

## Introduction

On 29 September 2008, the Council of the European Union adopted EC Regulation No. 1005/2008 ‘establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing’.<sup>5</sup> This Regulation, scheduled to enter into force on 1 January 2010, is intended to regulate the highly complex multi-channel fisheries supply system of the European Community in an effort to improve global fisheries sustainability.<sup>6</sup> Essentially, the EC proposes to establish a system of access conditionality in which access to its markets will be partly conditioned by the extent to which the country, area or region of origin of the exported fish product is completely free or increasingly free of IUU fishing.

The purpose of this report is to provide an analysis of the development impact of the EC’s IUU Regulation on ACP fisheries exports into the territories of EC member states.

Part A assesses the Regulation’s general background and context by analysing:

- The globalisation of fisheries markets, including the inter-relationship between the globalised fisheries system and globalised IUU fishing;
- The development of international concerns regarding IUU fishing;
- The framework for ACP-EC fisheries trade;
- Economic trends in ACP fisheries trade in the light of applicable trade frameworks;
- EC policy frameworks applicable to fisheries, including the Common Fisheries Policy and specific responses to IUU fishing.

Part B focuses more closely on the content of the Regulation, assessing its likely development impact through assessment of:

- How the IUU Regulation seeks to address the EC’s objective of combating IUU fishing;
- WTO compatibility issues, particularly the IUU Regulation’s framework of retaliatory measures where non-EC states and vessels breach the Regulation, as well as other international rules on fisheries conservation and management;
- The impact of the proposed Regulation on ACP exports that are potential beneficiaries of the DFQF market access arrangements established by the current round of Economic Partnership Agreements and Interim Economic Partnership Agreements between the EC and various ACP states;

- The interaction between the IUU Regulation and possibilities for utilisation of the trade preferences granted to ACP states by the EC's Generalised System of Preferences Regulation and the related rules of origin under the GSP rules;
- Policy and implementation issues arising from the IUU Regulation.