



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/B4/DK

Dear Ms Bermudez, Mr Lopez

I would like to thank you for your letter of 21 April concerning the joint MAC-LDAC Advice on “the need for harmonised import controls between Member States in order to prevent the products of illegal, unreported and unregulated (IUU) fishing from entering the European Union market”.

We agree with your assessment that import controls are essential to prevent products stemming from IUU fishing entering the EU market. You highlight an important sentence from the conclusions of the report on EU action to combat IUU fishing by the European Court of Auditors (ECA): *“the control systems in place to combat illegal fishing are partially effective; although they mitigate the risk, their effectiveness is reduced by the uneven application of checks and sanctions by Member States.”*, which draws the attention on the use by some operators of the weaker control posts compared to others.

The Commission did not object to the findings of ECA report relating to the control levels of the implementation of the import related scheme under the IUU regulation. On the contrary, we have taken them on board and we continue to address these issues with the Member States on the basis of the current legislation. As you know, we have already been addressing this subject for a number of years, including by developing CATCH (the IT system for the management of EU catch certificates and related documents under the

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catch certification scheme), through revision of guidelines developed with Member States and training provided in that regard with the support of EFCA.

The 14 recommendations to the Commission contained in your document focus on three main areas: IT tools (CATCH) in support of a more uniform implementation of controls, biennial reports (Article 55 of the IUU Regulation) and risk criteria and conduct of checks and verifications.

In relation to **CATCH**, the Commission proposed specific rules for its mandatory use in the context of the revision of the Control Regulation. We are really looking forward to seeing co-legislators adopting the text that received their political agreement, as soon as possible. The objective of CATCH is to establish an EU-wide system for the management of all relevant information and data under the IUU catch certification scheme, and the related procedures. While CATCH alone cannot provide for harmonized import controls, it will certainly provide Member States' competent authorities with important assistance in their checks and verifications tasks.

To ensure comprehensive cross-checks and consistency among import controls, the Commission proposal also foresees the possibility to interconnection CATCH environment with the customs single window digital environment (CSW-CERTEX).

I can reassure you that the Commission aims at actively encouraging third countries to use CATCH directly or establish adequate interoperability with third countries' IT environments developed for the purpose of generating catch certificates.

In relation to **biennial reports**, the questionnaires have thoroughly revised on our initiative. When needed the Commission will follow-up with single Member States in relation to the context of the reports, be it in relation to missing information, with the objective to strive towards more consistent and uniform implementation of controls, addressing shortcomings.

As regards access to documents, please be reassured that requests are treated in accordance with applicable rules.

Regarding the implementation of the IUU regulation by Member States, in particular in relation to consistency and harmonisation of approaches (**risk criteria and conduct of checks and verifications**): as previously reported by my services in the meetings of both MAC and LDAC, we continuously work with Member States by providing necessary guidelines in view of harmonizing and providing more homogenous approaches to checks and certification procedures. However, I would like to underline that there are limits to the described actions, represented by the legislation in force. Criteria for risk identification can be implemented at national level. This inevitably leads to important differences in organisation of controls and deployment of related approaches. As stated above, CATCH can in the future represent part of the solution. The IT environment offers standardisation opportunities and an effective environment for more automated and harmonised risk identification. It can certainly free resources in Member States currently devoted to burdensome and ineffective pap-based documentary checks. Resources that can be redirected towards risks identified by digital tools for more effective controls. The Commission stands ready to effectively lead Member States in the months to come should the new provisions be finally adopted.

I am looking forward to our continued fruitful cooperation. Should you have any further questions on this reply, please contact the functional mailbox of the Advisory Councils MARE-AC@ec.europa.eu.

Yours sincerely,

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