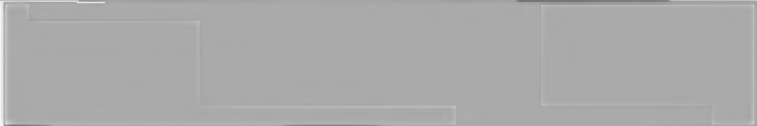


**QUESTIONNAIRE to be used for biennial reporting
on the application of the IUU Regulation**

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

Member State:	<i>Poland</i>
Organisation:	<i>Ministry of Maritime Economy and Inland Navigation</i>
Date:	<i>27 April 2020</i>
Name, position and contact details of responsible official:	

May the Commission provide a copy of this questionnaire to other Member States?	
Yes:	<i>Yes, if requested and with notification of our office</i>
Yes except for questions (list):	
No:	

Please check if your notified authorities under the IUU Regulation correspond with the latest version of the Official Journal:

[https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52019XC0215\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52019XC0215(01))

Our notified authorities under the IUU Regulation correspond with the latest version of the Official Journal

Article 15.2 (exportation of catches):

Ministry of Maritime Economy and Inland Waterways; Fisheries Department

Article 17.8 (verification of catch certificates):

- in case of imports by land or air:

Ministry of Maritime Economy and Inland Waterways; Fisheries Department

- in case of imports by sea:

Main Sea Fisheries Inspectorate Regional Center in Gdynia

Main Sea Fisheries Inspectorate Regional Center in Szczecin

Article 21.3 (re-exportation):

Ministry of Maritime Economy and Inland Waterways; Fisheries Department

Main Sea Fisheries Inspectorate Regional Center in Gdynia

Main Sea Fisheries Inspectorate Regional Center in Szczecin

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

Article 39.4 (nationals):

*Ministry of Maritime Economy and Inland Waterways; Fisheries Department
Main Sea Fisheries Inspectorate Regional Center in Gdynia
Main Sea Fisheries Inspectorate Regional Center in Szczecin*

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

Due to an amendment to Act on Fisheries, since 01 January 2019 the Main Sea Fisheries Inspector, located in Słupsk, is the authority responsible for the implementation of the IUU Regulation in case of importation being executed through designated Polish seaports, replacing in that position two existing formerly Regional Sea Fisheries Inspectorates -- one in Gdynia and one in Szczecin. (more details below)

Links to the official national database:

<http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000277>

<http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20180002340>

<http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190001489/U/D20191489Lj.pdf>

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);

Vertical structure of fisheries control has changed since 01 January 2019. Instead of the two existing formerly Regional Sea Fisheries Inspectors in Gdynia and Szczecin, the Main Sea Fisheries Inspector (MSFI), located in Słupsk, is now responsible for the implementation of provisions of the IUU Regulation in case of importation and landings executed through the designated Polish seaports. However, to maintain the work of the personnel involved in the

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.

mentioned implementation so far, two branch sea fisheries inspection offices have been set up, acting as executive means on behalf of the Main Sea Fisheries Inspector in this area – one of these in Gdynia (covering ports of Gdańsk and Gdynia) and one in Szczecin (covering ports of Szczecin and Świnoujście).

Imports entering Poland via airports/land border crossings are subjected to control by the Department of Fisheries within the Ministry of Maritime Economy and Inland Navigation (being also the superior authority for the MSFI).

Mutual assistance information is distributed to the Main Sea Fisheries Inspector and further to the Branch Offices (Gdynia and Szczecin) by the SLO functioning within the Ministry of Maritime Economy and Inland Navigation. Feedback information is collected by the MSFI and sent to the SLO for being put together with information delivered by the Department of Fisheries. Final feedback information from Poland is then sent by the SLO to the appropriate recipients.

- 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.);

Fisheries – responsible for checking of the CCs and legality of the catch itself; responsible for acceptance or denial of the importation of the fishery products and forwarding information concerning the decision taken to the Custom authorities in order to allow them to take appropriate actions; Dpt. Of Fisheries – additionally responsible for issuing of CC for products stemming from catches done by vessels flying the flag of Poland;

Health/Food Quality – responsible for physical checks of consignments arriving at Polish borders for conformity with veterinary and food quality requirements; responsible for checking if the products imported are the same as shown on documents; the veterinary Border Control Posts in Szczecin and Gdańsk are places for coordinated, joint inspections of fishery products imported from 3rd countries and delivered by means of maritime transport to designated Polish seaports; such inspections are conducted simultaneously by the officials from the Sea Fisheries Inspection, the Agricultural and Food Quality inspection and the Veterinary Inspection;

Customs – responsible for final release for free circulation of the imported products and for collection of the relevant duties; release is not done prior to confirmation of acceptance from Fisheries and Health authorities;

Border Guard – responsible for aiding Fisheries authorities in controlling and preventing any illegal activities related to fisheries on Polish maritime waters

- 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): Within the MSFI - 3,5 FTE (1,5 in BO Szczecin and 2 in BO Gdynia), within the Ministry of Maritime Economy and Inland navigation – 3 FTE, accompanied by a number of cooperating Health-, Food Quality- and Custom officers.

- 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 2016-2017? Which authorities are responsible for audits/verifications? Please detail the results:

The minister responsible for fisheries is empowered by law to audit and verify companies applying for APEO status as well as entities applying for fishing vessels' licences or permits.

2.4. 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. 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

Our list of designated ports corresponds to the latest version of the Official Journal:

[https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020XC0214\(02\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020XC0214(02))

3.2. 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.:

Gdańsk

Gdynia

Świnoujście

Szczecin

3.3. How many landings and transshipments 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?

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
			FO	PA	BS	KN	NO	VC	KM	DM	AN	
Landings	Non-EU vessels using MS designated ports	Number of landings	51	10	49	3	13	3	2	4	1	136
		Number of inspections	1	1	3	0	0	1	0	0	0	6
		% of inspections / landings	2,0 %	10%	6,1 %	0	0	33,3 %	0	0	0	4,4%
		Number of infringements	0	0	0	0	0	0	0	0	0	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.)

⁷ ISO Alpha-2 country codes.

Transhipments	Non-EU vessels using MS designated ports	Number of transhipments in ports	0	0	0	0	0	0	0	0	0	0	
		Number of inspections	0	0	0	0	0	0	0	0	0	0	0
		% of inspections / transhipments	0	0	0	0	0	0	0	0	0	0	0
		Number of infringements	0	0	0	0	0	0	0	0	0	0	0

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
			NO	FO	BS	AG	PA	IS	RU	VC	
Landings	Non-EU vessels using MS designated ports	Number of landings	15	46	37	2	16	1	1	1	119
		Number of inspections	0	1	1	0	1	0	0	0	3
		% of inspections / landings	0	2,2 %	2,7 %	0	6,3 %	0	0	0	2,5 %
		Number of infringements	0	0	0	0	0	0	0	0	0
Transhipments	Non-EU vessels using MS designated ports	Number of transhipments in ports	0	0	0	0	0	0	0	0	0
		Number of inspections	0	0	0	0	0	0	0	0	0
		% of inspections / transhipments	0	0	0	0	0	0	0	0	0
		Number of infringements	0	0	0	0	0	0	0	0	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	N/A	N/A	N/A
FS2			
...			
FSx			

Please fill-in the table below (2019):

⁸ ISO Alpha-2 country codes.

⁹ ISO Alpha-2 country codes.

Flag of the third country vessel ¹⁰	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1	N/A	N/A	N/A
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: Due to short distances between port of loading and our ports the prior notices sometimes came in a little late. In BO Szczecin: 1 case of delayed prior notice of vessel arriving for repairs only. Masters' representatives were instructed to notify as foreseen in the IUU Regulation. Arrivals for repairs used for risk assessment and inspection choice.

In 2019: Due to short distances between port of loading and our ports the prior notice sometimes came in a little late. In BO Szczecin: 2 cases of unintentional delay of notification related to calls for purposes other than landing (masters' representatives instructed and inspections done).

3.6. Since January 2018, 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 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:

¹⁰ ISO Alpha-2 country codes.

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: *Basic criteria used as per Article 4 of Regulation (EC) No. 1010/2009 – letters n), q) and p). Vessels' notifications indicating arrival for repairs or other non-landing purposes is used as an additional threat for the risk assessment. The average number of calls of this sort at the designated ports was 10 calls per year. The relevant numbers of inspections were 5 (2018) and 2 (2019). This is not reflected in the tables above.*

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
PH	210	241
RU	1672	1650
CL	311	206
NO	767	837
IN	26	35
US	742	738
CA	118	149
AR	159	180
CN	127	258
VN	18	11
PA	63	44
ID	72	13
NZ	314	412
EC	61	105
MA	13	8
NI	3	2
FO	171	155
SC	9	9
LK	309	527
GL	28	25
SB	1	0
IS	401	407
PE	155	73
MU	0	1
SV	0	23
KR	1	10
BZ	4	0

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.

Flag State (non-EU) ¹³	2018	2019
NA	4	0
ZA	10	9
TW	1	0
AU	0	4
MM	0	2
UY	0	5
OM	3	1
MV	53	58
Total	5826	6198

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	37	46
Dissostichus spp. (CCAMLR)	0	0
CCSBT CDS	0	0
Total	37	46

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
PT	1	13
EE	12	0
ES	50	64
FR	4	16
DE	1	4
LT	12	0
GB	109	41
DK	54	2
IE	2	0
SE	1	0
Total	246	140

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
ICCAT (electronic)-bluefin tuna catch document	0	0
Dissostichus spp. (CCAMLR)	0	0
CCSBT CDS	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.

As regards imports by sea:

Processing non-EU State ¹⁴	2018	2019
CN	998	946
VN	26	35
PE	3	0
EC	49	64
TH	11	13
PG	2	2
MU	0	4
FO	0	2
NO	4	4
Total	1093	1070

As regards imports by land or air: Processing countries were mainly China and Norway (processing statements accompanied catch certificates from RUS, USA and BG). In 2018: 48 processing statements accompanied imports into Poland (via airports or land border). In 2019: 63 processing statements accompanied imports into Poland (via airports or land border).

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?

¹⁴ ISO Alpha-2 country codes.

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

Yes No

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

.....

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:

Below there is a link to the Fish Market Organization Act (art. 62g – fish market organization act)

<http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190001489/UJD201914891j.pdf>

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
NO	303	217
EC	0	1
...		
Third Country x		
Total	303	218

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:

Bills of lading are required from the exporter to know the destination of the consignment, and the custom authorities monitor if the consignments leave Poland.

¹⁶ ISO Alpha-2 country codes.

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*

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*

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.

Art. 62e of the Fish Market Organization Act:

<http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190001489/U/D20191489Lj.pdf>

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>Third Country 1</i>		
<i>Third Country 2</i>		
...		
<i>Third Country x</i>		
Total	4	15

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 2018-2019)

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

Yes No

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

¹⁸ ISO Alpha-2 country codes.

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: *The CCs are first checked against their accordance with the rules of the IUU regulation and against conformity with the templates (the SMS is being used here). Then, their content is being checked and compared with other accompanying documents to verify if the data correlate. Should any uncertainty arise, the additional information/explanations and/or additional documents are being asked from the importer/3C competent authority. In the verification request sent, there is a deadline for answering indicated, yet if no reaction is received within a week a reminder is sent followed by another 2-3 days before the deadline. The latter one reminds also that in case there is no answer to the verification request, the products related to the verified document shall not be allowed for importation into the EU. After receiving the new material, the data are being analysed and compared with the previous ones and either (should there be such necessity) the importers/3C competent authorities are being asked for additional explanations/information/documents or the final decision (allowing or denying the importation) is being made.*

Should the necessity arise to receive information concerning the "physicality" of the products related to the CCs, we are in permanent contact with other services, such as those responsible for checking the quality and health aspects of the fishery products. Data received from them are also taken into consideration when making the decision whether the importation should be accepted or denied.

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:

¹⁹ Section to be filled-in by all Member States

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
PH	207	3	241	-
RU	1665	7	1634	16
CL	311	-	206	-
NO	762	5	835	2
IN	26	-	34	1
US	742	-	738	-
CA	118	-	149	-
AR	159	-	180	-
CN	123	4	256	2
VN	18	-	11	-
PA	52	11	44	-
ID	72	-	13	-
NZ	314	-	412	-
EC	60	1	103	2
MA	13	-	8	-
NI	3	-	2	-
FO	169	2	153	2
SC	9	-	9	-
LK	307	2	527	-
GL	28	-	24	1
SB	1	-	0	-

²⁰ ISO Alpha-2 country codes.

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.

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>IS</i>	395	6	404	3
<i>PE</i>	155	-	73	-
<i>MU</i>	0	-	1	-
<i>SV</i>	0	-	23	-
<i>KR</i>	1	-	10	-
<i>BZ</i>	0	4	0	-
<i>NA</i>	4	-	0	-
<i>ZA</i>	10	-	9	-
<i>TW</i>	1	-	0	-
<i>AU</i>	0	-	4	-
<i>MM</i>	0	-	2	-
<i>UY</i>	0	-	5	-
<i>OM</i>	3	-	1	-
<i>MV</i>	53	-	58	-
<i>Total</i>	5781	45	6169	29

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).

.....

6.4. Does your country also physically verify the consignments?

Yes

No

If yes, please detail:

Number (per year): A few thousands of inspections per year. No precise number available, since such controls are done daily by Veterinary officers at BCPs. Out of all those, around 20 per year are joint controls conducted by Fishery- and Agricultural and Food Quality Inspectors together with veterinary officials.

Method of selection: All shipments/containers arriving from 3rd countries other than NO, IS or FO are subjected to veterinary controls which include identification of species and weight checking. Imports for joint controls are selected randomly or upon receiving alert from Veterinary officials.

Follow-up: Importation denied in case of serious discrepancy found. In case of lighter matters, an in-depth verification initiated. Should the control prove everything is as it should be – acceptance of importation.

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)
BZ	1	Art. 17.6 a)	-	-
PH	3	Art. 17.4 a)	-	-
RU	2	Art. 17.6 a)	6	Art. 17.6 a), Art. 17.4 a)
NO	5	Art. 17.6 a)	2	Art. 17.6 a)
CN	4	Art. 17.6 a)	2	Art. 17.6 a)
PA	2	Art. 17.4 a)	-	-
EC	1	Art. 17.4 a)	2	Art. 17.6 a), Art. 17.4 a)
FO	2	Art. 17.6 a)	2	Art. 17.6 a)
LK	2	Art. 17.4 a)	-	-
IS	6	Art. 17.6 a)	3	Art. 17.6 a)
IN	-	-	1	Art. 17.4 a)
GL	-	-	1	Art. 17.4 a)
US	Approx. 15	Art. 17.4 a)	Approx. 15	Art. 17.4 a)
Total	43	-	34	-

²³ Section to be filled-in by all Member States

²⁴ ISO Alpha-2 country codes.

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]

20180.....

20190.....

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)?

Yes. It is a part of documentary verification related to US, NO, CA, IN and EC, and partially also IS catch certificates. No separate record of using those IT systems is available, because each of them may have been used several times for the same catch certificate, since after splitting of the original consignment there might be several new consignments with the same CC or, should the part of the fish be processed in the 3rd country, the copy of the initial CC accompanies each processing statement endorsed.

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.	BZ	3		
The catch certificate is not validated by the notified public authority of the flag State			USA	1
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?

Administrative procedure was launched. The operator decided to arrange the return of questioned consignments to the 3rd country from which they have been sent to the EU. Until the departure from

²⁵ Section to be filled-in by all Member States

²⁶ ISO Alpha-2 country codes.

²⁷ ISO Alpha-2 country codes.

the EU territory, the goods remained under the customs control. Sea transport of containers on the way back was monitored by the fisheries inspector using IT systems. Case was dissolved after receiving the official confirmation from the 3rd country that all questioned goods have returned.

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: *As regards the refusal in 2019: the operator tried to prove validity of the certificate, which was not approved by NOAA.*

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

If yes, please detail: *There has been an increase (slight yet notable) in volume and instances of containerized importation from non-EU Nordic countries, related to opening of new, regular routes that have their stops in Polish designated ports.*

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:

Specification (thousand tonnes of live weight of fish)	2018	2019 (estimation)
Import	894,8	908,0
Export	685,5	705,0

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: to all.

2019: to all.

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?

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

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

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2018: no.

2019: no.

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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).

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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:

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

No such actions have taken place.

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

³¹ Section to be filled-in by all Member States

³² 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)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
Country 1						
Country 2						
...						
Country x						
Total						

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

Yes No

If yes, please detail: *According to Article 126 paragraph 1 of the Sea Fisheries Act in case of serious infringement Main Sea Fisheries Inspector imposes a sanction of five times the value of the fishery products obtained by committing the serious infringement. According to Article 126 paragraph 2 of the Sea Fisheries Act in case of a repeated serious infringement within a five-year period, the Main Sea Fisheries Inspector imposes a sanction of not less than eight times the value of the fishery products obtained by committing the serious infringement and not exceeding twenty times the value of the fishery products obtained by committing the serious infringement.*

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?

³³ Section to be filled-in by all Member States

³⁴ ISO Alpha-2 country codes.

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?

As in previous years:

- *Lack of precise laws allowing the justified decisions to be taken – there are lots of interpretations and “oral indications” from Commission which, though otherwise are reasonable or even necessary, have no support in existing regulations;*

- *Lack of one consistent interpretation of existing regulations and its forwarding to the 3Cs;*

Additionally, due to changes (sometimes several) in government structure of certain 3Cs, it is difficult to find a valid email address to send a verification request to.

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

Again, as in previous years:

- *Reconsidering certain definitions (such as those of “fishing vessel” and “importation”) in cooperation with MS;*

- *Adding certain articles or points to IUU regulation, such as:*

> *admitting that documents can be forged and so giving MS authorities concrete legal base to deny importation if such documents appear, regardless of any other documents provided prior to, with or after such fraudulent documents – serious lack among points in art 18.2 of the IUU regulation;*

³⁵ ISO Alpha-2 country codes.

- > clearly indicating in points of art. 17 that MS authorities are allowed to request ANY and ALL documents and other items/information related to the imported goods and their route from the fishing vessel to the importer within EU (not just from final exporter in 3C);
- > clearly indicating that in situations not covered by the rules laid down in the regulations, the final decision is up to the MS authority and is legally binding;

- Adding a responsibility to the Commission to provide an official list of contact points in 3Cs and in MS and their email addresses – to facilitate verifications and exchange of information;

Additionally:

- Considering allowing the acceptance of importation within the IT CATCH by the EU authorities by using the e-signatures, once the system is launched as the official EU tool.

- Requesting, or even delicately forcing, 3Cs to start using IT CATCH as the ONLY tool to issue and validate CCs. (the amount and value of the fish imported into the EU gives us a strong background in that matter).

- Removing the outdated "Handbook..." from the COM's website and putting it back only when it is thoroughly revised (in cooperation with MS) and updated (!).

- Because the TRACES based IT CATCH system is delayed and, as it seems, it will be delayed even further, an alternative (temporary?) solution might need to be considered. One possible way might be to alter the requirements for the 3Cs to remain on the "notified" list. A new condition would then be the necessity to establish and maintain a secured website with the register of all EU catch certificates, issued by that particular 3C (for documents accompanying goods intended for direct exportation to the EU) and by other 3Cs (for documents accompanying goods arriving in that 3C for processing or storage and splitting). In the latter case, the register should automatically indicate and deduct the amounts of goods used for processing or for dispatch and show the amounts left. Control authorities of each EU MS should be given access to such website.

Section 15. Any other comments

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