

2014-2015

Member State:	BELGIUM
Organisation:	Dienst Zeevisserij – Departement Landbouw en Visserij
Date:	12 april 2016
Name, position and contact details of responsible official:	Ir. J-Fr VERHEGGHEN, head of the Inspectorate

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

Since the last reporting exercise in 2014, has your country modified national law or any administrative guides for the application of Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation)?

If yes, please detail and provide copies. no

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 seafisheries office was designated competent authority.

The inspectorate within this office do the actual verification/validation of CC.

There are only a limited number of personnel involved (3).

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

The (federal) health services, coast guard or Navy do not intervene in the implementation of the IUU regulation.

The customs do the actual inspection by importation of goods. The presence of a CC with the import declaration is checked. Denials of imports are done by customs.

An administrative guideline for customs officials was issued. The SFO was asked to provide for an input when the document was drafted. The SFO contact details are cross referenced in this guideline.

Within the customs administration we have a single contact point. Via that person denials of imports can be instructed. Basic customs statistics are also obtained via her, if available.

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

Two inspectors and one administrative clerk are involved in the day to day administrative implementation of the IUU regulation

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

No direct landings of 3rd country fishing vessels in Belgium

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, which audits/verifications have they undertaken since the last reporting exercise in 2014? Please detail.

The officials of the inspectorate have their power described in the general decree on agriculture and fisheries (Decreet van 28 juni 2013) They can audit and verify a company if needed. In limited cases during the reporting period those powers were exerted.

2.3 Does your country have freezones/freeports in which activities relevant to importation/exportation/processing of fishery products are authorised? None

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

Please list your country's designated ports.

Zeebrugge and Ostend

3.1 How many landings and transshipments of third country vessels have been recorded by your country between 1 January 2014 until 31 December 2015?

Port name*	No. of landings	Comments	No. of transshipments	Comments
Zeebrugge	None		None	
Ostend	None		None	
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.

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

If yes, please detail:

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

3.4 Since January 2014, has your country refused access to its port services to a fishing vessel for activities of landing or transhipment of fishery products? Was this refusal based on the conditions of the IUU Regulation? 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 country's 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 2014 and 31 December 2015, how many fishing vessels of third countries had access to the designated ports for landing or transhipment of fishery products? None

4.2 How many fishing vessels were inspected between 1 January 2014 and 31 December 2015? N.A.

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 In accordance with Article 9.1, has your country carried out inspections in its designated ports of at least 5% of landing and transhipment operations by third country fishing vessels each year? N.A.

If yes, please detail.

If no, please explain.

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

If yes, please detail.

4.5 Has your country detected any infringements between 1 January 2014 and 31 December 2015? If yes, None

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

Section 5: Catch certification scheme for importation for the purpose of the IUU Regulation¹

Please state your country's 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 2014 until 31 December 2015?

If possible, please provide details per flag State (FS).

CC LANDEN	2014	2015
ARGENTINIE	9	4
AUSTRALIE	0	0
BAHAMAS	12	14
BANGLADESH	0	2
BRAZILIE	1	10
CANADA	56	65
CHILI	9	16
CHINA	531	532
CUBA	1	0
COLOMBIA	2	0
ECUADOR	84	103
GAMBIA	1	1
GHANA	0	0
GUYANA	6	0
ICELAND	2	6
INDIA	538	489
INDONESIE	68	67
IVOORKUST	2	10
KENIA	0	0
KOREA	24	30
MALEISIE	0	3
MADAGASCAR	5	3

¹ Article 2.11 of the IUU Regulation – "importation means the introduction of fishery products into the territory of the Union, including for transshipment purposes at ports in its territory"

MAROKKO	28	19
MAURETANIE	0	0
MAURITIUS	21	10
MEXICO	0	1
MYANMAR	1	1
NAMIBIE	0	0
NICARAGUA	31	41
NIEUW GUINEA	18	4
NIEUW ZEELAND	8	6
NOORWEGEN	1	5
NIGERIA	35	0
OMAN	0	0
PAKISTAN	0	11
PANAMA	0	0
PERU	8	5
PHILIPPIJNEN	30	44
RUSLAND	11	37
SALOMON EILANDEN	0	0
SENEGAL	87	84
SEYCHELLEN	0	0
SPANJE	0	1
SRI LANKA	3	0
SURINAME	8	3
TAHITI	0	0
TAIWAN	0	0
TANZANIA	0	3
THAILAND	51	36
TURKIJE	0	0
URUGUAY	17	6
V.S.	80	94
VIETNAM	240	236
YEMEN	4	10
ZUID AFRIKA	7	2
TOTAL	2040	2023

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.

The details are not available. The number of RFMO certificates is limited however (less than a dozen).

RFMO \ Year	2014	2015
ICCAT BFT		
Dissostichus spp.		

RFMO \ Year	2014	2015
(CCAMLR)		
CCSBT CDS		
Total		

5.3 How many processing statements under Article 14.2 accompanied imports into your country?

Most processing statements stem from China.

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

Processing State \ Year	2014	2015
		457
Total		457

5.4 Please explain if the information in processing statements referring to the corresponding catch certificates is retained and recorded. No separate bookkeeping of details of CC

5.5 How many requests to authorise APEO²s has your country received and how many APEOs have been authorised? None

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

5.7 How many re-export certificates were validated by your country for imported products from 1 January 2014 until 31 December 2015? Please detail per year and, if possible, per destination country. N.A. data not received from customs

5.8 Does your country monitor if the catches for which your country has 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? No

² Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) 1010/2009, Chapter II

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?

Point of entry

Section 6: Catch certification scheme for exportation

Please state your notified authorities under Article 15.2.

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

If yes, please explain briefly the established procedure and answer questions 6.2 to 6.5.

See previous report, no changes.

In the last two years no demands from exporters.

In previous years only for brown shrimp exportation to Morocco

6.2 How many catch certificates did your country validate from 1 January 2014 to 31 December 2015? If possible, please provide details per requesting country/country of destination in the following table.

Destination State	IUU Regulation (Art. 14.2 / Art. 15)	Year	
		2014	2015
Third Country 1			
Third Country 2			
Third Country 3			
Third Country x			
Total	--	None	None

6.3 Has your country established any IT tool to monitor the catch certificates validated for exports stemming from own vessels? No

If yes, please detail.

6.4 Does your country monitor that the catches for which your country has validated Catch Certificates actually leave the EU? No

If yes, please detail.

6.5 Has your country refused the validation of a catch certificate between 1 January 2014 and 31 December 2015? 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?

If yes, please detail. Yes, see previous reports, no changes in procedures

7.2 How many catch certificates have been verified from 1 January 2014 until 31 December 2015? 2014: 2040 2015:2023

All CC presented to the SFO are actually checked.
They mainly concern consignments of frozen fish.

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

If yes, please detail. The customs statistics are checked on a regular basis. Type and origin of consignments are assessed. For consignments of frozen fish, which constitute the bulk of the imports of fish stemming from third countries, a verification procedure was developed (cfr. above under 7.1) . The customs statistics are crosschecked in order to assess whether agents “forget” the procedures.

7.4 Does your country also physically verify the consignments? No, customs tasks

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? None in 2014/2015

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?

8.3 Was the quality of the answers provided overall sufficient to satisfy the request?

Section 9: Refusal of Importations

9.1 Has your country refused any imports from 1 January 2014 until 31 December 2015? No

If yes, please provide details in the table below:

Reason for refusal of importation	2014		2015	
	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?

If yes, please detail.

Section 10: Trade flows

Did your country note a change of imports of fishery products since the last reporting exercise in 2014? Please provide information, deriving from your country's statistical data, concerning change of trade patterns in imports of fishery products into your country. No

Section 11: Mutual Assistance

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

Not recorded separately

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

If yes, please detail.

Section 12: Cooperation with third countries

Apart from verifications and refusals under Articles 17 and 18, has your country had information exchange with third countries on issues related to the implementation of the IUU Regulation, such as follow-up of cases concerning nationals, consignments, trade flows, operators, private fishing licencing, as well as the investigation of criminal activities and serious infringements (Article 42). No

If yes, please detail.

Section 13: Nationals

Please state your country's notified authorities under Article 39.4.

13.1 Since the last reporting exercise in 2014, has your country implemented or modified existing measures to ensure that your country can take appropriate action with regards to nationals involved in IUU fishing? No

13.2 What measures has your country taken to encourage nationals to notify any information on interests in third country vessels (Article 40.1). No specific measures

13.3 Has your country endeavoured to obtain information on arrangements between nationals and third countries allowing reflagging of their vessels? If yes, please list vessels. No

13.4 If yes to any of the above, how many cases has your country dealt with and which administrative or penal follow-up was given? N.A.

13.5 Has your country made use of Article 40.3 and removed public aid under national aid regimes or under Union funds to operators involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list? If yes, please detail. No

Section 14: Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)

14.1 How many infringements did your country record from 1 January 2014 until 31 December 2015? Please detail.

In 2014 a total of 33 infringements on fisheries laws were reported to court (with an official report – proces verbal)

In 2015 a total of 28 infringements on fisheries laws were reported to court (with an official report – proces verbal)

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

Administrative sanctions are not applied as a general rule for infringements concerning sea fisheries. The level (min/max) of administrative penalties is linked to the level of possible penalties imposed by a judge. Economic benefits can be seized.

14.3 How many sighting reports were issued by your country from 1 January 2014 until 31 December 2015?

Please detail. None

The sighting reports concerning observation of fishing vessel at sea during surveillance flights are not counted here.

14.4 Has your country received any sighting reports for its own vessels from other competent authorities? No

If yes, please detail.

Section 15: General

15.1 What have been the main difficulties that your country has encountered in implementing the catch certification scheme?

See previous reports.

15.2 What improvements would your country suggest to the Regulation that would make implementation smoother?

See previous reports.

Section 16: Any other comments

Thank you for your cooperation!