



Recommendation No. 62

**Illegal, Unreported and Unregulated Fishing
in the Outermost Regions of the European Union**

1. Introduction

Illegal, Unreported and Unregulated (IUU) Fishing violates national, regional and international fisheries standards, threatening marine ecosystems, sustainable fisheries, and putting law-abiding fishers and producers at a disadvantage. Given that the European Union is the world's largest market for seafood¹, it has a responsibility to ensure that IUU products do not enter its market. In order to respond to this problem, the European Union adopted Council Regulation (EC) No. 1005/2008 of 29 September 2008² (IUU Regulation) and, currently, following amendments to the various diplomas on this matter, Regulation (EU) 2023/2842 of the European Parliament and of the Council of 22 November 2023 is in force³, which seeks to combat IUU fishing, through the use of technologies, certification systems, risk criteria, especially in relation to third country vessels under the flag of which illegal fishing activities are carried out, as well as provides for actions against non-cooperative countries.

Considering the work of the CCRUP on "*Illegal, Unreported and Unregulated Fishing in the European Outermost Regions*"⁴, where it sought to provide an overview of the situation of IUU fishing in the Outermost Regions (ORs), namely *Saint-Martin, Guadeloupe, Martinique, Guyane française*, Azores, Madeira, Canary Islands, *Mayotte* and *La Réunion*, with the aim of informing the European Commission (EC) and the concerned Member States (MS) of the opinion of the members regarding the application of EU and national regulations, and of the situation of fishing control and illegal, unreported and unregulated marketing of fishery products in the ORs.

We hereby express our opinion on IUU fishing in the European ORs:

¹ Council of the European Union. (2024, January 11). *Management of EU fish stocks*.

² Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing

³ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy

⁴ Advisory Council for the Outermost Regions. (2024). *Illegal, Unreported and Unregulated Fishing in the European Outermost Regions*.



2. Saint-Martin

While there is little information available, it is known that, in 2019, Order No. 971-2019-08-20-003 regulated recreational sea fishing in *Guadeloupe* and *Saint-Martin*, introducing the obligation to record and transmit data on the catch of certain species, subject to quotas, with all catches from this type of fishing being prohibited for sale⁵.

3. Guadeloupe

In *Guadeloupe*, IUU vessels in the region's EEZ come from Antigua and Barbuda⁶, and Dominica⁷. There are also some issues related to transshipments of undeclared marine products, which have a direct impact on the economy and profitability of companies in the sector, and there is illegally imported fish in large quantities that is sold at prices lower than those practiced by local professionals. Across several years, several illegal operations related to the capture and import of Queen Conch (*Strombus gigas*) were discovered⁸.

In 2019, Order No. 971-2019-08-20-003 regulated recreational sea fishing in *Guadeloupe* and *Saint-Martin*, introducing the obligation to record and transmit data on the catch of species subject to quotas, establishing that catches from this type of fishing are prohibited for sale⁹. Although the marketing of fish caught by recreational fishers is not permitted, it still reaches and destabilises the market, creating unfair competition by substituting quantities and often lowering the price of fish offered by professional fishers.

4. Martinique

In *Martinique*, the Exclusive Economic Zone (EEZ) is limited by its proximity to other islands, and by its small island shelf, leading to the largest tonnage vessels of Martinique fishing on the continental shelf of the French Guyana and having difficulty competing with the Venezuelan fleet. As of 2019, professional fishing was regulated by Order No. R02-2019-04-25-003¹⁰, being subject to special authorization and closed seasons.

Similarly, recreational fishing was regulated by Order No. R02-2019-04-08-004, implementing an obligation to record and transmit data relating to the capture of some

⁵ Direction de la Mer de Guadeloupe. (2019, August 20). *Arrêté portant réglementation de l'exercice de la pêche maritime de loisir en Guadeloupe et à Saint-Martin (No. 971-2019-08-20-003)*.

⁶ Préfecture de la Guadeloupe. (s.d.). *Lutte contre la pêche illégale*.

⁷ Franceinfo La 1ère. (2025, Mars 19). *Saisie "historique" de plus de 400 kg de lambis congelés lors d'un contrôle au Moule*.

⁸ Le Marin. (2012, December 21). *Guadeloupe : importations illégales de lambis et langoustes*.

⁹ Direction de la Mer de Guadeloupe. (2019, August 20). *Arrêté portant réglementation de l'exercice de la pêche maritime de loisir en Guadeloupe et à Saint-Martin (No. 971-2019-08-20-003)*.

¹⁰ Direction de la Mer Martinique. (2019, April 25). *Arrêté n° R02-2019-04-25-003 portant réglementation de la pêche maritime professionnelle en Martinique*



species, with catches from this type of fishing being prohibited for sale¹¹. However, partly due to the deficiencies of Martinique's port and commercial infrastructure¹², it appears that this regulation is not respected, resulting in the sale of this fish directly to local consumers at prices well below market prices.

In 2020, during an inspection by the *Coastal Maritime Affairs Unit*, part of the *Direction de la Mer*, 254 kg of undeclared fish, namely Queen Conch (*Strombus gigas*), were seized¹³. This species is appreciated for local consumption, however, it is known that illegal capture¹⁴ of it occurs for subsistence, handicrafts and decoration. It is important to keep in mind that, in line with the CITES listing, Queen Conch is considered an endangered species, so, for the commercial exploitation, France had to implement specific measures to ensure the protection and restoration of the species¹⁵.

5. French Guyana

In the *French Guyana*, fishing is the third most productive economic sector, but the sustainability of the region's marine resources has been called into question due to illegal fishing practiced by neighbouring countries, namely Guyana, Suriname, Brazil, and Venezuela¹⁶, with the IUU fishing production currently estimated to be much higher than the local one. These malpractices from neighbouring countries have been heavily documented in the field since as far as the early 2000's. The production of these illegal products stemming from illegal fishing activities by neighbouring countries are sold directly to the population and traders in the catering sector.

Regarding recreational fishing, any owner of a vessel registered as recreational has the right to engage in this activity, creating the conditions conducive to the practice of illegal activities, in particular the targeting of Red Acoupa or acoupa weakfish (*Cynoscion acoupa*), whose swim bladder, very popular in Asian markets, is sold at around €160.00/kg directly to illegal traffickers¹⁷.

¹¹ Préfet de la Martinique. (2019, April 8). *Arrêté n° R02-2019-04-08-004 portant réglementation de la pêche maritime de loisir en Martinique*

¹² European Parliament. (2007). *Fisheries in Martinique*.

¹³ Conseil consultatif pour les régions ultrapériphériques. (2024). *Pêche illicite, non déclarée et non réglementée dans les régions ultrapériphériques européennes*.

¹⁴ RCI.FM. (2019, outubro). *877 kg de lambi saisis avant la période légale de pêche*.

¹⁵ Ministère de la Transition Écologique et de la Cohésion des Territoires. (s.d.). *Les espèces protégées*.

¹⁶ Sophie Leforestier, *Estimation de la pêche illégale étrangère en Guyane française*, CRPME Guyane, WWF, Ifremer, République Française (2024).

¹⁷ Idem



6. Azores

In the Azores, there is little control and, consequently, few sanctions applied, due to low supervision, related to the lack of financial and human resources of the public authorities¹⁸. According to the empirical experience of the local stakeholders, recreational vessels that practice illegal fishing represent a significant number, but the total amount is uncertain (due to lack of control), with the main targets of this fishing being pelagic species, crustaceans, cephalopods and molluscs, generating a parallel market to legal professional fishing¹⁹. On some islands of the Azores, the sales of legal fish to the local market becomes difficult, or even almost nil, because there is a great abundance of fish sales from illegal captures by recreational fishing vessels, and there is a greater volume of these sales in places without fishmongers or fish markets.

7. Madeira

In Madeira, missions to combat IUU fishing take place by the entities SIFICAP (System for the Inspection and Control of Fishing Activities). When infractions are found in this context, they are punishable by Decreto-Lei 35/2019 of March 11, with fines between €750.00 and €50,000.00. However, without concrete data on direct sales to the local population, it is assumed that these come from illegal recreational fishing²⁰, carried out by local vessels²¹.

8. Canary Islands

In the *Canary Islands*, there is a service in the Subdirectorate for Fisheries Surveillance and Fight against Illegal Fishing²² that is responsible for verifying catch certificates and other documents required of all vessels, which unload in any of the ports in the region, not authorising the import of products in the event of non-compliance with the applicable conditions. There is no exact data on illegal direct sales of fish to consumers, however, according to the empirical experience of local stakeholders, it is estimated to reach a significant amount²³.

¹⁸ McDowell, J. R., Tickler, D., Letessier, T. B., Mouillot, D., & Costello, M. J. (2022). Revealing global risks of labor abuse and illegal, unreported, and unregulated fishing. *Nature Communications*, 13(1).

¹⁹ Agência para a Modernização Nacional (AMN). (2024, August 24). *Polícia Marítima apreende 64,5kg de mero e arte de pesca na ilha Graciosa nos Açores*.

²⁰ Martínez-Escarriaza, R., Vieira, C., Gouveia, L., Gouveia, N., & Hermida, M. (2020). Characterization and evolution of spearfishing in Madeira archipelago, Eastern Atlantic. *Aquatic Living Resources*, 33(15), 1-12.

²¹ Funchal Notícias. (2019, September 16). *GNR apreende 16 kg de pargo por venda ilegal*.

²² Sous-direction de la surveillance de la pêche et de la lutte contre la pêche illégale.

²³ Jiménez Alvarado, D. (2016). *La pesca recreativa en Canarias: aspectos principales y evolución* [Tese de doutorado, Universidad de Las Palmas de Gran Canaria]. Repositório institucional da Universidad de La Laguna. As examples : Diario de Canarias. (2020, December 3). *Intervenidos 2.000 kilos de pescado en un restaurante de Ingenio sin etiquetado sanitario.*, RTVC. (2024, 6 de março). *Cinco actas de infracciones pesqueras en Tenerife*.



Recreational fishing has a fleet about ten times larger than professional fishing and, in most cases, has more resources than the professional artisanal fleet. We note that recreational fishing has been increasing illegal activities due to the lack of control²⁴. We are not aware of any legislative initiative by the Spanish national authorities to adapt its regulations on recreational fishing to the provisions set out in Article 55 of Regulation (EC) 1224/2009, as modified by Regulation (EU) 2023/2842, to ensure it is ready before its entry into force on 10 January 2026. Since there is no data available on the quantities, species, or sizes of the fish caught, it is impossible to carry out an in-depth study of the actual fishing effort.

Recreational fishing operates mainly as a tourism or subsistence activity. The species most targeted by these vessels are the demersal ones, although pelagic populations are also impacted. Furthermore, the large number of recreational vessels near tuna schools sometimes prevents professional artisanal fishers from carrying out their activities.

Besides this, illegal fishing vessels intercepted in the *Canary Islands* EEZ are vessels that engage in IUU activities in third country waters, which are detected when they intend to use a Spanish port for mechanical repairs, provisioning the vessel or unloading fish²⁵. Generally, the penalties are considerable, and, in some cases, shipowners have abandoned ship in the region's ports. Some restaurants offer illegal fish with legal fish labelling, to defraud the authorities.

9. Mayotte

Concerning Mayotte, vessels from third countries (such as Iran and China) involved in IUU fishing were observed in high seas and/or in waters of third countries close to the EEZ of Mayotte. Empirical data and information found in the local press also refer to IUU fishing by vessels from Madagascar or the Comoros, sometimes with ties to China (for example in the case of sea cucumber poaching) .

Most of the catches originating from IUU fishing would be landed in the Seychelles and Mauritius, bringing no supply to Mayotte. According to the empirical experience of the local stakeholders, the fish from illegal fishing landed in Mayotte is mainly consumed in restaurants and hotels.

In general, there is a lack of inspection in the region due to a lack of local Maritime Affairs staff.

²⁴ Comme exemples : La Provincia. (2024, June 8). *Quince denuncias por pesca ilegal del atún en aguas de Lanzarote*; Canarias7. (2024, 12 de fevereiro). *Identifican numerosas infracciones de pesca y marisqueo recreativo en la costa entre Agaete y Mogán*.

²⁵ The Guardian. (2011, April 19). *Fish worth £4m seized in EU crackdown on illegal fishing*.



10. *La Réunion*

In *La Réunion*, in addition to the surveillance and control of fisheries carried out by the *Centre Régional Opérationnel de Surveillance et de Sauvetage sud océan Indien* (CROSS), *La Réunion*, and other EEZs in the region, benefit from the Regional Fisheries Surveillance Plan (PRSP) implemented by the Indian Ocean Commission (IOC)²⁶, which implies that when a vessel enters the EEZ of the region, it must present the appropriate catch certificates.

There are about 3,000 recreational fishing vessels, a number about 20 times higher than the registered professional fishing. Like professional fishing²⁷, recreational fishing in *La Réunion* is regulated by Order No. 748 of 30 March 2010, which amends Order No. 1743 of 15 July 2008²⁸, with the obligation to record and transmit data relating to the catch of certain species and catches from this type of fishing are prohibited from sale. However, based on the empirical experience of local stakeholders, it is estimated that about 1,000 tons of fish are annually landed from recreational fishing, and illegally traded, harming professional fishers. The species targeted and illegally traded by recreational fishers are mostly pelagic and deep-sea fisheries, with high commercial value. Considering that there is no catch limit for recreational boats, the illegal sale of fish constitutes a disadvantage and unfair competition for professional fishers, due to the high availability of supply to local families, in an already limited local market.

11. Recommendations

A coherent response from Member States related to the EU's Outermost Regions is needed to ensure that IUU fishing is eliminated and not just moved to markets with weaker or no regulatory controls.

In this regard, **the CCRUP and the MAC recommend to the European Commission:**

- The continuation of joint efforts within the European Union to allow for the increased control and eradication of IUU fishing as soon as possible, in line with the "zero-tolerance" approach previously expressed by the European Commission.

²⁶ Commission de l'océan Indien (COI).

²⁷ Direction de la Mer Sud Océan Indien. (2023, January 18). *Arrêté n° 1742 du 15 juillet 2008 réglementant l'exercice de la pêche maritime professionnelle dans les eaux du département de La Réunion (Version consolidée au 18 janvier 2023)*.

²⁸ Direction de la Mer Sud Océan Indien. (2008, July 15). *Arrêté n° 1743 du 15 juillet 2008 portant réglementation de l'exercice de la pêche maritime de loisir dans les eaux du département de La Réunion*.



- Use all the means at its disposal to make the implementation of regulations in the fight against IUU fishing effective in the specific context of the Outermost Regions and, as far as possible, harmonise this implementation.
- Adopt measures to regulate and control recreational fishing in the Outermost Regions.
- Continue the alignment of Regulation (EU) 2017/2403 on the Sustainable Management of External Fishing Fleets (SMEFF) with the IUU Regulation and the Common Fisheries Policy.
- In the context of Council Regulation (EC) No 1005/2008 (IUU Regulation), continue dialogues with third countries involved in IUU fishing practices in the waters of the Outermost Regions and adjacent waters, including Antigua and Barbuda, Brazil, China, Guyana, Iran, Suriname, and Venezuela, and, where appropriate, pre-identify and/or identify as non-cooperating countries²⁹.
- Cooperate with the national authorities of, inter alia, Spain, France and Portugal to better address the risks of IUU fishery products entering the Union market from the neighbouring countries of the Outermost Regions.
- Communicate to importers and other relevant operators in the Union fishery and aquaculture sector the potential risks of IUU fishery products entering the Union market from neighbouring countries in the Outermost Regions.
- Promote the uptake of the upcoming CATCH electronic system by the neighbouring countries of the Outermost Regions, for the issuance of catch certificates in digital format.

Member States are responsible for monitoring their fishing and related activities and must ensure that operators comply with national legislation at each stage of production and marketing, and the European Commission is responsible for verifying how Member States fulfil their responsibilities. The Member States are also responsible for monitoring compliance with the common rules on products placed on the Union market, including marketing and consumer information.

²⁹ European Commission. (n.d.). *EU rules to combat IUU fishing*. Oceans and Fisheries.



Accordingly, **the CCRUP and the MAC recommend to the Member States (Portugal, Spain, France):**

- In the regions where there seems to be limited data available (e.g., Azores, La Réunion, Madeira, Saint-Martin), undertake surveys to estimate the amount of IUU fishing practices, including both commercial and recreational fishing vessels, to better understand the situation of these resources in the Ors, and share the results of these surveys through the Mutual Assistance System established by the IUU Regulation³⁰.
- Proceed with the necessary adaptations into national legislation of the EU rules on recreational fishing, in particular the provisions set out Article 55 of Regulation (EC) 1224/2009, as modified by Regulation (EU) 2023/2842, so that they can be applied immediately as soon as these provisions enter into force, thus avoiding any kind of delay.
- Continuing to provide the necessary means and demonstrate political will to ensure the full implementation of relevant legislation, including through effective implementation of fisheries control in their waters, particularly recreational fisheries, import controls, and compliance with marketing and consumer information rules.
- Where relevant, strengthen the means of control, for example by strengthening the capacity and financial resources of local fisheries control officers.
- Continue cooperation with the European Fisheries Control Agency (EFCA) for the proper control of fishing operations in the waters of the Outermost Regions and adjacent waters.
- Initiate inspection and control measures in the local markets of the Outermost Regions, including in restaurants and other points of sale, to ensure the legality of the fishery products offered, as well as compliance with marketing and consumer information rules.
- Pay particular attention to the verification and inspection of catch certificates and shipments from countries neighbouring the Outermost Regions, including the due refusal of IUU products to enter the Union market.

³⁰ In particular, in line with Article 49(1) of Commission Regulation (EC) No 1010/2009.