

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

Member State: The Netherlands

Organisation: NVWA, Netherlands Food and Consumer Product Safety Authority

Date: 28-04-2014

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

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___

If yes, please detail and provide copies.

Internal work instructions:

- Netherlands Food and Consumer Product Safety Authority (NVWA)
- Customs
- The Dutch Fish Product Board (Pvis)

And into National Law:

- Uitvoeringsregeling zeevisserij

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);

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

- Customs are the first responsible for the checking (presence and content) of CC's of fishery products that are imported into the Netherlands. After the CC's and other documents are checked, goods are released by Customs and the documents (CC, transportdocument, etc) are sent to the NVWA, IUU Single Liaison Office (SLO), located in Echt. If Customs has doubts/questions about a transport, the single liaisons

office is contacted. Further verification is then done by the SLO. When they approve Customs will be notified and the goods will be released.

- Health certificates are also checked by Customs and during the Physical Inspection by the Border Inspection Post (NVWA, Food Authority)
- All CC's and other IUU related documents are archived at the NVWA, SLO/IUU located in Echt.
- Re-export documents are formatted and validated by the SLO/IUU.
- Direct landings of third country vessels are inspected in the harbour by Inspectors of the NVWA or the Border Inspection Post (fishery products and accompanying documents)
After the CC's and other documents are checked, documents (CC, transportdocument, etc) are sent to the NVWA SLO/IUU located in Echt.
- CC's for our own vessels are validated by the SLO/IUU located in Echt.
- Validation of CC's for shrimps is done by the Dutch Fish Product Board (Pvis). They are located in the harbour/Auction. The Dutch Fish Product Board is since 2014 dissolved. The validation of CC's shrimps is since 2014 done by de NVWA.

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

About fifteen (15) persons.

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.

Yes, till now we have done a few administrative checks of companies who trade in fishery products. Companies are inspected on inventory and documents.

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)

Please list your designated ports:

Vlissingen, Scheveningen, IJmuiden/Velsen, Harlingen, Eemshaven.
Den Helder (since 2014).

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
Velsen	83	(NAFO, NEAFC, ICCAT)		
IJmuiden	4	(NAFO, NEAFC, ICCAT)		
Eemshaven	12	(NAFO, NEAFC, ICCAT)		
Harlingen	2	(NAFO, NEAFC, ICCAT)		
Vlissingen	2	(NAFO, NEAFC, ICCAT)		
Den Helder	63			
Total	167	--		--

** 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?

About 80% arrives 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___X___

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?

NO___X___

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.

Only templates provided by the 1010/2009.

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?

167 vessels

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

17 vessels

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)	

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

17 vessels

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

YES___X___

If yes, please detail.

Third country fishing vessels landing in the NL are mainly Russian flagged vessels landing whitefish caught in the Barents Sea, they have been doing us for many years and during the course of time NL has invested in creating a strong information position on this fleet and its patterns. NL shares data with Russia and shares risk-analyses with Norway. Dutch authorities also work together with the cold stores storing the fish and receive market information from them. Also, the vessels are tracked via AIS. On the basis of the combination of these data sources, vessels are targeted for inspection in port.

4.5 Has your country detected any infringements?

NO___X___

Section 5: Catch certification scheme for importation

Please state your notified authorities under articles 17.8 and 21.3:

NVWA, Netherlands Food and Consumer Product Safety Authority

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.

Flagstate	2012	2013
Argentina	27	35
Australia	28	24
Brazil	113	103
Canada	260	298
Chile	16	22
China	513	502
Costa Rica	129	47
Ecuador	276	227
Falkland	5	12
Faroer	209	421
Fiji	1	34
Gambia	40	27
Ghana	79	38
Greenland	8	1
Guyana	2	22
Iceland	1969	1961
India	286	224
Indonesia	249	512
Ivory Coast	3	0
Madagascar	6	125
Maldives	134	93
Malaysia	1	1
Morocco	41	148
Mexico	39	14
Namibia	129	121
New Zealand	61	43
Nigeria	127	108
Norway	0	7
Oman	1	0
Pakistan	0	2
Panama	58	26
Papua New Guinea	17	18
Peru	28	36
Philippines	418	444
Russia	59	49
Senegal	1	2
Seychelles	20	36
Sri Lanka	938	825
Suriname	0	288
Taiwan	18	17
Tanzania	8	2
Thailand	543	576
Uruguay	0	3
USA	772	713
Vietnam	239	287
Yemen	9	10
South Africa	182	146
South Korea	44	32
	8106	8682

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.

RFMO \ Year	2012	2013
ICCAT BFT	0	0
Dissostichus spp. (CCAMLR)	5	11
CCSBT CDS	0	0
Total	5	11

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.

Flagstate	2012	2013
Canada	1	3
China	1161	1129
Ecuador	124	121
Faroer	0	91
Ghana	72	40
Iceland	5	32
Indonesia	2	5
Ivory Coast	25	25
Japan	12	11
Madagascar	58	55
Malaysia	0	1
Morocco	1	20
Mauritius	131	120
New Zealand	1	0
Papua New Guinea	46	49
Phillipines	14	42
Seychelles	30	54
Singapore	15	22
Sri Lanka	28	0
Suriname	290	318
Taiwan	13	12
Thailand	203	367
Uruguay	0	1
USA	58	39
Vietnam	13	4
South Korea	18	22
	2321	2583

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

Yes, all is archived at the NVWA in Echt.

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

None.

The Netherlands have granted one operator the APEO status in 2011, this status has been withdrawn in 2013.

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

The Ministry of Economic Affairs handles APEO requests, the NVWA inspects the rules which are defined in the IUU regulation.

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.

Flag state	2012	2013
Australia	2	0
China	1	0
Gambia	2	0
Falkland	0	2
Iceland	49	3
Morocco	0	1
Norway	2	4
USA	0	12
Vietnam	0	1
Russia	4	0
	60	23

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

Customs has (administrative) internal procedures for export and re-export.

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, on the basis of excel. It includes a cross-check for re-exported fish against the imported fish of that lot.

5.10 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.

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. A CC has to be submitted by the exporting company. The CC has to be filled in correctly and delivered to the NVWA, SLO/IUU in Echt. On the basis of a checklist the CC is checked at the SLO and validated if correct.

For shrimps, the Dutch Fish Product Board (Pvis), is the validating Authority. The procedure is the same as above.

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.

NVWA

Destination State	2012	2013
Albania	1	0
China	0	7
Estonia (3rd country unknown)	0	1
UK (3rd country unknown)	0	7
Italy (3rd country unknown)	0	1
Morocco	0	5
Norway	0	3
Unknown	0	1
Annex IV	0	1
	1	26

Pvis

Destination State	2012	2013
Morocco	8729	9141

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

Yes, we have an internal Digital stock and CC system (Excell).

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?

Yes, if the information delivered by the company was insufficient or not correct.

Section 7: Verifications of catch certificates for importation

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

Yes, there are internal procedures made up by the NVWA who is responsible for verifications.

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

We registered 172 verified catch certificates.

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

Yes.

If yes, please detail.

Its constantly evolving.

7.4 Does your country also physically verify the consignments?

Not structurally, only if necessary.

Section 8: Verification requests to flag States

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

We registered 44 requests.

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.

- Doubts about authenticity CC or validating Authority;
- Doubts about information delivered.

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 send a reminder, and give a second deadline of another 15 days, in case the initial 15 day deadline is not met.

Registered are only the request that are not answered at all (3 requests).

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

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.	Yemen (no IOTC member)	1	Vietnam Ecuador	1 1
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))			Ghana	47

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

We sent them back to the place of origin.

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

No formal complain.

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

Section 11: Mutual Assistance

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

We have replied to all the messages we have received .

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

YES

If yes, please detail.

The Netherlands has sent a total of 8 MA requests.

Section 12: Nationals

Please state your notified authorities under Article 39.4:

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?

National regulations and consultation with the Justice Department.

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

Only general information about fishery policy.

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? _____One_____

Please detail.

The Holland Klipper case, currently in investigation by the Justice Department.

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

Not yet. The case is still in investigation.

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?

We received a sighting report from EJJ (Environmental Justice Foundation) in September 2013.

14. General

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

Coordinating and organising the workflow and logistics between a multiple number of authorities that are involved in the implementation.

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

- One European database
- One European Risk analysis system;
- Recognition of the NEAFC PSC system under the IUU regulation, as the PSC documents contain nearly the same information as the Catch Certificates and are also validated by the competent authority of the Flag state. This will imply that in those cases where the PSC document is applicable, this replaces the IUU CC.

15. Any other comments

Thank you for your cooperation!