

# IUU fishing, working conditions and the Spanish seafood industry

## The importance of supply chain due diligence

November 2022



**EU IUU FISHING COALITION**



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Design by Kat Price

The Environmental Justice Foundation (EJF), Oceana, The Nature Conservancy, The Pew Charitable Trusts and WWF are working together to promote EU leadership in improving global fisheries transparency and governance to end illegal, unreported and unregulated (IUU) fishing.

ClientEarth is a non-profit organisation that uses the law to create systemic change that protects the Earth for – and with – its inhabitants.

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For more news, updates and documents supporting the EU to end IUU fishing, visit: [www.iuuwatch.eu](http://www.iuuwatch.eu)  
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# Summary

**This report aims to illustrate the illegal, unreported and unregulated (IUU) fishing risks associated with Spain's seafood trade and inform the Spanish seafood industry of the risks posed by IUU fishing to its supply chains.** Despite the relative strengths of the EU IUU Regulation,<sup>1</sup> the EU's catch certification scheme and Spain's import controls, it is possible for products stemming from IUU fishing to enter the Spanish market, and consequently the EU market, or vice versa. Spain's seafood industry therefore has a role to play in order to ensure that the entire supply chain is free of the products of IUU fishing, by exercising due diligence with regards to seafood imports and trade. This can be achieved through the implementation of voluntary measures such as those laid out in the **PAS 1550:2017**.<sup>2</sup>

**This report summarises the risk of IUU fish products entering the Spanish seafood market and highlights high-risk trade flows and three high-risk species for IUU fishing.** High-risk trade flows include imports into Spain from countries warned or listed under the EU carding scheme<sup>3</sup> for failing to cooperate in the fight against IUU fishing, and imports into Spain from countries identified as high risk according to the IUU Fishing Index.<sup>4</sup> There are also a number of high-risk species for which Spanish businesses sourcing seafood must take extra precautions in order to ensure that the entire supply chain is free from both IUU fishing and poor working conditions, as IUU fishing is sometimes linked with vessels on which labour standards are lacking.<sup>5</sup> These species include squid (multiple species), Atlantic bluefin tuna (*Thunnus thynnus*) and swordfish (*Xiphias gladius*). In summary, this report highlights that:

- Spain imports large quantities of seafood from countries currently carded under the EU IUU Regulation (as of January 2022).<sup>6</sup> **Spanish businesses sourcing seafood from these countries must apply due diligence in order to ensure that no products of IUU fishing are marketed in Spain;**
- Large quantities of seafood are also imported from high-risk countries for IUU fishing (according to the **IUU Fishing Index**). Even if the country is not carded, due diligence must be applied throughout the entire supply chain when importing seafood from these high-risk countries;
- In 2020, over 10,000 tonnes of squid were imported to Spain from China. Global squid fisheries are largely unregulated and there have been numerous reports of illegal fishing by Chinese-flagged, or owned squid jigger vessels;<sup>7</sup>
- Illegal activities, involving a Spanish company, have been uncovered within the Atlantic bluefin tuna trade.<sup>8</sup> Large quantities of Atlantic bluefin tuna are imported into/traded with Spain annually, from both non-EU countries and EU Member States;<sup>9</sup>
- As a valuable commodity, there have been documented cases of mislabelling within the swordfish market.<sup>10</sup> Spain imports large quantities of swordfish from both EU Member States and non-EU countries, and businesses must be aware of the risk posed by seafood mislabelling.

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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.

2 A Publicly Available Specification (PAS) is a fast-track standardisation document which defines good practice for a product, service or process. Further information available at <https://www.bsigroup.com/en-GB/our-services/developing-new-standards/Develop-a-PAS/what-is-a-pas/>.

3 Under the EU IUU Regulation, if the EU deems a non-EU country to be non-cooperating in the fight against IUU fishing, and that informal dialogue has not been effective in addressing this, then it may be issued a 'yellow card' (i.e. pre-identified as a non-cooperating country as per Article 32 of the EU IUU Regulation). This serves as a formal warning and formalises bilateral dialogues between the two parties. Should the yellow-carded country fail to take sufficient action to address its shortcomings, the EU may issue a 'red card' (i.e. identified and listed as a non-cooperating country as per Articles 31 and 33 of the EU IUU Regulation) which, inter alia, bans seafood imports from the carded country and prevents EU vessels from operating in its waters. To date, 27 countries have received either a yellow or red card.

4 The IUU Fishing Index measures to what degree states are exposed to and effectively combat IUU fishing. The index provides an IUU fishing score of between 1 and 5 (1 being the best, and 5 the worst) to coastal States. The IUU Fishing Index can be accessed at: <https://globalinitiative.net/analysis/iuu-fishing-index/>.

5 Selig, E.R., Nakayama, S., Wabnitz, C.C.C. et al. (2022) Revealing global risks of labor abuse and illegal, unreported, and unregulated fishing. *Nat Commun* 13, 1612.

6 Up-to-date information on EU carding decisions is available at: <http://www.iuuwatch.eu/the-iuu-regulation/eu-carding-decisions/>

7 E.J.F. (2022). The ever-widening net: mapping the scale, nature and corporate structures of illegal, unreported and unregulated fishing by the Chinese distant-water fleet. Available at: <https://ejfoundation.org/reports/the-ever-widening-net-mapping-the-scale-nature-and-corporate-structures-of-illegal-unreported-and-unregulated-fishing-by-the-chinese-distant-water-fleet>

8 OCCRP. (2018). Something fishy: European Police Nab 79 Tuna Traffickers. <https://www.occrp.org/en/daily/8761-something-fishy-european-police-nab-79-tuna-traffickers>.

9 See Supplementary Material

10 WWF. (2019). Sharks in crisis: a call to action for the Mediterranean. Available at: [http://awsassets.panda.org/downloads/wwf\\_sharks\\_in\\_the\\_mediterranean\\_2019\\_v10singles.pdf](http://awsassets.panda.org/downloads/wwf_sharks_in_the_mediterranean_2019_v10singles.pdf).

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IUU fishing vessels rapidly change their modus operandi and their trade routes, it is therefore the responsibility of all actors in the supply chain, especially Spain, the largest seafood market within the EU, to ensure state of the art due diligence and tools to stop IUU fishing products from entering the country. Currently, major seafood companies are not doing enough. According to the World Benchmarking Alliance, only 33% of the largest global seafood companies disclose a comprehensive approach to assess and address IUU fishing risks in their supply chain.<sup>11</sup>

Human rights abuses onboard fishing vessels have also been well documented. These abuses include the withholding of wages, excessive overtime and both physical and verbal abuse.<sup>12,13</sup> Environmental abuses including illegal and destructive fishing methods, such as the deliberate targeting of sharks and marine mammals, have also been discovered onboard fishing vessels.<sup>14</sup> These are but a few examples of the possible overlap between IUU fishing and both environmental and human rights abuses, corroborated by further research.<sup>15</sup>

This report complements recent studies that demonstrate the risk that importers face under European Union Law.<sup>16</sup> Seafood supply chains are complex and involve a number of different actors (**Figure 1**). Solely complying with the law is no longer sufficient as the scale of IUU fishing and human rights abuses within fisheries has been shown to be so vast<sup>17</sup> and businesses need to ramp up their due diligence practices. The report also includes concrete recommendations for Spain's seafood importing businesses which will help to reduce or eliminate the risk of IUU fishing products, human rights abuses and labour abuses within supply chains.

The EU IUU Fishing Coalition and ClientEarth recommend that **Spanish seafood companies, from processors to retailers:**

- Ensure that the seafood they buy is not associated with IUU fishing. In order to reach this objective, they should use state-of-the-art due diligence measures. Companies must not only consider the legality of imported products, but also determine that the seafood purchased is neither unreported nor originating from an unregulated fishery;
- Systematically understand and map out the fisheries they source from as the first step in informing necessary due diligence. Particular care should be taken when species identified as being high risk are sourced;
- Use existing voluntary tools, such as the **PAS 1550:2017 (Box 3)**, co-developed by both industry and NGOs, to carry out their due diligence and ensure that no IUU fishing products end up on the Spanish market;
- Also apply voluntary tools to combat human rights abuses in seafood supply chains. These tools include not only the PAS 1550:2017, but also the code of conduct on labour practices such as the UN's Guiding Principles on Business and Human Rights.<sup>18</sup> This is particularly important as there is currently little to no governmental screening at the point level of entry to ensure decent working conditions, as the EU IUU Regulation exclusively focuses on legality of imported wild-caught fish products. In February 2022, the European Commission released a communication on decent work worldwide for a global just transition and sustainable recovery.<sup>19</sup> The Commission has also proposed a corporate due diligence Directive<sup>20</sup> and has put forward a legislative proposal on forced labour. This means that early adoption of the proposed voluntary tools will also future-proof company operations and reduce transition costs.

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11 World Benchmarking Alliance. (2022). 2021 Seafood Stewardship index, Insights report. Available at: <https://assets.worldbenchmarkingalliance.org/app/uploads/2022/04/WBA-2021-Seafood-Stewardship-Index-Insights-Report.pdf>.

12 E.J.F. (2020). Illegal fishing and human rights abuses in the Taiwanese fishing fleet. Environmental Justice Foundation, London, UK, 24 pp. Available at: <https://ejfoundation.org/reports/illegal-fishing-and-human-rights-abuses-in-the-taiwanese-fishing-fleet-2>.

13 Belhabib, D. and Le Billon, P. (2022). Fish crimes in the global oceans. Science Advances, 8(12). Available at: <https://www.science.org/doi/10.1126/sciadv.abj1927>.

14 E.J.F. (2020). Cetacean slaughter, shark finning and human rights abuse in Taiwan's fishing fleet. <https://ejfoundation.org/resources/downloads/EJF-Taiwan-dolphin-briefing-2020.pdf>.

15 Selig, E.R., Nakayama, S., Wabnitz, C.C.C. et al. (2022) Revealing global risks of labor abuse and illegal, unreported, and unregulated fishing. Nat Commun 13, 1612. Available at: <https://www.nature.com/articles/s41467-022-28916-2>.

16 Sustainable Fisheries Partnership. (2021). Importing Illegal Seafood under the European Union Laws: Liabilities for Importers.

17 E.J.F. (2019). Blood and Water: Human rights abuse in the global seafood industry. Available at: <https://ejfoundation.org/reports/blood-and-water-human-rights-abuse-in-the-global-seafood-industry>.

18 United Nations Human Rights Office of the High Commissioner (OHCHR). (2011). Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework. Available at: [https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf).

19 European Commission. (2022). Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee on decent work worldwide for a global just transition and a sustainable recovery. Available at: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_22\\_1187](https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1187).

20 European Commission. (2022). Proposal for a directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022PC0071>.



# Background

## IUU fishing

Seafood is a multi-billion dollar industry globally, with total export trade valued at USD 164 billion in 2018.<sup>21</sup> The European Union (EU) is one of the world's largest seafood markets with apparent consumption of fishery and aquaculture products amounting to 12.30 million tonnes (live weight) in 2019<sup>22</sup> and non-EU imports of fishery and aquaculture products valued at EUR 24.21 billion in 2020.<sup>23</sup> In 2020, total non-EU imports of fisheries and aquaculture products into Spain were valued at EUR 4.27 billion.<sup>24</sup> By a significant margin, Spain is the EU's largest importer of seafood products from non-EU countries, importing over 1.1 million tonnes in 2020.<sup>25</sup> In 2019, Spain also had the second largest per capita consumption of seafood in the EU after Portugal.<sup>26</sup> As such, both Spain's competent authorities and the Spanish seafood industry play important roles in preventing IUU fishing products from reaching consumers.

IUU fishing includes activities such as fishing without a valid licence, misreporting catch data, falsifying or concealing a fishing vessel's identity and obstructing the work of inspectors or enforcers. Being often covert in nature, IUU fishing activities plunder the ocean, weaken economies, deplete fish stocks, and undermine conservation and management efforts. These practices directly affect law-abiding operators, who face increased competition from operators who do not comply with the law and that compete for the same stock. IUU fishing also jeopardises the livelihoods of the world's most vulnerable communities and enables systemic abuses of human rights.<sup>27,28</sup> Tackling IUU fishing is the joint responsibility of coastal States, flag States, port States and market States – of which **Spain** is all four.

Both the EU IUU Fishing Coalition<sup>29</sup> and ClientEarth<sup>30</sup> acknowledge Spain's progress in the fight against IUU fishing. When compared to other EU Member States, Spain is currently considered to be effectively implementing the EU IUU Regulation.<sup>31</sup> Examples of performance include:<sup>32</sup>

- Strict controls of imported products;
- Verification of all catch certificates (CC) by the General Secretariat of Fisheries (GSF);<sup>33</sup>
- Serious sanctions for Spanish citizens and organisations involved in illegal fishing activities;<sup>34</sup>

21 FAO. (2020). The State of World Fisheries and Aquaculture 2020. Sustainability in action. Rome. <https://doi.org/10.4060/ca9229en>

22 EUMOFA. (2021). The EU Fishing Market – 2021 Edition. Available at: <https://www.eumofa.eu/the-eu-fish-market-2021-edition-is-now-online>. Please note that this total volume includes fishery products that are excluded from the EU IUU Regulation (e.g. aquaculture products, freshwater fish). For a list of products excluded under the EU IUU Regulation see Annex XIII at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:280:0005:0041:EN:PDF>

23 Ibid.

24 Ibid.

25 Ibid.

26 Ibid.

27 Mackay, M., Hardesty, B. and Wilcox, C. (2020). The Intersection Between Illegal Fishing, Crimes at Sea, and Social Well-Being. *Frontiers in Marine Science*, 7. Available at: <https://www.frontiersin.org/articles/10.3389/fmars.2020.589000/full>.

28 EJF (2019). Blood and Water: Human rights abuse in the global seafood industry. Available at: <https://ejfoundation.org/reports/blood-and-water-human-rights-abuse-in-the-global-seafood-industry>.

29 Environmental Justice Foundation, Oceana, The Pew Charitable Trusts and WWF. (2017). Improving Performance in the Fight Against Illegal, Unreported and Unregulated (IUU) Fishing. Spain – Leading Implementation of the EU's Regulation to Combat Illegal Fishing. Available at: [http://www.iuuwatch.eu/wp-content/uploads/2015/07/IUU\\_SPAIN\\_Brief\\_ENG.FINAL\\_June\\_HIGH.pdf](http://www.iuuwatch.eu/wp-content/uploads/2015/07/IUU_SPAIN_Brief_ENG.FINAL_June_HIGH.pdf).

30 ClientEarth. (2021). Spain – A progress report on a decade of combating IUU fishing. Available at: <https://www.clientearth.org/media/v1id3clg/spain-a-progress-report-on-a-decade-of-combating-iuu-fishing.pdf>.

31 It is worth noting that the biennial reports submitted to the Commission are efficient tools to monitor and verify the implementation of the EU IUU Regulation by Member States, but they present limits inherent in self-reporting.

32 Text excerpted directly from ClientEarth. (2021). Spain – A progress report on a decade of combating IUU fishing. Available at: <https://www.clientearth.org/media/v1id3clg/spain-a-progress-report-on-a-decade-of-combating-iuu-fishing.pdf>.

33 The General Secretariat of Fisheries ("Secretaría General de Pesca") within the Ministry of Agriculture, Fisheries and Food is the only Spanish authority designated to perform functions in connection with the IUU Regulation. It is competent for the control and implementation of fisheries laws and for developing national rules on the management of the fishing sector. See: Royal Decree 430/2020, of 3 March 2020, which develops the basic organic structure of the Ministry of Agriculture, Fisheries and Food. Further information is available at: <https://www.clientearth.org/media/v1id3clg/spain-a-progress-report-on-a-decade-of-combating-iuu-fishing.pdf>.

34 Spain has examples of high profile successful prosecutions. In relation to the prosecution of IUU fishing in Antarctic waters, operations Sparrow I and Sparrow II resulted in combined penalties of more than 25 million euros on Spanish nationals. See: ClientEarth. (2019). The Spanish legal process for prosecuting illegal fishing: A story of success? Available at: <https://www.clientearth.org/media/cd0jqn3j/the-spanish-legal-process-for-prosecuting-illegal-fishing-a-story-of-success-ce-en.pdf>

- Increased staffing and human resources to tackle IUU fishing;<sup>35</sup>
- Prior checks for landings or transshipment authorisations in higher-risk cases;
- An IT system to control fish imports, called the Integrated System for the Management and Control of Illegal Fishing (SIGCPI). It is the Spanish government's response to the need for increased efficiency and control efforts associated with imported fish from third countries;<sup>36</sup> and
- A single-window system to coordinate checks of fisheries imports across different government departments.

## Box 1: What is illegal, unreported and unregulated (IUU) fishing?

### 'Illegal' refers to activities:

- conducted by a national or foreign vessel in the waters under the jurisdiction of a State without the permission of that State or in contravention of its laws, or
- conducted by vessels flying the flag of States that are parties to a relevant Regional Fisheries Management Organisation (RFMO) but operate in contravention of the conservation and management measures adopted by that organisation and by which States are bound, or relevant provisions of the applicable international law, or
- in violation of national laws or international obligations, including those undertaken by cooperating States to a relevant RFMO.

### 'Unreported' refers to activities:

- which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations, or
- undertaken in the area of competence of a relevant RFMO which have not been reported or have been misreported, in contravention of the reporting procedures of that organisation.

### 'Unregulated' refers to activities:

- in the area of application of a relevant RFMO that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organisation, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organisation, or
- in areas or for fish stocks in relations to which there are no applicable conservation and management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.

Source: FAO<sup>37</sup>

35 According to the biennial reports submitted by Spain (in accordance with the IUU Regulation), the number of officials involved in the implementation of the catch certification scheme has increased from 94 (2012/13 reporting period) to 165 (2018/19 reporting period).

36 ClientEarth. (2021). The Spanish system for the digitalisation of fish imports – SIGCPI. Available at: <https://www.clientearth.org/latest/documents/the-spanish-system-for-the-digitalisation-of-fish-imports-sigcpi/>.

37 The definitions used in Box 1 are excerpted from FAO. (2001). International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU). pp.2. Available at: <https://www.fao.org/documents/card/en/c/71be21c9-8406-5f66-ac68-1e74604464e7>.



## Box 2: High-risk trade flows considered in this report

### Countries 'carded' under the EU carding system

One key component of the EU IUU Regulation is the EU's cooperation and ongoing dialogues with non-EU countries, through which a formal warning (or '**yellow card**') may be issued to non-EU countries pre-identified by the EU as non-cooperating countries in the fight against IUU fishing. Before issuing a card, the Commission conducts rigorous fact-finding missions to evaluate the compliance of these countries with their duties as flag, coastal, port or market States under international law. This warning commences a formal engagement between the EU and the yellow-carded country, in which the EU seeks to provide assistance in tackling the shortcomings that have been identified. During this **evaluation period**, countries are expected to undertake substantial reforms to address the identified shortcomings. EU support is provided to the pre-identified country during this time. If sufficient action is not taken to improve performance, the non-EU country further risks being identified as a non-cooperating country pursuant to the IUU Regulation ('**red card**') – excluding fish caught by vessels flagged to the carded country from being exported to the EU, and preventing EU vessels operating in their waters, amongst other restrictions.<sup>38</sup> Fisheries products **processed** in red-carded countries however are not excluded. Yellow and red cards may be removed once the EU deems sufficient efforts have been made by the carded country to address identified shortcomings. One of the desired outcomes of the carding scheme is to engender lasting, positive country-level changes in the fisheries governance and anti-IUU fishing measures in non-EU countries.

### IUU Fishing Index

The IUU Fishing Index provides another measure of IUU risk which can be used to demonstrate the scale of high-risk imports into Spain. The IUU Fishing Index measures to what degree States are exposed to and effectively combat IUU fishing. The index comprises 40 indicators (e.g. provision of vessel data for inclusion in the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels,<sup>39</sup> size of Exclusive Economic Zone (EEZ),<sup>40</sup> etc.), with each indicator applied globally to 152 countries with a maritime coastline. The suite of indicators is considered to provide a reliable and robust basis for an Index of IUU fishing and scoring countries. For each country, a score is provided between 1 (strong) and 5 (weak).

38 Art. 38 Regulation (EC) No. 1005/2008.

39 As a means of increasing transparency and traceability, the FAO has developed the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (hereafter 'Global Record'). The Global Record serves as a single access point for information on vessels used for fishing and fishing-related activities outside of national jurisdiction. Further information is available at: <https://www.fao.org/global-record/background/about/en/>

40 "The exclusive economic zone is an area beyond and adjacent to the territorial sea, subject to the specific legal regime established in this Part, under which the rights and jurisdiction of the coastal State and the rights and freedoms of other States are governed by the relevant provisions of this Convention... In the exclusive economic zone, the coastal State has:(a) sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil" See United Nations Convention on the Law of the Sea (UNCLOS) Articles 55 & 56." Available at: [https://www.un.org/depts/los/convention\\_agreements/texts/unclos/part5.htm](https://www.un.org/depts/los/convention_agreements/texts/unclos/part5.htm).

## Human rights and labour abuses

**Fishing activities associated with high IUU risks have been found to often be associated with other crimes,<sup>41</sup> including human rights abuses<sup>42</sup> and labour abuses.<sup>43,44</sup>** Indeed, over recent years, there have been a number of documented cases of human rights abuses on fishing vessels and abuses of this nature can sometimes be linked with IUU fishing. A number of the countries identified by the EU as non-cooperating in the fight against IUU fishing (under the EU carding system) and/or performing poorly according to the IUU Fishing Index have also been documented as countries failing to prevent labour and human rights abuses in fisheries. In 2020, for example, the distant water fishing fleets of Taiwan and China were added to the U.S. Department of Labor's 'List of Goods Produced by Child Labor or Forced Labour' following numerous reports of forced labour.<sup>45</sup> Several incidences of child labour have also been documented on Vietnamese fishing vessels over recent years and crew testimonies have revealed harsh working environments on these vessels.<sup>46</sup> Despite its unquestionable successes,<sup>47</sup> the EU IUU Regulation cannot on its own ensure that the seafood available to EU consumers is free from human rights or labour abuses, as this regulation focuses on the legality of seafood and does not consider these associated issues. Spain is however a Contracting Member State to the IMO Cape Town Agreement,<sup>48</sup> which, when in force, will include regulations designed to protect the safety of crews and observers and provide a level playing field for industry.<sup>49</sup> Spain is also likely to ratify the International Labour Organization's (ILO) Work in Fishing Convention (C188)<sup>50</sup> in due course as the Spanish Congress of Deputies (Congreso de los Diputados) approved the ratification C188 in April 2022.<sup>51</sup> As of October 2022, the final process is still pending.

## Voluntary measures to tackle risk factors – PAS 1550:2017

PAS 1550:2017 is a voluntary code of practice developed collaboratively by seafood industry representatives and the Environmental Justice Foundation (EJF), The Pew Charitable Trusts, Oceana and WWF to help industry assess and mitigate the risks posed by IUU fishing in their supply chains (**Box 3**). Development of the PAS was undertaken with particular reference to the requirements of the EU IUU Regulation<sup>52</sup> and the need for industry due diligence to determine if seafood has been legally caught, transported, processed and sold. In this respect, it builds on the British Retail Consortium (BRC) Advisory Note for the UK supply chain on how to avoid Illegal, Unreported and Unregulated (IUU) fishery products (published in February 2015).<sup>53</sup>

Due diligence carried out by the Spanish seafood industry through application of the PAS 1550:2017 or other tools<sup>54</sup> that allow for more thorough risk assessments<sup>55</sup> is necessary to complement the checks made by authorities, as it can help to ensure that all seafood provided to Spanish consumers is free from IUU fishing and human rights abuses throughout the entire supply chain.

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- 41 Royal United Services Institute. (2017). Below the Surface: How Illegal, Unreported and Unregulated Fishing Threatens our Security. Available at: [https://static.rusi.org/201707\\_rusi\\_below\\_the\\_surface\\_haenlein.pdf](https://static.rusi.org/201707_rusi_below_the_surface_haenlein.pdf).
  - 42 EJF (2022). The ever-widening net: mapping the scale, nature and corporate structures of illegal, unreported and unregulated fishing by the Chinese distant-water fleet. Available at: <https://ejfoundation.org/reports/the-ever-widening-net-mapping-the-scale-nature-and-corporate-structures-of-illegal-unreported-and-unregulated-fishing-by-the-chinese-distant-water-fleet>.
  - 43 Selig, E.R., Nakayama, S., Wabnitz, C.C.C. et al. (2022) Revealing global risks of labor abuse and illegal, unreported, and unregulated fishing. *Nat Commun* 13, 1612. Available at: <https://www.nature.com/articles/s41467-022-28916-2>.
  - 44 Global Slavery Index. (2018). Fishing | Global Slavery Index. Available at: <https://www.globallslaveryindex.org/2018/findings/importing-risk/fishing/>.
  - 45 U.S. Department of Labor. (2020). 2020 list of goods produced by child labor or forced labor. Available at: [https://www.dol.gov/sites/dolgov/files/ILAB/child\\_labor\\_reports/tda2019/2020\\_TVPR\\_List\\_Online\\_Final.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/2020_TVPR_List_Online_Final.pdf)
  - 46 EJF. (2019). Caught in the net: Illegal fishing and child labour in Vietnam's fishing fleet. Available at: <https://ejfoundation.org/resources/downloads/ReportVietnamFishing.pdf>.
  - 47 Environmental Justice Foundation, Oceana, The Pew Charitable Trusts and WWF. (2016). Building on success: EU progress in the global fight against illegal fishing. Available at: <http://www.iuuwatch.eu/the-iuu-regulation/>.
  - 48 2012 Cape Town Agreement to enhance fishing safety. Further details available at: <https://www.imo.org/en/MediaCentre/HotTopics/Pages/CapeTownAgreementForFishing.aspx>.
  - 49 The Pew Charitable Trusts. (2019). The Cape Town Agreement Explained: How one international treaty could combat illegal fishing and save lives. Available at: <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2018/10/the-cape-town-agreement-explained>.
  - 50 Work in Fishing Convention, 2007 (C188). Available at: [https://ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C188](https://ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C188).
  - 51 EFE:Agro. (2022). 'Congress approves the ILO global convention to promote decent work in fisheries' [Translated]. Available at: <https://www.efeagro.com/noticia/el-congreso-aprueba-el-convenio-mundial-de-la-oit-sobre-el-trabajo-digno-en-la-pesca/>.
  - 52 Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02008R1005-20110309>.
  - 53 British Retail Consortium (BRC) and EJF. (2015). An advisory note for the UK supply chain on how to avoid Illegal, Unreported and Unregulated (IUU) fishery products. Available at: <https://ejfoundation.org/resources/downloads/EJF-Advisory-Note-low-res-final.pdf>.
  - 54 Other recognised tools include ETI; SEDEX; SA8000; ISO 26000.
  - 55 Oceana, Our Fish, Marine Stewardship Council, Sustainable Fisheries Partnership, WWF, Greenpeace, ClientEarth (2019). Responsible sourcing recommendations for the Spanish seafood supply chain. Available at: <https://www.clientearth.org/media/ralda0bh/responsible-sourcing-recommendations-for-the-spanish-seafood-supply-chain-coll-en.pdf>.

### Box 3: PAS 1550:2017<sup>56</sup>

Exercising due diligence in establishing the legal origin of seafood products and marine ingredients – Importing and processing – Code of practice.

PAS 1550:2017 has been developed by a collaboration among industry, governmental authorities and non-governmental organisations (NGOs), in order to help the industry adapt their due diligence and risk assessment systems to reduce the risk of supplying or procuring IUU fishing products, or fisheries products either caught or processed by workers who are not provided with decent working conditions. The PAS highlights the critical role that traceability plays in enabling the tracking of seafood products and enabling each chain to be identified, monitored and regulated.

#### **Policies and processes:**

- There should be documented policies and processes in place that provide requirements for full chain traceability to be ensured. These policies and processes should be audited on, at a minimum, an annual basis;
- Organisations should produce reports at least annually on the implementation and monitoring of the policies and processes that are in place to address risks;
- The policies and processes should be demonstrated to have been communicated throughout the supply chain to, at a minimum, the stage before and the stage after the processor/importer.

#### **Risk assessment:**

- The organisation should conduct risk assessments on all of the supply chains from which it sources and be able to demonstrate that it does so, to be reviewed on a regular basis depending on the level of risk;
- The organisation should prioritise its use of each supply chain from which it sources according to the findings of the risk assessments.

#### **Decent working conditions:**

- The organisation should establish and use policies, practices, and confidential reporting and assurance systems at every working facility in all countries where fisheries products are sourced. This should allow all workers to have the ability to report labour infringements, unfair working conditions or associated unlawful treatment as necessary.

#### **Traceability:**

- Records of traceability should be kept that demonstrate whether or not a product originates from a source where reliable evidence of legality (e.g. registration licensing, catch documentation and compliance records) is available. If it is not possible to trace the origin of the seafood, this should trigger an investigation and the completion of steps to remedy the situation.
- In order to ensure consistency in the requests for information in supply chains, the following information should be collected (via request) and associated with the products:
  - vessel identity (home port, name, flag and call sign), registration and, where issued IMO or other UVI number;
  - location of catch [e.g. GPS coordinates, specific location of fishery, FAO codes, EEZ's ISO country code, relevant Regional Fisheries Management Organization (RFMO)];
  - fishing licence and validity;
  - species (FAO alpha 3 code), product name and code;
  - fishing method used;
  - fishing dates of capture;
  - quantities (in kg) of catch;

<sup>56</sup> EJF, Oceana, The Pew Charitable Trusts, WWF, The British Standards Institution (BSI). (2017). PAS 1550:2017 – Exercising due diligence in establishing the legal origin of seafood products and marine ingredients – Importing and processing – Code of practice. Available at: <http://www.iuuwatch.eu/role-of-industry/>.

- date/area/position/estimated weight/call sign and declaration of any transshipment at sea. This will include the receiving vessel name and where applicable the IMO number or other UVI number; and
  - person/enterprise with custody and ownership after landing.
- At minimum, key information relating to the products should be maintained in an electronic system. Other documentation such as EU catch certificates or a record noting their physical location should be attached electronically.

**Transparency:**

- The organisation should work with all other actors in the supply chain to agree on levels of information required and share it to ensure a level of transparency that is appropriate to enable regulatory visibility across the entire supply chain. The organisation should engage with other actors in the supply chains to resolve any barriers that prevent this from being possible;
- All stages in the supply chain should be available for inspections, audits and/or site visits upon request

**For further information on the PAS 1550:2017 and to download the Code of Practice and the implementation guidance documents, please consult the [EU IUU Fishing Coalition website](#).**



## Methodology

Within seafood supply chains, the risk factors are numerous, but they are usually related to the flag States and processing States from which Spain is importing its products. Whether this country is or has been **yellow carded under the EU IUU Regulation**<sup>57</sup> or is ranked as being **high risk for IUU fishing according to the IUU Fishing Index**,<sup>58</sup> the risk is increased for businesses that are sourcing seafood products from these States. These States often have a history of malpractice due to, for example, weak national legal frameworks or failure to fulfil flag State obligations to control the activities of flagged vessels.<sup>59</sup>

In parallel, the species that are sourced should be of particular interest. In this analysis, the EU IUU Fishing Coalition and ClientEarth have selected three species – **squid, Atlantic bluefin tuna and swordfish**. These species are of major importance within the Spanish supply chain, both in terms of volume and value and are also recognised as being at high risk of being associated with IUU internationally.<sup>60</sup> **For further information on the methodology of this analysis and to access the raw data used in this report, see Supplementary Materials.**



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- 57 Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.
- 58 Further information on the methodology for the IUU Fishing Index is available at: <https://iuufishingindex.net/methodology.pdf>
- 59 E.J.F., Oceana, Pew Charitable Trusts and WWF. (2016). The EU IUU Regulation carding process: A review of European Commission carding decisions (Issue Brief). Available at: [http://www.iuuwatch.eu/wp-content/uploads/2015/06/3rdCountryCardingGuidelinesReport\\_FINAL.LOW\\_.pdf](http://www.iuuwatch.eu/wp-content/uploads/2015/06/3rdCountryCardingGuidelinesReport_FINAL.LOW_.pdf).
- 60 Planet Tracker. (2021) Do you IUU? An actionable toolkit to assess the risk of illegal, unreported and unregulated (IUU) fishing in investors' portfolios. Available at: <https://planet-tracker.org/wp-content/uploads/2021/12/Do-you-IUU.pdf>.

## High-risk trade flows

IUU operators have been known to change flags to avoid identification and sanctions,<sup>61</sup> turn off vessel tracking devices to avoid detection<sup>62</sup> and are suspected of shifting trade routes to target countries with weak import controls.<sup>63</sup> As the largest seafood market in the EU and because of the rapidly changing nature of IUU operators, there are high-risk trade flows by which the products of IUU fishing could potentially enter Spain. This is despite the commendable efforts made by Spain to implement the EU IUU Regulation and the strict controls that seafood imports are subjected to. These high-risk trade flows include high volume imports of seafood from both countries that are carded under the EU IUU Regulation and countries performing poorly in the fight against IUU fishing, according to the IUU Fishing Index.<sup>64</sup>



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61 Planet Tracker. (2021) Do you IUU? An actionable toolkit to assess the risk of illegal, unreported and unregulated (IUU) fishing in investors' portfolios. Available at: <https://planet-tracker.org/wp-content/uploads/2021/12/Do-you-IUU.pdf>.

62 E.J.F. (2020). Off the Hook - how flags of convenience let illegal fishing go unpunished. Available at: <https://ejfoundation.org/resources/downloads/EJF-report-FoC-flags-of-convenience-2020.pdf>.















63 E.J.F, Oceana, The Pew Charitable Trusts, WWF. (2018). The impact of the EU IUU Regulation on seafood trade flows: Identification of intra-EU shifts in import trends related to the catch certification scheme and third country carding process. Available at: [http://www.iuuwatch.eu/wp-content/uploads/2018/02/TDA\\_report\\_IUUwatch\\_LQ.pdf](http://www.iuuwatch.eu/wp-content/uploads/2018/02/TDA_report_IUUwatch_LQ.pdf).

64 Further information about the IUU Fishing Index is available at: <https://iuufishingindex.net/about>

## Imports from carded or listed countries

Spain imported large quantities of seafood from carded countries over the 2018/19 period, notably from Ecuador, Panama and Vietnam (**Table 1**). Although a number of countries in the table below would not have been able to export seafood to the EU for failing to meet the EU's sanitary requirements, it is important to consider the country's identified shortcomings with regards to IUU fishing if approved to export to the EU in the future.

**Table 1 – Total seafood imports into Spain in tonnes\* and number of catch certificates validated\*\* from carded countries over the 2018/19 period.**

Carded Country***	Cards received <sup>65</sup>	Carded from	Card removed / delisted	No. of catch certificates (2018)	2018 Imports (Tonnes)	No. of catch certificates (2019)	2019 Imports (Tonnes)
Cambodia†		November 2012	-	0	0	0	0
Comoros†		October 2015	-	0	0	0	0
Ecuador		October 2019	-	1,375	96,906.38	1,765	113,919.80
Kiribati		April 2016	December 2020	0	0	0	0
Liberia†		May 2017	-	0	0	0	0
Panama		December 2019	-	278	8,364.80	325	10,816.54
Sierra Leone†		April 2016	-	0	0	0	0
St Kitts and Nevis†		December 2014	-	0	0	0	0
St Vincent and the Grenadines†		December 2014	-	0	0	0	0
Taiwan		October 2015	June 2019	107	971.98	118	2,414.14
Thailand		April 2015	January 2019	77	2,086.40	77	2,604.68
Trinidad and Tobago†		April 2016	-	0	0	0	0
Tuvalu†		December 2014	July 2018	0	0	0	0
Vietnam		October 2017	-	252	23,211.49	212	29,121.54

\* Eurostat (2022). Imports under the 0301, 0302, 0303, 0304, 0305, 0306, 0307, 0308, 1604 and 1605 product codes.

\*\* Information extracted from the 2018/19 biennial report submitted by Spain to the European Commission on implementation of the EU IUU Regulation. This report was provided to the EU IUU Fishing Coalition following an 'access to information' request.

\*\*\* Countries in bold are currently carded under the EU Carding System. This reflects information as per the table published by the DG MARE in [https://ec.europa.eu/oceans-and-fisheries/fisheries/rules/illegal-fishing\\_en](https://ec.europa.eu/oceans-and-fisheries/fisheries/rules/illegal-fishing_en). [Information correct as of 31 January 2022]. Note: Countries red-carded under the EU IUU Regulation cannot import seafood products into the European Union.

† Country not authorised to export to the EU (entry into the Union of consignments of certain fishery products are not authorised)<sup>66</sup>

65 Map of EU Carding Decisions is available at: <http://www.iuuwatch.eu/the-iuu-regulation/eu-carding-decisions/>.

66 Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02021R0405-20210421>.

## Imports from countries with a high IUU fishing risk

China has been identified as the country with the highest IUU fishing risk in both 2019 and 2021 according to the IUU Fishing Index<sup>67</sup> and illegal activities within the Chinese distant-water fleet are well documented.<sup>68</sup> Annually, over 100,000 tonnes of seafood was imported into Spain from China over the analysed period (Table 2). These statistics are unsurprising given that China accounted for 35% of global fish production in 2018.<sup>69</sup>

**Table 2 – Seafood imports in tonnes\* and number of catch certificates validated\*\* from countries with the highest IUU fishing risk over the 2018/19 period according to the IUU fishing Index.**

Country***	IUU Fishing Risk <sup>70</sup>	No. of catch certificates (2018)	2018 Imports (Tonnes)	No. of catch certificates (2019)	2019 Imports (Tonnes)
China	<b>3.93</b>	3,586	103,512.90	3,348	105,957.30
Taiwan <sup>71,72</sup>	<b>3.34</b>	107	971.98	118	2,414.14
Cambodia <sup>73</sup>	<b>3.23</b>	0	0	0	0
Russia <sup>74</sup>	<b>3.16</b>	431	10,152.65	523	10,638.74
Vietnam <sup>75</sup>	<b>3.16</b>	252	23,211.49	212	29,121.54

\* Eurostat (2022). Imports under the 0301, 0302, 0303, 0304, 0305, 0306, 0307, 0308, 1604 and 1605 product codes.

\*\* Information extracted from the 2018/19 biennial report submitted by Spain to the European Commission on implementation of the EU IUU Regulation. This report was provided to the EU IUU Fishing Coalition following an 'access to information' request.

\*\*\* See footnotes in this column for further evidence of IUU fishing risk.

† Country not authorised to export to the EU (entry into the Union of consignments of certain fishery products are not authorised)<sup>76</sup>

**The identified high-risk trade flows must be carefully considered by Spanish seafood businesses seeking to import seafood from the aforementioned countries. Imports from either carded countries or countries with a high IUU fishing risk according to the IUU Fishing Index must be scrutinised by importing companies to ensure no seafood products entering the Spanish market are products of IUU fishing.**

67 IUU Fishing Index. Available at: <https://iuufishingindex.net/>.

68 E.J.F. (2022). The ever-widening net: mapping the scale, nature and corporate structures of illegal, unreported and unregulated fishing by the Chinese distant-water fleet. Available at: <https://ejfoundation.org/news-media/global-impact-of-illegal-fishing-and-human-rights-abuse-in-chinas-vast-distant-water-fleet-revealed-2>.

69 FAO. (2020). The State of World Fisheries and Aquaculture 2020. Sustainability in action. Rome. <https://doi.org/10.4060/ca9229en>

70 IUU Fishing Index. (2019). <https://globalinitiative.net/analysis/iuu-fishing-index/>

71 Pre-identified (yellow-carded) under the EU carding scheme between October 2015 and June 2019 for failing to cooperate in the fight against IUU fishing.

72 National Oceanic and Atmospheric Administration (NOAA). (2021). 2021 Report to Congress: Improving International Fisheries Management. Available at: <https://media.fisheries.noaa.gov/2021-08/2021ReporttoCongressonImprovingInternationalFisheriesManagement.pdf>.

73 Cambodia has been listed (red-carded) under the EU carding scheme since March 2014 for failing to cooperate in the fight against IUU fishing. Council implementing decision available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014D0170>.

74 National Oceanic and Atmospheric Administration (NOAA). (2021). 2021 Report to Congress: Improving International Fisheries Management. Available at: <https://media.fisheries.noaa.gov/2021-08/2021ReporttoCongressonImprovingInternationalFisheriesManagement.pdf>.

75 Vietnam has been pre-identified (yellow-carded) under the EU carding scheme since October 2017 for failing to cooperate in the fight against IUU fishing. For further information on the European Commission's carding decision see: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017D1027%2801%29>.

76 Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (Text with EEA relevance)Text with EEA relevance. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02021R0405-20220812>



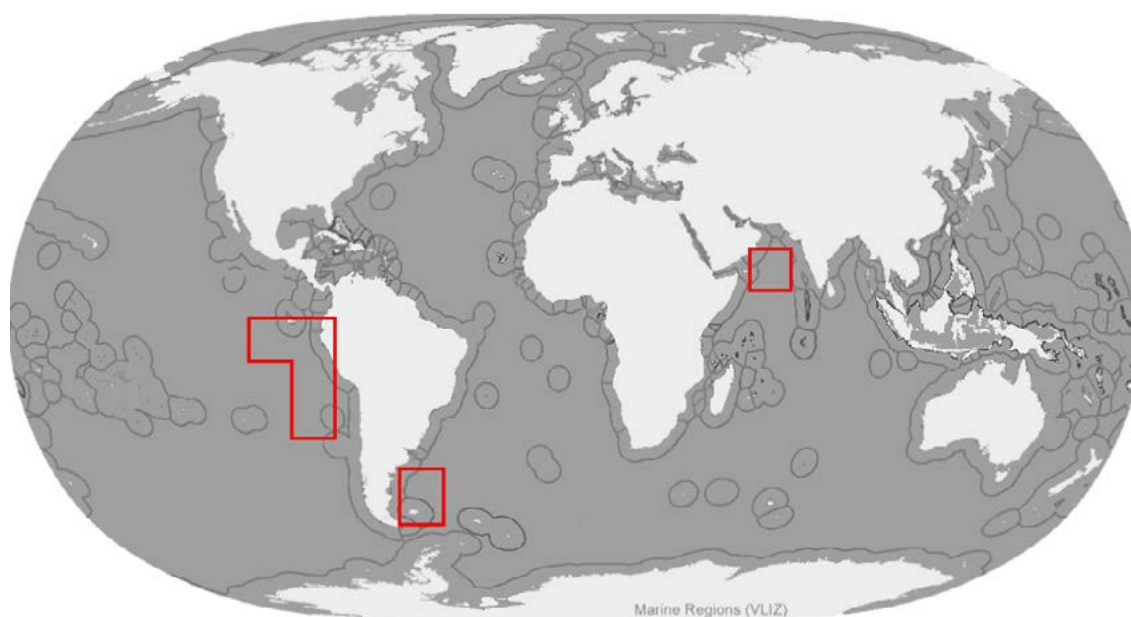
## High-risk species

For the Spanish market there are three species which have been identified by the EU IUU Fishing Coalition and ClientEarth as high-risk imports for IUU fishing: **squid** (multiple species), **Atlantic bluefin tuna** (*Thunnus thynnus*) and **swordfish** (*Xiphias gladius*). These case studies aim to document the risk of IUU fishing related to these species and raise awareness of tools, specifically the PAS 1550:2017 (**Box 3**), that can be applied by seafood businesses to mitigate these risks within the supply chain.

### Squid (*Decapodiformes*)

Fisheries targeting cephalopods (including squid, octopus and cuttlefish) have expanded almost 10-fold since 1950, with total catches increasing from around 0.5 million tonnes per year to a peak of almost 5 million tonnes in 2014.<sup>77</sup> In particular, global squid catches increased over this period.<sup>78</sup> In 2019, the top five fishing powers targeting squid globally were China, Peru, Indonesia, India and Russia,<sup>79</sup> while South Korea, Japan, Taiwan and **Spain** had the highest availability of cephalopods for local consumption<sup>80</sup> with Spain importing over EUR 615 million worth of squid from non-EU countries in 2019 alone.<sup>81</sup> In addition to the economic importance of squid worldwide, squid also plays an important role ecologically, specifically in the tuna food chain.<sup>82</sup> Tuna fisheries are likely to be directly impacted by an expansion of unregulated squid fishing.<sup>83</sup> A number of the largest squid fisheries globally are situated in the high seas and do not fall under the jurisdiction of any governing body (**Figure 2**). This section utilises three case study regions to highlight the unregulated nature of squid fishing – the northwest Indian Ocean (NWIO), southwest Atlantic and southwest Pacific squid fisheries.

**Figure 2: Major global squid fisheries<sup>84</sup>**



*Illex argentinus* in the **southwestern Atlantic**, *Dosidicus gigas* in the **southeastern Pacific** and *Sthenoteuthis oualaniensis* in the **northwestern Indian Ocean**

77 Moustahfid, H. et al. (2021). Ecological-Fishery Forecasting of Squid Stock Dynamics under Climate Variability and Change: Review, Challenges, and Recommendations. *Reviews in Fisheries Science & Aquaculture*, 29:4, 682-705, DOI: 10.1080/23308249.2020.1864720

78 *ibid.*

79 Greenpeace. (2022). Squids in the spotlight: Unregulated squid fisheries are headed for disaster. Available at: <https://www.greenpeace.org/static/planet4-international-stateless/2022/03/e13337d8-squids-in-the-spotlight.pdf>.

80 Ospina-Alvarez, A., de Juan, S., Pita, P. et al. 2022. A network analysis of global cephalopod trade. *Sci Rep* 12, 322. <https://doi.org/10.1038/s41598-021-03777-9>.

81 Eurostat. (2022).

82 WWF. (2020). Unregulated fishing on the high seas of the Indian Ocean.

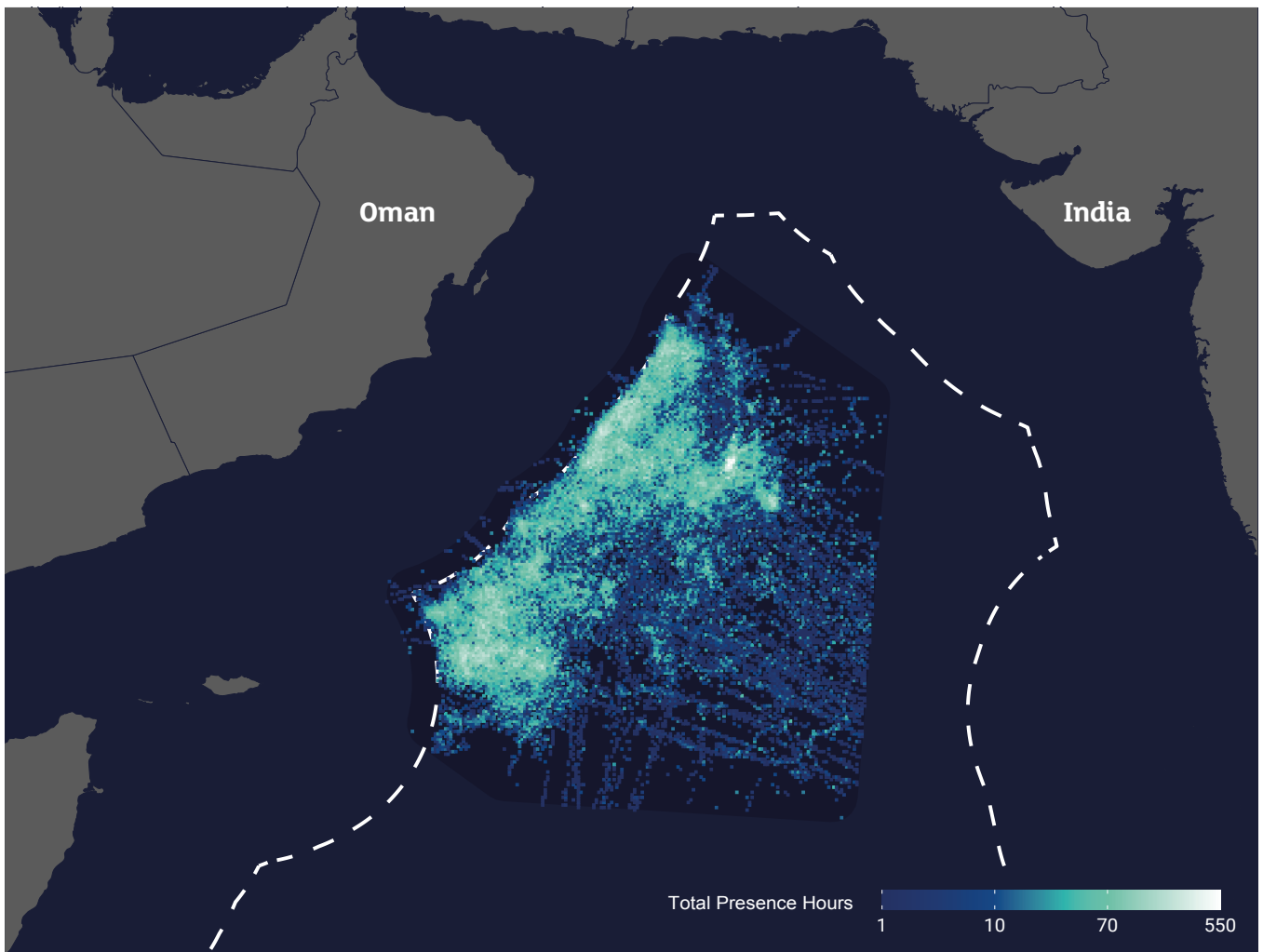
Available at: [https://wwfeu.awsassets.panda.org/downloads/wwftmt\\_unregulated\\_fishing\\_on\\_the\\_high\\_seas\\_of\\_the\\_indian\\_ocean\\_2020.pdf](https://wwfeu.awsassets.panda.org/downloads/wwftmt_unregulated_fishing_on_the_high_seas_of_the_indian_ocean_2020.pdf)

83 *Ibid.*

84 Flanders Marine Institute (2019). Maritime Boundaries Geodatabase, version 11. Available online at <https://www.marineregions.org/>. <https://doi.org/10.14284/382>.

Around the globe, industrial fishing for squid species in the southeastern Pacific Ocean, northwestern Indian Ocean and the southwestern Atlantic Ocean is currently largely unregulated. In some areas within the northwestern Indian Ocean, for example, squid fishing on the high seas doesn't currently fall within the area of competence of any Regional Fisheries Management Organisation (RFMO) (**Figure 3**).<sup>85,86</sup> Research conducted on squid fishing grounds in this region of the Northwest Indian Ocean<sup>87</sup> has indicated rapid growth in the number of fishing vessels and reefers<sup>88</sup> operating in the region between 2015-2019.<sup>89</sup> This is a prime example of an **unregulated** fishery, and over the study period all vessels operating in this squid fishery were either confirmed or likely **Chinese-flagged** fishing vessels. Approximately 45% of these vessels have previously been authorised to fish in an RFMO which manages squid fisheries (North Pacific Fisheries Commission (NFPC) and/or South Pacific Regional Fisheries Management Organisation (SPRFMO)).<sup>90</sup>

**Figure 3: AIS vessel presence of presumed squid fishing vessels in the Northwest Indian Ocean, 2017-2019**



Source: WWF<sup>91</sup>

- 85 Greenpeace. (2022). Squids in the spotlight: Unregulated squid fisheries are headed for disaster. Available at: <https://www.greenpeace.org/static/planet4-international-stateless/2022/03/e13337d8-squids-in-the-spotlight.pdf>.
- 86 WWF. (2020). Op cit
- 87 Notwithstanding the existence and the works of the Regional Fisheries Bodies (RFBs) in the Indian Ocean, there is a situation whereby capture fisheries of the high seas in the northwest Indian Ocean (NWIO), wedged between the EEZs of Yemen, Oman, Pakistan, India and the Maldives, are not covered by any arrangement other than the tuna fisheries covered by IOTC. Therefore, other than for tuna and tuna-like species, this area remains open to unregulated fishing.
- 88 WWF. (2020). Unregulated fishing on the high seas of the Indian Ocean. Available at: [https://wwfeu.awsassets.panda.org/downloads/wwftmt\\_unregulated\\_fishing\\_on\\_the\\_high\\_seas\\_of\\_the\\_indian\\_ocean\\_2020.pdf](https://wwfeu.awsassets.panda.org/downloads/wwftmt_unregulated_fishing_on_the_high_seas_of_the_indian_ocean_2020.pdf)
- 89 Stop Illegal Fishing, Trygg Mat Tracking and NFDS. (2017). Squid capture in the Northwest Indian Ocean: unregulated fishing on the high seas. Available at: [https://stopillegalfishing.com/wp-content/uploads/2017/06/Squid\\_capture\\_in\\_the\\_NWIO\\_FINAL\\_LR.pdf](https://stopillegalfishing.com/wp-content/uploads/2017/06/Squid_capture_in_the_NWIO_FINAL_LR.pdf)
- 90 WWF. (2020). Op cit.
- 91 WWF. (2020). Op cit.

A recent study, which analysed fishing activity around the Exclusive Economic Zone (EEZ) of **Argentina** between 2018 and 2021, also documented pervasive deactivation of vessels' Automatic Identification Systems (AIS)<sup>92</sup> in the area, for some vessels in contravention of their flag state's laws which require AIS to be in operation all the time.<sup>93</sup> Close to two thirds of the 'dark' vessels to have disabled their AIS systems were flagged to China and fishing for squid.<sup>94</sup> China has developed a major distant water fishing fleet for oceanic squid over the past three decades, which as of 2020 was made up of 600 vessels, catching over 520,000 tonnes of squid in 2018 around the globe.<sup>95</sup> When AIS is deactivated, it is possible for vessels to enter Argentine waters, illegally fish for squid and avoid detection by the Argentinian authorities as the other vessel tracking devices on such vessels only transmit information to the flag state, China. These distant-water fleets mainly fish for Argentine shortfin squid (*Illex argentinus*), a key species for the South American economy, generating an average of USD 597 million annually.<sup>96</sup>

It is important to note, however, that despite a strong reliance on squid imports, Spain also takes part in squid fishing and its own long distance fishing fleet sometimes engages in suspicious behaviour. A recent report, for instance, found that 90% of Spanish fishing vessels that fished along the edge of Argentina's national waters switched off their vessel tracking systems at least once over the study period. In fact, while the Spanish squid fleet is smaller, Spanish trawlers turn off their AIS more than three times as much as Chinese vessels.<sup>97</sup> Although these trawling vessels were not likely fishing exclusively for squid, Spanish vessels caught over 15,000 tonnes of Argentine shortfin squid (*Illex argentinus*) in 2020 (**Figure 4**) and landings made by Spanish vessels are not risk-free. Spanish seafood businesses must apply due diligence when sourcing all squid, including squid caught by Spanish vessels.

In addition to the two case studies above, in the southeastern Pacific in the waters surrounding Peru and the Galápagos Islands, Chinese vessels fishing for Humboldt squid (*Dosidicus gigas*) use multiple MMSI numbers and broadcast false AIS positions to potentially avoid detection.<sup>98</sup> Avoiding detection while fishing in either coastal waters or the high seas is problematic, as deactivation of tracking devices prevents those attempting to monitor and regulate fishing activity from doing so effectively. Although there are some signs that China intends to address the issue of unregulated squid fisheries,<sup>99</sup> it is crucial that the seafood industry aims to apply due diligence and promote transparency within the entire supply chain when sourcing squid. Efforts to manage these currently unregulated fisheries will take time and until then squid should be considered a high-risk species. **Squid supply chains should be placed under increased scrutiny as Spain imports thousands of tonnes of squid annually from China (Figure 4).**

Finally, EU Member States import large amounts of seafood, including cephalopods from countries identified as non-cooperating in the fight against IUU fishing (yellow carded). For example, Spain imported over EUR 3 million worth of cephalopod species from Ghana in 2018.<sup>100</sup> Under EU health legislation, a number of industrial trawlers flying the flag of Ghana are authorised to export fisheries products to the EU market and have licences to catch demersal species including snappers and cephalopods.<sup>101</sup> There is evidence of systemic illegalities in Ghana's industrial trawl sector, alongside a severe lack of transparency, yet imports of cephalopods (cuttlefish, octopus and squid) from Ghanaian-flagged trawlers can continue to enter the EU.<sup>102</sup> In addition to IUU fishing, industrial trawling in Ghana has consequences for local fishing communities including worsened living conditions, high levels of income insecurity and a lack of social security for small-scale fishers and fish workers.<sup>103</sup>

92 The Automatic Identification System (AIS) is an essential part of maritime safety. It uses radio frequencies to ensure that vessels do not collide and it also allows for the tracking of fleets by Maritime Authorities. Information on the location and operations of fishing vessels can be gathered using AIS data.

93 Oceana. (2021). Now You See Me, Now You Don't: Vanishing Vessels Along Argentina's Waters. Available at: [https://usa.oceana.org/wp-content/uploads/sites/4/2021/06/oceana\\_argentina\\_mini\\_report\\_finalupdated.pdf](https://usa.oceana.org/wp-content/uploads/sites/4/2021/06/oceana_argentina_mini_report_finalupdated.pdf).

94 Ibid.

95 Wang, A. (2021). China to limit squid fishing fleet over environmental concerns. South China Morning Post. Available at: <https://www.scmp.com/news/china/diplomacy/article/3155316/china-limit-size-squid-fishing-fleet-over-environmental>.

96 Harte, M., Borberg, J., Sylvia, G. & Smith, N. (2019). Argentine shortfin squid (*Illex argentinus*) value chain analysis with an emphasis on the Falkland Islands. Final Report for the South Atlantic Overseas Territories Natural Capital Assessment. Available at: <https://data.jncc.gov.uk/data/3d406e7f-3bb0-4bed-9bfc-584398a2aafe/ot-nca-sup-sat-28-fi-mar2019.pdf>.

97 Oceana. (2021). Now You See Me, Now You Don't: Vanishing Vessels Along Argentina's Waters. Available at: [https://usa.oceana.org/wp-content/uploads/sites/4/2021/06/oceana\\_argentina\\_mini\\_report\\_finalupdated.pdf](https://usa.oceana.org/wp-content/uploads/sites/4/2021/06/oceana_argentina_mini_report_finalupdated.pdf).

98 Global Fishing Watch. (2021). Analysis of the Southeast Pacific Distant Water Squid Fleet. Available at: <https://globalfishingwatch.org/wp-content/uploads/GFW-2021-FA-SQUID2020-EN-1.pdf>.

99 People's Republic of China, Ministry of Agriculture and Rural Affairs (MOARA). (2020). Notice on Strengthening the Conservation of Squid Resources on the High Seas and Promoting the Sustainable Development of Distant Water Fisheries (DWF). Further information available at: <https://www.sprfmo.int/assets/2020-SC8/SC8-Doc20-Rev1-China-Annual-report-to-SC8-Squid.pdf>.

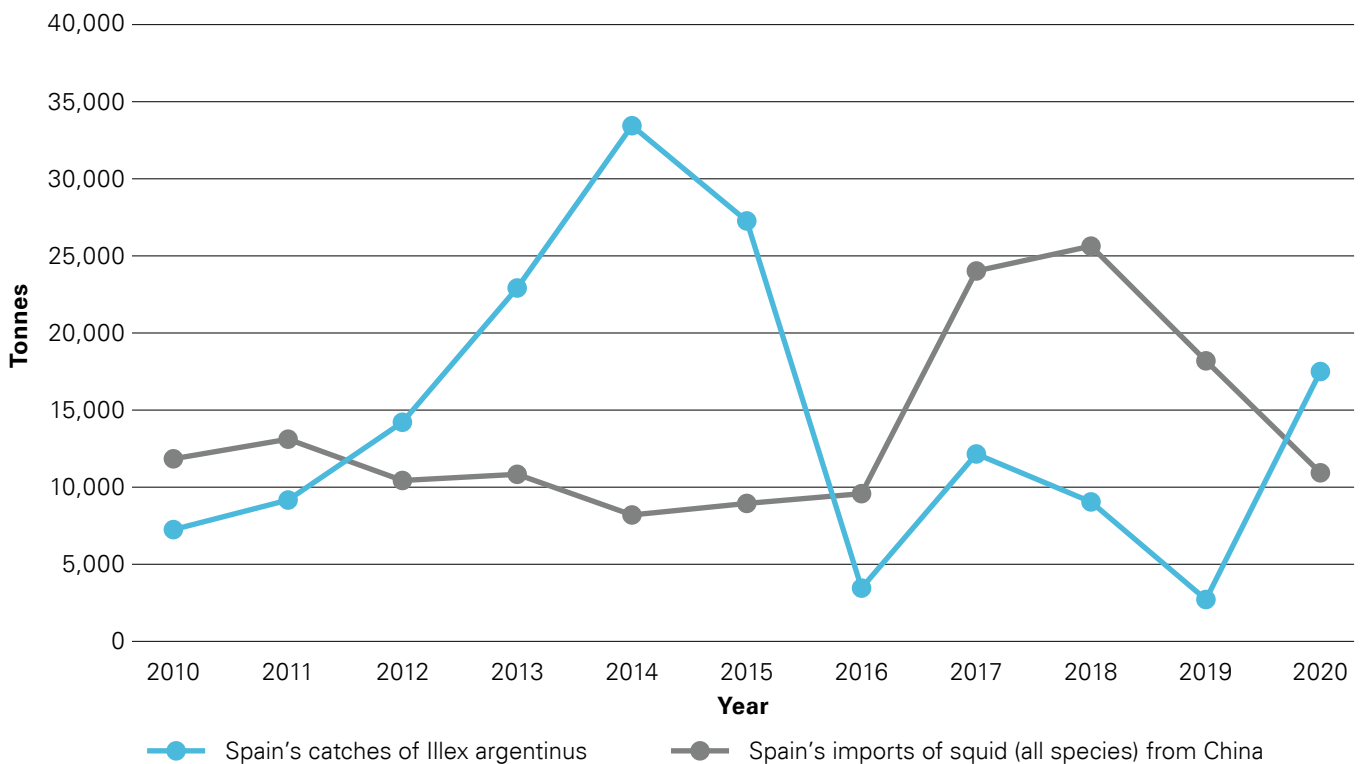
100 E.J.F. (2020). Europe – a market for illegal seafood from West Africa: The case of Ghana's industrial trawl sector. Available at: <https://ejfoundation.org/reports/europe-a-market-for-illegal-seafood-from-west-africa-the-case-of-ghanas-industrial-trawl-sector>.

101 Ibid.

102 Ibid.

103 E.J.F. (2021). A human rights lens on the impacts of industrial illegal fishing and overfishing on the socio-economic rights of small-scale fishing communities in Ghana. Available at: <https://ejfoundation.org/resources/downloads/EJF-DIHR-socio-economic-report-2021-final.pdf>.

**Figure 4: Total live weight of Spain's catches of Argentine shortfin squid (*Illex argentinus*) (tonnes) and total imports (tonnes) of squid (all species)\* from China between 2010 and 2020**



Source: Eurostat (2022)<sup>104</sup>

\* Total imports (tonnes) of all squid species. This figure does not only include data for the squid species targeted by the two case studies highlighted above as all squid imports from these countries are considered to be high risk due to the unregulated nature of squid fisheries worldwide. For the commodity codes used in this analysis, see Annex 1 (Table 2).

In recognition of the above described risks, a number of international companies from the squid sectors of Spain, the USA, the UK, Canada and other countries joined together in 2021 to form the Squid IUU Prevention Working Group in response to recent news “about the increase in risks associated with IUU fishing, as well as human rights violations and labor abuses in global squid production.”<sup>105</sup> The working group acknowledges the need for supply chains to act urgently to tackle and eradicate these issues in global squid fishing, processing and distribution. They have recently made a joint public statement about the need to combat IUU fishing in squid fisheries.<sup>106</sup> **Application of voluntary measures in alignment with those set out in the PAS 1550:2017 (Box 3)** will help to ensure that importing seafood businesses in Spain are not sourcing squid from IUU operators, unregulated fisheries or supply chains involving human rights or labour abuses.

<sup>104</sup> See Supplementary Materials for further information

<sup>105</sup> White, C. (2021). Biggest squid producers, suppliers form group to fight IUU fishing. SeafoodSource. Available at: <https://www.seafoodsource.com/news/environment-sustainability/biggest-squid-producers-suppliers-form-group-to-fight-iuu-fishing>.

<sup>106</sup> Sustainable Fisheries Partnership. (2022). Press release: North American and European Squid Buyers and Producers Take New Action to Combat IUU Fishing. Available at: <https://sustainablefish.org/press-release/north-american-and-european-squid-buyers-and-producers-take-new-action-to-combat-iuu-fishing/>.

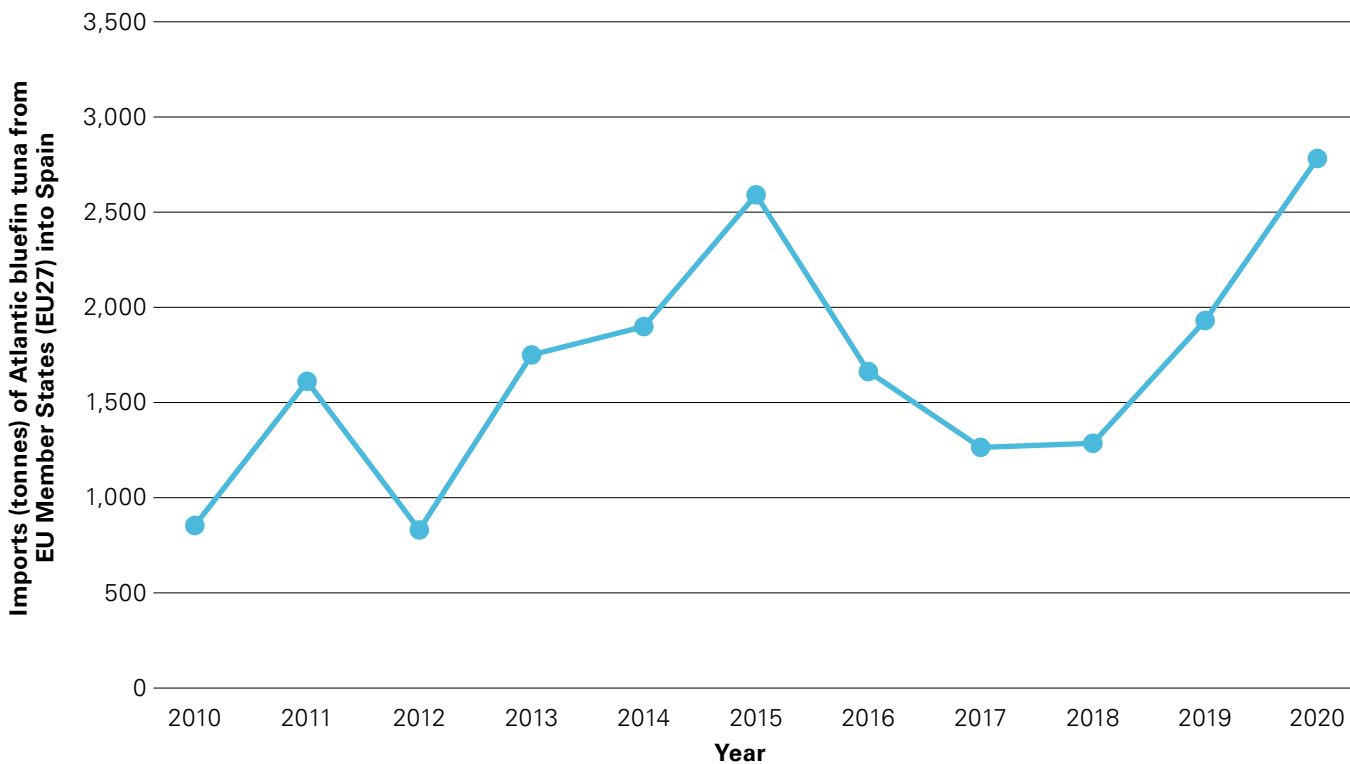
## Atlantic bluefin tuna (*Thunnus thynnus*)

Atlantic bluefin tuna (ABFT) (*Thunnus thynnus*) can grow to 3 metres in length<sup>107</sup> and is one of the most valuable fish species globally – with fishers paid in excess of USD 10,000 for a single Atlantic bluefin at the dock.<sup>108</sup> In 2020, reported catches of Eastern Atlantic and Mediterranean ABFT weighed in at 35,000 tonnes and catches of Western ABFT were about 2,200 tonnes.<sup>109</sup> ABFT populations have been declining severely over recent decades as a result of both overfishing and IUU fishing<sup>110,111</sup> – although there are signs of recovery, as ABFT was reclassified as being a species ‘of least concern’ by the IUCN in 2021.<sup>112,113</sup> They are highly migratory and are widely distributed in the subtropical and temperate waters of the Atlantic Ocean and the Mediterranean Sea. In the Atlantic Ocean, much has been done to try and help ABFT populations recover from chronic overexploitation, including the development and implementation of the 15-year recovery plan, developed by the International Commission for the Conservation of Atlantic Tunas (ICCAT).<sup>114</sup> Although ABFT is highly regulated under ICCAT and the RFMO has adopted critical management tools over the years, such as catch limits and recovery plans, harvest strategies have not yet been developed and harvest controls and tools for this species have been identified as needing improvement.<sup>115, 116, 117, 118</sup> ICCAT however plans to move to the formal adoption of a harvest strategy for the ABFT (both its western and eastern stocks) at its plenary this year.<sup>119</sup>

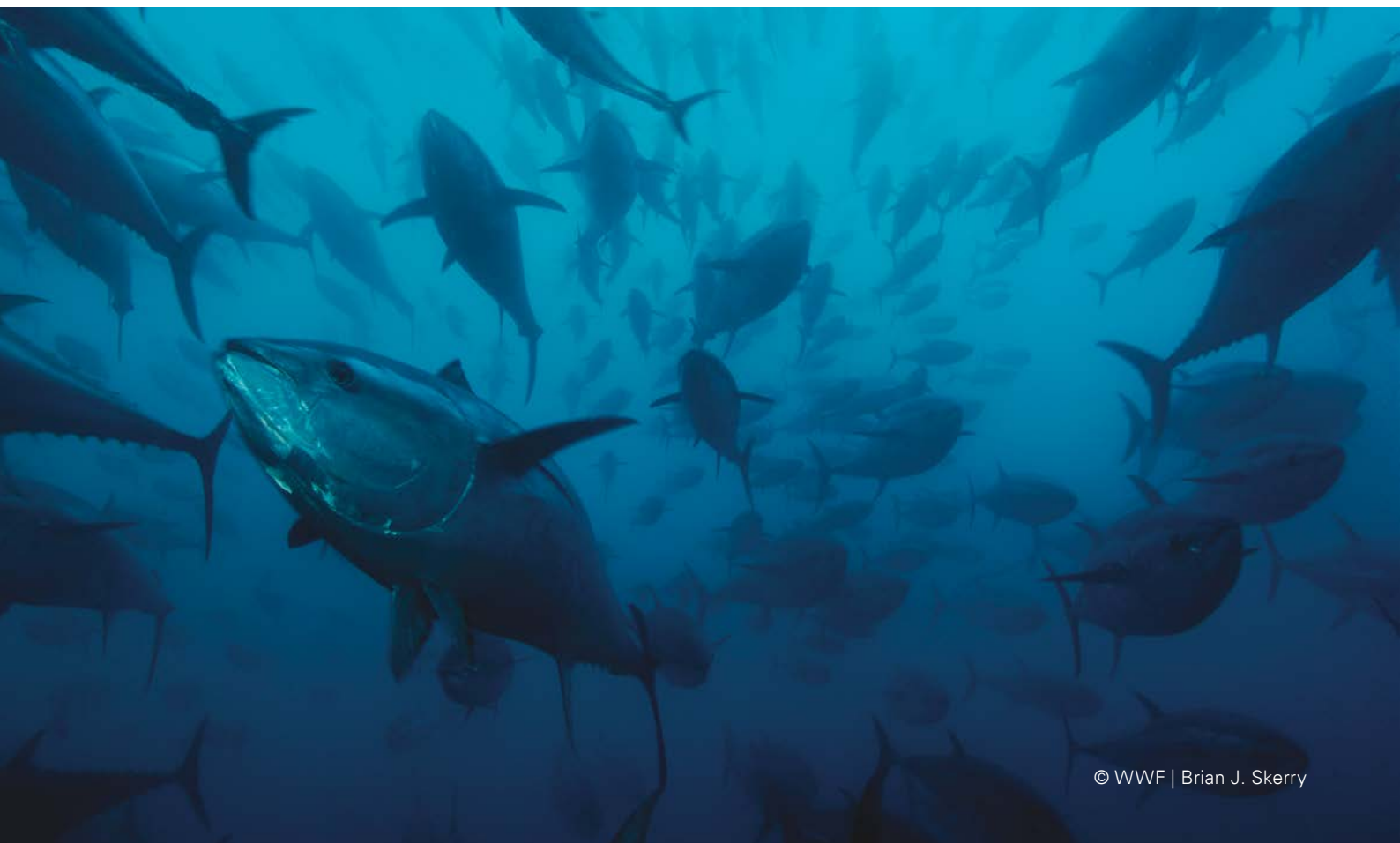
In addition to the issues discussed above, ABFT has been identified as a high-risk species for IUU fishing following a number of past instances in which illegal activities in the ABFT trade have been uncovered. In 2018, for example, Spanish authorities announced the arrest of multiple actors involved in an extensive operation of illegal ABFT trade. The operation led by Europol, known as “Operation Tarantelo”), involved an extensive network of fishing companies and distributors, including the Spanish *Grupo Ricardo Fuentes et Hijos*, one of the EU’s largest seafood farming companies.<sup>120</sup> This illegal tuna entered the EU market principally through Malta.<sup>121</sup> Spain traded over 3,000 tonnes of ABFT with Member States in 2020, highlighting the scale of such imports (**Figure 5**). Furthermore, following audits of Croatian bluefin tuna farms, the European Commission identified “serious shortcomings in monitoring the transfer and caging operations of bluefin tuna.”<sup>122</sup> Croatian news reports suggest that illegal activities occur within the Mediterranean’s ABFT farms.<sup>123,124</sup> Although Spain has not traded bluefin tuna with Croatia over recent years, these examples of potential illegal activities within European tuna farms highlight once again the risks associated with the ABFT trade.<sup>125</sup>

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- 107 ISSF. (2022). Status of the world fisheries for tuna (ISSF Technical Report 2022-04). Available at: <https://www.issf-foundation.org/tuna-stocks-and-management/our-tuna-stock-tools/status-of-the-stocks/>.
- 108 Pew Charitable Trusts. (2017). The Story of Atlantic Bluefin (Issue Brief). Available at: <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2017/10/the-story-of-atlantic-bluefin>.
- 109 Op cit. ISSF (2022).
- 110 Porch, C.E., Bonhommeau, S., Diaz, G.A., Arrizabalaga, H., Melvin, G. (2019). The journey from overfishing to sustainability for Atlantic bluefin tuna, *Thunnus thynnus*. *The Future of Bluefin Tunas: Ecology, Fisheries Management, and Conservation*.
- 111 Hosch, G. (2019). The 2018 Atlantic Bluefin Tuna Trade Scandal: The catch & trade control framework of ICCAT - and how to fix it. Luxembourg, Europe. 65pp
- 112 Porch, C.E., Bonhommeau, S., Diaz, G.A., Arrizabalaga, H., Melvin, G. (2019). The journey from overfishing to sustainability for Atlantic bluefin tuna, *Thunnus thynnus*. *The Future of Bluefin Tunas: Ecology, Fisheries Management, and Conservation*.
- 113 Hosch, G. (2019). The 2018 Atlantic Bluefin Tuna Trade Scandal: The catch & trade control framework of ICCAT - and how to fix it. Luxembourg, Europe. 65pp
- 114 The International Commission for the Conservation of Atlantic Tunas (ICCAT) is a Regional Fisheries Management Organisation (RFMO) responsible for the management and conservation of tuna and tuna-like species in the Atlantic Ocean and adjacent seas. In 2016 recommended the establishment of a multi-annual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean (ICCAT Rec. 06-05). Available at: <https://www.iccat.int/Documents/Recs/compendiopdf-e/2006-05-e.pdf>.
- 115 Pew Charitable Trusts. (2020). Netting Billions 2020: A Global Tuna Valuation. Available at: <https://www.pewtrusts.org/en/research-and-analysis/reports/2020/10/netting-billions-2020-a-global-tuna-valuation>.
- 116 Holmes, G. and Miller, S. (2022). Harvest strategies and allocation – A chicken and egg scenario?. *Marine Policy*, 135, p.104871.
- 117 Op cit. ISSF (2022).
- 118 ICCAT. (2020) Report of the working group on bluefin tuna control and traceability measures. Available at: [https://www.iccat.int/com2020/ENG/PA2\\_603\\_ENG.pdf](https://www.iccat.int/com2020/ENG/PA2_603_ENG.pdf).
- 119 Mediterranean Advisory Council. (2021). ICCAT - Management procedure for the Atlantic bluefin tuna – Concept and process. Available at: [http://www.med-ac.eu/files/news/2021/07/concept\\_note\\_harveststrategyatlanticbft\\_19\\_july.pdf](http://www.med-ac.eu/files/news/2021/07/concept_note_harveststrategyatlanticbft_19_july.pdf).
- 120 Milo-Dale, L. (2018). €12.5 million illegal bluefin tuna trade exposes threat to sustainable fisheries in Europe. [online] WWF.eu. Available at: <https://www.wwf.eu/?uNewsID=336830>.
- 121 Ibid.
- 122 European Commission. (2022). February infringements package: key decisions. Available at: [https://ec.europa.eu/commission/presscorner/detail/en/inf\\_22\\_601](https://ec.europa.eu/commission/presscorner/detail/en/inf_22_601).
- 123 Petranović, D., 2022. Is Gotovina hunting in the dark? We have unravelled what is happening with the import and cultivation of tuna in Croatia and who is actually cheering and dressing there. *Tportal*. Available translated at: [https://www.tportal.hr.translate.google.com/vijesti/clanak/general-gotovina-tuna-biznis-kvote-20220105?\\_x\\_tr\\_sl=hr&\\_x\\_tr\\_tl=en&\\_x\\_tr\\_hl=en-US&\\_x\\_tr\\_pto=wapp](https://www.tportal.hr.translate.google.com/vijesti/clanak/general-gotovina-tuna-biznis-kvote-20220105?_x_tr_sl=hr&_x_tr_tl=en&_x_tr_hl=en-US&_x_tr_pto=wapp).
- 124 Burčul, L., 2022. 'General Gotovina's company from Libya imports cheap paperless tuna and puts them in Adriatic cages', claims the fisheries inspector, here is what the Ministry of Agriculture says about (non)controversial business. *Slobodna Dalmacija*, [online] Available translated at: [https://slobodnadalmacija-hr.translate.google.com/dalmacija/obala/tvrtka-general-gotovine-iz-libije-uvozi-jeftine-tune-bez-papira-i-ubacuje-ih-u-jadranske-kaveze-tvrđi-ribarski-inspektor-evo-sto-u-ministarstvu-poljoprivrede-kazu-o-ne-spornom-poslu-1156718?\\_x\\_tr\\_sl=hr&\\_x\\_tr\\_tl=en&\\_x\\_tr\\_hl=en-US&\\_x\\_tr\\_pto=wapp](https://slobodnadalmacija-hr.translate.google.com/dalmacija/obala/tvrtka-general-gotovine-iz-libije-uvozi-jeftine-tune-bez-papira-i-ubacuje-ih-u-jadranske-kaveze-tvrđi-ribarski-inspektor-evo-sto-u-ministarstvu-poljoprivrede-kazu-o-ne-spornom-poslu-1156718?_x_tr_sl=hr&_x_tr_tl=en&_x_tr_hl=en-US&_x_tr_pto=wapp).
- 125 See Supplementary Material for further information on Spain’s imports of Atlantic bluefin tuna.

Figure 5: Spain's trade of Atlantic Bluefin Tuna with EU Member States (EU27) between 2010-2021 (tonnes)



Source: Eurostat (2022)<sup>126</sup>



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126 European Commission. (2022). February infringements package: key decisions. Available at: [https://ec.europa.eu/commission/presscorner/detail/en/inf\\_22\\_601](https://ec.europa.eu/commission/presscorner/detail/en/inf_22_601).

Importers of ABFT must also be aware of the risk of mislabelling. For example, within 375 samples of Atlantic bluefin, Bigeye and Yellowfin tuna collected at various stages of the Spanish commercial chain, from wholesalers to restaurants, 73% of fish labelled as bluefin tuna turned out to be false.<sup>127</sup> This is unsurprising as bigeye tuna increased in price by around EUR 12 per kg when sold as bluefin.<sup>128</sup>

These examples show that despite the EU's legislative measures, fish of IUU origin may still continue to enter the European market and that although illegal catch may not be landed in Spain, these products could enter the Spanish market through EU Member States which fail to implement the EU IUU Regulation as effectively. A vast disparity of the import controls applied by EU Member States, as required under the EU IUU Regulation, has been documented by the EU IUU Fishing Coalition<sup>129</sup> and disparities between the import control systems in place in EU Member States have also been analysed by ClientEarth.<sup>130</sup> Solely relying on the existence of such import controls is therefore not enough for seafood companies which want to be sure that they do not buy tuna of IUU origin.

## Swordfish (*Xiphias gladius*)

In a 2018 report published by the EU IUU Fishing Coalition, it was identified that following the yellow-carding of several countries including Belize, Panama and Taiwan, the imports of frozen swordfish into Portugal increased.<sup>131</sup> This increase coincides with a notable decrease in imports of frozen swordfish by Spain, indicating a likely shift towards importation of swordfish through Portugal rather than Spain, potentially for reasons related to the IUU Regulation.<sup>132</sup> This may be due to disparities in import controls between the two Member States, including the treatment of risk and level of scrutiny afforded to imports from yellow-carded countries.<sup>133</sup> In 2019, Portugal was the largest exporter of swordfish to Spain (Figure 6) and imports of swordfish from Portugal into Spain appear to have increased dramatically over the 10-year period analysed in the present report.<sup>134</sup>

Additionally, fisheries inspectors in **Italy** have reported illegal landing and selling of Mediterranean swordfish in Italian markets.<sup>135</sup> Operators will catch and land mainly immature swordfish specimens and often remove the bills<sup>136</sup> from the fish in order to elude the law.<sup>137</sup> In 2019 alone, Spain imported over 16,000 tonnes of swordfish from across the world and there still exists a multitude of trade flows through which swordfish enters the country (**Figure 6**).<sup>138</sup>

The important demand for swordfish meat also appears to be driving the mislabelling of other vulnerable species. As recently as January 2022, there have also been cases in which meat marketed as swordfish, traded between **Spain to Malta**, was later determined to be shortfin mako shark (*Isurus oxyrinchus*)<sup>139</sup> – a species protected since 2019 under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).<sup>140</sup> Incidents of food fraud in the swordfish market involving two shark species (porbeagle shark (*Lamna nasus*) and shortfin mako) have also been reported in Chile<sup>141</sup> – the fourth-largest exporter of swordfish to Spain in 2019 (**Figure 6**). These examples highlight how due diligence must also be applied when trading seafood with EU Member States, in addition to imports of seafood from non-EU countries. No supply chain can be guaranteed as being immune to IUU fishing and mislabelling remains an issue.

127 Gordo, A., Carreras, G., Sanz, N. and Viñas, J. (2017). Tuna Species Substitution in the Spanish Commercial Chain: A Knock-On Effect. PLOS ONE, 12(1), p.e0170809.

128 *ibid.*

129 EJF, Oceana, The Pew Charitable Trusts and WWF (2017). The EU IUU Regulation. Analysis: Implementation of Seafood Import Controls. Available at: [http://www.iuuwatch.eu/wp-content/uploads/2017/03/IUU\\_Import-controls\\_report\\_ENG.pdf](http://www.iuuwatch.eu/wp-content/uploads/2017/03/IUU_Import-controls_report_ENG.pdf).

130 ClientEarth (2021). Digitising the control of fishery product imports - A panorama of the systems in place in the EU and ways forward. Available at: <https://www.clientearth.org/latest/documents/digitising-the-control-of-fishery-product-imports-a-panorama-of-the-systems-in-place-in-the-eu-and-ways-forward/>.

131 EJF, Oceana, Pew Charitable Trusts, WWF. (2018). The impact of the IUU Regulation on seafood trade flows: Identification of intra-EU shifts in import trends related to the catch certification scheme and third country carding process. Available at: [http://www.iuuwatch.eu/wp-content/uploads/2018/02/TDA\\_report\\_IUUwatch\\_LQ.pdf](http://www.iuuwatch.eu/wp-content/uploads/2018/02/TDA_report_IUUwatch_LQ.pdf).

132 *Ibid.*

133 EJF, Oceana, The Pew Charitable Trusts and WWF. (2017). The EU IUU Regulation: Analysis of implementation of EU seafood import controls. Available at: [http://www.iuuwatch.eu/wp-content/uploads/2017/03/IUU\\_Import-controls\\_report\\_ENG.pdf](http://www.iuuwatch.eu/wp-content/uploads/2017/03/IUU_Import-controls_report_ENG.pdf).

134 See Table 8 in Annex 2 within Supplementary Materials for further information.

135 WWF. (2019). Sharks in crisis: a call to action for the Mediterranean.

Available at: [http://awsassets.panda.org/downloads/wwf\\_sharks\\_in\\_the\\_mediterranean\\_2019\\_v10singles.pdf](http://awsassets.panda.org/downloads/wwf_sharks_in_the_mediterranean_2019_v10singles.pdf).

136 An extension of the fish's upper jawbone used in hunting. These bills make swordfish easily identifiable.

137 Romeo, T., Consoli, P., Battaglia, P. and Andaloro, F. (2013). A support to manage the swordfish (*Xiphias gladius* Linnaeus, 1758) IUUF (illegal, unreported and unregulated fishing): an easy method to identify the legal size. *Journal of Applied Ichthyology*, [online] 30(1), pp.114-116.

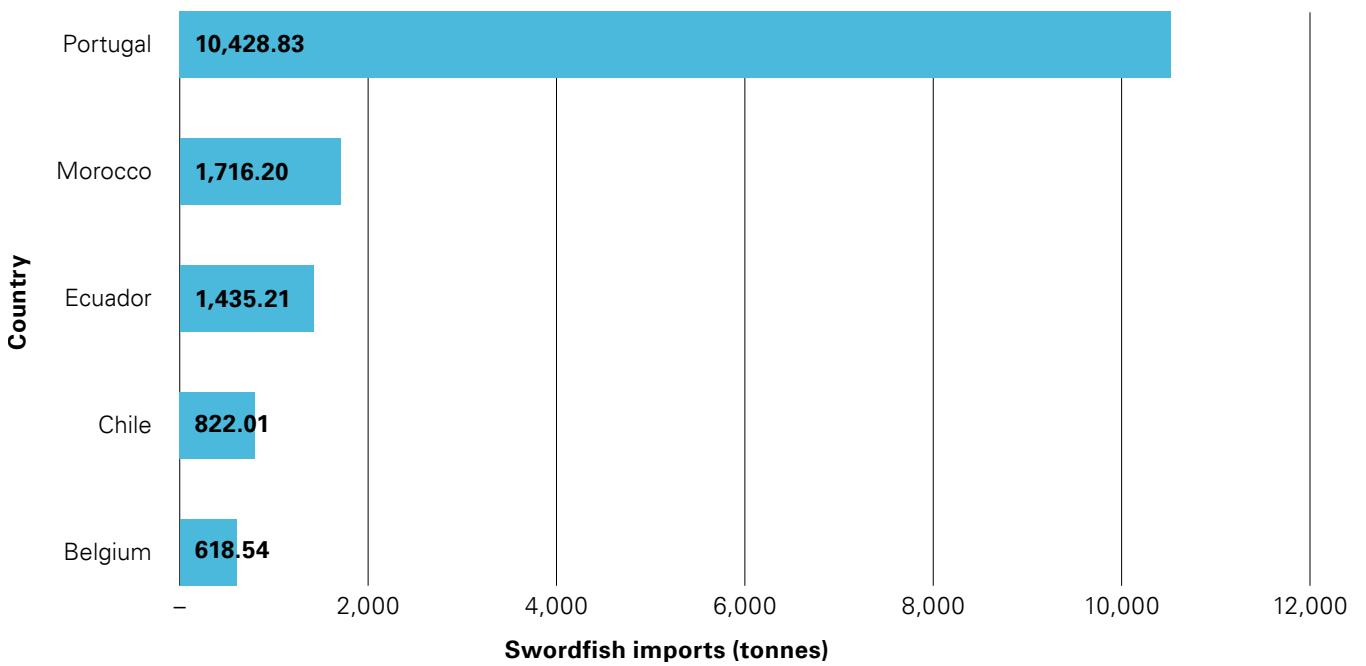
138 Eurostat. (2020).

139 Martin, I. (2022). Shark meat sold as swordfish. Times of Malta, [online] Available at: [https://timesofmalta.com/articles/view/shark-meat-sold-as-swordfish.928120?utm\\_campaign=2022-01-21+ION&utm\\_medium=email&utm\\_source=Pew&subscriberkey=0037V00002X7jDjQAJ](https://timesofmalta.com/articles/view/shark-meat-sold-as-swordfish.928120?utm_campaign=2022-01-21+ION&utm_medium=email&utm_source=Pew&subscriberkey=0037V00002X7jDjQAJ).

140 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Appendix II. Available at: <https://cites.org/eng/app/appendices.php>.

141 Dufflocq, P., Larrain, M. and Araneda, C., 2022. Species substitution and mislabeling in the swordfish (*Xiphias gladius*) market in Santiago, Chile: Implications in shark conservation. *Food Control*, 133, p.108607.

Figure 6: Top 5 exporters of Swordfish to Spain (2019)



Source: Eurostat (2022)<sup>142</sup>



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142 See Supplementary Materials for further information



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# Recommendations: The need for industry due diligence

**The case studies documented above aim to highlight the risks of IUU fishing and human rights abuses within seafood supply chains, and inform the Spanish seafood sector on the potential risks associated with imported products. The EU IUU Regulation helps to protect the EU market from products of IUU fishing, but industry also has a vital role to play. Industry due diligence and voluntary measures have the potential to help protect Spanish consumers from seafood sourced from IUU fishing and ensure that no seafood entering the Spanish market is associated with human rights abuses.**

Although Spain implements the EU IUU Regulation more thoroughly than other Member States, when it comes to import controls, companies cannot rely solely on the government to ensure that seafood supply chains are devoid of IUU fishing. **They remain exposed to risk.** Indeed, IUU fishing vessels tend to rapidly change their modus operandi and trade routes, capitalising on existing legal loopholes and weaknesses in the system. It cannot be excluded that some products of IUU fishing may enter Spain, through its ports or over land, from both non-EU countries and EU Member States. **Currently, there is no such thing as zero risk when it comes to IUU fishing for a seafood company.**

Under current EU legislation there are no overarching requirements for companies to **ensure that the seafood they buy is not associated with human rights abuses.** Spain is, however, likely to ratify the International Labour Organization (ILO) Work in Fishing Convention (C188) in due course and the European Commission has also proposed a corporate due diligence Directive aimed at holding larger companies accountable for human rights abuse and environmental harm throughout their supply chains.<sup>143</sup> All companies, including those which will fall outside of the scope of the corporate due diligence Directive, should take steps to ensure that supply chains used are free from human rights and labour abuses by applying voluntary tools including the **PAS 1550:2017**. Companies also need to develop purchasing policies which include criteria related to labour conditions, defining the legal and operational minimum standards that they require in their supply chains.

This analysis has determined that there are **identifiable IUU risk factors** that companies need to take into account when they source seafood. These include the country from which the trade flows originate and whether the species sourced can be considered as having a particularly high risk, as is the case for **squid, Atlantic bluefin tuna, and swordfish.**

**Finally,** it is crucial that industry supports measures to improve global transparency within the fisheries sector. In addition to the application of voluntary tools such as the PAS 1550:2017, industry support is needed for all applicable transparency measures set out in the EU IUU Fishing Coalition's **30 transparency and good governance criteria.**<sup>144</sup> Industry support for these criteria can be pivotal in driving legislative action.

The EU IUU Fishing Coalition and ClientEarth recommend that **Spanish seafood companies, from processors to retailers:**

- Ensure that the seafood they buy is not associated with IUU fishing. In order to reach this objective, they should use state-of-the-art due diligence measures. Companies must not only consider the legality of imported products, but also determine that the seafood purchased is neither unreported nor originating from an unregulated fishery;
- Systematically understand and map out the fisheries they source from as the first step in informing necessary due diligence. Particular care should be taken when species identified as being high risk are sourced;
- Use existing voluntary tools, such as the **PAS 1550:2017 (Box 3)**, co-developed by both industry and NGOs, to carry out their due diligence and ensure that no IUU fishing products end up on the Spanish market;

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<sup>143</sup> European Commission. (2022). Proposal for a directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937. Available at: [https://eur-lex.europa.eu/resource.html?uri=cellar:bc4dcea4-9584-11ec-b4e4-01aa75ed71a1.0001.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:bc4dcea4-9584-11ec-b4e4-01aa75ed71a1.0001.02/DOC_1&format=PDF).

<sup>144</sup> See also the EJF ten principles for global transparency. Available at: <https://ejfoundation.org/resources/downloads/EJF-Transparency-10-principles-final-1.pdf>.

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- Also apply voluntary tools to combat human rights abuses in seafood supply chains. These tools include not only the PAS 1550:2017, but also the code of conduct on labour practices such as the Guiding Principles on Business and Human Rights.<sup>145</sup> This is particularly important as there is currently little to no governmental screening at the point level of entry to ensure decent working conditions, as the EU IUU Regulation exclusively focuses on legality of imported wild-caught fish products. In February 2022, the European Commission released a communication on 'decent work worldwide for a global transition to a just and sustainable economy'.<sup>146</sup> The Commission has also proposed a corporate due diligence Directive<sup>147</sup> and is expected to soon put forward a legislative proposal on forced labour. This means that early adoption of the proposed voluntary tools will also future-proof company operations and reduce transition costs.

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145 United Nations Human Rights Office of the High Commissioner (OHCHR). (2011). Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework. Available at: [https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf).

146 European Commission. (2022). Commission sets out strategy to promote decent work worldwide and prepares instrument for ban on forced labour products [Press Release]. Available at: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_22\\_1187](https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1187).

147 European Commission. (2022). Proposal for a directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937. Available at: [https://eur-lex.europa.eu/resource.html?uri=cellar:bc4dcea4-9584-11ec-b4e4-01aa75ed71a1.0001.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:bc4dcea4-9584-11ec-b4e4-01aa75ed71a1.0001.02/DOC_1&format=PDF).



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# Supplementary material

## Annex 1: Further information on this report's methodology

### Data extraction and selection of fisheries commodities

The Harmonised Commodity Description and Coding System (HS), administered by the World Customs Organization (WCO), sets out commodity codes at the six-digit (HS6) level. These HS6 codes provide the basis for all national tariff codes and are harmonised globally. The first two digits represent the Chapter, the second two digits the Heading, and the final two digits the Sub-heading. The EU has adopted an eight-digit system, the Combined Nomenclature (CN8), which provides greater specificity for certain commonly traded goods to, from and within the EU. This adds a final two digits to the standardised HS6 codes, providing additional information for example on species, preparation, stage of processing, etc.

For Spain, total seafood import data for:

- i. carded countries and
- ii. countries with a high IUU fishing risk (according to the IUU fishing index) were downloaded using Eurostat COMEXT for the period 2010-2020.

Squid import data for high risk countries (Argentina and China) and the 27 EU Member States; Atlantic bluefin tuna import data for the 27 EU Member States; and swordfish import data for carded countries and the 27 EU Member States; were all also downloaded using Eurostat COMEXT for the same period. The exporting country reported in Eurostat may be the flag State of the catching vessel, or the country from which products are exported after landing and processing.

The first stage of the analysis (examining total seafood imports from carded countries and high-risk countries for IUU fishing (according to the IUU Fishing Index)) considered fisheries products reported at the HS4 level under Chapter 03 (Headings 01 to 08<sup>148</sup>), and Chapter 16 (Headings 04 and 05) (See Table 1 contained within this appendix).

- Chapter 03, broadly speaking, covers fish, crustaceans, molluscs and other aquatic invertebrates in unprocessed form or at an early stage of processing. The individual headings in this chapter describe more specifically the presentation of the products, for example, fresh or chilled fish, frozen fish, fish fillets and other fish meat, or molluscs in whatever form.
- Chapter 16 includes prepared and preserved fish, for example, tuna traded in canned form or as loins for canning, as well as prepared and preserved aquatic invertebrates such as molluscs, shrimps and prawns.

For high risk-species (squid, swordfish and Atlantic bluefin tuna) specific fisheries products reported at the CN8 level under Chapter 03 were considered. See Tables 2-4 contained within this Annex for further details.

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<sup>148</sup> It is noted that heading 0308 (other aquatic invertebrates) only came into force on 1 January 2012, limiting the potential for analysis of trends over time. Prior to 2012, the commodities reported under the new heading 0308 were reported under headings 0307 and 1605.

## High risk trade flows:

**Table 1 – HS4 commodity codes used in the analysis of total seafood imports into Spain from carded countries and countries with a high IUU fishing risk (according to the IUU Fishing Index)\***

Heading (HS4)	Description
0301	Live fish
0302	Fish, fresh or chilled (excl. fish fillets and other fish meat of heading 0304)
0303	Frozen fish (excl. fish fillets and other fish meat of heading 0304)
0304	Fish fillets and other fish meat, whether or not minced, fresh, chilled or frozen
0305	Fish, fit for human consumption, dried, salted or in brine; smoked fish, fit for human consumption, whether or not cooked before or during the smoking process; flours, meals and pellets of fish, fit for human consumption
0306	Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine, even smoked, incl. crustaceans in shell cooked by steaming or by boiling in water; flours, meals and pellets of crustaceans, fit for human consumption
0307	Molluscs, fit for human consumption, even smoked, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of molluscs, fit for human consumption
0308	Aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine, even smoked; flours, meals and pellets of aquatic invertebrates other than crustaceans and molluscs, fit for human consumption
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved (excl. smoked)

\* Source: Eurostat (2022). Extra-EU imports under the 0301, 0302, 0303, 0304, 0305, 0306, 0307, 0308, 1604 and 1605 product codes. Please note that this total volumes include fishery products that are excluded from the EU IUU Regulation (e.g. aquaculture products, freshwater fish). For a list of products excluded under the EU IUU Regulation see Annex XIII at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:280:0005:0041:EN:PDF>

## High-risk species

**Table 2 – CN8 commodity codes used in the analysis of squid (multiple species) imports into Spain<sup>149</sup>**

Heading (CN8)	Description
03074191	Squid "Loligo spp., Ommastrephes sagittatus", live, fresh or chilled, with or without shell
03074192	Squid "Loligo spp." live, fresh or chilled, with or without shell
03074199	Squid "Ommastrephes spp.", "Nototodarus spp. and Sepioteuthis spp.", live, fresh or chilled, with or without shell
03074220	Squid "Loligo spp.", live, fresh or chilled
03074230	Squid "Ommastrephes spp., Nototodarus spp., Sepioteuthis spp.", live, fresh or chilled
03074240	European flying squid "Todarodes sagittatus", live, fresh or chilled
03074331	Squid "Loligo vulgaris", frozen
03074333	Squid "Loligo pealei", frozen
03074335	Squid "Loligo gahi", frozen
03074338	Squid "Loligo spp.", frozen (excl. "Loligo vulgaris, pealei and gahi")
03074391	Squid "Ommastrephes spp., Nototodarus spp., Sepioteuthis spp.", frozen (excl. "Ommastrephes sagittatus")
03074392	Squid "Illex spp.", frozen
03074395	European flying squid "Todarodes sagittatus, Ommastrephes sagittatus", frozen
03074931	Frozen squid "Loligo vulgaris", with or without shell
03074933	Frozen squid "Loligo pealei", with or without shell
03074935	Squid "loligo patagonica", frozen
03074938	Squid "loligo spp.", frozen (excl. loligo vulgaris, pealei and patagonica)
03074939	Frozen squid 'loligo spp.', with or without shell (excl. 'loligo vulgaris' and 'pealei')
03074940	Squid "Loligo spp.", smoked, dried, salted or in brine
03074950	Squid "Ommastrephes spp., Nototodarus spp., Sepioteuthis spp.", smoked, dried, salted or in brine (excl. "Ommastrephes sagittatus")
03074951	Frozen squid "Ommastrephes sagittatus", with or without shell
03074959	Frozen squid "Ommastrephes spp.", "Nototodarus spp." and "Sepioteuthis spp.", with or without shell
03074960	European flying squid "Todarodes sagittatus, Ommastrephes sagittatus", smoked, dried, salted or in brine
03074991	Squid "Loligo spp., Ommastrephes sagittatus", dried, salted or in brine, with or without shell
03074992	Squid "Loligo spp.", dried, salted or in brine, with or without shell
03074999	Squid "Ommastrephes spp.", "Nototodarus spp.", "Sepioteuthis spp.", dried, salted or in brine, with or without shell
03079110	Live, fresh or chilled, European flying squid "Todarodes sagittatus"
03079914	European flying squid "Todarodes sagittatus", frozen (excl. smoked)
03079920	European flying squid "Todarodes sagittatus", dried, salted or in brine (excl. smoked)

<sup>149</sup> The commodity codes used in this analysis of Squid imports does not feature only squid species targeted by the two case studies highlighted above. All squid imports from these countries are considered to be high risk due to the unregulated nature of squid fisheries worldwide.

**Table 3 – CN8 commodity codes used in the analysis of Atlantic bluefin tuna (*Thunnus thynnus*) imports into Spain**

Heading (CN8)	Description
03019400	Live bluefin tunas "Thunnus thynnus"
03019410	Live Atlantic bluefin tuna "Thunnus thynnus"
03023510	Fresh or chilled bluefin tunas 'Thunnus thynnus', for industrial processing or preservation
03023511	Fresh or chilled Atlantic bluefin tuna "Thunnus thynnus", for industrial processing or preservation
03023519	Fresh or chilled Atlantic bluefin tuna "Thunnus thynnus" (excl. for industrial processing or preservation)
03023590	Fresh or chilled bluefin tunas 'Thunnus thynnus' (excl. tunas for industrial processing or preservation)
03023911	Bluefin tunas 'Thunnus thynnus', fresh or chilled, for industrial processing or preservation
03023991	Bluefin tunas 'Thunnus thynnus', fresh or chilled (excl. tunas for industrial processing or preservation)
03034510	Frozen bluefin tunas "Thunnus thynnus" for industrial processing or preservation
03034511	Frozen bluefin tunas "Thunnus thynnus" for industrial processing or preservation, whole
03034512	Frozen Atlantic bluefin tuna "Thunnus thynnus", for industrial processing or preservation
03034513	Frozen bluefin tunas "Thunnus thynnus" for industrial processing or preservation, gilled and gutted
03034518	Frozen Atlantic bluefin tuna "Thunnus thynnus" (excl. for industrial processing or preservation)
03034519	Frozen bluefin tunas "Thunnus thynnus" for industrial processing or preservation, without head and gills, but still to be gutted
03034590	Frozen bluefin tunas "Thunnus thynnus" (excl. for industrial processing or preservation)
03034921	Bluefin tunas 'Thunnus thynnus', frozen, for industrial processing or preservation, whole
03034923	Bluefin tunas 'Thunnus thynnus', frozen, for industrial processing or preservation, gilled and gutted
03034929	Bluefin tunas 'Thunnus thynnus', frozen, for industrial processing or preservation (excl. whole and gilled and gutted)

**Table 4 – CN8 commodity codes used in the analysis of swordfish (*Xiphias gladius*) imports into Spain**

Heading (CN8)	Description
03024700	Fresh or chilled swordfish "Xiphias gladius"
03026700	Fresh or chilled swordfish "Xiphias gladius"
03026987	Fresh or chilled swordfish "Xiphias gladius"
03035700	Frozen swordfish "Xiphias gladius"
03036100	Frozen swordfish "Xiphias gladius"
03037987	Frozen swordfish "Xiphias gladius"
03041110	Fresh or chilled fillets of swordfish "Xiphias gladius"
03041190	Fresh or chilled meat "whether or not minced" of swordfish "Xiphias gladius" (excl. fillets)
03042087	Frozen fillets of swordfish "Xiphias gladius"
03042100	Frozen fillets of swordfish "Xiphias gladius"
03044500	Fresh or chilled fillets of swordfish "Xiphias gladius"
03045400	Fresh or chilled meat, whether or not minced, of swordfish "Xiphias gladius" (excl. fillets)
03048400	Frozen fillets of swordfish "Xiphias gladius"
03049065	Frozen meat (excl. fillets) of swordfish "Xiphias gladius"
03049100	Frozen meat, whether or not minced, of swordfish "Xiphias gladius" (excl. fillets)

## Annex 2: Data tables

**Table 1 – Total seafood imports (tonnes)\* from carded countries into Spain\*\***

Carded Countries***	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Belize	2,389.67	2,929.61	4,565.16	3,739.45	608.01	4,120.29	3,992.07	3,846.08	10,144.70	8,754.48	7,188.24
Cambodiatt	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Cameroon†****	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01
Comorost	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Curaçao	0.00	0.00	0.00	15,872.45	19,114.75	15,904.82	24,290.32	11,498.09	14,779.93	15,167.71	11,515.08
Ecuador	72,712.99	76,474.89	73,737.80	72,814.15	75,560.82	91,661.46	88,445.27	102,022.50	96,906.38	113,919.80	100,331.00
Fiji	0.00	15.03	0.00	390.31	0.00	1.26	80.02	362.65	847.98	582.78	102.23
Ghanatt†	4,310.81	3,320.75	1,490.28	1,025.12	1,836.44	1,914.78	794.58	804.27	1,374.38	3,823.24	2,637.13
Republic of Guinea†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.00	0.00
Kiribati†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Republic of Korea	13,725.92	16,621.79	12,163.46	5,400.06	9,996.61	6,087.50	6,981.90	11,889.40	8,497.10	5,141.43	12,991.72
Liberiat	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Panama	19,952.80	18,904.72	15,778.16	11,955.34	22,258.69	14,434.56	13,849.59	17,054.33	8,364.80	10,816.54	8,120.15
Papua New Guinea	3,153.90	5,127.62	8,591.42	12,877.03	7,438.79	10,220.71	8,982.04	14,130.07	16,530.69	14,864.26	14,714.61
Philippines	13,220.54	7,992.15	4,886.76	10,449.15	7,951.10	9,734.83	7,600.08	18,408.43	18,739.16	10,343.21	10,223.58
Sierra Leone	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Solomon Islands	753.62	597.71	409.88	1,122.00	1,020.00	610.16	280.50	459.71	783.30	1,554.55	753.62
Sri Lanka	131.59	1.99	3.30	13.12	105.04	8.82	34.00	53.00	420.22	403.75	300.40
St Kitts and Nevis†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Saint Vincent and the Grenadines†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Taiwan	272.19	888.79	485.42	74.94	98.67	0.18	539.13	575.82	971.98	2,414.14	126.07
Thailand	22,908.93	26,914.95	11,095.21	8,269.95	10,004.54	4,016.28	4,605.22	4,597.04	2,086.40	2,604.68	1,973.31
Togot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trinidad and Tobagot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tuvalu	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vanuatu†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vietnam	65,639.32	60,161.55	48,061.62	43,970.94	47,513.41	40,810.91	40,196.74	26,747.10	23,211.49	29,121.54	24,423.83
<b>Total</b>	<b>219,172.28</b>	<b>219,951.55</b>	<b>181,268.47</b>	<b>187,974.01</b>	<b>203,506.87</b>	<b>199,526.57</b>	<b>200,671.46</b>	<b>212,448.49</b>	<b>203,658.52</b>	<b>219,512.11</b>	<b>195,400.97</b>



\* Source: Eurostat (2022). Extra-EU imports under the 0301, 0302, 0303, 0304, 0305, 0306, 0307, 0308, 1604 and 1605 product codes. Please note that this total volume includes fishery products that are excluded from the EU IUU Regulation (e.g. aquaculture products, freshwater fish). For a list of products excluded under the EU IUU Regulation see Annex XIII at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:280:0005:0041:EN:PDF>

\*\* Yellow/Red shaded cells represent years for which the country was Yellow/Red carded for at least 3 months of the respective year. For further details on the EU's carding decisions see: [https://ec.europa.eu/oceans-and-fisheries/system/files/2021-07/illegal-fishing-overview-of-existing-procedures-third-countries\\_en.pdf](https://ec.europa.eu/oceans-and-fisheries/system/files/2021-07/illegal-fishing-overview-of-existing-procedures-third-countries_en.pdf)

\*\*\* Imports of seafood from a red-carded country are still possible if the country can show that the fish was caught before identification and listing (catch certificate date)

\*\*\*\* Cameroon was yellow-carded in February 2021, so no yellow shading was applied in this row

† Country not authorised to export to the EU (entry into the Union of consignments of certain fishery products are not authorised)<sup>150</sup>

†† Please note that Ghana was re-carded by the European Commission in June 2021

**Table 2 – Total seafood imports (tonnes) from countries with a high IUU fishing risk (according to the IUU Fishing Index)\***

High IUU Fishing Risk Country**	IUU Risk <sup>151</sup>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
China	3.93	110,072.70	105,710.70	85,685.19	97,399.10	93,493.14	94,002.82	110,094.20	103,598.90	103,512.90	105,957.30	101,709.80
Taiwan	3.34	272.19	888.79	485.42	74.94	98.67	0.18	539.13	575.82	971.98	2,414.14	126.07
Cambodia†	3.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Russia	3.16	1,875.03	2,292.10	1,749.23	2,204.23	4,170.92	4,304.72	4,538.09	8,465.49	10,152.65	10,638.74	6,068.99
Vietnam	3.26	65,639.32	60,161.55	48,061.62	43,970.94	47,513.41	40,810.91	40,196.74	26,747.1	23,211.49	29,121.54	24,423.83

\* Source: Eurostat (2022). Extra-EU imports under the 0301, 0302, 0303, 0304, 0305, 0306, 0307, 0308, 1604 and 1605 product codes. Please note that this total volume includes fishery products that are excluded from the EU IUU Regulation (e.g. aquaculture products, freshwater fish). For a list of products excluded under the EU IUU Regulation see Annex XIII at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:280:0005:0041:EN:PDF>

\*\* According to the IUU Fishing Index

† Country not authorised to export to the EU (entry into the Union of consignments of certain fishery products are not authorised)<sup>152</sup>

**Table 3 – Imports of squid (tonnes) from China into Spain**

Squid (Tonnes)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
China	11,824.09	13,188.83	10,434.73	10,655.51	8,203.89	8,837.58	9,510.43	23,935.09	25,596.68	18,249.78	11,043.59

<sup>150</sup> Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (Text with EEA relevance)Text with EEA relevance. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02021R0405-20220812>

<sup>151</sup> IUU Fishing Index <https://globalinitiative.net/analysis/iuu-fishing-index/>

<sup>152</sup> Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (Text with EEA relevance)Text with EEA relevance. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02021R0405-20220812>

**Table 4 – Imports of squid (tonnes) from EU Member States into Spain**

Squid (Tonnes)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Austria	0.31	0.00	0.00	0.00	0.00	4.06	0.00	0.00	0.00	0.00	0.00
Belgium	100.33	9.12	112.04	32.84	12.38	153.29	34.08	78.30	99.38	106.30	10.46
Bulgaria	0.05	0.00	0.00	0.00	0.00	0.60	0.00	1.44	0.00	44.16	0.00
Croatia	0.00	0.00	0.00	0.00	0.04	10.99	1.50	21.58	104.55	1.50	0.00
Cyprus	0.00	0.00	0.00	0.00	0.00	7.68	0.00	0.00	0.00	0.00	0.01
Czech Republic	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.85	0.00	5.24	0.00
Denmark	7.24	29.14	43.86	5.70	141.29	170.59	640.37	38.22	22.10	21.43	26.03
Estonia	0.00	98.44	235.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Finland	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
France	1,930.71	2,049.95	2,811.03	1,383.21	1,774.46	2,224.18	1,490.01	2,152.24	1,929.24	1,892.90	1,479.64
Germany	1.64	6.98	78.34	30.90	24.22	60.44	91.87	220.03	15.64	91.90	4.54
Greece	308.09	381.35	369.41	300.03	188.97	181.50	89.64	30.68	10.81	0.60	29.57
Hungary	0.00	0.00	0.00	0.00	0.00	0.00	20.70	0.00	0.00	0.00	0.00
Ireland	144.54	71.29	37.98	78.36	99.95	140.18	154.60	580.19	333.93	330.90	88.68
Italy	771.42	1137.07	471.11	697.30	701.30	633.31	300.47	405.29	381.90	312.20	719.54
Latvia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.04	0.00
Lithuania	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Luxembourg	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Malta	0.00	0.00	0.00	0.00	0.00	1.19	0.00	0.00	0.00	0.00	0.00
Netherlands	472.02	1,251.41	660.01	724.39	461.99	449.15	553.96	1,288.17	1,350.65	1,176.02	474.16
Poland	0.00	0.00	0.00	0.00	20.94	0.00	0.00	8.67	0.00	0.58	0.03
Portugal	2,922.93	2,495.84	1,647.57	1,488.32	2,108.93	2,228.97	2,644.43	4,119.69	2,987.79	3,838.17	4,538.77
Romania	0.00	0.00	0.00	0.00	0.00	0.00	0.00	22.70	0.00	0.00	3.00
Slovakia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Slovenia	1.42	0.00	0.00	0.00	0.00	40.57	0.01	43.95	129.02	83.41	31.19
Sweden	0.00	0.00	0.00	0.00	0.00	0.23	0.00	0.00	2.36	0.00	0.00
<b>Total EU 27</b>	<b>6,660.70</b>	<b>7,530.59</b>	<b>6,466.35</b>	<b>4,741.05</b>	<b>5,534.47</b>	<b>6,306.93</b>	<b>6,021.64</b>	<b>9,017.00</b>	<b>7,367.38</b>	<b>7,905.35</b>	<b>7,405.62</b>

**Table 5 – Total catch of *Illex argentinus* (Tonnes) by Spanish-flagged vessels\***

Argentine Shortfin Squid ( <i>Illex argentinus</i> ) (Total live weight – Tonnes)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Spain	7,216.2	9,122.74	14,186.4	22,864.75	33,463.69	27,262.21	3,451.27	12,096.75	9,134.89	2,748.78	17,465.39

\* Source: Eurostat (2022) (online data code: fish\_ca\_main)

**Table 6 – Imports of Atlantic bluefin tuna (tonnes) from EU Member States into Spain**

Bluefin Tuna (Tonnes)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Austria	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Belgium	0.00	0.00	0.00	0.00	36.68	196.87	88.88	10.00	0.00	0.00	0.00
Bulgaria	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Croatia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Cyprus	0.00	0.00	0.00	0.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Czech Republic	0.00	49.06	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Denmark	0.00	0.00	0.00	9.14	0.00	0.00	0.02	0.00	0.00	7.78	13.78
Estonia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Finland	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
France	800.47	990.33	286.54	669.03	1,095.34	1,867.99	1,751.18	978.45	1,131.24	1,729.00	2,242.82
Germany	0.87	0.00	0.00	0.22	0.67	0.00	0.00	0.08	0.00	0.00	0.00
Greece	47.24	6.12	7.09	12.99	7.68	14.24	25.39	5.26	10.01	5.37	18.24
Hungary	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Ireland	13.44	534.53	537.19	998.16	633.96	331.47	16.52	4.48	1.94	1.26	1.28
Italy	62.57	59.06	60.44	48.68	38.98	34.31	10.70	46.93	166.54	285.71	660.57
Latvia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Lithuania	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Luxembourg	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Malta	19.22	2.42	1.81	0.00	0.00	0.00	0.00	88.41	16.31	0.00	0.00

Bluefin Tuna (Tonnes)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Netherlands	0.23	0.01	0.13	9.42	1.50	16.37	1.01	4.18	9.47	0.97	0.99
Poland	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Portugal	175.14	218.91	190.96	244.81	334.19	362.53	26.25	372.33	195.85	393.62	345.54
Romania	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Slovakia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Slovenia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sweden	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.06	10.53
<b>Total EU 27</b>	<b>1,119.18</b>	<b>1,860.44</b>	<b>1,084.16</b>	<b>1,992.70</b>	<b>2,149.00</b>	<b>2,823.78</b>	<b>1,919.95</b>	<b>1,510.12</b>	<b>1,531.36</b>	<b>2,428.77</b>	<b>3,293.75</b>
<b>Total Extra EU</b>	<b>251.91</b>	<b>110.45</b>	<b>149.16</b>	<b>166.12</b>	<b>138.74</b>	<b>150.64</b>	<b>144.71</b>	<b>201.38</b>	<b>258.69</b>	<b>391.62</b>	<b>523.06</b>

**Table 7 – Imports of swordfish (tonnes)\* from carded countries into Spain\*\***

Carded Countries***	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Belize	103.67	191.01	313.13	141.04	21.17	0.00	0.00	0.00	0.00	0.00	0.00
Cambodi†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Cameroon†****	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Comoros†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Curaçao	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Ecuador	6.22	165.35	330.60	692.35	824.76	1,188.93	1690.52	798.88	1,608.91	1,435.21	1,265.50
Fiji	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Ghana††	0.00	22.34	12.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Guinea†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Kiribati†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Republic of Korea	640.71	570.70	133.74	509.14	663.78	252.34	176.06	23.22	27.70	0.00	42.10
Liberia†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Panama	1,532.81	903.45	596.18	80.84	138.89	294.74	173.95	128.38	116.21	138.25	222.59
Papua New Guinea	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Carded Countries***	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Philippines	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sierra Leone	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Solomon Islands	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sri Lanka	2.69	0.00	0.00	0.02	0.10	0.00	1.07	0.29	36.64	77.74	61.41
St Kitts and Nevis†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Saint Vincent and the Grenadines†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Taiwan	0.00	146.10	122.42	49.00	98.50	0.00	0.00	0.00	0.00	0.00	0.00
Thailand	364.76	0.00	0.00	24.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Togo†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trinidad and Tobago†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tuvalu	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vanuatu†	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vietnam	480.50	600.25	223.54	923.86	265.18	99.92	81.77	0.00	0.00	0.00	2.03
<b>Total Carded</b>	<b>3,131.36</b>	<b>2,599.20</b>	<b>1,731.91</b>	<b>2,420.25</b>	<b>2,012.38</b>	<b>1,835.93</b>	<b>2,123.37</b>	<b>950.77</b>	<b>1,789.46</b>	<b>1,651.20</b>	<b>1,593.63</b>

\* Source: Eurostat (2022). Extra-EU imports under the 0301, 0302, 0303, 0304, 0305, 0306, 0307, 0308, 1604 and 1605 product codes. Please note that this total volume includes fishery products that are excluded from the EU IUU Regulation (e.g. aquaculture products, freshwater fish). For a list of products excluded under the EU IUU Regulation see Annex XIII at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:280:0005:0041:EN:PDF>

\*\* Yellow/Red shaded cells represent years for which the country was Yellow/Red carded for at least 3 months of the respective year. For further details on the EU's carding decisions see: [https://ec.europa.eu/oceans-and-fisheries/system/files/2021-07/illegal-fishing-overview-of-existing-procedures-third-countries\\_en.pdf](https://ec.europa.eu/oceans-and-fisheries/system/files/2021-07/illegal-fishing-overview-of-existing-procedures-third-countries_en.pdf)

\*\*\* Imports of seafood from a red-carded country are still possible if the country can show that the fish was caught before identification and listing (catch certificate date)

\*\*\*\* Cameroon was yellow-carded in February 2021, so no yellow shading was applied in this row

† Country not authorised to export to the EU (entry into the Union of consignments of certain fishery products are not authorised)<sup>153</sup>

†† Please note that Ghana was re-carded by the European Commission in June 2021

<sup>153</sup> Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (Text with EEA relevance)Text with EEA relevance. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02021R0405-20220812>

**Table 8 – Imports of swordfish (tonnes) from EU Member States into Spain**

Swordfish (Tonnes)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Austria	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Belgium	902.40	269.49	0.00	1.83	217.69	338.68	59.43	653.56	413.25	618.54	379.26
Bulgaria	0.00	0.00	0.00	0.00	0.10	0.00	0.00	0.00	0.00	1.17	0.00
Croatia	0.00	0.00	0.00	0.00	0.00	0.00	0.58	0.00	0.00	0.00	0.00
Cyprus	0.00	0.00	0.00	0.00	0.00	0.00	8.77	0.00	0.00	0.00	0.00
Czech Republic	3.00	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Denmark	26.79	38.46	0.00	0.00	23.50	2.91	10.43	2.45	0.00	0.00	0.01
Estonia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Finland	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
France	348.12	133.38	141.42	314.51	731.21	190.92	139.64	57.35	88.59	21.76	25.12
Germany	459.13	282.06	205.00	137.49	2.02	3.60	1.75	4.99	93.44	90.78	17.62
Greece	0.93	37.08	0.94	15.35	5.60	15.80	0.99	0.63	0.41	0.00	0.00
Hungary	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Ireland	4.36	0.48	1.13	0.33	0.00	1.84	1.43	0.83	0.00	0.00	0.00
Italy	356.48	525.60	262.55	193.74	110.40	240.86	176.74	87.41	66.01	42.02	98.39
Latvia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Lithuania	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Luxembourg	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Malta	0.00	0.00	0.00	4.62	0.00	0.00	4.96	14.72	14.46	0.00	0.00
Netherlands	133.98	137.69	41.39	1.09	3.46	2.65	32.72	6.32	9.42	1.98	0.21
Poland	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.03	0.00	19.00	0.00
Portugal	3,759.97	2,959.90	3,792.92	5,825.24	5,177.78	7,582.83	9,339.51	8,524.48	8,795.33	10,428.83	7,646.81
Romania	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Slovakia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Slovenia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.09	0.00
Sweden	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total EU 27</b>	<b>5995.15</b>	<b>4384.18</b>	<b>4445.36</b>	<b>6494.20</b>	<b>6271.76</b>	<b>8380.08</b>	<b>9776.97</b>	<b>9352.75</b>	<b>9480.91</b>	<b>11224.16</b>	<b>8167.41</b>



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