

Modernisation of the EU IUU Regulation Catch Certificate System

EU IUU COALITION POSITION PAPER

1. Purpose of this document

The Environmental Justice Foundation, Oceana, The Pew Charitable Trusts and WWF ("the coalition") are working together to secure the harmonised and effective implementation of the EU Regulation to end illegal, unreported and unregulated (IUU) fishing¹. A key objective of our collaboration is to improve the effectiveness of the EU IUU Regulation's catch certificate (CC) system in identifying and blocking illegal seafood products. The purpose of this document is to outline the coalition's ambitions for the European Commission's (from here on, Commission) modernisation (i.e. upgrading) of the CC system during 2016–2017.

to the EU are required to issue and validate the CCs, certifying that the products were caught in compliance with national and international fishing regulations. At the point of entry into the EU member state (MS) of final destination, competent authorities are required to verify CCs and reject the import of any seafood products that are unaccompanied by a valid CC, or that are found – or seriously suspected – to be linked to illegal or fraudulent activities.

Under the EU IUU Regulation, the EU can also identify non-EU countries as having inadequate measures in place to prevent and deter IUU fishing in their waters or by their fleets, by issuing a warning (yellow card) that signals a formal demand for improvement in this regard. If these "yellow-carded" countries fail to improve according to the EU's requests, they face having their seafood banned from the EU market (red card).

The Commission released an analysis of implementation of the EU IUU Regulation in October 2015². In this document, the Commission communicated its plans to modernise the CC system during the course of 2015–2016 (from here on, modernisation plan). The two key elements of the proposed modernisation plan are: (i) delivering an IT system that will create a unified CC database and procedures for harmonised exchange and cross-checks of information on CCs and associated information (from here on, EU-wide database of CCs); and (ii) using the new IT system to support harmonised and improved risk analyses for the control of CCs. With regard to the first of these goals, the Commission has indicated its intention to utilise the already existing Trade Control and Expert System (TRACES) as a basis to incorporate functions for the processing and control of CCs³. TRACES has been in place since 2004 to help improve traceability, information exchange and risk management with respect to trade in animals, food, feed and plants entering and leaving the EU.



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2. Background

The EU IUU Regulation came into force on January 1, 2010. This Regulation aims to block the entry of illegally caught seafood products into the European Union (EU), through mandating the use of a CC for seafood imports into the EU. Third (non-EU) countries that export seafood

¹ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing (OJ L 286, 29.10.2008): <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1408984470270&uri=CELEX:02008R1005-20110309>

² <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2015:480:FIN>

³ See: http://ec.europa.eu/food/animals/traces/index_en.htm

3. Position statement

During the past three years, the coalition has engaged intensively on the EU IUU Regulation, both within the EU with EU institutions and key seafood-importing MS, and with stakeholders and experts across the globe. We consider the EU IUU Regulation to be the most progressive anti-IUU trade legislation of its kind to date, which has been a driving force behind global action against IUU fishing over the past five years. Implementation of the Regulation has prompted major fishing nations such as South Korea to reform their fisheries laws and sanction vessels with a long record of involvement in IUU fishing⁴, and has influenced other major seafood markets such as the USA to advance on the establishment of their own anti-IUU trade laws⁵.

However, during our engagement on this legislation, we have also identified significant procedural, operational, technical and administrative gaps in the EU IUU Regulation CC system, which we believe must be addressed as soon as possible if the Regulation is to deliver fully on its promises. As anti-IUU fishing laws and practices continue to evolve at both national and international levels outside the EU, realising the full potential of the EU CC system will be instrumental in maintaining EU leadership in the fight against IUU fishing and, ultimately, in making measures against IUU trade a globally effective tool to reduce IUU fishing.

Importantly, at this point in time, we are not interested in seeking a lengthy revision of the EU IUU Regulation to achieve improvements to the CC system – in fact, at such an early stage in the lifespan of the Regulation, we expressly oppose it. However, we strongly and fully support the Commission's commitment to its modernisation plan, which will see improvements to the CC system in a manner that involves no revision of the legislative text.

In this paper we set out our expectations for the improvements we hope to see the Commission deliver on the EU IUU Regulation CC system. We first outline the critical gaps that need to be addressed (section 4.1), and then provide practical steps for how to overcome them (section 4.2).

Allowing for some possible delays, we expect delivery of the modernisation plan by latest mid-2017.

4. Coalition priorities for the Commission's modernisation of the CC system (2016–2017)

We contracted two studies to assist us in developing our recommendations for the Commission's modernisation plan. Firstly, we worked with Client Earth⁶ to identify the legal scope for bridging gaps in implementation of the EU IUU Regulation without the need for a revision of the legislation⁷. Secondly, we worked with MRAG⁸ to develop technical recommendations for achieving our vision of an effective EU-wide database of CCs by building on the existing TRACES system⁹.

4.1 Key weaknesses in the CC system that need to be immediately addressed

4.1.1 Paper-based system prevents EU-level cross-checks of CC information

Approximately 250,000 paper CCs are processed annually across the EU, but current practices for processing, verifying and recording information from incoming CCs do not allow for information-sharing or cross-checking among EU MS. Indeed, each MS has been responsible for establishing its own CC processing, verification and recording system, which has led to wide variation in these procedures¹⁰. Some MS have developed sophisticated IT tools to help with this function, while others have not kept any digital records of the information in the CCs but have simply stored incoming CCs in paper format. Others still have kept a basic log of incoming CCs in an Excel spreadsheet. Evidently, the effectiveness of these systems varies widely, while their differences make them incompatible with each other in ways that prevent sharing of CC information among MS.

This is especially problematic because the EU IUU Regulation allows for the photocopying of paper CCs in cases of split consignments, i.e. where only part of the product weight stated on a CC is exported to the EU as a given consignment. In such situations, there is no requirement to record how the initial product weight has been split into different consignments for export to the EU, e.g. on the original CC prior to photocopying¹¹. This makes it possible for unscrupulous economic operators¹² to use copies of the same CC to export/import multiple consignments of fishery products into different points across the EU, in excess of the full amount stated on the original CC. Without a centralised system recording

⁴ [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XC0429\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XC0429(01)&from=EN);
<http://ejfoundation.org/news/eu-removes-south-korea-list-those-failing-combat-pirate-fishing>
⁵ http://europa.eu/rapid/press-release_IP-11-1007_en.htm?locale=en; http://www.nmfs.noaa.gov/ia/iuu/noaa_taskforce_report_final.pdf

⁶ www.clientearth.org

⁷ Report can be made available on request.

⁸ www.mrag.co.uk

⁹ See full report at: <http://www.iuuwatch.eu/wp-content/uploads/2016/02/MRAG-Final-Report-on-Improving-EU-IUU-Reg-CC-system.pdf>

¹⁰ http://www.iuuwatch.eu/wp-content/uploads/2016/02/IUU_report_090216_web.singles.pdf

¹¹ http://www.sasama.info/en/pdf/reports_17.pdf

¹² Third country exporters or EU importers.

imports across the EU, MS have no way of detecting whether the weight in the original CC has been fully utilised, as there is no mechanism to check what has been previously imported into other MS. This leaves the door wide open for the importation of illegal seafood products into the EU.

This problem is compounded in the case of processed products. These are often caught by one country (the flag State), before being transported to another country for processing (the processing State), and then exported to the EU as the final destination¹³. In other cases, raw material is imported by the EU from the flag State, before being re-exported to another country for processing, and re-imported by the EU as the final destination. In such cases, it is even more difficult to track splits and conversions of consignments, which presents another opportunity for illegal activity.

Furthermore, in the absence of adequate cross-checks, it is possible for unreasonably high processing yields (i.e. the amount of processed product that can be produced for a given raw material input) to be used as a means by which to augment exported products with uncertified material¹³.

As an example, after a flag State has issued a CC, one batch of the original raw material may be sent to one processing factory for filleting (yielding one final product weight for that species) while another batch may be sent to another processing factory but only for gutting (yielding another final product weight for that species). Both batches need to be accompanied by a CC¹⁴, so one batch will be accompanied by the original CC, the other by a copy of the original – both showing the full weight of the original catch. After processing, a processing statement (PS) will need to be issued by the processing factories, and these statements attached to the relevant CCs. Both consignments may then be exported to the EU for consumption, perhaps to the same, but likely to different, MS. Within the EU, to be able to fully ascertain the legality of the products for import, it would be important to determine that:

- (i) the processed weights of the products are consistent with the expected species-specific conversion factors for the processing methods concerned¹⁵, and
- (ii) the combined pre-processed weights of the two consignments does not exceed the weight of the original catch shown on the CC.

An essential requirement for the effective assessment of CCs and PSs under the EU IUU Regulation is the capacity of MS authorities to cross-check CCs and their associated PSs at an EU level. An EU-wide database of CCs is the prerequisite to making this possible.

4.1.2 Non-standardised methodologies for assessing CCs at EU border posts still allow for the potential entry of illegal seafood products

Another key factor that is preventing the EU IUU Regulation from reaching its full potential is the lack of standardisation across MS as regards methodologies for the assessment and verification of CCs. To date, MS have applied highly variable methodologies and standards of rigour to the processing and verification of CCs¹⁶, which allows for the possible diversion of imports of illegally caught products to those MS that implement less stringent import controls. Specifically, several MS have failed to implement thorough documentary checks of CCs, to apply a risk-based approach to identify CCs for verification, or to follow up with rigorous verifications of high-risk CCs, in order to effectively ascertain the authenticity of documents and the legality of products¹⁷.

It is only through uniform, effective, and harmonised risk-based implementation that illegal products can be fully excluded from the EU market; without such an approach, unscrupulous operators will always seek alternative points of entry with less stringent controls.

4.2 How can the Commission's modernisation plan bridge these gaps

In summing up the immediate requirements from a new CC system identified in section 4.1, as a bare minimum the modernisation plan for the EU IUU Regulation CC system will need to ensure that:

1. CC and PS information is captured in digital format within the EU to allow for information exchange among MS;
2. all MS have access to the system, and are able and willing to use it;
3. CC information cross-check facilities are provided and CC documentary checks and risk analyses are standardised, and automated as much as possible, within the system;
4. the system allows, wherever possible, for the counting down of total weights shown on the CC in the case of split consignments (i.e. mass balancing), to detect overuse of CCs;
5. the system assists authorities in the cross-checking of conversion factors, to ascertain whether pre-processed and processed weights declared on PSs are consistent; and
6. the system allows for the strategic analysis of data to detect anomalies and trends over time in order to improve future risk analyses, and for reporting purposes.

The operational modifications, and the technical modifications in TRACES required to implement these key requirements, are explained in detail below.

¹³ http://www.sasama.info/en/pdf/reports_17.pdf

¹⁴ See Article 14(2) of the EU IUU Regulation.

¹⁵ Although currently there is no globally accepted, standardised list of species-specific conversion factors for all seafood products, major deviations from species-specific ratios of processed

vs unprocessed weights should be easy to detect using virtually any list compiled by a country or an RFMO. See more on this in section 4.2.5.

¹⁶ http://www.iuuwatch.eu/wp-content/uploads/2016/02/IUU_report_090216_web.singles.pdf

¹⁷ idem.

4.2.1 Digitise CC and PS information

Under the current EU IUU Regulation regime, both paper and electronic CCs and PSs are accepted. In order to transition towards a system where all CC and PS information is available digitally, at least within the EU, a number of procedural modifications will be necessary.

For CCs and PSs that are currently being submitted to EU MS competent authorities in paper format, information from these documents will have to be inserted into the EU-wide database of CCs. To our knowledge, the majority of CCs and PSs are submitted in this paper format, so the digitisation of the information will need to be achieved through requiring EU actors to enter the information into the system¹⁸: either EU MS authorities or EU economic operators (i.e. the traders and importers). Because MS authorities are already resource-limited, and because economic operators are ultimately the economic beneficiaries, it is likely more practical for economic operators to carry out the task. However, this decision could be left to the discretion of each MS. In Spain, economic operators are already required to carry out the task of submitting CC information via the Spanish electronic system.

For the few third countries that are already providing CC and PS information electronically, this new requirement would simply mean gaining access to, and learning how to use, a new electronic system for the transmission of information to the EU. The authorities involved in the submission of information would need to receive training on this, once the new system is in place.

To ensure that the digitised information serves its purpose, one important requirement is to make certain that it is entered correctly and in a standardised manner.

To achieve this, we suggest:

- (a) mirroring the paper data field requirements of CCs and PSs¹⁹ in the digital platform;
- (b) ensuring that a CC or PS is not accepted by the system with any null entries for specified key field requirements;
- (c) standardising information entered on the weights and catch areas on the CC (see box on page 5 for more information);
- (d) wherever possible, using drop-down lists for the entry of information from CCs and PSs, for example:

- o from the beginning of “Operation of the system” for at least the following fields:
 - “Validating Authority” (top right box of CC)
 - “Flag” (under #2 in CC)
 - “Species” and “Product code” (under #3 in CC)
 - “Product CN code” (under #11 of CC)
 - “Vessel flag” (column #2 of PS);
- o for the following fields, drop-down lists **could be built up over time** (i.e. all new entries registered and memorised by the system):
 - “Name of exporter” (under #8 in CC)
 - “Name of importer” (under #11 in CC)
 - “Catch certificate number” (column #1 of PS; see section 4.2.4 for more on this);
- o in the case of “Fishing vessel name” (under #2 in CC, and column #2 in PS), we recommend:
 - an initial drop-down list of at least the vessels included in the Community IUU vessel list and presumed IUU fishing vessel list²⁰ to ensure the correct identification of these vessels from the first moment they are entered into the system, and to which further vessels are added over time as new CC data are entered into the system; and
 - the establishment of a quality control procedure: a manual check at routine intervals the list of vessel names for any possible duplication of the same vessel due to misspelling.

With regard to species and product codes, for the purposes of facilitating data cross-checks, it is imperative that these are entered into the system correctly. We propose that the drop-down lists be based on the following:

- **Species:** the Food and Agriculture Organisation (FAO) of the United Nations (UN) Aquatic Sciences and Fisheries Information System (ASFIS) list of species²¹, which identifies 12,700 wild-caught and aquaculture species.
- **Product code:** the 6-digit codes of the Harmonised Commodity Description and Coding System (HS) of the World Customs Organisation, although provide scope for third countries to enter their own, more detailed HS codes (e.g. 8 or 10 digit), where relevant.

As the ASFIS list and HS codes are routinely updated by their originators, an automatic update process should be defined within the EU-wide database.

¹⁸ In its report, MRAG advised the coalition that the option of optical character recognition (OCR – the method of automatically converting text from scanned CCs into appropriate data fields) is not a feasible option for the EU CC system. OCR requires that the scanned document be generated by a computer, be of high quality (greater than 100 dpi) and that all text within the document uses a small and consistent character set. EU CCs do not meet these requirements because: there are multiple

formats of CCs; CCs are usually not computer generated and are filled out by hand; they include characters from different alphabets (i.e. from languages all over the world).

¹⁹ As shown in Annexes II and IV of the EU IUU Regulation, respectively.

²⁰ See Article 26(4) of the EU IUU Regulation

²¹ ftp://ftp.fao.org/FI/STAT/DATA/ASFIS_sp.zip

A note regarding need for standardisation and/or enforcement of three key data fields of the current CC²²: weights, catch areas and IMO numbers

The EU CC has the beginnings of a CC scheme in place, but there is certainly room for improvement²³. In this box we highlight three existing data fields of the CC for which data entry is currently not adequately standardised and/or enforced, leading to deficient data for cross-checks and risk analysis purposes (see sections 4.2.3 and 4.2.4, and Annexes I and II).

Weights on CC

The current CC contains three data fields for information regarding the weight of the imported consignment: “Estimated live weight”, “Estimated weight to be landed” and “Verified weight landed” (under #4 on CC).

In 2010, the Commission issued two Guidance notes²⁴ to clarify the requirements for how to fill in these fields of the CC. However, the instructions in these Guidance notes remain very unclear. In particular, the range of possible export scenarios are not adequately defined in the Guidance, resulting in confusion as to which data field to complete where an export falls within the scope of more than one scenario. For example, it is unclear which field to complete in the case where all fish from one landing are first processed in the flag State and then exported to the EU. This could fall into either of the first two scenarios described in the Guidance: all fish from one landing exported to the EU, OR, products processed in the flag State prior to exportation to the EU. Depending on which of these scenarios applies, the Guidance states that the “Estimated live weight” field or the “Estimated weight to be landed” field should be completed, respectively.

To standardise data entry into the EU-wide database of CCs, and to allow for some automated functions to be established in the system, this lack of clarity must be addressed. We propose, for absolute clarity and simplicity for now (i.e. while there is no revision of the EU IUU Regulation in progress), to simply amend the Guidance to state that, under all scenarios, operators should enter the weight exported to the EU in the “Estimated weight to be landed” field. This would apply regardless of whether the total or only a proportion of the original catch weight is exported to the EU, and whether the products are processed or unprocessed upon exportation from the flag State.

Catch areas

Under current CC requirements, there is no standardisation of data entered on catch area (under #4 on CC). The EU IUU Regulation Handbook leaves this question relatively open, stating that catch area “can be represented by” a national

Exclusive Economic Zone (EEZ) code, the relevant Regional Fisheries Management Organisation (RFMO) fishing area code, or the UN FAO fishing area code, but that “no specific designation of fishing areas is foreseen under the EU IUU Regulation”²⁵. This not only prevents the standardisation of data entry on catch area into the EU-wide database of CCs (i.e. through use of a drop-down menu) but, in many cases, the identification of the fishery from which a product was harvested for the purposes of effective documentary checks and risk analyses (see section 4.2.3 and Annexes I & II).

A simple way to overcome this, at least for now (i.e. while there is no revision of the EU IUU Regulation in progress), would be to amend the Guidelines to specify that the following codes should be utilised:

- ISO country codes in the case of fishing carried out within a country’s national EEZ²⁶,
- the RFMO where a fishing area is covered by an RFMO jurisdiction²⁷, and
- FAO fishing area codes for fishing in the high seas outside of RFMOs²⁸.

IMO numbers

The International Maritime Organization (IMO) unique vessel identification number (IMO number) is available on a voluntary basis for fishing vessels of 100 gross tonnes (GT) and greater. An IMO number is linked permanently to a vessel for the term of its operational existence, allowing for the transparent tracking of a vessel’s activity regardless of any changes in its flag, name or call sign. It is therefore far more useful and reliable for risk analysis purposes than these other vessel characteristics. IHS Maritime and Trade manages the IMO scheme and assigns IMO numbers without charge on behalf of the IMO.

The EU recently made IMO numbers mandatory for EU fishing vessels over 24m or 100GT operating in EU waters, and for vessels over 15m operating in non-EU waters²⁹. Additionally, to date, 10 out of 12 major RFMOs³⁰ have mandated that either all vessels, or all larger vessels, wishing to fish within their jurisdictions obtain and report IMO numbers, with the two remaining RFMOs – the North East Atlantic Fisheries Commission (NEAFC) and General Fisheries Commission for the Mediterranean (GFCM) – expected to follow suit in 2016 and 2017, respectively. However, these requirements do not cover all vessels exporting to the EU, and the inclusion of an IMO number on the EU CC is currently an optional requirement (see under #2 on CC). There remains a significant gap, therefore, which allows fishing vessels with no IMO numbers to export products to the EU. This prevents MS authorities from having the information available to fully verify the historical activities of vessels exporting to the EU and undermines the intentions of the EU IUU Regulation. The EU should explore all avenues to close this gap.

²² See Annex II of the EU IUU Regulation.

²³ See an extensive description of the faults with the EU CC system in: http://www.sasama.info/en/pdf/reports_17.pdf However, many of these problems could only be effectively corrected through a revision of the EU IUU Regulation.

²⁴ See: http://ec.europa.eu/fisheries/cfp/illegal_fishing/info/weight_in_catch_certificate_en.pdf; http://ec.europa.eu/fisheries/cfp/illegal_fishing/info/weight_in_catch_certificate_part2_en.pdf

²⁵ See page 39 of EU IUU Regulation Handbook: http://ec.europa.eu/fisheries/cfp/illegal_fishing/info/handbook_original_en.pdf

²⁶ <http://www.fao.org/countryprofiles/iso3list/en/>

²⁷ <http://www.fao.org/fishery/rfb/en>

²⁸ <http://www.fao.org/fishery/area/search/en>

²⁹ Commission Implementing Regulation (EU) 2015/1962 of 28 October 2015 amending Implementing Regulation (EU) No 404/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy.

³⁰ Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), Western and Central Pacific Fisheries Commission (WCPFC), Indian Ocean Tuna Commission (IOTC), Inter-American Tropical Tuna Commission (IATTC), South Pacific Regional Fisheries Management Organisation (SPRFMO), Forum Fisheries Agency (FFA), International Commission for the Conservation of Atlantic Tunas (ICCAT), Northwest Atlantic Fisheries Organization (NAFO), Commission for the Conservation of Southern Bluefin Tuna (CCSBT) and South East Atlantic Fisheries Organisation (SEAFO).

4.2.2 Facilitate use by MS

As outlined in section 4.1.2, MS have taken very different approaches to the implementation of EU IUU Regulation requirements on the assessment and verification of CCs. Generally, however, most MS agree that an EU-wide database of CCs is urgently needed in order to standardise approaches and facilitate CC controls³¹. Some MS have already established their own IT systems for CC controls (e.g. Spain, Netherlands) and, in this respect, there will be a need to agree on how they can most efficiently transition from their own national systems to the EU-wide system. Where MS wish to instead link their system to the EU-wide system, there will be a need to agree on fields and formatting standards for the exchange of data between systems, and a separate function established in TRACES to allow for this.

In any case, MS will need to be provided with access to the system once it is established, and provided with training, support and, in some cases, capacity building to effectively use the system. From a technical perspective, the system will need to have a back-up and restore facility to ensure data cannot be lost, and a multilingual interface to remove communication barriers.

4.2.3 Provide a CC and PS documentary check, risk analysis and verification tool/facility

As outlined in section 4.1.2, for the EU to function as one barrier against the entry of IUU-fished products, the application of a standardised methodology for carrying out documentary checks, risk analyses and CC verifications is required. Because many MS authorities are resource-scarce and concerned about administrative burden, application of this standardised methodology by MS must be as easy and efficient as possible. The EU-wide database of CCs has a clear role in this regard, in providing for these checks, analyses and verifications to be automated as far as possible, backed up by clear guidance, training and support to MS from the Commission.

In a separate but related document entitled *EU IUU Coalition Position Paper: Risk Assessment and Verification of Catch Certificates under the EU IUU Regulation*, the coalition outlines in extensive detail the need and recommended procedure for thorough documentary checks, the application of risk criteria to identify high-risk CCs, and the effective verification of CCs identified for further scrutiny³². In that paper we identify:

- the key fields of the CC we recommend to be checked during the initial, routine documentary check of each CC (see Table A in the paper);

- the primary (Table B in the paper) and secondary (Table C) risk criteria that we recommend MS to consider when assessing the need for further verification of CCs; and
- the key information sources that need to be consulted for each of the checks and risk criteria outlined, and whether we consider these appropriate for automated or manual application via the system (see Tables A, B and C in the paper).

Based largely on this analysis, as well as the study completed for the coalition by MRAG³³, we provide in the present paper:

- in Annex I: a checklist of the key information cross-checks and alerts that the EU-wide database of CCs should provide, whether automatically or manually, to facilitate the necessary **documentary checks** of CCs and PSs³⁴; and
- in Annex II: a checklist of the key information cross-checks and alerts that the EU-wide database of CCs should provide, whether automatically or manually, to facilitate the necessary **risk analyses** of CCs and PSs³⁵.

For both Annexes, the checklists are complemented by key fisheries management and IUU fishing information that will need to be uploaded, aggregated and managed in the system. Relevant operational requirements that will need to be implemented to allow for these cross-checks are also indicated.

To establish an effective tool for documentary checks, risk analyses and CC verifications in the EU-wide database of CCs, the first steps will need to be:

- to agree on a standardised risk assessment process between the Commission, MS and the European Fisheries Control Agency (EFCA) – we strongly recommend that the Commission and MS take into serious consideration the recommendations set out in our Risk Analysis Position Paper³⁶; and
- to gain agreement and commitment from the Commission that all data aggregated in the system will be maintained and kept up to date on a regular basis and centrally.

In parallel, the technical development will need to be done to build the system within TRACES. This will require the development of the relevant modules in TRACES to allow for:

- the automated, and where this is not possible, manual cross-checking of information and risk analysis functions to take place; and
- the capture and storage of all relevant fisheries management and IUU fishing information, to make these functions possible.

³¹ See: <http://www.iuuwatch.eu/wp-content/uploads/2016/02/MRAG-Final-Report-on-Improving-EU-IUU-Reg-CC-system.pdf>; also European Commission, pers. comm.

³² <http://www.iuuwatch.eu/wp-content/uploads/2016/07/Risk-Assessment-FINAL.pdf>

³³ <http://www.iuuwatch.eu/wp-content/uploads/2016/02/MRAG-Final-Report-on-Improving-EU-IUU-Reg-CC-system.pdf>

³⁴ See page 6 and Table A of Risk Analysis Position Paper.

³⁵ See page 6 and Tables B and C of Risk Analysis Position Paper.

³⁶ <http://www.iuuwatch.eu/wp-content/uploads/2016/07/Risk-Assessment-FINAL.pdf>

4.2.4 Allow for mass balancing

As highlighted in section 4.1.1 and Annexes I and II, a key check that MS authorities need to complete is to ensure that the full weight of products specified on a particular CC has not already been imported into the EU (“mass balancing”). As we also highlight in section 4.1.1, seafood supply chains into the EU can be complex, depending on whether products are: (i) directly exported to the EU from the flag State, or indirectly via another third country; (ii) processed or unprocessed; and/or (iii) kept in one consignment or split into smaller consignments after a CC is issued and before arrival to the EU. The cross-check and verification needs of MS authorities will be different depending on the export scenario in question.

In Annex III, we outline the eight main scenarios under which products could be exported to the EU, although further variations of these may exist. For each of the scenarios, we set out the current documentary requirements under the EU IUU Regulation, and the possibilities for automated cross-checks and mass balancing to take place within the EU-wide database. Our analysis in Annex III clearly shows that situations where consignments are split and accompanied by copies of the original CC pose the greatest challenges for MS authorities, and for automating cross-check and mass-balancing functions in the EU-wide database.

Based on our Annex III analysis of possible export scenarios, we recommend the following **automated** functions in the EU-wide database in terms of cross-checks and mass-balancing:

- **In cases where a MS authority receives an original CC (export scenarios #1 and #3),** the EU-wide database should alert MS authorities, upon entry of the CC details into the system, if the same CC number has already been used to import seafood products into the same or another MS and whether there is a re-export certificate associated with the product that may explain any possible re-import.
- **In cases where a MS authority receives a processing statement accompanied by a copy of the original CC (export scenario #5 – consignments split for the purposes of processing in a third country other than the flag State),** the EU-wide database should count down the unprocessed weights across multiple processing statements citing the same CC number against the weight in the CC and alert MS authorities if the CC has already been fully utilised for imports to the EU.
- Under the other export scenarios involving split consignments (export scenarios #2 and #4) it appears that, under current requirements, insufficient information is received by MS authorities on the weight of the split consignments to allow for effective mass balancing

within the system. In lieu of mass balancing, for these scenarios the system could only alert if there is already an existing entry for the same CC number in the system. Upon receiving this alert, the MS authority in question would have to carry out further verifications manually.

Implementation of our above recommendations will require resolution of the following operational and technical issues:

- To allow for the system to alert MS authorities if the same CC number has already been used to import a consignment into the same or another MS, and if a re-export certificate has been issued for the consignment:
 - (a) **at an operational level:** the Commission and MS will need to agree on a protocol for resolving such situations;
 - (b) **at a technical level:** a unique numbering scheme will need to be created in the system to allow for the identification of duplicate CCs and associated re-export CCs. Unique numbers could be created automatically by the system, as follows:
 - o for import CCs: a two-letter country-specific prefix could be added to the original CC number when entered into the system (e.g. a CC numbered 12345 coming from Thailand would be allocated the serial number TH12345 automatically by the system); and
 - o for re-export CCs: a suffix could be added to the unique CC number when all or part of a previously imported consignment is re-exported (e.g. the above CC numbered TH12345 would be allocated TH12345-RE1 for the first re-export, TH12345-RE2 for the second re-export, etc.).
- To allow for the automated mass balancing function to be established in the system where CCs are accompanied by PSs, at a technical level there will also be a need to:
 - (a) Standardise the field on the CC where total weight of products exported to the EU should be entered – we suggest in all cases using the “Estimated weight to be landed” field (see box on page 5 for a more detailed explanation).
 - (b) Establish a unique PS numbering scheme in the system, to allow for the counting down (or up) of weights indicated in the “Catch processed” field of multiple PSs citing the same CC number, against the total weight in the original CC. This could be achieved by adding, for PSs relating to the same CC, a suffix to the original CC number when entered into the system (e.g. PS #1 received as an attachment to the CC numbered TH12345 is given number TH12345-1: PS #2 received as an attachment to CC numbered TH12345 is given number TH12345-2, etc.).

4.2.5 Allow for cross-checking of conversion factors

As highlighted in section 4.1.1, the application of conversion factors to determine whether a given processed weight is consistent with the pre-processed weight specified in a PS can assist in detecting cases of illegality where the weight of the final product is vastly inconsistent with the yield expected from a given amount of raw material. Currently, however, there is no standardised list of species-specific conversion factors for all seafood products, which has been agreed at the global level. Indeed, it seems that even within the EU there is a history of different MS utilising slightly different conversion factors, with little will shown by MS to reach a common agreement³⁷.

However, for the purposes of cross-checking whether a given processed weight is within the expected range of yield from a given unprocessed weight, there is no need for exact science or thorough calculations. It would be sufficient to develop a simple automated function to calculate the processed vs unprocessed weight ratio(s) for a particular PS, upon entering these values into the system. A quick manual cross-check of this ratio with the expected range based on existing conversion factors would allow for the detection of any major deviations from what could be considered a normal output. We therefore suggest that the system stores as a simple list, for ease of reference, the indicative factors for converting product weight to live weight currently applying to the EU fleet³⁸, as well as any factors for key species officially adopted by RFMOs to which the EU is a Contracting Party (see also Annex II). It could then be at the discretion of each MS whether they choose to consult this list, or their own list (if applicable) for the purposes of cross-checks. Additional live weight conversion factors could also be consulted in the FAO's Coordinating Working Party on Fishery Statistics (CWP) Handbook of Fishery Statistical Standards³⁹.

With the above-suggested solution to overcoming differences among MS in their use of conversion factors, the only point the Commission and MS would have to agree on is the protocol for cross-checks. On this, we recommend that conversion factors be consulted routinely, as part of standard CC documentary cross-check protocols.

4.2.6 Provide a data analysis and reporting system

Finally, a key requirement from the system is to provide for the storage and aggregation of historical CC data, to allow for strategic analyses of data, and to facilitate biennial reporting by MS to the Commission.

The strategic analysis of data would be of primary importance to facilitate the detection of anomalies and trends over time, in order to improve and fine-tune the risk analysis procedures applied to CCs (see Annexes I and II for more details). In Spain, for example, CC data are analysed on a weekly basis and compared to historical cumulated CC data stored in the system, in order to identify any new – or changes in existing – trade patterns. In Spain's experience, such "bigger picture" analyses of trade patterns are a crucial element of best practices for the successful detection of illegal or fraudulent activities, which analyses of singular CC information cannot always detect⁴⁰. For such a function to be possible, the system would need to provide a search or filter tool to allow for the viewing, analysis and, if possible, extraction (into Excel, for example) of aggregated datasets resulting from queries made on specific CC data fields (e.g. vessels, species, countries, operators).

The same search/filter tool would also assist MS in fulfilling their biennial reporting obligations under the EU IUU Regulation. For this purpose, the Commission and MS will also need to agree on the specific CC data fields for which reporting is required, and in what format the reports are to be generated. In the interests of transparency and freedom of access to information gathered from CCs, the biennial reports submitted by MS should be published on the Commission website, with proprietary information removed if necessary.

³⁷ Commission, pers. comm.

³⁸ http://ec.europa.eu/fisheries/cfp/control/conversion_factors/index_en.htm

³⁹ <http://www.fao.org/fishery/cwp/handbook/I/en>.

⁴⁰ Spanish Subdirectorate for Control and Inspection, General Secretariat for Fisheries, pers. comm.

5. Conclusions and recommendations

In summary, the coalition's ambition for the modernisation of the EU IUU Regulation CC system is that the Commission delivers, by latest mid-2017, a progressive EU-wide database of CCs that harmonises MS procedures for the checking and risk-based verification of CCs and facilitates the effective identification of seafood products fished through IUU activities so that, ultimately, such products are blocked from entering into the EU.

For this, the Commission must ensure that:

- all CC and PS information is captured in digital format within the EU;
- all MS have access to the system, and are able and willing to use it;
- CC information cross-check facilities are provided and CC documentary checks and risk analyses are standardised, and automated as much as possible, within the system;
- the system allows, wherever possible, for the counting down of total weights shown on the CC in the case of split consignments (i.e. mass balancing);
- the system assists authorities in the cross-checking of conversion factors; and
- the system allows for the strategic analysis of CC and PS data and assists in reporting.



Crew member David Anderson examining catch of mackerel as it is pumped in to the refrigerated fish hold on board the pelagic trawler "Charisma." Shetland Isles. October 2011. © WWF

ANNEX I Checklist of desired functions in the system to facilitate CC and PS documentary checks⁴¹

TABLE 1A: Desired **automated** functions (and their relevant data sources, whether **internally generated** by the system **or to be uploaded within the system from external sources**)

Desired automated functions	Description of function & data source
Alert if a CC was not submitted within the correct timeframe ⁴² .	Cross-check date of submission of CC as registered by TRACES with date of arrival of consignment as registered by TRACES.
Alert if a CC is incomplete.	Cross-check that select key fields from CC are not left empty. The Commission and MS will need to agree on these key fields, but see also section 4.2.1 for some suggestions.
Alert if any supporting documents (e.g. PS) are missing, in the case of an indirect importation ⁴³ .	Cross-check that all supporting documents have been attached/uploaded.
Alert if a CC with the same number has already been fully used to import seafood into the EU (and there have been no re-export CCs associated with the CC) (see section 4.2.4 for further information).	<ol style="list-style-type: none"> 1. Cross-check CC number generated by system (see section 4.2.1) with registry of CC numbers in the system. 2. If other CCs are identified with the same number, cross-check the "Estimated weight to be landed" fields of these CCs to determine if CC is fully utilised (see box on page 5 and section 4.2.4). 3. If CC is already fully utilised, check for any re-export CCs associated with CC number in the system (see section 4.2.4).
Alert if there are any irregularities in the chronological order of dates (e.g. date of capture is after date of expiration of the fishing licence; date of capture is after date of transshipment, export and validation).	<p>Cross-check "Catch dates" field of CC with "Fishing licence valid to" field of CC.</p> <p>Cross-check "Catch dates" field of CC with "Date of transshipment", "Date of export" and "Date of validation" on CC.</p>
Alert if the species does not correspond to the product CN code on the CC.	Cross-check "Species" field with "Product CN code" field of CC (See section 4.2.1 for more information on this).
Alert if the products intended for importation are not the same as those mentioned on the CC (as determined through a cross-check of product CN codes in the CC and in other importation documents).	Cross-check "Product CN code" field of CC with equivalent field in health certificate as entered in TRACES.
Alert if there are discrepancies between the PS and CC information with respect to: <ul style="list-style-type: none"> • the CC number • the product CN code • the vessel name/number • dates of validation • weights. 	Cross-check the following fields of the CC with equivalent fields of the PS: <ul style="list-style-type: none"> • "Document number" • "Product CN code" • "Fishing vessel name" and "IMO number" (if applicable – see box on page 5) • "Date of validation" • "Estimated weight to be landed"
Alert for multiple PSs citing the same CC number <i>if</i> the total sum of all "Catch processed" (i.e. unprocessed catch) weights cited in the PSs exceed the weight in the original CC (see section 4.2.4 for further information).	<ol style="list-style-type: none"> 1. Cross-check the PS number automatically generated by the system (see section 4.2.1) with the registry of PS numbers in the system. 2. If other PSs are identified as stemming from the same CC, calculate the total cumulative weight imported under these PSs by adding together the weights in the "Catch processed" field of each PS. 3. Cross-check this cumulative weight with the "Estimated weight to be landed" field in the original CC.
Alert if the validating authority does not correspond to the authority that was originally notified by the flag State to the Commission.	Cross-check the "Validating Authority" field of CC with the list of third country validating authorities ⁴⁴ .
Alert if, in the case of direct landings, the importing vessel is not included in the DG SANTE list of authorised establishments.	Cross-check the "Fishing vessel name" field of CC with the DG SANTE list of authorised establishments ⁴⁵ .
Alert if the vessel number and/or name on the CC is included in the Community IUU vessel list.	Cross-check "Fishing vessel name" and, if applicable, "IMO number" fields of CC with the Community IUU vessel list ⁴⁶ .
Alert if the flag State on the CC has been identified as a Non-Cooperating country in the fight against IUU fishing (i.e. red-carded) by the Commission.	Cross-check "Flag" field of CC with the list of countries identified by the Commission as Non-Cooperating under Article 31 of the Regulation .

Notes:

⁴¹ See page 6 and Table A of Risk Analysis Position Paper.

⁴² See Art. 16(1) of the EU IUU Regulation.

⁴³ See Art. 14 of the EU IUU Regulation.

⁴⁴ http://ec.europa.eu/fisheries/cfp/illegal_fishing/info/flag_state_notifications_en.pdf

⁴⁵ https://webgate.ec.europa.eu/sanco/traces/output/non_eu_listsPerActivity_en.htm#

⁴⁶ <http://eur-lex.europa.eu/legal-content/EN/TEXT/PDF/?uri=CELEX:32015R1296&from=EN>

TABLE 1B: Desired **manual** functions (and their relevant data sources to be uploaded within the system from external sources)

Desired functions	Description of function & data source
Allow for manual cross-check of key information provided by Validating Authority.	Upload to system's library, key information provided by third country Validating Authorities, including: key contacts, model seals and stamps, signatures and model CCs (if applicable). Alternatively, provide user-friendly link within system to current Specimen Management System.
Allow for manual cross-check of species-specific conversion factors to determine whether: o landed (export) weight is consistent with live weight stated in CC (if provided) for the product type concerned; and/or o quantity of processed product is consistent with quantity of unprocessed catch in PS (see section 4.2.5 for further information).	Upload to system's library, species-specific live weight conversion factors currently applying to the EU fleet⁴⁷ and other lists officially adopted by those RFMOs to which the EU is a Contracting Party.

Notes:

⁴⁷ http://ec.europa.eu/fisheries/cfp/control/conversion_factors/index_en.htm; See Annexes 13–15 of Commission Regulation (EU) No 404/2011: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011R0404&from=EN>

ANNEX II

Checklist of desired functions in the system to facilitate risk analyses of CCs and PSs⁴⁸

TABLE 2A: Desired **automated** functions (and their relevant data sources, whether **internally generated** by the system **or to be uploaded within the system from external sources**)

Desired automated functions	Description of function & data source
Alert if any of the following have been identified in a Mutual Assistance request, Community Alert, or INTERPOL Purple Notice: <ul style="list-style-type: none"> • flag or processing State • vessel⁴⁹ (including as a result of activities carried out by the vessel owner, beneficial owner, or legal entity connected to the vessel) • species • exporter or importer (whether an individual or company). 	Cross-check the following fields of the CC or PS with key data elements extracted from Mutual Assistance requests, Community Alerts, and INTERPOL Purple Notices and stored in system : <ul style="list-style-type: none"> • “Flag” & processing State (see above) • “Fishing vessel name”⁵⁰ • “Species” • “Name of exporter” and “Name of importer” Note that the Commission and MS will need to agree on a protocol for entering this information into the system.
Alert if the flag or processing State has been issued with an official warning (i.e. yellow-carded) by the Commission.	<ul style="list-style-type: none"> • Flag State: cross-check “Flag” field on CC with Commission’s list of yellow-carded countries. • Processing State: in the case of products accompanied by a PS, an additional field will need to be added in the system to collect information on the identity of the processing State and this field will need to be cross-checked with the list of yellow-carded countries.
Alert if the flag, transit or processing State is subject to RFMO trade measures (sanctions) ⁵¹ .	Cross-check “Flag” field of CC and processing State as identified from PS (see above) with list of countries subject to trade measures (sanctions) for each RFMO , where applicable ⁵² .
Alert if the vessel has been identified by the Commission as presumed to be engaged in IUU fishing ⁵³ .	Cross-check “Fishing vessel name” field of CC with list of vessels identified by the Commission as presumed to be involved in IUU fishing (this information is not public but is made available to MS ⁵⁴).
Alert if the species in the CC is listed in the Appendices to CITES.	Cross-check “Species” field of CC with consolidated list of CITES-listed species ⁵⁵ .
Alert if a new trade partner (i.e. a flag or processing State), new species or fishery product, or operator (exporter/importer) has appeared (i.e. a CC has been received for the first time).	Cross-check “Flag”, “Name of exporter”, “Name of importer” and “Species” fields of CC with historical CC data on these key data fields per MS (to be cumulatively compiled, starting from the beginning of operation of the system).
Alert if a transshipment at sea has taken place.	Alert if “Declaration of transshipment at sea” field on CC is filled out.
Alert if the flag State is an RFMO Member, or Cooperating Non-Member, and if so: <ul style="list-style-type: none"> • whether the vessel on the CC is included in the register of vessels authorised to fish in the Convention Area; and • whether the flag State has fished in compliance with key RFMO conservation management measures (CMM) requirements (respecting bans on target species and/or bans on transshipments, if applicable). 	<ul style="list-style-type: none"> • Cross-check “Flag” field of CC with list of Members and Cooperating Non-Members of each RFMO. • Cross-check “Fishing vessel name” and “IMO number” (if provided) fields of CC with vessel name and IMO number in list of authorised vessels for each RFMO⁵⁶. • Cross-check “Species” and “Declaration of transshipment at sea” fields of CC with list of banned species and bans on transshipments per RFMO⁵⁷, if applicable.
Alert if CCs are originating from importers or exporters with a history of problems with their CC applications (i.e. history of fraudulent use, errors, reuse of CCs, rejections, cancelled applications).	Cross-check “Name of exporter” and “Name of importer” fields of CC with the record log of issues with economic operators, based on previous CC information. The following information should be captured in the system for each operator (importer/exporter): <ul style="list-style-type: none"> • In the case of a rejected consignment, the reason for rejection (e.g. reuse of a CC, fraudulent CC, other documentary issues). • Any previously cancelled CC applications. Additional data fields will need to be created in TRACES to allow MS authorities to record this information for future analyses.
Alert if CCs are originating from Validating Authorities with a past history of problems with their validation of CCs (e.g. lost, stolen or forged stamps).	Cross-check “Validating Authority” field of CC with information stored from Mutual Assistance requests and Community Alerts . Note that the Commission and MS will need to agree on a protocol for entering this information into the system.

Notes:

⁴⁸ See page 6 and Tables B and C of Risk Analysis Position Paper.

⁴⁹ Including receptor vessel in case of transshipments.

⁵⁰ Search on fishing vessel name will identify any problems related to the vessel owner, beneficial owner, or legal entity connected to the vessel.

⁵¹ See Art. 17(4)(d) of the EU IUU Regulation.

⁵² This list will need to be compiled from information available on RFMO websites or, if such trade sanctions are incorporated into EU legislation, from the Eur-lex link.

⁵³ See Art. 26(4) of the EU IUU Regulation.

⁵⁴ In accordance with Art. 26(4) of the EU IUU Regulation.

⁵⁵ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014R1320>

⁵⁶ This list will need to be created from a comprehensive search for these conservation management measures (CMMs) from all RFMO websites.

⁵⁷ Idem.

TABLE 2B: Desired **manual** functions (and their relevant data sources, whether **internally generated** by the system **or to be uploaded within the system from external sources**)

Desired functions	Description of function & data source
<ul style="list-style-type: none"> Allow for manual cross-check of whether the coastal State has been issued with an official warning (i.e. yellow-carded) by the Commission.⁵⁸ 	<ul style="list-style-type: none"> Manual identification of the coastal State based on information provided in the “Catch area” field of CC (e.g. if ISO country code for national EEZ is provided), and manual cross-check with the Commission’s list of yellow-carded countries.
<ul style="list-style-type: none"> Allow for manual cross-check of whether the coastal State or the fishery has been identified in a Mutual Assistance request, Community Alert, or INTERPOL Purple Notice. 	<ul style="list-style-type: none"> Manual identification of the coastal State based on information provided in the “Catch area” field of CC (e.g. if ISO country code for national EEZ is provided), and combined with “Species” field of CC if necessary to obtain information on the fishery. Cross-check with key data elements extracted, and stored in system, from Mutual Assistance requests, Community Alerts, and INTERPOL Purple Notices. <p>Note that the Commission and MS will need to agree on a protocol for entering this information into the system.</p>
<ul style="list-style-type: none"> Allow for manual cross-check of inconsistencies between catch data recorded on the CC and information in supplementary documents (e.g. health certificate, transport document, PS). 	<ul style="list-style-type: none"> Manual cross-check that key catch data (e.g. species, product codes and weights) in CC and supplementary documents match.
<ul style="list-style-type: none"> Allow for manual cross-check of key information on RFMO CMMs, including whether the catch specified in the CC is within the quota allocated by the RFMO (when combined with other catches from the same flag State in the same quota period). 	<ul style="list-style-type: none"> Upload to system’s library the key information on RFMO CMMs (e.g. quotas by flag State, temporal/spatial closures and licence lists). Alternatively, provide user-friendly link within system to be able to access these rapidly.
<ul style="list-style-type: none"> Allow for manual analysis of historical CC data, to allow for the analysis of trade trends over time and for reporting purposes (see section 4.2.6 for further information). 	<ul style="list-style-type: none"> Provide a search or filter tool to allow for the viewing of aggregated CC information on specific countries, vessels, species and operators (e.g. to detect changes in trade flows or significant and sudden increase in trade volumes, or to carry out a search on a particular vessel to allow detection of recent changes in name, flag or registration number).

Notes:

⁵⁸ Identification of coastal State would only be possible if catch area data entry was standardised in the system as we propose – see box on page 5 for more information.

ANNEX III Analysis of export scenarios into the EU and relevant cross-check and mass balancing needs

Description of export scenarios	Existing documentary requirements under EU IUU Regulation	Cross-check/mass balancing needs at EU level	Possibility for automated cross-checks in system, & reasoning	Technical and operational requirements to allow for automated cross-checks and mass balancing
1. The products are exported directly ⁵⁹ to the EU, in one consignment : a. In unprocessed form. b. In processed form.	a. Original CC. b. Original CC + optional domestic processing statement ⁶⁰ .	Identify if a CC with the same number has already been used to import products into the same or another MS. If so, identify if a re-export certificate has been issued for the CC number concerned.	Yes. Simple function required to recognise an already existing CC number in the system and any re-export CC(s) associated with the import CC.	<ul style="list-style-type: none"> Unique CC numbering scheme within system (see section 4.2.4 for suggestion of how to implement this). Commission and MS will need to agree on a protocol for resolving situations where the system issues an alert that a duplicate CC number is being used and no re-export certificate has been issued,
2. The products are exported directly to the EU, but products are split into two or more smaller consignments: a. In unprocessed form. b. In processed form. <i>NOTE: The EU IUU Regulation text does not currently envisage such an export scenario as, in theory, a separate CC should be issued for each consignment. Such an export scenario has been observed in Russia⁶¹, however, and thus may possibly be quite common practice in other third countries as well.</i>	a. Original CC. b. Original CC + optional domestic processing statement ⁶⁰ . <i>NOTE: No official requirement to document splits of consignments – see NOTE in first column, on left. It is likely that, in practice, the following procedure takes place in third countries: original CC is copied for each consignment sent to different EU MS – each copy of the CC likely showing the full weight of the original consignment (although this may vary depending on scrutiny applied by third country).</i>	Identify if previous consignments have already been imported with the same CC number into the same or another MS. If so, “count down” total weight of consignments already imported into the EU using the same CC to determine if total CC weight is exceeded.	Partially yes – function required to recognise existing CC number in the system (as above for export scenario #1). Partially no – as regards mass balancing. The weight of the split consignment being imported would not necessarily be recorded on the CC copy. MS authority would need to obtain the weight of the current and previous split consignments imported under the same CC number from other import documentation recorded in TRACES and compare manually to the total weight certified by the CC.	<ul style="list-style-type: none"> Unique CC numbering scheme within system (see section 4.2.4 for suggestion of how to implement this). Commission and MS will need to agree on a protocol for resolving situations where the weight of a single CC has been exceeded.
3. The products are exported to the EU indirectly via a third country, in one consignment : a. In unprocessed form. b. In processed form (i.e. processing takes place in a third country).	a. Original CC + document(s) stating no processing took place ⁶² . b. Original CC + original PS ⁶³ .	As for export scenario #1 above.	As for export scenario #1 above.	As for export scenario #1 above.

Table continued on next page

Description of export scenarios	Existing documentary requirements under EU IUU Regulation	Cross-check/mass balancing needs at EU level	Possibility for automated cross-checks in system, & reasoning	Technical and operational requirements to allow for automated cross-checks and mass balancing
<p>4. The products are exported to the EU indirectly via a third country, in unprocessed form, but products are split into two or more smaller consignments.</p> <p>See note under export scenario #2 above: the same applies for this scenario as well.</p>	<p>Original CC + document(s) stating no processing took place⁶².</p> <p>See note under export scenario #2 above: the same applies for this scenario as well.</p>	As for export scenario #2 above.	As for export scenario #2 above.	As for export scenario #2 above.
<p>5. The products are exported to the EU indirectly via a third country, in processed form (i.e. the processing takes place in the third country), but products are split into two or more smaller consignments.</p>	For each split consignment: Original or copy of CC + original PS ⁶³ .	As for export scenario #2 above.	<p>Yes.</p> <p>As each PS demands information on the weight of the "catch processed"⁶⁴, the system should be capable of cumulatively adding up the weights entered into this data field of each PS linked to the same CC number, and alerting if the cumulative weights exceed the total weight certified by the CC.</p>	<p>(a) Unique CC numbering scheme within system (see section 4.2.4 for suggestion of how to implement this).</p> <p>(b) Commission and MS will need to agree on a protocol for resolving situations where the weight of a single CC has been exceeded.</p> <p>(c) Standardise the field of CC where total weight of products exported to the EU should be entered (see box on page 5).</p> <p>(d) Establish a unique PS numbering scheme to allow for the linking of different PS to the same CC number (see section 4.2.4).</p>
<p>Notes:</p> <p>⁶⁰ i.e. from flag state.</p> <p>⁶¹ http://ec.europa.eu/fisheries/cfp/illegal_fishing/info/domestic_processed_products_en.pdf</p> <p>⁶² See page 37 of report: http://www.sasama.info/en/pdf/reports_17.pdf</p> <p>⁶³ See Article 14(1) of the EU IUU Regulation.</p> <p>⁶⁴ See Article 14(2) of the EU IUU Regulation.</p> <p>⁶⁴ i.e. the weight of the consignment prior to processing, which identifies the weight of the split of the original catch certified by the CC.</p>				

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									
6. Declaration of transshipment at Name of master of fishing vessel									
Master of receiving vessel									
7. Transshipment authorisation									
Name	Authority	Signature							
8. Name and address of exporter									

EUROPEAN COMMUNITY RE-EXPORT CERTIFICATE					
Certificate number		Date		Member State	
1. Description of re-exported product			Weight (kg)		
Species		Product code		Balance from total quantity declared in the catch certificate	
2. Name of re-exporter		Address		Signature	Date
3. Authority					
Name/title		Signature		Date	Seal/stamp
4. Re-export control					
Place		Re-export authorised (*)		Verification requested (*)	Re-export declaration number and date

The Environmental Justice Foundation (EJF), Oceana, The Pew Charitable Trusts and WWF are working together to secure the harmonised and effective implementation of the EU Regulation to end illegal, unreported and unregulated (IUU) fishing. For more information on improvements to the EU catch certificate scheme, go to www.iuuwatch.eu/catch-certificate-scheme.

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