

Report on the implementation of the derogation to validate BCDs for trades of BFT between Member States of the EU in 2023 (paragraph 5b and 5d of ICCAT Recommendation 22-16)
(submitted by the EU)

1. Introduction

As other ICCAT Contracting Parties (CPCs), the European Union (EU) has implemented the eBCD system since 26 May 2016 for the Bluefin tuna (BFT) caught by the purse seine vessels and traps, and since 1 July 2016 for the fish caught by other gears. All operators fully implement the system as from January 2017.

Paragraph 5b of Recommendation 22-16 provides a derogation to validate BCDs for trades of BFT between Member States of the EU. Para 5d of Recommendation 22-16 offers an alternative approach for providing weight of tagged fish. Both provisions are up for review in 2024, and in the meantime the EU is required to provide the Commission with an annual report on its implementation.

2. Derogation under paragraph 5b of ICCAT Recommendation 22-16

The data presented hereunder corresponds to the period 1 January 2023 to 31 December 2023. These data were partially extracted through the functionality in the eBCD system. Additional data on verification was received from the Member States administrations.

The scope of this report has been restricted to the trade events for Bluefin tuna from seller in EU Member States, to avoid duplication, and because the selling Member State is responsible for the validation of the trade in eBCD.

In 2023, the EU Member States recorded 189,151 trade events¹ in the eBCD system involving 50,249t. Regulation (EU) 640/2010² provides the obligation to register trade events inside of the EU-Member States. Consequently, 67% of the trades recorded in the eBCD by the EU are internal trades inside single EU Member States' territories (127,644 trades). The remaining trades include 17,562 exports to other non-EU countries (either ICCAT CPC or not) (9%), and 43,945 trades between EU Member States (23%).

The quantities involved amounted to 12,575 t (25%) for internal trades, and 32,936 t (66%) for exports. Trades between EU Member States amounted to 4,738 t, which represents 9% of the total weight traded (**Figure 1**).

Amongst the total trade, 43% (81,611) of the total trades were validated, and 57% (107,031) were exempted of validation, for a quantity of 41,560 t (83%) and 8,656 t (17%) respectively (**Figure 2**). In addition to the intra-Member State trade, the exemptions include both the derogation under paragraph 5b of Recommendation 22-16 and exemption for tagged fish according to para 13c of Recommendation 22-16.

Regarding the trade events exempted from validation³, 32,203 of them concerned trades between EU Member States (derogation under para 5b) (30%), and 8,290 involved tagged fish (4%), with respective quantities of 2,701 (31%) and 3,112 t (6%) (**Figure 4**). The remaining exempted events are related to internal trades (**Figure 3**). Tagged fish concerned both trades between EU Member States and internal trades.

¹ Include trades between EU Member States, trades of tagged fish and internal trades of non-tagged fish.

² Regulation (EU) No 640/2010 of the European Parliament and of the Council of 7 July 2010 establishing a catch documentation programme for bluefin tuna *Thunnus thynnus*.

³ Tagged fish may concern both trades between EU Member States and internal trades inside an EU Member State; number of trade events equates to one or several tagged fish.

The average quantity by trade (by eBCD) was 80 kg for trades exempted of validation in line with the derogation 5b, and of 380 kg for trades of tagged fish (**Figure 5**).

Additional details by EU-Member State are provided in the **Annex**.

3. Verifications

In terms of verifications of the information in the eBCD, as part of the standard procedure for validation, the control authorities perform verifications and crosschecks of all relevant documents including logbook data, landing declarations, sales notes, ICCAT authorizations, etc. Consistent with the EU legislation, the control authorities perform physical verifications and inspections at landing, in the market inside and at the entry in EU Member States based on risk assessment, and all catches are officially weighed at landing.

At the point of exit and entry from and into EU, verifications include crosschecks of eBCDs with airbills and sales notes, as well as physical verifications. Imports into the European Union follow customs procedures.

All eBCD subject to validation were crosschecked. Even when validation is not required, the control authorities perform crosschecks with catch declarations and the eBCDs information in conjunction with other Member States concerned, which enables efficient monitoring of operations exempted from validation. In addition, the control authorities verify the validation of catch or tags details and analyse the coherence of the timing of the validation messages as well as the possible alert messages in eBCD.

Data extraction functionalities, crosschecks, and verifications through the eBCD system itself enable Member States to establish improved risk assessment procedures to specifically target trades events for crosscheck and verification.

4. Trade evolution over last 5 years

Taking into consideration the eBCD data over the past five years (2019-2023) a similar picture emerges compared to the trade data from 2023. As shown in **Figures 6** and **7**, Inter (between) EU MS trade represented on average 17% (range 15-23%) and 9% of total tons traded (range 6-12%). In contrast, the export volumes destined for outside the EU account for 7% on average (4-9%) and 65% (62-68%) of total export volumes. Intra (within) MS trade has the highest number of trades on average 76% (67-81%), covering across the years 26% (25-31%) of total weight traded.

When specifically considering the total trade events over time, 56-59% of trade was exempted through the derogations under 5b, 5d or was trade between MS. **Table 1** shows that of the exempted trade that covered around 19k and 32k events a year, the derogation 5b made of 18-39% of the three exemption clauses.

Table 2 visualises the total weight of trade events that were discussed in **Table 1**. The share of exempted trades in terms of volume for the three exemptions ranged from 17-29% over the past five years. Of the exempted trades, the 5b derogated trades represented between 9-31% of the weight. In absolute numbers, the average trade under exemption 5b was 80kg in 2021 and 2023 as mentioned before, similar to 2022 with 90kg. In 2019 and 2020 the mean was 20kg for intra MS trade.

5. Conclusion

The number of trades concerned by the derogation in para 5b of Recommendation 18-12 is significant but generally involves small quantities of Bluefin tuna as it involves fillet (FL) and other (OT) presentations only. Additionally, 78% of the trades recorded by EU are internal trades within EU Member States contributing to the traceability of the fish through the chain.

The derogation under para 5b of Recommendation 22-16 removes a significant administrative burden related to validation and contributes towards achieving a more level playing field between the EU and the other ICCAT CPCs and is also consistent with the principle of free market inside of the EU. It is important to note that since this derogation was granted to the EU there is no information on a possible negative impact of these measures on the traceability of BFT products.

Table 1. Total Trade Events and exemptions 2019-2023.

	2019	2020	2021	2022	2023
Total trade events	102,711	118,860	145,099	140,634	189,151
Exempt	57,197	69,376	86,100	79,083	107,031
% Exempt in total (5b & 5d and intra MS trade)	56%	58%	59%	56%	57%
Exempt 5b	22,170	25,562	19,851	14,432	32,203
% exempted 5b on total trade exempt	39%	37%	23%	18%	30%

Table 2. Total weight of trade and exemptions 2019-2023.

	2019	2020	2021	2022	2023
Total weight (t)	29,956	38,729	46,668	39,501	50,249
Exempted weight (t)	5,352	6,634	13,404	7,464	8,656
% Exempt of total weight (t) (5b & 5d, intra MS trade)	18%	17%	29%	19%	17%
Exempt 5b weight (t)	455	615	1,650	1,246	2,701
% 5b of exempted weight (t)	9%	9%	12%	17%	31%
Avg. weight (t) per 5b exempted trade	0.02	0.02	0.08	0.09	0.08

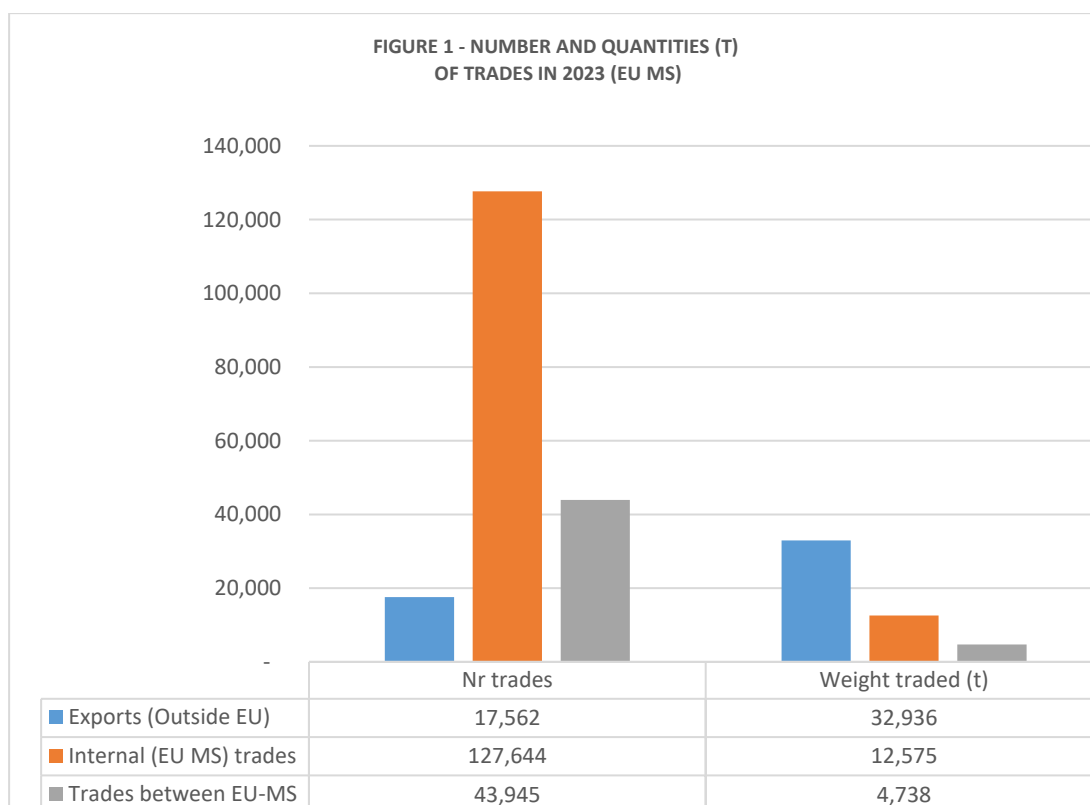


Figure 1. Number and quantities (t) of trades in 2023 (EU MS).

Exports: trades from the EU to other CPCs. Trades between EU-MS: trades between EU Member States. Internal trades: trades inside EU Member States territories.

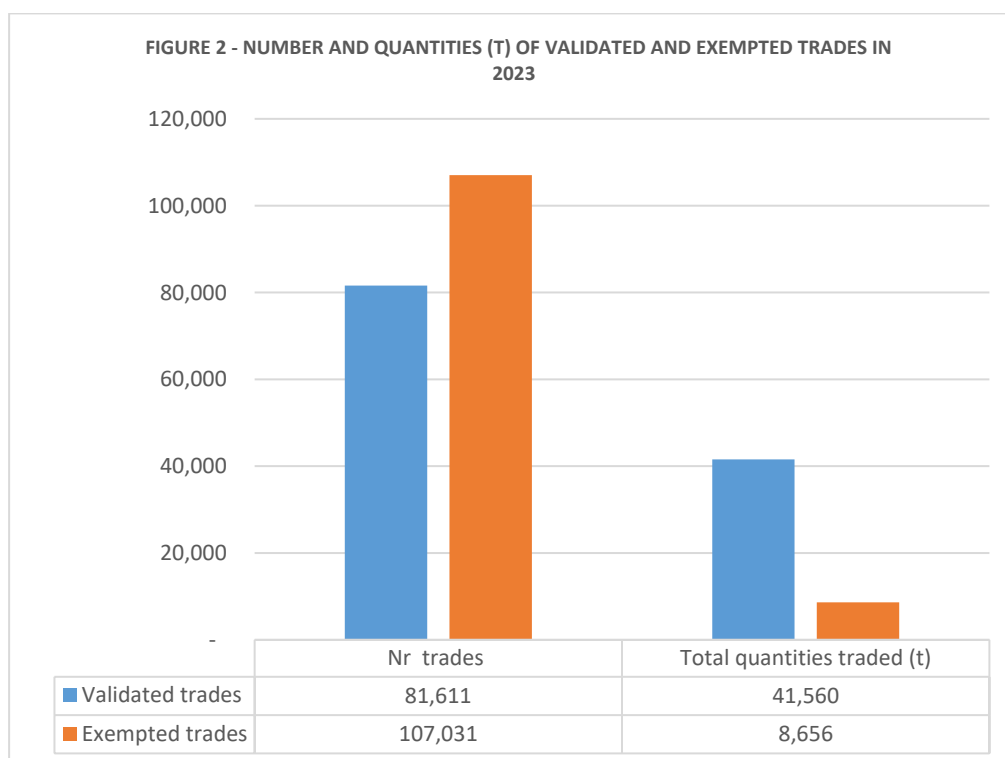


Figure 2. Number and quantities (t) of validated and exempted trades in 2023.

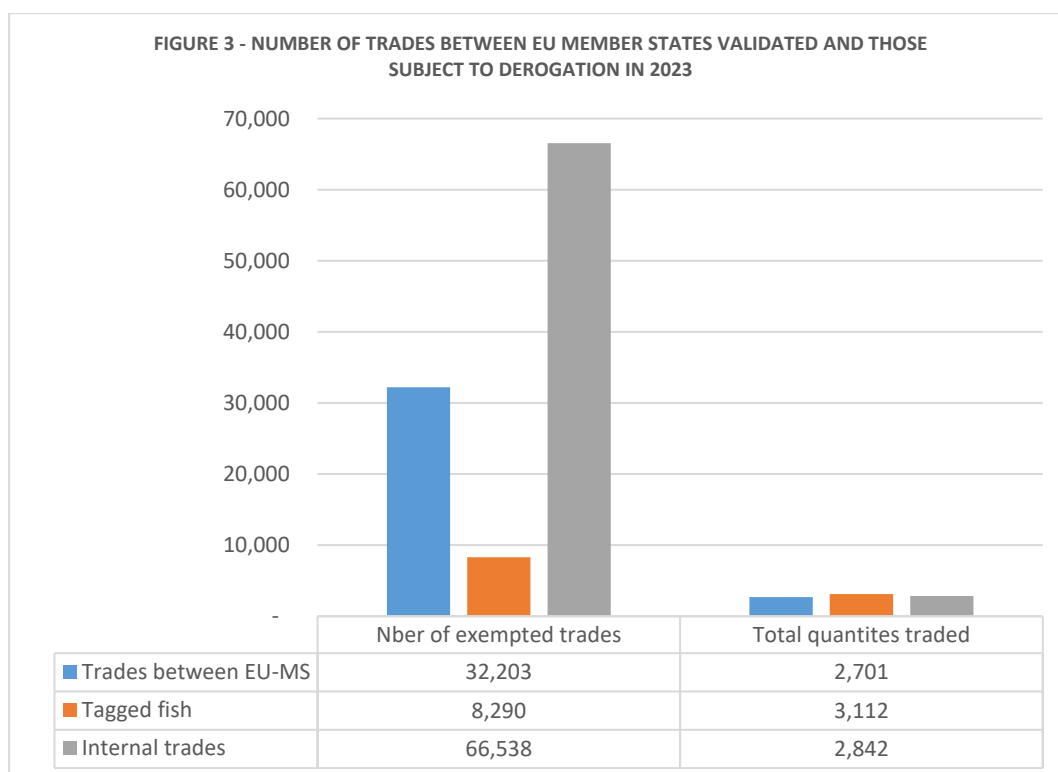


Figure 3. Number of trades between EU Member States validated and those subject to derogation in 2023.

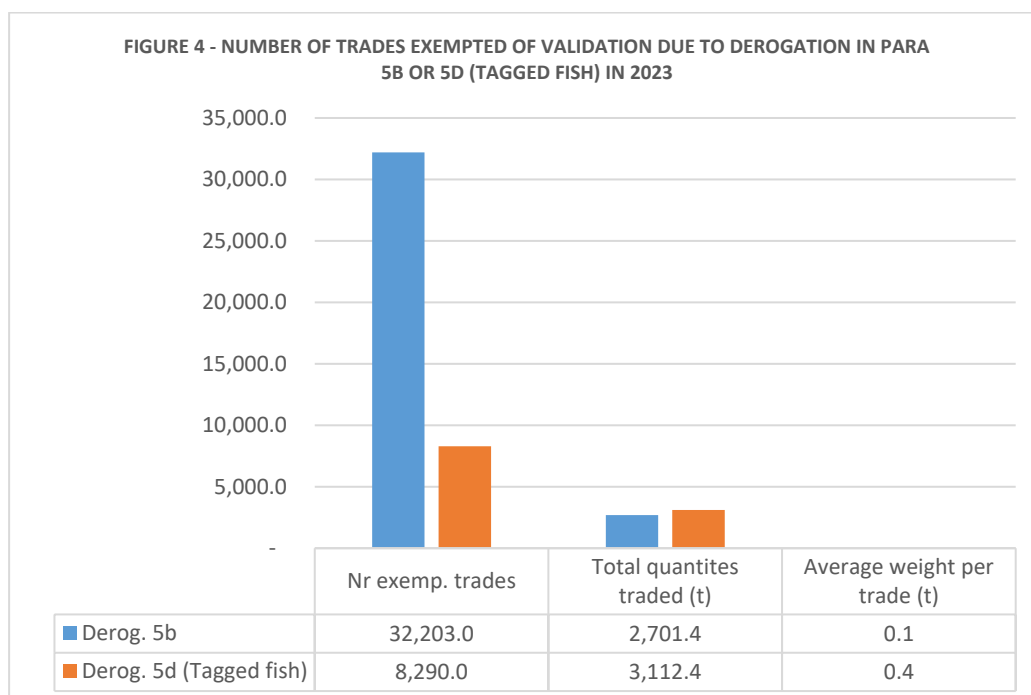


Figure 4. Number of trades exempted of validation due to derogation in para 5b or 5d (tagged fish) in 2023.

Note: trades exempted of validation due to derogation 5b do not include trades with tagged fish. Trades with tagged fish concern both trades between EU Member States and internal trades inside an EU Member State.

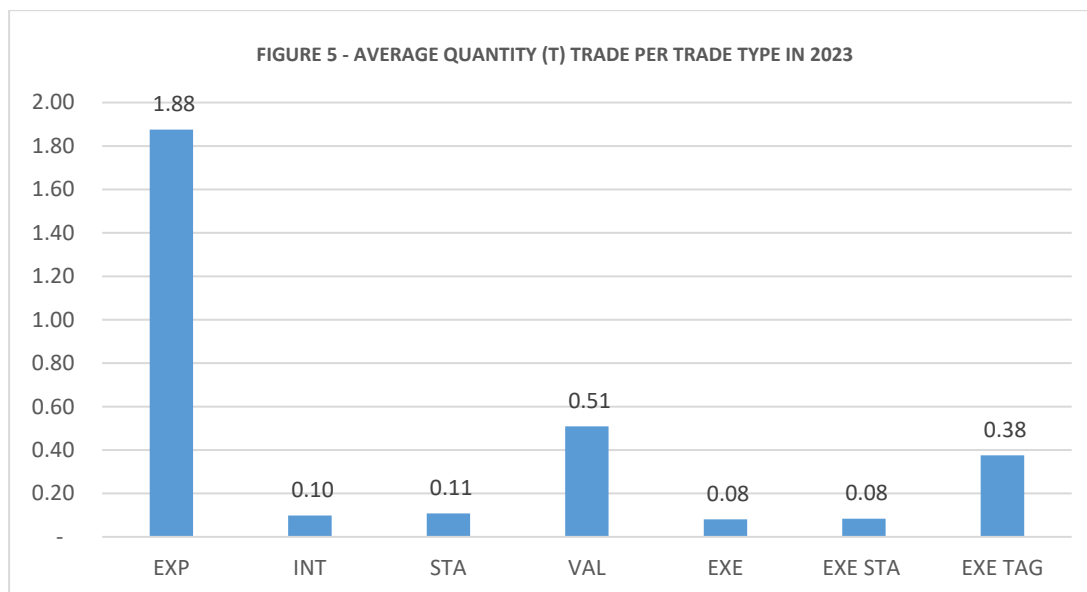


Figure 5. Average quantity (t) trade per trade type in 2023.

EXP (trades from the EU to other CPCs), STA (trades between EU Member States), INT (internal trades inside EU Member States territories), VAL (trades validated), EXE (trades exempted of validation), EXE STA (trades between EU Member States exempted of validation – derogation 5b), EXE TAG (exempted trades of tagged fish note: see footnote (3))

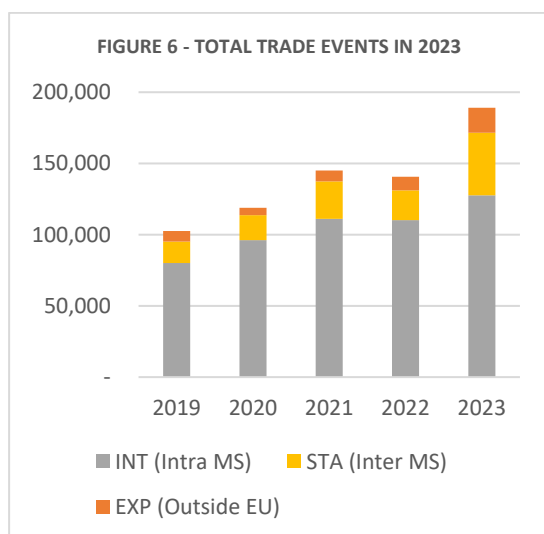


Figure 6. Total trade events in 2023.

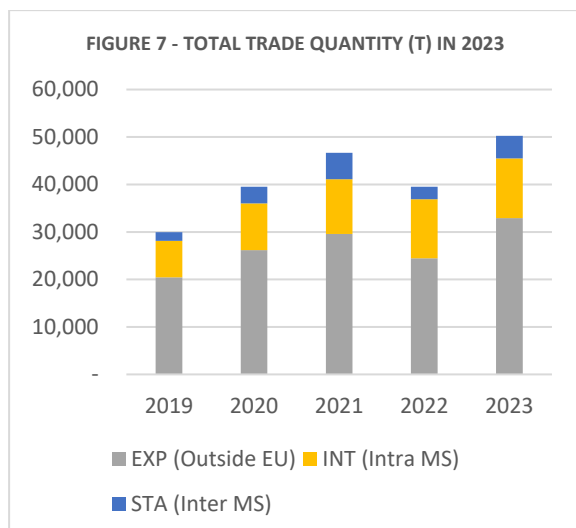


Figure 7. Total trade quantity (t) in 2023.

Details by EU Member State

(1) Total number and weight of trades:

	<i>Cyprus</i>	<i>Spain</i>	<i>France</i>	<i>Greece</i>	<i>Croatia</i>	<i>Italy</i>	<i>Malta</i>	<i>Portugal</i>
Trade events	135	76,624	27,876	4,900	3,050	70,354	2,250	3,962
Weight (t)	94	19,775	1,986	421	3,443	3,408	20,187	936

(2) Number of trades and amount of tonnage for which an exemption from validation (EXE) was used:

		<i>Cyprus</i>	<i>Spain</i>	<i>France</i>	<i>Greece</i>	<i>Croatia</i>	<i>Italy</i>	<i>Malta</i>	<i>Portugal</i>
EXE	Trades	-	14,241	207	1,182	68	365	1,403	96
	(t)	-	10,189	5	58	3,251	31	19,161	242

(3) Number and amount of tonnage of trades exempted of validation subject to derogation in para 5b (STA) and trades involving tagged fish (TAG):

		<i>Cyprus</i>	<i>Spain</i>	<i>France</i>	<i>Greece</i>	<i>Croatia</i>	<i>Italy</i>	<i>Malta</i>	<i>Portugal</i>
EXE STA	Trades	93	12,853	7,513	2,690	68	8,207	-	779
	(t)	92	1,031	768	293	5	480	-	32
EXE TAG	Trades	35	3,486	3,625	1,143	1	-	-	-
	(t)	96	1,297	1,354	366	0	-	-	-

(4) Exports from the EU to other CPCs (EXP):

		<i>Cyprus</i>	<i>Spain</i>	<i>France</i>	<i>Greece</i>	<i>Croatia</i>	<i>Italy</i>	<i>Malta</i>	<i>Portugal</i>
EXP	Trades	-	14,241	207	1,182	68	365	1,403	96
	(t)	-	10,189	5	58	3,251	31	19,161	242

(5) Total volume of trades between EU Member States not including internal trades (STA):

		<i>Cyprus</i>	<i>Spain</i>	<i>France</i>	<i>Greece</i>	<i>Croatia</i>	<i>Italy</i>	<i>Malta</i>	<i>Portugal</i>
STA	Trades	95	18,251	8,471	2,703	624	11,001	516	2,284
	(t)	92	2,001	865	295	37	843	124	481

(6) Internal trades inside Member States territories (INT):

		<i>Cyprus</i>	<i>Spain</i>	<i>France</i>	<i>Greece</i>	<i>Croatia</i>	<i>Italy</i>	<i>Malta</i>	<i>Portugal</i>
INT	Trades	40	44,132	19,198	1,015	2,358	58,988	331	1,582
	(t)	2	7,585	1,115	67	155	2,534	902	213