

**The “Third-country vessels agreement”:  
Applying EU rules to Spanish-owned vessels fishing  
under non-EU flag**

**Presentation and perspectives on the extension at the European level of  
the innovative initiative developed by  
the Spanish tuna sector and the Spanish government**



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Cover photograph: 'Atlantic Ocean, Mauritania, 10 March 2010 European and Spanish flag waiving in the wind on the Spanish twin rig stern trawler 'Peix Mar Veinticinco', fishing for Shrimps in Mauritanian waters'. This picture is the property of Christian Aslund. It is available online on: <<http://www.lightstalkers.org/images/show/1206297>> (last accessed 15 October 2014).

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## Executive summary

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In April 2014, the Spanish tropical-tuna sector and fisheries administration signed the so-called “third-country vessels” agreement. The present report, mainly based on semi-structured interviews, investigates the rationales for-, the strengths and limits, and the opportunity of a transposition at the European level of this agreement. The latter is expected to facilitate landings on the EU (European Union) market and is part of a bigger move on the part of Spain to demonstrate and materialise a will to fight against Illegal, Unreported and Unregulated (IUU) fishing and to achieve transparency in fishing activities. Through this protocol, Spanish-owned tuna vessels fishing under a non-EU flag are offered the possibility of being monitored in a way similar to EU-flagged boats. Whereas this initiative appears quite innovative and results in more information about EU-owned/third-country-flagged vessels being made available, it does not seem to be legally binding. Accordingly, some doubt that it is fully reliable. Finally, according to the interviewees, generalising such an agreement at the European level is a good idea, but priority should be given to properly implementing stronger EU-legal tools and to harmonising the level of control among member states.

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## List of acronyms

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ANABAC	National Association of Freezer-Tuna-Vessels Owners
CEPESCA	Spanish Confederation of Fisheries
CFFA	Coalition for Fair Fisheries Arrangements
EJF	Environmental Justice Foundation
EU	European Union
IUU	Unreported and Unregulated fishing
LDAC	Long Distance Advisory Council
MAGRAMA	Spanish Ministry for Agriculture, Food and the Environment
OPAGAC	Organisation of Frozen Tuna Producers
SEGEPEPESCA	Spanish Secretariat of Fisheries
TTI	Tuna Transparency Initiative
WWF	World Wildlife Fund

## **Preliminary remarks: about this report.**

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On the 30<sup>th</sup> of April 2014, the Spanish Ministry for Agriculture, Food and the Environment (MAGRAMA, responsible for fisheries affairs) and the Spanish tropical-tuna sector, represented by the Spanish Confederation of Fisheries (CEPESCA) signed the so-called “third-country vessel agreement”<sup>1</sup>. This agreement creates the possibility for Spanish-owned tuna vessels operating under a non-EU flag (“third country” flag) to be integrated in the same monitoring system as any Spanish-flagged tuna vessel abiding by European fishing rules. It details the measures that are to be taken in order to realise the intentions expressed by both parties, as well as their obligations towards each other in the context of the protocol.

This report succinctly investigates the rationale for the agreement, what it involves exactly, what its strengths and limits are, and the opportunity of having a similar type of scheme developed at the European level.

It is made of six short sections. The first one provides some methodological information. Section two introduces some background information relating to the Spanish tuna sector and its importance in the Spanish economy, as well as fishing under a third country flag and the problem of IUU fishing. As regards part 3, it deals with the reasons that led the Spanish tuna sector and the Secretariat of Fisheries (SEGEPESCA, part of MAGRAMA) to develop this scheme. Part 4 moves on to the operational content of the agreement, the measures that will be taken concretely. The strengths and limits of the agreement are detailed in part 5. Finally, part 6 evokes the possibility and opportunity to develop a similar system at the EU level.

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<sup>1</sup> See appendixes 1 and 2 for the MAGRAMA and the sector press releases respectively.

## 1. Elements of methodology and limits of the study.

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The present study essentially relies on face-to-face semi-structured interviews. The very nature of my research topic has de facto reduced my list of key interviewees to a relatively small number of people, i.e. 4 sector and administration representatives who took part in the development of the third-country-vessels agreement and one representative of an international environmentalist NGO who closely followed the process<sup>2</sup>. Moreover, the analysis of the strengths and weaknesses of the agreement has benefited from informal discussions with CFFA and European civil servants working on international fisheries issues who expressed themselves on condition of anonymity and in their own name.

Semi-structured interviews have been retained as a means to find a balance between sticking to the topic and giving the interviewees as much freedom of expression as possible in order to allow for unexpected information to come up. The interview schedule has been adapted to each interlocutor with targeted questions<sup>3</sup>. Four interviews took place in Madrid during the second week of September. The last one was conducted in Brussels during the first days of October. The language used to conduct the interviews was English in all cases.

The potentially sensitive nature of the material collected led the author to decide not to disclose the identities of the two Spanish civil servants who accepted to answer his questions, and to propose total or partial anonymity to the sector's and NGO's representatives. Interviewees were also offered to check the quotes that could be used in the report, and were formally asked for an informed consent prior to starting the interview. One interviewee asked for the possibility to read the report before it would be made available to the public and was indeed given the opportunity to do so, which led to some modifications.

The interviews were structured around 3 broadly defined themes: first, the reasons for signing the agreement and its content, second the possibility and opportunity to have a similar tool developed at the EU level, and third the

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<sup>2</sup> See appendix 1 for the list of interviewees.

<sup>3</sup> see appendix 2 for an interview schedule.



implications of such an agreement trade- and competition-wise for the Spanish and EU fleets. The limited number of answers did not require any specific data treatment method. Answers were compared and pieces of information thematically gathered in order to create the most complete analysis.

A good command of Spanish on the part of the author of the study might have allowed the author to go slightly further in the understanding of some dispositions of the agreements. Also, it might have been useful to interview a ship-owner and possibly the captain of a tuna vessel to get a better sense of the concrete implications of implementing the agreement. All in all, though, the level of information that was reached through the interviews was highly satisfactory with regards to the aims of the study and the means available.

## 2. Some background information.

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Fishing plays an important role in the economy and social life of Spain. This country is the biggest fishing power in the EU with 757,827 tonnes live weight unloaded in 2012<sup>4</sup>.

The tropical tuna fishing industry directly or indirectly employs 43,000 persons in the peninsula<sup>5</sup>. A dozen companies of various sizes – Atunsa, Inpesca, Albacora, Pevasa to name but a few – share the market. These societies are represented by either one of the following two professional organisations: the Organisation of Frozen Tuna Producers (OPAGAC) and the National Association of Freezer-Tuna-Vessels Owners (ANABAC). These two organisations are in turn members of CEPESCA, which acts as the umbrella organisation of the Spanish fishing sector.

The tropical tuna fleet is mostly made of 60 purse seiners operating in the Atlantic, Indian, and, to a lesser extent, Pacific Ocean. About 30 of these boats are registered under Spanish flag, and another 30 under a third-country flag. Registering a boat under the flag of a non-EU country can have many advantages, for example benefiting from the fishing quotas of a flag state that does not have the fishing capacity necessary to absorb it.

Spanish fisheries stakeholders – like that of other EU or third countries – have sometimes been reported to be directly or indirectly involved in IUU fishing-related activities. For example, and although this seems to have changed in the past two years according to a report recently released by the European Commission<sup>6</sup>, Las Palmas has been described as a port of convenience that plays the role of an entry point in the EU for IUU-caught fish<sup>7</sup>. Because IUU affected the

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<sup>4</sup> Eurostat, European Commission: Brussels, viewed 18 October 2014, <<http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&init=1&language=en&pcode=tag00076&plugin=1>>.

<sup>5</sup> See appendix 2.

<sup>6</sup> MRAG, Oceanic Développement, the evaluation partnership, Poseidon Aquatic Resource Management Ltd, AND International, Lamans s.a. Management Services and IREPA ONLUS, 2014, *Study on the state of play regarding application and implementation of Council Regulation (EC) no 1005/2008 of 29 September 2008, establishing a community system to prevent, deter and eliminate Illegal, Unreported and Unregulated fishing (IUU regulation)*, study requested by the Directorate General for Fisheries and Maritime Affairs, European Commission: Brussels.

<sup>7</sup> Environmental Justice Foundation (EJF), 2005, *Pirates and Profiteers: How Pirate Fishing Fleets*

reputation of Spain to some extent and constitutes a serious threat for such a fishing nation (depletion of the stocks, unfair competition), Madrid nowadays flaunts a strong will to tackle IUU fishing and a commitment to achieve sustainable fishing activities<sup>8</sup>.

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*are Robbing People and Oceans*, Environmental Justice Foundation: London;  
Environmental Justice Foundation (EJF), 2012, *Pirate fishing exposed: The Fight Against Illegal Fishing in West Africa and the EU*, Environmental Justice Foundation: London.

<sup>8</sup> See Murias, A., 2014, "Fishery sustainability and combating illegal fisheries become Govt's non-negotiable priorities", FIS, 5 May, viewed 14 September 2014, <<http://www.fis.com/fis/worldnews/worldnews.asp?l=e&id=68291&ndb=1>>; or more recently Murias, A., 2014, "New Sea Fisheries Act provides for fight against IUU fishing", FIS, 12 September, viewed 14 September 2014, <<http://fis.com/fis/worldnews/worldnews.asp?l=e&ndb=1&id=71304>>.

### 3. Why the agreement?

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The protocol was signed by CEPESCA, but it actually originates from **the tuna sector**. The EU regulation on IUU (Council Regulation CE/1005/2008) makes it more difficult and time-consuming for a third-country-flagged vessel to unload than for a Community boat. Indeed, in application of the above-mentioned regulation, EU-flagged vessels are monitored in such a way that the majority of the information necessary for the control of catches has already been checked by the authorities when the vessels arrive in EU harbours. This is usually not the case for a third-country flagged vessel. Unloading catches can then take days, the time necessary for the authorities to process all the documents and information pertaining to the fish and the conditions under which it was caught.

For obvious reasons of economic efficiency, ship-owners proposed to the Spanish administration that their vessels flagged in third countries and landing their catches in the EU on a regular basis be monitored exactly in the same way as EU-flagged boats. According to the sector, this is all the more easy as all Spanish-owned-third-country-flagged tuna boats already comply with EU rules and have all the necessary equipment to make the final leap towards compliance with the EU regulation.

Representatives of the sector find other advantages to this agreement. In particular, they argue that it fosters transparency and sustainable management of the stocks, and therefore allows for the sale of products that address the consumers' and civil society's concerns over environmental problems and the decline of the stocks. Consequently, it is seen as one of a set of tools that contribute to guarantee the future of fishing activities, and some representatives of the sector present the agreement as a communication tool as much as an economic facilitator.

According to the representatives of **the administration** interviewed in preparation for this work, the tuna industry's proposal was received by MAGRAMA as an opportunity to achieve a move towards more sustainability and transparency in the fisheries sector, and to develop a useful tool for the fight against IUU fishing-related activities.

## 4. What does the agreement concretely involve?

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Concretely, the protocol opens up the possibility for Spanish-owned third-country-flagged tuna vessels to be monitored exactly as any other Spanish-flagged boat. Thus, joining the protocol is done on a voluntary basis, but it implies to conform to much stronger anti-IUU checks than those generally carried out by third-countries. The protocol reads<sup>9</sup>:

“[...] both parties propose the following:

FIRST: CEPESCA will voluntarily facilitate the satellite monitoring of its third-country-flagged vessels through the system of localisation in real time [Vessel Monitoring System].

To this end, a list of the vessels included in this voluntary scheme of control is attached to the present protocol; this list also contains all the identification details of the boats, among others the company they belong to, their names, their matriculation numbers, the flags, IMO numbers, and their capacity in cubic meters.

SECOND: CEPESCA will voluntarily provide a copy of the fishing licences issued by third countries to its vessels flagged in non-communitarian countries, as well as the messages of validation of the licences issued by the flag states.

THIRD: CEPESCA will voluntarily provide any information that is considered relevant to ensure the transparency of fishing activities, including:

1. Copies of the fishing diary [logbook] for tuna vessels, see model attached.
2. Landing/transshipment declarations.

FOURTH: on basis of the information received from the operators of the vessels in question, SEGEPESCA will proceed to risks analyses in order to guarantee the sustainability of fishing activities.

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<sup>9</sup> Translation made by the author with the help of the interviewees.

Consequently, it will provide them with an operative treatment similar to that offered to the Spanish-flagged fleet.

FIFTH: the information provided by the operators who volunteered to engage in the system scheme described in the present protocol of intention will be treated confidentially, will not be used for any other purpose than those mentioned in the above points, and will not be disclosed to a third party under any circumstance whatsoever.

SIXTH: SEGEPESCA will have the right to exclude from the list attached to the protocol those boats that do not comply with the terms of the present protocol of intention.

SEVENTH: the present protocol of intention will take effect from the moment of the signing.

EIGHTH: the present protocol can be terminated by mutual agreement of the parties or by the will of one of them, which will have to signify its will in writing to the other party, in a formal way, at least three months before the day of the termination.”

## 5. Strengths and limits of an innovative initiative.

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Particularly noteworthy is that whereas the transmission of information from the fleet to SEGEPESCA is done on a voluntary basis, SEGEPESCA commits itself to conduct risks analyses in so far as the information in question is received (point 4: “SEGEPESCA [...] will conduct risks analyses”). In turn, SEGEPESCA can unilaterally exclude from the protocol any vessel that would not respect it (point 6). Put differently, the protocol involves a notion of agreed accountability that makes it *morally* binding as soon as a vessel engages in the monitoring process.

Nevertheless, as noted by a European civil servant who informally commented on the agreement for the benefit of the author, the question remains open as to whether or not the implementation of a protocol of intention that has not the force of *law* can and will be efficient. Will SEGEPESCA indeed systematically conduct analyses that are not *legally* required? Can this administration be held responsible for the deficient implementation of a tool that does not seem to be *legally* binding?

On another note, CFFA highlights that beyond its expected contribution to the fight against IUU fishing, this agreement is one of the few measures, if not the first one, that results in beneficial owners (Spanish companies in this case) disclosing information about their vessels flagged in third countries. This in itself is innovative and valuable knowing how difficult it is to get information on EU fishing activities under third-country flag (often in the context of joint ventures).

At the time of the signing, 8 boats had been included in the protocol. This figure has increased since then according to the representatives of the sector, but not all “third-country-vessels” have entered the protocol. Whereas some ship-owners have no interest in doing so for their vessels usually do not land their catches in the EU, others are simply waiting to get feedbacks before they make a decision. Finally, according to the Spanish administration, it is likely that some small companies will never engage their boat(s) in the protocol for the benefits of quicker landing on the EU market would not compensate for the cost of making the technical changes necessary to abide by EU standards (e.g. switching to electronic logbooks).

## 6. Transposing the initiative on a higher scale?

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Such-like protocols could theoretically be developed in all EU member states. The changes necessary to monitor extra vessels involve a cost for the administration. But according to the representatives of the Spanish administration, this cost will be quickly reimbursed by saving time through automatic monitoring (SEGEPESCA already monitors about 2,000 vessels, and 30 more vessels is therefore not that big of a difference).

However, although they are interested in this idea, all interviewees highlighted the fact that the “third-country-vessel” agreement is too new to be used as a model, and that there are other more urgent and effective steps to take.

First, it has been put forward several times that an important work should be done across the EU to harmonize the implementation of the IUU regulation before moving to any sort of scheme based on volunteering. Some interviewees note that a shipment refused in Spain can easily enter the EU market via Denmark or the Netherland, which obviously fuels IUU and results in unfair competition at the expense of Spain and Spanish economic stakeholders.

Second, the Tuna Transparency Initiative (TTI), developed by the Long Distance Advisory Council (LDAC), should be generalised. This scheme, opened to any European tuna vessel, involves all the Spanish-owned boats operating in third countries that have no fisheries agreement with the EU. It basically consists in making sure that the fishing arrangement is properly formalised and that everything that takes place as part of this arrangement – especially the issuing of the licence and its payment – are lawfully made. The TTI states that:

1. A private agreement will be signed by the ship-owner with the authorities of the country that includes all the details of the deal;
2. The money is to be paid to the national treasury of the host country directly;
3. The fishing licence issued by the host country is sent to Spain for verification and back via diplomatic channels in order to avoid illegal fishing under flawed or false licence.



4. The Spanish administration issues an authorisation – if the licence is indeed valid – that allows the boat to start fishing activities (it cannot do so until this authorisation is given).

## Concluding words

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The “third-country vessels” agreement is an innovative tool that can potentially ease economic activity for the Spanish tuna industry and to help fighting against IUU. Whether it will achieve these goals, and especially the second one, very much depends on how the Spanish administration will concretely manage to implement it. Indeed, the protocol does not seem to be legally binding.

The creators of the agreement highlight that even in the event that it would prove highly efficient, transposing the initiative at the EU level would be superfluous and premature considering that not even hard fisheries laws are properly implemented by all member states. According to the Spanish sector and administration, priority should be given in particular to the harmonisation of controls.

## Appendixes

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## Appendix 1: MAGRAMA on fostering sustainability in Spanish fishing activities in third countries.



MINISTERIO  
DE AGRICULTURA, ALIMENTACIÓN  
Y MEDIO AMBIENTE

GABINETE DE PRENSA

En la firma del Protocolo para el seguimiento de la actividad pesquera de buques abanderados en un tercer país

### **Carlos Domínguez: “Para el Gobierno de España son prioridades innegociables asegurar la sostenibilidad de los recursos pesqueros y luchar contra la pesca ilegal”**

- **Subraya la imposibilidad de aceptar el negativo impacto que la pesca ilegal tiene sobre la sostenibilidad de los stocks y la competencia desleal que supone para la flota nacional**
- **Destaca la importancia del Protocolo suscrito con CEPESCA para el seguimiento de la actividad pesquera, “que permite avanzar en la relación de confianza con la Administración pesquera y con el consumidor bajo el principio de transparencia”**
- **Afirma que el Plan Estratégico de Ciencia para el Atún Tropical es la culminación “de un largo proceso de colaboración entre científicos, el sector y las ONGs comprometidas con una gestión sostenible”**
- **Pondera la responsabilidad de la flota atunera española “que se adelanta a sus competidores para desarrollar acciones de investigación para mejorar la eficiencia y sostenibilidad de su actividad”**

30 de abril de 2014. El secretario general de Pesca del Ministerio de Agricultura, Alimentación y Medio Ambiente, Carlos Domínguez, ha afirmado hoy que “para el Gobierno de España, asegurar la sostenibilidad de los recursos pesqueros y luchar eficazmente contra la pesca ilegal, no declarada y no reglamentada, son dos prioridades innegociables”.

En esa línea ha señalado que la defensa que el Gobierno realiza de esa sostenibilidad, “que es la defensa del sector”, pasa, junto con la toma de decisiones consensuadas sobre bases científicas, por el máximo respeto de

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todos los operadores a las reglas del juego, “que deben aplicarse con rigor y homogeneidad”.

Domínguez ha basado en estos principios la firma del Protocolo de intenciones para el seguimiento de la actividad pesquera, de buques de interés español abanderados en un tercer país, que han suscrito hoy la Secretaría General de Pesca y la Confederación Española de Pesca (CEPESCA). Un acto al que ha asistido el presidente del Comité Científico del ICCAT, parlamentarios y representantes del sector extractivo, comercializador y grandes distribuidores, así como organizaciones científicas y ONG.

Un Protocolo, ha señalado, “que supone un punto de inflexión en la generación de una relación transparente entre el sector y la Administración en el ámbito del control y la lucha contra la pesca ilegal”. Por ello ha valorado el “ejercicio de transparencia que ejerce CEPESCA” con la suscripción del Protocolo que, ha explicado, permitirá disponer en tiempo real de toda la información relativa a la actividad pesquera de estos buques y, cara al consumidor, mostrará la transparencia con la que trabajan los operadores que participen en el Protocolo.

Mediante la adhesión a este documento, ha indicado Domínguez, se simplifica el análisis de riesgos de las partidas que pretendan importarse, por parte de estos buques de interés español, que voluntariamente se comprometen a ceder a la Secretaría General de Pesca información sobre licencias, diarios, declaraciones de desembarque y posiciones vía satélite

En esta línea, ha manifestado el secretario general, ha estado trabajando la administración española en los últimos dos años y medio, “en los que se han obtenido resultados muy positivos que se están exportando a nivel comunitario e internacional”.

En este contexto, Domínguez ha destacado como España es el único país de la UE que ha puesto en marcha un procedimiento de verificación de licencias privadas, y que se está trabajando para generalizarlo en la UE, y ha resaltado la importancia de que “el sector haya hecho suyos estos



principios de defensa de la sostenibilidad pesquera y la lucha contra la pesca ilegal”.

### **PLAN ESTRATÉGICO DE CIENCIA PARA EL ATÚN TROPICAL**

Tras la firma del Protocolo, el secretario general ha presentado el Plan Estratégico de Ciencia y Tecnología para una gestión sostenible de la pesca de atunes tropicales por los cerqueros congeladores. Una iniciativa, ha señalado Domínguez, “que supone la culminación de un largo y fructífero proceso de colaboración entre científicos, sector y ONGs comprometidas con un modelo de gestión sostenible”.

Un Plan, ha añadido, que supone “un paso más allá en la búsqueda del diseño de nuevos modelos de ordenación de la pesquería de túnidos tropicales”, mediante el desarrollo de proyectos de investigación conjuntos que desarrollen nuevas modalidades de conocimiento aplicado a la actividad pesquera.

También ha destacado como, mediante su participación en este proyecto, la Secretaría General de Pesca facilita un proceso en el que “los protagonistas son nuestros científicos y nuestro sector atunero”, para el desarrollo de una iniciativa audaz que permitirá diseñar el futuro de esta pesquería.

Domínguez ha ponderado la responsabilidad de la flota atunera española, “que se adelanta a sus competidores para desarrollar acciones de investigación que permitan mejorar la eficiencia y la sostenibilidad de su actividad”, mediante el impulso de artes de pesca más selectivos, el uso de materiales biodegradables o la recolección más precisa y completa de datos de las pesquerías.

En este sentido ha destacado la importancia del Plan, que permitirá sentar las bases de nuevos modelos de gestión innovadores que la Administración española, como parte de la UE, podrá presentar en el futuro en los distintos foros internacionales.

Así ha explicado como este modelo de cooperación entre los diferentes actores –sector, científicos y administración-, permite al mismo tiempo sinergias altamente útiles en un contexto de restricciones presupuestarias,



permitiendo evitar duplicidades y facilitando una mejor gestión de los recursos escasos de que se dispone.

“No sólo debe servir para fijar estándares de referencia para esta pesquería, sino que puede ser un buen modelo a aplicar en otras pesquerías, por lo que animamos a otros segmentos de la flota española a seguir este ejemplo” ha concluido el secretario general.

### **CONTENIDO PROTOCOLO INTENCIONES**

El Protocolo de intenciones para el seguimiento de la actividad pesquera, de buques de interés español abanderados en un tercer país, que han suscrito hoy la Secretaría General de Pesca y CEPESCA, supone una mejora de la transparencia de las actividades de la flota asociada a la Confederación.

Para ello, las empresas atuneras de CEPESCA se comprometen a facilitar, de forma voluntaria, el seguimiento vía satélite de sus buques abanderados en terceros países, mediante la remisión en tiempo real de los sistemas de localización de los buques.

También se facilitarán copias de las licencias de pesca disponibles a aguas de terceros países de sus buques abanderados y de los diarios de de pesca y las declaraciones de desembarco o transbordo.

De esta forma la Secretaría General de Pesca podrá realizar una análisis de riesgos, con el fin de garantizar la adecuada actividad pesquera de los buques. Con ello, se podrá dar un tratamiento operativo similar a la flota de pabellón español.

### **PLAN ESTRATÉGICO**

El Plan Estratégico de Ciencia y Tecnología busca sistematizar los trabajos de seguimiento de la actividad de la flota atunera tropical española y los estudios sobre la biología y dinámica de poblaciones, que contribuyen a una gestión sostenible del recurso así como cumplir con los requerimientos de las Organizaciones Regionales de Pesca (ORPs) atuneras en materia de investigación.



Mediante la identificación de líneas de investigación de interés mutuo para los científicos y el sector atunero, el Plan busca crear sinergias que contribuyan a mejorar la selectividad de este arte de pesca y a trazar el camino a seguir en la regulación y gestión de estas pesquerías a nivel internacional, mediante la presentación de propuestas concretas en las ORP una vez hayan sido testadas por la flota y los científicos españoles.

Entre las prioridades de investigación identificadas en el Plan destacan la mejor evaluación de las incertidumbres en torno a los stocks de túnidos tropicales, la gestión de medidas de ordenación o la mejora de la selectividad de la pesca de cerco. También contempla la reducción de las capturas accesorias, en especial en relación con los dispositivos de concentración de peces (DCP), o el desarrollo de observadores electrónicos.

Los resultados de las experiencias del Plan serán aportados en los distintos foros científicos internacionales y permitirán el diseño de medidas avanzadas de gestión por parte de las Organizaciones Regionales de Pesca. El plan de trabajo para 2014 aglutina un conjunto de 28 actuaciones y proyectos, así como un calendario de 17 reuniones internacionales.

La Secretaría General de Pesca, que da la iniciativa al sector y a los científicos para que marquen las prioridades de acción e investigación, participa de manera activa en este proyecto, como facilitador del mismo y como parte activa del Grupo de trabajo de seguimiento del Plan. También participará en la financiación de alguna de las actividades, como en el caso de los muestreos de las descargas de la flota en los puertos del Atlántico (Abidján) y el Índico (Victoria).



## Appendix 2: the sector's press release on the "third-country-vessel" agreement



Madrid, 30 de abril de 2014

NDP 12/14

### **La flota atunera cerquera extiende voluntariamente los estándares de control de la UE a sus barcos abanderados en terceros países**

- El sector privado y el Ministerio de Agricultura firman un protocolo para la monitorización de la actividad pesquera de los buques atuneros bajo pabellones no comunitarios
- La Secretaría General de Pesca monitorizará la actividad de esa flota para garantizar que cumple los mismos estándares de control comunitarios
- El sector, los institutos científicos IEO y AZTI y la Secretaría General de Pesca presentan un Plan Estratégico Científico para impulsar la gestión sostenible de la pesca de atún tropical por los cerqueros congeladores

**Madrid, 30 de abril** - La Secretaría General de Pesca del Ministerio de Agricultura, Alimentación y Medio Ambiente y la Confederación Española de Pesca (Cepesca), en nombre de Opagac y Anabac, han firmado un **protocolo de intenciones con el fin de dar mayor transparencia, mejorar la monitorización y establecer un mayor control de las actividades de la flota atunera asociada a Cepesca** bajo bandera no comunitaria.

El protocolo es un paso más en la estrategia del sector atunero para garantizar la sostenibilidad de una industria que emplea de forma directa o indirecta a más de 43.000 personas en España y que es el principal medio de supervivencia de otras 200.000 personas en Latinoamérica y más de 300.000 en África.

Según el acuerdo, las empresas atuneras de Cepesca se comprometen de forma voluntaria a equiparar el sistema de control aplicado a la flota española facilitando la monitorización vía satélite de sus buques abanderados en terceros países, remitiendo en tiempo real sus posiciones a través de los sistemas de localización de buques. De esta manera se podrá hacer un seguimiento completo de la actividad de los buques. Los armadores también aportarán copia de las licencias de pesca disponibles en aguas de terceros países de sus barcos abanderados, así como de su validación, y suministrará cuanta información se considere oportuna para asegurar la transparencia de la actividad: copia de los diarios de pesca y declaración de desembarco o transbordo, entre otras.

La Secretaría General de Pesca, por su parte, analizará la información recibida de los operadores y, tras analizarla, realizará un análisis de riesgos con el fin de garantizar la adecuada actividad pesquera de los buques y

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ASOCIACIÓN NACIONAL  
DE ARMADORES DE BUQUES  
ATUNEROS CONGELADORES

cepesca

Confederación Española de Pesca

podrá dar a los barcos un tratamiento operativo similar al de la flota de pabellón español.

Cepesca considera que este acuerdo facilitará el desembarco de producto en los puertos nacionales con los mismos niveles de control y calidad que se exigen a los barcos españoles.

El Secretario General de Pesca, Carlos Domínguez, señaló en el acto de firma del protocolo que “la flota atunera ha sido la primera que se ha sometido tanto al control y validación de las licencias privadas por vía diplomática como al compromiso de pago a las cuentas del tesoro público de los países en los que tienen dichas licencias. Así mismo, una vez más, ha sido la primera que se ofrece a someter a sus buques con pabellón extranjero a los mismos controles a los que se somete a la flota española, en términos de verificación de licencias, posición satelital y diario electrónico de abordó”. Por su parte, Javier Garat, secretario general de Cepesca, destacó el compromiso del sector con la transparencia: “Este tipo de iniciativas hacen patente nuestros esfuerzos por profundizar en el cumplimiento de la normativa europea, que es una de las más avanzadas del mundo en control, estándares de calidad y conservación de los recursos”.

En este sentido, también se ha presentado hoy el **Plan Estratégico de Ciencia y Tecnología**, con el que la flota española de cerqueros congeladores pretende avanzar en la gestión sostenible de la pesca de atunes tropicales y que ha sido suscrito por Anabac, Opagac, el Instituto Español de Oceanografía (IEO), AZTI y la Secretaría General de Pesca.

El objetivo del plan es llevar a cabo actividades de investigación para mejorar el conocimiento científico de la biología y la dinámica de las poblaciones de túnidos, con vistas a dar nuevos pasos en favor de su pesca responsable y competitiva.

El plan contempla aunar las acciones de investigadores del IEO y de Azti, que recolectarán datos a través de observadores a bordo de los buques atuneros. Esta labor de monitorización permitirá al sector ofrecer a terceros información más completa de la actividad de la flota. En el plan prevé cómo se van a recolectar los datos y a mejorar las estadísticas pesqueras, cómo se hará el análisis y procesamiento de los mismos, cómo se va a asegurar la participación de los científicos en los foros adecuados y la mejora de su capacitación profesional, cuáles serán las prioridades de investigación y cómo se va a mejorar la comunicación.

Los investigadores españoles también trabajarán en la búsqueda de soluciones tecnológicas que mitiguen la pesca accidental y los descartes. Por otra parte, el protocolo fomentará la colaboración con los científicos de todo el mundo, mediante el impulso de la presencia española en los comités científicos internacionales que velan por la sostenibilidad de los recursos naturales de los Océanos Atlántico, Índico y Pacífico.

### Appendix 3: list of interviewees

Interviewees	Organisation
<b>Raul Garcia</b> Policy Officer in charge of fisheries	WWF Spain
<b>Julio Morón</b> Director Gerente	OPAGAC
<b>Javier Garat</b> General Secretary (and President)	CEPESCA (and Européche)
<b>A Spanish civil servant</b> who has been working on fisheries issues for several years	Spanish administration
<b>A Spanish civil servant</b> who has been working on fisheries issues for several years	Spanish administration

## Appendix 4: Interview schedule

Name of interviewee  
Organisation and position of Interviewee  
Place of interview  
Date and hour of interview

Do you need me to remind you of what I am doing?

- Cambridge, MPhil in ESD, dissertation on the influence of the RP on EU-Senegal fisheries relations;
- Interest in fisheries and EU-ACP fisheries issues;
- Plan of PhD on the same topic as my dissertation (but different countries);
- Traineeship within unit B3 of DG MARE;
- Working for me with the help of CFFA in the meantime;
- The report will be made available on CFFA's website but it will remain my property.

[Answer required] You can require partial or total anonymity, do you wish to do so?

[Answer required] In case I quote you, do you wish to check the quote(s)?

[Answer required] Do you have any questions?

[Answer required] Do you consider you have been amply and sufficiently informed, and do you agree to start the interview?

[Answer required] How much time do you have for this interview, when should we stop?

### **About the agreement**

1) What does the agreement plan exactly?

2) What does the control concretely rely on (what was the situation before, and what is it now)?

3) Why did you decide to negotiate this agreement? What is your interest? Is it more work or less?

4) Why did not all boats decide to work under the agreement?

### **Extending the agreement at the EU level**

5) Do you wish to have this scheme extended at the EU level?

6) What are the legal bases you could rely on/use/create?

7) What are you planning on doing to have the agreement extended?

**Difficulties both at the Spanish and EU levels**

8) The agreement might either force other DWFN to do the same, or else, will not it be a competitive disadvantage for the Spanish fishing industry?

**Cooling down**

9) What is your academic background, how did you get this job, what is your relation to fisheries?

10) Do you have any question?

**Thank you very much for answering my demand and giving me some of your time.  
Can I contact you for follow-up questions?**

