

**QUESTIONNAIRE for biennial reporting  
on the application of the IUU Regulation**

**Reporting period 2016-2017**

<b>Member State:</b>	Finland
<b>Organisation:</b>	Ministry of Agriculture and Forestry
<b>Date:</b>	27.4.2018
<b>Name, position and contact details of responsible official:</b>	Juha S. Niemelä, Director General Ministry of Agriculture and Forestry, Natural Resources Department, PO Box 30, 00023, GOVERNMENT Luonnonvaraosasto@mmm.fi

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

**Please state your notified authorities under the IUU Regulation in accordance with:**

**Article 15.2 (exportation of catches):**

**The Centre for Economic Development, Transport and the Environment for Southwest Finland (ELY Centre)**

**Article 17.8 (verification of catch certificates):**

**The Centre for Economic Development, Transport and the Environment for Southwest Finland (ELY Centre)**

**Article 21.3 (re-exportation):**

**The Centre for Economic Development, Transport and the Environment for Southwest Finland (ELY Centre)**

**Article 39.4 (nationals):**

**Ministry of Agriculture and Forestry**

## Section 1. Information on legal framework<sup>1</sup>

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*

## Section 2. Information on administrative organisation<sup>2</sup>

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:* The Ministry of Agriculture and Forestry supervises, steers and coordinates the control of the CFP. The ELY Centre for Southwest Finland has independent powers to decide for catch certificate issues. In practise, The Ministry and the ELY Centre meet bilaterally as well as together with food safety authorities and/or Customs authorities to discuss matters related to IUU tasks. The Ministry and ELY Centre co-operate also with IT Department of National Land Survey that is in charge of the development of the electronic catch certificate system.

The Ministry carried out an audit visit to the ELY Centre 24 November 2017 on IUU issues.

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:* Customs are an integral part of the process for verification of the catch certificates of the imported products. The original catch certificate must be presented to the Customs together with other import documents. ELY Centre receives the catch certificate electronically usually in advance for verification from the importer and the Customs send the original document to the ELY Centre afterwards. The Customs do not release the imported fish to free circulation before the ELY Centre has verified the catch certificate in the electronic system.

Normally Finnish Food Safety Authority (Evira) is not a part of the IUU process but it carries out simultaneously its own veterinary border inspection independently of IUU verification. Co-ordination is needed in case of direct landings from third country vessels but this kind of activity has not taken place in Finland for decades.

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

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

- 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):*

Approximately 1,5 FTE

- 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:*

The rules on inspection, checks and verifications in Articles 9 to 17 of the IUU Regulation 1005/2005 apply. However, no audits or verifications on the spot has been carried out for IUU purposes.

- 2.3. Does your country have freezones/freeports<sup>3</sup> in which activities relevant to importation/exportation/processing of fishery products are authorised?

Yes  No

<b>Section 3. Information on direct landings and transshipments of fishery products by third country fishing vessels<sup>4</sup> (including information on port inspections and infringements)<sup>5</sup></b>
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- 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 Regulation<sup>6</sup>)?

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.:*

The designation of ports for third country fishing vessels is currently under reassessment in Finland. Direct landings or transshipment operations of fishery products have not been carried out for a long time.

- 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):*

<sup>3</sup> [https://ec.europa.eu/taxation\\_customs/business/customs-procedures/what-is-importation/free-zones\\_en](https://ec.europa.eu/taxation_customs/business/customs-procedures/what-is-importation/free-zones_en)

<sup>4</sup> Fishing vessels as defined in article 2.5 of the IUU Regulation

<sup>5</sup> 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.

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

Inspections of third country vessels in Member States ports (2016)								
Type of operation	Vessels	Figures (2016)	Flag of the third country vessel(s)*					Total
				<i>FS1</i>	<i>FS2</i>	<i>FS3</i>	<i>FSx</i>	
Landings	Non-EU vessels using MS designated ports	Number of landings						<b>0</b>
		Number of inspections						<b>0</b>
		% of inspections / landings						<b>0</b>
		Number of infringements						<b>0</b>
Transhipments	Non-EU vessels using MS designated ports	Number of transhipments in ports						<b>0</b>
		Number of inspections						<b>0</b>
		% of inspections / transhipments						<b>0</b>
		Number of infringements						<b>0</b>

\*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)*					
				FS1	FS2	FS3	FSx	Total
Landings	Non-EU vessels using MS designated ports	Number of landings						0
		Number of inspections						0
		% of inspections / landings						0
		Number of infringements						0
Transshipments	Non-EU vessels using MS designated ports	Number of transshipments in ports						0
		Number of inspections						0
		% of inspections / transshipments						0
		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
FS1			
FS2			
FSx			

\*Use ISO Alpha-2 country codes



**Section 4. Information on catch certification scheme for importation for the purpose of the IUU Regulation<sup>7</sup>**

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?

<b>Flag State (non-EU)</b>	<b>2016</b>	<b>2017</b>
CA	51	40
CN	19	0
CO	18	15
EC	4	8
FO	32	14
GL	2	1
ID	15	9
IN	1	0
IS	134	187
JP	1	0
KR	31	38
MU	28	27
MV	22	21
NI	1	0
NO	314	309
NZ	3	0
PA	19	24
PG	33	40
PH	90	108
RU	16	11
SB	1	0
SC	224	401
SV	42	44
TH	26	27
TW	50	94
US	38	67
<b>Total</b>	<b>1215</b>	<b>1485</b>

<sup>7</sup> 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*"

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

<b>RFMO document</b>	<b>2016</b>	<b>2017</b>
<i>ICCAT (electronic)-bluefin tuna catch document</i>	0	0
<i>Dissostichus spp. (CCAMLR)</i>	0	0
<i>CCSBT CDS</i>	0	0
<b>Total</b>	0	0

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:

<b>Processing non-EU State</b>	<b>2016</b>	<b>2017</b>
<i>SV</i>	13	15
<i>CN</i>	21	24
<i>MU</i>	98	168
<i>NO</i>	39	18
<i>PG</i>	1	0
<i>SC</i>	37	27
<i>TH</i>	143	181
<i>PH</i>	0	3
<i>Total</i>	352	436

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 APEO<sup>8</sup>s in 2016-2017?

*Yes*                       *No*

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

.....

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



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:

.....

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:

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

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 exportation<sup>9</sup>**

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.

*Exporter submits completed catch certificate to the ELY centre by letter or e-mail. The ELY Centre verifies the information (fishing areas, fishing days and landings) using the IT system for fisheries control. The ELY Centre sends the dated, signed and stamped certificate by letter or e-mail to the exporters.*

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>Third Country 1</i>		
<i>Third Country 2</i>		
<i>Third Country x</i>		
Total		

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?

Yes  No

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

<sup>9</sup> Section to be filled-in by flag Member States.

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 Regulation<sup>10</sup>**

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 whole procedure of the verification is carried out in the national IT system. The IT system includes warnings and blockades that automatically recognises for example the following characteristics: vessel, fish species and country of origin as well as importer and exporter. After the risk analysis in the IT system the catch certificates are checked manually in accordance with the EFCA common methodology.

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 <sup>11</sup>	No of in-depth verifications <sup>12</sup>	No of basic document-based verifications	No of in-depth verifications
<i>Country 1</i>	N/A	N/A	N/A	N/A
<i>Country 2</i>				
...				
<i>Country x</i>				
Total				

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).

The risk assessment is constructed in the IT system. In case the IT system gives a warning on a catch certificate it will be inspected deeper.

<sup>10</sup> Section to be filled-in by all Member States

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

<sup>12</sup> 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.

6.4. 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 States<sup>13</sup>**

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:*

<b>Flag States</b>	<b>No of requests for verifications 2016</b>	<b>Justifications (Articles 17.4 and 17.6 of the IUU Regulation)-</b>	<b>No of requests for verifications 2017</b>	<b>Justifications (Articles 17.4 and 17.6 of the IUU Regulation)</b>
<i>PH</i>	2	17.6		
<i>TH</i>			1	17.6
<i>PA</i>			7	17.6
<i>ES</i>			1	17.6
<b>Total</b>	2		9	

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

2016 0

2017 0

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

*Yes*                                       *No*

<sup>13</sup> Section to be filled-in by all Member States

**Section 8. Information on refusal of importations (Article 18 of the IUU Regulation)<sup>14</sup>**

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.				
The catch certificate has been validated by the authorities of a flag State identified as a non-cooperating State in accordance with Article 31				
Further to the request for verification (Article 18.2)				

8.2. If the answer to 8.1 is yes, what measures were taken by your authorities towards the refused fishery products?

.....  
 .....

<sup>14</sup> Section to be filled-in by all Member States

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

Yes  No

If yes, please detail: .....

**Section 9. Information on trade flows<sup>15</sup>**

9.1. Did your country note a change<sup>16</sup> of imports of fishery products since the last reporting exercise covering the period 2014-2015?

Yes  No

If yes, please detail: Trade volumes have been increasing steadily. Especially catch certificates from EU member states (e.g. Spain) have increased.

9.2. Please provide information, deriving from your country's statistical data, concerning change of trade patterns in imports of fishery products into your country:

Total volume of imports in fishery products has remained quite stable during 2014-2017, varying from 101 million kg in 2016 to 116 million kg in 2014 (figures include trade from EU members and also aquaculture and inland fishing products). By far the biggest country of origin is Norway (45–65 million kg) and low figure for Norway in 2016 explains the temporary drop in the total figure for 2016, due to problems in the aquaculture sector. The next biggest sources of importation are the neighbouring EU members Sweden, Estonia and Denmark, followed by Thailand, Mauritius, Poland, Germany and Canada.

General observation of the trade flows is that the changes are mostly explained by normal yearly variation. However, one can see, for instance, a steady growth in the import from Vietnam, from 292 000 kg in 2014 to 660 000 kg in 2017. At the same time, import from China has decreased from 1,1 million kg to 632 000 kg. Upward trends can be seen also for example in the figures for El Salvador (from 151 000 to 316 000 kg) and Ecuador (46 000 vs. 171 000 kg). A striking fact is that the imports from Peru has dropped to zero in 2015-2017, having been 2,4 million kg in 2014 (fish meal).

**Section 10. Information on mutual assistance<sup>17</sup>**

10.1. Since the last reporting exercise covering the period 2014-2015, how many mutual assistance messages of the Commission has your country replied to?

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

2016...2

2017...5

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?

<sup>15</sup> Section to be filled-in by all Member States

<sup>16</sup> For example: new kinds of fishery products, new trade patterns or significant and sudden increase in trade volume for a certain species and/or certain third countries.

<sup>17</sup> Section to be filled-in by all Member States

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

*2016...0*

*2017...0*

**Section 11. Information on cooperation with third countries<sup>18</sup>**

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).

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**Section 12. Information on nationals<sup>19</sup>**

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)?

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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?

*Yes*  *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: .....

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*  *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*  *No*

<sup>18</sup> Section to be filled-in by all Member States

<sup>19</sup> Section to be filled-in by all Member States



If yes, please detail: .....

**Section 13. Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)<sup>20</sup>**

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*                       *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>Finland</i>	1	Art. 3.1.a	Case open			
<i>Finland</i>	2	Art. 3.1.b	Cases open			
<i>Finland</i>	1	Art. 3.1.c	Case open	4	Art. 3.1.c	Cases open
<i>Finland</i>				1	Art 3.1.e	Case open
<i>Total</i>	4			5		

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

*Yes*                       *No*

If yes, please detail: Please, note that the *suspected* serious infringements detected in many cases are in fact very minor infringements, such as exceeding of individual fishing quota by 1-5 species of salmon.

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?

<sup>20</sup> Section to be filled-in by all Member States

<b>Flag State of the sighted vessel (EU and non-EU)</b>	<b>No of sighting reports issued in 2016</b>	<b>No of sighting reports issued in 2017</b>
<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?

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

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**Section 15. Any other comments**

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