European Commission

MEMO

Brussels, 14 October 2014

Question and Answers on the EU’s fight against illegal, unreported and unregulated (IUU) fishing

Why has the Commission decided to propose the removal of Belize from the list of non-cooperating third countries? What does it mean in practice?

Belize was identified as a country not cooperating in the international fight against illegal, unreported and unregulated (IUU) fishing by the Council of Ministers in March 2014. The proposal to remove Belize from the list of non-cooperating countries was taken after Belize demonstrated that it had addressed its structural problems and showed its real commitment to tackling illegal fishing. It has reformed its legal framework and adopted a new set of rules for inspection, control and monitoring of vessels.

Once the de-listing is confirmed by the Council, all measures against Belize will be lifted: for instance fisheries products will again be allowed to be imported into the EU and the ban on fishing in the waters of Belize by EU flagged vessels will be lifted.

The Commission will continue to monitor whether Belize keeps up the good work and continues to fulfil its duties under international law to fight IUU fishing.

Why has the Commission closed its investigation as regards Fiji, Panama, Togo and Vanuatu?

Since receiving their warnings (yellow cards) by the Commission in 2012, Fiji, Panama, Togo and Vanuatu have all been partners in a constructive cooperation with the Commission and have made significant improvements to their systems by adopting new legislation, by improving their monitoring, control and inspection of fishing activities.

As for Belize, the Commission will continue to monitor the activities of these countries in the international fight against IUU fishing.

Why has the Commission decided to identify Sri Lanka as a non-cooperating third country?

The Commission's decision to identify Sri Lanka as a non-cooperating third country was taken after a thorough analysis of this country's stance as regards the fight against illegal fishing, and following a formal warning from the Commission in November 2012. Sri Lanka was given a reasonable period of time, which included an extended period of formal cooperation, within which to react and to resolve the problem issues identified.
The Commission initiated its preliminary investigation with Sri Lanka as early as in 2010. Since then, and especially after the warning in 2012, the Commission has worked, through dialogue and cooperation, with Sri Lanka. However, the country has not made credible progress to address shortcomings like:

- failures to implement international law obligations (Law of the Sea, ...)
- lack of an adequate and efficient vessel monitoring system;
- lack of deterrent sanction scheme for the high seas fleet;
- Non-compliance with international obligations including Regional Fisheries Management Organisations (IOTC) recommendations and resolutions.

**What does this listing of Sri Lanka mean in practice?**

In practice this means that Member States' authorities will refuse import of fisheries products when the trade ban enters into force 3 months after the Commission decision has been published in the EU's Official Journal. This three month period also gives Sri Lanka a further opportunity to cooperate and implement the necessary changes.

The EU imported 7.400 tonnes of fish from Sri Lanka in 2013 with a total value of €74 million. Sri Lanka is one of the biggest exporters to the EU of high value fishery products such as fresh and chilled swordfish, tuna and tuna-like species.

Further measures are proposed to the Council, to accompany the trade ban. These include a ban on fishing in the waters of Sri Lanka by EU flagged vessels, on joint fishing operations, on the reflagging of EU vessels to Sri Lanka, and on fisheries agreements. These additional measures will enter into force once the Council has adopted them.

**What is happening with other countries under investigation?**

Korea, Ghana, and Curacao, who all received formal warnings from the Commission in November 2013, are currently working towards addressing their shortcomings and developing the appropriate legislation. As a result, the process of dialogue and cooperation is still on-going and has been formally extended to January 2015.

The Philippines and Papua New Guinea received a formal warning from the Commission in June 2014. The Commission will evaluate each country's progress on an individual basis. The first progress evaluation is expected within 6 months of the decision being taken.

In March 2014, the Council adopted trade measures against Cambodia and Guinea, for their lack of commitment in tackling illegal fishing. The situation has remained unchanged as regards these two countries. Fisheries products caught by vessels from these two countries are therefore still banned from being imported into the EU.

**What are the EU rules in place to fight illegal fishing?**

The 2008 EU IUU Regulation entered into force on 1 January 2010. The Regulation applies to all landings and transhipments of EU and third-country fishing vessels in EU ports, and all trade of marine fishery products to and from the EU. It aims to make sure that no illegally caught fisheries products end up on the EU market.

To achieve this, the Regulation requires flag States to certify the origin and legality of the fish thereby ensuring the full traceability of all marine fishery products traded from and into the EU. The scheme ensures countries comply with their own, as well as international, conservation and management rules.
**What has been achieved so far?**

Since its entry into force in 2010, the IUU Regulation’s reach and impact in the fight against IUU fishing has increased year-on-year.

The IUU Regulation has had far-reaching impacts, leading to:

- investigations on presumed IUU vessels and the subsequent imposition of sanctions by flag states and coastal states concerned;
- the refusal of imports into the EU;
- the pre-identification and identification of non-cooperating countries;
- the listing by the Council of non-cooperating countries;
- the acceleration of international cooperation against IUU fishing in Regional Fisheries Management Organisations and at bilateral level (USA, Japan);
- the strengthening of the system of mutual assistance messages for the exchange of information on IUU activities;
- the acceptance of the EU catch certification system by third countries;
- the structural changes in third countries fisheries management systems thanks to the cooperation with the Commission.

So far, 91 third countries have notified the Commission that they have in place the necessary legal instruments, the dedicated procedures, and the appropriate administrative structures for the certification of the catches by vessels flying their flag with a view to importing to the EU.

Since 2010, the Commission has investigated more than 200 cases involving vessels from 27 countries. As a direct consequence of these actions, sanctions against almost 50 vessels, amounting roughly to 8m EUR, have been imposed by the flag and coastal states concerned.

The Commission has focused its enforcement action on geographic areas, such as West Africa or the Pacific region, where IUU fishing activities are most widespread and have the heaviest toll on marine resource and local communities.

**Does the EU cooperate with Member States to enhance control?**

The IUU Regulation can only be effective if proper control applies both within the EU and in third country waters. In EU waters the obligations stem from the Control Regulation.

In practice, more than 130 alert messages were sent to EU Member States' authorities to direct their controls, check situations of risk, and to request investigations on presumed IUU fishing activities and serious infringements. The Commission has also promoted more widely the exchange of information and cooperation between the competent authorities in EU Member States. As a consequence numerous imports have been rejected by EU Member States.

Regular cooperation with flag States' authorities, amongst others in the context of evaluation missions, have further contributed to improved traceability "from net to plate".

As consequence, legislative and administrative reforms aiming at improving the catch certification of the fishery products and the monitoring of their fleet have been introduced in several third countries.
Figures on IUU fishing
The estimated global value of IUU fishing is approximately 10 billion euros per year. Between 11 and 26 million tonnes of fish are caught illegally a year, which corresponds to at least 15% of world catches.

More information:
IP/14/1132