


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

Reporting period 2018-2019 (deadline for submission 30 April 2020)

Member State:	Deutschland
Organisation:	Bundesanstalt für Landwirtschaft und Ernährung
Date:	29.04.2020
Name, position and contact details of responsible official:	

May the Commission provide a copy of this questionnaire to other Member States?	
Yes:	Ja, mit Ausnahme von Anlage 4 aus datenschutzrechtlichen Gründen
Yes except for questions (list):	
No:	

<p>Please check if your notified authorities under the IUU Regulation correspond with the latest version of the Official Journal:</p> <p>https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52019XC0215(01)</p> <p>Article 15.2 (exportation of catches):</p> <p>Bundesanstalt für Landwirtschaft und Ernährung Deichmanns Aue 29 53179 Bonn</p> <p>Article 17.8 (verification of catch certificates):</p> <p>Bundesanstalt für Landwirtschaft und Ernährung Deichmanns Aue 29 53179 Bonn</p> <p>Article 21.3 (re-exportation):</p> <p>Bundesanstalt für Landwirtschaft und Ernährung Deichmanns Aue 29</p>
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53179 Bonn

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

Article 39.4 (nationals):

Section 1. Information on legal framework¹

Since the last reporting exercise covering the period 2016-2017, 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

Zur Information: Deutschland hat in der Zeitspanne 2018/2019 an der Erstellung eines neuen risikobasierten IUU IT-Systems gearbeitet. Das neue System beinhaltet ein elektronisches Risikomanagement und bietet weitere Hilfestellungen bei der Abwicklung der Importkontrollen (z.B. Abschreibung von in den Fangbescheinigungen ausgewiesenen Gewichtsangaben). Seit Februar 2020 ist dieses System vollständig in Betrieb.

Section 2. Information on administrative organisation²

2.1. Are there any changes as regards your administrative organisation since the last reporting exercise?

Yes No

2.2. *If yes, please fill in the following questions.* Does your country have different authorities/services to deal with the implementation of the IUU Regulation?

Yes No

2.3. 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) vertical 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:

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):

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

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.

Yes

No

If yes, which and how many audits/verifications have they undertaken since the last reporting exercise covering the period 2016-2017? Which authorities are responsible for audits/verifications? Please detail the results: Die BLE hat die rechtliche Möglichkeit, Überprüfungen von Fischhandelsunternehmen vorzunehmen.

In den Jahren 2018/19 erfolgten jedoch keine derartigen Überprüfungen, da dafür die Notwendigkeit nicht gegeben war.

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

Yes

No

In Deutschland existieren Freizonen/Freihäfen sowie ein Seezollhafen (Hamburg). Allerdings werden in diesen Bereichen keine Fischereierzeugnissen verarbeitet.

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

3.1. Please check if your list of designated ports correspond to the latest version of the Office Journal.

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2019.276.01.0011.01.ENG

3.2. Does your country have designated ports for direct landings or transhipment 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.:

Bremerhaven

Cuxhaven

Rostock (Umladungen nicht zugelassen)

Sassnitz/Mukran (Umladungen nicht zugelassen)

3.3. How many landings and transhipments in designated ports of third country vessels have been recorded by your country between 1 January 2018 until 31 December 2019? How many inspections has your country carried out and how many infringements have been detected?

In Deutschland wurden keine Anlandungen oder Umladungen von Drittlandsschiffen in den Jahren 2018/2019 registriert. Damit erübrigt sich auch die weitere Beantwortung der Fragen zu den Punkten unter *Section 3*.

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.)

Please fill-in the table below (2018):

Inspections of third country vessels in Member States ports (2018)								
Type of operation	Vessels	Figures (2018)	Flag of the third country vessel(s) ⁷					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	0					
		% of inspections / transhipments	0					
		Number of infringements	0					

⁷ ISO Alpha-2 country codes.

Please fill-in the table below (2019):

Inspections of third country vessels in Member States ports (2019)								
Type of operation	Vessels	Figures (2019)	Flag of the third country vessel(s) ⁸					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	2					
		% of inspections / transshipments	100%					
		Number of infringements	0					

3.4. From the figures above, in the cases where your country detected infringements by third country vessels between 1 January 2018 and 31 December 2019, 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 (2018):

Flag of the third country vessel ⁹	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			
FS2			
...			
FSx			

Please fill-in the table below (2019):

Flag of the third country vessel ¹⁰	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			

⁸ ISO Alpha-2 country codes.

⁹ ISO Alpha-2 country codes.

¹⁰ ISO Alpha-2 country codes.

FS2			
...			
FSx			

3.5. 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 and the measures taken:

In 2018:

In 2019:

3.6. Since January 2018, has your country denied access to its ports to a fishing vessel for port services, activities of landing or transhipment 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 2018:

In 2019:

3.7. 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 2018:

In 2019:

3.8. 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/transhipments from third countries)

If yes, please detail:

Section 4. Information on catch certification scheme for importation for the purpose of the IUU Regulation¹¹

4.1. How many catch certificates from non-EU countries were presented to the authorities of your country from 1 January 2018 until 31 December 2019? Please complete the following table by flag state validating the catch certificates, including in cases catch certificates are accompanied by processing statements.¹²

Flag State (non-EU) ¹³	2018	2019
FS 1		
FS 2		
...	s. Anlage 1	s. Anlage 1
FS x		
Total		

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	2018	2019
ICCAT (electronic)-bluefin tuna catch document	2	28
Dissostichus spp. (CCAMLR)	0	0
CCSBT CDS	0	0
Total	2	28

4.3. How many catch certificates from EU Member States were presented to the authorities of your country from 1 January 2018 until 31 December 2019?

Flag State (EU)	2018	2019
FS 1		
FS 2		
...	s. Anlage 1	s. Anlage 1
FS x		
Total		

4.4. From the number above, how many recognised RFMO catch certificates from EU Member States accompanied imports into your country? Please detail per RFMO certificate and year.

RFMO document	2018	2019
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¹¹ 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"

¹² If catch certificates are submitted only for transshipment purposes, please specify.

¹³ ISO Alpha-2 country codes.

RFMO document	2018	2019
<i>ICCAT (electronic)-bluefin tuna catch document</i>	0	0
<i>Dissostichus spp. (CCAMLR)</i>	0	0
<i>CCSBT CDS</i>	0	0
Total	0	0

4.5. Has your country received processing statements from 1 January 2018 until 31 December 2019?

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.

Processing non-EU State ¹⁴	2018	2019
<i>PS 1</i>		
<i>PS 2</i>		
...	s. Anlage 2	s. Anlage 2
<i>PS x</i>		
<i>Total</i>		

4.6. 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 2018-2019)

4.7. Has your country received requests to authorise APEO¹⁵s in 2018-2019?

Yes *No*

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

1 in 2019 received, authorised 0

4.8. Has your country adopted administrative rules referring to the management and control of APEO in 2018-2019?

Yes *No*

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

If yes, please detail:

¹⁴ ISO Alpha-2 country codes.

¹⁵ Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) 1010/2009, Chapter II

.....

4.9. Has your country validated re-export certificates for products imported from 1 January 2018 until 31 December 2019?

Yes No

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

Destination country (non-EU)¹⁶	2018	2019
<i>Third Country 1</i>		
<i>Third Country 2</i>		
...		
<i>Third Country x</i>		
Total		

4.10. 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 2018-2019)

If yes, please detail:

.....

4.11. 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

Eine Erweiterung des IT-Tools um eine Funktion zur Erfassung von Re-Exporten ist in Planung.

4.12. 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*

¹⁶ ISO Alpha-2 country codes.

Section 5. Information on catch certification scheme for exportation¹⁷

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 2018-2019)

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

s. Anlage 3

5.2. Has your country validated catch certificates for exportation in 2018-2019 in accordance with Article 15?

Yes *No*

If yes, how many catch certificates did your country validate from 1 January 2018 to 31 December 2019? If possible, please provide details per requesting third country/country of destination in the following table:

Destination State ¹⁸	Year	
	2018	2019
<i>MA</i>	512	711
<i>US</i>	3	6
<i>BY</i>	36	44
<i>CN</i>	31	20
<i>IS</i>	11	13
<i>TH</i>	3	10
<i>NO</i>	2	0
<i>NA</i>	1	0
<i>CA</i>	0	1
<i>JP</i>	0	9
<i>MT</i>	0	2
<i>MY</i>	0	1
Total	599	817

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

Yes *No*

Es handelt sich um eine einfache Excel Datenbank, in der Angaben zu den Fangreisen abgelegt werden und aus deren Angaben dann die Fangbescheinigung erstellt wird (s. Anlage 4)

¹⁷ Section to be filled-in by flag Member States.

¹⁸ ISO Alpha-2 country codes.

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 2018-2019)

Soweit möglich wird vor Ausstellung einer Fangbescheinigung ein zollrechtlicher Ausgangsvermerk angefordert, der die tatsächliche Ausfuhr der Ware aus dem Gebiet der EU belegt (s. Anlage 5). Sollte dies nicht möglich sein, wird alternativ die Vorlage eines "Bill of Landing" eingefordert.

5.5. Has your country refused the validation of a catch certificate between 1 January 2018 and 31 December 2019?

Yes *No*

Not applicable (e.g. in the absence of request for validation of catch certificates for exportation in 2018-2019)

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 Regulation¹⁹

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: Das Prüfverfahren für Fangbescheinigungen ist schematisch in Anlage 6 dargestellt. Darüber hinausgehende Überprüfungen nach Artikel 17.2 sind rechtlich möglich. In Deutschland sind die Kontrollen ein Zusammenspiel zwischen den veterinärrechtlichen Grenzkontrollstellen, der BLE und dem Zoll.

6.2. How many catch certificates have been verified by your administration from 1 January 2018 until 31 December 2019? Please specify, separately for each year:

Flag State of origin (EU or non-EU) ²⁰	Number of verifications		Number of verifications	
	2018		2019	
	No of basic document-based verifications ²¹	No of in-depth verifications ²²	No of basic document-based verifications	No of in-depth verifications

¹⁹ Section to be filled-in by all Member States

²⁰ ISO Alpha-2 country codes.

Flag State of origin (EU or non-EU) ²⁰	Number of verifications 2018		Number of verifications 2019	
	No of basic document-based verifications ²¹	No of in-depth verifications ²²	No of basic document-based verifications	No of in-depth verifications
<i>Country 1</i>				
<i>Country 2</i>	s. Anlage 7			
...				
<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).

Ein besonderes Augenmerk bei der Kontrolle der Fangbescheinigungen liegt bei den Sendungen aus Drittländern, für die die EU-Kommission im Rahmen von Informationsschreiben nach Artikel 50 Abs. 3 der Verordnung (EG) Nr. 1005/2008 (IUU-Verordnung) ein erhöhtes Risiko mitgeteilt hat. Beachtung finden auch Sendungen aus Ländern, die die EU-Kommission bereits unterrichtet hat, dass sie möglicherweise zukünftig als nicht-kooperierende Drittländer eingestuft werden. Auch Informationen aus anderen Mitgliedstaaten der EU oder Umlade-/Verarbeitungsvorgänge in Drittstaaten können dazu führen, dass Sendungen einer vertieften Kontrolle der Fangbescheinigungen und deren Begleitpapiere unterzogen werden.

Zukünftig wird das neue IT System ein elektronisches System zum Risikomanagement enthalten, das die Risikokriterien der Verordnung (EG) Nr. 1010/2009 berücksichtigt.

6.4. Does your country also physically verify the consignments?

Yes *No*

If yes, please detail: In Verbindung mit den veterinärrechtlichen Grenzkontrollstellen und dem Zoll erfolgt eine 100 % Kontrolle, d.h. Prüfung der Dokumente und eine Nämlichkeitskontrolle (s. Anlage 8).

Number (per year):
Method of selection:

²¹ See fields CC1 to CC6 (*Preliminary overview checks "helicopter view"*) of the EFCA Common methodology for IUU catch certificates verification and cross-checks.

²² 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.

Follow-up:

Section 7. Verification requests to flag States²³

7.1. Has your country sent requests for verifications under Article 17.6 of the IUU Regulation to other countries authorities in 2018-2019?

Yes No

If yes, how many requests for verifications? *Note: please provide separate data for 2018 and 2019:*

Flag States ²⁴	No of requests for verifications 2018	Justifications (Articles 17.4 and 17.6 of the IUU Regulation)-	No of requests for verifications 2019	Justifications (Articles 17.4 and 17.6 of the IUU Regulation)
Country 1				
Country 2				
...	s. Anlage 9			
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? Could you please specify when the request, despite reminder(s), remained unanswered? What measures have you taken in that case (i.e. denial of importation) [Please provide separate data for 2018 and 2019]

Es wurden keine Maßnahmen ergriffen, generell wurden die Anmeldungen abgelehnt.

2018 s. Anlage 9.....

2019 s. Anlage 9.....

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

Yes No

7.4. Has your country been using IT systems developed by third countries allowing for a full or partly verification of catch certificates and how many verifications were made through these systems (approximately)?

Die BLE nutzt die elektronischen Datenbanken von den Flaggenstaaten, die eine zur Verfügung stellen (s. Anlage 10) zur Kontrolle von Fangbescheinigungen. Leider kann mit dem bisherigen System keine Abschätzung über die Anzahl der Überprüfungen gegeben werden.

²³ Section to be filled-in by all Member States

²⁴ ISO Alpha-2 country codes.

Section 8. Information on refusal of importations (Article 18 of the IUU Regulation)²⁵

8.1. Has your country refused any imports from 1 January 2018 until 31 December 2019? *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	2018		2019	
	Flag State ²⁶	No.	Flag State ²⁷	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			Russia	RU-PRI20190735
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)				

²⁵ Section to be filled-in by all Member States

²⁶ ISO Alpha-2 country codes.

²⁷ ISO Alpha-2 country codes.

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

Der Zugang zum freien Warenverkehr in Deutschland wurde verweigert.....

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 flows²⁸

9.1. Did your country note a change²⁹ of imports of fishery products since the last reporting exercise covering the period 2016-2017?

Yes No

Anmerkung: Es gibt immer Veränderungen in den Handelsströmen. Dafür gibt es die unterschiedlichsten Gründe (Preisänderungen, Bestandsveränderungen, Veränderungen der Verbrauchernachfrage, Entwicklung der Transportkosten etc. etc.). Gründe aus IUU-Sicht sind nicht zu differenzieren.....

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:

Section 10. Information on mutual assistance³⁰

10.1. Since the last reporting exercise covering the period 2016-2017, how many mutual assistance messages of the Commission has your country replied to?

Please provide separate data for 2018 and 2019 (if any)

2018 Es wurden alle Anfragen der Kommission beantwortet

2019 Es wurden alle Anfragen der Kommission beantwortet

10.2. Since the last reporting exercise covering the period 2016-2017, has your country sent any mutual assistance message to the Commission/other Member States?

Please provide separate data for 2018 and 2019 (if any)

2018...5.....

2019...4.....

²⁸ Section to be filled-in by all Member States

²⁹ 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.

³⁰ Section to be filled-in by all Member States

Section 11. Information on cooperation with third countries³¹

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 2018 and 2019, if any).

.....

Section 12. Information on nationals³²

12.1. Since the last reporting exercise covering the period 2016-2017, 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:

Diesbezüglich wurden keine neuen Rechtsgrundlagen erlassen.

12.2. What measures has your country taken to encourage nationals to notify any information on interests in third country vessels (Article 40.1)?

Keine

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: Deutschland bemüht sich, im Rahmen der regionalen Fischereiorganisationen Informationen zu IUU-Aktivitäten auch eigener Staatsangehöriger zu erhalten. Zudem werden Hinweise internationaler Organisationen wie Interpol nachgegangen und alle Maßnahmen unterstützt, die auf die internationale Kriminalisierung von IUU-Aktivitäten zielen. Bislang liegen der Bundesregierung keine Informationen zu Verwicklungen deutscher Staatsangehöriger in IUU-Fischerei vor.

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: Wie unter 12.3. beschrieben, liegen keine Informationen zu Verwicklungen deutscher Staatsangehöriger in IUU-Fischerei vor.

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*

³¹ Section to be filled-in by all Member States

³² Section to be filled-in by all Member States

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

If yes, please detail:

Section 13. Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)³³

13.1. Has your country detected serious infringements as defined in Article 42 of the IUU Regulation from 1 January 2018 until 31 December 2019?

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) ³⁴	Serious infringements detected in 2018:			Serious infringements detected in 2019:		
	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
<i>Germany</i>	1	Logbuch	Vergabe von 3 Punkten	1	Logbuch	Vergabe von 3 Punkten
<i>Country 2</i>						
...						
<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: ... Für die Sanktionierung von schweren Verstößen enthalten sowohl das Seefischereigesetz als auch untergesetzliche Verordnungen Ordnungswidrigkeitentatbestände, bei deren Erfüllung die für den schweren Verstoß verantwortliche Personen mit Bußgeldern belegt werden können. Die Höhe der Bußgelder richtet sich unter anderem nach dem Ausmaß der Zuwiderhandlung, der wirtschaftlichen Situation der Täter und danach, ob eine mehrfache

³³ Section to be filled-in by all Member States

³⁴ ISO Alpha-2 country codes.

Verletzung von Bußgeldvorschriften vorliegt und ob eine wiederholte Begehung der Zuwiderhandlung gegeben ist.

13.3. Has your country issued sighting reports from 1 January 2018 until 31 December 2019?

Yes No

If yes, how many sighting reports were issued by your country from 1 January 2018 until 31 December 2019?

Flag State of the sighted vessel (EU and non-EU) ³⁵	No of sighting reports issued in 2018	No of sighting reports issued in 2019
<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 2016-2017, 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 2018-2019, what have been the main difficulties that your country has encountered in implementing the IUU Regulation, including the catch certification scheme?

Es ist nahezu unmöglich, die unzähligen, in den jeweiligen Drittländern geltenden Bewirtschaftungs- und Erhaltungsmaßnahmen zu überprüfen. Hier wäre es hilfreich, wenn die Kommission eine Liste von Staaten erstellen würde, bei denen in diesem Bereich Defizite bestehen.

Folgende Schwierigkeiten wurden ansonsten festgestellt:

- Teilweise erfolgen Antworten der Drittländer auf Anfragen sehr verspätet oder gar nicht.
- Teilweise liegen nur schlecht lesbare Kopien der Fangbescheinigungen bzw. schwache Validierungsstempel vor (betr. besonders Russland).
- Schwierigkeiten, mit der SMS-Datenbank zu arbeiten (teilweise wurden schwache Kopien hochgeladen, die Dateien haben keine Bezeichnung).

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

³⁵ ISO Alpha-2 country codes.

Für dringend erforderlich gehalten wird die Einführung einer europäischen Datenbank, in der die Flaggenstaaten ihre ausgestellten Fangbescheinigungen hinterlegen und die die Möglichkeit einer mengenmäßigen Abschreibung der Fangbescheinigung vorsieht. Eine solche Datenbank würde die Kontrollen effizienter gestalten und die Verwaltungsverfahren vereinfachen. Die in dieser Hinsicht bereits begonnenen Arbeiten sollten fortgeführt werden, um möglichst bald ein funktionierendes System in Betrieb zu haben. Das neue System muss darüber hinaus Schnittstellen zu bereits bestehenden IT Systemen in den Mitgliedstaaten vorsehen. Ein umfangreicher Datenaustausch zwischen den Systemen der Mitgliedstaaten und der EU-Datenbank ist dringend erforderlich. Es sollte möglichst eng mit den Mitgliedstaaten zusammengearbeitet werden, um das System auf die jeweiligen nationalen Rechtssysteme anzupassen. Ferner wäre eine intensive (unter Einbeziehung europäischer Einfuhrunternehmen) Testphase des Systems unbedingt wünschenswert. Angeraten wird, das IUU-Handbuch von der Webseite der Kommission zu entfernen.

Die Erweiterung der Anlagen der Verordnung (EG) Nr. 1005/2008 um ein einheitliches 14.1. Dokument wird begrüßt. Durchgehende Seitenzahlen für die Dokumente Fangbescheinigung und Verarbeitungsdokument wären hilfreich. Ebenso wäre eine verpflichtende Dokumentennummer für die Verarbeitungserklärungen hilfreich.

Artikel 21 der IUU-Verordnung schreibt vor, dass Erzeugnisse, die aus Drittländern eingeführt und unverarbeitet wieder ausgeführt werden, mit einer Wiederausfuhrbescheinigung zu versehen sind. Da die zu exportierenden Erzeugnisse bereits bei der Einfuhr kontrolliert wurden und die IUU-Konformität der Erzeugnisse damit bereits festgestellt ist, erscheint eine „erneute“ Validierung der Fangbescheinigung respektive einer Kopie davon als entbehrlich.

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Section 15. Any other comments

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