

**QUESTIONNAIRE to be used for biennial reporting
on the application of the IUU Regulation**

Reporting period 2016-2017 (deadline for submission 30 April 2018)

Member State:	<i>Poland</i>
Organisation:	<i>Ministry of Maritime Economy and Inland Navigation</i>
Date:	<i>April 2018</i>
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May the Commission provide a copy of this questionnaire to other Member States?	
Yes:	<i>Yes, if requested and with notification of our office</i>
Yes except for questions (list):	
No:	

<p>Please state your notified authorities under the IUU Regulation in accordance with:</p> <p>Article 15.2 (exportation of catches):</p> <p>In accordance with Article 62e (1) the Act on Fish Market Organization, minister responsible for fisheries (currently Minister of Maritime Economy and Inland Navigation – Fisheries Department) is competent for the validation of the catch certificates.</p> <p>Article 17.8 (verification of catch certificates):</p> <p>In accordance with Article 62b (1) the Act on Fish Market Organization, Regional Sea Fisheries Inspectorates (RSFI) (in Gdynia and Szczecin) are responsible for the checks and verifications of the catch certificates.</p> <p>Article 21.3 (re-exportation):</p> <p>Minister of Maritime Economy and Inland Navigation – Fisheries Department is responsible for validation and the verification of the section re-export of catch certificates for importation via</p>
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land border and for re-export (in accordance with Article 62e (1) the Act on Fish Market Organization);

Regional Sea Fisheries Inspectorate in Gdynia is responsible for validation and the verification of the section re-export of catch certificates for importation via sea border and for re-export (in accordance with Article 6fe (1) the Act on Fish Market Organization);

Regional Sea Fisheries Inspectorate in Szczecin is responsible for validation and the verification of the section re-export of catch certificates for importation via sea border and for re-export (in accordance with Article 6fe (1) the Act on Fish Market Organization);

Article 39.4 (nationals):

Regional Sea Fisheries Inspectorate in Szczecin, Regional Sea Fisheries Inspectorate in Gdynia and Regional Sea Fisheries Inspectorate in Slupsk are responsible for coordinating the collection and verification of information on activities of nationals supporting or engaged in IUU fishing.

Section 1. Information on legal framework¹

Since the last reporting exercise covering the period 2014-2015, has your country adopted/modified national law or any administrative guides for the application of Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation)?

Yes No

If yes, please detail and provide copies or provide link to the official national database

Since the last reporting exercise Poland has adopted new law concerning sea fisheries. Regulation of the Minister Maritime Economy and Inland Navigation of 6 September 2016 r. regarding criteria taken into account by regional sea fisheries inspector considered as serious infringements referred to in Article 3 (2) of the IUU Regulation. Regulation came into force 19 October 2016. Copy of the regulation is attached to the report.

Section 2. Information on administrative organisation²

2.1. Does your country have different authorities/services to deal with the implementation of the IUU Regulation?

Yes No

2.2. If different authorities/services are involved, please distinguish between:

- the control of direct landings of third country fishing vessels;
- validation of catch certificates upon exports;
- verification of catch certificates for imports under direct landing;
- verification of catch certificates for imports arriving by other means than fishing vessels (e.g. by containers, trucks);
- validation and verifications of re-exports.

a) internal co-operation (between local/regional authorities and head-quarter);

Please explain and describe this cooperation: mutual assistance information is distributed to local authorities (Gdynia, Szczecin) by head-quarter functioning in the Ministry of Maritime

¹ This section 1 is to be filled-in by all Member States i.e. coastal and landlocked Member State.

² This section 2 is to be filled-in by all Member States i.e. coastal and landlocked Member State.

Economy and Inland Navigation; Polish reporting tasks on IUU-focused administrative actions are fulfilled by head-quarter

- b) co-operation with other authorities and allocation of tasks for various authorities in the implementation of the IUU Regulation (Fisheries, Health, Customs, Coast Guard, Navy, etc.);

Please explain and describe this cooperation:

1) on local level fisheries administration is receiving prior notifications of arrival of any vessel with fish subject to the EU catch certification scheme (or has access to the relevant data bases kept by the port and maritime administration) – however there are no direct landings, but only landings of fish products previously landed in third countries ports; the same applies to container loads and air cargo;

2) the local level fisheries administration is responsible for checks of catch certificates and official acceptance of goods for free circulation which is a base to the customs administration for factual clearance;

3) Veterinary Border Inspection Post in Szczecin is a place for coordinated inspections of fishery products imported from 3rd countries and delivered in reefer containers in maritime transport

4) Fisheries Inspection and Inspection of Commercial Quality of Food are controlling periodically fishery products including products imported from 3rd countries.

- c) how many officials are involved in the implementation of the catch certification scheme?

Please specify the number of officials expressed in Full Time Equivalent (FTE):

1) 1 FTE and 0,2 FTE as regards fisheries inspection in Szczecin plus a number of custom officers engaged in releasing of the goods from the bonded warehouses subject to fisheries inspection's approval of the catch certificates,

2) 3 officials FTE as regards fisheries inspection Gdynia,

3) 1 official FTE at Ministry of Maritime Economy and Inland Navigation.

- d) Do the authorities of your country have the possibility to audit/verify a company for the purposes laid down in the IUU Regulation?

Yes

No (as regards fisheries inspection in view of granting APEO status)

If yes, which and how many audits/verifications have they undertaken since the last reporting exercise covering the period 2014-2015? Please detail the results:

- 2.3. Does your country have freezones/freeports³ in which activities relevant to importation/exportation/processing of fishery products are authorised?

Yes

No

Section 3. Information on direct landings and transshipments of fishery products by third country fishing vessels⁴ (including information on port inspections and infringements)⁵
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³ https://ec.europa.eu/taxation_customs/business/customs-procedures/what-is-importation/free-zones_en

⁴ Fishing vessels as defined in article 2.5 of the IUU Regulation

⁵ This section 3 refers to Chapter II (Articles 4 to 11) of the IUU Regulation and is applicable to coastal Member States. Landlocked Member States should not fill in this section.

3.1. Does your country have designated ports for direct landings or transshipment operations of fishery products and port services of third country fishing vessels (Article 5 of the IUU Regulation⁶)?

Yes

No

If yes, please list your country's designated ports (including ports designated under Regional Fisheries Management Organisations requirements) and answer to questions 3.2. to 3.7.:

- 1) Gdańsk,
- 2) Gdynia,
- 3) Szczecin,
- 4) Świnoujście

3.2. How many landings and transshipments in designated ports of third country vessels have been recorded by your country between 1 January 2016 until 31 December 2017? How many inspections has your country carried out and how many infringements have been detected?

Please fill-in the table below (2016):

Inspections of third country vessels in Member States ports (2016)								
Type of operation	Vessels	Figures (2016)	Flag of the third country vessel(s)*					Total
			Ex. NO	FS1	FS2	FS3	FSx	
Landings	Non-EU vessels using MS designated ports	Number of landings						149**
		Number of inspections						9
		% of inspections / landings						6%
		Number of infringements						
Transshipments	Non-EU vessels using MS designated ports	Number of transshipments in ports						
		Number of inspections						
		% of inspections / transshipments						
		Number of infringements						

*Use ISO Alpha-2 country codes

** including 110 calls with zero landings – vessels arriving for services only

⁶ Please note that ports designated under Regional Fisheries Management Organisations must also be designated under the IUU Regulation with restrictions if necessary (species etc.)

Please fill-in the table below (2017):

Inspections of third country vessels in Member States ports (2017)								
Type of operation	Vessels	Figures (2017)	Flag of the third country vessel(s)*					Total
			Ex. NO	FS1	FS2	FS3	FSx	
Landings	Non-EU vessels using MS designated ports	Number of landings						133**
		Number of inspections						7
		% of inspections / landings						9,3%
		Number of infringements						
Transshipments	Non-EU vessels using MS designated ports	Number of transshipments in ports						
		Number of inspections						
		% of inspections / transshipments						
		Number of infringements						

*Use ISO Alpha-2 country codes

**including 98 calls with zero landings – vessels arriving for services only

3.3. From the figures above, in the cases where your country detected infringements by third country vessels between 1 January 2016 and 31 December 2017, please specify the flag, the vessel's name, the type of infringement and the measures taken (Article 11 of the IUU Regulation).

Please fill-in the table below (2016):

Flag of the third country vessel*	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			
FS2			
...			
FSx			

*Use ISO Alpha-2 country codes

Please fill-in the table below (2017):

Flag of the third country vessel*	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			

FS2			
...			
FSx			

*Use ISO Alpha-2 country codes

3.4. Has your country had any problems with third country fishing vessels when implementing Articles 6 (prior notice) and 7 (authorisation) of the IUU Regulation?

Yes *No*

If yes, please detail the nature of the problems:

In 2016:

- 1) *unclear legal position of vessels arriving from Norway where the distance to Świnoujście and Szczecin is too short to allow for prior notice of 3 working days – to solve the problem the fishery products are unloaded but kept closed in the bond store until the catch certificates approval by the fisheries inspection is communicated to the customs;*
- 2) *sometimes the prior notice came in a little late*

In 2017: *as above.*

3.5. Since January 2016, has your country denied access to its ports to a fishing vessel for port services, activities of landing or transhipment of fishery products based on the conditions of the IUU Regulation?

Yes *No*

If yes, please detail the nature of the problem, the number of vessels concerned and their flags:

In 2016:

In 2017:

3.6. Do you have third country fishing vessel landings in transit in your country with final destination in another Member State? [Article 19.3 of the IUU Regulation]

Yes *No*

If yes, please indicate the number of landings in transit per year:

In 2016:

In 2017:

3.7. In order to determine the cases for port inspection, does your country use risk assessment criteria [cf. benchmarks for port inspections, Article 4 of Regulation (EC) No1010/2009]?

Yes

No

Not applicable (e.g. in the absence of landings/transhipments from third countries)

If yes, please detail: . basic criteria used to decide about inspection are as per Article 4 of Regulation (EC) No1010/2009 letters p) and u)

Section 4. Information on catch certification scheme for importation for the purpose of the IUU Regulation⁷

4.1. How many catch certificates from non-EU countries were presented to the authorities of your country from 1 January 2016 until 31 December 2017?

Flag State (non-EU)	2016	2017
<i>RUS</i>	1285	1249
<i>USA</i>	858	696
<i>CHN</i>	224	140
<i>PH</i>	147	233
<i>NZ</i>	366	297
<i>CA</i>	248	133
<i>EC</i>	53	52
<i>NO</i>	706	918
<i>VN</i>	65	37
<i>CL</i>	340	302
<i>TW</i>	30	11
<i>KR</i>	24	8
<i>IS</i>	30	61
<i>ICE</i>	212	171
<i>IN</i>	20	29
<i>SC</i>	19	6
<i>PA</i>	8	28
<i>MA</i>	7	10
<i>SB</i>	6	0
<i>FO</i>	133	184
<i>ID</i>	3	40
<i>PG</i>	3	2
<i>AR</i>	161	139
<i>MU</i>	2	2
<i>MV</i>	271	100

⁷ Section to be filled-in by all Member States. Article 2.11 of the IUU Regulation – "importation means the introduction of fishery products into the territory of the Union, including for transshipment purposes at ports in its territory"

Flag State (non-EU)	2016	2017
<i>GT</i>	1	0
<i>GL</i>	0	6
<i>SV</i>	0	1
<i>PERU</i>	58	130
<i>OTHER</i>	60	38
<i>Mexico</i>	5	0
<i>Sri Lanka</i>	80	182
<i>Namibia</i>	0	17
Total	5425	5222

4.2. From the number above, how many recognised RFMO catch certificates accompanied imports into your country? Please detail per *RFMO certificate and year*.

RFMO document	2016	2017
<i>ICCAT (electronic)-bluefin tuna catch document</i>	-	-
<i>Dissostichus spp. (CCAMLR)</i>	-	-
<i>CCSBT CDS</i>		
Total		

4.3. Has your country received processing statements from 1 January 2016 until 31 December 2017?

Yes

No

If yes, how many processing statements under Article 14.2 accompanied imports into your country? If possible, please provide details per year and per processing country. Please only report processing statements received from non-EU countries:

Processing non-EU State	2016	2017
<i>CN</i>	1444	1319
<i>TH</i>	112	27
<i>VN</i>	13	21
<i>EC</i>	9	16
<i>MU</i>	5	0
<i>NO</i>	5	17
<i>PG</i>	3	5
<i>SC</i>	2	0
<i>PE</i>	0	5
<i>SV</i>	0	1
<i>Total</i>	1593	1411

4.4. Please indicate if the information in processing statements referring to the corresponding catch certificates is retained and recorded:

Yes *No*

Not applicable (e.g. in the absence of processing statements received from non-EU countries in 2016-2017)

4.5. Has your country received requests to authorise APEO⁸s in 2016-2017?

Yes *No*

If yes, how many requests has your country received and how many APEOs have been authorised?

4.6. Has your country adopted administrative rules referring to the management and control of APEO in 2016-2017?

Yes *No*

Not applicable (e.g. absence of APEO request)

If yes, please detail:

According to the Act 5 December 2008 on Fish Market Organization minister responsible for fisheries (currently Minister of Maritime Economy and Inland Navigation) is competent to grant the status of approved economic operator. Details concerning granting the status are laid down in implementing regulation of the Minister of Maritime Economy and Inland Navigation of 22 June 2016 r. regarding minimal threshold for the number and volume of import operations, according to the Article 62h Act on Fish Market Organization. Copy of the regulation is attached to the report.

4.7. Has your country validated re-export certificates for products imported from 1 January 2016 until 31 December 2017?

Yes *No*

If yes, how many re-export certificates? Please detail per year and, if possible, per destination country:

Destination country (non-EU)	2016	2017
<i>NO</i>	39	39
Total	39	39

4.8. Does your country monitor if the catches for which your country has validated a re-export certificate actually leave the EU?

Yes *No*

Not applicable (e.g. in the absence of validation of re-export certificates in 2016-2017)

⁸ Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) 1010/2009, Chapter II

If yes, please detail: *re-exports are subject to customs control*

4.9. Has your country established any IT tools to monitor the catch certificates and processing statements accompanying imports?

Yes *No*

If yes, does it include a module for re-exportation of imported catches?

Yes *No*

4.10. Does your country implement the provisions regarding transit under Article 19.2 at the point of entry or the place of destination?

At the point of entry *At the place of destination* *Not implemented*

Section 5. Information on catch certification scheme for exportation⁹

5.1. Has your country established a procedure for validation of catch certificates for exportation of catches from own vessels in accordance with Article 15?

Yes *No*

Not applicable (e.g. in the absence of validation of catch certificates for exportation in 2016-2017)

If yes, please explain briefly the established procedure and answer questions 5.2 to 5.5.

Catch Certificates for Polish Exporters approves by Ministry Maritime Economy and Inland Navigation

5.2. Has your country validated catch certificates for exportation in 2016-2017?

Yes *No*

If yes, how many catch certificates did your country validate from 1 January 2016 to 31 December 2017? If possible, please provide details per requesting third country/country of destination in the following table:

Destination State	Year	
	2016	2017
<i>Island</i>	5	11
<i>Chile</i>	5	-
<i>Croatia</i>	1	
Total	11	11

5.3. Has your country established any IT tool to monitor the catch certificates validated for exports stemming from own vessels?

⁹ Section to be filled-in by flag Member States.

Yes No

5.4. Does your country monitor that the catches for which your country has validated catch certificates actually leave the EU?

Yes No

Not applicable (e.g. in the absence of validation of catch certificates for exportation in 2016-2017)

5.5. Has your country refused the validation of a catch certificate between 1 January 2016 and 31 December 2017?

Yes No

Not applicable (e.g. in the absence of request for validation of catch certificates for exportation in 2016-2017)

If yes, please detail:

Number (per year):

Reason:

Follow-up:

Section 6. Information on verifications of catch certificates for importation according to Article 17.1 to 5 of IUU Regulation¹⁰
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6.1. Has your country established a procedure for verification of catch certificates for importation in accordance with Article 17.2?

Yes No

If yes, please detail: *The CCs are first checked against their accordance with the rules of the IUU regulation and against conformity with the templates (the SMS is being used here). Then, their content is being checked and compared with other accompanying documents to verify if the data correlate. Should any uncertainty arise, the additional information/explanations and/or additional documents are being asked from the importer/3C competent authority. In the verification request sent, there is a deadline for answering indicated, yet if no reaction is received within a week a reminder is sent followed by another 2-3 days before the deadline. The latter one reminds also that in case there is no answer to the verification request, the products related to the verified document shall not be allowed for importation into the EU. After receiving the new material, the data are being analysed and compared with the previous ones and either (should there be such necessity) the importers/3C competent authorities are being asked for additional explanations/information/documents or the final decision (allowing or denying the importation) is being made. Should the necessity arise to receive information concerning the “physicality” of the products related to the CCs, we are in permanent contact with other services, such as those responsible for checking the quality and health aspects of the fishery products. Data received from them are also taken into consideration when making the decision whether the importation should be accepted or denied.*

¹⁰ Section to be filled-in by all Member States

6.2. How many catch certificates have been verified by your administration from 1 January 2016 until 31 December 2017? Please specify, separately for each year:

Flag State of origin (EU or non-EU)	Number of verifications 2016		Number of verifications 2017	
	No of basic document-based verifications ¹¹	No of in-depth verifications ¹²	No of basic document-based verifications	No of in-depth verifications
<i>RU</i>	349	51	489	44
<i>US</i>	158	15	108	8
<i>CN</i>	141	3	66	5
<i>PH</i>	118	22	220	3
<i>NZ</i>	64	0	56	0
<i>CA</i>	53	0	48	0
<i>EC</i>	50	3	51	1
<i>NO</i>	28	25	30	27
<i>VN</i>	47	3	22	0
<i>CL</i>	49	0	26	0
<i>TW</i>	30	0	11	0
<i>KR</i>	23	1	8	0
<i>IS</i>	13	9	26	6
<i>IN</i>	20	0	15	0
<i>SC</i>	19	0	6	0
<i>PA</i>	8	0	27	1
<i>MA</i>	4	3	10	0
<i>SB</i>	6	0	0	0
<i>FO</i>	1	3	3	1

¹¹ See fields CC1 to CC6 (*Preliminary overview checks “helicopter view”*) of the EFCA Common methodology for IUU catch certificates verification and cross-checks.

¹² See fields CC7 to CC32 (*Verify and cross-check information related to the form, flag state, validating authority, fishing vessel, product(s), transshipment operations*) of the EFCA Common methodology for IUU catch certificates verification and cross-checks.

Flag State of origin (EU or non-EU)	Number of verifications 2016		Number of verifications 2017	
	No of basic document-based verifications ¹¹	No of in-depth verifications ¹²	No of basic document-based verifications	No of in-depth verifications
<i>ID</i>	3	0	40	0
<i>PG</i>	3	0	2	0
<i>AR</i>	2	0	14	0
<i>MU</i>	2	0	2	0
<i>MV</i>	0	2	2	2
<i>GT</i>	0	1	0	0
<i>GL</i>	0	0	4	2
<i>SV</i>	0	0	1	0
<i>DK</i>	4	0	2	3
<i>ES</i>	12	1	0	0
<i>UK</i>	10	0	4	0
<i>FR</i>	4	1	0	0
Total	1221	143	1293	103

6.3. Does your country use a risk assessment approach for verification of catch certificates in accordance with Article 17?

Yes *No*

If yes, please detail (e.g. EU criteria for verifications (Article 31 of Commission Regulation 1010/2009); EFCA risk assessment methodology; national criteria).

Regional Sea Fisheries Inspectorates take into account the community criteria for verifications laid down in Article 31, in particular the basis criteria as specified in the Article 31 letters j, b, and c.

6.4. Does your country also physically verify the consignments?

Yes *No*

If yes, please detail:

Number (per year): no precise numbers are available as such verifications are mostly done by veterinary service in BIPs (a few thousands of containers per year), in case of consignments arriving by reefer vessels approx. 1000 – 2000 tonnes per year (amount and weight of pallets v. cargo manifest/prior notification/catch certificates)

Method of selection: 100 % containers from 3rd countries (except Iceland, Norway and Faroe Is.) are subject to the veterinary control including physical verification of species and weight; 100% of landing from the selected reefer vessels (for selection method please refer to Section 3 p. 3.7)

Follow-up: importation denied in case of discrepancies found by the veterinary service

Section 7. Verification requests to flag States¹³

7.1. Has your country sent requests for verifications under Article 17.6 of the IUU Regulation to other countries authorities in 2016-2017?

Yes No

If yes, how many requests for verifications? *Note: please provide separate data for 2016 and 2017:*

Flag States	No of requests for verifications 2016	Justifications (Articles 17.4 and 17.6 of the IUU Regulation)-	No of requests for verifications 2017	Justifications (Articles 17.4 and 17.6 of the IUU Regulation)
<i>RU</i>	23	17.6; 17.4 a/b; 17.5	20	17.6; 17.4 a/a; 17.5
<i>NO</i>	17	17.6; 17.5	15	17.6; 17.5
<i>IS</i>	15	17.6; 17.4 b	6	17.6; 17.4 b; 17.5
<i>US</i>	12	17.6; 17.4 a; 17.5	8	17.6; 17.4 a; 17.5
<i>PH</i>	9	17.6; 17.4 b	1	17.4 b
<i>MA</i>	3	17.4 a/b	0	
<i>FO</i>	3	17.4 a/b	1	17.4 b
<i>VN</i>	3	17.6; 17.4 a/b	0	
<i>EC</i>	3	17.6; 17.4 a/b	1	17.4 a/b
<i>CN</i>	2	17.4 a/b	5	17.6; 17.4 a/b;
<i>MV</i>	2	17.4 a/b	2	17.4 a/b
<i>KR</i>	1	17.4 a/b	0	
<i>GT</i>	1	17.6	0	
<i>FR</i>	1	17.4 a	0	
<i>ES</i>	1	17.6	0	
<i>PA</i>	0		1	17.4 a/b
<i>GL</i>	0		3	17.6, 17.4 b
<i>DK</i>	0		2	17.6
Total	96		65	

7.2. How many requests for verification were not replied to by the other countries' authorities within the deadline provided in Article 17.6 of the IUU Regulation? Does your country in these situations

¹³ Section to be filled-in by all Member States

send a reminder to the authorities of the country in question? [Please provide separate data for 2016 and 2017]

2016 ...0...

2017 ...0....

7.3. Was the quality of the answers provided overall sufficient to satisfy the request?

Yes

No

Section 8. Information on refusal of importations (Article 18 of the IUU Regulation)¹⁴

8.1. Has your country refused any imports from 1 January 2016 until 31 December 2017? *Note: please only consider refusals based on the IUU Regulation, not for other reasons e.g. Food Safety, Customs legislation, etc.*

Yes

No

If yes, please provide details in the table below:

Reason for refusal of importation	2016		2017	
	Flag State	No.	Flag State	No.
Non-submission of a catch certificate for products to be imported.				
The products intended for importation are not the same as those mentioned in the catch certificate.				
The catch certificate is not validated by the notified public authority of the flag State	AU	1		
The catch certificate does not indicate all the required information.				
The importer is not in a position to prove that the fishery products comply with the conditions of Article 14.1 or 2.				
A fishing vessel figuring on the catch certificate as vessel of origin of the catches is included in the Union IUU vessel list or in the IUU vessel lists referred to in Article 30.				
The catch certificate has been validated by the authorities of a flag State identified as a non-cooperating State in accordance				

¹⁴ Section to be filled-in by all Member States

Reason for refusal of importation	2016		2017	
	Flag State	No.	Flag State	No.
with Article 31				
Further to the request for verification (Article 18.2)	RU	1	US	1

8.2. If the answer to 8.1 is yes, what measures were taken by your authorities towards the refused fishery products?

- 1) *As regards the refusal made further to the request for verification - consignment ordered to return to the place of despatch (China),*
- 2) *As regards the refusal made due to the fact that the catch certificate was not validated by the notified public authority of the flag State - the products were confiscated and (at the moment) decision is being taken whether they will be destroyed or sold and the income donated for charity purposes,*

8.3. In case of refusal of importation, did the operators contest the decision of the authorities of your country?

Yes No

If yes, please detail: *They appealed against the initial decision of denial and provided new documents which triggered the re-initialization of the verification process which led to another decision of denial and this time it was not appealed against.*

Section 9. Information on trade flows¹⁵

9.1. Did your country note a change¹⁶ of imports of fishery products since the last reporting exercise covering the period 2014-2015?

Yes No

If yes, please detail:

9.2. Please provide information, deriving from your country's statistical data, concerning change of trade patterns in imports of fishery products into your country:

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Section 10. Information on mutual assistance¹⁷

10.1. Since the last reporting exercise covering the period 2014-2015, how many mutual assistance messages of the Commission has your country replied to?

Please provide separate data for 2016 and 2017 (if any)

2016.....

¹⁵ Section to be filled-in by all Member States

¹⁶ For example: new kinds of fishery products, new trade patterns or significant and sudden increase in trade volume for a certain species and/or certain third countries.

¹⁷ Section to be filled-in by all Member States

2017.....

10.2. Since the last reporting exercise covering the period 2014-2015, has your country sent any mutual assistance message to the Commission/other Member States?

Please provide separate data for 2016 and 2017 (if any)

2016.....

2017.....

Section 11. Information on cooperation with third countries¹⁸

11.1. Apart from verifications and refusals under Articles 17 and 18, has your country had information exchange with third countries on issues related to the implementation of the IUU Regulation, such as follow-up of cases concerning nationals, consignments, trade flows, operators, private fishing licencing, as well as the investigation of criminal activities and serious infringements (Article 42)?

Yes *No*

If yes, please detail (please provide separate data for 2016 and 2017, if any).

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Section 12. Information on nationals¹⁹

12.1. Since the last reporting exercise covering the period 2014-2015, has your country implemented or modified existing measures to ensure that your country can take appropriate action with regards to nationals involved in IUU fishing in accordance with Article 39 of the IUU Regulation?

Yes *No*

If yes, please detail:

12.2. What measures has your country taken to encourage nationals to notify any information on interests in third country vessels (Article 40.1)?

None

12.3. Has your country endeavoured to obtain information on arrangements between nationals and third countries allowing reflagging of their vessels in accordance with Article 40.4?

Yes *No*

If yes, please detail:

12.4. If yes to any of the above, how many cases have your country dealt with and which administrative or penal follow-up was given?

Please provide details:

¹⁸ Section to be filled-in by all Member States

¹⁹ Section to be filled-in by all Member States

12.5. Has your country put in place procedures to ensure that nationals do not sell or export any fishing vessels to operators involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list (Article 40.2)?

Yes No

If yes, please provide details:

12.6. Has your country made use of Article 40.3 and removed public aid under national aid regimes or under Union funds to operators involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list?

Yes No

If yes, please detail.

Section 13. Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)²⁰

13.1. Has your country detected serious infringements as defined in Article 42 of the IUU Regulation from 1 January 2016 until 31 December 2017?

Yes No

If yes, please detail separately for each year the number of serious infringements, nature and sanctions applied:

Flag State of the vessel or nationality of the operator (EU and non-EU)	Serious infringements detected in 2016:			Serious infringements detected in 2017:		
	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
<i>Country 1</i>						
<i>Country 2</i>						
...						
<i>Country x</i>						
<i>Total</i>						

13.2. Has your country applied or adapted its levels of administrative sanctions in accordance with Article 44?

Yes No

If yes, please detail: Yes, according to the Act on Sea Fisheries in case of serious infringement we impose a sanction of five times the value of the fishery products obtained by committing the serious infringement. In case of a repeated serious infringement within a five-year period we

²⁰ Section to be filled-in by all Member States

impose a sanction of at least eight times and up to twenty times the value of the fishery products obtained by committing the serious infringement.

13.3. Has your country issued sighting reports from 1 January 2016 until 31 December 2017?

Yes No

If yes, how many sighting reports were issued by your country from 1 January 2016 until 31 December 2017?

Flag State of the sighted vessel (EU and non-EU)	No of sighting reports issued in 2016	No of sighting reports issued in 2017
<i>Country 1</i>		
<i>Country 2</i>		
...		
<i>Country x</i>		
<i>Total</i>		

13.4. Since the last reporting exercise covering the period 2014-2015, has your country received any sighting reports for its own vessels from other competent authorities?

Yes No

If yes, please detail follow-up (in accordance with Article 50 of the IUU Regulation).

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Section 14. General

14.1. In the reporting period 2016/2017, what have been the main difficulties that your country has encountered in implementing the IUU Regulation, including the catch certification scheme?

- ✓ *-The main difficulty remains the same as before current reporting period – legal use of copies of catch certificates for consignments arriving from the 3rd country other than flag state (e.g. - processing in China). The only solution (proposed by us for many years without result) is the central EU data base for the catch certificates issued and validated in 3rd countries and presented to EU Member States administrations – specific data of each new incoming CC should be sent to the data base indicating flag state and the number assigned by the flag state thus allowing to find it quickly in the data base by other Member States officials for checking the amount “used” from this CC and compare balance remaining with the amounts presented in the processing statement as originating from the CC presented in copy; the amounts indicated in the processing statements as used from original catch should be delivered by Member States to the data base when the CC arrives for the first time and then again any next time; .*

- ✓ *-Lack of precise laws allowing the justified decisions to be taken – there are lots of interpretations and “oral indications” from Commission which, though otherwise are reasonable or even necessities, have no support in existing regulations;*
- ✓ *Lack of one consistent interpretation of existing regulations and its forwarding to the 3Cs;*
- ✓ *Difficulties for verifications catch certificates originated from countries;*
- ✓ *In addition, attention should be paid to potential problems with CC verification of imported fish and fish products from Asian countries due to a contact difficulties with reason of time difference.*
- ✓

14.2. Which improvements would your country suggest to the Regulation that would make implementation smoother?

- ✓ *Reconsidering certain definitions (such as those of “fishing vessel” and “importation”) in cooperation with MS;*
- ✓ *Adding certain articles or points to IUU regulation, such as:*
 - *admitting that documents can be forged and so giving MS authorities concrete legal base to deny importation if such documents appear, regardless of any other documents provided prior to, with or after such fraudulent documents – serious lack among points in art 18.2 of the IUU regulation;*
 - *clearly indicating in points of art. 17 that MS authorities are allowed to request any and all documents and other items/information related to the imported goods and their route from the fishing vessel to the importer within EU (not just from final exporter in 3C);*
 - *clearly indicating that in situations not covered by the rules laid down in the regulations, the final decision is up to the MS authority and is legally binding;*
- ✓ *Adding a responsibility to the Commission to provide an official list of contact points in 3Cs and in MS – to facilitate verifications and exchange of information;...*

Section 15. Any other comments

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