

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

Member State: Sweden

Organisation: Swedish Agency for Marine and Water Management

Date: 2014-05-23

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: 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.

HVMFS 2004:25, chapter 15, article 11-12

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);

The responsibility for the verification of catch certificates lies within the Unit for Administrative Control under the Department for Fisheries Management. The unit administrate a IT-system in which importers or agents register information about the import and the catch certificate and other relevant documents. The system is able to point out certain defects in the registration for further examination. The Fisheries Monitoring Center-unit within the same department is supporting the Unit for Administrative Control in the verification work.

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

The SWaM is co-operating in the implementation with on Swedish Customs and, partly, also with The Board of Agriculture and The National Food Agency.

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

With the work up and running - 1 person on full-time with additional support from the FMC.

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

The organisation is the same no matter what. Concerning direct landings is also the Unit for Landing Inspection involved.

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, in connection with a control within the fishing trade segment an audit was carried out at a fishing company.

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:

Strömstad, Smögen, Lysekil, Wallhamn, Rönning, Göteborg, Trelleborg, Simrishamn, Nordersund, Karlskrona Saltö, Karlskrona Handelshamnen, Västervik and Slite (HVMFS 20014:25, chapter 9, art. 1)

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
Strömstad	308		-	
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?

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

Yes

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?

308 vessels.

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

Reason for inspection :	Flag State
Sighted at sea in activities that may be considered illegal, unreported and unregulated	0
Based on the EU IUU vessel list	0
Other (please detail)	10 regular inspections

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

10 vessels.

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

YES ☒ NO ☐

If yes, please detail.

The port inspections follows the regular risk assessment procedures.

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?

We are lacking a detailed compilation of this information due to change of system. SWaM has received appr. 60 000 catch certificates during the period.

If possible, please provide details per flag State.

This is not possible at the moment, appr. 90 % though are from Norway.

Flag State \ Year	2012	2013
FS 1		
FS 2		
FS x		
Total		

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		
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.

We don't have these exact figures but estimates appr. in 6000 cases

Processing State \ Year	2012	2013
PS 1		
PS 2		
PS x		
Total		

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

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

Sweden don't have any APEO so far.

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

The administrative lies within the Swedish Customs, no APEO has been approved by the Customs.

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.

None.

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

No

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 X NO_____

If yes, please detail.

The Unit for Administrative Control administrates an IT-system (web based) in which importers and agents register information about the import as well as the catch certificate and other relevant documents. The system is able to point out certain defects, of the authorities choice, in the registration for further examination. The Fisheries Monitoring Center-unit within the same department is supporting the Unit for Administrative Control in the verification work. It does not yet include a module for re-exportation.

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

Implementation of the requirement for point of entry has been done and notified to the Commission (2012).

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 FMC-unit handles these cases. The exporter applies according to a certain routine, the FMC verifies the information against e.g. log sheets and are, in occurring cases, issuing a re-export certificate

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.

23 certificates has been validated.

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?

YES ☒ NO ☐

If yes, please detail.

A used IT-tool for the validation is the system Loggdrift in which we find all our log sheets. Except for this system the handling is manual.

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

No

If yes, please detail.

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

No, not fully. In some case we have had remarks concerning differences in the weight figures.

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

The procedure is established by implementation of our IT-system.

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

From the day of implementation of our new IT-system (November 25, 2013) 1021 certificates has been verified in the system.

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

YES ☒ NO ☐

If yes, please detail.

We use information by the mutual assistance system and our own risk analysis and observation in the IT-system.

7.4 Does your country also physically verify the consignments?

YES ☒ NO ☐

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

We do physical verification only in a small extent – in the landing inspection and at the Border Inspection Points.

Section 8: Verification requests to flag States

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

None

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?

None

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

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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.	None		None	
The products intended for importation are not the same as those mentioned in the catch certificate.	None		None	
The catch certificate is not validated by the notified public authority of the flag State	None		None	
The catch certificate does not indicate all the required information.	None		None	
The importer is not in a position to prove that the fishery products comply with the conditions of Article 14(1) or (2).	None		None	
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.	None		None	
Further to the request for verification (Article 18(2))	None		None	

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

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

N/A 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, no note of any change except for a certain increase in import, maybe due to the fact that Denmark charge norwegian imports with a control fee.

Section 11: Mutual Assistance

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

Appr. 10.

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:

Swedish Agency for Marine and Water Management

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 Agency consequently follows the A- and B-vessel list to see if there are Swedish interests in any of them.

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

No measures has been taken.

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?

0

Please detail.

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

At the moment no such processes or procedures are in place but the Agency is in the process to start this work. In the meantime, if such situation should occur, proper procedures will be initiated.

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

0

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?

The key difficulties the Agency is facing is the following:

- To put the control functions (24/7) in place.*
- To fully implement the new way of reporting catch certificates through the IT-system.*
- The fully cooperation with other national agencies, e.g. The Swedish Customs.*
- To put all processes and procedures in place, as mentioned in the answers above.*

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

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15. Any other comments

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Thank you for your cooperation!