



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
THE DIRECTOR-GENERAL

Brussels,
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Mr. Ivan Lopez
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.: Joint LDAC-MAC-MEDAC Opinion of 9 June 2017

Dear Mr. Lopez,

Thank you for submitting the joint view and suggestions of LDAC, MAC and MEDAC on the European Commission's response to the LDAC opinion on improving the implementation of the EU Regulation to fight against Illegal, Unreported and Unregulated (IUU) fishing. We take note of the specific recommendations based on the response provided by the European Commission in December 2016. You will find below my replies to the points raised in your joint opinion.

In addressing the first key point, I would like to underline that we are already in a concrete project to develop an IT system and a database to support Member States in the implementation of the catch certification scheme foreseen by the Regulation. As done with other certificates required for import of specific products into the EU, the objective of the project is to integrate the IUU Catch certificate into the EU TRACES system, which is used in all EU Member States and many third countries to submit EU health certificates. As fishery products are usually subject to health certification or veterinary controls, most operators may already be familiar with the use of the TRACES system. Should you have concrete suggestions or see concrete needs from your side, even stemming from your experience, I would like to invite you to submit these to us. This then will allow us to analyse how to best address them within our IUU IT project.

Mutual assistance is a form of administrative cooperation amongst Member States, the Commission and Third Countries which allows in particular communicating and exchanging information. This possibility of communication and exchange of information

already exists and has proven its added value. We will take due consideration of the possibilities to use relevant information stemming from the mutual assistance mechanism under the future IT system. However, priority is currently given to core functionalities, i.e. the integration of the catch certificates and processing statements in the IT system, which we consider as an important milestone in strengthening the capacity to fight against IUU fishing and to ensure a level-playing field in the implementation of the EU IUU catch certification scheme.

As already highlighted in my previous letter, 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. We could consider changing their format; however only the content of reports is a legal requirement in IUU Regulation 1005/2008 – not the format. So any format we provide would be of indicative nature only. The future IT system is expected to support Member States in that respect.

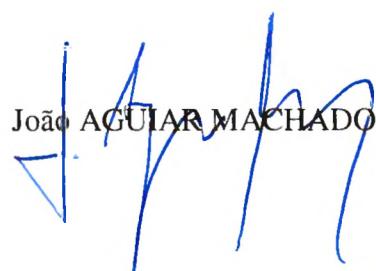
When it comes to the European Fisheries Control Agency (EFCA), we take note of your suggestions and will continue our collaboration to encourage a harmonised application of risk management approach across Member States. In relation to the preparation of guidelines regarding checks and verifications of catch certificates, we would like to draw your attention to Art 31 of IUU Implementing Regulation 1010/2009¹ on Union criteria for verifications of catch certificates. EFCA is contributing to the implementation of those criteria by Member States by supporting common methodologies for IUU catch certificates verification and cross-checks.

With regard to dialogues with third countries, I must reiterate that our dialogues are conducted in the spirit of trust and confidentiality while most information is made available in publicly available Commission Decisions. In this context the Commission must follow all rules related to data protection, which includes following all the necessary checks and balances that prevents public disclosure of documents submitted by third countries under the IUU dialogue that may contain personal or sensitive information.

Before closing I would like to say that we have taken note of your request to have updated positive vessel lists. In this context we should consider if the Global Record of Fishing Vessels developed to fight IUU fishing could play a role.

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. Pascale Colson (pascale.colson@ec.europa.eu; +32 2 29 56273).

Yours sincerely,

João AGUIAR MACHADO


¹ OJ L280, 27.10.2009, p. 5