



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

THE DIRECTOR-GENERAL

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Brussels,
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Sr. D. Juan Carlos Martín Fraguero
Secretario General de Pesca Marítima
Calle José Ortega y Gasset, 57
28006 Madrid
España

Dear Secretary General,

Dear Juan,

I would like to refer to the issue related to EC/Spanish nationals allegedly involved in IUU activities in the Commission for the Conservation of Antarctic Living Marine Resources (CCAMLR) area of competence.

In particular, I would like to refer to some specific cases which have been reported by CCAMLR Members, and which have been discussed during the last CCAMLR Plenary in October/November 2008.

In that context, the New Zealand and Australian Delegations raised the case of the Namibian flagged vessel *Paloma V*, whose flag was Namibian and is currently unknown. This vessel has been then listed in CCAMLR IUU vessel list during the 2008 Plenary.

As you are aware, following an inspection in the port of Auckland in June 2008, New Zealand provided CCAMLR with clear evidence (CCAMLR Circular 08/88) showing that *Paloma V*, even appearing as owned by Omunkete Fishing Ltd of Walvis Bay (Namibia), was operating as part of a fleet including CCAMLR IUU vessels *Eolo* (currently known as *Ina Mata*), *Hammer* (currently known as *Chilbo San 33*) and vessels *Galaecia* and *Belma*.

Furthermore in the same document a list of e-mail contacts for a number of individuals, organisations and vessels appear (always from fishing company Vidal Armadores) in a document transmitted to *Paloma V*'s computer.

The EC Delegation, during the CCAMLR plenary, managed to avoid a full discussion on the activities and network of Vidal Armadores in relation to IUU vessel in CCAMLR, which the Australian Delegation had the intention of developing with a power point slide that you can find here annexed.

Moreover, in June 2008, my Services drew the attention of the Spanish Administration on the case of the vessel *Galaecia*, which before sinking in July 2008, was suspected of an alleged misuse of the T2M document, and of laundering of illegal catches coming from the IUU listed vessel *Chilbo San 33*.

We acknowledge the information on both cases provided by your Services, as well as the related legal analysis received in October. Notwithstanding that, the Commission is highly concerned about this issue, and by the lack of concrete actions taken by Spain in relation to the two mentioned cases of the vessels *Galaecia* and *Paloma V*.

As you are aware, the CCAMLR provisions on the scheme to promote compliance by nationals (CCAMLR Conservation Measures 10-08) have been transposed into EC law through Council Regulation (EC) N° 1099/2007, and an entire chapter of the Council Regulation (EC) N° 1055/2008 (IUU Regulation) is dedicated to compliance by nationals.

In particular, following the adoption of the Regulation N° 1055/2008 during the last June Council of Ministers, you will understand that the Community position cannot be internationally undermined by the suspicion that an EC fishing company has confirmed relations with IUU listed vessels, as well as direct or indirect interests in IUU activities.

This situation is worsened by the fact that this is not the first situation allegedly involving the Spanish fishing company Vidal Armadores

The European Commission requests that, as a matter of urgency, the Spanish Authorities take action on this issue against Vidal Armadores, on the basis of Council Regulation (EC) N° 1099/2007.

The Commission will closely follow the evolution of this dossier and will reserve itself the possibility to take any legal action to ensure the implementation and respect of the EC Law.

Yours Sincerely,



Fokion FOTIADIS

Enclosures: 1