



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

THE DIRECTOR-GENERAL

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Mr. Ivan Lopez van der Veen
Chairman
Long Distance Advisory Council
C/del Doctor Fleming 7, 2º derecha
28036 Madrid
SPAIN

Subject: Improving implementation of the EU Regulation to fight against illegal, unreported and unregulated (IUU) fishing

Your ref.: R-08-16/WG5

Dear Mr. Lopez,

Thank you for the LDAC opinion on improving the implementation of the EU Regulation to fight against Illegal, Unreported and Unregulated (IUU) fishing, received on 25 November 2016.

I welcome the specific LDAC recommendations listed in the above opinion. As you mention, the Commission, in its Communication on the application of Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, has acknowledged that there are certain aspects of the Regulation where there is a need to continue working on its implementation in order to improve, harmonise and modernise the application of the Regulation.

The IUU Regulation already facilitates cooperation between Member States to address IUU fishing activities. For instance, the system of Mutual Assistance under the IUU Regulation allows the Commission and the Member States to alert each other on suspected transactions of IUU fishery products, refused consignments or other relevant information. This cooperation is already well-established and functioning and will surely be further intensified in the future.

Referring to the LDAC recommendations 1 - 3, I would like to inform you that the Commission has set up a concrete project to develop an IT system and a database to support Member States in the implementation of the catch documentation scheme. We

are currently visiting Member States in order to prepare the future implementation of this IT project in view of the finalisation of business requirements for the planned system which will be developed under the TRACES platform of DG SANTE. It will allow more effective, efficient and harmonised controls, based on risk management and will reduce opportunities for fraudulent imports of fishery products.

We have also started discussions with Member States on the implementation issues of the IUU Regulation, aiming to ensure a uniform implementation of the catch certification scheme and the IUU Regulation, as well as guarantee that processes and procedures are in place to allow a smooth transition to an electronic data transmission with the IT system. Member States biennial compliance reports foreseen under the Regulation, will be addressed and further used to assess the state of play of implementation and improvements towards uniform and harmonised application of the IUU Regulation and its catch certification scheme.

The European Fisheries Control Agency (EFCA) has already developed guidance for Member States such as the Common Methodology for IUU catch certificates verification and cross-checks. With regard to the risk analysis, Article 31 of Commission Regulation (EC) 1010/2009 already lays down Community criteria for risk assessment, which should be applied by all Member States. Furthermore, DG MARE is cooperating with EFCA on its work on a Common Methodology to Facilitate the Implementation of an IUU Risk Management Approach by Member States Authorities. This exercise should allow Member States to ensure a common understanding and implementation of common risk parameters, also in the context of the future IT system.

The current legal framework does not establish minimum import verification percentages for the import of fishery products or catch certificates. Member States may of course introduce such benchmarks at national level upon their risk assessment.

As for the available MCS tools, on 1 July 2016, the EFCA has launched a pilot project: "Modernising fisheries controls and optimizing vessel monitoring through the use of innovative European systems: Worldwide MARSURV Service for the purpose of IUU catch-certificate verification". The purpose of this pilot project is to enable Member States to perform worldwide, real-time and historical vessel tracking, support their authorities in their verification of catch certificates by providing them access to integrated and correlated information about EU and third country vessels and contribute to combating IUU fishing.

Member States biennial compliance reports foreseen under the Regulation will be further used to assess expected improvements in terms of more uniform implementation of the IUU Regulation and its catch certification scheme.

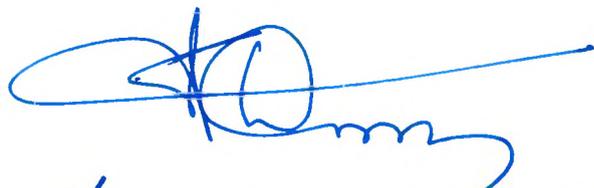
With regard to your recommendation no. 4, the actions for the pre-identification and identification of third countries are established in Commission Decisions published in the Official Journal. These Decisions specify the deficiencies of third countries in complying with international obligations to fight against IUU fishing. Stakeholders have therefore an access to a large amount of information published by the Commission on third countries under the IUU dialogue. At the same time, the Commission is working with third countries in the spirit of trust and confidentiality. This includes following all the necessary checks and balances that prevents public disclosure of documents that may contain personal or sensitive information, submitted by third countries in the context of the IUU dialogue.

Third countries are lifted from the pre-identification status or removed from the list of non-cooperating third countries if they have demonstrated that the situation which warranted their identification or listing has been rectified. A removal decision takes into consideration whether the third country concerned has taken concrete measures capable of achieving a lasting improvement of the situation, in terms of both - structural reforms and implementation.

Finally, I would like to emphasise the importance of the LDAC input into DG MARE work in the area of IUU. We aim to ensure regular dialogue by participating in the LDAC meetings.

Thank you again for your constructive input. If you have any questions on this reply, you may contact Ms. Evangelia Georgitsi (evangelia.georgitsi@ec.europa.eu; +32.2.295.04.43) or Ms. Ramune Genzbigelyte-Venturi (ramune.genzbigelyte-venturi@ec.europa.eu; +32 2 29 85043).

Yours sincerely,



for João AGUIAR MACHADO *absent*
S. DEPYDERE