



*Ministero delle politiche agricole  
alimentari e forestali*

DIPARTIMENTO DELLE POLITICHE COMPETITIVE, DELLA QUALITÀ  
AGROALIMENTARE E DELLA PESCA

DIREZIONE GENERALE DELLA PESCA MARITTIMA  
E DELL'ACQUACOLTURA

EX PEMAC II

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*Alla*

Commissione Europea

MARE A4

MARE-NOTIFICATIONS-IUU-1005-2008@ec.europa.eu

*E. p.c.*

Rappresentanza Permanente  
d'Italia presso l'Unione Europea

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Solo via e-mail, in pari data

Oggetto: **Biennal report under the IUU Regulation.**

Riferimento nota n° ARES (2014)837717 del 21.03.2014

A riscontro di quanto richiesto con la nota in riferimento, si trasmette, in formato elettronico, il rapporto biennale sull'applicazione della normativa INN e relativi allegati.

Riccardo Rigillo  
Direttore Generale

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

Member State: **Italy**

Organisation: **Ministero delle Politiche Agricole, Alimentari e Forestali – Direzione Generale della Pesca Marittima ed Acquacoltura (DG PEMAC)**

Date: **30.04.2014**

Name, position and contact details of responsible official: **Vittorio Giovannone, officer of Italian Coast Guard – email: [v.giovannone@mpaaf.gov.it](mailto:v.giovannone@mpaaf.gov.it); office: +390646652839**

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

Yes: **X**

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 **X** NO \_\_\_\_\_

If yes, please detail and provide copies.

- **Circular n°34746 on the 4<sup>th</sup> March 2010 of DG PEMAC (copy attached).**
- **Circular n°4/D on the 11<sup>th</sup> March 2010 of Custom Agency (copy attached).**
- **Decreto Legislativo 9 gennaio 2012 n°4: “Misure per il riassetto della normativa in materia di pesca ed acquacoltura, a norma dell’articolo 28 della legge 4 giugno 2010, n.96” (copy attached).**

## 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);  
**With reference to the control activities, the main co-operation is with the Maritime Authorities – Coast Guard that, in particular, provide to: carry out the inspection of the third country vessels which eventually arrive in our national designated ports; cross-check the catch certificates issued by the same vessels and validate the same catch certificates issued by the national vessels for fishing products to be exported in the Third Countries.**

b) co-operation with other authorities and allocation of tasks for various authorities in the implementation of the IUU Regulation (Health, Customs, Navy, etc.);  
**According to the recalled Circulars, other important co-operation is with all the Authorities involved in border control such as Custom Agency and Health Authorities.**

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

**At central level, this activity is managed by the office PEMAC II of this General-Directorate and it involves 3 persons (1 manager and 2 officers) which provide also to coordinate the duties of the local Maritime Authorities. For the purposes of the Custom Agency, the activity is managed by the “Ufficio Metodologia e Controllo degli Scambi of Direzione Centrale Accertamenti e Controlli”, with 2 persons involved (1 director and 1 executive) that coordinate the activity of the local custom offices.**

If different, please distinguish between direct landings of 3<sup>rd</sup> 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.

**Yes, but not verification done.**

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

**Yes, in all the national commercial ports, there is a dedicate zone for import–export of goods and there are also dedicates ports for landing of fishing products coming from Third Country’s fishing vessels.**

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

*Please list your designated ports:*

- **Ancona;**
- **Brindisi;**
- **Civitavecchia;**
- **Genova;**
- **Gioia Tauro;**
- **La Spezia;**
- **Livorno;**
- **Napoli;**
- **Olbia;**
- **Palermo;**
- **Ravenna;**
- **Reggio Calabria;**
- **Fiumicino;**
- **Salerno;**
- **Taranto;**
- **Trapani;**
- **Trieste;**
- **Venezia.**

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?

**In this period, only 1 (one) Third Country vessel was in our national ports, without carrying out any landing/transshipment.**

Port name*	No. of landings	Comments	No. of transhipments	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?

**N.A. (see answer to 3.1).**

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 transhipment 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-transhipment provided by the Implementing Regulation 1010/2009 or those used in RFMOs? Please detail, when RFMO forms are used. **N.A.**

#### **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?

**N.A. (see answer to 3.1).**

4.2 How many fishing vessels were inspected between 1 January 2012 and 31 December 2013? none

Reason for inspection :	Flag State
Sighted at sea in activities that may be considered illegal, unreported and unregulated	<b>NO</b>
Based on the EU IUU vessel list	<b>NO</b>
Other (please detail)	//

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

**1 (one).**

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

YES ☒ NO ☐

If yes, please detail.

**Even if our national ports are not interested by a significant presence of Third Country vessels, every year, a national plan for fishing control is updated, providing also the risk management criteria for inspection.**

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:*

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

**57172**

If possible, please provide details per flag State.

Flag State \ Year	2012	2013
Thailandia	5787	3789
Tunisia	3816	3553
Senegal	2244	2111
Stati Uniti d'America	2093	1528
Morocco	1890	1507
Croazia	1776	251
Maldiva	1441	1355
Sudafrica	992	916
Sri Lanka	963	1400
Vietnam	900	831
India	786	1080
Egitto	727	869
Oman	710	695
Cina	652	803
Albania	561	897
Indonesia	454	534
Canada	426	386
Mauritania	376	558
Perù	361	426
Filippine	209	423
OTHER COUNTRIES	2838	3258
<b>Total</b>	<b>30002</b>	<b>27170</b>

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.

**In the electronic information system implemented by the Custom Agency, these statements is included into the “import declaration” without any distinction from the catch certificates.**

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

5.3 How many processing statements under Article 14.2 accompanied imports into your country? **N.A.**

If possible, please provide details per year and per processing country.

**In the electronic information system implemented by the Custom Agency, these statements is included into the “import declaration” without any distinction from the catch certificates.**

Processing State \ Year	2012	2013
PS 1	//	//
PS 2	//	//
PS x	//	//
<b>Total</b>	//	//

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

**Declarations produced from the processing plant are attached to the import declarations.**

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.

**None.**

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.

**The number of re-export certificates are included among those listed at number 6.2.**

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

**The effective movement of goods from EU is detected through the MRN (Movement Reference Number), associated with the Custom operation.**

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.

**The check line for the presence of catch certificates and transformation declarations is done through the eligibility check carried out by the control customs area of the Customs Agency. Checks are also carried out “a posteriori” – reviews the assessment of customs declarations – that allows, within three years, to review the customs declarations, to verify the correctness and completeness of all the particulars declared on the basis of the documentation submitted and listed in coded form in the fields of the DAU (Documento Amministrativo Unico) at customs clearance.**

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

**For the control of the transit goods, Customs uses a common monitoring system that provides the reporting of transit of goods followed by the information system NCTS - New Computerized Transit System - from start of transit to final destination of the goods (entered in free circulation, definitive export etc.)**

## Section 6: Catch certification scheme for exportation

*Please state your notified authorities under article 15.2:*

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.

**The catch certificates originated from Italian fishing vessels are verified and validated by Italian Maritime Authorities-Coast Guard (the same personnel authorized to verify and validate BDCs) and/or Health Services and they are attached to custom export declarations.**

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.

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Destination State	IUU Regulation	Year	
	(art. 14.2 / art. 15)	2012	2013
Third Country 1	<b>Croazia</b>	<b>1533</b>	<b>682</b>
Third Country 2	<b>Ucraina</b>	<b>513</b>	<b>410</b>
Third Country 3	<b>Moldavia</b>	<b>378</b>	<b>327</b>
Third Country 4	<b>Tunisia</b>	<b>227</b>	<b>186</b>
Third Country 5	<b>Albania</b>	<b>219</b>	<b>373</b>
Third Country 6	<b>Serbia</b>	<b>210</b>	<b>10</b>
Third Country 7	<b>Stati Uniti d’America</b>	<b>184</b>	<b>143</b>
Third Country 8	<b>Montenegro</b>	<b>146</b>	<b>181</b>

Third Country 9	<b>Bosnia-Erzegovina</b>	<b>97</b>	<b>139</b>
OTHER COUNTRIES		<b>439</b>	<b>756</b>
Total	<b>--</b>	<b>3946</b>	<b>3207</b>

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

YES\_\_\_\_\_ NO\_\_ **X** \_\_\_\_\_

If yes, please detail.

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

**Yes.**

If yes, please detail.

**The effective movement of goods from EU is detected through the MRN (Movement Reference Number), associated with the Custom operation.**

6.5. Have you ever refused the validation of a catch certificate? **NO**

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\_\_ **X** \_\_\_\_\_ NO\_\_\_\_\_

If yes, please detail

**If fishes are directly landed from the fishing vessels, the competent authority is the Italian Coast Guard. If fishes is imported through other transport means (e.g. airplane or trucks) the competent administrations are Customs and/or Health Services.**

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

**All catch certificates are verified through the CDC (Customs Control Circuit) that, based on risk analysis, chooses the type of control between documental, scanner o physical verification.**

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

YES\_\_ **X** \_\_\_\_\_ NO\_\_\_\_\_

If yes, please detail.

**Central Custom Risk assessment.**

7.4 Does your country also physically verify the consignments?

YES\_\_ **X** \_\_\_\_\_ NO\_\_\_\_\_

If yes, please detail (reason, method of selection, number, etc.).

**According to the CDC (Circuit Customs Control), as established by EC Reg. n.2913/1992, EC Reg. n.2954/1993 and EC Reg. n.450/2008, with the support of Health Services for species recognition (coordination provided in accordance with the above mentioned Circular n.4/2010).**

## **Section 8: Verification requests to flag States**

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

**2 (two).**

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.

**Well-founded doubts about the validity of the certificate and of the statements contained in it.**

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?

**None.**

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

**In general, the interested Third Country's Administration has given sufficient information in quick time.**

## **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:

**None**

<b>Reason for refusal of importation</b>	<b>2012</b>		<b>2013</b>	
	<b>Flag State</b>	<b>No.</b>	<b>Flag State</b>	<b>No.</b>
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?

**N.A.**

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.

**N.A.**

## 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 significant changes occurred.**

## Section 11: Mutual Assistance

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

**8 (eight).**

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

YES \_\_\_\_\_ NO **X** \_\_\_\_\_

If yes, please detail.

## Section 12: Nationals

*Please state your notified authorities under Article 39.4:*

**Mi.P.A.A.F. - Direzione Generale della Pesca Marittima e dell'Acquacoltura.**

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?

**Until the end of 2011, our main internal law in the field of sanctions system applicable for fishing infringements was represented by Legge n°963/1965" (as modified in 2010). This law already covered all the concrete cases related to the so called "serious infringements" as defined in EU IUU regulation. The recalled rules also define additional sanctions such as the seizure of the fishing tool (immediate and definitive if the tool is completely irregular), the seizure of the fishes caught if present and the suspension of fishing license or authorization (in case of repetitive infringements). Even if these "old" rules were already in line with the provision of EU IUU and CONTROL**

regulations, providing a real effectiveness and dissuasiveness of our sanctions system, at the beginning of 2012, our Administration issued a new national regulation (Decreto Legislativo 9 gennaio 2012 n°4) providing:

- the increase of the above money fines (now the minimum is 2.000 euros and the maximum is 12.000 euros, so that the first payment is now fixed at 4.000 euros);
- the implementation of point system for fishing license.

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

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?

**8937**

Please detail.

	2012	2013
Controls	<b>75.455</b>	<b>82.916</b>
Fish's seizures (kg)	<b>388.352,78</b>	<b>999.975,89</b>
<b>Administrative sanctions</b>	<b>3884</b>	<b>3919</b>
Amount of administrative sanctions (euro)	<b>6.717.129</b>	<b>7.168.412</b>
<b>Crime</b>	<b>529</b>	<b>605</b>
Commercial value of seizures (euro)	<b>4.660.000</b>	<b>12.000.000</b>

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

**Yes (see answer 12.1)**

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

**None**

Please detail.

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

YES \_\_\_\_\_ NO **X** \_\_\_\_\_

If yes, please detail.

### 14. General

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

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

**15. Any other comments**

**Thank you for your cooperation!**