



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director General

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MARE/B/3/VR D(2010)

M. Antonio Schiappa Cabral
Long Distance RAC
C/ Velázquez 41, 4° C
28001 Madrid
SPAIN

Dear Mr Cabral,

Thank you for your letter dated 24 November 2009 in which you raise the important issue of infringements in Mauritania.

Let me first emphasize that this question is under continuous scrutiny by the European Commission and is discussed with the Director responsible for surveillance (DSPCM) every time DG MARE carries out a mission to Mauritania.

As you mentioned in your letter, in 2009, the European Commission has been taken to task several times by Member States whose boats have been accused by Mauritania of fishing in prohibited areas. In the past months, the Commission has spent a considerable amount of time on this issue:

- DG MARE has written several letters to the DSPCM requesting explanations on the circumstances surrounding the infringements;
- several technical meetings between the EC Delegation and the DSPCM have been held in Nouakchott and Nouadhibou to discuss and examine these cases;
- the European Union Delegation in Nouakchott has agreed to accompany a technical mission from the Dutch control centre to Mauritania and has attended all the discussions held between experts from both FMC;
- DG MARE has extensively discussed this issue with the representatives of Spain and in ACFA meeting on the 8th October 2009.

Regarding past events involving incorrect VMS positions communicated by a national FMC, the Mauritanian authorities' position is that the VMS positions are not 100% reliable and that Mauritania has the right to use other surveillance ways- i.e. radars and patrols. In the recent cases that have occurred just before the second biological rest, the DSPCM argued that the vessels have been observed by Mauritanian patrols fishing in a prohibited area.

I take the opportunity of this letter to indicate that, despite several complaints made by European vessels, none of them has availed of the possibility under the protocol to use the legal proceedings passing the file to the ministry of Justice as stipulated by Chapter VI Annex 2.

In 2008, a group charged with the follow up and examination of the procedures applied in case of infringements was created for a six-month duration. The group met regularly from July 2008 to January 2009. Its final report and its recommendations will be presented and examined during the next Joint Committee, but we have received early indications that the Protocol has been respected with regard to the issue of infringements.

However, I have no doubt that the next Joint Committee will address in depth this issue and find a response satisfying for all parties.

Regarding the concern raised in your letter dated 22 December 2009 on the consequences for Mauritania of the entry into force of the IUU regulation, I have the pleasure to inform you that DG MARE has finally received the notification of the organism in charge of the catches certification for Mauritania, fulfilling entirely the obligations fixed by the new regulation.

Yours sincerely,



Fokion FOTIADIS