

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

Member State: ROMANIA

Organisation: National Agency for Fisheries and Aquaculture, Department for Waters, Forests and Fishery under Ministry of Environment and Climate Change

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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.

1. Government Decision no. 1136 of 9 November 2011 on the application of Regulation (EC) no. 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) no. 2.847/93, (EC) no. 1.936/2001 and (EC) no. 601/2004 and repealing Regulations (EC) no. 1.093/94 and (EC) no. 1.447/1999

2. NAFA Decision no. 41/09.02.2012 approving the procedures regarding the application of Government Decision no. 1.136/2011.

### **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 (branches) 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, Police border, etc.);

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

TWO PEOPLE

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. NO

2.3. Does your country have freezones/freeports in which activities relevant to importation/exportation/processing of fishery products are authorised ? NO , CONTAINERS

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

*Please list your designated ports : Constanta, Midia, CONTAINERS*

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? NO

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? NO , CONTAINERS

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\_\_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?

YES\_\_\_\_\_ 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. NO

#### 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?  
\_\_\_NO ONE\_\_\_ COINTAINERS

4.2 How many fishing vessels were inspected between 1 January 2012 and 31 December 2013? NO ONE NO THIRD COUNTRIES 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? NO ONE NO THIRD COUNTRIES VESSELS

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

YES\_\_\_X\_\_\_ NO\_\_\_\_\_

If yes, please detail.

4.5 Has your country detected any infringements?

YES\_\_\_X\_\_\_ 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?

##### Year 2012

- Ship" ERENLER 2" Turkish flag , confiscations 227 turbot gillnets and 1 ship ;
- Ship "URAGAN "flag Ucranian , confiscations 29 gill monofilament, 171 pounds turbot , 2565 turbot value lei and 1 schip ;
- Ship "HASIP REISS" Romanian flag , Fishing turbot in closure period 15.04-15.06.2012 , confiscations 119 pots, 205 turbot gillnets , 3674 pounds turbot , turbot value lei 80019,72 and 1 ship ;
- Ship "YAZP" flag Ucranian , confiscations 24 turbot gillnets , 189 pounds turbot , turbot value 1878 and 1 ship

##### Year 2013

- Turkish Pescador " UNUT AYDIN", confiscations 48 turbot gillnets, turbot value 500 lei,

#### 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?

If possible, please provide details per flag State.

<b>Flag State \ Year</b>	<b>2012</b>	<b>2013</b>
ARGENTINA	14	18
CANADA	6	2
CHILE	5	5
CHINA	52	39
ECUADOR	16	48
INDIA	1	0
INDONESIA	30	30
FAROE ISLANDS	6	1
SOLOMON ISLANDS	0	4
KOREA	18	10
MAROC	4	7
MAURITANIA	1	0
NEW ZEALAND	5	1
NORWAY	1	0
PACHISTAN	0	1
PHILIPINE	12	8
PERU	18	14
RUSIA	21	22
SPANIA	1	8
SEYCHELLES	0	1
TAIWAN	30	3
THAILAND	141	141
USA	26	10
VIETNAM	21	22
<b>Total</b>	<b>429</b>	<b>395</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.

<b>RFMO \ Year</b>	<b>2012</b>	<b>2013</b>
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?

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

<b>Processing State \ Year</b>	<b>2012</b>	<b>2013</b>
CHINA	41	33
ECUADOR	6	2
INDONESIA	0	1
PAPUA NEW GUINEA	0	1
THAILAND	55	41
<b>Total</b>	<b>102</b>	<b>78</b>

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 ONE

5.6 Please explain briefly the administrative rules referring to the management and control of APEO. NOT APPLICABLE

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. NO ONE

5.8 Do you monitor if the catches for which you validated a re-export certificate actually leave the EU? NOT APPLICABLE

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 X \_\_\_\_\_

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? NO

## 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 X \_\_\_\_\_ NO \_\_\_\_\_

If yes, please explain briefly the established procedure.

*The application for the control and verification of catch certificates and other related documents along with the proof of payment of the visa fee shall be recorded in the NAFA entries register, the documents of the vessel and the catch shall be checked (whether the vessel is licensed, authorized), the catch certificate shall be then drawn/approved, and the original shall be handed to the exporter, while copy no. 2 shall be kept by NAFA Constanta for processing.*

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.

Destination State	IUU Regulation	Year	
	(art. 14.2 / art. 15)	2012	2013
BULGARIA		3	0
TURKEY		4	2
<b>Total</b>	--	<b>7</b>	<b>2</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.

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

*The application for the control and verification of catch certificates and other related documents along with the proof of payment of the visa fee shall be recorded in the NAFA entries register, and it shall be checked especially when the catch certificate has been validated by the competent authority notified by the third country. The NAFA employee endorses and approves filling-in Section 12 and Section 8 of the third country's catch certificate. The catch certificate/Annex IV in original shall be archived for a minimum of three years.*

7.2 How many catch certificates have been verified from 1 January 2012 until 31 December 2013 ? 824 catch certificates

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

YES\_\_\_\_\_ NO\_\_X\_\_\_\_\_

If yes, please detail.

7.4 Does your country also physically verify the consignments?

YES\_\_\_\_\_ NO\_\_\_X

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

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

8.1 How many requests for verifications have been sent to third country authorities? NO

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.

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? NOT APPLICABLE

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

## **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: NO

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? NOT APPLICABLE

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

## Section 11: Mutual Assistance

11.1 How many mutual assistance messages of the Commission has your country replied to? 5 messages

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:*

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?

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? 5 infringements

Please detail. SEE SECTION 4, POINT 4.5

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

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

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!**