

ADDENDUM 1 to COC-312

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This addendum to COC-312/2024 contains the responses to the information received under Rec. 08-09 after the 12th of October 2024, from: The Gambia

Le présent addendum au COC-312/2024 contient les réponses aux informations reçues au titre de la Rec. 08-09 après le 12 octobre 2024, de : Gambie

Esta adenda al COC-312/2024 contiene las respuestas a la información recibida con arreglo a la Rec. 08-09, después del 12 de octubre de 2024, de: Gambia

THE GAMBIA'S RESPOND TO THE SUBMISSION FROM THE EU REGARDING POSSIBLE NON-COMPLIANCE WITH ICCAT CONSERVATION AND MANAGEMENT MEASURES

- 1. Some of the bills of lading provided relate to species that were not in the catch certificates that you identified as invalid ones, namely shrimp and salmon. What is the relevance of these bills of lading, i.e. how do they connect to the exports of IUU fish to EU (and previous importation of this IUU fish in The Gambia)?**
 - a. The said Bill of ladings are not connected to the exports of IUU fish to EU, they were only attached upon a request from your office for Gambia to submit all the catch certificates from the companies concern for 2020 and 2021. *(reference email from Roberto dated Monday 22nd May 2023)*

- 2. The bill of lading MEDUTO735442 relates to a shipment dated 9 January 2023, from Brazil to The Gambia. How does it connect to imports and exports of IUU fish in 2020 and 2021?**
 - b. This was an error in submission as the date is outside the period in question.

- 3. Can you provide some clarifications as to why the date of issue for bills of lading numbered MEDUVA619034, MEDUAP402012, MEDUAP265385 is on 6 November 2023 whereas they relate to imports performed in 2020?**
 - c. The said bills of lading are related to the imports performed in 2020 but the companies affected clarified that the date 6th November 2023 on the bill of the ladings MEDUVA619034, MEDUAP402012 and MEDUAP265385 was the reprinted dated upon their request to the Shipping Agent/Company to provide them with copies of the bill of ladings. In short, the date was the reprinted date from the Shipping Agent/Company.

4. The bill of lading from Chile states that the swordfish in question was exported from Chile to Portugal. There are no explanations as to the role of The Gambia in this consignment. Please clarify.

d. Regarding the bill of lading from Chile, this was submitted to us from a third party whose involvement we realized upon further review of the submissions made to us from the affected company (International Pelican Seafood Company Limited). Our review further revealed that the third party involved in bringing the products into the Gambia through the company "JUGUSA ENTERPRISE", C/o one Mr. Mamadou Barry a Gambian based in Spain, as indicated in the bill of lading MEDUVA619034. The Company imported the products into the Gambia and used A-plus and International Pelican Seafood Company Limited, for repackaging and Exporting. At the time of consultation, The Proprietor was said to be living in Spain.

5. All but one of the bills of lading you provide are reported to be for A-Plus. There are no bills of lading from Int. Pelican Seafood Company, which was the main processing plant involved in illegal exports of tuna and tuna-like species to the EU. Could you please explain this absence?

e. The absence of the international Pelican Seafood Company Limited in the bill of lading was a result of earlier non-compliance in providing the requested information even after several engagements from the Ministry. The only Bill of lading provided by them at the time was the one from Chile. However, further recent engagement with the International Pelican Seafood Company Limited resulted in the acquisition of the affected bills of lading. We will continue to engage the company for the rest of the bills of lading and your good office will be updated accordingly. As a result of the non-compliance, the company was and still remains suspended.

6. The total quantity of illegal swordfish that was exported to the EU in 2020 was 71,9 tons. The bills of lading you provide (including the one for a direct export from Chile to Portugal) cover a quantity of 49,9 tons. Please clarify.

f. We acknowledge the difference in the quantity as mentioned above. The Ministry has recently written to customs under the Gambia Revenue Authority (GRA) as the competent institution responsible for issuing bill of lading to provide us with all the bills of lading for exports from the International

Pelicans Seafood Company Limited and A-Plus Seafood Company Limited for the period 2020-2021 for verification and confirmation. *(Please see attached the letter to the GRA for your reference).*

- 7. We take note of the deregistration of KIKI and LUCAS, and would appreciate to receive a confirmation of their current location and a confirmation that the Port State has been informed that these vessels are now stateless. We also draw your attention on the need to notify this to ICCAT, pursuant to ICCAT Recommendation 21-13 paragraph 9 (last indent).**
- g. According to reliable information from Gambia Maritime Administration (GMA), the said vessels KIKI and LUCAS were docked at Senegalese port between the registration and deletion. Additionally, please find attached the confirmation letter informing the Port State with regards to the stateless status of the concerned vessels and notification to ICCAT in accordance with ICCAT Recommendation 21-13 paragraph 9 (last indent). *(please see attached the notification letter to the Director of Fisheries in Senegal and ICCAT and also the recent pictures of the vessels at the port of Dakar).*
- 8. No clarification is being provided on the current location and fishing activities of the vessel LUCCIA (former DIAMALAYE 1909) nor on the control measures that The Gambia has established to ensure that the vessel does not engage into tuna fishing activities since it is not in the ICCAT Record of authorised vessels. Considering that the vessel was previously operating as a tuna longliner and your indication that ‘robust internal control mechanism to prevent any recurrence of the illicit activities’ have been established, we would be grateful to receive these clarifications.**
- h. The vessel LUCCIA (former DIAMALAYE 1909) was previously registered and flagged by Gambia Maritime Administration (GMA) but was deleted as notified to ICCAT in our last response. Hence LUCCIA is no-longer carrying Gambian Flag and according to the findings from the office of the GMA, LUCCIA even though Flagged by Gambia never left the Senegalese port for the period carrying Gambian Flag. Most importantly, it is worth notifying that LUCCIA never obtained fishing license from the Fisheries Department to fish in our waters. *(see attached the recent deletion certificate and notification)*

In addition, the following measures are taken by the Gambia to fight against IUU in general and to prevent any recurrences of these illicit activities;

- I. The MoU between the Department of Fisheries and the Gambia Maritime Administration among other things required due diligence and background checks to be conducted by the Department of Fisheries before registration/flagging of all fishing vessels by The Gambia Maritime Administration. It is now mandatory for all fishing vessels to be equipped with VMS beacons at the time of registration whether fishing in Gambian waters or beyond the jurisdiction of the Gambia.
- II. The Navy officers will join our fisheries officers at the Fisheries Monitoring Center as best practice and to serve as checks and balances in monitoring and reporting. Making sure that the navy will have access to firsthand information regarding the monitoring of Fishing vessels. The MCS unit has the capability of monitoring any fishing vessel licensed with the Department of Fisheries using VMS.
- III. Concerning institutional collaboration The Government of the Gambia through the Gambia Ports Authority(GPA) in collaboration with the Ministry of Fisheries and Gambia Maritime Administration (GMA) is procuring a system to monitor all categories of vessels in our waters and beyond as long as they carry our flag. Details of this system will be provided to your good office in the near future.

IMPORTANT NOTIFICATION

I wish to bring the following to the attention of the EU as a notification and for consideration.

1. **Frequent changes of Permanent Secretary at the Ministry:-** It is worth mentioning that from January 2022 to November 2023, the Ministry of Fisheries, Water Resources and National Assembly Matters witnessed the change of three Permanent Secretaries (Mr. Omar S Gibba, Madam Rohiyatou Kah and Mr Alagie Nyagado). I am the fourth Permanent Secretary since January 2022. These frequent changes obstruct and delays administrative procedures and timely responses to issues. In line with the above, The Government of The Gambia extends its gratitude for your understanding regarding the delayed responses attributed to administrative transitions within the Ministry of Fisheries.
2. **Mandate and Administrative Arrangement between the Department of Fisheries (DoF) and Gambia Maritime Administration (GMA):-** In the Gambia, the Gambia Maritime Administration GMA do not fall under the administration of the Ministry of Fisheries as it applies to most of the Countries but rather under the Ministry of Works, Transport and Infrastructure. This institutional arrangement initially significantly affected coordination

and timely response to issues. However, this bottleneck is addressed by the MoU between the two institutions.

With regards to mandate, while GMA is mandated to register and/or flag all vessels in the Gambia whether related to fishing and fishing-related activities or other activities such as transportation, tourism etc., the Department of Fisheries only license registered vessels for Fishing and Fishing related activities. Before the MoU, most of these registrations were independently done at the level of GMA. This issue is also addressed by the MoU.

The Gambia wishes to register it's commitment and intention to address the aforementioned issues bilaterally with the European Union. We believe this bilateral engagement will avail us the opportunity to address these issues once and for all and move on with our collective fight against Illegal, Unreported and Unregulated (IUU) fishing in our waters. Gambia knows for certain it is capable of handling these IUU issues as a state and in collaboration with all our relevant partners and stakeholders.

We look forward to your kind and usual consideration and understanding.

Thanks



Buba Sanyang

Permanent

Secretary