

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

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

<b>Member State:</b>	ROMANIA
<b>Organisation:</b>	National Agency for Fisheries and Aquaculture
<b>Date:</b>	
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<b>May the Commission provide a copy of this questionnaire to other Member States?</b>	
<b>Yes:</b>	<b>Yes</b>
<b>Yes except for questions (list):</b>	
<b>No:</b>	

<p><b>Please state your notified authorities under the IUU Regulation in accordance with:</b></p> <p><b>Article 15.2 (exportation of catches): NAFA</b></p> <p><b>Article 17.8 (verification of catch certificates): NAFA, Customs</b></p> <p><b>Article 21.3 (re-exportation): NAFA, Customs</b></p> <p><b>Article 39.4 (nationals):</b></p>
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**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; N/A
- validation of catch certificates upon exports; NAFA
- verification of catch certificates for imports under direct landing; N/A
- verification of catch certificates for imports arriving by other means than fishing vessels (e.g. by containers, trucks); Customs
- validation and verifications of re-exports. N/A

a) internal co-operation (between local/regional authorities and head-quarter); No

*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:* .....

*Yes, we have Collaboration Protocols with Coast Guard, National Sanitary Veterinary and Food Safety Authority, Police, Gendarmerie, etc. the collaboration consists of joint missions, meetings for information dissemination and legislative update, reporting of IUU cases, reporting of inspections with IUU suspicion, etc.*

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):*  
.....2 officials

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:* .....

<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.

2.3. Does your country have free zones/freeports<sup>3</sup> 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 vessels<sup>4</sup> (including information on port inspections and infringements)<sup>5</sup>**

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.:

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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 ?

**None**

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					
		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					
		Number of inspections	0					
		% of inspections / transshipments	0					

<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.)

		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					
		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					
		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

FS1			
FS2			
...			
FSx			

\*Use ISO Alpha-2 country codes

3.4. Has your country had any problems with third country fishing vessels when implementing Articles 6 (prior notice) and 7 (authorisation) of the IUU Regulation?

*Yes*                       *No*

If yes, please detail the nature of the problems:

In 2016: .....

In 2017: .....

3.5. Since January 2016, has your country denied access to its ports to a fishing vessel for port services, activities of landing or transshipment of fishery products based on the conditions of the IUU Regulation?

*Yes*                       *No*

If yes, please detail the nature of the problem, the number of vessels concerned and their flags:

In 2016: .....

In 2017: .....

3.6. Do you have third country fishing vessel landings in transit in your country with final destination in another Member State? [Article 19.3 of the IUU Regulation]

*Yes*                       *No*

If yes, please indicate the number of landings in transit per year:

In 2016: .....

In 2017: .....

3.7. In order to determine the cases for port inspection, does your country use risk assessment criteria [cf. benchmarks for port inspections, Article 4 of Regulation (EC) No1010/2009]?

*Yes*                       *No*

*Not applicable (e.g. in the absence of landings/transshipments from third countries)* If yes, please detail: .....

**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? For example, from France and Spain the catch certificates come with annex IV.

<b>Flag State (non-EU)</b>	<b>2016</b>	<b>2017</b>
<i>Argentina</i>	4	7
<i>Canada</i>	46	63
<i>Capul Verde</i>	19	3
<i>Chile</i>	2	3
<i>China</i>	30	15
<i>Ecuador</i>	48	51
<i>El Salvador</i>	1	1
<i>Falkland islands</i>	1	0
<i>Franta</i>	11	12
<i>Islanda</i>	2	0
<i>India</i>	0	1
<i>Indonezia</i>	0	19
<i>Koreea</i>	16	8
<i>Maroc</i>	58	46
<i>Mexico</i>	0	3
<i>Mauritius</i>	5	0
<i>New Zealand</i>	2	0
<i>Norway</i>	2	6
<i>Panama</i>	21	18
<i>Papua New Guinea</i>	0	2
<i>Peru</i>	10	29
<i>Philippine</i>	67	65
<i>Russia</i>	37	19
<i>Seychelles</i>	85	14
<i>Spania</i>	119	31
<i>Taiwan</i>	0	3
<i>Thailand</i>	0	35
<i>Uruguay</i>	0	1
<i>Usa</i>	22	32
<i>Vietnam</i>	34	56

<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"

<b>Flag State (non-EU)</b>	<b>2016</b>	<b>2017</b>
<b>Total</b>	<b>642</b>	<b>543</b>

4.2. From the number above, how many recognised RFMO catch certificates accompanied imports into your country? **None**

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

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>Capul verde</i>	24	4
<i>China</i>	51	30
<i>Ecuador</i>	23	22
<i>Mauritiu</i>	181	52
<i>Philippines</i>	1	0
<i>Russia</i>	1	0
<i>Thailand</i>	32	40
<i>Usa</i>	0	1
<b>Total</b>	<b>313</b>	<b>149</b>

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**

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

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:

.....

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

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*

X  *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.

*The application for the control and verification of catch certificates and other related documents along with the proof of payment of the visa fee shall be recorded in the NAFA entries register, the documents of the vessel and the catch shall be checked (whether the vessel is licensed, authorized), the catch certificate shall be then drawn/approved, and the original shall be handed to the exporter, while copy no. 2 shall be kept by NAFA Constanta for processing.*

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

Yes

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
Coreea de Sud	5	5
Emiratele Arabe Unite	1	2
Vietnam	5	1
<b>Total</b>	<b>11</b>	<b>8</b>

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

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

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 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?

In accordance with art. 17.1 from 1005/2008 NAFA does not verify the catch certificates for importation. The verification are made by Customs, The National Sanitary Veterinary and Food Safety Authority.

Yes

No

If yes, please detail: .....

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
Country 1				
Country 2				
...				
Country x				
Total				

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

Yes

No

<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.

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

.....

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:*

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)
Country 1				
Country 2				
...				
Country x				
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 send a reminder to the authorities of the country in question? [Please provide separate data for 2016 and 2017] **None**

2016 .....

2017 .....

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 la articolul 14 alineatul (1) sau (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**

9.1. Did your country note a change<sup>15</sup> of imports of fishery products since the last reporting exercise covering the period 2014-2015?

Yes  No

If yes, please detail: .....

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:

.....1.

**Section 10. Information on mutual assistance**

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?

**None**

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

2016.....

2017.....

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?

**None**

*If it is considered assistance, yes, we responded a few times to inquiries related to contact details for Ukraine for example or other countries we had information for.*

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

2016.....

2017.....

<sup>15</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.

**Section 11. Information on cooperation with third countries<sup>16</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>17</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)?

Collaboration protocols are the basis of the collaboration, the authorities involved in control send information to NAFA if there are IUU activities identified (fishing in national or EEZ waters, actions undergone to identify the vessels performing IUU activities, etc.

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?

<sup>16</sup> Section to be filled-in by all Member States

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

Yes  No

If yes, please detail: .....

**Section 13. Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)<sup>18</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>Turkey</i>	4	Illegal fishing	Criminal file	1	Illegal fishing	Criminal file
<i>Ukraine</i>	-	-	-	1	Illegal fishing	Criminal file
<b>Total</b>	<b>4</b>			<b>2</b>		

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>		

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



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 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?

There is no possibility of electronic verification of catch certificates, and in order to solve this issue, the update of the database project will have a dedicated section for the registration and follow-up of catch certificates, as well as the possibility to easily exchange information with member states..

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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