

UK Bi-ennial report on the Application of the IUU Regulation (2012-2013)

Member State: UNITED KINGDOM

Organisation: MARINE MANAGEMENT ORGANISATION

Date:

Name, position and contact details of responsible official:

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May the Commission provide a copy of this questionnaire to other Member States?

Yes

Section 1: Legal framework

1.1 Has your country transposed into national law or issued any administrative guides for the application of Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation)?

The English and Welsh Statutory Instrument - No 3391, The Sea Fishing (Illegal, Unreported and Unregulated fishing) Order 2009 (**Annex 1**) - details provisions for the enforcement of Council Regulation (EC) No 1005/2008 and Commission Regulation (EC) No 1010/2009 establishing restrictions and obligations relating to Illegal, Unreported and Unregulated (IUU) fishing.

In addition to the above order, the Department for Environment, Food and Rural Affairs (Defra, UK policy) have issued a *Guidance Note for Enforcement Authorities* on the application of the IUU regulations (**Annex 2**). The note provides an explanation of the regulatory controls that are in place and provides guidance on the enforcement approach that is to be adopted by local and port authorities. This includes detailed instructions on the procedure to follow when checking catch certificates for import.

Both the Defra and Marine Management Organisation (MMO) websites provide links to all IUU legislation (EU and UK), the EU handbook and guidance notes on variety of subjects including information notes on weights and CN codes and guidance notes to importers and exporters operating in the UK. These can be found at:

<https://www.gov.uk/government/policies/reforming-and-managing-marine-fisheries-for-a-prosperous-fishing-industry-and-a-healthy-marine-environment>

<http://www.marinemanagement.org.uk/fisheries/monitoring/iuu.htm>

Marine Scotland (MS) have The Sea Fishing (Illegal Unreported and Unregulated Fishing) Order 2013 (**Annex 3**).

The Department of Agriculture and Rural Development (DARDNI) in Northern Ireland (NI) uses the guides produced by the MMO. IUU is being enforced by direct implementation of Council Regulation (EC) 1005/2008 and Commission Regulation (EC) 1010/2009 through Section 30(2) of the Fisheries Act 1981. No ports in Northern Ireland have been designated for fish landings from third country fishing vessels. Articles 12 to 22 of the (EC) 1005/2008 are currently being administered and enforced by the DARDNI Fisheries and Environment Division.

Section 2: Administrative Organisation

2.1 How has your country organised its services to deal with the implementation of the IUU Regulation (verification of catch certificates, validation of catch certificates for own vessels, etc.)?

Internal cooperation

The UK has three functional administrations for the implementation of the IUU regulations. England and Wales, Scotland, and Northern Ireland. The overarching competent authority for the UK is the Marine Management Organisation reporting to the Department for Environment Food and Rural Affairs (Defra). The main functions have been split between Marine Scotland and the Marine Management Organisation.

Cooperation, coordination & allocation

Enforcement responsibility at the border is allocated to Local Authorities & Port Health authorities, fisheries' authorities, and the Marine Management Organisation (MMO). Working in parallel with the UK Customs clearance team these bodies all form part of the UK's delivery partnership. From time to time this partnership involves Trading Standards officers and the Food Fraud Unit of the UK Food Standards Agency.

Roles, responsibilities and powers

Roles, responsibilities and associated powers are set out in the Sea Fishing Order of 2009 (IUU order No 3391) for England and Wales. UK Crown Dependencies (Isle of Man, and Bailiwicks of Jersey and Guernsey) are part of the EU customs union and IUU functions are administered on their behalf by the MMO IUU team. UK Overseas Territories are regarded as third countries.

The MMO Illegal Unreported Unregulated (IUU) Fishing Team

Within the co ordinating unit the team is sub divided into the UK Catch Certificate Centre (UKCCC) and the MMO UK Single Liaison Office (UKIUUSLO).

Port State Control: Marine Scotland role

The UK **Fisheries Call Centre** (UKFCC) is based in Marine Scotland in Edinburgh. There are 7 members of staff that deal with direct landings of 3rd Country vessels.

The UKFCC receive all third country fishing vessel notifications and allocate them to the appropriate administration.

Imports: Port State Control and import controls on third country fishing vessel landings

The **UK Catch Certificate Centre** is responsible for the verification of import catch certificates accompanying third country fishing vessel landings into England whereas landings into Scotland are administered by Marine Scotland. Prior to providing the necessary IUU import clearance to Customs an inspection may be carried out on a risk managed basis. The **Port State Control** inspection functions are carried out either by warranted officers in the MMO IUU team or coastal officers working for other UK administrations at any UK IUU designated port. Imports will not be cleared until the inspectors are satisfied and they have liaised with the IUU Catch Certificate Centre that all is well. Wales and Northern Ireland do not receive any direct third country landings.

Imports: Validation of UK freight imports: Port Health Authorities and Local Authority Enforcement Officers:

At the UK border the Port Health Office of the Local Authority or Port Health Authority are responsible for the administration of veterinary and health controls for food imports from third countries and for the validation of certification for consignments notified for import.

The Customs Authorities are responsible for ensuring that consignments within the scope of the Regulation are not cleared for Import until the results of the verification have been confirmed and provide IUU release forms to our Customs authorities to allow the goods to be imported.

100% documentary and physical inspections of all IUU containerised or air freighted imports are carried out (for third country imports excluding EEA and EFTA), to ensure that the documentation is valid and relates to the consignment presented. More in-depth documentary checks are carried out on a risk basis.

Fish from European Economic Area or European Free Trade Association countries are not routinely subject to physical inspections (as veterinary controls are not required) however, catch certificates are subject to verification.

The Port Health Office is the first point of contact for importers submission of IUU certificates. Local Authorities and Port Health Authorities are empowered under the national legislation to enforce the Regulation and specific powers are in place to reject consignments, and control movements of goods.

Port Health carry out informal verifications with importers/exporters where necessary, and will refer more complex international fisheries queries or Article 17(6) verifications to the UK Single Liaison Office.

Exports: Validation of UK freight exports:

The **UK Catch Certificate Centre** is responsible for the validation of **all** UK catch certificates for catches exported as freight to 3rd countries. Checks are done on a risk managed basis some of which are compulsory and will include looking at all

the Monitoring Control and Surveillance information necessary to confirm the legality of the catches.

Exports: Validation of UK landings into third countries

Marine Scotland, through the UK Fisheries Call Centre, validates certificates for all catches of UK vessels landed directly into a third country.

Mutual Assistance

The **UK Single Liaison Office (SLO)** is the first point of contact for official IUU communications with the Commission, other EU Member States SLOs and other third country enforcement authorities in respect of verifications, investigations, and Mutual Administrative and Legal Assistance. The SLO is also used for communications with other UK departments and agencies and international organisations. The SLO is responsible for informing Port Health officers and MMO regional offices of any serious issues with regards to compliance of third countries and their vessels. Mutual Assistance requests and other intelligence reports are communicated to Port Health officers in the form of UK Alerts. Port Health officers in turn communicate any concerns or risks regarding countries or importers to the SLO who then feed this into the national risk register or directly communicate concerns to the Commission and Other Member States (OMS) Single Liaison Offices. Marine Scotland administer their own Mutual Legal Assistance.

2.1(c) How many people are involved in the verification of catch certificates?

Imports (freight): For containerised trade or airfreight informal verifications and validations are carried out by port health officers. The number of staff at each location varies depending on the volume of trade. There are approximately 50 port health officers located at around 20 import locations in the UK.

Formal article 17 verifications are carried out by the MMO IUU Team. Between 2012 and 2013 the team peaked at 5 staff members, with 4 of these qualified to conduct verification requests with other Members States and 3rd country flag states.

Imports (fishing vessels): Routine paperwork can usually be handled by one or two people in each administration. If any escalation is required, for example to conduct verifications, then additional staff be involved. The 24/7 UK Fisheries call centre also notifies MMO and Marine Scotland of prior notifications of third landings as well as notifies the UKSLO of third country inspections.

Exports: Between 2012 and 2013 validation of catch certificates for UK exports (freight and direct landings) was controlled by 3 people in the MMO IUU team and 7 in the UK Fisheries Call Centre (UK FCC, Marine Scotland). Validation may also indirectly be reliant on information/work of coastal staff.

2.2 Do the authorities of your country have the possibility to audit/verify a company for the purposes laid down in the IUU Regulation? If yes, have they undertaken such audits/verifications yet? Please detail.

Marine Enforcement Officers have the power to verify and inspect importer's premises (including IUU related documents).

Between 2012 and 2013 a number of imports of suspected IUU fishery products have been detained at the UK border. This had culminated in investigating the importers of these consignments which is ongoing. Due to the nature of these investigations I cannot comment further in this report at this time.

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

No.

Section 3: Direct landings of third country fishing vessels (only applicable if designated ports)

There are 20 designated ports. They are:

Aberdeen

Dundee

Falmouth

Fraserburgh

Grangemouth

Greenock

Grimsby

Hull

Immingham

Invergordon

Kinlochbervie

Leith

Lerwick

Lochinver

Methel

Peterhead

Plymouth

Scrabster

Stornoway

Ullapool

3.1 How many landings and transhipments of third country vessels have been recorded by your country since 1 January 2012 until 31 December 2013?

Table 1: Landings of 3rd country vessels in to UK ports.

Port name*	No. of landings	Comments	No. of transhipments	Comments
ABERDEEN	77	All carriers	0	
GRIMSBY (NAFO)	114	All carriers	0	
LERWICK	49	47 catchers and 2 carriers	0	
LOCHINVER	11	11 catchers	0	
PETERHEAD	139	139 catchers	0	
SCRABSTER	52	52 catchers	0	
Total	442	--	0	--

** If the port is designated also for an RFMO, please indicate which RFMO in brackets.*

3.2 Approximately, what percentage of the third country fishing vessel landings arrives in transit in your country?

Approximately 23.8% of the goods that arrived into the UK were in transit.

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

No.

3.4 Since January 2012, have you refused access to your port services to a fishing vessel for activities of landing or transhipment of fishery products? Was this refusal based on the conditions of the regulation?

No.

3.5 Do third country fishing vessels accessing your ports use the templates for prior notifications and pre-landing/pre-transshipment provided by the Implementing Regulation 1010/2009 or those used in RFMOs? Please detail, when RFMO forms are used.

Yes. They use the templates for prior notification and pre landing/pre transshipment provided by the Implementing Regulation 1010/2009. No RFMO documents used.

Section 4: Port inspections in accordance with Section 2 of the IUU Regulation

4.1 Between 1 January 2012 and 31 December 2013, how many fishing vessels of third countries had access to the designated ports for landing or transshipment of fishery products?

83 third country 'fishing' vessels made 328 landings into Scottish designated ports. There were 114 landings of fish in Grimsby by 3 carriers holding mainly Russian and Norwegian caught fish.

4.2 and 4.3 How many fishing vessels were inspected between 1 January 2012 and 31 December 2013?

Table 2: 3rd country fishing vessel inspections.

Flag State	In Port	At Sea
Antigua and Babuda	4	0
Belize	1	0
Faeroe Islands	18	1
Norway	126	76
Russia	5	1

4.4 Does your country use risk assessment criteria for the port inspections?

Yes.

The UK already carries out risk based inspections of fishing vessels under NEAFC and NAFO Port State Control measures as well as other CFP port state control regimes (pelagic landings). The IUU regulation has extended the definition of fishing vessel and now includes side port vessels built specifically for the Norway to EU liner trade carrying palletised frozen fish products and unloaded through the side of the vessel by forklifts. The inspection of these side port vessels is carried out using risk based analysis which makes use of the benchmarks laid out in EC Regulation 1010/2009 as well as other risk criteria based on a grouping of the benchmarks into six categories (Species, Country, Trade, Business, Documents and Vessels).

4.5 Has your country detected any infringements?

No.

Section 5: Catch certification scheme for importation

Please state your notified authorities under Articles 17.8 and 21.3

Article 17(8):

Marine Scotland

Marine Management Organisation

Department of Agriculture and Rural Development Northern Ireland

Port Health Authorities

Local Authority Enforcement officers

Article 21(3):

Marine Management Organisation

5.1 How many catch certificates were presented to the authorities of your country from 1 January 2012 until 31 December 2013?

Table 3: Catch certificates by flag state presented at the UK border

Country	Catch Certificates	
	2012	2013
Argentina	49	11
Australia	0	1
Bangladesh	13	21
Belize	8	242
Brazil	142	131
Canada	577	621
Chile	38	12
China	600	677
Colombia	0	4
Croatia	4	2
Ecuador	228	189
Falkland Islands	1	0
Faroe Islands	144	143
France	3	53
Gambia	10	2
Germany	5	0
Ghana	216	235
Greenland	5	7
Iceland	3230	2588
India	367	549

Indonesia	529	1043
Japan	0	7
Korea	22	81
Madagascar	1	0
Malaysia	0	6
Maldives	1170	672
Mauritius	0	5
Mexico	20	149
Morocco	230	212
Mozambique	1	0
Myanmar	21	37
Namibia	6	5
New Zealand	67	57
Norway	110	65
Oman	1	2
Panama	2	8
Papua New Guinea	6	3
Peru	23	10
Philippines	354	622
Russia	138	60
Saint Helena	2	0
Senegal	9	45
Seychelles	35	145
Singapore	1	0
Solomon Islands	0	5
South Africa	107	98
Spain	10	91
Sri Lanka	570	676
Suriname	1	0
Taiwan	25	23
Tanzania	0	1
Thailand	473	535
Turkey	11	8
Uganda	0	19
UK	2	15
Uruguay	12	0
USA	888	746
Vietnam	133	121
Yemen	2	4
Zimbabwe	0	9
Grand Total	10622	11073

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

Table 4: RFMO catch certificates presented at the UK border.

RFMO \ Year	2012	2013
Dissostichus spp. (CCAMLR)	5	1
TOTAL	5	1

5.3 How many processing statements under Article 14.2 accompanied imports into your country?

Table 5: Processing statements by flag state presented at the UK border.

Country	Processing Statements	
	2012	2013
Canada	88	7
China	372	629
Ecuador	84	57
Ghana	73	147
India	12	0
Indonesia	4	4
Ivory Coast	9	18
Korea	6	4
Madagascar	24	2
Malaysia	13	25
Mauritius	254	228
Morocco	1	1
Myanmar	4	3
Namibia	0	1
New Zealand	0	2
Norway	1	0
Papua New Guinea	27	75
Peru	0	4
Philippines	59	162
Russia	6	0
Seychelles	78	112
Singapore	7	9
South Africa	0	0
Sri Lanka	0	0
Taiwan	0	3
Thailand	313	752

Turkey	1	0
USA	20	1
Vietnam	20	26
Grand Total	1476	2272

5.4 Please explain if the information in processing statements referring to the corresponding catch certificates is retained and recorded.

Each Port Health Office is responsible for their own data management – there are not any national requirements to record this information. Individual port health offices do not currently record the weight used from each certificate as set out on the processing statement. The full weight of the consignment exported is recorded.

Port data returns record each Annex IV processing statement, noting the consignment weight, the main 2 species and total number of contributing catch certificates, specifying the flag state and corresponding catch certificate numbers.

Port Health officers check and verify that the products and quantities on-the accompanying catch certificates are related to the Annex IV Processing statements. These are cross checked with other documents such as the health certificates and invoices.

5.5 How many requests to authorise APEOs have you received and how many APEOs have you authorised?

None.

5.6 Please explain briefly the administrative rules referring to the management and control of APEO.

The administrative rules will not have changed since the last report. Please refer to the text below:

The initial application will be sent to our Customs department who will assess the applicant's eligibility for AEO status (basic and full AEO) before referring the application to the UK SLO for verification of compliance with Common Fisheries Policy rules. The UK SLO will then assess the application against the requirements laid down in Art 16 (3) a-e of EC 1005/2008 and Art 10 to 14 of EC 1010/2010. The UK SLO team have been trained on the methodologies required to risk assess security levels of importers premises and their supply chain which is specifically relevant to Art 13 of EC 1010/2009.

When required, the UK will develop a process to monitor and audit the management of records and risk assess security levels of successful APEOs premises. These would form part of a list of components for an APEO performance review.

5.7 How many re-export certificates were validated by your country for imported products from 1 January 2012 until 31 December 2013? Please detail per year and, if possible, per destination country.

There were 31 re export certificates validated in 2012 and 89 validated in 2013.

5.8 Do you monitor if the catches for which you validated a re-export certificate actually leave the EU?

Except in the case of rejected consignments the UK Catch Certificate Centre and Port Health do not physically check that consignments leave the EU but the exporting company provides the UK Catch Certificate Centre with the bill of lading listing the goods prior to validation of the re- export documents. In most cases the goods are booked onto a container with the port authorities.

5.9 Has your country established any IT tools to monitor the catch certificates and processing statements accompanying imports? Does it include a module for re-exportation of imported catches?

No bespoke IT systems have been developed for the monitoring of catch certificates at a National level.

Tools to specifically monitor the weights used from catch certificates on processing statements for imports have not been developed – this would be of limited value at an UK level as parts of catches processed may be imported through other MS.

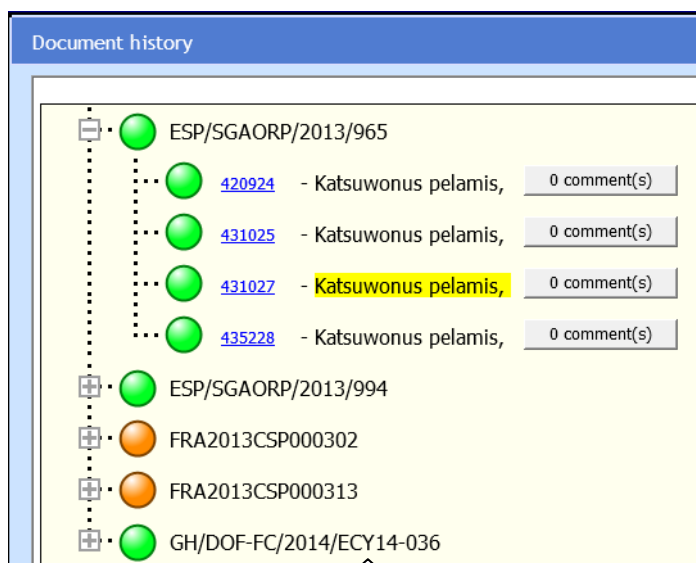
The delivery of controls is carried out by existing authorities, the monitoring of imports and certification is carried out in conjunction with other official controls and details recorded on local border control systems. UK ports use a variety of internal systems for recording fishery imports.

The PHILIS System

The larger seaports Felixstowe, London (Tilbury, Thamesport and Gateway) all use the PHILIS information management system, which is able to log catch certificate numbers and details about the consignment.

The system has a feature that allows a catch document's history to be viewed so that any repeat use can be identified as well as any comments regarding previous imports.

This system is currently being developed to enable a scan copy of all the catch documents to be retained as part of the electronic record. Further developments are being planned which may include recording/ monitoring the weights used from the Annex IV, and will include the more intelligent use of risk information.



All the certificates relating to the consignment can be seen in the history tool. Green indicates that there were no issues with the consignment and amber indicates that there was an issue.

Expanding the tree allows all imports where the certificate was reference to be viewed along with any relevant comments. Comments can be made on a per certificate basis and can be viewed in any new consignment 'job record.'

At seaports imports are monitored through the electronic manifest systems Destin8 and CNS, imports are screened to assess whether the products require a catch certificate. The import/consignment is then risk assessed against UK alerts/MA requests and local port health intelligence in respect of importers, trade pattern, species, etc (risk assessment tool box).

In Northern Ireland there is only 1 place where 3rd country fish imports arrive, Belfast Airport. A summary electronic spreadsheet of IUU imports is maintained, a checklist has been developed for reconciling catch certificates and processing statements.

The Customs Handling of Import and Export Freight (CHIEF) system carries out the final profiling for consignments. Customs tariff controls through document codes are in place to ensure that verifications have been carried out for products in scope for the Regulation. The CHIEF system controls the release onto the EU market. From the 1st May 2014 the outcome of IUU verifications for fishery products subject to veterinary examination will be confirmed within box 42 of the CVED. This will be rolled out UK wide via an electronic checking system - the Automatic Licence Verification System (ALVS) which will automatically match the results of the CVED check and any IUU checks for imports.

The MMO are responsible for verification in respect of Re-exported consignments. Certificates and all supporting documentation are simply scanned and recorded electronically.

Direct third country fishing vessel landings

England and Wales

Details of the catch certificates and landing declaration for all imports directly landed by 3rd country vessels are recorded onto an excel spreadsheet as a cumulative ongoing list. In addition an audit checklist is completed for each landing.

The spreadsheet records name of vessel, date of landing, processing statement reference, catch certificate document number, species, importer name, presentation of species, net weight, live weight, and transit goods.

Duplicate catch certificate document numbers are flagged. This regularly occurs for Russian catch certificates that accompany transit goods from Velsen; further checking is carried out to ensure that the weight of goods imported to date does not exceed the weight in the catch certificate.

Scotland

Scotland has developed a purpose built access database for the inputting of all information contained on a catch certificate for a UK landing. Please see screen shot of the database in Figure 1 for the data fields recorded.

The operators of the United Kingdom Fisheries Call Centre (UKFCC) are responsible for entering all information and processing the catch certificate. If it is necessary they will contact the sender of the certificate if incomplete information has been provided to ensure all required data has been collected.

All received documentation is forwarded to the port of landing to assist any inspections that take place and all documents are scanned and stored within a Scottish Government electronic recording and data management system.

An officer (British Sea Fisheries Officer) within the Marine Monitoring Centre is then responsible for checking over the final detail of the catch certificate, prior notification of landing and pre landing declaration before validating the catch certificate and authorising the vessel to land.

Scotland does not have any re-export trade, so there is no module for recording this information.

Northern Ireland

No designated ports for 3rd country fishing vessels in Northern Ireland.

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

Yes, checks in accordance with Article 19.2 are carried out at the point of entry in the UK.

There are very few consignments that transit the UK as there are no road borders. There are occasional 3rd country to 3rd country transits by road between airports (Gatwick and Heathrow). There is no requirement for the catch certificate to be validated for these consignments as they are not for import. The control/monitoring of these consignments from a Customs perspective is managed by the New Computerised Transit System (NCTS).

Consignments transshipping within the UK are not required to be accompanied by a catch certificate and checks on transshipments are carried out by port health at seaports by monitoring the electronic manifest control systems. Where transshipment is to another UK port the consignment will not be permitted to move there unless the port is authorised to complete catch certificate checks.

Section 6: Catch certification scheme for exportation

Please state your notified authorities under article 15.2:

IUU Catch Certificate Centre, Marine Management Organisation

UK Fisheries Call Centre

6.1 Has your country established a procedure for validation of catch certificates for exportation of catches from own vessels?

Yes.

The UK Fisheries Call Centre validates export catch certificates where the UK fishing vessel is to land in a notified 3rd country or a processing state. The UKFCC operators will check to ensure all applicable information has been received for a UK vessel landing into a third country before validation of the catch certificate is carried out.

The IUU Catch Certificate Centre team validates freight export catch certificates where the UK fishing vessel has landed in the UK or the EU. An Audit check list is completed for each catch certificate.

Verifications are carried out by the appropriate UK administrations. England and Wales together by the Marine Management Organisation (MMO), Scotland by Marine Scotland (MS) and Northern Ireland by Department of Agriculture and Rural Development (DARDNI)

A risk check is carried out by reference to the 6 IUU benchmark categories; Business, Country, Documents, Species, Trade & Vessel. The overall risk factor then determines the frequency and depth of verification to be carried out against the catch certificate details. Some checks will always be carried out e.g. have there been any infringements?

The tools used in this verification are listed in the audit checklist and are broken down into 3 areas, internal monitoring databases held in a system called CITRIX, public PSC databases such as RMFO websites and intelligence from the SLO or coastal office.

Overall low risk: One in five catch certificates from the same importer are verified.

Overall medium risk: One in 3 catch certificates from the same importer are verified.

Overall high risk: All catch certificates from the same importer are verified.

Certain facts in any risk category automatically override any low risks in other categories. For example: infringements by a vessel or business, new traders, or just new species being traded, exports to new countries or inconsistencies between catch certificates and any supporting documentation.

The depths of the checks are focused on the categories which have been highlighted medium or high risk, most commonly this involves quota species, vessels with infringement records or distant water vessels. In all cases the vessel prosecution file is checked, the logbook will be checked depending on the species

exported. For fishing vessels in external waters, full checks and intelligence is verified.

6.2 If yes: How many catch certificates did your country validate from 1 January 2012 to 31 December 2013? If possible, please provide details per requesting country/country of destination in the following table.

The UK catch certificate centre validated 395 and 259 catch certificates in 2012 and 2013 respectively. The countries of destination were typically Morocco, Vietnam, Ukraine and China.

The UK Fisheries Call Centre in Scotland validated 114 and 127 catch certificates in 2012 and 2013 respectively. Marine Scotland do not currently record the country of destination on their database but will arrange for this information to be captured in future. The destination for most consignments is Norway.

6.3 Has your country establish any IT tool to monitor the catch certificates validated for exports stemming from own vessels?

UK has a strong monitoring system and enforcement measures for UK local waters and fishing vessels landing in the UK. UK vessels that are flagged medium and high risk are checked on MCSS held within the CITRIX system mentioned in 6.1 for any offences or prosecutions, before validating the export catch certificate.

For the IUU Catch certificate centre, all catch certificates are manually validated, they are then saved electronically as a scanned copy in a pdf format and the hard copy sent to the exporter.

For the UK Fisheries Call Centre (UKFCC), the access database has also been designed to be able to output validated catch certificates.

The UKFCC operators upon receipt of the information from the master of the UK vessels landing abroad will input the information into the database, select to validate the catch certificate and send it directly to the vessel and representative that sent the initial information notifying of the landing into a third country.

6.4. Do you monitor that the catches for which you validated Catch Certificates actually leave the EU?

No.

6.5. Have you ever refused the validation of a catch certificate?

No.

Section 7: Verifications of catch certificates for importation

7.1 Has your country established a procedure for verification of catch certificates for importation?

In the UK, catch certificates are checked and verified by Port Health officers at the point of import.

The guidance documents that set out the arrangements for the conducting of checks are *Guidance Note for Enforcement Authorities* on the application of the IUU regulations (**Annex 2**). These guidance documents are followed when carrying out verifications at the point of import.

7.2 How many catch certificates have been verified from 1 January 2012 until 31 December 2013?

The UK carries out 100% checks on import catch certificates. Further verification can be classified as follows:

1000's of unrecorded Art 17 (1-3) verifications in cases where we "may" carry out verifications under risk management. These minor verifications include phone calls to the importer for clarification or background checks using RFMO website databases and other verification tools taken from the EFCA verification reference sheet.

246 Art 17(4) or 17(6) flag state competent authority verifications have been carried out by the UKSLO.

7.3 Does your country use a risk assessment approach for verification of catch certificates?

The UK carries out 100% checks on IUU documents but further verifications will be based on a risk assessment of the consignment.

The UK has developed a simple risk management tool that delivery partners at our borders can use to assign a level of risk for a particular consignment/cargo so as to apportion resources according to the level of risk (60% to high, 30% to medium and 10% to low risk).

The model assumes a normal distribution representing 100% of resources which is divided into 3: low, medium & high risk rating. The benchmarks for inspection, Art 4 of EC 1010/2009, have been allocated to 6 broad risk categories: Business, Country, Documents, Species, Trade and Vessel. We have populated each risk category with objective sources of information (website databases, links to trade data analysis, etc) that will help port health authorities determine the risk rating of a consignment.

7.4 Does your country also physically verify the consignments?

Port Health authorities verify 100% of consignments for phyto-sanitary and veterinary purposes and cross check information on the health certificate with that of the catch certificate.

Section 8: Verification requests to flag States

8.1 How many requests for verifications have been sent to third country authorities?

Please refer to the response in 7.2.

What were the main reasons for these requests? Please specify by using the reasons provided in articles 17.4 and 17.6 of the IUU Regulation.

Formal verification requests were sent to flag states for a variety of reasons. These included minor issues such as the confirmation of a signatory or seal from a flag state competent authority to more complex issues. The latter has led to imports being detained at the UK border subject to a response from the flag state and further investigation.

In the latter part of 2012 and throughout 2013 the UK IUU team started 2 separate investigations pertaining to the import of fishery products where it was suspected that the fish had been gained in contravention of RFMO conservation and management measures and coastal flag state laws. This has culminated in numerous article 17 verification requests being sent to the flag state concerned.

8.2 How many requests for verification were not replied to by the third country authorities within the deadline provided in article 17.6 of the IUU Regulation? Does your country in these situations send a reminder to the third country authorities?

We do not record the quantity of formal verification requests that were not replied to with 15 days or a further extension requested (in accordance with article 17(6b)). However in such cases a reminder is sent out to the flag state competent authority for a response.

8.3. Was the quality of the answers provided overall sufficient and satisfactory enough to satisfy the request?

In most cases the quality of the response was sufficient enough for the team to make a decision on the fate of a consignment. In the rare case that the response was not enough to proceed with then the flag state competent authority would be contacted either via email or a second formal verification request. These requests being drafted and sent via an electronic letter head format.

Section 9: Refusal of Importations

9.1 Has your country refused any imports from 1 January 2012 until 31 December 2013? If yes, please provide details in the table below:

Yes.

Reason for refusal of importation	2012		2013	
	Flag State	No.	Flag State	No.
Non-submission of a catch certificate for products to be imported.	Morocco	1	India	1
	Sri Lanka	2	China	1
The products intended for importation are not the same as those mentioned in the catch certificate.			USA	3
			Vietnam	1
			India	1
The catch certificate is not validated by the notified public authority of the flag State			USA	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).	Spain	1		
	Korea	2		
A fishing vessel figuring on the catch certificate as vessel of origin of the catches is included in the Community IUU vessel list or in the IUU vessel lists referred to in Article 30.				
Further to the request for verification (Article 18(2))	Spain	1		
	Thailand	1		

9.2 If the answer to 9.1 is yes, what did your country do with the fishery products?

2012		
Flag state of CC	Reason for rejection	Fate of consignment
Morocco (processed in Morocco)	No catch cert	Redispatched back to Morocco
Sri Lanka (processed in Sri Lanka)	No catch cert	Destroyed
Spain and Ghana (processed in Ivory Coast)	Spanish vessel ZUBEROA in violation of the Liberia Fisheries Regulation	Redispatched back to Ivory Coast
Spain (processed in Turkey)	No processing statement from Turkey	Redispatched back to Turkey
Thailand (processed in Thailand)	Fish caught by different vessel in a different catch area to that stated on CC	Redispatched back to Thailand
Thailand (processed in Thailand)	Fish caught by different vessel in a different catch area to that stated on CC	Redispatched back to Thailand
Sri Lanka (processed in Sri Lanka)	No catch cert	Destroyed
Korea (processed in Korea)	No supporting information to prove that CC is for this consignment	Redispatched back to Korea
Indonesia and Korea (processed in Malaysia)	Korean CC not for the fish in this consignment	Destroyed
2013		
Flag state of CC	Reason for rejection	Fate of consignment
USA (processed in Korea)	Products in consignments not the same as those on CC	Destroyed
India (processed in India)	No catch cert	Destroyed
China (processed in China)	No catch cert	Destroyed
USA (processed in China)	Fraudulent CC – Chinese authority had used the CC for this fish for other consignments	Redispatched back to China

Vietnam and India (processed in Singapore)	Species of threadfin bream in product not the same as species on CC	Redispatched back to Singapore
China, Russia, USA (processed in China)	Species of sole on USA CC not same as that which is in the consignment	Redispatched back to China
China, South Africa, USA	Species of sole on USA CC not same as that which is in the consignment	Redispatched back to China
China, Russia, USA	Species of sole on USA CC not same as that which is in the consignment	Redispatched back to China

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

In our national legislation (Art 7(4) of the Sea Fishing Order 2009) there is an appeal route for importers who wish to contest a refusal of importation. The MMO did not receive any appeals.

Section 10: Trade flows

10.1 Did you note a change of imports of fishery products since the introduction of the IUU regulation? Please provide information, deriving from your statistical data, concerning change of trade patterns in imports into your country of fishery products.

There does not appear to have been any significant changes to trade flows since the introduction of the IUU regulation.

Section 11: Mutual Assistance

11.1 How many mutual assistance messages of the Commission has your country replied to?

The UK Single Liaison office has responded to 17 Mutual Assistance requests.

11.2 Has your country sent any mutual assistance message to the Commission/other Member States?

Yes.

The following Mutual Assistance requests were sent:

12th March 2013 UK to Ireland: A request for information on the movement of mussel shellfish from Youghal Co. Cork.

24th May 2013 UK to France: Operation Papillion – Quota Offences. A request for information on multiple UK flagged vessels.

Section 12: Nationals

Please state your notified authorities under Article 39.4:

Illegal Unreported Unregulated (IUU) Fishing Team, Marine Management Organisation

12.1 What measures has your country implemented since 1 January 2012 or already had in place on 1 January 2012 to ensure that your country can take appropriate action with regards to nationals involved in IUU fishing?

The Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order 2009.

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 during this last reporting period. However local fleet operators will typically notify coastal officers of 3rd country vessels seen locally.

12.3 Has your country endeavoured to obtain information on arrangements between nationals and third countries allowing reflagging of their vessels? If yes, please list of vessels.

No.

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

13.1 How many infringements did your country record from 1 January 2012 until 31 December 2013?

The UK has prosecuted approximately 36 cases in the criminal courts and has 97 actions pending. The 'first figure does not include Administrative Penalties or Official Written Warnings, and the outcomes of the Actions Pending may not be a prosecution.

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

Our Crown courts have always had unlimited fines available.

13.3 How many sighting reports were issued by your country from 1 January 2012 until 31 December 2013?

None

13.4 Has your country received any sighting reports for its own vessels from other competent authorities?

No.

14. General

14.1 What have been the main difficulties that you have encountered in implementing the catch certification scheme?

- Lack of clear and consistent definitions of import and transit.
- Expectations by flag states, coastal states and businesses in the supply chain that the catch certificate is a substitute for a logbook or landing declaration.
- Expectation by businesses that a catch certificate guarantees the import of the goods and failure on the part of businesses to adopt a strategic risk management system of their own.
- Port Health Authorities having direct access to the Specimen Management System.

14.2 What changes would you suggest to the regulation that would make implementation smoother?

- A central SMS system.
- Using risk based approach to justify use of streamlined import procedures

15. Any other comments

There should be a rigorous survey of Member State implementation strategies to ensure that all Member States are applying the regulations in a consistent way. For example make it crystal clear to Member States that offences (or investigations into offences) against the CFP are covered by the IUU regulations and Member States are obliged to not validate catch certificates where they consider offences to be serious under their own national rules.

More work between the Single Liaison Offices to communicate the results of verifications based on catch certificates validated by flag states where information suggests that had the flag state known about the alleged offending they would have considered not validating it.

The lack of a central data base to record the catch certificates of all Member States is often identified as a weakness in the IUU scheme. When considering the development of such a system we may be seen to assume the responsibilities of the flag state to monitor its own exports, so it must be clear that the purpose of any such database is to feed back a cross check to the flag states or processing states. So we suggest that the first steps are to take a particular trade perhaps tuna, Alaska Pollock or Barents Sea cod to ascertain what such a data base would look like and whether there are in fact any suggestions that exporters are exploiting weaknesses in flag state co-operation between their Catch Certificate validation authorities and their Fisheries Control authorities.