



Mr. Karmenu Vella  
Commissioner for Environment, Maritime Affairs and Fisheries  
European Commission

Copy:  
Mr. Ville Itälä,  
Director-General,  
European Anti-Fraud Office

Brussels, 01 March 2019

**Subject: NGO reaction to the suspected malpractices by the Maltese fishing authorities in the alleged laundering of unreported eastern Atlantic and Mediterranean Sea bluefin tuna catches.**

Dear Commissioner Vella,

We, the undersigned organisations, would like to raise our serious concerns regarding the suspected malpractices by the Maltese fishing authorities in the alleged laundering of illegal and unreported bluefin tuna – Operación 'Tarantelo'. We first would like to thank you for your letter of 17 January 2019 detailing the potential actions that the Commission is planning to take on this case, to clarify the responsibilities and potential infringements of fisheries rules. The recent suspension of a top government official in Malta and her suspected involvement in the world's largest illegal bluefin tuna operation is however extremely serious and requires further responses from the European Commission.

In the face of these shocking events, we ask that the European Commission:

- Conducts an investigation and publicly publish an audit report on the potential malfunctioning of the Maltese fisheries control system and lack of enforcement of existing EU rules. As the Maltese National Audit Office recently reported, systematic inefficiencies and ineffective practices prevail within the Fisheries and Aquaculture Inspection Department in Malta, which undermine the department's efforts in regulating the fisheries sector.<sup>1</sup> The shortage of staff to carry out the required inspections is particularly concerning, as it goes against the legal obligation that Member States have, under the Control Regulation, to allocate appropriate resources for control and inspections.<sup>2</sup>

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<sup>1</sup> National Audit Office, "Performance Audit: a strategic overview on the Department of Fisheries and Aquaculture's Inspectorate Functions", November 2018

<sup>2</sup> Article 5.3 of the Regulation 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy

- Publicly communicates the outcomes of the investigations, and discloses the information on the results of the audits which have been recently carried out in several bluefin tuna farms; including links to other Member states or ICCAT Contracting Party fishing, transfer and caging operations.
- Ensures that the Member States involved take immediate enforcement measures, in accordance with Article 39 and 43 of the IUU Regulation, in relation to the products coming from the suspected farms and the EU nationals involved. In particular, these products should be blocked and their exports suspended, as long as the authenticity of the accompanying BCD is proven by the operators and the relevant Member States should ensure that their nationals who have supported or engaged in IUU fishing are investigated and sanctioned accordingly.
- Works together with the ICCAT Compliance Committee once the legal procedure concludes, to enforce applicable ICCAT compliance rules which require that any amount of unreported bluefin tuna will be deducted from the relevant quota allocation in subsequent years;
- Publicly communicates any type of corrective measures that the Commission has decided to take against Malta or other Member States to avoid the marketing of illegal fish and to improve the Maltese fisheries control system.
- Investigates the possible misuse of European funds, and notably EMFF funding, by the operators concerned.

The EU has proven to be a leader in the fight against IUU fishing, and its policies and actions are contributing to improve fisheries management worldwide. But to remain credible, it must take decisive action when IUU fishing activities are uncovered at home too.

We therefore ask the Commission to provide us with an update on the concrete steps taken on the actions mentioned above, and in our letter of 5 November 2018.

Yours faithfully,



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