



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

General Affairs and Resources
Legal Affairs

Brussels,
MARE.E.4/EL/

Ms Béatrice Gorez
CFFA Coordinator
cffa.cape@gmail.com

Subject: Your complaint CHAP(2019)00315 – Pre-closure letter

Dear Ms Gorez,

I refer to the complaint CHAP(2019)00315 you have introduced on behalf of the Coalition for Fair Fisheries Arrangements (CFFA), and your most recent e-mail of 11 March 2021 inquiring about the developments linked to this file.

I can confirm that the informal dialogue with Italy in case EUP(2019)9562 is still open, and the Commission services are in the process of finalizing the analysis of the issues raised within the confines of this dialogue. Therefore, any request for access to the audit on the external fleet cannot, in principle, be granted as the investigation following this audit is still ongoing.

Concerning your complaint, your main allegation is that the Italian competent authorities fail to adopt measures to monitor their vessels operating in the waters of Sierra Leone. In concluding this failure to monitor the relevant fleet, you base your allegations on information from professionals in Sierra Leone, and cross-checked with the VMS/AIS data retrieved from CFFA on <http://globalfishingwatch.org/> in regard to the Italian vessels allegedly fishing in Inshore Exclusion Zone (IEZ) of Sierra Leone in 2018. The Commission services are cautious in relying on the open source platform as our experts have drawn attention to the fact that the lack of exact nautical maps for the delimitation of Sierra Leone IEZ creates difficulties in identifying the actual illegal activities from those being carried out outside the IEZ.

As follow up of the complaint, the Commission services contacted the Italian authorities requesting detailed information on the alleged facts. Consequently, Italy opened an investigation and after asking and receiving from Sierra Leone the exact IEZ coordinates checked all the VMS tracks of all the Italian vessels that operated in Sierra Leone for the years 2018, 2019, 2020. The Italian authorities concluded that no fishing activities were identified in the IEZ of Sierra Leone (fishing activities in IEZ would be illegal).

In 2020, Italy also inquired Sierra Leone whether the control authorities had identified any illegal activities of the concerned Italian vessels, in violation with the issued private licenses. The

authorities of Sierra Leone did not conclude any irregularities and confirmed the renewal of the fishing licences.

Furthermore, two Italian vessels invoked in your complaint were inspected in 2018 and 2019 in the framework of joint international operations under the project PESCAO. These two inspections (the one in 2019 was carried out in collaboration with the authorities of Sierra Leone) concluded full conformity of the operations of the vessels concerned.

Finally, for an effective and efficient monitoring of the external fleet, Italy uploaded the nautical maps of Sierra Leone in the FMC, equipping it with automatic alarms in case of any transgressions.

The Italian authorities have therefore duly followed up on the alleged accusations presented in your complaint, in collaboration with Sierra Leone, and reported to the Commission services the results of their investigations. The Commission services have analysed the outcome and concluded that no illegal activities of the operators can be proven at this instance.

In these circumstances, please note that the Directorate-General for Maritime Affairs and Fisheries intends to close this complaint in the CHAP database. Should you have any new information that might demonstrate the existence of an infringement or a continued infringement of Union law, we invite you to contact us by sending an email to MARE-CHAP@ec.europa.eu within four weeks of this letter, after which date the case will be closed.

Your continued interest in the matter is important to the Commission services and your input is of great value to improve governance by bringing to the forefront issues, which would need our attention.

Yours sincerely,

Martina DOPPELHAMMER
Head of Unit