



Madrid, 22 October 2018

To: Mr. Camille Jean Pierre Manel  
Executive Secretary, ICCAT

For circulation to all ICCAT Contracting Parties

**Subject:** information on ongoing criminal investigations by Spanish police and Europol on suspected laundering of unreported Eastern Atlantic bluefin tuna catches

Dear Mr. Manel,

We are writing in order to make available information on the ongoing criminal investigation taking place in Spain, with links to Malta and other European countries, in relation to the **alleged laundering of significant amounts of unreported Eastern bluefin tuna in recent years.**

The allegations involve Spanish companies, French ports and Maltese bluefin tuna farms. The undersigned NGOs would like to respectfully ask you, in your capacity as ICCAT Executive Secretary, to **circulate this letter to all ICCAT Contracting Parties.**

We believe that such serious allegations **provide a strong rationale for caution in any decision related to the management of bluefin tuna at the upcoming 21<sup>st</sup> Special Meeting of ICCAT and demand further consideration and follow up by the Commission.**

### **What is known about the on-going police operation and court case**

On 27 June 2018, Spanish media reported that a police operative in collaboration with Europol – called *Operation Tarantelo* – raided the premises of several Spanish companies working on the bluefin tuna fishing and fattening business.<sup>1</sup> Searches were made in companies' offices in Almería, Barcelona, Cádiz, Málaga, Madrid, Murcia and Valencia,<sup>2</sup> in addition to premises in Mercamadrid. The “epicenter” of the operation was reported to be in “warehouses of societies linked to the group Ricardo Fuentes e Hijos S.A.”<sup>1</sup>

A more recent media article published on 28 September shed more light into the investigation.<sup>2</sup> The article, quoting direct information from police officials involved in the operation, explained that the police estimates at least 2,500 unreported tonnes of bluefin tuna would have been imported into Spain from Maltese farms in the last few years. This activity would be, according to the allegations, directed by Spanish company Ricardo Fuentes e Hijos. The sources consider the amount of tuna a “conservative estimate”. According to the article, Europol would be interested in the investigations as research would have connections with “countries such as Malta, Italy, France and Portugal.”

1 <https://www.laverdad.es/murcia/golpe-policia-internacional-20180627011734-ntvo.html> (as accessed on 19 October 2018).

2 [https://www.elconfidencial.com/espana/2018-09-28/atun-rojo-mercado-negro-guardia-civil-espana-europa\\_1596739/](https://www.elconfidencial.com/espana/2018-09-28/atun-rojo-mercado-negro-guardia-civil-espana-europa_1596739/) (as accessed on 19 October 2018).

On 16 October 2018, a joint press release by the Spanish Civil Guard and Europol announced that “76 individuals involved in the trade of illegally fished tuna and non-compliance with health regulations” had been arrested. The PR states that 49 searches and inspections were made resulting in the seizure of over 80,000 kilos of illegally caught bluefin tuna as well as “a large amount of documentation that would prove the 'money-laundering' involved in the marketing of illegally fished tuna and their illegal earnings.”

The companies under investigation are said to have been “using the legal part of their business activities to introduce in the market a large amount of illegally-caught tuna.” The joint press release explains that “**although the activity of the companies under investigation was based in Spain, most of the fish came from other countries.** Particularly, **one of the sources was Malta** from where some pieces were legally sent by air while part of them was introduced in the country by road using legal documentation to cover this illicit trade [...] **French ports were used for transferring the illegal goods from Italy to Malta.**” According to the investigators “the **annual volume** of legally fished tuna from Malta amounted to 1,250,000 kilos, **however the undeclared volume sold was twice that amount, over 2,500,000 kilos.** Considering that the minimum profit made from each kilogram is €5, data shows that they would have unlawfully obtained a total amount of €12,500,000 per year.”<sup>3</sup>

### The loopholes continue

The article from *El Confidencial*<sup>2</sup> and the press release from the Guardia Civil/Europol<sup>3</sup> describe some of the mechanisms allegedly used to launder the tuna, which include:

- the use of the same BCD numbers for the different bluefin tuna shipments in sale bills in different Spanish regions, avoiding detection of the same numbers;
- the transport of tuna in false bottoms under the deck of the vessel;
- the removal of bluefin tuna from the farms in the absence of an observer and claims to insurance companies for bluefin tuna allegedly escaped into the sea;
- the introduction in the cages of free tuna which swim towards the tuna cages attracted by the tuna inside;
- killing tuna in the cages and tying some of them to the bottom of the cage to avoid detection by the observer. Once the observer leaves the farm, the tuna tied to the bottom of the cage is surfaced and sold in the black market;

### Implications for ICCAT

**If proven true, these allegations seriously put into question the bluefin tuna successful story.** In 2016, 2,500 tonnes of unreported bluefin tuna would amount to over 13% of the total bluefin tuna quota (or almost a quarter, over 22.3%, of the EU quota). In 2017, they would amount to 11% of the total bluefin tuna quota (or almost a fifth, over 18.5%, of the EU quota).

This would be happening in the so-called best controlled tuna fishery in the world, with 100% observer coverage on board purse seiners; 100% observers on tug boats; 100% observers on tuna farm operations; mandatory stereoscopic cameras in all tuna transfers; centralized VMS and a range of other measures. But even then, unsophisticated mechanisms seem to be enough to allow this industry to smuggle thousands of tons of farmed bluefin tuna at European tuna farms and ports. The ability of ICCAT CPCs to ensure oversight of this industry is therefore a question mark.

3 <http://www.guardiacivil.es/es/prensa/noticias/6768.html>. English translation in pdf provided as an annex.

**We, the undersigned NGOs, strongly call on all ICCAT CPCs gathering in November in Dubrovnik to:**

- invite the Spanish Civil Guard and Europol to present the findings of the investigation at the next session of the ICCAT Compliance Committee;
- demand that the EU reports to the ICCAT Compliance Committee on whatever details are available to EU authorities on this case, as well as on what follow up they are planning to do and what investigations they have carried out as a result;
- call on the ICCAT Compliance Committee to enforce, once the process is finished, applicable compliance rules to the effect that any amount of unreported bluefin tuna will be deducted from subsequent years' allocations (notably ICCAT Recommendation 00-14 on compliance with measures that define quotas and/or catch limits);

**Finally and in the face of such shocking figures and the potential levels of IUU fishing in the bluefin tuna fishery, we urge ICCAT Contracting Parties to, at a minimum, not further increase BFT quotas or weaken in any way the provisions of the existing bluefin tuna measures.**



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*Find as an annex a copy of the joint Guardia Civil / Europol press release of 16 October 2018.*



## The Civil Guard has arrested 76 individuals involved in the trade of illegally fished tuna and non-compliance with health regulations

- Over 80,000 kilos of illegally caught bluefin tuna have been seized. Net profits from this activity might have exceeded €12 million per year.
- The investigation was led by the Civil Guard, under the coordination of EUROPOL and with the participation of Malta, Italy and France

**16th October 2018.-** As part of the Europol-coordinated operation TARANTELO, the Civil Guard has dismantled a network that marketed tuna that had been illegally caught and did not comply with health standards.

A total of 76 arrests and 49 searches and inspections were made resulting in the seizure of over 80,000 kilos of illegally caught bluefin tuna, about €500,000 cash, jewels and watches and other high-value items, 7 luxury cars worth over €600,000 and a large amount of documentation that would prove the 'money-laundering' involved in the marketing of illegally fished tuna and their illegal earnings.

The operation was launched after having obtained information about irregularities with regard to the fishing of bluefin tuna in the Mediterranean.

As progress was made on the investigation, it was discovered that the first companies under investigation were using the legal part of their business activities to introduce in the market a large amount of illegally-caught tuna.





Thus, using invoices and other documents associated with the legal purchase of tuna from, in many cases, duly authorised farms, they were covering other pieces that have been illegally fished.

After analysing the connection between companies and the movement of the goods, it was possible to establish the different activities they were involved in, documenting the deliveries of black money and collecting identical documents that had been submitted at different points of sale for different products.

### International level

Although the activity of the companies under investigation was based in Spain, most of the fish came from other countries.

Particularly, one of the sources was Malta from where some pieces were legally sent by air while part of them was introduced in the country by road using legal documentation to cover this illicit trade.

Italy was the starting point of another route that used similar methods, but, in this case, as all the products came from illegal catches, they were transported to Spain by road without any type of documentation and without any system of traceability.

Once in Spain, all the products from the different routes were distributed to smaller businesses in the sector, distinguishing legal pieces from illegal ones based on the document accompanying the goods which also resulted in different prices.

French ports were used for transferring the illegal goods from Italy to Malta.

### Circuit of illegal fishing in Spain

As for the involvement of Spanish companies, following a surveillance operation deliberately based in Castellon, the Maritime Service of the Civil Guard confirmed that these companies also performed unauthorised catches.





In this case, the illegally fished bluefin tuna was transported in false bottoms under the deck of the vessel. Although a fishing quota of tuna had been allocated to the vessel, they had not declared all the catches in order to obtain a larger volume.

Likewise, following searches carried out in Tarifa (Cadiz) illegal fishing by fishing boats and recreational fishermen was detected.

### **A very profitable activity**

According to the calculations made by the investigators, the annual volume of legally fished tuna from Malta amounted to 1,250,000 kilos, however the undeclared volume sold was twice that amount, over 2,500,000 kilos.

Considering that the minimum profit made from each kilogram is €5, data shows that they would have unlawfully obtained a total amount of €12,500,000 per year.

### **Food safety**

The investigators noticed several health and hygiene irregularities regarding the conservation of the fish after being caught:

- Sometimes the pieces were killed in the sea and were kept underwater until they could bring the fish to land without risk. The normal process by which fish losses quality was then accelerated.
- The pieces were then transported without respecting conservation rules and breaking the cold chain at some points.

This impairment of the health and hygiene conditions could affect the quality of the product bound for public consumption. Therefore, based on previous evidence of potential food poisoning, samples were taken from all the consignments that were seized. It was concluded that several cases of poisoning could have taken place after consuming the pieces that were marketed by this gang due to the degradation of proteins produced by the poor conservation conditions. This might lead to fever and gastrointestinal disorders, but also to more serious conditions in the case of elderly people or children.





MINISTRY OF  
THE INTERIOR



DIRECCIÓN GENERAL  
DE LA GUARDIA CIVIL  
GENERAL HEADQUARTERS OF THE  
CIVIL GUARD

# Press release

This investigation has been carried out following instructions from Court number 3 of Picassent and the Environmental Prosecutor's Office of Valencia.

The operation has been carried out by officers of UCOMA (Central Operational Unit for Environmental Matters), within the SEPRONA Commanding Office, with the collaboration of the Italian Carabinieri and the French Gendarmerie National. Together with, inspectors from the General Secretariat for Fisheries within the Ministry for Agriculture, Fisheries and Food.

For more information, please contact the Press Office of the Civil Guard on: +34 915 146 010.

Access to images can be obtained through the following link:  
[www.guardiacivil.es/es/prensa/videos\\_descarga\\_medios/2018/index.html](http://www.guardiacivil.es/es/prensa/videos_descarga_medios/2018/index.html)

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