

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

<b>Member State:</b>	CYPRUS
<b>Organisation:</b>	Department of Fisheries and Marine Research (DFMR)
<b>Date:</b>	28/04/2016
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<b>May the Commission provide a copy of this questionnaire to other Member States?</b>	
<b>Yes:</b>	√
<b>Yes except for questions (list):</b>	
<b>No:</b>	

### 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)? No

If yes, please detail and provide copies.

### 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);

Currently two District Offices are dealing with IUU. Limassol District Office deals with processed consignments arriving to Limassol port and Larnaca District Office that controls mostly fresh products that arrive to Larnaca airport. Both Offices have direct access to SMS system and perform physical and administrative verifications directly to the consignments that arrive to the designated port of entry of their jurisdiction. It is noted that the pre-mentioned District Offices keep the original documents (for a minimum period of three years) for easy reference and verification purposes. If assistance from the Head-quarter is needed then there is direct communication to the Officer in charge and all the documents concerned are send through the relevant email address where all the employees involved with the IUU

procedures have access. The necessary communication with EU is done from the HQ with the input of District Offices, as for the communication with 3rd countries this is done mostly by the District Office concerned with the authorization of HQ.

- 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.);

There is direct cooperation with Custom Services and access to DFMR is allowed to SMS. If a consignment involves fishery products that follow within the scope of IUU Regulation then the products are held in Customs and are not released to the market unless a certified copy of the relevant Catch Certificate (sealed with the appropriate official DFMR seal and signed by authorised DFMR personnel) is shown to the Custom Services. There is also cooperation regarding confiscation of products with Custom and Veterinary Services. Confiscated products usually are temporary held either to Custom or Veterinary Services storages.

Cooperation with other authorities is also achieved during export of Cyprus fishery products or at landing of fishery products from third country fishing vessels. Please find below a short summary of the three main procedures that require cooperation of various authorities in Cyprus:

#### Import of fisheries products

A copy of the certified Catch Certificate and other necessary accompanying documents are submitted by the importer/clearance officer to the DFMR three working days prior to the estimated arrival date at the point of entry of the Member State (MS) (Limassol Port or Larnaca Airport), or at least 4 hours beforehand if it concerns imports of fresh fisheries products. The documents may be sent via email (fisheriescontrol@dfmr.moa.gov.cy) or fax (25 305543 for imports into Limassol Port and 24 304575 for Larnaca Airport). Also when submitting documents for custom clearance of fishery products, the importer or clearance officer must notify the Inspector on duty on 99 489645 for imports into Larnaca Airport and on 99 486130 for imports into the Limassol Port.

Following the above procedure, and once the DFMR conducts an administrative inspection and decides that there is no reason to conduct verification inspections (physical check), the DFMR seals and signs the fishery catch document and hands it to the importer/clearance officer once the original fishery catch document is submitted to the District office, where it is filed and kept for a minimum period of three years. It is noted that a physical inspection is nearly always conducted when fresh fishery products are imported into Larnaca Airport.

If during a physical inspection it is decided that there is a need to verify information and identify the fishery products based on the declared information, the DFMR informs the importer/clearance officer and proceeds onsite to the entry points and conducts the physical inspection. In this instance and following the completion of the inspection, the Inspector writes down his/her decision and seals and signs a copy of the fishery catch document, while keeping the original. It is noted that a physical inspection is always conducted when the catch certificate and other necessary documents are not submitted in the required time period.

If the catch certificate or other required documents are missing relevant information based on the Regulation, or the original documents are not submitted, the DFMR will hold the fishery products in storage (refrigerators/freezers) and will only release them to the importer once all the required information based on the Regulation is received

within 15 days. During the verification period, the flag state may be asked to demand an additional extension of 15 days in case it is unable to respond in the designated time period. The storage facility must be under the supervision of the competent Authority. The importer/clearance officer shall bare the financial cost for storage.

Upon refusal to import in accordance to the Regulation, the DFMR shall confiscate the fishery products and proceed with the necessary actions, based on the requirements of the “National Law No 134(I)/2006 for the Application of Community Decisions and Community Regulations that concern the Fisheries Sector of 2006 was reformed with the addition of Law N 183 (I)/2013”.

It is noted that Cyprus has only one customs body and the transit of fishery products is not applicable. As of this, Article 19(2) does not apply for Cyprus.

#### Landing of fishery products from third country fishing vessels

The captains of third country fishing vessels submit to the member state (Cyprus) before landing or transshipment procedures (4 hours earlier) if possible, the pre-notification document on which the landing or transshipment fishery product quantities are described, by species, as well as with the date and location of catches.

For a third country flag vessel to dock in the Limassol port, the Ports Authority must be first notified of the vessels’ intentions, and the Port Authority shall notify in turn the DFMR as the competent Authority to enforce the Regulation, which in turn shall check if the specific vessel is not an IUU vessel, and hence give directions to the Port Authority as to whether to allow the docking of the vessel or otherwise.

For fishery products caught from third country vessels and landed at European Union ports, a verified fishery catch document must accompany the products.

The competent authorities of the Member State (Cyprus) keep the original or copies in the case of pre-notifications submitted electronically, as well as verified fishery catch documents for a minimum period of three years.

The DFMR is responsible for communicating to the Committee the quantities landed and/or transhipped from third country vessels in its ports every trimester.

#### Export of fishery products caught by Cyprus fishing vessels to third countries

For the export of any fishery product that was caught by Cypriot fishing vessels to a third country that requires the provision of the relevant fishery catch document, the DFMR as the competent Authority must provide and certify the document. The DFMR must certify the legality of the fishery products and certify all information on the document. Following this, the DFMR communicates with the Veterinary Services and Customs for the provision of the necessary accompanying documents and the realisation of the inspections and export of the products. The DFMR keeps a copy of the fishery catch document.

The DFMR as the competent Authority for the implementation of the Regulation ensures that all the provisions of the Regulation are met to allow for its smooth implementation as of January 2012, since the Regulation was set into practice.

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

1 Officer and 1 Inspector at head-quarters, and 7 Inspectors at two District Offices. None of the above mentioned employees is fulltime involved with the implementation of Catch Certificates and the IUU Regulation in general.

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

Yes. No verifications were necessary

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

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

*Please list your country's designated ports.*

- 3.1 How many landings and transhipments 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 transhipments	Comments
Limassol	0		0	
<b>Total</b>	0	--	0	--

*\* 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? zero

- 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-transshipment provided by the Implementing Regulation 1010/2009 or those used in RFMOs? Please detail, when RFMO forms are used. **N/A**  
They rarely visit Cyprus for fuelling and for other non-fishing related activities.

#### **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 transshipment of fishery products? Zero

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

<b>Reason for inspection :</b>	<b>Flag State</b>
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)	4 inspections (3 Egyptian, 1 Israeli fishing vessel in designated port) reason of visit: fuelling - support

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 transshipment operations by third country fishing vessels each year? Not applicable

4.4 Does your country use risk assessment criteria for the port inspections? No.  
Due to the limited number of visits, we proceeded to inspections to all third country vessels

If yes, please detail.

4.5 Has your country detected any infringements between 1 January 2014 and 31 December 2015? YES

– how many and of what nature? Four (4):

- presence on board of trawl nets with mesh size on the cod-end less than the minimum permitted mesh size, according to the GFCM Recommendation 31/2007.
- fishing without the presence of a fishing logbook in violation of the GFCM Recommendation 35/2011. (3 Egyptian vessels)
- In addition, one of the Egyptian vessels was carrying on board a headless specimen of swordfish in violation of the ICCAT Recommendation 13-04.

- did your country apply the procedure in case of infringements as foreseen in Article 11? Yes. After the inspection the proceedings were transferred to the competent authorities of the flagged countries in order to enforce measures to ensure compliance with the rules of the common fisheries policy according to the Council Regulation (EC) No 1005/2008 and the Commission Regulation (EC) No 1010/2009. The European Commission was also notified of this immediately.

## **Section 5: Catch certification scheme for importation for the purpose of the IUU Regulation<sup>1</sup>**

*Please state your country's notified authorities under Articles 17.8 and 21.3. Department of Fisheries and Marine Research (DFMR)*

5.1 How many catch certificates were presented to the authorities of your country from 1 January 2014 until 31 December 2015? 2293

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

<b>Flag State \ Year</b>	<b>2014</b>	<b>2015</b>
Canada	47	41
China	70	71
Egypt	135	44
El Salvador	2	0
France	12	15
India	66	52
Indonesia	51	46
Island	3	1
Japan	2	1
Korea	36	73
Maldives	21	12
Mauritania	2	3
Morocco	21	9
Myanmar	1	1
New Zealand	90	91
Oman	37	16
Papua new guinea	1	5
Philippines	15	15
Russia	4	15
Senegal	276	334
Seychelles	1	4
Solomon islands	3	4
South Africa	18	8
Spain	19	16

<sup>1</sup> 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"

<b>Flag State \ Year</b>	<b>2014</b>	<b>2015</b>
Sri lanka	1	
Taiwan	34	27
Thailand	183	141
Tunisia	6	12
USA	5	5
Vietnam	26	21
Canada	47	41
Mauritius	0	2
UK	0	1
Norway	0	8
Ukraine	0	2
Falkland islands	0	1
Peru	0	8
<b>TOTAL</b>	<b>1188</b>	<b>1105</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>2014</b>	<b>2015</b>
ICCAT BFT	0	0
Dissostichus spp. (CCAMLR)	0	0
CCSBT CDS	0	0
<b>Total</b>		

5.3 How many processing statements under Article 14.2 accompanied imports into your country? 124

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

<b>Processing State \ Year</b>	<b>2014</b>	<b>2015</b>
THAILAND	34	35
CHINA	8	17
Seychelles	4	4

<b>Processing State \ Year</b>	<b>2014</b>	<b>2015</b>
Norway	0	1
New Zealand	6	8
Malaysia	1	4
Papua New guinea	1	0
Namibia	0	1
<b>Total</b>	<b>54</b>	<b>70</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 APEO<sup>2</sup>s has your country received and how many APEOs have been authorised? No APEOs in CY

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

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

5.8 Does your country monitor if the catches for which your country has validated a re-export certificate actually leave the EU? N/A

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

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? Cyprus has only one customs body and the transit of fishery products is not applicable. As of this, Article 19(2) does not apply for Cyprus.

## **Section 6: Catch certification scheme for exportation**

*Please state your notified authorities under Article 15.2.  
Department of Fisheries and Marine Research (DFMR)*

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



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. *For the established procedures please refer to the procedure in 2.1 b)*

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. Zero

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	--		

6.3 Has your country established any IT tool to monitor the catch certificates validated for exports stemming from own vessels? Not necessary yet

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? N/A

If yes, please detail.

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

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

If yes, please detail. For the established procedures please refer to Section 2 a) and b)

7.2 How many catch certificates have been verified from 1 January 2014 until 31 December 2015? 2293

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

If yes, please detail.

Every consignment that is stemming from a third country that had never exported products to Cyprus is subject to physical inspection. Consignments of fresh products are also subject to physical inspection. Consignments of products that are under management measures are also subject to physical inspection. Also there is a list of “suspected countries” from information received by the Commission and other MS and priority is given to physical inspection on consignments deriving from those countries. Finally, according to the IUU Regulation, when the prenotification is not on time to our Office then unavoidably the consignment goes through physical inspection.

#### 7.4 Does your country also physically verify the consignments? Yes

If yes, please detail (reason, method of selection, number, etc.). Regarding the details please refer to 7.3

### Section 8: Verification requests to flag States

#### 8.1 How many requests for verifications have been sent to third country authorities? 47

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.

- Difference of the validating seals (wrong seal and/or signature according to SMS application)
- Unclear documents
- Clarification for the weight of processed products
- Random request for verification for electronic catch certificates that we don't have access (South Africa)
- In some cases when quantities on a simplified certificate are abnormal or the same vessel name is visible in a ship registry for big F/V, additional information was asked regarding the license/ type/ specifications of the f/vessel involved
- Lack of conservation management measures on the catch certificate

#### 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? Zero. However, in some cases we have sent reminders to the relevant competent Authorities when the expiration date of deadline was approaching in order to make sure that we will get a reply on time. 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? Yes. In some cases further queries or verifications were needed, but overall the total of the answers were satisfactory.

### 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?  
18

11.2 Has your country sent any mutual assistance message to the Commission/other Member States? NO

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).

If yes, please detail.

## **Section 13: Nationals**

*Please state your country's notified authorities under Article 39.4. Department of Fisheries and Marine Research (DFMR)*

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).

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.

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?

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. Zero

14.2 Has your country applied or adapted its levels of administrative sanctions in accordance with Article 44? No, but according to our Legislation, the Director can issue fines up to €17.000, depending on the infringement. Also by the Ministerial Council Act referred to Section 1, serious cases can be prosecuted to the court of Law.

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

Please detail.

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?**

The catch certificates come in many different formats and almost every country has its own format, which makes the validation more difficult. Even though all fields refer to the same information the fact that in some cases it is written in other languages than English it is also a problem.

On the Simplified CC, the fishing area is not required; in addition when the fishing vessels are listed with identification numbers it is impossible to track them by web-based registers.

There is no immediate SMS update and in some cases no removal of old seals and signatures at all. Cyprus appreciates the notifications that are communicated from the system informing us on changes of a country's profile on SMS, is useful.

Still some countries have official seals with black ink, or are put as printouts that make the original look like a copy.

Some countries have their seals in 3d effect (creating touching sense, embossed) which is difficult to control prior to the acquisition of the original, or even through SMS application.

We have no access to South Africa's website to check the CC, yet. The validation is done via emails with the competent authorities.

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

An electronic form of the catch certificate could make the job easier.

The creation of a common database is more than necessary.

The database should include all the information that is written/required in the Certificate.

It should also contain update contact information of all MS and third countries involved.

It would also be useful to have a link to all the management measures apply in a regional or even at national level. Such a system should follow the scheme of the "Traces" system for veterinary checks and electronic input of Catch Certificates information by operators should be required.

The simplified CC should also include fishing area.

## **Section 16: Any other comments**

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**Thank you for your cooperation!**