

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

Member State: CYPRUS

Organisation: Department of Fisheries and Marine Research (DFMR)

Date: 27/04/2012

Name, position and contact details of responsible official: Georgios Ioannou, Control Officer

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

Yes: ✓

Yes except for questions (list):

No:

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)?

YES ✓ NO

If yes, please detail and provide copies. Ministerial Council Act adopting the Regulation and designating DFMR as the competent authority.

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.)?

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

Currently two District Offices are dealing with IUU. Limassol District Office deals with processed consignments arriving to Limassol port and Larnaca District Office that controls mostly fresh products that arrive to Larnaca airport. Both Offices have direct access to SMS system and perform physical and administrative verifications directly to the consignments that arrive to the designated port of entry of their jurisdiction. It is noted that the pre-mentioned District Offices keep the original documents (for a minimum period of three years) for easy reference and verification purposes. If assistance from the Head-quarter is needed then there is direct communication to the Officer in charge and all the documents concerned are send through the relevant email address where all the employees involved with the IUU procedures have access. The necessary communication with EU is done from the HQ with the input of District Offices, as for the communication with 3rd countries this is done mostly by the District Office concerned with the authorization of HQ.

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

There is direct cooperation with Custom Services and access to DFMR is allowed to SMS. If a consignment involves fishery products that follow within the scope of IUU Regulation then the products are held in Customs and are not released to the market unless a certified copy of the relevant Catch Certificate (sealed with the appropriate official DFMR seal and signed by authorised DFMR personnel) is shown to the Custom Services. There is also cooperation regarding confiscation of products with Custom and Veterinary Services. Confiscated products usually are temporary held either to Custom or Veterinary Services storages. Cooperation with other authorities is also achieved during export of Cyprus fishery products or at landing of fishery products from third country fishing vessels. Please find below a short summary of the three main procedures that require cooperation of various authorities in Cyprus:

Import of fisheries products

A copy of the certified Catch Certificate and other necessary accompanying documents are submitted by the importer/clearance officer to the DFMR three working days prior to the estimated arrival date at the point of entry of the Member State (MS) (Limassol Port or Larnaca Airport), or at least 4 hours beforehand if it concerns imports of *fresh* fisheries products. The documents may be sent via email (fisheriescontrol@dfmr.moa.gov.cy) or fax (**25 305543 for imports into Limassol Port** and **24 304575 for Larnaca Airport**). Also when submitting documents for custom clearance of fishery products, the importer or clearance officer must notify the Inspector on duty on **99 489645 for imports into Larnaca Airport** and on **99 486130 for imports into the Limassol Port**.

Following the above procedure, and once the DFMR conducts an administrative inspection and decides that there is no reason to conduct verification inspections (physical check), the DFMR seals and signs the fishery catch document and hands it to the importer/clearance officer once the original fishery catch document is submitted to the District office, where it is filed and kept for a minimum period of three years. It is noted that a physical inspection is nearly always conducted when fresh fishery products are imported into Larnaca Airport.

If during a physical inspection it is decided that there is a need to verify information and identify the fishery products based on the declared information, the DFMR informs the importer/clearance officer and proceeds onsite to the entry points and conducts the physical inspection. In this instance and following the completion of the inspection, the Inspector writes down his/her decision and seals and signs a copy of the fishery catch document, while keeping the original. It is noted that a physical inspection is always conducted when the catch certificate and other necessary documents are not submitted in the required time period.

If the catch certificate or other required documents are missing relevant information based on the Regulation, or the original documents are not submitted, the DFMR will hold the fishery products in storage (refrigerators/freezers) and will only release them to the importer once all the required information based on the Regulation is received within 15 days. During the verification period, the flag state may be asked to demand an additional extension of 15 days in case it is unable to respond in the designated time period. The storage facility must be under the supervision of the competent Authority. The importer/clearance officer shall bare the financial cost for storage.

Upon refusal to import in accordance to the Regulation, the DFMR shall confiscate the fishery products and proceed with the necessary actions, based on the requirements of the “National Law No 134(I)/2006 for the Application of Community Decisions and Community Regulations that concern the Fisheries Sector of 2006 was reformed with the addition of Law N 183 (I)/2013”.

It is noted that Cyprus has only one customs body and the transit of fishery products is not applicable. As of this, Article 19(2) does not apply for Cyprus.

Landing of fishery products from third country fishing vessels

The captains of third country fishing vessels submit to the member state (Cyprus) before landing or transshipment procedures (4 hours earlier) if possible, the pre-notification document on which the landing or transshipment fishery product quantities are described, by species, as well as with the date and location of catches.

For a third country flag vessel to dock in the Limassol port, the Ports Authority must be first notified of the vessels' intentions, and the Port Authority shall notify in turn the DFMR as the competent Authority to enforce the Regulation, which in turn shall check if the specific vessel is not an IUU vessel, and hence give directions to the Port Authority as to whether to allow the docking of the vessel or otherwise.

For fishery products caught from third country vessels and landed at European Union ports, a verified fishery catch document must accompany the products.

The competent authorities of the Member State (Cyprus) keep the original or copies in the case of pre-notifications submitted electronically, as well as verified fishery catch documents for a minimum period of three years.

The DFMR is responsible for communicating to the Committee the quantities landed and/or transhipped from third country vessels in its ports every trimester.

Export of fishery products caught by Cyprus fishing vessels to third countries

For the export of any fishery product that was caught by Cypriot fishing vessels to a third country that requires the provision of the relevant fishery catch document, the DFMR as the competent Authority must provide and certify the document. The DFMR must certify the legality of the fishery products and certify all information on the document. Following this, the DFMR communicates with the Veterinary Services and Customs for the provision of the necessary accompanying documents and the realisation of the inspections and export of the products. The DFMR keeps a copy of the fishery catch document.

The DFMR as the competent Authority for the implementation of the Regulation ensures that all the provisions of the Regulation are met to allow for its smooth implementation as of January 2012, since the Regulation was set into practice.

c) how many persons are involved in the implementation of the catch certificate?

1 Officer and 1 Inspector at head-quarters, and 7 Inspectors at two District Offices. None of the above mentioned employees is fulltime involved with the implementation of Catch Certificates and the IUU Regulation in general.

If different, please distinguish between direct landings of 3rd country fishing vessels and other imports (processed products): ///

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.

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

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

Please list your designated ports: *Limassol Port and Larnaca Port*

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

Port name*	No. of landings	Comments	No. of transshipments	Comments
Total		--		--

* 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? *Zero*

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.

YES _____ NO *✓* _____

If yes, please detail:

- a) in which ports;
- b) the nature of problem;
- c) vessel details (name, flag, master, etc.);

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

YES _____ NO *✓* _____

If yes, please detail:

- a) in which ports;
- b) the nature of problem;
- c) vessel details (name, flag, master, etc.);

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.

They use the prior notification form. So far we have had only visits for fuelling purposes.

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 transhipment of fishery products? **Zero**

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

Reason for inspection :	Flag State
Sighted at sea in activities that may be considered illegal, unreported and unregulated	
Based on the EU IUU vessel list	
Other (please detail)	Entering designated port for fuelling purposes

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

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

YES _____ NO ☒ (Due to the limited number, we proceeded to inspections to all third country vessels)

If yes, please detail.

4.5 Has your country detected any infringements?

YES _____ NO ☒

- If yes, how many and of what nature? Please specify.
- If yes, did your country apply the procedure in case of infringements as foreseen in article 11?

Section 5: Catch certification scheme for importation

Please state your notified authorities under articles 17.8 and 21.3: *Department of Fisheries and Marine Research (DFMR)*

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

If possible, please provide details per flag State.

A/A	COUNTRY	CATCH CERTIFICATES	VERIFICATION REQUESTS	ANNEV IV
1	THAILAND	580	8	54
2	CHINA	181	7	14
3	INDIA	134	2	0
4	VIETNAM	35	2	2
5	NORWAY	14	1	1
6	NEW ZEELAND	277	2	17
7	EGYPT	114	0	0
8	INDONESIA	41	3	1
9	PHILIPPINES	22	3	0
10	SOUTH AFRICA	16	1	0
11	SEYCHELLES	75	0	9
12	MOROCCO	33	1	0
13	CANADA	38	0	0
14	USA	14	0	0
15	TAIWAN	33	2	0
16	ARGENTINA	4	0	0
17	SRI LANKA	3	0	0
18	MALAYSIA	3	1	0
19	MAURITANIA	4	0	0
20	NAMIBIA	1	0	1
21	BANGLADESH	1	1	0
22	MALDIVES	18	0	0
23	SENEGAL	715	0	0
24	OMAN	58	0	0
25	TUNISIA	46	2	0
26	TANZANIA	2	1	0
-	<u>TOTAL</u>	<u>1896</u>	<u>37</u>	<u>99</u>

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. [Zero](#)

RFMO \ Year	2012	2013
ICCAT BFT		
Dissostichus spp. (CCAMLR)		
CCSBT CDS		
Total		

5.3 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 refer to table in 5.1 for details](#)

5.4 Please explain if the information in processing statements referring to the corresponding catch certificates is retained and recorded. [Yes](#)

5.5 How many requests to authorise APEOs have you received and how many APEOs have you authorised? [No APEOs in CY](#)

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

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. [N/A](#)

5.8 Do you monitor if the catches for which you validated a re-export certificate actually leave the EU? [N/A](#)

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?

YES_____ NO___[√](#)___

If yes, please detail.

5.10 Does your country implement the provisions regarding transit under Article 19.2 at the point of entry or the place of destination? [Cyprus has only one customs body and the transit of fishery products is not applicable. As of this, Article 19\(2\) does not apply for Cyprus.](#)

Section 6: Catch certification scheme for exportation

Please state your notified authorities under article 15.2: [Department of Fisheries and Marine Research \(DFMR\)](#)

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

YES___[√](#)___ NO_____

If yes, please explain briefly the established procedure. [Refer to the procedure in 2.1 b\)](#)

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. [Zero](#)

Destination State	IUU Regulation	Year	
	(art. 14.2 / art. 15)	2012	2013
Third Country 1			
Third Country 2			
Third Country 3			
Third Country x			
Total	--		

6.3 Has your country establish any IT tool to monitor the catch certificates validated for exports stemming from own vessels? [Not necessary yet](#)

YES_____ NO____☒____

If yes, please detail.

6.4. Do you monitor that the catches for which you validated Catch Certificates actually leave the EU? [N/A](#)

If yes, please detail.

6.5. Have you ever refused the validation of a catch certificate? [N/A](#)

If yes, please detail.

Section 7: Verifications of catch certificates for importation

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

YES____☒____ NO_____

If yes, please detail [Please refer to Section 2 a\) and b\)](#)

7.2 How many catch certificates have been verified from 1 January 2010 until 31 December 2011? [1896 consignments entered Cyprus. Out of these consignments verification requests have been set out for 37 cases.](#)

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

YES____☒____ NO_____

If yes, please detail.

[Every consignment that is stemming from a third country that had never exported products to Cyprus is subject to physical inspection. Consignments of fresh products are also subject to physical inspection. Consignments of products that are under management measures are also subject to physical inspection. Also there is a list of “suspected countries” from information received by the Commission and other MS and priority is given to physical inspection on consignments deriving from those countries. Finally, according to the IUU Regulation, when the prenotification is not on time to our Office then unavoidably the consignment goes through physical inspection.](#)

7.4 Does your country also physically verify the consignments?

YES____☒____ NO_____

If yes, please detail (reason, method of selection, number, etc.). [More than 1200 consignments](#)

Section 8: Verification requests to flag States

8.1 How many requests for verifications have been sent to third country authorities? **At least 37**

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.

Wrong seal and/or signature according to SMS application.

The data did not fully match with the products (kg), verified weight that is more than the actual landed weight.

Lack of conservation management measures on the catch certificate.

There was absence of the serial number of the CC.

Large quantities, claimed to be caught by the same fishing vessel.

3rd Country Authorities issued and validated three catch certificates for the same consignment stemming from various vessels for the same species and period.

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?

In several cases it was not easy to contact the competent authorities and the communication was transmitted by the exporter or with the assistance of other MS or even by the Commission that actually on some cases was able to give information, especially regarding SMS updates.

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

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:

Reason for refusal of importation	2012		2013	
	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				
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 Community IUU vessel list or in the IUU vessel				

lists referred to in Article 30.				
Further to the request for verification (Article 18(2))				

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

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

YES_____ NO_____

If yes, please detail.

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.

No, since the third countries that used to trade fishery products to Cyprus have been in compliance with the IUU Regulation and the trade in general flows regularly. Only in one case we have been asked about imports from Somalia and we explain to the importer that the specific country is not authorised to trade fishery products directly with the EU and we advise him to speak with the competent authorities of Somalia. However the above mentioned country was not exporting fishing products to Cyprus even from before the enforcement of the IUU Regulation.

Section 11: Mutual Assistance

11.1 How many mutual assistance messages of the Commission has your country replied to? Cyprus reply, or try to reply to all Commission's messages regarding mutual assistance, even on the messages that required no action by Cyprus. We have replied at least to 11 messages.

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

YES___√___ NO_____

If yes, please detail.

The messages to Commission and to other MS referred mostly to SMS issues

Section 12: Nationals

Please state your notified authorities under Article 39.4: Department of Fisheries and Marine Research (DFMR)

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? See Section 1

12.2 What measures has your country taken to encourage nationals to notify any information on interests in third country vessels (Article 40.1) See Section 1

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.

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? [Zero](#)

Please detail.

13.2 Has your country applied or adapted its levels of administrative sanctions in accordance with Article 44? [No, but according to our Legislation, the Director can issue fines up to €17.000, depending on the infringement. Also by the Ministerial Council Act referred to Section 1, serious cases can be prosecuted to the court of Law.](#)

13.3 How many sighting reports were issued by your country from 1 January 2012 until 31 December 2013? [Zero](#)

Please detail.

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

YES_____ NO_____ [√](#)_____

If yes, please detail.

14. General

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

[The catch certificates come in many different formats and almost every country has its own format, which makes the validation more difficult. Even though all fields refer to the same information the fact that in some cases it is written in other languages than English it is also a problem.](#)

[On the Simplified CC, the fishing area is not required; in addition when the fishing vessels are listed with identification numbers it is impossible to track them by web-based registers.](#)

[There is no immediate SMS update and no removal of old seals and signatures at all.](#)

[Some countries have official seals with black ink, or are put as printouts that make the original look like a copy.](#)

[Some countries have their seals in 3d effect \(creating touching sense, embossed\) which is difficult to control prior to the acquisition of the original, or even through SMS application.](#)

[We have no access to South Africa's website to check the CC, yet. The validation is done via emails with the competent authorities.](#)

[Even though the Commission has send to MS a consolidated list with the contact details of the competent Authorities of each country \(email\) there is still some difficulty for MS to contact the relevant competent authorities of some 3rd countries and to apply the provisions of Article 17.](#)

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

An electronic form of the catch certificate could make the job easier.

The creation of a common database is more than necessary.

The database should include all the information that is written/required in the Certificate. It should also contain update contact information of all MS and third countries involved. It would also be useful to have a link to all the management measures apply in a regional or even at national level. Such a system should follow the scheme of the “Traces” system for veterinary checks and electronic input of Catch Certificates information by operators should be required.

The simplified CC should also include fishing area.

15. Any other comments

Thank you for your cooperation!