grandes Atuneros Congeladores* (OPAGAC) and *Unión des Armateurs à la Pêche de France* (UAPF)

Europêche, ORTHONGEL, OPAGAC and UAPF recommend that the European Commission submit a proposal to amend Article 14(3) of Regulation (EU) n.º 2023/2842 so that, while maintaining the obligation to record catches from zero kilograms, deviations of less than 100 kg in the estimated quantities do not constitute an infringement.

These organisations also recommend that the Member States request the adoption of a delegated act amending Annex IV so that estimation errors of less than 100 kg are not classified as serious infringements. They further recommend that the Member States, after receiving the technical justification from the OR fleets, request additional derogations from the European Commission as regards the margin of tolerance.