

ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING – NEW INITIATIVE FROM THE EUROPEAN COMMISSION

1. The European Commission has proposed a European Council Regulation to establish a Community system to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing. The Commission has also published a Communication on a new strategy for the Community to prevent, deter and eliminate IUU fishing. You can read these two documents and other background [i.e. including the impact assessment] on the European Commission's website:

http://ec.europa.eu/fisheries/cfp/external_relations/illegal_fishing_en.htm.

2. IUU fishing is a major threat worldwide to sustainable fisheries and biodiversity conservation, as well as representing a large loss in revenue, including for developing countries. Globally, IUU activity is estimated as worth \$4.5 to \$9bn annually, including some \$1bn in relation to sub Saharan Africa. The EU is the largest market for and importer of fisheries products in the world.

3. The proposed regulation and associated Communication represent a major initiative by the European Commission to address the incentives and governance gaps which drive IUU fishing. There would be new Community regulatory requirements on fish and fisheries products entering the European Union market from countries outside the EU. These include only allowing imports of fish and fish products if certified as legal by Flag States; blacklisting of non-compliant vessels and Flag States; the designation of ports within Member States for landing and restrictions on transshipments; and measures on compliance and sanctions, including in relation to third countries and nationals of EU Member States anywhere in the food chain. The EU would develop Community information systems related to IUU fishing as well as intensifying its support for co-operative international action on IUU activity through regional fisheries organisations and in assistance towards developing

countries.

IMPLICATIONS FOR UK POLICY

4. The UK Government has played a leading role internationally in tackling IUU fishing. The Government supports the European Commission's new commitment to strengthen Member State actions against IUU fishing, including through establishing a level playing field in terms of enforcement against the entry of IUU products to the EU. A key aim, which would be achieved in the draft regulation, is to broaden action to cover not just fishermen but also those involved in processing and marketing IUU produce.

5. The UK Government will need to consider whether any domestic legislation would be required to implement the Proposed Regulation. We are also planning studies and discussions to explore any potential regulatory burdens and additional costs for enforcement bodies and for the fishing and fish processing industry. It will also be important that Community action recognises that assistance will be required to help enable developing countries to comply with EU requirements and avoid possible barriers to trade. The Government will also need to consider the possible implications of measures relating to compliance and sanctions, including in relation to UK nationals.

6. There are likely to be some additional administrative costs of the new certification requirements for some of the EU fleet, fish processors and distributors, as well as enforcement authorities. The European Commission, as set out in the impact assessment, consider that overall these costs should not be significant. The effect on third countries and their fishermen and processors, will depend on the ability of those countries to adapt to the new requirements.

7. *The Commission and Member States of the European Union will be discussing the details of the initiative early in 2008. Over the coming months, the UK Government will be discussing the implications and detail of the*

proposed Regulation with representatives of the main fisheries interests, including fishermen, processors and retailers, as well as other conservation and development non governmental organisations. Some of the questions and issues we will be raising are:-

- the sorts of guidance required by industry to help them implement the regulation

- how the information required under the regulation by businesses and others can best be demonstrated to the relevant authorities and in a cost effective way;

- advice on how risk based approaches can be used to make best use of resources and assist targeting of non compliant businesses;

- the potential costs and other burdens on businesses at the various stages of the fisheries food chain;

You can send queries or comments on the initiative to:

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It would be helpful for us to have these by 18 January in order to help inform us in our further discussions.

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