

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

Reporting period 2016-2017 (deadline for submission 30 April 2018)

Member State:	BELGIUM
Organisation:	Dienst Visserij – Vlaamse overhead – Departement Landbouw en Visserij
Date:	12/03/2018
Name, position and contact details of responsible official:	Ir. J-Fr Verhegghen

May the Commission provide a copy of this questionnaire to other Member States?	
Yes:	X
Yes except for questions (list):	
No:	

<p>Please state your notified authorities under the IUU Regulation in accordance with:</p> <p>Article 15.2 (exportation of catches): Vlaamse overheid – Departement Landbouw en Visserij</p> <p align="center">Dienst visserij</p> <p>Article 17.8 (verification of catch certificates): idem</p> <p>Article 21.3 (re-exportation): idem</p> <p>Article 39.4 (nationals): idem</p>
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Section 1. Information on legal framework¹

Since the last reporting exercise covering the period 2014-2015, has your country adopted/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)?

Yes No

If yes, please detail and provide copies or provide link to the official national database

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Section 2. Information on administrative organisation²

2.1. Does your country have different authorities/services to deal with the implementation of the IUU Regulation?

Yes No

2.2. If different authorities/services are involved, please distinguish between:

- the control of direct landings of third country fishing vessels;
- validation of catch certificates upon exports;
- verification of catch certificates for imports under direct landing;
- verification of catch certificates for imports arriving by other means than fishing vessels (e.g. by containers, trucks);
- validation and verifications of re-exports.

a) internal co-operation (between local/regional authorities and head-quarter);

Please explain and describe this cooperation:

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

Please explain and describe this cooperation:

We co-operate with customs, which is the entity in charge of the physical and documentary control of the consignments. An MoU is being drafted for the moment.....

c) how many officials are involved in the implementation of the catch certification scheme?

Please specify the number of officials expressed in Full Time Equivalent (FTE):
...3.....

d) Do the authorities of your country have the possibility to audit/verify a company for the purposes laid down in the IUU Regulation?

Yes No

If yes, which and how many audits/verifications have they undertaken since the last reporting exercise covering the period 2014-2015? Please detail the results:

One, in respect to a firm located in Brussels involved in BFT trade and this on the basis of information provided by the German authorities.

¹ This section 1 is to be filled-in by all Member States i.e. coastal and landlocked Member State.

² This section 2 is to be filled-in by all Member States i.e. coastal and landlocked Member State.

The verification was done together with inspector of FAVV (Federal Food security agency) and the outcome was negative

2.3. Does your country have freezones/freeports³ in which activities relevant to importation/exportation/processing of fishery products are authorised?

Yes No

Section 3. Information on direct landings and transshipments of fishery products by third country fishing vessels⁴ (including information on port inspections and infringements)⁵

3.1. Does your country have designated ports for direct landings or transshipment operations of fishery products and port services of third country fishing vessels (Article 5 of the IUU Regulation⁶)?

Yes No

If yes, please list your country's designated ports (including ports designated under Regional Fisheries Management Organisations requirements) and answer to questions 3.2. to 3.7.:

...Oostende.....

...Zeebrugge.....

3.2. How many landings and transshipments in designated ports of third country vessels have been recorded by your country between 1 January 2016 until 31 December 2017? How many inspections has your country carried out and how many infringements have been detected?

Please fill-in the table below (2016):

Inspections of third country vessels in Member States ports (2016)								
Type of operation	Vessels	Figures (2016)	Flag of the third country vessel(s)*					Total
			Ex. NO	FS1	FS2	FS3	FSx	
Landings	Non-EU vessels using MS designated ports	Number of landings	100					none
		Number of inspections	10					
		% of inspections / landings	10%					
		Number of infringements	3					
Transshipments	Non-EU vessels using MS designated ports	Number of transshipments in ports	2					none
		Number of inspections	0					
		% of inspections / transshipments	0					

³ https://ec.europa.eu/taxation_customs/business/customs-procedures/what-is-importation/free-zones_en

⁴ Fishing vessels as defined in article 2.5 of the IUU Regulation

⁵ This section 3 refers to Chapter II (Articles 4 to 11) of the IUU Regulation and is applicable to coastal Member States. Landlocked Member States should not fill in this section.

⁶ Please note that ports designated under Regional Fisheries Management Organisations must also be designated under the IUU Regulation with restrictions if necessary (species etc.)

		Number of infringements	0				
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*Use ISO Alpha-2 country codes
Please fill-in the table below (2017):

Inspections of third country vessels in Member States ports (2017)								
Type of operation	Vessels	Figures (2017)	Flag of the third country vessel(s)*					Total
			Ex. NO	FS1	FS2	FS3	FSx	
Landings	Non-EU vessels using MS designated ports	Number of landings	100					none
		Number of inspections	10					
		% of inspections / landings	10%					
		Number of infringements	3					
Transhipments	Non-EU vessels using MS designated ports	Number of transhipments in ports	2					none
		Number of inspections	2					
		% of inspections / transhipments	100%					
		Number of infringements	0					

*Use ISO Alpha-2 country codes

3.3. From the figures above, in the cases where your country detected infringements by third country vessels between 1 January 2016 and 31 December 2017, please specify the flag, the vessel's name, the type of infringement and the measures taken (Article 11 of the IUU Regulation).

Please fill-in the table below (2016):

Flag of the third country vessel*	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			
FS2			
...			
FSx			

*Use ISO Alpha-2 country codes

Please fill-in the table below (2017):

Flag of the third country vessel*	Name of the third country fishing vessel	Type of infringements	Measures taken

Section 4. Information on catch certification scheme for importation for the purpose of the IUU Regulation⁷

4.1. How many catch certificates from non-EU countries were presented to the authorities of your country from 1 January 2016 until 31 December 2017?

CC LANDEN	*	2017
ARGENTINIE	16	91
AUSTRALIE	1	
BAHAMAS	17	12
BANGLADESH	1	
BRAZILIE	7	2
CANADA	76	53
CHILI	14	42
CHINA	461	255
CUBA	1	
COLOMBIA	3	4
COSTA RICA		3
ECUADOR	70	53
GAMBIA	1	
GHANA	7	
GUYANA	25	
IJSLAND	56	2
INDIA	567	521
INDONESIE	98	112
IVOORKUST	5	7
KENIA	0	
KOREA	23	37
MALEISIE	3	1
MADAGASCAR	3	
MAROKKO	19	44
MAURITANIE	2	1
MAURITIUS	11	
MEXICO	1	6
MYANMAR	1	10
NAMIBIE	0	3
NICARAGUA	30	401
NIEUW GUINEA	4	
NIEUW ZEELAND	8	14
NOORWEGEN	2	
NIGERIA	14	8

⁷ Section to be filled-in by all Member States. 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"

OMAN	0	
PAKISTAN	4	13
PANAMA	1	3
PERU	9	3
PHILIPPIJNEN	18	38
RUSLAND	36	65
SALOMON EILANDEN	0	
SENEGAL	74	108
SEYCHELLEN	1	2
SRI LANKA	6	2
SURINAME	26	9
TAHITI	1	
TAIWAN	2	12
TANZANIA	1	4
THAILAND	57	32
TURKIJE	1	
URUGUAY	15	
U.S.A.	79	97
VIETNAM	234	212
YEMEN	22	18
ZUID AFRIKA	3	
TOTALS	2247	2300

*Due to a crash we lost the data concerning 2016, they were replaced by the average 2010-2015

4.2. From the number above, how many recognised RFMO catch certificates accompanied imports into your country? *Please detail per RFMO certificate and year.*

RFMO document	2016	2017
<i>ICCAT (electronic)-bluefin tuna catch document</i>	1	31
<i>Dissostichus spp. (CCAMLR)</i>		
<i>CCSBT CDS</i>		
Total	1	31

4.3. Has your country received processing statements from 1 January 2016 until 31 December 2017?

Yes

No

If yes, how many processing statements under Article 14.2 accompanied imports into your country? If possible, please provide details per year and per processing country. Please only report processing statements received from non-EU countries:

Processing country	2017
GHANA	1
IVOORKUST	11
MADAGASCAR	8
MAURITIUS	6
OMAN	1
CHINA	502
INDIA	12
INDONESIE	1
KOREA	5
MALEISIE	15
NIEUW GUINEA	6
SHRI LANKA	1
THAILAND	16
VIETNAM	11
CANADA	7
NICARAGUA	1
ARGENTINIE	2
COSTA RICA	8
ECUADOR	1

TOTALS

615

*2016 no longer available due to crash

4.4. Please indicate if the information in processing statements referring to the corresponding catch certificates is retained and recorded:

Yes No

Not applicable (e.g. in the absence of processing statements received from non-EU countries in 2016-2017)

4.5. Has your country received requests to authorise APEO⁸s in 2016-2017?

Yes No

If yes, how many requests has your country received and how many APEOs have been authorised?

.....

4.6. Has your country adopted administrative rules referring to the management and control of APEO in 2016-2017?

Yes No

Not applicable (e.g. absence of APEO request)

If yes, please detail:

.....

⁸ Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) 1010/2009, Chapter II

4.7. Has your country validated re-export certificates for products imported from 1 January 2016 until 31 December 2017?

Yes *No*

If yes, how many re-export certificates? Please detail per year and, if possible, per destination country:

Destination country (non-EU)	2016	2017
<i>United States</i>		1
<i>Marocco</i>		1
...		
<i>Third Country x</i>		
Total		2

4.8. Does your country monitor if the catches for which your country has validated a re-export certificate actually leave the EU?

Yes *No*

Not applicable (e.g. in the absence of validation of re-export certificates in 2016-2017)

If yes, please detail:

.....

4.9. Has your country established any IT tools to monitor the catch certificates and processing statements accompanying imports?

Yes *No*

If yes, does it include a module for re-exportation of imported catches?

Yes *No*

4.10. 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 *At the place of destination* *Not implemented*

Section 5. Information on catch certification scheme for exportation⁹

5.1. Has your country established a procedure for validation of catch certificates for exportation of catches from own vessels in accordance with Article 15?

Yes *No*

Not applicable (e.g. in the absence of validation of catch certificates for exportation in 2016-2017)

If yes, please explain briefly the established procedure and answer questions 5.2 to 5.5.

Exporters (mainly of browns shrimps) introduce an electronic demand to our service center. Together with the form they provide a copy of the logsheets of the vessel. After verification by our services the form is dated, registered and validated.....

5.2. Has your country validated catch certificates for exportation in 2016-2017?

Yes *No*

If yes, how many catch certificates did your country validate from 1 January 2016 to 31 December 2017? If possible, please provide details per requesting third country/country of destination in the following table:

Destination State	Year	
	2016	2017
<i>Marocco</i>	441	525
<i>Third Country 2</i>		
...		
<i>Third Country x</i>		
Total	441	525

5.3. Has your country established any IT tool to monitor the catch certificates validated for exports stemming from own vessels?

Yes *No*

5.4. Does your country monitor that the catches for which your country has validated catch certificates actually leave the EU?

Yes *No*

Not applicable (e.g. in the absence of validation of catch certificates for exportation in 2016-2017)

5.5. Has your country refused the validation of a catch certificate between 1 January 2016 and 31 December 2017?

⁹ Section to be filled-in by flag Member States.

Yes No

Not applicable (e.g. in the absence of request for validation of catch certificates for exportation in 2016-2017)

If yes, please detail:

Number (per year):

Reason:

Follow-up:

Section 6. Information on verifications of catch certificates for importation according to Article 17.1 to 5 of IUU Regulation¹⁰

6.1. Has your country established a procedure for verification of catch certificates for importation in accordance with Article 17.2?

Yes No

If yes, please detail: ...

The fisheries office only does documentary checks on the documents which were sent in by agents for verification. We systematically ask importers to submit the B/L and the HC in order to allow us to check the quantities reported.

Basically the number of verifications correspond to the figures in section 4.

In-depth verifications are done by customs but figures are not available

6.2. How many catch certificates have been verified by your administration from 1 January 2016 until 31 December 2017? Please specify, separately for each year:

Flag State of origin (EU or non-EU)	Number of verifications 2016		Number of verifications 2017	
	No of basic document-based verifications ¹¹	No of in-depth verifications ¹²	No of basic document-based verifications	No of in-depth verifications
<i>Country 1</i>				
<i>Country 2</i>				
...				
<i>Country x</i>				
Total				

¹⁰ Section to be filled-in by all Member States

¹¹ See fields CC1 to CC6 (*Preliminary overview checks “helicopter view”*) of the EFCA Common methodology for IUU catch certificates verification and cross-checks.

¹² See fields CC7 to CC32 (*Verify and cross-check information related to the form, flag state, validating authority, fishing vessel, product(s), transshipment operations*) of the EFCA Common methodology for IUU catch certificates verification and cross-checks.

6.3. Does your country use a risk assessment approach for verification of catch certificates in accordance with Article 17?

Yes *No*

If yes, please detail (e.g. EU criteria for verifications (Article 31 of Commission Regulation 1010/2009); EFCA risk assessment methodology; national criteria).

Certificates from risk third countries are verified more thoroughly. Risk countries are those having a yellow card and those for which MARE or other SLO issued warnings. Another aspect is the nature of the goods not all fish products are on the same threat level (e.g. Patagonian toothfish compared to Canadian lobster for instance).

6.4. Does your country also physically verify the consignments?

Yes *No*

If yes, please detail:

Number (per year):
Method of selection:
Follow-up:

Section 7. Verification requests to flag States¹³

7.1. Has your country sent requests for verifications under Article 17.6 of the IUU Regulation to other countries authorities in 2016-2017?

Yes *No*

If yes, how many requests for verifications? *Note: please provide separate data for 2016 and 2017:*

Flag States	No of requests for verifications 2016	Justifications (Articles 17.4 and 17.6 of the IUU Regulation)-	No of requests for verifications 2017	Justifications (Articles 17.4 and 17.6 of the IUU Regulation)
<i>Country 1</i>				
<i>Country 2</i>				
...				
<i>Country x</i>				
Total				

7.2. How many requests for verification were not replied to by the other countries' authorities within the deadline provided in Article 17.6 of the IUU Regulation? Does your country in these situations

¹³ Section to be filled-in by all Member States

send a reminder to the authorities of the country in question? [Please provide separate data for 2016 and 2017]

2016

2017

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

Yes

No

Section 8. Information on refusal of importations (Article 18 of the IUU Regulation)¹⁴

8.1. Has your country refused any imports from 1 January 2016 until 31 December 2017? *Note: please only consider refusals based on the IUU Regulation, not for other reasons e.g. Food Safety, Customs legislation, etc.*

Yes

No

If yes, please provide details in the table below:

Reason for refusal of importation	2016		2017	
	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 Union IUU vessel list or in the IUU vessel lists referred to in Article 30.				

¹⁴ Section to be filled-in by all Member States

2016...a number of messages were replied to but the actual numbers are not recorded. In particular request for samples of submitted CC stemming from some third countries were replied to.....

2017...a number of messages were replied to but the actual numbers are not recorded. In particular request for samples of submitted CC stemming from some third countries were replied to.....

10.2. Since the last reporting exercise covering the period 2014-2015, has your country sent any mutual assistance message to the Commission/other Member States?

Please provide separate data for 2016 and 2017 (if any)

2016.....none

2017.....none

Section 11. Information on cooperation with third countries¹⁸

11.1. 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)?

Yes No

If yes, please detail (please provide separate data for 2016 and 2017, if any).

With Senegal concerning the GOTLAND case

With Marocco on several occasions concerning a re-exportation certificate.....

Section 12. Information on nationals¹⁹

12.1. Since the last reporting exercise covering the period 2014-2015, 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 in accordance with Article 39 of the IUU Regulation?

Yes No

If yes, please detail:

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 in accordance with Article 40.4?

¹⁸ Section to be filled-in by all Member States

¹⁹ Section to be filled-in by all Member States

Yes *X No*

If yes, please detail:

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

Please provide details: We were in contact with Senegalese and Spanish authorities concerning the GOTLAND case for which the beneficial ownership is a Belgian registered firm. Directors of the company are mainly Russian citizens.

Seafisheries office provided elements of information to Senegal and Spain.....

12.5. Has your country put in place procedures to ensure that nationals do not sell or export any fishing vessels to operators involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list (Article 40.2)?

Yes *X No*

If yes, please provide details:

12.6. 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?

Yes *X No*

If yes, please detail:

Section 13. Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)²⁰

13.1. Has your country detected serious infringements as defined in Article 42 of the IUU Regulation from 1 January 2016 until 31 December 2017?

Yes *X No*

If yes, please detail separately for each year the number of serious infringements, nature and sanctions applied:

Flag State of the vessel or nationality of the operator (EU and non-EU)	Serious infringements detected in 2016:			Serious infringements detected in 2017:		
	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
<i>Country 1</i>						
<i>Country 2</i>						
...						

²⁰ Section to be filled-in by all Member States

Flag State of the vessel or nationality of the operator (EU and non-EU)	Serious infringements detected in 2016:			Serious infringements detected in 2017:		
	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
<i>Country x</i>						
<i>Total</i>						

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

Yes *No*

If yes, please detail:

13.3. Has your country issued sighting reports from 1 January 2016 until 31 December 2017?

Yes *No*

If yes, how many sighting reports were issued by your country from 1 January 2016 until 31 December 2017?

Flag State of the sighted vessel (EU and non-EU)	No of sighting reports issued in 2016	No of sighting reports issued in 2017
<i>Country 1</i>		
<i>Country 2</i>		
...		
<i>Country x</i>		
<i>Total</i>		

13.4. Since the last reporting exercise covering the period 2014-2015, has your country received any sighting reports for its own vessels from other competent authorities?

Yes *No*

If yes, please detail follow-up (in accordance with Article 50 of the IUU Regulation).

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Section 14. General

14.1. In the reporting period 2016/2017, what have been the main difficulties that your country has encountered in implementing the IUU Regulation, including the catch certification scheme?

During the reporting period no different or additional problems were encountered compared to previous reporting periods.

The format of the CC do not allow for a non-manipulation of the data, the same document can be introduced more than once and parts of the documents can be used separately. We are expecting great progress with the launching of an electronic catch registration system which will allow for a systematic follow-up of the quantities of fish products for which a certificate was issued.

Another standing problems is the interpretation of article 19 of CR 1005/2008 which allows for a verification on the place of final destination. We are of the opinion that verifications as foreseen in art.16-17 should take place at the place of entry in the Union.....

14.2. Which improvements would your country suggest to the Regulation that would make implementation smoother?

See above. The electronic system that is in development is expected to help implementation significantly.....

Section 15. Any other comments

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