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**OBJECTION TO THE REMOVAL OF VESSEL MARIO 11 FROM  
THE ICCAT DRAFT IUU VESSEL LIST**

*(Submitted by the European Union)*

In accordance with the relevant provisions of *Recommendation by ICCAT on Establishing a List of Vessels Presumed to have Carried out Illegal, Unreported and Unregulated Fishing Activities* [Rec. 18-08], the European Union (EU) objects to the removal of vessel MARIO 11 from the draft IUU vessel list.

The EU has taken note of the reply from Senegal (PWG\_412/20), and of the statement that “shark fins attached to the deck [...] does not constitute sufficient proof that the vessel carried out fishing operations”. The EU is of the view that, on the contrary, the presence of shark fins on the deck confirms that the vessel has been involved in fishing or transshipment operations. The EU also notes that Senegal itself stated, in ICCAT Circular #3977/20, that “the Senegalese flag is in the process of being withdrawn from *MARIO 11, AT000SEN00031*, since 7 January 2020. This vessel does not hold a valid license applicable to all vessels flying our flag while fishing on high seas. **Therefore, in accordance with national legislation, this fishing activity is considered illegal**”.

Furthermore, the retention of shark fins on the vessel seems to be in breach of paragraph 5 of *Recommendation by ICCAT concerning the conservation of sharks caught in association with fisheries managed by ICCAT* [Rec. 04-10] in that “*Fishing vessels are prohibited from retaining on board, transshipping or landing any fins harvested in contravention of this Recommendation*”.

Based on the above, the EU considers that the vessel should only be considered for removal from the draft IUU list upon clarifications on the following points being provided by Senegal and that it can be concluded that the vessel has not been involved in IUU activities:

- a) Date of the withdrawal of the high seas fishing licence;
- b) Activities of the vessel since its high seas fishing licence was withdrawn;
- c) Origin of the fish observed on board and dates of catch;
- d) Activities and location of the vessel from the moment it was sighted by the US Coast Guard to the completion of the Senegalese flag withdrawal process;
- e) Current location of the vessel in case it is still flying the Senegalese flag.

Furthermore, the EU reiterates the questions raised in its statement [PWG\_411A] as regards vessel SAGE, and would appreciate that further clarifications be given by Senegal on the implementation of *Recommendation by ICCAT on port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing* [Rec. 18-09] (and previously Rec. 12-07) as regards this vessel. As previously indicated in our statement, in the [Doc. No. COC 312 / 2020](#), Senegal confirms it has authorised the vessel SAGE to enter the port of Dakar on several occasions from 2017 to 2020, and to offload tuna and tuna-like species in the port of Dakar in April 2020. It appears, from the information available, that at least during that last call the vessel was not on the list of ICCAT authorised vessels. Therefore the EU believes that it would be useful to understand, for each of the calls made from 2017 to 2020, on which grounds the vessel was authorised to use the port of Dakar, which authorisations it held from its flag State and which were the species landed.

Further clarifications are also sought from The Gambia as regards vessel SAGE, particularly regarding the verifications carried out prior to the registration of the vessel. The EU repeats its concerns that a contracting Party could have registered under its flag an IUU listed vessel.

In view of the lack of implementation of the Port State Measures the EU asks the PWG to refer the matter to the Compliance Committee.