

Fishing Vessel Circular Letter No. 055
07 December 2023
Series: GEN-2023

To: All Ship Owners, Operators, Deputy Registrars, Resident Agents, Representatives, and other Stakeholders

Subject: **ESTABLISHING MEASURES FOR THE IMPLEMENTATION OF COUNCIL REGULATION (EC) NO. 1005/2008**

Reference: Issued in accordance with Part VIII, Section 50(1)(c) of the High Seas Fishing Act, 2013

Circular Superseded: **FVC-008/2013**, Issued 21st March 2013 and **FVC-007/2014**, Issued 24th June 2014

BACKGROUND:

Council Regulation (EC) No.1005/2008 Establishing a Community System to Prevent, Deter and Eliminate IUU Fishing entered into force on 1st January 2010. This Regulation stipulates that trade with the European Community of fishery products obtained from IUU fishing will be prohibited.

The EU IUU Regulation is a crucial piece of legislation aimed at combating IUU fishing activities within the European Union and beyond. The Regulation sets out measures to prevent, deter and eliminate illegal, unreported, and unregulated (IUU) fishing through a comprehensive set of rules and requirements. By promoting sustainable practices, protecting marine resources, fostering fair competition, enhancing transparency, encouraging international cooperation, and enforcing stringent measures, it plays a pivotal role in combating IUU fishing at both regional and international levels.

IVALIDATION OF A CATCH CERTIFICATE

The IUU Regulation provides that the trade with the European Union of fishery products shall be prohibited unless accompanied by a validated catch certificate. The Catch Certification Scheme is an essential part of the IUU Regulation, which will improve and facilitate the control and compliance of conservation and management measures in cooperation with other countries.

The validation process for catch certificates under the EU Catch Certification Scheme involves several key steps to ensure the authenticity and accuracy of the certificates. The scheme is designed to combat IUU fishing by verifying the legality and sustainability of seafood products imported into the European Union. The validation process is crucial in maintaining the integrity of the certification scheme and ensuring that only legally caught and traded seafood enters the EU markets.

The validation process is comprehensive and encompasses document checks, risk assessments, decision making based on findings and meticulous record-keeping to ensure transparency and traceability in seafood trade.

The Catch Certification Scheme shall apply to all marine products caught from 1st January 2010. It will apply in a non-discriminatory manner to all unprocessed and processed catches, except for, inter alia, freshwater fish, ornamental fish and aquaculture products obtained from larvae or certain molluscs.

All marine fishery products traded with the EU including processed products must be accompanied by a validated catch certificate, otherwise importation of the product will be prohibited.

ROLE OF DIFFERENT PARTIES INVOLVED IN THE CATCH CERTIFICATION SCHEME

1. **A third country operator/exporter** who is responsible for establishing, i.e., obtaining or requesting the validation of a catch certificate by submitting all relevant information and completing the form. The request for validation of the catch certificate is to be submitted to the BHSFU. Section 2 to 8 and 10 in Appendix I (and sections 6 and/or 7 in the event of transshipment) must be completed. After analyzing the application and documentation submitted, if the BHSFU has no grounds to doubt the exhaustiveness and accuracy of the data submitted, it will proceed to complete section 1 and 9.
2. **The competent flag State authority** is the BHSFU and is responsible for the validation of the catch certificate. If the BHSFU is not in possession of all the required elements to ensure reliability of the data, these will be requested prior to the validation of the catch certificate.

The BHSFU will carry out any check or verification it considers necessary to determine whether the catch was legitimate before it can be validated. This process will include verification that the certificate contains detailed information about the catch, including the species, quantities, fishing gears used, area of harvesting

and other relevant information which will need to be supported by catch reports, discharge reports, inspector reports etc., Any discrepancies or missing information may lead to further investigation or rejections of the certificate.

After completion of the documentary checks, a risk assessment is conducted to evaluate the potential risk associated with the consignment based on various factors such as previous compliance history, species at risk, or geographical considerations. Risk assessment helps in determining whether physical inspections or additional verification measures are necessary. If there is any evidence that the catch was not made in compliance with applicable conservation and management measures, the Catch Certificate shall NOT be validated.

3. **The operator/exporter** who is responsible for communicating the validated catch certificate to the importer in the EC will have to submit the catch certificate to the authorities in the EU Member States.

REQUIREMENTS FOR THE VALIDATION OF CATCH CERTIFICATES

The following documents and information shall be required for the validation of a Catch Certificate

- a. Completed catch certificate.
- b. Vessel must have a valid HSFL.
- c. Catch reports, which must be current and consistent with the period of operation stated on the catch certificate.
- d. Inspector report or catch validation certificate.
- e. Valid EEZ licenses must be on file (as appropriate)
- f. VMS position data must be consistent with the area of operation stated on the form and the catch reports
- g. Compliance with an quota allocations or restrictions (as appropriate)
- h. Compliance with relevant national and international regulations
- i. Confirmation that the vessel is not or has engaged in any IUU activities or currently under investigation of alleged IUU activities.
- j. Transshipment report where necessary
- k. Vessels must also be in good standing with the ship registry.

PROCESSING TIME FOR THE VALIDATION OF CATCH CERTIFICATE

All Catch Certificates submitted to this Administration shall take approximately 1-3 days for processing and official validation.

CATCH VALIDATION CERTIFICATE (CVC)

The CVC is a document issued by an approved BHSFU inspector and any other designated body certifying the species and volume of fish landed by the fishing vessel in a particular port. Since some catches are unloaded by carrier vessels that consolidate from one or more vessels, the CVC shall also indicate species and volume of fish per vessel. For this purpose, the carrier vessel must provide a transshipment declaration, the species and weight indicated in the CVC shall be the basis of the weight that will be indicated under the box “verified weight landed (kg), where appropriate.

DIRECT DISCHARGE AT EU PORT

For vessels engaged in direct landing to EU member ports, a pre-notification report shall be completed and sent to the port prior to arrival in accordance with Article 6 of the EU IUU Regulation 1005/2008. The Catch Certificate will be validated without a verified weight, provided that the BHSFU is satisfied with the abovementioned requirements for the validation of a Catch Certificate, excepting the Inspector Report. However, after the vessel has discharged its catch at port, the Inspector Report will be carefully analyzed to ensure conformity with the catch validation certificate, and the report shall be attached to the record of the CVC.

RECORD KEEPING, SETTLEMENT OF ISSUES AND PAYMENT OF FEES

The BHSFU shall maintain an updated record of Catch Certificates issued in electronic form and otherwise, to keep track of the number of catch certificates issued and for monitoring purposes and to make these records available to the EU upon request.

The original of the Catch Certificate shall be retained and preserved for a minimum of 5 years by the BHSFU in accordance with our procedures for the retention of documents.

A fee of US\$100 shall be paid to the BHSFU by the applicant to defray administrative costs for the issuance of the catch certificate.



Queries and requests for clarifications or confirmation and other issues raised by any of the EU member States in relation to a Catch Certificate validated by the BHSFU shall be sent to the Director of the BHSFU. The queries and requests for clarifications or confirmation must be in writing bearing the official letter and logo of the competent authority of the importing EU-Member State and may be conveyed electronically to expedite the process and to prevent delays in the exportation of the consignment.

The Director or her designate shall address any request and a reply shall be sent to the requesting party no later than 24 hours after receipt of the request.

APPLICABILITY OF CIRCULAR

This circular shall apply to all Belize licensed fishing vessels operating in the high seas and the jurisdictional waters of other States, that either directly or indirectly supply fishery products to an EU Member State or supply raw materials to canneries, processors, or exporters for processing prior to export of the processed products to the EU. This circular shall also apply to canneries, processors and exporters that are exporting fishery products to the EU. To ensure that the objectives of this circular are realized, catch landing and transshipment at port must always be inspected, recorded, or declared.

- a) All landing of catches or transshipment that require the production of a catch certificate shall be verified and certified by an authorized inspector of Belize and shall be submitted to the BHSFU.

No fish or fishery products caught or taken by means of IUU fishing or without complete traceability in all its stages from fishing or gathering, storage, transporting, processing up to distribution shall be exported to the EU.

Exports of fishery product(s) to EU member states shall only be allowed if supported by a Catch Certificate, which has been validated by the BHSFU.

MAINTENANCE

Ship owners, and operators shall ensure that all Circulars are disseminated to their master and crew as well as any other person affected by or having an interest in the subject matter in a language understood by all. A Circular once issued shall be disseminated electronically to all stakeholders and a listing of ALL Circulars shall be published on the BHSFU website www.bhsfu.gov.bz for future reference.

COMPLIANCE AND ENFORCEMENT

Failure to comply with any Circular shall result in disciplinary actions taken in accordance with Belize's Sanction Regulations S.I. 32 of 2014

IMPLEMENTATION

This circular shall take effect immediately.

FOR MORE INFORMATION

For more information direct all inquiries about this Circular to the Director of High Seas Fisheries of the Belize High Seas Fisheries Unit, Ministry of Finance, Government of Belize.

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