

出國報告（出國類別：其他）

出席歐盟於越南胡志明市舉辦之「打擊  
非法、未報告、不受管制（IUU）漁撈  
法規」區域性研討會

服務機關：行政院農委會漁業署

姓名職稱：吳副組長信長 吳技正明峰

派赴國家：越南

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報告日期：中華民國 98 年 8 月 14 日



## 摘 要

- 一、歐盟於去(2008)年9月通過「打擊非法、未報告、不受管制(Illegal, Unreported and Unregulated; IUU)漁撈法規」,該法規將於明(2010)年1月1日生效,其中包括輸入歐盟水產品(淡水漁產品、取自幼生或仔稚魚之水產養殖產品、部分貝類等除外)將全面實施需檢附歐盟漁獲認證文件(catch certificate),以證明該批水產品非屬IUU漁獲。
- 二、歐盟來函邀請我方參加本(2009)5月14日及15日在越南胡志明市舉行該屆該法規相關資訊之區域性研討會,本署由遠洋漁業組吳副組長信長率團參加,會中歐方發表「IUU漁撈簡介」、「打擊IUU漁撈法規之貿易觀點」及歐盟「打擊IUU漁撈法規」等多篇簡報,並就歐盟「打擊IUU漁撈法規」相關內容進行詢答。

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## 本文

### 壹、目的

歐盟於去（2008）年 9 月通過「防止、遏止及消除非法、未報告及不受管制（IUU）漁撈行為法規」（以下簡稱「打擊 IUU 漁撈法規」），期透過該法規之「漁獲認證計畫（catch certification scheme）」等多項措施，與第三國（third country，即歐盟會員國以外之國家）合作，共同打擊 IUU 漁撈行為，該法規將於明（2010）年 1 月 1 日正式生效。

該法規核心重點為漁獲認證計畫，規定除了淡水漁產品、由卵或魚苗生產之水產養殖產品、觀賞魚、活體牡蠣、海扇類、貽貝、蝸牛及調製軟體動物外，任何加工或非加工之漁產品輸歐時均需檢附歐盟漁獲證明文件（即該法規附件二），又該歐盟證明文件又得以區域性漁業組織所通過之漁獲文件代替。

由於台灣特殊政治地位，目前無法成為「印度洋鮪魚委員會（IOTC）」會員或合作非會員，因此我漁船無法取得 IOTC 漁船編號，目前依據 IOTC 決議案，所核發之漁獲統計文件，並無 IOTC 漁船編號，恐有未符合歐盟「打擊 IUU 漁撈法規」之疑慮，宜就此節洽歐方謀求解決之道。

歐盟海事暨漁業總署（DG MARE）署長 Fokion Fotiadis 本年 3 月致函我方表示歐盟於 2009 年 5 月 14 日及 15 日在越南胡志明市舉辦「歐盟打擊 IUU 法規」區域性研討會，提供相關國家或捕魚實體有關之訓練及資訊，請我方派員與會，為進一步瞭解「歐盟打擊 IUU 法規」相關內容，並藉與會機會，詢問歐方於歐盟「打擊 IUU 漁撈法規」生效後，是否仍可接受我國所核發 IOTC 公約水域作業漁船之漁獲認證文件，所捕漁獲物仍可憑我主管機關核發之文件輸歐，爰本署指派遠洋漁業組吳副組長信長率團參加。

## 貳、過程

- 一、歐盟為提供相關國家或捕魚實體有關之訓練及資訊，於本（2009）年 3 月起將一連辦理 4 場介紹該法規之區域性研討會，前 2 場已於本年 3 月在南非約翰尼斯堡及哥倫比亞波哥大舉行，歐方邀請我國參與本年 5 月 14 日及 15 日在越南胡志明市舉行之第 3 場區域性研討會，我團由職率本署吳明峰技正、中華民國對外漁業合作發展協會傅家驥秘書及執行本署「歐盟登錄遠洋漁船衛生評鑑及教育計畫」，且熟稔歐盟衛生法規之暉凱國技科技股份有限公司黃乃芸博士等 4 人參加。
- 二、本次研討會參與國家及捕魚實體共有 21 個，包括中國大陸、日本、韓國、蒙古、菲律賓、越南、孟加拉、泰國、緬甸、馬來西亞、印尼、新加坡、汶萊、東帝汶、印度、斯里蘭卡、巴基斯坦、馬爾地夫、柬埔寨、歐盟及我國等，另有 SEAFDEC 等觀察員與會，我團座位安排與其他國家並無差異，名稱為「中華台北（Chinese Taipei）」。研討會主辦單位歐盟執委會之出席人員則包括海事暨漁業總署（DR MARE）國際事務與市場處處長 Mr. Pierre Amilhat、政策制度與協調處 Mr. Jean Pierre Vergine（主講）、Ms. Sofie Bodin、Ms. Petra Spaniol 及貿易總署（DG TRADE）Ms. Miriam Garcia Ferrer 等。謹將 14 日及 15 日會議過程要述如次：

### （一）開幕及「IUU 漁撈簡介」演說：

本次研討會於 14 日下午 2 時 45 分開幕，歐盟 DR MARE A 處長首先代表歐方歡迎各國與會，並感謝越南政府對歐方在越國召開本次研討會之相關協助。A 處長接著就 IUU 漁撈議題進行演說，說明歐盟執委會在 2008 年 6 月起即透過各種場合，提供歐盟「打擊 IUU 漁撈法規」草案及其在歐盟理事會後續發展的資訊，並表示 IUU 漁撈是對水產生物資源永續開發最嚴重的威脅之一，對海洋環境及海洋生物多樣性亦造成很大的傷害。據統計全世界 IUU 漁撈作業的總產值年約 100 億歐元，IUU 漁撈已成為世界第二大的漁產品生產者，歐盟擁有世界上最大的漁撈船隊之一，且為世

世界上最大的漁產品進口國，自應對打擊 IUU 漁撈扮演更積極的角色，因此歐盟執委會 2008 年 9 月通過「打擊 IUU 漁撈法規」，並透過該法規之「漁獲認證計畫 (catch certification scheme)」與第三國合作，共同打擊 IUU 漁撈。

(二)「打擊 IUU 漁撈法規之貿易觀點」簡報：

DG TRADE F 女士說明該法規在貿易上之作為，係禁止未附漁獲認證文件、IUU 漁船所捕及不合作第三國之漁產品輸入歐盟，並說明該法規立法目的在於保育漁業資源，且不歧視地要求歐方及第三國都需遵守有關規定，該法規於本年 2 月 10 日通報 WTO 後，至今沒有任何國家提出意見。

(三) 歐盟「打擊 IUU 漁撈法規」簡報：

1. 歐盟制定「打擊 IUU 漁撈法規」之緣由及預期效應：

(1) 鑑於 IUU 漁撈嚴重傷害漁業資源及環境，在社會經濟層面上亦產生極大衝擊，因此歐盟在 FAO 於 2001 年通過打擊 IUU 漁撈國際行動方案後，於 2002 年即通過歐盟打擊 IUU 行動方案，繼於 2008 年 9 月通過「打擊 IUU 漁撈法規」。

(2) 該法規執行後，預期可改善漁業之管理、改善過漁情形、建立公平之漁產品貿易機制、增加政府稅收、提供漁產品加工廠穩定之魚貨來源等。

2. 「打擊 IUU 漁撈法規」適用範圍：該法規適用於與歐盟進行進、出口貿易之歐盟或非歐盟漁船在海洋捕撈之加工或非加工漁產品（淡水漁產品、取自幼生或仔稚魚之水產養殖產品、部分貝類等除外）。

3. 對漁船之相關規範及港口檢查：

(1) 除施行細則（尚未公布）規定之特殊情況外，第三國漁船進入歐盟會員國港口三天前均需通報。

(2) 在 EU 水域歐盟船舶與第三國船舶僅限於歐盟會員國指定之港口轉載，且接收漁獲物之船舶需登錄於 RFMOs 之運搬船名單。

(3) 歐盟會員國需對進港轉載或卸魚之船舶，執行至少 5% 之檢查，惟對於未事先申報、未持有漁獲認證文件或被目擊涉及 IUU 行為等情形之船隻，則均需執行檢查。

4. 漁獲認證計畫：

- (1) 與歐盟貿易之海洋捕撈漁產品均需附漁獲認證文件。
- (2) 漁獲認證計畫將有助於船旗國監控所屬漁船作業及追蹤漁產品流向。
- (3) 歐方將考量小型漁業得免適用該法規漁獲認證計畫，並於施行細則公告小型漁業之定義。
- (4) 船旗國應指定一公家機構覈實漁獲認證文件，並向歐方通報覈實該文件之機構名稱等資料。
- (5) 經非屬船旗國之第三國加工輸往歐方之漁產品，需檢附由該第三國覈實之加工認證文件。

5. 歐盟警示系統、建立歐盟 IUU 漁船名單及不合作第三國名單：

- (1) 歐盟會員國發現漁船或漁產品有違反歐盟或 RFMOs 之保育管理措施時，可啟動一緊急通報程序，要求有關之第三國採取適當措施。
  - (2) 當歐盟會員國發現一漁船從事 IUU 漁撈行為時，可依該法規之認定程序，列入歐盟 IUU 漁船名單，另 RFMOs 所通過之 IUU 漁船名單，亦應被列入歐盟 IUU 漁船名單。
  - (3) 當歐盟認定一第三國有對抗 IUU 漁撈不合作之情形時，可依該法規之認定程序，列入歐盟不合作第三國名單，遭列入不合作第三國之國家，將被禁止與歐盟進行任何漁產品貿易。
- (四) 各國對於歐盟打擊 IUU 漁撈法規之主要詢答歸納整理如下：

1. 日本詢問法屬玻里尼西亞等歐盟會員國海外領地是否亦適用該法規？

答：歐盟會員國之海外領地亦適用該法規，惟該等領地並不被視為歐盟會員國，而是以第三國之待遇來處理。

2. 泰國詢問根據歐盟 IUU 法規，歐盟會員國每年將檢查至少 5%



之第三國漁船卸載或轉載作業，與會國家關切歐盟是否有能力進行，並詢問是否有檢查程序可供參考？

答：歐盟將根據風險分析進行檢查，檢查程序則如歐盟法規第 10 條規範之內容。

- 3．日本、泰國、南韓及中國表示由於歐盟 IUU 法規之施行細則遲未公佈，相當關切歐盟何時將公佈該細則及手冊，並詢問歐盟可否先提供草案供各國提供意見，另外也要求歐盟應考量各國之狀況而延後執行 IUU 法規或提供過渡安排。

答：IUU 法規於 2008 年 9 月通過後已在許多場合通知與歐盟有外交及貿易關係之國家，儘管已有許多國家透過各種管道遊說歐盟延緩執行 IUU 法規，惟歐盟已多次明白表示不會考慮延緩該法規之執行。至於各國有意提供意見供歐盟制訂施行細則及手冊乙節，歐盟表示不會公佈未獲通過之施行細則及手冊草案，惟同意施行細則公布後立即通知各國並公佈於歐盟官方網站，之後將根據各國之建議進行修正調整。

- 4．日本、中國及菲律賓詢問有關歐盟 IUU 法規適用何種水產品的問題？

答：歐盟表示除 IUU 法規附件 1 所列水產品不受該法規規範外，綜合關稅名稱第 3 章第 1604 及 1605 號標題所列之產品皆適用，如魷魚及章魚皆需受到 IUU 法規之規範。至於 IUU 法規應僅實施於鮪魚等資源已有問題魚種之建議，歐盟表示無法確定那種魚種受到 IUU 漁業活動的影響，IUU 法規除打擊 IUU 漁業活動外，亦希能預防 IUU 漁業活動可能的影響。

- 5．泰國詢問歐盟是否通報 WTO 其 IUU 法規之內容，WTO 會員是否有任何回應？

答：歐盟表示已於 2009 年 2 月通報 WTO，目前尚無會員提供回應。韓國特別表示該法規施行細則公布後或將在 WTO 提不同意見。

- 6．菲律賓詢問圍網漁船之聯合作業行動是否被視為轉載？

答：歐盟表示該等聯合作業並不視為漁船進行轉載。

- 7 · 南韓表示預期 IUU 法規生效後將產生許多貿易問題，除歐盟海事及漁業總署外，歐盟各會員國是否會提供其權責單位之聯絡資訊以利處理？

答：歐盟表示各會員國權責單位之聯絡資訊亦將一併公佈在網站及歐盟公報。

- 8 · 孟加拉、印尼及巴基斯坦提出之有關第三國要求協助問題  
孟加拉表示該國與鄰國有海域重疊的問題，在填報海域恐有爭議，另該國先前為通過歐盟衛生法規之要求，已耗費大量資源，恐無力執行本法規，因此亟需歐盟協助，

答：歐盟表示需要協助之國家，請向歐盟說明其困境及所需協助內容，俾歐盟提供協助。

- 9 · 印尼及韓國詢問歐盟 IUU 法規中小船的定義及規定為何？

答：目前歐盟海事及漁業總署所提案之小船定義為：1.攜帶不利用機器操作漁具之小船，其漁船長度須在 12 公尺以下或總噸位在 20 噸以下或沒有上層結構(superstructure)；2.攜帶利用機器操作漁具之小船則其漁船長度需在 8 公尺以下。無論那類型的小船，其漁獲皆不得在其他國家卸載，且漁獲應佔同一托運貨品之一部分，符合前述規定之小船不需填寫歐盟 IUU 法規附件 2 之漁獲認證文件，而是填寫簡化的漁獲認證文件，惟該小船定義及簡化版漁獲認證文件尚待歐盟作最後確認，並公佈於施行細則之內。

- 10 · 新加坡詢問有關養殖及捕撈水產品以及淡水及海水水產品可能的爭議由於利用苗或卵取得之養殖水產品不受 IUU 法規規範，許多國家擔憂海水養殖水產品和捕撈水產品產生混淆或是遭歐盟要求提供漁獲認證文件，另部分水產品可能在淡水及海水中捕獲，而淡水水產品又不受 IUU 法規規範，因此尋求歐盟之解決方案。

答：歐盟表示，請各國針對前述養殖及捕撈、淡水及海水可能產

生混淆的水產品提供給歐盟供日後參考。

1 1 · 日本、泰國及南韓等詢問漁獲認證文件填報之相關問題

答：歐盟表示歐盟 IUU 法規附件 2 之漁獲認證文件，如有許多漁獲在同一個托運貨品中，同一艘漁船可用同一張漁獲認證文件。另第二至五部分（船舶、產品及適用措施的細節），除第三部分中的「核對卸載之重量」應由權責單位經檢查後填寫外（若在海外則無須填寫），其餘皆應由漁船船長填寫。有關第五部分船長簽名或用印部分，如無法取得船長之簽章則可由所屬公司或代表簽章代替。

有關同一國家之加工廠僅使用該國漁船捕撈之水產品作為原料並加工出口至歐盟時，該加工廠無須填寫歐盟 IUU 法規附件 4 之加工認證文件，若有使用第三國之原料則需檢附漁獲認證文件及加工認證文件。

另我方於會後特向歐方表示由於我國對於漁獲及加工品之權責機關分屬漁政及檢驗單位，當我國所捕漁獲物於國內加工出口至歐盟時，由漁政部門或檢驗單位來覈實附件 2 之漁獲認證文件均有實務上之困難，建議歐盟在此類狀況下可接受我方同時檢附漁獲認證文件及加工認證文件，惟歐盟表示該加工認證文件係加工廠使用第三國之原料時始需填報，使用同一國家漁船之漁獲則無須檢附加工認證文件，我國所提問題屬國內問題，應由我國內部進行處理。針對此一問題，將另案邀集經濟部標準檢驗局等單位進行協商，研擬解決之道。

1 2 · 泰國及南韓質疑歐盟採取制裁行動指認不合作第三國之國際法律根據等問題

答：根據海洋法公約，港口國、市場國及捕撈國應合作打擊 IUU 漁業活動，各國亦有義務管控其漁船。歐盟 IUU 法規並非通過新管理措施，許多相關內容係引自 RFMOs 所採用之措施。不合作國家的指認通常會經過多次諮商，不會貿然進行指認。另不合作第三國漁船之漁獲不得銷往歐盟，其他第三國

之漁獲若經不合作第三國之港口進行轉運，儘管歐盟 IUU 法規並無明文禁止，惟歐盟表示進出口商將需自行負擔該等漁獲恐有無法進入歐盟市場之風險。

### 1 3 · 其他問題

除前述問題外，我國關切歐盟於 IUU 法規生效後，是否仍可接受我國所核發在 IOTC 公約水域作業漁船之漁獲認證文件，歐盟海事暨漁業總署政策制度與協調處政策官 Jean Pierre Vergine 私下表示，我國現行作法並未產生問題，亦無其他國家表示異議，因此歐盟 IUU 法規生效後，現行做法仍將有效。

四、本次與會期間菲律賓漁業及水生資源局副局長 Benjamin Tabios 向我表示，該國將於明年 1 月起實施漁船進入菲國港口應於 3 天前通報之規定，另已通知我國駐馬尼拉代表處該國自本年 7 月將實施 VMS 措施，日後外國漁船航經菲國水域時，特別是赴 Davao 之我國漁船將被要求提供 VMS 船位資訊予該國。

### 參、心得與建議

- 一、 因應歐盟「打擊 IUU 漁撈法規」將於明年 1 月 1 日起正式生效，屆時我任何加工或非加工之漁產品輸銷歐盟時，均需依該法規規定檢附漁獲認證文件，我方應儘早完成國內規定之法制作業，並依歐盟「打擊 IUU 漁撈法規」規定，向歐方提送我簽核漁獲證明文件機關之有關資料。
- 二、 我應密切注意歐盟「打擊 IUU 漁撈法規」施行細則之公告進展，俾及早就該細則有關內容妥為因應。
- 三、 我方核發歐盟漁獲認證文件之國內法規制定完成後，應儘速向國內相關業者宣導，俾利產業界調整因應。

#### 肆、附件

附件一：本次研討會報告及出席人員名單。

附件二：歐盟「打擊 IUU 漁撈法規」簡報。

## OUTCOME OF SEMINAR IN VIETNAM 14-15 MAY 2009

DG Maritime Affairs and Fisheries (DG MARE) will carry out a series of regional seminars to ensure an efficient implementation of the EC Regulation to prevent, deter and eliminate IUU fishing in developing countries. The third seminar took place in Ho Chi Minh City, Vietnam on 14-15 May 2009 for the benefit of 21 Asian countries. The seminar was opened by Mr Pierre Amilhat, Director of International Affairs and Markets in DG MARE.

Below is a summary of all technical questions raised with the answers given by the Commission. This report and the information material provided, in the seminar (including the PowerPoint presentations) are available on the website of DG MARE.

Link:

[http://ec.europa.eu/fisheries/cfp/external\\_relations/illegal\\_fishing\\_en.htm](http://ec.europa.eu/fisheries/cfp/external_relations/illegal_fishing_en.htm)

From the European Commission the following officials participated:

Mr Pierre Amilhat, Director International Affairs and Markets, DG MARE

Mr Jean Pierre Vergine, DG MARE

Ms Sofie Bodin, DG MARE

Ms Petra Spaniol, DG MARE

Ms Isabelle Guiraud-Micallef, DG MARE

Ms Miriam Garcia Ferrer, DG TRADE

Mr Antonio Berenguer, EC Delegation in Vietnam

Mr Benedict Madl, EC Delegation in the Philippines

## QUESTIONS & ANSWERS

### **1. SCOPE**

#### **1.1 Does Overseas Territories (New Caledonia, French Polynesia) have a specific status under the IUU Regulation?**

Overseas Territories are not part of the territory of the European Community (EC) and therefore count as third countries under the IUU Regulation. To avoid any possible confusion, it was recalled that the French Overseas departments (Reunion, Martinique, Guadeloupe, Guyana and Mayotte) are part of the territory of the European Community. Overseas Territories must therefore implement the IUU Regulation like any other third country if order that their products caught in compliance with the relevant conservation and management rules may be traded, directly or indirectly, with the EC.

**1.2 What is meant with the Combined Nomenclature as stated in the definition of fishery product in Article 2(8)?**

The Combined Nomenclature is an 8 digit code which is based on the 6-digit code of the Harmonised System of designation and coding of commodities (HS) of the World Customs Organisation, which is currently implemented by approximately 170 countries.

**1.3 Can transshipment and joint fishing operations be regarded as the same thing?**

Transshipment and joint fishing operations are both defined in Article 2 of the Regulation and can therefore not have the same meaning.

**1.4 Are container vessels included in the scope of the definition of fishing vessels in Article 2(5)?**

No, container vessels fall outside the scope of fishing vessels and will therefore not have to give prior notification as indicated in Article 6. However, all fishery products must be accompanied by a catch certificate regardless of the mode of transportation to the EC.

**1.5 What is meant by a "consignment"?**

"Consignment" is defined in Article 2(23) and refers to products either shipped simultaneously from one exporter to one consignee, or covered by a single transport document covering their shipment from the exporter to the consignee, irrespective of on the size, which could range from a single box up to several containers.

**1.6 Will catches from 2009 be covered in the scope of the Regulation?**

No, the scope of the IUU Regulation will only cover marine catches made from 1 January 2010. This effectively means that some consignments will enter the EC in 2010 without a catch certificate since the products was caught in 2009. The EC is aware of the fact that raw materials used to process products, and the processed products themselves may be kept in storage for months before being traded to the EC.

**1.7 How can aquaculture and marine products be distinguished (in particular if they are the same specie)?**

The Commission have a list of the most important products stemming from aquaculture and will inform the customs authorities in EC Member States accordingly, to allow them to target their verifications. Third countries are however invited to communicate information on relevant species subject to aquaculture in order to assist the verifications.



## **2. FISHING VESSELS AND INSPECTION**

### **2.1 Is a 5% bench mark for inspection in the EC a sufficient amount considering the extensive trade of fishery products?**

Inspection in Member States will be focused towards risk analysis and 5% represents the minimum percent of inspection that has to be carried out. In reality, the inspection rate may be much higher if the Member State authority considers, on a case by case basis, that there is a sufficient risk of IUU activities and thus a reason to inspect.

It is up to each Member State to organise its inspection programme and ensure a smooth functioning of inspection activities.

### **2.2 Will a prior notification of 3 working days in Article 6 apply to all situations?**

No, the implementing rules will provide shorter deadlines for fresh products and fishery products transported by other means than vessels.

These provisions are without prejudice to existing deadlines as agreed by the Community with third countries as laid down in Article 6(4).

### **2.3 When will the authorities authorise entry after a prior notification to enter an EC port be communicated?**

Provisions on authorisation is laid down in Article 7 and confer that a third country fishing vessel will be granted entry to an EC port if the information set out in Article 6 on prior notification is completed, and if the products are accompanied by a validated catch certificate.

### **2.4 What are the obligations of the coastal State with regard to port inspection of fishing vessels (under another flag) landing in its ports?**

There are no specific obligations for coastal States under the IUU Regulation. However, if a verification in a Member State detects that a foreign vessel carrying out fishing activities in the EEZ of another country did not comply with the applicable conservation and management measures of that country, information on these activities will be transmitted to both the flag and the coastal State.

## **3. THE CATCH CERTIFICATION SCHEME**

### **3.1 Must there be one separate catch certificate for each species?**

A catch certificate should be requested from the exporter on a consignment basis, meaning that if more species are included in one consignment, one catch certificate should be used for the different/several species.

**3.2 Does the whole catch need to be noted in the catch certificate, even if only part of it is exported to the EC?**

The catch certificate only refers to the part of the catch which is to be exported to the EC.

**3.3 Annex II**

**(i) Will the EC accept catch certificates where there are discrepancies between the "estimated" and the "verified" weight to be landed in Annex II?**

It will be up to the flag State to decide if they accept a certain discrepancy in the estimated and verified weights indicated in the catch certificate.

**(ii) What is meant by a "seal" in section 5 of Annex II and can it be communicated by electronic means?**

The seal will identify the person signing the catch certificate (i.e. the master or his representative) and can be sent by electronic means.

**(iii) Can a country extend the boxes in Annex II on the "species" and "product code", or can the exporter in the flag State attach an additional annex to the catch certificate containing this information?**

The lay out of the catch certificate is not set in stone and it is up to the third country to decide if additional annexes of extension of boxes in the catch certificate is necessary, as long as the required information is included. Thus, the format of the certificate may be designed according to national needs.

**(iv) Who should complete information on transshipment in section 7 of Annex II?**

The competent authority, in accordance to the national organisation in that country.

**3.4 How can the master sign a catch certificate if he is on the high seas?**

A representative of the master can either request the validation of the catch certificate or the communication can be carried out by electronic means.

**3.5 Can the reference number of the health certificate be used as document number?**

No, as they are separate documents, established to serve different purposes. It is up to each country to decide upon the structure of document numbers but the Commission suggest using a common structure to design the document number which be found in section 8.2(a) in the "technical note" which has been distributed to all third countries and during the seminar.

**3.6 Can the catch certificate be communicated by electronic means?**

Yes, the catch certificate may be distributed by electronic means (between the exporter and the importer) as laid down in Article 12(4) of the Regulation.

### **3.7 Annex IV**

#### **(i) must Annex IV be completed if the flag State is the same as the processing State?**

No, Annex IV must only be completed for processing of imported catches.

Processing of catches from the same country will be declared in Annex II by using both the boxes "species" and "product code".

#### **(ii) What if products from one flag State are processed in two different countries?**

In that case the authority in each country of processing must endorse a statement. This means that a consignment will include two separate statements, provided in Annex IV and be accompanied by the catch certificate(s) when reaching the EC.

#### **(iii) How can a processing plant complete Annex IV if he processes products from several species, as is the case for surimi?**

In this case, all species used have to be mentioned in the statement in Annex IV.

#### **(iv) Can the competent authority endorsing the statement in Annex IV be the same as the one issuing the health certificate?**

It depends on national organisation but it must be the competent authority responsible for the monitoring of imported raw materials for processing and re-exportation.

### **3.8 Is freezing of products was regarded as processing?**

Freezing is not regarded as processing, but rather preservation. For freezing of products Article 14(1)(b) applies.

### **3.9 What happens if a consignment is divided after importation and sold to different processors?**

In that case the importer must provide copies of the original catch certificate to his buyers with additional information on the respective quantities sold as laid down in Article 14(1)(b).

### **3.10 How should national administrative systems be structured for the purpose of validation of catch certificates?**

The validation of catch certificates shall be organised in accordance to national law. The domestic control system should also be used for the collection and verification of the necessary information if necessary.

### **3.11 How were the criteria for catches obtained by small vessels designed and do they meet the needs and specific situations of all third countries?**

The profile of small scale fisheries varies from one country to another. In the absence of an international definition of small scale fisheries the Commission introduced criteria in its implementing rules to accommodate this type of fishery. The criteria are based on discussions

with several countries and focus both on the capacity of the fishing vessels, its length and on the fact that one export consignment is formed from products supplied by several vessels meeting these criteria.

#### **4. IUU VESSEL LIST AND LIST OF NON-COOPERATING COUNTRIES**

##### **4.1 What are the concrete responsibilities under international law under Chapter VI (non-cooperating third countries)?**

In their capacity of flag states, countries are responsible for the control of the vessels flying their flag. Whilst countries may decide not to adopt and implement conservation and management measures, they may not prevent countries committed to implement those measures to abide with their obligations in that regard..

#### **5. COOPERATION**

##### **5.1 Will all third countries implement the certification scheme by 2010?**

All countries are welcome to implement the IUU Regulation. However, they can not be forced to do so.

Information on the IUU Regulation has been made available for all third countries. This means that all countries will have the opportunity to implement the Regulation if they so wish, including operators and industry.

##### **5.2 The implementation of the IUU Regulation may cause major administrative costs for a third country. Could the Commission provide capacity building for this purpose?**

The Commission is committed to assist third countries in the implementation of the IUU Regulation. The meetings with third countries and the regional seminars aim at assisting third countries for that purpose.

Specific needs regarding the implementation of the Regulation have to be communicated in writing to the Commission which will evaluate each request. Capacity building may be provided in more general terms under instruments pertaining to development policy.

#### **6. OTHERS**

##### **6.1 When will the Implementing Rules and the Handbook be available?**

The Implementing rules will be adopted shortly and will be published as planned in the mid of 2009. The Handbook will be published at the same time as the implementing rules.

**LIST OF PARTICIPANTS - IUU SEMINAR IN VIETNAM**  
*updated list*

**Brunei Darussalam**

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**Bangladesh**

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Mr Sierajul Islam, Ministry of shipping

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Ms. Zhu Yaping, Market and Processing Division, Bureau of Fisheries

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Mr. Ming- Fen Wu, Fisheries Agency

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**East Timor:**

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Mr. Lourenço dos Reis Amaral, Director of Fisheries Inspection

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Mr. Saut P. Hutagalung, Director of Foreign Market Development, Directorate General Fisheries Product Processing and Marketing  
Mr. Nazori Djazuli, Director of Standardization and Accreditation, Directorate General Fisheries Product Processing and Marketing  
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Mrs. Passarapa Kaewnern, Food Technologist, Dept of Fisheries  
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**European Commission, Brussels**

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Ms Miriam Garcia Ferrer, DG TRADE

**EC Delegation**

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# THE FIGHT AGAINST ILLEGAL, UNREPORTED AND UNREGULATED FISHING

Ho Chi Minh City 14-15 May 2009



## IUU fishing

- The international community have been aware of IUU fishing for over a decade
- As a result, the FAO adopted an International Plan of Action in 2001 which called upon all its members to take actions against these illegal practices
- The EC supported this initiative and are promoting the adoption of similar instrument in regional and international organisations
- Nevertheless, IUU practices continues to flourish and expand as demonstrated by:
  - › an increased use of flag of convenience systems
  - › Increased trade of products processed from fish caught by vessels by any type of flag
  - › Increased plundering of resources in the EEZ of developing countries by foreign vessels under any flag



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## IUU fishing has disastrous worldwide environmental and socio-economic impacts



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## Environmental impact

- It constitutes one of the most serious threats to the sustainable exploitation of living aquatic resources and marine biodiversity
- It causes depletion of fish stocks and future stock growth
- It damages the marine environment by overfishing and irresponsible fishing practices and techniques



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## Socio-economic impact

- The depletion of fish stocks reduces the size of catches which in turn contributes to lower turnover and eventually job losses
- It contributes to unfair competition among those operators who abide by the rules and those who do not
- It causes serious overall consequences for coastal communities and in particular those in developing countries who rely to a large extent on fisheries



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## IUU - a global problem

- It is estimated that IUU practises amounts to approximately 10 billion Euros every year worldwide (*Oceanic development study 2007*)
- IUU fishing represents 19% of the worldwide reported value of catches (*Oceanic development study 2007*)
- Developing countries pay a particular high price to this scourge



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## Consequences of IUU fishing in developing countries

- The poorest countries pay the highest price to IUU activities through diminished resources and lost potential catches and revenue
- IUU operators are often profiting from a lack of means by developing countries to protect/control its waters from IUU operators
- The population of coastal communities are often solely dependant upon small scale fishing for their livelihood



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## The fight against IUU fishing in the EC

The Community has been involved in the fight against IUU fishing for over a decade but have intensified its actions as the phenomenon is still a growing problem



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## Why an IUU Regulation at Community level ?

- The EC imports an estimated 1,1 billion Euros worth of IUU fishery products every year (*Oceanic development study 2007*)
- The EC has a key role to play in the global fishery production and market and must therefore take a key role in the fight against IUU fishing
- Measures already adopted at regional and international level are not sufficient enough to fight IUU fishing



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## Why an IUU Regulation at Community level ?

The EC is a valuable target for IUU operators since:

- It is the largest importer of fishery products in the world;
- It imports high value products to a large extent;
- It is one of the main producers and exporters worldwide; and
- It has many trading partners on all continents on import and export side.



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## From Proposal to Regulation

- 2002: Commission's IUU Action Plan - inspired by the FAOs International Plan of Action to prevent, deter and eliminate IUU fishing (2001)
- January 2007: Public consultation resulting in a Proposal for an IUU Regulation adopted by the European Commission in October 2007
- 2008: Consultations with all EC institutions concerned and unanimous adoption of the Regulation on 29 September by the Council with full support from the European Parliament and the European Economic and Social Committee
- 1 January 2010: Entry into force of IUU Regulation n° 1005/2005. Published in the O.J. E.U L 286 of 29 October 2008



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## Expected benefits

- More sustainable management of fisheries
- Improved management and control over fishing activities occurring in a coastal State's waters
- Increased revenues for fishing activities which are normally exploited by IUU operators
- Improved welfare and the livelihood of fishing communities and local fishermen
- Establishment of fair trade of fishery products
- Improved cooperation in the fight against IUU fishing



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## Expected benefits for authorities

- Improved control over fishing activities carried out by its vessels
- Improved powers to cooperate with other countries in terms of validation and verification
- Improved cooperation with other countries for sanctioning of IUU activities and capacity building where necessary
- Improved awareness of fishing activities through exchange of information under the Community alert system
- Increased cooperation within national authorities



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## Expected benefits for the sector

- More stable supply and sustainable fishery products for the fish processing industry
- Improved traceability of fishery products which could be substituted against private traceability systems
- Restored consumer trust
- Improved cooperation with flag and market State's authorities
- Assurance of legality of its products
- Establishment of fair trade of fishery products
- Even of playing field for operators trading with the EC



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A REGULATION TO PREVENT, DETER  
AND ELIMINATE IUU  
FISHING

-

"THE IUU REGULATION"



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Scope

- The IUU Regulation does not introduce any new conservation and management measures
- The Regulation is a transparent and non-discriminatory instrument which seeks to prevent, deter and eliminate fishery products derived from IUU activities (and thus fails to comply with conservation and management measures) to be traded to/from the Community



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## Scope

The scope of the Regulation applies to:

- all fishing vessels under any flag in all maritime waters; and
- all processed and unprocessed marine fishery products, (excluding products listed in Annex I of the Regulation, revised on a yearly basis)

Where there is a connection to the EC in form of:

- Trade to and from the EC
- Involvement of EC nationals operating under any flag in all maritime waters



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## Definitions

- Common definitions exist in order to ensure a common interpretation of the Regulation
- The main definitions are for;
  - › IUU fishing is inspired from the FAO's International Plan of Action 2001
  - › Fishery products as described in chapter 03 and tariff headings 1604 and 1605 of the Harmonised system. Some products are excluded (aquaculture, fresh fish etc, in Annex I)
  - › High seas as defined in Article 86 of UNCLOS
  - › Conservation and management measures refer to the measures adopted and enforced in accordance with international law



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# FISHING VESSELS

## CHAPTER II



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## Fishing vessels

- Masters of third country fishing vessels must notify the competent authorities of a Member State whose (designated) port facilities they wish to use at least 3 working days prior to the estimated time of arrival, or entry into that port may be denied
- Shorter deadlines will apply when necessary taking into account the distance from the fishing grounds and/or the type of product. Detailed provisions of these deadlines will included in the implementing rules
- The notification will ensure the effectiveness of controls and avoid unnecessary delays in ports



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## Prior notice

### For vessels landing in the EC

The prior notification of landing must consist of the following information:

- vessel identification;
- name of designated port and purpose of landing or other operation;
- fishing authorisation or where appropriate, authorisation to tranship;
- dates of the fishing trip;
- estimated time of arrival in port;
- quantities of species and catch;
- the zone where the catch was made or transhipment took place; and,
- quantities to be landed or transhipped



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## Transhipments

Transhipment operations constitute a common way to launder illegal catches. Thus,

- Transhipments between EC and third country vessels may only take place in designated ports in a Member State, unless the vessel is registered as a carrier vessel under the auspice of a RFMO.
- Transhipments between third country vessels outside EC waters must be noted in the catch certificate
- Transhipment between EC and third country vessels must also be noted in the catch certificate
- This will enable competent authorities to better monitor transhipments.



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## Transhipments

- The provisions on transhipment are directly inspired by measures on transhipments adopted by several RFMOs
- Provisions on transhipment was adopted by;
  - IATTC in Resolution C-08-02 of 24-27 June 2008
  - CCAMLR in conservation measure 10-09 of 2008
  - ICCAT measure 06-11of 2006



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## Authorisation to enter EC ports

- Third country fishing vessels shall be granted authorisation to land where prior notice have been given and the fishery products are accompanied by a validated catch certificate
- Member States may authorise entry into a port if the fishery products are not accompanied by a catch certificate, but shall keep such products in storage until the checking process is completed.
- If this process is not completed within 14 days of arrival the Member State may confiscate the fishery products



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## Recording of landing and transshipment operations

Masters of third country fishing vessels (or their representatives) shall submit to the Member State port authority, prior to landing or transshipment, a declaration indicating:

- the quantity of fishery products by species to be landed or transhipped, and
- the date and place of each catch

Forms for landing and transshipment declarations will be included in the implementing regulation to be published



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## Inspections of fishing vessels

- Member States will carry out inspections of at least 5% of all landings and transshipments and in accordance to risk analysis
- Inspection will organised to avoid unnecessary delays in port.



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## Obligation of inspections

The following fishing vessels will always be inspected:

- If late or no prior notification is given upon landing
- Where catch certificates have not been properly validated
- Vessels sighted carrying out IUU activities
- Vessels reported under the Community Alert System
- Vessels identified by the Commission to have been presumed to have carried out IUU activities

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## In the event of infringement

- The competent flag State authority will be notified of the inspection report for the purpose of its own investigation
- For infringement occurred in the EEZ of a third country, this country will also be notified for the purpose of investigation
- Where relevant, the flag States of the donor vessel will be notified of the infringement and,
- The notification will also be communicated to the RFMO competent for the violated conservation and management measures

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## THE CATCH CERTIFICATION SCHEME CHAPTER III



29

### The catch certification scheme

- All marine fishery products traded with the EC, including processed products, must be accompanied by validated catch certificates
- The validation must certify that the catch was made in accordance with applicable laws, regulations and international conservation and management measures



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## The catch certification scheme

- The scheme is inspired by existing systems of certification adopted by RFMOs which have proven to be the most effective
- The catch certification scheme will enable a flag State to ensure traceability of all its fishery products traded with the EC
- The scheme will enable flag States to better monitor the fishing activities carried out by its vessels and ensure compliance with applicable conservation and management rules
- The scheme will improve the dissemination of information between flag, coastal, processing and market States



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## The catch certification scheme

- It is up to the exporter to request a catch certificate for catches which are to be traded to the EC, complete it and transmit it to the competent flag State authority for validation
- The EC importer must ensure that the consignment to imported must be accompanied by a validated catch certificate to be communicated by the exporter prior to the importation to the EC



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## Small scale fisheries

- The specific situation of small scale fisheries in export trade will be taken into account in the catch certification scheme
- The certification requirement will be adapted in order to facilitate the request for validation to be done by the exporter following criteria based upon this specific situation
- Those criteria will be published in the implementing rules and are likely to include the length of the vessel, the duration of the fishing trip, the place of landing and the gear used



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## The catch certification scheme

- A specimen form of a catch certificate is in Annex II of the Regulation



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## Catch certificates and electronic means

- Electronic means may be used:
  - › By the third country operator to establish the catch certificate to be submitted to its authorities for validation;
  - › By this authority/ies to validate the catch certificate and communicate it back to the third country operator;
  - › By the third country operator to communicate the validated catch certificate to the importer in the EC



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## Validation of catch certificates

- Only a competent authority can validate a catch certificate
- It is up each flag State to designate its competent authority/ies as long as it is a public authority empowered to attest the information on the catch certificate
- Each third country must notify the Commission of their competent authorities. The names of these countries and their authorities will be published in the OJ of the EU and on DG MARE'S website.



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## Validation of catch certificates

- The competent public authority may validate the catch certificate if, at the time of request for validation, it had no conflicting information that the catch was not made in compliance with applicable conservation and management measures
- If at that time the competent authority have doubt regarding compliance it shall:
  - carry out a verification to determine whether the catch was legitimate or not before giving its validation
- If there is evidence that the catch was not made in compliance with applicable conservation and management measures it shall:
  - not validate the catch certificate



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## Other recognised catch certification schemes

- Catch certificates, re-export certificates and related documents validated in conformity with catch documentation schemes adopted by RFMOs and which comply with the requirements of this Regulation may be accepted for the species concerned
- The list of such documentation schemes shall be determined by the European Commission
- This list will be published in the implementing regulation



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## Indirect importation to the EC

Indirect importation of fishery products from a flag State to the EC through another third country is taken into account in the catch certification scheme

- Indirect importation without processing in another third country
- Indirect importation with processing in another third country



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## Indirect importation without processing in another third country

In order to ensure full traceability, the certification scheme also applies to situations where the fishery products are imported from another country than the flag State. As a result:

- products which are traded to another third country before reaching the EC must also be accompanied by a validated catch certificate; and,
- documented evidence that the products did not undergo any operations other than unloading, reloading or any operation designated to preserve them in good and genuine condition



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## Indirect importation without processing in another third country

Documented evidence may consist of:

- A single transport document, covering the passage from the flag State to the EC through that third country (of indirect importation); or,
- A document issued by the authorities in that third country competent for monitoring such activities mentioning:
  - > the fishery products; and,
  - > the dates of unloading/reloading; and,
  - > names of the ships or other means of transport; and,
  - > the conditions in which the products remained unchanged in that third country until re-export to the EC



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## Indirect importation of products processed in another third country

Where products are processed in a country other than the flag State the EC importer shall submit a statement established by the processing plant in the third country, provided in Annex IV of the Regulation:

- giving an exact description of the products;
- indicating that the products originated from catches accompanied by a catch certificate (and a copy of those catch certificates).



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## Indirect importation of mixed consignments

- Where products are imported in mixed consignments it is important to ensure that all catch certificates adjoin the mixed consignment to ensure traceability
- If a consignment comprises products processed by several processing plants, each plant should provide the statement in Annex IV
- This means that one consignment may be accompanied by several statements and their related catch certificates



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## Exportation of catches from EC vessels

Catches from EC fishing vessels shall also be subject to the validation of catch certificates by competent Member State authorities prior to exportation, if required by the third country of destination

- It will ensure traceability of all fishery products traded with the Community;
- It will ensure the non-discriminatory treatment in trade relations with third countries



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## Verifications

- The consignment to be imported may be verified by the competent Member State authority together with the catch certificate and related documents
- Verifications will be carried out mainly on the basis of common risk management criteria except in specific situations listed in the Regulation where verifications will be obligatory
- Verifications may consist of examining the fishery products, the declaration data and authenticity of the documents, inspection of transport, containers and storage areas etc



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## Verifications

For the purpose of verification, the competent authorities of the Member States may request the assistance of the competent authorities of the flag State or of the third country when:

- The Member State have well founded doubt over the validity of the catch certificate or its compliance with conservation and management rules
- This procedure shall not exceed 15 days and the cost of storage will be borne by the importer



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# THE COMMUNITY ALERT SYSTEM

## CHAPTER IV



47

## The Community Alert System

- A Community alert system has been established to share information on operators and fishing vessels which are presumed to carry out IUU activities
- The alert system seeks to more effectively identify situations at risk, improve efficiency of controls and avoid unnecessary verifications
- The system is expected to have a preventive effect, as it will also contribute to ensuring transparency, due to its public nature and facilitate cooperation with third countries



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## The Community Alert System

- The alert will be published on the European Commission's website and in its Official Journal
- The alerts will result in:
  - › Increase the efficiency of control of fishing vessels and fishery products
  - › Verification procedures of catch certificates validated for the products
- Alert notices, their updates and the outcomes of verifications carried out on their basis will also be communicated to the third countries concerned



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## Continuation of IUU fishing and preventive measures

To prevent the continuation of IUU fishing, specific measures may be taken in respect of:

- Vessels that are free to continue their IUU practices as their flag State fails to take appropriate action to prevent such practices, and
- Third countries which fails to honour its responsibility under international law and thus allowing the continuation of IUU activities

Preventive measures will only be adopted as a last resort following contradictory proceedings



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# THE EC IUU VESSEL LIST

## CHAPTER V



51

## The EC IUU Vessel List

- The EC IUU vessel list is inspired from IUU lists adopted by RFMOs
- The EC IUU Vessel List may contain third country and/or EC vessels
- Placement of a vessel on the EC IUU Vessel List is a measure of last resort to hinder the vessel from continuing to benefit from its IUU activities
- Vessels will only be placed on the EC IUU Vessel List if its flag State have failed to sanction the vessel in accordance with applicable law



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## The EC IUU Vessel List

- The European Commission shall notify to flag States their vessels engaged in IUU fishing activities and request it:
  - › To investigate the case; and,
  - › to take corrective measures to prevent the continuation of the illegal practices
- If the flag State refuses/fails to take corrective measures against the vessel the European Commission may, after having consulted the flag State and the vessel owner, as a preventive measure, place that vessel on a list of IUU vessels until appropriate measures have been taken



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## The EC IUU Vessel List

Fishing vessels listed on the EC IUU Vessel List will:

- Not be authorised to fish and be chartered in EC waters
- Only be authorised to enter a EC port if the catches onboard and prohibited fishing gear are confiscated
- Not be supplied with fuel or other services in port, except in cases of force majeure or distress
- Not be authorised to change crew, except in cases of force majeure or distress
- Not be authorised to have its fishery products traded with the EC



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## The EC IUU Vessel List

- The European Commission shall remove vessels from the EC IUU Vessel List if:
  - › proportionate, dissuasive and effective sanctions have been applied in response to the IUU activity
- Or when the owner or operator can prove that:
  - › at least two years have elapsed since the listing during which no further reports of IUU activities have been reported
  - › the owner submits information which demonstrated that the vessel is operating in full compliance with applicable law
  - › the vessel, its owner or operators maintain no financial links with other vessels or operators presumed to carry out IUU activities



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## The EC IUU Vessel List

- Vessels listed on IUU vessels lists adopted by RFMOs will automatically be included on the EC IUU Vessel list
- This will ensure that vessels which continuously carry out IUU activities will be prevented from selling their products for export to the EC and thus profiting from its activities



56

LIST OF NON COOPERATING  
COUNTRIES  
CHAPTER VI



57

Non-cooperating countries

- The European Commission will identify third countries that it considers non-cooperating in the fight against IUU fishing, by failing to discharge its duties under international law as a flag, port, coastal or market State
- This measure is inspired from measures already adopted by RFMOs which has proven to be an effective mean to identify countries which continue to undermine applicable law on conservation and management measures and threatens the sustainable exploitation of living aquatic resources and marine biodiversity



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## Non-cooperating countries

- The European Commission will notify countries that may be identified as non-cooperating and give opportunity to respond to the allegation, or take appropriate measures to rectify the situation within an appropriate time frame
- The European Council may adopt a list of non-cooperating countries and publish the list in its Official Journal and on its website



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## Non-cooperating countries

- Prohibition towards listed non-cooperating third countries:
  - › EC import of fishery products caught by vessels flying their flag
  - › Sell/buy fishing vessels to/from EC operators
  - › Re-flag fishing vessels to a EC Member State
  - › Charter agreements which such vessels
  - › Engage in private trade agreements where EC vessels will use the fishing possibilities of that third country
  - › Joint fishing operations with EC vessels
- The Commission will:
  - › Propose the denunciation, or not enter into negotiations to conclude, any standing bilateral fisheries agreement or FPA with such country



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## Non-cooperating countries

- A country may be removed from the list if it can demonstrate that the situation which warranted the listing has been rectified
- A removal decision will take into account whether the identified third country have taken concrete measures capable of achieving a lasting improvement to the situation



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## Emergency measures

- Emergency measures may also be imposed where measures adopted by a third country undermine conservation and management rules adopted by RFMOs
- Such measures shall last no more than 6 months and may include:
  - › Refusal of access to EC ports, except in cases of force majeure and distress, of fishing vessels flagged to that country
  - › Prohibition of joint fishing operation with EC vessels
  - › Prohibition of EC vessels to fish in that country's waters, without prejudice to the provisions set out in bilateral fisheries agreements



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The EC will take into account the capacity of developing countries and assist them in implementing this Regulation and fighting IUU fishing



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EC NATIONALS  
CHAPTER VIII



64



## EC Nationals

- Nationals of the EC shall neither support nor engage in IUU activities and the EC Member State concerned shall cooperate with the relevant third country in order to identify nationals supporting or engaging in IUU activities
- The EC Member State concerned must take appropriate measures (without prejudice to the responsibility of the flag State) against their nationals engaging or supporting IUU activities



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## SANCTIONS & ENFORCEMENT MEASURES CHAPTER IX



66

## Sanctions

- IUU fishing can only be prevented, deterred and eliminated if States can effectively track down on IUU operators.
- The Regulation therefore includes a system of effective, proportionate and dissuasive sanctions for serious infringements in respect of natural and legal persons



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## Sanctions

- An EC Member State will impose sanctions on IUU activities committed within its territory or maritime waters and to its nationals involved in IUU activities in any maritime waters
- The Regulation confer harmonised sanctions for serious infringements of a maximum of at least 5 times the value of the fishery products obtained (and 8 times the value for repeated infringement within 5 years)
- The value of the prejudice of the fishing resources and the marine environment will as well be taken into account



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## Assistance to third countries

- The EC may (pending agreement) cooperate with a flag State if a suspected breach have taken place on the high seas in carrying out investigation to the breach and if expressly agreed by the flag State, sanction the operator
- If the breach took place within the maritime waters of a third country, the port Member State may (pending agreement) cooperate in carrying out investigation to the breach and if expressly agreed by the flag State, sanction the operator



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## SIGHTINGS CHAPTER X



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## Sightings of IUU activities

- Sighting by Member State authority will be communicated to the RFMO and flag State concerned for follow-up
- Sightings by fishing vessels may be reported to the Member States and the Commission to ensure follow-up by the RFMO and flag State concerned



71

## MUTUAL ASSISTANCE CHAPTER XI



72

## Mutual assistance

- A system for standardised administrative cooperation may be established
- Administrative authorities of Member States shall cooperate with each other, with public authorities of third countries and with the Commission in order to ensure the effective implementation of the IUU Regulation
- 3 main elements:
  - exchange of information on request
  - exchange of information on spontaneous basis
  - request to take enforcement measures



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## Developing countries

- The European Commission have undertaken to cooperate administratively with and/or support third countries in the implementation of this Regulation
- The European Commission will pay special attention to the capabilities, needs and the situation of developing countries



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## State of play of implementation

- Implementing rules are currently being discussed with Member States and will be adopted mid 2009
- A handbook on the IUU Regulation will be published mid 2009 for the benefit of authorities and stakeholder in Member States and third countries
- Bilateral contact with third countries
- Regional seminars/workshops:
  - › *South Africa 4-5 March 2009*
  - › *Colombia 26-27 March 2009*
  - › *Vietnam 14-15 May 2009*
  - › *Cameroon 11-12 June 2009*
- Interactions with stakeholders and international forums



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## IUU fishing activities

By fighting IUU we will:

- Improve welfare and the livelihood of fishing communities
- Establish fair trade of fishery products
- Create commitment and cooperation to stop IUU fishing activities
- Achieve sustainable world fisheries and better management for fisheries



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- More information can be found on:

[http://ec.europa.eu/fisheries/cfp/external\\_relations/illegal\\_fishing\\_en.htm](http://ec.europa.eu/fisheries/cfp/external_relations/illegal_fishing_en.htm)



THANK YOU!

