

“Control measures for third countries: modernization of the catch certificate system”

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LUCHA CONTRA LA PESCA ILEGAL**



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Pesquera y Lucha contra la PESCA
ILEGAL - Secretaría General de Pesca**

BACKGROUND

- Industrial revolution, new cooling systems and fuels, led to a large-scale high seas fishing.
- Agreements within the framework of the World Trade Organization and the Common Fisheries Policy set the new rules of the game.
- Once the Public Health protection targets demanded by citizens after the Mad Cow disease crisis were overcome, the new goal was the protection of the environment (Sustainable Development Goals 14 life below water) including the fight against the IUU fishing as one of the goals.
- AGREEMENT ON PORT STATE MEASURES (PSMA).

The Council Regulation (EC) N° 1005/2008 is published and put into action from 1/01/2010, and its implementation regulation 1010/2009.

https://ec.europa.eu/fisheries/cfp/illegal_fishing/info/

OBJECTIVE: prevent, deter and eliminate IUU fishing through actions along all the chain.

Why?

1. Multilateral international rules are not enough.
2. EU is the largest importer of fishery products. And Spain is the largest importer in the EU.

SPANISH LEGAL FRAMEWORK

Orden ARM/2077/2010, 27th July, to control the access of third countries' vessels, transit operations, transshipments, imports and exports of fisheries products to prevent, deter, and eliminate the illegal, unreported and unregulated fishing.

https://www.mapa.gob.es/es/pesca/temas/control-e-inspeccion-pesquera/BOE_2077.2010-Orden%20control%20acceso%20buques%203_tcm30-285958.pdf

Modification of the fishing law of 2001 by the Ley 33/2014.

<https://www.boe.es/boe/dias/2014/12/27/pdfs/BOE-A-2014-13516.pdf>

NEW OBLIGATIONS OF THE REGULATION AND OUR LEGISLATION.

1. Add the control of ACCESSES OF THIRD COUNTRIES VESSELS, even though they come unloaded.
2. It requires the control of any type of entry of fishery products into the territory of the EU. Before not regulated.



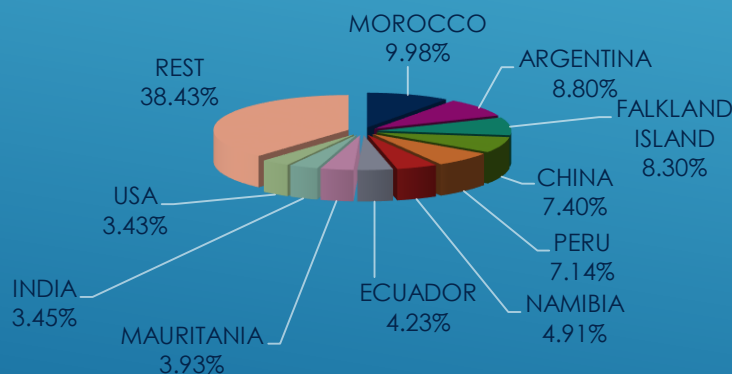
SOME FIGURES:

Imports of fishery products: The EU ranks first in the world ranking. Situation of Spain.

Imports in Spain 2019:

1.006.446.198,79 kg imported from more than 80 counties.

IMPORTS AUTHORIZED BY CC ISSUING COUNTRIES AND VOLUME



Imports of fishery products: The EU ranks first in the world ranking. Situation of Spain.

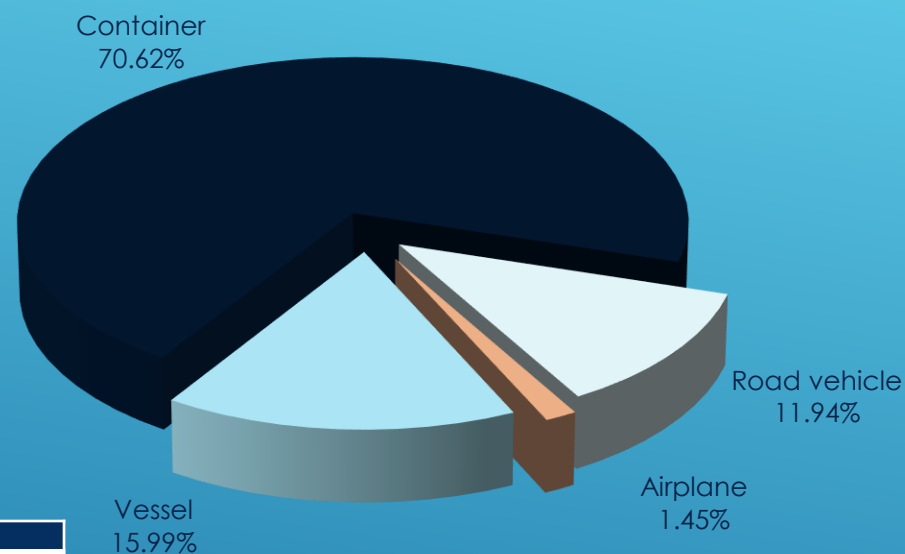
Number of files:

+500.000

Verifications by IUU team: 304

Refusals:

VOLUME OF IMPORTS BY MEANS OF TRANSPORT



MEANS OF TRANSPORT	main entry points
Container	1º Vigo
	2º Valencia
	3º Marin
Vessel	1º La Puebla del Caramiñal
	2º Vigo
	3º Marin
Road vehicle	1º Algeciras
	2º Guipúzcoa
	3º La Junquera
Airplane	1º Madrid
	2º Barcelona
	3º Las Palmas

IMPLICATIONS FOR THE INTERNATIONAL TRADE

1. Greater administrative work load for both operators and the Administration. Mayor carga administrativa tanto para operadores como para la Administración.
2. Increase of national and international administrative cooperation.
3. Equalize the control standards already required to our own community fleet and sector to avoid distortion in the market as much as possible.
4. Maintain international commitments to protect the Environment (United Nation Convention on the Law of the Sea, Regional Management Fisheries Organisation, Food and Agriculture Organisation of the United Nations, etc...)

PRACTICAL EXPERIENCE

OPERATING TOOL:

CATCH CERTIFICATE SCHEME

29.10.2008 EN Official Journal of the European Union 1.286.127

ANNEX II
European Community Catch Certificate and Re-export Certificate

EUROPEAN COMMUNITY CATCH CERTIFICATE									
Document number				Validating authority					
1. Name		Address				Tel.			
						Fax			
2. Fishing vessel name		Flag - Home port and registration number			Call sign		IMO/Lloyd's number (if issued)		
Fishing licence No - Valid to									
Issued No, Fax No, Telephone No, E-mail address (if issued)									
3. Description of product		Type of processing authorised on board			4. References of applicable conservation and management measures				
Species	Product code	Catch weight(s) and date	Estimated live weight (kg)	Estimated weight to be landed (kg)	Verified weight landed (kg) where applicable				
5. Name of master of fishing vessel - Signature - Seal:									
6. Declaration of transhipment at sea				Signature and date		Transhipment date and location		Estimated weight (kg)	
Name of master of fishing vessel									
Master of receiving vessel		Signature		Vessel name		Call sign		IMO/Lloyd's number (if issued)	
7. Transhipment authorisation within a port area									
Name	Authority	Signature	Address	Tel.	Port of landing	Date of landing	Seal (stamp)		
8. Name and address of exporter		Signature			Date			Seal	
9. Flag State authority validation:									
Name/Title		Signature			Date			Seal (stamp)	

PRACTICAL EXPERIENCE.

EUROPEAN COMMUNITY CATCH CERTIFICATE						
Document number			Validating authority			
1. Name		Address		Tel. Fax		
2. Fishing vessel name		Flag – Home port and registration number		Call sign		IMO/Lloyd's number (if issued)
Fishing licence No – Valid to		Inmarsat No, Fax No, Telephone No, E-mail address (if issued)				
3. Description of product		Type of processing authorised on board		4. References of applicable conservation and management measures		
Species	Product code	Catch area(s) and dates	Estimated live weight (kg)	Estimated weight to be landed (kg)	Verified weight landed (kg) where appropriate	
5. Name of master of fishing vessel – Signature – Seal:						
6. Declaration of transhipment at sea Name of master of fishing vessel			Signature and date	Transhipment date/area/position		Estimated weight (kg)
Master of receiving vessel		Signature	Vessel name	Call sign	IMO/Lloyds number (if issued)	

7. Transhipment authorisation within a port area							
Name	Authority	Signature	Address	Tel.	Port of landing	Date of landing	Seal (stamp)
8. Name and address of exporter		Signature		Date		Seal	
9. Flag State authority validation:							
Name/title		Signature		Date		Seal (stamp)	

10. Transport details (see Appendix)					
11. Importer declaration					
Name and address of importer		Signature	Date		Seal
Documents under Articles 14(1), (2) of Regulation (EC) No .../2008		References			
12. Import control — authority		Place	Importation authorised (*)	Importation suspended (*)	Verification requested – date
Customs declaration (if issued)		Number		Date	Place
(*) Tick as appropriate.					

THE CATCH CERTIFICATES

1. It is unilateral, unlike the already existing ones in RFMO's (ICCAT, CCMLAR y CCSBT).
2. It is mandatory for every fishery product except for acuaculture and those cited in the Annex I and its modifications

<https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:32011R0202&from=EN>

2010, TRAINING OF THE SPANISH INTELLIGENCE GROUP

- 2008-2010: The Spanish Secretary-General for fisheries was designated as competent authority to apply the Council Regulation under limited-time circumstances.
- Urgent creation of a **computer system** for management. SIGCPI was born to manage the import of nearly one million of tons.
- This enormous data base manages the port Access (in compliance with the R 1005/2008 and the Port States Measures Agreement), landing and imports/transitions. Currently, this means around **50.000 files** per year and more than **1 MILLION OF TONS**.

WHAT DO WE DO?

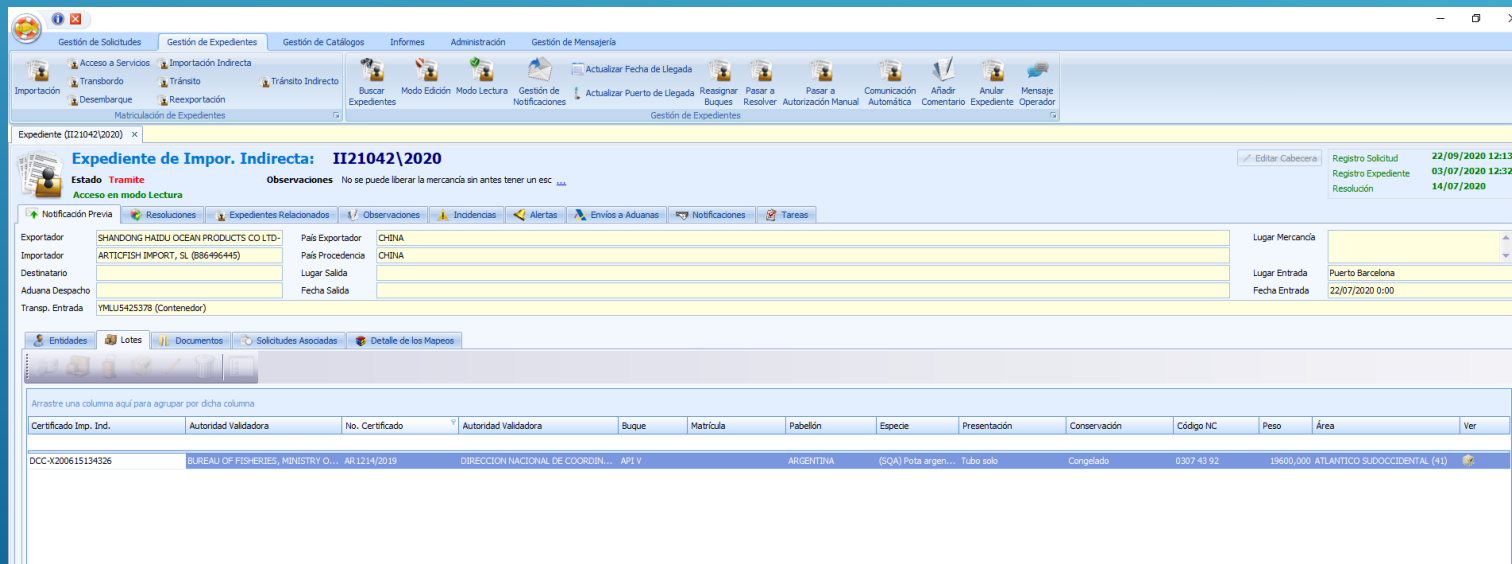
1. ACCESSES, LANDINGS AND IMPORTS

2. SPANISH SINGLE LIAISON OFFICE

3. THE INTELLIGENCE TEAM

Integrated management system in order to control IUU fishing activities

Currently, it has been developed a third version. It is foreseen that a fourth version will be developed by the end of this year, which will include web Access for applicants (ship owners, ship operators, custom agents, etc.)



The screenshot displays the SIGCPI web application interface. The top navigation bar includes tabs for 'Gestión de Solicitudes', 'Gestión de Expedientes', 'Gestión de Catálogos', 'Informes', 'Administración', and 'Gestión de Mensajería'. Below this, there are various icons for different functions such as 'Acceso a Servicios', 'Importación Indirecta', 'Tránsito', 'Tránsito Indirecto', 'Importación', 'Desembarque', 'Reexportación', 'Matriculación de Expedientes', 'Buscar Expedientes', 'Modo Edición', 'Modo Lectura', 'Gestión de Notificaciones', 'Actualizar Fecha de Llegada', 'Actualizar Puerto de Llegada', 'Reasignar Buques', 'Resolver Autorización Manual', 'Comunicación Automática', 'Añadir Comentario', 'Anular Expediente', and 'Mensaje Operador'.

The main content area shows the 'Expediente de Impor. Indirecta: II21042\2020' with the status 'Estado Tramite' and 'Acceso en modo Lectura'. It includes a section for 'Observaciones' with the text 'No se puede liberar la mercancía sin tener un esc...'. Below this, there are tabs for 'Notificación Previa', 'Resoluciones', 'Expedientes Relacionados', 'Observaciones', 'Incidentes', 'Alertas', 'Envío a Aduanas', 'Notificaciones', and 'Tareas'.

The 'Expediente' section contains the following information:

- Exportador: SHANDONG HAIJU OCEAN PRODUCTS CO LTD-
- Importador: ARTIFICIAL IMPORT, SL (886496445)
- Destinatario:
- Aduana Despacho:
- Transp. Entrada: YMLU5425378 (Contenedor)
- País Exportador: CHINA
- País Procedencia: CHINA
- Lugar Salida:
- Fecha Salida:
- Lugar Mercanca:
- Lugar Entrada: Puerto Barcelona
- Fecha Entrada: 22/07/2020 0:00

Below the 'Expediente' section, there are tabs for 'Entidades', 'Lotes', 'Documentos', 'Solicitudes Asociadas', and 'Detalle de los Mapas'. The 'Lotes' tab is selected, showing a table with the following columns: 'Certificado Imp. Ind.', 'Autoridad Validadora', 'No. Certificado', 'Autoridad Validadora', 'Buque', 'Matrícula', 'Pabellón', 'Especie', 'Presentación', 'Conservación', 'Código HC', 'Peso', 'Área', and 'Ver'.

Certificado Imp. Ind.	Autoridad Validadora	No. Certificado	Autoridad Validadora	Buque	Matrícula	Pabellón	Especie	Presentación	Conservación	Código HC	Peso	Área	Ver
DCC-X200615134326	BUREAU OF FISHERIES, MINISTRY O...	AR1214/2019	DIRECCION NACIONAL DE COORDIN...	API V		ARGENTINA	(SQA) Pota argen...	Tubo solo	Congelado	0307 43 92	19600,000	ATLANTICO SUDOCIDENTAL (41)	

IT CATCH UE

PAST AN PRESENT SITUATION: The legal base is R 1005/2008 and certificates are issued by competent authorities of third countries “on paper “. All member states have their own system or DB, but not linked to each other.

PROBLEM: It is not posible to check data in real time. Moreover, It makes easier to reuse the certificates and creates different charges to applicants and administrations. Therefore, it diminishes the efficiency and efficacy during controls.

MEASURES: A common tool, the “IT-CATCH”, has been developed by the European Commission. Currently it is under testing period, which is voluntary. It is also integrated in TRACES (TRAde Control and Expert System. It will be mandatory once it has passed the revision process according to R 1224/2009

DIFFERENCES TO THE NATIONAL SYSTEM

1. SIGCPI also can deal with the exclusive management of ports, therefore it fulfills the requirements concerning the Port State Measurements Agreements.
2. SIGCPI has no automatic control of quantities, but it has control about re-use of certificates.
3. SIGCPI can have a connection with customs in real time concerning authorizations.
4. SIGCPI can establish contact with applicants and administrations through this system.
5. SIGCPI refuses data input directly from third countries (it is not possible to generate the certificate in the system)

PRESENT AND FUTURE CHALLENGES

With regard to the mid-term challenges, there is a need to implement the IT-CATCH system to control certificates, which will be common to all member states (integrated in TRACES).

It enables:

- Greater homogeneity in procedures and controls carried out by member states.
- Homogeneous registration in CC
- Avoid re-use of CC
- Real time info about CC denials

This would be only the beginning of possibilities provided by this system

PRESENT AND FUTURE CHALLENGES

In conclusion, the key message is:

We need to take advantage of these computer tools in order to avoid administrative handicaps and taxes for those who meet the requirements. In this way sustainable fishing trade will be promoted in an international frame and at the same time IUU fishing will be discouraged

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Thank you for your attention!! 20